

**CITY OF KEENE  
NEW HAMPSHIRE**

**PLANNING BOARD  
MEETING MINUTES**

Monday, August 22, 2016

6:30 PM

Council Chambers

Members Present

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

Staff:

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

Members Not Present:

James Duffy, Alternate  
Tammy Adams, Alternate

**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** – July 25, 2016

A motion was made by Mayor Kendall Lane to accept the July 25, 2016 minutes. The motion was seconded by George Hansel and was unanimously approved.

**III. Continued Public Hearing**

**1. SPR-04-14, Modification 6 – Talons Restaurant – 141 Winchester Street –**

**Site Plan** – Applicant Katie Cassidy Sutherland, Architect, on behalf of owners, 141 Winchester St, LLC, proposes an 80-seat restaurant. The primary proposed use is a 4,000SF restaurant with a 450SF accessory indoor recreation area with pool table and video games, and a 500SF accessory bar service. The site is 0.29 acres in size and located in the Commerce Zoning District (TMP# 052-02-004). The applicant has requested the Planning Board withdraw this application.

A motion was made by Mayor Kendall Lane to accept the applicant's request for withdrawal. The motion was seconded Pamela Russell-Slack and was unanimously approved.

**IV. Driveways**

**1. 85 Park Avenue – Request for an additional driveway**

Mr. Josh Gorman owner and resident of 85 Park Avenue addressed the Board. Mr. Gorman stated his request is for a second curb cut for a single family home for which Planning Board approval is required. Mr. Gorman stated he would address the four criteria which this application needs to meet to be granted the second curb cut.

Mr. Gorman went over the criteria as follows:

- a) *Issuance of the exception will not reduce the safety of pedestrians, bicyclists and vehicles using adjacent streets and intersections."*

Mr. Gorman stated currently his driveway exits onto a six-lane intersection with four crosswalks and two driveways. The proposed curb cut would exit onto three lanes of traffic. He did not feel he would be adversely impacting the street or the intersection and having two driveways will diminish the number of vehicle trips.

- b) *There are unique characteristics of the land or property, which present a physical hardship to the requestor.*

Currently the existing driveway exits onto a six lanes of traffic and four crosswalks and stated he couldn't think of many other sites that do so and felt this was a unique characteristic.

- c) *"In no case shall financial hardship be used to justify the granting of the exception."*  
Mr. Gorman stated financial hardship is not a criteria for this request.

- d) *"Issuance of the exception will not reduce the safety of pedestrians, bicyclists and vehicles using adjacent streets and intersections."*

Mr. Gorman stated the primary reason for him to request this second curb cut is mainly for safety reasons. Mr. Gorman with reference to a plan explained to where his abutters' properties 81 and 89 Park Avenue are located. He referred to the large utility pole at the end of this driveway which hampers visibility for traffic travelling from the left. He noted turning right out of his driveway is not an issue. However, travelling home from the YMCA there always seems to be a conflict with the car trying to turn onto Arch Street.

If he was to, however, use that same travel path and use the proposed driveway there will be no issue. As mentioned earlier taking a left out of the existing driveway with the utility pole, cars coming down Arch Street don't realize there is a driveway at 85 Park Avenue which has the right of way at. Trying to also make a right into his driveway with an extended cab is difficult because of the pole.

Ms. Weeks asked whether Mr. Gorman had seen the City Engineer's letter. Mr. Gorman stated he has seen the letter but doesn't know what to make of it. Mr. Gorman stated the City Engineer was under the impression the light at this intersection was a traffic light but once he realized it is a pedestrian controlled light he changed his opinion. He added the City Engineer suggested the proposed new curb cut not be used for left turn out; Mr. Gorman felt this would alleviate three out of the four safety issues. Ms. Weeks stated the City Engineer asking that a "no left turn" sign be posted is what caught her attention. Mr. Gorman stated the City Engineer feels the people coming down Arch Street have the right of way but Mr. Gorman stated he disagrees because those drivers have a Stop Sign. He added the City Engineer's concern also was that taking a left turn out of his driveway and the visibility to his left because of the queuing lane. Mr. Gorman stated when exiting his driveway he has no choice but to wait for the queue to clear. Mr. Gorman circulated copies of photographs regarding his visibility.

Staff comments were next. Planner Tara Kessler noted the proposed driveway lies south of the existing driveway. Ms. Kessler stated there are four criteria which the Planning Board uses to evaluate the request for a second driveway, which is an exception of Section 70 of the City Code.

The following are the four criteria:

- a) *"Issuance of the exception will not reduce the safety of pedestrians, bicyclists and vehicles using adjacent streets and intersections."*

Ms. Kessler stated this is an area which is heavily travelled by pedestrians and bicyclists and the increase to curb cuts is not ideal but the space between curb cuts seems to be sufficient to locate a second curb cut. However, the City Engineer and planning staff have noted to some issues with visibility of traffic travelling south on Park Avenue and vehicles making a right turn from Arch Street on to Park Avenue. When a car exits this new proposed driveway they would now have to

see past two lanes of traffic; queue lane for traffic turning left onto Arch Street and a thru lane going north.

