

**CITY OF KEENE
NEW HAMPSHIRE**

**PLANNING BOARD
MEETING MINUTES**

Monday, April 25, 2016

6:30 PM

Council Chambers

Members Present

Gary Spykman, Chairman
Nathaniel Stout, Vice-Chair
Mayor Kendall Lane
Douglas Barrett
Andrew Bohannon
Christine Weeks
Councilor George Hansel
Pamela Russell Slack
Chris Cusack

Members Not Present:

Tammy Adams
James Duffy

Staff:

Rhett Lamb, Planning Director
Michele Chalice, Planner
Tara Kessler, Planner

I. Call to order – Roll Call

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

II. Minutes of previous meeting – March 28, 2016

A motion was made by Mayor Kendall Lane to accept the March 28, 2016 minutes. The motion was seconded by George Hansel and was unanimously approved.

III. Public Hearings

1. SPR-961, Modification #3 – Former Pizza Hut – 333 Winchester Street – Site Plan – Applicant Lisciotti Development on behalf of owner Keene Retail, LLC proposes redevelopment and expansion of the existing building into a multi-tenant retail/restaurant center. A waiver is requested from Development Standard #10: Lighting. The site is 1.0343 acres in size and located in the Commerce Zoning District (TMP# 053-01-020).

A. Board Determination of Completeness.

Planner Michele Chalice recommended to the Board that Application SPR-961 was complete. A motion was made by George Hansel that the Board accept this application as complete. The motion was seconded by Mayor Kendall Lane and was unanimously approved.

B. Public Hearing

Matthew Routhier of Northpoint Engineering stated the site for this application was the former Pizza Hut site. He explained the Pizza Hut site consisted of 152 seats and there are 53 parking spaces on site. The current circulation is an out on to Winchester Street and an out on to Ivy Drive and an in and out of Key Road.

Mr. Routhier stated the applicant's proposal is to add a 708 square foot building expansion to the west side as well as outdoor seating. The current space is being divided into three tenant spaces. Two of which will be restaurant and one will be retail. The applicant's plan is to change the exit only onto Winchester Street to an entry and exit as well as provide entrances to the three individual tenant spaces. The parking will remain as is. There will be a service entrance to the rear with a sidewalk. There will be a third dumpster pad added specifically for tenant three; Chipotle. The secondary egress door which exists right now is being removed with one new sidewalk being added to run from Winchester Street to the front entrance.

The applicant is also adding a bike rack as well as creating permeable pavement to offset the impervious sites being added to address the additional runoff.

Mr. Routhier then addressed the waiver request to produce a full lighting plan. He indicated there is no proposal

to change the existing lighting. The only lighting being added are decorative sconces as well as some down lighting. Mr. Routhier then went over the waiver criteria.

a) *That granting the waiver has not been shown to diminish the property values of abutting properties.*

Mr. Routhier stated this is a commercial site and does not directly abut any residential properties. He felt the security lighting being added is essential. He did not feel the additions will have any impact on the adjoining commercial site to the north – Wendy's. The lighting which faces the public way will not produce glare. What is being produced is not more than 2-foot candles for the walkways and the existing floor mounted fixtures produce less than one-foot candles next to the building.

b) *Consideration will also be given to whether strict conformity with the regulations or Development Standards would pose an unnecessary hardship to the applicant.*

Mr. Routhier stated asking the applicant to produce a lighting plan where one already exists would cause unnecessary cost associated with the redevelopment of the site. He noted the previous approved plan did not show the wall mounted lights, these lights were either pre-existing or added after the site plan was approved.

This concluded Mr. Routhier's comments.

Councilor Hansel asked for the reasoning for having an in and out on Winchester Street. Mr. Routhier stated his firm did the site plan when this site converted to Pizza Hut and at one point there was an in and out on Winchester Street. When Pizza Hut came in they wanted to add in a drive through window and hence the reason for having an exit out because of the conflicting traffic movement. The applicant's plan is to draw traffic away from Winchester Street. He added the Pizza Hut had 152 seats and these two new uses (restaurant) will have 128 seats which will reduce the trip generation.

Councilor Hansel stated he was concerned about traffic using this curb cut to avoid the traffic light. Mr. Routhier stated what he observed is traffic coming further from the north and felt a right into this site would not do any good for anyone after this site is developed unless you are visiting any of those retail/restaurant sites. The applicant feels a right turn in will help pull traffic travelling south. Mr. Routhier also stated most retail spaces would like their curb cut at the front of their site and this right turn in will benefit this site.

