



Joint Committee of the Planning Board and Planning, Licenses & Development Committee

AGENDA

Monday, August 14, 2023

6:30 PM

City Hall, 2nd Floor Council Chambers

1. **Roll Call**
2. **Approval of Meeting Minutes** – July 10, 2023
3. **Public Workshop**
 - a. **Ordinance – O-2023-13** – Relating to Zone Change. Petitioners JRR Properties LLC & the Monadnock Conservancy, on behalf of owner JRR Properties LLC, proposes to amend the Zoning Map of the City of Keene by changing the zoning designation of the property located at 0 Ashuelot St (TMP #567-001-000) from High Density to Commerce. The total area of land that would be impacted by this request is 3.53 ac.
4. **New Business**
5. **Next Meeting** – Monday, September 11, 2023
6. **Adjourn**

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

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4
5 **JOINT PLANNING BOARD/**
6 **PLANNING, LICENSES AND DEVELOPMENT COMMITTEE**
7 **MEETING MINUTES**
8

Monday, July 10, 2023

6:30 PM

**Council Chambers,
City Hall**

Planning Board

Members Present:

Harold Farrington, Chair
David Orgaz, Vice-Chair
Mayor George S. Hansel
Armando Rangel
Ryan Clancey
Randyn Markelon, Alternate

Planning, Licenses &

Development Committee

Members Present:

Kate M. Bosley, Chair
Michael Giacomo
Philip M. Jones
Raleigh C. Ormerod

Staff Present:

Mari Brunner, Senior Planner

Planning Board

Members Not Present:

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

Planning, Licenses &

Development Committee

Members Not Present:

Gladys Johnsen

9
10
11 **I) Roll Call**

12
13 Chair Farrington called the meeting to order at 6:30 PM and a roll call was taken.

14
15 **II) Approval of Meeting Minutes – April 10, 2023**

16
17 A motion was made by Mayor George Hansel that the Joint Committee approve the April 10,
18 2023 meeting minutes. The motion was seconded by David Orgaz and was unanimously
19 approved.

20
21 **III) Public Workshop**

22
23 **Ordinance – O-2023-12** – Relating to Zone Change. Petitioner and owner Monadnock
24 Habitat for Humanity, Inc. proposes to amend the Zoning Map of the City of Keene by changing
25 the zoning designation of the property located at 0 Old Walpole Rd (TMP 503-005-000) from
26 Rural to Low Density. The total area of land that would be impacted by this request is 7.1 ac.
27

28 Michael Conway, volunteer for Habitat for Humanity, and Matthew Keenan, President of
29 Monadnock Habitat for Humanity, addressed the Committee. Mr. Keenan stated they own
30 property on Old Walpole Road which was donated for construction of affordable housing. He
31 indicated the land is too big to construct just one house and make it affordable for their clientele
32 and the feasible solution was to sub-divide the property and locate additional housing. The first
33 step in that process is to request a zoning change from Rural to Low Density which would go
34 along with the properties that surround the land with one exception.
35

36 He further stated in order to have more lots they would need access to City water and sewer and
37 the applicant has an estimate of the cost to extend the water and sewer line. He added their
38 construction would be a multi-year project.
39

40 Councilor Jones explained when the Joint Committee looks at a zone change it cannot be project
41 specific. The Committee has to look at everything possible with that zone change and whether it
42 is in keeping with surrounding properties. Mr. Conway stated their rationale for the zone change
43 is that it is in keeping with the surrounding properties and the request is also in keeping with the
44 goals of the master plan. Mr. Conway stated affordable housing is a huge issue for the City and
45 felt this is one way to solve that problem.
46

47 Councilor Bosley asked for costs associated with extending the water and sewer line. Mr.
48 Conway stated they have a rough budgetary figure of \$600,000. The Councilor asked whether
49 the applicant has worked with the Community Development Department to see if LD-1 could be
50 a possible zoning change which is a version of Low Density that does not require water but does
51 require sewer. Mr. Conway stated sewer is the biggest issue, but they are also looking at the
52 possibility of tying into the sewer on Butternut Drive via an easement. The Councilor asked
53 whether the applicant had discussed with the City the possibility of expansion of those lines in
54 the future which might benefit the applicant. Mr. Conway stated they have had a conversation
55 and it was indicated there might be a possibility but there was no assurance.
56

57 Staff comments were next.
58

59 Ms. Brunner addressed the Committee and stated that, as was indicated by Councilor Jones,
60 when considering this zoning change all uses in the area need to be considered and not just this
61 one use. She indicated this request is to change one parcel of land in the Rural District to Low
62 Density. The total impacted land area will be 7.1 acres. This parcel is located on Old Walpole
63 Road and it is surrounded by the Rural District on three sides, including across the road, and the
64 rear portion abuts the Low Density District.
65

66 Ms. Brunner went on to say, in terms of consistency with the master plan - looking at the
67 community vision, she noted the master plan has six vision focus areas and the focus area that is
68 probably most relevant to this application is Focus Area 1 - Quality Built Environment.
69 Under this vision focus area, the community stated "*achieving a quality built environment*
70 *includes providing quality housing and balancing growth and the provision of infrastructure.*"
71

72 Ms. Brunner noted this area of the City is close to City water and sewer but the City sewer is
73 further away and would require extension of both those lines. However, it is definitely feasible to
74 connect to both City water and sewer.

75
76 Ms. Brunner stated this proposed zoning change would also provide the opportunity for more
77 housing in that it would increase the density that would be allowed on the lot. Currently, in the
78 Rural District with a subdivision you are allowed up to three units but in the Low Density
79 district, if an applicant subdivided with using the Conservation Residential Development (CRD)
80 option you can get as many as 30 units (not including site constraints).

81
82 With respect to the future land use plan in the master plan, the master plan identifies areas that
83 are suitable for future growth and areas where growth should be constrained. This parcel is right
84 on the edge of two of those areas. It is on the edge of what is referred to as Conservation
85 Residential Development/Rural/Low Density Residential/Agriculture area (CRD category). The
86 future land use and policy section notes that the CRD category includes areas for continued
87 preservation of open space, agriculture and rural residential uses. It also states this area would be
88 appropriate for conservation residential development type subdivisions.

89
90 The secondary growth areas are identified as consisting of single family with low to medium
91 density development.

92
93 Ms. Brunner went on to say the proposed zoning change would allow for a single-family
94 development or if the land is developed as a conservation residential development subdivision in
95 the Low Density district, it could be developed as single family, 2-family or small multi-family
96 with up to six units on each lot.

97
98 The final portion of the Master Plan relevant to this request is the Housing chapter. Ms. Brunner
99 noted in the application narrative, the applicant states *“the purpose of this proposal is to create
100 an opportunity for the development of affordable workforce housing. The Comprehensive Master
101 Plan identifies housing as a fundamental challenge for the community as cost of community
102 services continue to increase and Keene’s reliance on property taxes places a growing financial
103 burden on its residents and businesses. The housing chapter discusses the importance of
104 providing a balanced, and diverse housing stock.”*

105
106 Ms. Brunner stated this proposal would provide for the potential for higher density of housing
107 development in an area that is on the edge of existing development (low to medium density).
108 It is also on the edge of where City water and service could be provided.

109
110 Ms. Brunner then provided an overview of the two zoning districts. The current zoning is Rural
111 which is intended to provide for areas of very low density development, predominantly of
112 residential or agricultural nature. Generally, the properties in the Rural District are beyond the
113 valley floor where City water and sewer service are not readily available.

114
115 The Low Density district is intended to provide for low intensity single family residential
116 development and all uses in the Low Density district shall have City water and sewer service.

117 With respect to the district uses for those two zoning districts. Ms. Brunner stated the proposed
118 change to go from Rural to Low Density would significantly decrease the number of permitted
119 uses that are allowed on the site. She indicated she did not believe there are any uses that are
120 allowed in Low Density that are not allowed in the Rural District. However, there are many that
121 are allowed in the Rural District that are not allowed in Low Density. For example,
122 manufactured housing, manufactured housing park, agriculture related education and recreational
123 activities as a business, animal care facility, bed and breakfast, event venue, greenhouse/nursery
124 kennel, recreation/entertainment facility - outdoors, cemetery, farming, golf course, gravel pit,
125 and solar energy systems, including small scale, medium scale, and large scale.

126
127 However, the uses listed above are not allowed in Low Density and won't be permitted on this
128 property if this request is approved.

