

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 details 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. Hoefler 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 6:30 PM 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 standard's 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.

VII) 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 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.

VIII) Staff Updates

None

IX) New Business

None

X) 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