KEENE PLANNING BOARD
Council Chambers, Keene City Hall
November 23, 2026
6:30 PM

A. CALL TO ORDER & ROLL CALL

B. MINUTES FROM PRECEDING MEETING

1. October 26, 2026

C. EXTENSION REQUESTS

D. FINAL VOTE ON CONDITIONAL APPROVALS

1. Applications Ready for Final Approval

E. BOUNDARY LINE ADJUSTMENT

F. CONTINUED PUBLIC HEARINGS:

G. PUBLIC HEARINGS

H. OTHER BUSINESS

1. **PB-26-34 — Earth Excavation — Minor Amendment to an Issued Permit — 21 & 57 Route 9.** Applicant Thomas Ice, on behalf of owner G2 Holdings LLC, proposes to modify permit condition 1.C to allow for security to be submitted in the form of a performance bond.
2. Master Plan Character Areas - Potential Amendment

I. STAFF UPDATES

1. AARP Micro Grant Report-out - Walk and Bike Audits
2. Update on Gilbo Avenue Design Charrette

J. NEW BUSINESS

UPCOMING DATES OF INTEREST

- Planning Board Steering Committee — Dec. 8, 12:00 PM
- Joint Planning Board & PLD Committee Meeting — Dec.14, 6:30 PM
- Planning Board Site Visit — Dec. 16, 8:00 AM — **To Be Confirmed**
- Planning Board Meeting — Dec. 21, 6:30 PM

K. MORE TIME ITEMS

ADJOURNMENT

City of Keene
New Hampshire

PLANNING BOARD
MEETING MINUTES

Monday, October 26, 2026 **6:30 PM** **Council Chambers, City Hall**

Members Present:
Harold Farrington, Chair
Roberta Mastrogiovanni, Vice Chair
David Bergeron
Michael Hoefer
Kenneth Kost
Andrew Madison
Councilor Molly Ellis
Stephon Mehu, Alternate
Joseph Cocivera, Alternate

Staff Present:
Mari Brunner, Senior Planner
Megan Fortson, Planner & Deputy Zoning Administrator

Members Not Present:
Tammy Adams, Alternate
Mayor Jay V. Kahn

A. CALL TO ORDER & ROLL CALL

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

B. MINUTES FROM PRECEDING MEETING – September 28, 2026

A motion was made by Andrew Madison that the Planning Board approve the September 28, 2026 meeting minutes. The motion was seconded by Kenneth Kost and was unanimously approved by roll call vote.

C. EXTENSION REQUESTS

None

D. FINAL VOTE ON CONDITIONAL APPROVALS

1. Applications Ready for Final Approval

None

E. BOUNDARY LINE ADJUSTMENT

1. **PB-26-27 - Boundary Line Adjustment - Silent Way** - Applicant Paquin Land Surveying PLLC, on behalf of owner Elizabeth Walsh, proposes to transfer ~0.34-ac of land from the ~8.45-ac parcel at 0 Silent Way (TMP #119-012-000) to the ~4.3-ac parcel at 0 Off Silent Way (TMP #119-011- 000). Both parcels are located in the Rural District.

A. Board Determination of Completeness

Senior Planner Mari Brunner stated the applicant has requested exemptions from separate existing and proposed conditions plans showing the metes & bounds of all subject parcels and all technical reports. After reviewing these requests, staff have made the determination that granting these 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 the Roberta Mastrogiovanni that the Board accept this Application as complete. The motion was seconded by Andrew Madison and was unanimously approved.

B. Public Hearing

Mr. Jed Paquin of Paquin Land Surveying addressed the Board on behalf of Elizabeth Walsh. He stated the proposal is to take 0.34 acres from Lot 12 and add it to Lot 11. The reason for this is to comply with setbacks. The applicant is proposing to build a private residence on Lot 11.

He indicated there is a conditional use permit plan that has been prepared by Jason Bulduc of Acer Environmental, which shows the general intent of the future development. He indicated there is also an existing sewer easement that runs parallel with an access road, which is through a wetland in the back of the property. He added that four copies of the plan, two mylars and a check for recording have been submitted.

Staff comments were next. Ms. Brunner addressed the Board and stated the subject parcels are both existing lots on the western side of Silent Way. She noted that historically, there was a gravel pit that was operated on the site and there has been some past disturbance to the land. There is an existing street access point and access road that are remnants of that operation on the parcels.

A wetlands delineation was done in October 2025. She added when this application was first submitted to the department, it was submitted for a surface water protection conditional use permit, because of the wetlands present on the property. However, this is a lot of record that was already established at the time that ordinance was adopted. Hence, they have the right to develop the site without going through that process.

She went on to say when the building permit is submitted, the Zoning Administrator will conduct a review to make sure that the development is minimizing impacts to the wetlands and wetland buffer as much as possible.

As the applicant mentioned, staff has received a plan that shows this development.

Ms. Brunner went on to say the purpose of this application is to adjust the common boundary between Lots 11 and 12, transferring approximately .34 acres of land from Lot 12 to Lot 11. Both parcels will maintain their frontage. The boundary line adjustment is not changing the amount of frontage that they have on the road. All other zoning dimensional requirements are satisfied. Staff did make a preliminary evaluation on the potential for regional impact and don't feel this application has the potential for regional impact. However, the Board would need to make this determination.

Ms. Brunner next reviewed the Subdivision Requirements; Section 20.2.1 – Lots. Both lots are existing lots and meet the zoning dimensional requirements of the Rural District. The proposed boundary line adjustment will maintain the conformity of both parcels and the frontage will be maintained - that standard has been met.

Character of Land for Subdivision: Both parcels are located within an existing residential neighborhood, and as mentioned earlier there was previous disturbance on the site and there is an existing access road. Hence, both parcels can be developed.

Scattered or Premature Development. The site is already in an area that has been developed – That standard doesn't apply.

Preservation of Existing Features. The only feature of note is the wetlands present on the property. The applicant has a wetland delineation that was completed, and this will need to be submitted with their building permit plan which shows how they have minimized impacts to the wetland and the wetland buffer.

Monumentation. Monuments have already been inspected by Public Works Staff - That standard has been met.

Flood Hazard Area. Portions of both subject parcels are located within the 100-year flood hazard area, so any new development that impacts that 100-year floodplain would need to get a floodplain development permit. This would need to be noted on the plan

Fire Protection and Water Supply. There is an existing fire hydrant located at the end of Silent Way. This property does have fire protection and municipal water located within the Silent Way right of way and a 10-foot sewer easement is located along the common boundary line of the subject parcels. This easement contains a 12-inch municipal sewer line that serves the residential neighborhood to the east that could be used for a residential sewer connection – That standard has been met.

