



City of Keene Planning Board - AMENDED

AGENDA

Monday, July 28, 2025

6:30 PM

City Hall, 2nd Floor Council Chambers

A. AGENDA ITEMS

- 1) **Call to Order** – Roll Call
- 2) **Minutes of Previous Meeting** – June 23, 2025
- 3) **Final Vote on Conditional Approvals**
- 4) **Extension Request**
 - a) **PB-2025-03 – Major Site Plan – Douglas Company Inc., 0 Black Brook Rd** - Owner Douglas Company Inc., requests a first extension to the deadline to satisfy the precedent conditions of approval for the proposed construction of an ~98,323-sf office and warehouse building on two parcels at 0 Black Brook Rd (TMP#s 221-023-000 & 221-024-000). The parcels are a combined ~5.33-ac in size and are located in the Corporate Park District.
 - b) **PB-2024-23 – Major Site Plan & Surface Water Protection Conditional Use Permit – Shooting Range, 19 Ferry Brook Rd** – Owner Cheshire County Shooting Sports Education Foundation Inc., requests a first extension to the deadline to satisfy the precedent conditions of approval for the proposed modification to the approved site plan for the shooting range at 19 Ferry Brook Rd (TMP #214-021-000). A Surface Water Protection Conditional Use Permit was requested to allow a gravel shooting berm and other existing site features to be located within the 75' surface water buffer. The parcel is 55-ac in size and is located in the Rural District.
- 5) **Public Hearings**
 - a) **SPR-440, Mod. 1 – Major Site Plan - Veterinary Hospital Addition, 686 Court St** – Applicant HDA Architects, Inc, on behalf of owner Court Street Veterinary Hospital, proposes to construct an ~2,092-sf addition and renovate the existing veterinary hospital located at 686 Court St (TMP# 228-008-000). The parcel is 4.2-ac in size and is located in the High Density District.
 - b) **PB-2025-14 – Surface Water Protection Conditional Use Permit – Eversource T198 Transmission Line** – Applicant Normandeau Associates, Inc, on behalf of owner Public Service Company of New Hampshire (dba Eversource Energy), proposes to

replace twelve structures along the T198 Transmission Line. The proposed work area begins north of NH Route 101 and continues south to the Swanzey town border. This project will temporarily impact ~102,332-sf of the Surface Water Protection Buffer for temporary access and work pad placement.

- c) **PB-2024-20 – Earth Excavation Permit Major Amendment & Hillside Protection Conditional Use Permit – Gravel Pit, 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.
- 6) **Correspondence & Board Discussion – Alleged Violation of the Earth Excavation Regulations** – Mr. James Manley of 67 Tyler Lane in Sullivan has submitted a complaint related to the visibility of the gravel pit located at 21 & 57 Route 9 (TMP#s 215-007-000 & 215-008-000) from the adjacent state highway. The Board will consider whether further investigation of the alleged violation is warranted and whether to delegate enforcement to Code Enforcement staff.
- 7) **Master Plan Update** (KeeneMasterPlan.com)
- 8) **Staff Updates**
 - a) Overview of Administrative and Minor Project approvals issued from January 1, 2025-June 30, 2025.
 - b) Correspondence received from NH Dept. of Environmental Services regarding a Waiver Request for the Transportation Heritage Trail (informational).
- 9) **New Business**
- 10) **Upcoming Dates of Interest**
 - Joint Committee of the Planning Board and PLD – September 8, 6:30 PM
 - Planning Board Steering Committee – August 12th, 12:00 PM
 - Planning Board Site Visit – August 20th, 8:00 AM – To Be Confirmed
 - Planning Board Meeting – August 25th, 6:30 PM

B. MORE TIME ITEMS

- 1. Potential Modifications to the Site Plan Review Thresholds
- 2. Training on Site Development Standards – Screening & Lighting

C. ADJOURNMENT

City of Keene
New Hampshire

PLANNING BOARD
MEETING MINUTES

Monday, June 23, 2025

6:30 PM

**Council Chambers,
City Hall**

Members Present:

Harold Farrington, Chair
Roberta Mastrogiovanni, Vice Chair
Mayor Jay V. Kahn
Sarah Vezzani
Kenneth Kost
Michael Hoefer, Alternate

Staff Present:

Paul Andrus, Community Development
Director
Megan Fortson, Planner

Members Not Present:

Councilor Michael Remy
Ryan Clancy
Armando Rangel
Tammy Adams, Alternate
Stephon Mehu, Alternate
Randyn Markelon, Alternate

I) Call to Order – Roll Call

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

II) Minutes of Previous Meeting – May 27, 2025

A motion was made by Roberta Mastrogiovanni that the Planning Board accept the May 27, 2025 meeting minutes. The motion was seconded by Sarah Vezzani and was unanimously approved.

26 **III) Final Vote on Conditional Approvals**

27
28 Chair Farrington stated that as a matter of practice, the Board will now issue a final vote on all
29 conditionally approved plans after all of the “conditions precedent” have been met. This final
30 vote will be the final approval and will start the 30-day appeal clock.

31 The Chair asked whether there were any items ready tonight for a final vote. Megan Fortson,
32 Planner, stated there were no items for final vote tonight.
33

34 **IV) Public Hearing**

35 a) **Change of Governmental Land Use** – RSA 674:54 regarding the proposed use of the
36 2.67-ac parcel at 0 West St (TMP# 577-047-000) for temporary construction material storage
37 during the Island Street Infrastructure project. This site will be used in addition to the storage
38 area at 0 Island St (TMP# 583-018-000) that was presented to the Board in May of 2024. The
39 property is owned by PSNH (dba Eversource) and is in the Commerce District.
40

41 Ms. Foston stated this type of application is different in the sense that it is a notification to the
42 Planning Board that there is going to be governmental use on a piece of private property.
43 She stated there is no completeness vote. This item is for Staff to come before the Board and
44 describe the project. The Board can then ask questions and, after that, the Board will provide
45 non-binding recommendations in the form of a motion.
46

47 Mr. TJ O'Brien, Infrastructure Project Manager for the City, addressed the Board. Mr. O'Brien
48 explained that on Island Street, the infrastructure is being redone, starting at the bridge through
49 West Street as part of the Upper Winchester Street project to tie into the Island Street Bridge. He
50 stated the area they had when they completed the work in May 2024 was not large nor was it safe
51 for the contractor.
52

53 Ms. Vezzani noted usually there is a fence or some sort of safety precaution that goes around
54 areas such as this. Mr. O'Brien stated the contractor will be using silt fencing to prevent any
55 wash off from the work that is happening, but no fencing has been planned for visual purposes.
56 He stated they are planning on installing a double silt fence and wood chip berms to make sure
57 that none of the material ends up in the Ashuelot river, which is at close proximity to this site.
58

59 Chair Farrington clarified that the site in discussion is north of West Street. Mr. O'Brien
60 answered in the affirmative. Mr. Kost clarified the red square on the map is the area being
61 discussed for storage. Mr. O'Brien stated the red square is the area they are looking to store
62 materials for the duration of the construction project, not the entire lot. Mr. O'Brien clarified the
63 rest of the lot is not going to be touched for this purpose.
64

65 Vice-Chair Mastrogiovanni asked how long this staging area is going to be used for. Mr. O'Brien
66 stated it should not be any longer than November. Work in the spring would consist of
67 final paving, but material would no longer need to be stored at that time.
68

69 Mayor Kahn noted this was a great location for kayakers to enter the water. Mr. O'Brien stated
70 he was not sure there was a kayak launch, but he will make sure nothing is hindering people
71 using this as a kayak launch if it exists.
72

The Mayor stressed communication needs to be clear regarding this entrance. Mr. O'Brien agreed but noted this was not City property and wasn't sure how to regulate people using this site as a kayak entrance. He added the City is using it for staging material but wasn't sure about other activities that are happening. The Mayor stated that as the project manager, he would like for Mr. O'Brien to investigate what the alternative location the public could use. Ms. Vezzani stated she agrees with what the Mayor stated and added there is a small walkway off the corner of that property, which is the only location people need to access. Mr. O'Brien stated this can be added as part of their press release, especially if there is an event planned.

Mr. O'Brien noted a silt fence is not a safety fence; a silt fence is used to make sure debris does not end up in the water. He stated if he notices there needs to be more safety fencing installed, he will make sure that that happens.

A motion was made by Roberta Mastrogiovanni that the following recommendations be shared with the City of Keene Public Works Department regarding the proposed use of the parcel at 0 West Street (TMP #577-047-000) for temporary construction material storage with the following recommendations:

1. To install a double row of silt fencing in the area adjacent to the Ashuelot River.
2. To cover the piles of construction materials when not in use.
3. To ensure access to non-motorized recreational boating to the area.

The motion was seconded by Mayor Kahn.

Mr. Hoefer asked whether this was a PSNH property and whether boat launching was a permitted use on this property. Ms. Fortson stated the Board does not have many aquatic uses that are defined in the Land Development Code. She stated this was an incidental use to the main use of the property by Eversource. She added, given that this is a governmental land use, it is appropriate to make recommendations as they are non-binding.

The motion was unanimously approved.

V) Master Plan Update (KeeneMasterPlan.com)

Ms. Fortson stated at this time, the consultant team is working on updating the draft plan that was sent to the Master Plan Steering Committee with comments Steering Committee members submitted. Staff hope to see an updated plan by July 1st, and then Staff will send it back to the Steering Committee by July 2nd. The hope for the next steps of the adoption process is that by the July 15th meeting, the Master Plan Steering Committee will be able to provide a recommendation to the Planning Board that the plan be adopted and endorsed by City Council.

VI) Staff Updates

Ms. Fortson reminded Board members to provide comments on the site plan review thresholds.

VII) New Business

Chair Farrington stated the State Office of Planning & Development, under the NH Department of Business and Economic Affairs, provide different types of training. The Chair stated he recently went through some training and is now State certified as a Planning Board person. He encouraged Board members to look at the trainings being offered.

Ms. Fortson reminded the Board about an email she recently sent regarding the Office of Planning & Development who recently conducted their 2025 Spring Planning and Zoning Conference. There were three different tracks: Planning Board, Zoning Board and Historic Preservation. She indicated video recordings of that training are available on their YouTube channel. She felt this was a good resource for members as well as a handbook she can forward to the Board.

VIII) 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

The Chairman stated the Southwest Regional Planning Commission has their quarterly roundtable scheduled for June 26th at 5:30 pm at the Chesterfield Old Town Hall.

B. MORE TIME ITEMS

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

There being no further business, the Chair adjourned the meeting at 7:02 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: July 18, 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, the following application is ready for final approval:

- 1. PB-2025-10 – Boundary Line Adjustment – 37 & 38 Grimes Rd (TMP#s 237-026-000 & 236-015-000)**

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).

From: [Scott CLARKE](#)
To: [Mari Brunner](#); [Emily Duseau](#); [John Noonan](#); [Chad Branon](#); [Evan Clements](#); [Megan Fortson](#)
Cc: [Fortson](#)
Subject: RE: PB-2025-03 - Douglas Cuddle Toys Headquarters - Conditional Approval
Date: Thursday, July 10, 2025 2:08:03 PM
Attachments: [image001.png](#)

Hi Mari, Thank you for the good suggestion!

IF possible, please accept this email as a request for an extension on PB-2025-03 the DOUGLAS project slated for the land located at 0 Black Brook?

Thank you for your help with this request!

Sincerely,

Scott Clarke
President



Box D, Keene, NH 03431-0716
Tel: (800) 992-9002 ext 1005
Fax: (603) 352-1248
www.douglascuddletoy.com

From: Mari Brunner
Sent: Monday, July 7, 2025 3:54 PM
To: Scott CLARKE; Emily Duseau; John Noonan
Cc: Evan Clements; Megan Fortson
Subject: RE: PB-2025-03 - Douglas Cuddle Toys Headquarters - Conditional Approval

Hi Scott,

Thank you for the update, I'm sorry to hear that the tariffs have impacted your relocation plans. Would you be willing to send us an email asking for an extension, so we can make sure your approval does not expire while you wait to figure things out?

Thank you!
Mari

SVE Associates

Engineering * Surveying * Landscape Architecture * Planning

July 10, 2025

Keene Planning Board
c/o Paul Andrus, Community Development Director
City of Keene
3 Washington Street
Keene, NH 03437

Re: PB-2024-23, 19 Ferry Brook Rd, Cheshire County Shooting Sports Education Foundation Inc.

Dear Mr. Andrus:

This letter is in response to Megan Fortson's email dated June 24, 2025, regarding the Cheshire County Shooting Sports Education Foundation's Major Site Plan Review and Surface Water Conditional Use Permit, PB-2024-23, which expires July 27, 2025. SVE Associates, on behalf of the CCSSEF, is requesting a 6-month time extension for the condition's precedent.

The reason for the time extension request is to allow the CCSSEF time to fundraise to cover the expenses of the landscape security and NHDES Alteration of Terrain permitting.

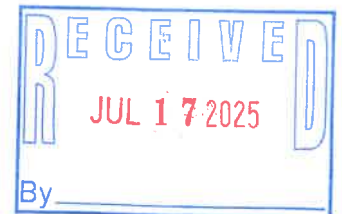
If you require any additional information, please do not hesitate to call me at 802-257-0561 or via email at lsargent@sveassoc.com.

Respectfully submitted,
SVE Associates

Liza Sargent

Liza Sargent, P.E.

OTTO A BUSHER III
Otto A. Busher III
CCSSEF BOARD OF DIRECTORS



P.O. Box 1818, Brattleboro, VT 05302-1818 Phone: (802) 257-0561 Fax (802) 257-0721

P:\Project\NH PROJECTS\K2695A Cheshire County Fish & Game Club Does Permit Apps\K2695A CVR LTR TIME EXTENSION 7-10-2025.doc

STAFF REPORT

SPR-440, Mod. 1–Site Plan Review– Veterinary Hospital Addition, 686 Court St.

Request:

Applicant HDA Architects Inc, on behalf of owner Court Street Veterinary Hospital, proposes to construct an ~2,092-sf addition and renovate the existing veterinary hospital located at 686 Court St (TMP# 228-008-000). The parcel is 4.2-ac in size and is located in the High Density District.

Background:

The subject parcel is an existing 4.2-acre lot located on the western side of Court St., approximately 0.5 mi from the Cheshire Medical Center roundabout. The property abuts the Ashuelot River to the rear and contains an existing 7,106 SF, one story building that serves as the location of Court Street Veterinary Hospital. Associated site improvements on the property include two street access points with driveways and a parking lot that wraps around the building with a total of 33 parking spaces.

The existing non-conforming use of the property is a veterinary hospital, which is considered an Animal Care Facility use per section 8.3.2.B of the Land Development Code. The use is considered non-conforming as an Animal Care Facility is not normally allowed in the High-Density District. In 1984 the property received approval from the ZBA for a change of Nonconforming Use from a tree service business to a veterinary hospital. In 1989 the property received approval from the ZBA for an Enlargement of a Nonconforming Use to build an addition. In 2020 the property received approval from the ZBA for another Enlargement of a Nonconforming Use. In 2025 the property received approval from the ZBA for a third Enlargement of a Nonconforming Use.

The purpose of this application is to seek approval of a ~2,100 SF addition to the existing ~7,100 SF building. No additional changes to the site are proposed besides the construction of the addition. This project meets the threshold for Major Site Plan review as the proposed addition is greater than 15% of the gross floor area of the existing principal building.

Determination of Regional Impact:

After reviewing the application, staff have made a preliminary evaluation that the proposed does not appear to have the potential for “regional impact” as defined in RSA 36:55. The Board will need to make a final determination as to whether the proposal, if approved, could have the potential for regional impact.

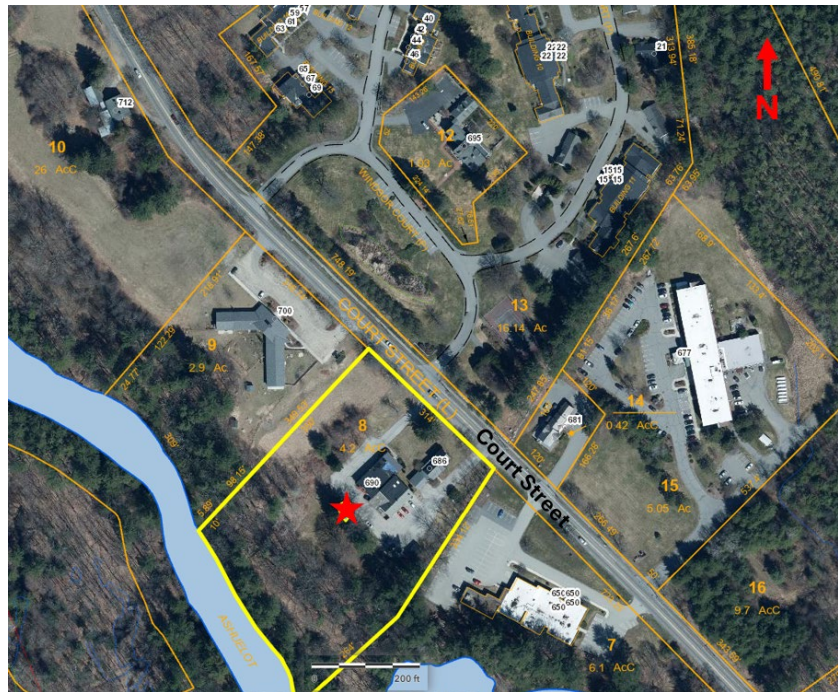


Fig 1: Aerial of 686 Court Street located at the red star.

STAFF REPORT

Completeness:

The applicant has requested exemptions from submitting a grading plan, landscape plan, lighting plan, and all technical reports. 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."

Departmental Comments:

None

Application Analysis: The following is a review of the Planning Board development standards relevant to this application.

