



City of Keene Zoning Board of Adjustment

AGENDA

Monday, July 6, 2026

6:30 p.m.

City Hall, 2nd Floor Council Chambers

- I. Roll Call
- II. Minutes of the Previous Meeting: June 1, 2026
- III. Hearings:

Continued ZBA-26-5: Petitioner, JP Irving, LLC, of Concord, NH, requests a Variance, for property located at 59 Optical Ave., Tax Map # 241-006-000-000 and is in the Industrial Park District. The Petitioner is requesting a Variance to permit space for dispatch, office, bus storage and routine maintenance where this use is not permitted, per Article 6.3.5 of the Zoning Regulations.

ZBA-26-7: Petitioner, Nathan Kaarto, on behalf of the owner, 434 - 440 Winchester St., LLC, requests a Variance, for property located at 44 Winchester St., Tax Map # 115-004-000-000 and is in the Commerce Limited District. The Petitioner is proposing to replace an existing roadside sign that is 14 feet tall with a 15 foot tall sign, per Article 10.8 of the Zoning Regulations.

- IV. Staff Updates:
- V. New Business:
Annual City Council Report
- VI. Adjournment:

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City of Keene
New Hampshire

ZONING BOARD OF ADJUSTMENT
MEETING MINUTES

Monday, June 1, 2026

6:30 PM

Council Chambers,
City Hall

Members Present:

Richard Clough, Chair
Edward Guyot, Vice Chair
Zach LeRoy
Tad Schrantz
Stephen Buckley, Alternate

Staff Present:

Evan Clements, Planner / Zoning Administrator

Members Not Present:

Adam Burke
Michael Zoll, Alternate

1. Roll Call

Chair Clough called the meeting to order at 6:30 PM and explained the procedures of the meeting. Roll call was conducted. Chair Clough invited Mr. Buckley to be a voting member tonight.

2. Minutes of the Previous Meeting: May 11, 2026

Mr. Clements stated that he has a note from the City Clerk’s Office: even if a member was not present at the meeting of the minutes that are being voted on, they can still vote whether to approve the minutes. He continued that they should not abstain from the vote.

Mr. Buckley made a motion to approve the meeting minutes of May 11, 2026. Mr. Guyot seconded the motion, which passed by unanimous vote.

3. Hearings

A) ZBA-26-5: Petitioner, JP Irving, LLC, of Concord, NH., requests a Variance, for property located at 59 Optical Ave., Tax Map # 241-006-000-000 and is in the Industrial Park District. The Petitioner is requesting a Variance to permit a space for dispatch, office, bus storage and routine maintenance where this use is not permitted, per Article 6.3.5 of the Zoning Regulations.

Chair Clough introduced ZBA-26-5 and asked to hear from staff.

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Mr. Clements stated that the subject parcel is an existing, 5.5-acre lot located on the southern side of Optical Ave., with NH Route 101 to the south and Marlboro St. to the east. He continued that the site contains an existing 53,000-square-foot, two-story, mixed use, multi-tenant, manufacturing office and warehouse facility. The building was constructed in 1974. The site contains a paved parking area that wraps around, with approximately 106 parking spaces. Three site access points are located roughly 210 feet of frontage on Optical Ave. The building is broken up into roughly 16,000 square feet of office space and 37,000 square feet of manufacturing space. The owner’s intent for this property is to create individual tenant spaces that provide office and manufacturing for users appropriate for the zoning district. At this time, the owner anticipates five to seven tenants in total for the property when it is filled.

Mr. Clements continued that the purpose of this application is to seek a Variance to permit the Student Transportation of America’s (STA’s) operation center to be located on the property. The proposed use is a unique mix of office, outdoor storage, transportation, and vehicle repair, which does not fit into the limited uses permitted in the Industrial Park Zone. The use is proposed to be located on the eastern portion of the property, near a residential neighborhood along Marlboro St. An existing, undeveloped parcel provides roughly 70 feet of separation between the subject parcel and the neighborhood. The Board may want to discuss with the Applicant the potential noise, vibration, and odor impacts to the adjacent neighborhood of 25 school buses preparing for operation daily. Surrounding uses include industrial light to the north, NH Route 101 to the south, single-family residential to the east, and more light industrial and undeveloped land to the west.

Mr. Clements continued that the staff report includes the definition of the Industrial Park Zoning District as well as the permitted use table for that district; some definitions and use standards for office, minor vehicle repair facility, and outdoor storage yard; and the standards for parking lot screening, specifically for perimeter landscaping areas. Lastly, staff has prepared several suggested conditions that staff recommend the Board use as a starting point. None are set in stone, including the numerical values, such as “*vehicle idling shall not be permitted before 7:00 AM.*” That is just a placeholder time. It is up to the Board to determine what would be appropriate if they were so inclined. The same is true for the “*ten vehicles idling*” at a time. Staff notes that vehicle repair and wastewater runoff have potential implications. He does not know what the facility already has installed, so items that the Industrial Pretreatment Coordinator might want to see related to this use, such as a grease separator, might already exist. It is up to the Applicant to provide that information. There are suggested conditions for noise and vibration mitigation. He can read all the proposed conditions aloud if the Board wants.

Mr. Buckley stated that his first question is that the Applicant references the fact that the property was previously occupied by “Mountain Corporation,” which had some kind of equipment maintenance and storage operation. He asked if Mr. Clements can give more information about what Mountain Corporation was and when it was operating last. Mr. Clements replied no, but that would be a great question for the Applicant.

Mr. Buckley stated that he noticed in the Land Development Code (LDC) that the only place the term “transportation uses” appears in the ordinance seems to be solely related to parking

82 activities. He continued that there does not seem to be any place in the ordinance that references,
83 for instance, a Ford dealership having a maintenance facility. He asked Mr. Clements to clarify
84 this. The city does have several automobile dealerships, which have maintenance facilities. He
85 asked how those fit into the use tables.

86
87 Mr. Clements replied that the use tables are only for principal uses. He continued that any
88 principal use can also utilize any other principal use as “accessory,” as long as it is truly
89 incidental and subordinate to the principal use. A motor vehicle dealership is defined as “*An*
90 *establishment that sells or leases new or used automobiles, vans, trucks, motorcycles,*
91 *recreational vehicles, or other similar, motorized transportation, with outdoor storage and/or*
92 *display. Motor vehicle dealerships do not include sale of commercial vehicles or heavy*
93 *equipment.*” There is no specific comment related to maintenance, so his understanding is that
94 vehicle maintenance associated with a motor vehicle dealership would be considered an
95 accessory use, with no specific additional use standards applied to it.

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97 Chair Clough asked if the Board had further questions for Mr. Clements. Hearing none, he asked
98 to hear from the Applicant.

99
100 George Hansel from HG Johnson Real Estate introduced Steve Rennick from STA, a potential
101 tenant at 59 Optical Ave. Before he gets into the application itself, he will give the Board basic
102 background of how they got here. The building had been occupied by the Mountain Corporation,
103 which made T-shirts. Before that, he believed Don Brehm had the building and was building
104 machines in there. Thus, it has had an industrial past. A couple of years ago, the Mountain
105 Corporation vacated the building, and it was sold at auction to someone, and then he thinks the
106 current owner bought it from that person. He does not know the exact chain of ownership.
107 Regardless, Mr. Ben Kelley, whom he represents here today, is the owner of JP Irving, LLC,
108 bought the building and planned to market it to another tenant. Mr. Kelley is a prosperous
109 commercial real estate person in the Concord area. He buys these kinds of properties and
110 reinvigorates them. When he (Mr. Hansel) got involved with it about four or five months ago, the
111 owner came to him and asked how they could reposition this building for the Keene market.

112
113 Mr. Hansel continued that part of what they are seeing in Keene, which is not exclusive to
114 Keene, is big buildings that used to have one industrial tenant, such as one manufacturing
115 company with many employees. Those are not in high demand anymore. Not many big, single
116 firms need that real estate. Thus, they have been successfully repositioning those assets into
117 multi-tenant properties. That is what they are trying to do here. They looked at what was there,
118 and the goal is to break it up into multiple tenant spaces and have tenants that mingle well and
119 use the property to its highest and best use. They want to get it occupied and get it producing
120 revenue and jobs and economic activity for the local community. They have one tenant with a
121 signed lease, who will be moving in within the next few days. They will occupy approximately
122 30% of the building.

123
124 Mr. Hansel continued that STA is another potential tenant. They found a potential space inside
125 the building, approximately 20% of the overall footprint, that STA could occupy as their main
126 dispatch center office or local headquarters to operate a bus service. The idea is that they would
127 also have designated space out back for the buses. Other tenants would be operating in the rest of

128 the building, doing similar but different things. Unfortunately, Keene’s zoning for this district is
129 quite limited. Only three or four uses are allowed by right. The vision when this was devised was
130 that it would be one big manufacturing company like there were 10 of at the time when it was
131 being worked on, but times have changed.

132
133 Mr. Hansel continued that the other difficulty they have had is that STA’s use is not explicitly
134 defined in the LDC, to Mr. Buckley’s point. This is not a garage, a transportation center, or an
135 outdoor vehicle storage. It is an operations center for a bus company. That was not conceived of
136 or defined in the Code, which is what brings the Applicant here today. They want to apply for
137 this Variance to allow for this use. He asked Mr. Rennick to introduce himself and the company.

138
139 Steve Rennick stated that he represents STA, a new bus company to the Keene area as of July
140 2025 when they won the contracts for the Keene School District buses. He continued that most
141 of his buses and drivers were at First Student. First Student now handles Monadnock’s district,
142 and STA handles Keene’s district. STA’s fleet currently has 36 buses total, five of which are
143 special needs vans. Nine of those vehicles are not parked on the property. They are “park outs,”
144 meaning drivers bring them home and park them at their homes. STA does all the transportation
145 for Keene, Marlow, Nelson, Marlborough, Harrisville, Surry, and Sullivan. Those are the towns
146 they have three-year contracts with, with a two-year renewal. STA is temporarily housed at the
147 Jonathan Daniels Preschool on Maple Ave. and has an office in the Community Education
148 building. They park buses on the old basketball court there. They also have a temporary garage
149 location in Westmoreland, where they bring the buses to be maintained.

150
151 Mr. Rennick continued that they feel that the property on Optical Ave. is a great fit for STA. It
152 makes it easily accessible for STA in Keene, since they provide all the Keene transportation. It is
153 easy access to Rt. 101, which is the way they would be coming in and out of the property for
154 most of the runs. They would go to Marlborough and Harrisville that way and get on the bypass
155 and go to all the other areas. They travel up and down Marlboro St. currently for some of the
156 runs, but they are all accessed by the roundabout by the Post Office. Then they go up and come
157 back down. Two buses would continually run the Optical Ave. loop up to the Marlboro St.
158 extension, which they currently run right now. One is a Keene bus and the other comes in from
159 Marlborough and goes up that way and picks up children to bring them to the Keene Middle
160 School and High School. Other than that, STA’s buses would not be running up and down
161 Marlboro St. or the Marlboro St. extension to get back to their headquarters.

162
163 Mr. Rennick continued that STA currently has 40 staff members, although some are just “casual
164 drivers,” which are trip drivers and spare drivers in case a regular driver calls out. He is the full-
165 time location manager and has a full-time mechanic. Seven monitors ride on the buses with the
166 special needs students. A full-time dispatcher will be joining in late August. The hours of
167 operation are short. The first four buses roll out at about 6:30 AM, and those are for the out-of-
168 town buses, mainly for Nelson and Marlow, and one of the Harrisville buses. Most buses roll out
169 around 7:00 AM. They are back between 8:40 and 9:00 AM, then they start back up at 2:00 and
170 roll out, and most are back by 4:30 PM. The out-of-town ones return closer to 5:00 PM. They run
171 buses on the weekend for sports trips, and the times vary. They do wedding charters, which also
172 vary. Sometimes weddings can bring the buses back at midnight or 1:00 AM. They never back in
173 the buses that late at night no matter where they are parked, because they know there are

174 neighbors and they are considerate of that. They just pull the buses in and turn them off and then
175 turn them around in the morning.

176
177 Mr. Rennick continued that they fuel offsite. All bus maintenance will be done inside a building;
178 no buses get repaired outside. The State restricts how long a bus can idle, to three minutes at
179 most when it is 32 degrees and above, or up to five minutes in other circumstances. A bus can
180 idle “unlimited” only if the weather is 10 degrees below zero or lower. The buses have GPS and
181 they are tracked with Zonar so they know how long they have been idling, and staff get reports
182 on that all the time. The fleet is a mix of diesel and gas, and all fueled off property, so there
183 would be no chance of fuel spillage at the location.

184
185 Mr. Guyot asked what the nature of the bus maintenance is that will be done inside the building.
186 Mr. Rennick replied oil changes, servicing, brakes, tires, engine repairs, windshield repairs, or
187 any basic maintenance that needs to be done. He continued that anything major gets sent out.

188
189 Mr. Buckley asked when the start time is for the first pickups in the morning. Mr. Rennick
190 replied that the start time for rolling out of the lot, for some of the out-of-town buses, is about
191 6:28 AM. Mr. Buckley asked when they have to get the buses started, in order to leave at 6:28
192 AM. Mr. Rennick replied 6:15 AM. He continued that that is usually the Nelson bus, Marlow
193 bus, and one of the Harrisville buses. Nelson has two buses, but one of them parks in Nelson.
194 Marlow has two buses, but now, if they can go onto the Optical Ave. property, they will not start
195 until after 7:00 AM because it is much closer than where STA is now. One of the Harrisville
196 buses parks at STA’s current lot, and the other parks at the bus driver’s home. One Surry bus
197 parks in the STA’s lot and the other parks at the driver’s home. The Sullivan bus parks at the
198 driver’s home. Thus, many of the out-of-town buses will not be leaving early in the morning
199 from the STA lot. There are three buses that will be leaving around 6:30 AM.

200
201 Mr. Buckley asked if the amount of transportation STA provides to athletic teams is also part of
202 the contract they have with Keene and the other towns. Mr. Rennick replied yes, STA only
203 services Keene and these other small towns, and yes, STA does all of the sports trips, too. Mr.
204 Buckley asked if it is correct that there will be evening drop-offs. Mr. Buckley replied yes,
205 evening drop-offs returning back to base. Mr. Buckley asked if that could be as late as 9:00 PM.
206 Mr. Buckley replied yes.

207
208 Chair Clough asked if there is a rough breakdown of the sizes of the buses, regarding number of
209 passengers. Mr. Rennick replied there are five special needs vans that can have 24 passengers
210 and six 84-passenger buses, and the rest are 72-passenger buses. He continued that the six largest
211 buses are 40 feet long, and the others are 38 feet.

212
213 Mr. Hansel stated that today he took a picture of STA’s current setup, which he did not include
214 in the application, but he would be happy to pass it around today. Chair Clough replied certainly,
215 they can enter that in.

216
217 Mr. Buckley asked if the photo is where the SAU offices are located. Mr. Rennick replied yes,
218 next to the SAU building is the old Jonathan Daniels Preschool, and his office is in there. He

219 continued that the buses are parked to the left of all the buildings, on the old basketball court,
220 which abuts where all the trees were just cut down and Tanglewood.

221
222 Mr. Schrantz asked for clarification on STA's current situation at Jonathan Daniels. He asked if
223 they had a temporary lease there, or what the relationship is. Mr. Rennick replied that it is STA's
224 temporary office until they find permanent housing. He continued that they lease the office space
225 and the parking lot from SAU 29, but it is a month-to-month lease they can easily get out of. If
226 they can go into the Optical Ave. property, they would move out of the Jonathan Daniels
227 building.

228
229 Mr. Schrantz replied that it sounds like STA does not *have* to move, but they can move if they
230 want to. Mr. Rennick replied that STA does not have to move, but it is very difficult being in
231 three different places. He continued that for any service or any time a bus needs maintenance,
232 they have to drive up to Westmoreland. The Westmoreland garage is great, but the mechanic is
233 up there alone. They all need to be under one roof to make this work. Because STA is in a
234 temporary location, many corporate things cannot be set up because they are in so many
235 locations. For example, he cannot have certain programs because they do not have a permanent
236 address. The mechanic cannot have certain programs because STA does not have a permanent
237 location. They want to all be under one roof, for everyone's safety.

238
239 Chair Clough asked if there were any other operational questions, before they moved on to the
240 site plan. Hearing none, he asked Mr. Hansel to present.

241
242 Mr. Hansel stated that the slide shows the property as it sits. He continued that no exterior
243 changes are proposed with this new tenant, so it is important to note that this does not trigger any
244 kind of site plan review. This is just a zoning application for a use Variance for the Board to
245 consider, but they need to get a good context of how the use will work on the site. The
246 highlighted portion is the proposed designated area for bus storage. The rear section of the
247 building, the closest one to the highlighted section, would be the area for bus servicing and the
248 operations center. Everything would be consolidated to that back side of the building to keep that
249 all contiguous, and it would provide some separation from the other tenants that are operating in
250 more of a manufacturing-type manner with trucks coming in and out from the loading dock.
251 Maybe Mr. Rennick can elaborate a bit on the comings and goings and the number of employees.

252
253 Mr. Rennick stated that STA currently has 11 big bus routes for the Keene transportation for all
254 the elementary, middle, and high schools. He continued that five special needs vans also run in
255 Keene. Everything else is out of town. They pick up at the bottom of Chesterfield Hill, all the
256 way through Marlborough, Harrisville, and Nelson. They cover a large distance, but only 11
257 buses are slated for the Keene area. On any normal day, STA has 27 buses on the road, so with
258 those drivers plus the five monitors, there are approximately 32 employees per day, plus himself,
259 the mechanic, and the dispatcher, who would be on the property as well.

260
261 Mr. Hansel stated that given Mr. Rennick's description of the operations, he does not see it as
262 that dissimilar from the number of trips per day that would be going to this facility if it operated
263 as a manufacturing facility or light industrial facility as it is currently zoned for. He continued
264 that they are talking about 25 people coming to work, then those operations back and forth with

265 the buses, and all told, it will still be less than 100 vehicle trips per day, which the ITE (Institute
266 of Traffic Engineers) says constitutes a major change in traffic for the adjacent roads. He does
267 not see that this change would substantially modify how those adjacent streets operate today, or
268 how they operated in the past, when the Mountain Corporation was receiving deliveries and had
269 many employees coming and going every day. He does not see that as being too much of a
270 concern, but he recognizes that some might disagree.

271
272 Mr. Buckley stated that for a bus that starts up and leaves and goes on a trip, picking up students
273 and delivering them, and then returns to the central location, that is two trips in. He continued
274 that in the afternoon, they do the same thing, leave, do their circulation, and come back. Thus,
275 there are four trips in, multiplied by 36 buses. He counts more than 100 trips in.

276
277 Mr. Hansel replied that there are not 36 buses on the site. He continued that he calculated less
278 than 100 trips. Mr. Buckley replied that he thinks they are close to 100, and skating near to the
279 ITE would consider a major impact for traffic. Mr. Rennick stated that nine of the buses would
280 not park on the property. Mr. Buckley replied that 25 would, and 25 times four is 100. He
281 continued that they are thus right at the threshold of the ITE standard.

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283 Mr. Hansel stated that the property is zoned for light industrial, and was intended, and has been
284 used in the past with over 100 employees coming to and leaving the site on the same day, at a
285 much higher traffic impact than is being proposed.

286
287 Mr. Guyot asked what time employees arrive at the facility to get their buses ready. Mr. Rennick
288 replied that he, the Marlow driver, Nelson driver, and Harrisville driver arrive at 6:00 AM. Mr.
289 Guyot asked where the parking area is for employee vehicles, and where that is relative to the
290 bus parking. Mr. Hansel replied that all the other spaces shown on the plan are open parking
291 spaces for the other tenants and the employees. Mr. Guyot asked if he means the non-highlighted
292 parking spots on what Mr. Hansel calls the back of the building. Mr. Hansel replied yes.

