

City of Keene
New Hampshire

PLANNING BOARD
MEETING MINUTES

Tuesday, May 26, 2026

6:30 PM

**Council Chambers,
City Hall**

Members Present:

Harold Farrington, Chair
Roberta Mastrogiovanni, Vice Chair
David Bergeron
Michael Hoefler
Kenneth Kost
Councilor Molly Ellis

Staff Present:

Mari Brunner, Senior Planner
Evan Clements, Planner / Zoning Administrator
Megan Fortson, Planner

Members Not Present:

Andrew Madison
Mayor Jay V. Kahn
Stephon Mehu, Alternate
Tammy Adams, Alternate
Joseph Cocivera, Alternate

A. CALL TO ORDER & ROLL CALL

Chair Farrington called the meeting to order at 6:30 PM and a roll call was taken.

B. MINUTES FROM PRECEDING MEETING – April 27, 2026

A motion was made by Roberta Mastrogiovanni that the Planning Board approve the April 27, 2026 meeting minutes. The motion was seconded by Kenneth Kost and was unanimously approved.

C. FINAL VOTE ON CONDITIONAL APPROVALS

Chair Farrington stated as a matter of practice, the Board will now issue a final vote on all conditionally approved plans after all of the “conditions precedent” have been met. This final vote will be the final approval and will start the 30-day appeal clock. The Chair asked whether there were any items ready for final approval.

Megan Fortson, Planner stated there is one application ready for final approval this evening – PB-2024-20, which is for an Earth Excavation Permit Major Amendment and Hillside Protection Conditional Use Permit for two properties at 21 and 57 Route 9. There were six conditions precedent that needed to be met including:

1. Owner's signature appearing on the plan sets;
2. Submittal of five full size paper copies and a digital copy of the final plan;
3. Submittal of security to cover the cost of sedimentation and erosion control measures, stormwater management and reclamation for the first permit period of work to be completed: Payment for all outstanding third party consultant fees;
4. Submittal of all required state and federal permits;
5. Addition of approval numbers on the plan sets;
6. Addition of all waivers and conditional use permits with approval numbers added to the final plan set.

The applicant has met all those conditions precedent. Staff recommends final approval.

A motion was made by Roberta Mastrogiovanni that the Planning Board issue final approval for PB-2024-20. The motion was seconded by Kenneth Kost and carried on a unanimous vote.

D. PUBLIC HEARINGS

1. **PB-26-10 - Habitat for Humanity Duplex, Cottage Court Conditional Use Permit**
— Applicant SVE Associates, on behalf of owner Monadnock Habitat for Humanity, proposes to construct a 1,364 sq-ft duplex at the property located at 0 Grove St. (TMP# 585-057-000). The parcel is ~0.11 ac and is located in the Residential Preservation District.
 - a. **Board Determination of Completeness**

Planner Megan Fortson stated the applicant has requested exemptions from submitting a drainage report, traffic analysis, and soil analysis. Planning Staff have made the preliminary determination that granting the requested exemptions would have no bearing on the merits of the application and recommend that the Board accept the application as “complete.”

A motion was made by Roberta Mastrogiovanni that the Planning Board accept this Application as complete. The motion was seconded by Kenneth Kost and was unanimously approved.

b. Public Hearing

Ms. Liza Sargent of SVE associates addressed the Board representing Habitat for Humanity. Ms. Sargent stated this application is for a duplex. She indicated the site is almost entirely paved and is a parking lot. She noted that City Side Apartments are located to the north, One Hundred Nights to the northeast, and there are various residences to the southeast and west. This is a proposed development with the duplex more or less in the center of the parcel. There will be two separate entrances for each unit. A proposed shed will be located at the corner of the site for mechanical and garden storage. The rest of what was formerly asphalt would be green space. There will be municipal water and sewer connections.

Mr. William Holtz, Architect with Bensonwood Unity Homes, addressed the Board next. He noted the duplex structure has two entry points, one from a driveway on Water Street and the

other from a driveway on Grove Street. He indicated they have adjusted the shape of the building to conform to the unique constrained aspect of the lot. The units are slightly offset from each other. There will be a private entry for each unit and a private driveway for each unit.

He explained this duplex would be located in a transitional zone between the apartment building and 100 Nights (both located on Water Street) and the more residential aspect in historical context neighborhood on Grove Street.

Mr. Holtz went on to say the finishes for the elevation have not been completely defined yet as the project is still evolving, but they are looking for this duplex to fit within the neighborhood context and fit with the other structures that exist in the neighborhood.

Chair Farrington asked if the exterior would be vinyl. Mr. Holtz stated it is likely to be vinyl, but it also could be fiber cement or some other kind of exterior composite.

Mr. Kost asked for explanation of the parking configuration. Mr. Holtz stated cars will be parked one behind the other and the driveways will be 12 feet wide.

Chair Farrington asked whether there are individuals chosen to occupy these homes. Mr. Michael Conway of Habitat for Humanity stated they are still in the process of reviewing applications and have not selected the families that will be owning the units. He added in order to accommodate joint ownership there will also be a condominium document; they will own the lot in common but own their individual units.

Staff comments were next. Ms. Fortson addressed the Board. Ms. Fortson stated this parcel has been vacant for almost 40 years at this point. It is a paved lot and used to be a parking lot for a shoe factory that was located across the street.

She went on to say that the site itself is surrounded by a variety of density when it comes to residential uses, as well as a few commercial uses. This parcel is about 1/10 of an acre, and it is located in the Residential Preservation District.

In terms of the Cottage Court criteria, it will be a single property managed by a condominium association. One of the suggested conditions of approval relates to the submittal of condominium documents, as well as any other legal instruments that would be necessary to be created as part of the application.

Ms. Fortson continued, stating that the Cottage Court Overlay allows buildings to be sited closer to the road than the district normally allows in order to match an established building line along the road. Because this is a corner lot in the Residential Preservation District, typically, it would be held to a 15-foot front set back requirement and a 20-foot side set back requirement. A diagram presented in the application indicates that the average building lines along the streets for the corner lot would be just over 12 feet for the side setback and the front set back would be just over 13 feet.

Ms. Fortson stated the applicant did have to seek a variance from the Zoning Board for the rear set back because the structure is encroaching into the rear set back along the southern property line on the western side. This was granted by the Zoning Board.

In terms of the dwelling unit sizes, the Cottage Court standards allow for a maximum of 900 square feet of footprint per unit and the applicant is proposing a 576 square feet of footprint per unit. This complies with the standard. You can have up to a 1,250 square foot gross floor area and the applicant is proposing about 1,152 square feet per unit (interior). Both of these standards are met.

With parking again, there is a maximum of one space per bedroom and a minimum of one per unit. The driveways that are proposed can accommodate roughly one to two cars per driveway, which complies with the standards. The site will have two curb cuts, one along Water Street and one along Grove Street. This complies with the requirement in the land development code for street access. Staff have requested that the applicant add a note to the plan stating that any future modification to either of those driveways can be reviewed by the City Engineer's office. If that note is not on the plan, the applicant would be required to come before the Board to make a change to their driveway. That standard appears to be met.

Building separation will be addressed as part of the building permit process.

In reference to screening, Ms. Fortson noted the project narrative states that the proposed two-story duplex is not more intense than the adjacent building types. Hence, they are not proposing any screening.

In terms of architectural guidelines – this has been addressed by the applicant. They are not proposing a specific color scheme as part of the application, but what the Board is reviewing tonight is the design of the building. When a building permit is submitted in the future, planning staff will review that building permit to make sure what was submitted complies with what was approved by the Board.

Ms. Fortson next reviewed the site development standards:

Impervious Surface is going to be reduced on the site from 95% to 60%. Stormwater currently sheet flows to the catch basins along Water Street and Grove Street. Following redevelopment of the site, the stormwater is either going to infiltrate on the new green space or sheet flow to the existing catch basin. That standard is met.

For Sediment and Erosion Control, there are going to be some catch basin inlet filters and straw waddle or silt fencing installed around the perimeter of the parcel during construction. That standard appears to be met.