- 21.2 **Drainage:** The applicant states in their narrative that the proposed addition will not increase the volume or velocity of runoff onto adjacent properties. Based on the scope of the project and the size of the property, Engineering staff have no concerns related to drainage with this application. It appears that this standard has been met.
- 21.3 **Sediment & Erosion Control:** The applicant states in their narrative that site disturbance will be minimal and contained to the footprint of the proposed addition. The proposal does not include destabilizing any slopes or any site work near any surface waters. Erosion control measures are not anticipated to be needed with this project. IT appears that this standard has been met.
- 21.4 **Snow Storage & Removal:** The applicant states in their narrative that snow will be stored in areas of the site where snowmelt will not discharge into surface waters or cause erosion. There is space on the site to store snow in places that do not impact the required parking areas. It appears that this standard has been met.
- 21.5 **Landscaping:** There is no new landscaping proposed with this application. This standard is not applicable.
- 21.6 **Screening:** There are no proposed site improvements with this application that require screening. This standard is not applicable.
- 21.7 **Lighting:** There are no new exterior lighting fixtures proposed with this application. This standard is not applicable.
- 21.8 **Sewer & Water:** The applicant states in their narrative that the existing water and sewer connections are adequate to serve the use with the new addition. This standard has been met.
- 21.9 **Traffic & Access Management:** The applicant states in their narrative that the existing street access points and internal circulation are adequate for the use and are not proposed to be changed as part of this application. The parking area has sufficient spaces to accommodate the required amount of parking. It appears that this standard has been met.
- 21.10 **Filling & Excavation:** The applicant states that the proposed addition will be slab on grade and any required excavation will be minimal. This standard is not applicable.
- 21.11 **Surface Waters & Wetlands:** There is no proposed impact to surface waters, wetlands, or their buffers with this application. This standard is not applicable.

STAFF REPORT

- 21.12 **Hazardous & Toxic Materials:** The applicant states that there will be no use of hazardous or toxic materials with this application. This standard has been met.
- 21.13 **Noise:** The applicant states in their narrative that the proposed addition will not alter the existing noise levels on the site or during the operation of the use, which is minimal. It appears that this standard has been met.
- 21.14 **Architecture & Visual Appearance:** The applicant states in their narrative that the proposed addition was designed to preserve the harmonious character of the existing building. A gable entry that is supported by tapered columns and large windows were incorporated to promote visual interest on the street-facing façade. The applicant also notes that the design “reduces massive aesthetic effects and harmonizes with the City’s distinctive architectural identity, unique character and prevailing scale.” Proposed materials include vinyl siding, fiber cement trim, and decorative wood trusses. The proposed color palette is muted gray and cream.

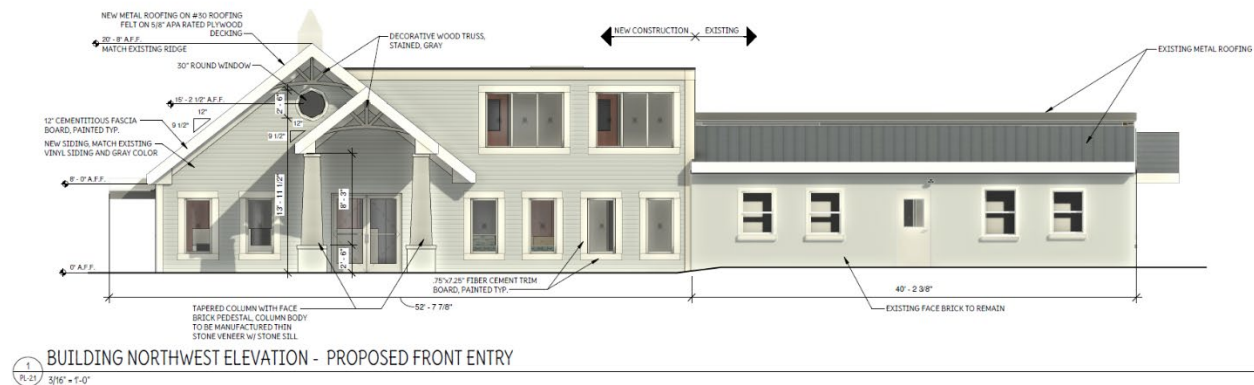


Fig 2: Proposed front façade viewed from Court St.

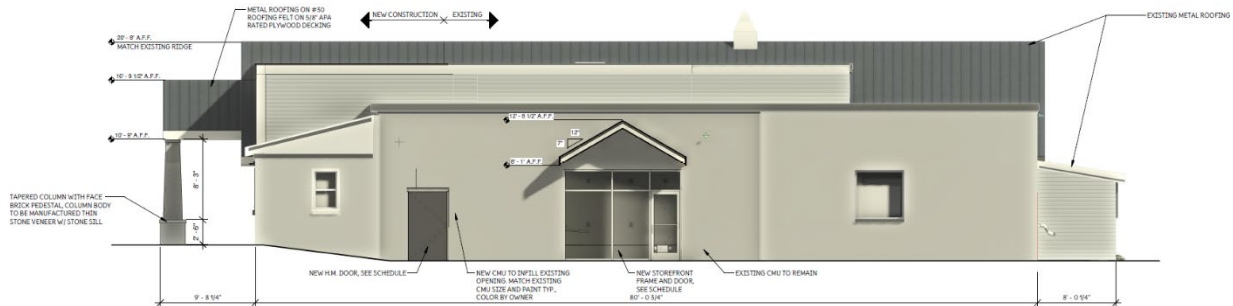


Fig 3: Proposed southwest façade.

The sections of this standard that are applicable to this application include the following:

21.14.2 Visual Interest

A. “Front facades and exterior walls shall be articulated to express an architectural identity to avoid a uniform appearance, and architectural details shall give the impression of being integral to and compatible with the overall design.”

STAFF REPORT

D. *"Architectural features shall conform to accepted architectural principles of design and construction."*

G. *"Exterior materials, textures, and colors shall minimize visual aggressiveness and shall harmonize with the City's distinctive architectural identity and unique character. Surfaces with glossy finishes, reflective glass or dark tinted exteriors, or untreated aluminum, stainless steel, or metal exterior finishes shall be discouraged."*

H. *"Modifications and additions to existing structures shall be harmonious with the character of the existing structure."*

The proposed architectural design of the addition appears to meet the standards listed above. This standard appears to be met.

Recommended Motion:

If the Board is inclined to approve this request, the following motion is recommended:

"Approve SPR-440, Mod. 1 as shown on the plan set identified as "Court Street Vet Hospital" prepared by HAD Architects, Inc. at varying scales dated June 20, 2025 and last revised July 10, 2025 with no conditions."



City of Keene, NH Site Plan Application

If you have questions about how to complete this form, please call: (603) 352-5440 or email: communitydevelopment@keenenh.gov

SECTION 1: PROJECT INFORMATION

PROJECT NAME: Court Street Veterinary Hospital		TYPE OF APPLICATION BEING SUBMITTED: <input checked="" type="checkbox"/> MAJOR PROJECT APPLICATION <input type="checkbox"/> MINOR PROJECT APPLICATION
PROJECT ADDRESS(ES): 686 Court Street, Keene, NH 03431		
EXISTING OR PREVIOUS USE: Veterinary Hospital	PROPOSED USE: Veterinary Hospital	
GROSS FLOOR AREA OF NEW CONSTRUCTION (in square feet) 2,092 SF.	GROSS FLOOR AREA OF EXISTING BUILDINGS/STRUCTURES (in square feet) 7,106 SF.	
AREA OF PROPOSED NEW IMPERVIOUS SURFACES (in square feet) 2,029 SF.	TOTAL AREA OF LAND DISTURBANCE (in square feet) 2,029 SF.	

SECTION 2: CONTACT INFORMATION

PROPERTY OWNER	APPLICANT
NAME/COMPANY: Court Street Veterinary Hospital	NAME/COMPANY: Jonathan Collado / HDA Architects, Inc.
MAILING ADDRESS: 686 Court Street, Keene, NH 03431	MAILING ADDRESS: 401 Broad Street STE 201, Rome, GA 30161
PHONE: 603.357.2455	PHONE: 706.531.9998
EMAIL: timothy.russett@gmail.com	EMAIL: jonathan@hda-architects.com
SIGNATURE:	SIGNATURE:
PRINTED NAME: Timothy Russett	PRINTED NAME: Jonathan Collado

AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:	
NAME/COMPANY:	TAX MAP PARCEL #(s): 228-008-000- - - - -	
MAILING ADDRESS:	- - - - -	
PHONE:	PARCEL SIZE: 4.2 ac	DATE STAMP: By _____ 14 of 83
EMAIL:	ZONING DISTRICT: High Density	
SIGNATURE:		
PRINTED NAME:	PROJECT #: SPR-440, Mod.1	

Court Street Veterinary Hospital- 686 Court Street, Keene, NH 03431- Narrative

The project involves the new addition and renovation of the existing Court Street Veterinary Hospital. The new addition includes a larger main lobby as well as expanded work spaces on the second level. The renovation involves new room finishes and room reconfigurations. The following are explanations of how our proposal complies with the Site Development Standards in Article 21 of the LDC:

Regarding section 2 of Article 21, our proposal complies for the new addition and renovation will not result in increased volume or velocity of runoff onto adjacent properties or surface bodies. All water from the proposed work will remain on the property.

Regarding section 3 of Article 21, our proposal complies for the new addition and renovation allow for a minimal land disturbance area of 2,029 SF. at the higher and flatter part of the site. The disturbance of natural soil cover and vegetation are minimal. The exposed soil and unstable soil conditions are minimal. Stable slopes are maintained. The addition is not on a steep slope nor is it adjacent to a surface water.

Regarding section 4 of Article 21, our proposal complies for the new addition and renovation allow for the snow accumulation to remain on site so as to allow the continued safe passage of vehicles into, out of, and through all travel lanes and parking areas; prevent accumulation on adjacent properties; and prevent flooding of adjacent properties, including City streets. Snow will not be pushed, piled or otherwise moved directly into surface waters. Snowmelt discharge and associated runoff will be stored and its drainage routed so that it does not cause erosion. Snow storage will not be permitted within parking spaces on a site that is required to fulfill the minimum parking requirements of the Zoning Regulations.

Regarding section 5 of Article 21, landscaping is not part of the scope of the project.

Regarding section 6 of Article 21, screening is not part of the scope of the project.

Regarding section 7 of Article 21, outdoor lighting is not part of the scope of the project.

Regarding section 8 of Article 21, our proposal complies for the new addition and renovation will not adversely affect the existing sewer and water service. The existing sewer and water service will be adequate to accommodate for the use of the renovation and addition.

Regarding section 9 of Article 21, new traffic and access management improvements are not part of the scope of the project. The existing traffic and access management will be adequate to accommodate the use of the renovation and addition.

Regarding section 10 of Article 21, filling and excavation are not part of the scope of the project.

Regarding section 11 of Article 21, our proposal complies for the new addition and renovation will not affect any wetland and surface water.

Regarding section 12 of Article 21, our proposal complies for there will not be any hazardous and toxic materials involved with the project.

Regarding section 13 of Article 21, our proposal complies for the new addition and renovation will not affect the noise on the site.

Regarding section 14 of Article 21, our proposal complies for the new addition is simply an extrusion of the existing building preserving the harmonious character of the existing building. It does not overwhelm the prevailing architectural massing and scale of the existing building. We incorporated a gable entry supported by tapered columns. There are new large windows, framed with architecturally consistent trims. These are architectural features that provide visual interest at the pedestrian scale, reduce massive aesthetic effects and harmonize with the City's distinctive architectural identity, unique character and prevailing scale.

Sophia's Health
Family Center
228-009-000-000-00

Craig McBeth
228-007-000-000-00

See Real Estate Housing, LLC.
228-008-000-000-000

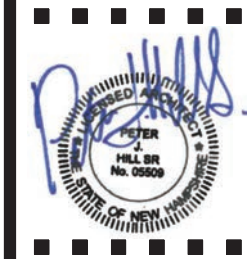
SITE INFORMATION:	
LOT AREA:	182,952 SF. (4.2 ACRES)
MAX BUILDING COVERAGE:	55%, 100,624 SF. (2.31 ACRES)
PROPOSED BUILDING COVERAGE:	4%, 7,361 SF. (.17 ACRES)
MAX IMPERVIOUS COVERAGE:	75%, 137,214 SF. (3.15 ACRES)
PROPOSED IMPERVIOUS COVERAGE:	16%, 28,985 SF. (.67 ACRES)
MIN GREEN / OPEN SPACE:	25%, 45,738 SF. (1.05 ACRES)
PROPOSED GREEN / OPEN SPACE:	84%, 153,967 SF. (3.53 ACRES)
MAX STORIES ABOVE GRADE:	2
PROPOSED STORIES ABOVE GRADE:	2
MAX BUILDING HEIGHT:	35'
PROPOSED BUILDING HEIGHT:	24'

- ABUTTERS LIST:
1. TANGLEWOOD PARK COOPERATIVE INC - 219-001-000-000-000
 2. 681 COURT STREET PROPERTIES LLC - 228-014-000-000-000
 3. CBYW KEENE PROPCO LLC - 228-015-000-000-000
 4. SOPHIA'S HEARTH FAMILY CENTER - 228-009-000-000-000
 5. MCBETH CRAIG F. - 228-007-000-000-000
 6. CITY OF KEENE - 228-002-000-000-000
 7. WRIGHT ESTATE CONDOMINIUM ASSOCIATION - 228-013-000-000-995
 8. BOYD JANET, TUCKER ERIC - 228-012-000-000-000
 9. TIMOTHY RUSSETT, SER REAL ESTATE HOLDINGS LLC - 228-008-000-000-000



LOCATION MAP

PROPOSED CONDITIONS PLAN
1" = 30'-0"



COURT STREET
VET HOSPITAL
DR. SABRINA RUSSETT, DVM
MR. TIM RUSSETT
686 COURT STREET
KEENE, NH 03431

PROPOSED
CONDITIONS
PLAN

Drawn By: JRC
Checked By: PJH

Release	Description
6-20-2025	PLANNING REVIEW
7-10-2025	PLANNING REVIEW REVISION

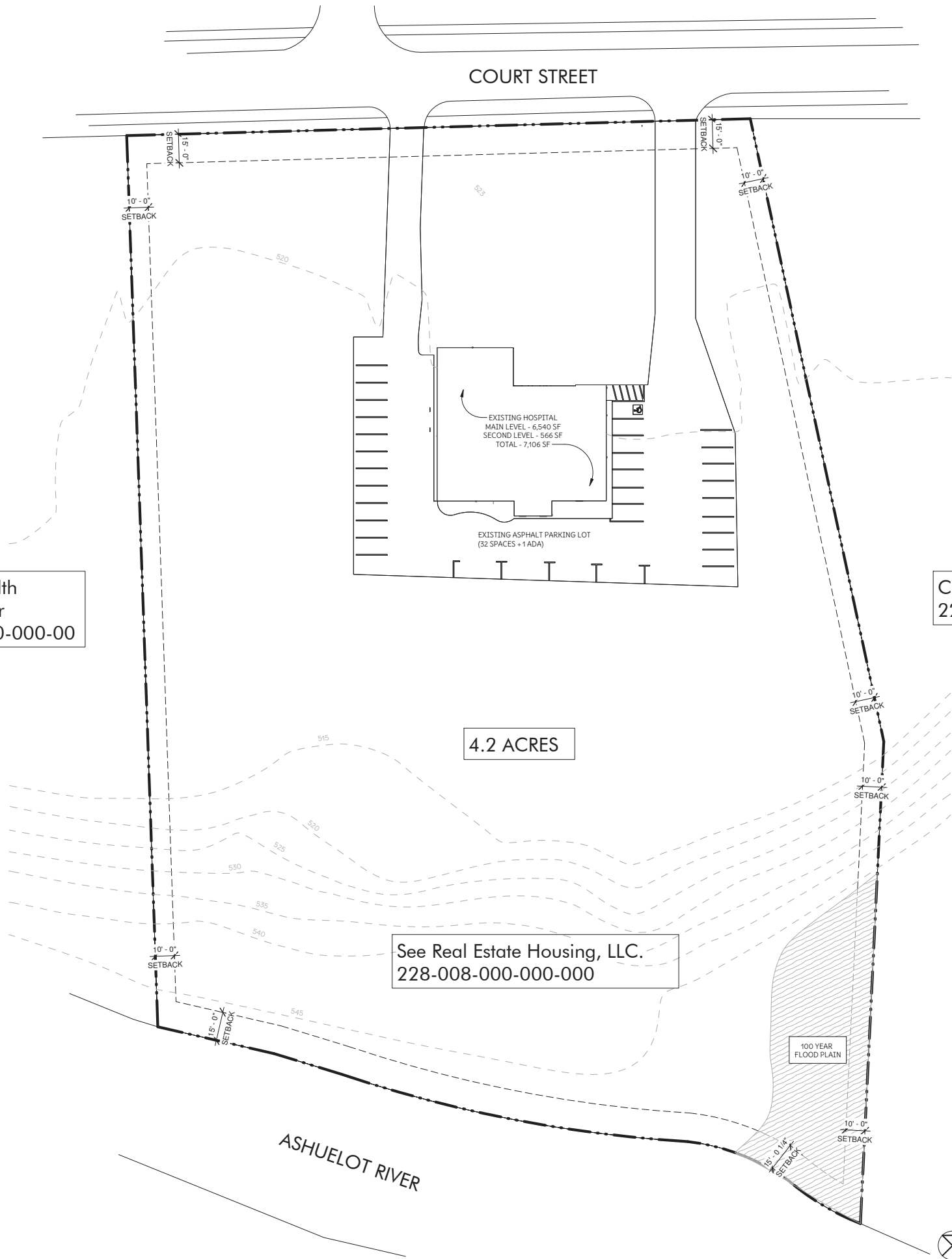
HDA Job Number: 2430
Date: 7.10.2025

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Sophia's Health
Family Center
228-009-000-000-00

Craig McBeth
228-007-000-000-00

See Real Estate Housing, LLC.
228-008-000-000-000



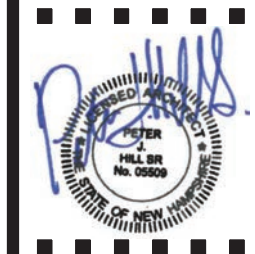
SITE INFORMATION:	
LOT AREA:	182,952 SF. (4.2 ACRES)
MAX BUILDING COVERAGE:	55%, 100,624 SF. (2.31 ACRES)
PROPOSED BUILDING COVERAGE:	4%, 7,361 SF. (.17 ACRES)
MAX IMPERVIOUS COVERAGE:	75%, 137,214 SF. (3.15 ACRES)
PROPOSED IMPERVIOUS COVERAGE:	16%, 28,985 SF. (.67 ACRES)
MIN GREEN / OPEN SPACE:	25%, 45,738 SF. (1.05 ACRES)
PROPOSED GREEN / OPEN SPACE:	84%, 153,967 SF. (3.53 ACRES)
MAX STORIES ABOVE GRADE:	2
PROPOSED STORIES ABOVE GRADE:	2
MAX BUILDING HEIGHT:	35'
PROPOSED BUILDING HEIGHT:	24'