293
294 Mr. Guyot asked where the bay door is for the buses to access the maintenance area. Mr. Hansel
295 replied that it is very close to the parking area. Mr. Rennick replied that there are two bay doors
296 right on the corner, near the plan's yellow lines up against the building. Mr. Guyot asked if it is
297 correct that it is on the loading dock side of the building, but towards the back of the building.
298 Mr. Rennick replied yes.

299
300 Mr. Schrantz stated that on the document, it appears that the 22 spaces on the most easterly
301 portion are actually not on the property and they are on the abutting property. He continued that
302 he is trying to understand how that occurred. He understands that JP Irving owns both parcels,
303 but as a further ongoing concern, there is obviously something to be sold in the future. He asked
304 Mr. Hansel to walk the Board through the history of that, if he knows it, and help them
305 understand more about that situation. They had talked about a 70-foot separation from the
306 residential properties, but that actually encroaches into 70 feet by 20 feet. It would reduce the
307 amount closer to 50 feet or less.

308

309 Mr. Hansel replied that he does not know the history of why there are two parcels on this lot, but
310 he can say that it is not unusual. He continued that across the street the old drive-in is three actual
311 parcels. He is not sure if this could be subdivided, based on the frontage.

312
313 Mr. Schrantz replied that he thinks the concept was that Parcel 5 could actually be accessed
314 because it has frontage on Rt. 101, so that was potentially going to be a separate parcel for an
315 additional development, or it could be sold separately, and then have the drive come down
316 through that 70-foot access point. But at this point, because of the encroachment onto the other
317 property, that probably will not happen.

318
319 Mr. Clements stated that the City has a record of a subdivision from 1998 that calls out where the
320 parking spaces in question are as a proposed driveway to this flag-shaped lot. He continued that
321 he does not know when that got turned into extra parking for the 59 Optical Ave. site. It is not
322 uncommon for users to sometimes “creep,” which does not necessarily mean it is appropriate.
323 The plan the City has that the Applicant submitted is an existing conditions survey. Thus, it is
324 not necessarily an approved site plan, but it was a plan that was prepared, that documents where
325 everything actually is.

326
327 Mr. Guyot stated that he is looking at the literal fine print on the site plan, and those additional
328 22 spaces along the most rear part of the parking lot almost appear as if they are in or have
329 exceeded the 30-foot setback area of this lot. He continued that that would imply to him that
330 there may have been a Variance in the past on this lot. He asked if he was looking at the lines
331 correctly. Mr. Clements replied yes, he is looking at the lines correctly. He continued that
332 parking spaces and parking lots are not subject to the traditional building setbacks. At some
333 point, the City adopted parking lot setbacks. Unfortunately, there is some history to this property
334 that he does not have, so he cannot explain this. Mr. Guyot replied that he understands that the
335 plan shows it as-is.

336
337 Mr. Schrantz stated that his point in bringing it up was that it moves the parking area closer to
338 the residential properties, so it is something to consider. He continued that his follow up question
339 is about how the building is empty now but has one tenant moving in shortly. He asked if they
340 considered moving the buses to the other end of the property to get them away from the
341 residential area, and whether that is a possibility.

342
343 Mr. Rennick replied that the problem with moving from the back portion to the front is the
344 maintenance would be done in the back. He continued that if STA is in the front of the building
345 and the back of the building was rented to a different tenant, and the buses have to come to the
346 back for service, it would be unsafe, because buses would be backing in and out of the bays. If
347 they used the back parking lot for, say, staff parking for another business that is going in, they
348 would be in the same mix of traffic with the school buses coming in and out or going in and out
349 of the bays for maintenance. Mr. Hansel added that the Board does not have, because the
350 application did not provide, the interior of the building. He continued that there is only one
351 section that works for STA to be able to pull buses inside, and it is separated, because it was
352 once an addition. It provides nice separation from the rest of the building and its uses. The other
353 reason to have STA at the back of the building is for screening purposes. Although you cannot
354 see it on this plan, the existing conditions have quite a bit of screening from the road and back

355 behind. Thus, if you were trying to find a spot that was the least visible by the public right-of-
356 way, it would be this spot for the buses.

357
358 Mr. Hansel went through the Variance criteria.

359
360 1. *Granting the Variance would not be contrary to the public interest.*

361
362 Mr. Hansel stated that granting the Variance would not be contrary to the public interest, because
363 they would not be altering anything with this proposed request. He continued that he and the
364 owner have been striving to reposition this property without a lot of wholesale renovation of the
365 site and without a lot of site development. They want this to be an occupied building, which
366 everyone should want, that is producing and providing economic vitality. STA's occupancy does
367 not require any external or internal modifications. The only change is the storage of the buses,
368 but he would even argue that that is not a wholesale change from how the site operated in the
369 past. He himself previously managed a manufacturing company in a building of 100,000 square
370 feet with 100 employees. The employees showed up at 6:00 AM, and the parking lot probably
371 had more diesel pickup trucks than STA will have buses. His company had 2.5 shifts, so people
372 were coming and going until 3:00 AM. That was a light industrial use, which is allowed in the
373 district. Thus, if he wanted to move that company here, they would be generating a lot more
374 noise and there would be a lot more activity going on than is being proposed.

375
376 Mr. Hansel stated that the reason the plan puts the buses where they are is because there is a lot
377 of existing screening in that area, but again, this is not a site plan review. Due to the screening,
378 STA would only be visible from a small portion of the roadway. It is also important to recognize
379 that STA's use is only taking up 20% of the overall building. If you think about a full, single
380 tenant occupancy, only 20% of that full occupancy will be this type of use. To get to the point
381 Mr. Buckley raised, the previous tenant, the Mountain Corporation, had forklifts, maintenance
382 activities, and tractor trailers stored on site and sometimes going in and out. Thus, he does not
383 think the use that tonight's application requests will be a significant change, nor contrary to the
384 public interest.

385
386 Mr. Hansel continued that consistent with the NH Supreme Court guidance and the cases that
387 have been tried over this "public interest" concept, they need to look at whether the proposal
388 interferes with public health, safety, or welfare. That is the narrow criteria the Board is
389 evaluating against, and from what he heard from Mr. Rennick and how he has looked at this use,
390 he does not see anything contrary as it relates to that.

391
392 2. *If the Variance were granted, the spirit of the Ordinance would be observed.*

393
394 Mr. Hansel stated that STA's proposed use is a dispatch center. He continued that this office, this
395 sort of multi-functional use, is not clearly defined in the LDC, so it could not have clearly been
396 disallowed from this zone. He thinks this is exactly why the Variance process exists, to handle
397 uses like this that do not fit so easily in the box. He thinks the spirit of the Ordinance would be
398 observed, in that it is a consistent level of activity with uses that are allowed in the district.

399
400 3. *Granting the Variance would do substantial justice.*

401 Mr. Hansel stated that granting the Variance would do substantial justice because it would allow
402 STA to move their base of operations, which are currently locating out of three separate areas in
403 a very dysfunctional way, to one location where they do not have to move material and personnel
404 around to serve their purpose in the city. He continued that now, they have to make unnecessary
405 moves and work inefficiently, when they could efficiently work from one location. In addition,
406 this site is unique because it provides such easy and unobstructed access to Rt. 101, a main route
407 STA needs to get to the various towns that they serve. Not many locations in Keene in a central
408 area like that provide that level of access. STA could go to another location and maybe be
409 shoehorned into a use that is allowed so they would not need to go for a Variance, but they
410 would be driving through a residential neighborhood or in a very rural location that was not built
411 to withstand this level of activity. Thus, he believes substantial justice would be served by
412 granting this Variance.

413
414 *4. If the Variance were granted, the values of the surrounding properties would not be*
415 *diminished.*
416

417 Mr. Hansel stated that in his view, this is a low impact use. He continued that it is not
418 inconsistent with what has existed on this site in the past. They are not requesting any
419 modifications to the site that would substantially change the character of the neighborhood, so he
420 does not see how the values of surrounding properties would be diminished.

421
422 *5. Unnecessary Hardship*
423 *A. Owing to special conditions of the property that distinguish it from other*
424 *properties in the area, denial of the variance would result in unnecessary*
425 *hardship because:*
426

427 Mr. Hansel stated that the site is uniquely suited to this use, for the size and everything in the
428 same way that he described; this is just a perfect opportunity for this use that is not described in
429 the LDC to work. He continued that denial of the Variance would therefore prevent reasonable
430 and appropriate use of the property, which he believes is, and is otherwise compatible with the
431 physical characteristics and surroundings. He thinks that is a very important point. They are not
432 proposing any changes with this property, which is, in essence, the lowest impact you can have
433 on a change of use like this. They are not adding pavement or changing or reconfiguring things.
434 They are using an existing space that has been active and vibrant in the past, trying to bring it
435 back to some level of vibrancy.

436
437 *i. No fair and substantial relationship exists between the general public*
438 *purposes of the ordinance provision and the specific application of that*
439 *provision to the property because:*
440

441 Mr. Hansel stated that no fair and substantial relationship exists between the general public
442 purposes of the Ordinance provision and the specific application of that provision to the property
443 because of the Ordinance. He continued that it is to protect public health, safety, and welfare, and
444 neighborhood character, which he believes they have thought through as part of the application.
445 They are open to conversations and want to be good neighbors. They want to serve the city well,
446 and they want to hear everyone's concerns. Anyone who has concerns can voice them, no matter

447 how this application goes. They will be marketing the property to get it occupied, and they want
448 to have tenants that will be good for the folks in the audience and the folks in their homes in the
449 surrounding properties. He encourages anyone to reach out to him after this and bring up any
450 concerns. He and the property owner, who has been one of the best he has ever worked with, will
451 certainly work with folks to the best of their abilities.

452
453 Mr. Hansel continued that given the property's size, layout, and existing improvements, it is
454 uniquely capable of accommodating this use without undermining the Ordinance's objectives. If
455 you apply the Ordinance strictly in this instance, it does not advance its stated purposes, in his
456 opinion, and instead prevents this reasonable and compatible use from moving forward.

457
458 *ii. The proposed use is a reasonable one because:*

459 Mr. Hansel stated that the property possesses characteristics that make it well suited to an
460 operation center for a student transportation company. He continued that the site was previously
461 occupied by the Mountain Corporation, and similar activity occurred there. Accordingly, this
462 proposal represents a reasonable and appropriate use of the property given its history, physical
463 characteristics, and the nature of uses permitted in this district.

464
465 *B. Explain how, if the criteria in subparagraph (A) are not established, an*
466 *unnecessary hardship will be deemed to exist if, and only if, owing to special*
467 *conditions of the property that distinguish it from other properties in the area, the*
468 *property cannot be reasonably used in strict conformance with the ordinance, and*
469 *a variance is therefore necessary to enable a reasonable use of it.*

470
471 Mr. Hansel stated that if the criteria in subparagraph A are not established, unnecessary hardship
472 is nonetheless present, because owing to the special existing conditions, it cannot be reasonably
473 used. Given the property size, building configuration, and site layout, it is unlikely that they will
474 be able to find someone as well suited for this space, as configured, as they have with STA.

475
476 Mr. LeRoy asked Mr. Rennick how many buses are undergoing maintenance per day, on
477 average. Mr. Rennick replied three. Mr. LeRoy replied that he finds it a little disconcerting that
478 there was no flexibility in moving the buses to the front of the building if the main concern is
479 safety, when only three would be in motion. Mr. Rennick replied that more than three would be
480 in motion, because all the buses would be coming and going from their runs, if they were parked
481 in the back. Mr. LeRoy replied that what he is getting at is that it is the same amount of
482 movement. If they parked in the front parking lot, they would not be crossing over any additional
483 people as if when they were in the back. It seems to him that there was a lack of consideration
484 for the abutting residential neighborhood, with the lack of flexibility in that regard. That is his
485 concern.

486
487 Mr. LeRoy continued that his other issue is the math that Mr. Buckley brought up, regarding the
488 100 bus runs, which does not account for the 20-30 employees coming in and out, too.

489
490 Mr. Hansel stated that if the Board wants him and the owner to reconfigure and move the buses
491 to the other side of the building, that is certainly something they can discuss. He continued that it

492 was not something they originally considered, because they were trying to locate STA in a
493 compact, contiguous area of the site. That does not mean it is off the table.
494

495 Mr. Hansel stated that if it is okay with the Chair, he would like to address some of the
496 conditions. Chair Clough replied yes. Mr. Hansel stated that he does not have too much of a
497 problem with most of the conditions City staff suggest, but he has a problem with a few. He
498 continued that regarding the screening from the public right-of-way, they are open to screening
499 ideas, if it is determined that the public welfare or one of those criteria is impacted because of the
500 lack of screening. He takes issue with requiring the compliance with Section 9.4 of the LDC and
501 putting that language in there. They are not proposing any changes with this application. This is
502 not a site plan review. If they are not proposing renovation of an existing building, say, they do
503 not need to put the building up to the most recent version of the Building Code. He is using that
504 same logic here. If the Board wants screening, fine, but he asks that they not put in the
505 compliance with the section of the LDC that is more typically reviewed under a site plan review,
506 because he thinks it sets a precedent he does not want to be held to. It is no problem to have the
507 vehicle maintenance, besides washing, be conducted indoors. Mr. Rennick said that is how they
508 do things anyway. Regarding idling, if the Board is going to put some extra condition on that, he
509 requests that it be at 6:00 AM, since that is what STA's operations will require. Regarding "*no*
510 *more than 10 vehicles shall idle at a time,*" Mr. Rennick says that is not something that would
511 happen, so there is no problem with including it as a condition. Regarding meeting with the
512 Public Works and Industrial Pretreatment Coordinator, they are happy to do that, but he does not
513 think it is required, because STA will not be putting anything into the wastewater treatment
514 system. As far as he knows, for any oil changes, they would be collecting the oil and taking it off
515 site. It is not like a restaurant or any kind of use that would impact the wastewater system on site.
516 He does not see any problem with putting together the Spill and Prevention Mitigation Plan and
517 filing it with the City. Obviously, they would obtain all required building, fire, and operations
518 permits. He does not know what "*any additional noise and vibration mitigation the Board deems*
519 *appropriate*" looks like, but he would be happy to talk about it if necessary.
520

521 Chair Clough stated that if the Board has no further questions, they would welcome public
522 comment, beginning with anyone in opposition to the application.
523

524 Ken Laine of 551 Marlboro St. stated that his house is on the west side of Marlboro St. He
525 continued that he is very close to the building in question. The houses are up on a bank, looking
526 down on top of the building. His concern is that some residents are getting old; he himself is 82
527 years old. They still like to go outside, work in their gardens, and work on their lawns. When the
528 wind is coming from the south, the asphalt plant has a very strong odor, so that keeps them from
529 going outside. When the wind changes and blows from the west, that is right from the area where
530 the buses will be. Residents like to open their windows. His deck is on the west side, facing that
531 same area. This will add another layer of noise and pollution. Plus, the buses come and go
532 several times a day at different times. Then there will be maintenance people driving buses in
533 and out of the building, which is more traffic. When the wind is not blowing and the air is stable,
534 when the buses are running at this location, the density of the cloud is going to increase
535 tremendously, because the wind is not blowing it out of the way. That is a health issue for him
536 and others, and they need to be careful. The other factor is the cleaning fluids STA will use. He
537 does not know if he and his neighbors will be able to smell them. If the building is used for

538 commercial purposes, he wonders if other companies can come in and have equipment, or if this
539 is all. His main concerns are that another layer of noise and pollution will really affect the quality
540 of life for him and his neighbors.

541
542 Mr. Buckley asked staff to put the site plan up again, and for the abutter to point out which
543 parcel is his, so the Board can know how this impact will occur. Mr. Laine indicated his
544 property, stating that when the wind changes from the area of the asphalt plant and finally cleans
545 up so he and his neighbors get some fresh air, it generally comes across over “here” (he
546 indicated) from the north or northwest.

547
548 Mr. Buckley stated that Mr. Laine indicated that his house is at an indication higher than the
549 industrial building. Mr. Laine replied yes, approximately 25 to 30 feet higher. He continued that
550 he and his neighbors look down on the roof of the building.

551
552 Mr. Buckley asked if there is anything in terms of a screen or vegetation between Mr. Laine’s
553 and his neighbors’ properties and the industrial building. Mr. Laine replied yes, there are some
554 trees growing. He continued that when the leaves are on, he can still see the building. If there
555 were buses down there, he would be able to see them. When the leaves are gone, he has a full,
556 five-mile view to the west.

557
558 Chair Clough asked how long Mr. Laine has lived there. Mr. Laine replied since 2012.

559
560 Ken Bergeron stated that he has lived in the neighborhood for 56 years. He continued that he
561 lived there before there were any factories. He did all of Don Brehm’s work. There were never
562 more than 25 employees in the building. The Mountain Company had very few employees.
563 There were no trucks going in and out of there all day. This application would be encroaching on
564 the neighborhood. They have to get their facts straight before they say it, regarding the number
565 of people who were previously in that building. There were never more than 25 people in it. The
566 asphalt plant has been a problem, not in the fall and winter. He has wiped particles from the
567 asphalt plant off his truck before, and he still has to do that. The asphalt plant does not clean its
568 scrubbers. It is not enforced by the City or anyone. They recycle the asphalt that has been
569 scraped from the road and run it through their plants. There is a brown cloud every day that that
570 place is running. Regarding parking spaces, there are many more parking spaces on the
571 Applicant’s plan than there are in the parking lot. He does not think he has ever seen 25 cars in
572 that parking lot since he has lived there. It would be a mistake to have 25 buses in front of all
573 these houses on Marlboro St., including his. He does not think the property should be rezoned.
574 He thinks it should be left as it is.

575
576 Chair Clough stated that since Mr. Bergeron has lived there for 56 years, he wants to ask him
577 about when UPS was there across the street. Mr. Bergeron replied that UPS had nowhere near
578 that amount of cars or trucks in that period. He continued that that is the reason they moved,
579 because they needed much larger space. At one point, there was a proposal to put the recycling
580 plant in the same building, and he is grateful that that was voted against. The [inaudible] who
581 was in there right now has two or three cars and has never been a problem as far as pollution
582 goes. It will be a rough situation if STA moves in there. It will devalue his and his neighbors’

583 properties, which already have a bike path running behind them. This type of business should not
584 be allowed in this neighborhood.

585
586 Penny Bell of 511 Marlboro St. stated that she owns five properties in that section of Marlboro
587 St., numbers 505, 508, 511, 550, and 0. She continued that many of those properties house her
588 family of five children and 13 grandchildren. Her mother lived there with her until she passed
589 away this past December. Thus, this is personal. It is not just about her or her family, and it is not
590 just her neighbors here. She has lived there since 1995 and raised her children and several
591 grandchildren there. It means a lot to her. She has about 2.5 acres there, which is a large lot for
592 Keene. She could put cottage courts there. Her property is not commercial, but she also owns 9.5
593 acres on Marlboro Rd. and another two-acre adjoining lot, so about 11.5 acres. Her question is
594 whether she would thus be able to change her property to “commercial,” cut down half her taxes,
595 and put a commercial repair facility there. Her question for Mr. Hansel is what the names are of
596 the three separate businesses he referred to, as she heard that there are three separate tenants or
597 three separate businesses.

598
599 Mr. Hansel stated that the plan is to break the building up into multiple tenant spaces that would
600 be occupied by individual companies. He continued that they have one signed lease and someone
601 moving in soon, but it is a use that is allowed by right.

602
603 Ms. Bell asked how long the Mountain Company was there for. Mr. Hansel replied that he does
604 not know. Ms. Bell replied that everyone should know the facts. She continued that the Mountain
605 Company did not do repairs there. The one heavy truck they had she now owns.

606
607 Ms. Bell asked the Applicant several questions. Mr. Clements stated that the public comment
608 period is not for members of the public to question the Applicant; it is for them to address their
609 concerns about the application to the Board. The Applicant is given the opportunity for rebuttal
610 after hearing public comment.

