



## **City of Keene Planning Board**

### **AGENDA**

**Monday, May 20, 2024                      6:30 PM                      City Hall, 2<sup>nd</sup> Floor Council Chambers**

- I. **Call to Order** – Roll Call
- II. **Minutes of Previous Meeting** – April 22, 2024
- III. **Final Vote on Conditional Approvals**
- IV. **Extension Request**
  1. **SPR-04-22 & S-04-22 – Site Plan & Conservation Residential Development Subdivision – Timberlane Woods, 0 Drummer Rd** - Owner C. Eric Farris, requests a third extension to the deadline to satisfy the precedent conditions of approval for the proposed 6-lot subdivision of the property located at 0 Drummer Rd (TMP #515-015-000) and construction of four, 5-unit multifamily residences and one, 6-unit multifamily residence. The property is 13.1 acres and is located in the Low Density District.
- V. **Public Hearing**
  1. **Change of Governmental Land Use** – RSA 674:54 regarding the proposed use of the 1.8-ac parcel at 0 Island St (TMP #583-018-000) as a temporary construction material storage yard during the upcoming Island Street Infrastructure project. The parcel is owned by PSNH and is located in the Commerce District.
- VI. **Master Plan Update**
  - a. Master Plan Steering Committee resignation and confirmation
  - b. Project Updates
- VII. **Staff Updates**
- VIII. **New Business**
- IX. **Upcoming Dates of Interest**
  - Joint Committee of the Planning Board and PLD – June 10<sup>th</sup>, 6:30 PM
  - Planning Board Steering Committee – June 11<sup>th</sup>, 11:00 AM
  - Planning Board Site Visit – June 19<sup>th</sup>, 8:00 AM – To Be Confirmed
  - Planning Board Meeting – June 24<sup>th</sup>, 6:30 PM

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

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

8 **Monday, April 22, 2024**

**6:30 PM**

**Council Chambers,  
City Hall**

**Members Present:**

Harold Farrington, Chair  
Roberta Mastrogiovanni, Vice Chair  
Mayor Jay V. Kahn  
Councilor Michael Remy  
Sarah Vezzani  
Armando Rangel  
Ryan Clancy  
Michael Hoefler, Alternate

**Staff Present:**

Jesse Rounds, Community Development  
Director  
Evan Clements, Planner

**Members Not Present:**

Tammy Adams, Alternate  
Kenneth Kost  
Randyn Markelon, Alternate

9  
10 **I) Call to Order – Roll Call**

11  
12 Vice-Chair Mastrogiovanni called the meeting to order at 6:30 PM and a roll call was taken.

13  
14 **II) Minutes of Previous Meeting – March 25, 2024**

15  
16 A motion was made by Councilor Michael Remy that the Planning Board approve the March 25,  
17 2024 meeting minutes. The motion was seconded by Armando Rangel and was unanimously  
18 approved.

19  
20 **III) Final Vote on Conditional Approvals**

21  
22 The Vice-Chair stated that as a matter of practice, the Board will now issue a final vote on all  
23 conditionally approved plans after all of the conditions precedent have been met. This final vote  
24 will be the final approval and will start the 30-day appeal clock. She asked if there were any  
25 applications ready for final approval at tonight's meeting.

26  
27 Evan Clements, Planner, stated that site plan application, SPR-06-23, for the Roosevelt School  
28 Housing located at 438 Washington Street was ready for final approval. Mr. Clements explained  
29 that Monadnock Affordable Housing, on behalf of the owner the Community College Systems of  
30 New Hampshire, proposes to renovate the existing 13,507-sf two-story former school building and

31 add an 8,548-sf, two-story addition. Additionally, they are also proposing to construct a new  
32 12,646-sf two-story building and associated site improvements to create a 60-unit multifamily  
33 housing development on the property at 438 Washington Street. He indicated that a waiver for  
34 SPR-06-23 was granted from Section 20.14.3.D of the Land Development Code regarding the  
35 requirement that all off street parking be screened and located to the side or rear of buildings.

36  
37 He noted that this site is 2.4 acres in size and is located in the Low Density District. The applicant  
38 has met all precedent conditions of approval and staff is recommending that the Board grant final  
39 approval for this project.

40  
41 Mayor Kahn joined the session at 6:35 pm.

42  
43 A motion was made by Councilor Michael Remy that the Planning Board issue final site plan  
44 approval for SPR-06-23. The motion was seconded by Armando Rangel and carried on a  
45 unanimous vote.

