



## City of Keene Planning Board

### AGENDA

**Monday, October 23, 2023 6:30 PM City Hall, 2<sup>nd</sup> Floor Council Chambers**

- I. **Call to Order** – Roll Call
- II. **Minutes of Previous Meeting** – September 25, 2023
- III. **Final Vote on Conditional Approvals**
- IV. **Extension Requests**
  1. **S-03-23 & SWP-CUP-02-23 – Conservation Residential Development Subdivision & Surface Water Protection Conditional Use Permit – Whitcomb’s Mill Estates, 19 Whitcomb’s Mill Rd** – Applicant and owner Sandra R. Henry Trust requests an extension to the deadline to satisfy the precedent conditions of approval for the CRD subdivision & Surface Water CUP applications, S-03-23 & SWP-CUP-02-23, for the proposed subdivision of the 12.42 ac parcel at 19 Whitcomb’s Mill Rd (TMP #237-018-000) into 9 lots, including 8 residential building lots ranging in size from 0.38 to 0.77 ac and one open space lot that is 6.83 ac in size. The parcel is located in the Low Density 1 District.
  2. **SPR-06-23 – Site Plan – Roosevelt School Housing – 438 Washington St** – Applicant Monadnock Affordable Housing, on behalf of owner Community College System of New Hampshire, requests an extension to the deadline to satisfy the precedent conditions of approval for the Major Site Plan application, SPR-06-23, for the proposed renovations to the former Roosevelt School building and the construction of a new ~12,646 sf 2-story building with associated site improvements to create a 60 unit multi-family housing development on the property at 438 Washington St (TMP #531-054-000). The site is 2.4 ac and is located in the Low Density District.
- V. **Public Hearings**
  1. **S-09-23 – Subdivision – 284 West Surry Rd**: Applicant Huntley Survey & Design PLLC, on behalf of owners Corbet & Colline Cook, proposes to subdivide the ~9.19-ac parcel at 284 West Surry Rd (TMP #206-025-000) into three lots ranging in size from ~2 ac to ~5.16 ac. The parcel is located in the Rural District.
  2. **S-10-23 & SPR-02-22, Modification #1 – Boundary Line Adjustment & Site Plan – Aroma Joe’s & Granite State Carwash, 348 & 364 West St** – Applicant Brickstone Land Use Consultants, on behalf of owners West Street AJ’s LLC and A&B LLC, proposes a boundary

line adjustment that would transfer ~0.022 ac of land from the ~0.598-ac Granite State Carwash site at 364 West St (TMP #577-026-000) to the ~0.224-ac Aroma Joe's site at 348 West St (TMP #577-025-000). Modifications to the layout of the existing queuing area on the Aroma Joe's site are also proposed. Both properties are located in the Commerce District.

VI. **Advice & Comment**

1. **Potential Conservation Residential Development (CRD) Subdivision, 0 Old Walpole Rd** – Applicant and owner Monadnock Habitat for Humanity Inc., is seeking input from the Planning Board regarding a potential CRD Subdivision of the 7.1-ac parcel at 0 Old Walpole Rd (TMP #503-005-000). The parcel is located in the Rural District.

VII. **Staff Updates**

VIII. **New Business**

IX. **Upcoming Dates of Interest**

- Joint Committee of the Planning Board and PLD – November 13<sup>th</sup>, 6:30 PM
- Planning Board Steering Committee – November 14<sup>th</sup>, 11:00 AM
- Planning Board Site Visit – November 22<sup>nd</sup>, 8:00 AM – To Be Confirmed
- Planning Board Meeting – November 27<sup>th</sup>, 6:30 PM

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

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

8 **Monday, September 25, 2023**

**6:30 PM**

**Council Chambers,  
City Hall**

**Members Present:**

Harold Farrington, Chair  
David Orgaz, Vice Chair  
Emily Lavigne-Bernier  
Roberta Mastrogiovanni  
Armando Rangel  
Ryan Clancy

**Staff Present:**

Mari Brunner, Senior Planner  
Evan Clements, Planner

**Members Not Present:**

Mayor George S. Hansel  
Councilor Michael Remy  
Randyn Markelon, Alternate  
Kenneth Kost, Alternate  
Gail Somers, Alternate  
Tammy Adams, Alternate

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10 **I) Call to Order – Roll Call**  
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12 Chair Farrington called the meeting to order at 6:30 PM and a roll call was taken.  
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14 **II) Minutes of Previous Meeting – July 24, 2023**  
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16 Chair Farrington offered the following notation:

17 He indicated during the discussion of 0 Walpole Road subdivision there was suggested language  
18 for one of the conditions by the applicant, who handed a note to staff and staff handed that note to  
19 the Mayor. This was read as a recommended condition; the Board discussed that language before  
20 approving it. Mr. Clancy in response felt the Board was not aware of the contents of the note and  
21 asked what the contents of the note were.  
22

23 Chair Farrington stated it was language for the wording of the motion, specifically regarding the  
24 narrowing of the scope of the water study from the entire property to just the parts that were going  
25 to be developed. Mr. Clancy stated the recommended motion from city staff was the paved  
26 driveway which is the part the Mayor chose to omit from the motion he read. Chair Farrington  
27 stated the issue was not paved or unpaved – it was the water study. Mr. Clancy asked for further  
28 clarification.  
29

30 Ms. Brunner added to the discussion by saying it was language proposed by Attorney Hanna, one  
31 of the applicants. They were concerned the language for the motion staff was proposing was a little  
32 too vague, this was specific to the condition to require a drainage study, and when the applicant  
33 was presenting to the Board, they questioned whether the study was being required for the entire  
34 site or just the portion being developed. The Board discussed and it was decided it would be just  
35 for the area that is being developed. Following that discussion, the applicant gave a marked-up  
36 version of the recommended motion to staff to clarify that and this is the note that was given to the  
37 Mayor. Ms. Brunner stated staff do not have the note anymore but could see what was originally  
38 proposed and what was finally read, and those differences would be the proposed changes; this  
39 was discussed by the Board before it was read.

40  
41 Mr. Clancy asked whether it is procedural for an applicant to hand in a note regarding their wishes  
42 and not speak publicly. Chair Farrington noted that the Board was already deliberating, and it was  
43 Councilor Remy he believes who suggested that the motion be changed to clarify the intent. Mr.  
44 Clancy said he felt the Board should be encouraging conversation and debate, so the Board is more  
45 informed, and the public is more aware. He stated he would approve the minutes but expressed  
46 concern as to what happened.

47  
48 The Chair offered additional corrections:  
49 Line 232 – after the words “...no one knew add the “who”  
50 Line 237 – The correct term should be “City Hall” not City Hill

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52 A motion was made by David Orgaz that the Planning Board approve the July 24, 2023 meeting  
53 minutes as amended. The motion was seconded by Roberta Mastrogiovanni and was unanimously  
54 approved.

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56 **III) Extension Request**

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58 **1. SPR-02-23 & SWP-CUP-01-23 – Site Plan & Surface Water Conditional Use Permit**  
59 **– Contractor Bays, 0 Black Brook Rd – Applicant Patriot Holdings LLC, on behalf**  
60 **of owner New England Interconnect Systems Inc., requests an extension to the**  
61 **deadline to satisfy the precedent conditions of approval for the Site Plan & Surface**  
62 **Water CUP applications, SPR-02-23 & SWP-CUP-01-23, for the proposed**  
63 **construction of two buildings ~36,000 sf and ~25,200 sf in size for use as rental units**  
64 **for contractors and associated site modifications on the properties at 0 Black Brook**  
65 **Rd (TMP #s 221-023-000 & 221-024- 000). The combined parcels are 12.57 ac and are**  
66 **located in the Corporate Park District.**

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68 Ms. Brunner stated this is an extension request for an application that did meet the conditions of  
69 approval prior to expiry. Because the August meeting was not held the applicant agreed to submit  
70 the extension request and wait to receive final approval. The extension request is to extend the  
71 deadline for the applicant to receive final approval.

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73 A motion was made by David Orgaz to extend the deadline to meeting the conditions of approval  
74 by 180 days. The motion was seconded by Roberta Mastrogiovanni and was unanimously  
75 approved.

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**IV) Final Vote on Conditional Approvals**

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

Ms. Brunner stated there are four items ready for a final vote.

(1) *SPR-02-23 & SWP-CUP-01-23 Site Plan & Surface Water Conditional Use Permit – Contractor Bays, 0 Black Brook Rd.* There were three conditions of approval:

1. Submittal of security for sedimentation and erosion control landscaping and as built plans.
2. Owner’s signature and the inclusion of the alteration of terrain permit number on the plan set.
3. Submittal of five full size paper copies and one digital copy.

All conditions have been met except for one that was not met, and that was the inclusion of the alteration of terrain permit number on the final plan set and that is because it has not been approved yet. Ms. Brunner stated staff recommend that the Board issue a final approval with a condition subsequent that the alteration of terrain permit be submitted after final approval.

A motion was made by David Orgaz that the Planning Board issue final site plan approval for SPR-02-23 & SWP-CUP-01-23 with the following condition subsequent to final approval:

1. Submittal of alteration of terrain permit.

The motion was seconded by Roberta Mastrogiovanni and was unanimously approved.

(2) *S-05-23 – 2-lot Subdivision on 86 Nims Road.*

The conditions for approval for this application are as follows:

1. Owners signature on the plan set.
2. Revised plan that removes the Parcel ID number for the new lot.
3. Lot monuments be inspected by the Public Works Director or their designee.
4. Submittal of four full size paper copies – two mylar and a digital copy of the final plan set.
5. Submittal of a check in the amount of \$51 made out to the City of Keene to cover recording fees.

All these conditions have been met. A motion was made by David Orgaz that the Planning Board issue final site plan approval for S-05-23. The motion was seconded by Roberta Mastrogiovanni and was unanimously approved.

(3) *S-10-22 and SWP-CUP-03-23 Subdivision and Surface Water Conditional Use Permit for 0 Old Walpole Road.*

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This application had the following conditions precedent:

1. Owner’s signature on the plan
2. Submittal of revised plans with the following changes: (a) Parcel ID number for the new lot to be removed from the plan (b) A note be added to the stating a street access permit shall be required for the new lot (c) proposed easement area be more clearly defined.
3. Lot monuments be inspected by the Public Works Director or their designee.
4. Submittal of four full size paper copies – two mylar and a digital copy of the final plan set.
5. Submittal of a check in the amount of \$51 made out to the City of Keene to cover recording fees.

All these conditions have been met.

A motion was made by David Orgaz that the Planning Board issue final site plan approval for S-10-22 and SWP-CUP-03-23. The motion was seconded by Roberta Mastrogiovanni and was unanimously approved.

*(4) Site Plan application for SPR 967, Modification #7A for 0 Cypress Street – Landscaping Modifications to the Railroad Condominium Land.*

There were three conditions precedent:

1. Owner’s signature on the plan.
2. Submittal of five full size paper copies and a digital copy of the final plan set.
3. Submittal of security to cover landscaping.

All these conditions have been met.

A motion was made by David Orgaz that the Planning Board issue final site plan approval for SPR 967, Modification #7A. The motion was seconded by Roberta Mastrogiovanni and was unanimously approved.

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.**

A. **Board Determination of Completeness**

Ms. Brunner stated staff recommends the Board accept this application as complete. A motion was made by David Orgaz to accept Application S-07-23 as complete. The motion was seconded by Roberta Mastrogiovanni and was unanimously approved.

168 B. Public Hearing

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170 Tara Kessler Planner/Paralegal for BCM Environmental & Land Law stated she is representing  
171 owners of properties located at 168 and 180 Court Street. Both parcels contain single family  
172 homes. The request is to transfer .03 acres of land along the common boundary line which belongs  
173 to 180 Court Street. The proposal is to transfer that portion to 168 Court Street to create a straight  
174 line and to revert back to the original conditions. Ms. Kessler stated both properties are in the  
175 medium density district and conform to requirements of that district and the proposed adjustment  
176 won't affect that.

177

178 Ms. Kessler added it was just brought to their attention that City staff had discovered a buried clay  
179 storm drain underneath both properties for which there is no easement. The City would like to  
180 discuss easement options for possible maintenance in the future. Ms. Kessler stated they would  
181 like that to be separate from the boundary line adjustment.

182

183 Staff comments were next. Ms. Brunner addressed the Board and stated that staff conducted a  
184 preliminary review and have determined this boundary line adjustment would have no potential  
185 for regional impact, but the Board would have to make that final determination.

186

187 With respect to the application Ms. Brunner stated there is not much more to address than what  
188 has already been described by the applicant. Both lots were conforming before the boundary line  
189 adjustment and would remain same after this adjustment.

190

191 With respect to sewer and water both lots are currently serviced by City water and sewer.

192

193 There is no change to access and there is no surface waters or wetlands present on either lot. Ms.  
194 Brunner stated staff did not have any conditions to recommend tonight and hence the applicant is  
195 hoping to receive final approval tonight. They have submitted plans signed by the owners and meet  
196 all Board requirements. Staff have everything they need to process final approval.

197

198 Chair Farrington asked for clarification about the storm drain and whether there were any  
199 comments from the City Engineer. Ms. Brunner stated there is a ten-inch clay drainage pipe, which  
200 the City Engineer was not even aware of until another staff member brought it to his attention.  
201 Engineering staff wanted to make sure the property owners were aware of the pipe's existence and  
202 would like to discuss easement options with the owners.

203

204 The Chair asked for public comment next. With no comments from the public the Chairman closed  
205 the public hearing.

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207 C. Board Discussion and Action

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209 A motion was made by David Orgaz that the Planning Board approve S-07-23 for a Boundary Line  
210 Adjustment between the properties at 168 & 180 Court St, as shown on the plan identified as  
211 "Boundary Line Adjustment Plan of Lands of James A. Putnam Trust & Judith H. Putnam Trust,  
212 168 Court Street, Parcel # 554 - 10 and Tilden Properties, LLC, 180 Court Street, Parcel # 554 -  
213 11, City of Keene, Cheshire County, New Hampshire" prepared by Edward C. Goodrich, Jr. at a

214 scale of 1 inch = 20 feet on August 1, 2023 and last revised on September 7, 2023 with no  
215 conditions.”

216  
217 The motion was seconded by Robert Mastrogiovanni and was unanimously approved.

218  
219 The Chair stated because this is just a boundary line adjustment between two properties, he sees  
220 no regional impact.

221  
222 **VI. Public Hearings**

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224 **2. S-08-23 – Subdivision & SPR-04-13, Mod. 1 – Site Plan: Applicant and Owner**  
225 **Markem Corporation proposes to subdivide 150 Congress St (TMP #598-002-000)**  
226 **into two lots and remove pavement and portions of an existing tunnel structure. A**  
227 **waiver from Sec. 20.7.3.C of the Land Development Code has been requested. The**  
228 **parcel is located in the Industrial Park District.**

229  
230 A. Board Determination of Completeness

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232 Planner Evan Clements addressed the Board and stated the Applicant has requested exemptions  
233 from providing a drainage report, traffic analysis, soil analysis, grading plan, elevations, historic  
234 evaluation, screening analysis, architectural and visual appearance analysis, and other technical  
235 reports. Staff have determined that the requested exemptions would have no bearing on the merits  
236 of the application and recommend that the Board accept the application as complete.

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238 A motion was made by David Orgaz to accept Application S-08-23 as complete. The motion was  
239 seconded by Roberta Mastrogiovanni and was unanimously approved.

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241 B. Public Hearing

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243 Mr. John Lefebvre with Fieldstone Land Consultants addressed Board on behalf of Markem Imaje.  
244 He indicated they have two applications before the Board – one is for a subdivision and one is for  
245 a site plan. He indicated that, in order to subdivide the property, there is some pavement and a  
246 tunnel that need to be removed. Staff felt the applicant should come before the Board with a site  
247 plan, make the proposal and have that be part of the conditions toward a subdivision plan.

248  
249 He indicated portions of pavement are being removed to meet the setback requirements for  
250 parking. A portion of the tunnel is being removed to bring that into compliance for building setback  
251 requirements.

252  
253 Staff comments were next. Mr. Clements stated the subject parcel is an existing, 31.82-acre  
254 industrial site owned and occupied by the Markem-Imaje Corporation. The site consists of three  
255 existing buildings and associated improvements including drive aisles, parking spaces, and  
256 landscaping. The parcel is located to the west of Optical Avenue and north of NH Route 101 with  
257 frontage on Congress Street, Tiffin Street, and Brown Street. As the applicant indicated this is two  
258 applications in one and the main purpose of this application is to subdivide a new 4.02-acre parcel  
259 that includes the building located directly adjacent to Tiffin Street. The existing 21,130 square foot

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

262  
263 In order to meet pavement and building setback requirements, a Site Plan modification has been  
264 submitted which depicts the removal of two drive aisles to the west of the INF Building and the  
265 removal of a tunnel structure between the INF Building and the main Markem-Imaje building.  
266 This is to make the subdivision comply with zoning.

267  
268 Mr. Clements went on to say that if the Board decides to move forward this evening with the  
269 application, the site plan is ready with no conditions for final approval. The application will then  
270 be able to remove the impervious surface and a portion of the tunnel to allow the new lot to meet  
271 set back requirements. The applicant will then come back before the Board for final approval on  
272 the subdivision.

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274 Mr. Clements stated the applicant is also requesting a waiver from section 20.7.3.C of the Land  
275 Development Code which refers to light level trespass which exceed .1-footcandle on to an  
276 adjacent property. This waiver is requested to accommodate light trespass that may be caused due  
277 to the new common lot line created by the subdivision.

278  
279 With respect to regional impact, staff has performed a preliminary review of regional impact and  
280 does not believe this project rises to the threshold of regional impact.

281  
282 With respect to character of land for subdivision. The subject parcel is an existing industrial  
283 development with multiple buildings, drive aisles, and parking areas. The proposed alterations to  
284 the site are to make the new lots comply with zoning regulations. Staff feels the character is suitable  
285 for subdivision.

286  
287 Special Flood Hazard Areas - A portion of the parent lot is located within the 100-year flood plain.  
288 No new development is proposed with this application and the flood plain will not be altered or  
289 impacted with new development. It appears that this standard has been met.

290  
291 Utilities – This site is served by existing water and sewer lines and will continue to be utilized. A  
292 new underground electric service will be installed by the applicant to separate the INF building  
293 from the Markem-Imaje site. The applicant notes that a blanket utility cross easement will be  
294 granted for the utilities for the Markem-Imaje facility that cross the proposed lot. One of the  
295 conditions of approval for tonight is the submittal of the proposed easement for review by the City  
296 Attorney and an executed copy subsequent to final approval.