611
612 Ms. Bell stated that her concerns are not just about herself or the way the proposal would devalue
613 the properties she owns. She continued that buses are big, and there will be a lot of traffic. Many
614 people take the shortcut; they go around, instead of going on the major part of Optical Ave. Their
615 employees will go down Marlboro St. Many children live on that section of the street, play in the
616 street, and ride bicycles. People walk dogs there, and people from Markem, Timken, and other
617 companies nearby walk there every day. She sees them walking by her house every day. That is
618 part of their life. It is about the community. There are road races and bike races there. She and
619 the few neighbors who are present tonight are not the only ones with concerns. Many people
620 could not make it to the meeting tonight.

621
622 Ms. Bell continued that Mr. Bergeron said there have never been more than 25 cars on the
623 property. There may have been more than 25 at one time or another, but not the amount that will
624 be there with this proposal, and not of the size of buses. Even when UPS was there, that was
625 small, then became large. UPS has the accommodating space for that now. This space will not
626 accommodate something like that without having a huge impact on the neighborhood, the
627 community, and property values. She takes that personally. She spent her entire life building a
628 real estate portfolio, and this proposal would take a large portion of that and destroy it for her.

629 Her final comment to the Board is that if they approve tonight’s application, she wonders what
630 would happen if she applied to the Board to have her property use changed, too. She wonders if
631 they would say yes or discriminate against her.

632
633 John Hillock of 511 Marlboro St. stated that he spent the last 20 years in the city trying to build a
634 repair shop. He continued that they do not compare it to a dealership. It is a lot more work. What
635 [STA] is going to do is the same. “*Repairs are repairs*” is what they told him. He spent
636 thousands of dollars in the city to get a garage built. He would not be able to use that garage if he
637 wanted to move there. He has been to a lot of these Boards, to get where he got, to get his
638 garage. STA does not belong here if his garage did not belong here. He had to move from one
639 garage because he did not belong there, due to the noise and trucks. He spent a lot of money to
640 build a new shop that was a fight to get to. He could have retired by now, but now he has to work
641 another 40 years to pay for it.

642
643 Shane Maxfield of 534 Marlboro St. stated that he has the same concerns that his neighbors have
644 expressed. He continued that where the buses are planned to be parked is literally in several of
645 their backyards. In the mornings and afternoons when they are moving the buses from their
646 proposed locations, he does not think it will be as easy as it is made out to be. The parking spaces
647 on the diagram are about 18 to 20 feet long and school buses are about twice as long as that. He
648 walks in front of that area at least twice a day, and looks at it every day, and he is trying to
649 visualize this. Trying to get 36-foot-long school buses around that corner and then finesse them
650 into parking spaces is a lot more than just hopping into them, starting them, and driving off on
651 the route. If they park them all on one side, they still need to try and finesse them out of that
652 corner. The east side seems untenable to him as a place to park a lot of school buses, putting
653 aside the noise and odor concerns. A neighbor spoke about odor. They are talking about internal
654 combustion particulates. He knows the City is big on air quality. This general neighborhood, as
655 talked about by his neighbors, is such that when the air does not move, the particulates from the
656 asphalt plant and highway build up and affect the neighborhood’s air quality. This proposal will
657 make it even worse. The east side of the building seems impossible to him, without a lot of effort
658 in driving around and inching around with the school buses. At best, the far west side might
659 work, but in general, it will negatively affect the neighborhood.

660
661 Mr. Buckley asked if Mr. Clements could bring up the site and overview of where all the lots are.
662 He continued that he keeps hearing about the batching plant, and now he is curious about where
663 all these attributes are. He does not see them on the site plan. Mr. Clements displayed the
664 diagram and stated that 59 Optical Ave. is outlined in yellow. He continued that the asphalt plant
665 is at 36 Rose Lane. He indicated the intersection with Optical Ave. and Rt. 101, and Marlboro St.
666 to the east.

667
668 Chair Clough asked if there was further public comment in opposition.

669
670 Richard Bergeron of 564 Marlboro St. stated that he lives directly across the street from the
671 closest abutters. He continued that he thinks all the concerns are valid. It is a quiet area. When
672 you go to sell your house, someone drives through an area that looks busy, that affects the value
673 of your property. It is hard to argue with that, or with concerns about air quality and noise.
674 Occasionally a rogue bus driver might come down the street, and many children play in the

675 street. He drives down the street at about 10 mph, because children come first, no matter what.
676 That is one of his concerns. He wonders if they could do something like a probationary period
677 with a Variance. He hears no, that is not possible. That means that once they are committed, they
678 are committed. Everyone should think about it, look at the pros and cons, and go through the
679 neighborhood and look around at different times of day to see what is there, before they make
680 any decisions. He does not like a lot of traffic and lives here because it is quiet. Everyone's
681 concerns are valid.

682
683 Dustin Clark of 543 Marlboro St. stated that he has lived directly behind the proposed bus
684 parking area, for 17 years. He continued that over that time; he has had consistent experience
685 with how sound and activity from the site carries to his home. His property is approximately 100
686 feet from where the buses are proposed to be stored and operated. He believes the application
687 understates the impacts the use will have on the residential neighborhood immediately adjacent
688 to the site. The Applicant repeatedly described this as "low impact" and states there will be no
689 material increase in noise and other impacts. He can only speak about his own experience living
690 next to this property, which leads him to a different conclusion. He has lived with activity from
691 this property for years. His house sits somewhat higher than the parking lot, and the sound
692 carries clearly from the site. From inside his bedroom, he can hear people talking in that section
693 of the parking lot. He can hear ordinary car doors opening and closing, vehicles driving through
694 the lot, and in the past, occasional truck activity associated with previous tenants. At times, the
695 sound of shipping activity was enough to wake him early in the morning. Because of those
696 experiences, he is concerned about the proposal to park and dispatch approximately 25 school
697 buses at this location. He is not concerned about what the buses look like. Trees and screening
698 might help with visibility. His concern is the operational activity associated with the STA. Buses
699 do not simply sit parked. Drivers arrive, engines start, vehicles move through the lot, and air
700 brakes cycle. Buses leave on routes early in the morning. Those activities are fundamentally
701 different from indoor manufacturing office use that has historically occupied this property. The
702 application repeatedly refers to the use of only 20% of the building, but the impacts to nearby
703 residents are not determined by how much office space is occupied. Impacts come from the
704 outdoor operation of the bus fleet immediately adjacent to the adjacent homes.

705
706 Mr. Clark continued that he is also concerned about the diesel exhaust. His home was built in
707 1842, and like many older homes, it cannot simply be sealed off from outside air. During the
708 warmer months, they rely on open windows and air conditioning. If he is driving behind a diesel
709 school bus, he immediately switches to "recirculate" or turns the air off. At home, he does not
710 have that option if buses are regularly idling and operating approximately 100 feet from his
711 property. That will affect how he, his spouse, and his three children experience and use their
712 home. Three bedrooms face the side of the property where the buses are proposed to operate. His
713 family already hears activity from the site today. The Applicant states there will be no material
714 increase in noise, but he has not seen any noise study demonstrating what 25 buses departing
715 early in the morning hours will sound like at the nearest homes. The Applicant states the
716 proposal will not affect the neighborhood character. He asks the Board to consider that the
717 neighborhood immediately adjacent to the site includes some of the city's oldest homes and
718 long-established residential properties. The question is not whether the buses can be screened
719 from view, the question is whether a transportation operations center with approximately 25
720 buses is compatible with that residential neighborhood. He respectfully asks the Board to

721 consider that, and to consider whether it is consistent with the purpose of the Industrial Park
722 District.

723
724 Chair Clough asked if anyone else wanted to speak in opposition. Hearing none, he asked if
725 anyone wanted to speak in favor. Hearing none, he invited the Applicant to address the public
726 comment.

727
728 Mr. Hansel stated that he thanks everyone who came out tonight to give feedback. He continued
729 that he has been in their shoes. He has argued against granting Variances in front of this Board,
730 as recently as two months ago, so he understands and respects the process. He also respects
731 everything people have said. Based on people's feedback, if they are open to it, he would request
732 the Board table this application for a month and allow him and the owner some time to meet with
733 the folks who have shown opposition. He still wants to hear the Board's feedback, if that is okay,
734 but he and the owner are open to tabling this, to speak with the residents if they are open to that
735 and comfortable sharing their contact information. He is working almost every day to make sure
736 activity increases on this site. An empty, vacant building is good for no one. He does not think
737 they will see the days of old when they have hundreds of employees, no matter what use comes
738 in. It will not be crazy. It will not be what this zone was designed for. He knows the owner is
739 willing to work on this, and he and the owner would love to work with the neighborhood and
740 come up with maybe some modifications, maybe some things that would alleviate some concerns
741 but still allow the owner to move forward with getting the building occupied.

742
743 Chair Clough stated that to back up for a minute, there were two letters that were introduced. Mr.
744 Clements stated that he suggests noting them for the record. He continued that they are part of
745 the file, and Chair Clough does not have to read them into the minutes unless he wants to. Chair
746 Clough stated that the two letters were both in opposition, and they are in the file. If someone
747 wants to review the file, they may.

748
749 Chair Clough asked for further public comment. Hearing none, he closed the public hearing and
750 asked the Board to deliberate on the proposed postponement until next month.

751
752 Mr. Guyot stated that he has a procedural question. He asked if the Applicant is asking the Board
753 to table the application at this time, or if that was just a suggestion pending the Board's
754 commentary during their deliberations. Mr. Hansel replied that what to do with the application is
755 up to the Board, but that he and the owner are open to the Board tabling this for a month,
756 allowing them to hopefully talk with the folks who spoke tonight. He replied that he and the
757 owner also want to hear the Board's thoughts. If the Board is willing to have some discussion
758 and provide feedback on what has been presented so far and how they are feeling about it, he and
759 the owner would take that into consideration.

760
761 Mr. Guyot stated that part two of his procedural question is: if the Board says they will move
762 forward and deliberate, at what point do they stop their deliberation in advance of making a
763 decision that may affect the Applicant's request as to whether they suggest the Board table it. He
764 continued that his understanding is that if the Board moves forward and deliberates, then reaches
765 a conclusion, positive or negative, that conclusion is permanent. Thus, there is some measure of
766 risk to the Applicant in that regard.

767 Mr. Clements replied that generally speaking, Mr. Guyot is correct. He continued that once the
768 Board acts, barring an appeal for reconsideration of the decision, the decision stands. Pre-
769 deliberative suggestions would be non-binding. If the Board makes a suggestion or two and then
770 continues the application until next month and the Applicant comes back with revisions, the
771 Board is not obligated to accept and approve those revisions just because some changes were
772 made in some part due to the Board's suggestions. They could still deliberate and determine that
773 this application does not pass the test. He suggests not beginning the deliberation on the five
774 criteria, if the Board is inclined to continue. They could maybe have a general discussion on the
775 concept of continuing until next month and what changes the Board might suggest, or whether
776 they believe nothing can be done to this application. He apologizes for not being able to give
777 clear advice, because he cannot see what the next month will result in.

778
779 Mr. Guyot stated that his intent is to be fair to all concerned, the Applicant, abutters, and so on
780 and so forth, and not hastily or procedurally get to the point where the Board must reach a
781 conclusion. He continued that that is what he is concerned about. Mr. Clements replied that he
782 recommends that if the Board decides to continue to next month and allow the Applicant to make
783 changes, they would want to open the public comment portion again at the next meeting, to let
784 everyone speak to any changes or additions that have been made to the application. Mr. Guyot
785 replied that that makes perfect sense to him.

786
787 Mr. Buckley stated that there is a burden imposed on the abutters who have come out tonight,
788 expecting that a decision would be made, and now it is being suggested that perhaps some
789 meeting of the minds can be achieved by the Applicant and the abutters and then they would
790 come back. He continued that it still requires the abutters to return on a different day to give their
791 point of view. On the other hand, trying to achieve consensus is always a worthwhile endeavor,
792 and that is clearly the Applicant's desire. He agrees that the Board members cannot express their
793 views and discuss what they are going to do, at this stage, if that is what the Applicant wants to
794 do. The Board does not even know if the abutters are inclined to have a meeting of the minds
795 with the Applicant, so he does not want to impose that burden on them. He does not believe the
796 Board can express any preliminary assessments of what they are going to do, if there will be a
797 tabling of the application.

798
799 Chair Clough stated that at this point, the Applicant could ask the Board to table it before they go
800 into deliberations. He continued that otherwise, they have to go into deliberations, and they
801 would have to go further down that. Mr. Hansel replied that it is up to what the Board is
802 comfortable with. He continued that he was just thinking that if there was anything the Board
803 wanted him to know, or that the Board would like to give to him as he and the owner rethink this,
804 he hopes they would offer it. If not, he suggests the Board just table it.

805
806 Mr. Schrantz stated that he thinks the Board can discuss the proposal without moving to the five
807 questions, and that allows for some deliberation. He continued that Mr. Guyot posed a very good
808 question, which was whether there is a line the Board draws there. It sounds like it is a gray area.

809
810 Mr. Clements replied that the Zoning Board's role is different from that of the Planning Board,
811 which is slightly more collaborative. He continued that the Zoning Board is supposed to make a
812 judgement on what is put in front of them. They are not supposed to pre-judge, and they are

813 definitely not supposed to pre-judge potential changes that might happen in the future. He is
814 inclined to agree with Chair Clough that they should not deliberate, because once that ball starts
815 rolling, they are rather obligated to bring that to a conclusion. If the Applicant has heard the
816 questions, given the Board the answers, heard public testimony, and they feel like before the
817 Board deliberates on the application they would like a continuance to the next month to make
818 some changes for the Board to then evaluate, ask questions, receive answers, and give the public
819 another chance to comment before the Board goes into deliberation, he thinks that might be a
820 more appropriate process. That process would be less likely to compromise the Board's role.

821
822 Mr. LeRoy stated that to Mr. Buckley's point about the burden on everyone who showed up
823 tonight, he wonders if the Board can save them that time by using their comments from tonight
824 for the next hearing. Mr. Clements replied that everything that has been said is on the record. He
825 continued that the Board has heard concerns from the neighborhood about specific aspects and
826 general aspects. They are not precluded from remembering all of that. It is all part of this
827 application.

828
829 Mr. Guyot stated that if the Applicant comes back with alternatives based on what they have
830 heard today from the abutters, it may behoove the abutters to return to the next meeting, hence
831 the burden that Mr. Buckley pointed out, because they may have different responses to the
832 alteration of the application. He continued that it continues the discussion that the abutters want
833 to have input on. Mr. Clements replied that is correct, and there is certainly a balance between
834 the rights of the Applicant to navigate their application as well as the input of the neighborhood.
835 He continued that the public process is public, and sometimes it takes more than one meeting to
836 get done. That is definitely something for the Board to balance in their decision about how to
837 handle this application.

838
839 Chair Clough asked if there were other thoughts.

840
841 Mr. Schrantz made a motion to continue the hearing for this application, ZBA-26-5, from
842 Petitioner JP Irving, LLC of Concord, New Hampshire until the next Zoning Board of
843 Adjustment meeting on July 6, 2026, at 6:30 PM in Council Chambers. The motion was
844 seconded by Mr. Buckley.

845
846 Mr. Buckley stated that the Board has an obligation under NH Statute 674:33 VIII to make a
847 final decision within 90 days of receipt of the application. He asked when this application was
848 received, because if they will not comply with the 90-day deadline, they will need the Applicant
849 to waive timely action, on the record and in writing. Mr. Guyot replied that he sees that the letter
850 signed by the Applicant was dated May 5, 2026. Mr. Buckley replied that they are within the 90
851 days, then.

852
853 The motion passed with a vote of 4-1. Mr. LeRoy was opposed.

854
855 Mr. Schrantz stated that he thinks this is a great example, for everyone here tonight and for
856 others concerned, to learn something from this opportunity, which is: go talk to your neighbors,
857 go talk to your abutters, before you put the application in. He continued that it specially makes
858 sense for something sensitive like this, so they can have consensus before having to look at a

859 continuation. He appreciates everyone's time and efforts but would suggest that as a good path
860 forward. Chair Clough replied that he, too, thanks everyone who came out tonight. He continued
861 that it is very important for the Board to hear every aspect they can for any application that
862 comes before them, no matter how it is ultimately determined.

863

864 **6. Staff Updates**

865

866 **7. New Business**

867

868 Chair Clough asked if there was any other business. Mr. Clements replied no.

869

870 **8. Adjournment**

871

872 There being no further business, Chair Clough adjourned the meeting at 8:15 PM.

873

874 Respectfully submitted by,
875 Britta Reida, Minute Taker

876

877 Reviewed and edited by,
878 Corinne Chaisson, Board Clerk

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STAFF REPORT – CONTINUED PUBLIC HEARING

ZBA-26-5 – USE VARIANCE – STUDENT TRANSPORT OPERATIONS CENTER – 59 OPTICAL AVE

Request:

Petitioner, JP Irving, LLC, of Concord, NH., requests a Variance, for property located at 59 Optical Ave., Tax Map # 241-006-000-000 and is in the Industrial Park District. The Petitioner is requesting a Variance to permit a space for dispatch, office, bus storage and routine maintenance where this use is not permitted, per Article 6.3.5 of the Zoning Regulations.

Background:

The Zoning Board of Adjustment opened the public hearing for this application on June 1, 2026. Based on testimony received during the public hearing, the Board voted to continue the application to July 6, 2026. Since then, the applicant has amended the proposed location of the bus parking area from the east side of the property to the west side of the property.

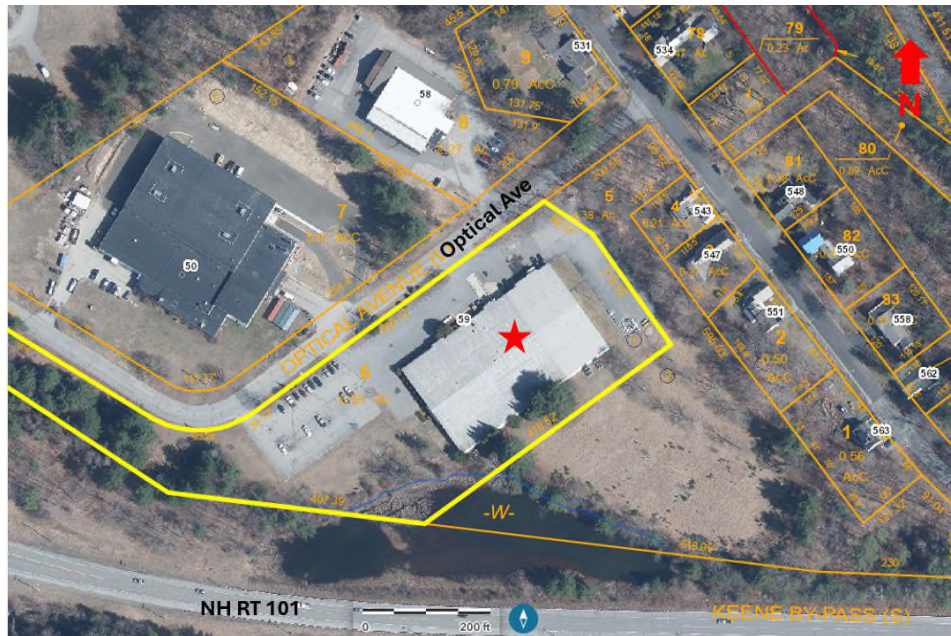


Fig 1: Aerial of 59 Optical Ave outlined in yellow.

The initial application materials can be found in the Zoning Board of Adjustment agenda packet for the June 1, 2026 meeting on the City website. The applicant has submitted an updated site plan and additional narrative describing the proposed changes. An approved site plan from May 22, 1979 and two-lot subdivision plan recorded on October 18, 1996 have also been included in the packet for reference.

