

City of Keene
New Hampshire

PLANNING BOARD
MEETING MINUTES

Monday, February 24, 2025

6:30 PM

**Council Chambers,
City Hall**

Members Present:

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

Staff Present:

Paul Andrus, Community Development Director
Mari Brunner, Senior Planner
Evan Clements, Planner
Megan Fortson, Planner

Members Not Present:

Councilor Michael Remy
Kenneth Kost
Randyn Markelon, Alternate
Tammy Adams, Alternate
Stephon Mehu, Alternate

I. Call to Order

Chair Farrington called the meeting to order at 6:30 PM and a roll call was taken. Mr. Hoefler was invited to join the session as a voting member.

II. Minutes of Previous Meeting – January 27, 2025

A motion was made by Roberta Mastrogiovanni to approve the January 27 2025 meeting minutes. The motion was seconded by Mayor Jay Kahn was unanimously approved.

III. Final Vote on Conditional Approvals

Chair Farrington asked whether or not there were any applications tonight that are ready for a final vote.

Senior Planner, Mari Brunner, stated there is one application tonight that is ready for a final vote. The project is PB-2024-21 — 2-lot Subdivision — 141 Old Walpole Road. There were four conditions precedent, which include the following: Owner's signature appears on the plan; Inspection of the lot monuments by the Public Works Director or their designee; Submittal of

four full size paper copies and 2 mylar copies and a digital copy of the final plan set; Submittal of fees to cover the cost of recording. All of these conditions have been met.

A motion was made by Roberta Mastrogiovanni that the Planning Board issue final site plan approval for PB-2024-21. The motion was seconded by Mayor Kahn and carried on a unanimous vote.

IV. Advice & Comment

a) Cedarcrest/Monadnock View Cemetery Solar Array – 91 Maple Ave & 521 Park Ave – Prospective applicant Revision Energy seeks Planning Board advice and comment regarding the need for a visual buffer for the installation of a medium-scale solar energy system on approximately 1.6 acres of undeveloped land. The parcel is in the Conservation District.

Ms. Megan Ulin, Solar Project Developer with Revision Energy, addressed the board. She introduced Jimmy Nizzi, Director of Finance at Cedarcrest. Ms. Ulin stated as per the suggestion of staff, they are before the Board regarding a visual buffer for this project. She stated they have a site plan application, boundary line adjustment application and a solar CUP application that has been filed and hoped to be before the Board next month.

She stated they are before the Board today for feedback. This project came together out of a partnership with the City of Keene, in which they explored solar development on several different parcels of land. One of those parcels is located on the northwest corner of the cemetery, and Cedarcrest is a primary abutter and has entered into an agreement to purchase the electricity for that system. Ms. Ulin stated Cedarcrest would be able to connect directly to the utility meter and see a direct reduction of their electric load. The location of the solar array at this location has shifted slightly from the original concept and is now located in the very northwest corner. When considering this project against the solar CUP requirements, specifically the 16.2.5 visual buffer, they looked at it in the following manner:

View of the system shall be reasonably minimized from surrounding properties and public rights of way — This has been accomplished given its location, which would be a 44-acre cemetery lot once the boundary line adjustment is accomplished. It has limited view from the primary use in the cemetery. The City maintains landscaping at this location.

The City is the primary abutter to the system. On the northern side of the array is where the First Baptist Church is located. There are about 15 to 20 feet of existing wooded vegetation on the northern border, which is on Cedarcrest property. There is no visibility or any visual impact for the First Baptist Church property.

Ms. Ulin stated the boundaries in question are the southeast and southwest boundaries that abut the City use. On the southeast portion there is about 1.5 acres of land, which will be transferred with the boundary line adjustment. This area looks over the soil storage area for the cemetery along with some tall pine trees and the maintenance facility.

Ms. Ulin stated the origination of this request came from discussion with Deputy City Manager, Andy Bohannon, and with the Parks and Rec Department. The intent of the project was to transfer as little land as possible and minimize the impact on City lands. The request on the southwest portion of the property is to minimize screening, because the consensus was screening at this location could be detrimental to that area.

Ms. Ulin stated, as she reviews this item, she feels they have met Item A, *“cited the structure to minimize the view and minimize the visual impact.”*

Item B was also largely met, but the applicant would like to obtain the Board’s perception of the site plan, and whether or not Revision Energy needs to submit a formal waiver. Revision Energy also would like to know if there are any zoning implications. This concluded her presentation.

Mr. Clements stated this section is from the city’s solar energy system conditional use permit, which is not in the Planning Board site development standards. It is in the zoning ordinance but is an additional layer of requirements. The general concept of providing some kind of visual buffer from a larger power generation structure is not out of the realm of common practice for the Board.

Mr. Clements stated what is different is that this is not a waivable section, and the only way to get relief from this would be a variance from the Zoning Board of Adjustment. However, this ordinance has given the Planning Board authority to decide what is adequate in regard to a visual buffer. The applicant this evening is looking for some initial feedback on the existing vegetation surrounding the proposed site, as well as the existing uses around the site.

Ms. Brunner stated the section of the code that is in question states as follows:
the visual impact of medium scale and large scale ground mounted solar energy systems, associated equipment and any extensive or imposing perimeter fencing on adjacent parcels and public right of rights of way shall be mitigated through the preservation of existing vegetation. And/or through the installation of a visual buffer approved by the Planning Board.

Ms. Brunner noted in this case, as the applicant has noted, there is existing vegetation on some sides but none on the southwest side. This is the section the applicant is looking to the Board to for guidance. The language calls for the installation of a visual buffer approved by the Planning Board. If the Board feels like something additional is needed, they would have to get a variance from the Zoning Board of Adjustment.

Ms. Vezzani referred to Mr. Bohannon’s letter and noted he supports this project but indicates the area that does not have existing vegetation is the area that would cause more of a concern to have to maintain additional vegetation or take up more space. Ms. Ulin agreed and added this is the primary reason for this design.

Mr. Hoefler clarified the City-owned parcel is to the southwest and clarified if that area was to require screening it would be because of city use in the future. Ms. Ulin agreed this was City property.

Mayor Kahn asked if there was any fencing being proposed around this structure. Ms. Ulin stated a six-foot agricultural fence is being proposed. The Mayor asked where the community garden is located. Ms. Ulin stated it is currently where the array is located and will be relocated to the southwest location of the array.

Chair Farrington stated the Board seems to be in support of this proposal without adding any more vegetative screening and Mr. Bohannon's letter seems to indicate that as well.

V. Public Hearings

a) SPR-593, Mod. 2 – Major Site Plan – Bank of America, 20 Central Square – Applicant Bank of America, on behalf of owner 20 Central Keene LLC, proposes to modify exterior lighting at the property located at 20 Central Square (TMP #568-063-000). Waivers are requested from Section 21.7.3.C, Section 21.7.3.F.1.a, Section 21.7.3.F.1.c, and Section 21.7.4.A.2 of the LDC regarding light trespass levels and lighting hours of operation. The site is 0.68-ac in size and is located in the Downtown Core District.