46  
47 **IV) Extension Request**

48  
49 **1. CLSS-CUP-03-23 – Congregate Living & Social Services Conditional Use Permit –**  
50 **Keene Serenity Center, 24 Vernon St – Applicant Keene Serenity Center, on behalf of**  
51 **owner the Monadnock Area Peer Support Agency, requests a first extension to the**  
52 **timeframe to satisfy the precedent conditions of approval for the Congregate Living &**  
53 **Social Services Conditional Use Permit application, CLSS-CUP-03-23, for the**  
54 **operation of a group resource center on the property at 24 Vernon St (TMP #568-058-**  
55 **000). The parcel is 0.28 ac and is located in the Downtown Core District.**

56  
57 Mr. Sam Lake, Executive Director of the Keene Serenity Center, addressed the Board and stated  
58 that they are requesting an extension due to permitting issues that the landlord needs to address.  
59 Jesse Rounds, the Community Development Director, stated that staff has no issues with this  
60 request.

61  
62 A motion was made by Sarah Vezzani that the Planning Board approve a 180-day extension to the  
63 timeframe to satisfy the precedent conditions of approval for the Congregate Living & Social  
64 Services Conditional Use Permit (CUP) application, CLSS-CUP-03-23. The motion was seconded  
65 by Michael Remy and carried on a unanimous vote.

66  
67 **V) Public Hearings**

68  
69 **1. S-09-23, Modification #1 – Subdivision – 284 West Surry Rd - Applicants and owners**  
70 **Corbet & Colline Cook, propose to modify the 3-lot subdivision, S-09-23, of their**  
71 **property at 284 West Surry Rd (TMP #206-025-000) that received final approval from**  
72 **the Planning Board in January 2024 to remove a note related to fire protection from**  
73 **the approved subdivision plan. The parent parcel is ~9.19 ac and the new parcels range**  
74 **in size from ~2 ac to ~5.16 ac. All land is located in the Rural District.**

75  
76 **B. Board Determination of Completeness**

77  
78 Mr. Clements stated that the applicants have requested exemptions from submitting a location  
79 map, an existing conditions plan, a drainage report, a traffic analysis, and a soil analysis. Staff have  
80 determined that the requested exemptions would have no bearing on the merits of the application  
81 and recommend that the Board accept the application as complete.

82  
83 A motion was made by Councilor Michael Remy to accept this application as complete. The  
84 motion was seconded by Armando Rangel and was unanimously approved.

85  
86 C. Public Hearing

87  
88 Applicant and property owner, Corbet Cook, addressed the Board and stated his and his wife  
89 previously received approval to subdivide this property into three lots. As part of the previous  
90 approval, there was a stipulation in the building code that required that fire protection be installed  
91 in any future homes constructed on the two vacant lots. He stated their request as part of this  
92 application is to have the not related to fire protection removed from the subdivision plan.

93  
94 Mayor Kahn clarified from staff that, unless the Board suspends its rules, this is a first reading.  
95 Mr. Clements explained this item is an amendment to an approved subdivision plat. It does not  
96 function like an ordinance, instead it functions like any other Planning Board application. Staff's  
97 recommendation tonight would be for final approval. This application, if approved, would be for  
98 a new subdivision plat that would be the same as the one approved by the Board previously with  
99 the exception of the note related to the installation of fire protection being removed.

100  
101 The Mayor asked the applicant when the original subdivision was submitted. Mr. Cook stated the  
102 original subdivision was submitted in September 2023 and it was approved by the Board in January  
103 2024. The Mayor asked whether this item is holding up the applicant's progress. Mr. Cook stated  
104 it was not, but noted that he would like to get all issues addressed before he applies for a building  
105 permit.

106  
107 Staff comments were next. Mr. Clements stated this is a rather unique situation because this  
108 application was caught between a legislative change that the Board used to rely on. He went on to  
109 say this application is for a three-lot subdivision that was filed in September 2023. It received final  
110 approval from the Board in January of 2024. In order to meet the intent of NH RSA 674:36, the  
111 State Statute on Subdivision Regulations, and the Fire Protection and Water Supply Regulations  
112 outlined in Section 19 of the City's Land Development Code, the applicant's surveyor, Russ  
113 Huntley, added a note to the proposed subdivision plan related to fire protection and water supply.  
114 The note reads as follows, "*the installation of individual residential sprinkler systems meeting the*  
115 *standards of the National Fire Protection Association Regulations, NFPA 13D or NFPA 13R or*  
116 *another means of Fire Protection approved by the Keene Planning Board, shall be required for*  
117 *each lot shown on the plan.*"