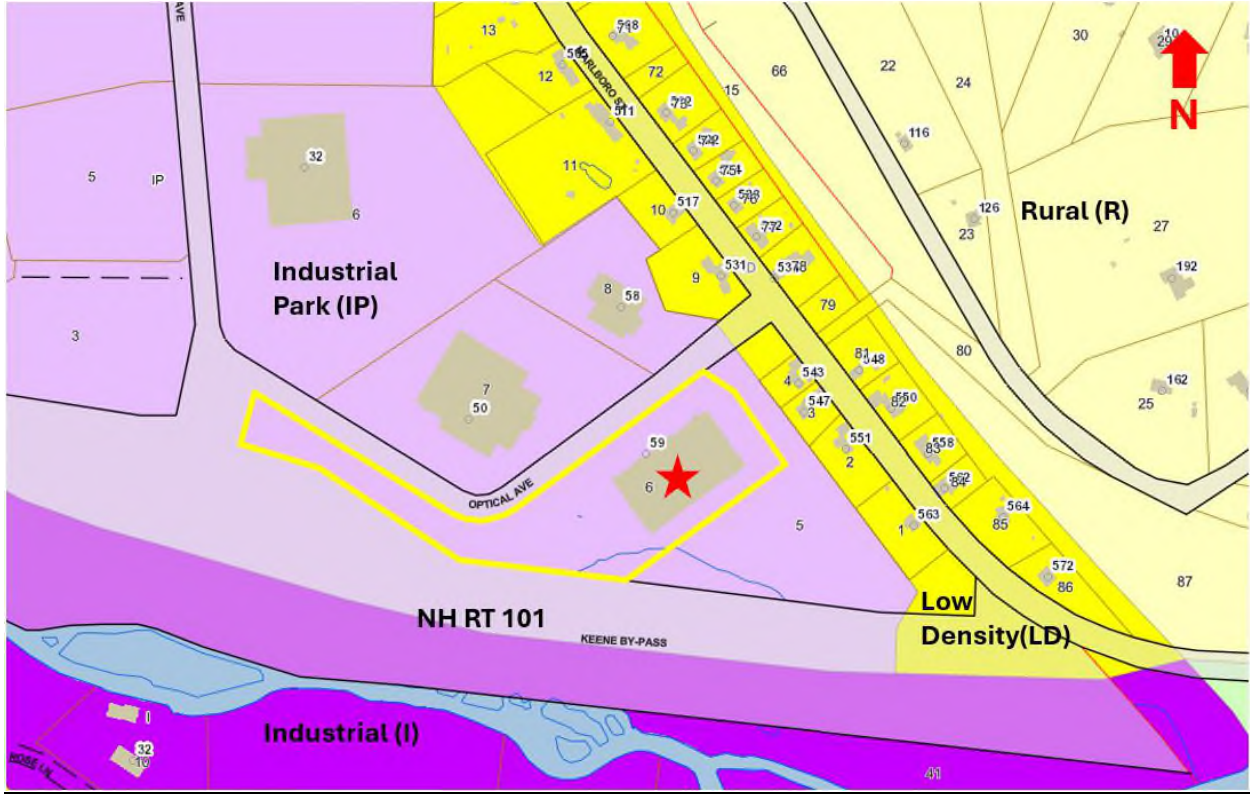


Fig 2: 59 Optical Ave outlined in yellow with surrounding zoning districts.

Surrounding Uses:

North: Industrial Light

South: NH Route 101

East: Single-family Residential

West: Industrial Light, Undeveloped

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

6.3 Industrial Park – The Industrial Park (IP) District is intended to provide for relatively low-intensity manufacturing and research and development firms that are employee intensive, clean in nature, and promote an attractive industrial park environment. Service operations and sales activities are excluded from this district, except for minor sales that may be accessory to the primary use. All uses in this district shall have city water and sewer service.

6.3.5 Permitted Uses

COMMERCIAL USES		SECTION
Office	SE	8.3.2.V
Research and Development	P	8.3.2.AA
INSTITUTIONAL USES		SECTION
Day Care Center	P	8.3.3.C
INDUSTRIAL USES		SECTION
Data Center	P	8.3.5.C
Industrial, Light	P	8.3.5.E
OPEN SPACE USES		SECTION
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Solar Energy System (Small-Scale)	P ¹	8.3.7.A
Solar Energy System (Medium-Scale)	CUP	8.3.7.B
Solar Energy System (Large-Scale)	CUP	8.3.7.C
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
SE = Permitted by Special Exception
CUP = Permitted by Conditional Use Permit

8.3.2.W Office – Defined. An establishment that engages in the processing, manipulation, or application of business information or professional expertise, which may or may not offer services to the public. An office is not materially involved in the fabricating, assembling, warehousing or on-site sales of physical products for the retail or wholesale market, nor engaged in the repair of products.

8.3.2.AM Vehicle Repair Facility – Minor – Defined. A facility that offers minor repairs and services to passenger vehicles, light and medium trucks, and other consumer motor vehicles (e.g. motorcycles). Minor vehicle services or repairs may include, but are not limited to: lubrication services; minor scratch and repair; glass repair or replacement; replacement of systems for cooling, electrical, fuel and exhaust; brake adjustments; tire replacements; and, wheel servicing, alignment, and balancing. Minor repair work does not include replacement of engines or transmissions, or major body work.

Use Standards:

- a. All making of repairs, except emergency repairs, shall be conducted entirely within a building sufficiently insulated to confine noise, flashing, fumes and odors to the premises.
- b. Buildings and all accessory structures shall not be closer than 20-ft to the side and rear lot lines.
- c. No display of merchandise or outside storage of vehicles, vehicle parts or equipment shall be permitted within the required front and side yard setbacks.
- d. The retail sales of motor vehicles to the general public on site is limited to 4 vehicles in any consecutive 12-month period.

STAFF REPORT – CONTINUED PUBLIC HEARING

8.3.5.F Outdoor Storage Yard – Defined. The storage of equipment, vehicles, machinery, or materials as the principal use of land.

9.4.4 Parking Lot Screening – Perimeter Landscape Area - If an on-site parking lot is visible from the public right-of-way and/or is located adjacent to a residential zoning district, a perimeter landscape area shall be established along the full length of the edge(s) of the parking lot that is adjacent to the public right(s)-of-way and to parcels located in a residential zoning district, with the exception of areas designed for pedestrian and vehicular access into the parking lot. This perimeter parking lot landscape area shall be improved as follows.

1. The perimeter parking lot landscape area shall be at least 8-ft in depth, measured from the edge of the parking area.
2. A minimum of 1 shade tree shall be provided for every 30-lf of perimeter parking lot landscape area.
 - a. Ornamental trees may be substituted for shade trees at a 2:1 ratio.
 - b. Trees may be spaced linearly on center, or grouped to complement an overall design concept.
3. One evergreen shrub shall be planted for every 3-lf of perimeter area length. Shrubs may be varied in placement, rather than linearly spaced, but the total number of shrubs planted must equal 1 shrub per 3-lf. Shrubs must be at least 3-ft in height at maturity, and have a minimum spread of 2-ft. Shrubs are not required to be planted within 4-ft of a tree.
4. The remainder of the perimeter parking lot landscape area shall be landscaped and designed as one or more of the following installations.
 - a. 60% of the area outside of the required shrub cover massing (measured at maturity) shall be planted with a combination of perennials, ornamental grasses, and/or groundcover plants. The remaining areas shall be mulch, or another permeable landscape surface.
 - b. A solid fence or wall constructed from wood, brick, or masonry (shall not be concrete block) that is a minimum of 4-ft to a maximum of 6-ft in height, located at the furthest point of the landscape area from the public right-of-way. Any portion of the fence or wall that exceeds 4-ft shall be semitransparent or transparent.
 - i. Up to 30% of the total length of such wall may be designed as a seating wall. The minimum wall height does not apply to seating areas included in the wall.
5. If the area of the parking lot abutting a residential zoning district is an existing woodland, a 25-ft woodland buffer may be left in lieu of a perimeter landscape area.
6. The Planning Board may approve an alternative design for screening of parking lots from public rights-of-way as part of a site plan review, if they determine the proposed design generally meets the intent of this Article.

STAFF REPORT – CONTINUED PUBLIC HEARING

Suggested Conditions and Draft Motion:

If inclined to approve this request, the Board may wish to consider reasonable conditions such as:

1. The parking area for the buses shall be adequately screened from the public right-of-way and all abutting properties in accordance with the perimeter landscaping requirements of section 9.4 of the Land Development Code.
2. All vehicle maintenance besides washing shall be conducted indoors.
3. Vehicle idling shall not be permitted before 7am.
4. No more than ten (10) vehicles shall idle at a time.
5. Prior to occupancy, the tenant/owner shall meet with Public Works and the Industrial Pre-Treatment Coordinator to identify any required upgrades for wastewater handling necessitated by the use.
6. A Spill Prevention & Mitigation Plan shall be submitted for review and approval by the Community Development Department.
7. All required building, fire, and operational permits shall be obtained.
8. Any additional noise and vibration mitigation the Board deems appropriate.

“Approve ZBA-26-5 to permit a transportation operations center use per section 6.3.5 of the zoning regulations as shown in the application and supporting materials received on May 5, 2026 and revised on June 23, 2026 with the following conditions.”

06/22/2026

Richard Clough
Chair, Keene Zoning Board of Adjustment
City of Keene
3 Washington Street, Keene, NH 03431

Re: ZBA-26-5 — JP Irving, LLC (Petitioner) / 59 Optical Ave., Tax Map #241-006-000-000

Dear Chair Clough and Members of the Board,

I am writing to follow up on the ZBA hearing held June 1, 2026 regarding ZBA-26-5, in which JP Irving, LLC requested a variance to permit dispatch, office, bus storage, and routine maintenance at 59 Optical Ave. Thank you for the Board's time and consideration.

At the hearing several nearby residents raised concerns about bus parking and related impacts. We listened carefully and have revised our site plan to move the bus parking area to the opposite side of the lot, a location more than 500 feet from the nearest residential property line. We believe this change directly addresses the neighbors' primary concern about proximity and visibility of parked buses.

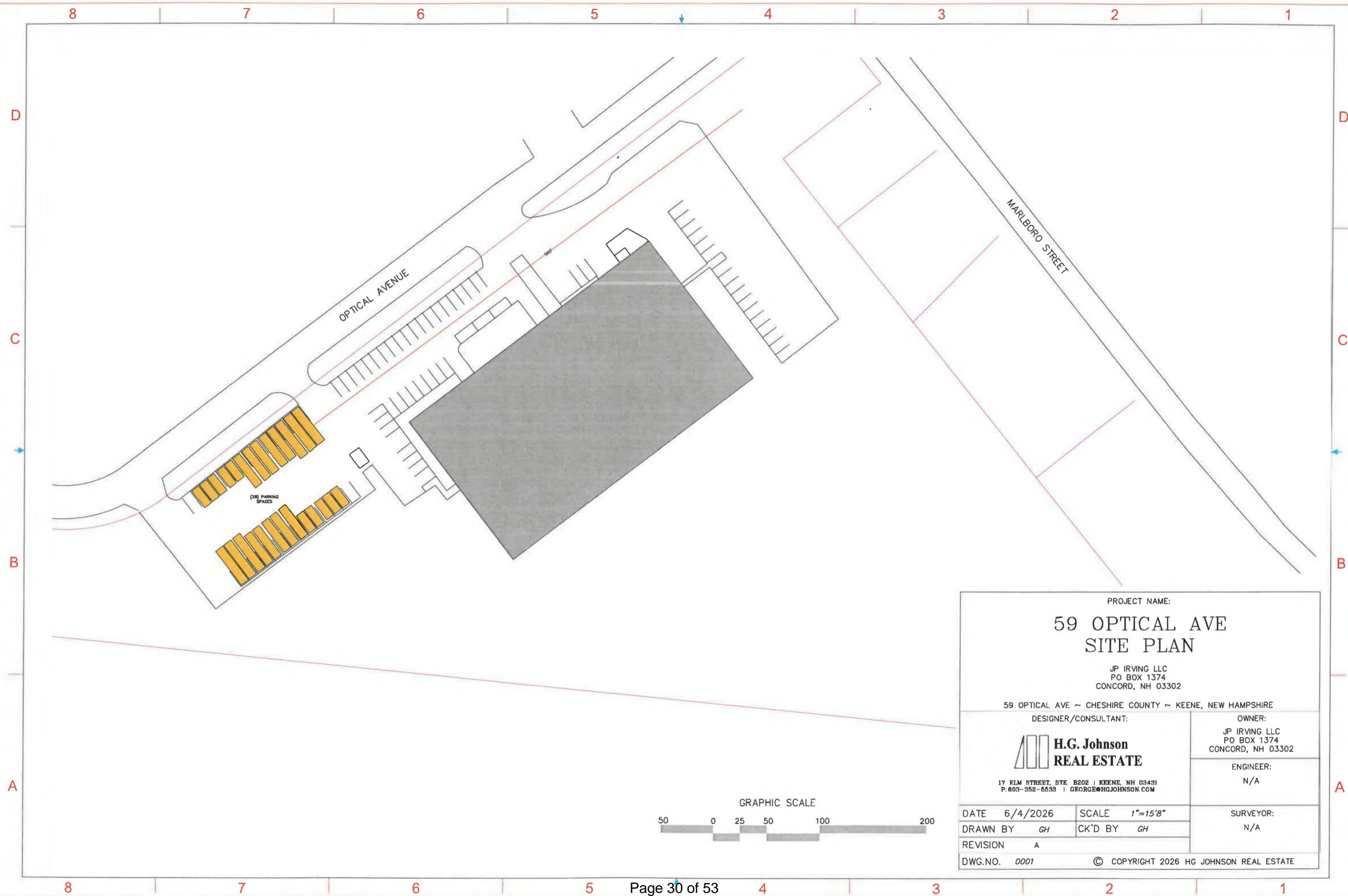
I also want to clarify a point of potential confusion that arose during the meeting regarding traffic impacts. In accordance with ITE methodologies and New Hampshire Department of Transportation (NHDOT) guidance, a development may result in a change in vehicular operations if the addition of site trips would increase peak hour traffic volumes at an intersection by 100 vehicles or more. In general, traffic increases less than this threshold could be attributed to the fluctuation of vehicles due to driver patterns that occur during the day, on different days of the week, or different months of the year. At the hearing a "rule-of-thumb" figure was quoted as "100 trips per day," which understates the rule's intended metric and may have given the impression that our proposed use was closer to the threshold for significant impact than it actually is. In fact, the vehicle trips expected from this operation are substantially below the ITC peak-hour threshold.

To aid the Board in evaluating our revised application, we have attached to this letter the revised parking/location plan showing the relocated bus area.

Thank you for your attention. Please let me know if the Board would like additional information or revised drawings prior to deliberation.

Sincerely,

George Hansel/GH Johnson Real Estate
On behalf of JP Irving, LLC



(28) PARKING SPACES

OPTICAL AVENUE

MARLBORO STREET

PROJECT NAME:

59 OPTICAL AVE SITE PLAN

JP IRVING LLC
PO BOX 1374
CONCORD, NH 03302

59 OPTICAL AVE ~ CHESHIRE COUNTY ~ KEENE, NEW HAMPSHIRE

DESIGNER/CONSULTANT:



17 ELM STREET, STE B202 | KEENE, NH 03431
P. 603-352-5533 | GEORGE@HGJOHNSON.COM

OWNER:

JP IRVING LLC
PO BOX 1374
CONCORD, NH 03302

ENGINEER:

N/A

SURVEYOR:

N/A

DATE 6/4/2026

SCALE 1"=15'8"