- ABUTTERS LIST:**
1. TANGLEWOOD PARK COOPERATIVE INC - 219-001-000-000-000
 2. 681 COURT STREET PROPERTIES LLC - 228-014-000-000-000
 3. CBYW KEENE PROPCO LLC - 228-015-000-000-000
 4. SOPHIA'S HEARTH FAMILY CENTER - 228-009-000-000-000
 5. MCBETH CRAIG F. - 228-007-000-000-000
 6. CITY OF KEENE - 228-002-000-000-000
 7. WRIGHT ESTATE CONDOMINIUM ASSOCIATION - 228-013-000-000-995
 8. BOYD JANET, TUCKER ERIC - 228-012-000-000-000
 9. TIMOTHY RUSSETT, SER REAL ESTATE HOLDINGS LLC - 228-008-000-000-000



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hda-architects.com



COURT STREET
VET HOSPITAL
DR. SABRINA RUSSETT, DVM
MR. TIM RUSSETT
686 COURT STREET
KEENE, NH 03431

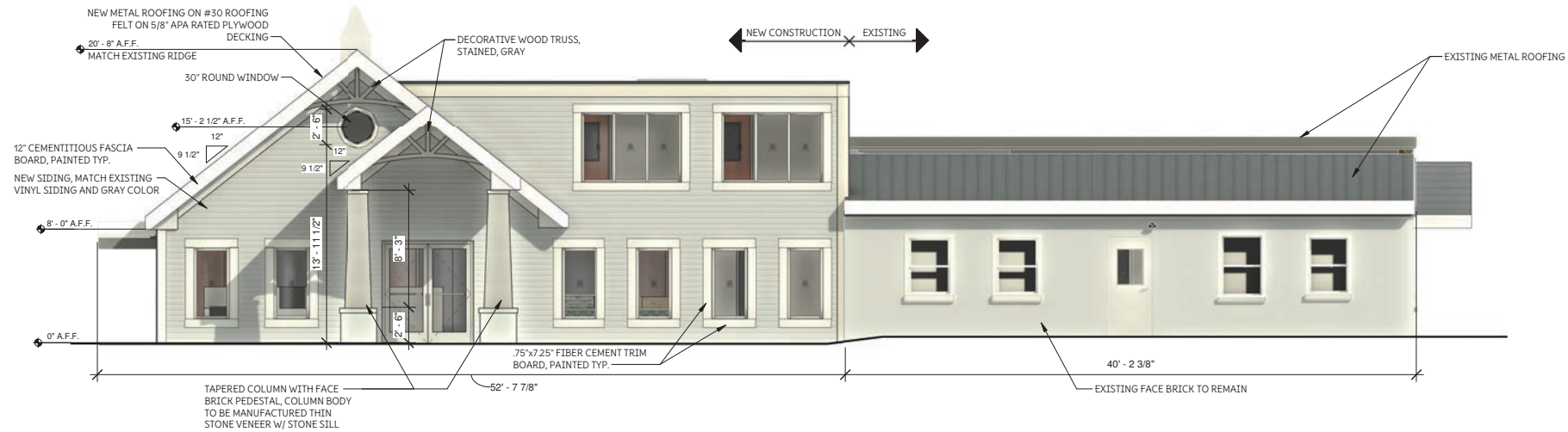
PROPOSED
CONDITIONS
PLAN
Drawn By: JRC
Checked By: PJH

Release	Description
6-20-2025	PLANNING REVIEW
7-10-2025	PLANNING REVIEW REVISION

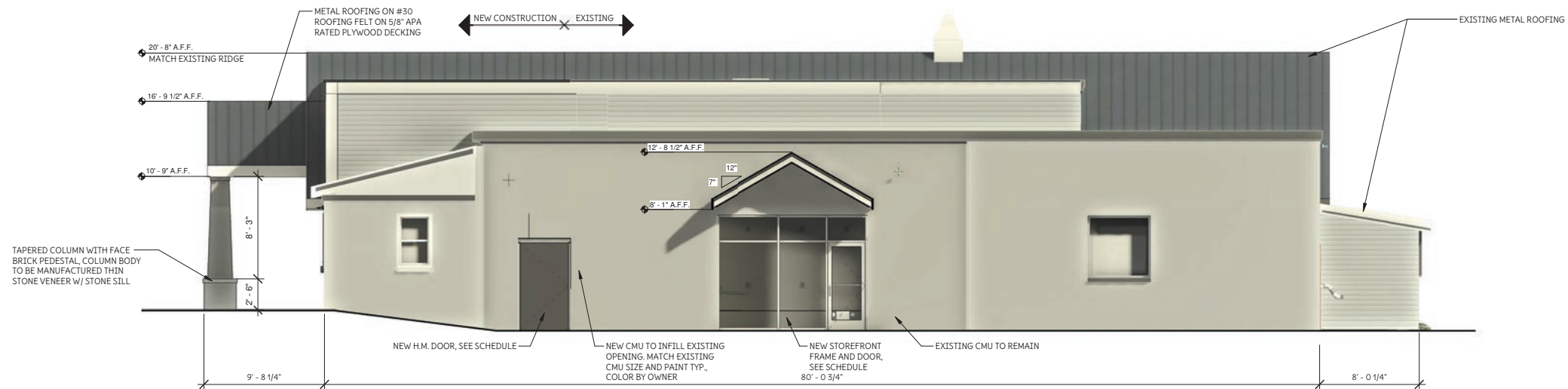
HDA Job Number: 2430
Date: 7.10.2025

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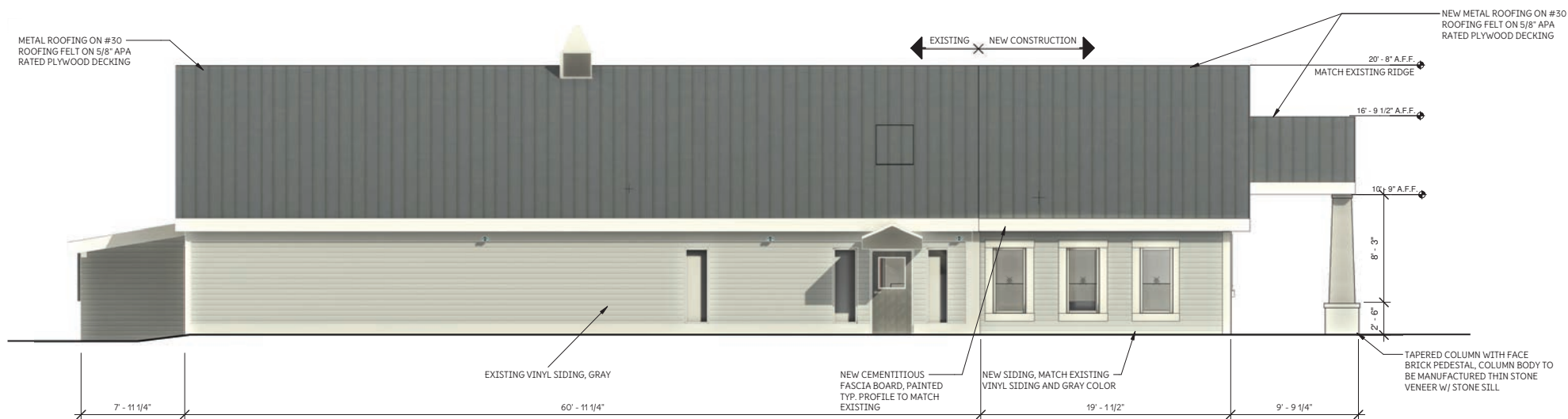
PL-1.2
18 of 83



1 BUILDING NORTHWEST ELEVATION - PROPOSED FRONT ENTRY
PL-21 3/16" = 1'-0"



2 BUILDING SOUTHWEST ELEVATION - PROPOSED NEW THERAPY ENTRY
PL-21 3/16" = 1'-0"



3 BUILDING NORTHEAST ELEVATION - PROPOSED PREVIOUS BUILDING ENTRY
PL-21 3/16" = 1'-0"



COURT STREET
VET HOSPITAL
DR. SABRINA RUSSETT, DVM
MR. TIM RUSSETT
686 COURT STREET
KEENE, NH 03431

PROPOSED
ELEVATIONS

Drawn By: JRC
Checked By: PJH

Release	Description
6-20-2025	PLANNING REVIEW
7-10-2025	PLANNING REVIEW REVISION

HDA Job Number: 2430
Date: 7.10.2025

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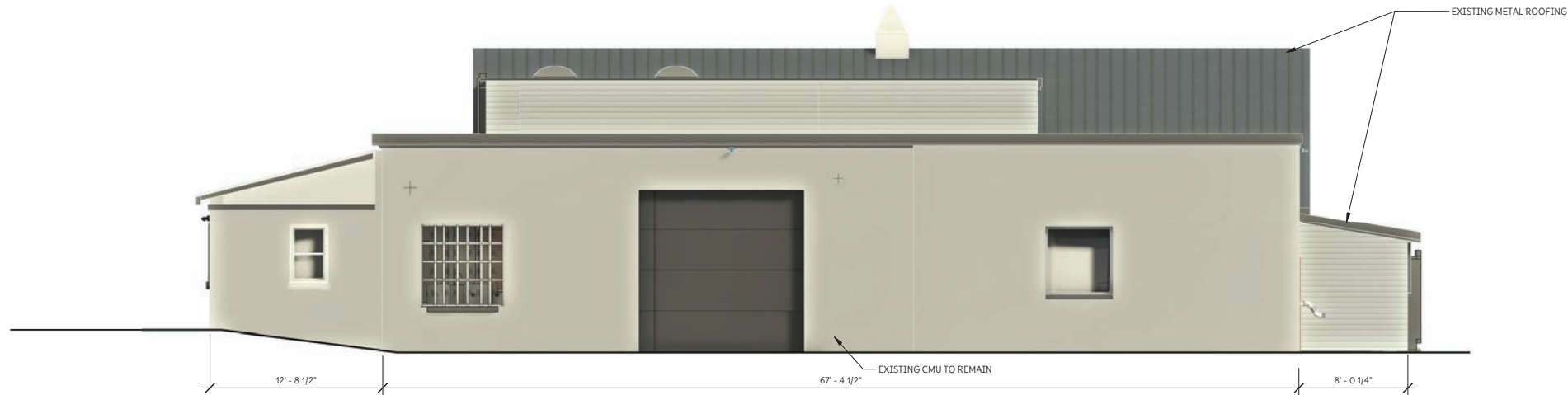
FOR CONSTRUCTION

PL-2.1
19 of 83

7/10/2025 11:27:24 PM



1 BUILDING NORTHWEST ELEVATION - EXISTING FRONT ENTRY
PL-2.2 3/16" = 1'-0"



2 BUILDING SOUTHWEST ELEVATION - EXISTING GARAGE SIDE
PL-2.2 3/16" = 1'-0"



3 BUILDING NORTHEAST ELEVATION - EXISTING BUILDING SIDE ENTRY
PL-2.2 3/16" = 1'-0"

Release	Description
6-20-2025	PLANNING REVIEW
7-10-2025	PLANNING REVIEW REVISION

HDA Job Number: 2430
Date: 7.10.2025

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STAFF REPORT

PB-2025-14 – SURFACE WATER PROTECTION CONDITIONAL USE PERMIT – EVERSOURCE T198 TRANSMISSION LINE

Request:

Applicant Normandeau Associates, Inc, on behalf of owner the Public Service Company of New Hampshire (dba Eversource Energy), proposes to replace twelve structures along the T198 Transmission Line. The proposed work area begins north of NH Route 101 and continues south to the Swanzey town border. This project will temporarily impact ~102,332-sf of the Surface Water Protection Buffer for temporary access and work pad placement.

Background:

The Eversource T-198 Transmission Line crosses through portions of Keene, Swanzey, Marlborough, and Troy for ~11 miles and has a 150'-wide right-of-way. In Keene, the project area begins just north of Route 101 and continues to the Keene and Swanzey municipal border as shown in Figure 1. This project area will cross several different zoning districts, including High Density, Commerce, Industrial, and Agriculture, which require that a surface water buffer ranging from 30'-75' be maintained from surface water and wetland features. The Applicant proposes a one-for-one replacement of 12 existing wooden utility structures with new weathered steel structures to increase the long-term reliability of the electrical utilities.

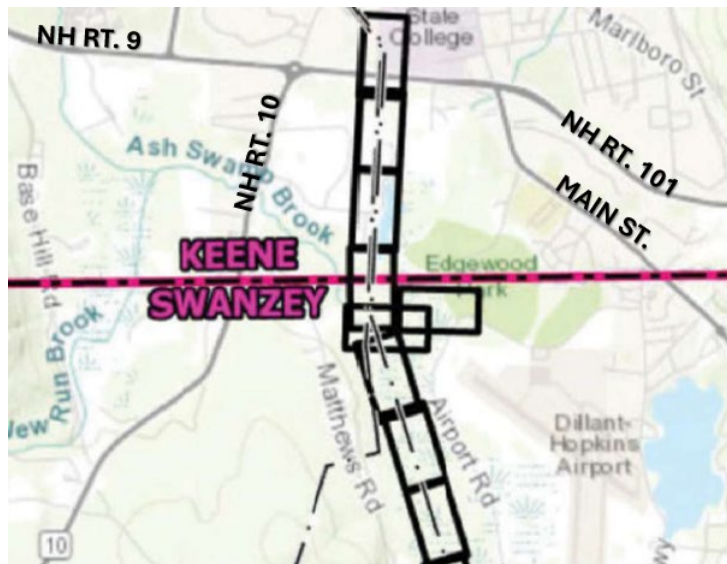


Figure 1. A snippet from the submitted plan set showing the proposed location of modifications to the T198 Transmission Line.

Due to the locations of the structures proposed to be replaced, the proposed project would temporarily impact ~56,122-sf of wetlands and ~102,332-sf of the Surface Water Protection Buffer Area for temporary site access and work pad placement. Replacing these structures will also permanently impact ~140-sf of wetlands and ~300-sf of the surface water buffer area due to the installation of replacement structures.

Per Section 11.6.1.A.1 and Section 11.6.1.A.3 of the City's Land Development Code (LDC), a Surface Water Protection Conditional Use Permit (CUP) is required for the placement of a new structure or expansion of an existing structure as well as the construction of new roads within the surface water buffer. Given these requirements, this proposal meets the threshold for the submittal of a Surface Water CUP for review by the Planning Board.

Determination of Regional Impact:

After reviewing the application, staff have made a preliminary evaluation that the proposed CUP does not appear to have the potential for "regional impact" as defined in RSA 36:55. The Board will need to make a final determination as to whether the proposal, if approved, could have the potential for regional impact.

STAFF REPORT

Completeness:

The Applicant has requested exemptions from submitting a grading plan, landscaping plan, lighting plan, and all technical reports. After reviewing each request, Planning Staff have made the preliminary determination the granting the requested exemptions would have no bearing on the merits of the application and recommend that the Board accept the application as "complete."

Departmental Comments:

- **Building Safety:** In New Hampshire, public utility transmission lines and associated structures are exempt from local building permit requirements. However, a Floodplain Development Permit will need to be submitted for the proposed scope of work.

APPLICATION ANALYSIS

The following is an analysis of the LDC standards relevant to the review of this application.

SECTION 11: SURFACE WATER PROTECTION OVERLAY DISTRICT

11.6.2.A: *"The proposed use and/or activity cannot be located in a manner to avoid encroachment into the Surface Water Protection Overlay District."*

The project narrative states that the proposed work area is located within the right-of-way of the existing cleared T198 Transmission line, which is generally bordered by development and forest communities. The Applicant states that due to these site constraints and existing structure locations, travel through and work pad placement within the Surface Water overlay District is required.

11.6.2.B: *"Encroachment into the buffer area has been minimized to the maximum extent possible, including reasonable modification of the scale or design of the proposed use."*

The project narrative states that the project will involve the replacement of 12 existing utility poles along ~0.93 miles of the T198 Transmission Line right-of-way (ROW) starting just north of Route 101 and continuing south to the Keene-Swanzey municipal boundary. The proposed replacement of these poles will require ~56,122-sf of temporary wetland impacts and ~102,332-sf of impacts within the 75' surface water buffer for the installation of timber mat access routes and work pads. The installation of replacement structures will require ~140-sf of permanent wetland impacts and ~300-sf of permanent impacts within the surface water buffer.

The Applicant states that because the proposed project area is located within an existing ROW and the current utility structures are at the end of their life expectancy and need to be replaced, there are inherent limitations to the changes that can be made to the location and/ or scale of work required within the surface water buffer. The narrative states that timber matting will be used to establish temporary work pads and access routes to minimize impacts to wetlands and upland buffers. Additionally, access routes will be created to follow existing upland walking trails, structures will be shifted out of or further away from wetlands when possible, and best management practices will be used to reduce the potential for impacts to wetlands.

Impacts to areas directly within the wetlands are under the jurisdiction of the New Hampshire Department of Environmental Services (NHDES,) and are, therefore, not subject to the Surface Water Protection Ordinance as outlined under Section 11.6.1.B of the LDC. Planning Staff recommend that the Planning Board include a condition of approval in the motion for this application related to the submittal of all approved local, state, and federal permits prior to the commencement of site work.

STAFF REPORT

11.6.2.C: "The nature, design, siting, and scale of the proposed use and the characteristics of the site, including but not limited to topography, soils, vegetation, and habitat, are such that when taken as a whole, will avoid the potential for adverse impacts to the surface water resource."

