



City of Keene Zoning Board of Adjustment

AGENDA

Monday, July 7, 2025

6:30 p.m.

City Hall, 2nd Floor Council Chambers

- I. Introduction of Board Members:
- II. Minutes of the Previous Meeting: June 2, 2025
- III. Unfinished Business:
- IV. Hearings:

ZBA-2025-05: Petitioner, Honeybear Party Boutique, owned by Mark Scherlin, requests a Variance, for property located at 70 Court St., Tax Map # 568-041-000-000 and is in the Downtown Transition District. The Petitioner is requesting a Variance to permit Artisanal Production in the Downtown Transition District per Article 8.3.5.A of the Zoning Regulations.

ZBA-2025-06: Petitioner, Honeybear Party Boutique, owned by Mark Scherlin, requests a Variance, for property located at 70 Court St., Tax Map # 568-041-000-000 and is in the Downtown Transition District. The Petitioner is requesting a Variance to permit Specialty Food Services in the Downtown Transition District per Article 8.3.2.AI of the Zoning Regulations.

- V. New Business:
- VI. Staff Updates:
 - Master Plan
 - Board Data Collection
 - Annual City Council Report
- VII. Communications and Miscellaneous:
- VIII. Non-Public Session: (if required)
- IX. Adjournment:

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1 City of Keene
2 New Hampshire

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4
5 **ZONING BOARD OF ADJUSTMENT**
6 **MEETING MINUTES**
7

8 **Monday, June 2, 2025**

6:30 PM

**Council Chambers,
City Hall**

Members Present:

Richard Clough, Chair
Tad Schrantz
Adam Burke
Zach LeRoy, Alternate

Staff Present:

Evan Clements, Planner

Members Not Present:

Edward Guyot, Vice Chair

9 **I) Introduction of Board Members**
10

11 Chair Clough called the meeting to order at 6:30 PM and explained the procedures of the
12 meeting. Roll call was conducted. Chair Clough stated that alternate member Zach LeRoy is a
13 voting member tonight.
14

15 **II) Minutes of the Previous Meeting: May 5, 2025**
16

17 Mr. Schrantz made a motion to approve the meeting minutes of May 5, 2025. Mr. Burke
18 seconded the motion, which passed by unanimous vote.
19

20 **III) Unfinished Business**
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22 Chair Clough asked if there was any unfinished business. Mr. Clements replied no.
23

24 **IV) Hearings**
25

26 **A) ZBA-2025-04: Petitioner, Timothy Russett, represented by Jonathan Collado**
27 **of HDA Architects, Inc., Rome, GA, requests an Expansion of a Non-Conforming**
28 **Use, for property located at 686 Court St., Tax Map #228-008-000-000 and is in the**
29 **High Density District. The Petitioner is requesting an Expansion of a Non-**
30 **Conforming Use of a veterinary hospital per Article 26.7.1 of the Zoning**
31 **Regulations**
32

Chair Clough introduced ZBA-2025-04 and asked staff to provide background information. Evan Clements, Planner, stated that the subject parcel is an existing 4.2-acre lot located on the western side of Court St., approximately 2,500 feet from the Cheshire Medical Center roundabout. He continued that the property abuts the Ashuelot River to the rear and contains an existing 7,106 square foot one-story building that serves as the location of the Court St. 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 (LDC). The use is considered non-conforming as an animal care facility, as an animal care facility is not normally allowed in the High Density District.

Mr. Clements continued that in 1984, the property received approval from the ZBA for a Change of Non-Conforming Use from a tree service business to a veterinary hospital. In 1989, the property received approval from the ZBA for the Enlargement of a Non-Conforming Use to build an addition, and in 2020, the property received another approval for an Enlargement of a Non-Conforming Use. Surrounding uses include a child daycare center with Early Childhood Education to the west; multi-family residential, dentist office, and healthcare facility to the north; and mixed-use commercial and office to the east. To the south on the other side of the river is the manufactured housing park and some City-owned conservation land.

Mr. Clements continued that for application analysis, he has the definition of “animal care facility,” which is, *“An establishment that provides care for domestic animals, including veterinary offices, for the treatment of animals where such animals may be boarded indoors during their convalescence and pet grooming facilities. An animal care facility does not include kennels or animal training centers.”* The parking requirements, if the Board was inclined to approve this request this evening, will be met with the expansion. The Zoning Ordinance requires three parking spaces per 1,000 square feet of gross floor area. The proposed addition would bring their demand up to 27 parking spaces, and as he said, they currently have 33 on site. Mr. Clements continued that for the approval standards for this application there are three criteria. (First), such expansion or enlargement would not reduce the value of any property within the zoning district nor otherwise be injurious, obnoxious, or offensive to the neighborhood. (Second), there will be no nuisance or serious hazard to vehicles or pedestrians. (Third), adequate and appropriate facilities will be provided for the proper operation of the proposed use. If the Board is so inclined to approve this request this evening, the recommended motion is as follows:

“Approve ZBA-2025-04 for the Expansion of a Non-Conforming Use for property located at 686 Court St., Tax Map #228-008-000-000, as shown on the plan identified as ‘Court Street Vet Hospital,’ prepared by HDA Architects, Inc., at a scale of one inch equals 30 feet, dated May 5th, 2025, and in the application and supporting materials received on May 16, 2025 with no conditions.”

Chair Clough asked if Board members had any questions for Mr. Clements. Hearing none, he asked to hear from the Petitioner.

Peter Hill stated that he is here in Jonathan Collado's stead. He continued that he is the president of HDA Architects, from Rome, GA. [Court Street Veterinary Hospital] is an important business in the community that they [HDA Architects] are helping to bring into a state-of-the-art service delivery system. They feel that it is a win-win for both the animal hospital and the community. The renovation and addition they are doing inside will allow some additional services, including important physical therapy services for post-surgery animals. They are also taking out a service that would be considered a high-volume retail service, which is grooming. Removal of the grooming service will eliminate some traffic. They are bringing in more medical-based services, adding some exam rooms so they can see a few more customers per hour, and adding a physical therapy facility with an underwater treadmill and a recovery area.

Mr. Hill continued that they are doing a little bit of internal renovations in the procedure area and adding offices. Modern veterinary facilities, to recruit and retain good staff, need offices for their doctors, a break room, and other spaces for HR functions, which is what the (renovations) are. It is an L-shaped building, and they will fill in the notch of the L. It is only 1,000 square feet of floor plan, although it is on two floors. It is a small addition. No part of the building will be any closer than the part of the building that is closest to the road. That is, they are not encroaching any closer to the road than it already exists on the site. They are kind of squaring off the building. From a context and massing standpoint, like many buildings in small-town America, it was built as a very small building and then added onto repeatedly.

Mr. Hill continued that there are many choices for building materials and styles. There are sliding windows, casement windows, projection windows, hung windows, and fixed windows. Everything they put in new will have a homogenous, fixed window appearance, for modern building sciences that they are doing today. They are keeping the New England-style siding and cornice soffit fascia detail. They are bringing that element forward just as it exists right now. They will not tamper with the low roof to the right. They are gentrifying the building a little bit, moving the front entrance to the front of the building instead of the side, adding a covered area with stone elements to make it the focal point, and putting some heavy timber framing in the peak of the gables. Thus, they are bringing the whole thing out but creating a focal point on the front, bringing the siding around, using the same materials that are already there.

Chair Clough stated that Mr. Hill addressed the first and second criteria. He asked Mr. Hill to briefly touch on each of the criteria.

1. Such expansion or enlargement would not reduce the value of any property within the zoning district, nor otherwise be injurious, obnoxious, or offensive to the neighborhood.