DRAWN BY GH

CK'D BY GH

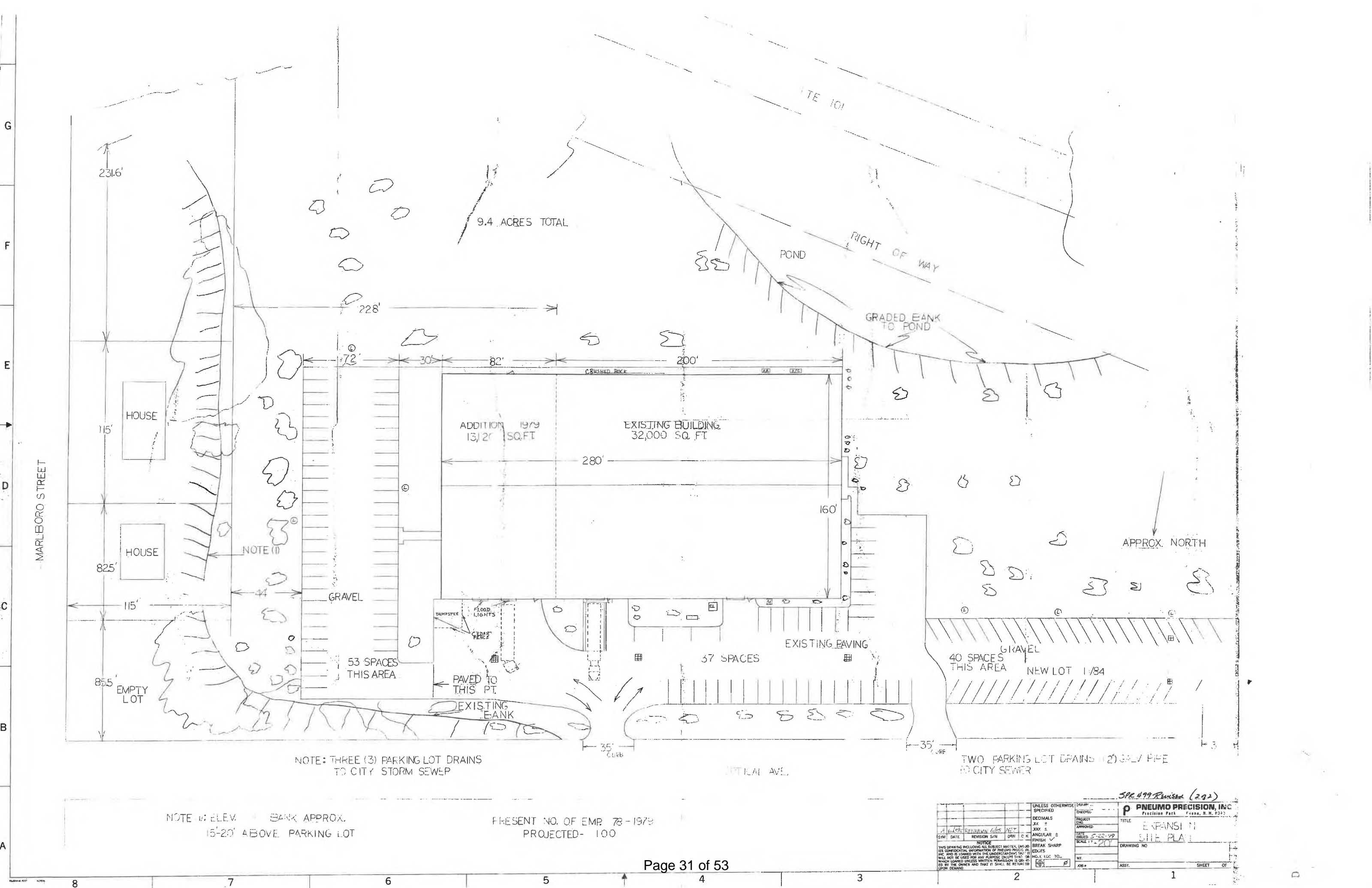
REVISION A

DWG.NO. 0001

© COPYRIGHT 2026 HG JOHNSON REAL ESTATE

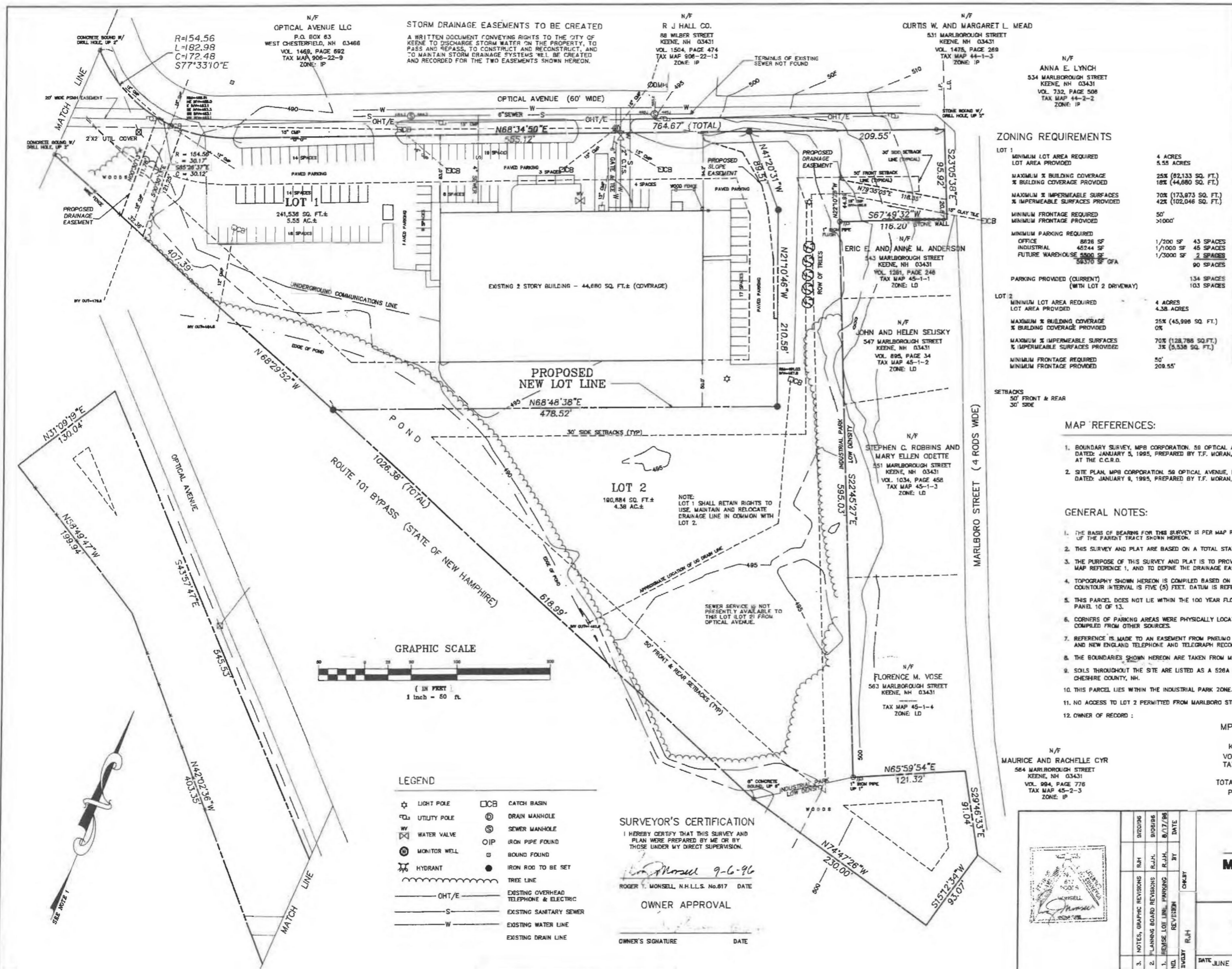
GRAPHIC SCALE





592.499 Revised (292)

UNLESS OTHERWISE SPECIFIED		DECIMALS	DRY	PNEUMO PRECISION, INC.	
ANGULAR		±	±	Precision Park, P.O. Box 8333	
FINISH		±	±	TITLE	
BREAK SHARP EDGES		±	±	EXPANSION SITE PLAN	
HIGHER TO LOWER		±	±	DRAWING NO.	
JOB#		±	±	ASSY.	
SHEET		±	±	SHEET OF	



APPROVED BY THE CITY OF KEENE
 PLANNING BOARD ON: _____ DATE _____
 CHAIRPERSON: _____
 SECRETARY: _____

LOCATION MAP

ZONING REQUIREMENTS

LOT 1	MINIMUM LOT AREA REQUIRED	4 ACRES
	LOT AREA PROVIDED	5.55 ACRES
	MAXIMUM % BUILDING COVERAGE	25% (82,133 SQ. FT.)
	% BUILDING COVERAGE PROVIDED	18% (44,680 SQ. FT.)
	MAXIMUM % IMPERMEABLE SURFACES	70% (173,873 SQ. FT.)
	% IMPERMEABLE SURFACES PROVIDED	42% (102,046 SQ. FT.)
	MINIMUM FRONTAGE REQUIRED	50'
	MINIMUM FRONTAGE PROVIDED	>100'
	MINIMUM PARKING REQUIRED	
	OFFICE	8826 SF
	INDUSTRIAL	45244 SF
	FUTURE WAREHOUSE	5500 SF
	58370 SF OF OA	
	PARKING PROVIDED (CURRENT)	134 SPACES
	(WITH LOT 2 DRIVEWAY)	103 SPACES
LOT 2	MINIMUM LOT AREA REQUIRED	4 ACRES
	LOT AREA PROVIDED	4.38 ACRES
	MAXIMUM % BUILDING COVERAGE	25% (45,998 SQ. FT.)
	% BUILDING COVERAGE PROVIDED	0%
	MAXIMUM % IMPERMEABLE SURFACES	70% (128,788 SQ. FT.)
	% IMPERMEABLE SURFACES PROVIDED	3% (5,538 SQ. FT.)
	MINIMUM FRONTAGE REQUIRED	50'
	MINIMUM FRONTAGE PROVIDED	209.55'

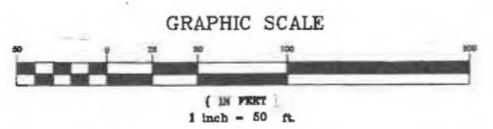
- MAP REFERENCES:**
- BOUNDARY SURVEY, MPB CORPORATION, 58 OPTICAL AVENUE, KEENE, NH, PREPARED FOR MACMILLAN COMPANY, SCALE: 1"=50', DATED: JANUARY 5, 1995, PREPARED BY T.F. MORAN, INC. AS RECORDED ON MAY 11, 1995 IN CABINET 11, DRAWER 9, NO. 205 AT THE C.C.R.D.
 - SITE PLAN, MPB CORPORATION, 58 OPTICAL AVENUE, KEENE, NH, PREPARED FOR MACMILLAN COMPANY, SCALE: 1"=80', DATED: JANUARY 9, 1995, PREPARED BY T.F. MORAN, INC.

- GENERAL NOTES:**
- THE BASIS OF BEARINGS FOR THIS SURVEY IS PER MAP REFERENCE 1, ALONG THE 1026.28 FOOT LONG SOUTHERLY LINE OF THE PARENT TRACT SHOWN HEREON.
 - THIS SURVEY AND PLAT ARE BASED ON A TOTAL STATION SURVEY WITH A CLOSURE OF GREATER THAN 1:15,000.
 - THE PURPOSE OF THIS SURVEY AND PLAT IS TO PROVIDE A TWO LOT SUBDIVISION OF THE PARCEL SHOWN AS DEPICTED ON MAP REFERENCE 1, AND TO DEFINE THE DRAINAGE EASEMENTS SHOWN.
 - TOPOGRAPHY SHOWN HEREON IS COMPILED BASED ON ACTUAL FIELD OBSERVATIONS MADE IN THE COURSE OF THIS SURVEY. CONTOUR INTERVAL IS FIVE (5) FEET. DATUM IS REFERENCED TO MAP REFERENCE NO.2.
 - THIS PARCEL DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE, PER FEMA/FIRM COMMUNITY PANEL NO. 330023-0010-A PANEL 10 OF 13.
 - CORNERS OF PARKING AREAS WERE PHYSICALLY LOCATED IN THE COURSE OF THIS SURVEY, AND PARKING SPACES WERE COMPILED FROM OTHER SOURCES.
 - REFERENCE IS MADE TO AN EASEMENT FROM PNEUMO PRECISION PRODUCTS, INC. TO PUBLIC SERVICE CO. OF NEW HAMPSHIRE AND NEW ENGLAND TELEPHONE AND TELEGRAPH RECORDED IN VOL. 884, PAGE 218 AT THE C.C.R.D.
 - THE BOUNDARIES SHOWN HEREON ARE TAKEN FROM MAP REFERENCE NO. 1.
 - SOILS THROUGHOUT THE SITE ARE LISTED AS A 526A CAESAR LOAMY SAND 0-3% SLOPES AS SHOWN IN SOILS SURVEY OF CHESHIRE COUNTY, NH.
 - NO ACCESS TO LOT 2 PERMITTED FROM MARLBORO STREET.
 - OWNER OF RECORD:

THIS IS A COPY OF AN APPROVED SUBDIVISION PLAN SIGNED BY THE CHAIRMAN OF THE CITY OF KEENE PLANNING BOARD, AND RECORDED IN THE CHESHIRE COUNTY REGISTRY OF DEEDS ON

MPB CORPORATION
 BOX 547
 KEENE, NH 03431
 VOL. 1504, PAGE 474
 TAX MAP 906-22-32
 ZONE: IP
 TOTAL AREA = 9.93 AC±
 PER MAP REF No.1

10/12/96
FINAL
S-12-96



LEGEND

☆ LIGHT POLE	□ CB CATCH BASIN
○ UTILITY POLE	⊙ DRAIN MANHOLE
⊗ WATER VALVE	⊙ SEWER MANHOLE
⊙ MONITOR WELL	○ IP IRON PIPE FOUND
⊙ HYDRANT	○ BOUND FOUND
— OHT/E EXISTING OVERHEAD TELEPHONE & ELECTRIC	● IRON ROD TO BE SET
— S EXISTING SANITARY SEWER	— TREE LINE
— W EXISTING WATER LINE	— EXISTING DRAIN LINE

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION.

Roger W. Monnell 9-6-96
 ROGER W. MONSELL, N.H.L.L.S. No.817 DATE _____

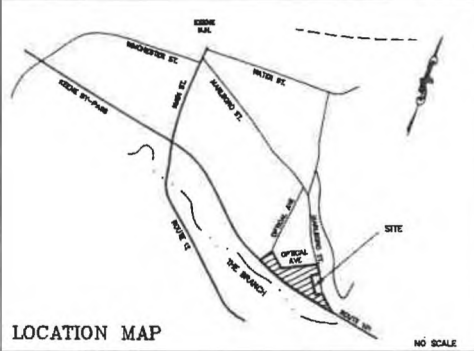
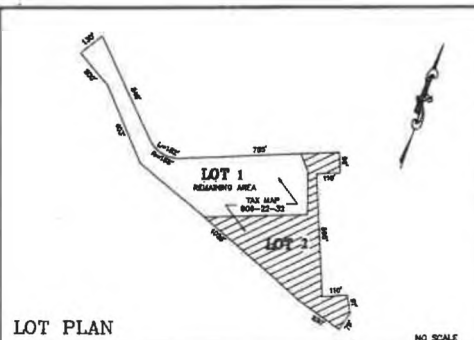
OWNER APPROVAL

OWNER'S SIGNATURE _____ DATE _____

DATE	JUNE 27, 1996	SCALE	1" = 50'	PROJ.	4871	SHEET	1 OF 2
------	---------------	-------	----------	-------	------	-------	--------

TWO LOT SUBDIVISION
 OF KEENE TAX MAP PARCEL #906-22-32
 KEENE, NEW HAMPSHIRE
 PREPARED FOR
MPB CORPORATION
 PRECISION PARK
 P.O. BOX 547
 KEENE, NEW HAMPSHIRE 03431

CHA CLOUGH, HARBOUR & ASSOCIATES, LLP
 ENGINEERS, SURVEYORS, PLANNERS & LANDSCAPE ARCHITECTS
 11 KING COURT, KEENE, NH 03431



APPROVED BY THE CITY OF KEENE PLANNING BOARD ON: _____ DATE _____

CHAIRPERSON: _____

SECRETARY: _____

MAP REFERENCES:

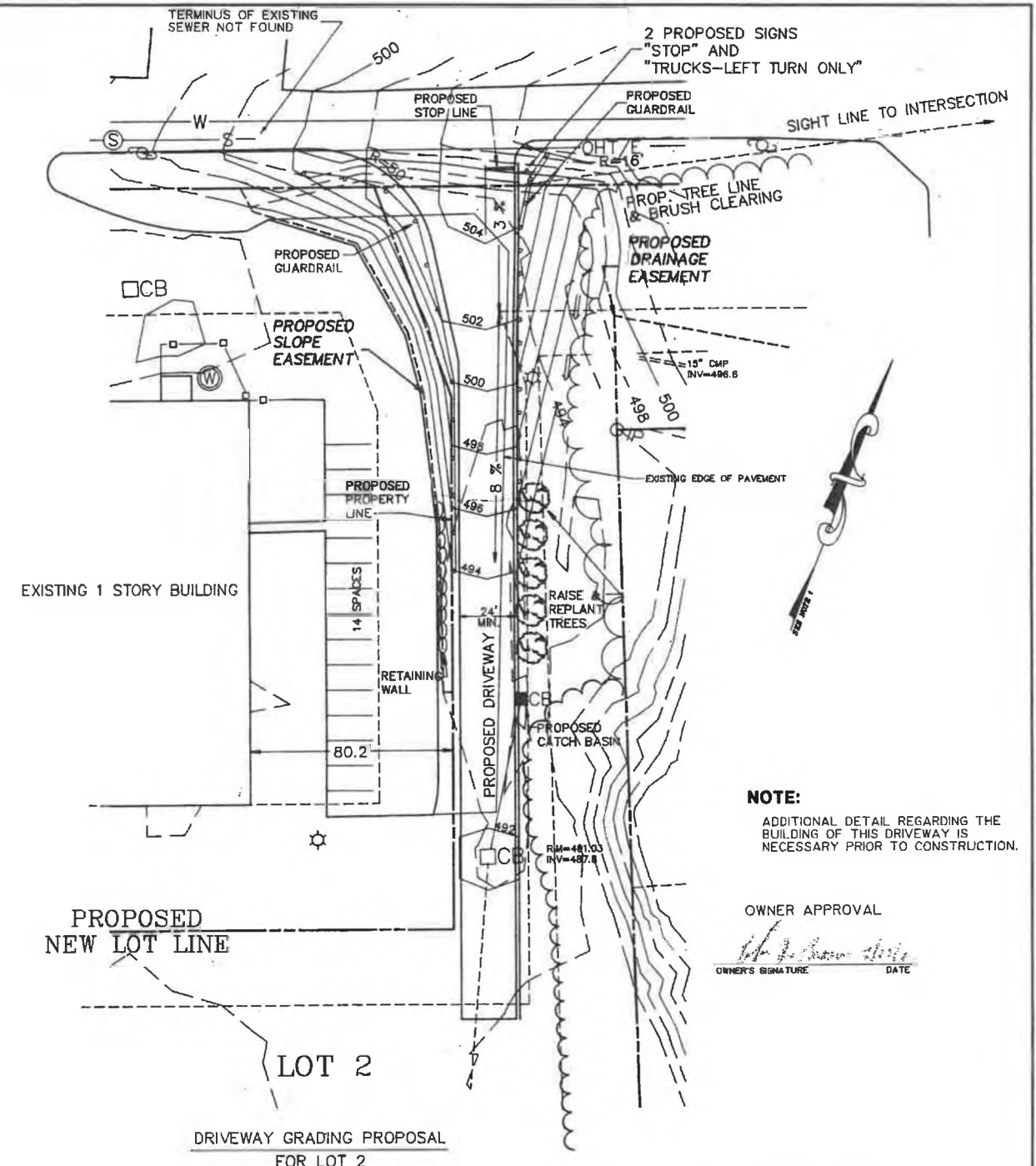
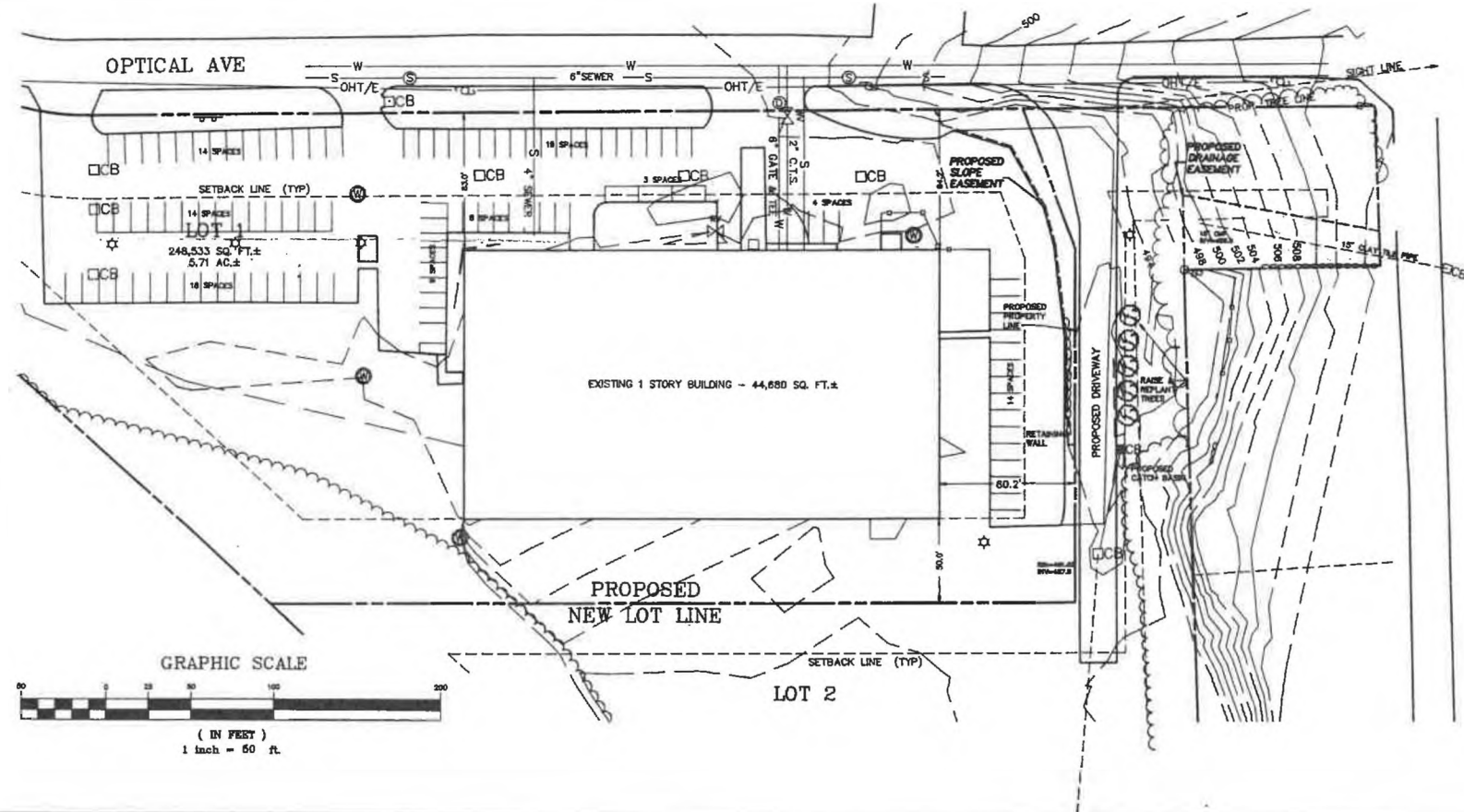
- BOUNDARY SURVEY, MPB CORPORATION, 50 OPTICAL AVENUE, KEENE, NH, PREPARED FOR MACMILLAN COMPANY, SCALE: 1"=50', DATED: JANUARY 5, 1995, PREPARED BY T.F. MORAN, INC. AS RECORDED ON MAY 11, 1995 IN CABINET 11, DRAWER 9, NO. 205 AT THE C.C.R.D.
- SITE PLAN, MPB CORPORATION, 50 OPTICAL AVENUE, KEENE, NH, PREPARED FOR MACMILLAN COMPANY, SCALE: 1"=60', DATED: JANUARY 9, 1995, PREPARED BY T.F. MORAN, INC.
- TWO LOT SUBDIVISION OF KEENE TAXMAP PARCEL #906-22-32, PREPARED FOR MPB CORPORATION, 50 OPTICAL AVENUE, KEENE, NH, DATED: JUNE 26, 1996, REVISED AUGUST 8, 1996, PREPARED BY CLOUGH, HARBOUR & ASSOCIATES, LLP.