118  
119 Prior to the legislative change in 2023, subdivision applications were able to offer sprinkler  
120 systems as a way to meet the City's regulations. Mr. Clements added the way the statute used to  
121 read is that no Planning Board condition could force an applicant to install sprinkler systems in a  
122 single- or two-family development, but the developer was allowed to offer sprinklers as a means

123 to meet the local fire codes and rural water supply requirements. Unfortunately, this application  
124 could not rely on that. The surveyor offered this language; staff reviewed this language with the  
125 City Attorney's office and the Fire Department and the note was permitted to go forward.  
126

127 Since then, Community Development Staff have had further conversation with the Fire  
128 Department and come to a conclusion that the Fire Department has sufficient capacity to service  
129 these types of small neighborhood lot additions. The application before the Board tonight is a  
130 request to remove this note. Mr. Clements noted that with reference to regional impact, staff does  
131 not feel that there is any regional impact; however, he stated that the Board will ultimately need to  
132 make that determination.  
133

134 The Vice-Chair asked for public comment. With no comment from the public, the Vice-Chair  
135 closed the public hearing.  
136

137 D. Board Discussion and Action  
138

139 A motion was made by Councilor Remy that the Planning Board approve S-09-23, Modification  
140 #1 as shown on the plan identified as, "Three Lot Minor Subdivision" prepared by Huntley Survey  
141 & Design, PLLC at a scale of 1 inch = 40 feet on August 31, 2023 and last revised on February  
142 22, 2024 with the following conditions subsequent to final approval:  
143

- 144 1. All of the subsequent conditions of approval for the original subdivision application, S-09-  
145 23, which received final approval from the Planning Board on January 22, 2024 remain in  
146 full force and effect.  
147

148 The motion was seconded by Sarah Vezzani.  
149

150 Councilor Remy agreed there is no regional impact from this application.  
151

152 The Mayor stated he is pleased to see the rationale being offered and hoped it is applied generally  
153 to rural areas served by the Fire Department.  
154

155 The motion made by Councilor Remy was unanimously approved.  
156

- 157 2. **SPR-12-17, Modification #2 – Site Plan – Archway Farm, 183 Arch St - Applicant Don**  
158 **Scott LA Design, on behalf of owners Mark & Alona Florenz, proposes to construct an**  
159 **~512-sf addition to the existing Archway Farm kitchen and store building and make**  
160 **associated site modifications, including the relocation of an existing curb cut, the**  
161 **installation of new lighting and landscaping, and the creation of additional parking on**  
162 **the property at 183 Arch St (TMP #107-001-000). The parcel is ~53 ac and is located in**  
163 **the Agriculture District.**  
164

165 A. Board Determination of Completeness  
166

167 Mr. Clements stated the applicant has requested exemptions from submitting a traffic analysis, soil  
168 analysis, historic evaluation, screening analysis, and architectural and visual appearance analysis.

169 After reviewing each request, staff have determined that granting the requested exemptions would  
170 have no bearing on the merits of the application and recommend that the Board accept the  
171 application as complete.

172  
173 A motion was made by Councilor Michael Remy to accept this application as complete. The  
174 motion was seconded by Armando Rangel and was unanimously approved.

175  
176 B. Public Hearing

177  
178 Dan Scott, a Landscape Architect, introduced the property and business owner, Mark Florenz. Mr.  
179 Florenz stated he and his wife own Archway Farm and have been in operation for ten years. He  
180 stated that they depend upon their retail sales to make their farm viable. He stated their current  
181 operation is located in what used to be a three-car garage that was renovated. Mr. Florenz explained  
182 what was limiting is their ability to expand their retail operation. He indicated they would like to  
183 change the look of the building to appear more like a farm store.

184  
185 Mr. Scott addressed the Board next with reference to a rendering. He indicated the main parcel of  
186 the property consists of 82 acres in a rural area that is well-suited for this type of use. There is  
187 another parcel across from the rail trail that is also farmland. Mr. Florenz noted the NH Protection  
188 of Forests holds a conservation easement on both parcels, hence development is limited to the  
189 exclusion zone which is right around their home (two acres). There won't be any other  
190 development and development would be confined to the central area of the property.

191  
192 Mr. Scott stated the existing conditions plan that shows the original curb cut located on the eastern  
193 portion of the property and explained how it comes in at an angle. He referred to where the farm  
194 store is located as well as the septic field, the private residence, accessory barn structures on the  
195 rear portion of the site. He stated one of the things they would like to change is to relocate the curb  
196 cut, which would allow them to directly line up the central spine of travel aisle to get to the back  
197 of the property where additional farm activities are located and to allow for easier access for larger  
198 trucks.