Mr. Hill stated that this will be a betterment to the property, and a betterment to the neighbors and the community. He continued that they are improving the current look. Right now, there is

brick, concrete, siding block, and siding. They will unify that, by bringing the siding around, hiding part of the concrete block. The existing brick will remain, and then it will just be the siding, the stone element, and the focal point element.

2. There will be no nuisance or serious hazard to vehicles or pedestrians.

Mr. Hill stated that they are making no change to the site, fundamentally. The parking lot is not changing. They are making the building handicapped accessible by putting in the new entrance. It will be a betterment for anyone who has a mobility impairment, and they will be able to get in the front door barrier-free. Right now, all the other entrances have a step of some sort, and they have to bring a ramp for anyone who is in a wheelchair or cannot make the step. The (renovations) will be a betterment for clients and for staff.

3. Adequate and appropriate facilities (i.e. water, sewer, streets, parking, etc.) will be provided for the proper operation of the proposed use.

Mr. Hill stated that the new area they are adding is not a significant demand either on water or sewer. He continued that they are adding a few sinks in the exam rooms, and everything else is already existing. They will have a little bit more electrical demand. Part of the building was run on propane, and they will get rid of that as a dual fuel source and be all electric. Capacity is very small.

Chair Clough asked if anyone had questions for the applicant.

Mr. LeRoy stated that Mr. Hill made many references to the façade. He asked if Mr. Hill had any renderings of the elevations. Mr. Hill replied yes, he can show those.

Mr. Hill showed the ZBA the elevations and stated that they are bringing forward the gable element and the cornice. He showed where they will add the focal point of the entrance with heavy timber appointments on it. He showed the New England-style steep roof, 12-inch soffit, bird-box-type cornice detail that will be repeated. He showed where the stone entrance will be, and the existing brick that will remain. He continued that all the new windows will be fixed. He showed the side of the building where there is block, and continued that where there is an overhead door, they will put in a glass wall. This goes into the physical therapy portion and will be a barrier-free entrance, so if someone needs to come in with a dog on a scooter or in a carrier, they will be able to get through.

Mr. Hill showed the ZBA the 3-D portion, showing how they are bringing the plane out to align with the other plane. He continued that this shows the front, how it will come out. It is a very minor addition. Most of the work is being done internally, to bring in the services they need.

Chair Clough thanked Mr. Hill and asked if the Board had questions. Hearing none, he asked for public comment, in support or in opposition.

Mr. Clements stated that he wants to note for the record that he handed two pieces of paper from the applicant's own application to provide as reference for their presentation.

Hearing no public comment, Chair Clough closed the public hearing and asked the Board to deliberate.

Mr. Schrantz stated that based on the three criteria for the Non-Conformance, the presentation addressed any concerns he might have had about the project. He continued that everything seems to fit within the Zoning Ordinance. He does not have any questions or additional comments.

Mr. Burke stated that he agrees. He continued that the application meets all three approval standards, so he has no concerns with the application itself.

Mr. LeRoy stated that he agrees. He continued that it would have minimal impact, if any, to Court St. and the surrounding areas. It will be the same usage and the same traffic patterns. It will even be improved, aesthetically, from the street.

Chair Clough stated that he agrees with all of that. He continued that normally, the Board would talk about each criterion, but they are all so closely related that he does not think they need to discuss each individually. They will vote on each one individually, however.

Mr. Schrantz made a motion for the Zoning Board of Adjustment to approve ZBA-2025-04, the Expansion of a Non-Conforming Use for property located at 686 Court Street, Tax Map #228-008-000-000, as shown on the plan identified as "Court Street Vet Hospital," prepared by HDA Architects, Inc., at a scale of one inch equals 30 feet, dated May 5, 2025 and in the application and supporting materials received on May 16th, 2025 with no conditions. Mr. LeRoy seconded the motion.

1. Such expansion or enlargement would not reduce the value of any property within the zoning district nor otherwise be injurious, obnoxious, or offensive to the neighborhood.

Met with a vote of 4-0.

2. There will be no nuisance or serious hazard to vehicles or pedestrians.

Met with a vote of 4-0.

3. Adequate and appropriate facilities (i.e. water, sewer, streets, parking, etc.) will be provided for the proper operation of the proposed use.

Met with a vote of 4-0.

The motion to approve ZBA-2025-04 passed with a vote of 4-0.

205 **V) New Business**

206 **VI) Staff Updates**

207
208 **A) Master Plan – Future Summit**

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210 Mr. Clements stated that the Future Summit, the celebration and unveiling of the draft Master
211 Plan, is tomorrow from 5:00 to 7:00 PM at Heberton Hall at the library. He continued that he
212 highly recommends coming. There will be food, childcare, a presentation, interactive activities,
213 and the chance to go over the draft plan and do a final round of prioritization on what goals the
214 City should work on first. People can come without needing to register in advance, although it
215 would be helpful for anyone planning to utilize the childcare to let staff know ahead of time.

216
217 **B) Board Data Collection**

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219 Mr. Clements stated that this is coming along well. He continued that staff has only looked back
220 a year or so. This will be something they will keep track of moving forward. If he has time at
221 some point, he will try to go back and do a little more historical analysis, but at least for now,
222 they have something set up so they know what data will be collected. He will send that out (to
223 ZBA members) before the next meeting so everyone can see where they are at.

224
225 **C) Annual City Council Report**

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227 Mr. Clements stated that the annual City Council report will be in July. He continued that the
228 Council is hoping for a letter from the chair, or Chair Clough can go to a meeting and give a
229 presentation in person. He will get Chair Clough that data tracking sheet soon, to explain what
230 has been going on with the ZBA. Chair Clough replied yes, they can get together on that.

231
232 **VII) Communications and Miscellaneous**

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234 Chair Clough stated that the Southwest Regional Planning Commission's annual meeting is
235 tomorrow night from 5:00 to 7:00 PM.

236
237 **VIII) Non-Public Session (if required)**

238
239 **IX) Adjournment**

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241 There being no further business, Chair Clough adjourned the meeting at 6:56 PM.

242
243 Respectfully submitted by,
244 Britta Reida, Minute Taker

245
246 Reviewed and edited by,
247 Corinne Marcou, Board Clerk

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70 COURT ST ZBA-2025-05



Petitioner requests a Variance to permit Artisanal Production per 8.3.5.A of the Zoning Regulations.



NOTICE OF HEARING

ZBA-2025-05

A meeting of the Zoning Board of Adjustment will be held on **Monday, July 7, 2025, at 6:30 PM** in City Hall Council Chambers, 2nd floor, 3 Washington St, Keene, New Hampshire to consider the following petition.

ZBA-2025-05: Petitioner, Honeybear Party Boutique, owned by Mark Scherlin, requests a Variance, for property located at 70 Court St., Tax Map # 568-041-000-000 and is in the Downtown Transition District. The Petitioner is requesting a Variance to permit Artisanal Production in the Downtown Transition District per Article 8.3.5.A of the Zoning Regulations.

You are receiving notice of this hearing as an abutter to or owner of property within 200-ft. of the subject parcel.

This meeting is open to the public, and anyone wishing to speak on the proposal will be given an opportunity to be heard during the public hearing for this application. The application for this proposal is available for public review in the Community Development Department on the 4th floor of City Hall between the hours of 8:00 am and 4:30 pm or online at <https://keenenh.gov/zoning-board-adjustment>

Please be advised that this may be the only certified notice you will receive. You are encouraged to review future Zoning Board of Adjustment agendas for the status of this application at keenenh.gov/zoning-board-adjustment. If you have any questions, please contact me at the Community Development Department at (603) 352-5440.