For Snow Storage and Removal, the applicant shows two snow storage areas on the south and west of the building. If necessary, excess snow will be removed from the site. That standard is met.

There is no landscaping proposed to be installed and it is not required because this a two-unit building.

For screening, two compressors are going to be installed adjacent to the entry stairs for each unit. They will be screened from view using wooden fencing, which can be seen in the proposed elevations. That standard appears to be met.

Because this is a two-family residence, the Lighting standard is not applicable.

For Sewer and Water, the applicant proposes to connect to the existing City infrastructure adjacent to the site. The City Engineer felt that the proposed calculations and utility plans that were submitted by the applicant are sufficient. That standard is met.

Because these are just two units, significant traffic impacts are not expected.

For Filling and Excavation, the grade of the site will increase slightly from 472 to 473 feet above elevation and will then drain, but nothing that is significant.

With respect to Surface Waters or Wetlands, Hazardous or Toxic Materials, and Noise, Ms. Fortson stated these are not applicable to this proposal.

Ms. Fortson reviewed the outlined conditions of approval.

The Chair clarified what is indicated in the staff report regarding a revised plan, which has been reviewed by the City Engineer. Ms. Fortson answered in the affirmative and agreed it has been reviewed by the Engineer

Mr. Kost suggested perhaps a rain garden to reduce the runoff and felt this could be a nice addition to that corner. Ms. Fortson stated this is something that would need to be discussed with the applicant. She added landscaping is not shown on the plan because under normal circumstances, a two-family use would be exempt from the planning review process. However, because of the district this site is located in, that is the reason it is before the Board for review. She felt landscaping is something that would need to be discussed with the applicant.

The Chair referred to the questions raised by Engineering outlined in the Staff Report. Ms. Fortson stated these questions have either been addressed by the applicant through the updated plans that were submitted or is something included by the City Engineer as informational.

Vice-Chair Mastrogiovanni referred to the reduction in the setback requirement and asked whether this would back up against someone's property and whether it matters that a reduction in the rear setback is being requested. Ms. Fortson stated because this is a corner lot, the frontage is measured using the shortest distance along the public right-of-way. The Cottage Court standards allow for flexibility along the road frontage if other properties are closer to the road. The only portion within the rear setback is a small corner of the building that encroaches into the setback by about 3 feet.

Mr. Hoefler asked how the curbing along Grove Street will be addressed – would this be the City’s responsibility. Ms. Fortson noted earlier this year the Planning Board had to vote to amend the right-of-way along Grove Street because the City gave a portion of Grove Street back to Habitat for Humanity which made the lot slightly larger. There is no sidewalk being proposed along that side of the property. In terms of the Water Street side, any impacts that are made to City sidewalks that are existing or construction of any new sidewalks have to be constructed using City standards.

The Chair asked for public comment next.

Councilor Chalice stated she was not familiar with the Cottage Court standards and noted she did not hear any reference to exterior lighting and whether any exterior lighting fixtures would be downlit only to meet dark sky requirements. Mr. Holtz stated they would be downlit fixtures and dark sky compliant.

The Councilor stated she did not hear energy efficiency discussed in the review. Mr. Holtz stated they are envisioning this to be a high-performance building. The walls are approximately 12 inches thick, triple glazed windows; higher than code minimum standards in terms of both energy efficiency, building performance, insulation levels, as well as building tightness. There will also be an internal heat recovery ventilation system in each building. They will be state-of-the-art within the constraints of affordability.

Mr. Carl Babbit of 152 Carroll Street stated he is a proud owner of a Habitat for Humanity house. He stated with reference to runoff, he has installed a drain system in his yard, which helps with this issue. He commended the energy efficiency his home enjoys and if not for Habitat for Humanity he would not be able to afford his home.

With no further comment, the Chair closed the public hearing.

c. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board approve PB-26-10 as shown on the plan set identified as “Proposed Duplex; 0 Grove, St Keene, NH” prepared by SVE Associates at a scale of 1 inch = 10 feet on May 31, 2026 and last revised on May 4, 2026, and in the elevations identified as “Monadnock Habitat for Humanity; 0 Grove St, Keene, NH” prepared by Bensonwood Unity Homes at varying scales on March 23, 2026 and last revised on May 6, 2026 with the following conditions:

1. Prior to the final approval and signature of the plans by the Planning Board Chair, the following conditions precedent shall be met:
 - a. Owner’s signature appears on the plans.
 - b. Submittal of five (5) full sized paper copies and a flattened PDF version of the final plan set and elevations.
 - c. Submittal of an updated proposed conditions plan with the ZBA approval number listed.

- d. Submittal of draft written documentation of any easements and/or other necessary legal instruments required for this application, which shall be subject to review by the City Attorney.
2. Subsequent to final approval and signature of the plans by the Planning Board Chair, the submittal of recorded easements and/or any other legal instruments necessary for this application to the Community Development Department.

The motion was seconded by Kenneth Kost.

Councilor Ellis commended reuse of this property, which has been vacant for many years

Mr. Kost stated it would be great to have two new homeowners in this neighborhood and felt this was a good example of how to construct good projects in the future.

Mr. Bergeron felt there was no regional impact from this project.

Chair Farrington stated he too was in favor of this project and it was great the City is able to change its code to permit these Cottage Court developments to increase density to provide more housing.

The motion made by Roberta Mastrogiovanni carried on a unanimous vote.

2. **PB-26-9 - Froling Energy Site Modifications, Major Site Plan – Applicant and owner 560 Main Street LLC proposes to create two curb cuts on Manchester St., demolish an existing ~590-sf building, replace the siding on the principal building, and improve an existing gravel area at 20 & 37 Manchester St. (TMP#s 114-012-000 & 114-003-000). The parcels are located in the Commerce & Industrial Districts.**

- a. *Board Determination of Completeness*

Planner Evan Clements stated the applicant has requested an exemption from submitting a lighting plan, elevations, and all technical reports. After reviewing the exemption requests, staff have determined that granting these exemptions will have no bearing on the merits of the application and recommend that the Board accept the application as complete.

A motion was made by Roberta Mastrogiovanni that the Planning Board accept this Application as complete. The motion was seconded by David Bergeron and was unanimously approved.

- b. *Public Hearing*

Mark Froling, owner of 560 Main Street and Froling Energy, addressed the Board. He stated they recently purchased this property and did not have access to the property from Manchester Street. It was two properties when he purchased it and has now been combined into one lot, now known as 37A.

He stated his proposal is to install a path between the two properties and gain access through the new driveway. He added access via Manchester Street would only be for small vehicles, not for tractor trailers, and noted they have access through the Tire Warehouse site for tractor-trailer access.

Staff comments were next.

Planner Evan Clements addressed the Board and began by explaining that 20 Manchester Street is Froling Energy's existing operation site. Two warehouses are 37A and 37B Manchester Street. 53 Manchester Street contained a small shed, which has since been demolished, and that parcel has been merged with 37 Manchester Street.

Mr. Clements went on to say the first subject parcel at 20 Manchester Street is 9.9 acre in size and contains an existing biomass (wood chip) processing facility. The parcel is located directly south of NH 101 at the end of Manchester Street and is in the Industrial District. Access to the site is from Main Street via a 40-foot-wide easement that connects to the west end of Manchester Street.

The second subject parcel at 37 Manchester Street is two acres in size and contains two existing warehouse buildings. Access to the lot is from Main Street via an access easement that crosses over the adjacent property at 492 Main Street. Both parcels are owned and operated by Froling Energy and utilized as part of their operation.

This site plan is designed to update the existing Froling Energy site by formalizing the operation over both parcels. New street access for 37 Manchester Street is proposed with a parking area, building facade refresh as well as identifying some outdoor rental storage areas on 20 Manchester Street to rent to tenants for outside storage. Lastly, this site plan is eliminating phase two of the 20 Manchester Street original site plan as that is no longer needed with the incorporation of 37 Manchester Street.