Ms. Brunner noted there is a recommended motion in the Board's packet. However, the applicant has met the monumentation condition earlier today, and if they brought the check, the plans and they have all the correct signatures, this application will be ready for final approval this evening.

Ms. Fortson stated monumentation is all set and staff has the check, but the plans still need to be signed by the property owner. Ms. Brunner stated this will then prevent final approval, and a condition would be needed for owner signature on the plans.

The Chair asked for public comment next. With no comment 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-26-27 as shown on the plan set prepared by Paquin Land Surveying, PLLC at a scale of 1"=30' on March 5, 2026 and last revised on October 10, 2026 with the following condition:

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/owners' signature(s) appear(s) on the plans.

The motion was seconded by Andrew Madison.

Mr. Hoefer felt there was no regional impact.

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

F. CONTINUED PUBLIC HEARINGS:

1. PB-26-29 - Major Site Plan - Fast Food Restaurant, 348 Winchester St - Applicant Bohler Engineering, on behalf of owner Riverside Improvements LLC, proposes to demolish the former Rite Aid building and construct an ~4,576-sf fast food restaurant with a drive-thru on the parcel at 348 Winchester St (TMP #111-004-000). Waivers are requested from Section 21.6.2.B and Section 21.7.4.B.1 of the Land Development Code. The building is located in Riverside Plaza, which is ~18.7-ac in size and is located in the Commerce District.

B. Public Hearing

Mr. Joey Fonseca from Bohler Engineering addressed the Board. He stated he would like to address some of the comments from the last meeting. He stated there was a site visit since the last meeting and questions were answered at that time.

He stated there were four main comments that came out of the first hearing. The first was a car queue exhibit providing dimensions for the drive through area and into the drive aisle and the roundabout from the site.

Second was additional landscaping along the bio retention basin. Third is lane striping along the entrance to the site, and fourth was in reference to lighting under the canopy.

He stated there was also comments about stormwater.

Mr. Fonseca started with the stormwater comments. He stated he had had a discussion with the City Engineer regarding some of the water quality improvements the applicant is making on site. The applicant has addressed all the comments that the Engineer had. He had two additional comments, which are part of the conditional approval. He added that, since their first presentation, water quality improvements on the site have been improved. They are proposing a bio retention basin along the front and a jellyfish unit, which further treats the stormwater and it also incorporates phosphorus removal. Under the pre-existing condition there was zero treatment, under the proposed condition he thinks they are treating about 70% of the developed area.

Lighting under the canopies - Mr. Fonseca said they worked with the lighting vendor, and they were able to find a lower driver for the recessed can units that go under the canopy. They went from an 11,000-lumen driver to a 5,000 lumen driver, which brought the average down from 26-foot candles to 15-foot candles. They also eliminated a bright spot, bringing it down from ~37 fc to 20 fc.

Landscaping – There was a request to provide more landscaping in front of the bio retention. Mr. Fonseca stated the landscaping has been amended to provide more landscaping in this area. The revised landscape plan includes 10 compact Inkberry shrubs, 5 Red Twig Dogwoods, and 7 Dense Yews to help block headlights and cars are making the U-turn.

Car Queue – Mr. Fonseca stated an exhibit showing what the different lengths are throughout the drive-through areas was submitted through the online portal. He showed the exhibit with different sections shown in different colors. The inside drive-through lane is 340 ft, the outside lane is 390 ft, and the internal drive aisle leading to the drive-through from the site entrance is about 240 feet. The comment from staff was to add a solid stripping as you enter the site to the denote drive through. It is a ten-foot drive aisle as you approach the drive through and 15-foot aisle for the drive through traffic for a total width of 25 feet.

This concluded Mr. Fonseca's comments.

Staff comments were next. Planner Megan Fortson stated she was going to review how the updated materials comply with the Board's regulations.

One of the comments from the City Engineer was that the narrative indicates that there is a decrease in impervious area. However, it appears that there is actually an increase of impervious area by 120 square feet. The Engineer's recommendation was that this change should be confirmed or clarified for the record. Additionally, the Engineer had a comment that the bio retention system is linked and does not provide treatment by infiltration and the system wouldn't function as referenced in the drainage report and would also like to see that discrepancy corrected for the record. Staff reached out to the City Engineer who indicated it would be sufficient to have the items updated and submitted. Staff has included this as a precedent condition of approval.

Ms. Fortson stated for sediment and erosion control and drainage, staff recommends that a condition of approval related submittal of security to cover the cost of those items.

Landscaping - Ms. Fortson noted that Mr. Fonseca has explained the additional landscaping that they are proposing to install adjacent to the retention basin. Staff recommends that conditions of approval for submittal of a security for landscaping as well as the completion of initial and final landscaping inspections be included as conditions of approval.

Screening - The applicant is requesting a waiver from Section 21.6.2.B of the Land Development Code to allow for the drive through to be located along a street-facing façade (along Winchester Street). Ms. Fortson stated the Board would need to decide if the waiver criteria that are included in the staff report have been satisfied by the applicant.

Lighting - The maximum lighting level at the drive through canopy has been reduced 20.2-foot candles and the average for this area has been reduced to 13.42-foot candles, Ms. Fortson stated the permitted foot-candles for this area is 12.5. The maximum lighting level previously was going to be about 37 foot-candles, which has now been reduced to 20 fc.

The window canopy, which is going to be on the interior side of the building, is reduced to a maximum lighting level of 15.7-foot candles and the average lighting level has been reduced to 8.53-foot candles, which is below the 12.5-foot candle requirement. Hence, they no longer require a waiver for the average lighting levels on the eastern side of the site.

Traffic and Access Management – Staff is recommending the applicant submit updated plans showing a delineated travel lane so that traffic coming into the site will be separated either by going into the drive through or by going around the site in the pass-through lane. The applicant has stated that he is amenable to that; staff recommends that this be included as a precedent condition of approval.

Ms. Fortson reviewed the proposed motion included in the Board packet. This concluded staff comments.

Chair Farrington clarified the drive through will require a waiver for lighting but not the service window. Ms. Fortson answered in the affirmative.

Mr. Hoefer clarified what was stated about marking the non-drive through lane. Ms. Fortson stated what staff is suggesting is to have two separate lanes where one directs you to the drive through and is labeled that way, and the other is a bypass lane.

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

C. Board Discussion and Action

Screening Waiver:
A motion was made by Roberta Mastrogiovanni that the Planning Board grant a waiver from Section 21.6.2.B of the Land Development Code to allow the proposed drive-thru to be located along western building façade adjacent to Winchester Street. The motion was seconded by Andrew Madison.