297  
298 With respect to other standards such as drainage, sediment and erosion control, snow storage and  
299 removal, landscaping – there are no significant alterations to the site and hence these standards  
300 don't apply.

301  
302 Lighting Waiver - the Board should find by a majority vote that the criteria outlined in Section  
303 25.10.14 of the LDC have been met:

304 *1. Specific circumstances relative to the subdivision, or conditions of the land in such subdivision,*  
305 *indicate that the waiver will properly carry out the spirit and intent of the regulations;*

306 2. *Granting the waiver will not increase the potential for creating adverse impacts to abutters, the*  
307 *community or the environment;*

308 3. *Consideration will also be given as to whether strict conformity with the regulations would pose*  
309 *an unnecessary hardship to the applicant.*

310  
311 Traffic and Access Management - There are no proposed changes to the existing building use. No  
312 increase in traffic is expected with this proposal. The removal of the two drive aisles will prevent  
313 traffic circulation between the new lot and the remaining Markem-Imaje campus. It appears that  
314 this standard has been met.

315  
316 Noise – This is an existing industrial use of the property and no change of use is being proposed.  
317 The noise generated from the site will not change due to this application. It appears that this  
318 standard has been met.

319  
320 Mr. Clements asked that the Board address the waiver request separately from the proposed  
321 motion.

322  
323 Chair Farrington asked whether anyone from staff had any concerns about the tunnel. Mr.  
324 Clements stated there will be a requirement for a demolition permit to remove the tunnel which is  
325 a surface level tunnel.

326  
327 Mr. Lefebvre stated the tunnel at the present time provides a connection between the two buildings,  
328 the portion being removed is next to the property line to bring that building into compliance.

329  
330 Ms. Lavigne-Bernier asked for clarification on the light trespass issue. Mr. Clements stated the  
331 waiver will allow the proposed site plan to meet the current Board standards for the existing  
332 lighting on the site. When the new owner comes in there will be a change of use and depending on  
333 their light requirement, it could trigger a site plan review.

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335 The Chair asked for public comment, with no comment from the public the Chair closed the public  
336 hearing.

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338 C. Board Discussion and Action

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340 A motion was made by David Orgaz that the Planning Board approve the waiver from Section  
341 20.7.3 of the Land Development Code to allow light trespass in excess of 0.1 footcandles across  
342 the newly proposed property line. The motion was seconded by Roberta Mastrogiovanni and was  
343 unanimously approved.

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345 A motion was made by David Orgaz that the Planning Board approve SPR-04-13, Mod. 1 as shown  
346 on the plan set identified as “Site Development Plans Markem-Imaje 2 Lot Subdivision” prepared  
347 by Fieldstone Land Consultants, PLLC at a scale of 1” = 50’ and 1” = 100’ dated August 17, 2023  
348 and last revised August 31, 2023 with no conditions. The motion was seconded by Roberta  
349 Mastrogiovanni.

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351 Vice-Chair Orgaz did not feel this item will have any regional impact.

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The motion for the site plan was unanimously approved.

A motion was made by David Orgaz regarding the subdivision plan that the Planning Board 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.

The motion was seconded by Roberta Mastrogiovanni.

Vice-Chair Orgaz did not feel the subdivision plan will have any regional impact.

The motion for the subdivision plan was unanimously approved.

**2. 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.**

A. Board Determination of Completeness

Mr. Clements stated 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.

A motion was made by David Orgaz to accept the subdivision application, S-04-23, as complete. The motion was seconded by Roberta Mastrogiovanni and was unanimously approved.

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B. Public Hearing

Mr. Jim Phippard of Brickstone Land Use Consultants addressed the Board on behalf of Carlisle Park Avenue LLC. Mr. Phippard stated the applicant is the owner of 800 Park Ave, which a 5.66-acre lot. This is an existing developed commercial property with two existing buildings on the lot. The 1,935 square foot building is currently occupied by an ice cream shop and a bakery. The larger building, which is approximately 17,800 square feet in size, is a two-story, mixed-use building.

Mr. Phippard stated the only thing they are proposing to do is create an interior lot line to separate the two buildings, so that they are each on their own lot. No other changes are being proposed. There are currently 100 parking spaces on the site and 21 more spaces in the easement area. This parking was created prior to the current zoning regulations (which dictate that there must be certain parking setbacks, that parking must be located at the side and rear of the building, etc.). Mr. Phippard stated that the proposed new lot line will pass through the existing parking area. This required a variance from the Zoning Board of Adjustment to allow for a reduction in the pavement setbacks along that line, which was granted.

The 17,800 square foot building is sprinkled and hence has adequate fire protection. This property is within the 100-year floodplain. The flood elevation is 510' on the south and rises across the property to 513' adjacent to Maple Avenue – Mr. Phippard noted that this will not be impacted by the proposed subdivision.

Staff comments were next. Mr. Clements addressed the Board and began by saying that staff has performed a preliminary regional impact analysis and does not believe this application has the potential for regional impact, but noted that ultimately the Board would have to make the final determination.

Mr. Clements went on to say that subject parcel is an existing 5.66-acre lot located between Summit Road, Maple Avenue, and Park Avenue, and approximately 600 feet south of Cheshire Medical Center. 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 area along the southern portion of the property. Mr. Clements stated this is a very straightforward subdivision application. A waiver was applied for and approved. The majority of the Board's standards don't apply as the site is already developed and there are no other changes being proposed.

As far as the character of land for subdivision – both lots meet zoning and are suitable for a subdivision.

With respect to lighting, there are no pole lights on site, there are wall packs on the building, but there is no light trespass across this new property line because the parking lot is not illuminated – this standard has been met.

The site is served by City water and sewer and this will not change.

444 With respect to traffic and access management, there are no proposed changes to the existing  
445 building uses and no increase in traffic is expected with this proposal. It appears that this standard  
446 has been met. There are no changes being proposed to surface waters & wetlands, hazardous &  
447 toxic materials, noise, or architecture and visual appearance on the property.

448  
449 Mr. Clements went over the proposed motion as outlined in the Board packet.

450  
451 Mr. Clancy asked for clarification of the waiver and confirmed that no pavement would need to be  
452 dug up. Mr. Clements answered in the affirmative and added that the applicant received relief from  
453 the Zoning Board to allow this pavement to remain.

454  
455 The Chair asked for public comment. With no public comment, the Chair closed public hearing.

456  
457 **C. Board Discussion and Action**

458  
459 A motion was made by David Orgaz that the Planning Board approve S-06-23 as shown on the  
460 plan set identified as “Subdivision Plan prepared for Carlisle Park Ave. LLC” prepared by David  
461 A. Mann, Land Surveyor at a scale of 1” = 50’ dated July 14, 2023 with the following conditions:

- 462
- 463 1. Prior to final approval and signature by the Planning Board Chair, the following conditions  
464 precedent shall be met:
    - 465 A. Owner’s signature appears on the plan.
    - 466 B. Inspection of lot monuments by the Public Works Director or their designee following  
467 their installation or the submittal of a security in an amount deemed satisfactory to the  
468 Public Works Director to ensure that the monuments will be set.
    - 469 C. A copy of the draft Pass & Repass Easement document shall be submitted to the City  
470 Attorney for review and approval.
    - 471 D. Submittal of four (4) full sized paper copies, two (2) mylar copies, and a digital copy  
472 of the final plan set.
    - 473 E. Submittal of a check in the amount of \$51.00 made out to the City of Keene to cover  
474 recording fees.
  - 475
  - 476 3. Subsequent to final approval and signature by the Planning Board Chair, the following  
477 conditions shall be met:
    - 478 A. A copy of the recorded Pass & Repass Easement document shall be submitted to the  
479 Community Development Department.

480  
481 The motion was seconded by Roberta Mastrogiovanni.

482  
483 Armando Rangel did not feel this application would have any regional impact.

484  
485 The motion was unanimously approved.

486  
487 **VII. Advice & Comment**

488

489 **1. Aroma Joe’s Site Modifications – 348 West St – Applicant Brickstone Land Use**  
490 **Consultants, on behalf of owner West Street AJ’s LLC, is seeking input from the**  
491 **Planning Board regarding proposed modifications to the existing queuing layout on**  
492 **the Aroma Joe’s property at 348 West St (TMP #577-025-000). The parcel is 0.23 ac**  
493 **and is located in the Commerce District.**  
494

495 Mr. Phippard addressed the Board. Mr. Phippard stated in that 2022 the Planning Board approved  
496 a site plan to allow Aroma Joe’s to operate on this site. The Zoning Board approved a variance to  
497 allow for development on a property with a sub-standard lot size in the Commerce District.  
498

499 He explained that this is a drive-thru restaurant. The opening was in April 2023 and the traffic that  
500 resulted was a little overwhelming. There is space for queuing for ten cars around the building and  
501 this number was based on 106 other Aroma Joe’s locations throughout the country. Mr. Phippard  
502 went on to explain that at the Keene location, there have been issues two to three times a day where  
503 cars are blocking traffic on West Street due to the high volume of customers. Police have been  
504 called to the property several times and the tension of certain customers seems to be rising and the  
505 traffic problems have not gone away.  
506

507 The police are looking for the applicant to find a solution. Mr. Phippard stated he has met with the  
508 owners and since that time they have also purchased the former gas station property next door at  
509 364 West St, which they plan to redevelop into a carwash. The solution the applicant has is to  
510 create a second entry lane at the Aroma Joe’s site. Mr. Phippard stated they are hoping this new  
511 entrance could be constructed before the winter and was asking that this approval be completed  
512 administratively.  
513

514 He noted that there is a site plan approved for the car wash next door. The current proposal is a  
515 boundary line adjustment that would transfer an 8’-wide strip of land from the carwash site at 364  
516 West St to the Aroma Joe’s site at 348 West St. This BLA would have no impact on the car wash  
517 site, except for reducing the pavement setback. Mr. Phippard stated he applied to the Zoning Board  
518 of Adjustment for a variance to allow for a pavement setback of less than eight feet on both sides  
519 of the property line, which was granted. This variance will allow the property owner to create a  
520 second entry lane onto the Aroma Joe’s site, which will add capacity for five more cars to que and  
521 allow for a total of 15 cars in the queue at any given time.  
522

523 Vice-Chair Orgaz asked whether the exit out of the site only permits one car at a time and whether  
524 a car trying to make left turn is what could be causing the traffic back up. Mr. Phippard did not  
525 feel vehicles exiting the site were causing the traffic issues.  
526

527 Ms. Lavigne-Bernier stated she has come very close to having a couple of accidents due to the  
528 queuing issues. She asked whether customers on foot order at the same window. Mr. Phippard  
529 answered in the negative and stated there is a walk-up window at the west side of the building for  
530 pedestrian traffic.  
531

532 Ms. Phippard stated this type of queuing is surprising to the applicant and noted that the owners  
533 have had to order extra shipments of a certain flavor of energy drink that seems to be very popular

534 amongst young people. He feels this will be a permanent solution to the traffic issues and is hoping  
535 that they can move as quickly as possible to get this completed.

536  
537 Ms. Lavigne-Bernier stated she supports any improvement with the traffic issues before anything  
538 serious happens.

539  
540 Ms. Mastrogiovanni felt a right turn only or a double exit lane could also be a solution. Ms. Brunner  
541 stated staff could certainly work with the applicant on a right turn only option, but if there is a  
542 change to the curb cut it can only be reviewed by the Planning Board through a site plan  
543 modification.

544  
545 Mr. Clancy asked how snow removal will be addressed. Mr. Phippard stated the plan is to push  
546 the snow back towards the parking spaces and the snow would then be hauled off-site.

547  
548 Mr. Rangel asked Mr. Phippard to explain how the second lane will help with the queuing. Mr.  
549 Phippard stated when the first queueing lane is full of cars, cars that are approaching will see that  
550 and start using the second queueing area, which will then allow traffic to merge at the rear of the  
551 site. He added the applicant has done this with three other sites where they had issues and it seemed  
552 to be an effective solution.

553  
554 Vice-Chair Orgaz added that Panera moving could also be adding to the traffic issue.

555  
556 Ms. Mastrogiovanni stated her observation is that all coffee places have traffic backing up during  
557 the AM hour.

558  
559 Mr. Clancy felt the proposed solution might add to the possibility for accidents and asked whether  
560 there is way to create a connector with the other property. Mr. Phippard felt there could be a  
561 conflict with traffic from both properties, if a connector was created between the sites. He noted  
562 that the drive-thru lanes for the car wash travel counterclockwise, which would cause a conflict.  
563 Mr. Phippard noted Aroma Joes shuts down for 15 minutes every day for deliveries. Ms. Lavigne-  
564 Bernier asked what happens to traffic during a delivery. Mr. Phippard stated deliveries have been  
565 planned during the slowest times, but if there is a vehicle trying to enter the site during that time,  
566 an employee would come out and take the customer's order.

567 The Chair asked for staff comment on the request from the applicant regarding administrative  
568 approval. Ms. Brunner began by saying this is Advice & Comment and anything the Board or the  
569 applicant presents here is non-binding. What staff is looking for is how comfortable the Board is  
570 with this proposal. Staff also felt this would be a good time for the community to listen in on this  
571 discussion because the administrative process is less accessible to the public and there is a short  
572 timeframe for appealing an administrative decision.

573  
574 Ms. Brunner added staff doesn't necessarily have any issues with this proposal, but this particular  
575 application has been controversial to the public and there have been abutters who have come to  
576 the City with concerns. This is a project that is being closely watched by the community. She  
577 indicated staff would like to know if the Board would like to see this come back as a formal  
578 application or not.

579

580 Chair Farrington felt this is an item that is important to the community and the abutters would  
581 probably not feel comfortable having it handled administratively.

582  
583 Ms. Mastrogiovanni asked if because both properties are owned by the same party, other than the  
584 double-lane solution, if there was any possibility of redesigning the carwash entry to meet the  
585 needs of Aroma Joe's. Mr. Phippard did not feel that this would be an appropriate solution because  
586 there is already not that much room on the car wash site.

587  
588 Mr. Phippard noted he has missed the deadline for the October meeting and asked whether there  
589 was any way he could make that agenda. Ms. Brunner stated if the applicant could submit a  
590 complete application with no waiver requests, then City Staff could accept the application by the  
591 revision deadline on October 6<sup>th</sup>. Mr. Phippard stated he could meet this deadline. Ms. Brunner  
592 reminded Mr. Phippard he would also need to submit a Boundary Line Adjustment application at  
593 that time.

594  
595 **VIII. Nomination of City Representative to SWRPC Commissioners**

596  
597 Chair Farrington stated Planning Board Alternate, Kenneth Kost, has expressed interest in serving  
598 as a representative for Keene on the Southwest Region Planning Commission Commissioners. He  
599 indicated the nomination has to come from this Board and the confirmation will come from City  
600 Council.

601  
602 A motion was made by David Orgaz that the Planning Board nominate Kenneth Kost to serve as  
603 a Commissioner on the SWRPC Commissioners. The motion was seconded by Roberta  
604 Mastrogiovanni. Mr. Clancy felt Mr. Kost would be a great representative for the City. The motion  
605 was unanimously approved.

606  
607 **IX. Staff Updates**

608  
609 Ms. Brunner explained that the only staff updates were related to the item listed under the "New  
610 Business" section of the agenda, which was called "Request for Planning Board Comments on  
611 Route 101 Improvements Project." She explained that a consultant working on this project will be  
612 presenting to the MSFI Committee on Wednesday, September 27<sup>th</sup> at City Hall in the 2<sup>nd</sup> floor  
613 Council Chambers. Because a number of Boards and Committees have been asked to provide  
614 comments, the consultant will not be able to attend every Board meeting to present, so this will be  
615 a good opportunity to hear the consultant's presentation. The meeting will also be streamed on the  
616 City's YouTube channel and the recording of the MSFI meeting will be available on the City's  
617 website.

618  
619 The Chair asked for the name of the consultant. Ms. Brunner stated it is Comprehensive  
620 Environmental Inc. and they are assisting the NH Department of Transportation with this project.  
621 One of the goals of this project is to improve safety at the intersection of Swanzey Factory Road.

622  
623 **X. New Business**

- 624  
625 a. Request for Planning Board Comments on Route 101 Improvements Project

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This item was discussed during the “Staff Updates” portion of the meeting.

Mr. Clancy addressed another item for New Business. Mr. Clancy stated he would like to see a formal update on the concern he raised during the approval of the minutes earlier in the meeting and referred to language from the July 24<sup>th</sup> meeting minutes, “...*Mayor Hansel stated he was going to read the motion from the staff report without a condition requiring that the driveway be paved...*” With this language included in the minutes, he stated he wanted to make sure the Board is being transparent with the public as to what the Board was doing at its last meeting. Without the Mayor here to explain what happened and without the note, the Board is circling back to this item. He stated he would like to see a staff update on this issue for the next meeting.

Ms. Brunner stated she wasn’t sure staff would be able to provide any more information than has already been presented. She indicated she saw the note Tom Hanna passed to staff, which was then given to the Mayor. She stated the note included specific language for the condition of approval related to the drainage report. The note did not refer to the driveway being paved or unpaved. The applicant is the one who requested that the Board not include that condition. That condition was recommended by staff, but the applicant did not want to pave the driveway because of the added expense. The applicant did request this at the meeting, but it was not included in the note.

Mr. Clancy stated the Board was unaware of the contents of the note when it was deliberating the matter. He stated he wanted to be as transparent as possible not only to the public, but to the Board as well. With the Mayor choosing to make that comment and the unknown contents of the note, it disenfranchises the Board and the public when proper discussions cannot be undertaken. Mr. Clancy stated he hoped he could have more clarity about what happened.

Chair Farrington felt that these are two separate issues. It was clear staff were recommending a paved driveway and the applicant did not want that and gave their reasons for it. He stated that the Board discussed this issue and agreed they were not going to include this as a condition of approval. The second item was how much of the site the drainage study should include – would it be the entire property or just the area being developed. This issue was also discussed at length.

Ms. Lavigne-Bernier asked Mr. Clancy if something like this were to happen again, if it would be better if the Mayor read the note or explained its contents. Mr. Clancy felt the applicant or their representative should not be handing staff notes and then passing them along to a member of the Board without an explanation. He indicated the Board’s by-laws refer to this session as a hearing and a note is not a hearing. Ms. Lavigne-Bernier agreed with Mr. Clancy’s concern. Ms. Mastrogiovanni agreed this should not be a practice of the Board.