GENERAL NOTES:

- THE BASIS OF BEARING FOR THIS SURVEY IS THE 1026.38 FOOT LONG SOUTHERLY LINE OF THE PARENT TRACT SHOWN HEREON.
- THIS SURVEY AND PLAT ARE BASED ON A TOTAL STATION SURVEY WITH A CLOSURE OF GREATER THAN 1:15,000.
- THE PURPOSE OF THIS SURVEY AND PLAT IS TO PROVIDE A DRIVEWAY PLAN FOR LOT 2 AS SHOWN ON MAP REFERENCE 3.
- TOPOGRAPHY SHOWN HEREON IS COMPILED BASED ON ACTUAL FIELD OBSERVATIONS MADE IN THE COURSE OF THIS SURVEY. COUNTOUR INTERVAL IS FIVE (5) FEET. DATUM IS REFERENCED TO MAP REFERENCE No.2.
- THIS PARCEL DOES NOT LIE WITHIN THE 100 YEAR FLOOD ZONE, PER FEMA/TIRM COMMUNITY PANEL NO. 330023-0010-A PANEL 10 OF 13.
- CORNERS OF PARKING AREAS WERE PHYSICALLY LOCATED IN THE COURSE OF THIS SURVEY, AND PARKING SPACES WERE COMPILED FROM OTHER SOURCES.
- REFERENCE IS MADE TO AN EASEMENT FROM PNEUMO PRECISION PRODUCTS, INC. TO PUBLIC SERVICE CO. OF NEW HAMPSHIRE AND NEW ENGLAND TELEPHONE AND TELEGRAPH RECORDED IN VOL. 884, PAGE 218 AT THE C.C.R.D.
- THE BOUNDARIES SHOWN HEREON ARE TAKEN FROM MAP REFERENCE NO. 3.
- SOILS THROUGHOUT THE SITE ARE LISTED AS A 528A CAESAR LOAMY SAND 0-3% SLOPES AS SHOWN IN SOILS SURVEY OF CHESHIRE COUNTY, NH.
- THIS PARCEL LIES WITHIN THE INDUSTRIAL PARK ZONE.
- NO ACCESS TO LOT 2 PERMITTED FROM MARLBORO STREET.

LEGEND

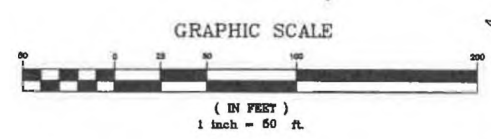
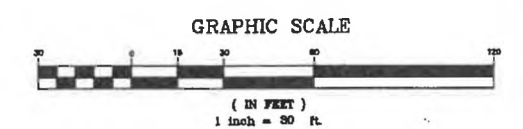
- ☆ LIGHT POLE
- CB CATCH BASIN
- UTYLITY POLE
- ⊙ DRAIN MANHOLE
- W WATER VALVE
- ⊙ SEWER MANHOLE
- ⊙ MONITOR WELL
- IP IRON PIPE FOUND
- ⊙ HYDRANT
- ⊙ SOUND FOUND
- IRON ROD TO BE SET
- TREE LINE
- OHT/E EXISTING OVERHEAD TELEPHONE & ELECTRIC
- S EXISTING SANITARY SEWER
- W EXISTING WATER LINE
- EXISTING DRAIN LINE



NOTE:
ADDITIONAL DETAIL REGARDING THE BUILDING OF THIS DRIVEWAY IS NECESSARY PRIOR TO CONSTRUCTION.

OWNER APPROVAL

OWNER'S SIGNATURE DATE



NO.	PLANNING BOARD REVISIONS	REVISION	BY	DATE
1.				



DRIVEWAY PLAN

TWO LOT SUBDIVISION
OF KEENE TAX MAP PARCEL #906-22-32
KEENE, NEW HAMPSHIRE

PREPARED FOR
MPB CORPORATION
PRECISION PARK
P.O. BOX 547
KEENE, NEW HAMPSHIRE 03431

CHA
CLOUGH, HARBOUR & ASSOCIATES, LLP
ENGINEERS, SURVEYORS, PLANNERS
& LANDSCAPE ARCHITECTS
11 KING COURT, KEENE, NH 03431

DATE AUGUST 1996 SCALE VARIES PROJ# 4871 SHEET 2 OF 2

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440 WINCHESTER ST.
ZBA-26-7



Petitioner requests replacing a 14 ft. roadside sign with a 15 ft. roadside sign per Article 10.8 of the Zoning Regulations.



Notice of Public Hearing

A meeting of the Keene Zoning Board of Adjustment will be held on **Monday, July 6, 2026, at 6:30 PM** in the 2nd Floor Council Chambers of City Hall, 3 Washington St, Keene, NH 03431 to conduct a hearing on the following petition.

ZBA-26-7: Petitioner, Nathan Kaarto, on behalf of the owner, 434 -440 Winchester St., LLC, requests a Variance, for property located at 44 Winchester St., Tax Map # 115-004-000-000 and is in the Commerce Limited District. The Petitioner is proposing to replace an existing roadside sign that is 14 feet tall with a 15 foot tall sign, per Article 10.80 of the Zoning Regulations.

Why am I receiving this notice?

You are receiving notice of this hearing as an abutter to, or owner of, property within 200-ft of the subject parcel. Please be advised that this may be the only notice you will receive, and the nature of the proposal may change in scope.

Where can I find the application materials?

Materials for this application are 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. The agenda packet is typically posted on the Zoning Board of Adjustment webpage (keenenh.gov/zoning-board-adjustment) one week before the meeting.

How can I provide my feedback?

Written comments in the form of a letter can be mailed to or dropped off in the City of Keene Community Development Department on the 4th Floor of City Hall. Letters can also be emailed to communitydevelopment@keenenh.gov or dropped off in person and will be accepted up until 3:00 pm on the day of the meeting.

Can I attend the meeting?

Yes, you have the right to attend the meeting and provide your feedback on the proposal. If you are unable to attend in person, you can view a livestream of the Zoning Board of Adjustment meeting on the City of Keene website and YouTube channel, barring any technical difficulties.

How can I follow along with this project?

You are encouraged to review any future agendas for updates on the status of this and other applications on the Board webpage. All decisions made by the Zoning Board of Adjustment are posted under the "Actions" section of their webpage the next business day. If you have any questions, please contact the Community Development Department at (603) 352-5440.

STAFF REPORT

ZBA-26-7 – VARIANCE– FAIRFIELD KIA SIGN HEIGHT, 440 WINCHESTER ST

Request:

Petitioner, Nathan Kaarto, owned by 434-440 Winchester LLC, requests a Variance, for property located at 440 Winchester St., Tax Map # 115-004-000-000 and is in the Downtown Transition District. The Petitioner is requesting a Variance to permit a 15 ft sign where a 14 ft sign is permitted in the Commerce Limited district per section 10.8 of the zoning regulations.

Background:

The subject property is an existing 2.23 ac site located on the east side of Winchester St (NH Rt 10), approximately 1,400 ft south of the NH Rt 101, Winchester St. roundabout. The property is part of a cluster of car dealerships that share a street access point along Winchester St. The site contains an existing car dealership, Fairfield KIA. The dealership is currently undergoing a redevelopment project with a brand new approximately 15,000 sq. ft. dealership building, maintenance facilities, and associated site improvements including drainage and floodplain mitigation. The project goal is a branding refresh for the KIA dealership that incorporates architectural and signage upgrades with the redevelopment.

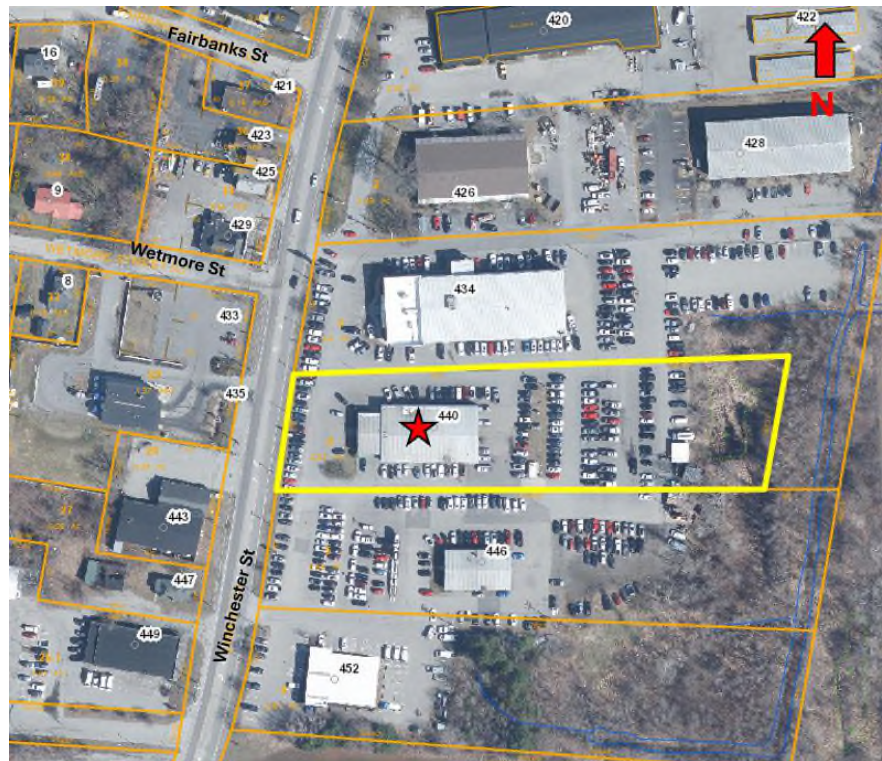


Fig 1: Aerial of 440 Winchester St outlined in yellow with the red star.

The purpose of this application is to seek a Variance from section 10.8 of the Land Development Code to permit a freestanding sign to be 15 ft in height where 14 ft is normally permitted. The existing sign is 14 ft in height, however, the available signs for the KIA rebrand only come in 10 ft and 15 ft in height.

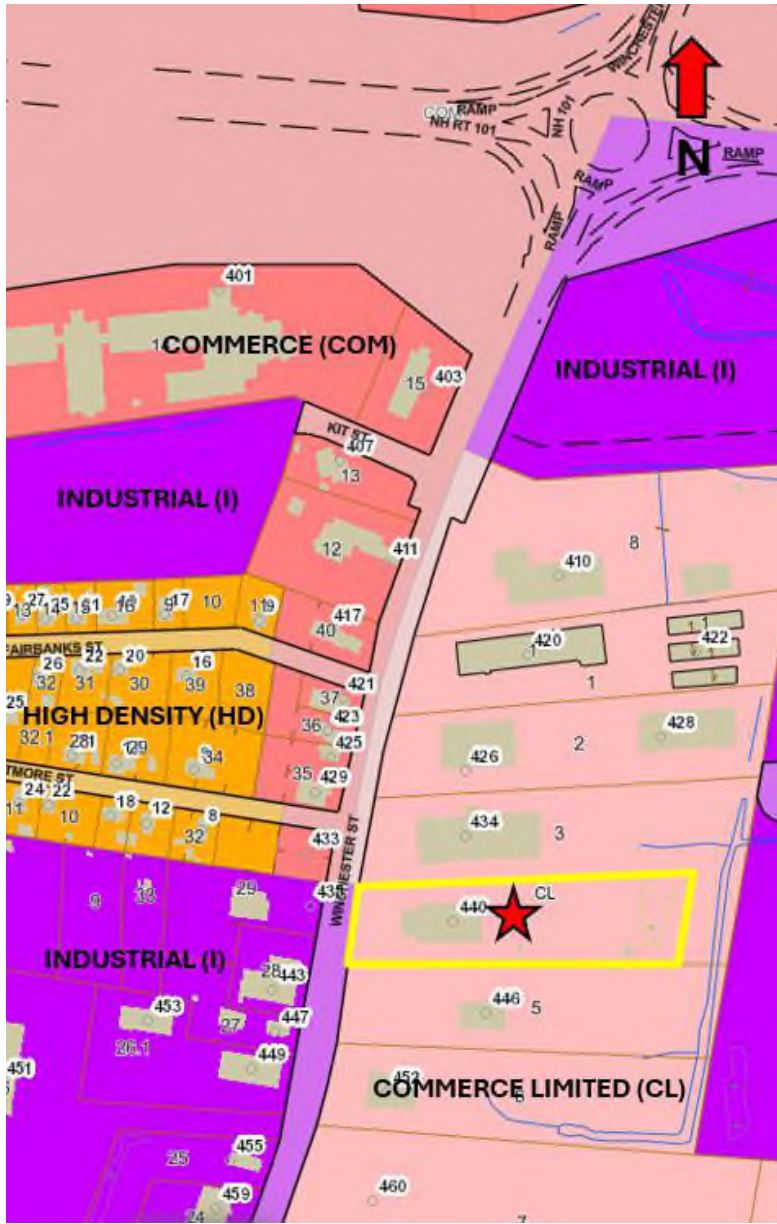


Fig 2: 440 Winchester St outlined in yellow with the red star and surrounding zoning districts.

Surrounding Uses:

North: Car dealership

South: Car dealership

East: Parcel distribution

West: Car wash, convenience store

STAFF REPORT

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

5.2 Commerce Limited

Purpose. The Commerce Limited (CL) District is intended to provide for a mixture of commercial and light industrial uses that may require larger land area and have less intense vehicle traffic as in the Commerce District. Curb cuts shall be a minimum of 150-ft from any intersection, and shall be a minimum of 450-ft apart, except that each lot shall be entitled to access, either through its own curb cut or a common curb cut shared with other lots. All uses in this district shall have city water and sewer service.

5.2.2 Dimensions & Siting

Min Lot Area	20,000 sf
Min Lot Width at Building Line	100 ft
Min Road Frontage	100 ft
Min Front Setback	100 ft
Min Rear Setback	20 ft
Min rear setback if abutting a residential district	50 ft
Min Side Setback	20 ft

10.8 Freestanding Sign

Defined. A sign principally supported by a structure affixed to the ground, and not supported by a building, including signs supported by one or more columns, poles or braces placed in or upon the ground.

Standards. Shall not be externally illuminated before the start of business or 8:00 am, whichever is later, and after the end of the business day or 9:00 pm, whichever is later.

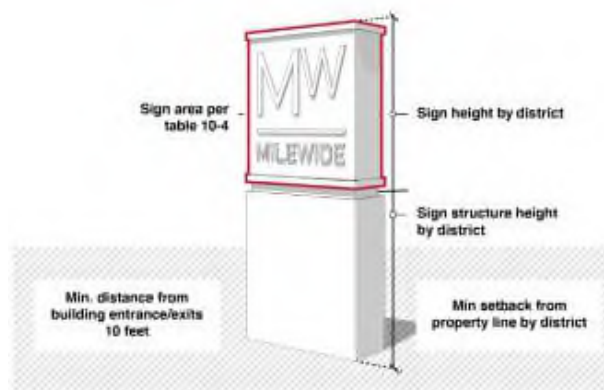


Fig 3: Freestanding sign measurement guide from LDC

STAFF REPORT

A freestanding sign has measurement requirements based on zoning district for the height of the sign, the area of the sign, and the pedestal that the sign is placed upon. The code refers to the pedestal for the sign as the “sign structure.” In some districts the sign height and the sign structure are separate measurements. In Commerce Limited (CL) the overall height of the sign is calculated including the sign structure. Freestanding signs in CL are regulated based on their location within the front yard setback, which is 100 ft. If the sign is located within the first 50 ft, the sign height max is 14 ft. If the sign is located further back than 50 ft, the sign height max is 18 ft. See table 10-9 below for details.

Table 10-9: Freestanding Sign Dimensional Requirements

	Zoning District					
	DT-T, NB, O, <i>Legally non-conforming commercial property in any district</i>	BGR, COM, CL, DT-E	I, IP, CP	DT-I, HC	C, A	DT-C, DT-G, DT-L
Sign Number and Sign Area:	See Table 10-4	See Table 10-4	See Table 10-4	See Table 10-4	See Table 10-4	See Table 10-4
Max Height:	8 ft for sign structure and 6 ft for sign when placed within ½ of the district’s front setback, 14 ft for sign structure and 12 ft for sign when placed behind this line.	14 ft when placed within ½ of district’s front setback; 18 ft when placed behind this line	8 ft for sign structure and 6 ft for sign when placed within ½ of district’s front setback; not to exceed 15 ft when placed behind this line	8 ft for sign structure and 6 ft for sign when placed within ½ of district’s front setback; not to exceed 15 ft when placed behind this line	12 ft	10 ft
Min Setback from Property Line:	5 ft	5 ft	5 ft	5 ft	5 ft	0 ft
Min Distance from Building Entrance / Exits:	10 ft	10 ft	10 ft	10 ft	10 ft	10 ft

Suggested Conditions and Draft Motion:

“Approve ZBA-26-7 to permit a 15 ft freestanding sign where 14 ft is normally permitted per section 10.8 of the zoning regulations as shown in the application and supporting materials received on June 12, 2026 with no conditions.”

Record No:
ZBA-26-7

CD-Zoning
Application

Status: Active

Submitted On:
6/12/2026

Primary Location

440 WINCHESTER ST.
KEENE, NH 03431

Owner

434-440 WINCHESTER
LLC
PO BOX 684 KEENE, NH
03431

Applicant

 Nathan Kaarto
 603-732-7793
 nkaarto@hutterconstruction.com
 810 Turnpike Rd
New Ipswich, NH 03071

Project Information

Please provide the following basic information about your project

Your Relationship To This Project*

Authorized Agent

Project Name* ?

Fairfield Kia

Is this an Appeal of a Land Use Decision?* ?

No

[Click here for notice list instructions.](#)

Number of Parties on Notice List* ?

14

Would you like the City to print mailing labels for you? ?

yes

Short Project Description (1-2 sentences)* ?

Applying for a sign variance for the new Fairfield Kia dealership. The existing roadside sign is 14' tall but we would like to replace this sign with a 15' tall sign.

Authorized Agent

No Authorized Agent 

Agent Name*

Nathan Kaarto

Agent Company 

Hutter Construction Corp

Agent Mailing Address*

PO Box 257

Agent Mailing City*

New Ipswich

Agent Mailing State*

NH

Agent Mailing Zip*

03071

Agent Phone* 

603-732-7793

Agent Email*

nkaarto@hutterconstruction.com

Is the Authorized Agent a licensed or certified
designed professional?*

No

Zoning Relief Categories

Please use the pull down tab below to select the application type you wish to submit to the Zoning Board of Adjustment.

Type of Zoning Relief Requested*

Variance

Zoning Ordinance Section Seeking Relief From

Please provide the section of the Zoning Ordinance (Articles 2-19 of the Land Development Code) that a Variance is being sought for. If multiple Variances are being sought, please cite each section separately. Open this link to view the Land Development Code

LDC Article Reference* 

10

LDC Section Reference* 

9

Variance Questionnaire

Zoning variances are intended to address unnecessary hardships or practical difficulties resulting from the strict application of the Zoning Regulations. The purpose of the variance process is to provide a narrowly limited means by which relief may be granted from the unforeseen applications of the Zoning Regulations. As the applicant, please provide as much information as possible on how your proposal meets the requirements of each criteria.