Mr. Kost stated his understanding of the project is that there is no other way to make this work, and the only way this whole project could work is by locating the drive through along Winchester Street. The applicant did hear concerns the Board had and are adding landscaping to the extent that they could, given that there are power lines they have to work around. He felt the applicant was doing all they can to alleviate any impact and stated he felt comfortable with the location.

Mr. Hoefer stated he too had similar comments to Mr. Kost. He noted the drive through is nearly 125 feet from Winchester Street and there is also a green space between the drive through and the Street and hence felt comfortable approving this waiver.

The screening waiver was unanimously approved.

Lighting Waiver:
A motion was made by Roberta Mastrogiovanni that the Planning Board grant a waiver from Section 21.7.4.B.1 of the Land Development Code to allow for a maximum average lighting level of 13.42-fc at the drive through canopy where 12.5-fc is allowed. The motion was seconded by Andrew Madison.

Mr. Kost stated that, similar to the other waiver, there were concerns with bright lights impacting drivers coming into the shopping center. However, as indicated previously, the owner did what they could and have agreed to reducing the lighting level. He extended his appreciation for the applicant agreeing to reduce the light level.

The Chair agreed with Mr. Kost.

The screening waiver was unanimously approved.

A motion was made by Roberta Mastrogiovanni that the Planning Board approve PB-2026-29 as shown on the plan set identified as 'Quick-Service Restaurant with Drive-Thru' prepared by Bohler Engineering at varying on scales on August 20, 2026 and last revised on October 8, 2026 with the following conditions:

1. Prior to final approval and signature of the plans by the Planning Board Chair, the following conditions shall be met:
    a. Owner's signature appears on the plan.
    b. Submittal of five (5) full-sized paper copies and a PDF version of the final plan set and elevations.
    c. Submittal of a security to cover the cost of landscaping, sediment and erosion control measures, and as-built plans in a form and amount acceptable to the Community Development Director.
    d. Submittal of an updated narrative and drainage report addressing the remaining staff comments provided by the City Engineer.
    e. Submittal of an updated site plan showing two separate lanes for traffic entering the fast-food restaurant from the northeastern corner of the project 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 work, all sediment and erosion control measures shall be installed and inspected by the Community Development Department.
   b. Prior to the issuance of a building permit, a Floodplain Development Permit shall be obtained from the Community Development Department.
   c. Following the installation of landscaping, the Community Development Department shall be contacted to perform an initial inspection.
   d. 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 Andrew Madison.

Mr. Bergeron stated he felt the applicant has done a good job of listening to the Board's concerns and have done the best they can to work within the Board's Regulations. He added that he also sees no regional impact from this application.

The motion made by Roberta Mastrogiovanni was unanimously approved.

G. PUBLIC HEARINGS

1. PB-26-32 - Major Site Plan - Kia Parking Lot & Landscaping Modifications, 440 Winchester St - Applicant Fieldstone Land Consultants, on behalf of owner 434-440 Winchester St, proposes to modify the approved parking lot landscaping and lighting for new Kia dealership located at 440 Winchester St (TMP #115-004-000). The parcel is ~2.23-ac in size and is located in the Commerce Limited District

A. Board Determination of Completeness

Planner Megan Fortson stated the Applicant has requested exemptions from submitting elevations, renderings and all technical reports. After reviewing these requests, 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 the Roberta Mastrogiovanni that the Board accept this Application as complete. The motion was seconded by Andrew Madison and was unanimously approved.

B. Public Hearing

Mr. John Noonan of Fieldstone Land Consultants addressed the Board on behalf of Fairfield's Kia and Hutter Construction. He stated this application has an approved site plan approval but is now submitting for a modification to the layout of the parking lot in the front of the building. The new building has been constructed. The existing building is in the midst of demolition. He stated the owner is looking to maintain the frontage along Winchester Street. He noted that there

are two existing light poles along the front of the site on Winchester Street, which match the fixtures and light poles that are on the adjacent site to the south and north, which are also owned by the same owner. The owner wants to maintain uniformity along Winchester Street. Hence, the applicant is asking to modify the parking lot layout where an administrative approval was received previously.

Mr. Noonan referred to the landscaping island along the frontage; those spaces have been shifted back but the exact amount of square footage of green space is being maintained. The landscape islands on the end cap have been made wider. Landscaping has been added between the building and the back of the sidewalk. The end cap landscaped area is slightly larger than what was approved, and landscaping has been added to the rear of the building. These changes required coming back to the Planning Board because they were a substantial change from what was administratively approved.

Mr. Noonan went on to say that the existing Kia sign is to be used in that same location. When the Winchester Street project goes forward, it is understood by his client that the lights and signage would be moved at that time.

As part of these changes, the applicant is asking for three waivers. Two waivers were previously approved. All three waivers reflect lighting requirements.

Mr. Noonan referred to Section 21.7.1B, which is when *"50% or more light fixtures or poles of an existing outdoor lighting installation are modified, extended, expanded, or added, the exterior lighting installation shall be subject to requirements of the development standards."*

Mr. Noonan stated they have the same poles and light fixtures that were previously approved on the remainder of the site. He referred to the two poles that are within the right of way. Waivers are being requested for these light poles as they exceed the light limits within the right of way.

The other two waivers are for light bleeding into the abutting lots, which are owned by the same owner. This was previously approved on the original site plan, and the applicant is asking for that same waiver. Two of them were previously approved. The third one is in existing condition but asking for a waiver as directed by staff.

With these changes, Mr. Noonan stated they also met with Alteration the Terrain Department at the direction of the City Engineer. The department has indicated in writing that the applicant does not have to amend their permit based on the changes to landscaping at the rear of the site. This concluded his presentation.

Mr. Hoefer referred to the green space behind the building which looks like there are some bushes and asked whether this could eventually turn into parking spaces. He asked whether any curbing was going to be added to retain this green space. Mr. Noonan stated there is curbing around the entire green space at the rear. It is raised six inches and is built above the asphalt level.

The Chair asked Mr. Noonan to explain what the front of this site would look like. Mr. Noonan explained there will be green space and landscape islands. Ms. Brunner added that currently along Winchester Street there is a grassed strip and the applicant is proposing to leave that as-is.

Mr. Kost asked why the applicant does not want to retain the landscaping at the front. Mr. Noonan in response stated that, with the curbing and the signage at the front, it makes it difficult for plows and traffic to move between the dealerships. He stated there is an existing travel easement that goes right through the site that the applicant would like to retain. He added the owner also wants the fronts of the dealerships to match each other on Winchester Street, which are all owned by the same owner.