The project narrative states that, when possible, wetland crossings will be located at the narrowest portion of the wetland and/or upland walking rails within the ROW will be followed. The Applicant also states that permanent wetland impacts will be limited to the square footage required to install replacement structures, which will be shifted out of or further away from the wetlands when possible. Following the completion of this work, all timber matting will be removed and disturbed areas will be seeded with an appropriate native seed mix. In accordance with Section 11.6.3.A of the LDC, the Conservation Commission will be reviewing this proposal at their meeting on Monday, July 21, 2025. Advisory comments from this committee will be provided to the Planning Board at their meeting on July 28, 2025.

11.6.2.D: "The surface water buffer area shall be left in a natural state to the maximum extent possible. The Planning Board may establish conditions of approval regarding the preservation of the buffer, including the extent to which trees, saplings and ground cover shall be preserved."

- 1. Dead, diseased, unsafe, fallen or invasive trees, saplings, shrubs, or ground cover may be removed from the surface water buffer area.***
- 2. Tree stumps and their root systems shall be left intact in the ground, unless removal is specifically approved in conjunction with a surface water protection conditional use permit granted by the Planning Board. The stumps and root balls of exotic, invasive species may be removed by hand digging and/or hand cutting.***
- 3. Preservation of dead and living trees that provide dens and nesting places for wildlife is encouraged. Planting of native species of trees, shrubs, or ground cover that are beneficial to wildlife is encouraged.***
- 4. Where there has been disturbance or alteration of the surface water buffer during construction, revegetation with native species may be required by the Planning Board."***

The project narrative states that the natural state of the surface water buffer will be maintained to the extent practicable. It goes on to state that proposed impacts will come from the temporary work pad placement and site access points and permanent impacts will be limited to small areas associated with the installation of the new steel utility structures. Following construction, remediation methods will include using native seed mixes and mulch to return the buffer areas to their pre-construction conditions.

SECTION 11.6.2.E: "The Planning Board may consider the following to determine whether allowing the proposed encroachment will result in an adverse impact on the surface water resource."

- 1. The size, character, and quality of the surface water and the surface water buffer being encroached upon.***
- 2. The location and connectivity of the surface water in relation to other surface waters in the surrounding watershed.***
- 3. The nature of the ecological and hydrological functions served by the surface water.***
- 4. The nature of the topography, slopes, soils, and vegetation in the surface water buffer.***
- 5. The role of the surface water buffer in mitigating soil erosion, sediment and nutrient transport, groundwater recharge, flood storage, and flow dispersion.***
- 6. The extent to which the surface water buffer serves as wildlife habitat or travel corridor.***
- 7. The rate, timing and volume of stormwater runoff and its potential to influence water quality associated with the affected surface water or any associated downstream surface waters.***
- 8. The sensitivity of the surface water and the surface water buffer to disruption from changes in the grade or plant and animal habitat in the buffer zone."***

STAFF REPORT

The project narrative states that the surface water resources in the proposed project area consist of scrub-shrub, emergent, and wet meadow wetlands. The wetlands north of Krif Road are hydrologically separate from the Ashuelot River due to the surrounding development. South of Krif Road, the wetlands are part of the complex of floodplain wetlands contiguous to the Ashuelot River, which creates a greater hydrological connection to the river and provides more valuable wetland functions and values compared to those north of Krif Rd. The topography of the work area within Keene is relatively flat. The narrative states that in conjunction with proposed sediment and erosion control measures and the use of timber matting to minimize soil disturbance, the risk of sediment transport into surface water resources outside of the project area during construction is low. All disturbed areas will be restored to pre-construction conditions following the completion of construction.

SECTION 21: SITE DEVELOPMENT STANDARDS

21.2 - DRAINAGE: The project narrative states that there are no changes to grades, permanent changes to vegetation communities, and/or coverage in the ROW that could result in increased volume or velocity of runoff onto adjacent properties and surface water bodies. Timber matting used in conjunction with temporary erosion and sediment control measures will help to minimize any potential disturbance to wetland buffer areas and manage any temporary changes in drainage patterns during construction to protect the water quality of adjacent resources.

21.3 - SEDIMENT & EROSION CONTROL: The narrative states that the project will be conducted using the *NH DES Best Management Practices (BMP) Manual for Utility Maintenance In and Adjacent to Wetlands and Waterbodies in New Hampshire (March 2019)* and the *New Hampshire Stormwater Manual*, both of which are required as part of their NHDES Alteration of Terrain Permit for the project. Additionally, a Stormwater Pollution Prevention Plan will be prepared as part of the coverage for the project under the current Environmental Protection Agency's (EPA's) Construction General Permit. Proposed erosion control measures include the installation of straw wattles and silt fencing. Proposed sediment and erosion control measures are shown on the submitted plans, which are included as an attachment to this staff report.

21.4 - SNOW STORAGE & REMOVAL: The project narrative states that snow will be removed from timber mat access routes and work pads by the project contractor. Due to the location of large portions of the work area in close proximity to surface waters and wetlands, the Applicant has noted in the project narrative that completely avoiding pushing snow off of work pads and timber mats is not feasible from a site management perspective; however, development of larger snow stockpiles will be avoided in wetlands to the extent feasible and will not impact property outside of the ROW.

21.10 - FILLING & EXCAVATION: The project narrative states that all excavation completed as part of this project will be related to the installation of replacement structure footings and the removal of existing wooden footings. To allow for this work, the Applicant will need to obtain an NHDES Standard Dredge & Fill and Alteration of Terrain Permits as well as a Floodplain Development Permit from the City of Keene Community Development Department. As mentioned previously, Planning Staff recommend that the Planning Board include the submittal of the approved permit numbers for these applications as a condition of approval.

21.12 - HAZARDOUS & TOXIC MATERIALS: The project narrative states that the Stormwater Pollution Prevention Plan that will be prepared will outline all potential sources of hazardous or toxic materials associated with this project. The Applicant notes that, in general, the source of these materials would most likely be construction equipment fueling activities, minor equipment maintenance, temporary sanitary facilities, and waste storage. Spill kits will be available at all active work sites. As stated

STAFF REPORT

previously, Planning Staff recommend that a copy of the Stormwater Pollution Prevention Plan is submitted to the Community Development Department for review and comment by the City Engineer.

21.13 - NOISE: The project narrative states that all construction will take place from Monday to Saturday from 7:00 am – 5:00 pm.

Recommended Motion:

If the Board is inclined to approve this request, the following motion is recommended:

“Approve PB-2025-14 as shown on the plan set identified as, “T198 Maintenance Project” prepared by Normandeau Associates Environmental Consultants at varying scales on June 17, 2025 with the following conditions subsequent to final approval and signature of the plans by the Planning Board Chair:

- 1. Prior to the commencement of work, the following conditions shall be met:**
 - a. The submittal of approved permit numbers for all necessary local, state, and federal permit applications, including but limited to:**
 - 1. An approved Floodplain Development Permit from the City of Keene Community Development Department.**
 - 2. Temporary Street Access Permits for each access point from the public right-of-way from the City of Keene Public Works Department.**
 - 3. Approved Wetlands, Alteration of Terrain, and Shorelands Permits from the New Hampshire Department of Environmental Services.**
 - 4. An approved General Permit from the US Army Corps of Engineers and a 2022 General Construction Permit from the US Environmental Protection Agency.**
 - 5. Any other local, state, or federal permits deemed applicable to the proposed scope of work by the appropriate decision-making authority.**
 - b. The submittal of a Stormwater Pollution Prevention Plan to the Community Development Department for review and comment by the City Engineer.”**



City of Keene, NH

Surface Water Protection Conditional Use Permit (CUP) Application



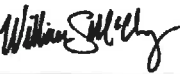
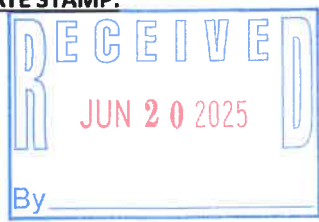
If you have questions about how to complete this form, please call: (603) 352-5440 or email: communitydevelopment@keenenh.gov

SECTION 1: PROJECT INFORMATION

PROJECT NAME: Eversource T198 Line Project

PROJECT ADDRESS(ES): Multiple. See Project Parcels List in Attachment C.

SECTION 2: CONTACT INFORMATION

PROPERTY OWNER	APPLICANT
NAME/COMPANY: Public Service Company of NH d/b/a Eversource Energy, Attn: Jeremy Fennell	NAME/COMPANY: Public Service Company of NH d/b/a Eversource Energy, Attn: Jeremy Fennell
MAILING ADDRESS: 3 Legends Drive Hooksett, NH 03106	MAILING ADDRESS: 13 Legends Drive Hooksett, NH 03106
PHONE: 603-634-3396	PHONE: 603-634-3396
EMAIL: jeremy.fennell@eversource.com	EMAIL: jeremy.fennell@eversource.com
SIGNATURE: 	SIGNATURE: 
PRINTED NAME: Jeremy Fennell	PRINTED NAME: Jeremy Fennell
AUTHORIZED AGENT (if different than Owner/Applicant)	FOR OFFICE USE ONLY:
NAME/COMPANY: Normandeau Associates, Inc., Attn: William McCloy	TAX MAP PARCEL #(s): various parcels/unassigned
MAILING ADDRESS: Normandeau Associates, Inc., Attn: William McCloy	
PHONE: 25 Nashua Road Bedford, NH 03110	PARCEL SIZE:
EMAIL: wmccloy@normandeau.com	ZONING DISTRICT:
SIGNATURE: 	DATE STAMP: 
PRINTED NAME: William McCloy	PROJECT #: PB-2025-14



July 8, 2025

City of Keene
Planning Board
3 Washington Street
Keene, New Hampshire 03431

Re: Conditional Use Permit Application
Eversource T198 Line Project
Keene, New Hampshire

Dear Members of the Board:

On behalf of Public Service Company of New Hampshire d/b/a Eversource Energy (Eversource), Normandeau Associates, Inc. (Normandeau) is submitting this Conditional Use Permit Application for the proposed Eversource T198 Line Project within the City of Keene. On behalf of Eversource, Normandeau is requesting consideration of a Conditional Use Permit Application for required wetland and upland buffer impacts in the City of Keene Surface Water Protection Overlay District.

The T198 Transmission Line crosses through portions of Keene, Swanzey, Marlborough, and Troy for approximately 11 miles and the right-of-way (ROW) is approximately 150-ft wide. The proposed project includes the one-to-one replacement of twelve (12) existing utility structures along the existing T198 transmission line in Keene, New Hampshire. The project is necessary to support current and future electricity demands in the region. The structure replacements were selected based on inspection of the transmission line. It was determined that these structures have reached the end of their life expectancy and must be replaced to meet current electrical standards. The existing wood structures will be replaced with weathered steel structures to increase the long-term reliability of the line. There are no proposed expansions of the ROW or construction of new lines associated with this project.

The proposed work area in Keene begins just north of Route 101 and continues south to the Keene and Swanzey municipal line. The Project is in the vicinity of the Keene State College Athletics Complex and the Ashuelot Rail Trail, within a cleared and routinely mowed ROW. Natural cover in the ROW includes upland shrublands and emergent and scrub-shrub wetland habitats. As the Project is in the Agricultural District of the City of Keene, a 75-ft buffer applies to all wetlands in the project area. Additionally, the ROW is in the FEMA mapped 100-year floodplain of the Ashuelot River, which occurs outside of the ROW, to the east of the Project in Keene.

Normandeau delineated and classified wetlands and surface waters in the vicinity of the project footprint, photographed resources, and recorded data relevant to wetland functions and values in 2024 with supplemental spot checks in early 2025. The wetland delineation was conducted in accordance with the United States Army Corps of Engineers (USACE) Wetlands Delineation Manual using the Routine Determinations Method and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual as required by the New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau and the USACE. The wetland delineation and characterization were conducted by Normandeau's New Hampshire Certified Wetland Scientists (CWSs): Mr. Benjamin Griffith (CWS No. 298), Normandeau's Ms. Jamie O'Brien (CWS No. 329), and

Dr. Elizabeth Olliver (CWS No. 337), with additional support from Mr. William McCloy (CWS No. 268) in 2024 and 2025. Photos of delineated resources in the Keene portion of the Project are available in Attachment D.

The proposed project will include access to structures being replaced and the construction of work pads around utility pole replacement locations to stage equipment through both upland and wetland areas. The project proposes to use timber matting for all proposed work pads and access routes to minimize impacts to both wetlands and their upland buffers. Additionally, all existing wooden utility structure footings will be removed, to avoid loss of flood storage in the Ashuelot River's 100-year floodplain.

The proposed project requires approximately 56,122 sq. ft. of temporary wetland impacts and 102,332 sq. ft. of temporary 75-ft wetland buffer impacts associated with installation of timber mat access routes and work pads. Installation of replacement structures will require 140 sq. ft. of permanent wetland impacts and 300 sq. ft. of 75-ft wetland buffer impacts.

A list of the required local, state, and federal level permits and/or coverages under permits and the status of Project's applications for these is provided below:

- **City of Keene Surface Water Protection Conditional Use Permit (this application):** *Required for work in the City of Keene's surface water protection overlay district, consisting of all wetlands and their 75-ft upland buffers. Under review.*
- **City of Keene Floodplain Development Permit:** *Required for work in the 100-year floodplain of the Ashuelot River in Keene. To be submitted to and approved by the City of Keene Floodplain Administrator.*
- **NHDOT Driveway Permit:** *Required for access to the ROW off NH Route 101. To be submitted to and approved by NH Department of Transportation. Planned submission is Fall 2025 for access in 2026.*
- **City of Keene Temporary Street Access Permit:** *Required for access to the ROW off Krif Road. To be submitted to and approved by the Public Works Department prior to the start of work in Keene.*
- **City of Keene Excavation Permit:** *Required for excavations in the City of Keene. To be submitted to and approved by the Public Works Department prior to the start of work in Keene.*
- **NHDES Standard Dredge & Fill Wetlands Permit:** *Submitted on 5/28/25, review in process. Copy of approved permit to be submitted to Community Development Department prior to start of work in wetlands.*
- **NHDES Alteration of Terrain Permit:** *Submitted on 6/10/25, review in process. Copy of approved permit to be submitted to Community Development Department prior to the start of any work in Keene.*
- **NHDES Shoreland Permits:** *None required for the work in Keene, as all work will be outside of the 250-ft buffer of the delineated ordinary high-water mark of the Ashuelot River.*
- **USACE NH General Permit (Pre-Construction Notification):** *Submitted on 6/3/25, review in process. Copy of approved permit to be submitted to Community Development Department prior to start of work in Keene wetlands.*
- **EPA 2022 General Construction Permit:** *Development of Stormwater Pollution Prevention Plan (SWPPP) and application for coverage in progress. Copy of final SWPPP to be submitted to the City Engineer for review and copy of approval for EPA 2022 General Construction Permit coverage will be submitted to the Community Development Department prior to the start of any work in Keene.*

Physical and digital copies of the NHDES Standard Dredge & Fill Wetlands and Alteration of Terrain Permit applications were submitted to the City of Keene. Documentation of receipt of all permits and approvals required for each jurisdictional area in Keene will be submitted to the City of Keene Community Development Department prior to the commencing of work in that given jurisdictional area.

Per Article 11 of the Keene Land Development Code (LDC), a Surface Water Protection Conditional Use Permit (SWP CUP) issued by the Planning Board is required for a proposed use listed in Article 11.6.1 when the proposed use is located on land within the Surface Water Overlay Protection District and those impacts are not already covered under the jurisdiction of the NH Department of Environmental Services state issued wetlands permit or shoreland permit. See Attachment B for discussions regarding criteria outlined in Sections 11.6.2 and 21 of the LDC, as required on the conditional use permit application form.

Per Section 26.14.6 of the LDC, a sign obtained from the Community Development Department will be posted on the site providing notice of the use applied for and date and time of the public hearing a minimum of 10 calendar days prior to the public hearing. This signage will be posted along Krif Road where the T198 transmission line ROW and Krif Road intersect. As Route 101 is not a roadway which those traveling on it should stop and pull over to read the signage for safety reasons, no signage will be posted at this project access point. The signage will be returned no later than 10 calendar days after completion of the public hearing.

Per Section 11.6.3.A of the LDC, this SWP CUP application is being forwarded to the Conservation Commission a minimum of 5-business days prior to the Commission's next regularly scheduled meeting on Monday, July 21st at 5:00 pm in Room 22 at the Keene Rec Center. A representative of the Project will attend this meeting to present the Project to the Commission and answer questions.

Five (5) physical copies of the final plan set, printed on 11" x 17", will be submitted to the Community Development Department within 180 days following issued conditional approval of the SWP CUP from the City of Keene Planning Board.

See Attachments E and F for a USGS project location map and the construction plans for the proposed Project. Please note, the construction plans display both existing and proposed conditions. Exemptions from submittal of all other plan sets and technical reports listed on the CUP form is requested, as we argue they are not relevant given the nature of the proposed Project.

Please feel free to contact Jeremy Fennell at 603-634-3396 (jeremy.fennell@eversource.com) or William McCloy at 802-855-1246 or at wmccloy@normandeau.com if you have any questions.

Sincerely,



Senior Scientist

Attachments:
Attachment A - Conditional Use Application Form

Article 11.6

In accordance with Article 11.6.2, as required on the Surface Water Protection Conditional Use Permit (SWP CUP) Application form, the following criteria are addressed below.

A. Why proposed use or activity cannot be placed outside of Overlay District.

The proposed work area is located within the existing cleared T198 transmission line ROW, which is generally bordered by development and forest communities. Due to these site constraints and existing structure locations, travel through and work pad placement in the Surface Water Overlay District is required.

B. How encroachment into the buffer area has been minimized to the maximum extent possible, including reasonable modification of the scale or design of the proposed use.

The project area is an existing ROW and consists of the replacement of existing utility structures which have reached the end of their life expectancy and must be replaced to meet current electrical standards. Therefore, there are inherent limitations to significant changes in the location and/or scale of work required in the buffer. Timber matting will be used to establish temporary work pads and access routes, thereby minimizing impacts to the wetlands and their upland buffers to the greatest extent feasible. Impacts to wetlands were further minimized to the extent practicable by having access routes follow existing upland walking trails and shifting structures out of or further away from wetlands where possible. Best Management Practices (BMP) will be implemented along work areas in the ROW to reduce/limit potential effects.