199  
200 Mr. Scott went on to say everything shown in gray on the plan is going to be reconstructed. He  
201 explained that there is already parking in front of the store and noted that most of this area is  
202 already disturbed and there is no more disturbance being proposed. There are two sections of the  
203 driveway being removed and those areas will be put back to grass and lawn. Mr. Scott further  
204 stated that in order to address surface water runoff and treatment, they are installing a vegetated  
205 treatment swale. He noted that the area in front of the barns is a fairly wet area and this is partly  
206 because of the pathway that is blocking some of the drainage from getting down to the two culverts.  
207 They are proposing to remove the pathway and add a swale that will run behind the new parking  
208 area through a culvert and then exit to the south through a catchbasin running under Arch Street.  
209 Those basins and swales provide an opportunity to collect stormwater and hold it for a period of  
210 time for infiltration.

211  
212 Mr. Scott stated he has completed a stormwater management calculation. According to his  
213 calculation, only 30% of the water will end up in the swales. During a two-inch storm, the  
214 watershed would generate about 2,800 cubic feet of water. The swales and basins could hold nearly

215 3,000 cubic feet of water or a 3-inch storm, but a five-inch storm will run it up to about 7,000 cubic  
216 feet.

217  
218 Mr. Scott stated he also completed some percolation tests and this site can infiltrate about 10,000  
219 cubic feet of water over a 24 hour period. He stated that with this numbers, he is proving that they  
220 are not only reducing the flow of the water that exits under the road, but are creating more  
221 opportunity for infiltration of the of the stormwater on-site.

222  
223 Sedimentation and Erosion Control – The applicant is proposing to install silt fence along the back  
224 of the stone wall and along the wet area to the east.

225  
226 Snow Storage and Removal – Mr. Scott stated there is plenty of room for snow storage and referred  
227 to areas on the plan where snow will be stored and as it melts in the spring it will infiltrate and be  
228 treated.

229  
230 Screening – Mr. Scott stated there is some screening that will be provided along the public right-  
231 of-way. The vegetative swales would have shrubs three to five feet tall as well as perennials. There  
232 will be planting beds in front of the parking area to the west. The applicant is also proposing to  
233 plant inkberry shrubs, evergreen shrubs, and a crab apple tree.

234  
235 Mr. Scott pointed to a detail for a fence that will run along the parking spaces to the east to provide  
236 some separation from the retail space and the private home.

237  
238 Lighting – The applicant is proposing to install four pole lights for the parking areas and three  
239 wall-mounted lights above the entry doors. There will be a light for the bathroom at the rear of the  
240 building, which will be accessible to the public. Mr. Scott noted that the lighting engineer had to  
241 demonstrate that he had an average of least one footcandle light in all areas being illuminated. The  
242 small parking area has ~1.5 footcandles up to ~2.5 footcandles of light. The driveway has a  
243 minimum of ~2.5 footcandles up to a maximum of ~4.75 footcandles. The parking spaces to the  
244 west will be illuminated by ~2.15 footcandles of light up to ~3.17 footcandles.

245  
246 Traffic – Mr. Scott stated staff prepared some calculations for the applicant. Staff did not have  
247 anything in their books that would identify this site as a farm store, but they did have numbers for  
248 a variety store, which is not quite the same thing. According to staff’s calculations, a variety store  
249 would generate 32.6 vehicle trips per day. The applicant indicates his existing store is receiving  
250 between 10 to 12 cars per day. The hope is that with this new retail space with a nicer presence on  
251 Arch Street that they will see a 50% increase, bringing the total number of vehicle trips to around  
252 18 to 20 cars per day.

253  
254 Mr. Scott stated that there will be no impact to any of the wetlands in the area. He also noted that  
255 a bike rack has been added to the front of the building.

256  
257 Architecture and Visual Appearance – Mr. Scott showed a rendering of the proposed farm store.  
258 This concluded his presentation.

259  
260 Chair Farrington joined the session at 7:10 pm.

261  
262 Mayor Kahn asked whether Archway Farm was the only local farm in the City. Mr. Florenz stated  
263 they are the only livestock farm, but noted that there is also Green Wagon Farm. The Mayor asked  
264 whether the applicant offers any classes. Mr. Florenz stated he would like to offer classes based  
265 on availability of space and parking. The Mayor noted that in visiting the store, he saw that there  
266 were products from other farms being sold here as well. Mr. Florenz stated they are cognizant of  
267 the state definition of farm stand and stated regulation calls for 30% of what you sell needs to be  
268 produced by you. He stated they are in excess of 75% at the present time.