A. Board Determination of Completeness

Planner Megan Fortson stated the applicant has requested exemptions from submitting a grading plan, landscaping plan, elevations, and all technical reports. After reviewing each request, staff have made the preliminary determination that the requested exemptions would have no bearing on the merits of the application and recommend that the Board accept the application as complete.

A motion was made by Roberta Mastrogiovanni that the Planning Board accept SPR-593, Mod. 2 as complete. The motion was seconded by Mayor Kahn and was unanimously approved.

B. Public Hearing

Mr. Matthew Bombaci of Bohler Engineering addressed the Board and stated they have been retained by Bank of America for lighting projects, specifically for ones that are more in a downtown area. The program is to replace existing lighting, which is often not LED or energy efficient lighting with LED energy efficient lighting, along with security standards. Typically, this would involve lighting around 50 feet of an ATM and this is the distance recommended by the Engineering Illumination Society Guidelines.

Mr. Bombaci went on to say that there are currently two pole lights on the site that are about 30 feet tall. They have floodlight fixtures, which face out horizontally and are not dark skies compliant. The proposal is to replace each one of those with a new 20-foot pole, which is shorter to be compliant with zoning and dark skies compliant with a backlight shield and forward throwing light. He stated there are residences in this area, so they wanted to make sure the lighting is shielded, lowered and forward thrown to provide additional, uniform lighting. He stated they are also proposing two additional wall pack lights at the ATM locations to provide more lighting for the area. The canopy lighting itself would have strip lighting underneath the

canopy and this would also be LED lighting. An additional new light fixture is also being added right above the ATM.

Mr. Bombaci noted there are four waivers being requested, largely based on the unique condition of the site.

The first waiver is from 21.7.3 C, which is 0.1 foot candles from the property line. He stated they are trying to respect the lighting along the property lines, but for parking associated with the bank, the applicant would exceed the lighting limit.

The second waiver is the hours of operation. Security lighting is one foot candle maximum for security lighting and the applicant is at 1.62. This waiver, again, is for the security concerns of the bank.

The third waiver indicates that 24-hour business light levels should be reduced by 50% between the hours at 10:00 AM and 6:00 PM. Mr. Bombaci stated when customers are using an ATM at 8:00 PM, the bank's concern is security and hence did not want to reduce the light level at night.

The fourth waiver is related to the uniformity ratio from section 21.7.4.8.2 and refers to a 5:1 uniformity ratio, to avoid light trespass towards abutters as much as possible. The parking area is included in the uniformity ratio. If that area is calculated into the minimum it does exceed that number, but if you take just the area around the ATM, the uniformity ratio is around 3:1. This concluded the applicant's presentation.

Ms. Vezzani asked, when talking about lighting for a 24-hour business, was there consideration to reduce the lighting at all; is it going to be brighter than it is now.

Mr. Bombaci stated he cannot speak specifically to how many lumens are thrown by the existing fixtures as they are old, but the lighting on the ground will certainly be brighter because the existing light fixtures are floodlighting and this light travels sideways and horizontally, not downward. They are trying to light where customers are but overall did not feel the lighting being proposed is going to be substantially more than what exists currently.

Staff comments were next. Ms. Fortson addressed the Board stated as Mr. Bombaci explained, the parcel is located at the northeastern corner of Central Square and it is abutted on all sides by commercial properties, which are a mix of uses. City Hall is located to the southwest, Keene affordable Housing to the north, along with B Bakes which is a mixed-use building with commercial on the 1st floor and apartments on the upper floors, peer support to the southwest and United Church of Christ to the west.

Ms. Fortson stated this property is located in the downtown core district and the proposal is to install a total of 12 new light fixtures. Ms. Fortson noted what staff is learning with the land development code is that the city's lighting standards are not as flexible for properties that are located in the downtown district.

She noted this site is paved from lot line to lot line, and for an entity like a bank to be able to comply with 0.1 foot candle requirement at the property line and a one foot candle lighting requirement at the right of way line, it can be difficult to comply with. This is resulting in the applicant having to come before the Planning Board to request waivers.

In regard to the determination of regional impact, Staff did not feel that this proposal had any potential for regional impact.

In terms of departmental comments, the only comment Planning Staff received was from code enforcement staff who noted that a building permit was required prior to this work being completed.

Ms. Fortson next reviewed sections of the lighting standards. The applicant is not proposing any flood lighting or up lighting, so they comply with that standard.

In regard to the general standard, one of them specifies that all proposed light fixtures must be full cut off, with no portion of the bulb visible. The cut sheets that were submitted comply with those regulations, so that standard has been met.

With reference to glare, the project narrative states that none of the light fixtures proposed to be installed are directed in a manner that will create glare on or off the property and that lights located near property lines will be equipped with backlight shields, which will prevent light from travelling to the upper floors of the apartment buildings. This standard appears to be met.

The light trespass standard allows for 0.1 foot candle of trespass at the property line and one foot candle at the right of way line. To determine whether or not to grant that waiver request, the Board will need to look at their three waiver criteria.

Ms. Fortson reviewed the waiver criteria:

- 1. Strict conformity would pose an unnecessary hardship to the applicant, and the waiver would not be contrary to the spirit and intent of the regulations.*
- 2. Specific circumstances relative to the site plan or conditions of the land and such site plan indicate that a waiver will properly carry out the spirit and intent of the regulations.*
- 3. In granting a waiver, the Planning Board may require any mitigation that is reasonable and necessary to ensure that the spirit intent of the standard being waived will be preserved and to ensure that no increase in adverse impacts associated with granting this waiver will occur.*

The next standard is related to illumination. This standard requires that all light fixtures have a color-rendering index greater than 70 and a color temperature of 3500 Kelvin or less.

The light fixture cut sheets that were submitted comply with those standards. The standard has been met.

In regards to height of fixtures, a maximum of 20 feet is allowed in the downtown core district. That standard has been met by the applicant.

The next standard is related to the hours of operation. Between 10:00 PM and 6:00 AM, there are requirements to reduce lighting levels by 50%. Given the fact that this is going to be security lighting, the applicant is requesting a waiver from that standard.

Wiring — The applicant has confirmed that all wiring is going to be installed either underground or inside the building. That standard has been met.

The applicant is requesting a waiver from the requirement that states parking lots have to have an average illumination level of 3 1/2 foot candles or less. The applicant indicates they are meeting the standards to the best of their ability, while still meeting their security needs.

The other waiver request is for uniformity ratio, which is required to be 5:1 foot candles, and the proposal is above that average. They are requesting a waiver for security of the site.

The proposal does not involve lighting of any canopies and or walkways. Those two standards are not applicable.

Ms. Fortson reviewed the motion language.

Mayor Kahn referred to the waiver regarding hours of operation. He asked if the language should say to meet the “bank security standards.” Ms. Fortson agreed.