Mr. Kost asked whether the vehicles will be fronting on Winchester Street. Mr. Noonan answered in the affirmative.

Staff comments were next.

Ms. Fortson addressed the Board and stated the demolition of the previous Kia Building, construction of the new building, and the associated site improvements received final approval from the Board in December of 2024. Staff subsequently approved an administrative planning application in November of last year for the removal of the parking lot landscaping island at the front of the site, as well as the installation of pervious pavement. This was because these changes were necessitated by the alteration of terrain permit.

After speaking with Mr. Noonan and understanding the changes that they are looking to make to the property and the new locations of the plantings (species and the quantities are not changing), staff only has so much leeway to be able to review these types of changes administratively.

In addition, because there are changes to lighting proposed which don't comply with the lighting standards, waivers are required. Ms. Fortson stated this is another item staff cannot review. She stated the applicant is requesting waivers from Sections 21.7.3 and 21.7.4.A of the Land Development Code to allow for lighting levels above .1 footcandles at the property line and for average parking lot lighting levels above 3.5 footcandles.

In regard to regional impact, staff have made the preliminary determination that the proposal does not appear to have regional impact. The Board would need to decide this as part of their deliberation.

With respect to staff comments, Ms. Fortson stated that, as explained by Mr. Noonan, there was a request from the City Engineer confirming that no modification is approved or is required for the Alteration of Terrain Permit. Staff has received correspondence stating that there is no modification required.

His second comment was related to the property owner submitting a memorandum of understanding stating that once the Winchester Street project happens, the existing light poles and the signs are going to need to be relocated onto the individual properties at the owner's cost. The owner has submitted this document.

There were no zoning concerns. The only concern from the Building Official/Fire Marshall and Floodplain Administrator is a request to update the narrative to include a statement regarding any impact that these changes were going to have on the submitted Floodplain Development Permit. The applicant has included a statement to that effect.

For drainage, there are two sections of porous asphalt land on the eastern and western portions of the site. There is a second area of impervious surface that was added in November 2025 and the narrative states that the porous pavement at the rear of the site has been modified to include the landscaping strip that is going to run along the end of the building and the runoff from that is going to be connected to the porous asphalt in that area - That standard appears to be met.

There were no changes proposed to sediment and erosion control or snow storage and removal - those standards are not applicable.

Landscaping – Ms. Forston stated the applicant is requesting an alternative landscaping design. Because the parking spaces along Winchester Street are going to be used for vehicle display, the Zoning Administrator has made the determination that those parking spaces are not subject to the parking lot screening requirements. Screening those parking spaces defeats the purpose of having vehicles on display for the vehicle dealership. Ms. Fortson stated during Board deliberation, the Board would need to consider whether the applicant's proposal meets those alternative landscaping requirements.

Screening – No changes are being proposed.

Lighting – Ms. Fortson stated that originally, there was going to be thirteen new pole mounted lights. This was as part of the initial site plan application in 2024. They added two additional pole lights for the administrative modification, and then as part of their current request, they are reducing the total number of new lights to 12 and keeping two lights along Winchester Street that are currently in the right of way. Because the lighting levels are becoming more non-conforming, they are going to be brighter than they were as part of the original approval, which is why the two updated waiver requests are needed. Additionally, the lighting standard states if someone is proposing to change 50% or more of their lighting installation, the entire lighting installation on a property needs to come into compliance. Because the applicant is keeping two of these light fixtures, they need a waiver from that standard to maintain the existing light poles.

Ms. Fortson explained the Board would need to look at the waiver criteria and determine whether the applicant has met those criteria for each individual waiver request.

Sewer and Water – No changes are proposed.

Parking - There is going to be an increase in the total number of parking spaces from 109 spaces to 123 spaces. The original site plan contained a total of 80 spaces on the Winchester Street side of the building, eight to the north along the side of the building, and 21 along the back of the building. The updated plan shows 85 spaces at the front of the site, eight along the side of the building, and 30 at the rear. Ms. Fortson noted the front and rear of the property is where they are increasing the number of parking spaces.

Filling and Excavation - That standard has been met because the applicant has confirmed that there is not going to be any change to the floodplain development permit.

Surface Waters and Wetlands, Hazardous and Toxic Materials – No changes are being proposed.

Noise and Architecture and Visual Appearance – The applicant is seeking final approval this evening. Staff has received five copies of the final plans that have been signed by the property owner. No additional security is needed for sediment and erosion control, as built plans, or landscaping as those item remain the same. Staff is recommending the Board issue final approval subject to subsequent conditions of approval. The first is that when the Winchester Street project begins, the property owner must relocate the sign and light poles at the owner's cost. The second is that all previous conditions of approval associated with the original site plan remain in full force and effect.

Mr. Kost asked for clarification of the landscaping for the vehicle display area. Ms. Fortson stated that because this is a vehicle display area, landscaping is not being required per the Zoning Administrator. Ms. Brunner agreed and added the parking lot perimeter and interior landscaping standards would only apply to the parking spaces that are being used for parking under that interpretation from the Zoning Administrator. She stated that prior Zoning Administrator interpretations have been the same; all car dealerships along Winchester Street were developed with display spaces along the road and screening was only required for the parking spaces used for guest and employee parking.

Mr. Kost asked for explanation regarding the lighting waiver. Ms. Brunner explained the original approval from 2024 was replacing the entire outdoor light fixture system. These are three parcels that are adjacent and one drive aisle connects all three properties; for safety, they wanted the lighting to be able to cross the property line. Hence, they asked for waivers related to light levels at the property line and at the public right of way. With this plan, those light levels are increasing, which is why they have resubmitted those same waiver requests. In addition, they want to keep those existing light poles, which they were not proposing in their original plan. The existing light poles are much brighter than what the City would allow today. This is what is driving up those light levels.

Mr. Kost asked whether the lights dim at night. Mr. Noonan read the following language as indicated on the plan:
All lights are to be set up on photocells to automatically turn off during daylight hours, time or cell be installed to limit hours from 6:00 AM to 10:00 PM. If operating 24/7, the lighting must reduce by 50% for security lighting. Wall packs will be installed with motion sensors. The average foot-candle rating shall not exceed 1-footcandle between 10:00 PM and 6:00 AM.

He stated this is the same approval they had on the original plan.

Mr. Kost asked whether the two lights on Winchester Street could be reduced. Mr. Noonan stated the existing lights are currently on a timer and those could be adjusted to turn off at 10:00 PM.

