



City of Keene Planning Board

AGENDA - AMENDED

Monday, June 23, 2025 6:30 PM City Hall, 2nd Floor Council Chambers

A. AGENDA ITEMS

- 1) **Call to Order** – Roll Call
- 2) **Minutes of Previous Meeting** – May 27, 2025
- 3) **Final Vote on Conditional Approvals**
- 4) **Public Hearing**
 - a) **Change of Governmental Land Use** – RSA 674:54 regarding the proposed use of the 2.67-ac parcel at 0 West St (TMP# 577-047-000) for temporary construction material storage during the Island Street Infrastructure project. This site will be used in addition to the storage area at 0 Island St (TMP# 583-018-000) that was presented to the Board in May of 2024. The property is owned by PSNH (dba Eversource) and is in the Commerce District.
- 5) **Master Plan Update** ([KeeneMasterPlan.com](https://www.keenemasterplan.com))
- 6) **Staff Updates**
- 7) **New Business**
- 8) **Upcoming Dates of Interest**
 - Joint Committee of the Planning Board and PLD – July 14th, 6:30 PM
 - Planning Board Steering Committee – July 15th, 12:00 PM
 - Planning Board Site Visit – July 23rd, 8:00 AM – To Be Confirmed
 - Planning Board Meeting – July 28th, 6:30 PM

B. MORE TIME ITEMS

1. Potential Modifications to the Site Plan Review Thresholds
2. Training on Site Development Standards – Snow Storage & Landscaping

C. ADJOURNMENT

City of Keene
New Hampshire

PLANNING BOARD
MEETING MINUTES

Tuesday, May 27, 2025

6:30 PM

**Council Chambers,
City Hall**

Members Present:

Mayor Jay V. Kahn
Armando Rangel
Ryan Clancy
Kenneth Kost
Michael Hoefer, Alternate
Stephon Mehu, Alternate

Staff Present:

Mari Brunner, Senior Planner
Evan Clements, Planner
Megan Fortson, Planner

Members Not Present:

Harold Farrington, Chair
Roberta Mastrogiovanni, Vice Chair
Councilor Michael Remy
Sarah Vezzani
Randyn Markelon, Alternate
Tammy Adams, Alternate

I) **Call to Order**

Senior Planner Mari Brunner called the meeting to order at 6:30 PM. Ms. Brunner stated there is no Chairman or Vice-Chairman at the meeting today. She next called the roll and then asked that the Board nominate a Chair Pro Tem. Ms. Brunner asked the two Alternates to join the meeting as voting members.

A motion was made by Kenneth Kost to nominate Armando Rangel as Chair Pro Tem. The motion was seconded by Stephon Mehu and was unanimously approved.

The Chair Pro Tem addressed the Board and stated for members of the public attending the meeting to hear about the gravel pit applications, the Board received a request from the applicant to continue the public hearing for this project to the July 28th Planning Board meeting. During the public hearing this evening, the applicant will present the request for a continuance of the public hearing, provide an update on the status of the project, and answer any relevant questions from Board members. Public comment will not be accepted during this agenda item.

II) **Minutes of Previous Meeting – April 28, 2025**

A motion was made by Kenneth Kost that the Planning Board approve the April 28, 2025 meeting minutes. The motion was seconded by Michael Hoefer and was unanimously approved.

III) **Final Vote on Conditional Approvals**

Chair Pro Tem stated this is a new, standing agenda item. As a matter of practice, the Board will now issue a final vote on all conditionally approved plans after all of the “conditions precedent” have been met. This final vote will be the final approval and will start the 30-day appeal clock. He asked Staff whether there were any applications ready for final vote.

Ms. Brunner stated there was one application that was ready for final approval this evening. It is PB-2024-22, which is a subdivision at 0 Ashuelot Street for the Monadnock Conservancy.

A motion was made by Mayor Jay Kahn that the Planning Board issue final site plan approval for PB-2024-22. The motion was seconded by Michael Hoefer and carried on a unanimous vote.

IV) **Continued Public Hearing (To be continued to the July 28, 2025 Planning Board meeting.)**

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 Sections 25.3.1.D, 25.3.3, 25.3.6, and 25.3.13 of the LDC related to the 250’ surface water resource setback, excavation below the water table, toxic or acid forming materials, and the 5- ac excavation area maximum. The parcels are a combined ~109.1-ac in size and are located in the Rural District.

Ariane Ice, Attorney for G2 holdings, and Justin Daigneault from Granite Engineering addressed the Board. Attorney Ice stated they are requesting a continuance for this application to the July meeting. Attorney Ice stated on a technical side, the applicant is still working through some things, and she thinks there are some things that they can do to strengthen the application. She stated their goal is to get the project in front of the Board with a complete application and would like more time to accomplish that.

Mr. Clancy asked for more detail as to why this continuance needs to happen. Attorney Ice stated she has just been brought in, and there are some elements that have been raised by the Board, residents, abutters and other towns. The applicant wants to make sure those concerns are addressed.

Attorney Ice added Fieldstone Land Consultants Engineers are still working through their review of the application. Mr. Daigneault stated Fieldstone was provided with a packet of information, which the engineer has not been able to review in a timely manner because of personal and health issues.

Mr. Clancy asked whether the applicant could go into detail about the concerns the surrounding communities have been having. Attorney Ice stated she would like to present those concerns in

an organized application. She stated that until her client signs off on what they want her to present, she would prefer not to have a back and forth. Mr. Clancy asked where those concerns are being raised. She stated the Town of Sullivan had a meeting in which residents have raised their concerns.

Mr. Clancy noted this application was submitted in March and asked why these waiver requests are being submitted now. Mr. Daigneault stated it is because of things that were brought up by the third-party review, which suggested the need for additional waivers. He added that nothing in the project has changed. Attorney Ice indicated the third-party review is an arm of the City reviewing items.

Planner Megan Fortson provided a review of this application process. She explained that at the February 24th Planning Board meeting, this application was accepted as complete. At the February 24th meeting, the public hearing was set for the March 24th Planning Board meeting. At the March 24th meeting, the applicant had asked that the application be continued to the May 27th meeting. Ms. Fortson stated the City regulations regarding earth excavation are complicated. For instance, the regulations indicate a third party needs to be hired by the City, and, at this point, the third-party reviewer is working with the applicant. The applicant wants to make sure they submit a complete application to the Board. This is the reason for the extension request to the July 28th meeting. Ms. Fortson stated Staff recommend that the Board ask the applicant clarifying questions related to the application materials, but the Board would not be accepting any public comment this evening. However, if the Board has any technical questions about those aspects of the project, those questions are appropriate to ask.

Councilor Remy asked to clarify if the applicant is asking for a continuance, and if the Board is inclined to issue the continuance, would it also be appropriate for the Board to hold questions until the July 28th meeting or if there is a particular reason those questions need to be raised now. Ms. Fortson stated it is up to the Board if it would like to hold questions until the public hearing. The Chair Pro Tem stated the additional information about the updates for this application were very helpful to understand what the application is going to be submitted. He continued by stating he agreed this is a very technical application the applicant is going through.

Mr. Hoefer stated he had no issue granting a continuance so the applicant has time to work on this item.

A motion was made by Mayor Kahn to continue the public hearing on PB-2024-20 to the Planning Board meeting on July 28th at 6:30pm in Council Chambers on the 2nd floor of City Hall. The motion was seconded by Councilor Remy.

Mr. Clancy asked Staff why public comment was not permitted. Ms. Brunner stated the reason Staff recommend the Board not take public comment this evening is because the Board should have complete information before deliberation. She stated, however, it is up to the Board if it wanted to take public comment tonight, but it would be testimony the Board would not be acting on right away. Staff recommend that the Board wait to hear public comment until the meeting in which a decision would be made and when the applicant would be prepared to respond to concerns and present a complete application. The Chair Pro Tem stated he was in favor of the Staff recommendation.