Ms. Kessler stated the City Engineer did make a second visit after he submitted his initial report and that report does indicate left hand turns would have a negative impact with cars travelling south. Hence, it is his recommendation if this second driveway was allowed this driveway be restricted to right exits turns only and there is a proposed motions which reflects that. This would also be a restriction which would need to be recorded with the Registry of Deeds to carry with the property in perpetuity.

b) *“Issuance of the exception does not adversely affect the efficiency and capacity of the street or intersection.”*

Ms. Kessler stated it is the opinion of the City Engineer because this is a pedestrian controlled light at this intersection; the proposed driveway would not adversely affect the efficiency of this intersection or the capacity of the street.

c) *“There are unique characteristics of the land or property, which present a physical hardship to the requestor.”*

Mr. Kessler stated Mr. Gorman has indicated some of the safety issues he is facing with the existing driveway. She noted the City Engineer in his comments has talked about the location of the utility pole and service box as being a hindrance to turning right into this property without veering into the adjacent travel which can be considered a unique hardship for this site. Planning staff also feel this utility box location impedes visibility of traffic travel south on Park Avenue.

d) *“In no case shall financial hardship be used to justify the granting of the exception.”*

Ms. Kessler stated the applicant is not using financial hardship as a request for this waiver.

Councilor Hansel asked for the distance between the existing driveway and the proposed driveway. The distance is 69 feet.

Mr. Bohannon asked whether the Police Department has weighed in on this issue. Ms. Kessler stated the Police Department was not asked to look at this proposal.

Chair Spykman asked whether consideration was given to closing out the existing driveway and just having the one new driveway. Ms. Kessler stated it is the City Engineer’s opinion even with the utility pole the existing driveway is safer.

Ms. Weeks asked whether Mr. Gorman would go along with a restriction being placed as to the no left turn. Mr. Gorman stated he would because it would minimize some of the safety concerns. However, felt he would only be partially amending an unsafe situation and would like to strongly reiterate that he has a queue lane wherever he pulls out from. He added by pulling out 70 feet from where the turn occurs is a much safer option. He stated the City Engineer witnessed this with him; from the proposed location a single car queued but at the existing location there was a lot of queuing because it is a turning location. He added not only that but at the new proposed location he is also eliminating the Arch Street rolling stops who never pay attention to his driveway. Mr. Gorman stated the only way someone could hit him after exiting the new location is if they were driving so recklessly they would hit someone no matter what.

With reference to visibility, he has serious visibility issues currently when making a left turn out of his current driveway which was illustrated by the pictures he circulated by the pole inhibiting his view.

Mayor Lane stated he does not understand restricting the proposed driveway to just right turns only. He noted the problem with the existing driveway is the left hand turn, hence putting in a new driveway and restricting it to no left turns does not make sense and did not feel this was enforceable. The Mayor stated he cannot recall any private driveway in the City where an owner is restricted to only going one way out of their own driveway. This is done for commercial parking lots and is not something that can be enforced for a private driveway. The Mayor noted a left turn out of the current driveway is dangerous because of the utility pole and hence putting in a new driveway and saying he cannot make a left turn accomplishes nothing.

Chair Spykman clarified the issue the City Engineer sees is the cars queuing in the left lane waiting to turn onto Arch Street would cause a visual hindrance for Mr. Gorman from cars travelling south. Mr. Lamb added there will also be those cars exiting Arch Street travelling south.

Councilor Hansel stated he travels this route five to six times daily and hasn't seen much queuing on either of those lanes and felt 70 feet would give the applicant about three to four car lengths. If the applicant was going to pull out he would have to wait for the lanes to clear. Mayor Lane stated the only time he might see queuing is during the early hours of the day when high school students are travelling to school. He stressed the vehicles that exit Arch Street have a stop sign which they might ignore, but it does exist; if anything should be enforced it should be that stop sign. The Mayor stated he is not very comfortable with the second exit but does solve a very significant issue.

Chair Spykman stated another issue to consider with these driveway applications is that the use and character of these driveways could change should the applicant ever sell his property.

Mr. Stout stated the question is the lesser of two evils; drivers not considering the stop sign or the obstruction of the light pole. Mr. Stout stated his opinion from what he has seen and heard is the lesser of the two evils is the second curb cut and stated he would be supporting the applicant as it does remedy to some extent an unsafe situation.

Mr. Barrett stated he favors the second curb cut and agrees with the Mayor regarding how a no left turn could not be enforceable. He stated he would like to leave it up to Mr. Gorman to decide which turning movement is safe. With respect to what the Chairman said about the ownership changing in the future, here again felt this should be up to an owner to decide which turning movement is safe for them and what risk is safe for them.

Chair Spykman stated the Board has three options; approve the second curb cut, approve the second cut with the condition place by the City Engineer or deny the request for a second curb cut.

Chair Spykman stated this is not public hearing, but it does not mean public comment cannot be taken and invited public comment.