Mayor Lane stated he agrees with the right turn in but had concerns with the exit onto Winchester Street especially with the redesign being considered for Winchester Street which would make the in and out difficult from Winchester Street. He further stated the right turn in is acceptable and if someone uses this as a cut through. It would be an enforcement issue for the Police.

Ms. Weeks asked whether the exit on the south will remain. Mr. Routhier answered in the affirmative and added this would mostly be for trucks exiting this site. Ms. Weeks clarified the only way to access this site from the south was Key Road and noted vehicles backup at this location and asked whether anything could be done about this. Mr. Routhier stated they are aware of this as an issue but this is a site constraint they are forced to deal with. Ms. Weeks asked if vehicles were not permitted to exit onto Winchester Street whether the dumpster pad could be redesigned so the exit at that location could also be used. Mr. Routhier stated their plan was not to modify what exists currently to any great extent and felt with any site there are traffic patterns that need to be dealt with. He stressed this is a pre-existing condition.

Ms. Russell Slack asked what plan the NHDOT has for Winchester Street. Mayor Lane stated currently the project is funded for engineering and he is in the process of appointing a committee to oversee that work. Once the engineering is complete the project is scheduled for construction in 2021; from the roundabout to Pearl Street, with possibly two roundabouts but this plan is still in the process of being developed. Ms. Russell Slack stated she doesn't mind the right turn in but does have concern about vehicles exiting into traffic onto Winchester Street.

Vice-Chair Stout asked for explanation on the landscaping. Mr. Routhier stated what the applicant is proposing is to maintain everything on site and supplement them with what is necessary. There will also be shrubs added to

the rear of the site to screen the dumpster. Vice-Chair Stout noted quite a bit of vegetation is being removed in the northeast corner.

Mr. Routhier stated this is due to the utilities that exist there right now which will need to be upgraded because they are going from a single tenant to three tenants.

Staff comments were next. Ms. Chalice stated the applicant has addressed all of the concerns raised by the City in terms of the development standards.

With respect to lighting there are additional wall pack units and decorative sconces being proposed. She referred to the Board's packet on page 36 and indicated these are vertical fixtures and there is no way these can be fully shielded to meet the Board's standards. This required the applicant to request a waiver. Ms. Chalice stated the parking lot lighting does meet the Board's standards in terms of being shielded and so do the wall pack units. Ms. Chalice stated the applicant at the request from staff did provide a short version lighting plan to show there would be lighting available for the pedestrian walkway. Because this requirement has been met, staff recommends this waiver be granted.

Chair Spykman asked where the decorative sconces were going to be located. Mr. Routhier stated they would be located at the front of the building and would be low level lighting. Chair Spykman clarified staff is satisfied these fixtures are in keeping with the Board's lighting standard. Ms. Chalice answered in the affirmative.

Ms. Chalice then addressed the issue of ingress and egress. She explained during the review of the prior site plan, the Fire Department was adamant they needed an egress onto Winchester Street; this has changed as the Fire Department now has a mechanism where the traffic lights can be stopped and they are satisfied with either an ingress or an egress. It is staff's opinion (engineering and planning) that there should only be an entrance from Winchester Street. The Police Department is also in agreement with the Fire Department and so is NHDOT. With respect to the future improvements on Winchester Street, Ms. Chalice stated the applicant is aware there is the possibility there will not be access off Winchester Street into this site in the future.

Councilor Hansel clarified DOT's position on the traffic route. Ms. Chalice stated they had looked at this plan and approved the ingress from Winchester Street but they were not concerned about the cut-through as they felt the amount of "zig zagging" vehicles would have to do would not be conducive for cut through traffic but they did not recommend an egress onto Winchester Street.

With respect to the utilities, Ms. Chalice stated she had talked to the City Engineer about the utilities located on the north side and added there is utility work to be done in this location. Ms. Chalice stated the City Engineer is fine with abandoning utilities within the property parcel itself and leaving them in place. This would prevent destroying the root structure of the remaining shade trees. It is hence, staff's recommendation the Board allow the abandoned utilities to remain in place.

Ms. Weeks asked whether the Planning Department was in agreement with the proposed porous pavement. Ms. Chalice stated the applicant was doing a great thing here to compensate for impervious area by offering this pervious surface.

Mr. Barrett asked whether there is an issue with the accessible parking spaces. Ms. Chalice stated this is a condition as well. Currently the accessible parking is opposite the traffic lane. She explained that currently the standards suggest that the accessible parking be as close to the required sidewalk as possible. Ms. Chalice stated there is now the opportunity to correct this parking situation and improve it so no-one has to cross a lane of traffic to get to the entrance. She went on to say there are spaces immediately to the west which can be used for accessible parking. She went on to say that this could be a suggested condition in the approval.