The motion to continue the public hearing on PB-2024-20 carried on a unanimous vote.

V) **Boundary Line Adjustment**

a) **PB-2025-10 – Boundary Line Adjustment – 37 & 38 Grimes Rd** – Applicant Cardinal Surveying & Land Planning, on behalf of owners Christopher & Jennifer Tattersall & the Margaret A. Heatherman Trust, proposes to transfer ~10.35-ac of land from the ~31- ac parcel at 37 Grimes Rd to the ~29-ac parcel at 38 Grimes Rd (TMP#s 237-026-000 & 236-015-000). Both parcels are located in the Rural District.

A. **Board Determination of Completeness**

Planner Evan Clements stated the applicant has requested exemptions from submitting separate existing and proposed conditions plans, all technical reports, and a plan showing the metes and bounds of all parcels. After reviewing each request, Planning 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 Michael Hoefer to accept Application PB-2025-10 as complete. The motion was seconded by Council Remy and was unanimously approved

B. **Public Hearing**

Ms. Wendy Pelletier of Cardinal Surveying addressed the Board next. Ms. Pelletier stated this was a simple boundary line adjustment. The plan as presented is taking 10.34 acres from the Heatherman parcel and adding it to the Tattersall parcel. Ms. Pelletier referred to a plan and stated that the Heatherman Trust owns everything shown in green. She indicated the Heatherman Trust's parcel has frontage on Chesterfield Road, and 76 feet of the lot bounds Stearns Road.

Mr. Mehu asked when the tax map lot 15 changed from 16 and 15 to just 15. Ms. Pelletier stated she believes it was during this past winter.

The Mayor asked for the purpose of this boundary line adjustment. Ms. Pelletier stated the lot belongs to the Heatherman Estate; the estate is being finalized, and the original plan was for a subdivision for each of the siblings until Tattersall requested to purchase the lot. The Mayor asked whether it would remain a buildable lot. Ms. Pelletier stated there is currently a house on lot 26 that would remain with a driveway and frontage on Grimes Road and Stearns Road. This concluded Ms. Pelletier's comments.

Staff comments were next.

Planner Evan Clements addressed the Board and stated the subject parcels for this application are located in southeast Keene, north of Arch Street and west of Stonewall Farm.

Grimes Road connects to Arch Street approximately 2,500 feet to the northeast of the Route 9 intersection and provides street access for only the two subject parcels. The property at 37 Grimes Road is an existing parcel of approximately 30-acres. On the east side is the single-family residence with a detached garage and in-ground pool.

Mr. Clements went on to say that the property at 38 Grimes Road is an existing 29-acre parcel on the west side of the road with a single-family residence and detached garage. The applicant proposes transferring approximately 10 acres of land from the northern portion of 37 Grimes Road, shown as parcel A on the subdivision plat. The land transfer, combined with a recent lot merger, will bring 38 Grimes Road to just about 40 acres in size and reduce 37 Grimes Road to approximately 20 acres in size. He noted there is no development proposed as part of this application beyond the transfer of land between these two existing parcels; no new buildable lots are being created as part of this application.

Mr. Clements stated that after reviewing the application, Staff have made a preliminary evaluation that the proposed boundary line adjustment does not appear to have the potential for regional impact as defined in RSA 36-55; however, the Board will need to make a final determination on that matter.

Character of the land for subdivision – Mr. Clements stated both parcels are characterized by areas of open field and forest. There are some slopes, potentially some wetlands, but those factors were not evaluated as part of this application. Both lots contain single family residences with associated site improvements. That standard has been met.

Scattered or Premature Development – This application does not propose the creation of any new lots or development. This standard is not applicable.

Preservation of Existing Features – There are no changes proposed to any of this land. This standard is not applicable.

Monumentation – The applicant proposes installing rebar pins at all corners along the proposed boundary line. Planning Staff recommend that the Board include a condition of approval related to the inspection of lot monuments or the submittal of security to cover the cost of lot monumentation inspection prior to final approval of this application. That standards been met.

Special Flood Hazard Area – This land is not in any special flood hazard area This standard is not applicable.

Fire and Water Supply – This application does not propose any new development to evaluate for this item as well as utilities. There is no change to the real-life conditions of this land.

Mr. Clements reviewed the proposed motion. This concluded Staff comments.

There was no public comment.

Councilor Remy stated he could not find any issues with what is being requested.

C. Board Discussion and Action

A motion was made by Councilor Remy that the Planning Board approve PB-2025-10 as shown on the plan identified as “Boundary Line Adjustment” prepared by Cardinal Surveying & Land Planning at a scale of 1 inch = 80 feet on April 18, 2025 and last revised May 6, 2025, with the following conditions precedent prior to final approval and signature of the plans by the Planning Board Chair:

1. Owners’ signatures appear on the proposed BLA plan.
2. Submittal of four (4) full-sized paper copies and two (2) mylar copies of the plans.
3. Submittal of a check in the amount of \$51 made out to the City of Keene to cover recording fees.
4. Inspection of the lot monuments by the Public Works Director, or their designee, following their installation, or the submittal of a security in a form and amount acceptable to the Public Works Director to ensure that the monuments will be set.

The motion was seconded by Mayor Kahn.

Councilor Remy asked for clarification as to why the lot monuments inspection is being included as a condition precedent, as it is ordinarily included as a condition subsequent. Mr. Clements stated the mylar plans cannot be recorded until the monuments are in the ground or a security would need to be obtained.

The motion carried on a unanimous vote.

VI) Master Plan Update (KeeneMasterPlan.com)

Ms. Brunner addressed the item and stated the Future Summit is scheduled for Tuesday, June 3 at Heberton Hall from 5 pm to 7 pm. She indicated the Cheshire Children’s Museum has agreed to provide free childcare for children who are potty trained. The kids will be working on a Cardboard City activity.

Ms. Brunner stated the first part of the event would be a few short presentations. The majority of the meeting will be an open house with stations around the room. There will be three major stations that mimic the master plan.

First, Station 1 will explain the planning process for the master plan and the public engagement that was done as part of the planning process.

Next, Station 2 will review the six strategic pillars, and it will include the goals for each of those pillars. People will have an opportunity to vote on goals the Master Plan Steering Committee is working on prioritizing.

Finally, Station 3 will go through the future land use map and implementation.

In addition to the three stations, there will be a couple copies of the draft plan available for review. There will also be a free raffle drawing at the event.

Ms. Brunner encouraged the Board to attend.

The Mayor asked whether the goal is that the top five ideas would be identified for each pillar and attendees will then identify the top priority under each pillar. Ms. Brunner started the prioritization survey identified the subgroup of action steps for each goal area. There are items within each pillar; specifically, there are four to six goals for each pillar. Then, each goal has a set of actions. The Committee was able to narrow it down to four to six top action steps per pillar. The plan at the Future Summit is to give attendees another opportunity to help figure out what the top goal area is for each pillar.

Mr. Kost noted the Master Plan is nearly complete and asked whether an opportunity to influence the plan at the Future Summit would be a priority. Ms. Brunner stated the focus for the Summit is to reveal the draft Master Plan. The other piece is to get some last-minute feedback. She added the Committee is not expecting to have to change anything drastically at this point. The June 3rd event is to present the draft to the public, but then the Steering Committee will have to work their way through it. The Steering Committee will be meeting on June 10th to start that process.

Mayor Kahn stated he has a problem with the “Flourishing Environment” pillar name. He noted the plan says nothing unique about Keene and our environment. Our natural environment is one of the most attractive and most important features in attracting people to our city. The Mayor felt that failing to say that as one of the pillars would diminish the importance of that pillar. He asked that this be conveyed to the Committee.