Mr. Dan Crosby of Brooks Street, Keene stated he is a friend of Mr. Gorman's and has visited the property many times since Mr. Gorman purchased the property. Mr. Crosby stated this is a

difficult driveway. He stated he couldn't think of any situation, turning right or left where the second driveway would not be safer. He stated backing out is even worse.

A motion was made by Mayor Kendall Lane that the Planning Board an exception from the Keene Code of Ordinances Driveway Permit and Standards, Section 70-135(c)(4) to construct a second residential driveway at 85 Park Avenue (TMP# 064-02-009) as shown on the plan submitted by Joshua Gorman to the Planning Department on August 1, 2016 with the following conditions:

1. Driveway design, and as built, shall not direct storm water flow into the City streets or disrupt existing drainage in the City of Keene right of way.
2. The Applicant will procure and comply with all necessary permits and City department approvals prior to commencing construction.

The motion was seconded by George Hansel.

Ms. Weeks asked whether the City Engineer after the Board's motion would be able to add the restriction. Chair Spykman answered in the negative and stated it is now up to the Board to approve or disapprove this application but if anyone feels it should have the condition the motion could be amended.

The motion carried on an 8-1 vote with Christine Weeks voting in opposition.

#### **V. Boundary Line Adjustment**

1. **S-05-16 – 45/49/55 Dickinson Road – Boundary Line Adjustment** – Applicant, Wendy Pelletier, on behalf of owner Susan Donahue Irrevocable Trust, proposes to adjust the boundary line between the property at 49 Dickinson Road (TMP# 189-01-010) and the neighboring properties at 45 Dickinson Road (TMP# 189-01-009), owned by Terry and Linda H. O'Connor, and 55 Dickinson Road (TMP# 189-01-011), owned by Elizabeth A. Michaels. The proposal will increase the size of the parcels at 49 Dickinson Road and 55 Dickinson Road by approximately 1,310 square feet and 1,044 square feet, respectively, and will decrease the size of the parcel at 45 Dickinson Road by 2,354 square feet. All sites are located in the Low Density Zoning District.

##### **A. Public Hearing**

Ms. Wendy Pelletier, surveyor stated this is a subdivision that was put in place in 1975 and the pins were either not set or have been moved. The houses have been built rather close together. The Michaels sunroom is about a foot and a half from their current line. The proposal is for the Donahues to give the Michaels another 12 feet going back to the common pin.

Ms. Pelletier referred to the stone wall which runs along the O'Connors driveway and area where all the landscaping has existed and the O'Connors have agreed to give the Donahues that strip of the property. There are no other changes to zoning.

Chair Spykman referred to the structure on the Michaels lot and asked what the setback was in this zone. Ms. Pelletier stated it was ten feet but the lot would not be a conforming lot which it is not at the present time. However, this adjustment would make the situation better. The line for the Michaels lot cannot be adjusted anymore without impacting the septic system for the Donahue lot. The Chair asked whether a variance was obtained when the sunroom was added for

constructing within the setback. Ms. Pelletier stated that is unknown; it happened a long time ago.

Staff comments were next. Ks. Kessler stated this is a pretty straightforward boundary line adjustment. Staff has no additional comments or issues.

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board approve S-05-16 as shown on the plan identified as “Boundary Line Adjustment Map 189010090000, Map 189010100000 & Map 189010110000 & 45, 49 & 55 Dickinson Road Keene, NH 03431” prepared on June 27, 2016 by Cardinal Surveying and Land Planning at a scale of 1”=30’ with the following condition:

1. All property owners’ signatures appear on the plan prior to signature by Chair.

The motion was seconded by Pamela Russell-Slack and was unanimously approved.

VI. Public Hearings

1. **S-04-16 – 256/260 Beaver St – 2-Lot Subdivision** – Owner/Applicant, Cheshire Housing Trust, proposes to divide an existing lot. The site is 0.20 acres in size and located in the Medium Density Zoning District (TMP# 019-20-010).

Ms. Russell-Slack stated that she owns one of the homes associated with this application and recused herself from this application.

A. Board Determination of Completeness.

Planner Michele Chalice recommended to the Board that Application S-04-16 was complete. A motion was made by Mayor Kendall Lane that the Board accept this application as complete. The motion was seconded by George Hansel and was unanimously approved.

B. Public Hearing

Mr. David Bergeron of SVE Associates stated this is an existing lot on the north side of Beaver Street. There are two houses on this lot. One was built in approximately 1870 and the other was built in approximately 1920 and they pre-date zoning. Cheshire Housing Trust the property owner at one time had a program where they purchased certain homes in the City, kept the land but the sold the building to make property ownership affordable.

These houses are part of that program and have separate owners. These houses are the last in that program and the program has outlived its popularity. What Cheshire Housing Trust would like to do is to subdivide the property and sell the land. Because of the size of the lots there are issues with setbacks. The applicant has been before the Zoning Board to receive exemptions to make this happen. Nothing is changing except the land will now have new ownership. There is a common driveway which will be shared by both homes and there is an easement to share the driveway and to maintain the driveway.