Corinne Marcou, Zoning Clerk

Notice issuance date June 26, 2025

ZBA-2025-05 & 06– Use Variances – Honeybear Party Boutique, 70 Court St.

Request:

Petitioner, Honeybear Party Boutique, owned by Mark Scherlin, requests a Variance, for property located at 70 Court St., Tax Map # 568-041-000-000 and is in the Downtown Transition District. The Petitioner is requesting a Variance to permit Artisanal Production in the Downtown Transition District per Article 8.3.5.A of the Zoning Regulations and to permit Specialty Food Services in the Downtown Transition District per Article 8.3.2.AI of the Zoning Regulations.

Background:

The subject parcel is an existing .53-ac lot located on the western side of Court St. approximately 630' from Central Square. The parcel contains an existing ~13,000 SF mixed use building with tenantable space on the basement, first, and second floors of the building. The parcel also contains a parking lot with ~22 parking spaces and a small outbuilding on the southwest corner of the lot.

The property received a Variance from the Zoning Board of Adjustment on November 4, 2024 to allow an Animal Care Business in the form of a dog grooming salon that is currently located in the basement. A residential use is located on the second floor. The first floor of the property is currently vacant but previously contained the Keene Senior Center and includes a commercial kitchen, offices, and community room space.

The purpose of this application is to approve two Use Variance requests to accommodate a candy making and artisan paper craft business. While both uses are incorporated into the single business, each is unique and independent of each other from the perspective of the Zoning Ordinance. The Specialty Food Service use will be contained to the commercial kitchen and the Artisan Production will be conducted in adjacent floor space.



Fig 1: Aerial of 70 Court Street outlined in yellow.

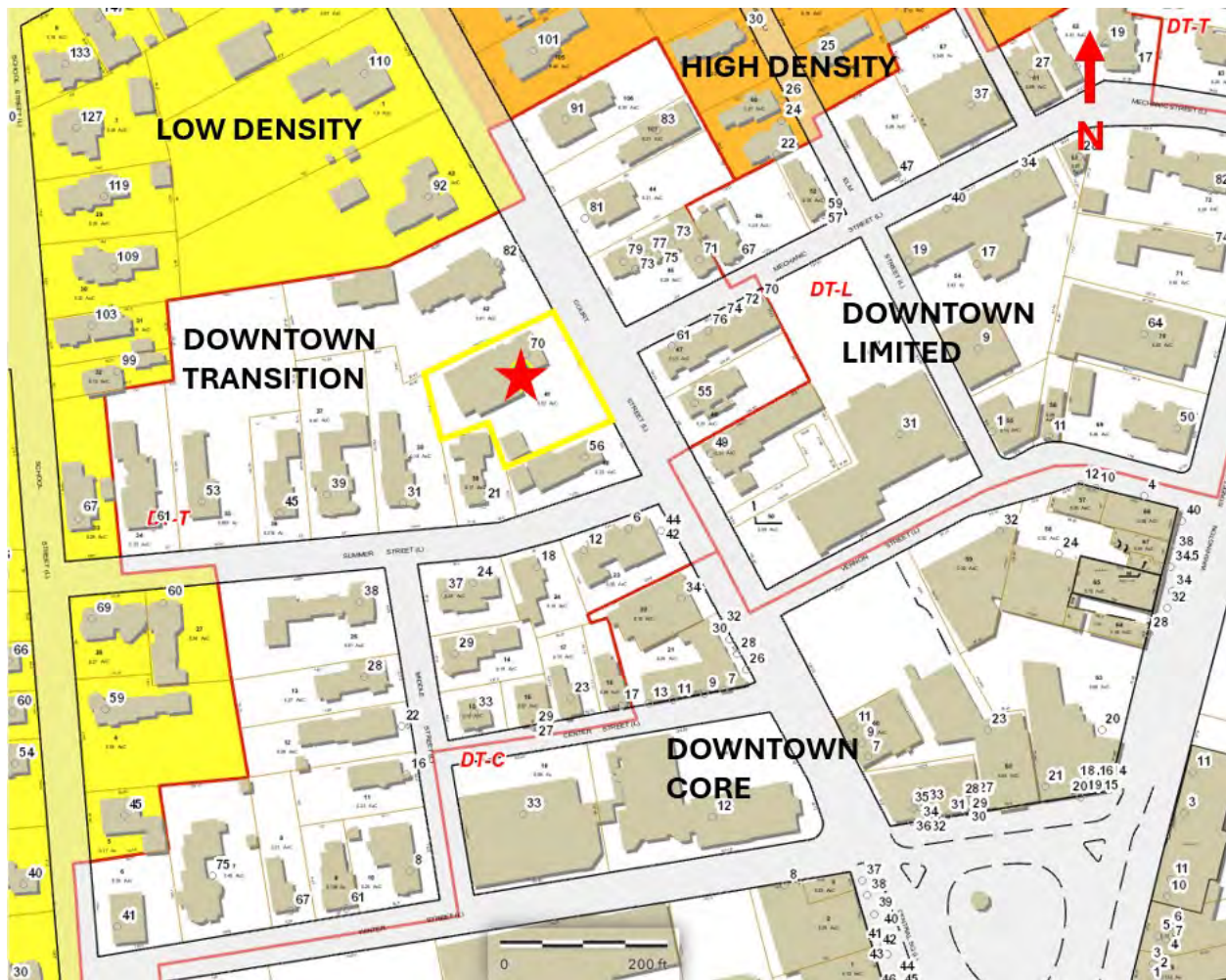


Fig 2: 70 Court Street located at the red star with surrounding zoning districts

Surrounding Uses:

North: Mixed-Use Commercial/Residential

South: Office

East: Multi-Family Residential

West: Residential

Application Analysis: The following is a review of the relevant sections of the Zoning Ordinance and how they impact the subject property:

Downtown Transition (DT-T): The DT-T District is intended to accommodate a variety of residential, open space, and other low intensity uses in a mixed-use environment of attached and detached structures. Development within the DT-T District is intended to complement and transition into existing residential neighborhoods adjacent to downtown Keene.

Specialty Food Service: Specialty food service includes preparation, processing, canning, or packaging of food products where all processing is completely enclosed and there are no outside impacts. Such business specializes in the sale of specific food products (e.g. bakery, candy maker, meat market, catering business, cheesemonger, coffee roaster, fish-monger), and may include space for retail sales or restaurant uses that serve the products processed on-site.

Artisanal Production: The on-site production of hand-fabricated or hand-manufactured artisanal, custom or craft goods (e.g. small-scale metalworking, glassblowing, and furniture making, etc.). Showrooms and the ancillary sales of goods produced on-site are permitted. Artisanal production does not include micro-breweries, micro-distilleries, and micro-wineries.

Use Standards:

1. Outside storage is prohibited, unless located in the Industrial District.
2. All manufacturing or production activities shall be conducted entirely within a building sufficiently insulated to confine noise, flashing, fumes and odors to the premises, unless located in the Industrial District.

The Board may wish to consider limiting the type of Artisanal Production allowed as part of this application. A condition of approval related to only allowing hand-crafted paper products is suggested in the draft motion below.