269  
270 With reference to parking, Mr. Scott stated originally they were looking to provide enough parking  
271 to meet the requirement of 4 spaces per 1000 square feet that is required for “Agricultural-Related  
272 Educational & Recreation Activity as a Business” required under the City’s Land Development  
273 Code. He explained that they are providing 13 spaces total and that as a farm stand, they are  
274 actually not required by City Code to provide a minimum number of parking spaces. The 13 spaces  
275 being offered are well in excess of the standard. Mr. Florenz added that they are not lacking in  
276 parking should there be an event requiring additional parking.

277  
278 Staff comments were next. Mr. Clements addressed the Board and started his presentation on the  
279 Site Development Standards.

280  
281 Drainage – Engineering has reviewed the proposal for the retention area and the two swales along  
282 with the existing 1- inch drainage pipe that is located under Arch Street and the inclusion of a new  
283 15-inch drainage pipe. This standard appears to be met. He added it is especially a beneficial  
284 contingent considering the reduction in flow and the improvement to treatment before the water  
285 leaves the site.

286  
287 Sediment and Erosion Control – As Mr. Scott explained, the developed construction area is going  
288 to be properly surrounded by silt fencing. This standard appears to be met.

289  
290 Snow removal and Storage – There is plenty of room around the drive aisles and parking areas to  
291 store snow. This standard appears to be met.

292  
293 Landscaping - One existing tree is proposed to be removed to the west of the farm store and eight  
294 new parking spaces will be created in its place. One crab apple tree, five inkberry shrubs, and an  
295 eight foot wide planting bed will be installed to screen the parking spaces from Arch Street. In  
296 addition to this, another crab apple tree and ten additional inkberry shrubs will be planted to screen  
297 the parking area to the east of the farm store from view from Arch Street. Mr. Clements noted the  
298 requirements for parking lots are located in the Zoning Ordinance under Section 9 of the Land  
299 Development Code, which has strict standards when it comes to screening parking areas.

300  
301 He noted these standards are designed for a much more urban experience. The Zoning Ordinance  
302 allows the Planning Board to approve what is called an “alternative landscaping plan” that meets  
303 the spirit and intent of the parking lot screening standards that are outlined in the zoning ordinance.  
304 In this case, staff feels the proposed screening is appropriate due to the rural nature of the site and  
305 the use of the property as a farm. The Board will need to determine ultimately if these parking  
306 areas are properly screened.

307  
308 Lighting - Mr. Scott has stated the parking area is in compliance with the City's average foot candle  
309 ratio and uniformity ratio. The proposed lighting won't have any real hot spots or dark spots and  
310 will allow for safe vehicular movements and pedestrian traffic across those spaces. Mr. Clements  
311 asked Mr. Scott whether he had submitted an updated cut sheet for the lighting fixtures (CRI that  
312 is greater than 70). Mr. Scott answered in the affirmative and stated he also had a copy with him  
313 today – This standard appears to be met.

314  
315 Sewer and Water - The property is on private well and septic and a new system was installed in  
316 2021. Mr. Florenz stated they have two separate systems; one for the residence and one for the  
317 commercial kitchen. The one for the commercial kitchen was installed in 2021 – This standard  
318 appears to be met.

319  
320 Traffic and Access Management - The existing easternmost curb cut is proposed to be removed,  
321 loamed and seeded, and relocated further to the west. The existing stone wall will then be removed  
322 to allow for the creation of the new curb cut and the excess stone will be used to fill the gap in the  
323 stonewall, where the old curb cut was located. The new parking area, with the three parking spaces,  
324 including an eight foot wide accessible space will be installed in tandem with a five foot wide  
325 access aisle, which will be delineated using an accessible parking sign. This will be located to the  
326 east of the new farm stand area.

327  
328 Eight more parking spaces will be created along the 22 foot wide drive aisle adjacent to the store  
329 and two additional employee parking spaces will be added to the north of this area. In regards to  
330 the traffic generation, as was described, they are anticipating approximately 20 vehicle trips per  
331 day, which is well within the traffic standard and hence a traffic study is not required. Bicycle  
332 parking will be provided with an eight foot wide bike rack east of the entrance to the farm store  
333 and a walkway connecting the drive aisles to the west of the building will direct pedestrians to the  
334 public restroom at the rear of the kitchen. This standard appears to be met

335  
336 Filling and Excavation – Mr. Clements noted the narrative states that the project will not exceed  
337 the limits of the standards outlined in the Land Development Code for filling and excavation.  
338 Hence, the need for a specific traffic plan related to large trucks is unnecessary – This standard  
339 appears to be met.

340  
341 Surface Waters and Wetlands - As was indicated, no surface waters or wetlands will be impacted  
342 with this proposal. This standard appears to be met.