Staff comments were next. Planner Michele Chalice stated this is an existing non-conforming parcel and is a typical situation for this neighborhood. Staff had no further comments.

The Chair asked for public comment.

Linda Mangones, Director of Cheshire Housing Trust stated this is was a great solution for initial property owners but proved to be quite complicated in the long run. The current owners are in favor of moving forward with this proposal.

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

Mr. Stout noted when this matter came before the Zoning Board the matter moved fairly quickly and was unanimously approved.

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board approve S-04-16 as shown on the plan identified as Sheet 1 “SUBDIVISION PLAN – EXISTING, 256 & 260 Beaver Street”, TMP# 019-20-010, 1” = 20’, dated July 14, 2016 and “SUBDIVISION PLAN for CHESHIRE HOUSING TRUST, 256 & 260 Beaver Street”, 1” = 20’, dated June 6, 2016, prepared by Brickstone Land Use Consultants, LLC, with the following condition:

1. Owner’s signature on plan prior to approval.

The motion was seconded by Nathaniel Stout and was unanimously approved.

2. SPR-507, Mod. 1 – 680 Marlboro Road (Rt. 101) – Site Plan –

Owner/Applicant, James E. Robertson Family Trust, proposes to remove an existing building, construct a new mini storage building and replace a fuel tank. The site is 9.71 acres in size and located in the Industrial Zoning District (TMP#128-01-002). A waiver is requested from Development Standard #10: Lighting.

A. Board Determination of Completeness.

Planner Michele Chalice recommended to the Board that Application SPR-507, Mod. 1 was complete. A motion was made by Mayor Kendall Lane that the Board accept this application as complete. The motion was seconded by Pamela Russell-Slack and was unanimously approved.

B. Public Hearing

Mr. Rob Hitchcock of SVE Associates addressed the Board and referred to where this site was located on Route 101. He indicated there are four buildings on the site today.

He stated the building being taken down is 65’ x 165’ and is a climate controlled building. He referred to where the entry doors and the emergency doors are located. The land to the rear which was purchased by Mr. Robertson used to be the Frazier and Son furniture factory building. This area is all gravel today. The proposal also is to offset the increase in impermeable area from the roof and the pavement by replacing impermeable gravel at the rear with crushed stone. The building being taken down cannot be seen and there are no neighbors. There is one light on the site and a lighting waiver was filed as the applicant did not see the necessity to file a lighting waiver for just one light. There are wall packs at the end which operate only when the emergency egress doors open.

Staff comments were next. Ms. Chalice stated the advantage here is additional pervious area is being gained. Staff is in waiver of the waiver request. There is an outstanding NH Department of Environmental Services Shoreland Permit which is stated as a condition of approval. Staff had no further comments.

Ms. Weeks asked about lighting if someone was to enter the site. Mr. Hitchcock stated there is a motion sensor exterior light and there is one access to the site.

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

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board approve SPR-507 Modification #1, with waiver request, as shown on the plan entitled “KEENE MINI STORAGE EXPANSION”, Tax Map 128-01-02 and TMP 128-01-03, 690 Marlboro Road, Keene, Cheshire County, NH, prepared for the James E. Robertson Family Trust,” dated July 8, 2016, and revised August 8, 2016 drawn by “SVE Associates” at various scales; with the following conditions:

1. Prior to signature by Planning Board Chair, Owner’s signature on plan.
2. Submittal of an approved NH Department of Environmental Services Shoreland Permit, File #2016-01965.

The motion was seconded by Pamela Russell-Slack.

Mr. Bohannon stated under departmental comments, Fire Department access was required to be shown and asked whether this was shown. Mr. Hitchcock stated the rear portion of the site is open at all times and the plan shows that access.

The motion was unanimously approved.

3. SPR-08-16 – 17 Washington Street – Site Plan – Owner/Applicant, Washington Park of Keene, LLC, proposes the development of a multi-family apartment building and parking area behind the former Middle School building. A waiver is requested from Development Standard #6: Landscaping. The site is 4.94 acres in size and located in the Central Business Zoning District/Historic District (TMP#s 017-07-007, 017-07-030).

Chair Spykman referred to the article this past week in the Keene Sunday Sentinel; he stated there was an incorrect statement in that article, in that it stated the Board would only be looking at the apartment building. The Chair stated this was incorrect, this is a site plan review and the Board will be looking at the entire site.

A. Board Determination of Completeness.

Planner Tara Kessler recommended to the Board that Application SPR-08-16 was complete. A motion was made by Mayor Kendall Lane that the Board accept this application as complete. The motion was seconded by George Hansel and was unanimously approved.