C. How the nature, design, siting, and scale of the proposed use and the characteristics of the site, including but not limited to topography, soils, vegetation, and habitat, are such that when taken as a whole, will avoid the potential for adverse impacts to the surface water resources.

The Project proposes a one-to-one replacement of existing utility structures within an existing and routinely maintained utility ROW with nearly flat topography. Project impacts to the surface water resources will largely be temporary, in association of use of timber matting to establish access routes and work pads necessary to complete the replacements. Where possible, wetland crossing will be located at the narrowest portion of the wetland and/or upland walking trails within the ROW will be followed. Permanent impacts by the Project are limited to the square footage required to install the replacement structures. Where possible, structures have been shifted out of or further away from wetlands. Following completion of structure replacement and timber mat removal, all disturbed substrates will be seeded with an appropriate native seed mix, as necessary, to facilitate re-establishment of the vegetation community. Following completion of this Project anticipated impacts to the area will be associated with the continued use of the area as a utility ROW, involving periodic maintenance of structures and mowing of vegetation, as needed, to maintain the functionality and safety of the transmission lines, which has been the case for decades.

D. How the buffer shall be left in a natural state to the extent possible.

The proposed project will maintain the natural state of surface water buffers to the extent practicable. Most of the proposed impacts are temporary, and permanent impact are limited to small areas associated with the installation of the utility structures, which are a replacement structures. The access road and work pads needed to complete the work will consist of temporary timber matting throughout the Keene portion of the Project, minimizing ground disturbance. During construction, appropriate perimeter controls (straw wattle, silt fence, etc.) will be implemented, as needed, to protect surface water resources. Restoration methods such as seeding with native seed mixes and mulching will be followed, as needed, to return the buffer to pre-construction conditions. The Project will prepare a Storm Water Pollution Prevention Plan and associated

erosion control monitoring will be conducted during and after construction. An environmental monitor will be retained to provide erosion control monitoring and advise Eversource on the installation and maintenance of erosion control measures during construction and restoration.

E. Discussion of whether the proposed encroachment will result in an adverse impact on the surface water resources.

The surface water resources in the T198 project area in Keene consist of a series of scrub-shrub, emergent, and wet meadow wetlands. Those north of the Krif Road are directly abutted by development, including Route 101, the Ashuelot Rail Trail, and the Keene State College athletic facilities and are somewhat hydrologically separated from the Ashuelot River due to this surrounding development. The wetlands south of Krif Road are part of the complex of floodplain wetland that are contiguous to the Ashuelot River, thus have a greater hydrological connection to the river, and provide relatively greater functions and values as compared to those north of Krif Road. The topography of the Keene portion of the Project is relatively flat, timber matting will be used in all areas to minimize soil disturbance, and erosion and sediment controls will be used as needed. Thus, the risk of transport of sediment to surface water resources outside of the project area during construction is low. All temporarily disturbed areas will be restored to pre-construction conditions following completion of structure replacement. No changes in grades or vegetation community are proposed which could permanently alter the rate, timing, and/or volume of stormwater runoff and its potential to influence water quality in those surface water resources temporarily impacted by or that occur downstream of the Project. The Project will result in no permanent changes that would alter or eliminate any of the functions and values currently provided by the surface water resources to be temporarily impacted, including wildlife habitat.

Article 21

In accordance with Article 21, as required on the SWP CUP form, the Project meets Site Development Standards as discussed below.

21.2 Drainage & Stormwater Management

An exemption from the drainage report required under Article 21.2.B is requested on the basis that no changes to grades and/or permanent changes to vegetation community and/or coverage in the ROW that could result in increased volume or velocity of runoff onto adjacent properties or surface water bodies are proposed. The Project is utilizing timber matting to construct all access routes and work areas, thereby minimizing disturbance. Erosion and sediment controls will be installed and maintained throughout construction and restoration, as needed, to manage any temporary changes in drainage patterns during construction and protect the water quality of adjacent resources.

21.3 Sediment & Erosion Control

The Project will utilize the *NHDES Best Management Practices (BMPs) Manual for Utility Maintenance In and Adjacent to Wetlands and Waterbodies in New Hampshire* (March 2019) and the New Hampshire Stormwater Manual as required as part of the NHDES Alteration of Terrain Permit for the Project. In addition, the Project will prepare a Stormwater Pollution Prevention Plan as part of coverage for the Project under the current EPA Construction General Permit. Eversource will retain an environmental monitor to complete erosion control inspections, advise the team on practices to maintain compliance with water quality standards, and track the progress of site restoration.

21.4 Snow Storage & Removal

Any removal of snow from timber mat access routes and work pads will be completed, if needed, by the project contractor. Due to the location of large portions of the Project being overtop surface water areas,

complete avoidance of pushing certain amounts of snow off the edge of the timber mat access routes and work pads is not feasible from a site management perspective. However, development of large snow stockpiles will be avoided in wetlands to the extent feasible and will not impact property outside of the ROW.

21.5 Landscaping

No landscaping is proposed as part of this Project. All disturbed areas will be seeded with an appropriate native seed mix and mulched, as needed, to facilitate re-establishment of the pre-construction vegetation community in the ROW.

21.6 Screening

No need for installation of screening has been identified for the proposed Project. The Project consists of the replacement of existing utility structures in an existing and routinely maintained utility ROW with no screening currently in place.

21.7 Lighting

No outdoor lighting fixtures are proposed as part of the Project.

21.8 Sewer & Water

No impacts to existing sewer or water utilities by the Project are anticipated. Dig Safe and City Department of Public Works will be contacted prior to the start of work so ensure any existing utilities are marked out and avoided. Known underground utilities identified on access routes will be protected with matting.

21.9 Traffic & Access Management

The Project is not anticipated to significantly impact traffic capacity and/or safety and no improvements to roadways, bridges, signals, or intersections are proposed as part of the Project. Project work areas will be accessed via Route 101 and Krif Road and are anticipated to require less than 100 vehicle trips per day. An application for Temporary Driveway Access (Encroachment Permit) will be filed with the NH Department of Transportation for the access off Route 101. The portion of Krif Road the Project will access the ROW from is not a main thorough fare in the City of Keene, it strictly provides access to Keene State College athletic facilities. Flaggers may periodically be utilized on Krif Road at the access point to the ROW to temporarily direct traffic when larger pieces of equipment and construction materials are delivered to the project area.

21.10 Filling & Excavation

All fill and excavation associated with the Project will be associated with installation of the replacement structure footings and removal of the existing wooden structure footings. The impacts related to these fill and excavation activities will comply with the conditions outlined in the NHDES Standard Dredge & Fill Wetlands Permit, NHDES Alteration of Terrain Permit, and Keene Surface Water Protection Conditional Use Permit for the Project. No excavation is anticipated on City-owned property in the City of Keene.

21.11 Surface Waters & Wetlands

The Project will comply with all issued federal, state, and City of Keene permit conditions and all relevant regulations regarding activities in wetlands and surface water regulations.

21.12 Hazardous & Toxic Materials

The Stormwater Pollution Prevention Plan, to be developed as part of obtaining coverage for the Project under the current EPA Construction General Permit, will discuss in detail all anticipated sources of hazardous or toxic materials associated with completion of the Project. In general, potential hazardous or toxic materials sources

on site will include construction equipment fueling activities, minor equipment maintenance, any temporary sanitary facilities, and waste storage (incidental trash, demolished existing utility structures, etc). No other sources of hazardous or toxic materials are anticipated and the Project is unaware of any existing contamination by hazardous or toxic substances on site.

Spill kits will be available at all active work sites in case of spills from fueling and minor maintenance of equipment and vehicles. All spills will be cleaned up immediately after discovery, following the manufacturer's recommended methods for spill cleanup. All demolished existing utility structure materials and any temporary sanitary facilities will be removed from the site as part of restoration prior to project close out.

21.13 Noise

During construction, an increase in noise levels in the area will be required for the necessary use of heavy equipment to install the replacement structures. These construction activities will be limited to Monday through Saturday from 7 am to 5 pm. After completion of construction, there will be no change in noise levels in the area as compared to pre-construction conditions.

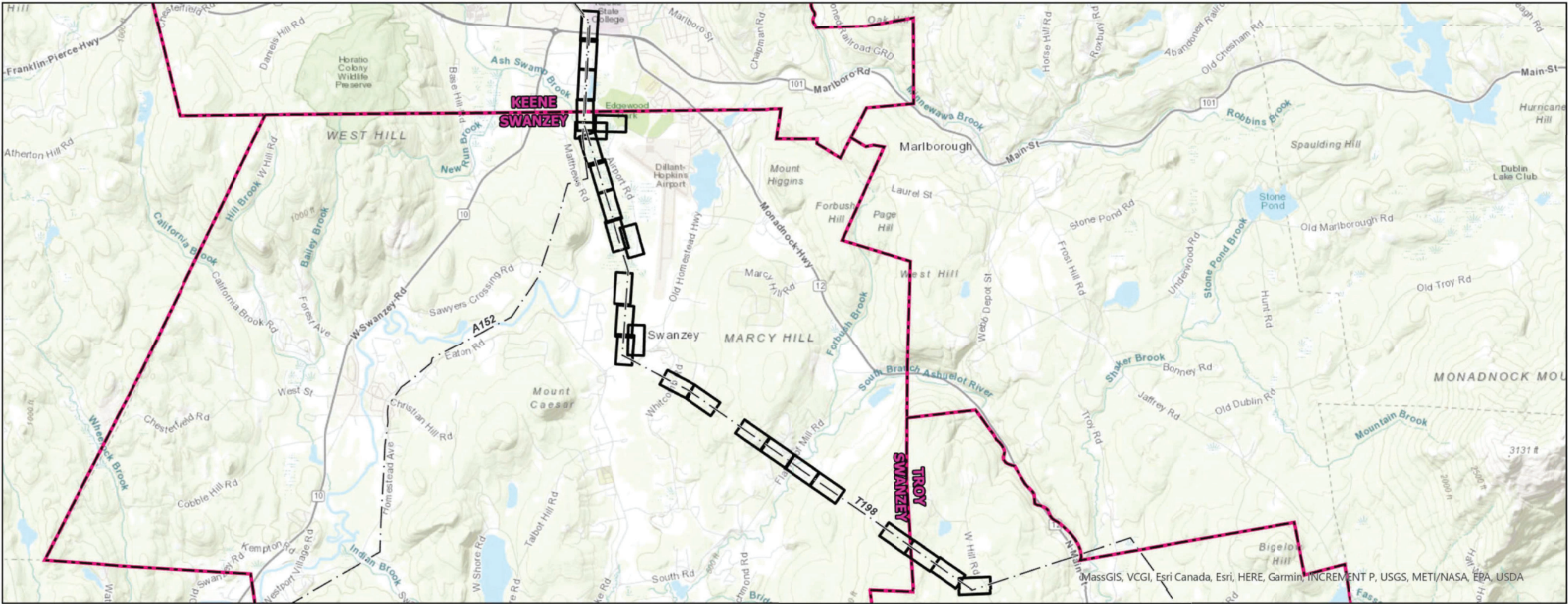
21.14 Architecture & Visual Appearance

The Project involves the replacement of existing utility poles in an existing and routinely maintained ROW. No changes which would significantly alter any viewshed or view corridors are proposed.

T198 Line Maintenance Project

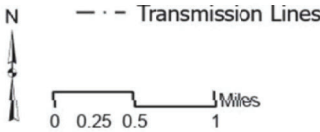
Construction Plans for
City of Keene Permitting

Date: June 17, 2025



PREPARED FOR:
EVERSOURCE

107 Selden Street
Berlin, CT 06037



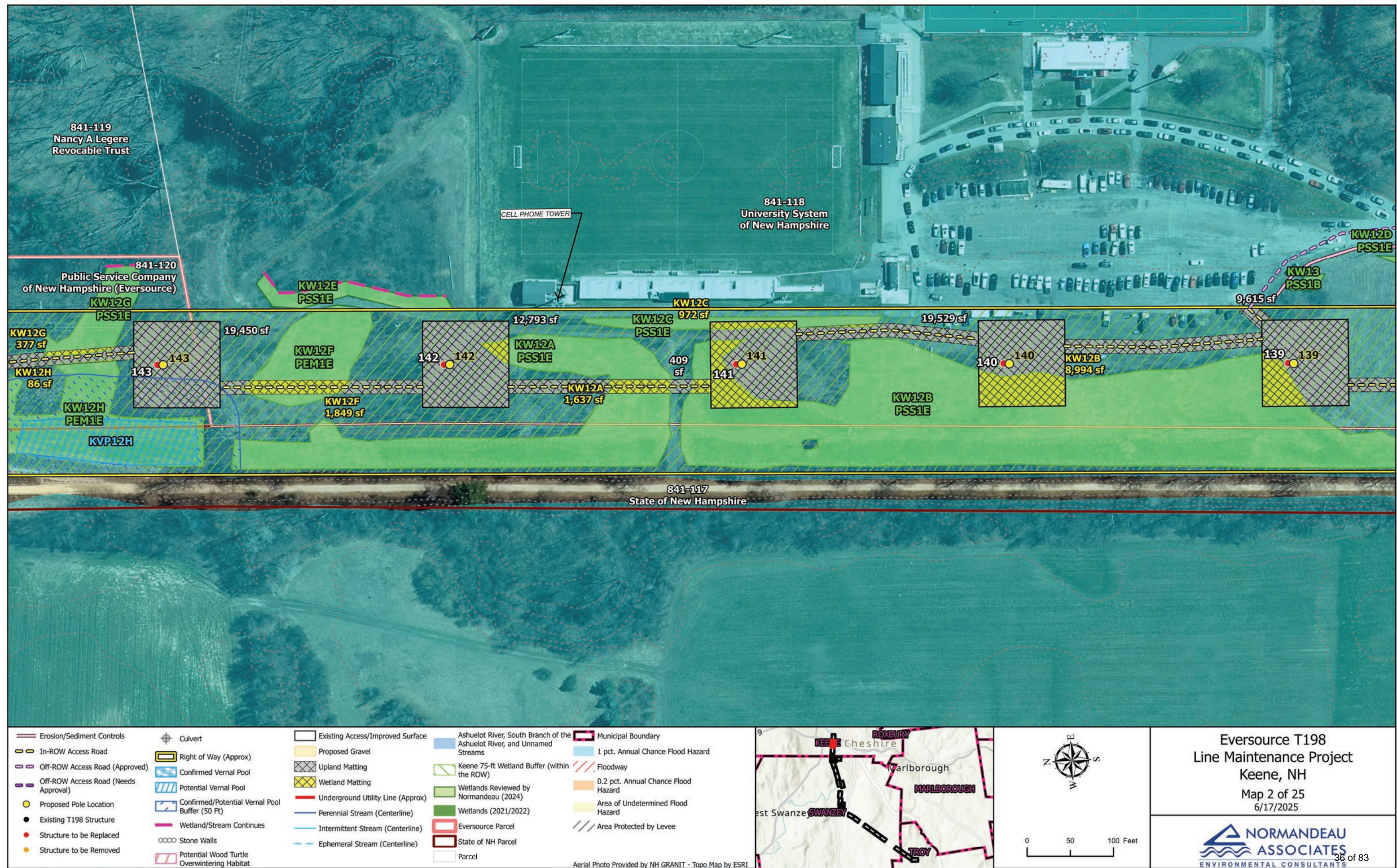
INDEX OF FIGURES
Title Sheet / Index Map
Map Sheets 1-25