**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

672 There being no further business, Chair Farrington adjourned the meeting at 8:06 PM.

673

674 Respectfully submitted by,  
675 Krishni Pahl, Minute Taker

676

677 Reviewed and edited by,  
678 Mari Brunner, Senior Planner

679 Megan Fortson, Planning Technician



September 20, 2023

Keene Community Development Department  
3 Washington Street  
Keene, NH 03431

Attn: Mari Brunner, Senior Planner

Re: S-03-23 and SWP-CUP-02-23, CRD Whitcomb's Mill Road

Dear Mari,

On behalf of the SR Henry Trust, I am requesting a six month extension to the condition compliance time for this project. We received conditional approval from the Keene Planning Board on May 22, 2023, and the condition compliance time will expire on Nov 19, 2023. This is the first request for an extension.

We have made significant progress in addressing the conditions of approval:

- The property monuments are now being installed.
- The Keene City Council has approved the road layout and acted on the waivers requested.
- We are working with a local bank to provide a letter of credit for the road security required.
- The plans have been modified to add notes for "No Cut Zones" and to address fire protection.
- A draft of the Homeowner Association documents has been prepared and will be submitted to City staff for review.

Let me know if you wish any additional information.

Sincerely,

James P. Phippard, agent



**BRAGDON, BARON &  
KOSSAYDA, P.C.**

Located at The Holbrook House



82 Court Street  
P.O. Box 465  
Keene, NH 03431  
Telephone: 603-357-4800  
Fax: 603-357-4825  
[akossayda@bragdonlaw.com](mailto:akossayda@bragdonlaw.com)

Stephen B. Bragdon  
Adam P. Kossayda  
Elana S. Baron

Peter W. Heed, *Of Counsel*

October 10, 2023

Planning Board  
City of Keene  
3 Washington Street  
Keene, NH 03431

**Re: SPR-06-23 – Site Plan – Roosevelt School Housing – 438 Washington St.  
Request for Extension of Conditional Approval**

Dear Planning Board Members:

Please be advised that this office represents Monadnock Affordable Housing Corporation with regard to development of the property at 438 Washington Street, currently owned by the Community College Systems of New Hampshire (“CCSNH”) and known commonly as the Roosevelt School (“Premises”).

On or about May 23, 2023, the Planning Board issued a Notification of Conditional Approval of the proposed site plan to develop the Premises for multifamily housing. The Board’s conditional approval expires November 19, 2023 and is contingent on completion of several conditions such as percolation tests and erosion control measures. Unfortunately, my client’s purchase of the Premises has been delayed, in part, by the need to repair a retaining wall at the rear of the Premises which supports a portion of Woodbury Street and a city sidewalk. Engineers for the City of Keene and CCSNH met on September 27, 2023 to strategize a revised plan to repair the retaining wall, however, that plan has not yet been reduced to writing.

My client is not prepared to expend resources to complete the conditions precedent in the Planning Board Approval until it owns the Premises. It is unlikely the wall repair will be resolved prior to expiration of the Conditional Approval (Nov. 19, 2023) so therefore, we respectfully ask this Board to extend the conditional approval for an additional six (6) months, ending Monday, May 20, 2023.

For convenience, I have enclosed a copy of the May 23, 2023 Notification of Conditional Planning Board Approval. Thank you for your attention to this matter.

Sincerely,



Adam P. Kossayda

cc: Joshua Meehan (via email)  
Jonathan Halle, Warren St. Architects (via email)  
Chris Nadeau, Nobis Group (via email)

# STAFF REPORT

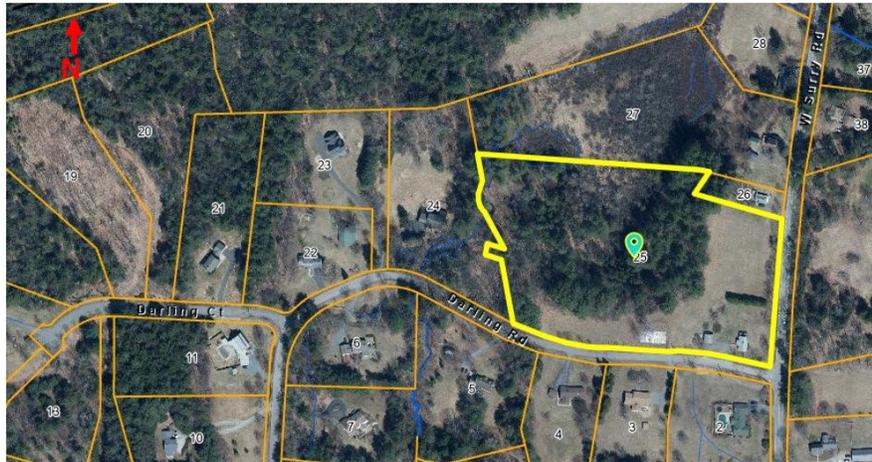
## S-09-23 –3 Lot Subdivision – 284 West Surry Rd

### **Request:**

Applicant Huntley Survey & Design PLLC, on behalf of owners Corbet & Colline Cook, proposes to subdivide the ~9.19-ac parcel at 284 West Surry Rd (TMP #206-025-000) into three lots ranging in size from ~2 ac to ~5.16 ac. The parcel is located in the Rural District.

### **Background:**

The subject parcel is an existing 9.19-acre lot located on the corner of West Surry Road (NH 12A) and Darling Road with Bretwood Golf Club directly to the east and the Keene/Surry town line approximately 1,300 ft to the north. There is an existing 1,152 sf single family residence with a detached garage on the property.



284 West Surry Road outlined in yellow.

The applicant proposes to subdivide the subject parcel into three residential building lots. Lot 1 will be a 2.02-acre parcel with 254 ft of frontage along West Surry Road. Lot 2 will be a 2.00-acre parcel and corner lot with 165 ft of frontage on West Surry Road and 233 ft on Darling Road. This lot contains the existing single-family residence and detached garage. Lot 3 will be a 5.16-acre lot with 512 ft of frontage on Darling Road.

The result of this application will be the creation of two new undeveloped residential building lots. No development is proposed as part of this application; however, the Board will need to evaluate the future impacts for development of these new lots as part of the review of this subdivision.

### **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, 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.”

## STAFF REPORT

### **Departmental Comments:**

None

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

19.2.2 **Character of Land for Subdivision:** The subject parcel is characterized by an open level field along the roadways with a tree line deeper into the property. Farther into the property the land begins to slope away from the road in a northwesterly direction. A large wetland area exists at the low point of the property in the northwesterly corner of the lot. There appears to be sufficient level land for future residential development with some tree clearing required.

Test pit data has been submitted as part of this application. The data reveals that the soil composition is mostly sandy with few clumps. The estimated seasonal high-water table was not observed at greater than 50 inches and no ledge was observed. The soils on the site appear to be suitable for septic.

The existing development pattern of the area along Darling Road consists of two-acre residential parcels. The proposed two-acre lots appear to fit in with the existing developed parcels. The proposed Lot 3 will contain the majority of the existing wetland system and is proposed to be larger as a result. It appears that this standard has been met.

19.2.4 **Preservation of Existing Features:** The two proposed undeveloped lots, Lots 1 & 3, contain areas of open field as well as wooded areas. Tree clearing will most likely be required for the future development of Lot 3. The 75 ft wetland buffer is shown on the plan for all three lots and will provide protection for the existing wetland system. The Board may wish to consider a subsequent condition of approval related to the wetland buffer being flagged prior to the beginning of future site development for Lots 1 & 3. A suggested condition is included in the motion language. It appears that this standard has been met.

19.2.6 **Special Flood Hazard Areas:** The subject parcel is not located within a special flood hazard area. This standard is not applicable.

19.2.7 **Fire Protection and Water Supply:** The applicant states in their narrative that fire protection service will be consistent with the other residences constructed in the neighborhood but did not provide specific information about how fire protection will be provided. It appears that there is a fire cistern located at the end of Darling Court, approximately 2,000 ft. from the subject parcel. The cistern was installed as part of the subdivision that created Darling Court; however, the condition and ownership status of this cistern is unknown. The Board will need to determine if this standard has been met.

19.2.8 **Utilities:** All three lots will be serviced by private well and septic systems. The subdivision plan shows sufficient room on each lot to accommodate the 75-ft. wellhead protection radius and a 4k septic area. NH DES Subdivision approval will be required for Lot 1 as it is less than five acres in size. It appears that this standard has been met.

## STAFF REPORT

### **Recommended Motion:**

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

**Approve S-09-23 as shown on the plan set identified as “Three Lot Minor Subdivision” prepared by Huntley Survey & Design at a scale of 1 inch = 40 feet, dated August 31, 2023 and last revised October 3, 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. Subdivision approval from the New Hampshire Department of Environmental Services shall be obtained.**
  - 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. Prior to the issuance of a building permit for new residential construction, a Stormwater management plan shall be submitted to the Community Development Department for review and approval by the City Engineer.**
  - B. At the Community Development Director’s discretion, the 75-ft. wetland buffer shall be flagged and inspected by the Community Development Director or their designee prior to site development.**



# 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](mailto:communitydevelopment@keeneh.gov)

## SECTION 1: PROJECT INFORMATION

<b>PROJECT NAME:</b> Three Lot Subdivision for Cory Cook	<b>NUMBER OF LOTS PROPOSED:</b> 3
<b>PROJECT ADDRESS(ES):</b> 284 West Surry Road, Keene, NH	

## SECTION 2: CONTACT INFORMATION

PROPERTY OWNER	APPLICANT
<b>NAME/COMPANY:</b> Corbet & Colline Cook	<b>NAME/COMPANY:</b> Huntley Survey & Design, PLLC
<b>MAILING ADDRESS:</b> 56 Hilltop Drive, Keene, NH 03431	<b>MAILING ADDRESS:</b> 659 West Road, Temple, NH 03084
<b>PHONE:</b> (603) 283-1068	<b>PHONE:</b> (603) 924-1669
<b>EMAIL:</b> corbet.cook@engelberth.com	<b>EMAIL:</b> russ@huntleysurvey.com
<b>SIGNATURE:</b> 	<b>SIGNATURE:</b> 
<b>PRINTED NAME:</b> Corbet Cook / Colline Cook	<b>PRINTED NAME:</b> Russell Huntley

AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:	
<b>NAME/COMPANY:</b>	<b>TAX MAP PARCEL #(s):</b> 206025.000.000.000	
<b>MAILING ADDRESS:</b>	-----	
<b>PHONE:</b>	-----	
<b>EMAIL:</b>	<b>PARCEL SIZE:</b> 9.19ac	<b>DATE STAMP:</b> 
<b>SIGNATURE:</b>	<b>ZONING:</b> Rural	
<b>PRINTED NAME:</b>	<b>PROJECT #:</b> 8-09-23	



# Huntley Survey & Design, PLLC

New Hampshire & Vermont - Land Surveying \* Wetlands Delineation & Permitting \* Septic System Design

## Three Lot Subdivision

Land of Corbet & Colline Cook  
284 West Surry Road, Keene, NH

October 3, 2023

### Project Narrative

Cory and Colline Cook currently own a 9.194-acre parcel of land, tax map parcel 206-025-000, located at 284 West Surry Road in Keene. They wish to subdivide the parcel into three lots, creating one lot with the existing residence at the intersection of Darling Road and West Surry Road, and two developable residential building lots, one to the north on West Surry Road and one to the west on Darling Road. The parcel lies within the Rural Zone, which requires a minimum of 2 acres per lot and 50' of road frontage on a Class V or better highway. The proposed lots are in keeping with the current development in the area.

The Cooks retained Huntley Survey & Design to perform the necessary boundary & topographic surveys, wetland delineation, test pits, percolation tests for the project. Huntley survey has prepared the subdivision plat and application. If approved, the proposed subdivision will be monumented with 5/8" rebar with aluminum caps at each new corner and all existing, unmarked corners.

The buildable portion of land lies on a sandy terrace above a lowland swamp. The proposed building areas are well drained, level, and open. No development is proposed below the terrace into the wetland area, and a 75' buffer is maintained around the wetlands. The proposed lots are distant from and well above any natural flood hazard areas. There isn't currently municipal water serving the area and fire protection service will be consistent with the other residences constructed in the neighborhood.

Lot 1 will have 264 feet of frontage on West Surry Road, 2.03 acres, will be serviced with a private well and septic system, and the driveway will enter onto West Surry Road. Lot 2, with the existing residence and driveway on Darling Road, will have 165 feet of frontage on West Surry Road and 233 feet on Darling Road, and will contain 2.00 acres. It is currently serviced by an onsite well and septic system. Lot 3 will have 512 feet of frontage on Darling Road, 5.16 acres, will be serviced with a private well and septic system. The driveway will enter onto Darling Road. The lots as proposed meet the requirements of the City of Keene Land Development Code. Any future residential construction will have an adequate and approved fire protection system per Section 19.2.7 of the City of Keene Land Development Code.

659 West Road, Temple, New Hampshire 03084 \* (603) 924-1669 Office \* (603) 381-3227 Cell

Email: Russ@huntleysurvey.com

C:\Users\mfortson\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\SGML4ZRG\2023-10-03 H23-042 Cook Sub Project Narrative.docx

## **Site Development Standards**

The City of Keene Site development standards will be met for the proposed subdivision. The parcel with the existing residence will continue as it has and not contribute any detrimental effects to any of the standards.

### ***Article 20.1 – General***

In general, subdivision into legal building lots does not require or include site development and so the standards following apply if future construction occurs. If the lots are developed, the development will be minimal, providing a driveway and a single-family residential structure and will be done in accordance with the City of Keene Development Standards.

### ***Article 20.2 – Drainage & Stormwater Management***

During construction of driveways and buildings, best practices will be employed to meet Stormwater Management Standards.

### ***Article 20.3 – Sediment and Erosion Control***

During construction of driveways and buildings, best practices will be employed to meet Erosion Control Standards.

### ***Article 20.4 – Snow Storage & removal***

Lots will be single family residential uses and snow removal and storage will be on-site and meet this standard.

### ***Article 20.5 – Landscaping***

Lots will be single family residential uses and landscaping will be per the lot owner's discretion. Per RSA 430:54 invasive species shall not be allowed.

### ***Article 20.6 – Screening***

Lots will be single family residential uses and screening is not required. Any screening utilized in the future will be required to meet the standards of this article.

### ***Article 20.7 – Lighting***

Not applicable to this subdivision. No Lighting is proposed.

### ***Article 20.8 – Sewer & Water***

On site water and sewer are covered by State Regulations and will meet the standards of Art.20.8.

### ***Article 20.9 – Traffic and Access Management***

There are two proposed driveways and one existing driveway for this subdivision. The driveway onto Route 12A will require a State permit. The proposed driveway onto Darling Road will require a Permit from the City of Keene. Traffic will be consistent with residential uses and add minimal increase. The permits required are such that they will meet the standards of this article.

---

## **Huntley Survey & Design, PLLC**

New Hampshire & Vermont ~ Land Surveying \* Wetlands Delineation & Permitting \* Septic System Design  
659 West Road, Temple, New Hampshire 03084 \* (603) 924-1669 Office \* (603) 381-3227 Cell  
Email: [Russ@huntleysurvey.com](mailto:Russ@huntleysurvey.com)



***Article 20.10 Filling and Excavation***

Filling and excavation do not apply, as no commercial use is proposed, and no wetlands will be affected.

***Article 20.11 – Surface Water and Wetlands***

There are no wetlands or surface water within the proposed building site areas and a 75’ wetland buffer is part of the subdivision where there are wetlands. Wetlands will not be impacted.

***Article 20.12 – Hazardous and Toxic Materials***

This standard does not apply as this subdivision is for single family residential uses and hazardous or toxic materials are not typical to a residential use.

***Article 20.13 – Noise***

Noise levels will be consistent with residential uses. The subdivision in itself will not create any noise impacts and meet the standards of the article.

***Article 20.14 – Architectural and visual appearance***

Does not apply Residential structures must comply will all building codes.

**Huntley Survey & Design, PLLC**

New Hampshire & Vermont ~ Land Surveying \* Wetlands Delineation & Permitting \* Septic System Design  
659 West Road, Temple, New Hampshire 03084 \* (603) 924-1669 Office \* (603) 381-3227 Cell  
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  - LOT LINE ADJUSTMENT FOR ROBERT E. & MARILYN M. JARVIS, WEST SURRY ROAD, KEENE, NH, DATED JANUARY 1992, BY TIMOTHY W. NOONAN (Cab.11 Dr.06 No.0792 CCRD)

**Zoning Districts**

R (Rural)  
REQUIREMENTS

MAX HEIGHT 2 STORIES/35'  
LOT SIZE 2 ACRES  
FRONTAGE 50'  
LOT WIDTH AT BUILDING 200'

BUILDING SETBACKS  
FRONT 50'  
SIDE 50'  
REAR 50'