B. Public Hearing

Mr. Tony Marcotte addressed the Board on behalf of the applicant. Mr. Marcotte stated they were before the Planning Board regarding a change of use for the existing building and a proposed multi-family apartment condominium project. Mr. Marcotte read into the record a statement from the owner as follows:

*From the initial purchase we have been encouraged to preserve the existing building and we are keeping 100% of the current structure.*



*We have owned the building for five years and we apologize for the delay but financial markets were not conducive until now. We were looking for some existing tenants and we have found one who will utilize the auditorium/cafeteria and additional space that makes now the time to build out the project.*

*In order to get the foundation for the new facility in, frame the structure and get enough of the site work for the existing building completed for October/November occupancy we would appreciate approval this evening.*

*The existing building will have mostly office/commercial tenants with a small number of residential units. The new/existing building will complement each as a live/work complex.*

Mr. Marcotte stated the initial opening they would like to see is the auditorium and cafeteria which would be their biggest income stream. In order to get the foundation work completed and the rear building constructed, the owner would appreciate approval today so they can move forward with locating a tenant in this space.

The existing building will have mostly office and commercial tenants with a small number of residences on the third floor. The proposed new building will be residential and the two combined projects will be a live/work project. He indicated they looked at a six story structure with a parking garage but the construction of parking garage was not economically feasible. They have now settled on the proposed four-story building which is permitted in the Central Business District. They also looked at the setback which according to zoning is a zero setback but the applicant is proposing a 15 foot setback closest to Roxbury Street and a 20-foot setback closest to Spring Street.

Mr. Marcotte went on to say the applicant has worked with the Historic District Commission (HDC) for windows that have an exterior grid on the top 2/3rds of the window. The applicant also worked with the HDC on the shape of the building. He also referred to the French doors on the first floor and above that are also French doors with Juliet balconies. Mr. Marcotte referred to the front entrance which sticks out about six feet; this helps break up the length of the building.

Mr. Marcotte noted this proposed four-story building will be 124,000 square feet in size with 136 units. The goal is to have one to one parking ratio. There was more parking originally proposed but because of the L shaped front façade suggested by the HDC the applicant lost some of those spaces.

Mr. Marcotte circulated pictures to the Board. The first picture is a project in Manchester, NH which is a condominium project. The material used here is what the applicant is proposing to use, brick veneer which is panelized. Every story would have a flashing to break up the stories, this is another aspect the HDC liked.

The second picture is looking at 80 Roxbury Street and what the picture shows is a 12 foot high fence and the building on this end is 43 feet.

The 3rd picture is looking at 47 Spring Street where there is now a very mature tree buffer. He stated the understanding is that these trees are on their property and the plan is to keep the tree buffer and try to maintain same. They also plan on locating a ten-foot high wall to maintain the tree buffer.

Mr. Marcotte stated at the HDC meeting it was brought up that the abutters to the east will end up on a dark shadow. He referred to a picture for this scenario – it was taken during mid-day along the fence on Spring Street and what is seen is a shadow being cast towards the west (towards the applicant’s project). Same is true for the picture taken on Roxbury Street.

He noted their building is located at the edge of the Historic District and the Central Business District, and felt it sits well with other “blocks” in the City. He added the applicant was being a good neighbor by not locating this building right on the property line which would have given them an additional 30 parking spaces. He added all the area behind the building will be a grass recreational area for the tenants. The existing gymnasium will be turned into a workout space for the tenants.

As part of this project the applicant is also in negotiation to purchase a City-owned lot. He indicated it was always the owner’s intention to maintain this existing building.

Mr. Marcotte stated the rental units are going to be for middle to upper middle income level. The demand for this type of housing exists in Keene and these would be a nice mix of one and two-bedroom units. The owner’s plan is to own all the condominiums at first not only in the four-story unit but also to create multiple condominium units in the existing building as well. The existing tenant’s ultimate goal is to purchase the entire auditorium area with the associated additions. He went on to say all new windows and doors are being added, the parking lot is being repaved, and a new roof is being added

Mr. Marcotte stated Eversource has been before the HDC for several transformer locations. As part of this project the applicant has provided an easement to Eversource to take three-phase power from a transformer box through the lot to Roxbury Street. This will prevent Eversource from having to work in manholes in Central Square which gets flooded. There is also going to be a public green space created at the front of this site.

In addition to the brick veneer there will also be hardy plank used for this site. There will be a water proofing layer behind this hardy plank as well as a layer of insulation to keep with the City’s master plan of reducing impact to the environment. This will also add to energy efficiency. The windows that are being added here are also very energy efficient.

When replacing the roof they will be adding an inch of foam membrane. The entire 1912 building is going to be redone in what is called “vanilla box” which is finished wall and electrical panels which would allow for any type of tenant; residential, commercial or office use.

Mr. Marcotte referred to the staff report and stated there is a request to locate a landscape buffer between the existing Y property and the applicant’s property. There is also a walkway coming from the existing building and a sidewalk coming along the back of the building. Staff has asked for a hatched walkway along the front of the building, which he indicated can be done. Mr. Marcotte stated they have done all they can to accommodate staff recommendations and the HDC recommendations.

Traffic Engineer, Steve Pernaw was the next to address the Board. Mr. Pernaw stated he started his study by first meeting with staff and he was asked to look at five intersections; two on Washington Street, one on Spring Street, one on Roxbury Street and one near the proposed site. Staff asked for a PM peak hour study as well as a ten-year projection.