Regarding regional impact, Mr. Clements stated staff has made a preliminary evaluation that this project does not appear to have the potential for regional impact. The Board will need to make that final determination.

He next reviewed the site development standards

Drainage: The applicant states that the existing drainage pattern will not be altered. There are changes to 37 Manchester Street to reduce impervious surface and the applicant is expecting an increase in infiltration and net decrease in runoff. This standard has been met.

Sediment & Erosion Control: The applicant is proposing erosion control measures including silt fencing and straw wattles around the perimeter of the working area as an extra precaution as the area is relatively flat. This standard appears to be met.

Snow Storage & Removal: There are areas identified on the plan for snow storage. This standard appears to be met.

Landscaping: Section 9.4.4 of the LDC requires that any parking area visible from the public right-of-way be screened with a perimeter landscape area as depicted in Figure 2 of the staff report. Section 9.4.5 requires one tree for every ten parking spaces. The applicant proposes to install five American Sycamore trees around the new parking area as well as a 6-foot stockade fence around the perimeter. The applicant is requesting the Planning Board approve an alternative screening design which is allowed in Section 9.4.4 of the LDC.

Screening: Due to the parking area in relation to the existing residential uses, staff is suggesting that the Board review whether the screening being proposed is sufficient.

Lighting: No new lighting is proposed with this application. The new parking area is not proposed to be illuminated in any way. This standard is not applicable.

Sewer & Water: No new water or sewer connections are proposed. This standard is not applicable.

Traffic & Access Management: The applicant proposes to install a 24-foot-wide street access on Manchester Street where the former 53 Manchester Street structure was located. As was indicated, this street access would be used for passenger vehicles and occasional box truck deliveries. Due to the narrow width of Manchester Street, larger trucks will continue to use the easement over 492 Main Street to access the property from Main Street. A truck-turning exhibit shows that the Keene Fire ladder truck can navigate the site. A 12-ft wide connector between both subject properties is proposed to provide one-way access between the sites (Figure 3). The access way is designed to conform with the requirements of section 9.4.2.A.1 of the LDC. The applicant states that this internal access should reduce the traffic on Manchester Street associated with the Froling Energy operation transiting between the subject properties. This standard appears to be met.

Filling & Excavation: No significant filling or excavation is proposed with this application. They also have a clear access to Route 101 should there be a need for truck access. This standard appears to be met.

Surface Waters & Wetlands: There are no wetlands on 37 Manchester Street and no proposed work on 20 Manchester Street where some wetlands exist. This standard is not applicable.

Hazardous & Toxic Materials: No hazardous or toxic materials are proposed with this application. This standard is not applicable.

Noise: There are no proposed changes to the operation of either subject parcel. The applicant is expecting a consistent noise pattern as with an Industrial or Commerce zone. This standard is not applicable.

Architecture & Visual Appearance: The applicant is proposing some minor façade changes for the 37A lot by replacing the existing painted steel siding with vertical wood siding, as shown in the submitted renderings. No additional changes to the site are being proposed.

Mr. Clements next reviewed the proposed motion language. He noted there is a construction trailer inadvertently placed on 20 Manchester Street on the side setback which has been identified by staff and the owner. Mr. Clements stated staff intends to work with the owner to move that trailer out of the set back so that the site can then be conforming with zoning. A condition included in the suggested motion language indicates that, before any of the security for the landscaping or the erosion control can be returned to the applicant, that trailer needs to be moved out of the set back.

This concluded staff comments.

Chair Farrington referred to page 61 of the Board packet and clarified the location of the parking.

Ms. Brunner stated an item flagged by staff when reviewing this application is that the parking lot standards in Article 9 require a perimeter of landscaping around the area for screening. However, there is an option for an alternative to be approved by the Planning Board; hence, the reason it is being flagged for the Board to review. The screening that is proposed is not the landscaping that is required in Article 9, but rather a six-foot tall stockade fence.

The Chair clarified the fence would be between the abutting property. Ms. Sargent answered in the affirmative.

The Chair asked for public comment. With no comments from the public, the Chair closed the public hearing.

c. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board approve PB-26-9 as shown on the plan set prepared by SVE Associates at variable scales prepared on March 30, 2026 and last revised on May 7, 2026 with the following conditions:

1. Prior to the final approval and signature of the plans by the Planning Board Chair, the following conditions precedent shall be met:
 - b. Owner's signature appears on the plans.
 - c. Submittal of five (5) full sized paper copies and a flattened PDF version of the final plan set.
 - d. Submittal of a security to cover the cost of landscaping and erosion/ sedimentation control in a form and amount acceptable to the Community Development Director.
2. Subsequent to final approval and signature of the plans by the Planning Board Chair, the following conditions shall be met:
 - a. Prior to the commencement of site work, all sediment and erosion control measures shall be installed and inspected by the Community Development Director or their designee.
 - b. Following the installation of landscaping, the Community Development Department shall be contacted to perform an initial landscaping inspection.
 - c. One year following the installation of all landscaping, the Community Development Department shall be contacted to perform a final landscaping inspection.

- d. Prior to the release of any financial security, the construction trailer located in the side yard setback of rental area #2 shall be moved out of the setback and verified by Community Development staff.

The motion was seconded by Kenneth Kost.

Mr. Hoefler felt the stockade fence would be better screening compared to traditional landscaping and meets the spirit of providing screening.

Mr. Bergeron stated due to the nature of the facility, which is a commercial facility, the stockade fence would be a good screening option. It is reliable and will be year-round. He also did not feel there was any regional impact from this application.

The motion made by Roberta Mastrogiovanni carried on a unanimous vote.

3. PB-26-11 - GMS Parking Lot Expansion - Major Site Plan & Surface Water Protection Conditional Use Permit - Applicant Fieldstone Land Consultants, on behalf of owner GMS Realty LLP, proposes to expand the rear parking lot and install stormwater management infrastructure within the 30-ft surface water buffer on the lot at 30 Production Ave. The property is ~3.1 ac and is in the Industrial District.

a. *Board Determination of Completeness*

Planner Megan Fortson stated the applicant requests exemptions from submitting a landscaping plan, lighting plan, elevations/renderings, a traffic analysis, soil analysis, historic evaluation, architectural & visual appearance analysis, and a screening analysis. Planning Staff have made the preliminary determination that granting the requested exemptions would have no bearings on the merits of the application and recommend that the Board accept the application as “complete.”

A motion was made by Roberta Mastrogiovanni that the Planning Board accept this Application as complete. The motion was seconded by David Bergeron.

Mr. Kost asked whether stormwater management is going to be discussed – he noted this does get included in landscaping to a certain extent. Ms. Fortson there is still landscaping information on the plan; it is not a separate landscape plan.

The motion made by Roberta Mastrogiovanni regarding completeness carried on a unanimous vote.

b. *Public Hearing*

Mr. John Noonan of SVE Associates addressed the Board. Mr. Noonan stated this site has a lot of issues with trucks unloading. He referred to Production Avenue on the plan as well as Granite State Electrical and Fastenal – both these sites have access off Production Avenue on each end of the building. Business parking is along the front for customers of all units. Tractor-trailers and box trucks deliver to the rear of the building. The issue the customer has is with unloading of trucks and not having enough parking for employees. He noted the rear of the site used to be

gravel with some pavement, but the truck traffic has turned it into a mud pit. Grading in the rear varies from 8% to 5%. Ultimately, the applicant is looking to expand the parking lot, adding 24 parking spaces at the rear, raising the grade and making it a level 2% grade. There will be designated concrete dolly pads, where the tractor-trailers would sit when they unload which would improve truck traffic access at the rear.

The applicant is also proposing a rain garden following the entirety of the parking lot along the edge which would cause encroachment into the 30-foot wetland set back. In order to construct the rain garden along that area and improve the drainage, they are impacting the buffer along this area but won't be impacting the wetland resource itself.

Mr. Noonan noted there is an easement for the City to access the rear of the lot due to the tax ditch system.

He went on to say that they did not submit a landscape plan but have two trees to meet the parking requirement. There will also be a bike rack installed and a concrete tank for the propane tanks (elevated one foot above flood plain).