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

C. Board Discussion and Action

Lighting Waiver 1:
A motion was made by Roberta Mastrogiovanni that the Planning Board grant a waiver from Section 21.7.3.C of the Land Development Code to allow for a maximum parking lot illumination level of 2.0 footcandles at the property line where a maximum of 0.1 footcandle is allowed. The motion was seconded by Andrew Madison.

Ms. Mastrogiovanni stated the only issue she had with dimming the light around a dealership would be for security.

The motion carried on a unanimous vote.

Lighting Waiver 2:
A motion was made by Roberta Mastrogiovanni that the Planning Board grant a waiver from Section 21.7.4.A .1 of the Land Development Code to allow for an average parking lot lighting level of 11.07 footcandles where an average of 3.5 footcandles is allowed. The motion was seconded by Andrew Madison and carried on a unanimous vote.

Lighting Waiver 3:
A motion was made by Roberta Mastrogiovanni that the Planning Board grant a waiver from Section 21.7.1.B of the Land Development Code to allow for two existing lights to remain without being brought into compliance with site development Standard 21.7, Lighting. The motion was seconded by David Bergeron.

Mr. Kost made a motion to amend the Lighting Waiver 3 to reduce the lighting level by 50% starting at 10 pm and ending at 6 am. The amendment was seconded by Molly Ellis.

Mr. Hoefer asked how many streetlights exist on this entire strip. Mr. Noon stated there are at least four lights between the Mitsubishi and Kia Dealership.

Mr. Hoefer felt the Board was taking action on an issue which will be addressed during the Winchester Street reconstruction. He stated he would not be voting in favor of the amendment. The Chair agreed and suggested perhaps the City could work with the owner directly and leave the waiver as is.

The amendment failed on a 2-5 vote with Harold Farrington, Michael Hoefer, Roberta Mastrogiovanni, Andrew Madison, and David Bergeron voting in opposition.

Waiver 3 carried on a 6-1 vote with Kenneth Kost voting in opposition.

A motion was made by Roberta Mastrogiovanni that the Planning Board issue final approval for PB-2026-32 as shown on the plan set identified as 'Fairfield Kia of Keene' prepared by Fieldstone Land Consultants at varying scales on October 18, 2024 and last revised on October 8, 2026 with the following conditions:

1. When the Lower Winchester Street project begins construction, the owner shall relocate the two light poles and the existing sign located in the City right-of-way onto the subject parcel at the owner's expense.
2. The conditions subsequent to final approval associated with the original site plan, PB2024-16, shall remain in full force and effect.

The motion was seconded by Andrew Madison.

Mr. Bergeron stated if those poles don't have to be in compliance at this time because of where they are located, what the Board is telling the applicant is when it gets moved in five year those poles will need to come into compliance.

Mr. Hoefer stated his assumption is that when Winchester Street is reconstructed, all poles will need to come into compliance. He added there is nothing in the application that would warrant a regional impact review.

Mr. Kost questioned if Winchester Street reconstruction doesn't happen for nearly ten years and the ownership transfers, whether this requirement for poles to come into compliance would still stand. Ms. Fortson stated that the condition subsequent goes with the property.

The motion carried on a unanimous vote.

H. OTHER BUSINESS

1. Gilbo Avenue Planning Charrette Letter of Support

Ms. Brunner addressed the Board and stated staff are requesting a letter of support for a grant application that the City of Keene is submitting to Plan New Hampshire (Plan NH) for one of their Charrettes. She stated the Plan NH Community Design Charette Program has been around for approximately 30 years. This program pairs selected communities with a volunteer team of design professionals for an intensive 2-day day Charette. They have sessions where the public is invited. They also have working sessions. The team conducts site visits before the event to understand the land. They focus on neighborhood or designated districts. They have done individual properties in the past; however, they have moved away from that.

Through the charrette program, Plan NH is looking to address local development or redevelopment goals. Ms. Brunner stated that one of the benefits is that it is a visual process. The charrette team works with the community to identify what the community's vision is for that area, and then helps illustrate what is possible.

If the project is housing focused, Plan NH has funding left to cover the program fee for one community as long as the community is a housing champion, which Keene is. Ms. Brunner stated Keene has submitted the application but it is incomplete until letters of support are submitted. A letter of support was submitted from City Council, and the City is requesting a letter of support from the Planning Board as well to indicate that this project is in alignment with the Master Plan and with the community's vision and goals.

A motion was made by Roberta Mastrogiovanni to authorize the Planning Board chair to submit a letter of support for the City of Keene, Gilbo Avenue Charette application. The motion was seconded by Andrew Madison.

Mr. Kost said he is thrilled and thanked everyone who will be involved in this. He asked whether there would be a specific scope as to how to deal with these properties. He referred to the solar carport property; to study it with and without solar. Ms. Brunner stated she has not gone through this process but assumed how it worked is staff could work with Plan New Hampshire administratively or the Board could work on it, but the goal is to enter the process with no pre-conceived ideas. She stated she could also follow up with Plan NH and report back to the Board. Mr. Kost suggested a plan that would include the City's form-based code, maximum development or not maximum development, etc.

The Chair stated the Board is available to assist Plan NH in any way possible.

The motion carried on a unanimous vote.

I. STAFF UPDATES

Ms. Brunner introduced Nicole Lamont, the new Assistant Sustainability Planner with a focus on sustainability. She has moved to the Community Development Department from the Transfer Station.

J. NEW BUSINESS UPCOMING DATES OF INTEREST

• November 9, 6:30 PM - Joint Committee Meeting – Ms. Brunner stated this meeting is likely to be cancelled – staff was expecting two Ordinances to be submitted but they have not been submitted yet.
• November 10, 12:00 PM - Planning Board Steering Committee
• November 18, 8:00 AM — Planning Board Site Visit — To Be Confirmed
• November 23, 6:30 PM — Planning Board Meeting

K. MORE TIME ITEMS

None

ADJOURNMENT

There being no further business, Chair Farrington adjourned the meeting at 8:12 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Mari Brunner, Senior Planner

CITY OF KEENE
NEW HAMPSHIRE

Meeting Date: November 23, 2026

To: Planning Board

From: Mari Brunner, Senior Planner

Through: Paul Andrus, Community Development Director

Subject: **Applications Ready for Final Approval**

Recommendation:
To issue final approval for any projects that have met all their “conditions precedent to final approval.”

Attachments:
None

Background:
This is a standing agenda item. As a matter of practice, the Planning Board issues a final vote on all conditionally approved projects after the “conditions precedent to final approval” have been met. This final vote will be the final approval and will start the 30-day appeal clock.