Chair Farrington asked about light trespass onto the sidewalk on Washington Street. Mr. Bombaci stated they were below the 1.0 foot candles onto that street at the property line.

Ms. Fortson stated she might have incorrectly stated that they were above the 1.0 foot candle at the right of way line but noted they were just above the 0.1 foot candle light trespass standard.

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

C. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board approve the waiver request from section, 21-7-3-C regarding light trespass. The motion was seconded by Michael Hofer.

Mr. Clancy stated he was comfortable with this waiver, in that there are no abutters present to object. The Chair agreed but asked if individual apartments would get the notice or would it be just the owners. Ms. Brunner stated it would be just the owners, and it is up to the owners to let tenants know. She added there is, however, a notice that goes out in the Sentinel.

The motion to approve the waiver regarding light trespass carried on a unanimous vote.

A motion was made by Roberta Mastrogiovanni that the Planning Board approve the waiver request from Section 21.7.3 F.1.A, which allows for average lighting levels over 1 foot candle. The motion was seconded by Sarah Vezzani and carried on a unanimous vote.

A motion was made by Roberta Mastrogiovanni that the Planning Board approve the waiver request from Section 21.7.3.F.1.C that would be to allow for normal lighting levels during the 10:00 PM to 6:00 AM hours. The motion was seconded by Sarah Vezzani.

Ms. Vezzani stated she agrees with staff that this standard is outdated, and it is important to comply with security needs.

The motion to allow for normal lighting levels during the 10:00 PM to 6:00 AM hours and carried on a unanimous vote.

A motion was made by Roberta Mastrogiovanni that the Planning Board approve the waiver request from Section 21.7.4.8.2 of the LDC regarding light trespass levels and lighting hours of operation, specifically regarding uniformity ratio. The motion was seconded by Armando Rangel.

The Mayor asked for clarification on this issue. Ms. Brunner explained the way uniformity ratio is calculated is by taking the average illumination and dividing it by the minimum. In this case, because the applicant was trying to get the light levels as low as possible at the property line that made the minimum smaller, which made the uniformity ratio higher because that is the number that you divide it by. In this instance, if you look at the main parking area around the ATMs, the uniformity ratio is actually 3.1, which exceeds the standard. It is just when you include the full parking area going up to the lot line that the uniformity ratio does not meet the standard because they are trying to meet a different one of city standards, which is to not have light levels across the property line.

The motion to approve the waiver regarding parking lot uniformity ratio carried on a unanimous vote.

A motion was made by Roberta Mastrogiovanni that the Planning Board approve SPR-593, Modification #2 as shown on the plan set identified as “Bank of America, Exterior Lighting Program” prepared by GMR Facility Analysis & Engineering at varying scales with the following conditions prior to final approval and signature by the Planning Board Chair:

1. Owner’s signature appears on the plan.
2. Submittal of five full-sized paper copies of the final plan set.

The motion was seconded by Sarah Vezzani

Ms. Vezzani stated this application does not have regional impact. She also stated she appreciates the applicant’s letter, which explains each item and whether it meets the standard and was comfortable approving this application.

The Chair felt the applicant has met the spirit of the code and was comfortable approving this application.

The motion carried on a unanimous vote.

b) PB-2025-01 – 2-lot Subdivision – Keene State College, 238-260 Main Street – Applicant Huntley Survey & Design, PLLC, on behalf of owner the University System of New Hampshire, proposes a 2-lot subdivision of the ~0.96-ac parcel at 238-260 Main Street (TMP #590-101-000) into two lots ~0.48-ac and ~0.46-ac in size. The property is located in the Downtown Transition District.

A. Board Determination of Completeness

Planner Evan Clements stated the applicant has requested an exemption from submitting a traffic analysis, drainage report, soil analysis, and other technical reports and analyses. After reviewing each exemption request, staff have made the preliminary determination that granting the request would have no bearing on the merits of the application and recommend that the Board accept the application as complete

A motion was made by Roberta Mastrogiovanni that the Planning Board accept PB-2025-01 as complete. The motion was seconded by Michael Hofer and was unanimously approved.

B. Public Hearing

Mr. Russ Huntley of Huntley Survey and Design addressed the Board on behalf of the University System of New Hampshire for their proposed 2-lot subdivision on Main Street and Proctor Court. On the north is the alumni building, in the center of the U is the Historical Center, and on the south is Proctor Court. He stated the proposal essentially is to be able to have each building have its own lot and its own parking. The entire parcel has been surveyed and pins have been placed. Mr. Huntley stated the lots meet all city requirements as far as zoning requirements, frontage-building setbacks but noted that the pavement setbacks will not be met with this new existing line.

Mr. Huntley further stated that there is a question about lot 1 meeting the impermeable surface standard. When this lot was constructed, it was constructed in 2010 with pervious pavement and has some under drains but wasn't sure if it was still working.

The second lot does meet the impermeable surface criteria.

He noted to the only area that would need an 8-foot setback to meet the city's zoning and land development code. However, the RSA does say that a government entity does not have to follow these rules, and although the applicant has tried to do the best they can, this standard is not going to be able to be met. Mr. Huntley stated staff have provided the applicant with some guidance on this issue. Staff recommend this and a note will be added to the plan to address this situation. It indicates if the lot is ever sold to a private entity, then that entity would have to do something to address the situation: removing parking spaces, adding some green space or applying for a variance. He felt a variance would be the best option. This concluded Mr. Huntley's presentation.

Mayor Kahn asked if there would be any objection if the two parties that own both sides of that property line agree that there is a benefit to the public to be able to have the traffic flow between

the two lots. Mr. Huntley stated at this time that option would be a moot point unless the property is sold to a private entity.

Staff comments were next.

Mr. Clements addressed the Board and stated as Mr. Huntley explained the current configuration with the proposed addition of the new lot line, because both parcels will continue to be owned by the university system and they are protected under RSA 674:54 Governmental Land Uses. There is no violation of the zoning ordinance as proposed because of that RSA.

If the southern parcel were to be sold to a non-governmental user, before that entity could use the property or go through what is called a change of use process, they would have to come up with a solution to that problem. This new property owner would not be allowed to use the property until either the pavement is removed to satisfy the pavement setback requirement or a variance was received from the Zoning Board of Adjustment. A cross-access agreement could be established between the two property owners to maintain site flow if they so choose privately, but they would still need to resolve the discrepancy with the zoning ordinance.

Mr. Clements referred to the note that staff asked the applicant to add on the plan.

He indicated staff worked with the City Attorney's office on language:

This subdivision is of governmentally owned land and was therefore made pursuant to RSA 674:54, Governmental Land Uses. The subdivision creates potential nonconformities with section 4.6.2 Buildout of the Land Development Code in regard to the impervious surface maximum on Lot 1 and section 9.4.2 Dimensions & Siting, Table 9-2 of the Land Development Code in regard to the parking area pavement setback on Lots 1 & 2. Planning Board approval of this plat shall not be deemed to cure any non-conformity with existing local land use ordinances. Any future use of either lot that is not governmental use will be subject to these provisions and may necessitate correction of the nonconformities or variances from the Zoning Board of Adjustment."