There are no changes being proposed to the building or to the lighting.

The Conservation Commission conducted a site visit, and the applicant was at the Commission's last meeting. The Commission is requesting a change to the tree species, which the applicant agrees to. There are also three large trees behind the propane tank and the Commission requested that those trees be maintained. He noted the existing conditions don't have any drainage or stormwater. What is being proposed would greatly improve this site. This concluded Mr. Noonan's comments.

Chair Farrington asked whether the applicant agrees with the recommendations proposed by the Conservation Commission with the only issue being the porous asphalt to be used at the rear. Mr. Noonan stated the soils at the rear and truck traffic won't work for porous asphalt and it would be likely to fail.

Mr. Kost asked whether the encroachment might actually be protecting the wetland due to the construction of the rain garden. Mr. Noonan agreed it would.

Chair Farrington asked what a tax ditch was. Mr. Noonan explained that the tax ditch system is comprised of multiple drainage ditches throughout the City. Taxes were collected to create the ditches that would be maintained by the City to drain Keene. Ash Swamp Brook is one of those ditches, Water Street near Beaver Brook is another tax ditch.

Staff comments were next.

Ms. Fortson addressed the Board and stated the reason this proposal is coming before the Board is because the installation of drainage structures within a surface water buffer requires the submittal of a surface water protection conditional use permit, which requires Board review.

Additionally, the amount of impervious surface that is being added, which is roughly 30,000 feet is also another trigger that brings the project up to the level of requiring Planning Board review.

In terms of regional impact, Ms. Fortson stated staff did not feel there was the potential for regional impact, but a final determination will need to be made by the Board.

The only staff comment that was received on this application is that Engineering staff is requesting that the start of construction be coordinated with their office so they could complete maintenance on the tax ditch at the same time as the work is happening on this project. The applicant agrees with this.

Ms. Fortson reviewed Article 11 where the surface water protection standards are outlined. The first standard relates to the *relocation of the proposed use or activity*. The applicant is proposing to almost double their proposed number of parking spaces from 25 at the front to a total of 49, with 24 new spaces at the rear.

The narrative states that *“the rain garden was designed to be narrow and long to minimize impacts to the surface water buffer and ensure that the wetlands would not be impacted by stormwater runoff.”* The detention area is at a lower elevation to receive stormwater and provide storage space for stormwater and floodwaters in the area, which is relatively flat.

In terms of adverse impacts, addressed under item 2C in the staff report, the narrative states *“runoff from the parking lot will be directed to the rain garden and treated by an amended soil layer and rain garden plantings. Any water that flows over from this area is going to be treated to ensure that direct runoff from the paved areas does not flow directly into the wetland.”*

Ms. Fortson added silt fencing is going to be installed along the eastern boundary of the proposed rain garden to protect the actual wetland resource during the course of construction and any disturbed areas are going to be planted and seeded following construction for stabilization.

Ms. Fortson stated staff recommends the Board include a condition of approval related to the flagging and inspection of the surface water buffer prior to the commencement of site work.

Ms. Fortson next reviewed the five recommendations made by the Conservation Commission:

1. Submittal of a revised site plan that shows the installation of one, 3-inch caliper American Linden tree and one 3-inch caliper Swamp White Oak in place of the proposed Red Maple trees that are currently shown on the plan.
2. Addition of a note on the plan stating that the Best Management Practices described in an NH DOT Publication shall be utilized during construction.
3. Submittal of a new design for the rain garden that preserves three mature trees on the north end of the site which were previously proposed to be removed.
4. Submittal of a salt reduction plan that includes operation protocols to prevent unwanted chemical going into the rain garden.
5. Submittal of a revised site plan showing pervious pavement for the rear parking spaces.

As mentioned previously, item 5 is the only item the applicant does not agree to.

Ms. Fortson next reviewed the site development standards.

With respect to snow storage and removal, the applicant does show a snow storage area at the southeastern corner of the parking area and they have also added a note to the plan stating that no snow can be pushed into or stored within the 30-foot surface water buffer, which is a requirement in the site development standards.

For landscaping, staff recommends that the Board include a condition of approval related to the submittal of a security for sediment, erosion control and landscaping, as well as conditions related to staff performing initial and final landscaping inspections to ensure the health of all plantings.

For screening, typically a parking lot such as this would require screening from any adjacent properties or the public rights of way. However, because this parking is located behind a building and there is farmland adjacent to it, it is not of concern.

There is no new lighting proposed to be installed.

Sewer and water are not proposed to be changed.

For Traffic and Access Management, there is no new traffic that is going to be generated, only improvements to existing traffic circulation on the site.

Ms. Fortson stated there will be some filling and excavation, but not enough to warrant a truck route submittal.

There are no hazardous and toxic materials.

No concern regarding noise.

As Mr. Noonan has mentioned, there are no changes to the actual exterior of the building or front part of the site.

Ms. Fortson reviewed the conditions of approval as outlined in the Board packet.

Mr. Hoefler asked whether gravel is considered to be impervious. Ms. Fortson answered in the affirmative.

This concluded staff comments.

The Chair asked for public comment.

Councilor Chalice stated she speaks as an environmental landscape educator and designer. She stated she has heard the entire testimony and has been part of the Conservation Commission's discussions. She stated she is saddened by these types of developments. Keene has a tax ditch

system that we rely upon to not flood. She felt the narrow rain garden which has a spillway and when the water runs into it with all its contaminants will enter the tax ditch. She stated perhaps a scheduled maintenance of the tax ditch system was in order to better manage this system. She questioned the need for this number of parking spaces and raised concern about this amount of pavement next to these water resources.

With no further comment the Chair closed the public hearing.

The Chair asked for discussion on the Conservation Commission's recommendations.

Mr. Bergeron stated he has been involved in some projects where there were areas of pervious pavement. Some have worked well and others have failed. Part of the reasons why they have failed in the past is in situations with heavy truck traffic that can cause them to break apart. He stated he agrees with Mr. Noonan that this is not a good location for that type of pavement.

Mr. Kost wondered whether, following up on Councilor Chalice's comment without impacting the operation and movement of trucks, is there a way to pull back the amount of paved surface being used. This question was posed to Mr. Noonan. Mr. Noonan stated that, in trying to maximize truck turning and being able to back up to the loading docks they would not want to shorten that area up as they want sufficient room for traffic to move both ways. He stated he would like to move forward with the plan as is.

Ms. Brunner added in talking to the applicant at the Conservation Commission site visit, parking in front gets filled up pretty quickly by customers and so they are having a hard time finding enough parking spaces for their employees. Hence, the parking spaces would be very beneficial for their operation. She added that the Conservation Commission at the site visit requested that the large trees be saved and the plan be redesigned to accommodate those trees and the applicant was willing to do that, and they have already gone through a revision to accommodate the Conservation Commission's wishes. She indicated from staff's view, she wasn't sure how the applicant could meet their objectives while reducing the pavement.

Councilor Ellis asked whether there was a system in place for maintaining those ditches. Ms. Brunner stated this is referred to as storm water channel maintenance program in the budget and it is part of the ongoing operations of the City. Vegetation maintenance is the main activity as well as dredging and other activities that go along with that.

Mr. Bergeron stated he has been to this site and what they are proposing is a much better solution than what exists today. Even though there may be expanding into the buffer right now, there is no storm water control at the site currently; what is being proposed would improve what exists.

Ms. Mastrogiovanni felt it was a valid point to suggest that the ditch should be maintained regularly, especially in following up on this project.

Mr. Noonan noted the City Engineer had requested that, if this project was approved, the applicant work in conjunction with Public Works to access the tax ditch and clean out the ditch.

Mr. Hoefler stated this project represents good parts of the permitting process. There is a large expanse of impervious surface that is going to be improved and brought up to modern standards and felt this would improve the environment in the area compared to what exists. In terms of Item H of the proposed motion, he would take Mr. Noonan's assessment that pervious payment is not an appropriate option.