Mr. Routhier in response stated one of the conditions was to keep the utilities so the trees, could be retained. He indicated one of the changes which have not been shown on the site plan is the underground propane tank, this has been eliminated, and therefore the tree at this location will remain. The only tree being removed is the pine tree.

With reference to the accessible parking, Mr. Routhier stated one of the reasons for expanding the building and adding a patio was to lift the patio higher which would require the curb to be raised as well. To make sure no one trips over this, there is also going to be a bollard and chain link fence added here. He added the existing handicap spaces are centrally located and the applicant would like to keep them. Mr. Routhier stated it is not uncommon for handicap spaces to be located across from a lane of traffic as is the case with big box stores.

Ms. Weeks stated inevitably there is going to be someone driving at a high rate of speed to avoid the light and there will be some handicap person trying to cross the street to get to the entrance. Ms. Weeks felt something could probably be done to locate a handicap space on the west side.

Patrick Ntreba of Lisciotti Development was the next speaker. Mr. Ntreba stated he has experience working with retail spaces such as this and agreed the ADA has been pushing back about the need to locate handicap spaces as close to the entrance as possible. He stated the proximity of these spaces to the three front doors is excellent. Chair Spykman asked whether the walkway from the ADA spaces to the front door was a raised walkway to act as a traffic control element or whether it was a stripped walkway. Mr. Lisciotti stated it was a stripped smooth walkway.

Ms. Russell Slack noted Wendy's and McDonalds have the same set up to get to the entrance and asked whether this was the configuration when Pizza Hut was at this location. Mr. Rauthier answered in the affirmative. Ms. Russell Slack felt most people do stop at crosswalks.

Mr. Bohannon stated he has more concern about the exiting traffic onto Winchester Street. Mr. Ntreba stated they would be willing to have just a right in only off Winchester Street. Chair Spykman felt this would please many Board members.

Mr. Lamb stated he had just checked the DOT's ten-year plan and the project for Winchester Street is shown as two phases – 2019 and 2020.

Chair Spykman 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 Mayor Kendall Lane that the Planning Board approve SPR-961 Modification #3, as shown on the plan entitled "SITE IMPROVEMENT PLANS prepared for KEENE RETAIL LLC c/o LISCIOTTI DEVELOPMENT CORP." Tax Map 53 Block 1 Lot 20, 333 Winchester Street, Keene, Cheshire County, NH, dated March 17, 2016 and revised April 11, 2016, drawn by Northpoint Engineering, LLC at various scales; with the following conditions:

1. Submit revised plans showing:
 - a. The Winchester Street curb cut shall be "right turn in only" all revisions will be subject to the review and approval of the City engineer.
 - b. A note specifying the existing utilities proposed to be removed on the north side of the building for "re-routing to shared meter room", instead be abandoned in place on the property to reduce root disturbance of the existing, large shade trees present.
 - c. A note on sheets 2 and 4 stating that "the existing, one-inch water service line (through the parking lot) is to be removed".
2. Prior to signature by Planning Board Chair, Owner's signature on plan.
3. Prior to occupancy, submittal security for landscaping and an "as-built" plan in a form and amount acceptable to the Planning Director and City Engineer.

The motion was seconded by Andrew Bohannon.

Mayor Lane asked what kind of material would be used on the building after renovations. The public hearing was reopened. Mr. Rauthier stated the existing building is brick and the proposal is to paint the brick with different style canopies over the windows. The paneling would be in a stucco-like material.

Mr. Natreba asked that the third condition which says “*prior to signature*” could be changed to “*prior to Certificate of Occupancy is issued*”. He added they were happy to provide a bond (financial security) for this work. Chair Spykman stated this is a standard requirement. Mr. Lamb stated the acceptable form of security for landscaping is a letter of credit or an escrow account. Mr. Lamb stated the City has not done bonds because of its level of complexity. He went on to say the security for landscaping is to make sure the landscaping survives a year. Mr. Lamb stated because this is landscaping – prior to occupancy would be acceptable.

The Chair closed the public hearing again.

Mayor Lane amended his motion to say that condition 3 states as follows: Security for landscaping be provided to the City prior to issuance of certificate of occupancy. The motion was seconded by George Hansel.

Vice-Chair Stout asked whether the accessible parking is an existing condition. The Board agreed.

The amendment motion was unanimously approved.