129
130 Ms. Brunner went on to say that the dimensional requirements are fairly similar. The main
131 difference will be minimum lot size that is allowed in the Rural District. Currently in the Rural
132 District it is two acres whereas in the Low Density district it will be 10,000 square feet. The
133 Rural District also has larger setback requirements and is more restrictive in terms of maximum
134 building coverage and maximum impervious coverage that is permitted. However, the required
135 road frontage in the Low Density district is slightly higher compared to the Rural District.

136
137 As far as the implications of the proposed change, there are two major items staff identified.
138 As mentioned previously: first, one is potential density of development - under the current
139 zoning the maximum number of dwelling units would be three because the parcel is less than 10
140 acres in size, and therefore not eligible for a CRD subdivision. If it is rezoned to Low Density,
141 because it is more than five acres in size, it could be developed as a CRD subdivision within the
142 Low Density District. This means the applicant could get significant density out of the parcel –
143 the maximum number of dwelling units would be 30. However, whether the applicant could get
144 that many units would depend on site constraints.

145
146 Ms. Brunner added if the applicant were to develop the property just doing front lots where their
147 frontage is on Old Walpole Road, because of the frontage requirement in the Low Density
148 District, the maximum number of units under that scenario would be 13. Hence, 13 to 30 would
149 be the potential for development.

150
151 With respect to City water and sewer service. The zoning regulation states as follows: *all uses in*
152 *the Low Density district shall have City water and sewer service.* Therefore, the property owner
153 would be required to extend City water and sewer to the site at their own expense prior to any
154 developments. Ms. Brunner stated she did reach out to City engineering staff, and they assured
155 her there is sufficient volume and pressure available to connect to City water. However, the
156 public main would need to be extended and depending on the nature of the development, they
157 may be required to provide one or more hydrants.

158
159 In addition, while there is sufficient capacity available in the existing sewer main on Old
160 Walpole Road, this is located further away at the intersection of Hilltop Drive. Hence, the
161 developer would need to install a pump in order to reach the property. The applicant did note
162 they are seeking options to try and connect this sewer service on Butternut Drive, which is much

163 closer. The constraint with this option is that they would need to secure an easement to get that
164 sewer line to run across private property. This concluded staff comments.

165
166 Councilor Bosley asked why the option for LD-1 has not been discussed, which she felt was a
167 less restrictive option and asked whether there would be any restriction for CRD with LD-1. Ms.
168 Brunner stated the applicant did consider LD-1; however, connection to City water was not a
169 barrier for them, whereas connecting to City sewer was a bigger issue for the applicant. She
170 added CRD would be an option with LD-1 as well, but this would limit the number of houses to
171 seven (assuming they only connect to city sewer and not city water).

172
173 Councilor Bosley stated she was concerned with lot 4 being isolated with this zoning change and
174 asked why this zoning change would not be extended to accommodate lot 4. Ms. Brunner stated
175 the applicant did reach out to the owner of that parcel and the owner of that parcel was not
176 interested in that parcel being rezoned.

177
178 Councilor Jones referred to page 22 – dimensional requirements – he noted Ms. Brunner had
179 referred to three districts and asked for clarification. Ms. Brunner stated it should be just two
180 districts: Rural and Low Density.

181
182 Chair Farrington stated this is not a public hearing but instead a public workshop. However, he
183 invited the public to comment on this proposal as that is the Committee’s practice.

184
185 Mr. Todd Palmer of 142 Old Walpole Road (lot 4) stated that by changing the zoning of his
186 property (the lot 4 that was previously mentioned) he gains nothing by it and wanted to leave his
187 property as is. He stated he did not have any further questions at this time but stated he did look
188 forward to having Habitat for Humanity as his neighbors.

189
190 Mr. Jim Craig, an abutter across the street stated he own 33 acres of land which is entirely in the
191 Rural District and has enjoyed his property as it exists for the past 47 years. He stated Rural
192 District minimum lot size was recently changed from five acres to two acres and referred to the
193 increase to density this has yielded and the request to further change the zoning to Low Density
194 would increase that density. He also added if water and sewer are connected across the street,
195 then that would that give him the opportunity to locate on his property as well – he did not feel
196 that would be a good option.

197
198 Mr. Craig stated he is also concerned about the wildlife in this area. He also referred to the area
199 of land across his property that slopes up and the water that comes down that slope that empties
200 into three drains and felt it was important to keep this area as wooded as possible. He also
201 indicated his driveway as recent as last week has washed out. Mr. Craig felt if this area is
202 changed, then he would also have the right to change his property (or someone else who might
203 acquire his property in the future) and questioned where this ends. He felt the Committee has
204 done a good job in changing the minimum lot size in the Rural District from five acres to two
205 acres and felt the change should end at that.

206
207 Mr. David Bergeron of 139 Old Walpole Road was the next speaker. He stated he likes the work
208 Habitat for Humanity does but going from the ability to locate three lots versus up to 30 lots

209 concerns him. Mr. Bergeron referred to the map in the Committee’s packet and stated this
210 property is not surrounded by the Low Density district but rather by the Rural District, although
211 it does have Low Density at the rear. The Rural District properties close to the applicant’s
212 property range from two acres to 30 acres. He stated he disagrees when it is said that changing to
213 Low Density would be in keeping with the character of the neighborhood. Mr. Bergeron
214 questioned what happens if Habitat for Humanity does not prevail in their fundraising to connect
215 to sewer or acquire an easement to go down Butternut Drive. The property then gets sold and the
216 new owner would do whatever they want to at that point and locate as many houses as they like.

217
218 Mr. Bergeron went on to say the character of the area is two acre lots and going to Low Density
219 would increase to four lots per acre and would not be keeping with the area and could be a
220 detriment to the area. He felt if Habitat for Humanity keeps the property as Rural they could get
221 three lots and perhaps four with a variance.

222
223 Mr. Nick Leone of 178 Old Walpole Road stated he owns 2.1 acres and stated 30 units seem
224 excessive for this property. He felt this type of development would disrupt the wildlife that exists
225 in this area. Mr. Leone also expressed concern about excessive noise and traffic – traffic is
226 already an issue.

227
228 Ms. Laura Tobin of Keene referred to the various uses that could be located in the Rural District
229 which are not residential in nature. She noted most people who have raised concern have talked
230 about the many residential properties but have not raised concern about perhaps a school being
231 built or the other uses that could be allowed. Ms. Tobin felt having houses close together
232 preserves an area. She noted the master plan calls for development of a neighborhood and having
233 houses close together does that.

234
235 Ms. Jessica Wright of 108 Butternut Drive addressed the Committee next. Ms. Wright stated she
236 has lived in her property since 2007 and has enjoyed the privacy that comes along with her
237 property and stated she is concerned about this application. She noted that Maple Acres, which is
238 in this neighborhood, have sewer problems a lot and they fail very easily. Another individual
239 who also resides at 108 Butternut Drive stated the proposed property today is a “pond” and when
240 it gets developed the water would have to go somewhere which would impact everyone on
241 Butternut Drive. He added neighbors on Butternut Drive already have problems with drainage
242 and this development would only exasperate that problem. Ms. Wright stated she was
243 approached by Habitat for Humanity looking for an easement across her property and based on
244 the concerns expressed, she has declined.

245
246 Mr. Nick Bergman of 122 Butternut Drive stated currently they have no issues with water in
247 their basement but many homes in the neighborhood do. Mr. Bergman stated he has concerns
248 about existing wildlife that will be disrupted because of this development. Mr. Bergman
249 indicated he has great concerns about rezoning this property from Rural to Low Density.

250
251 Mr. Steve Rennick of 26 Butternut Drive addressed the Committee next and stated the existing
252 drains cannot handle the water that already comes from Autumn Hill and Apollo Avenue. He
253 indicated there are already three drains very close to his property and when it rains like it has in
254 the last few days, the drains cannot handle the water. Mr. Rennick stated in the 28 years he has

255 owned his property, he has replaced his basement three times. All sewer drains have been
256 repaired except for the one at the corner of Kennedy Drive and Liberty Lane. Nothing has been
257 replaced on Autumn Hill, Apollo Avenue and by adding more housing, there is no way the
258 existing drains are going to be able to handle any more drainage. Mr. Resnick stated it cost him
259 \$30,000 to replace the drains under his house because they keep collapsing and the same is true
260 for all drains on Butternut Drive; adding more housing will make the existing situation even
261 worse. Mr. Resnick added insurance does not cover such costs unless a homeowner has “special
262 insurance”.