Suggested Conditions and Draft Motion:

“Approve ZBA-2025-05, for the Use Variance to permit Artisanal Production, for property located at 70 Court St., Tax Map # 568-041-000-000 as shown in the application and supporting materials, received on June 24, 2025 with the following condition:

- 1. The Artisanal Production shall be limited to paper party supplies and other hand-crafted paper displays.”***

“Approve ZBA-2025-06, for the Use Variance to permit Specialty Food Services, for property located at 70 Court St., Tax Map # 568-041-000-000 as shown in the application and supporting materials, received on June 24, 2025 with no conditions”

Zoning Board of Adjustment Variance Application



For Office Use Only:

Case No. ZBA-2025-05

Date Filled 6/24/2025

Rec'd By CJM

Page 1 of 15

Rev'd by _____

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

SECTION 1: CONTACT INFORMATION

I hereby certify that I am the owner, applicant, or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law. If applicant or authorized agent, a signed notification from the property owner is required.

OWNER / APPLICANT

NAME/COMPANY: Honeybear Party Boutique / Mark Scherlin

MAILING ADDRESS: P.O. Box 154 Spofford NH 03462

PHONE: 802-490-0020

EMAIL: info@honeybearparties.com

SIGNATURE: [Signature]

PRINTED NAME: Mark Scherlin

APPLICANT (if different than Owner/Applicant)

NAME/COMPANY:

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE:

PRINTED NAME:

AUTHORIZED AGENT (if different than Owner/Applicant)

NAME/COMPANY:

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE:

PRINTED NAME:

SECTION 2: PROPERTY INFORMATION

Property Address: 70 Court Street Keene NH

Tax Map Parcel Number: 568//041/000 000/000

Zoning District DT-T USE CODE 201 Commercial/Improved

Lot Dimensions: Front: 147' Rear: 78.35', 57.9' Side: 169.07' Side: 57.75', 112'

Lot Area: Acres: 0.53 Square Feet: 23086.8

% of Lot Covered by Structures (buildings, garages, pools, decks, etc): Existing: 29.72% Proposed: No change

% of Impervious Coverage (structures plus driveways and/or parking areas, etc): Existing: 48.78% Proposed: No change

Present Use: Basement: Dog Groomer / 2nd Floor: Apartments / 1st floor: Empty

Proposed Use: 1st floor Lite manufacturing

SECTION 3: WRITTEN NARRATIVE

Article 25.5.4.A.: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed variance.

- Narrative attached

SECTION 4: APPLICATION CRITERIA

A Variance is requested from Article (s)

of the Zoning Regulations to permit:

8.3.5.5 A

Artisanal Production

Briefly describe your responses to each criteria, using additional sheets if necessary:

1. Granting the variance would not be contrary to the public interest because:

Granting the variance will not be contrary to the public interest because the proposed use is consistent with the general character of the surrounding area and will not alter the essential nature of the neighborhood. The property at 70 Court Street is located in a mixed-use zone with a combination of residential, professional, and light commercial activity. Our business operations—focused on freeze-dried products and party supplies—are low-impact, with limited noise, traffic, and no hazardous or disruptive activity.

In fact, repurposing this space for a locally owned, community-focused business will enhance the vitality and diversity of the area. It will support local commerce, and bring new life to a property that would otherwise remain underutilized. Our commitment to cleanliness, safety, and respectful operations ensures that the use will not interfere with the health, safety, or welfare of the public.

Moreover, the proposed use aligns with Keene's goals of fostering small business development, encouraging economic opportunity, and promoting adaptive reuse of existing structures in a way that is compatible with the public interest and the neighborhood's evolving needs.

Honeybear Party Boutique
Mark Scherlin
P.O. Box 154
Spofford, NH 03462
802-490-0020
info@honeybearparties.com

Date: June, 19, 2025

To Whom It May Concern:

Subject: Variance Request for 70 Court Street, Keene, NH

Dear Members of the Zoning Board,

Honeybear Party Boutique is a small, locally-owned business that has proudly served the Keene community since 2018. We respectfully submit this letter to support our application for a variance for the property located at 70 Court Street, Keene, NH, to allow us to relocate and expand our freeze-dried goods and party supply business to this site.

The property at 70 Court Street is currently owned by Geno Ranaldi, and is situated in a mixed-use area with both residential and commercial presence. The building's size, layout, and location are ideal for the operations of a small business such as ours, especially as we transition to a full-time use of a commercial kitchen, which is essential for the production of our freeze-dried products.

Since our establishment in 2018, we have steadily grown through the support of loyal local customers. Our freeze-dried candy, snacks, and event supplies have become a unique and appreciated part of the Keene small business landscape. However, we have outgrown our current location, and 70 Court Street offers the space and utilities necessary to operate more efficiently and legally within the required health and safety standards.

The purpose of this variance request is to allow for the use of the property in a manner that may differ slightly from current zoning or permitted uses. However, the effect of this change will not adversely impact the surrounding neighborhood. On the contrary, we believe it will enhance the local area by revitalizing a property with a community-oriented business. Our operations are low-impact, with limited traffic, minimal noise, and daytime business hours.

Justification for the variance includes the following points:

The business will contribute positively to the economic vibrancy of the area.

We have a proven track record and community presence since 2018.

The site at 70 Court Street is uniquely suited to house a small-scale food production operation.

There will be no significant increase in traffic or disruption to nearby residences or businesses.

The requested variance aligns with the city's broader goal of supporting small businesses and adaptive reuse of existing structures.

We respectfully ask for your consideration in granting this variance so we may continue to grow our business while remaining an active and contributing member of the Keene business community.

Thank you for your time and support. We welcome the opportunity to answer any questions or provide further information as needed.

Sincerely,
Mark Scherlin
Owner, Honeybear Party Boutique
802-490-0020
info@honeybearparties.com

2. If the variance were granted, the spirit of the ordinance would be observed because:

If the variance were granted, the spirit of the ordinance would be observed because the proposed use maintains the intent and purpose of the zoning ordinance—to promote compatible land uses, protect neighborhood character, and support orderly growth. Our business will operate in a manner that is consistent with the low-intensity, small-scale commercial activity envisioned in this area.

While the zoning may not explicitly list our business type as a permitted use, the actual impact on the neighborhood is minimal. We will not create excessive noise, traffic, or parking issues, and our operations will be limited to standard daytime business hours. In this way, the essential goals of the ordinance—preserving neighborhood integrity, safety, and harmony—will still be fully upheld.

Additionally, the adaptive use of the existing building for a local, community-oriented enterprise supports Keene's long-standing values of sustainability, economic resilience, and small business empowerment. This approach reflects the true spirit of the ordinance, even if it requires a small deviation in form.

3. Granting the variance would do substantial justice because:

Granting the variance would do substantial justice because it allows a well-established local business to continue serving the community in a safe, efficient, and sustainable manner, while causing no harm to the public or surrounding properties. Denying the variance would create a significant burden on our business by preventing us from growing into a space that meets our operational needs—despite the fact that our use poses no adverse impact to the neighborhood.

The benefit to the applicant, our small business, clearly outweighs any potential harm to the public, which in this case is nonexistent. The variance supports local entrepreneurship, helps preserve and revitalize an existing building, and provides a service that is appreciated by the Keene community. In this light, justice is best served by allowing the reasonable and appropriate use of the property.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

If the variance were granted, the values of the surrounding properties will not be diminished because the proposed use is low-impact, professional, and fully compatible with the character of the neighborhood. Our freeze-dried and party supply business does not involve heavy traffic, industrial noise, or unsightly modifications to the property. In fact, occupying and maintaining the building at 70 Court Street will likely improve the property's condition and appearance, potentially enhancing the appeal of the surrounding area.

Our operations are clean, orderly, and conducted during regular business hours, with a focus on maintaining a friendly, community-oriented presence. By revitalizing the space with an active, locally owned small business, the area benefits from increased activity and upkeep—which can have a positive influence on nearby property values rather than a negative one.