Ms. Weeks asked why the recommendation by staff to relocate the parking to the west side was not considered. Mr. Lamb stated this is a recommended motion by staff but it is up to the Board to consider it or not. He stated what he heard is as long as this is a right turn only most members were satisfied with the location of the existing ADA parking. The only reason staff raised this issue is because of the proximity to the entrance. Mr. Lamb stated it could be left as is, because it has been operating safely for many years.

A motion was made by Christine Weeks to amend the motion to add condition 1. d.
d. Relocate the accessible parking spaces and access aisles with tip-downs shown to the west side of the building so that no traffic lane will need to be crossed.

The amendment died for lack of second

The original motion made by the Mayor carried on a unanimous vote.

2. S-03-16 – 347 Elm Street – Subdivision – Applicant Wendy Pelletier on behalf of owner Lisa Fontaine proposes to subdivide the lot into 2 residential building lots. The existing home will be on a lot of .69 acres and the new lot will be .45 acres. The site is 1.14 acres in size and located in the Low Density Zoning District (TMP# 010-03-005).

A. Board Determination of Completeness.

Planner Tara Kessler recommended to the Board that Application S-03-16 was complete but there might be added information the Board might require.

A motion was made by Pamela Russell Slack that the Board accept this application as complete. The motion was seconded by Mayor Lane and was unanimously approved.

B. Public Hearing

Surveyor Wendy Pelletier representing Lisa Fontaine stated that 347 Elm Street is north of North Street and south of Fuller Street. The site has one building currently on it and the proposal is to subdivide the lot into two. The frontage is 70.12 feet on the new lot and 74 feet on the existing lot. Ms. Pelletier stated there was some concern about wetlands on this site and a wetland area was identified off site. No drainage plan was done because this is just a building lot. However, the applicant is aware if a building was going to be located, the requirement for a drainage plan would be part of the permitting process.

Staff comments were next. Ms. Kessler stated this application meets all the standard and zoning requirements for a subdivision. However, when the plan was reviewed there was a question as to whether there was wet area on the site. Staff looked at the GIS map to locate any wetland areas but noted this is a high level view and does not provide accurate site-specific data. Seeing none except for a stream that runs northeast of this site, staff recommended that the Board accept this application as complete. Ms. Kessler stated should the Board hear any concerns raised by the abutters, staff would advise the Board to take this under consideration and request any necessary information from the applicant. Now is the time to request this information because it is not guaranteed this information would be provided when a building permit is sought later in the process. The Board has the authority to request more information and to make sure the lot being subdivided is buildable. Chair Spykman asked when Ms. Kessler says the Board could request more information, asked in what form specifically. Ms. Kessler stated the Board could ask that a wetland delineation be conducted by a certified wetland scientist or a drainage report could be requested.

Vice-Chair Stout asked why these questions would not be asked when a building is proposed. Ms. Kessler stated if it was a single-family home the site plan would not come before the Board for its consideration. She felt if things are not identified now, those restrictions on the site might not be included during the issuance of a building permit.

The Chairman asked for public comment next.

Attorney JR Davis representing abutters, John and Deborah Roberts of 357 Elm Street addressed the Board. Mr. Davis stated his clients have lived in this property since 1986. He circulated to the Board copies of an Affidavit. Mr. Davis stated his clients are concerned about the drainage issues, elevation issues and soil capacity.

Mr. Davis referred to the following from the Affidavit:

1. *We believe in the nature & quality of an oath.*
2. *The averments herein made are based upon our personal knowledge & belief.*
3. *We reside at 357 Elm Street, Keene, NH & have done so since or about 1986.*
4. *Our residential lot shares a common boundary with 347 Elm Street which is an approximately 1.14 acre lot, with our property being immediately north of 347 Elm.*
5. *The Existing Lot is proposed to be subdivided into two separate lots, one of approximately 0.69 acres on which the existing house is located ("Proposed House Lot"); & one of approximately 0.45 acres which will be a potential building lot ("Proposed Building Lot").*
6. *If the above subdivision is approved, the Proposed Building Lot will abut our property.*
7. *The Proposed Building Lot has a significant grade (steep) going away from Elm Street & particularly along approximately one-third + of the depth of our lot.*

Mr. Davis stated if you look at the elevation lines shown on the Proposed Conditions Two Lot Subdivision Plan there is a series of topographic lines along the common boundary line and between this area is a significant amount of steepness. The entire elevation also goes downhill.