263
264 Todd Palmer of 142 Old Walpole Road addressed the Committee again and stated he supports
265 Mr. Bergeron and Mr. Craig’s comments who have researched this item more than he has.
266

267 Chair Farrington noted four letters were received by the Planning Department in support of this
268 application. The letters are from The Richards Group, Monadnock Interfaith Project, Cheshire
269 Medical Center and Insurance Source. Copies of the letters were emailed to Committee members
270 and hard copies are on their desks.

271
272 With no further comments, the Chairman closed public workshop.
273

274 Chair Bosley asked how many lots can be placed on a property if CRD was considered in the
275 Rural District. Ms. Brunner stated CRD would not be permitted under the current zoning as the
276 minimum lot size is ten acres. The applicant could request a variance but they would still be
277 restricted to three units.

278
279 Mayor Hansel stated the committee is only looking at zoning, but he does hear the concerns
280 raised with respect to flooding, runoff etc. He stated this, however, would need to be looked at as
281 part of a development review process by the Planning Board. What the committee is looking at
282 today is a zoning change against the master plan done in 2010. He added the public would have
283 an opportunity to address these issues before the full Council.
284

285 Councilor Giacomo stated when he read the summary it felt like a good suggestion. He stated
286 that after hearing testimony today, he has concerns about the drainage issue and any more intense
287 development could cause serious issues for the neighborhood. He added the committee’s only
288 recommendation today would be whether to send this item to a broader public hearing. He stated
289 he would like this item to be reviewed by a larger group.
290

291 Councilor Jones agreed with Councilor Giacomo that this item needs to be sent to the full
292 Council and this committee’s vote is just a formality. He added even if the PLD Committee
293 voted no, the applicant has the right to be heard before the full Council.
294

295 Councilor Ormerod stated he is biased in finding sites for workforce housing, but this may not be
296 an ideal site. However, he felt it needs to be reviewed by the full Council.
297

298 Mayor Hansel stated from the Planning Board perspective this is a difficult item to review as you
299 can pick sentences out of the master plan that support this type of zoning change and ones that
300 would be against it. He added from his perspective the master plan would be in support of this

301 zoning change but felt there should be a caveat to say it is not very clear – the master plan is at a
302 high level intentionally, so to get specific can be challenging. The Chairman agreed and added if
303 this item goes to site plan review, he can see many significant issues with water which would
304 need to be addressed.

305
306 Councilor Giacomo stated if this site was accessed off Butternut Drive it might seem to be more
307 in line as opposed to access off Old Walpole Road which is not a residential road.

308
309 Councilor Bosley explained to the public that the Planning Licenses and Development
310 Committee would vote tonight to request the Mayor set a public hearing, which is a formality
311 and encouraged the public to make their voices heard, in support or against this item at that
312 public hearing. After that public hearing the Council will decide as to whether this zoning change
313 should be approved or not.

314
315 A motion was made by Mayor George Hansel that the Planning Board finds Ordinance O-2023-
316 12 consistent with the Comprehensive Master Plan of 2010. The motion was seconded by David
317 Orgaz and was unanimously approved.

318
319 A motion was made by Councilor Giacomo that the Mayor set a public hearing on this item. The
320 motion was seconded by Councilor Jones and was unanimously approved.

321
322
323 **IV) Invest NH - Housing Academy Lessons Learned Presentation** - As part of the Invest
324 NH Housing Opportunity Grant Program, Councilor Raleigh Ormerod and Pamela Russel-Slack
325 attended a statewide Housing Academy. They will present on lessons learned from the program.

326
327 Ms. Pamela Russel-Slack addressed the Committee first and stated she and Councilor Ormerod
328 have attended five statewide Housing Academy workshops attended by nearly 60 or 70 other
329 individuals. Ms. Russell Slack stated the goal for the future is to invite other towns to attend a
330 session to see what other ideas can be shared with this committee.

331
332 Councilor Ormerod started the presentation and stated these workshops were funded by the New
333 Hampshire Housing Opportunity Panning Grant underwritten by the New Hampshire Finance
334 Authority. This is a joint program of NH Housing and UNH Extension. The councilor noted this
335 seems like a massive coordination at the state level to move things forward and to educate the
336 towns and communities to help solve the housing crisis that we are seeing.

337
338 Councilor Ormerod shared Session 1 - Community Engagement:

- 339
- 340 • Do we have the right information?
 - 341 • Does the community know and have the right information?
 - 342 • How can the community participate in workforce housing and other housing solutions?
 - 343 • How can they be sure that their voices are being to solve this crisis?

344 Ms. Russell-Slack stated she wanted to go over the definition for “workforce housing”

345 For a family of four with an income of \$80,000 - this family will meet the requirements for
346 workforce housing. Ms. Russell-Slack stated many don't think that workforce housing can go as
347 high as \$80,000.

348
349 Councilor Ormerod continued -
350 What is the right type of information?

351 One of the right types of information is what are the types of housing that should be considered
352 and does the City have the right mix. The types of housing to be considered are:
353 Mixed use; Single-Family; Multi Family; Manufactured Housing; Co-Housing; Senior and Age
354 Restricted Housing; and Accessory Dwelling Units.

355
356 Councilor Ormerod stressed how important it was to plan for good community engagement.
357 Education of the public of what the issues are, what the solutions are and what the various
358 definitions are. Such as workforce housing, median income etc.

359
360 At another session, storytelling was a method they used for engagement. Councilor Ormerod
361 stated he had Josh Meehan, Executive Director of Keene Housing on his radio show recently
362 who told the story of logjam in workforce housing and how there is no market rate housing
363 available in Keene for people coming off low income vouchers, so they are retained in low
364 income housing. Mr. Meehan also indicated the housing vouchers waiting list is up to 7 years;
365 The number is about 40 families. Mr. Meehan also indicated reducing the two parking space
366 requirement would also help. Ms. Russell-Slack stated a good example of that is the new project
367 that is being constructed on upper Washington Street. More apartments can be added if the
368 parking requirements were different.

369
370 Councilor Ormerod referred to another storytelling item. A key informant and community
371 member Beth Daniels, CEO of Southwest Community Services was also a guest on the radio
372 show. Ms. Daniels had stated the rent increases and low apartment stock impacts everyone. Ms.
373 Daniels stated she has heard people say that they have a home and others not having a home
374 should not be their problem. One of the response to such a comment is that the community needs
375 a diverse workforce. Ms. Daniels also indicated home ownership at all income levels is being
376 impacted.

377
378 Ms. Russell-Slack stated she did notice on the housing assessment some of the issues that were
379 brought up is that senior citizens don't have money for housing repairs and maintenance. She
380 stated there is money available, the key is educating people to access these resources.

381
382 Councilor Ormerod stated the focus of another session was key informant interviews - one on
383 ones with community leaders and people who have access to information and influence. There
384 are tools and independent personal communication tactics that were presented. New Hampshire
385 Listens was the consulting firm that taught some of these very interesting techniques.

386
387 Ms. Russell-Slack stated this is her 8th year on the Keene Housing Board and has been dealing
388 with housing issues for a long time. She noted Keene does have a great housing program. She
389 added that Josh Meehan is probably one of the best housing directors in all of New England.

390 Councilor Ormerod went over how to respond to opposing views; acknowledging uncomfortable
391 information and realizing at time anxiety causes such feelings and often people feel there is an
392 imbalance in power. The Councilor stated they had 12 or 14 different techniques they were able
393 to role play on how to deal with and talk about important things.

394
395 Councilor Ormerod stated they also did a deep dive into reference and updating of data. For
396 example, the US Census Bureau – the last update was in 2020 (update every ten years). The
397 City’s master plan is referencing old census data. The American Community Survey comes out
398 every year. There is also the New England Real Estate Network, The Warren Group which
399 provides property deeds and mortgage information. The New Hampshire Housing's Annual
400 Residential Rental Cost Survey, which is done annually looks at median gross rent and vacancy
401 rates.

402
403 The fourth session discussed how to engage the whole community. How do we know who to talk
404 to? How do we get people together? Key informant interviews were one issue that was raised.
405 There needs to be a broader audience, we need input from different stakeholder groups.