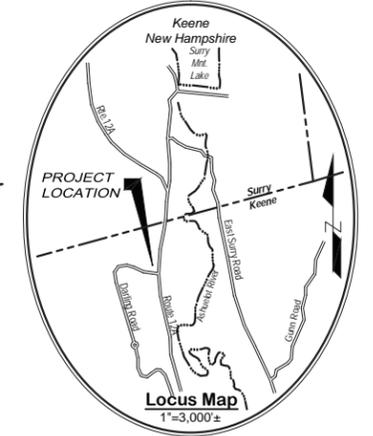
MAX BUILDING COVERAGE 10%  
MAX IMPERMEABLE COVERAGE 20%

**Overlay Districts**

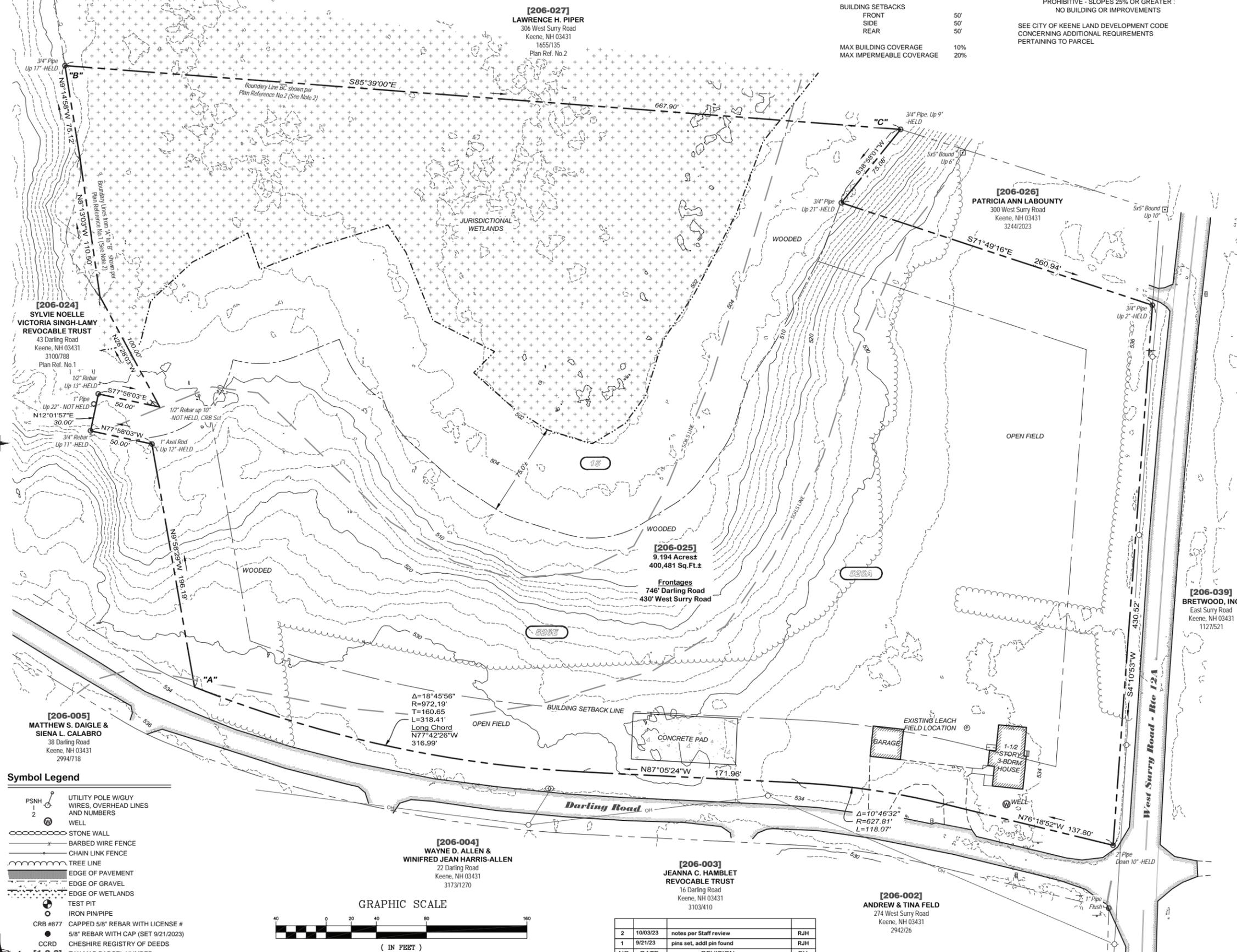
Surface Water Protection District:  
75' SETBACKS FROM SURFACE WATERS

Hillside Protection District:  
PRECAUTIONARY - SLOPES BETWEEN 15 & 25%: 20,000 SF MAXIMUM DISTURBANCE  
PROHIBITIVE - SLOPES 25% OR GREATER: NO BUILDING OR IMPROVEMENTS

SEE CITY OF KEENE LAND DEVELOPMENT CODE CONCERNING ADDITIONAL REQUIREMENTS PERTAINING TO PARCEL



For Registry Use Only



**Notes**

- THE BEARINGS SHOWN ON THIS PLAN IS/ARE REFERENCED TO NAD83 NH STATE PLANE GRID, BASED ON A STATIC GPS SURVEY PERFORMED IN AUGUST 2023 USING AN iGS3 GNSS RECEIVER.
- THE BOUNDARY LINES SHOWN ON THIS PLAN WERE CALCULATED FROM DEEDS, RECORD PLANS & PHYSICAL EVIDENCE FOUND DURING THE FIELD SURVEY. PROPERTY LINES DESCRIBED IN LOCUS DEEDS ARE NOT CONSISTENT WITH FIELD EVIDENCE FOUND NOR RECORD SURVEYS OF ADJACENT TRACTS. MONUMENTATION AND RECORD SURVEYS WERE HELD FOR THE PERIMETER PROPERTY LINES.
- TOPOGRAPHY SHOWN ON THIS PLAN IS FROM LIDAR SURVEY AND MAPPING OBTAINED FROM <http://lidar.unh.edu/map/>. THE VERTICAL DATUM IS NAVD 88. CONTOUR INTERVAL IS TWO (2) FEET.
- UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES HAVE BEEN PLOTTED FROM DATA OBTAINED FROM FIELD SURVEY OF SURFACE LOCATIONS, PREVIOUS MAPS AND RECORDS OBTAINED FROM THE CITY OF KEENE. THEIR LOCATION MUST BE CONSIDERED APPROXIMATE. THERE MAY BE OTHER UNDERGROUND UTILITIES THE EXISTENCE OF WHICH ARE NOT KNOWN. THE SIZE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED PRIOR TO ANY AND ALL CONSTRUCTION. CALL DIG-SAFE PRIOR TO ANY CONSTRUCTION.
- THE EXISTING DWELLING UTILIZES AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM AND PRIVATE DRILLED WELL. THE PROPOSED LOTS WILL BE SERVICED BY THEIR OWN SEWAGE DISPOSAL SYSTEMS AND WELLS.
- THE PARCEL(S) SHOWN ARE LOCATED IN ZONE X AND ARE NOT IN A SPECIAL FLOOD HAZARD AREA PER FEMA PANEL 33005C0252E EFFECTIVELY DATED MAY 23, 2003.
- SOILS LINES AND TYPES SHOWN HEREON WERE OBTAINED FROM NRCS WEB SOIL SURVEY ONLINE PROGRAM, SOIL SURVEY STAFF, NATURAL RESOURCES CONSERVATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE, WEB SOIL SURVEY, AVAILABLE ONLINE AT [HTTPS://WEBSOILSURVEY.SC.EGOV.USDA.GOV/](https://websoil.survey.sc.egov.usda.gov/), ACCESSED AUGUST 31, 2023.
- JURISDICTIONAL WETLANDS WERE DELINEATED BY HUNTLEY SURVEY & DESIGN DURING THE MONTH OF JULY, 2023 USING THE THREE PARAMETER APPROACH DESCRIBED IN TECHNICAL MANUAL Y-87-1, THE CORPS OF ENGINEERS 1987 WETLAND DELINEATION MANUAL AND SUPPLEMENTED BY THE JANUARY 2012 REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH CENTRAL AND NORTHEAST REGION U.S. ARMY CORPS OF ENGINEERS, V.2.

**Soils Key**

- 15 SEARSPORT MUCKY PEAT
- 526A CAESAR LOAMY SAND 0-3% SLOPES
- 526E CAESAR LOAMY SAND 15-50% SLOPES

**Owner Certification**

WE CERTIFY THAT WE ARE THE CURRENT OWNERS OF THE TRACTS SHOWN HEREON AND THAT I APPROVE OF THE SUBDIVISION.

OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

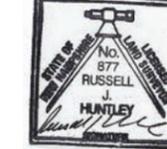
**APPROVED BY THE KEENE PLANNING BOARD**

BY \_\_\_\_\_ CHAIRMAN  
AND \_\_\_\_\_ SECRETARY  
ON \_\_\_\_\_

**FOR PLANNING BOARD REVIEW - NOT FOR RECORDING -**

**Surveyor's Certification**

PURSUANT TO RSA 676: 18 III AND RSA 672: 14, I CERTIFY THAT THIS SURVEY AND PLAT WERE PRODUCED BY ME OR THOSE UNDER MY DIRECT SUPERVISION FROM A TOTAL STATION AND DATA COLLECTOR TRAVERSE WITH A POSITION TOLERANCE THAT MEETS OR EXCEEDS NH LAN 500 AND THE ALLOWABLE RELATIVE POSITIONAL ACCURACY REQUIRED BY THE STATE OF NEW HAMPSHIRE IN TABLE 500.1, "ACCURACY MEASUREMENTS. LOCAL ACCURACY OF CONTROL SUPPORTING THE SURVEY," AND IS BASED ON INFORMATION RECORDED AT THE CHESHIRE COUNTY REGISTRY OF DEEDS AS REFERENCED HEREON. INFORMATION PROVIDED BY THE CLIENT AND PHYSICAL EVIDENCE FOUND.



**Existing Conditions Three Lot Minor Subdivision**

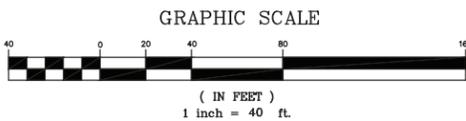
LAND OF  
**Corbet R. & Colline D. Cook**  
located at  
Tax Map 206 Lot 025  
284 West Surry Road, Keene, Cheshire County, New Hampshire  
Book 3001, Page 1145

Surveyed 08/2023 Plan prepared 08/31/2023  
Project No. H23-042 Cad File No. H23-042 Sub.dwg

**Huntley Survey & Design, PLLC**  
NH & VT Land Surveying, Wetlands & NH Septic System Design  
659 West Road, Temple, NH 03084 (603) 924-1669 [www.huntleysurvey.com](http://www.huntleysurvey.com)

**Symbol Legend**

- PSNH 1 2 UTILITY POLE W/ GUY WIRES, OVERHEAD LINES AND NUMBERS
- W WELL
- STONE WALL
- BARBED WIRE FENCE
- CHAIN LINK FENCE
- TREE LINE
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- EDGE OF WETLANDS
- TEST PIT
- IRON PIN/PIPE
- CRB #877 CAPPED 5/8" REBAR WITH LICENSE #
- 5/8" REBAR WITH CAP (SET 9/21/2023)
- CCRD CHESHIRE REGISTRY OF DEEDS
- [1-2-3] TAX MAP PARCEL NUMBER
- 123/456 DEED VOLUME & PAGE



NO.	DATE	REVISION	BY
2	10/03/23	notes per Staff review	RJH
1	9/21/23	pins set, addl pin found	RJH

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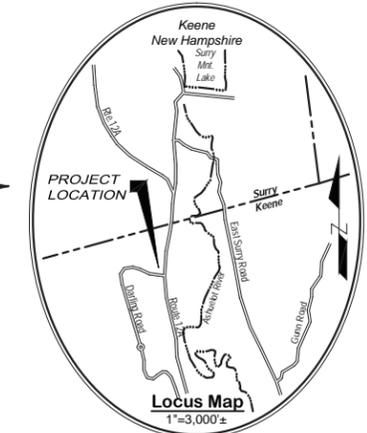
**[206-027]**  
**LAWRENCE H. PIPER**  
 306 West Surry Road  
 Keene, NH 03431  
 1655/135  
 Plan Ref. No.2

**Zoning Districts**  
 R (Rural)  
 REQUIREMENTS

- MAX HEIGHT 2 STORIES/35'  
 LOT SIZE 2 ACRES  
 FRONTAGE 50'  
 LOT WIDTH AT BUILDING 200'
- BUILDING SETBACKS  
 FRONT 50'  
 SIDE 50'  
 REAR 50'
- MAX BUILDING COVERAGE 10%  
 MAX IMPERMEABLE COVERAGE 20%

**Overlay Districts**

- Surface Water Protection District:  
 75' SETBACKS FROM SURFACE WATERS
- Hillside Protection District:  
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 PROHIBITIVE- SLOPES 25% OR GREATER: NO BUILDING OR IMPROVEMENTS
- SEE CITY OF KEENE LAND DEVELOPMENT CODE CONCERNING ADDITIONAL REQUIREMENTS PERTAINING TO PARCEL



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- THE PARCEL(S) SHOWN ARE LOCATED IN ZONE X AND ARE NOT IN A SPECIAL FLOOD HAZARD AREA PER FEMA PANEL 33005C0252E EFFECTIVELY DATED MAY 23, 2003.
- A STREET ACCESS PERMIT FROM THE CITY OF KEENE PUBLIC WORKS DEPARTMENT SHALL BE REQUIRED FOR THE CONSTRUCTION AND/OR ALTERATION OF A DRIVEWAY ON LOTS 2 & 3. A DRIVEWAY PERMIT FROM NHDOT SHALL BE REQUIRED FOR LOT 1.
- NHDES APPROVAL #, LOTS 1 & 2.
- JURISDICTIONAL WETLANDS WERE DELINEATED BY HUNTLEY SURVEY & DESIGN DURING THE MONTH OF JULY, 2023 USING THE THREE PARAMETER APPROACH DESCRIBED IN TECHNICAL MANUAL Y-87-1, THE CORPS OF ENGINEERS 1987 WETLAND DELINEATION MANUAL AND SUPPLEMENTED BY THE JANUARY 2012, REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTH CENTRAL AND NORTHEAST REGION U.S. ARMY CORPS OF ENGINEERS, V.2.



**Soils Key**

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**APPROVED BY THE KEENE PLANNING BOARD**

BY \_\_\_\_\_ CHAIRMAN  
 AND \_\_\_\_\_ SECRETARY  
 ON \_\_\_\_\_

OWNER'S SIGNATURE DATE

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**FOR PLANNING BOARD REVIEW - NOT FOR RECORDING-**

**Three Lot Minor Subdivision**

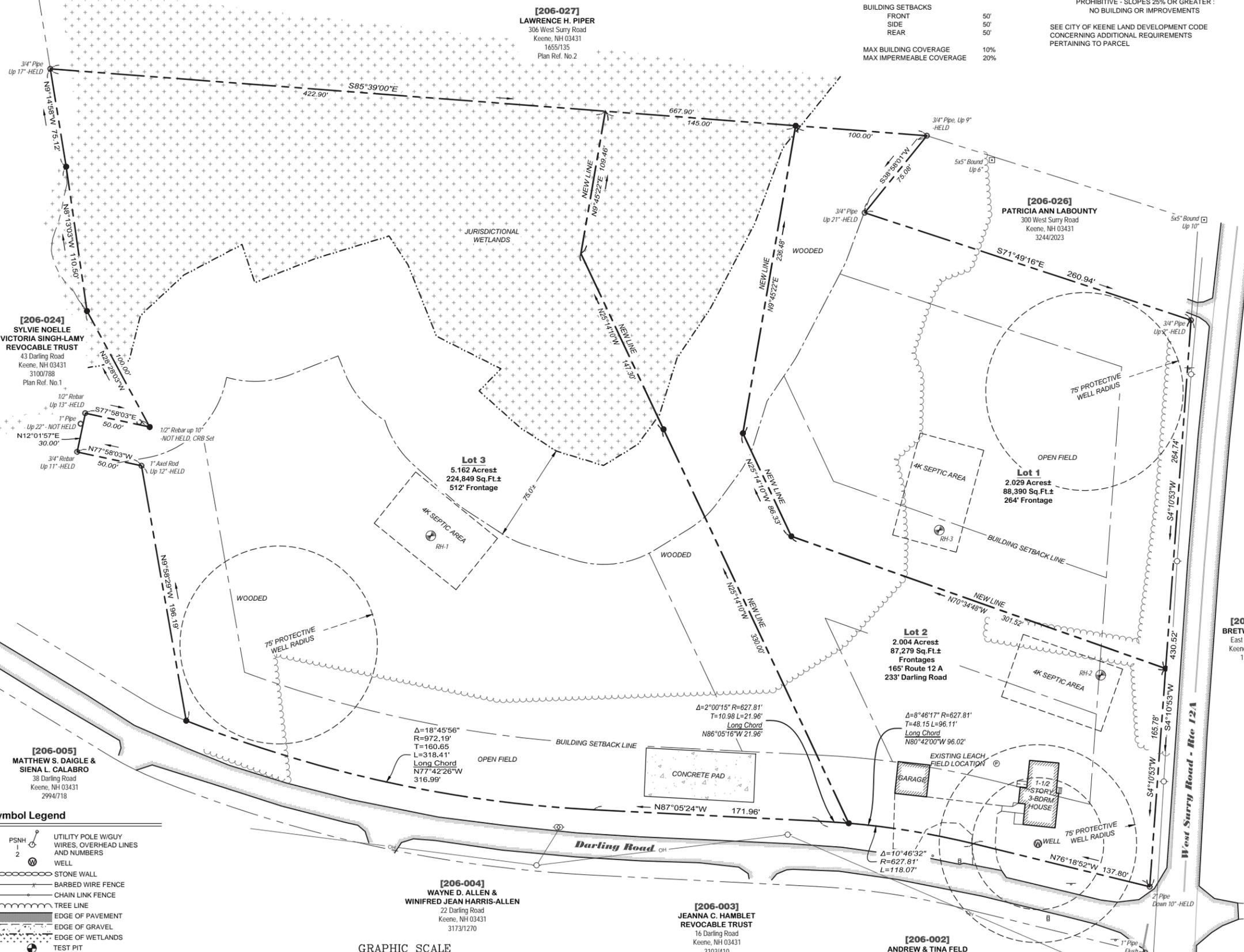
LAND OF  
**Corbet R. & Colline D. Cook**  
 located at

Tax Map 206 Lot 025  
 284 West Surry Road, Keene, Cheshire County, New Hampshire  
 Book 3001, Page 1145

Surveyed 08/2023 Plan prepared 08/31/2023  
 Project No. H23-042 Cad File No. H23-042 Sub.dwg

**Huntley Survey & Design, PLLC**  
 NH & VT Land Surveying, Wetlands & NH Septic System Design  
 659 West Road, Temple, NH 03084 (603) 924-1669 www.huntleysurvey.com

For Registry Use Only



**[206-024]**  
**SYLVIE NOELLE VICTORIA SINGH-LAMY REVOCABLE TRUST**  
 43 Darling Road  
 Keene, NH 03431  
 3100/788  
 Plan Ref. No.1

**[206-005]**  
**MATTHEW S. DAIGLE & SIENA L. CALABRO**  
 38 Darling Road  
 Keene, NH 03431  
 2994/718

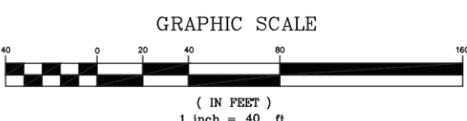
**Symbol Legend**

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- TREE LINE
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- EDGE OF WETLANDS
- TEST PIT
- IRON PIN/PIPE
- CAPPED 5/8" REBAR WITH LICENSE #
- 5/8" REBAR WITH CAP (SET 9/21/2023)
- CHESHIRE REGISTRY OF DEEDS
- TAX MAP PARCEL NUMBER
- DEED VOLUME & PAGE

**[206-004]**  
**WAYNE D. ALLEN & WINIFRED JEAN HARRIS-ALLEN**  
 22 Darling Road  
 Keene, NH 03431  
 3173/1270

**[206-003]**  
**JEANNA C. HAMBLET REVOCABLE TRUST**  
 16 Darling Road  
 Keene, NH 03431  
 3103/410

**[206-002]**  
**ANDREW & TINA FELD**  
 274 West Surry Road  
 Keene, NH 03431  
 2942/26



NO.	DATE	REVISION	BY
2	10/03/23	notes per Staff review	RJH
1	9/21/23	pins set, addl pin found	RJH