VI) More Time Items

a) Potential Modifications to the Site Plan Review Thresholds

Ms. Brunner stated this item was addressed at the last Planning Board meeting and Board members were asked to e-mail Staff directly with any thoughts about the site plan review thresholds. She stated Staff has heard from two Board members and Staff does not have enough information to bring the comments forward to the entire Board. She reminded the Board to look at the slides and questions Ms. Fortson sent out. She added if there is a proposal to change the site plan review thresholds it has to go before the Planning Board and City Council to get adopted.

b) Training on Site Development Standards – Snow Storage & Landscaping

Snow Storage: Ms. Brunner stated this standard is really about making sure that when someone comes forward for site plan review, they have thought through where snow is going to be stored on their site. For instance, the standard makes sure snow cannot be stored in parking spaces that are required under zoning or that an applicant doesn’t push snow onto a neighboring property. This standard also makes sure snow is not being pushed into surface waters or routed in any sort of way that would cause erosion.

Ms. Brunner referred to a site plan from Mint Car Wash as an example. The site plan indicates where snow can be stored and where snow cannot be stored. Snow cannot be stored in the area

indicated as such on the site plan because it is the compensatory storage area they have created to meet the flood plain development regulations.

Landscaping: Ms. Brunner stated the landscaping standards for parking lots are located in the Zoning Regulations in Article 9 of the Land Development Code. The Planning Board's role with site plan review is either to verify that the applicant meets those standards in zoning, or the Board has the ability to approve an alternate landscaping plan, as long as the Board feels that it meets that same intent and standard as the zoning regulations require.

Ms. Brunner referred to an image from the Land Development Code - Article 9, which shows the different requirements for the perimeter landscaping requirement. The intent of this is to screen parking lots from adjacent public rights of way and residential properties. It requires that the perimeter landscaping is at least eight feet in depth, and this is so trees can survive and thrive.

You also have to have one shade tree every 30 feet. However, those can be evenly spaced or grouped.

You can substitute two ornamental trees for one shade tree. You also need to have one evergreen shrub every three feet, which is at least three feet tall at maturity, with the spread of at least two feet. The remainder is ground cover, plantings, mulch or other permeable landscape surface. You can substitute a solid fence or wall.

Ms. Brunner next referred to interior landscape areas. For parking lots of 10 or more spaces, you have to have one tree for every 10 parking spaces. In this instance, you can substitute three ornamentals for one tree. For lots of 50 spaces or more, 10% of the area of the parking lot has to be landscaped and then more than half of that needs to be in continuous strips or large islands that are eight feet wide. She noted this section also talks about providing protection from vehicles, which means curbs, wheel stops, etc.

If someone were to strictly follow these regulations, the plan can be approved as they meet zoning standards. However, oftentimes, people will come in with an alternative landscaping plan, which would require review by the Board, and the Board needs to determine whether or not this meets the intent of the landscaping standards and zoning.

In addition to the requirements in Article 9, the Board has its own standards in Article 21. For example, applicants cannot use invasive plant species for landscaping. They need to be in compliance with the regional climate conditions. The Board would encourage an alternative to turf grass lawn whenever possible. The Board's regulations require Best Management Practices. The regulations states that an applicant *needs to ensure sufficient soil volume, composition and nutrient balance for the health of the plant*. Ms. Brunner noted Staff does not often check this requirement. However, Staff does ensure that plants being installed in an area that was previously paved, or had hard packed gravel, have at least 300 cubic feet of permeable native soil and that the opening they dig is at least three feet by six feet. Staff have seen that when they do not verify these requirements, plants do not survive after being installed.

Ms. Brunner went on to say protective devices are required during construction. If there are existing trees that are proposed to remain on the site, the City requires fencing to be placed around them so that during construction those trees are protected.

In terms of location, the landscaping can't impede the visibility or safety of pedestrians, bicyclists and motorists. Staff also try to review to make sure utilities both underground and overhead are avoided. There is a requirement for landscaping to be maintained. Any plants that die or become severely damaged are supposed to be replaced within one year.

Modification to an Approved Landscaping Plan: Regulations are very specific about what Staff can and cannot approve. Regulations say that Staff can approve a minor revision if there is no reduction in the quantity or size, no change in the proposed location, and the proposed plants are of the same general category. For example, shade, ornamental or evergreen.

Ms. Brunner stated the biggest issue with this list is the *no change in the proposed location*. She continued by stating about half of the time, if an applicant comes in to request a modification in their landscaping plan, it is because they ran into something and realized they have to move a tree to a different location. The other half of the time, applicants may request to substitute one type of planting for a different one, because whatever they put on the landscaping plan isn't available at the nursery. The way Staff usually address these requests is if an applicant is proposing to locate a plant in the general area, but potentially not the exact same location, Staff would often approve that request. If the plant is to be moved to an entirely different location, those plans will be forwarded to the Board for its approval.

Submittal Requirements: Staff require the submittal of a landscaping plan that shows the location, species, size of the planting, landscape materials at planting and at maturity. She referred to a landscape plan submitted by Douglas Cuddle Toys, which, for example, shows the plant symbols. They show the drip line at planting, dimensions, quantity, size at planting, and size at maturity. Ms. Brunner also noted that the submittal requirements include a table showing the number of plantings required under our zoning regulations as well as installation details to ensure plant health.

Ms. Brunner noted the Board requires the submittal of a security for landscaping to ensure that all landscaping installed on a site survives one full growing season after installation, which is a minimum of one year. When the applicant installs landscaping, it is inspected by Staff to make sure all of the plants that are shown on the plan are actually planted on the site. Staff then come back a year later and make sure that they all survived, which enables an applicant to get their security returned for the landscaping. Ms. Brunner reviewed some examples of sites that required replacement of trees. The Mayor asked how long in the future an applicant is held accountable for landscaping. Ms. Brunner stated the security is only for a year, but at any time in the future, if a plant dies, the applicant is supposed to replace it within a year. Ms. Brunner stated Staff do not go out and proactively make sure landscaping associated with these site plans are still healthy and thriving. However, every once in a while, there will be a complaint and Staff at that point will work with the owner.

Ms. Fortson added that there is a provision in the Board's regulations for landscaping that says *landscaping should be considered a site element*, similar to parking spaces. Even though Staff does not perform regular inspections, there is a standard to hold them accountable.

It is considered a part of their site plan that should remain in place and an applicant can be held to that standard.

Mr. Kost referred to the slide Ms. Brunner had previously referred to and asked for clarification if an applicant comes to the Board and does not want to keep to that specific design, but is then required to go before the Board, what would the intent be. Is the intent to fully screen the parking area so it acts as a visual barrier or is the intent to deal with stormwater, etc.

Ms. Brunner stated the intent is in Article 9 and referred to that language:

The Planning Board may approve an alternative design for interior landscaping or perimeter landscaping of parking lots as a part of a site plan review if they determine the proposed design generally meets the intent of this article.

The Chair Pro Tem stated his thought is it would more or less break up the elements that could be seen.

Ms. Brunner referred to the purpose statement for this article:

#4 ensure appropriate site location and design features that mitigates the impact of parking on other land uses and surrounding neighborhoods, promote parking designs that minimize runoff and incorporate infiltration of stormwater into the ground.

Ms. Brunner stated she had not heard anything about breaking up the massing but stated she had had heard from past Board members that was one of the original reasons for requiring interior parking lot landscaping. Specifically, the reasoning would be to break up that large expanse of pavements and reduce the urban heat island effect. Mr. Kost started his understanding then is that the reasoning would not be to provide screening for the cars, but rather to break up the expanse of the parking area. Ms. Brunner agreed it doesn't specifically say that it has to be fully screened. The purpose statement talks more about mitigating impact on surrounding properties than screening.