406
407 Councilor Ormerod referred to a flower diagram – who are the constituent groups: young
408 professionals, builder groups, senior citizens, people who have lived in the area for a long time,
409 school alumni etc. Ms. Russell-Slack stated when housing assessment was discussed at council
410 level the topic about seniors who live alone was discussed. She felt bringing seniors together to
411 discuss this topic was important and referred to the Keene Senior Center as a great place to have
412 such a discussion; they are a group of people that need to be included in the housing discussion.
413 Ms. Russell-Slack added the baby boomer generation (which she is part of) is not going away for
414 at least another 10 years. They will be aging out but prefer to stay in their homes.

415
416 Councilor Ormerod then talked about some of the insights that the City might want to look at:

- 417 • Be current with Keene’s housing data – what is the real situation.
- 418
- 419 • Update land use and zoning – Keene has a very good start, but it probably needs to be
420 publicized so contractors and developers could take advantage of the new standards.
- 421
- 422 • Price of utilities is increasing faster than cost of living. Keene is promoting more local
423 production of solar and other such items.
- 424
- 425 • How do we encourage housing trusts – get employers involved in this process.
- 426
- 427 • Where to build and what type of housing should be built. Councilor Ormerod suggested
428 cluster housing.
- 429
- 430 • Explore City and county fees and controls in certain sectors.

431
432 Ms. Russell-Slack added when she purchased her home 25 years ago she lived in a joint land
433 trust with her neighbor which was a 99 year renewable lease but she was responsible for paying
434 property taxes. She noted Linda Mangones from Cheshire Housing Trust would be a good

435 contact for information on land trusts. She added Cheshire Housing Trust has liquidated all its
436 land trusts.

437
438 Councilor Ormerod provided an example of a cluster community.

439
440 Ms. Russell-Slack encouraged the City to update its master plan, especially the housing chapter
441 which goes back to 2007.

442
443 Councilor Bosley thanked Councilor Ormerod and Ms. Russell-Slack for all their work. The
444 Councilor agreed the City needs a parking revision. She also felt the City could have on its
445 website a housing tool to provide the community with housing information.

446
447 Councilor Jones thanked Councilor Ormerod and Ms. Russell-Slack for their effort. He indicated
448 what he has learned is Keene needs attainable housing. Most individuals who are renting and are
449 ready to purchase a home can't find anything they can afford. The Councilor talked about
450 Airbnb's – this is not an issue that can be regulated by Council it is something that needs to be
451 addressed at the state level. He felt the City needs more control over Airbnb's – there are no
452 homes for sale but there are plenty of Airbnb's that are available. Ms. Russell-Slack stated she
453 would look into the Airbnb issue for the Committee.

454
455 Councilor Bosley stated there is a lot of information coming out about Airbnb's and many cities
456 are reporting 50% loss in revenue and there is an expectation many of these rentals will be sold
457 and added back into the housing stock. The Councilor also felt the City should look into tax
458 incentives for buildings that are appropriate for seniors – one story living (not nursing homes or
459 55 plus living).

460
461 Councilor Giacomo asked whether there were housing swap programs. Vice-Chair Orgaz stated
462 the only item he could think of is someone assuming another person's mortgage.

463
464 **V. New Business**

465
466 Ms. Brunner stated she has been in contact with JB Mack from Southwest Region Planning
467 Commission to review the regional housing needs assessment. Mr. Mack could be available for
468 the September Joint meeting.

469
470 **VI. Next Meeting – Monday, August 14, 2023**

471
472 **VII Adjourn**

473 There being no further business, the Chairman adjourned the meeting at 8:17 PM.

474
475 Respectfully submitted by,
476 Krishni Pahl, Minute Taker

477
478 Reviewed and edited by,
479 Mari Brunner, Senior Planner

Staff Report – Ordinance O-2023-13

The Ordinance

This Ordinance proposes to amend the official Zoning Map of the City of Keene by changing the zoning of one specific parcel of land from the High-Density District to the Commerce District. The total land area that would be impacted by this request is 3.53 acres.

The parcel that is the subject of this request is located at 0 Ashuelot Street (TMP# 567-001-000) and is owned by JRR Properties LLC. The Applicant for this proposed zoning amendment is JRR Properties and The Monadnock Conservancy with Thomas R. Hanna acting as their agent.

In rezoning decisions, the Petitioner's intended use of the property should not be considered. Rather, the permitted uses allowed in the proposed district should be evaluated for their suitability on the site. Additionally, the Board should consider and review:

- Surrounding land use and zoning patterns;
- The consistency of the proposed rezoning request with the Master Plan;
- Existing and proposed zoning requirements; and,
- Possible resulting impacts.

Background / Surrounding Land Use and Zoning Patterns

The subject parcel is located on the west side of Ashuelot St, about 500 ft north of the West St intersection. The property was previously used as an overflow parking lot for the former Colony Mill Marketplace. The bituminous parking surface was deteriorated and overgrown due to lack of maintenance and has since been removed and seeded with grass. The property is located in the High Density District; however, prior to the adoption of the Land Development Code in 2021, the parcel was in the Central Business Limited District. Adjacent uses include commercial, single, and multi-family residential.

The proposed Ordinance would create an area of Commerce (COM) that would be bordered by High Density (HD) and Low Density (LD) to the east, Medium Density (MD) to the north, COM to the south, and Conservation (CON) to the west. The map on the next page shows the location of the subject parcel in relation to the boundaries of nearby zoning districts.



Figure 1. Aerial image showing the 0 Ashuelot Street property that is the subject of this proposal, highlighted in yellow.

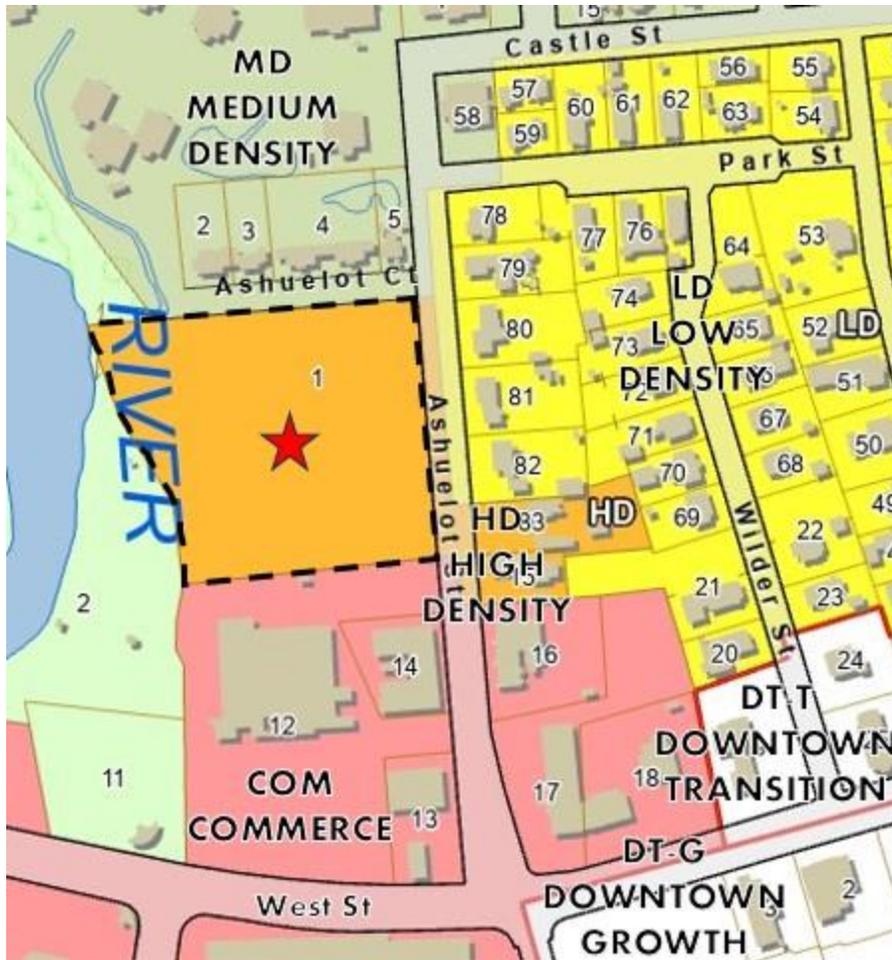


Figure 2. Map that shows the location of the property at 0 Ashuelot Street in relation to the boundaries of nearby zoning districts.