343  
344 Hazardous or Toxic Materials – The project narrative states there will not be any hazardous or  
345 toxic materials on the property. This standard has been met.

346  
347 Noise - The project narrative states the proposal will not increase the amount of noise generated  
348 on the site. This standard appears to be met.

349  
350 Architecture and Visual Appearance – Mr. Clements indicated the renderings included in the staff  
351 report show that the farm stand will have a corrugated metal roof and forest green finish with rough  
352 sawn pine barn board siding in a weathered gray finish. Braces and doors will be finished in a barn

353 red color and windows will be white. This will match the finish of the existing tractor shed that  
354 was constructed on the property within the last few years. The Board will need to make a  
355 determination as to whether the proposed exterior building materials comply with the Architectural  
356 and Visual appearance standards.

357  
358 Mr. Clements stated staff’s preliminary interpretation of the application indicates that this  
359 application does not rise to the threshold of having regional impact. He then went over the  
360 proposed motion. This concluded staff comments.

361  
362 The Vice Chair then asked for public comment. Mr. Clancy asked whether staff is aware of any  
363 plans for updates to signage at the intersection of Felt Road, Whitcombs Mill Road and Arch  
364 Street. Mr. Clements stated he was not aware of any proposed work at this intersection.

365  
366 With no further public comment, the Chair closed the public hearing.

367  
368 C. Board Discussion and Action

369  
370 A motion was made by Councilor Remy that the Planning Board approve SPR-12-17, Modification  
371 #2, as shown on the plan set identified as “Archway Farm Store, March 2024, 183 Arch St / Keene  
372 NH 03431, Site Permit Plan Set” prepared by Don Scott, RLA at varying scales on April 8, 2024  
373 with the following conditions:

- 374
- 375 1. Prior to final approval and signature by the Planning Board Chair, the following conditions  
376 precedent shall be met:
    - 377 a. Owners’ signatures appear on the title page and the proposed conditions plan on Sheet  
378 L-2 of the plan set.
    - 379 b. Submittal of five paper copies and a digital copy of the final plan set.
    - 380 c. Submittal of a security in a form and amount acceptable to the Community  
381 Development Director and City Engineer to cover the cost of sediment and erosion  
382 control and landscaping.
  - 383 2. Subsequent to final approval and signature by the Planning Board Chair, the following  
384 condition shall be met:
    - 385 a. Prior to the commencement of site work, the Community Development Department  
386 shall be notified when all erosion control measures are installed and the Community  
387 Development Director, or their designee, shall inspect the erosion control measures to  
388 ensure compliance with the approved site plan and all City of Keene regulations.
- 389  
390

391 The motion was seconded by Mayor Jay Kahn. Councilor Remy stated he did not see any regional  
392 impact from this application. He felt the proposed plan looks much better than the three-bay  
393 garage. He stated he also likes the plantings compared to a fence.

394  
395 The motion was unanimously approved.

396  
397 **VI) Changes to Planning Board Application Fee Schedule: The City of Keene Community  
398 Development Department proposes to amend sections of Article 25, “Application 1 of**

399 **61 Procedures” of the Land Development Code and Chapter 100 of Appendix B of the**  
400 **City Code of Ordinances to change the certified mailing requirement to a “Certificate**  
401 **of Mailing”;** **create a fee for Cottage Court Overlay Conditional Use Permit**  
402 **applications; and establish fees for Earth Excavation Permit applications.**  
403

404 Community Development Director, Jesse Rounds, addressed the Board and stated that there was a  
405 public hearing conducted last month on this item. What the City is trying to accomplish with this  
406 item is to normalize some of its fees and save applicants money on mailings. The biggest item is  
407 a change to the language in the Land Development Code from “certified mail” to a “certificate of  
408 mailing”. It reflects what is in the State Statute and the products offered by the Postal Service.  
409

410 With respect to the Cottage Court Overlay Conditional Use Permit (CUP) application process, a  
411 \$100 application fee is proposed to be added to the schedule.  
412

413 Mr. Clements stated this item was discussed last month. The manner in which the City Clerk  
414 addresses the fee schedule is that it is handled like they are a Rules of Procedure change. He  
415 indicated that the Cottage Court CUP application fee is in line with the majority of the other  
416 Conditional Use Permit application fees. With reference to the Earth Excavation permit application  
417 fees, State Statute says that municipalities can’t charge more than \$50 for an Earth Excavation  
418 Permit. That item is also being changed on the fee schedule to include an application fee to review  
419 an Earth Excavation application, which is proposed to be \$250, in line with the fees for Site Plan  
420 applications.  
421