He stated he always starts with the existing traffic. He noted DOT had three traffic recorder stations in the study area; short term count on Roxbury Street, one on Washington Street (south of Vernon Street) and one on Spring Street (toward the eastern end).

Mr. Pernaw stated when he looks at the existing count, the Monday through Friday count is higher than the weekend count with the highest volume happening during the PM peak hour (3-6pm). He stated he looked at the intersection counts (intersection turning movement counts – from 3 – 6pm); the busiest was Washington Street and Spring Street from 4:30 pm – 5:30 pm; Roxbury Plaza 4:45pm – 5:45pm. Franklin Street and Spring Street 3:15 pm – 4:15 pm. The highest volume was at Washington Street, south of Vernon Street where the count was 861 vehicle trips. The lowest was at Spring Street west of Franklin Street 67 vehicle trips (one car per minute).

He stated looking at this data all the flow on Washington Street is traveling north, Spring Street is travelling east, Franklin Street is west bound and south bound, Roxbury Street west bound and east bound.

These calculations were done in June 2016.

For the projections for 2017, the volumes were calculated without the apartments. For 2027 the numbers have been factored up and the other item factored into the projections was the MoCo Arts facility. He noted to obtain the peak numbers 4% was added to the June count. Mr. Pernaw stated what he has been able to estimate is that the proposed apartments would generate about 90 PM peak hour trips (59 entering and 31 exiting).

Bistro Bar (existing building) there were three estimates – 88 trips.  
Dance Club would be after 4:30 pm – 178 vehicle trips during PM hour.

Future projection with the development: Year 2017: 47 trips in and out of Spring Street driveway and 43 trips in and out of the Roxbury Street driveway.

Year 2027: Leaving Spring Street – Level of Service (LOS) C – average delays – no build out the LOS stays the same. During the PM peak hour +77.

Proposed driveway on Spring Street – LOS A (entering and exiting).

Franklin Street/Spring Street (east end) – LOS B

Roxbury Street, east bound left turn into the site – LOS B - short queues – will drop to LOS C only during the opening year.

Mr. Pernaw stated according to his calculation there is no need for any additional turn lanes.

The recommendations Mr. Pernaw had were that both site driveways should operate with the Stop Sign and a painted Stop Sign to supplement the Stop Sign. As well as a four-inch double yellow center line to separate in bound and out bound traffic. Permit only parking for the parking lot should be made clear to people driving by.

Mr. Robert Baskerville of Bedford Design Consultants, representing the applicant, stated they had met with engineering staff. The drainage system being proposed will mimic what exists at

the location right now. There will be an infiltration basin under the parking lot and water would discharge onto Spring Street. The drainage plan has been submitted to the State and has received Operational Permit. This concluded the applicant's presentation.

Ms. Weeks asked whether the water discharging onto Spring Street would discharge underground. Mr. Baskerville stated it will drain underground via a catch basin near the retaining wall.

Councilor Hansel asked whether the number of units has changed since the Advice and Comment session. Mr. Marcotte stated it has increased slightly and will have more two bedroom units.

Mr. Barrett stated the HDC had asked for a different color for the central portion of the site. Mr. Marcotte stated this has been done on the front and the back and it is a lighter shade of green in Hardiplank. Mr. Barrett asked for the closest entry door to the bike racks. Mr. Marcotte stated there are three locations and none of them are more than 25 feet away.

Ms. Russell-Slack asked how many parking spaces the site will have for the 136 units. Mr. Marcotte stated they will have 136 reserved spaces for the residential units and 164 in all for the other uses. There will also be designated handicap parking and an area in the front for loading and unloading. The plan is to provide bus service from remote locations such as from the college for a concert event; the auditorium holds about 1,000 people.

Ms. Russell-Slack asked how close the parking spaces are to the MoCo site. Mr. Marcotte stated it would be about six to eight feet from the property line. Mr. Marcotte stated they are still trying to work with MoCo's Board on the landscape buffer but added they will be adding landscaping on their side but would like to work with MoCo on this item.

Mayor Lane asked whether there were other configurations considered to reduce impact on the adjacent residential structure. Mr. Marcotte stated they did consider a six-story structure with the same number of units but felt a taller building would have more impact on the abutters. He stated if the building was moved closer to the middle school the 1960's building would have to be taken down and then you would have two buildings very close to each other. A series of smaller buildings would have had lot less units and would have interrupted the parking and anything under 120 units would not warrant a full-time property manager and staff.

Chair Spykman stated during Advice and Comment the comments made was how large this building was at that time. The amended building seems to be bigger and asked how Mr. Marcotte accounts for that. Mr. Marcotte stated in talking to the HDC and staff the "look" of it being a bigger building; one continuous building with one roofline. Hence, the reason for "bumping out" the middle section. By changing landscaping and material they have reduced the look of the building.