# Huntley Survey & Design, PLLC

New Hampshire & Vermont ~ Land Surveying \* Wetlands Delineation & Permitting \* Septic System Design

## Test Pits for Local & NH State Subdivision Application

prepared for  
Corbet & Colline Cook

Land of  
Corbet & Colline Cook  
284 West Surry Road  
Keene, NH 03431

October 3, 2023

Russell J. Huntley  
Huntley Survey & Design, PLLC  
NHLLS No.877  
CWS No.156  
Designer No.1274



Excavation provided by Bailey Rokes

Soil map unit: *15 Searsport Mucky Peat 0% slopes – (Mapped, Caesar field indicated)*  
 Drainage Class: *Excessively drained, Group I*  
 Pit observed by: *Russell Huntley, Huntley Survey & Design, PLLC*  
 Pits Excavated by: *Bailey Rokes*  
 Date Observed: *September 12, 2023*

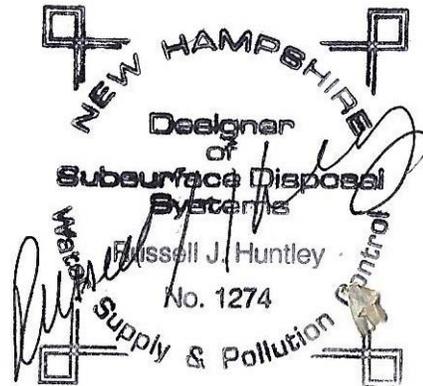
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**RH-1**

1"-0"  
*Forest Duff*  
 0"-8"  
*10YR 2/1; fine sandy loam; friable; granular; many roots*  
 8"-20"  
*10YR 3/3; sand; very friable; granular; many roots*  
 20"-24"  
*7.5YR 2.5/2; sand; very friable; granular; many roots*  
 24"-28"  
*5YR 3/3; loamy sand; firm; subangular blocky; many roots*  
 28"-36"  
*7.5YR 4/4; sand; very firm; subangular blocky; many roots*  
 36"-60"  
*2.5Y 5/3; course sand; very friable; single grain; no roots  
 no redox*

60" *Pit Bottom; no ledge, no free water observed*

ESHW: *Not observed  
 restrictive horizon at 24"*



Soil map unit: 526A Caesar loamy sand 0-3% slopes  
 Drainage Class: Excessively drained, Group I  
 Pit observed by: Russell Huntley, Huntley Survey & Design, PLLC  
 Pits Excavated by: Bailey Rokes  
 Date Observed: September 12, 2023

**RH-2**

1"-0"

Lawn

0"-12"

7.5YR 2.5/3; sandy loam; very friable; granular; many roots

12"-18"

7.5YR 4/4; sand; very friable; single grain; some roots

18"-24"

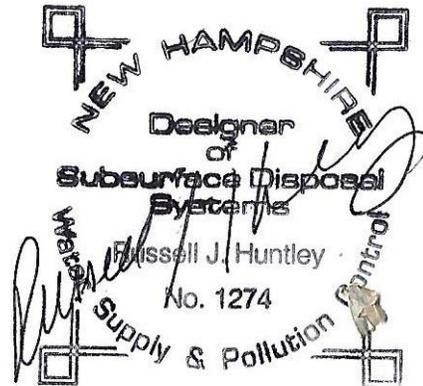
7.5YR 4/4; very course sand; very friable; single grain; some roots

24"-50"

2.5Y 5/3; fine sand; very friable; single grain; no roots  
no redox

50" Pit Bottom; no ledge, no free water observed

ESHWT: Not observed > 50"



Soil map unit: 526A Caesar loamy sand 0-3% slopes  
 Drainage Class: Excessively drained, Group I  
 Pit observed by: Russell Huntley, Huntley Survey & Design, PLLC  
 Pits Excavated by: Bailey Rokes  
 Date Observed: September 12, 2023

**RH-3**

1"-0"

Hay Field

0"-8"

10YR 2/1; loam; very friable; granular; many roots

8"-12"

7.5YR 4/4; coarse sand; very friable; single grain; some roots

12"-20"

50% - 7.5YR 4/4; coarse sand; very friable; single grain; some roots

50% - 2.5Y 6/2; coarse sand; very friable; single grain

20"-30"

2.5Y 5/4 & 5/6; very fine sand; friable; subangular blocky; no roots

10YR 4/6; coarse sand; very friable; single grain at horizon change

30"-50"

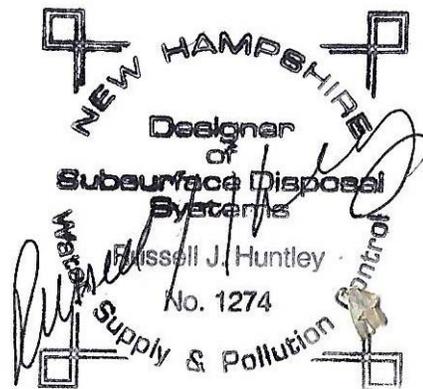
Stratified

5Y 7/1; coarse sand; very friable; single grain; no roots

10YR 4/6; coarse sand; very friable; single grain

50" Pit Bottom; no ledge, no free water observed

ESHWT: Not observed > 50"



# STAFF REPORT

## S-10-23 & SPR-02-22, Mod. 1 – BLA & Site Plan Review – Aroma Joe’s BLA & Site Modification

### **Request:**

Applicant Brickstone Land Use Consultants, on behalf of owners West Street AJ’s LLC and A&B LLC, proposes a boundary line adjustment that would transfer ~0.022 ac of land from the ~0.598-ac Granite State Carwash site at 364 West St (TMP #577-026-000) to the ~0.224-ac Aroma Joe’s site at 348 West St (TMP #577-025-000). Modifications to the layout of the existing queuing area on the Aroma Joe’s site are also proposed. Both properties are located in the Commerce District.

### **Background:**

The subject parcels are located on the south side of West Street, east of Pearl Street, and west of Richardson Court approximately 400 ft west of the Ashuelot River. The first lot, 364 West Street, is a 0.598-acre lot and the future location of Granite State Carwash. The second lot, 348 West Street, is a 0.224-acre lot and the existing Aroma Joe’s drive-thru coffee site. The request is to perform a boundary line adjustment and modify the Aroma Joe’s site to provide additional space for vehicle queuing and alleviate the overflow of vehicles onto West Street.



Fig 1: 364 & 348 West Street outlined in yellow. Common lot line to be adjusted in red.

The application proposes to add a second drive-thru lane on the Aroma Joe’s site to provide for additional vehicle stacking. The two lanes will be separated by a concrete median. This will increase the drive-thru lane vehicle storage capacity from 9 to 14. To accommodate the additional drive-thru lane, a Boundary Line Adjustment (BLA) between the Granite State Carwash and Aroma Joe’s site is proposed that would transfer a 7.5 ft wide strip of land to the Aroma Joe’s site. Both properties have received Variances from the Zoning Board of Adjustment for a reduced pavement setback between the common lot line.

The Boundary Line Adjustment will consist of a land transfer of 0.022 acres from the Granite State Carwash property to the Aroma Joe’s property. Table 1 on the next page shows the size of each lot before and after the BLA. It is worth noting that the BLA plan depicts the lot merger between 12 Pearl Street and the Granite State Carwash property. After the submission of this application, these two lots were merged via a Voluntary Merger. The final lot area of the Granite State Carwash property will include the 12 Pearl Street property. A condition of approval revising the BLA plan to reflect the voluntary merger prior to this proposed land transfer is proposed in the suggested motion language.

# STAFF REPORT

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

	<b>364 West St.</b> (TMP# 577-026-000)	<b>348 West St.</b> (TMP# 577-025-000)
<b>Prior to Adjustment</b>	0.598 acre	0.224 acre
<b>Amount of Land Transferred</b>	-0.022 acre	+0.022 acre
<b>After Adjustment</b>	0.576 acre	0.246 acre

### **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 requests exemptions from providing a traffic analysis, soil analysis, historic evaluation, screening analysis, architectural & visual appearance analysis, lighting plan, elevations, 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.”

### **Departmental Comments:**

Engineering: A Grading & Erosion Control Plan is required for the proposed site work.

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

- 20.2 **Drainage:** The applicant states in their narrative that the existing drainage patterns on the site will be maintained. Stormwater will be directed to the rear of the lot and into the existing management system. The system installed as part of the initial Aroma Joe’s development has capacity for the additional impervious surface added as part of this proposal. It appears that this standard has been met.
- 20.3 **Sediment & Erosion Control:** The applicant states in their narrative that sediment and erosion control will be achieved by utilizing silt fencing during construction at the disturbed areas. A condition of approval related to a Grading & Erosion Control Plan to be reviewed and approved by the City Engineer is proposed in the suggested motion language. It appears that this standard has been met.
- 20.4 **Snow Storage & Removal:** The applicant states in their narrative that snow will be stored around the perimeter of the paved areas and in the parking spaces at the rear of the site. Excess snow will be removed from the site as needed. It appears that this standard has been met.

## STAFF REPORT

- 20.5 Landscaping: The proposal includes relocating seven existing arborvitaes along the west side of the property to the south adjacent to the 6 ft fence. The heuchera and day lilies on the west side of the property will be relocated to be closer to West Street. The remaining landscaping will be unaltered by this application. It appears that this standard has been met.
- 20.6 Screening: The existing 6 ft solid fence along the west property line will be moved so that it is along the new property line. No other changes to the screening of the site are proposed. It appears that this standard has been met.
- 20.9 Traffic & Access Management: The applicant states in their narrative that the purpose of adding the second drive-thru lane is to provide for additional queuing for up to five vehicles. The applicant believes that this will reduce the likelihood of vehicles backing up onto West Street at the entrance to the site. No changes are proposed to either of the two curb cuts for this site.

While engineering and planning staff agree that the applicant's proposal for additional drive-thru stacking will help reduce the number vehicles backing up into West Street, the Board may wish to consider additional modifications to the site to further reduce incidents of vehicles backing up and improve traffic safety on West Street. Specifically, staff continue to recommend that the Board consider restricting the exit to a right turn only vehicle movement. This change will speed up vehicles leaving the site and allow for more space in the drive-thru for additional vehicles to enter the site. In addition, the external conditions around the Aroma Joe's site have changed since the development was originally approved in 2022 due to the approval and pending construction of the Granite State Carwash site. The proximity of the Pearl Street and Richardson Court intersections in tandem with the Aroma Joe's site access creates additional traffic conflict potential within a single block of West Street. Restricting the exit vehicle movements to right turn only will reduce the potential conflicts on West Street and speed up vehicle movement throughout the Aroma Joe's site. A condition of approval related to this recommended is included the suggested motion language.

- 20.10 Filling & Excavation: The applicant states in their narrative that minor filling and excavation will be necessary to add the proposed second entry lane. Trucks will haul material from NH Rt. 12 to West Street and the development site. Approximately 50 CY of material will be hauled to or from the site. It appears that this standard has been met.

## STAFF REPORT

### **Recommended Motions:**

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

#### BLA Plan

**Approve S-10-23 as shown on the plan set identified as "Lot Line Adjustment Plan" prepared by Huntley Survey & Design at a scale of 1 inch = 20 feet, dated September 15, 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. Submittal of a revised BLA plan that reflects the voluntary merger of 364 West Street and 12 Pearl Street.**
  - 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.**

#### Site Plan

**Approve SPR-02-22, Mod. 1, as shown on the plan identified as "Site Plan Modification Aroma Joe's 0 West Street, Keene, New Hampshire" prepared by SVE Associates and Brickstone Land Use Consultants at a scale of 1 in =10 ft, dated September 12, 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 plan.**
  - B. Submittal of a Grading & Erosion Control Plan to the Community Development Department to be reviewed and approved by the City Engineer.**
  - C. Submittal of a revised site plan that restricts the exit from the site to a "Right Turn Only" vehicle movement.**
  - D. Submittal of five (5) full sized paper copies and a digital copy of the final plan set.**



# 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](mailto:communitydevelopment@keeneh.gov)

## SECTION 1: PROJECT INFORMATION

<b>PROJECT NAME:</b> <i>Modification to SPR-02-22</i>		<b>TYPE OF APPLICATION BEING SUBMITTED:</b> <input checked="" type="checkbox"/> MAJOR PROJECT APPLICATION <input type="checkbox"/> MINOR PROJECT APPLICATION	
<b>PROJECT ADDRESS(ES):</b> <i>348 West Street</i>			
<b>EXISTING OR PREVIOUS USE:</b> <i>Aroma Joes Restaurant</i>		<b>PROPOSED USE:</b> <i>Same</i>	
<b>GROSS FLOOR AREA OF NEW CONSTRUCTION</b> (in square feet) <i>0</i>		<b>GROSS FLOOR AREA OF EXISTING BUILDINGS/STRUCTURES</b> (in square feet) <i>968 SF</i>	
<b>AREA OF PROPOSED NEW IMPERVIOUS SURFACES</b> (in square feet) <i>1005 SF</i>		<b>TOTAL AREA OF LAND DISTURBANCE</b> (in square feet) <i>1200 SF</i>	

## SECTION 2: CONTACT INFORMATION

PROPERTY OWNER	APPLICANT
<b>NAME/COMPANY:</b> <i>West Street AJ's LLC</i>	<b>NAME/COMPANY:</b> <i>Same as Owner</i>
<b>MAILING ADDRESS:</b> <i>9 White Pine Way North Berwick ME 03906</i>	<b>MAILING ADDRESS:</b>
<b>PHONE:</b>	<b>PHONE:</b>
<b>EMAIL:</b>	<b>EMAIL:</b>
<b>SIGNATURE:</b> 	<b>SIGNATURE:</b>
<b>PRINTED NAME:</b> <i>Aaron Wiswell</i>	<b>PRINTED NAME:</b>

AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:	
<b>NAME/COMPANY:</b> <i>James Phippard Brickstone Land Use Consultants LLC</i>	<b>TAX MAP PARCEL #(s):</b> <i>577-025-000 000 000</i>	
<b>MAILING ADDRESS:</b> <i>185 Winchester St Keene NH 03431</i>	-----	
<b>PHONE:</b> <i>603-357-0116</i>	<b>PARCEL SIZE:</b> <i>20.22 acres</i>	<b>DATE STAMP:</b> 
<b>EMAIL:</b> <i>jphippard@re.rr.com</i>	<b>ZONING DISTRICT:</b> <i>Commerce</i>	
<b>SIGNATURE:</b> 	<b>PROJECT #:</b> <i>SPR-02-22, Mod.1</i>	
<b>PRINTED NAME:</b> <i>James P Phippard</i>		



## **Site Plan Review Project Narrative**

### **Modification to Aroma Joe's 348 West Street Keene, NH**

**September 27, 2023**

West Street AJ's LLC is the owner of the Aroma Joe's restaurant on West Street. The restaurant opened in April 2023 and operates as a drive-thru only facility. There is no customer seating inside the building. Customers enter the drive-thru lane on the west side of the site, proceed to an order board where they place their order, then proceed to a window to pay for their order and pick up their order. They then exit the site on the east side. During peak hours cars have been backing up at the entrance to the site and blocking traffic in West Street. This results in a significant safety issue for both vehicles and pedestrians at this location on West Street.

To alleviate this issue the owner is proposing to add a second entry lane on the west side of the site. A boundary line adjustment with the property to the west has made it possible to add the second entry lane. This will accommodate up to 5 additional cars on the site and provide total on-site queuing for up to 15 cars. This will greatly alleviate the queuing problem which exists today and improve public safety at this location.

No changes to the building are proposed and there will be no changes to lighting, traffic generation, and utilities. A row of 7 arbor vitae will be relocated along the west side of the site to the rear greenspace to accommodate the additional entry lane. Variances were granted by the ZBA to allow a reduction in pavement setbacks along the common property line between this site and 364 West Street. (ZBA 23-19 and ZBA 23-20)

Exemptions are requested from submitting information not changed by this modification.

## **Site Plan Review Narrative**

### **Modification to Aroma Joe's 348 West Street Keene, NH**

**September 27, 2023**

### **Site Development Standards**

- 20.2 Drainage & Stormwater Management-** The existing drainage patterns at the site will be maintained. Stormwater will be directed to the rear of the lot to the existing infiltration area. The infiltration area is designed to retain and infiltrate a 25 year design storm. There will be no increase in runoff leaving the site as a result of this proposal. See attached Hydrocad report from SVE Associates which was updated for the additional entry lane.
- 20.3 Sediment/Erosion Control** – Sediment and erosion control will be provided using silt fencing during construction at the disturbed areas.
- 20.4 Snow Storage & Removal** – Snow will be stored around the perimeter of the paved area and in the parking spaces at the rear of the site. Excess snow will be removed from the site after each snowstorm as needed.
- 20.5 Landscaping** – The existing arborvitaes along the west side of the site will be relocated to the south adjacent to the 6' fence. The heuchera and day lilies on the west side will be relocated to be closer to West Street. None of the remaining landscaping will be disturbed.
- 20.6 Screening** – The 6' solid fencing along the west side of the site will be relocated to be along the new west property line. No other changes to the screening are proposed.
- 20.7 Lighting** – No changes to the site lighting are proposed. The existing pole light on the west side of the site will remain and will provide adequate lighting for the new entry lane. Average light levels will be 1.90 footcandles and will be reduced to 0.44 footcandles after business hours with the wall mounted lights left on for security.
- 20.8 Sewer & Water** – No changes to the water and sewer services are proposed.
- 20.9 Traffic & Access Management** – The purpose of adding the second entry lane is to provide for additional queuing. Up to 5 additional cars will be accommodated by adding this additional entry lane. This will greatly reduce the likelihood of cars backing up in West Street at the entry lane. This will greatly improve public safety during the peak hours, where today, several

cars are blocking traffic in West Street.

**20.10 Filling & Excavation** – Minor filling and excavation will be necessary to add the proposed second entry lane. Trucks will haul materials from NH Rt. 12 to West Street to the building site. Approximately 50 CY of material will be hauled to or from the site.

**20.11 Surface Waters & Wetlands** – The Ashuelot River is located approximately 300 feet east of the development site. There will be no impacts to the Ashuelot River resulting from this proposal.

**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** – N/A.

## **Boundary Line Adjustment Project Narrative**

**Land of  
West Street AJ's LLC and A & B LLC  
348 & 364 West Street  
Keene, NH**

**September 27, 2023**

West Street AJ's LLC is the owner of 348 West Street, Tax Map 577-025-000. This is a 0.224 acre lot in the Commerce district. This lot is nonconforming due to the lot size being less than 0.34 acres.

A & B LLC is the owner of 364 West Street, Tax Map 577-026-000, a 0.472 acre lot and 12 Pearl Street, Tax Map 577-027, a 0.126 acre lot. Both lots are in the Commerce district.