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

A.: 70 Court Street is uniquely situated in a mixed-use part of Keene, where residential, professional, and light commercial uses coexist. The structure itself is well-suited for low-impact commercial activity, with adequate parking, accessibility, and infrastructure to support a small business like ours. Unlike other strictly residential properties nearby, this location has historically supported non-residential uses and sits in close proximity to downtown and other service-based businesses.

Denying the variance would prevent the reasonable use of a property that is physically and functionally appropriate for our business, even though the zoning regulation, as written, does not reflect the practical use potential of this specific site. The hardship lies in the mismatch between the property's characteristics and the overly broad application of zoning that doesn't account for its realistic potential.

i.: The general purpose of the zoning ordinance is to prevent incompatible uses and protect the public health, safety, and welfare. However, applying this restriction to 70 Court Street fails to account for the property's location, existing structure, and the non-disruptive nature of our business. Our use is neither hazardous nor inconsistent with the surrounding area—and therefore, restricting our business use does not serve the broader public interest in this case.

The ordinance, in this situation, places an unnecessary and disproportionate limitation on the property without offering any meaningful benefit to the public. Our proposed use aligns with the neighborhood's existing character and contributes positively to the community, making the restriction unreasonable as applied to this unique site.

and

ii. The proposed use is a reasonable one because:

The proposed use is a reasonable one because it makes practical and appropriate use of an existing building in a mixed-use area, in a way that is consistent with both the character of the neighborhood and the long-term economic goals of the City of Keene. Our freeze-dried and party supply business is low-impact, community-focused, and locally owned. We are not introducing any industrial activity, large-scale manufacturing, or disruptive customer traffic.

The building at 70 Court Street already possesses the size, layout, and infrastructure that suit our needs, including space for a commercial kitchen and product packaging. Rather than leaving the space underutilized or vacant, we are proposing a use that will revitalize the property, contribute to the local economy, and serve the community—all without causing harm or conflict with neighboring uses.

In this context, using the property for a small, clean, customer-friendly business is both logical and beneficial, making it entirely reasonable under the circumstances.

B. Explain how, if the criterial in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

If the criteria in the subparagraphs are not fully established, an unnecessary hardship will still be deemed to exist if—and only if— the property in question has special conditions that set it apart from others in the area, and strict enforcement of the zoning ordinance would prevent any reasonable use of the property. In such cases, a variance becomes necessary not to gain a special privilege, but simply to allow a practical and fair use of the land.

In the case of 70 Court Street, the property's location in a transitional, mixed-use area and its existing structure—well-suited for light commercial use—are distinguishing features. Applying the zoning ordinance without flexibility would prohibit a low-impact, compatible business from operating in a building that is otherwise ideal for that purpose. Without a variance, the property cannot be reasonably used in conformance with the ordinance—despite the fact that our proposed use is safe, appropriate, and beneficial to the community.

Therefore, the variance is not a request for special treatment, but a necessary adjustment to allow the property to be used in a manner that is both practical and consistent with its surroundings and physical characteristics.



Parcel # : 568-041-000-000-000

Keene, NH

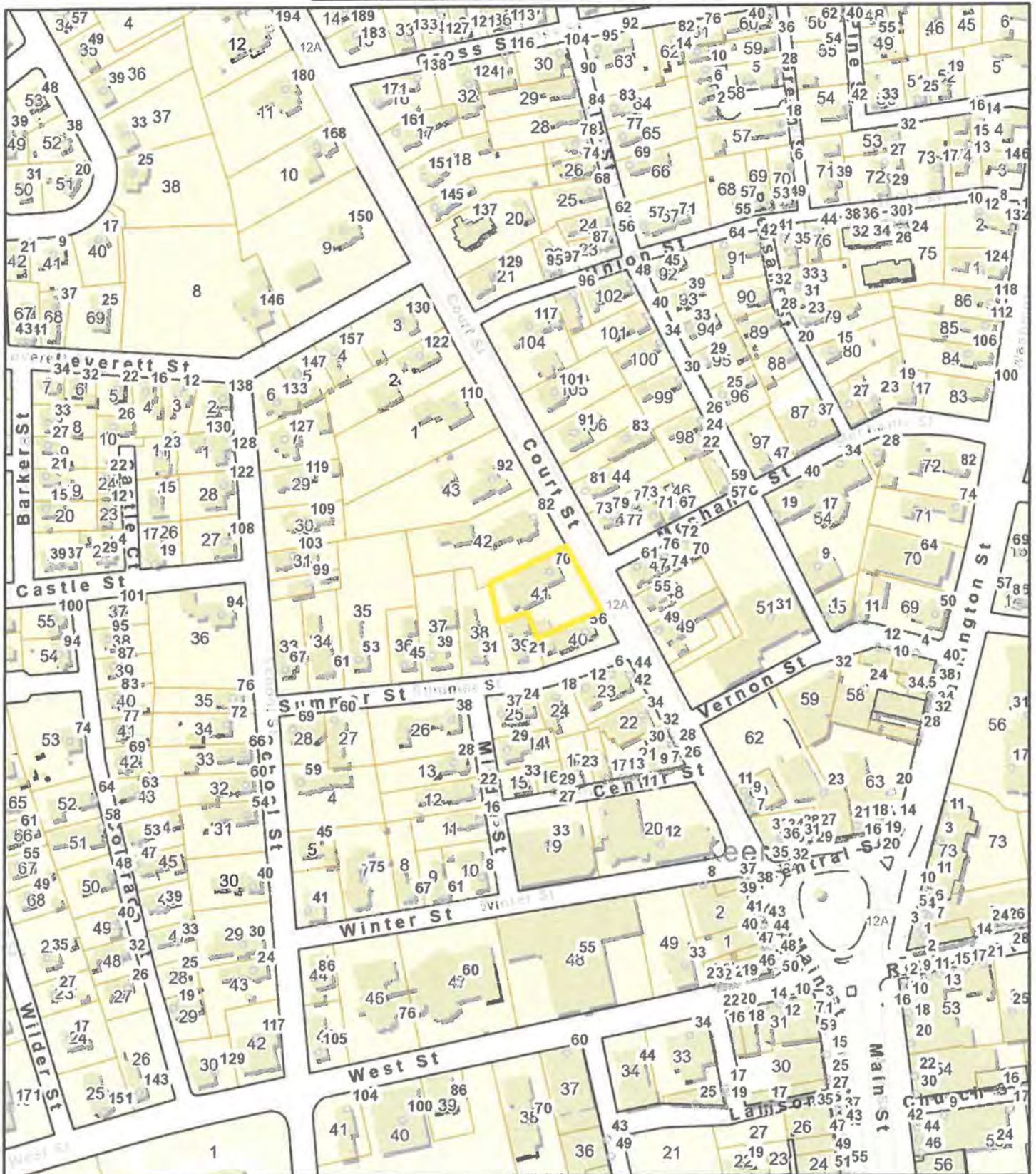


1 inch equals 376 feet

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June 20, 2025

0 208740 417480 626220



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70 COURT ST.