Chair Farrington asked Mr. Noonan how large of an area the paved area would be. Ms. Fortson stated the approximately 30,000 square feet of additional pavement is being added. Mr. Kost clarified the pervious pavement being requested was just for the parking area being proposed at the rear of the site. Ms. Brunner agreed it is only for the parking stalls, however, he added the soils under the stalls was still an issue. Mr. Noonan stated the soil in this area won't be able to support pervious pavement.

c. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board approve PB-26-11 as shown on the plan set identified as "Site Development Plans, Green Mountain Electric Supply" prepared by Fieldstone Land Consultants, PLLC at a scale of 1 inch = 40 feet on April 17, 2026 and last revised on May 11, 2026 with the following conditions:

1. Prior to final approval and signature of the plans by the Planning Board Chair, the following conditions precedent shall be met:
 - a. Owner's signature appears on the plans.
 - b. Submittal of five (5) full size paper copies and a flattened PDF version of the final plan set.
 - c. Submittal of a security to cover the cost of erosion and sediment control measures, as-built plans, landscaping, and a conservation seed mix in a form and amount acceptable to the Community Development Director.
 - d. Submittal of a revised site plan that shows the installation of one 3-inch caliper American Linden tree and one 3-inch caliper Swamp White Oak in place of the two proposed red Maple trees.
 - e. Addition of a note to the plan stating the Best Management Practices described in NH DOT's publication "*Best Management Practices for the control of invasive and noxious plant species, 2018*" shall be utilized during construction.
 - f. Submittal of a new design for the rain garden that preserves the three mature trees on the north end of the site.
 - g. Submittal of salt reduction plan that includes operational protocols such as pre-wetting, plowing prior to de-icing, plowing snow away from the wetland buffer, monitoring of pavement surface temperatures, etc. for the rear parking area.
2. Subsequent to final approval and signature of the plans by the Planning Board Chair, the following conditions shall be met:
 - a. Prior to the commencement of site work, the Community Development Department shall be notified when all erosion control measures and tree protection fencing has been installed, and the 30-ft surface water buffer is flagged by a surveyor licensed in the State of NH. Community Development Staff shall inspect the erosion control measures and wetland flagging to ensure compliance with the approved plans and all City of Keene regulations.

- b. Following the installation of landscaping, the Community Development Department shall be contacted to perform an initial inspection.
- c. One year following the installation of all landscaping, the Community Development Department shall be contacted to perform a final inspection.

The motion was seconded by Michael Hoefler

Mr. Kost raised a concern as to whether the City is looking at the cumulative impacts for all such development on the City's fragile wetland and buffer systems.

The motion carried on a unanimous vote.

- 4. **PB-26-13 - George St. Cottage Court Conditional Use Permit - Applicant A. Eli Leno, on behalf of owner NH Home Buyers LLC, proposes to convert a detached garage into a dwelling unit on the single-family property located at 135 George St. (TMP# 534-002-000). The property is ~.26 ac and is in the Low Density District.**
 - a. ***Board Determination of Completeness***

Planner Evan Clements stated the applicant requests exemptions from submitting a grading plan, landscaping plan, lighting plan, and all technical reports. Staff have made the preliminary determination that granting these exemptions will have no bearing on the merits of the application and recommend that the Board accept the application as complete.

A motion was made by Roberta Mastrogiovanni that the Planning Board accept this Application as complete. The motion was seconded by David Bergeron and was unanimously approved.

b. ***Public Hearing***

Attorney Eli Leino and applicant Kim Cardello addressed the Board. Attorney Leino stated they are before the Board for a conditional use permit under the new Cottage Court ordinance. He stated in replacing this 400 square foot garage which is in poor condition, the applicant is proposing a 1,200 square foot building.

The plan is to "condominiumize" the two buildings, resulting in two single-family homes for two new families in Keene. He indicated the building is placed further back than where the garage was located to meet setback requirements.

Attorney Leino added that this proposal is not intrusive to the neighborhood compared to constructing an ADU. Going through the cottage court process allows unrelated parties to own these two starter homes. He added the goal is to keep these at an affordable market rate. This concluded the applicant's comments.

Mr. Hoefler clarified the existing home would remain. Attorney Leino stated that the house has been reconstructed and will remain.

Staff comments were next.

Mr. Clements stated the subject property is an existing 0.26-acre residential lot located on the south side of George Street between Charles Street to the east and Sullivan Street to the west. The property contains an existing 800-sf single-family residence and driveway. The house was built in 1905 and is legally non-conforming with respect to the front and side setbacks. The site used to contain a detached garage that was located on the property but was recently demolished as it was in poor condition. The property is in the Low Density District and is adjacent to single-family uses to the north and west, a duplex to the east, and forested cemetery land to the south.

As the applicant just described, they are seeking a Cottage Court Conditional Use Permit to place a second detached single-family residence on the property within the approximate location of the detached garage which was demolished; however, they are shifting it slightly over so that it will conform to all dimensional requirements of the Low Density District. Staff does not believe this application rises to the threshold of regional impact.

Mr. Clements next reviewed the Cottage Court Conditional Use Permit Criteria:

It is permitted as a single-family dwelling in the Low Density District per Table 17-1 in the Land Development Code. This standard has been met.

The development will remain a single parcel with an added second dwelling unit. The units will be sold separately as condominiums. This standard has been met.

The proposed building footprint and gross floor area of the dwelling unit is 804 square feet. The building footprint is calculated excluding the garage and porches, and the unit size is calculated excluding garages. Since the proposed porches are covered but not enclosed by walls, these are also excluded from the unit size calculation. This standard is met.

Each unit will have one exterior parking space. This standard is met.

Each building has more than 5 feet of separation. This standard is met.

Driveways: Both units will utilize existing driveways and street access points. No new street access or driveways are proposed. This standard is met.

Screening - The single-family residence is not greater in intensity than surrounding uses. As a result, no additional screening required. This standard is met.

Architectural Guidelines: The applicant proposes a single-story cottage-style bungalow that appears to utilize traditional building materials and architectural practices common throughout the City. The Board will need to determine if this standard is met.

Mr. Clements stated if the Board is inclined to approve this application tonight, it is ready for final approval. This concluded staff comments.

The Chair asked for public comment.

Councilor Chalice addressed the Board and stated she is glad the City is finding ways to create small homes for people with a moderate income with minimal environmental impact such as this site plan shows. She stated she wanted to express her support for this application.

With no further comment, the Chairman closed the public hearing.

c. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board grant final approval for PB-26-13 as shown on the plans prepared by Associated Designs Inc. at a scale of ¼ inch =1 foot on January 21, 2026 and on the plans prepared by Smith & Pospesil Land Surveying Company, PLLC at a scale of 1inch =10 feet on May 2, 2026 with the following conditions:

1. Subsequent to final approval and signature of the plans by the Planning Board Chair, the following conditions shall be met:
 - a. Prior to the commencement of site work, the erosion and sediment control measures shall be inspected by the Community Development Department to ensure compliance with this application and all City of Keene regulations.
 - b. Submittal of recorded easements and/or any other legal instruments necessary for this application to the Community Development Department.

The motion was seconded by Councilor Molly Ellis.

Mr. Bergeron stated this application has no potential for regional impact.

Councilor Ellis stated she was in favor project and it looks like a great home.

Chair Farrington stated he too was in favor of this project.

The motion carried on a unanimous vote.

5. **PB-26-12 - Elm-Carroll Cottage Court - Major Site Plan & Cottage Court Conditional Use Permit - Applicant Fieldstone Land Consultants, on behalf of owner Nuevo Transfers LLC, proposes to construct four townhouse-style multifamily buildings with a total of 14 units. The property is ~.75 ac and is in the Medium Density District.**

a. Board Determination of Completeness

Planner Megan Fortson stated the applicant requests exemptions from submitting a traffic analysis, soil analysis, historic evaluation, architectural and visual appearance analysis, and a screening analysis. Planning Staff recommend that the Board grant the requested exemptions and accept the application as “complete.”