Master Plan Consistency

Community Vision

The Vision Focus Area that is most relevant to the proposed rezoning is Focus Area 2: A Unique Natural Environment. Achieving a unique natural environment includes adaptive reuse of existing developed parcels. This can include returning a developed parcel to a natural state in order to accommodate the natural, undisturbed environment surrounding the subject parcel. This area of the City is within the 100 year flood plain. Any future development of the area would require low impact development (LID) techniques such as green infrastructure and floodplain mitigation strategies. The proposed zoning change would provide the opportunity for commercial activity and housing above the ground floor.

Future Land Use Plan

The subject parcel of this proposal is located in the West Side/Ashuelot Neighborhood identified within the Future Land Use Map as being, "...nestled between the Ashuelot River, Court Street, and north of West Street. It is comprised of a mix of office and commercial uses that transition to residential uses, combined with open space and trail amenities." The proposed zoning change would allow the mix of office, commercial, and residential uses to continue to

transition into predominantly Medium-Density and Low-Density residential uses that currently exist in the neighborhood. The neighborhood is also identified as part of the City's Primary Growth Area that is best suited for mixed use and transitional developments. The proposed zoning change will allow for office/commercial uses as well as residential uses above the ground floor of any future building.

Economic Development Chapter

The Comprehensive Master Plan recognizes, "...the need for a strong and diverse economy in order to grow and prosper and enhance Keene's quality of life." The Economic Development Chapter discusses that the community wants new businesses that support the City's goals for social, financial, and environmental responsibility. This proposal would increase the opportunity for economic diversity that is oriented to serving the neighborhood that the parcel is located in as well as the community at large.

Characteristics of Existing and Proposed Zoning Districts

Intent of the Zoning Districts:

The proposal is to convert the subject parcel at 0 Ashuelot Street from the High Density to the Commerce District. A description of these districts from the Zoning Ordinance is included below.

- *Current Zoning – High Density:* The High Density (HD) District is intended to provide for high intensity residential development and associated uses. All uses in this district shall have city water and sewer service. (Section 3.6 of the Land Development Code)
- *Proposed Zoning – Commerce:* The Commerce (COM) District is intended to provide an area for intense commercial development that is accessed predominantly by vehicles. Shopping plazas and multiple businesses in one building would be typical in this district. All uses in this district shall have city water and sewer service. (Section 5.1 of the Land Development Code)

Based on the intent statements, the proposed zoning for the subject parcel could be appropriate in that City water and sewer service is available via Ashuelot Street and vehicular connection to Ashuelot Street via West Street allows for easy travel to the parcel.

District Uses:

The permitted uses of the High-Density District (existing) and the Commerce District (proposed) differ significantly. Both the High Density and Commerce Districts allow for Multi-family dwellings, Neighborhood Grocery Store, Senior Center, Domestic Violence Shelter, Lodginghouse, Residential Care Facility, Conservation Area, and Telecommunications Facilities uses. There are a large number of commercial uses as well as institutional, industrial, infrastructure, and transportation uses that are permitted within COM that are not permitted in HD, and there are a few residential uses that are permitted within HD that are not allowed in COM. Table 1 shows the permitted principal uses for the Commerce District, and Table 2 shows the permitted principal uses for the High-Density District.

Table 1. Permitted Principal Uses for the Commerce District

RESIDENTIAL USES		
Dwelling, Multi-family	P ¹	8.3.1.C
COMMERCIAL USES		
		SECTION
Animal Care Facility	P	8.3.2.B
Art Gallery	P	8.3.2.C
Art or Fitness Studio	P	8.3.2.D
Banking or Lending Institution	P	8.3.2.E
Bar	P	8.3.2.F
Car Wash	P	8.3.2.H
Clinic	P	8.3.2.I
Event Venue	P	8.3.2.J
Funeral Home	P	8.3.2.K
Greenhouse / Nursery	P	8.3.2.L
Health Center / Gym	P	8.3.2.M
Hotel/Motel	P	8.3.2.O
Micro-Brewery/Micro-Distillery/ Micro-Winery	P	8.3.2.Q-S
Motor Vehicle Dealership	P	8.3.2.T
Neighborhood Grocery Store	P	8.3.2.U
Office	P	8.3.2.V
Personal Service Establishment	P	8.3.2.W
Private Club / Lodge	P	8.3.2.X
Recreation/Entertainment Facility - Indoor	P	8.3.2.Y
Recreation/Entertainment Facility - Outdoor	P	8.3.2.Z
Research and Development	P	8.3.2.AA
Restaurant	P	8.3.2.AB
Retail Establishment, Heavy	P	8.3.2.AC
Retail Establishment, Light	P	8.3.2.AD
Self Storage Facility - Exterior Access	P	8.3.2.AE
Self Storage Facility - Interior Access	P	8.3.2.AF
Sexually Oriented Business	P ¹	8.3.2.AG
Specialty Food Service	P	8.3.2.AH
Vehicle Fueling Station	P ¹	8.3.2.AI
Vehicle Rental Service	P	8.3.2.AJ
Vehicle Repair Facility – Major	P ¹	8.3.2.AK
Vehicle Repair Facility – Minor	P ¹	8.3.2.AL
INSTITUTIONAL USES		
		SECTION
Community Center	P ¹	8.3.3.A
Cultural Facility	P ¹	8.3.3.B
Day Care Center	P	8.3.3.C
Place of Worship	P ¹	8.3.3.E
Private School	P ¹	8.3.3.F
Senior Center	P ¹	8.3.3.G
CONGREGATE LIVING / SOCIAL SERVICES USES		
		SECTION
Domestic Violence Shelter	P ¹	8.3.4.A
Drug Treatment Clinic	CUP	8.3.4.B
Food Pantry	P	8.3.4.D
Group Resource Center	CUP	8.3.4.G
Homeless Shelter	CUP	8.3.4.H
Lodginghouse	CUP	8.3.4.I
Residential Care Facility	CUP	8.3.4.J
Residential Drug/Alcohol Treatment Facility	CUP	8.3.4.K
INDUSTRIAL USES		
		SECTION
Artisanal Production	P ¹	8.3.5.A
Data Center	P	8.3.5.C
Industrial, Light	SE	8.3.5.E
Outdoor Storage Yard	P	8.3.5.F
OPEN SPACE USES		
		SECTION
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		
		SECTION
Solar Energy System (Small-Scale)	P ¹	8.3.7.A
Solar Energy System (Medium- Scale)	CUP	8.3.7.B
Telecommunications Facilities	P ¹	8.3.7.E
TRANSPORTATION USES		
		SECTION
Parking Lot (Principal Use)	P ¹	8.3.8.A
Parking – Structured Facility (Principal Use)	P ¹	8.3.8.B

P = Permitted
P¹ = Permitted with limitations per Article 8.
SE = Permitted by Special Exception
CUP = Permitted by Conditional Use Permit

Table 2. Permitted Principal Uses for the High-Density District

RESIDENTIAL USES		SECTION
Dwelling, Above Ground Floor	P	8.3.1.A
Dwelling, Multifamily	P	8.3.1.C
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family / Duplex	P	8.3.1.E
COMMERCIAL USES		SECTION
Bed and Breakfast	SE	8.3.2.G
Neighborhood Grocery Store	SE	8.3.2.U
INSTITUTIONAL USES		SECTION
Senior Center	SE	8.3.3.G
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Domestic Violence Shelter	P ¹	8.3.4.A
Group Home, Large	CUP	8.3.4.E
Group Home, Small	CUP	8.3.4.F
Lodginghouse	CUP	8.3.4.I
Residential Care Facility	CUP	8.3.4.J
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Telecommunications Facilities	P ²	8.3.7.E

P = Permitted
 P¹ = Permitted with limitations per Article 8.
 SE = Permitted by Special Exception
 CUP = Permitted by Conditional Use Permit

Dimensional Requirements:

Table 3 highlights the dimensional requirements for the Commerce and High-Density Districts. The Road Frontage and Building Setback requirements for the two districts are similar but overall, the dimensional requirements of the two districts reflect their differences in allowed uses. The High-Density District has a Minimum Lot Width at Building Line requirement that all residential districts have in the City of Keene and that the Commerce District does not require. The Commerce District allows for buildings up to four stories with setback and step-back requirements, whereas the High Density only allows two story buildings.