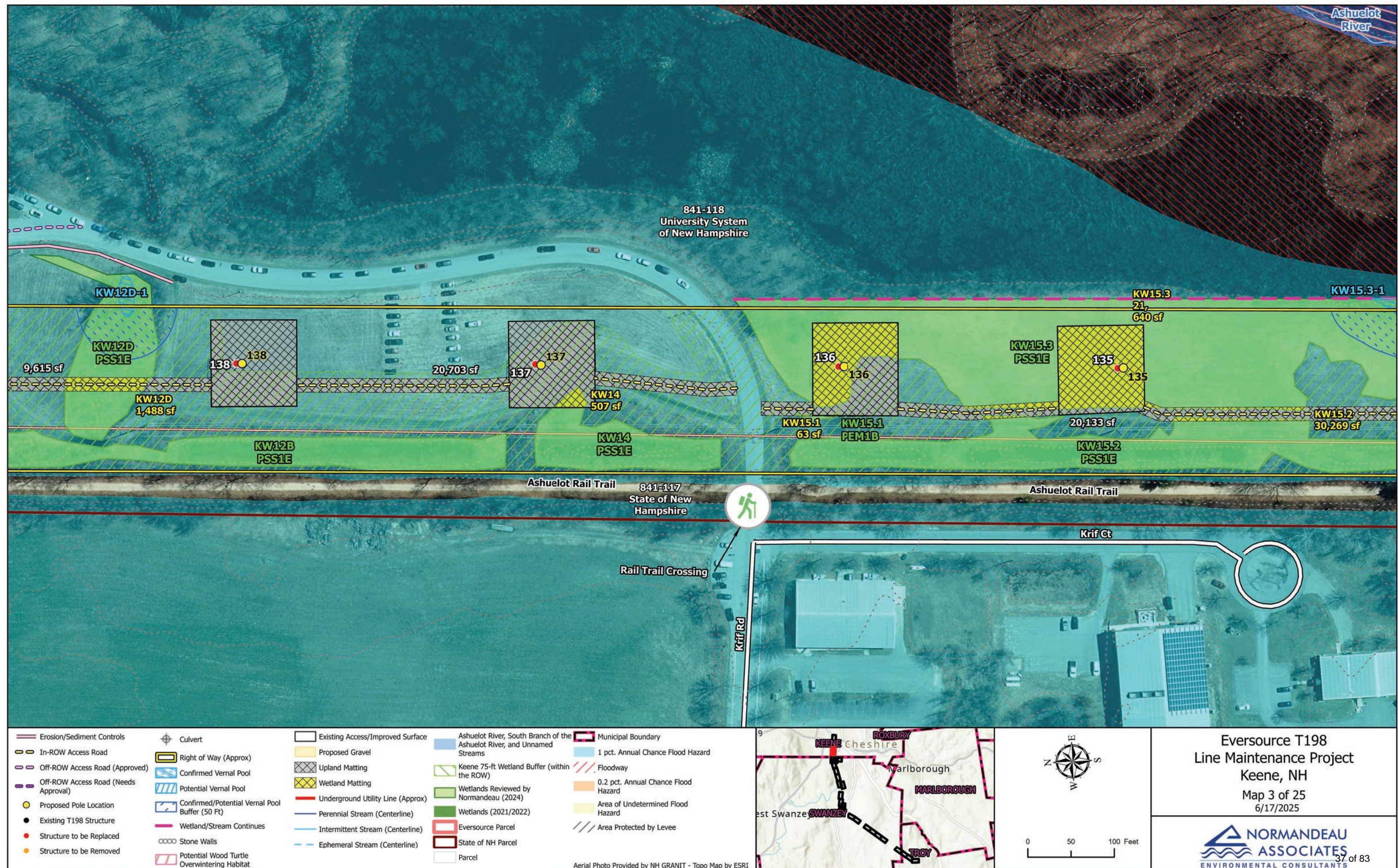


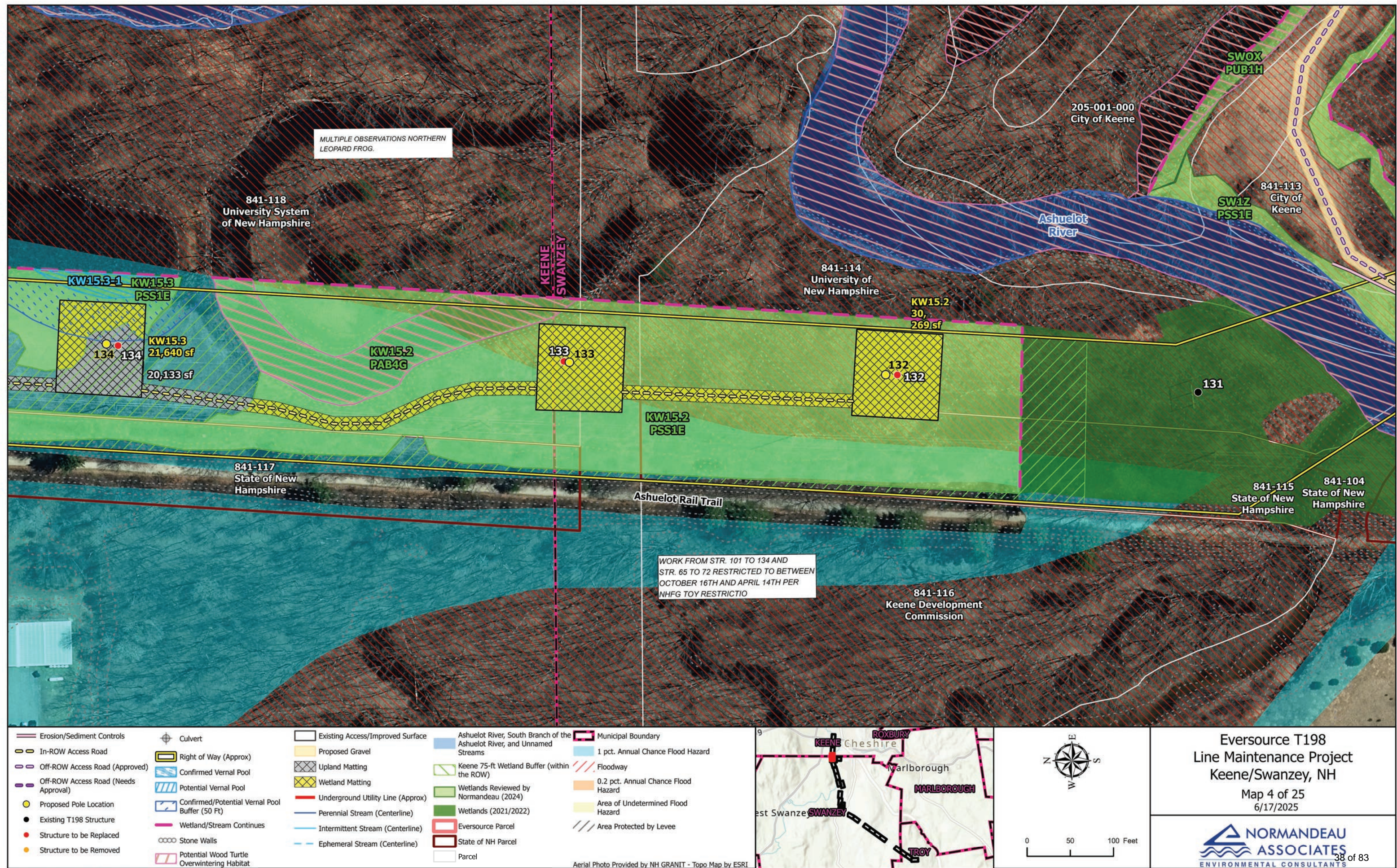
PREPARED BY:
NORMANDEAU ASSOCIATES
ENVIRONMENTAL CONSULTANTS

Please note, that while this cover sheet shows the entire scope of the T198 Line Project, only those plans sheets pertaining to the scope of work in Keene are provided for this application. All impacts both temporary and permanent will be confined to the existing T198 ROW on parcels which Eversource either owns or holds easements.

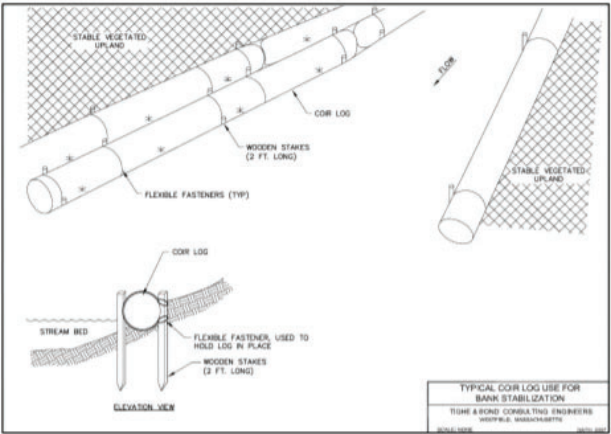
Owner/Easement Holder Representative:







Best Management Practice 4: Coir Logs



Description:

Coir logs, straw wattles, fiber rolls, or SiltSoxx™ consist of compressed weed-free straw fiber or other natural material, placed within a photodegradable mesh cylindrical sock.

Applications:

- Streambank, wetland, and slope protection
 - Check dam applications
 - Perimeter and stockpile containment
 - Slope stabilization by shortening slope length, reducing runoff velocity, and trapping mobile soil particles
- Provides substrate for plant growth upon decay of fiber roll and protects new vegetation growth

Installation:

- For slope stabilization, it is critical that coir logs are installed perpendicular to soil movement and parallel to the slope contour.
- If additional length is needed for application, ends should be overlapping at least 6 inches.
- If used in slope stabilization, construct trenches half the diameter of the log in which to place the roll. Lay the coir log along the trench, snugly fitting it against the soil. Ensure no gaps exist between the soil and the fiber roll.
- Install stakes at least every three feet apart along the length of the roll. Additional stakes may be driven on the downslope side of the trenches on highly erosive or very steep slopes.

Best Management Practice 5: Silt Fence



Description:

Silt fence is a temporary sediment barrier consisting of filter fabric attached to supporting posts and entrenched into the soil. This barrier is installed across or at the toe of a slope to intercept and retain small amounts of sediment from disturbed or unprotected areas.

Applications:

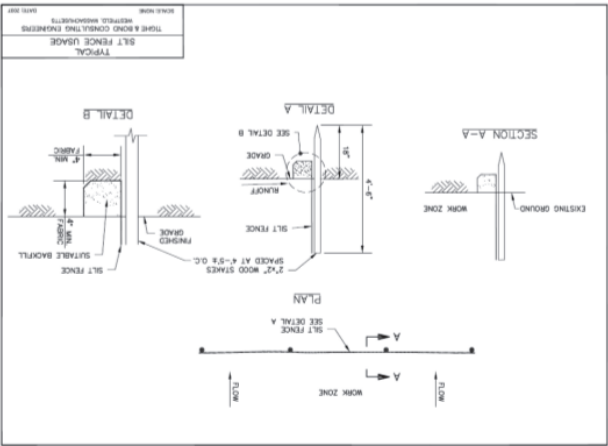
Consider using silt fence barriers where:

- Flow to the silt fence from a distributed area occurs as overland sheet flow
- Sedimentation can pollute or degrade adjacent wetlands or watercourses
- Sedimentation will reduce the capacity of storm drainage systems or adversely affect adjacent areas.
- **Silt fence should not be used in areas of**

concentrated flows or across streams, channels, swales, ditches or other drainage ways.

Installation:

- Install silt fence following the contour of the land as closely as possible.
- The height of the barrier shall not exceed 36 inches.
- Posts shall be placed at a maximum of 10 feet apart at the barrier location and driven securely into the ground (minimum of 12 inches).
- A trench shall be excavated approximately 6 inches wide and 6 inches deep along the line of posts and upslope of the barrier in accordance with recommendations
- The filter fabric will extend a minimum of 8 inches into the trench which shall be backfilled and the soil compacted over the filter fabric.
- Fabric barriers shall be removed after the upslope area has been permanently stabilized.
- Filter barriers shall be inspected immediately after each rainfall and at least once daily during prolonged rainfall and any required repairs shall be made immediately.
- Sediment deposits should be removed when they reach approximately one—half the height of the barrier.



Best Management Practice 16: Temporary or Permanent Mulch



Description:

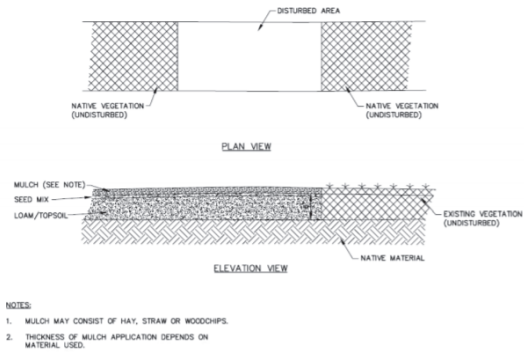
Temporary mulching is the application of plant residues or other suitable materials to the soil surface. Permanent mulching consists of the application of long-term surface cover such as bark, woodchips or erosion control mix. Permanent mulch can be used as a permanent ground cover, an overwinter stabilization mulch or left to naturalize.

Mulching reduces erosion

potential by protecting the exposed soil surface from direct impact by rainfall.

Considerations:

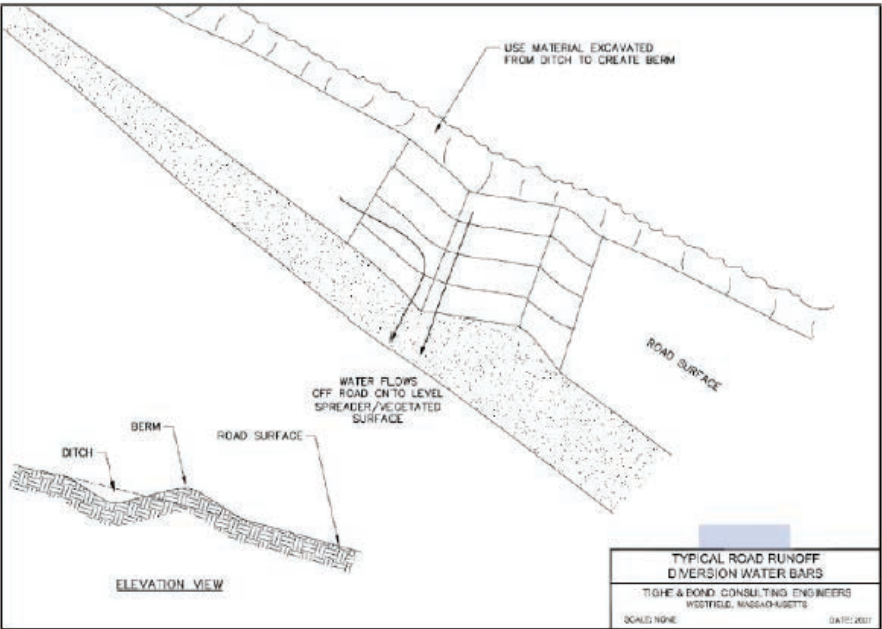
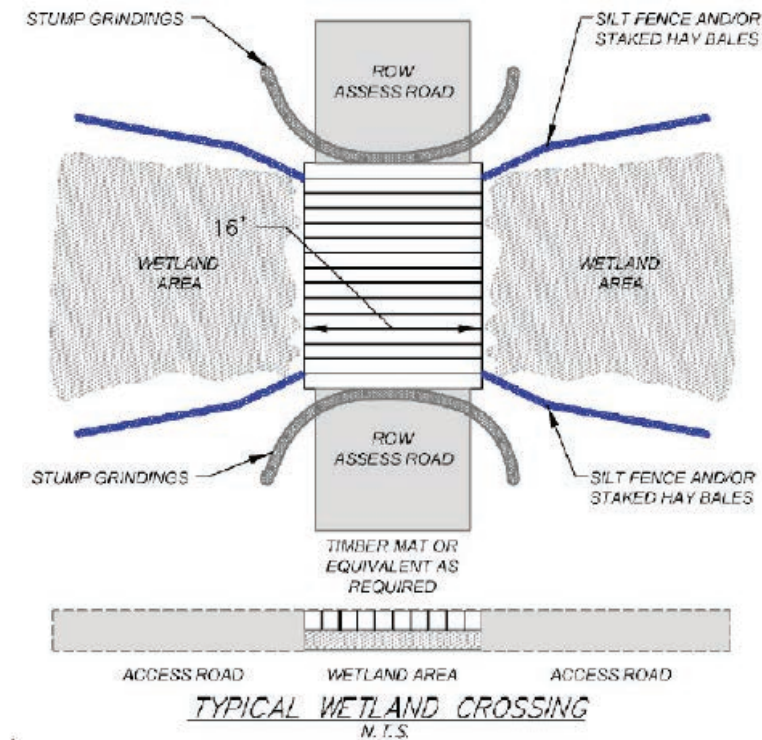
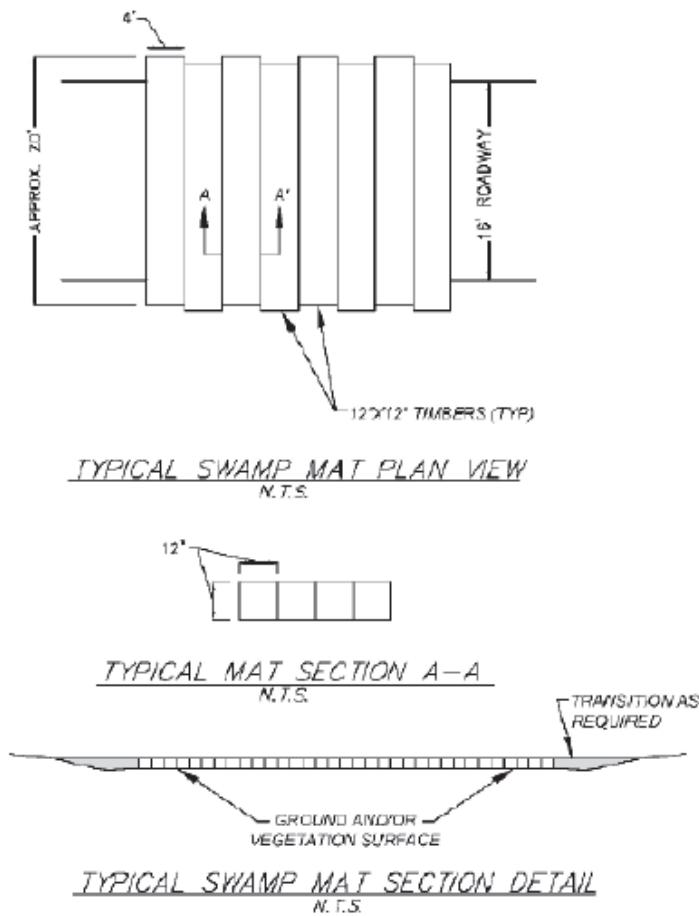
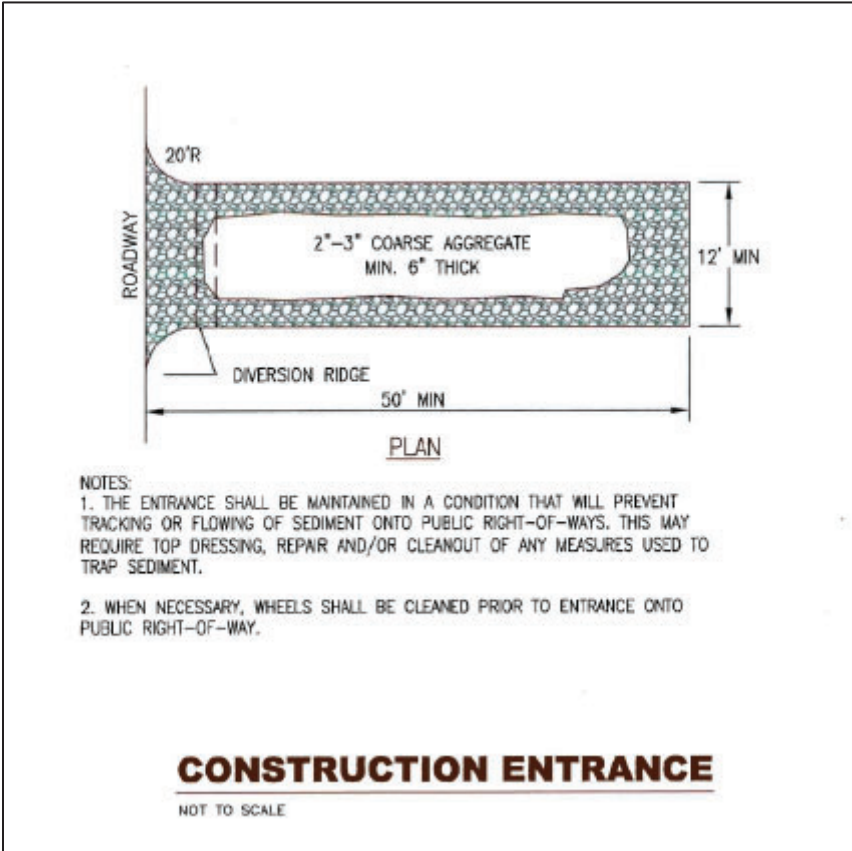
- Apply temporary mulch within 100 feet of streams, wetlands and in lake watersheds within seven days of exposing soil or prior to any storm event.
- Immediately mulch areas that have been temporarily or permanently seeded, following seeding.
- For areas that cannot be seeded within the growing season, mulch for over-winter protection. Seed the area at the beginning of the next growing season.
- Mulch anchoring should be used on slopes with gradients greater than 5% in fall (past September 15), and over-winter (October 15 – May 1).