422 Councilor Remy stated the City ran into an issue recently with respect to the term “fire permit”  
423 and asked with respect to Earth Excavation Application Fee whether the word “permit” should be  
424 deleted from that line. He pointed out that there is permit fee and then a permit application fee  
425 and asked whether the word permit should be deleted from that line or from each of the lines after  
426 that. Mr. Clements agreed it should be. It was agreed that the first line will still read “Earth  
427 Excavation Permit Fee” and the four lines after that would remove the word “permit.” The Mayor  
428 asked for clarification.  
429

430 Councilor Remy explained that his suggestion is in the first line to refer to an Excavation Permit  
431 fee of \$50.00 because the State Statute caps a permit fee of \$50.00. The Earth excavation  
432 application fee is not regulated by State Statute and would be \$250. The next three lines would be  
433 the same thing: the Amendment Application fee, Minor Amendment Application fee, and Renewal  
434 Application fee would not be permit-related, and in that spirit he would also recommend changing  
435 the header in this category to read as “Earth Excavation Fees.”  
436

437 Mr. Clancy suggested a “/” between the words “Permit” and “Application.”  
438

439 Councilor Remy clarified his intention is not to avoid State Statute requirements, but to be clear in  
440 what the City is charging.  
441

442 Mayor Kahn asked whether these prices would be an increase to applicants. Mr. Clements stated  
443 the prices would actually be less because the application fees are not changing. There will be a  
444 new Conditional Use Permit application fee for Cottage Court Applications. This ordinance is

445 currently going through the City Council review process and will eventually be added to this fee  
446 schedule. The proposed \$100 application fee aligns with the other existing Conditional Use Permit  
447 application fees. The Earth Excavation Permit is the same, but it has to be split out to identify the  
448 permit cost, which under State Statute can be no more than \$50.00. He indicated where the savings  
449 is coming in is through the proposed reduction in mailed notice costs.

450  
451 At the present time, the City is charging approximately \$5.04 per abutter, which is the current rate  
452 for the Postal Service for mailing a certified letter. By changing from using the Certified Mailing  
453 Rate to a Certificate of Mailing (which is a different product offered by the US Postal Service),  
454 the cost would be reduced to around \$2.00 to \$3.00 per abutter. The Mayor asked for additional  
455 clarification for the entire excavation process. Mr. Rounds stated the initial permit fee is \$50 and  
456 the application fee is \$250 which he indicated is in line with what the City charges for a site plan  
457 application.

458  
459 Any subsequent amendment to the initial Earth Excavation Permit, if it is a Major Amendment it  
460 would be another \$250 application fee and a Minor Amendment would be \$125 (in line with the  
461 Major & Minor Site Plan application fees). Mr. Hoefer asked how often Earth Excavation Permits  
462 are applied for. Mr. Clements stated there is one operation happening in Surry for which a permit  
463 was applied for last year. They are looking to do a phased operation of their site; however, this is  
464 not a common occurrence and the City has strict regulations as it pertains to gravel pits.

465  
466 Councilor Remy clarified that fees for zoning variances are also increasing. Mr. Clements  
467 confirmed that they are, but noted this Board is not the Zoning Board of Adjustment. He added  
468 that the Zoning Board of Adjustment has not increased their fees in a long time and they did  
469 complete a very elaborate analysis before they decided to increase fees.

470  
471 A motion was made by Councilor Michael Remy that the Planning Board adopt the proposed fee  
472 changes as Rules of Procedures Changes. The motion was seconded by Mayor Jay Kahn and was  
473 unanimously approved.

474  
475 **VII) Discussion Topic**  
476 None

477  
478 **VIII) Master Plan Upgrade**  
479  
480 a. Project Updates

481  
482 Mr. Rounds stated that a name has been chosen for this process. The Steering Committee has  
483 chosen “Vision Keene 20 Forward” as the project name with the tagline, “Learn from the Past &  
484 Plan for the Future”. This name and tagline will appear on all official documents going forward.  
485 He encouraged the Board to look at the recent survey that was sent out. Mr. Rounds they are  
486 organizing a Think Tank event, which will be coming up at the end of May. Staff has asked the  
487 Steering Committee to come up with names of individuals to attend this session. He indicated the  
488 idea of this Think Tank is to set in motion the vision discussion that will then drive the planning  
489 process; it is the first big public engagement session and the plan is to have about 85 people attend.  
490

491 Mr. Rangel asked whether the Think Tank is an ongoing commitment or a one-time event. Mr.  
492 Rounds stated it is a one-time event. He added that the hope is that those who get involved would  
493 stay involved, as there will be similar sessions in the future. Mr. Clements added that the Think  
494 Tank is for residents and it is very much a strategic visioning and scenario planning session (What  
495 happens if the population increases by 50%? What happens if the population shrinks by 50%?  
496 What are people’s goals for the city? How do we achieve those targets?). The other smaller subset  
497 is stakeholder interviews. These interview won’t necessarily be with residents of the City, but with  
498 people who are stakeholders who have major engagement in the City (employers, people in the  
499 arts, social service sector, etc.).