Councilor Remy pointed out that there are sections, such as in 9.44, which state: *on site parking shall not be visible from the public right away unless the following standards are met:* and felt it is meant to screen the area.

Mr. Hoefer clarified in a situation in which the City is constructing a parking lot and can't meet an eight-foot buffer, would the city in that situation have to come before the Board for an exemption. Ms. Brunner stated there is a practice where anytime the City does something, an application would ordinarily have to go through a waiver process, and the City would have to abide by those same rules.

Mr. Clancy asked Staff to talk about enforcement for snow removal and landscaping and what the department would do in that instance and what the public can do to help.

Ms. Brunner stated there are a couple of ways. For example, if somebody sees something that they just want Staff to check, the public can contact the department. This can be done by calling the department, emailing the department, or there is also a way to submit a complaint on the city website. She indicated their department includes planning, code enforcement, building, zoning and health.

Pro Tem Rangel stated whenever the Board reviews applications, snow storage and removal is well laid out, except for instances in which there is a concern as to if there is enough room on a

property to store snow. However, the Chair Pro Tem felt the issue that was raised regarding whether the storing of snow in a specific location could cause erosion was a good item to keep in mind as the Board reviews applications. He asked whether there were any additional specific items the Board should keep in mind when reviewing applications. Ms. Brunner stated challenging topography was something to keep in mind, specifically in the downtown area where the entire site is paved. In that instance, an applicant would need to make sure there is enough space. Otherwise, a note is often included on the plan indicating the applicant would haul snow off site and snow would be stored in a location that would end up in a brook, etc.

VII) Staff Updates

None

VIII) New Business

None

IX) Upcoming Dates of Interest

- Joint Committee of the Planning Board and PLD – June 9th, 6:30 PM
- Planning Board Steering Committee – June 10th, 12:00 PM – The full agenda packet can be found on the Planning Board webpage at: keenenh.gov/planning-board.
- Planning Board Site Visit – June 18th, 8:00 AM – To Be Confirmed
- Planning Board Meeting – June 23rd, 6:30 PM

There being no further business, Chair Pro Tem adjourned the meeting at 7:54 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Emily Duseau, Planning Technician



MEMORANDUM

TO: Planning Board

FROM: Community Development Staff

DATE: June 13, 2025

SUBJECT: Agenda Item A.3 - Final Vote on Conditional Approvals

Recommendation:

To grant final approval for any projects that have met all their “conditions precedent to final approval.”

Background:

This is a standing agenda item in response to the “George Stergiou v. City of Dover” opinion issued by the NH Supreme Court on July 21, 2022. As a matter of practice, the Planning Board issues a final vote on all conditionally approved projects after the “conditions precedent to final approval” have been met. This final vote will be the final approval and will start the 30-day appeal clock.

As of the date of this packet, there are no applications ready for final approval.

If any projects meet their conditions precedent between date of this packet and the meeting, they will be identified and discussed during this agenda item.

All Planning Board actions, including final approvals, are posted on the City of Keene website the day after the meeting at [KeeneNH.gov/planning-board](https://www.keeneNH.gov/planning-board).



June 11, 2025

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

RE: Island Street Road Reconstruction Project – Parcel No. 577/047

Dear Mr. Farrington,

On behalf of the City of Keene Department of Public Works, we are writing to provide formal notification to the Planning Board, pursuant to New Hampshire RSA 674:54, relative to the Island Street Road Reconstruction Project and associated staging areas that have been acquired by the City's general contractor, the City's agent, SUR Construction West, Inc. (SUR) , for the project.

Specifically, SUR and the Keene Public Works Department will be utilizing the referenced parcel for temporary construction material storage for the scheduled Island Street Infrastructure project. An area approximately 100-foot by 100-foot on this vacant land in the middle of the parcel will be occupied for the storage of construction material. On May 20, 2024, the City of Keene Public Works Department presented to the Planning Board regarding the use of 0 Island St. (583 / 018) for use as a temporary construction material storage yard for this same project. Due to time constraints the project did not begin last summer (2024). In meeting with SUR the first week of June 2025, it was determined that due to some wetland areas as well as a significant amount of overhead electrical wires additional space for laydown will be required. SUR is proposing to use the lot at 0 Island St. for laydown of pipe and structures and using 0 West St. for storage of material such as gravel and sand. Material piles will be protected from erosion and the site will be protected from introducing any material to any adjacent properties. Any material introduced to West St. during transport will be swept daily or as directed by the City of Keene Public Works Department. The area could also be used to park construction equipment during off hours to eliminate the need for parking equipment in the public right of way (ROW)

SUR Construction West, Inc. coordinated and negotiated for the temporary occupancy of the site with the current parcel owner, Public Services of New Hampshire (d.b.a. Eversource Energy). At the end of the construction project, the site will be restored to existing conditions. A photo of the site is enclosed for your reference. The project has been awarded to SUR Construction with a corresponding Notice to Proceed (NTP) date of June 23rd. We anticipate that construction will be substantially complete in November 2025, with project closeout In accordance with New Hampshire RSA 674:54, we are providing with this notification a plan showing the portion of the

parcel to be occupied and requesting to provide a presentation and answer any questions that the public or Planning Board have at your regularly scheduled meeting on June 23rd, 2025.

If you have any questions or concerns prior to this meeting or would like to discuss, please feel free to contact me at 603-352-6550 or by email at bruoff@keenenh.gov.

Sincerely,

Bryan Ruoff, P.E.
City Engineer

CC: Paul Andres, Community Development Director
TJ O'Brien, Infrastructure Project Manager
Amanda Palmiera, City Attorney



1 inch = 138 Feet

www.cai-tech.com

June 9, 2025



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.