Location 70 COURT ST. Map/Lot # 568/ / 041/000 000/000

Acct# 5680410000000000 Owner RANALDI GENO A

Building Name Assessment \$368,900

Appraisal \$368,900 PID 62

Building Count 1 Assessing District

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2025	\$269,400	\$99,500	\$368,900
Assessment			
Valuation Year	Improvements	Land	Total
2025	\$269,400	\$99,500	\$368,900

Parcel Addresses

Additional Addresses	
No Additional Addresses available for this parcel	

Owner of Record

Owner RANALDI GENO A

Co-Owner

Address 75 COURT ST #3A
EXETER, NH 03833-2743

Sale Price \$533,500

Book 3275

Page 0485

Sale Date 04/29/2024

Ownership History

Ownership History				
Owner	Sale Price	Sale Date	Book	Page
RANALDI GENO A	\$533,500	04/29/2024	3275	0485
KEENE SENIOR CITIZENS INC	\$28,000	07/09/1962	0696	0123

Building 1 : Section 1

Year Built: 1840
Living Area: 7,337
Replacement Cost: \$765,661
Building Percent Good: 34
Replacement Cost Less Depreciation: \$260,300

Building Attributes

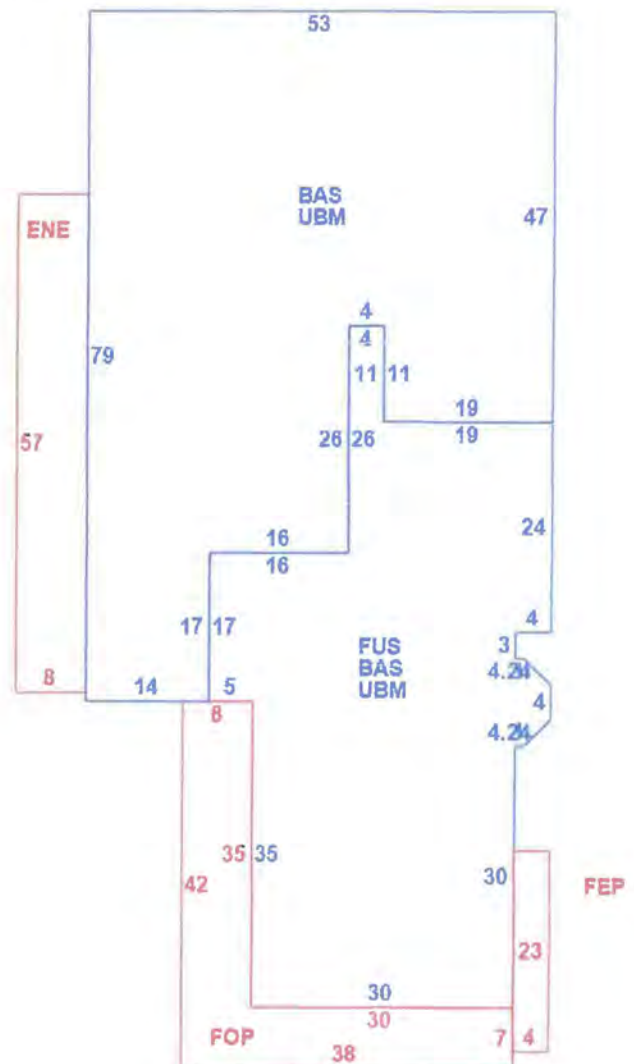
Field	Description
Style:	Office/Apartments
Model:	Commercial
Grade	C
Stories:	1
Occupancy	3.00
Exterior Wall 1	Brick Veneer
Exterior Wall 2	Clapboard
Roof Structure	Gable
Roof Cover	Slate
Interior Wall 1	Drywall/Sheetrock
Interior Wall 2	
Interior Floor 1	Hardwood
Interior Floor 2	
Heating Fuel	Gas
Heating Type	Hot Water
Air Conditioning	Central
Bldg Use	Commercial Improved
Bedrooms	
Full Baths	
Half Baths	
Frame	Wood Frame/Joist/Beam
Plumbing	Normal
Partitions	Normal
Wall Height	9.00
FBLA	
Condo Complex	
Cov Park Spaces	0

Building Photo



(https://images.vgsi.com/photos2/KeeneNHPhotos/0023/IMG_0360_2356)

Building Layout



(ParcelSketch.ashx?pid=62&bid=62)

Code	Description	Gross Area	Living Area
BAS	First Floor	5,236	5,236
FUS	Framed Upper Story	2,101	2,101
ENE	Enclosed Entry	456	0
FEP	Enclosed Porch	92	0
FOP	Framed Open Porch	546	0
UBM	Basement	5,236	0
		13,667	7,337

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 201
Description Commercial Improved
Zone DT-T
Category

Land Line Valuation

Size (Acres) 0.53
Depth
Assessed Value \$99,500
Appraised Value \$99,500

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Assessed Value	Bldg #
PAV1	PAVING- ASPHALT			4440.00 S.F.	\$4,400	1
FGR1	GARAGE- AVE			624.00 S.F.	\$4,700	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2024	\$471,900	\$99,500	\$571,400

Assessment			
Valuation Year	Improvements	Land	Total
2024	\$471,900	\$99,500	\$571,400



200 feet Abutters List Report

Keene, NH
June 20, 2025

Subject Property:

Parcel Number: 568-041-000
CAMA Number: 568-041-000-000-000
Property Address: 70 COURT ST.

Mailing Address: RANALDI GENO A
75 COURT ST #3A
EXETER, NH 03833-2743

Abutters:

Parcel Number: 554-106-000
CAMA Number: 554-106-000-000-000
Property Address: 91 COURT ST.

Mailing Address: HAYWARD-ELLIS HOUSE LLC
PO BOX 323
KEENE, NH 03431

Parcel Number: 554-107-000
CAMA Number: 554-107-000-000-000
Property Address: 83 COURT ST.

Mailing Address: 83 COURT STREET LLC
893 OLD WALPOLE RD.
SURREY, NH 03431

Parcel Number: 568-014-000
CAMA Number: 568-014-000-000-000
Property Address: 29 MIDDLE ST.

Mailing Address: ESPIEFS PETER S. REV. TRUST
29 MIDDLE ST.
KEENE, NH 03431

Parcel Number: 568-022-000
CAMA Number: 568-022-000-000-000
Property Address: 34 COURT ST.

Mailing Address: 34 COURT LLC
C/O ZACH LUSE 63 EMERALD ST #468
KEENE, NH 03431-3626

Parcel Number: 568-023-000
CAMA Number: 568-023-000-000-000
Property Address: 42-44 COURT ST.

Mailing Address: RANALDI GENO
54 LINCOLN ST #B
EXETER, NH 03833-3218

Parcel Number: 568-024-000
CAMA Number: 568-024-000-000-000
Property Address: 18 SUMMER ST.

Mailing Address: ZOLL MICHAEL J. ZOLL JENNIFER L.
18 SUMMER ST.
KEENE, NH 03431

Parcel Number: 568-025-000
CAMA Number: 568-025-000-000-000
Property Address: 37 MIDDLE ST.

Mailing Address: LEACH JODY A. LEACH KRISTEN
37 MIDDLE ST.
KEENE, NH 03431

Parcel Number: 568-026-000
CAMA Number: 568-026-000-000-000
Property Address: 38 MIDDLE ST.

Mailing Address: BERGERON JOHN GROISS LINDA
38 MIDDLE ST.
KEENE, NH 03431

Parcel Number: 568-035-000
CAMA Number: 568-035-000-000-000
Property Address: 53 SUMMER ST.

Mailing Address: WATSON FREDERICK K TRUST
C/O ROBERT BECK TTEE 53 SUMMER
ST
KEENE, NH 03431

Parcel Number: 568-036-000
CAMA Number: 568-036-000-000-000
Property Address: 45 SUMMER ST.

Mailing Address: WASSERBAUER DAMIAN GILMARY
45 SUMMER ST.
KEENE, NH 03431



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6/20/2025

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Page 1 of 3



200 feet Abutters List Report

Keene, NH
June 20, 2025

Parcel Number: 568-037-000
CAMA Number: 568-037-000-000-000
Property Address: 39 SUMMER ST.