A motion was made by Roberta Mastrogiovanni that the Planning Board accept this application as complete. The motion was seconded by David Bergeron and was unanimously approved.

b. *Public Hearing*

Mr. John Noonan of Fieldstone Land Consultants here on behalf of Nuevo Transfers LLC addressed the Board and stated this application utilizes the Cottage Court Overlay Development District. He noted the various streets that surround this property on a plan: Elm Street, Carroll Street, Spruce Street, and High Street.

The site consists of four undeveloped lots and the applicant is looking to merge the lots into one lot. The combined size of all parcels is ~0.75-ac. The frontage is on Elm and Carroll Streets.

He noted the proposal is for four buildings, two with three units and two with four units. The units would be three stories high, ~34.5-ft in height, which is under the 35-ft maximum height allowed for the building. The buildings will be constructed in a townhouse style. The bottom floor is the garage and mechanicals and then the upper two floors are living space.

Parking spaces are provided in front of each unit's garage, and then the additional parking spaces would be in the garage, they can accommodate up to two cars per unit.

He referred to the snow storage areas and noted that there will be curbed landscaping islands located between each unit. A drive access aisle 24-ft in width would connect between Elm and Carroll Streets allowing for traffic to enter or exit either way, thereby reducing any impacts from traffic.

There will be five feet of separation between buildings and the lots have been centered as much as possible. They will be providing a stockade fence along the northern and southern boundaries to keep the backyards somewhat private from adjacent properties.

He went on to say that they have submitted a grading and drainage plan where they are utilizing a rain garden design. There will be small drainage swales on either side of the drive aisle coming into a grass treatment swale to an 18-in deep rain garden. There will be plantings around this rain garden with a mixture of shrubs. There will also be trees along the road frontage.

A catch basin and underdrain will also be provided so soil in the rain garden goes through a filter layer and the underdrain will take away treated water and run it into the catch basin. Higher storm events would build up in the top section of the basin and spill over into a grate in the catch basin and then ultimately tie into the City drainage infrastructure. This is mirrored on both sides of the site.

Utility Plan - As required by cottage court standards, the development has to tie into municipal sewer and water utilities. This is being done by connecting between Elm and Carroll Streets. This will maintain pressure throughout the neighborhood and on-site and will also improve water quality where you have a looped water system.

Sewer is going to be a single trunk line with all units tied into the sewer infrastructure with a pump station pumping up to a gravity main and then tying into City infrastructure.

Electricity will come off utility poles along the roadside.

The utilities on site will be owned and maintained by a Condominium Association. However, the City will be granted a blanket easement for utilities in case water or sewer was ever needed to be accessed by the City. This was a request from the City Engineer.

Condominium documents would call out that easement, and also how ownership and maintenance is done on drainage and utilities on site including water, sewer, and electrical. Due to the number of units, these condominium will also be required to go to the State Attorney General's Office for review.

Landscaping Plan – The application provides for trees in the middle of the parking areas to meet parking requirements. Additional trees are also being proposed along the frontage of the streets as per request from the Steering Committee and staff's recommendation. Originally, fencing was proposed along the entire boundary of the property. However, the amount of fencing along the street-facing facades has been decreased and place they will be installing some trees, shrubs and ornamental trees to break up the massing of the larger building.

Roof runoff would go into stone infiltration trenches around the building. Once those overflow, the they would go into the rain gardens.

Lighting would be wall-mounted lights full cut-off fixtures; downcast to be dark skies compliant and provide light just within the driveway areas, not out onto the street or within the middle part of the site.

Mr. Noonan noted that sediment and erosion control notes have been provided.

Sampson Architects has done the design of the buildings. They are proposing two-bedroom units with a garage on the first floor with room for mechanicals. Colors have not been chosen for the building except that they would be neutral colors and they would look similar to homes in the neighborhood. The buildings would be finished vinyl siding, vinyl trim, and cedar shake siding.

This concluded the applicant's comments.

Mr. Kost referred to Section 21.14 of the Land Development Code, where it says, "*The following standards govern visual and architectural character and development of the City to ensure new and redeveloped buildings blend aesthetically with the City's historic character and are consistent with the prevailing scale, orientation, and design of the City. All principal buildings located on lots shall be oriented towards the public right-of-way. Orientation of structures on a site shall conform to the parallel or orthogonal pattern in relation to the City pattern.*"

Mr. Kost stated he appreciates the creation of 14 units, but it looks like we are creating the equivalent of a gated community on a City street. He asked why the houses were not oriented north-south instead of east-west, which would locate the parking behind the buildings. He didn't feel this development fits in with the context of the neighborhood.

Mr. Noonan in response stated they worked through many iterations of the site layout and what is before the Board provided for a central driveway instead of driveways connecting each unit to the road. The gabled roofs would be oriented towards the street. He added that not all houses in the area line up in that direction.

Mr. Hoefler referred to the fencing along the two streets and asked whether this was for the purpose of meeting the screening standard. Mr. Noonan agreed and added that after reviewing the proposal with staff and the Planning Board Steering Committee, the amount of fencing along the street was reduced and replaced with landscaping.

Ms. Brunner in response to Mr. Kost's concern about the buildings not being oriented towards the street, noted that in the past the Board has approved an alternative design. In one instance, it was townhomes on Pearl Street where the gable ends were facing the road with the doors not facing the road and the Board asked for landscaping in that instance. In other instances, the Board has requested the addition of secondary egress doors to create the look and feel of a door facing the road.

Chair Farrington asked whether the applicant would be amendable to adding a side door. Mr. Noonan did not think the applicant would have any issue with a side door or window.

Staff comments were next. Ms. Fortson stated these are four lots proposed merged into one. Staff does not feel there is any potential for regional impact.

For departmental comments on the application, the Zoning Administrator has requested that as a condition of approval, the Board include an item related to pinning of the foundation corners due to the close proximity of the building to the setbacks to ensure that there is no violation of the side yard setbacks.

The City Engineer had very specific questions related to sewer and water utilities. The applicant has submitted updated plans and those comments have all been addressed to the satisfaction of the City Engineer.

In terms building and fire-safety code compliance, once a building permit is submitted, it will be reviewed for compliance with all necessary building codes and life safety measures.

Article 17 of the Land Development Code, which outlines the Cottage Court criteria, states that the construction of duplexes and triplexes is allowed in the Medium Density District through the issuance of a Cottage Court CUP from the Planning Board. That standard has been met.

The four lots are proposed to be combined into one parcel through a Voluntary Merger, so staff has included the completion of that Voluntary Merger as a recommended precedent condition of approval as well as the submittal of condo association documents because the development is going to consist of privately owned units managed by a common entity. That standard appears to be met.

Dimensional Standards - The proposal complies with all specific dimensional requirements outlined both in Article 17 as well as the Medium Density requirements outlined under the beginning part of the Land Development Code. That standard is met.

Each unit is going to have a 1,100 square foot gross floor area where a maximum of 1,250 square feet is allowed. Additionally, a 616 square foot footprint per unit is proposed where a maximum of 900 square feet is allowed. That standard is met.

The proposal complies with the parking requirements as one to two parking spaces are going to be provided per unit. A minimum of 14 spaces are proposed and maximum of 28 could be accommodated through stacked parking with one vehicle in the garage and one in the driveway.

Driveways – There are two driveways proposed, one along Elm Street, one along Carroll Street. Both are designed to accommodate two-way traffic. That proposal complies with all necessary driveway standards.

Screening – Landscaping is shown along the east and west sides of the site in place of the six-foot tall fencing previously proposed. The Board would need to determine if this is acceptable to satisfy the screening requirements. Ms. Fortson noted that this is going to be a three-story almost 35-foot-tall building where the surrounding homes are one- to two-stories in height.

Architectural Guidelines - Mr. Noonan described that it is going to be vinyl siding with a variety of designs including the shake siding as well as horizontal vinyl siding.

Drainage - Rain gardens are going to be located at the rear of each building. Staff recommend that there be an inspection completed of those swales.

Same thing with the sediment and erosion control. Staff recommend inspection of the erosion control measures prior to the commencement of site work.