As of the date of this packet, the following application is ready for final approval:

1. **PB-2026-27 - Boundary Line Adjustment - Silent Way (TMP #s 119-012-000 & 119-011-000)**

If any projects meet their conditions precedent between date of this packet and the meeting, they will be identified and discussed during this agenda item.

All Planning Board actions, including final approvals, are posted on the City of Keene website the day after the meeting at KeeneNH.gov/planning-board.

CITY OF KEENE
NEW HAMPSHIRE

Meeting Date: November 23, 2026

To: Planning Board

From: Mari Brunner, Senior Planner

Through: Paul Andrus, Community Development Director

Subject: **PB-26-34 — Earth Excavation — Minor Amendment to an Issued Permit — 21 & 57 Route 9. Applicant Thomas Ice, on behalf of owner G2 Holdings LLC, proposes to modify permit condition 1.C to allow for security to be submitted in the form of a performance bond.**

Recommendation:

If the Board is inclined to consider the request to amend the permit condition, the following language is recommended for a motion:

"Move to schedule a public hearing on the proposed permit amendment for Monday, December 21, 2026 at 6:30 PM."

If the Board is not inclined to amend the permit condition, the following draft language is recommended for a motion:

"Move to deny the request for a Minor Amendment to an Issued Permit to allow for the submittal of a performance bond as reclamation security for the following reasons:

1. ***…".***

Attachments:

1. Application
2. Narrative

Background:

The applicant submitted a request for a "Minor Amendment to an Issued Permit" in accordance with 26.19.9 of the Land Development Code, "Modifications to an Issued Permit." The specific request is to replace the existing security with a performance bond by modifying Condition 1.C of the Earth Excavation Permit, which states "Submittal of security for sedimentation and erosion control, stormwater management, and reclamation for the first permit period of work to be completed." The regulations in place at the time of this application specify that such security shall be in "a form and amount acceptable to the Community Development Director." The Community Development Director

has determined that acceptable forms of security include an Irrevocable Letter of Credit or Cash held in escrow.

Since the request would modify an existing permit condition, per Section 26.19.9.B.2 of the LDC, the Community Development Director has referred this minor amendment to the Planning Board for your review and determination. If the Board is inclined to modify the permit condition, a public hearing is required with notice to abutters. If the Board is not inclined to modify the condition, the Board should specify its reasons as part of a motion to deny.

Overview of Securities

A security is something of value pledged or provided to ensure that someone fulfills an obligation. In the context of the Planning Board's role with review and approval of development applications, securities are often required for projects that involve reclamation, decommissioning costs, installation of stormwater infrastructure, and installation of sediment and erosion control measures. The City also asks for security to ensure that as-built plans are provided to the City that show the exact size, type, and location of all infrastructure, including belowground utilities.

Historically, the Planning Board only accepted security in the form of cash or irrevocable letters of credit; however, performance bonds are a third type of security that can be used. An overview of these forms of security is provided below.

Cash: This form of security is the most reliable because it allows the City to hold cash in escrow until the project is either completed or the applicant defaults, in which case the City has immediate access to funds to hire a contractor to finish the project, decommission the facility, reclaim the site, etc. Upon satisfactory completion of the work, the City returns the money plus any interest gained to the applicant.

Letter of Credit: A letter of credit is a written instrument, issued by a bank in most cases, that authorizes the City to draw up to a specific amount. The parties include the issuer (usually a bank), the applicant, and the City as the beneficiary / obligee. It is essentially a promise from a bank to advance a certain amount of money to the City if the applicant defaults. A key distinction with a letter of credit is that the issuing bank's obligation to honor or pay upon a properly presented draft is independent of the underlying contract or commercial relationship between the account party (applicant) and the beneficiary presenting the draft (City of Keene). In other words, there is little risk that the City won't get the money if it is required for completing the work.

Performance Bond: Performance bonds are similar to letters of credit, but there are some important differences. The parties involved include a surety (the entity that assures payment or performance of the contract between the principal and the beneficiary), a principal (the applicant, who has an obligation to pay or perform), and the beneficiary (the City). However, unlike letters of credit, performance bonds involve a "claim adjustment process" in which the surety investigates the underlying default before paying the City. This slows down the reimbursement process and can lead to litigation if the surety believes the claim is without merit.

The table below summarizes the differences between a Letter of Credit and a Performance Bond to aid in the Planning Board's consideration of this request.

Feature	Letter of Credit	Performance Bond
Time-Horizon and Cancelation Clauses	Includes an automatic renewal ("evergreen") clause. If the bank decides not to renew, it must notify the City 30 to 60 days in advance. The City can object to the non-renewal or draw the full cash amount prior to expiry. Appropriate for projects with short or longer time horizons.	Surety bonds often feature annual renewal requirements, cancelation provisions, or underwriting re-evaluations where the surety can walk away or refuse to renew if the operator's financial health declines. Appropriate for projects with short time horizons; riskier for longer-term projects.
Payment Trigger	Unconditional / on demand; pays out upon presentation of documents	Conditional; requires proof of default and claim investigation
Liquidity for Community	Immediate, liquid funds available to pay remediation contractors	No cash upfront; relies on surety cooperation or legal process
Control over Funds	Municipality controls the funds directly to complete the work	Surety (issuer) controls the funds and may attempt to cure the default or negotiate the scope of work
Legal Resources Required	Minimal, usually limited to review of the initial standby letter of credit.	Moderate to Substantive. Surety companies may assert technical defenses (such as minor permit modifications made by the town over the years) to void their obligation to pay. To ensure adequate protection of the City's interests, in-depth legal review of the initial contract would be required. If litigated, further legal resources would be required.

City of Keene, NH

November 13, 2026

Print Version of Application Form

Planning Application

Record No.**PB-26-34**

Status Completed

Type Document

Record No: PB-26-34

CD-Planning Application

Status: Active

Submitted On: 11/10/2026

Primary Location

21 ROUTE 9
KEENE, NH 03431

Owner

G2 HOLDINGS LLC
NORTH ST. 250 JAFFREY, NH 03452

Applicant

Thomas Ice
561-319-5557
tom.ice@icelegal.com
63 Emerald St. #167
Keene, NH 03431

Planning Application

Issued on November 12, 2026

Version History

Version	Date Issued	User
2	November 12, 2026 at 11:21 am	Mari Brunner
1	November 10, 2026 at 5:54 pm	Auto-issued by Record Workflow

Step Activity

Mari Brunner reissued Document Planning Application	11/12/2026 at 11:21 am
Mari Brunner added comment "Changed location to..."	11/12/2026 at 11:22 am

PLANNING BOARD

CITY OF KEENE

G2 Holdings, LLC
PB-2024-20

NARRATIVE IN SUPPORT OF REQUEST FOR MINOR AMENDMENT

I. Request to Substitute Reclamation Security

G2 Holdings, LLC ("G2") requests a minor amendment to PB-2024-20 allowing it to substitute a reclamation surety bond for the letter of credit and cash currently held as security. The amendment leaves the approved excavation area, rate of removal, reclamation plan, and permit conditions unchanged. It changes only the form of financial security securing those same obligations.