Table 3. Dimensional Regulations for Commerce and High-Density Districts		
Dimensional Standard	Commerce	High-Density
Minimum Lot Area	15,000 sf	6,000 sf
Minimum Lot Width at Building Line	-	50 ft
Minimum Road Frontage	50 ft	50 ft
Minimum Front Setback	20 ft	15 ft
Minimum Rear Setback	20/50 ft	15 ft
Minimum Side Setback	20 ft	10 ft
Maximum Building Coverage	80%	55%
Maximum Impervious Coverage	80%	75%
Minimum Green / Open Space	20%	25%
Maximum Stories Above Grade	2/3/4	2
Maximum Building Height	35/42/56 ft	35 ft

Implications of the proposed Change

Density of Development

The proposed amendment would create an area of Commerce that is surrounded by residential districts to the north and east, the Conservation District to the west, and Commerce to the south and southeast. The proposed change would increase the number of allowed uses for the parcel. It is worth noting that prior to the adoption of the Land Development Code in 2021, the parcel was in the Central Business Limited (CBL) District. The intent of the CBL district was to, *“...be an extension of the central business zone. It is next to the CB zone and is oriented toward vehicular access rather than pedestrian. The uses permitted are expanded to include those that would require larger lots than are available in the CB zone. On-site parking is required as is on-site landscaping and buffering when abutting residential zones.”* The change from High-Density to Commerce would bring the parcel more in line with what was historically allowed on the parcel before it was changed to High Density.

Provision of city water and sewer service

The parcel has existing City water and sewer service connections along Ashuelot Street. Both the High-Density and Commerce Districts require City water and sewer service. Any future development on the parcel will need to determine if the existing systems have sufficient capacity to serve the proposed use.

Recommendation:

If the Committee is inclined to approve this request, the following language is recommended for the motion for each board.

Planning Board motion:

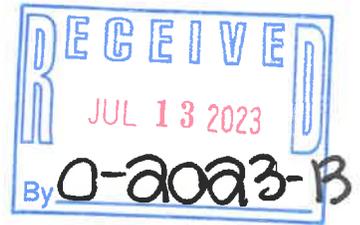
To find proposed Ordinance 0-2023-13 consistent with the 2010 Comprehensive Master Plan.

Planning, License and Development Committee motion:

To recommend that the Mayor set a public hearing date.



APPLICATION TO AMEND THE ZONING MAP



Petitioner: JRR Properties LLC and The Monadnock Conservancy Date: July 13, 2023

Address: P.O. Box 323, Keene, NH 03431; P.O. Box 337, Keene, NH 03431

Telephone: (603) 352-1928 Email: hanna@nhlandlaw.com

Property Owner: JRR Properties LLC

Location of Property to be Rezoned: 0 Ashuelot Street, Keene, NH

Approximate Acreage: 3.53 Present Zoning District: HD Proposed Zoning District: COM

Parcel ID #'s of Property to be Rezoned: 567-001-000

Thomas R. Hanna
Petitioner's Signature

[Signature]
Validation of parcel ID #'s by the Assessing Department

SUBMITTAL REQUIREMENTS WHICH MUST BE COMPLETE AT TIME OF SUBMISSION TO THE CITY CLERK:

- A properly drafted Ordinance containing the full description of the property to be rezoned (by Parcel ID number(s) or metes and bounds description, as appropriate) and the proposed amendment.
- A typed or neatly printed narrative explaining the purpose of, effect of, and justification for the proposed change(s).
- \$100.00 application fee.
- As provided for in RSA 675:7, if the proposed amendment changes the boundary of a zoning district, the Petitioner shall submit a notarized list of all property owners within the zoning district directly affected by the proposed boundary line change, and of all property owners outside of the zoning district that abut the proposed boundary line change. This list shall include the tax map number and address of each abutter and owner, and must be current with the Assessing Department's records within ten days of submittal. The list shall also include the name of any agent who should receive notice. Two sets of mailing labels shall be provided.
- Three maps showing the boundary of the area or areas to be changed, one at 8 1/2" x 11" and two at City tax map scale (24" x 36").



APPLICATION TO AMEND THE ZONING MAP

Date Received by City Clerk: 7/13/23 Ordinance Number: _____

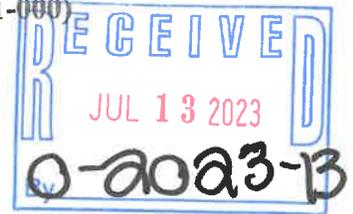
On City Council agenda: 7/20/23 Workshop to be held: _____

Public Hearing to be held: _____

APPLICABLE FEES:

Application Fee @ \$100.00	\$ <u>\$100</u>
Publication of Notice in <u>The Keene Sentinel</u> @ \$90.00	\$ <u>\$90</u>
Postage Fees for property owners/agents and abutters at current USPS 1 st Class Mailing rate	\$ <u>16 X \$0.63</u>
Total Fees submitted to City Clerk	\$ <u>\$200.08</u>

The petitioner is also responsible for the publication costs for the public workshop before the joint Planning Board and Planning, Licenses and Development Committee. Additional fees will be collected by the Community Development Department for the mailing costs associated with the public workshop as well as the publication of the public workshop notice.



ZONE MAP CHANGE APPLICATION NARRATIVE

I. Description of Proposed Amendment and Property to be Rezoned

This application proposes to rezone the parcel at 0 Ashuelot Street (Tax Map #567-001-000) from the High Density District to the Commerce District. Prior to its current use as undeveloped open space, this 3.53-acre parcel was used as an overflow parking lot for the former Colony Mill Marketplace on West Street. In 2013, JRR Properties LLC (“Owner”) purchased this parcel with the goal of converting most of the land into a vibrant and active community park for children and also a public landing for canoes and kayaks to access the Ashuelot River. For the past decade, the Owner and the City of Keene have worked together on designs and plans for a city greenspace on this land. In 2022, the City Council accepted the Owner’s offer to donate approximately 2.5 acres of the parcel for use as a city park and authorized the City Manager to enter into a purchase and sales agreement with the Owner. Following subdivision, the Owner intends to donate the remaining land to the Monadnock Conservancy for construction of a net-zero energy building for the organization’s regional headquarters and also a medium-scale solar energy system that will provide power to this building, with surplus energy to go to the grid via net metering.

The subject parcel is adjacent to three different zoning districts, not including the High Density District. To the west is the Ashuelot River Park, which is in the Conservation District. To the south is a commercial plaza owned by Mascoma Bank, which is in the Commerce District. To the north is a mixture of multifamily and single family residences along Ashuelot Court, and further north is Keene Housing’s Harper Acres, which has 112 units spread among 15 buildings. These residences are in the Medium Density District. Across Ashuelot Street are single family residences in the Low Density District and two mixed use parcels in the High Density District. Most of the subject parcel is in the 100-Year Floodplain and is subject to the City’s Floodplain Regulations.

Although the subject parcel is currently undeveloped vacant land, it is served by City water and sewer. It has 376.9± feet of road frontage on Ashuelot Street and is located approximately 460 feet from the signalized intersection of West Street and Ashuelot Street. The West Street corridor is a major commercial/gateway corridor that consistently experiences high traffic volumes. Over 14,800 vehicles travel through this intersection on West Street daily according to the NH Department of Transportation’s Traffic Data Management System.

II. Purpose of and Justification for Change

The purpose of this zone change request is to provide the opportunity for mixed use development and more options for sustainable energy uses on the subject parcel. Prior to the recent adoption of the Land

Petition for Zoning Map Change for 0 Ashuelot Street (TMP# 567-001-000)

Development Code in 2021, the parcel was in the Central Business Limited (CBL) District. The CBL District was an extension of the Central Business District and was oriented toward vehicular access and commercial/mixed uses that required larger lots than what was available in the Central Business District. The purpose of this district was similar to the intent of the Commerce District, which is to provide an area for commercial development that is accessed predominantly by vehicles. The two districts also had similar types of permitted uses. However, as part of the land use code update, both the CBL and Central Business Districts were eliminated. Given the location of the parcel at the confluence of several zoning districts, the City provided the Owner with the option of rezoning the subject parcel to either the Commerce or High Density District. At the time, the Owner and the Monadnock Conservancy had not yet discussed the donation of a portion of the site to the Monadnock Conservancy for use as its headquarters and conservation education center. As such, the Owner chose the High Density District to preserve the option for residential development. Now that formal plans for this parcel are established, the Owner requests that this parcel be rezoned to the Commerce District.