500

501 **IX. Staff Updates**

502 None

503

504 **X. New Business**

505 None

506

507 **XI. Upcoming Dates of Interest**

508 • Joint Committee of the Planning Board and PLD – May 13th, 6:30 PM

509 • Planning Board Steering Committee – May 7th, 11:00 AM

510 • Planning Board Site Visit – May 15th, 8:00 AM – To Be Confirmed

511 • Planning Board Meeting – May 20th, 6:30 PM

512

513 There being no further business, Vice-Chair Mastrogiovanni adjourned the meeting at 8:02 PM.

514

515 Respectfully submitted by,

516 Krishni Pahl, Minute Taker

517

518 Reviewed and edited by,

519 Megan Fortson, Planning Technician

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

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

May 9, 2024

Greetings Board:

I respectfully request the conditional approval for the subdivision known as Timberlane Woods, be extended ninety (90) days to meet those conditions.

The surveying/engineering firm has developed a substantial backlog which is still causing delays but progress has been made and many of the requirements for final approval will be delivered this month.

Further, with the possibility of the new Cottage Court Overlay District (“CCOD”) being approved by the City Council on May 16, we are likely to redesign Timberlane Woods as this change would vastly improve the appearance of the development and simplify the utility easements and lots lines – thereby also increasing parking and decreasing impervious surfaces, allowing for greater buffering through tighter clustering of the structures on the site. I believe all involved, including the neighbors, will find a new plan based on the CCOD to be superior to the existing concept.

We do not anticipate construction on this project prior to late 2024/2025 in any case.

Thank you for your consideration.

C. Eric Farris  
Owner



May 6, 2024

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

**RE: Notification of Governmental Land Use  
Parcel No. 583/018**

Dear Mr. Farrington,

On behalf of the City of Keene, I'm writing to provide written notification to the Keene Planning Board pursuant to New Hampshire RSA 674:54.

Specifically, Keene Public Works will be using the referenced parcel as a temporary construction material storage yard for the upcoming Island Street Infrastructure project. An 100-foot by 50-foot (+/-) area of vacant land in the northwest corner of the parcel will be occupied for the storage of bulky materials (sand, gravel, etc.), piping, utility structures and the like. The area will also be used to park construction equipment when not in use, and a jobsite toilet may be located here at our contractor's discretion.

In accordance with New Hampshire RSA 674:54, this notification is accompanied by a plan showing the portion of the parcel to be occupied. We have negotiated for the temporary occupancy of the site by the City's agents (i.e., the awarded contractor) with the current parcel owner, Public Services of New Hampshire (d.b.a. Eversource Energy). At the end of the construction project, the site will be restored to existing conditions. A photo of the site is enclosed for your reference. The project is currently advertised for construction bids. We expect construction to begin in Early July and continue through November 2024.

The RSA provides the Planning Board with the opportunity to hold a public hearing relative to the proposed governmental use, though it is not required. I have included the appropriate list of abutters with the supporting materials. We welcome the opportunity to discuss the project and answer your questions at your regularly scheduled meeting on May 20<sup>TH</sup>, 2024. You also have the option, but not the obligation, to issue non-binding written comments relative to the project. We welcome your input.

If you have any questions, please contact me at 603-352-6550.

Sincerely,

A handwritten signature in blue ink, appearing to read 'DLussier', is written over a light blue rectangular background.

Donald R. Lussier, P.E.

City Engineer

CC: Jesse Rounds, Community Development Director  
Tom Mullins, City Attorney

Encl.

# ISLAND STREET INFRASTRUCTURE PROJECT





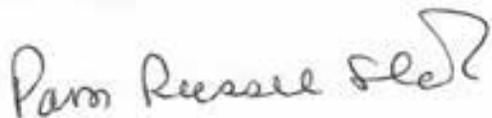
April 16, 2024

To the Mayor and City Council,

I regret to say that I am stepping down from the Master Plan Committee.  
Unfortunately, there is a conflict for me with the meeting day.

I wish the committee the best moving forward.

Kind regards,

A handwritten signature in cursive script that reads "Pam Russell Slack". The signature is written in dark ink and is positioned above the printed name.

Pam Russell Slack

260 Beaver St.

Keene NH

03431