The owners wish to do a boundary line adjustment along the common boundary between 348 West Street and 364 West Street to transfer a 7.50' x 131.3' strip of land from 364 West Street to 348 West Street. They also wish to merge the 12 Pearl Street lot to the 364 West Street lot.

As a result of the boundary line adjustment and the lot merger 348 West Street will increase in size from 0.224 acres to 0.246 acres. 364 West Street will increase in size from 0.472 acres to 0.576 acres.

The purpose for doing the boundary line adjustment is to add enough land to 348 West Street, the site of the Aroma Joe's restaurant, to add a second entry lane into the site. This will increase the on-site queueing from 10 cars to 15 cars and reduce the back-ups into West Street which are occurring today. The Aroma Joe's site plan will have to be modified to accomplish this.

364 West Street is the site for the recently approved Granite State Carwash. No changes to the carwash site plan are required other than the new lot line location.

## **Boundary Line Adjustment Narrative**

**Land of  
West Street AJ's LLC and A&B LLC  
348 and 364 West Street  
Keene, NH**

**September 27, 2023**

### **Subdivision Standards**

**19.2.1 Lots-** 348 West Street is an existing nonconforming lot due to lot size (0.224 acres where 0.34 acres is required). It will be made more conforming, but still nonconforming (0.246 acres) as a result of the proposed BLA. With the voluntary merger of 12 Pearl Street and 364 West Street, the merged lot will increase in size from 0.472 acres to 0.576 acres. Each revised lot will meet all other zone dimensional and frontage requirements.

**19.2.2 Character of Land** – These are existing commercially developed properties with two buildings and on-site parking. The BLA will move the common boundary between the properties.

**19.2.3 Scattered or Premature Development** – These are existing developed commercial lots in a commercial area serviced by city sewer and city water. The existing properties have frontage on West Street and Pearl Street.

**19.2.4 Preservation of Existing Features** – No changes to the sites are proposed other than moving the common boundary line and moving 7 arbor vitae.

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

**19.2.6 Special Flood Hazard Areas** – These properties do not lie within the 100 year floodplain.

**19.2.7 Fire Protection and Water Supply-** The properties are serviced with city water. City fire hydrants exist on West Street and Pearl Street.

**19.2.8 Utilities** – City water and city sewer service both existing sites. No changes are proposed.

**20.2 Drainage & Stormwater Management-** The existing sites have approved site plans which call for stormwater infiltration on the sites. The Aroma Joe's site (348 West Street) is completed and functioning properly. 364 West Street will be constructed with a new carwash which will infiltrate stormwater on the site. The

proposed BLA will not affect drainage on either site. An updated drainage report for 348 West Street is attached.

**20.3 Sediment/Erosion Control** – Silt fence will be utilized during the construction of the new entry lane to prevent any sediment from leaving the site.

**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** – A row of 7 existing arborvitae will be relocated along the west side of the Aroma Joe's to the rear area adjacent to the fence.

**20.6 Screening** – N/A

**20.7 Lighting** – N/A

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

**20.9 Traffic & Access Management** – The addition of a second entry lane will improve stacking on the site and significantly reduce the likelihood of cars queueing into West Street. Traffic safety will be improved at the site.

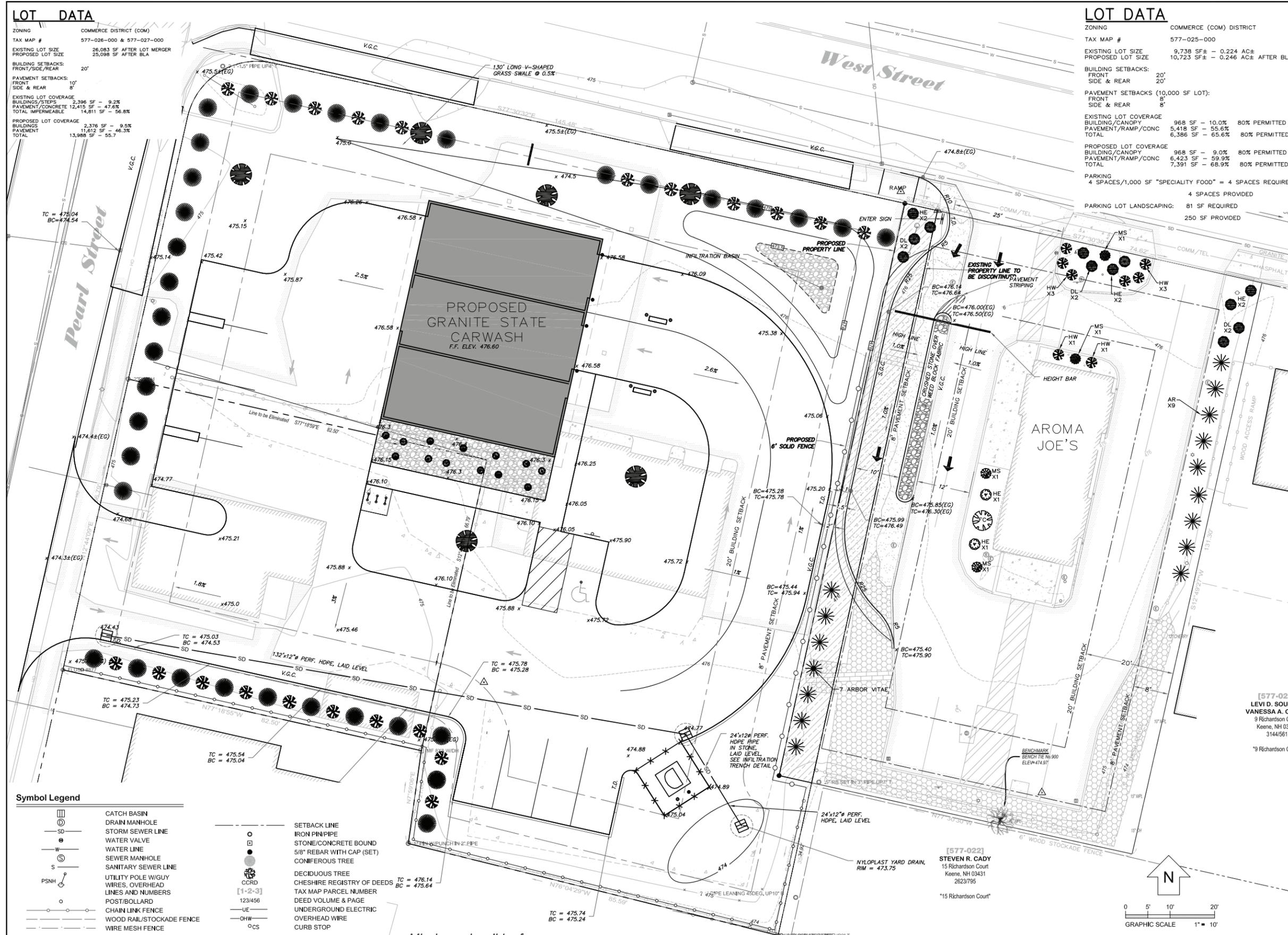
**20.10 Filling & Excavation** – N/A

**20.11 Surface Waters & Wetlands** – N/A  
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** – N/A



**REVISIONS:**  
REV. 1-9/26/23 RELOCATED  
7 ARBOR VITAE

**Liza Sargent** 9/26/23  
R.C.E. NUMBER: 13365

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

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  
NORTH 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

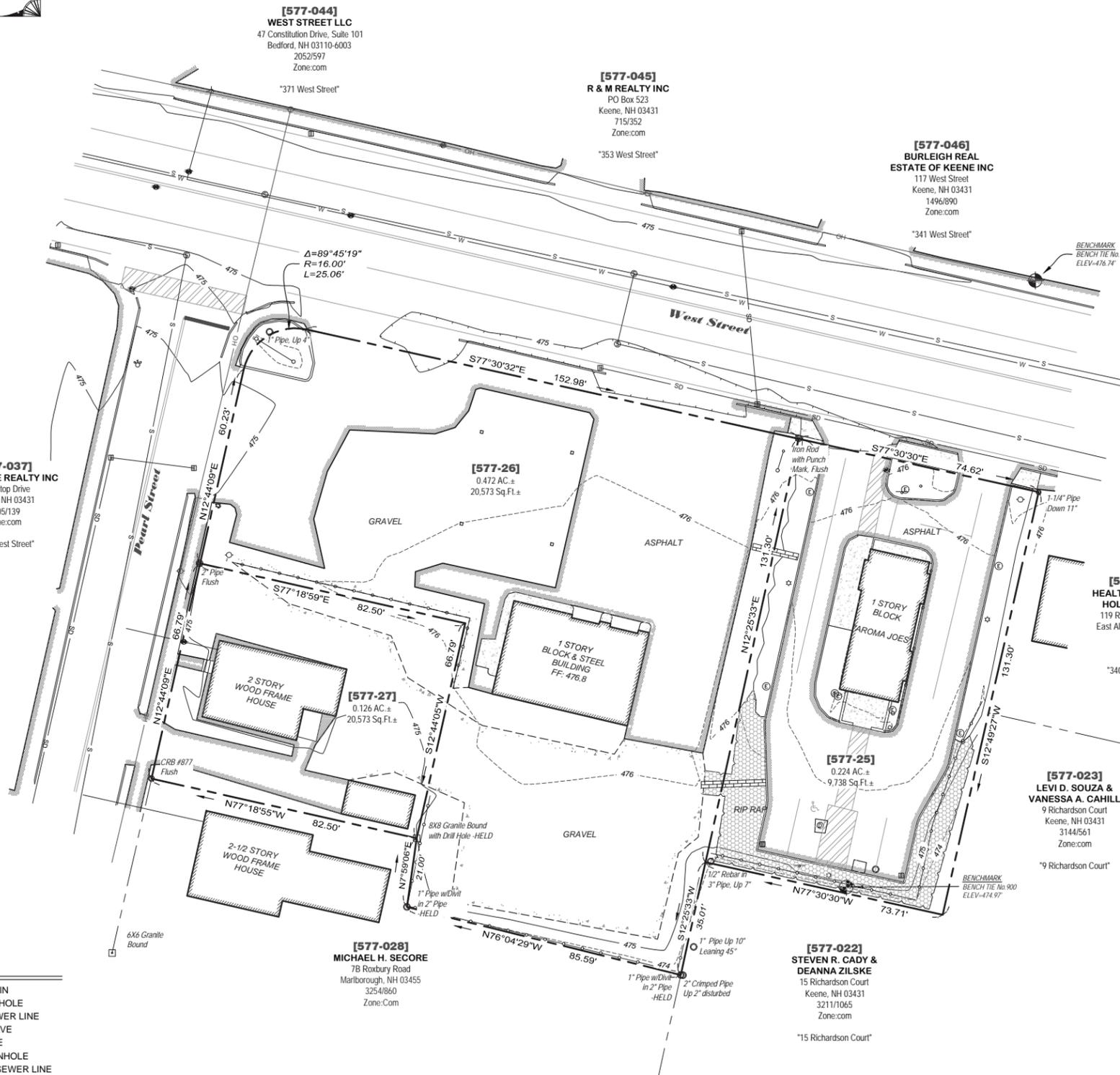
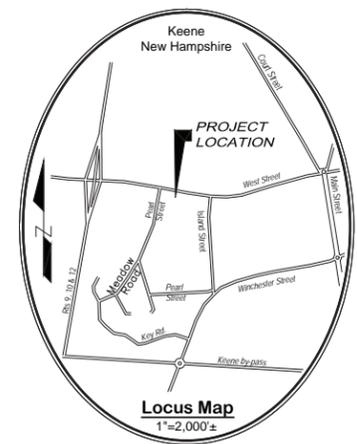
[577-023]  
LEVI D. SOUZA  
VANESSA A. CAR  
9 Richardson Court  
Keene, NH 03431  
3144/561  
9 Richardson Court

[577-022]  
STEVEN R. CADY  
15 Richardson Court  
Keene, NH 03431  
2623/795  
15 Richardson Court

**SITE PLAN  
MODIFICATION**

SCALE: 1"=10'  
DATE: SEPT. 12, 2023

SHEET C-1



**[577-044]**  
**WEST STREET LLC**  
 47 Constitution Drive, Suite 101  
 Bedford, NH 03110-6003  
 2052/597  
 Zone:com  
 "371 West Street"

**[577-045]**  
**R & M REALTY INC**  
 PO Box 523  
 Keene, NH 03431  
 715/352  
 Zone:com  
 "353 West Street"

**[577-046]**  
**BURLEIGH REAL ESTATE OF KEENE INC**  
 117 West Street  
 Keene, NH 03431  
 1496/890  
 Zone:com  
 "341 West Street"

**[577-037]**  
**SUNSPACE REALTY INC**  
 45 Hilltop Drive  
 Keene, NH 03431  
 1705/139  
 Zone:com  
 "340 West Street"

**[577-26]**  
 0.472 AC ±  
 20,573 Sq.Ft. ±  
 GRAVEL  
 ASPHALT

**[577-27]**  
 0.126 AC ±  
 20,573 Sq.Ft. ±  
 2 STORY WOOD FRAME HOUSE

1 STORY BLOCK & STEEL BUILDING  
 FF: 476.8

**[577-25]**  
 0.224 AC ±  
 9,738 Sq.Ft. ±  
 1 STORY BLOCK  
 AROMA JOES

**[577-024]**  
**HEALTH LIFESTYLE HOLDINGS LLC**  
 119 Rose Apple Lane  
 East Alstead, NH 03602  
 3126/247  
 Zone:com  
 "340 West Street"

**[577-023]**  
**LEVI D. SOUZA & VANESSA A. CAHILL**  
 9 Richardson Court  
 Keene, NH 03431  
 3144/561  
 Zone:com  
 "9 Richardson Court"

**[577-028]**  
**MICHAEL H. SECORE**  
 7B Roxbury Road  
 Marlborough, NH 03455  
 3254/860  
 Zone:Com

**[577-022]**  
**STEVEN R. CADY & DEANNA ZILSKE**  
 15 Richardson Court  
 Keene, NH 03431  
 3211/1065  
 Zone:com  
 "15 Richardson Court"

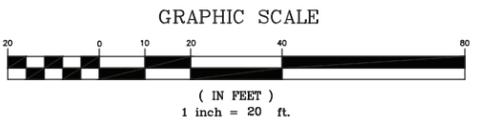
**Symbol Legend**

	CATCH BASIN
	DRAIN MANHOLE
	STORM SEWER LINE
	WATER VALVE
	WATER LINE
	SEWER MANHOLE
	SANITARY SEWER LINE
	UTILITY POLE/WIGUY WIRES, OVERHEAD LINES AND NUMBERS
	POST/BOLLARD
	CHAIN LINK FENCE
	WOOD RAIL/STOCKADE FENCE
	WIRE MESH FENCE
	EDGE OF PAVEMENT
	IRON PIN/PIPE
	STONE/CONCRETE BOUND
	5/8" REBAR WITH CAP (SET)
	CONIFEROUS TREE
	DECIDUOUS TREE
	CHESHIRE REGISTRY OF DEEDS
	TAX MAP PARCEL NUMBER
	DEED VOLUME & PAGE

**Zoning Districts**  
**COM (Commerce)**

MAX HEIGHT	2 STORIES/35'
LOT SIZE	15,000 sf
FRONTAGE	50'
<b>BUILDING SETBACKS</b>	
FRONT	20'
SIDE	20'
REAR	20'/50'
<b>*ABUTTING RESIDENTIAL DISTRICT</b>	
MAX BUILDING COVERAGE	80%
MAX IMPERMEABLE COVERAGE	80%

SEE CITY OF KEENE LAND USE ORDINANCE CONCERNING ANY ADDITIONAL REQUIREMENTS PERTAINING TO PARCEL



- Plan References**
- REFERENCES INCLUDE ALL INFORMATION REFERRED TO ON ANY OF THE FOLLOWING PLANS
- EXISTING CONDITIONS PLAN, LAND OF JUDY WILLIAMS LOCATED AT TAX MAP 577 LOT 25, 0 WEST STREET, KEENE, NH, DATED JANUARY 27, 2022; BY RUSSELL J. HUNTLEY, HUNTLEY SURVEY & DESIGN. (On File at Huntley Survey & Design)
  - LOT MERGER & EXISTING CONDITION PLAN, LAND OF SANDRI REALTY INC, DATED JANUARY 18, 2016; BY RUSSELL J. HUNTLEY, SVE ASSOCIATES (On file at SVE and the City of Keene)
  - PLAN TITLED WEST STREET PROPERTY SURVEYED FOR HUMBLE OIL AND REFINING CO. KEENE, NEW HAMPSHIRE, DATED NOVEMBER 1965, PREPARED BY R.K. PIPER AND D.R. CHAPLIN (Pb.14 Pg.16 CCRD)
  - PLANS OF PROPOSED FEDERAL AID URBAN PROJECT U 013-1(17), DATED 1967, PREPARED BY THE STATE OF NEW HAMPSHIRE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, NH PROJECT NUMBER C-7206-A NH ROUTE NO. 12, ON FILE AT THE KED PLAN 30-212 AND AT THE NH DPW BASE HILL ROAD OFFICE IN REDUCED PLANS FILE #65.
  - PLAN OF THE RICHARDSON LOT WEST ST. KEENE, DATED 1888, PREPARED BY SAML WADSWORTH, RECORDED AS I-21 OF THE WADSWORTH FILES AT THE CCRD.
  - PLAN OF LOTS FOR C.W & C.C. WILBER KEENE NH, DATED NOVEMBER 1901, REVISED SEPTEMBER 1902, PREPARED BY SAML WADSWORTH (Pb.2 Pg.63 CCRD)

- Notes**
- THE BEARINGS SHOWN ON THIS PLAN ARE REFERENCED TO NAD83 NH STATE PLANE GRID, PER PLAN REFERENCE No.1
  - THE BOUNDARY LINES SHOWN ON THIS PLAN WERE CALCULATED FROM RECORD DEEDS, PLAN REFERENCES 1 & 2, AND PHYSICAL EVIDENCE FOUND DURING THE FIELD SURVEY.
  - TOPOGRAPHY SHOWN ON THIS PLAN IS FROM AN ACTUAL FIELD SURVEY BY HUNTLEY SURVEY & DESIGN, PLLC PERFORMED DURING THE MONTH OF JANUARY, 2022 THE VERTICAL DATUM IS NAVD 88 OBTAINED SURVEY CONTROL POINTS USED TO PREPARE PLAN REFERENCE No.1. CONTOUR INTERVAL IS ONE (1) FOOT.
  - UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES HAVE BEEN PLOTTED FROM DATA OBTAINED FROM FIELD SURVEY OF SURFACE LOCATIONS, PREVIOUS MAPS AND RECORDS OBTAINED FROM THE CITY OF KEENE. THEIR EXISTENCE MUST BE CONSIDERED APPROXIMATE. THERE MAY BE OTHER UNDERGROUND UTILITIES THE EXISTENCE OF WHICH ARE NOT KNOWN. THE SIZE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED PRIOR TO ANY AND ALL CONSTRUCTION. CALL DIG-SAFE PRIOR TO ANY CONSTRUCTION.
  - JURISDICTIONAL WETLANDS WERE NOT OBSERVED.
  - THE PARCEL SHOWN IS LOCATED IN ZONE X AND IS NOT IN A SPECIAL FLOOD HAZARD AREA PER FEMA PANEL 33005C0266e EFFECTIVELY DATED MAY 23, 2006.