Mr. Clements stated this is a very straightforward two-lot subdivision. All basic dimensional requirements for lot area, frontage have been met. Staff do not feel this application meets the threshold for regional impact. The character for the land of subdivision standards does not apply because this is an existing built up area with no future development proposed at this time. The land was suitable for development, and it has been developed. This proposal is not scattered or premature because it is already developed. There are no notable existing features to preserve because it has already been developed. The applicant has proposed monumentation, which meets the city standards and will be verified by Public Works Staff as part of a condition of final approval.

He went on to say that the subject parcels are not in any special flood hazard area. This standard is not applicable.

Fire Protection and Water Supply – This standard has been met as this site is located in the downtown urban compact. There are fire hydrants located nearby. Utilities are hooked up to city water and sewer.

Mr. Clements reviewed the conditions of approval.

Mr. Clancy clarified this site does not have permeable surfaces. Mr. Clements stated the applicant submitted a calculation and with the subdivision, lot 2 meets the requirement but lot 1 does not.

The Chairman asked for public comment.

Mr. Rick Swanson of Historical Society of Cheshire County addressed the Board and asked if the property is sold, whether that would impact the parking spaces for the Historical Society. The Chair noted the Historical Society has three rows, which won't be impacted, but the parking area behind the Historical Society's spaces belongs to Keene State College. Depending on what the future use is, those parking spaces could be impacted. Mr. Swanson asked whether the Board could approve a future configuration to the parking in an event, a non-government entity should purchase this property. Chair Farrington stated, as staff had explained, a hypothetical variance cannot be applied for while the property is in governmental use.

Mr. Clements referred to the existing parking area for the Historical Society. Keene State would have to create 8 feet on their side of the lot and would need to remove that impervious surface to meet the set back at that location. He noted the parking spaces that will not be affected by this application. The only area of concern is the small drive aisle.

Mr. Swanson asked about the area adjacent to Proctor House. Mr. Clements stated that lot line already exists and would be considered an existing condition. He explained the only thing not being cured by this application tonight is new conditions being created by adding a new lot line. All the deviations from the pavement set back requirement existing today are allowed to remain as legal non-conforming. Mr. Swanson asked whether there was anything that restricts the building envelope of either of those two lots. Mr. Clements stated this property is in the downtown transition and is form-based, so the building envelope would be subject to build-to lines as well as some traditional building set back. Ms. Brunner noted for downtown transition, the interior side set back is 10 feet for a building line, rear set back of 15 feet, corner side set back of 10 feet and front set back of 15 feet. Hence, a building would have to be within those setback areas.

Mr. Swanson asked whether construction of the property has any impact on the Historical Society. Mr. Clements stated if someone purchased Proctor House and wanted to demolish the property, they would have go through a major site plan review process before the Planning Board. Chair Farrington added this would also include any construction planning and the impact that would cause to abutters.

Mr. Clancy asked whether the Historical Society has a right of way to the rear of the property. Mr. Huntley stated there is a 14-foot right of way at Proctor Court.

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

C. Board Discussion and Action

A motion was made by that the Planning Board approve PB-2025-01 as shown on the plan set identified as “Two Lot Subdivision” prepared by Huntley Survey & Design, PLLC at a scale of 1 inch = 20 feet, dated August 20, 2024 and last revised February 11, 2025 with the following conditions:

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

A. Owner’s signature appears on the plan.

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

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

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

The motion was seconded by Sarah Vezzani

Ms. Vezzani stated there is no potential for regional impact from this application. She felt the draft language proposed by staff makes sense for any future sale.

Chair Farrington stated he likes the collaboration Keene State is showing with the city on this project.

The motion was unanimously approved.

c) PB-2025-02 – Cottage Court Conditional Use Permit – 36 Elliot Street – Applicant Sampson Architects, on behalf of owner the Scott Richards Revocable Trust of 2023, proposes the conversion of an existing single-family home into a duplex on the property at 36 Elliot Street (TMP #214-021-000). The parcel is ~0.10-ac in size and is located in the Residential Preservation District.

A. Board Determination of Completeness

Planner Megan Fortson stated the applicant has requested exemptions from submitting a grading plan, landscaping plan, lighting plan, elevations, and all technical reports. After reviewing each request, staff have made the preliminary determination that granting the requested exemptions would have no bearing on the merits of the application and recommend that the Board accept the application as complete.

A motion was made by Roberta Mastrogiovanni that the Planning Board accept PB-2025-01 as complete. The motion was seconded by Sarah Vezzani and was unanimously approved.

B. Public Hearing

Tim Sampson of Sampson Architects addressed the Board and stated he was before the Board representing The Scott Richards Revocable Trust for a conditional use permit for 36 Elliott Street. He stated it was a straightforward project. He stated this property in 2008 was permitted as a studio, construction completed in 2009. At that time, the inspector and the designer added the kitchen without proper documentation filed with the city. There was paperwork signed that it would not be used as a dwelling unit and to his knowledge it has not been

Mr. Sampson stated what they are seeking to do is take an existing dwelling unit, not recognized by the city, and make it an official dwelling unit for the property owner to use. He stated the application meets all requirements for a CUP Cottage Court. There will be no construction or changes to the site, which is the reason for the requested exemptions from any documentation.

The only internal construction that would be required is what would be addressed through the building permit process, based on the fact that building codes have changed in the last 15 years since construction was completed. This concluded Mr. Sampson's comments.

Staff comments were next.

Ms. Fortson stated this subject parcel is about 4,300 square feet in size. The site itself is located between Wheelock School on Adams Street and Main Street. This property is located in the Residential Preservation District and unlike the other cottage court conditional use permit applications that have come before the Board for conversion of existing buildings into a higher number of units, this lot in residential preservation has no density requirement. Ms. Fortson explained in the residential preservation district, the only way to have more units is through the cottage court process. Hence, this is the reason that this application is before the Board today.

Ms. Fortson next reviewed how this application complies with the Cottage Court standards. Site plan review is not required because it is less than five units. There is no regional impact.

With reference to departmental comments on the application. Planning staff received comments from both code enforcement and the fire department, noting that this project is going to need to go through a formal building permit process to make sure that all work that was done related to electrical, building and life safety issues have been completed up to code. If there is anything that needs to be addressed internally with any of those items, those would be addressed as part of the building permit review process; planning Staff will be included in that process.

In regards to the specific review of the standards for cottage core applications, specifically development types allowed, the proposal is for the creation of a second unit in a building currently used as a single family home on a single lot. This standard appears to be met.