Installation:

Hay or Straw Mulches:

- Use air-dried organic mulches including weed-free hay and straw free of undesirable seeds and coarse materials.
- Application rate should be two bales (70-90 pounds) per 1,000 square feet or 1.5-2 tons (90-100 bales) per acre to cover 75-90% of the ground surface.
- Anchor hay or straw mulch to prevent displacement by wind or flowing water using jute or biodegradable plastic netting or in some cases, organic tackifier.
- When mulch is applied to provide protection over winter (past the growing season), apply it to a depth of four inches (150-200 pounds of hay or straw per 1,000 square feet, or double standard application rate). Seeding cannot generally be expected to grow up through this depth of mulch and will be smothered. If vegetation is desired, remove mulch in the springtime and seed and re-mulch the area.



Best Management Practices (BMP's) for Straw wattles

Definition and purpose:
Straw wattles are burlap rolls filled with straw that trap sediment and interrupt water flow by reducing slope lengths.

- Applications:**
- Along erodible or unstabilized slopes
 - Spread overland waterflow
 - Trap sediment
 - Around storm drain inlets to slow water and settle out sediment
 - Overlap ends approximately 6 inches
- Installation:**
Straw wattles are installed parallel to slope contours and perpendicular to sheet flow.

Spacing* - Dependent on slope length, soil steepness and soil type (general range 10 - 25').

Trenching - 2"-5" inch trench
Stacking - at each end and four foot on center (i.e. 25 foot wattle uses 6 stacks)



NOT TO SCALE



Photo 1. Proposed Str. 145 work pad in wetland KW11, viewing northeast from the southwestern corner of the wetland towards Str. 145. (10-29-24)



Photo 2. Proposed Str. 144 work pad wetland buffer area, viewing northwest. (09-20-24)



Photo 3. Proposed Str. 143 work pad in wetland buffer area, viewing northwest-west. (09-20-24)



Photo 4. Proposed Str. 142 work pad in wetland KW12A and wetland buffer area, viewing northwest. (09-20-24)



Photo 5. Proposed Str. 141 work pad are in wetlands KW12B and KW12C and wetland buffer area, viewing northwest. (07-24-24)



Photo 6. Proposed Str. 140 work pad in wetland KW12B and wetland buffer area, viewing northwest. (07-24-24)



Photo 7. Proposed Str. 139 work pad in wetland KW12B and wetland buffer area, viewing southwest. (07-24-24)



Photo 8. Proposed Str. 138 work pad in wetland buffer area, viewing northeast. (07-24-24)



Photo 9. Proposed Str. 137 work pad in wetland KW14 and wetland buffer area, viewing northeast. (07-24-24)



Photo 10. Proposed Str. 136 work pad in Wetland KW15.3 and wetland buffer area, viewing south. (07-24-24)



Photo 11. Proposed Str. 135 work pad in wetland KW15.3 and wetland buffer area, viewing northeast. (07-24-24)



Photo 12. Proposed Str. 134 work pad in wetland KW15.3 and wetland buffer area, viewing north. (07-24-24)



Photo 13. Overview of the PAB4G portion of wetland KW15.2, viewing north towards Str. 134. No impacts proposed. (08-07-24)



Photo 14. Representative view of scrub-shrub portion of wetland KW15.2, viewing south towards Str. 132. (07-31-24)



MEMORANDUM - UPDATED

TO: Planning Board
FROM: Megan Fortson, Planner
DATE: July 24, 2025
SUBJECT: Update on PB-2024-20 – Earth Excavation Permit Major Amendment & Hillside Protection Conditional Use Permit – 21 & 57 Route 9

Recommendation:

To continue the public hearing for PB-2024-20 to the August 25, 2025 Planning Board meeting.

Background:

Following the continuance of the public hearing for the above-referenced application at the Planning Board meeting on May 27, 2025, Planning Staff retained a third-party hydrogeology consultant on behalf of the Planning Board, Sanborn, Head & Associates Inc., to perform a review of the waivers requested from Section 25.3.6 of the Land Development Code (LDC) related to *Toxic or Acid Forming Materials* and Section 25.3.3 related to *Excavation Below the Water Table*. The property owner and applicant are in the process of completing field work and providing updated materials for Sanborn to review.

Following the issuance of the Planning Board agenda packet, Planning Staff received a request from the applicant to withdraw the waiver from Section 25.3.3 of the City's Land Development Code, *Excavation Below the Water Table*. In addition, the applicant has submitted a request to continue the public hearing to the August 25, 2025 Planning Board meeting to allow for more time to provide data requested by Sanborn Head on July 23.

Included as attachments to this memo are the most recent review letter from Fieldstone Land Consultants, the waiver withdrawal request and continuance request, and an email from Sanborn Head dated July 23 requesting more information for their review. Links to the applicable Planning Board agenda packets and meeting minutes are included below. Additional information is available on the Planning Board webpage at <https://keenenh.gov/planning-board/>.

Planning Board Agenda Packets:

- [February 24, 2025](#)
- [March 24, 2025](#)
- [May 27, 2025](#)

Planning Board Meeting Minutes:

- [February 24, 2025](#)
- [March 24, 2025](#)

From: [Ariane Ice](#)
To: [Mari Brunner](#)
Cc: [Megan Fortson](#); [Evan Clements](#); [Emily Duseau](#); [Justin Daigneault](#); [Brenton Cole](#); [Jeff Merrit](#); [Joel Banaszak](#); [Cody Gordon](#)
Subject: Re: Gravel Pit Public Hearing
Date: Wednesday, July 23, 2025 5:53:39 PM

Thanks Mari,

Please let this serve as a formal request to continue the 7/28/25 hearing so that our engineering team can get the new data requested by your third-party reviewers and to allow time for everyone to work through any outstanding questions.

Please let me know if you need any additional information at this time.

Thanks,

Ariane Ice

From: [Ariane Ice](#)
To: [Mari Brunner](#); [Megan Fortson](#); [Evan Clements](#)
Cc: [Brenton Cole](#); [Justin Daigneault](#); [Cody Gordon](#); [Cody Gordon](#); [Joel Banaszak](#)
Subject: Withdrawal of Waiver 25.3.3.
Date: Monday, July 21, 2025 10:52:44 AM

Megan,

This email serves as formal notice that G2 Holdings, LLC is withdrawing their request for waiver of 25.3.3-Excavation Below the Water Table. Based on the latest test results at the site it has been determined the waiver is no longer necessary. Any concerns relating to this will be addressed in the application itself and in conjunction with your third-party reviewers.

Thank you,
Ariane Ice

From: [Russ Abell](#)
To: [Megan Fortson](#)
Cc: [Mari Brunner](#); [Evan Clements](#); [Emily Duseau](#)
Subject: Request for more information
Date: Wednesday, July 23, 2025 9:26:28 AM

Megan,

As discussed, we recommend that the applicant gauge each of the bedrock monitoring wells at the Site for depth to water again. This request is based on the following:

- Documented water levels in the highest elevation bedrock monitoring wells (BRW-7 and BRW-8) and lowest elevation bedrock monitoring well (SLR-12) indicate that the water table in bedrock should have been observed in each of the BRW-1 through BRW-6 monitoring wells, especially the deeper wells (BRW-4 through BRW-6).
- The topographic map for the area shows perennial streams west and east of the area of investigation with surface water elevations at or higher than the ground surface at each of the installed bedrock monitoring wells. The presence of perennial streams is strongly suggestive of base flow from groundwater. Site investigation activities has documented at the topographic elevations of the bedrock monitoring wells generally only a thin veneer of overburden was observed (<5 ft thick). Therefore, it appears likely that these streams are fed by bedrock groundwater.
- According to the Frontier Geoservices Site Hydrogeologic Investigation Report, the BRW series monitoring wells were installed on October 17 and 18, 2024 using air rotary drilling methods and gauged for depth to water on October 18, November 1, and November 8, 2024. As air rotary drilling pulverizes the rock and forms powdery cuttings, the cuttings can temporarily plug water bearing fractures (by forming a thin covering on the borehole walls), especially very low permeability fractures (fractures that yield very low rates of groundwater), such that the monitoring wells may not have had sufficient time for groundwater to be present based on the two-week monitoring period immediately following drilling.
- The excavation pit base elevations proposed for several of the excavation “periods” (Keene Periods 1, 2, 5, 6 and Sullivan Period 7) are lower than the estimate water table elevation between BRW-7/8 and SLR-12.

Therefore, we recommend that the depth to water be measured in the following monitoring wells to confirm that bedrock groundwater will not be encountered during development of several of the planned excavation areas prior to the Planning Board making a decision on the application:

- BRW-1 through BRW-8 and SLR-12
- SLR-10 and SLR-11 (these are not bedrock monitoring wells but are the only other two active monitoring wells on Site. Therefore, it would be helpful to have contemporaneous water level data for these two wells during the same event).

Please let me know if you have questions or would like to discuss.

Regards,
Russ

Russell H. Abell, PG, LSP

Senior Vice President

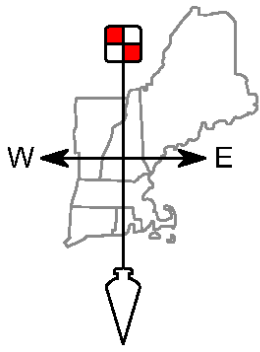
Licensed: PG in ME, NH, NC, NY, PA

SANBORN | HEAD & ASSOCIATES, INC.

D 603.415.6167 | M 603.828.4043 | 6 Bedford Farms Drive, Suite 201, Bedford, NH 03110

Click here to follow us on [LinkedIn](#) | [Twitter](#) | [Facebook](#) | sanbornhead.com

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FIELDSTONE

LAND CONSULTANTS, PLLC

Surveying ♦ Engineering
Land Planning ♦ Septic Designs

206 Elm Street, Milford, NH 03055 - Phone: 603-672-5456 - Fax: 603-413-5456
www.FieldstoneLandConsultants.com

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



MEMORANDUM - UPDATED

TO: City of Keene Planning Board

FROM: Mari Brunner, Senior Planner

DATE: July 23, 2025

SUBJECT: Complaint #20250066 Regarding Alleged Violation of the Earth Excavation Regulations – Gravel Pit, 57 Route 9 (TMP #215-007-000)

Recommendation:

To authorize Code Enforcement staff to enforce the Earth Excavation Regulations in Article 25 of the Land Development Code.

Background:

The existing gravel pit operation located at 21 & 57 Route 9 (TMP#s 215-007-000 & 215-008-000) received final approval from the Planning Board on March 27, 2023 (EXP-01-22). The scope of work approved as part of this application includes the operation of an 8-ac gravel pit that was expected to yield ~115,000 cubic yards of excavated material over a period of 2-4 years.

On May 13, 2025, complaint #20250066 was submitted by Mr. James Manley of 67 Tyler Lane in Sullivan, NH regarding the visual impact of the existing gravel pit operation from NH Route 9. The complaint cites Sections 21.1.2, 25.1.1.4, 25.2.E, 25.3.2, and 25.3.20.A.1 of the Land Development Code. The original complaint and subsequent correspondence received by the complainant and the applicant's agent are included as attachments to this memo.

Per NH Revised Statute Annotated 155-E:10 and Section 25.5 of the Land Development Code (LDC), the Planning Board (or its duly authorized agent) is the regulating and enforcement authority with respect to Earth Excavation permits. Because there is an active and ongoing application for the expansion of the gravel pit operation in question, staff recommends that the Board delegate its authority to investigate and enforce Earth Excavation regulations to the City's Code Enforcement Officer. Absent this delegation, the Planning Board would be responsible for determining whether further investigation of the alleged complaint is warranted, and if so, the Board would schedule a public hearing in accordance with Section 25.5 of the LDC to adjudicate the complaint.

VIA EMAIL ONLY

June 20, 2025

Planning Board
City of Keene, New Hampshire
3 Washington Street
Keene, New Hampshire 03431
communitydevelopment@keenenh.gov

Re: Appeal of Administrative Decision

To whom it may concern:

This office represents James Manley. Mr. Manley filed a complaint with the City of Keene (City) regarding the entity G2 and its existing excavation activities at G2's Route 9 site. On June 05, 2025 Ryan Lawliss responded to Mr. Manley's inquiry on the status of his complaint. On June 18, 2025, I wrote a letter to Mari Brunner (Keene's Senior Planner/Acting Zoning Administrator) and Evan Clements (Keene's Planner/Deputy Zoning Administrator) regarding Mr. Lawliss' reply. Later on June 18, Ms. Brunner replied to my communication. All of those communications are attached to this correspondence.

Ms. Brunner's June 18, 2025 communication articulates Mr. Lawliss' authority to make an arguably binding decision as articulated in his June 05, 2025 communication to Mr. Manley. To the extent either Mr. Lawliss' June 05, 2025 communication to Mr. Manley and/or Ms. Brunner's June 18, 2025 communication to me are decisions requiring an appeal to this Board, through this correspondence Mr. Manley appeals those decisions.

The crux of Mr. Manley's appeal is that Mr. Lawliss' June 05, 2025 interpretation of §25.3.2 of Keene's Land Development Code (LDC) is inconsistent with the plain language of the provision itself. Thus, Mr. Manley seeks the reversal of Mr. Lawliss' interpretation.

Thank you for your time and attention to this matter. Please do not hesitate to contact me with any questions you may have.

Sincerely,

/s/ Friedrich K. Moeckel

Friedrich K. Moeckel

Enclosures

cc: client; mbrunner@KeeneNH.gov; eclements@KeeneNH.gov

Friedrich K. Moeckel

From: Mari Brunner <mbrunner@keenenh.gov>
Sent: Wednesday, June 18, 2025 12:28 PM
To: Friedrich K. Moeckel; Evan Clements
Cc: Jim Manley; Richard Wood; Paul Andrus
Subject: RE: G2; J. Manley

Good afternoon,

Thank you, this correspondence has been received. To answer your question regarding Mr. Lawliss' involvement with the complaint investigation, the Building and Health Official, Rick Wood, has delegated this matter to Ryan Lawliss. Section 28.1.A. of Article 28, "Appeals" of the Land Development Code states "*The Building and Health Official has the authority to enforce this LDC with respect to property outside of the public right-of-way in accordance with NH RSA 676:15-17(b).*" I am copying Rick Wood, the Building and Health Official to keep him in the loop with this correspondence. Mr. Lawliss consulted with both me and Evan Clements on his response to you.

We do expect the Planning Board, which is the ultimate authority for Earth Excavation operations in Keene, to weigh in on this matter when this application comes before them for a continued public hearing on July 28. Our normal enforcement process (if there were not an active application before the Planning Board) would be to require the applicant to go before the Planning Board to determine whether a violation exists, and if so, to rectify the violation.

Please do not hesitate to reach out with any further questions about the process for addressing Mr. Manley's complaint.

Best,
Mari

From: Friedrich K. Moeckel <fmoeckel@tarbellbrodich.com>
Sent: Wednesday, June 18, 2025 12:05 PM
To: Mari Brunner <mbrunner@keenenh.gov>; Evan Clements <eclements@keenenh.gov>
Cc: Jim Manley <jmanley8@outlook.com>
Subject: G2; J. Manley

Good afternoon,

Please see the attached correspondence.

Sincerely,

Friedrich K. Moeckel
Tarbell & Brodich Professional Association
45 Centre Street
Concord, New Hampshire 03301
fmoeckel@tarbellbrodich.com
p: 603.226.3900

VIA EMAIL ONLY

June 18, 2025

Mari Brunner, Senior Planner/Acting Zoning Administrator
Evan Clements, Planner/Deputy Zoning Administrator
City of Keene, New Hampshire
3 Washington Street
Keene, New Hampshire 03431
mbrunner@KeeneNH.gov
eclements@KeeneNH.gov

Re: Jim Manley complaint; Keene staff response

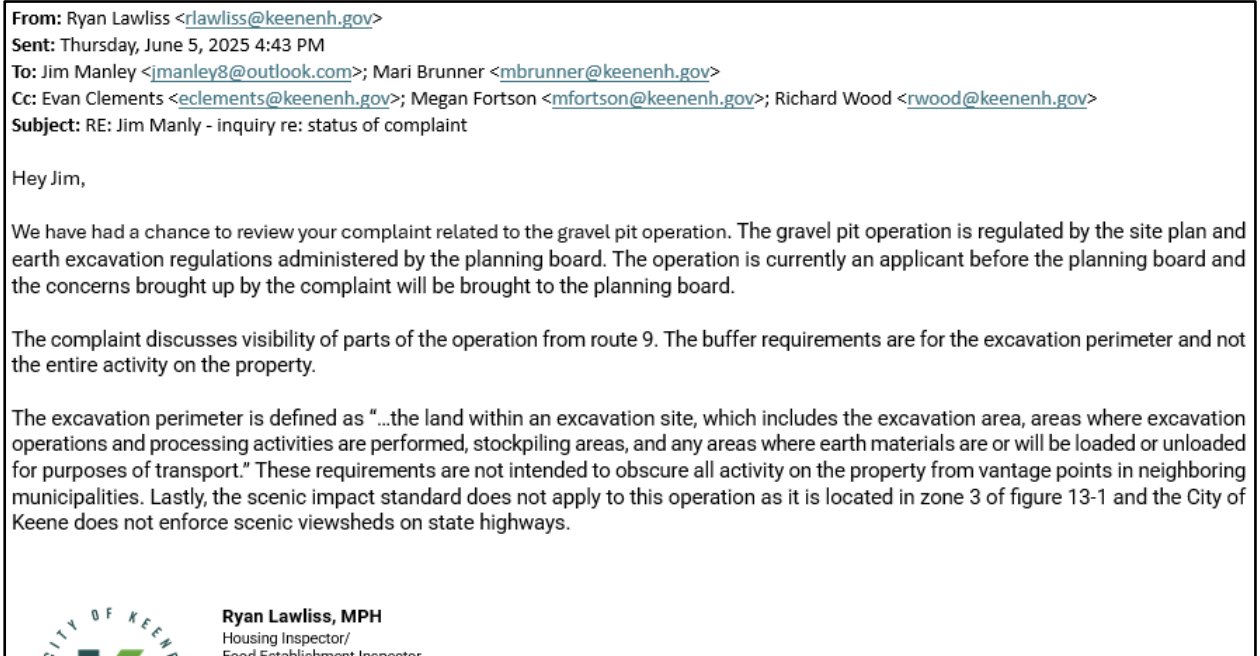
Dear Ms. Brunner and Mr. Clements:

My client, Jim Manley, filed a complaint with the City of Keene (City) regarding G2 and its *existing* excavation activities at G2's Route 9 site. As I read Mr. Manley's submission to the City, he identified five separate violations of Keene's Land Development Code (LDC):

1. § 21.1.2 – "Protect abutters against hazards, unsightliness, and nuisance detrimental to property values;"
2. §24.1.1.4 – "Preserve and protect natural resources and the aesthetic quality of areas located near excavation sites;"
3. §25.2(E) – "When the existing visual barriers in the areas specified in NH RSA 155-E:3, III, would be removed, except to provide access to the excavation;"
4. §25.3.2 – "Buffers around the excavation perimeter shall be sufficiently vegetated to provide full, opaque, and year-round screening of the excavation perimeter from adjacent rights-of-way or abutting properties. The intent of this standard is to avoid adverse visual and noise impacts from excavation operations;" and
5. §25.3.20 – Scenic Impact.