8. *The Proposed Building Lot forms a "bowl" which "bowl" includes a portion of the Proposed House Lot.*
9. *In order to avoid drainage issues & wet soils, any dwelling or other building on the Proposed Building Lot will have to be in the front of the Proposed Building Lot.*
10. *In order to build in the front of the Proposed Building Lot, we are concerned that any construction will require a significant amount of "fill" in order to raise the building foundation.*
11. *We are concerned that, as result of the existing conditions including the steepness along the front of our common boundaries, any building or development on the Proposed Building Lot will cause flooding &/or significant drainage onto our lot & certainly along the common boundary.*
12. *We are concerned that our existing retaining wall - Mr. Davis stated if the plan is looked at it shows this wall coming perpendicular to the structures located here which is his client's studio. His clients are concerned there will be damage done to this retaining wall*
13. *From our own experience we know that this area is wet and has a high water table.*
14. *We could not install a so-called "in-ground pool" in our back yard. When our pool contractor started to excavate, the water table was reached nearly immediately, within 2' or less of the top of the sod.*

15. *A house that was formerly just down the street (estimated at 0.3 miles or less per odometer) to the south had to be razed as a result of sinking into the ground because of the wet soil conditions & water in the basement. Other houses in this area often have water in the basements with drainage hoses being seen.*
16. *Both the Proposed Building Lot & the Proposed House Lot are wet much of the year & have standing water on portions thereof for more than one-half of the year.*
17. *A pond of standing water is on both lots in the rear (mainly the Proposed House Lot) annually each year – sometimes between approximately September/October through April, depending upon weather.*
18. *We believe that this pond constitutes a “wet land” under both the applicable state statutes & Keene ordinances. Mr. Davis stated the pond he is referring to is further to the west beyond the area indicated as Surface Water Protection Ordinance of the .45 acre lot.*
19. *Our children used to skate on this pond when younger.*
20. *Additionally, there is an extended, perennially wet area (“Wet Area”) on the Proposed Building Lot from an area westerly of the pond to an area just easterly of the rear of our studio, which is labeled a “building” on the plan. From the 92 topographic line going towards the 90 line.*
21. *Said Wet Area on the Proposed Building Lot sometimes interferes with cutting the grass &/or results in noticeable tire ruts when the grass is cut with a residential riding mower.*
22. *We believe that said Wet Area extends to an area within 142’ +/- of Elm Street. Mr. Davis stated the reason he brings this to the Board’ attention is because minimum lot requirement in this zone is 10,000 square feet. At the 70.12 feet if you were to get 10,000 square feet you would need to get to about 143 feet so the applicants are concerned the wet area will extend into the minimum acceptable zone.*
23. *Said Wet Area appears every year.*
24. *We have provided 8 representative photographs showing the steepness, “bowl”, pond, & Wet Area at different times of the year.*
25. *As a result of the above, we do not think it safe, prudent, or expedient to approve the proposed subdivision.*

Mr. Davis circulated to the Board copies of photographs of the site.

Photograph #1- taken 35 feet east of the workshop and 8 feet south of the property line. This photograph was taken in August 2014 and there are wet spots which can be seen.

Photograph #2- same area taken a week before.

Photograph #3- taken recently at the common boundary standing in the Roberts’ driveway the area referred to as the “bowl”

Photograph #4- shows 357 Elm Street from the back – which shows the area which forms that “bowl”

Photograph #5- shows the easterly side of the retaining wall.

Photograph #6 – taken in February 2016 which shows the ponding area and three additional areas of standing water. Mr. Davis referred to the marker in the middle of the photograph close to the middle of the standing water, located 20 feet south and four feet west of the shed on the lot being proposed to become a building lot.

Photograph #7 – taken in February 2016 – shows the apple trees identified on the plan which trees are significantly moved from what is shown on the plan as the Surface Water Ordinance Buffer. Mr. Davis stated this picture shows there is a seasonal water issue which has continued.

Photograph #8 – Taken in December 2014 shows water in the pond.

Mr. Davis stated for these reasons the applicants feel this is not an appropriate subdivision. He stated the only conceivable reason why a person would subdivide a lot such as this is to create a building lot. If the Board approves this subdivision and someone applies for a building permit, Code Enforcement would have no choice but to approve the building permit as long as the building was the right size and met the appropriate setback requirements.

Mr. Davis went on to say his clients’ concern is the drainage, the soils capacity to sustain a building and whether there is a 10,000 square foot area in the front to permit a building. He indicated as a result he would request the Board to deny this application or request the applicant to come back with a drainage or hydrology analysis so it could be verified where the wetland areas are located and if there is 10,000 square feet of area for a building to be located.

Councilor Hansel asked about picture #6 and where the marker is located. Mr. Davis stated it is located on the .45 acre proposed lot and its location from their shed (not the one located in the driveway) it is approximately 28 feet +/- southerly.