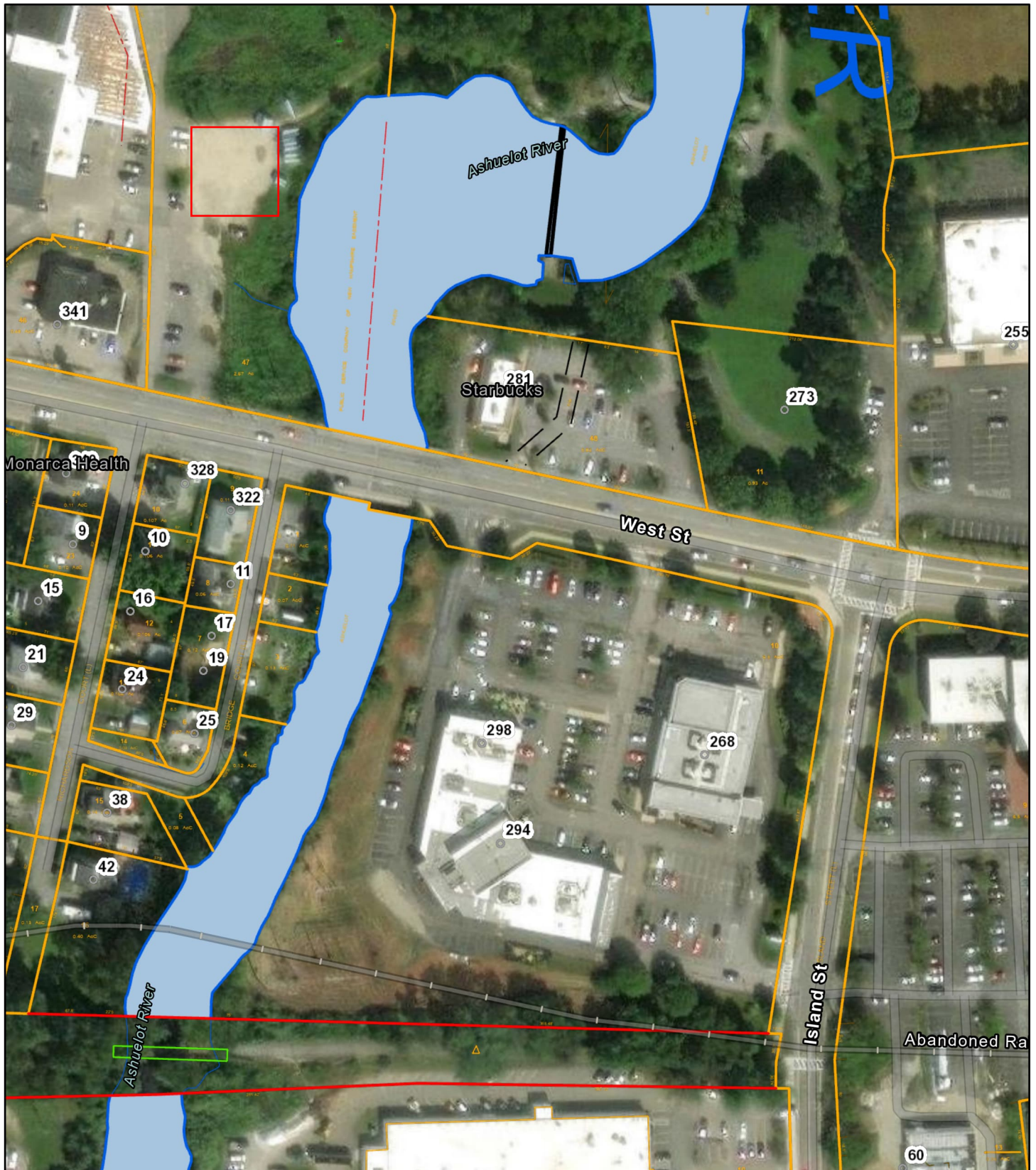
City of Keene, NH

1 inch = 138 Feet

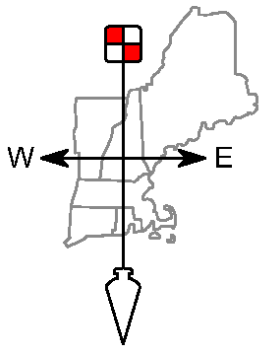


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June 11, 2025



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FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

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May 30, 2025

City of Keene – Planning Board
Community Development Department
3 Washington Street
Keene, NH 03431
Attn: Megan Fortson, Planner
Evan Clements, Planner
Mari Brunner, Senior Planner

RE: G2 Holdings LLC - Excavation Permit Package Review
Tax Map 215 Lots 7 & 8 – 57 Route 9 – Keene, NH

Dear Board Members,

As requested, Fieldstone Land Consultants, PLLC (Fieldstone) has performed a review of the documents submitted for the above referenced project. The following documents were submitted for our review:

- Response and Transmittal Letter prepared by Granite Engineering LLC, dated May 8, 2025
- Waiver Requests for Article 25.3.3 and Article 25.3.6, no date
- Surface Water Resource Setback Plan, dated May 9, 2025
- Stormwater Management Report, dated May 8, 2025
- Acid Mine Drainage Detection Initial Response Action Plan, dated April 6, 2025
- Stormwater Pollution Prevention Plan (SWPPP) for the current pit operations, dated January 31, 2023
- Revised Plan Set, last revised May 9, 2025

Fieldstone has completed a review of the materials provided against the City Land Development Code. More specifically the submission materials have been reviewed under Article 25 – Earth Excavation Regulations and Article 26 Section 26.19.4 which handles the Earth Excavation Permit.

The following comments are from our February 14, 2025 review. Granite Engineering's responses to our comments are represented in bold text and our current comments are in italicized text, as needed.

Section 25 Earth Excavation Permit:

1. Section 25.2B: This project will require state and federal permits and these permits have not been obtained yet. Fieldstone would recommend that these permits be considered as conditions of approval when and if the project reaches that point.

No response required.

It is our understanding that the state and federal permits for this project are still pending and as such Fieldstone still recommends that these be considered as conditions of approval should the Board move in that direction.

2. Section 25.2C: The reports prepared and submitted indicate that this project has the potential to cause adverse impacts associated with the excavation project operations. This section outlines hazards as noise, traffic, dust or fumes, visual impacts, degradation of roadways, erosion and soil instability, sedimentation, adverse impacts to surface and ground waters, loss or fragmentation of important habitat, air quality degradation, pollution of soils or diminution of the value of abutter properties. Based on the materials provided it appears that this project will result in adverse impacts to surface and groundwaters. This is clearly outlined in the Acid Mine Drainage Potential Report and we believe the stormwater management report does not currently adequately address the surface water conditions either.

Although the site's bedrock may exhibit potential acid-generating properties, this characteristic alone does not inherently make it so. Professionally engineered plans, a Hydrogeologic Investigation Report, Acid Mine Drainage Potential Report, and an Acid Mine Drainage Detection Initial Response Action Plan prepared by a professional geologist are included in this submission. As demonstrated in the submitted material, excavation activities will not adversely impact surface or ground water quality through the unearthing of toxic or acid-forming elements or compounds resident in the bedrock or soils.

Given that bedrock was encountered and has the potential to contain minerals that could lead to AMD, a waiver is required to proceed with bedrock excavation. This waiver is necessary to excavate the material on-site adequately. While AMD is uncommon in active New England quarries, our proactive approach includes initial testing, early detection protocols, and action plans, which are crucial for managing any potential adverse effects. These supporting documents have been included with this submittal.

All stormwater from bedrock excavation activities will be collected, contained, and infiltrated back into the ground. We anticipate zero runoff associated with the bedrock excavated areas discharging the site, effectively protecting surface waters from potential AMD. The revised Stormwater Management Report includes an analysis of the two proposed infiltration basins and the ability to infiltrate the stormwater up to and including the 50-year 24-hour storm event. In addition to reintroducing surface water to the ground, the proposed lining of the two infiltration ponds with 12 inches of crushed limestone gravel as a precautionary measure will help neutralize any potential for acid mine drainage.

The applicant has provided a waiver to address this comment as it relates to the projects potential to cause adverse impacts associated with the excavation project. The applicant believes that their proactive approach and proposal will satisfy the regulations which prohibit operations in areas that have the potential to cause Acid Mine Drainage. Should the Board feel comfortable approving this waiver we would recommend that the proposed Acid Mine Drainage Detection Initial Response Action Plan be reviewed by a third-party hydrogeologist. Fieldstone does not specialize in this area so we would recommend that the protocols and recommendations within this report be reviewed to ensure that they are in fact appropriate and reasonable action plans.

Part of this comment does also include surface water impacts as it relates to the Stormwater Management Report. Fieldstone has reviewed this revised report and we do not believe that the revised report accurately portrays the project under the post-conditions. Currently many of the subcatchment areas do not include impervious areas or include small amounts of impervious areas. This project will be a bedrock mining operation and as such there will be exposed vertical ledge faces and the restoration will consist of bedrock covered with loam and seeded in many areas. In HydroCAD, a shallow ledge area should be modeled using a subcatchment with a high runoff curve number (CN) and a suitable time of concentration (Tc). The CN should reflect the shallow ledge's limited permeability, potentially using a CN value between 80 and 90. This in our opinion would more accurately represent the post-construction conditions and associated stormwater runoff.

3. Section 25.3D: Surface Water Resources. The excavation perimeter shall be set back at least 250-ft, and the access driveway shall be set back at least 150-ft, from any surface water resource. The proposed excavation is located within 250-ft in a number of locations and the applicant is seeking a waiver from this section.

No response required.

It is our understanding that the Board still needs to consider this waiver request.