On October 3, 2026, G2 submitted a $392,874.39 reclamation bond issued by Indemnity National Insurance Company and naming the City as obligee. G2 asks the Board to approve that bond and authorize release of the existing letter of credit and approximately $90,000 in cash security once the replacement security is accepted. The requested amendment leaves G2's reclamation obligations intact while substituting one form of security for another.

II. RSA 155-E Permits a Reclamation Bond

RSA 155-E speaks directly to security for an excavation permit. RSA 155-E:4-a, VII establishes a reclamation bond as a security option available to the excavator; the regulator's authority to prescribe "other security" allows additional alternatives, not elimination of the bond option.

The Planning Board has indicated that, in ordinary subdivision and site-plan matters, it follows a general practice of requiring cash or letters of credit rather than performance bonds because of collection concerns. G2's excavation permit, however, is governed by the separate RSA 155-E excavation scheme. A general practice developed for other land-use approvals should not supply a categorical prohibition that neither the governing statute nor the regulation applicable to this permit contains.

III. The Regulation Governing G2's Permit Does Not Prohibit Bonds

The version of LDC § 26.19.14 governing G2's permit required security "in a form and amount acceptable to the City Engineer and the Community Development Director" sufficient to guarantee compliance with the permit. It did not prohibit bonds. The City later amended LDC § 26.19.14 to expressly prohibit performance bonds, but the City has confirmed that the later amendment does not apply to G2's application.

Under the regulation that does apply, the City may evaluate the proposed bond's amount and its other aspects, such as surety, claim procedure, duration, cancellation terms, and enforceability. Those are legitimate questions about whether this bond provides adequate security—something different from refusing to consider a bond at all based on a policy developed under a different regulatory scheme.

IV. The Proposed Bond Secures a Defined Reclamation Obligation

The reclamation work itself is comparatively straightforward. For much of the excavated area, reclamation consists primarily of replacing stockpiled loam and reseeding, rather than constructing buildings or other structures. The scope of that work is defined, and its cost can be evaluated against the $392,874.39 bond.

The City regularly accepts performance bonds to secure municipal construction projects, and G2 has itself furnished performance bonds for work on City projects. The relevant inquiry is whether this bond's terms and enforceability provide adequate protection for the City. G2 is willing to address reasonable concerns about the bond's terms so that the City has effective security for the reclamation obligation.

V. Requested Approval

Approval of this minor amendment would leave every substantive feature of the approved excavation unchanged while substituting a form of security expressly recognized by RSA 155-E. G2 asks the Planning Board to approve the $392,874.39 Indemnity National reclamation bond, subject to reasonable terms acceptable to the City Engineer and Community Development Director, and authorize release of the existing letter of credit and cash security when the replacement bond is in place.

CITY OF KEENE
NEW HAMPSHIRE

Meeting Date: November 23, 2026

To: Planning Board

From: Mari Brunner, Senior Planner

Through: Paul Andrus, Community Development Director

Subject: **Master Plan Character Areas - Potential Amendment**

Recommendation:
To set a public hearing date to amend the "Character Areas" section of the 2025 Comprehensive Master Plan to reflect the diversity of neighborhood development patterns in Keene.

Attachments:
None

Background:
The 2025 Comprehensive Master Plan was adopted by the Keene Planning Board on September 29, 2025 following an 18-month planning process. During the development of the plan, several drafts were reviewed and revised through a public process that involved input from the Master Plan Steering Committee, the Planning Board, City Staff, members of the pillar task forces, and feedback from other members of the public. The final plan that was adopted includes a Future Land Use Map that shows seven character areas: 1) Downtown, 2) Residential Neighborhoods, 3) Neighborhood Business Nodes, 4) Corridor-Oriented Commerce, 5) Conservation and Low-Impact Recreation, 6) Rural Residential and Working Landscapes, and 7) Production and Innovation. The description of the "Residential Neighborhoods" character area focuses on the built form of neighborhoods on the outskirts of the valley floor, which were built with more automobile-oriented development patterns than older neighborhoods in the city.