Snow storage and removal was explained by Mr. Noonan. There are two snow storage areas identified on the proposed conditions plan and any additional snow will be removed from the site if necessary. That standard is met.

Landscaping – Due to the number of parking spaces that are proposed, the applicant is required to provide a perimeter landscape area as outlined under Section 9.4 of the Land Development Code (LDC); however, the LDC also gives the Board the authority to approve an “alternative landscaping plan” that they believe meets the intent of these standards. For this project, the applicant has proposed an alternative landscaping plan, which is shown in the updated plan set. The Board will need to determine if this proposed landscaping meets the intent of the perimeter landscaping standards.

Screening - The only mechanical equipment on the site is going to be the two transformers along the rights-of-way and those are proposed to be screened with shrubs.

Lighting – All light fixtures are going to comply with the lighting standards. They will be full cut-off fixtures with the appropriate color temperature and color rendering index.

Sewer and Water - Comments from the City Engineer have been addressed by the applicant through the submittal of updated plans and staff recommends a condition of approval related to the of a security to cover the cost of the as-built plans.

Traffic and Access Management - The applicant has stated that the anticipated traffic demand for the development is 81 vehicle trips on a weekday and 79.4 trips on a weekend day. For PM peak hours, 7.3 vehicle trips are expected in the afternoon and 6.2 trips are expected during morning hours. All those figures were taken from the most recent edition of the Institute for Traffic Engineers (ITE) Trip Generation Manual and the City Engineer did not express any concerns about these estimates as part of his review of the application materials.

Filling and Excavation - There is going to be filling and excavation happening on the site, but not in excess of 50 vehicle trips of material entering or exiting the property. Any excavation within the public right-of-way will be reviewed by and permitted through the Public Works Department.

Surface Waters & Wetlands – There are no surface waters and wetlands present on the site. This standard is not applicable.

Hazardous or toxic materials – None.

Noise – The proposed development is anticipated to generate noise levels typical for a residential use. This standard appears to be met.

Ms. Fortson reviewed the outlined conditions of approval. This concluded staff comments.

Chair Farrington referred to Page 91 (Drainage) and asked whether the applicant was waiting to hear from the City Engineer. Ms. Fortson stated all comments have been addressed and updated plans have been submitted.

Mr. Hoefler referred to the note that “excess snow must be removed from site.” he asked whether this becomes the responsibility of the Condo Association. Ms. Fortson answered in the affirmative and added it would be similar for waste removal; it won’t be the responsibility of the City.

The Chairman asked whether there were issues with stormwater runoff currently on this site. Ms. Fortson stated she did not believe so but referred the question to Mr. Noonan. She added this is currently an undeveloped site with a curb cut or two along Elm and Carroll Streets. It will be different if it is paved and has 14 new units located on it.

Ms. Brunner referred to the drainage report and noted most of this site has soils that are referred to as mucky peat. She stated the reason she brings this up is because this site was previously owned by a different owner who had been planning to build a more traditional type of building for this area and was issued a stop work order from the City because as they were drilling for the

foundation, the land was literally turning into “jello.” She added that this site is not easy site to develop. One of the development constraints is that they have to drive pilings for the foundation down approximately 80 feet into the ground. This is the reason they turned to the proposed Cottage Court Development as an option. Ms. Brunner stated this site is not located in the wetlands but is a poorly drained site because of the soils.

The Chair asked for public comments.

Mr. Andy Holte of Forest Street addressed the Board and stated he lives about a block from this proposed project and walks by the site regularly. He stated he was excited when he saw this proposal and was more excited that 14 units are being proposed. He felt this application is a much better use of this site compared to a similar lot size in the neighborhood. He felt this would help with the City’s housing crisis. He stated this type of housing is what is necessary in this community.

With respect to the parking minimum, Mr. Holte stated the minimum requires 14 and the developer is choosing to offer 28 spaces. He felt the City should keep this in mind as more evidence that requiring parking minimums is unnecessary and at worst causes an excess burden on development and poor use of land. He stated he would rather see parking maximums in the City. He felt for the development fewer parking spots and less paved space would be prudent and tenants could rely on Elm Street for parking for some of the units, which he felt would slow traffic down in the area.

For screening, Mr. Holte stated he agrees with the change to have softer landscaping as an option instead of fencing as he did not feel this development should be treated like a separate walled off neighborhood. It should be incorporated into the neighborhood.

With reference to architectural standards, Mr. Holte stated he does not like the idea of fake doors. He stated he has seen in communities where end units have doors open to the side. This would have the units facing towards Elm and Carroll Street and have them more part of the neighborhood. He added however, he did not want this to be something that prevents this development from moving forward.

Mr. Carl Babbitt of 152 Carroll Street (2 houses from this project) stated his concern is drainage and stated if he didn’t have the drainage system he has on his property with this past storm, his house would have been flooded. He stated traffic on this street is bad and also questioned the timeframe for when this project would be completed.

Ms. Tia Zehnbauer of Elm Street was the next speaker. Ms. Zehnbauer stated when they constructed their home they were required to maintain a third of an acre of bare land in the rear for drainage purposes. She stated she could not understand how 14 units are going to fit on this soggy lot. She felt this was too many units for this property.

Ms. Paige Taylor, of 125 Carroll Street, stated she lives across from this site. Ms. Taylor stated she was opposed to this many units on this property. She felt it would not be in keeping with the rest of the properties in the neighborhood. She felt if the Board approves this proposal the Board

is giving preference to someone who is new in town and not to those who have lived in this neighborhood for years. She asked that the City look at more open land, for instance the property located on Optical Avenue rather than use these lots located in the middle of neighborhoods for development.

Ms. Taylor went on to say that in 2019 when she purchased her property this land was wooded and attracted many types of wildlife. Five years later, they took out the trees and started bulldozing the land, which caused her house to shake and crack her foundation, which cost her \$34,000 in repairs. She added she had a company called Groundworks who evaluated her property and concluded the work across the street is what caused issues on her property. She added her property has sunk and was severely damaged and further work could see further damage to her property. She asked that the Board consider this issue. Ms. Taylor added traffic on the street is currently at its peak.

Mr. Brian Miller of 119 Carroll Street stated the term “Cottage Court” does sound charming. He stated the previous proposal to construct five units would have fit well with the neighborhood. He felt there was no room on this lot to place the number of parking spaces being proposed by the applicant and raised concern about street parking that is inevitably going to happen if someone should have a function, such as a birthday party.

Mr. Miller added another such project is being planned on a property right behind Ms. Taylor’s property. He added people are going to be living with 30 units in their backyard as well as the proposal which calls for structures that are three stories high looking down onto abutting properties. He stated this proposal does not match anything in this neighborhood. He added he agrees with the need for housing, but it does not have to be at the cost of people who have already invested in the neighborhood. He felt the Board’s role is to protect those who already live in the neighborhood but did not feel placing this development in the neighborhood would accomplish that.

He addressed snow storage – Mr. Miller stated he did not feel the area being allocated for snow would be an area that could accommodate snow, which is going to be another issue for the neighborhood.

Mr. Will Croteau of 104 Carroll Street addressed the Board next. Mr. Croteau stated he lives two houses from this property and is opposed to this development. He stated the lack of notice to neighbors was alarming; he heard about this meeting from his neighbor. He stated he had learned from members of the Conservation Commission and the Council that there had been efforts to locate a park on this lot but because of how wet it is, those plans had failed. Mr. Croteau stated Carroll Street is sinking; he recently had to replace his sewer line because of back fill. He noted he lives 30 feet down from this development and the estimate sewage usage after this development goes in is around 3,400 gallons per day, which is going to end up in his basement – problems that he is already dealing with. He added this development does not mesh with the neighborhood – it is far too large. He referred to Carroll Street as a parking lot as it is always lined with cars and felt 14 more units would exacerbate this issue.

He referred to the “*no more than 50 loads of truck of material being hauled on/off the site,*” and asked whether this includes the truckloads they have already moved. He added increased housing is necessary but did not feel this was the solution.