Chair Spykman asked whether the brick veneer is actual brick. Mr. Marcotte stated he had circulated to staff a sample of this veneer. There wasn't an exact answer given to the Chair's question. The Chair felt the sample looked like a recycled wood with painted on the surface but confirmed it was not brick. The Chair asked what kind of foundation this building would have. Mr. Marcotte stated it would be slab on grade. He further stated the building will be stepped down three feet from one end to the next so it follows the existing topography and reduced the height of the building along Roxbury Street. The Chair stated what Mr. Marcotte is saying is that this building could have been built right on the setback line legally because this site is located in the central business district but functionally it probably would not have worked. Mr. Marcotte

stated functionally they could have built on the retaining wall and added a basement to the building but decided against that and moved the building 12 feet from the retaining wall. The Chair asked why they chose not to build on the retaining wall. Mr. Marcotte stated they felt that might be too close to the abutting properties.

Staff comments were next. Ms. Kessler stated the applicant has covered a number of items with respect to their proposal which are included in the staff report. Ms. Kessler stated she would like to address some of the key development standards.

Drainage – there is going to be an increase to the impervious cover with the removal of the recreation area on site. While the applicant is proposing to increase the total impervious cover of the site from 1.15 acres to 2.47 acres, which is allowed in the Central Business District, they note that there will be a net decrease of -0.11 acre-feet in site runoff due to the proposed stormwater recharge system for the site.

Landscaping – the applicant has requested exemptions from three sub-sections of this standard. Ms. Kessler stated the applicant has included a written explanation for this request but stated the Board can always have the applicant address this request for the benefit of the public. Ms. Kessler referred to the landscaping standard:

- *“The interior of the parking lot shall include landscaping covering not less than 10% of the total area of parking spaces. Such landscaping shall be in addition to any required buffer zone landscaping.”*

The applicant is proposing 8.2% of the interior area of the parking lot be landscaped and they are seeking a waiver from this standard and noted there are areas where landscaping could be installed. She noted the applicant has addressed the area along the western border of the property adjacent to the former YMCA lot where the applicant is willing to install some landscaping. She indicated it would be important for staff to see this documentation.

- *6.g.2. “More than half of the required parking lot landscaping shall be either in continuous landscape strips or in large planting islands located entirely within the paved area of the parking lot, in order to break up the visual expansiveness of the lot.”*

The applicant is proposing to landscape the islands which are within interior of the parking lot with ornamental pear trees and low growing shrubs. There is a transformer within the lot which would be screened by shrubs.

- *6.g.4. “All parking lots of 50 spaces or more which abut a public road, sidewalk or a residential zone shall provide a landscape buffer along at least 75% of the length of the right of way or portion abutting the residential zone(s), at least six feet wide. Berming is encouraged to provide screening of cars from sidewalks, road, and adjacent residential areas.”*

Along Roxbury Street the applicant is proposing a diverse of mix of plantings. There will also be a row of trees facing Roxbury Street which is not documented but was an item raised at the HDC meeting on August 17. The area adjacent to the drive, west of the driveway on Roxbury Street will also have dense landscaping. Along the length of Spring Street some landscaping is being proposed which is the area that faces Spring Street. The remaining frontage of Spring Street is not being modified and is not adjacent to the proposed parking area.

Ms. Kessler then went over the waiver criteria:

- a) That granting the waiver will not be contrary to the spirit and intent of these regulations;*

- b) That granting the waiver will not increase the potential for creating adverse impacts to abutters, the community or the environment;*
- c) That granting the waiver has not been shown to diminish the property values of abutting properties.*
- d) Consideration will also be given to whether strict conformity with the regulations or Development Standards would pose an unnecessary hardship to the applicant.*

Screening – the applicant is proposing to screen all dumpsters with a stockade fence. They are also providing a landscape area in front of the fence for the area that abuts Spring Street. The HDC has raised some concern about the Eversource transformer which is going to be facing Roxbury Street and are asking Eversource to consider an alternative location for it. There is landscaping proposed for these transformers.

With respect to additional screening, Ms. Kessler stated the staff report suggests additional screening along the eastern border along 47 Spring Street and the applicant has expressed concern about maintaining the large trees on site. The site plan currently proposed a terraced retaining wall. She felt it is important for staff to know what the applicant is planning for this portion of the site and felt additional screening is required so the abutting property owner doesn't have a view of a retaining wall with no landscaping.

Comprehensive Access Management – this standard is to address different types of movements throughout the site because of the types of mixed uses being proposed. Ms. Kessler felt it is important to address the access between the sites so pedestrian can travel safely between the sites. The applicant is proposing a painted sidewalk which would run from the main entrance of the apartment complex to the rear of the former middle school building which would be lit with pedestrian scale lighting and this access will bring pedestrians to a sidewalk. However, the site plan does not have a designated space for pedestrians to travel in the alley way, south of the former middle school building to the west of the property. Staff has asked for a safer travel space for this area. Mr. Marcotte did indicate they would locate a painted walkway at the minimum.