Ms. Pelletier in response stated standing water in February is not enough to call it a wetland and that is what the Surface Water Ordinance covers. For it to be considered a wetland it has to meet three criteria; it has to have hydric soils, it has to have wetland vegetation, and has to have water within 12 inches of the surface the majority of the year. She noted the pictures taken in April doesn't show any water but agreed there is some water at the rear of the site. Ms. Pelletier stated her client would be happy to do some wetland delineation. She felt any drainage would impact Lisa Fontaine's lot and not anybody to the north. She felt there are ways to deal with a site such as this, like bringing in fill.

Mr. Davis stated he agrees with Ms. Pelletier for an area to be considered a wetland it needs to meet three criteria. He indicated there is sufficient evidence to indicate there is surface water issues that exist here and hence the reason for his suggestion for the Board to request additional studies. He also added if they start adding fill here, it's going to create a potential for a culvert.

With no further comments, the Chairman closed the public portion of the hearing.

Mayor Lane stated the Board has dealt with lots like this in the past. The Mayor noted the Board does have a standard which requires that surface water has to remain on site. He felt with the differing view as to whether there is a wetland on this site, a wetland delineation might address that concern. If it is then determined this is a buildable site, the Board at that point might not have much choice but to approve it.

Chair Spykman stated approving a subdivision does not always approve a lot to be a buildable but felt it would be wise to obtain the wetland information for this site.

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board continue this public hearing to the May 23 Planning Board meeting to give the applicant time to provide a drainage study and have a NH certified wetland scientist delineate the presence of wetlands on site to show that the property can be reasonably developed. The motion was seconded by Pamela Russell Slack.

Councilor Hansel asked whether this motion would require the soil sampling for the upper portion of the site. The Mayor answered in the affirmative.

Mr. Lamb explained this is a type of motion the Board has adopted in the past and referred to the property on Marshall Street.

The motion was unanimously approved.

3. SPR-896, Modification #1 – Keene Public Library – 60 & 76 Winter Street

– Site Plan – Applicant Nancy Vincent of the Keene Public Library on behalf of owner, City of Keene proposes renovations to the Annex building and the Library to include a connector between the two. The site is 1.90 acres in size and located in the Office & Central Business Zoning Districts within the Historic District (TMP#s 001-01-006 & 001-01-007).

Ms. Weeks and Vice-Chair Stout were recused from this item.

A. Board Determination of Completeness.

Ms. Kessler stated the applicant requested a waiver from the Board's submission requirements in order to meet compliance with zoning. The applicant has received the necessary approvals for zoning and both parcels are now located in the Central Business District. Staff recommends the Board finds this Application as complete.

A motion was made by George Hansel that the Board accept this application as complete. The motion was seconded by Mayor Kendall Lane and was unanimously approved.

B. Public Hearing

Mr. Jeff Hoover from Tappe Architects addressed the Board next. Mr. Hoover with reference to a rendering stated this project is to build a connection between the two historic buildings referred to on the rendering. This project would be connection between library activities as well as community activities. Part of the project is reconstruction to the annex to add an egress stair tower to the side. Mr. Hoover stated the stair tower would dress up the building by taking design cues from the existing front of the building, the Herberton Hall piece at the rear and the main library. Mr. Hoover stated he had also met with the Historic District Commission to obtain their approval on the design. He referred to the fire escape which will be removed and replaced with the stair tower.

Mr. Hoover went on to talk about the connection. He explained the center of the existing site plan currently has parking between the two buildings. He noted there would be no changes to site access, curb cuts or parking. There will be however, lighted walkways to the south of both of the buildings. The existing parking area is going to be turned into a landscaped and permeably paved courtyard. There will be an arching walkway along the south of the two buildings and this walkway will serve as ADA access to the building without the need for a ramp by locating a change in grade. He explained the primary approach to the building is likely going to be from downtown to the left of the pedestrian access from the west. There wouldn't be an opportunity for someone to approach the library from across the street because of the lack of a crosswalk. The new configuration accommodates pedestrian access to the new entrance on the south side.

There is also a bus stop integrated into the campus with modifications being made to the street and sidewalk as well as the installation of a bus shelter. There are also areas of fencing being proposed. Mr. Hoover also showed where the stormwater retention basin is going to be located. He noted the manner in which they would make the roof element a green roof or a sustainable roof is by making it white with a high solar reflector index. This would be an impervious surface where the water will be collected and directed to the bio retention basin. Mr. Hoover referred to the black line on the plan which is a fence between the library and other activities from the street. There will be two different fence types incorporated. In closing, Mr. Hoover showed the Board before and after photos of the proposed project.