**Surveyor's Certification**

PURSUANT TO RSA 676: 18 III AND RSA 672: 14, I CERTIFY THAT THIS SURVEY AND PLAT WERE PRODUCED BY ME OR THOSE UNDER MY DIRECT SUPERVISION FROM A TOTAL STATION AND DATA COLLECTOR TRAVERSE WITH A POSITION TOLERANCE OF 0.03 + 100 ppm THAT MEETS OR EXCEEDS NH LAN 500 AND THE ALLOWABLE RELATIVE POSITIONAL ACCURACY FOR URBAN AREAS AS REQUIRED BY THE STATE OF NEW HAMPSHIRE IN TABLE 500.1, "ACCURACY MEASUREMENTS, LOCAL ACCURACY OF CONTROL SUPPORTING THE SURVEY," AND IS BASED ON INFORMATION RECORDED AT THE CHEHSIRE COUNTY REGISTRY OF DEEDS AS REFERENCED HEREON, INFORMATION PROVIDED BY THE CLIENT AND PHYSICAL EVIDENCE FOUND.



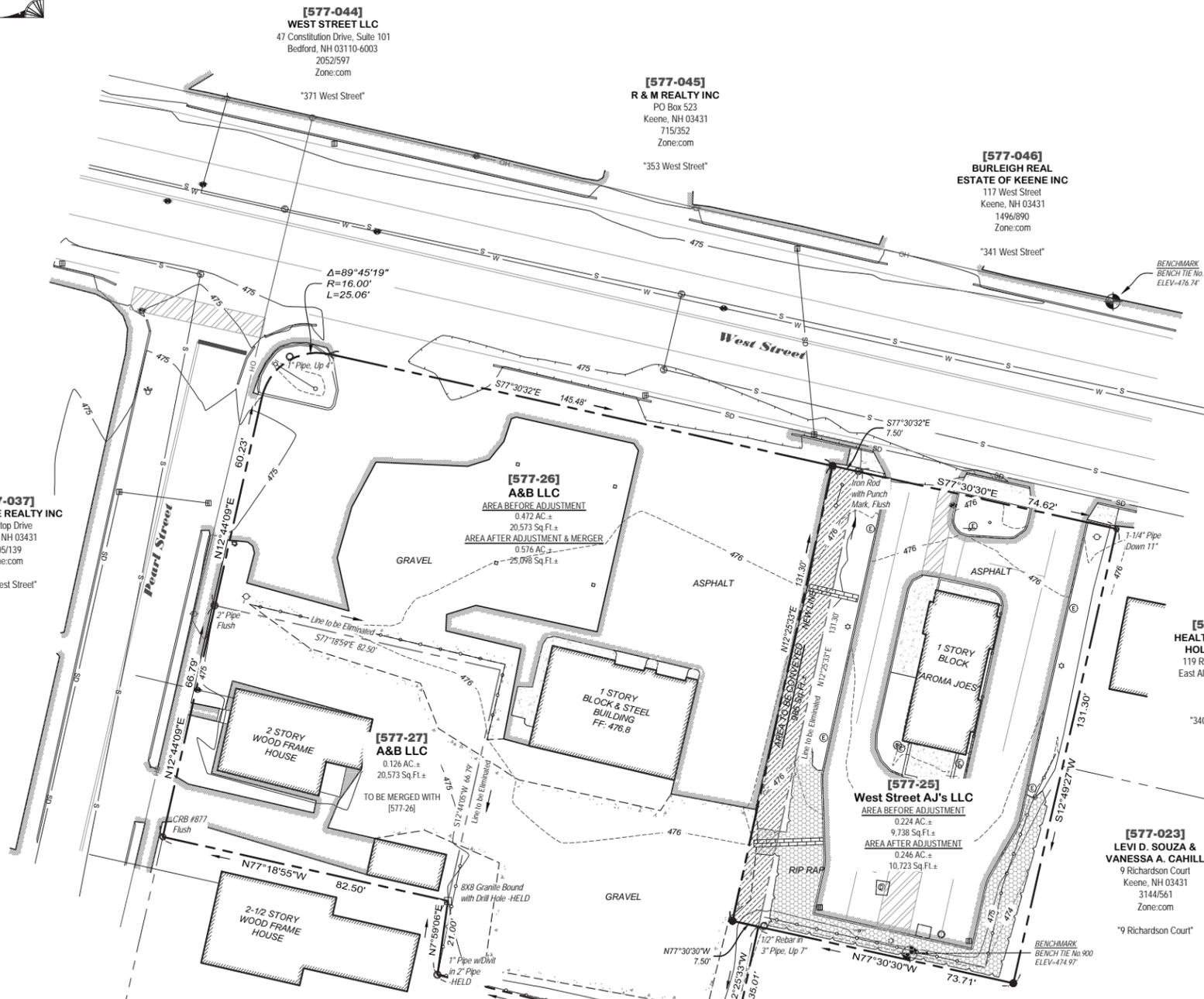
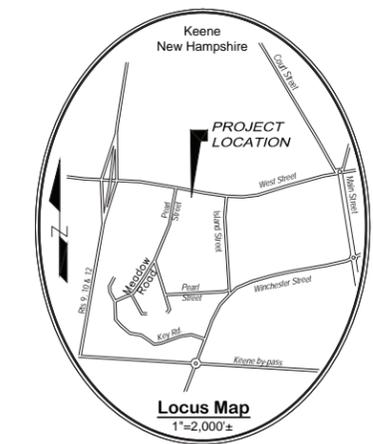
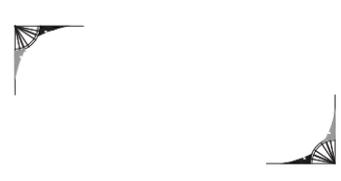
**Existing Conditions Plan**

LANDS OF  
**West Street AJ's LLC**  
 located at  
 Tax Map 577 Lot 25 / Book 3213, Page 158  
 348 West Street, Keene, Cheshire County, New Hampshire  
 &  
**A & B LLC**  
 located at  
 Tax Map 577 Lot 26 / Book 3246, Page 955  
 364 West Street, Keene, Cheshire County, New Hampshire  
 &  
 Lot Merger of 577-026 with 577-27

Surveyed 8/2023 Plan prepared 09/15/2023  
 Project No. H23-048 Cad File No. H23-048 Excon.dwg

**Huntley Survey & Design, PLLC**  
 NH & VT Land Surveying, Wetlands & NH Septic System Design  
 659 West Road, Temple, NH 03084 (603) 924-1669 www.huntleysurvey.com

NO.	DATE	REVISION	BY



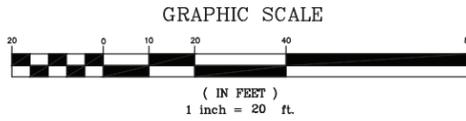
**Symbol Legend**

	CATCH BASIN
	DRAIN MANHOLE
	STORM SEWER LINE
	WATER VALVE
	WATER LINE
	SEWER MANHOLE
	SANITARY SEWER LINE
	UTILITY POLE W/GUY WIRES, OVERHEAD LINES AND NUMBERS
	POST/BOLLARD
	CHAIN LINK FENCE
	WOOD RAIL/STOCKADE FENCE
	WIRE MESH FENCE
	EDGE OF PAVEMENT
	IRON PIN/PIPE
	STONE/CONCRETE BOUND
	CONFIROUS TREE
	DECIDUOUS TREE
	CHESHIRE REGISTRY OF DEEDS
	TAX MAP PARCEL NUMBER
	DEED VOLUME & PAGE

**Zoning Districts**  
COM (Commerce)

MAX HEIGHT	2 STORIES/35'
LOT SIZE	15,000 sf
FRONTAGE	50'
BUILDING SETBACKS	
FRONT	20'
SIDE	20'
REAR	20/50'
*ABUTTING RESIDENTIAL DISTRICT	
MAX BUILDING COVERAGE	80%
MAX IMPERMEABLE COVERAGE	80%

SEE CITY OF KEENE LAND USE ORDINANCE CONCERNING ANY ADDITIONAL REQUIREMENTS PERTAINING TO PARCEL



**Owner Certification**  
WE CERTIFY THAT WE ARE THE CURRENT OWNERS OF THE TRACTS SHOWN HEREON AND THAT I APPROVE OF THE SUBDIVISION.

OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**APPROVED BY THE KEENE PLANNING BOARD**

BY \_\_\_\_\_ CHAIRMAN  
AND \_\_\_\_\_ SECRETARY  
ON \_\_\_\_\_

**FOR PLANNING BOARD REVIEW -NOT FOR RECORDING-**

NO.	DATE	REVISION	BY

- Plan References**
- REFERENCES INCLUDE ALL INFORMATION REFERRED TO ON ANY OF THE FOLLOWING PLANS
- EXISTING CONDITIONS PLAN, LAND OF JUDY WILLIAMS LOCATED AT TAX MAP 577 LOT 25, 0 WEST STREET, KEENE, NH, DATED JANUARY 27, 2022; BY RUSSELL J. HUNTLEY, HUNTLEY SURVEY & DESIGN. (On File at Huntley Survey & Design)
  - LOT MERGER & EXISTING CONDITION PLAN, LAND OF SANDRI REALTY INC, DATED JANUARY 18, 2016; BY RUSSELL J. HUNTLEY, SVE ASSOCIATES (On file at SVE and the City of Keene)
  - PLAN TITLED WEST STREET PROPERTY SURVEYED FOR HUMBLE OIL AND REFINING CO. KEENE, NEW HAMPSHIRE, DATED NOVEMBER 1965, PREPARED BY R.K. PIPER AND D.R. CHAPLIN (Pb.14 Pg.16 CCRD)
  - PLANS OF PROPOSED FEDERAL AID URBAN PROJECT U 013-1(17), DATED 1967, PREPARED BY THE STATE OF NEW HAMPSHIRE DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, NH PROJECT NUMBER C-7206-A NH ROUTE NO. 12, ON FILE AT THE KED PLAN 30-212 AND AT THE NH DPW BASE HILL ROAD OFFICE IN REDUCED PLANS FILE #65.
  - PLAN OF THE RICHARDSON LOT WEST ST. KEENE, DATED 1888, PREPARED BY SAML WADSWORTH, RECORDED AS I-21 OF THE WADSWORTH FILES AT THE CCRD.
  - PLAN OF LOTS FOR C.W. & C.C. WILBER KEENE NH, DATED NOVEMBER 1901, REVISED SEPTEMBER 1902, PREPARED BY SAML WADSWORTH (Pb.2 Pg.63 CCRD)

- Notes**
- THE BEARINGS SHOWN ON THIS PLAN ARE REFERENCED TO NAD83 NH STATE PLANE GRID, PER PLAN REFERENCE No.1
  - THE BOUNDARY LINES SHOWN ON THIS PLAN WERE CALCULATED FROM RECORD DEEDS, PLAN REFERENCES 1 & 2, AND PHYSICAL EVIDENCE FOUND DURING THE FIELD SURVEY.
  - TOPOGRAPHY SHOWN ON THIS PLAN IS FROM AN ACTUAL FIELD SURVEY BY HUNTLEY SURVEY & DESIGN, PLLC PERFORMED DURING THE MONTH OF JANUARY, 2022 THE VERTICAL DATUM IS NAVD 88 OBTAINED SURVEY CONTROL POINTS USED TO PREPARE PLAN REFERENCE No.1. CONTOUR INTERVAL IS ONE (1) FOOT.
  - UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES HAVE BEEN PLOTTED FROM DATA OBTAINED FROM FIELD SURVEY OF SURFACE LOCATIONS, PREVIOUS MAPS AND RECORDS OBTAINED FROM THE CITY OF KEENE. THEIR EXISTENCE MUST BE CONSIDERED APPROXIMATE. THERE MAY BE OTHER UNDERGROUND UTILITIES THE EXISTENCE OF WHICH ARE NOT KNOWN. THE SIZE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED PRIOR TO ANY AND ALL CONSTRUCTION. CALL DIG-SAFE PRIOR TO ANY CONSTRUCTION.
  - JURISDICTIONAL WETLANDS WERE NOT OBSERVED.
  - THE PARCEL SHOWN IS LOCATED IN ZONE X AND IS NOT IN A SPECIAL FLOOD HAZARD AREA PER FEMA PANEL 33005C0266e EFFECTIVELY DATED MAY 23, 2006.

**Surveyor's Certification**  
PURSUANT TO RSA 676: 18 III AND RSA 672: 14, I CERTIFY THAT THIS SURVEY AND PLAT WERE PRODUCED BY ME OR THOSE UNDER MY DIRECT SUPERVISION FROM A TOTAL STATION AND DATA COLLECTOR TRAVERSE WITH A POSITION TOLERANCE OF 0.03 + 100 ppm THAT MEETS OR EXCEEDS NH LAN 500 AND THE ALLOWABLE RELATIVE POSITIONAL ACCURACY FOR URBAN AREAS AS REQUIRED BY THE STATE OF NEW HAMPSHIRE IN TABLE 500.1, "ACCURACY MEASUREMENTS, LOCAL ACCURACY OF CONTROL SUPPORTING THE SURVEY," AND IS BASED ON INFORMATION RECORDED AT THE CHEHSIRE COUNTY REGISTRY OF DEEDS AS REFERENCED HEREON, INFORMATION PROVIDED BY THE CLIENT AND PHYSICAL EVIDENCE FOUND.



**Lot Line Adjustment Plan**

BETWEEN LANDS OF  
**West Street AJ's LLC**  
located at  
Tax Map 577 Lot 25 / Book 3213, Page 158  
348 West Street, Keene, Cheshire County, New Hampshire  
&  
**A & B LLC**  
located at  
Tax Map 577 Lot 26 / Book 3246, Page 955  
364 West Street, Keene, Cheshire County, New Hampshire  
&  
Lot Merger of 577-026 with 577-27

Surveyed 8/2023 Plan prepared 09/15/2023  
Project No. H23-048 Cad File No. H23-048 Excon.dwg

**Huntley Survey & Design, PLLC**  
NH & VT Land Surveying, Wetlands & NH Septic System Design  
659 West Road, Temple, NH 03084 (603) 924-1669 www.huntleysurvey.com

## Drainage Summary

for

**Aroma Joe's  
0 West Street, Keene, NH**

**Prepared by SVE Associates  
March 17, 2022  
Revised September 12, 2023**

A comparison of peak stormwater runoff for the 25-year rainfall events in the post-development conditions was completed by SVE Associates using HydroCad 10.0 software. The storm event used in the model was Type III, 24-hour storm with the following rainfall depths for Keene, NH:

25 Year Event: 4.92 inches

### OVERVIEW:

This project consists of *the redevelopment* of the 0 West Street property, removing the existing driveway and water and sewer services, and the construction of the Aroma Joe's facility *including the two-story building, associated parking, one-way travel isles and second stacking isle.*

### EXISTING CONDITIONS:

*For the purposes of the drainage analysis*, the existing conditions of this property include the driveway and mainly vacant lot, with five mature trees along the property line. There was formerly a residence, but that was demolished *several years ago*. Currently a portion of the stormwater runoff sheet flows to the catch basin in West Street. The rest of the stormwater sheet flows to the low point along the southern property line.

### PROPOSED CONDITIONS:

The proposed conditions, modeled in the "Post-Development" drainage model, consist of the *new building, parking areas one-way travel isle, and second stacking isle.* Stormwater runoff will sheet flow from the high line at the front of the building *and second stacking isle* to the north and be collected in the catch basin in West Street. The portion of stormwater runoff that sheet flows to the south of the high line will flow along the proposed curbing to the two catch basins in the parking spaces and will infiltrate into the Stormtech chamber infiltration bed which is under the parking. The infiltration rate used (3 in/hr) is half of the published Ksat value (6 in/hr).