Mailing Address: THE HOME FOR LITTLE WANDERERS
INC
72 EAST DEDHAM ST
BOSTON, MA 02118

Parcel Number: 568-038-000
CAMA Number: 568-038-000-000-000
Property Address: 31 SUMMER ST.

Mailing Address: ARRUDA MEGAN E ARRUDA JOHN G
98 MERRICON RD
NELSON, NH 03457-5506

Parcel Number: 568-039-000
CAMA Number: 568-039-000-000-000
Property Address: 21 SUMMER ST.

Mailing Address: CUNHA-VASCONCELOS SOFIA C.
21 SUMMER ST.
KEENE, NH 03431

Parcel Number: 568-040-000
CAMA Number: 568-040-000-000-000
Property Address: 56 COURT ST.

Mailing Address: BURK NANCY E REV TRUST
NANCY E BURK TTEE 290 CHAPMAN RD
KEENE, NH 03431

Parcel Number: 568-042-000
CAMA Number: 568-042-000-000-000
Property Address: 82 COURT ST.

Mailing Address: 82 COURT PROPERTIES LLC
82 COURT ST.
KEENE, NH 03431

Parcel Number: 568-043-000
CAMA Number: 568-043-000-000-000
Property Address: 92 COURT ST.

Mailing Address: TERHAR MICHAEL JOHN JOSEPH
TERHAR CERA BETHANY
92 COURT ST
KEENE, NH 03431

Parcel Number: 568-044-000
CAMA Number: 568-044-000-000-000
Property Address: 81 COURT ST.

Mailing Address: NBA 81 REALTY LLC
81 COURT ST.
KEENE, NH 03431

Parcel Number: 568-045-000
CAMA Number: 568-045-000-000-000
Property Address: 73 COURT ST.

Mailing Address: BASKETVILLE OF PARADISE INC
314 WILTON RD.
MASON, NH 03048

Parcel Number: 568-046-000
CAMA Number: 568-046-000-000-000
Property Address: 67 MECHANIC ST.

Mailing Address: ROSS ALAN L. REV. TRUST
361 SMITH POND RD.
WASHINGTON, NH 03280

Parcel Number: 568-047-000
CAMA Number: 568-047-000-000-000
Property Address: 61 COURT ST.

Mailing Address: BEAUREGARD FAMILY REV. TRUST
127 WASHINGTON ST.
KEENE, NH 03431-3106

Parcel Number: 568-048-000
CAMA Number: 568-048-000-000-000
Property Address: 55 COURT ST.

Mailing Address: E&I PROPERTIES LLC
67 HIGHLAND ST.
WORCESTER, MA 01609

Parcel Number: 568-049-000
CAMA Number: 568-049-000-000-000
Property Address: 49 COURT ST.

Mailing Address: FOLEY FUNERAL HOME INC
C/O PROPERTY TAX 9TH FL PO BOX
130548
HOUSTON, TX 77219-0548



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6/20/2025

Page 2 of 3



200 feet Abutters List Report

Keene, NH
June 20, 2025

Parcel Number: 568-050-000
CAMA Number: 568-050-000-000-000
Property Address: 0 COURT ST.

Mailing Address: KEYSTONE AMERICA INC
C/O SCI SHARED RESOURCES LLC PO
BOX 130548 - PROP TAX
HOUSTON, TX 77219-0548

Parcel Number: 568-051-000
CAMA Number: 568-051-000-000-000
Property Address: 31 VERNON ST.

Mailing Address: CITY OF KEENE
C/O CITY MANAGER 3 WASHINGTON ST
KEENE, NH 03431



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6/20/2025

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Page 3 of 3

70 COURT ST ZBA-2025-06



Petitioner requests a Variance to permit Specialty Food Services per 8.3.2.AI of the Zoning Regulations.



NOTICE OF HEARING

ZBA-2025-06

A meeting of the Zoning Board of Adjustment will be held on **Monday, July 7, 2025, at 6:30 PM** in City Hall Council Chambers, 2nd floor, 3 Washington St, Keene, New Hampshire to consider the following petition.

ZBA-2025-06: Petitioner, Honeybear Party Boutique, owned by Mark Scherlin, requests a Variance, for property located at 70 Court St., Tax Map # 568-041-000-000 and is in the Downtown Transition District. The Petitioner is requesting a Variance to permit Specialty Food Services in the Downtown Transition District per Article 8.3.2.A1 of the Zoning Regulations.

You are receiving notice of this hearing as an abutter to or owner of property within 200-ft. of the subject parcel.

This meeting is open to the public, and anyone wishing to speak on the proposal will be given an opportunity to be heard during the public hearing for this application. The application for this proposal is available for public review in the Community Development Department on the 4th floor of City Hall between the hours of 8:00 am and 4:30 pm or online at <https://keenenh.gov/zoning-board-adjustment>

Please be advised that this may be the only certified notice you will receive. You are encouraged to review future Zoning Board of Adjustment agendas for the status of this application at keenenh.gov/zoning-board-adjustment. If you have any questions, please contact me at the Community Development Department at (603) 352-5440.

Corinne Marcou, Zoning Clerk
Notice issuance date June 26, 2025

Zoning Board of Adjustment Variance Application



For Office Use Only:

Case No. ZBA-2025-06

Date Filled 6/24/2025

Rec'd By CJM

Page 1 of 15

Rev'd by _____

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

SECTION 1: CONTACT INFORMATION

I hereby certify that I am the owner, applicant, or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law. If applicant or authorized agent, a signed notification from the property owner is required.

OWNER / APPLICANT

NAME/COMPANY: Honeybear Party Boutique / Mark Scherlin

MAILING ADDRESS: P.O. Box 154 Spofford NH 03462

PHONE: 802-490-0020

EMAIL: info@honeybearparties.com

SIGNATURE: [Signature]

PRINTED NAME: Mark Scherlin

APPLICANT (if different than Owner/Applicant)

NAME/COMPANY:

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE:

PRINTED NAME:

AUTHORIZED AGENT (if different than Owner/Applicant)

NAME/COMPANY:

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE:

PRINTED NAME:

SECTION 2: PROPERTY INFORMATION

Property Address: 70 Court Street Keene NH

Tax Map Parcel Number: 568//041/000 000/000

Zoning District DT-T USE CODE 201 Commercial/Improved

Lot Dimensions: Front: 147' Rear: 78.35', 57.9' Side: 169.07' Side: 57.75', 112'

Lot Area: Acres: 0.53 Square Feet: 23086.8

% of Lot Covered by Structures (buildings, garages, pools, decks, etc): Existing: 29.72% Proposed: No change

% of Impervious Coverage (structures plus driveways and/or parking areas, etc): Existing: 48.78% Proposed: No change

Present Use: Basement: Dog Groomer / 2nd Floor: Apartments / 1st floor: Empty

Proposed Use: 1st floor Lite manufacturing

SECTION 3: WRITTEN NARRATIVE

Article 25.5.4.A.: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed variance.

- Narrative attached

SECTION 4: APPLICATION CRITERIA

A Variance is requested from Article (s)

of the Zoning Regulations to permit:

8.3.2.AI

Specialty Food Services

Briefly describe your responses to each criteria, using additional sheets if necessary:

1. Granting the variance would not be contrary to the public interest because:

Granting the variance will not be contrary to the public interest because the proposed use is consistent with the general character of the surrounding area and will not alter the essential nature of the neighborhood. The property at 70 Court Street is located in a mixed-use zone with a combination of residential, professional, and light commercial activity. Our business operations—focused on freeze-dried products and party supplies—are low-impact, with limited noise, traffic, and no hazardous or disruptive activity.