Has this Variance been Sought for this Property Before?*

No

Is this an Extension Request?*

No

The five criteria are listed below. An explanation of each criteria is included in the Variance Criteria Narrative section on the next page as well as a field to explain how the application meets each criteria.

Five Variance Criteria:

1. Granting The Variance Would Not Be Contrary To The Public Interest

2. If The Variance Were Granted, The Spirit Of The Ordinance Would Be Observed

3. Granting The Variance Would Do Substantial Justice

4. If The Variance Were Granted, The Values Of The Surrounding Properties Would Not Be Diminished

5. Unnecessary Hardship. 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, 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

Variance Criteria Narrative

Please use the space provided below to explain how your application meets each of the criteria. An explanation for each criteria is located below the field.

1. Granting The Variance Would Not Be Contrary To The Public Interest Because:*

There is an existing Kia sign is 14' tall and is 5' wide at the bottom and 9' wide at the top emblem. Replacing this with a 15' tall 5' wide sign would increase the height by 1' but the overall surface sq/ft would not change, if not be less than the current sign. This minor change would not have any health, safety, or welfare impact. We also do not see any neighborhood character impact.

The application must demonstrate that the proposal does not do harm to the public interest. Harm, in this instance means, that the variance will alter the essential character of the neighborhood or threaten the health, safety, or general welfare of the public.

2. If The Variance Were Granted, The Spirit Of The Ordinance Would Be Observed Because:*

The new sign would go in the location of the existing sign, not affecting life safety access, street congestion, or any other dangers.

In general, the spirit of the Zoning Ordinance is related to promoting the, "health, safety, or general welfare of the community." The Ordinance does this by lessening congestion in the streets; securing safety from fires, panic and other dangers; and providing for adequate light and air. As part of their review of an application, the Zoning Board of Adjustment will analyze the legal purpose the Ordinance serves and the reason it was enacted. The application must demonstrate that the proposal does not conflict with the overall legal purpose of the provision within the Zoning Ordinance that relief is being sought.

3. Granting The Variance Would Do Substantial Justice Because:*

Kia only offers certain sizes with their signs and their signs must be used at a Kia dealership. These options are 15' tall or 10' tall. The new dealership is going to sit much further off the road than the existing so we certainly want to have the most adequate size sign to promote the dealership at the street. Having a much smaller sign than we already have would certainly compromise notification to the public of the new dealership, resulting in potentially less customers for the owner. The proposed sign being 1' taller but narrower than the existing will not harm the public but will decrease street advertising for the owners new building significantly if required to use a 10' tall sign.

It is not possible to set up rules that can measure or determine justice. Board members will need to determine each case individually. This criteria is a balancing act between the harm to the applicant and the benefit to the public interest. The application must demonstrate that the literal enforcement of the Zoning Ordinance would cause more harm to the applicant than it does benefit to the public interest.

4. If The Variance Were Granted, The Values Of The Surrounding Properties Would Not Be Diminished Because:*

The new sign matches the new Kia branding and looks really nice. We would think this would only improve value to neighboring properties. The new sign would also not impede on any abutters view.

A decision that a project that is made possible by the granting of a variance will decrease the value of surrounding properties will be determined by the facts of each case. The application must demonstrate that it will not impact the surrounding properties in a way that will diminish the value of those properties.

5i. Unnecessary Hardship. 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, 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:*

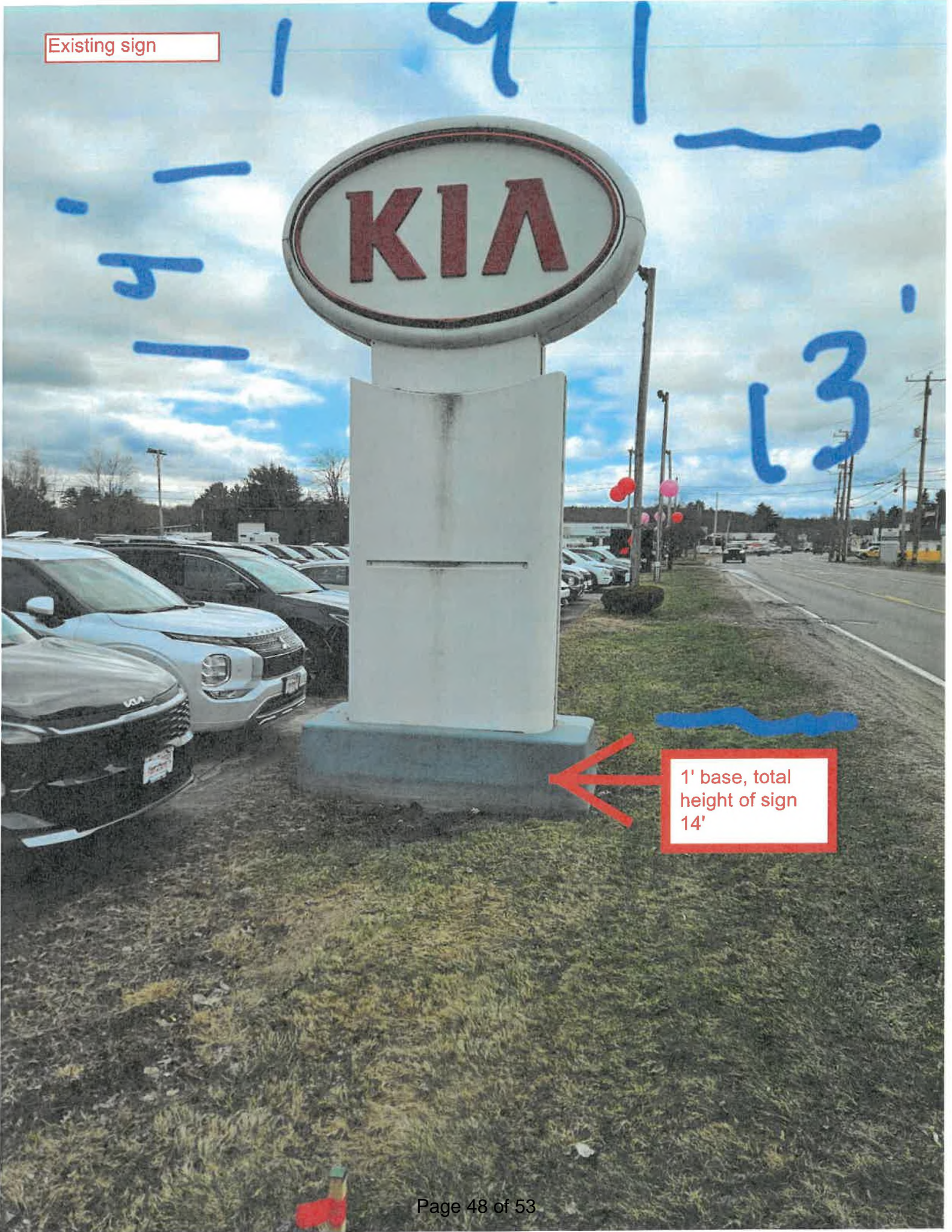
It would create unnecessary hardship because the size of the proposed sign is only slightly taller than the zoning requirement and may actually appear smaller than the existing sign. There are neighboring properties with much taller and bigger signs which already hide the existing Kia sign, so going to a smaller sign would make this even more dramatic. Also with the widening of Winchester St we will already be limiting our ability to advertise with vehicles, so a smaller sign would make our ability to advertise even worse.

5iii. The Proposed Use Is A Reasonable One Because:*

If Kia offered a 14' sign we would install it. With the only choices being 15' or 10' we would greatly appreciate the allowance of the 15' sign. The new sign has equal square footage if not less than the existing.

By its basic purpose, the Zoning Ordinance imposes some hardship on all property by setting lot size dimensions and allowable uses. The restrictions on one property are balanced by similar restrictions on other properties in the same zoning district. When the hardship so imposed is shared equally by all property owners, no grounds for a variance exist. Only when some characteristic of the particular land in question makes it different from others can unnecessary hardship be claimed. The application must demonstrate how the unique characteristics of the property make the equal enforcement of the specific requirement in the Zoning Ordinance an "unnecessary hardship," on that specific property and that the proposal is reasonable in relation to surrounding properties and the goals of the Zoning Ordinance.

Existing sign



1' base, total height of sign 14'

Kia NEW LOGO MONOLITH

New sign

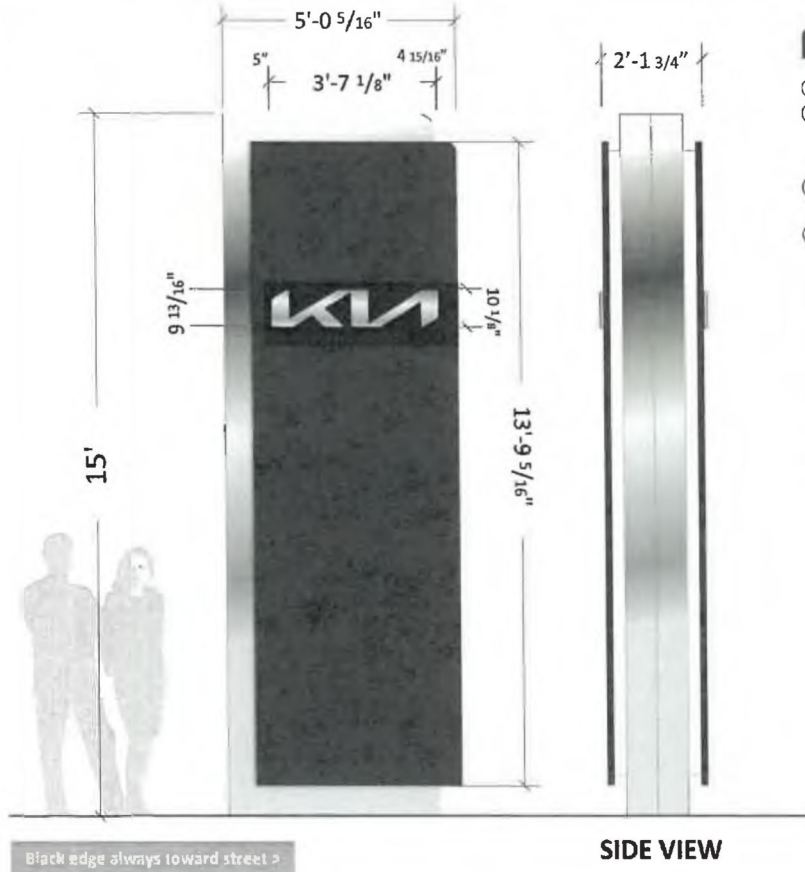
KUSPS15

N01

Dealer to remove and scrap existing pylon sign.



E01



Specifications

- ① Cladding – 4MM Kia Black and Metallic Silver ACM
- ② Kia Wordmark – Milled Aluminum and Plastic “Sandwich” Design with 7100K LED illumination thru edge of filler
- ③ Black edge always toward street >
- Accent Lighting – 7100K LED illumination with 7328 White Polycarbonate Lens

Pattison ID to install new sign on new foundation. Existing foundation will NOT be used for new sign. Dealer to provide dedicated electrical circuit prior to installation. (120 v/20 amp)

Colors

- Black Kia ACM – Kia Midnight Black
- Metallic Silver Kia ACM – Alfrex Exotic Mica
- Accent Lighting Lens – 7328 White
- LED – 7100K White Illumination

Logo: 3 Sq. Ft.

Project ID
SR6-53455

NH011
Fairfield Kia
440 Winchester St.
Keene, NH, 03431, USA

Sign Item

N01

Date: 07-07-2025
Scale: Noted
Contact: S. Russell
Designer: C. Lambert

Revision Note

R3 CL 12-05-2025

Information Required for Production

All rights reserved. The artwork depicted herein are copyrighted and are the exclusive property of Pattison ID and as such cannot be reproduced and/or distributed, in whole or in part, without written permission of Pattison ID.

It is the Customer's responsibility to ensure that the sign installation location is suitable to accept and support the installation of the signs being ordered. Notify Pattison ID immediately if further details are required.

Customer Approval

Signature _____

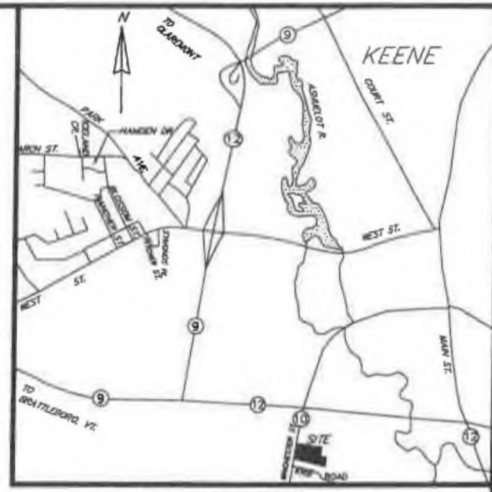
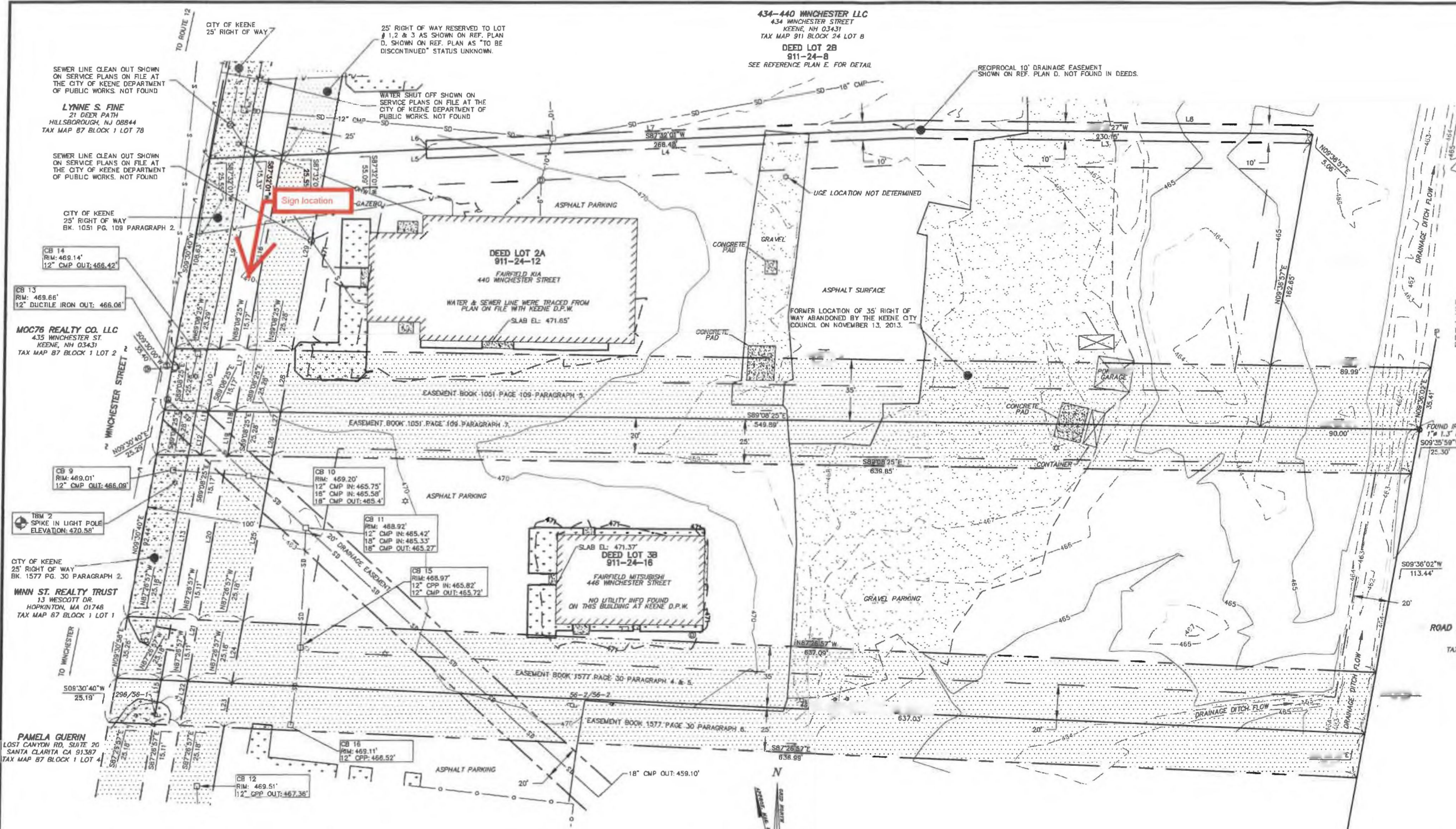
MM/DD/YYYY _____



1.866.635.1110
pattisonid.com

Note: Size of signage in relation to the building is approximate. This photo mock-up is intended for location purposes only and may not accurately represent the scale of the proposed signage to the building. A site survey is required.

Any non-compliant Kia logo (i.e., window vinyl, doors/entry vinyl, parking signs, directional signs, multi-tenant signs, reader board graphics, etc.) not represented in this proposal must be updated by the Dealer to the current compliant Kia logo or must be removed.



DEED RESERVES A DRAINAGE EASEMENT FOR SURFACE WATER FROM LOT #2 & 3B ON THIS PROPERTY AS DESCRIBED IN BOOK 1049 PAGE 227 & BOOK 1577 PAGE 30 PARAGRAPH 3, TO THE CITY OF KEENE TAX DITCH. EXACT LOCATION UNABLE TO BE DETERMINED.