Staff comments were next. Ms. Kessler stated the applicant has done a good job with the aesthetic appearance of the building. She stated it was important to note that the Historic District Commission did issue a Certificate of Appropriateness for the structure and were pleased that the architect and applicant paid as much attention as they did to the two historic buildings.

With respect to the other standards:

Drainage – This plan is reducing the amount of runoff by the inclusion of the retention basin, permeable surface and additional landscaping.

Lighting – The staff report did note the applicant was exceeding the standard for walkway lighting but the applicant has submitted a revised plan which now meets the standard and staff has no issue with lighting.

Sewer and Water – There is a revised drainage plan which indicates the applicant will be disconnecting the library annex sewer connection to Winter Street and create a new connection to West Street so there will no longer be a connection on the Winter Street side.

Traffic – This plan envisions an increased number of pedestrian trips as well as other modes of transportation such as the City Express but felt the Board should inquire whether there will not be an increase to vehicular traffic because of this project

Mr. Barrett asked how patrons who use the Winter Street parking lot would access the site. Mr. Hoover stated it would be the same as it exists today because the north side entrance is being maintained but one on the south side is being added. Mr. Barrett asked whether there will be bikes racks also added to the West Street side. Mr.

Hoover answered in the affirmative. Mr. Barrett asked what type of bus shelter the applicant was proposing. Mr. Hoover stated the design is yet to be determined. There has been conversations going on with the bus company about pre-manufactured bus shelters but the issue would be finding one that will complement the overall architecture. If this doesn't work, a custom design would also be possible.

Ms. Kessler noted condition #2 can be deleted as it has been met by the applicant.

Chair Spykman asked whether the City was concerned about the loss of parking by turning this parking area into a courtyard. Ms. Kessler stated there will be eight parking spaces that will be removed and Ms. Kessler reminded the Board this property is located in the Central Business District where there is no requirement for on-site parking. Staff feels the increased access by other modes would offset the loss of parking but did stress that the Board should find out whether this project would cause an increase to vehicular traffic.

Chair Spykman asked Mr. Hoover whether a traffic analysis has been done for this site. Mr. Hoover stated they hadn't and indicated one of the things that is going to be different from the user's perspective in terms of parking is there is a south entrance and the municipal parking across the street on West Street will now be available. He stated this approach will have an entirely new experience now with the new lawn and entrance being proposed. The Chairman asked whether the sidewalk on West Street aligned with the arching walkway. Mr. Hoover stated it would be very close; the arching walkway comes close to the bus stop.

Chair Spykman asked for public comment next

Councilor Kahn asked whether more thought was given to abutting sites and their relationship to these new improvements where parking is now going to be more towards the south. He stated there will probably be some planning issues for the future capital improvement to be incorporated into the downtown redesign. He felt the crosswalk alignment currently near St. James Street is awkward and expressed concern about the lighting here. He added he was trying to plan for future improvements to the City.

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

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board Approve SPR-896 Modification #1, as shown on the plan set entitled "Keene Public Library Building Addition 60 and 76 Winter Street, City of Keene, Cheshire County, New Hampshire" prepared by CHA, dated 3/18/16 and last revised on 3/31/16, 2011, at a scale of 1" = 20' with the following conditions:

1. Prior to signature by Planning Board Chair, Owner's signature on plan.

The motion was seconded by Pamela Russell Slack.

Mr. Lamb stated staff will look at the lighting at the crosswalk on West Street as part of this project or in conjunction with other improvements. He stated the other concerns Councilor Kahn raised are long term; having a better path for pedestrians to get from this new entrance to the parking lot to the south. Chair Spykman commended this project and the design.

The motion was unanimously approved.

4. S-02-16 – 27 Woodland Ave/1 Hillside Ave – BLA – Applicant, SVE

Associates, on behalf of owners Johnathan and Kelly Roe, propose to adjust the boundary between their property at 27 Woodland Ave (TMP# 127-02-033) and the neighboring property at 1 Hillside Avenue (TMP#127-02-039) owned by Hilary L. Richardson. The proposal will increase the size of the parcel at 27 Woodland Ave by approximately 1,636 square feet. Both sites are located in the Low Density Zoning District.

Vice-Chair Stout and Ms. Weeks rejoined the Board.

A. Board Determination of Completeness.

Ms. Kessler recommended to the Board that Application S-02-16 was complete. A motion was made by George Hansel that the Board accept this application as complete. The motion was seconded by Mayor Kendall Lane and was unanimously approved.