There are certain dimensional standards that are required as part of the CUP application. In this specific case, the property does not comply with the 20-foot rear set back or the 10-foot side set back that is required in the residential preservation district. However, these are all existing conditions. The applicant is not proposing to alter them in any way – hence, this is not applicable and the standard is met because they are not proposing any changes.

Ms. Fortson stated the new unit, which is going to be constructed towards the back of the building, is an existing dwelling with two floor units; they occupy both first and second floors. The applicant is proposing two parking spaces. The cottage court requirement allows either one per unit or one per bedroom. By proposing two, this standard is being met.

In terms of building separation, again, the proposal does not involve the construction of multiple buildings. This standard is applicable. However, the application will need to go through a building permit and life safety review process following the conditional approval by the Planning Board.

As for driveways, the existing driveway shown is almost 14.5 feet wide. This standard is not applicable, because they are not proposing any changes to the driveway.

There are no internal roads proposed as part of the application.

The standard related to screening is not applicable as the 1 3/4 story height of this building and design is very similar to adjacent properties in the area.

Architectural guidelines are not applicable given the fact that there are no changes proposed to the exterior.

Ms. Fortson noted this property is surrounded by single-family homes on all sides with the exception of two, two-family home across the street.

This concluded staff comments.

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

C. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board approve PB-2025-02 as shown on the plan identified as “Cottage Court Application, 36 Elliot St, Keene, NH 03431” prepared by Sampson Architects at varying scales on January 15, 2025 and last revised on February 12, 2025 with the following conditions prior to final approval and signature by the Planning Board Chair:

1. Owner’s signature appears on the plan.
2. Submittal of five full-sized paper copies of the final plan

The motion was seconded by Sarah Vezzani.

Mayor Kahn stated, while there are some anomalies to the property, what is significant from the site review is that this property fits into the neighborhood in terms of density.

Mr. Hoefler felt this application feels different to the intention of a cottage court application and asked whether Cottage Court was the best option for this project. Ms. Fortson explained most of the applications the Board has seen are for two units going to three units within the existing building envelope and they had to come before the Planning Board because they did not have the required square footage on their property. Going through the cottage court process removes the density requirements. She added the City has an ordinance, which was just passed that removes the density requirement altogether, so these types of projects would not have to come to the Planning Board anymore. These multi-family uses will be allowed by right in the districts where they are allowed through the regular zoning ordinance.

In this case, the only way to have a second unit on a property in residential preservation is either through the cottage court process or by creating an accessory dwelling unit. In this case, Ms. Fortson stated she assumes the property owner's reason for going through the cottage court process is because they want two rentable units, with an accessory dwelling unit, the property owner has to occupy one of the units. They would be able to rent one instead of two.

Ms. Vezzani stated this application does not have the potential for regional impact. She felt it would be nice to have both units brought up to code.

The motion made by Roberta Mastrogiovanni carried on a unanimous vote.

d) PB-2025-03 – Major Site Plan – Douglas Company Facility, 0 Black Brook Road – Applicant Fieldstone Land Consultants PLLC, on behalf of owner Douglas Company Inc., proposes the construction of a ~98,323-sf office and warehouse building on two parcels at 0 Black Brook Rd (TMP#s 221-023-000 & 221-024-00). Waivers are requested from Section 20.14.1, Section 20.14.2, Section 20.14.3.D, and Section 23.5.4.9 of the LDC related to architectural and visual appearance, parking in front of the building, and driveway width. The parcel is ~5.33-ac in size and is located in the Corporate Park District.

A. Board Determination of Completeness

Planner Evan Clements stated the applicant has requested exemptions from submitting a historic evaluation and traffic analysis. After reviewing each request, staff have made the determination that the requested exemptions would have no bearing on the merits of the application and recommend that the Board accept the application as complete.

A motion was made by Roberta Mastrogiovanni that the Planning Board accept PB-2025-03 as complete. The motion was seconded by Mayor Kahn and was unanimously approved.

B. Public Hearing

Mr. John Noonan from Fieldstone Land Consultants addressed the Board on behalf of the Douglas Company and introduced Scott Clark owner of Douglas Company. Mr. Noonan stated the proposal is for a warehouse facility on Blackbrook Road. The applicant is looking to merge two lots to create approximately 12.5 acres of land as a single unit and construct a warehouse facility consisting of two phases.

Phase one would be the middle section. Mr. Noonan referred to a plan of the building, which is proposed at approximately 57,000 square feet in size, build out of approximately 97,000 square feet in size. The first phase of the building would be for warehousing with a loading dock. Douglas Company would keep their business on Krif Road. They are looking to keep that building, construct phase one and utilize the warehouse at Blackbrook Road. Phase two would come approximately five years following the construction of phase one to build out to the full plan. The second phase would have space for more warehousing as well as an office area. At that point, they would move out of their Krif Road location into this facility.

Mr. Noonan stated there would be an access point off the cul-de-sac at the end of Blackbrook Road mostly for tractor-trailer trucks and fire access. He noted a second entrance for office personnel and smaller vehicles. There is a 25-foot drive aisle around the building. Parking lot in

the front and a parking lot in the rear. Both parking lots have ADA access and are curbed with sidewalks.

Mr. Noonan stated this property is in the 100 hundred year flood plain and there is also the floodway which is further down following the river. He stated one of the largest things for designing the site is to offset and mitigate for floodplain compensation. He stated they are proposing a berm and the design is to offset the fill in the floodplain with an excavation to compensate for that same volume. Vertical granite curbs are being proposed with asphalt sidewalks. The asphalt sidewalks would be temporary. When phase two is constructed the asphalt sidewalks will be replaced with concrete sidewalks and during phase two everything will be brought up to finished elevation. Parking and pavement access will be constructed as part of phase one.

Mr. Noonan went on to say that they have submitted a grading and drainage plan. This will be reviewed by DES Alteration of Terrain and is designed to meet the state standards. The overall site impact is more than 100,000 square feet, thus requiring an alteration of terrain permit. He noted the flood compensation area drains down to the southwest corner, following the river. He noted they will be connecting to the city owned detention basin and a grass treatments swale and the remainder will be taken care of between two subsurface chamber systems.

Mr. Noonan next referred to the utility plan. The site has municipal water and sewer. There are stubs that were installed when they built Blackbrook Road in anticipation for corporate park. There is a two-inch water supply line for domestic use and a six-inch ductile iron water line for fire use. This is being extended with the six inch fire line and at the direction of the Fire Chief, a second hydrant on the site has been installed. He noted to where a transformer is located next to Blackbrook Road and the applicant would be connecting to that for electricity. Propane tanks will be located parallel with the existing propane tanks that service the Janos property.

He referred next to sheet that showed the sewer profile. Mr. Noonan stated as part of their connection to sewer, they would also need to obtain sewer connection permit from the City of Keene and submit to DES for a state sewer connection permit. It will ultimately run to a pump station that is owned by the City of Keene. The site is slightly lower in elevation. There will be a small pump station that comes out of the applicant's building. This will still drain by gravity into the city infrastructure.