### **SVE Associates**

---

---

Engineering \* Surveying \* Landscape Architecture \* Planning  
P.O. Box 1818, Brattleboro, VT 05302 Phone: (802) 257-0561 Fax (802) 257-0721 E-mail [svek@sveassoc.com](mailto:svek@sveassoc.com)  
P:\Project\NH PROJECTS\K2730 Aroma Joes\Hydrocad\K2730 Drainage Summary PB BLA.doc

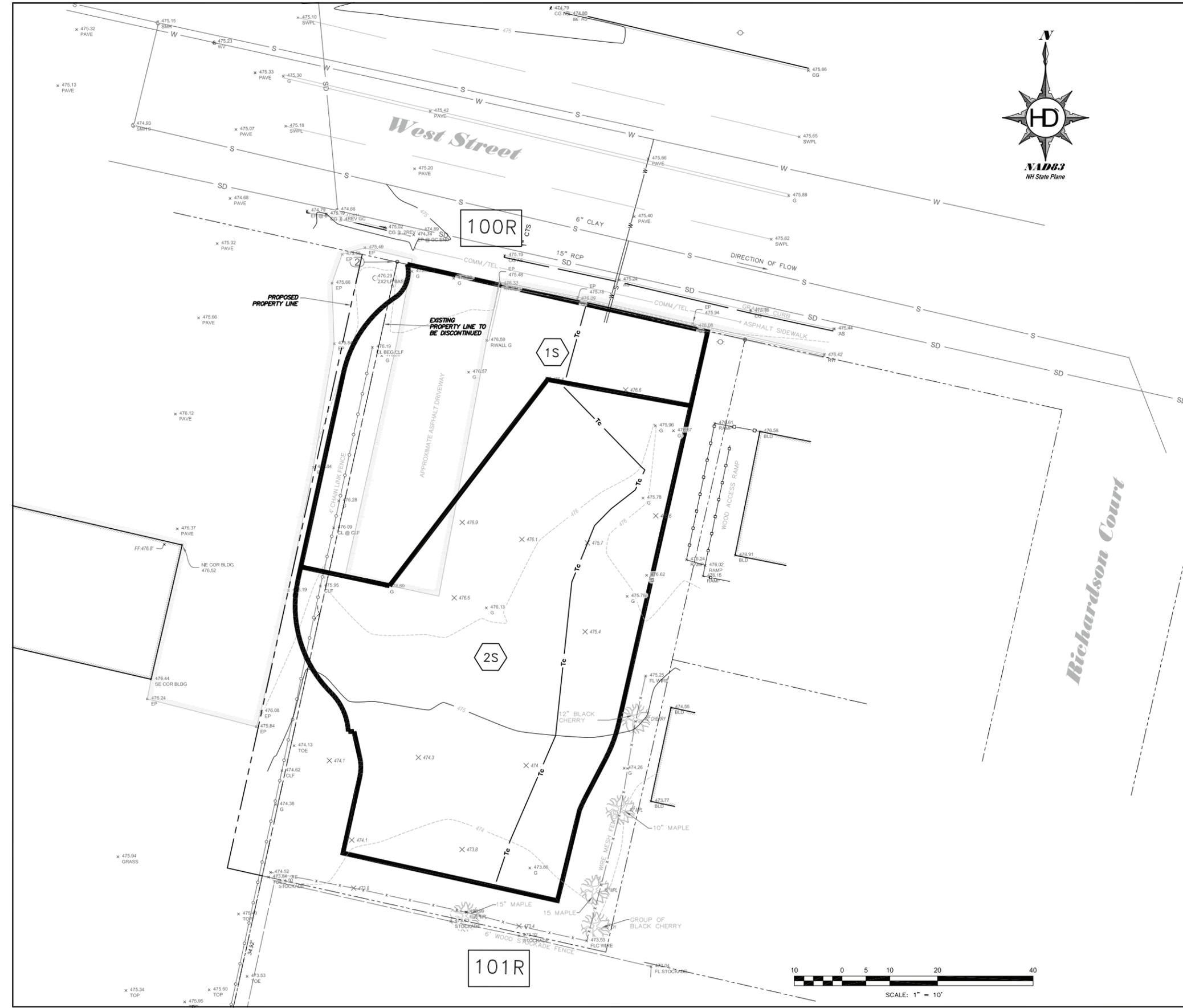
	25 year	
	<i>Existing</i>	<i>Proposed</i>
	<i>Runoff (cfs)</i>	<i>Runoff (cfs)</i>
<i>Summary Node 100R</i>	0.2	0.2
<i>Summary Node 101R</i>	0.3	0.2

**CONCLUSION:**

There will be no adverse impact to downstream abutters due to stormwater runoff from the facility and *the second stacking isle*. Overall, there is no significant change in stormwater runoff post development.



**SVE Associates**



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

**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



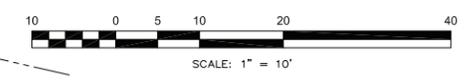
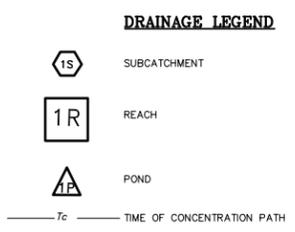
AROMA JOE'S  
WEST STREET  
KEENE, NH

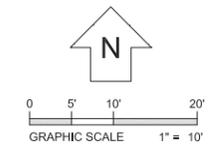
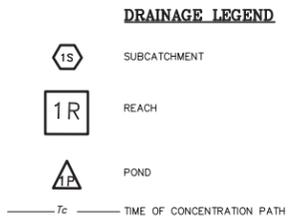
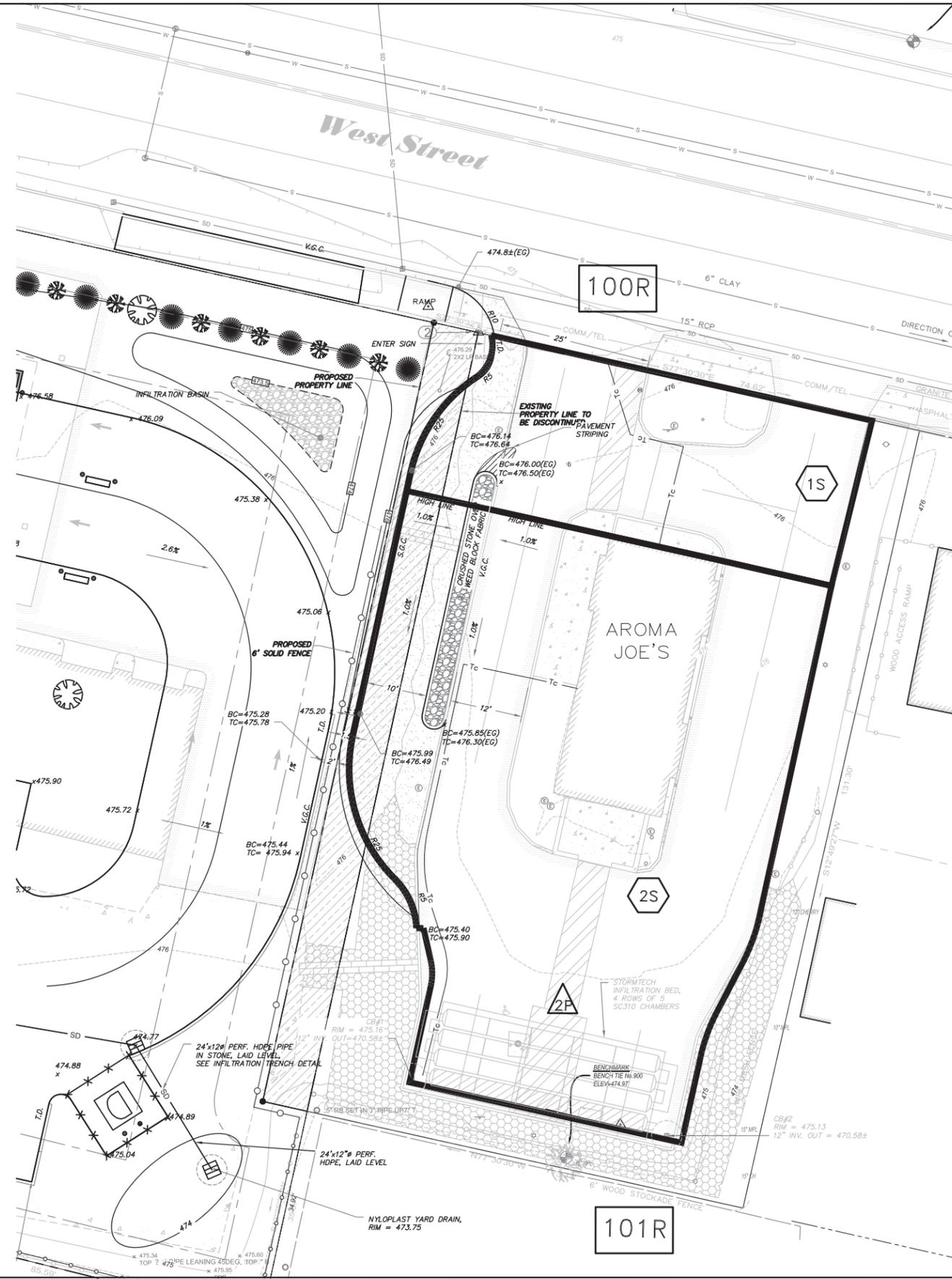
PRE  
DEVELOPMENT  
DRAINAGE PLAN

SCALE: 1"=10'

DATE: SEPT. 12, 2023

SHEET D-1





*Liza Sargent* 9/15/23

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

ENGINEER:

**SVE** 2023

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  
WEST STREET  
KEENE, NH

**POST  
DEVELOPMENT  
DRAINAGE PLAN**

SCALE: 1"=10'

DATE: SEPT. 12, 2023

SHEET D-2



## NOTICE OF DECISION

### **ZONING BOARD OF ADJUSTMENT**

**CASE NUMBER:** ZBA 23-20  
**Property Address:** 364 West St.  
**Zone:** Commerce District  
**Owner:** Aaron Wiswell, A & B, LLC  
**Petitioner:** Jim Phippard, Brickstone Land Use Consultants, LLC  
**Date of Decision:** August 7, 2023

#### **Notification of Decision:**

Petitioner, Aaron Wiswell of A & B, LLC, Berwick, ME, and represented by Jim Phippard, of Brickstone Land Use Consultants, LLC, requested a Variance for properties located at 364 West St. and 12 Pearl St., Tax Map #577-026-000 & 577-027-000 and is in the Commerce District. The Petitioner requested to permit a side pavement setback of two feet where eight feet is required per Chapter 100, Article 9.4.2, Table 9-2 of the Zoning Regulations

The motion to approve ZBA 23-20 was approved by a vote of 5-0, with one condition according to the Variance Findings of Fact listed below and as further specified in the minutes of the meeting.

**Criteria 1:** The proposed use will provide corrective measures to previous Variance, 5-0.

**Criteria 2:** The proposed use will provide a benefit to the street traffic, 5-0.

**Criteria 3:** The proposed use will be a gain to the applicant as a means of correction while providing a significant gain to the safety of the public, 5-0.

**Criteria 4:** The proposed use and the abutting property are owned by the same party, 5-0.

**Criteria 5:** The proposed use is a corrective measure to the previous Variance approval, on a small lot size which holds safety concerns for the public if proposed use is denied, 5-0.

**Condition:** that a six (6) foot stockade style fence is erected on the boundary line.

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 Attorney    City Appraiser    File Copy



Monadnock Habitat for Humanity  
P.O. Box 21  
Keene, NH 03431

City of Keene  
Planning Board  
3 Washington Street  
Keene, NH 03431

RE: Request for October 23, 2023 Planning Board Advice and Comment

Dear Chairperson and Members,

Monadnock Habitat for Humanity (MHFH) hereby requests an Advice and Comment slot on the Planning Board's October 23, 2023 meeting agenda.

MHFH is the owner of a 7.1-acre parcel of undeveloped land on Old Walpole Road identified as MAP 503 LOT 005. This parcel is in the Rural zone, and it abuts properties in both the Rural zone and in the Low-Density zone.

As the property currently exists, it is eligible for subdivision to three 2-acre+ lots, allowing for the construction of three single family dwellings.

The accompanying plan and the following summary present a conceptual alternative development plan that MHFH would like to discuss with the Planning Board and receive advice and comment.

The development to be discussed, as illustrated on the accompanying conceptual plan, would rely on approval of a Conservation Residential Development (CRD) subdivision and approval of an optional bonus density incentive for owner-occupied Workforce Affordable Housing. It would consist of two 32,000+ square foot lots, each hosting a modest duplex (2 X approximately 1,150 square feet).

In addition to these approvals, two waivers, which we understand can be granted by the Planning Board, would also be required. The first required waiver would be for the Planning Board to accept a CRD in the Rural zone where the total tract size is 7.1 acres. Our plan anticipates the creation of a permanent conservation set-aside of more than 5 acres, which satisfies what the minimum open space requirement would be if the tract size were 10-acres. The second waiver would be for the Planning Board to accept a shared driveway, with a single curb cut on Old Walpole Road, to avoid the disruption of constructing an interior street.

MHFH is working with David Bergeron of Monadnock Land Planning, LLC, who will attend the October 23 meeting along with Matthew Keenan and Michael Conway of the MHFH Board of Directors. Contact information for all three is provided in an attachment to this letter.

We thank you for your consideration of this request and look forward to an anticipated productive dialogue regarding our conceptual development plan and our continuing efforts to improve the affordable workforce housing situation in the Monadnock region.

Sincerely,

MONADNOCK HABITAT FOR HUMANITY

A handwritten signature in black ink, appearing to read "MFC", followed by a long horizontal flourish.

Michael F. Conway, Volunteer

P.O. Box 21 Keene, NH 03431  
Phone: (603)357-8474 Fax: (603)357-0406 [www.habitatnh.org](http://www.habitatnh.org)

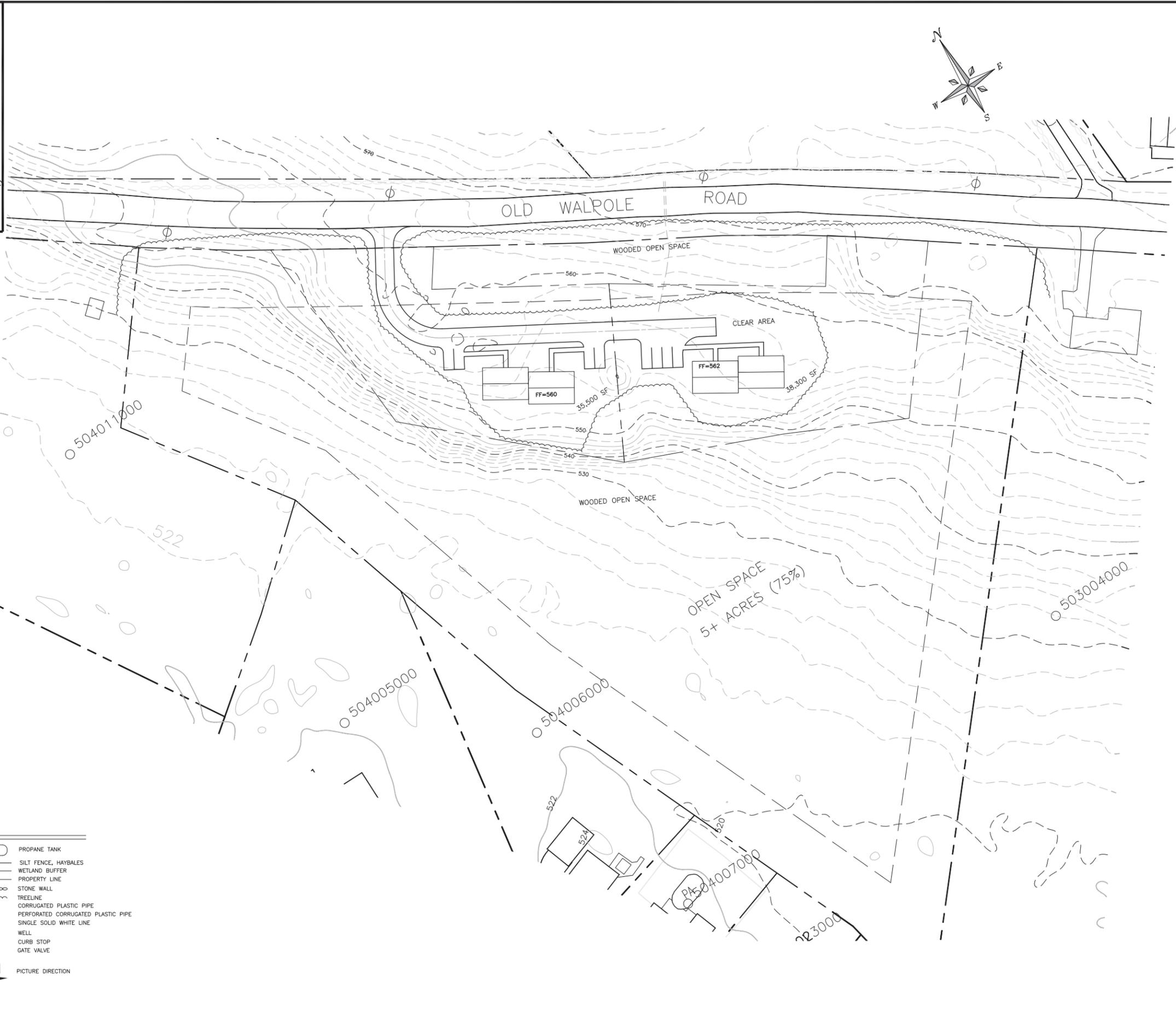
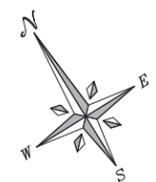
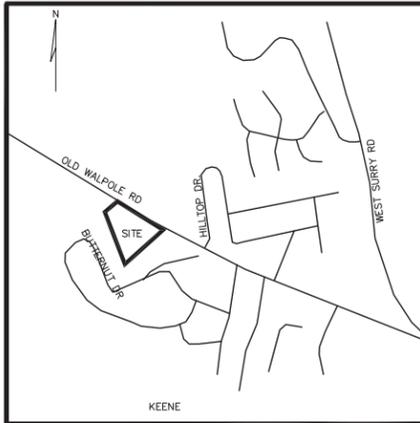


**CONTACTS:**

David Bergeron  
Monadnock Land Planning, LLC  
139 Old Walpole Road  
Keene, NH 03431  
[monadnocklp@ne.rr.com](mailto:monadnocklp@ne.rr.com)  
603-209-3050

Michael Conway  
51 Railroad Street  
Unit 320  
Keene, NH 03431  
[mfconway911@gmail.com](mailto:mfonway911@gmail.com)  
781-760-3636

Matt Keenan, President  
129 Main Street  
Dublin, NH 03444  
[Keenan.matt1@gmail.com](mailto:Keenan.matt1@gmail.com)  
603-933-1344



**LEGEND**

⊕	CATCH BASIN	○	PROPANE TANK
●	CLEAN OUT	—SF—	SILT FENCE, HAYBALES
+	WET LAND FLAG	—WB—	WETLAND BUFFER
•	GUY ANCHOR	---	PROPERTY LINE
*	HYDRANT	⊖	STONE WALL
●	IRON PIN FOUND	⊖	TREELINE
■	MONUMENT FOUND	⊖	CORRUGATED PLASTIC PIPE
†	SIGN	⊖	PERFORATED CORRUGATED PLASTIC PIPE
⊕	UTILITY POLE	⊖	SINGLE SOLID WHITE LINE
⊕	WATER VALVE	⊖	WELL
⊕	EDGE OF WATER	⊖	CURB STOP
—W—	WATER LINE	⊖	GATE VALVE
—S—	SEWER LINE	⊖	
—E—	ELECTRIC, TV, TELEPHONE	⊖	
—G—	GAS LINE	⊖	
---	EXISTING GRADE	⊖	
---	PROPOSED GRADE	⊖	
▨	SHORELAND IMPACT AREA	⊖	
		⊖	PICTURE DIRECTION

OWNER  
 MONADNOCK HABITAT  
 FOR HUMANITY  
 P.O. BOX 21  
 KEENE, NH 03431

**MONADNOCK  
 LAND PLANNING**

139 OLD WALPOLE ROAD  
 KEENE, NH 03431  
 803.209.3050  
 MONADNOCKLP@NE.RR.COM

**DUPLEX HOUSING**  
 OLD WALPOLE RD.  
 KEENE, NH

**SITE  
 PLAN**

SCALE: 1"=50'

DATE: FEB 26, 2023

SHEET 1 OF 1