As noted above, the Owner intends to donate approximately 2.5 acres of the subject parcel to the City for use as a park/greenspace. The remaining acre (\pm) of land will be donated to the Monadnock Conservancy to construct a net-zero energy building that will provide office space for its staff, room for meetings/events, and area to share environmental and conservation educational information. To power this building, a 100 kW (AC) solar energy system is proposed, which will be mounted on both the Monadnock Conservancy's roof, the ground, and on the roof of carports in the parking area. Based on the estimated size/area of the proposed ground-mounted portion of the system, it will likely be classified as a "Medium Scale Ground Mounted Solar Energy System" in accordance with Section 8.3.7.B of the Land Development Code. The parcel's current zoning designation of High Density prohibits offices and ground-mounted solar energy systems as permitted primary uses. Further, since the proposed solar energy system will share its surplus power with the energy grid via net metering, it is considered a second primary use of the parcel. The High Density District does not permit more than one primary use on a parcel. Under the current zoning, variances would be required to permit the proposed office use and ground-mounted solar energy system, and to allow for multiple primary uses on the lot.

The proposed zone change is consistent with the objectives for future land use in the City's Comprehensive Master Plan. The subject parcel is located in the Court Street (West Side)/Ashuelot Neighborhood, which the Master Plan describes as being comprised of a mix of office and commercial uses that transition to residential uses, combined with open space and trail amenities (see page 121 of the 2010 Comprehensive Master Plan). This neighborhood is in the area designated as the City's Primary Growth Area on the Future Land Use Map on pages 125 and 126 of the Comprehensive Master Plan, and is

Petition for Zoning Map Change for 0 Ashuelot Street (TMP# 567-001-000)

identified as being a traditional neighborhood with mixed uses. The proposed rezoning will allow for mixed uses, including office uses, to occur on this parcel. It will also return this parcel to a zoning district that permits both commercial and residential uses.

The proposed rezoning will also support the City's goals for increasing renewable energy generation, which appear in both the 2010 Comprehensive Master Plan and the 2021 Sustainable Energy Plan. The High Density District does not permit ground-mounted solar energy systems as a primary use on a lot, whereas the Commerce District permits small-scale ground-mounted solar energy systems outright and medium-scale ground-mounted solar energy systems by Conditional Use Permit.

III. Effect of Proposed Zone Change

The expansion of the Commerce District to include the subject parcel will enhance opportunities for mixed use and sustainable development in an area that has historically allowed for commercial uses. Prior to 2021, the parcel was in a zoning district that permitted higher intensity commercial uses and mixed use development, and it had historically been used as a commercial parking lot. Over the years, various commercial uses have been proposed for the site, including an 83-unit condominium complex, which received site plan approval from the Planning Board in 2007. This proposal never moved forward due to the 2008 recession. The parcel is also directly adjacent to the section of the Commerce District that encompasses the West Street corridor between its intersections with Ashuelot Street/Gilbo Ave and the Route 9/10/12 onramp.

The proposed zone change will not render the lot or its current use nonconforming. The existing use of the site, which is undeveloped open space, is a permitted use in the Commerce District. The subject parcel, which is 153,767 sq. ft., has more than sufficient land area to satisfy the 15,000 sq. ft. minimum lot size requirement of the Commerce District. In addition, the permitted uses in the Commerce District align with the proposed uses of the parcel, which include greenspace/conservation area, office and environmental/conservation education center, and medium-scale ground mounted solar energy system.



CITY OF KEENE

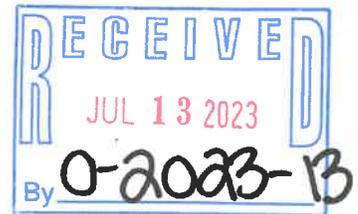
In the Year of Our Lord Two Thousand and Twenty-Three

AN ORDINANCE Relating to Change of Zone – 0 Ashuelot Street – High Density to Commerce

Be it ordained by the City Council of the City of Keene, as follows:

That the Zoning Map of the City of Keene, as amended, be hereby further amended by changing the zoning designation of the parcel at 0 Ashuelot Street (Parcel ID: 567- 001-000) in the City of Keene, County of Cheshire, State of New Hampshire from High Density to Commerce.

George S. Hansel, Mayor





Zone Map Change for 0 Ashuelot Street

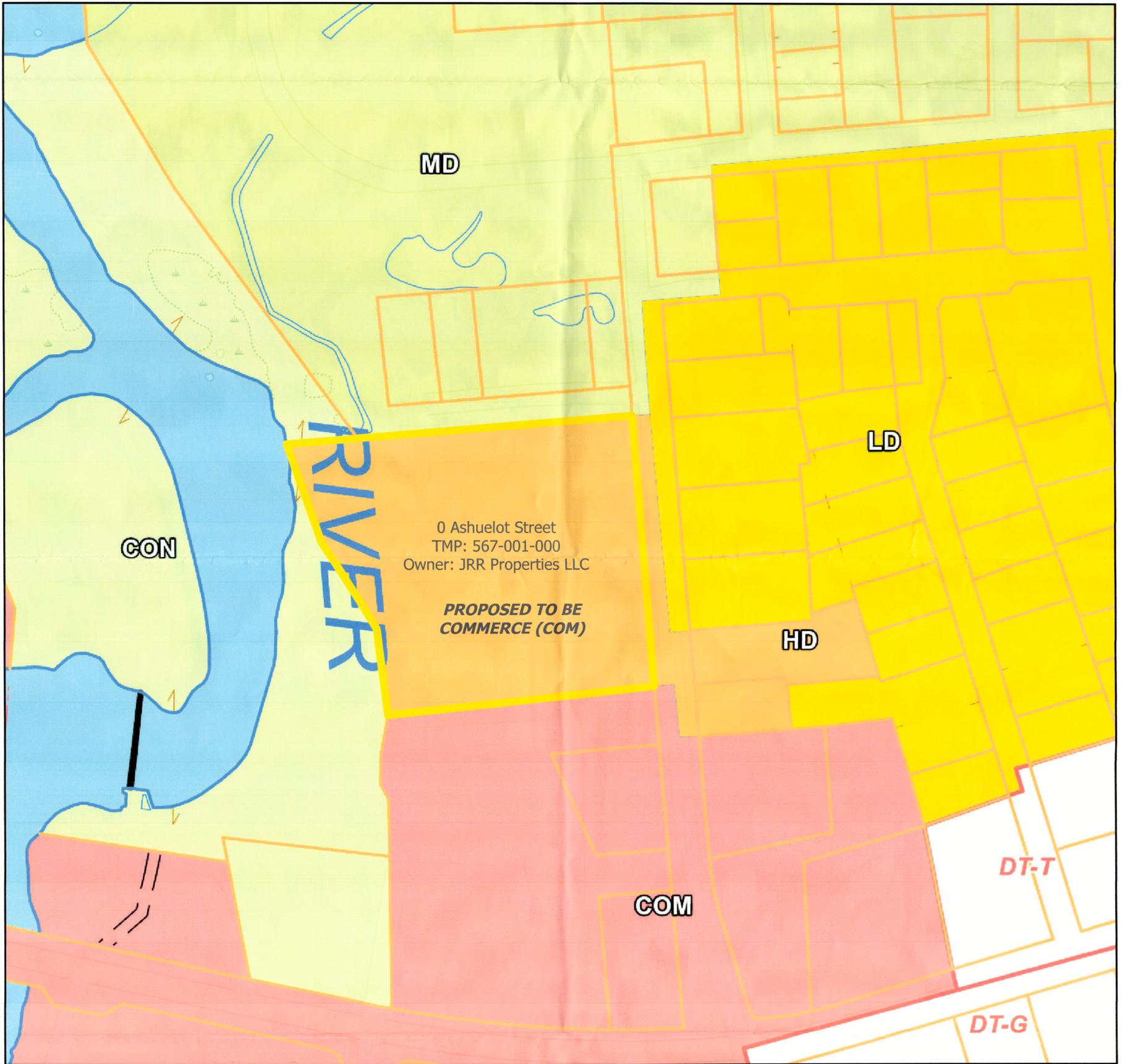
TMP: 567-001-000

Not to Scale



www.cai-tech.com

July 6, 2023



PWater	Dam	TaxmapText_Arrowheads	LOW DENSITY	Green: Band_2
Private Road	Property Hook	Wet Areas	MEDIUM DENSITY	Blue: Band_3
Property Line	Property TIC	Water-poly	HIGH DENSITY	World Hillshade
Public Road	Wetland	Downtown Subdistricts	CONSERVATION	
Right of Way	WaterLines	DOWNTOWN DISTRICTS	Red: Band_1	
Utility	TaxmapText_Leaders	COMMERCE		

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



3.6 HIGH DENSITY (HD)

3.6.1 Purpose

The High Density (HD) District is intended to provide for high intensity residential development and associated uses. All uses in this district shall have city water and sewer service.