5.3.2 | RESIDENTIAL NEIGHBORHOODS

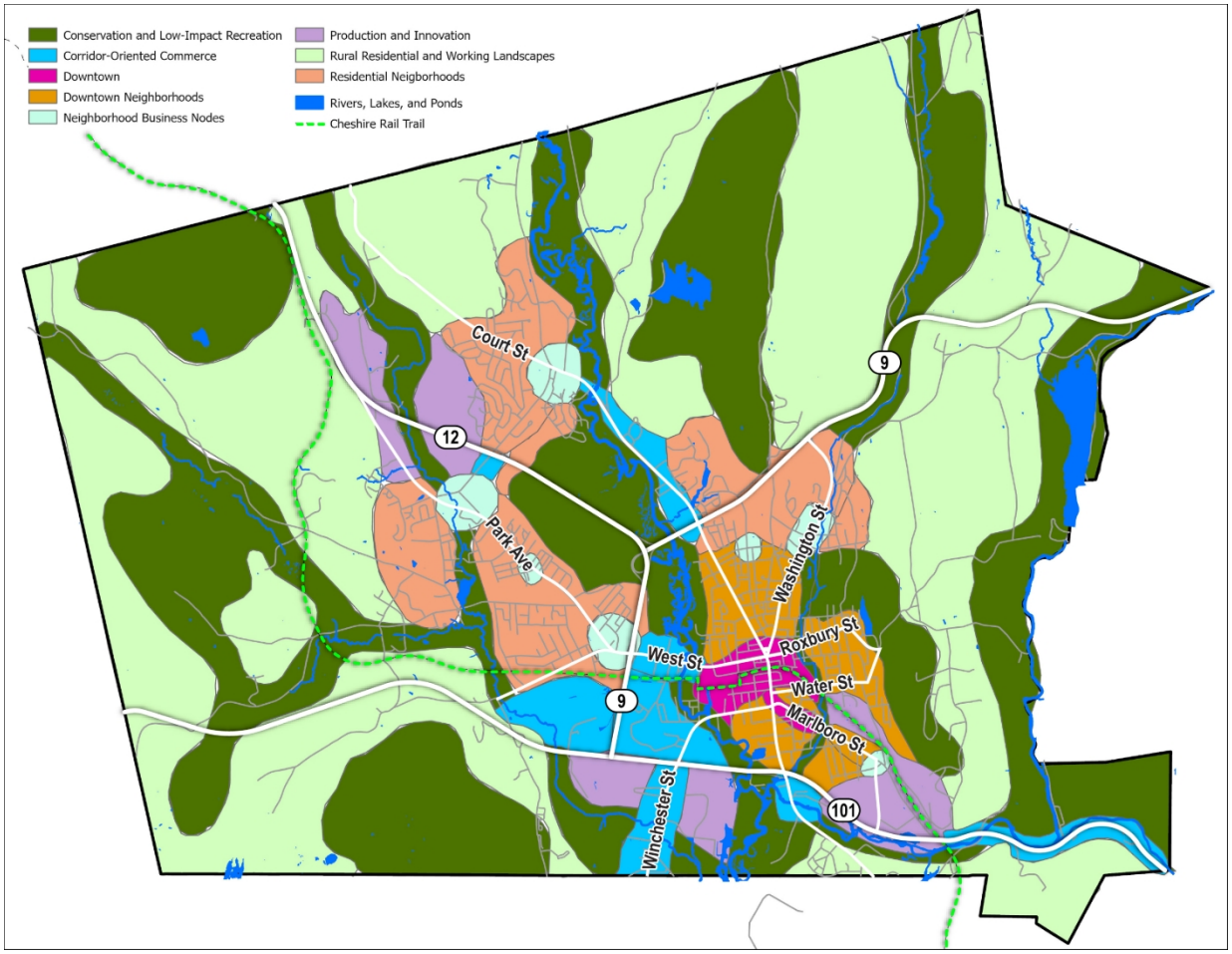
Feature	Description
Land Development Pattern	Early suburban areas with wide buildings facing the street, including ranch and split-level homes. Mainly single-family homes with amenities like a backyard, shed, garage, etc.
Area Identity	Neighborhoods have strong identities but less defined boundaries and are seen as separate from downtown.
Means of Transportation	Vehicle-oriented – Neighborhoods rely more on cars compared to downtown areas. More automobile-oriented/dependent than the downtown neighborhoods. Suitable for recreational walking but not for commuting. Biking for commuting is an option.
Other	Recreational access – Generally, have good access to larger city parks, rail trails, and class VI roads/hiking trails.

The first draft of the Future Land Use Map and associated character areas had an eighth character area, "Downtown Neighborhoods," which were described as neighborhoods with historic homes and strong identities that are built in a more compact, walkable pattern with lots of small "third spaces," such as pocket parks and neighborhood-scale markets. A map that shows where these areas are located in Keene is shown below.

During the review process, it was determined that the "Residential Neighborhoods" and "Downtown Neighborhoods" character areas should be combined to reduce the overall number of character areas. The intent was for the new description to reflect both character areas; however, the description for the "Residential Neighborhoods" was instead applied to all neighborhoods in Keene, including the older, historic neighborhoods close to the downtown.

5.3.2 | DOWNTOWN NEIGHBORHOODS

Feature	Description
Land Development Pattern	Compact and narrow building frontages – Areas include historic home styles lining the streets, such as elegant Victorians, and “missing middle” housing that are developed to meet the needs of Keene’s workforce and aging-in-place initiatives Lot of naturally occurring, small “third spaces” are found, such as pocket parks and neighborhood markets. The area has a history of flooding and overlaps with flood zones.
Area Identity	Neighborhoods have distinct identities, many with historic architecture, and view themselves as part of the downtown area. These neighborhoods are suitable for small businesses that serve the local community.
Means of Transportation	Walkable – Connected to the downtown and within walking/biking distance.
Other	Life-long learning and care – Educational institutions or programs for children, young adults, and adults, fostering personal growth and well-being throughout all stages of life.



Staff recommend that the Board hold a public hearing to amend the 2025 Master Plan to fix this mistake by either reinstating the "Downtown Neighborhoods" character area, or revising the description of the "Residential Neighborhoods" character area to reflect a broader diversity of development patters seen throughout Keene.

2026-534

CITY OF KEENE
NEW HAMPSHIRE

Meeting Date: November 23, 2026

To: Planning Board

From: Megan Fortson, Planner

Through: Mari Brunner, Senior Planner

Subject: **AARP Micro Grant Report-out - Walk and Bike Audits**

Recommendation:

Attachments:
None

Background:
In May 2026, the City of Keene was awarded a Capacity-Building Microgrant through the 2026 AARP Community Challenge Program. This $2,500 was used to perform community engagement sessions and a series of bike and walk audits as part of the ongoing Bicycle & Pedestrian Master Plan Update. Feedback gathered during community mobility conversations helped guide City Staff in choosing locations for the bike and walk audits that were completed. Both quantitative and qualitative data collected during these events has been compiled and will help supplement, inform, and guide the recommendations included in the updated Bicycle & Pedestrian Master Plan.

CITY OF KEENE
NEW HAMPSHIRE

Meeting Date: November 23, 2026

To: Planning Board

From: Mari Brunner, Senior Planner

Through: Paul Andrus, Community Development Director

Subject: **Update on Gilbo Avenue Design Charrette**

Recommendation:
Informational

Attachments:
None

Background:
During the discussion about the application for a Gilbo Avenue Design Charrette at the October meeting, a couple questions were asked regarding the specific scope of work and the recommendations that will be generated at the end of the process. Staff followed up with Plan NH and received the following responses:

1. There will be a memorandum of understanding (MOU) that outlines the specific responsibilities of the Plan NH team and the municipality. With respect to the scope of the design charrette, we like to keep things open in terms of what we learn from community members that day, but if there are specific plans that are imminent for part of the project area, we would want to know that so we can incorporate them into the site plan concepts we create.
2. While our team would take the existing framework into account, we do not limit our recommendations to that framework. For example, implementing many of our recommendations would require adjusting zoning regulations accordingly. Although the charrette won't result in specific zoning language, we often recommend the types of regulations you may want to investigate.

In addition, staff heard back from Plan NH regarding the application. The Plan NH Charrette Committee is in support of the application, and North Sturtevant of JSA Design has volunteered to lead the charrette. A site visit is scheduled with staff and members of the Plan NH team for the week of November 16. Staff will report on any further updates at the November 23 Planning Board meeting.