Lighting Plan – There will be a combination of wall packs, wall mounted lights and pole mounted lights in the parking lots with LED full cut off fixtures. There are 3000-Kelvin temperature rating and more than 80 for CRI for the color-rendering index to meet the city standards for lighting.

Landscaping Plan – Mr. Noonan stated a plan has submitted to show that the plan meets the standards. Landscaping is mostly for screening parking spaces. Along the berm that is located between the parking lot and the flood plain line, there will be shrubs planted. Trees will be planted along the edges of the parking lot. The three maple trees at the rear of the site will be alignment with the existing trees that are on the Janus property. No trees are being removed as part of this site plan. In the floodplain.

Compensation basins would contain pollinator friendly seed mix; mix of wildflowers friendly to bees and pollinating species. There will also be some Weeping Willow trees. These were

recommendations by the Conservation Commission for another project in town, which had a floodplain compensation basin to provide landscaping and improve what would otherwise be a large “wet hole” on someone’s property.

Mr. Noonan noted a turning exhibit for tractor-trailer traffic as well as a turning exhibit for Keene ladder trucks. Ultimately, tractor trailer turning motions out of the parking lot and making U-turn is what drives the width of the driveway; 31 feet at the property line and 51 feet on the radius at the edge of pavement. Mr. Noonan stated this is the reason for asking for an exemption on that pavement width.

Mr. Noonan showed the Board a video of the proposed building.

Mr. Noonan next addressed three waivers the applicant was requesting. Two of the waivers are for the architectural design of the building. Waiver one - to grant a waiver from section 21.14.1.B - Massing and Scale - where the LDC allows a building over 150 feet in length or more to not be divided into multiple modules. Based on the design for a warehouse building, the architect has a design to stack the windows to break up the façade. The office and loading side of building will be stepped in and out.

The second waiver is from Section 21.14.2A for visual interest of the Land Development Code to allow for uniform appearance of the building. Mr. Noonan explained the office end of the building would have a change of colors plus the large tower area would have windows that break it up. The remainder of the building would have a difference in colors between the gray and cream and split concrete block on the bottom four feet.

The third waiver request is from Section 21.14.3D - Site design and relationship to the surrounding community of the Land Development Code to allow for off street parking to be located in the front of the building where parking is normally required to be located to the sides in the rear of the building. Mr. Noonan stated ultimately this parking lot in the front, right along Blackbrook Road. The parking lots are going to be located on each end of the building to push everything back because of the unique feature of the site following the river. The floodplain compensation needed to be located along the river. The site design is driven by that floodplain. This concluded Mr. Noonan’s presentation.

Mayor Kahn asked whether the material that is going to clad the majority of the building would look like metal. Mr. Noonan stated it would be a metal insulated panel in cream and gray color, with the bottom of the building consisting of split block to mimic stone as the foundation.

The Mayor asked about the amount of cubic yards that would be used for fill and compensatory, storage. Mr. Noonan stated the total fill for the floodplain would be 6,362 yards and are cutting 7,034 yards ending up with an excess flood compensation of 671 yards.

Staff comments were next.

Mr. Clements addressed the Board. He stated staff does not believe this project has regional impact. As Mr. Noonan stated, with reference to drainage, the project has been evaluated against local regulations and will also be subject to the Alteration of Terrain Permit.

The applicant's stormwater report states that the proposed system will reduce precondition, flow rate, and volume of storm water on the property - that standard has been met.

Sedimentation and Erosion Control - The plan proposes the installation of temporary erosion control measures as needed around the site and around Blackbrook and those include silt fence, check dams, erosion matting, a stabilized construction entrance and other best management practices – this standard appears to be met.

Snow Storage and Removal - The site has been designed for snow storage areas around the perimeter of the parking and drive aisles and they do not conflict with the proposed drainage systems - this standard appears to be met.

Landscaping – Plan includes the installation of 12 trees, 57 shrubs and a mix of perennial flowers in the parking landscape area islands. Flowers include day lilies, hostas and purple coneflower. The shrubs are going to be rhododendrons, dogwoods and winterberries, and the trees are red maple and hawthorn trees, as well as weeping willows in the flood compensation area. Over 3,476 square feet of parking area landscaping is proposed when they are only required to provide 217 square feet. Mr. Clements stated the applicant, however, is requesting an alternative landscaping plan as allowed per Section 9.4.5.B5 of the land development code. This is related to parking lot designs and large parking lots of 50 spaces or greater are supposed to be designed to minimize the practice of large, unbroken areas of pavement.

Due to the industrial nature of the proposed site to allow for more ease of travel around the site itself, the applicant is requesting their proposed orientation, as articulated in the site plan, which does not quite meet the standards. However, the Board will need to decide if the alternative landscaping plan is appropriate for the proposed use of the site.

Screening – The proposed dumpster area will have a dumpster enclosure that meets the standards. At this time the HVAC system for the warehouse and the office have not yet been designed. However, the applicant notes that those mechanicals will be set back at least 10 feet from the edge of the roofline, as required by city standards, and will be screened to comply. At this point the standard has been met.

Mr. Clements went on to say as Mr. Noonan stated all proposed lighting, including the lighting levels along the property line, are within the city standards and the standard has been met.

Water and Sewer - The DES Sewer connection permit as well as all required improvements on site tie into those existing water and sewer lines at BlackRock Road. The city engineer has worked with the applicant extensively to get those details to a point where they are comfortable with the proposal – this standard has been met.

Access and Traffic Management - The applicant has stated in their narrative that all site access will come from Black Book Road and this includes the creation of a new street access point as well as the utilization of the existing access on the adjacent property. A 25 foot wide, two-way drive aisle is proposed to connect with parking areas, loading docks and the public right of way. Truck turning exhibits have proven the geometry of the proposed circulation is sufficient for both the applicant's needs with tractor-trailers and emergency service vehicles.

Mr. Clements further stated that the project includes pedestrian pathways around the building for both phases. Temporary pedestrian connections for the parking areas for phase one will be removed during construction for Phase 2. A bike rack is proposed to be installed near the entrance of the office building which is part of phase two. A mix of curbing is proposed to protect those pedestrian walk area landscaping and the building from vehicles rolling forward accidentally.

The proposed use is required to supply 57 parking spaces. The plan proposes 74 parking spaces, including three accessible spaces and two van spaces. Parking areas are located on the western side and eastern side of the property. The applicant had requested an exemption from submitting a traffic analysis and provided ITE trip generation estimates. The manual estimates 77.7 trips per workday and approximately 42 trips per each peak hour, which is under the threshold for a full traffic study. The applicant states in their narrative that the Black Brook Corporate Park was designed to accommodate traffic associated with larger scale business uses, such as the existing users and this proposed use. Douglas Company was able to provide some real life practical estimates of their current traffic generation, and they noted they are seeing about five trucks per day and around 25 trucks per week in and out of their current site on Krif Road. In tandem with the city engineer, this standard appears to be met.