~ LEGEND ~

---	PROPERTY LINE
- - -	RIGHT OF WAY LINE
---	MAJOR CONTOUR
---	MINOR CONTOUR
○	IRON PIN FOUND
●	5/8" x IRON ROD SET
○	CHAIN LINK FENCE
○	UTILITY POLE
○	LIGHT POLE
○	OVER WIRE
—OHW—	OHW OVERHEAD WIRE
—UGE—	UGE UNDER GROUND ELECTRIC
—S—	S SEWER LINE
—W—	W WATER LINE
—SD—	SD STORM DRAIN
○	FIRE HYDRANT
○	WATER VALVE
○	WATER SHUT OFF
○	TELEPHONE MANHOLE
○	SEWER MANHOLE
○	DRAIN MANHOLE
○	PIPE CLEAN OUT
○	CATCH BASIN
○	MONITORING WELL
○	GRASS
---	BASE FLOOD ELEVATION

ROAD ASSOCIATES LTD. PARTNERSHIP
P.O. BOX 565
KEENE, NH 03431
TAX MAP 707 BLOCK 1 LOT 4

- ~ NOTES ~
- METHOD OF SURVEY: LEICA TCR805 TOTAL STATION AND CARLSON SURVEYOR+ DATA COLLECTOR AND LEICA 1200 GPS.
 - BEARINGS ARE REFERENCED TO THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM.
 - ELEVATIONS ARE REFERENCED TO NORTH AMERICAN VERTICAL DATUM NAVD83.
 - DIBERNARDO ASSOCIATES IS NOT RESPONSIBLE FOR PROPERTY DESCRIPTIONS PREPARED BY OTHER PERSONS FOR CONVEYANCE OF THE PROPERTY SHOWN HEREON.
 - THIS PLAN WAS PREPARED FOR THE SOLE USE OF 434-440 WINCHESTER LLC AND IS NOT INTENDED TO BE USED BY ANY OTHER INDIVIDUAL OR BUSINESS WITHOUT THE CONSENT OF SAID PARTIES AND DIBERNARDO ASSOCIATES, LLC.
 - ALL UNDER GROUND UTILITIES ARE SHOWN AS APPROXIMATE LOCATIONS ONLY. NO UNDER GROUND EXPLORATION WAS DONE AS PART OF THIS SURVEY.
 - UNABLE TO DETERMINE LOCATION OF UNDERGROUND POWER CALL DIG SAFE & KEENE DEPARTMENT OF PUBLIC WORKS PRIOR TO CONSTRUCTION.
 - PROPERTY IS LOCATED IN THE COMMERCIAL LIMITED ZONING DISTRICT. DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS:
MAX. BUILDING HEIGHT: 2 STORIES, 35'
MIN. LOT AREA: 20,000 SQFT
MIN. LOT WIDTH AT BUILDING LINE: 100'
MIN. FRONT SETBACK: 100'
MIN. REAR SETBACK: 20'
MIN. SIDE SETBACK: 20'
MAX. PERCENTAGE OF LOT OCCUPIED BY STRUCTURES: 40%
MAX. PERCENTAGE OF LOT COVERED BY IMPERMEABLE MATERIAL: 70%
MIN PERCENTAGE OF GREEN SPACE: 30%
MIN LOT FRONTAGE: 100'

- ~ REFERENCE PLANS ~
- PLAN ENTITLED "FAIRFIELDS AUTO DEALERSHIPS WINCHESTER STREET KEENE, NEW HAMPSHIRE" PREPARED BY DIGN ENGINEERING INC. RECORDED OCTOBER 14, 1982
 - PLAN ENTITLED "MAP 911 SECTION 24 LOT 13 CONDOMINIUM SITE PLAN & AS-BUILT FLOOR PLAN 420 WINCHESTER STREET KEENE, NEW HAMPSHIRE PREPARED FOR F.W. WEBB COMPANY 200 MIDDLESEX TURNPIKE, BURLINGTON, MA 01803" PREPARED BY TF MORAN INC. ON SEPTEMBER 4, 1997, RECORDED ON NOVEMBER 19, 1997 IN CABINET 12 DRAWER 2 NUMBER 175
 - PLAN ENTITLED "FIRM FLOOD INSURANCE RATE MAP CHESHIRE COUNTY, NEW HAMPSHIRE (ALL JURISDICTIONS) PANEL 266 OF 610" MAP NUMBER 33005C0286E EFFECTIVE DATE MAY 23, 2006. BASE FLOOD ELEVATION 471'
 - PLAN ENTITLED "CORNWELL LOT WINCHESTER ST, KEENE, N.H. SUBDIVISION PLAN RESUBDIVISION OF LOT 3" PREPARED BY DIGN ENGINEERING INC. ON AUGUST 1, 1985. PROJECT NUMBER B555-C
 - PLAN ENTITLED "PLAN SHOWING EXISTING CONDITIONS OF PROPERTY OF 434-440 WINCHESTER LLC 434 WINCHESTER STREET KEENE, NH 03431 TAX MAP 911 BLOCK 24 LOT 8 WINCHESTER STREET ~ CHESHIRE COUNTY ~ KEENE, NEW HAMPSHIRE" PREPARED BY DIBERNARDO ASSOCIATES, LLC ON APRIL 14, 2012. DRAWING NUMBER 2880-2.

- ~ REFERENCE DEEDS ~
- RECORDED AT THE CHESHIRE COUNTY REGISTRY OF DEEDS
- DEED FROM JOHN J. DUNN, JR. TO 434-440 WINCHESTER LLC. RECORDED IN BOOK 1554 PAGE 520 ON MARCH 28, 1996
 - MEMORANDUM OF AGREEMENT BETWEEN CITY OF KEENE AND KEPS REALTY, SOUTH KEPS REALTY, JOHN J. DUNN, JR., HOWARD B. LANE, JR., KENDALL W. LANE. RECORDED IN BOOK 1137 PAGE 257 ON JUNE 10, 1988
 - DEED FROM GRANITE BANK TO 334-440 WINCHESTER LLC. RECORDED IN BOOK 1577 AT PAGE 30 ON OCTOBER 1, 1998.
 - EASEMENT DEED FROM JOHN C. BELLUSCO, WILLIAM H. COATES, ALBERT B. STROSHINE AND JOHN J. DUNN, JR. AS CO-PARTNERS, D/B/A BCSD TO NEW ENGLAND TELEPHONE AND TELEGRAPH COMPANY AND JOHN C. BELLUSCO 1023 AT PAGE 417 ON OCTOBER 8, 1982.

LINE TABLE

LINE	BEARING	LENGTH
L3	S89°19'27"W	229.23
L4	S87°32'01"W	288.38
L5	S02°18'01"E	5.00
L6	S02°18'01"E	5.00
L7	S87°32'01"W	288.60
L8	N89°18'27"W	230.29
L9	S09°30'30"W	110.13
L10	S09°30'30"W	35.40
L11	S09°30'30"W	3.80
L12	S09°30'30"W	2.48
L13	S09°30'44"W	93.15
L14	S09°30'44"W	35.28
L15	S09°30'44"W	25.19
L16	S09°30'30"W	111.03
L17	S09°30'30"W	35.40
L18	S09°30'30"W	6.09
L19	S09°30'44"W	19.20
L20	S09°30'44"W	63.84
L21	S09°30'44"W	35.26
L22	S09°30'44"W	25.19
L23	N09°30'44"E	25.19
L24	N09°30'44"E	35.26
L25	N09°30'44"E	94.40
L26	N09°30'44"E	15.40
L27	N09°30'30"E	9.88
L28	N09°30'30"E	35.40
L29	N09°30'30"E	112.53

~ REVISIONS ~

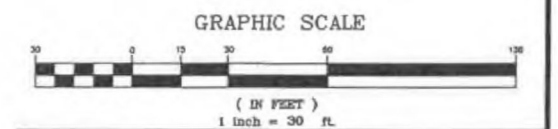
NO.	DATE	DESCRIPTION	BY
1.	11/2/17	ADDED SLAB ELEVATIONS & EASEMENT DEED REFERENCES.	JW

~ CHAPTER 676:18 SECTION III CERTIFICATION ~

I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

JOSEPH A. DIBERNARDO, N.H. L.L.S. #963

11/2/17 DATE



PLAN SHOWING EXISTING CONDITIONS OF PROPERTY OF

434-440 WINCHESTER LLC.
434 WINCHESTER STREET
KEENE, NH 03431
TAX MAP 911 BLOCK 24 LOTS 12 & 16

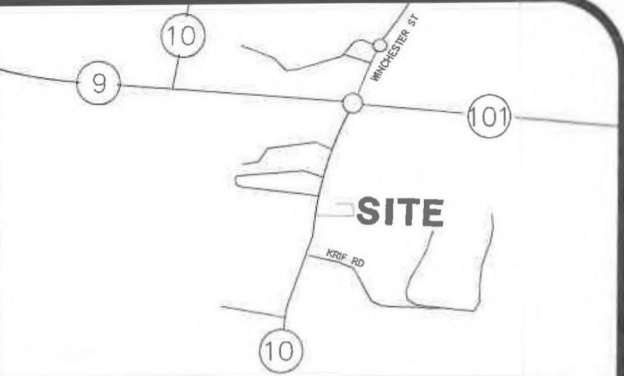
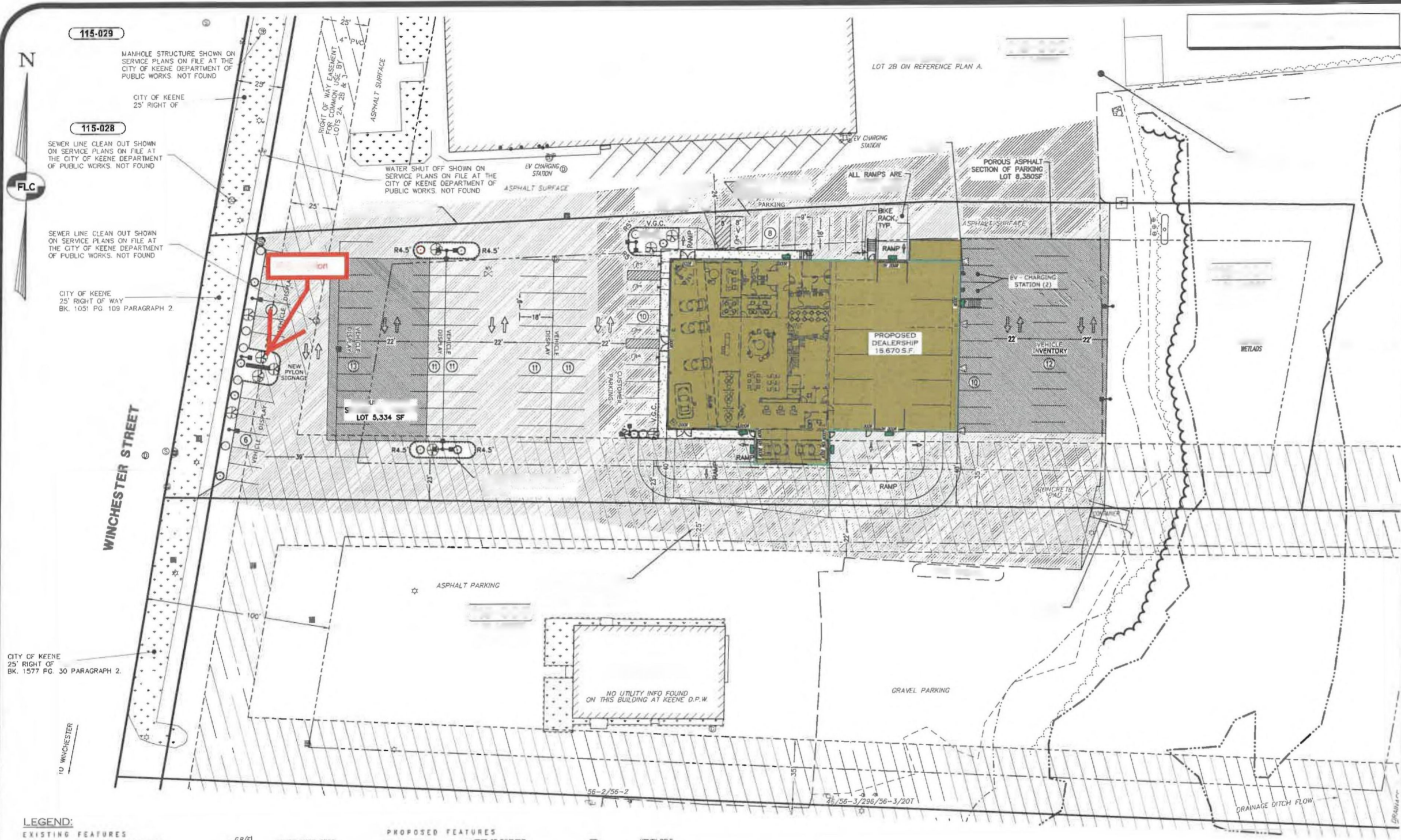
WINCHESTER STREET ~ CHESHIRE COUNTY ~ KEENE, NEW HAMPSHIRE

DIBERNARDO ASSOCIATES, LLC
VT NH
LICENSED LAND SURVEYORS

802-483-3021 440 ROCKINGHAM ROAD 603-556-5508
P.O. BOX 58
BELLERS FALLS, VT 06041

DATE JUNE 28, 2017 SCALE 1"=30'
DRAWN BY JW CK'D BY JAD
SURVEYED BY JO, JK, BG
DWG. NO. 2880-3 © COPYRIGHT 2017 DIBERNARDO ASSOCIATES, LLC.

EX-1 2 OF 12



- SITE PLAN NOTES:**
1. THE OWNER OF RECORD FOR TAX MAP PARCEL 115-004-000-000 IS 434-440 WINCHESTER, LLC. DEED REFERENCE IS BOOK 1577, PAGE 30 RECORDED IN THE C.C.R.D. 10/1/1996.
 2. THE PURPOSE OF THIS PLAN IS TO SHOW THE REDEVELOPMENT PLAN FOR THE FAIRFIELD'S KIA CAR DEALERSHIP BUILDING WITH SITE IMPROVEMENTS AND DETERMINATION OF FLOOD COMPENSATION GRADING.
 3. THE TOTAL AREA OF TAX MAP PARCEL 115-004 IS 2.234 ACRES PER CITY OF KEENE TAX MAPS AND REFERENCE PLANS. ACCESS TO THE BUSINESS IS THROUGH THE PROPERTIES DIRECTLY NORTH AND SOUTH OF THE SUBJECT LOT. FRONTAGE IS 133.91 FT. ON NH RT. 10.
 4. ZONING FOR THE PARCELS IS COMMERCE, LIMITED. PROPOSED:

-FRONTAGE = 100 FT. (133.9' EXISTING)	PROPOSED:
-FRONT SETBACK = 100 FT.	100 FT.
-REAR SETBACK = 20 FT.	20 FT.
-SIDE SETBACK = 20 FT.	20 FT.
 5. THE EXISTING CONDITIONS OF THE PROPERTY ARE BASED ON THE SURVEY PLAN BY DIBERNARDO ASSOCIATES, LLC, DATED JUNE 28, 2017. PROPERTY BEARINGS ARE BASED ON NH STATE PLAN AND ELEVATIONS ON NAVD83 DATUM. UNDERGROUND UTILITIES ARE APPROXIMATE. WETLAND DELINEATION WAS DONE BY THIS OFFICE IN THE MONTH OF OCTOBER, 2024.
 6. THE LOTS LIE WITHIN THE BOUNDARY OF THE 100 YEAR FLOOD HAZARD PER FLOOD INSURANCE RATE MAP FOR THE CITY OF KEENE, CHESHIRE COUNTY, COMMUNITY 330023, PANEL NUMBER 3300500266E DATED MAY 23, 2008. BASED ON THIS PANEL, THE ESTIMATED ELEVATION OF THE 100 YEAR FLOOD AT THIS LOCATION IS 471.2 FT.
 7. THE EXISTING BUILDING WILL BE DEMOLISHED FOLLOWING THE FULL CONSTRUCTION OF THE PROPOSED BUILDING. THIS WILL ALLOW THE DEALERSHIP TO REMAIN OPEN DURING CONSTRUCTION OF THE NEW BUILDING.
 8. PARKING CALCULATIONS:
 EXISTING PARKING = 150 SPACES (APPROX-MANY SPACES UNSTRIPPED)
 4 SPACES/1000 SF INDOOR SALES: 4300/1000 x 4 = 17.2 (18 SPACES)
 4 SPACES/SERVICE BAY: 1 SERVICE BAY x 4 = 4 SPACES
 TOTAL REQUIRED = 22 SPACES; TOTAL PROVIDED = 109 SPACES (30 SPACES TO SIDE/REAR)
 ADA SPACES REQ'D = 5 (1 VAN); ADA SPACES PROVIDED = 5 (1 VAN)
 9. THE BUILDING FINISH FLOOR ELEVATION IS 472.2', PROVIDING 1 FOOT ABOVE BASE FLOOD ELEVATION (B.F.E. = 471.2'). THE PROPOSED FLOOD COMPENSATION FOR THE FILL PLACED IN THE FLOODPLAIN IS BASED ON A TOTAL VOLUME COMPENSATION AT 471.2' IN ELEVATION, TO BE APPROVED BY THE KEENE FLOODPLAIN ADMINISTRATOR.
 10. ANY SIGNS SHOWN WILL BE PERMITTED SEPARATELY AND DETAILS PROVIDED AS PART OF THE BUILDING PERMIT APPLICATION.
 11. WHEN SNOW IS EXCESSIVE, IT WILL BE HAULED OFF SITE. SNOW STORAGE WILL NOT BE DUMPED INTO THE ADJACENT WETLANDS OR THE BUFFER AREA.

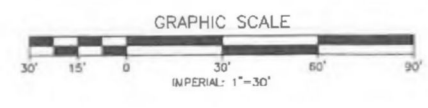
REV.	DATE	DESCRIPTION	C/O	DR	CK
G	11/7/25	REVS PER AOT RMI 2		CJC	JEN
F	10/6/25	REVS PER CLIENT & AOT RMI3		CJC	JEN
E	8/21/25	REVS PER AOT RMI 2		CJC	JEN
D	7/21/25	REVS PER AOT RMI		CJC	JEN
C	5/5/25	REVS FOR AOT SUBMISSION		CJC	JEN
B	11/27/24	INSPECTION NOTE ADDED PER C.O.A.		CJC	JEN
A	11/11/24	REVS PER STAFF COMMENTS		CJC	JEN

- LEGEND:**
- EXISTING FEATURES**
- RIGHT-OF-WAY LINE
 - BOUNDARY LINE
 - ABUTTING LOT LINE
 - BUILDING SETBACK LINE
 - EDGE OF PAVEMENT
 - EDGE OF GRAVEL
 - CURB LINE
 - EDGE OF FREE LINE
 - EXISTING EASEMENT LINE
 - 1000' 10' CONTOUR INTERVAL
 - 2' CONTOUR INTERVAL
 - UNDERGROUND DRAINAGE LINE
 - OVERHEAD UTILITY LINE
 - UNDERGROUND UTILITY LINE
 - GAS LINE
 - WATER LINE
 - SEWER LINE

- PROPOSED FEATURES**
- EDGE OF PAVEMENT
 - 2 FT. CONTOUR
 - PARKING COUNT
 - CAPE COD BERM (CCB)
 - 2 FT. CONTOUR
 - 10 FT. CONTOUR
 - SPOT ELEVATION
 - STORM WATER DRAINAGE
 - STORM DRAIN MANHOLE
 - LIMITS OF CLEARING
 - PROPOSED RETAINING WALL
 - TEMPORARY SILT FENCE
 - POLE MOUNTED LIGHT
 - UNDERGROUND ELECTRIC
 - OVERHEAD ELECTRIC
 - WATER LINE
 - SEWER LINE
 - SEWER MANHOLE

- UTILITY POLE
- UTILITY BOX LOCATION
- WATER SERVICE SHUT-OFF
- FLARED END SECTION (FES)
- TRAFFIC FLOW (NOT PAINTED ARROWS)
- SOB
- STORE CHECK DAM
- INLET PROTECTION
- PROPOSED BUILDING

- REFERENCE PLANS:**
1. "PLAN SHOWING EXISTING CONDITIONS OF PROPERTY OF - 434-440 WINCHESTER LLC. - 434 WINCHESTER STREET - KEENE, N.H. 03431", SCALE: 1"=30' AND DATED JUNE 28, 2017 BY DIBERNARDO ASSOCIATES, LLC
 2. "EXISTING PLAN", SCALE: 1"=50' AND DATED OCTOBER 20, 2017 BY BRICKSTONE LAND USE CONSULTANTS.



- PERMITS REQUIRED:**
1. CITY OF KEENE PLANNING BOARD SITE PLAN REVIEW;
 2. CITY OF KEENE FLOODPLAIN DEVELOPMENT PERMIT;
 3. CITY OF KEENE BUILDING PERMIT;
 4. FEMA LETTER OF MAP REVISION (LOMR-F) & ELEVATION CERTIFICATE;

LAND-OWNER SIGNATURE

OWNER: _____ DATE: _____

APPROVED BY THE KEENE PLANNING BOARD

ON: _____ CERTIFIED BY _____

CHAIRMAN: _____ AND _____

SECRETARY: _____

SITE PLAN
TAX MAP 115, LOT 004
440 WINCHESTER STREET
KEENE, NH 03431

PREPARED FOR:
FAIRFIELD KIA
 440 WINCHESTER ST., KEENE, NH 03431

LAND OF:
434-440 WINCHESTER, LLC
 P.O. BOX 684, KEENE, NH 03431

SCALE: 1" = 30' NOVEMBER 11, 2024

Surveying ♦ Engineering ♦ Land Planning ♦ Permitting ♦ Septic Designs

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

Property Owner

434-440 Winchester LLC
PO Box 684
Keene, NH 03431

Authorized Agent

Hutter Construction
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Abutters

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Rochester NH 03867

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Emile Legere
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Keene, NH 03431

451 Winchester st LLC

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Portsmouth NH 03801

Architects and Engineers

MP Architect
PO Box 305
New Ipswich, NH 03071

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