B. Public Hearing

Mr. Russ Huntley from SVE Associates stated the plan before the Board is to adjust 1,636 square feet from the Richardson property on Hillside Avenue to the rear of the Roe property on Woodland Avenue. He indicated the property owners feel the rear portion of the property goes more with the Roe property and is not accessible to the Richardson property which has a fence in the back. Both properties, if this subdivision is approved will meet the setback requirements and there is no change to the frontage.

Chair Spykman asked about the City Easement which is currently straddling both properties and asked with this adjustment whether it will lie completely on the Roe property. Mr. Huntley agreed and added the easement is currently on the property line.

Ms. Weeks asked whether there has there ever been a flooding problem. Mr. Huntley stated there was an issue with flooding but the City made improvements to the drainage which rectified the problem.

Staff comments were next, Ms. Kessler stated the applicant has met all the dimensional requirements per the zoning ordinance. She referred to standard 17 and noted there is a stream on the property but the Surface Water Ordinance does not apply to boundary line adjustments.

Chair Spykman stated this is not a public hearing but stated he would take public comment. With no comment from the public, the Chair closed the public hearing.

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board Approve S-02-16 as shown on the plan identified as “Boundary Line Adjustment between Lands of John W. & Kelly K. Roe, Tax Map Parcel 127-02-033.0000, 27 Woodland Avenue, Keene, New Hampshire & Hilary L. Richardson, Tax Map Parcel 127-02-039.0000, 1 Hillside Avenue, Keene, New Hampshire” prepared on 1/11/2016 by Russell J. Huntley of SVE Associates at a scale of 1”=20’ with the following condition:

1. Both property owners’ signatures appear on the plan prior to signature by Chair.
The motion was seconded by George Hansel.

Mayor Lane stated the reason for the flooding was because of a clogged culvert.

5. SPR-902, Modification #3 – Walmart – 350 Winchester Street – Site Plan – Applicant Daniel Backstrom of the SGA Design Group on behalf of owner, Riverside Improvement, LLC is proposing a change to the front façade of the Walmart building. The site is 21.8 acres in size and is located in the Commerce Zoning District (TMP# 082-01-001).

A. Board Determination of Completeness.

Michele Chalice recommended to the Board that Application SPR-902 was complete. A motion was made by George Hansel that the Board accept this application as complete. The motion was seconded by Mayor Lane and was unanimously approved.

B. Public Hearing

Mr. Daniel Backstrom of SJ Design Group addressed the Board. Mr. Backstrom stated the applicant is in the process of remodeling the existing store and as part of the remodel they are repainting the exterior façade. He indicated the prior drawings have been reviewed and approved by staff. After the plans were reviewed, Walmart initiated a new color change for their stores which is going from the brown tone to a grey tone (light, medium and dark) and blue. He indicated staff had advised them to come before the Board due to this color change.

Mr. Backstrom stated staff had also advised him not to obtain a glossy finish for this paint. He explained the paint manufacturer had advised them for the type of use the best paint to purchase would be a satin finish which is one step above flat. The reason they recommend this type is because it has richer look and wears longer. It has very low sheen. He explained the main front of the store will go from a brown to a blue with some medium grey accent. The top areas will be darker grey and so would the cornices and banding.

Staff comments were next. Ms. Chalice stated as has been indicated there is no other site work being proposed. She noted the reason this matter is before the Board is because of adjustments to the façade.

The Mayor stated he was not in favor of the proposed color.

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

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board approve SPR-902 Modification #3 for Walmart at 350 Winchester St., as shown on the plan entitled "Walmart, Keene NH – Store #3549", dated February 23, 2016, drawn by SGA Design Group, P.C. at a scale of 1" = 20'; with the following conditions:

1. Prior to signature by Planning Board Chair, Owner's signature on plan.

The motion was seconded by Pamela Russell Slack and carried on an 8-1 vote with Mayor Lane voting in opposition.

IV. Planning Director Reports

Mr. Lamb stated as the City moves toward a more "paperless" system, in the coming months the City will be moving to digital agendas starting first with City Council and then the Planning Board. Members will be provided with a device such as a laptop or tablet to review materials. He stated staff will make sure these changes work appropriately for everyone.

VI. Upcoming dates of interest – May 2016

Planning Board Meeting – Monday, May 23, 6:30 PM

Planning Board Steering Committee – Tuesday, May 10, 5:30 PM

Joint PB/PLD – Monday, May 2, 6:30 PM – early due to budget meetings

Planning Board Site Visits – Wednesday, May 18, 8:00 AM – to be confirmed

On a unanimous vote, the meeting adjourned at 8:58 PM.

Respectfully submitted,
Krishni Pahl
Minute Taker

Reviewed by: Rhett Lamb, Planning Director
Edits, Lee Langella