Councilor Chalice stated she is a fan of increased density and smaller units and felt the City will be seeing more of these types of developments being proposed in difficult parts of the City. Ms. Chalice questioned how the City balances the soil issue that exists. She suggested perhaps re-orientation of the building to keep with the neighborhood, which would mean fewer units. She stated she does not support this application even though she supports smaller unit properties. Further study was prudent so that a larger burden is not placed on the rest of the neighborhood. Ms. Chalice also added that the term “Cottage Court” also refers to buildings facing towards a green area and this development faces into a parking area.

With no further comment, the Chairman closed the public hearing.

c. Board Discussion and Action

A motion was made by Roberta Mastrogiovanni that the Planning Board approve PB-26-12 as shown on the plan set identified as “Multi-Family Residential Development; Tax Map 536 Lots 49, 50, 55 & 56; Elm City Commons” prepared by Fieldstone Land Consultants, PLLC at varying scales on April 17, 2026 and last revised on May 19, 2026, and in the elevations identified as “Elm City Commons; Elm and Carroll Streets; Keene, NH 03431” prepared by Sampson Architects at varying scales on April 14, 2026 with the following conditions:

1. Prior to the final approval and signature of the plans by the Planning Board Chair, the following conditions precedent shall be met:
 - a. Owner’s signature appears on the title page and proposed conditions plan.
 - b. Submittal of five (5) full size paper copies and a flattened PDF version of the final plan set and elevations.
 - c. Submittal of a recorded Voluntary Merger for the four (4) subject parcels.
 - d. Submittal of a security to cover the cost of sediment and erosion control measures, landscaping, and as-built plans in a form and amount acceptable to the Community Development Director.
 - e. Submittal of draft written documentation of any easements or/or other necessary legal instruments required for this application, which shall be subject to review by the City Attorney.
2. Subsequent to final approval and signature of the plans by the Planning Board Chair, the following conditions shall be met:
 - a. Prior to the commencement of site work, a preconstruction meeting will be scheduled with Community Development Staff.
 - b. Prior to the commencement of site work, the erosion and sediment control measures shall be inspected by the Community Development Department to ensure compliance with this application and all City of Keene regulations.
 - c. Prior to the installation of building foundations, the building corners shall be pinned by a surveyor and inspected by Community Development Staff to ensure compliance with the required setbacks.

- d. Submittal of recorded easements and/or any other legal instruments necessary for this application to the Community Development Department.
- e. Following the installation of landscaping, the Community Development Department shall be contacted to perform an initial inspection.
- f. One year following the installation of all landscaping, the Community Development Department shall be contacted to perform a final landscaping inspection.

The motion was seconded by Councilor Ellis

Councilor Ellis stated she lives in this neighborhood and is excited about this project as long as it is feasible. She felt it would be good to hear more information about the pilings that will need to be installed. Ms. Brunner stated the last applicant felt the cost of drilling the pilings was more than what they wanted to spend on this project. However, she added that getting the pilings deep enough in the ground would allow the project to happen from a technical standpoint. The Councilor stated that as long as it is technologically feasible, she is in favor of this project.

Mr. Kost referred to language from Cottage Court Overlay District regulations in the LDC: "*The purpose of the Cottage Court Overlay district is to promote infill development and redevelopment within existing neighborhoods that is built at a scale and character consistent with existing development patterns.*" Mr. Kost stated this development does not do that at all. He felt it could be designed differently. He stated if the houses were oriented in a north-south pattern along Carroll and Elm Streets, then there are seven houses on Carroll Street and seven houses on Elm Street. This design could make it more palatable for people who live there and would also require the parking to be located behind the buildings.

Mr. Kost went on to say that as a City, we do have to consider protecting the urban design of our streets and neighborhoods. You can have development, but it has to be development that ties into our existing neighborhoods and not create something brand new that doesn't exist.

Mr. Hoefler questioned whether the pilings are going to disturb any bedrock. Mr. Noonan stated the owner has hired a geotechnical engineer who has put together plans. He stated there are different options; one compacts the soil horizontally versus vertically, relying on friction. He stated this option has been used in Keene in many different instances. He recalled a building next to the Keene State Alumni Center where they drove pilings down 200 feet. He added they place sensors (particularly for homes with stone foundations) nearby the site and will continuously monitor them while they are driving the pilings. He added that in Railroad Square, the tallest buildings were done with steel pilings, driven again about 220 feet in the ground. He added that because of the soil types in Keene, what is being proposed is not rare and you are rarely hitting bedrock. Mr. Hoefler asked whether the building permit processing period is the time when issues with foundation for the neighborhood would be addressed. Mr. Noonan agreed it would be.

Mr. Hoefler stated this is the type of Cottage Court development he has seen in other areas around the country. He suggested breaking up the 30-foot expanse of wall to fit in with the neighborhood.

Mr. Bergeron stated he had the same concern with the pilings because of work that he has done previously. He felt that before any work is done, the abutting property owners should have some type of assurance documented as to what the current conditions are to make sure there are no changes in their properties based on work that is going to happen on this site.

Vice-Chair Mastrogiovanni stated it is difficult for any neighborhood when new development is introduced. She noted this area of Keene is a very dense area and is zoned for more housing; however, you don't want to do it in such a way that it could cause damage to abutting property owners. If driving really deep pilings in order to construct this development is necessary, it is prudent to make sure that abutting properties won't be damaged. The Vice-Chair felt orienting the buildings differently would probably be more appealing. She stated she would like to see this property developed with consideration given to the context of the existing neighborhood.

Chair Farrington stated with reference to drainage, there is professional opinion included in the application and the same is true for traffic, which the City Engineer has agreed with. With reference to the design of the foundation, he felt this is something that would be dealt with during the building permit process and did not feel it was part of the approval of the project. However, what is part of the approval of the project is the design, which is related to the orientation of the buildings as well as the number of units. He stated this is something that would cause him to want to continue this item to the Planning Board meeting next month.

Councilor Ellis stated this project may not fit in with the context of the neighborhood, but there is another Cottage Court Development going up on Elm Street and she felt that in a couple of years this may fit the neighborhood. She also stated this is a great project that allows for more growth without having to demolish any existing homes, unlike the other Elm Street Cottage Court Development. This proposal brings in homes to a barren lot and she felt that it was important to consider the concerns of the neighborhood as part of their decision; however, this was a good opportunity to bring in many houses to one area.

Mr. Hoefler stated he was not opposed to continuing this item. Does the Board want to see 12 units versus 14 units? He stated he would be in favor of continuing as long as the Board could provide the applicant with clear direction as to what they want to see.

The Chair asked whether Mr. Noonan was clear on the concerns raised by the Board. Mr. Noonan stated he could discuss these issues with the applicant; revise the site design to have the buildings be street-facing; add windows and doors to the gable ends; and rethink the proposed number of units.

Mr. Hoefler asked that all options be looked at for the property.

Mr. Kost felt there could be a creative way to place these units with a north-south orientation with parking behind the buildings. If that cannot be the designed, he did not see a reason to continue this item.

Ms. Mastrogiovanni stated the City is likely going to see more of this type of development being introduced in Keene and a precedent needs to be set as to how the City is going to address such issues, so she felt a continuance would help.

The motion made by Vice-Chair Mastrogiovanni was withdrawn. The second was withdrawn by Councilor Ellis.

A motion was made Vice-Chair Mastrogiovanni to continue PB-26-12 to the June 22 Planning Board meeting. The motion was seconded by Molly Ellis and was unanimously approved.

E. OTHER BUSINESS

None

F. STAFF UPDATES

None

G. NEW BUSINESS UPCOMING DATES OF INTEREST

- Joint Committee of the Planning Board and PLD - June 8, 6:30 PM
- Planning Board Steering Committee - June 9, 12:00 PM
- Planning Board Site Visit - June 17, 8:00 AM - To be confirmed
- Planning Board Meeting — June 22, 6:30 PM

There being no further business, Chair Farrington adjourned the meeting at 10:20 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Mari Brunner, AICP – Senior Planner
Megan Fortson, AICP – Planner