4. Section 25.3.3: The ground water table elevations need to be revisited in the reports.

There appears to be conflicting data from the test pits and soil borings regarding the location of the estimated seasonal highwater table. Depending on the results of this work other portions of Section 24.3.4 may or may not be applicable. For example, the excavation depths in Period 8 appear to show depths of excavation below the water table. Test pits and record boring logs show seasonal high-water tables that are encountered and proper separation for infiltration does not appear to be provided. Based on our review of the data it appears this project will need an exception from 25.3.3A as excavation appears to be proposed below 6 feet from the seasonal high-water table.

A groundwater monitoring well (SLR-12), installed by SLR International Corporation, observed a groundwater fracture within 18 inches of the existing ground surface. It is the project's intent to refrain from excavating this area. While there is no evidence that the fracture in which SLR-12 is located extends into the proposed excavation area, we are respectfully requesting this waiver to ensure continued compliance with Article 25.3.3.

The groundwater monitoring well which encountered high groundwater, is an anomaly. This particular well, drilled by a different company for another firm, unexpectedly encountered a high level of groundwater. The applicant noted during drilling that surface water was present nearby and appeared to be flowing into the well. It's important to note that a nearby well and test pit, located close to SLR-12, did not encounter any groundwater. Furthermore, all overburden and bedrock wells within the planned excavation area have also shown no groundwater.

While we believe the high groundwater reading in the anomalous well is likely inaccurate due to the observed surface water influence, we have taken care to avoid disturbing the adjacent grade. However, completely avoiding the adjacent area would unfortunately prevent the construction of a critical sedimentation pond. These sedimentation ponds are essential for effective site runoff control. They function by capturing and holding water, allowing sediment to settle out. This process is vital in preventing sediment from entering downstream water bodies and safeguarding water quality during the construction phase. If groundwater is actually encountered in the adjacent area, blasting operations will cease as MSHA, the protective protocols governing blasting, does not allow the blasting within groundwater. The floor of the basin is at elevation 842.00 and relatively half way between the wells. Based on this information, the water table was interpolated and estimated at 828.95.

The applicant's engineer has acknowledged that there is a conflict in the data provided but believes that the information submitted for Phase 1 by TFMoran likely does not accurately represent the conditions due to observed surface water in proximity to the well and therefore may be an anomaly. They have further stated that excavation within the groundwater is not permitted by MSHA and as such operation would cease at that time if groundwater was in fact encountered. They have also stated that the proposed stormwater features in this area are critical to the design of the site. We would recommend that further testing be performed in this

area to support the current design or third-party inspection of this area be performed during construction to verify that groundwater is not present. If groundwater is encountered this could significantly modify the proposal for the project and any associated changes would require local review and approvals.

5. Section 25.3.4.A.1: We have reviewed the soil logs and their proximity on the property. The number of observations appear to be appropriate at this stage but additional data may be required to support the current design. Additional investigation may also be required depending on the consultant's responses surrounding concerns for potential impacts.

See response to #4.

With the submission of the Acid Mine Drainage Detection Initial Response Action Plan Fieldstone would recommend that this be reviewed by a third-party Hydrogeologist to ensure that the protocols and monitoring are appropriate. At the Board's discretion, this could be reviewed as a condition of approval or prior to a vote on the waiver requests.

6. Section 25.3.4.A.2: The surface data table on Sheet 11 of 22 does not accurately represent elevations (existing and proposed) and separation to seasonal. The Hydrogeologic Investigation performed by SLR shows that boring log SLR-10 observed water at 840.1+/-, SLR-11 observed water at 817.8+/- and SLR-12 observed water at 888.5+/- . The finish grades in these areas appear to show interference. The plans do not show all of the record borings. For example, SLR-12 appears to be missing and the excavation at this location is approximately 855+/- which appears to be 30+ feet below the observed seasonal water table.



TABLE 1
GROUND SURFACE, WELL, AND GROUNDWATER ELEVATIONS
Tax Map 215, Lot 7
Route 9, Keene, New Hampshire
Project # 144.16535.00023

Well ID	Ground Surface Elevation (feet)	Proposed Excavation Depth	Well Elevation At Top PVC (feet)	Total Well Depth (feet)	Bottom Well Elevation from Ground Surface (feet)	PVC Well Screen Interval (feet)	Depth to Groundwater Date	Depth to Groundwater from Ground Surface (feet)	Groundwater Elevation (feet)
SLR-10	883 ±	854 ±	884.7 ±	55	828 ±	5-55	3/22/22	42.9	840.1 ±
SLR-11	863 ±	856 ±	865.3 ±	45.2	817.8 ±	5-45	3/22/22	dry at 45.2	817.8 ±
SLR-12	890 ±	858 ±	892.7 ±	39.5	850.5 ±	4.5-39.5	3/22/22	1.5	888.5 ±

The proposed grade at SLR-10 is 860.00 in period 1, and 855.00 in period 8. This grading is

approximately 15 feet above the observed water table found (840.1+/-). The proposed grade at SLR-11 is 880.00 in period 1, and 855.00 in period 8. This grading is approximately 37 feet above the observed water table found (817.8 +/-). SLR-12 is shown on sheets 5 and 10, and the existing grade at SLR-12 is 888+/- . The existing grade is to be maintained in this location. No excavation is occurring in this location.

The water table drops 22+/- feet between SLR10 and SLR11 and it is a relatively short distance between these two locations. We would recommend an additional test site between the two locations to ensure adequate separation to seasonal high water. This stormwater management area is critical to the design and operation of this site. This additional testing could be done between phases as a condition of approval should the Board feel comfortable with this recommendation.

7. Section 25.3.4B2: The data for the wells depicted on the plans (3 wells) should be provided and documented for baseline information. It would seem appropriate that the monitoring plan include one or more of these wells as well.

A revised monitoring plan has been developed and includes monitoring SLR 10, 11, and 12 that were previously installed.

This comment has been addressed.

8. Section 25.3.4B3A: The soil logs and borings in Period 8 do not seem to meet the requirements outlined in this section.

The section requires that wells be dug 50' below the proposed pit – if excavation is within the water table. SLR 10 and SLR 11 were both dug below the proposed pit bottom, and did not encounter the water table within our excavation limits. The proposed design does not propose excavating below the water table. SLR-12 is shown on sheets 11 and 16. It is currently located in the area between period 1 and period 8 in an area where grading is not anticipated. SRL-12 does show a water level greater than the adjacent proposed pit floor depth. All bedrock groundwater flow at the site is controlled by fracture flow and we have no evidence suggesting that the fracture in which SRL-12 is located extends into the excavation area. SLR-12 showed groundwater to be within 18" of the surface, however, both SLR-4 and test pit 6, both of which are within very close proximity to SLR-12, did not find groundwater. Overburden wells MW-1 through MW-8 did not encounter groundwater. Bedrock wells BRW-1 through BRW-6 did not encounter groundwater. Furthermore, due to the blasting means and methods, the excavation is limited to "dry-hole" areas only.

This comment has been addressed.

9. Section 25.3.4C: The proposed monitoring plan for this project does not match the frequency outlined in this section. The City shall determine if they are comfortable with the proposed frequency and if relief is required from this section of the regulations.

A revised monitoring plan has been provided that includes monitoring tables of both AMD and water level monitoring. It also includes both on-site and off-site water quality monitoring notes. See sheet 17.

This comment has been addressed.

10. Section 25.3.6: This section states “ When the proposed operation includes the excavation of bedrock materials, the applicant shall demonstrate that excavation activities will not adversely impact surface or ground water quality through the unearthing of toxic or acid forming elements or compounds resident in the bedrock or soils. Such demonstration shall be made by obtaining the opinion of a NH licensed engineer or professional geologist. Excavation of bedrock shall not be permitted where bedrock contains toxic or acid forming elements or compounds.” Per the Acid Mine Drainage Potential Report prepared by Frontier Geoservices this project has the potential to produce acid mine drainage. The report outlines that borings 1 through 8 have the elements or compounds that could produce acid mine drainage.