Mr. Clements referred to the waiver from Section 23 for pavement in excess of 25 feet at the property line. The Land Development Code allows the Board to approve that deviation without a formal waiver as long as the geometry necessitates that increased width. He explained that the geometric analysis is the truck-turning plan. Mr. Clements stated he had a chance to discuss this issue with the city engineer who believes that based on the truck-turning plan, that additional footage is necessary. He stated if the Board is comfortable they would be approving that waiver with this application.

Filling an Excavation – Mr. Clements stated as Mr. Noonan explained, they are going to be using most of the material they cut for flood compensation. However, Blackbrook Road is just adjacent to Wyman Road, which connects directly to Route 12. Any large vehicle traffic to and from the site will move swiftly to larger roadways without generating significant impact to the surrounding area – this standard appears to be met.

Surface Waters Wetlands – There are surface waters and wetlands on the site as described by Mr. Noonan which will not be impacted directly. Part of the flood compensation will include some work within the wetland buffers themselves. However, flood compensation is a permitted use within the wetland buffer, so no conditional use permit is needed for that - this standard is met.

Hazardous and Toxic Materials - The applicant states in their narrative that the proposed use does not utilize hazardous or toxic materials - this standard is met.

Noise - The applicant states in their narrative that the noise generated by the use will be similar to surrounding businesses. The site is located in an area suitable for the intended use and will not conflict with other properties - this standard is met.

Architecture and Visual Appearance – Mr. Clements stated Mr. Noonan did a good job explaining architecture and visual appearance and their intent to meet the standard with their design. Most of these standards were written to encourage a pedestrian articulation of buildings and site development. He noted however, Blackbrook Road is not a high pedestrian traffic

destination. Hence, staff believes the applicant has tried to meet the intent of the regulations where possible but understanding that the nature of the development require certain deviations from strict conformity – this is the reason for the three waiver requests.

Mr. Clements next reviewed the conditions of approval as outlined in the staff report. He stated the last condition is unique to this application and explained in the land development code there is a standard criteria for active and substantial development. After final approval, an applicant has two years to achieve active and substantial development, there is a provision for extensions; three extensions, each with a higher test of necessity for that additional 180-day extension. He stated the Planning Board also has the authority to create customized, active and substantial development for projects that need that flexibility. This project is one of them. He noted the applicant has decided to make Keene their long term home and staff is very excited to retain the Douglas Company within the city and for them to have an opportunity to find a piece of property that they can build out and grow into. Staff is recommending that in order to support them achieve active and substantial development for phase two shall be five years and shall commence on the date of the issuance of the certificate of occupancy for phase one. This gives them five years from finishing phase one as well as those three extensions if needed down the line.

Chair Farrington asked whether the alternate landscape plan needs to be approved as a separate condition. Mr. Clements suggested discussing the item and acknowledging this isn't a strict adherence to the zoning ordinance, but the Planning Board has the authority from the zoning ordinance to approve an alternate design if they saw fit as long as it meets the overall intent of Section 9.4. The Chair asked about the width of the parking – Mr. Clements stated it does not need to be addressed separately but he wanted to bring it up as part of the application.

Mr. Clancy referred to erosion control measures and asked if they were going to need to remain for the duration of phase two. Mr. Clements stated all earth work associated with the flood compensation, drive aisles and the parking lot will be phase one. The major portion of the disturbance will be phase one. The intent for phase two would be to come in complete the foundation work and expand the building. However, the Alteration of Terrain Permit will still be active and the applicant will have to make sure all these things are still in place when disturbing the site

Mr. Hoefler asked whether the waiver requests were just for phase one. Mr. Clements stated it would be for both phases. Tonight the Board will be approving the plan for the entire finished building. If things change between phase one and two the applicant might have to amend their site plan

Mr. Clancy asked what active and substantial development means for the city. Ms. Brunner explained this is basically a time frame whereby a project needs to start construction. The State RSA's allow each local community to define this for themselves and set a time-frame for themselves if they so choose. In Keene, *active in substantial development of an approved project shall be completed within two years, starting the day following the Board's decision to approve the application. Plans approved in phases shall be subject to a determination of active and substantial development for the current phase.* Ms. Brunner used the Froling application as an example where the Board had the flexibility to set the timeline for the future phases of the project. Mr. Clancy asked whether five years from certificate of occupancy is sufficient time for the applicant. Mr. Clements stated this is an issue staff has worked with the applicant on.

Mayor Kahn stated he wanted the issue of alternative landscaping reflected in the minutes that it has been presented and looks adequate and that there is no further need for clarifying that landscaping plan as qualifying to meet the Board standards.

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

C. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board grant a waiver from Section 21.14.1.B – Massing and Scale of the Land Development Code to allow building of 150 feet in length or more to have facades that are not divided into multiple modules. The motion was seconded by Sarah Vezzani.

Ms. Vezzani felt this building fits in well with the corporate park area. The Chair agreed.

The motion to grant a waiver from Section 21.14.1.B carried on a unanimous vote.

A motion was made by Roberta Mastrogiovanni that the Planning Board grant a waiver from Section 21.14.2.A - Visual Interest of the Land Development Code to allow for a uniform appearance of the building. The motion was seconded by Sarah Vezzani.

Ms. Vezzani felt the vertical windows would be nice for those working in the warehouse and they also help break up the large façade

The motion to grant a waiver from Section 21.14.2.A carried on a unanimous vote.

A motion was made by Roberta Mastrogiovanni that the Planning Board grant a waiver from Section 21.14.3.D - Site Design and Relationship To Surrounding Community of the Land Development Code to allow for off street parking to be located in front of the building where parking is normally required to be located on the sides and rear of buildings. The motion was seconded by Sarah Vezzani and was unanimously approved.

A motion was made by Roberta Mastrogiovanni approve PB-2025-03 as shown on the plan identified as “Douglas Company, Inc. Warehouse Facility” prepared by Fieldstone Land Consultants at a scale of 1 in. = 50 ft. dated January 17, 2025 and last revised February 10, 2025 and the architectural elevations prepared by BTH Architects at a scale of 1/16 in. = 1 ft. dated January 15, 2025 with the following conditions:

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

- A. The owner’s signature shall appear on the plan.
- B. Submittal of security for landscaping, sedimentation and erosion control and “as built” plans in a form and amount acceptable to the City Engineer.
- C. The Alteration of Terrain Permit number shall appear on the plan set.
- D. Submittal of five full-size paper copies and one digital copy of the final plan.

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

A. Prior to the commencement of site work, the Community Development Department shall be notified when all erosion control measures are installed and the Community Development Director, or their designee, shall inspect the erosion control measures to ensure compliance with this site plan and all City of Keene regulations.

B. The timeline to achieve Active and Substantial Development for Phase 2 shall be five years and shall commence on the date of issuance of a Certificate of Occupancy for Phase 1.