On June 05, 2025, Ryan Lawliss responded to Mr. Manley's status inquiry:

Tarbell & Brodich Professional Association
June 18, 2025
Correspondence to Mari Brunner and Evan Clements
Re: Jim Manley complaint; Keene staff response
Page 2 of 3



My first question is whether Mr. Lawliss has responsibility for issuing permits or certificates under the City's LDC or for enforcing the LDC. I ask this question because Mr. Lawliss' email indicates his title is Keene's Housing Inspector/Food Establishment Inspector, and the City's website identifies Mari Brunner as Keene's Senior Planner/Acting Zoning Administrator and Evan Clements as the City's Planner/Deputy Zoning Administrator. *See* LDC, §2.2.

Respectfully, Mr. Lawliss' June 05, 2025 email response to Mr. Manley overlooks the foundation of Mr. Manley's complaint: that G2's current, existing, excavation operations violate §§ 21.1.2, 24.1.1.4, 25.2(E), and 25.3.2 of the LDC. Which is to say, Mr. Manley's complaint does not relate to G2's proposed expansion of its excavation operations, which Mr. Manley understands is a part of a separate application pending before the City's planning board. Thus, while the City's planning board has regulatory authority over G2's existing excavation operations as well as authority to approve or disapprove proposed expansions to existing excavation operations, it is important to Mr. Manley that your department and the City's planning board apprehend that Mr. Manley's complaint relates to G2 impermissible activities at its existing excavation site. *Compare* LDC §26.19 (permitting) *with* LDC §25.5 (enforcement).

Furthermore, it is true that Mr. Lawliss' June 05, 2025 email accurately recognizes that G2's excavation site is not located in zones 1 or 2 of the City's View Preservation Overlay. Rather, the site is located in zone 3. That distinction matters with respect to Mr. Manley's reference to §25.3.20, but has no bearing on the Mr. Manley's observation that G2's site violates §§ 21.1.2, 24.1.1.4, 25.2(E), and 25.3.2 of the LDC. Mr. Lawliss only addresses Mr. Manley's reference to §25.3.2, and Mr. Lawliss' response is, respectfully, wrong.

The LDC's definition of "excavation perimeter" includes the "excavation area," and the excavation area "shall mean the surface area within an excavation site where excavation has occurred or is eligible to occur under the provisions of this LDC, and NH RSA 155-E. This area may be also referred to as the 'pit surface area.'" Keene Code 29-8.¹ Applying these definitions to Article 25 of the LDC, and §25.3.2 in particular, demonstrates that Mr. Lawliss' error. Section 25.3.2 (Buffer Management Standards) provides:

Buffers around the excavation perimeter shall be sufficiently vegetated to provide full, opaque, and year round screening of the excavation perimeter from adjacent rights-of-way or abutting properties. The intent of this standard is to avoid adverse visual and noise impacts from excavation operations."

Because the buffers are required to be around the "excavation perimeter" "to provide full, opaque, and year round screening of the excavation perimeter from adjacent rights-of-way or abutting properties," and Mr. Manley demonstrates that his observations reveal G2's site does not "provide full, opaque, and year round screening of the excavation perimeter from adjacent rights-of-way" there is a violation of §25.3.2. Consequently, Mr. Lawliss's statement "[t]he buffer requirements are for the excavation perimeter and not the entire activity on the property" is true in the sense that the buffer requirements do not apply to all of the land G2 owns, the buffer requirements do apply to all of the excavation activities on G2's land. And, one can clearly see G2's excavation activities from Route 9 and abutting properties.

In light of the above, I respectfully request that you respond to me regarding the question of Mr. Lawliss' role vis-à-vis the LDC. I also respectfully request you provide me your position on G2's violations of §§ 21.1.2, 24.1.1.4, 25.2(E), and 25.3.2 of the LDC. If your position is no position at all at this time, then when Mr. Manley can expect a response, and whether the matter will be heard by the City's planning board (and if so, when).

Thank you for your time and attention to this matter. Please do not hesitate to contact me with any questions you may have.

Sincerely,

/s/ Friedrich K. Moeckel

Friedrich K. Moeckel

cc: client

¹ The LDC's definitions relating to excavation appear to erroneously reference LDC Article 24 rather than LDC Article 25. LDC Article 24 are the City's floodplain regulations, and LDC Article 25 are the City's excavation regulations; the definitions' reference, therefore, would be otherwise nonsensical.

From: Ryan Lawliss <rlawliss@keenenh.gov>
Sent: Thursday, June 5, 2025 4:43 PM
To: Jim Manley <jmanley8@outlook.com>; Mari Brunner <mbrunner@keenenh.gov>
Cc: Evan Clements <eclements@keenenh.gov>; Megan Fortson <mfortson@keenenh.gov>;
Richard Wood <rwood@keenenh.gov>
Subject: RE: Jim Manly - inquiry re: status of complaint

Hey Jim,

We have had a chance to review your complaint related to the gravel pit operation. The gravel pit operation is regulated by the site plan and earth excavation regulations administered by the planning board. The operation is currently an applicant before the planning board and the concerns brought up by the complaint will be brought to the planning board.

The complaint discusses visibility of parts of the operation from route 9. The buffer requirements are for the excavation perimeter and not the entire activity on the property. The excavation perimeter is defined as "...the land within an excavation site, which includes the excavation area, areas where excavation operations and processing activities are performed, stockpiling areas, and any areas where earth materials are or will be loaded or unloaded for purposes of transport." These requirements are not intended to obscure all activity on the property from vantage points in neighboring municipalities. Lastly, the scenic impact standard does not apply to this operation as it is located in zone 3 of figure 13-1 and the City of Keene does not enforce scenic viewsheds on state highways.



Ryan Lawliss, MPH
Housing Inspector/
Food Establishment Inspector

City of Keene
3 Washington Street
Keene, NH 03431
(603) 352-5440 (office)
(603) 313-2147 (Cell)
KeeneNH.gov

From: Jim Manley <jmanley8@outlook.com>
Sent: Monday, June 2, 2025 10:40 AM
To: Mari Brunner <mbrunner@keenenh.gov>; Ryan Lawliss <rlawliss@keenenh.gov>
Cc: Evan Clements <eclements@keenenh.gov>; Megan Fortson <mfortson@keenenh.gov>;
Richard Wood <rwood@keenenh.gov>
Subject: RE: Jim Manly - inquiry re: status of complaint

Thanks for the update!

Is it possible to get an opinion out this week? There is a ZBA Public Hearing on this next Monday in Sullivan. I would also like to have zoning interpretations for these regulations.

Also can you please confirm that Shirely Beteau of Swansey is an abutter? She owns property adjacent to G2 in Roxbury with her grandson, and both her son and daughter-in-law believe she has received abutter's notice, yet she is not listed on the notice list from your website.

Thanks again!

Best regards,

Jim

From: Mari Brunner <mbrunner@keenenh.gov>
Sent: Monday, June 2, 2025 10:12 AM
To: Jim Manley <jmanley8@outlook.com>; Ryan Lawliss <rlawliss@keenenh.gov>
Cc: Evan Clements <eclements@keenenh.gov>; Megan Fortson <mfortson@keenenh.gov>; Richard Wood <rwood@keenenh.gov>
Subject: RE: Jim Manly - inquiry re: status of complaint

Hi Jim,

They are in the system; you just need to go further in (I didn't realize that when I sent my initial email). Staff can also see them on the back end, so there is no need to re-send. Ryan did go out to the site with one of our planners a while back and is working on an update now. They were going to wait for the Planning Board meeting on May 27, but since it got continued to July, they will put an update in sooner.

Thank you for checking in on this!
Mari

From: Jim Manley <jmanley8@outlook.com>
Sent: Monday, June 2, 2025 9:56 AM
To: Mari Brunner <mbrunner@keenenh.gov>; Ryan Lawliss <rlawliss@keenenh.gov>
Cc: Evan Clements <eclements@keenenh.gov>; Megan Fortson <mfortson@keenenh.gov>; Richard Wood <rwood@keenenh.gov>
Subject: RE: Jim Manly - inquiry re: status of complaint

Hi Mari,

I was running errands when I sent the previous email. Would you like me to submit again my photos and codes in violation? I would prefer to do this via email since they were not retained by the complaint system.

Best regards,

Jim Manley

757-572-8935

From: Mari Brunner <mbrunner@keenenh.gov>

Sent: Monday, June 2, 2025 8:51 AM

To: Ryan Lawliss <rlawliss@keenenh.gov>

Cc: Evan Clements <eclements@keenenh.gov>; Megan Fortson <mfortson@keenenh.gov>; jmanley8@outlook.com; Richard Wood <rwood@keenenh.gov>

Subject: Jim Manly - inquiry re: status of complaint

Hi Ryan,

Jim Manly, cc'd here, called on Friday and left me a voice message asking about the status of his complaint regarding the Earth Excavation operation on Route 9 and its visibility from the road. I looked in our system, and it doesn't provide much information (see below). Could you please give him a call back or respond to this email with a status update? His number is 757-572-8935. I'm also copying Evan; in case he has details on this he could share with Mr. Manly.

Thank you,
Mari

Case #20250066

[← Back](#)

Case Information

Case Date:	05/13/2025	Status:	Pending
Case Type:	Building Code	Status:	
Description:	Current violation of § City of Keene Land Development Codes, Possible violation of state regulation rsa155(E)		

Accessibility

Mari E. Brunner

Senior Planner / Acting Zoning Administrator

City of Keene

3 Washington Street

Keene, NH 03431

(603) 352-5440 | KeeneNH.gov

Report Issues: [SeeClickFix/Keene](#)

July 14, 2025

Mari Brunner
Senior Planner
City of Keene
3 Washington Street
Keene, NH 03431
Via email: mbrunner@keenenh.gov

Re: Request to postpone consideration of the Jim Manley grievances at July 28, 2025 Meeting

Dear Mari,

I am writing on behalf of G2 Holdings, LLC to confirm the concerns I raised with you during our telephone conversations. Specifically, we spoke about the Planning Board's intended discussion of the complaint and appeals recently submitted by Mr. Jim Manley—the appeals of which were never mentioned to me or my client until a few weeks ago. We received no documentation of these allegations until the end of last week when you forwarded that documentation at our request.

I understand that the Board is considering addressing Mr. Manley's complaints at its regularly scheduled meeting on July 28, 2025, without public testimony, for the purpose of determining whether the allegations merit further action, including a possible violation hearing. I respectfully request that the Board defer this discussion to a later date.

First this firm and our client only became aware of most of these claims within the past few days and we have not had a meaningful opportunity to review the allegations in detail with our client or to prepare a response. Moreover, we are currently focused on preparing for the upcoming public hearing on G2 Holdings' permit expansion request, which is scheduled for that same night. Given the significance of the issues raised and the potential implications for our client, it would be a denial of due process for the Planning Board to consider these allegations without affording G2 Holdings an adequate opportunity to respond.

Second, as a practical matter, the hearing on the expansion permit will involve detailed testimony and likely substantial public comment—all of which will probably consume hours even without what may prove to be the lengthy discussion of Mr. Manley's complaints. It may be too much to hope that both can be covered in one evening, and the attempt to do so threatens to hamper a thorough consideration of one or both of these separate issues.

We respectfully ask that the Board postpone any discussion or preliminary consideration of Mr. Manley's complaints until a future meeting where the Board can have the benefit of G2 Holdings' position.

Thank you for your attention to this matter. Please do not hesitate to contact me should you wish to discuss this request further.



Ariane Ice
Ice Legal, P.A.
20 Portsmouth Ave. Suite 1, No. 225
Stratham, NH 03885
Mobile (561) 319-5557
ariane.ice@icelegal.com



July 18, 2025

TO: Planning Board

FROM: Mari Brunner, Senior Planner

SUBJECT: Administrative Planning Project Approvals: 1/01/25 – 7/01/25

The following projects were reviewed administratively by Planning Staff during the first 6 months of 2025:

1. **SPR-987, Modification #3 – Sophia’s Hearth Rooftop Solar – 700 Court St** – Applicant All Energy Solar, on behalf of owner Sophia’s Hearth Family Center, proposes to install a 40.375 kW DC rooftop solar energy system on the existing building located at 700 Court Street in Keene. The parcel is 2.9 acres in size and is located in the Rural district.
2. **SPR-204, Modification #5 – Proposed Storage Containers – 216 Marlboro St** – Owner and applicant, Kim Bergeron of 216 Marlboro Street, LLC, proposes to create a container storage area on the northwestern portion of the site, install 8-ft tall fencing to screen the storage area, and add ~1,963-sf of asphalt. The parcel is 1.04 acres in size and is located in the Neighborhood Business district.
3. **SPR-03-19, Modification #5 – Keene Mini Storage Site Modifications – 678 Marlboro Rd** – Applicant Liza Sargent of SVE Associates, on behalf of owner Keene Mini Storage, LLC, proposes to make exterior site modifications at the property located at 678 Marlboro Road (TMP #241-107-000), including construction of a retaining wall, installation of a propane tank, and modification to stormwater drainage. The site is 9.5 acres in size and is located in the Industrial District.
4. **PB-2025-07 – Solar Installation – 295 Park Ave** – Applicant Empower Energy Solutions, on behalf of owner Alan Becker, proposes to install a 19.125 kW DC rooftop solar energy system on the existing building located at 295 Park Ave (TMP #538-010-000). The site is 0.1 acres in size and is located in the Commerce District.
5. **SPR-690, Modification #5 – Rooftop Solar Arrays – 191-195 Key Rd** – Applicant ReVision Energy, on behalf of owner Monadnock Affordable Housing Corp, proposes to install a 11.4 kW AC rooftop solar energy system and a 25.6 kW AC rooftop solar energy system on the existing buildings located at 191-195 Key Road (TMP #109-007-000). The site is 3.13 acres in size and is located in the Commerce District.
6. **PB-2025-09 – Platz Beer Garden – 34 Court St** – Applicant Platz LLC, on behalf of owner 34 Court LLC, proposes to convert the existing church assembly space on the upper floors of the building into an indoor beer garden. The 0.18-acre property is located at 34 Court St (TMP #568-022-000) and is located in the Downtown Core District.

7. **PB-2025-11 – Outdoor Seating at FOE – 115 Church St** – Applicant and owner Fraternal Order of Eagles 1413 proposes to create an outdoor seating area on the property located at 115 Church Street. The parcel is 0.87ac in size and is located in the DT-E district.
8. **SPR-06-23, Modification #2 – Roosevelt School Housing Window Modifications – 438 Washington St** – Applicant Monadnock Affordable Housing, on behalf of owner Roosevelt Housing East Assoc., LP, proposes to amend the site plan approved by the Planning Board to modify the approved window design for the existing building located at 438 Washington Street (TMP# 531-054-000). The parcel is 2.4 acres in size and is located in the Low Density District.
9. **SPR-893, Modification #9 – Cheshire Medical Center Addition – 580 Court St** – Applicant and owner Cheshire Medical Center proposes an ~2,000 sf addition to the existing building located at 580 Court St (TMP#522-002-000). The site is approximately 14.33 acres in size and is located in the Health Care District.



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

WAIVER REQUEST

July 10, 2025

Bryan Ruoff
City of Keene
350 Marlboro Street
Keene, NH 03431
(sent via email to: bruoff@keenenh.gov)

RE: Waiver Request
Transportation Heritage Trail
Eastern Avenue to NH Route 101
Tax Map 241 and 596 – Keene

Dear Mr. Ruoff:

The Department of Environmental Services (DES) is in receipt of the City of Keene's waiver request dated July 7, 2025 and plans entitled "Transportation Heritage Trail Construction", dated October 18, 2024, last revision date February 2025 in support of a waiver of criteria of Env-Wq 1503.03(d) for eligibility for project coverage under a General Permit by Rule. Specifically, a waiver of Env-Wq 1503(d)(1) is sought to allow a disturbance width of greater than 30 feet at certain locations within the alignment of the proposed trail construction. Additional documentation related to the waiver request is contained within the file.

Based upon the information provided in the waiver request, and the minor deviation from the requirements for eligibility for a General Permit by Rule, the waiver request has been granted. DES finds that granting the request will not result in an adverse impact on the environment, public health, public safety, or abutting properties that is more significant than that which would result from complying with the rule.

If you have any questions, please call me at (603) 271-3249 or email at: Kevin.D.Thatcher@des.nh.gov.

Sincerely,

Kevin D. Thatcher, PE, CPESC
Alteration of Terrain Bureau

cc: Keene Planning Board (mbrunner@keenenh.gov)
Tracey Tufts, Stantec Consulting Services, Inc. (tracey.tufts@stantec.com)