In fact, repurposing this space for a locally owned, community-focused business will enhance the vitality and diversity of the area. It will support local commerce, and bring new life to a property that would otherwise remain underutilized. Our commitment to cleanliness, safety, and respectful operations ensures that the use will not interfere with the health, safety, or welfare of the public.

Moreover, the proposed use aligns with Keene's goals of fostering small business development, encouraging economic opportunity, and promoting adaptive reuse of existing structures in a way that is compatible with the public interest and the neighborhood's evolving needs.

Honeybear Party Boutique
Mark Scherlin
P.O. Box 154
Spofford, NH 03462
802-490-0020
info@honeybearparties.com

Date: June, 19, 2025

To Whom It May Concern:

Subject: Variance Request for 70 Court Street, Keene, NH

Dear Members of the Zoning Board,

Honeybear Party Boutique is a small, locally-owned business that has proudly served the Keene community since 2018. We respectfully submit this letter to support our application for a variance for the property located at 70 Court Street, Keene, NH, to allow us to relocate and expand our freeze-dried goods and party supply business to this site.

The property at 70 Court Street is currently owned by Geno Ranaldi, and is situated in a mixed-use area with both residential and commercial presence. The building's size, layout, and location are ideal for the operations of a small business such as ours, especially as we transition to a full-time use of a commercial kitchen, which is essential for the production of our freeze-dried products.

Since our establishment in 2018, we have steadily grown through the support of loyal local customers. Our freeze-dried candy, snacks, and event supplies have become a unique and appreciated part of the Keene small business landscape. However, we have outgrown our current location, and 70 Court Street offers the space and utilities necessary to operate more efficiently and legally within the required health and safety standards.

The purpose of this variance request is to allow for the use of the property in a manner that may differ slightly from current zoning or permitted uses. However, the effect of this change will not adversely impact the surrounding neighborhood. On the contrary, we believe it will enhance the local area by revitalizing a property with a community-oriented business. Our operations are low-impact, with limited traffic, minimal noise, and daytime business hours.

Justification for the variance includes the following points:

The business will contribute positively to the economic vibrancy of the area.

We have a proven track record and community presence since 2018.

The site at 70 Court Street is uniquely suited to house a small-scale food production operation.

There will be no significant increase in traffic or disruption to nearby residences or businesses.

The requested variance aligns with the city's broader goal of supporting small businesses and adaptive reuse of existing structures.

We respectfully ask for your consideration in granting this variance so we may continue to grow our business while remaining an active and contributing member of the Keene business community.

Thank you for your time and support. We welcome the opportunity to answer any questions or provide further information as needed.

Sincerely,
Mark Scherlin
Owner, Honeybear Party Boutique
802-490-0020
info@honeybearparties.com

2. If the variance were granted, the spirit of the ordinance would be observed because:

If the variance were granted, the spirit of the ordinance would be observed because the proposed use maintains the intent and purpose of the zoning ordinance—to promote compatible land uses, protect neighborhood character, and support orderly growth. Our business will operate in a manner that is consistent with the low-intensity, small-scale commercial activity envisioned in this area.

While the zoning may not explicitly list our business type as a permitted use, the actual impact on the neighborhood is minimal. We will not create excessive noise, traffic, or parking issues, and our operations will be limited to standard daytime business hours. In this way, the essential goals of the ordinance—preserving neighborhood integrity, safety, and harmony—will still be fully upheld.

Additionally, the adaptive use of the existing building for a local, community-oriented enterprise supports Keene's long-standing values of sustainability, economic resilience, and small business empowerment. This approach reflects the true spirit of the ordinance, even if it requires a small deviation in form.

3. Granting the variance would do substantial justice because:

Granting the variance would do substantial justice because it allows a well-established local business to continue serving the community in a safe, efficient, and sustainable manner, while causing no harm to the public or surrounding properties. Denying the variance would create a significant burden on our business by preventing us from growing into a space that meets our operational needs—despite the fact that our use poses no adverse impact to the neighborhood.

The benefit to the applicant, our small business, clearly outweighs any potential harm to the public, which in this case is nonexistent. The variance supports local entrepreneurship, helps preserve and revitalize an existing building, and provides a service that is appreciated by the Keene community. In this light, justice is best served by allowing the reasonable and appropriate use of the property.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

If the variance were granted, the values of the surrounding properties will not be diminished because the proposed use is low-impact, professional, and fully compatible with the character of the neighborhood. Our freeze-dried and party supply business does not involve heavy traffic, industrial noise, or unsightly modifications to the property. In fact, occupying and maintaining the building at 70 Court Street will likely improve the property's condition and appearance, potentially enhancing the appeal of the surrounding area.

Our operations are clean, orderly, and conducted during regular business hours, with a focus on maintaining a friendly, community-oriented presence. By revitalizing the space with an active, locally owned small business, the area benefits from increased activity and upkeep—which can have a positive influence on nearby property values rather than a negative one.

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

A.: 70 Court Street is uniquely situated in a mixed-use part of Keene, where residential, professional, and light commercial uses coexist. The structure itself is well-suited for low-impact commercial activity, with adequate parking, accessibility, and infrastructure to support a small business like ours. Unlike other strictly residential properties nearby, this location has historically supported non-residential uses and sits in close proximity to downtown and other service-based businesses.

Denying the variance would prevent the reasonable use of a property that is physically and functionally appropriate for our business, even though the zoning regulation, as written, does not reflect the practical use potential of this specific site. The hardship lies in the mismatch between the property's characteristics and the overly broad application of zoning that doesn't account for its realistic potential.

i.: The general purpose of the zoning ordinance is to prevent incompatible uses and protect the public health, safety, and welfare. However, applying this restriction to 70 Court Street fails to account for the property's location, existing structure, and the non-disruptive nature of our business. Our use is neither hazardous nor inconsistent with the surrounding area—and therefore, restricting our business use does not serve the broader public interest in this case.

The ordinance, in this situation, places an unnecessary and disproportionate limitation on the property without offering any meaningful benefit to the public. Our proposed use aligns with the neighborhood's existing character and contributes positively to the community, making the restriction unreasonable as applied to this unique site.

and

ii. The proposed use is a reasonable one because:

The proposed use is a reasonable one because it makes practical and appropriate use of an existing building in a mixed-use area, in a way that is consistent with both the character of the neighborhood and the long-term economic goals of the City of Keene. Our freeze-dried and party supply business is low-impact, community-focused, and locally owned. We are not introducing any industrial activity, large-scale manufacturing, or disruptive customer traffic.

The building at 70 Court Street already possesses the size, layout, and infrastructure that suit our needs, including space for a commercial kitchen and product packaging. Rather than leaving the space underutilized or vacant, we are proposing a use that will revitalize the property, contribute to the local economy, and serve the community—all without causing harm or conflict with neighboring uses.

In this context, using the property for a small, clean, customer-friendly business is both logical and beneficial, making it entirely reasonable under the circumstances.

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

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In the case of 70 Court Street, the property's location in a transitional, mixed-use area and its existing structure—well-suited for light commercial use—are distinguishing features. Applying the zoning ordinance without flexibility would prohibit a low-impact, compatible business from operating in a building that is otherwise ideal for that purpose. Without a variance, the property cannot be reasonably used in conformance with the ordinance—despite the fact that our proposed use is safe, appropriate, and beneficial to the community.

Therefore, the variance is not a request for special treatment, but a necessary adjustment to allow the property to be used in a manner that is both practical and consistent with its surroundings and physical characteristics.