3.6.2 Dimensions & Siting

Min Lot Area	6,000 sf
Min lot area for single dwelling unit	6,000 sf
Min lot area for each additional dwelling unit	5,000 sf
Min Lot Width at Building Line	50 ft
Min Road Frontage	50 ft
Min Front Setback	15 ft
Min Rear Setback	15 ft
Min Side Setback	10 ft

3.6.3 Buildout

Max Building Coverage	55%
Max Impervious Coverage	75%
Min Green / Open Space	25%

3.6.4 Height

Max Stories Above Grade	2
Max Building Height	35 ft

3.6.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Above Ground Floor	P	8.3.1.A
Dwelling, Multifamily	P	8.3.1.C
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family / Duplex	P	8.3.1.E
COMMERCIAL USES		SECTION
Bed and Breakfast	SE	8.3.2.G
Neighborhood Grocery Store	SE	8.3.2.U
INSTITUTIONAL USES		SECTION
Senior Center	SE	8.3.3.G
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Domestic Violence Shelter	P ¹	8.3.4.A
Group Home, Large	CUP	8.3.4.E
Group Home, Small	CUP	8.3.4.F
Lodginghouse	CUP	8.3.4.I
Residential Care Facility	CUP	8.3.4.J
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
SE = Permitted by Special Exception
CUP = Permitted by Conditional Use Permit



5.1 COMMERCE (COM)

5.1.1 Purpose

The Commerce (COM) District is intended to provide an area for intense commercial development that is accessed predominantly by vehicles. Shopping plazas and multiple businesses in one building would be typical in this district. All uses in this district shall have city water and sewer service.

5.1.2 Dimensions & Siting

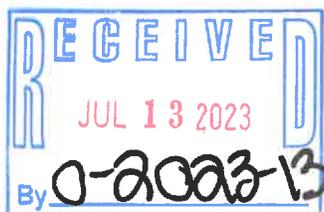
Min Lot Area	15,000 sf
Min Road Frontage	50 ft
Min Front Setback	20 ft
Min Rear Setback	20 ft
Min rear setback if abutting residential district	50 ft
Min Side Setback	20 ft

5.1.3 Buildout

Max Building Coverage	80%
Max Impervious Coverage	80%
Min Green / Open Space	20%

5.1.4 Height

Max Stories Above Grade^{a,b}	2
^a With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.	3
^b With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.	4
Max Building Height^{a,b}	35 ft
^a With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.	42 ft
^b With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.	56 ft



5.1.5 Permitted Uses

RESIDENTIAL USES

Dwelling, Multi-family	P1	8.3.1.C
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COMMERCIAL USES

		SECTION
Animal Care Facility	P	8.3.2.B
Art Gallery	P	8.3.2.C
Art or Fitness Studio	P	8.3.2.D
Banking or Lending Institution	P	8.3.2.E
Bar	P	8.3.2.F
Car Wash	P	8.3.2.H
Clinic	P	8.3.2.I
Event Venue	P	8.3.2.J
Funeral Home	P	8.3.2.K
Greenhouse / Nursery	P	8.3.2.L
Health Center / Gym	P	8.3.2.M
Hotel/Motel	P	8.3.2.O
Micro-Brewery/Micro-Distillery/ Micro-Winery	P	8.3.2.Q-S
Motor Vehicle Dealership	P	8.3.2.T
Neighborhood Grocery Store	P	8.3.2.U
Office	P	8.3.2.V
Personal Service Establishment	P	8.3.2.W
Private Club / Lodge	P	8.3.2.X
Recreation/Entertainment Facility - Indoor	P	8.3.2.Y
Recreation/Entertainment Facility - Outdoor	P	8.3.2.Z
Research and Development	P	8.3.2.AA
Restaurant	P	8.3.2.AB
Retail Establishment, Heavy	P	8.3.2.AC
Retail Establishment, Light	P	8.3.2.AD
Self Storage Facility - Exterior Access	P	8.3.2.AE
Self Storage Facility - Interior Access	P	8.3.2.AF
Sexually Oriented Business	P1	8.3.2.AG
Specialty Food Service	P	8.3.2.AH
Vehicle Fueling Station	P1	8.3.2.AI
Vehicle Rental Service	P	8.3.2.AJ
Vehicle Repair Facility – Major	P1	8.3.2.AK
Vehicle Repair Facility – Minor	P1	8.3.2.AL

INSTITUTIONAL USES

		SECTION
Community Center	P1	8.3.3.A
Cultural Facility	P1	8.3.3.B
Day Care Center	P	8.3.3.C
Place of Worship	P1	8.3.3.E

Private School	P1	8.3.3.F
Senior Center	P1	8.3.3.G

CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
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Domestic Violence Shelter	P1	8.3.4.A
Drug Treatment Clinic	CUP	8.3.4.B
Food Pantry	P	8.3.4.D
Group Resource Center	CUP	8.3.4.G
Homeless Shelter	CUP	8.3.4.H
Lodginghouse	CUP	8.3.4.I
Residential Care Facility	CUP	8.3.4.J
Residential Drug/Alcohol Treatment Facility	CUP	8.3.4.K

INDUSTRIAL USES		SECTION
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Artisanal Production	P1	8.3.5.A
Data Center	P	8.3.5.C
Industrial, Light	SE	8.3.5.E
Outdoor Storage Yard	P	8.3.5.F

OPEN SPACE USES		SECTION
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Conservation Area	P	8.3.6.C
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INFRASTRUCTURE USES		SECTION
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Solar Energy System (Small-Scale)	P1	8.3.7.A
Solar Energy System (Medium- Scale)	CUP	8.3.7.B
Telecommunications Facilities	P1	8.3.7.E

TRANSPORTATION USES		SECTION
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Parking Lot (Principal Use)	P1	8.3.8.A
Parking – Structured Facility (Principal Use)	P1	8.3.8.B

P = Permitted
P1 = Permitted with limitations per Article 8.
SE = Permitted by Special Exception
CUP = Permitted by Conditional Use Permit

DIVISION 12. - CENTRAL BUSINESS LIMITED (CBL)

Footnotes:

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Cross reference— Licenses and permits, ch. 46.

Sec. 102-511. - Intent

The intent of the central business limited (CBL) district is to be an extension of the central business zone. It is next to the CB zone and is oriented toward vehicular access rather than pedestrian. The uses permitted are expanded to include those that would require larger lots than are available in the CB zone. On-site parking is required as is on-site landscaping and buffering when abutting residential zones.

(Code 1970, § 2305.9)

Sec. 102-512. - Permitted uses.

Permitted uses in the central business limited (CBL) district are as follows:

Permitted Use	Subject to the Following:
Banking or lending institutions	
Bed and breakfast inn/tourist home	
Boarding house/lodging house	
Clinic	
Drive-in uses	
Dwelling, multifamily	Condition: Minimum of four or more dwelling units.
Funeral parlor	
Garage, business	
Health and fitness center	Special exception required for all outdoor activities.
Historic site open to the public	
Hotel	
Institutional use	
Motel/motel apartment	
Motor vehicle dealership	Condition: No outside storage of dismantled vehicles or vehicle parts between building line and street. All outside storage must be screened from any adjacent residential use by a minimum six-foot-high fence, hedge or other impervious buffer along internal lot lines which separate such use from adjacent residential use. No display or storage within ten feet of curb or curblane.
Motor vehicle service station/filling station	Condition: See division 10 of article V of this chapter pertaining to filling stations, service stations, repair garages, paint shops, vehicle body shops.
Nursery or child care facility	
Nursing home, sanitarium, convalescent home, home for the aged	
Office	
Parking area (lot)	
Place of worship	
Private club, lodge, or fraternal activity where primary function is indoors	
Privately owned school	
Recreational activity as a business	Special exception.
Research and development	
Restaurant	
Retail sales and services	
Senior center	

(Code 1970, § 2305.9; Ord. No. O-2009-02-A, 5-21-2009)

Secs. 102-513—102-540. - Reserved.