See Response to #2

The applicant has provided a waiver to address this comment as it relates to the projects potential to cause adverse impacts associated with the excavation project. The applicant believes that their proactive approach and proposal will satisfy the regulations which prohibit operations in areas that have the potential to cause Acid Mine Drainage. Should the Board feel comfortable approving this waiver we would recommend that the proposed Acid Mine Drainage Detection Initial Response Action Plan be reviewed by a third-party hydrogeologist. Fieldstone does not specialize in this area so we would recommend that the protocols and recommendations within this report be reviewed to ensure that they are in fact appropriate and reasonable action plans.

11. Section 25.3.7: This Section addresses Stormwater Management and states “Excavation activities within the excavation perimeter and the access driveway shall not cause adverse impacts from stormwater runoff and/or groundwater drainage, including erosion, sediment transport, water quality degradation, and/or increases in volume or velocity of water leaving the site”.
- a. The stormwater management report and design for this project is currently incomplete as it does not evaluate the pre and post conditions. The submitted report does not include preconstruction conditions or properly model the phasing of

the project and the phased conditions throughout the project.

A revised Stormwater Management Report has been updated to show the pre and post development flows from the project area to the wetlands and drainage culverts adjacent and under Route 9. There is a net decrease in peak flow during all storm events, up to and including the 100-yr storm event, per the request of the Conservation Commission. The two-year pre vs. post volumes for channel protection have also been met.

Fieldstone has reviewed this revised report and appreciates the additional information. As mentioned previously in this letter we do not believe that the revised report accurately portrays the project under the post-conditions due to the nature of the project. Currently many of the subcatchment areas do not include impervious areas or include small amounts of impervious areas. This project will be a bedrock mining operation and as such there will be exposed vertical ledge faces and the restoration will consist of bedrock covered with loam and seeded in many areas. In HydroCAD, a shallow ledge area should be modeled using a subcatchment with a high runoff curve number (CN) and a suitable time of concentration (Tc). The CN should reflect the shallow ledge's limited permeability, potentially using a CN value between 80 and 90. This in our opinion would more accurately represent the post-construction conditions and associated stormwater runoff.

- b. This should include monitoring the same observation points and modeling the closest downstream structures that route the runoff from the site.

See response above.

This comment has been addressed.

- c. The original approvals for this site included the submission of a stormwater management report prepared by TFMoran that properly evaluated the pre and post conditions and storm events. Since this is an expansion of this project we would anticipate a similar submission for the expansion of this project. The submission should also account for the phasing of the project showing that the project meets the standards throughout the phasing periods.

Two pre vs post drainage models have been analyzed, which include an interim phase showing the project meets pre vs post flows during the phasing periods. During this interim phase, the temporary sedimentation pond SF1 is to be expanded. This pond will detain and infiltrate all the stormwater associated with the subsequent phases of work. Upon completion of period 7, and during period 8, as the pit floor in period 8 is lowered, proposed infiltration pond SF8 will be constructed. This will capture and infiltrate all of the stormwater associated with the project.

This comment has been addressed.

- d. Other details to consider in the stormwater management report:
 - i. The model should account for ledge and the associated impervious conditions and shallow ledge. The post conditions do not account for the amount of exposed ledge or shallow ledge resulting from the project. All of the subcatchments show 0% impervious cover and low CN's for the actual anticipated conditions. We believe the CN's used are not representative of post-construction conditions.

Ledge and associated impervious conditions, including gravel haul roads, have been reflected in the updated drainage analysis.

See comment from number 11 above.

- ii. Outlet structures seem to have orifice plates bolted to headwalls but do not seem to provide for emergency outlets for larger storms or in the event of clogging.

Outlet structures for the use of emergency overflow devices have been added to SF5, SF6, and SF7. Hydrocad has been updated with these structures as well as the details (pond detail updated, OCS structure details have been provided.

This comment has been addressed.

- iii. The report should compare peak rates and volumes at the two observation points.

See response to 11a.

This comment has been addressed.

- iv. Confirm adequate depths to ESHWT are being provided.

Both the temporary sediment basin SF7 and the final proposed infiltration basin SF8 have the required separation to ESHWT. See response to 4.

This comment has been addressed.

- v. Verify inlet conditions and culvert cover for cross-culverts.

Inlet conditions have been verified, and minimum cover has been provided for all culverts.

This comment has been addressed.

- vi. Ditch (reach) modeling and capacity analysis should account for stone check dams.

Temporary stone check dams have been removed as ditches are proposed to be stone armored.

This comment has been addressed.

- vii. The report and plans need to include an inspection and maintenance manual outlining all stormwater practices with recommended inspection and maintenance.

An Operation and Maintenance Manual has been included in the stormwater report.

This comment has been addressed.

- e. It is unclear what the intentions are for handling stormwater and the transition between Phases or Periods.

See response to 11c.

This comment has been addressed.

- 12. Section 25.3.8: A review of site photographs and the plans provided shows that the project is currently not constructed per the prior approved plans. The drainage at the entrance is not completed and as such dust control and the transportation of dirt/mud off the site onto the adjacent roadway is occurring.

Plans have been revised to show improvements at the entrance. This work will include widening the paved apron, stone outlet protection, and grading a depression at the existing driveway culvert. Phasing notes have been added to sheets 5 and 10 to specify what items need to be completed associated with the access road and during which period. Additional notation has been included on sheets 5 and 10 that specify what items are to be constructed and when, based on the previously approved project.

This comment has been addressed.

- 13. Section 25.3.10: Note #21 of the Operations Notes makes reference to known important

Archeological sites. Please clarify if there are any such sites on-site.

Per a review by the NH Division of Historical Resources, there are no known resources to be impacted. This note has been eliminated.

This comment has been addressed.

14. Section 25.3.12: Per this section a fence or barricade shall be installed and the plans have a detail addressing this. Please clarify the intent regarding the timing of the installation of this fence for each phase or period of construction.

Operation notes have been revised to include the following: Earthen Berms Erected Around The Excavation Area Shall Be Placed Along The Outside Edge Of The Active Work Area But Not Within The Buffer Area, So As To Minimize The Visibility Of The Fence From Abutting Properties And Public Rights-Of-Ways. These Shall Be Erected At The Start Of Each Permit Period, And Shall Remain Until Pit Excavation Area Has Been Reclaimed.

This comment has been addressed.

15. Section 25.3.13: Per this section the excavation areas shall not exceed 5-acres. The applicant is seeking a waiver from this section.

No response required.

It is our understanding that the Board still needs to consider this waiver request.

16. Section 25.3.17: The access driveway and associated drainage and construction details does not appear to be completed as designed and approved for the initial approval of this project. This is evident if you compare the existing conditions plans with the details depicted on Sheet 10 of 22. There needs to be some clarification on what the intent is with the front end of this project and how it can be brought into compliance with the approved plans.

See response to 12.

This comment has been addressed.

17. Section 25.3.25: The plans should be revised to incorporate notes addressing record keeping per this section.

General note 27 on sheet 1 now reads: All logs required to be maintained by the applicant/operator shall be retained by the applicant for a period of not less than 5-years and

shall be made available to the community development department, or its designated agent, upon request.

This comment has been addressed.

18. Section 25.3.26: The applicant shall provide the Community Development Department copies of all local, state and/or federal permits required for this project.

No response required.

It is our understanding that the state and federal permits for this project are still pending and as such Fieldstone still recommends that these be considered as conditions of approval should the Board move in that direction.