The motion was seconded by Mayor Kahn.

Ms. Vezzani stated this application does not have the potential for regional impact. She stated she appreciates the applicant desire to continue to stay in Keene as well as the effort put into this detailed plan to construct in a flood plain.

Mayor Kahn stated today's presentation not only shows the applicant's commitment to the city and felt it would enhance the look of Blackbrook Park as well.

Mr. Clancy stated he was happy with the driveway plan as presented. He felt the landscape plan fits in well with the parking lots being broken into two. He added he is happy with the overall plan.

The Chair stated he was happy with the project and the effort Mr. Noonan has put into the application. He also commended Mr. Clark for his commitment to the city.

The motion carried on a unanimous vote.

VI. Earth Excavation Permit – Determination of Application Completeness:

a) PB-2024-20 – Earth Excavation Permit Major Amendment & Hillside Protection Conditional Use Permit – 21 & 57 Route 9 – Applicant Granite Engineering LLC, on behalf of owner G2 Holdings LLC, proposes to expand the existing gravel pit located at 21 & 57 Route 9 (TMP#s 215-007-000 & 215-008-000). A Hillside Protection CUP is requested for impacts to steep slopes. Waivers are requested from Section 25.3.1.D & Section 25.3.13 of the LDC related to the required 250' surface water resource setback and the 5-ac excavation area maximum. The parcels are a combined ~109.1-ac in size and are located in the Rural District.

Ms. Brunner stated staff has included a memo in the Board packet (starts on page 98) to provide some context and overview of this item. Also included is a memo is review from the third party , Field Stone Consultant who has been hired on Board's behalf to review the materials. The applicant is also here tonight in case there are any questions from the Board.

The Chair noted the consultant has recommended completeness.

A motion was made by Roberta Mastrogiovanni that the Planning Board accept PB-2024-20 as complete. The motion was seconded by Sarah Vezzani and was unanimously approved.

Ms. Brunner stated the vote tonight is just about completeness but it is up to the Board as to whether they want to hear from the applicant or the public.

The Chair invited the public to address the Board.

Mr. Jim Hanley of 67 Tyler Lane address the Board. He stated his property is on the southern boundary which abuts the quarry. He stated during the winter he noticed one of the streams had been flagged for wetland analysis. One stream is on his property and one traverses his property. Mr. Hanley stated he would like to see copies of these wetland reports. He stated there is also a road of historic significance and prior to development, he felt this road needs to be researched. He also asked for geological surveys completed on this property. He also referred to vibration he felt in his home.

Mr. Hanley stated he has a pond at the rear of his property; .10th of an acre, 1,800 feet from the property line and added that this pond has been abnormally low. He stated he would also like a seismic monitor to monitor the vibration from his property. Mr. Hanley stated he has concerns about this work being planned.

Ms. Fortson addressed the Board and stated at the January meeting the Board decided this was a development of regional impact. As part of that process, per state statute, staff notified Southwest Regional Planning Commission as well as the Town of Sullivan. She stated the Earth Excavation Standards require that this Board vote on completeness of this application. After which timed a public hearing would be set for the next Planning Board meeting. Ms. Fortson stated it was acceptable for the Board to take public comment tonight but all that the Board is considering tonight is whether or not the application has met the necessary criteria for submittal items. Ms. Fortson stated she has been reviewing the application with both the consultant and the applicant. The consultant feels, as outlined in their memo on page 100 that all necessary items have been submitted to accept this application has complete. This does not indicate that the materials comply or don't comply, it just indicates that the necessary material have been received.

Ms. Vezzani asked staff to explain the next steps for the public's benefit. Ms. Brunner stated if the Board votes to accept this application as complete tonight, per the regulations outlined in the Land Development Code, it would next go to the Keene Conservation Commission at their next meeting on March 17th where they will be conducting a site visit. The timing of that has to be confirmed, but it is likely at 4:00 PM and then the Conservation Commission meeting is at 5:00 PM. Mr. Hanley asked whether he would be notified of this meeting. Ms. Brunner stated the agenda would be online a week before the meeting but if Mr. Hanley signs up at keenenh.gov for email updates he would be notified. Mr. Hanley asked how he gets access to the various reports completed for this site. Ms. Fortson stated she would be happy to reach out to Mr. Hanley.

The Chair asked whether Southwest Regional Planning Commission or the Town of Sullivan has responded to the city. Ms. Brunner stated the Southwest Regional Planning Commission is planning on submitting a memo with their comments, once the public hearing date is set but no formal correspondence has been received from the Town of Sullivan yet.

The Chair closed the public hearing.

Ms. Vezzani and Mr. Clancy stated they were comfortable voting for completeness.

The Board voted unanimously to accept PB-2024-20 as complete.

VII. Master Plan Update (<https://keenemasterplan.com/>)

Ms. Brunner stated the task forces that were formed for each of the six pillars for the community vision have already had their first round of meetings in January. Some of them have met a second time. They are ready to draft list of goals for each pillar, and then moving forward they will be drafting strategies. There have also been a lot of youth engagement that has been happening. Mr. Clements and Ms. Fortson attended an architecture class at Keene State College recently and got some great feedback and that has been documented. The new Community Development Director and the Planning Technician will be attending the High School - Mayors Youth Summit to get some input some high school students. Staff will also be presenting to the 8th graders at Keene Middle School - environmental unit and will be talking to them about the environmental impacts, transportation, land use, solid waste management, and energy. They will be building this into their unit and send staff feedback.

This input is coming in later than was planned, the committee will be releasing the prioritization survey in about 3-4 weeks to the larger community which will be used to build out an implementation plan.

The next step after that is to develop a draft future land use map which will be shared with the wider community using online story maps.

The future summit is scheduled for Tuesday, June 3rd at 5:00 PM at Heberton Hall where the draft plan will be unveiled.

Ms. Vezzani stated someone in the community had suggested flyers with QR codes that lead to the website that has the six pillars. Ms. Brunner stated staff could put another round of those flyers.

VIII. Staff Updates

Ms. Brunner introduced Paul Andrus, the new Community Development Director. Mr. Andrus stated this is his second meeting and is impressed with the preparation planning staff come with to each meeting. He stated he and his family are glad to be back in the northeast.

IX. New Business

None

X. Upcoming Dates of Interest

- Joint Committee of the Planning Board and PLD – March 10th, 6:30 PM
- Planning Board Steering Committee – March 11th, 12:00 PM
- Planning Board Site Visit – March 19th, 8:00 AM – To Be Confirmed – The Chair state they have not had a quorum for site visits and encouraged Board members to let staff know of times that would work for everyone.
- Planning Board Meeting – March 24th, 6:30 PM

XI. More Time Items

- a) **Training on Site Development Standards – Snow Storage, Landscaping, & Screening**

XII. Adjournment

There being no further business, Chair Farrington adjourned the meeting at 9:33 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Emily Duseau, Planning Technician