19. Section 25.4.1D: To meet this requirement the Stormwater Management Report should appropriately model the pre and post condition design storms and evaluate observation points to ensure that the project will not have negative impacts to downstream areas. reclamation plan should be revised to incorporate notes from this section to ensure compliance with the City Code. This includes notes pertaining to incremental reclamation, topsoil, vegetation, monitoring and remediation as applicable.

The stormwater management report has appropriately modeled pre vs post conditions. The reclamation notes have been revised to include the pertinent notes from this section.

Please see comment from number 11 above.

20. Section 25.4.6: We would recommend that the reclamation plans be revised to incorporate the remediation note outlined in this section.

The reclamation notes have been revised to include the following: Excavation operations that cause adverse impacts shall abate and/or remediate those impacts, restoring all affected areas to pre-impact conditions. Reclamation shall not be said to be complete until all adversely impacted areas have been successfully remediated.

This comment has been addressed.

Plan Review – General Review Comments:

1. Sheet 1 of 22 – Operations notes #3 should mention the 250-foot wetland setback to excavation setback as applicable too.

General note #21 has included this information.

This comment has been addressed.

2. Sheet 1 of 22 – Operations notes #10 is not correct. The subject site is not self-contained and this note should be revised accordingly. There are areas of the site that are not self-contained including but not limited to existing access roads, etc.. This note misrepresents current and proposed conditions.

Operations Note 10 has been revised.

This comment has been addressed.

3. Sheet 1 of 22 – Operations notes #17 appears to conflict with the updated existing conditions plan as fuel is currently stored on-site. We would recommend the preparation and submission of a Source Control Plan due to the presence of hazardous materials on-site and the nature and size of the proposed project.

Note 17 has been removed. Refer to fueling notes on sheets 5 and 10. Fueling operations are proposed to be in compliance with Env-WQ 1510.08. Spill prevention measures currently on-site are located in the job trailer and consists of 55 gallon drum MS spill prevention barrels.

This comment has been addressed.

4. Existing Conditions Sheets should show setbacks and buffers. The limit of disturbance line on the updated existing conditions plan seems to represent a wetland impact on the east portion of the site. Please clarify and correct plan as applicable.

The excavation, drainage, and erosion control plan show both the current limits and proposed limits of disturbance, as well as all surface water / wetland setbacks. The area in which the existing conditions plan shows disturbance within a wetland is an existing disturbed area that has been restored and confirmed by Ecosystems Land Planning and by the City of Keene. See response to item #13.

As long as City Staff is satisfied with this response Fieldstone believes this comment has been addressed.

5. Sheet 5 of 22 – The temporary sedimentation basin needs additional detail. There appears to be no erosion and sedimentation controls, berm detail, emergency outlet controls and contour labels. Are other access improvements going to be included with this initial work?

The grading plans and details have been revised to include more information for the ponds.

This comment has been addressed.

6. Sheet 6 of 22 – the 30" culvert in Period 1 has two outlets labeled and I would check the cover over this pipe as the grading appears to be too shallow.

The culvert has one outlet HW#10B labeled. The culvert as proposed has been checked and meets or exceeds manufactures minimum requirements of 12" of cover.

This comment has been addressed.

7. Sheet 10 of 22 – What is the plan for transitioning from the temporary basin and into this final design? Reviewing the soils data seems to indicate that the basin design is too low and the excavation in areas will intercept SHWT. It looks like the existing trailer and facilities are in the way and should be moved.

As the pit floor is lowered, the temporary sedimentation basin will be expanded upon as excavation continues. By the time the pit floor has been excavated to elevation 860.00, the infiltration basin shown in period 8 will have been constructed to the proposed pit floor of 842.00. SLR-11 had noted water table at elevation 817.8. SLR 10 had noted water table at 840.1. The floor of the basin is at elevation 842.00 and relatively half way between the wells. Based on this information, the water table was interpolated and estimated at 828.95. The existing trailer and facilities are proposed to be relocated from their current location as shown on sheet 10, during the start of period 8.

The water table dropping 22+/- feet in this short distance is of concern. We would recommend an additional test site between the two locations to ensure adequate separation to seasonal high water. This stormwater management area is critical to the design and operation of this site. This additional testing could be done between phases as a condition of approval should the Board feel comfortable with this recommendation.

8. Sheet 12 and 14 of 22 – Additional Basin details are needed. Contour labels, berm detail, emergency outlet and associated details.

The plans and details sheets have been revised to include additional information for the ponds.

This comment has been addressed.

9. Has an EPA Notice of Intent (NOI) been filed for the current site operations? Please provide appropriate materials so we can verify compliance with the initial approved site plan.

An NOI for the 2022 NPDES Construction General Permit was filed and has been included.

This comment has been addressed.

10. A reclamation bond will need to be established for the project prior to work commencing.
No response required.

We would recommend that this be handled as a condition of approval should the Board move in this direction.

11. The exiting conditions plan seems to indicate that the site is not currently in compliance with the previously approved plans. The plan appears to be missing drainage culverts, a stormwater management basin (infiltration basin), an outlet structure, an emergency spillway, slope benching, a reinforced drainage swale, drainage at the entrance, access roadway grading, stop sign at entrance, etcetera. See photo of entrance which depicts current conditions and a deviation from the approved plan.



Plans have been revised to show culvert and stone ditching to be added at the entrance. Phasing notes have been added to sheet 5 and sheet 10 to specify what items need to be completed associated with the access road and during which period. Additional notation has been included on sheets 5 and 10 that specify what items are to be constructed and when based on the previous approved project.

This comment has been addressed.

12. Existing conditions plans should show setback and wetland buffer areas to ensure there are

no impacts to those areas.

An updated Surface Water Resources Setback Plan has been included and addresses this comment and that shows the following:

- **Limits of disturbance**
- **Previously approved encroachments on surface water setbacks**
- **Proposed encroachments on surface water setbacks**
- **Previously restored areas of impacts on surface water setbacks**

This comment has been addressed.

13. We have highlighted two areas on the aerial photography below. Further information should be provided for these areas as they appear to be new impact areas. The arrow on the image also represents an area that appears to be seeing more drainage as there is significant erosion and soil loss which is visible from NH Route 9. We recommend that this area be investigated further.



The area circled to the west, located adjacent to the existing pit, was an area of restoration associated with the previously permitted gravel pit. Per A joint inspection conducted on

September 28, 2023 between the applicant, City Staff, and certified wetland scientist, it was determined that area had been successfully replanted. The second area circled is an existing cleared area that is evident on google imagery as far back as 2008, most likely a logging lay down area. The erosion along the perennial stream as noted on lot 8, the old Seafeld Pines Facility, has been a known issue prior to the applicant owning the property.

This response implies that these areas have been addressed or that the issues are not the responsibility of the owner. Staff should determine if they are satisfied with this response. The last topic appears to be an existing erosion problem that is ongoing and should in our opinion be better understood and addressed. The erosion and failure could result in downstream and environmental impacts if not addressed. We believe further understanding, evaluation and recommendations should be provided as it relates to this

14. The phasing plans need to meet the detail and note requirements outlined in this section. It is difficult to decipher what improvements are required for each phase and how phases transition.

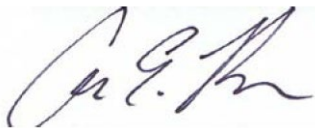
Phasing notes have been revised, as well as call out notes on the plans to address construction sequencing.

This comment has been addressed.

This concludes our review of the technical components for the above referenced project. Please feel free to contact us should you have any questions, concerns or require additional information.

Sincerely,

FIELDSTONE LAND CONSULTANTS, PLLC



Chad E. Branon, P.E.
Civil Engineer/Principal