Traffic – staff from Public Works and the Planning Department have reviewed the traffic report. Staff does have some additional questions and responses were received Friday of last week and hence need additional time to review these findings. She indicated it is important to note the traffic report looks at the increase to volume and safety of operation of roadways and intersections. However, staff looks at that information as well as the surrounding land use context; Spring Street as a residential area, Franklin Street as a residential area. Not included in the traffic report is the traffic for the night club as this will fall outside the peak hours. This is something staff needs time to look at.

Architectural and Visual Appearance – this site is located in the current Historic District but is not subject to the development standard 19 of the Planning Board. However, the project requires that a Certificate of Appropriateness be issued by the Historic District Commission and one was issued on August 17. This includes two conditions; changes to material types, landscaping and other site features be included in the revised site plan. Brick and mortar choice be reviewed.

Mr. Lamb asked Ms. Kessler to address the screening for the HVAC equipment. Ms. Kessler stated the applicant is proposing to locate this equipment on the roof and on the west facing elevation. There is a small parapet wall which would provide some screening but the equipment might be visible from the east facing elevation.

Mr. Barrett asked whether staff has calculated how close to 10% the additional landscaping staff is requesting along the western elevation would come to. Ms. Kessler answered in the negative and added the revised plan from the applicant with a revised figure for the percentage would be helpful.

Chair Spykman asked what kind of crosswalk the applicant is providing. Ms. Kessler stated it is her understanding it would be a painted grade level crosswalk. Chair Spykman asked for staff's opinion of this crosswalk. Ms. Kessler stated because this is for an interior, felt it would be sufficient and also noted this crosswalk is going to be lit.

Ms. Russell Slack stated the lower end of Spring Street had an issue with the bridge and asked for an update. Mr. Lamb stated this bridge is not on the current list and is delayed because of the design. It is one of the oldest bridges on the east side. Ms. Russell Slack asked whether this could be looked at because of the increase to traffic that is being proposed. It is a red-listed bridge.

Mr. Bohannon asked whether any additional crosswalks will be added for Roxbury Street. Ms. Kessler stated there are two currently in the area.

Ms. Weeks asked whether the sidewalk that runs along the west side of the building will continue all the way along Roxbury Street. Ms. Kessler stated it does and it is shown on the site plan.

Ms. Russell-Slack stated the Fire Department had a concern about a ladder truck being able to turn. The Marcotte referred to this area on the map and stated the applicant has removed all but three spaces to accommodate truck travel. Ms. Kessler stated staff will follow up on this with the Fire Department.

The Chair asked about the waivers. Ms. Kessler suggested the applicant be asked to address the waivers. Mr. Marcotte stated the standard which refers *More than half of the required parking lot landscaping shall be either in continuous landscape strips*; is no longer necessary as this waiver was requested before the driveway was moved.

Mr. Marcotte went on to say staff is requesting this item be continued but they have a tenant who wants to lease the existing building. However, the building department cannot issue any building permits for any work other than demolition, roof and windows. He asked that the Board consider approving the plan for the existing building as most of the comments seem to relate to the new building. He asked the Board to consider approval for the change of use for the existing building but perhaps hold off approval on the new building.

Chair Spykman in response stated because this plan was submitted as one single application it needs to be approved as such. He further stated this is a public hearing and until the public makes its comments a vote cannot be taken. Mr. Marcotte stated unless the Board specifically requests them to address public comment they will not be doing so.

The Chair asked for public comment next.

Mr. Terry Clark of 14 Barrett Avenue, City Councilor for Ward 3 stated he is a realtor and a landlord. He indicated that he has been involved in many discussion about housing in this City and the two things that are paramount with respect to housing in this community is housing for the elderly and work force housing. Councilor Clark felt this petition does not say whether it fills

that need or not and wasn't sure whether the Planning Board could ask that question of the applicant.

Councilor Clark also asked about the rental rate and the target market this applicant was trying to capture for this housing development. He stated he wasn't sure whether City needs can be addressed in this venue. Chair Spykman stated one can always ask the applicant about the rental rate but an applicant is under no obligation to answer that question and the applicant has indicated unless the Board specifically requests an answer, they are not looking to answer specific questions from the public.

Councilor Clark asked whether the Board cannot take into deliberations the City's needs. He stated what he sees coming forward often is market based housing efforts which go toward the top of the market level and prices everyone out of the market. Chair Spykman stated this is a private development and the Board cannot address that issue. Councilor Clark stated he would like the applicant to tell him how much they plan to charge for rent and how fast they plan to reach occupancy.

Mr. William Beauregard stated he and his wife own a number of properties that abut the proposed property. He asked that the Board not divide this application for approval as it was submitted as one and should be approved as one. He stated there are a number of properties that would significantly be impacted by this development. He stated he is excited about the development of the middle school but his concern is about the development outside that development.

Mr. Beauregard stated the first concern is this property being located in the central business district which he felt it should not be. He stated the central business district was created to reflect development downtown where development was property line to property line, rear property line to sidewalk; that is not the case here. The City is obligated in the central business district to provide parking and landscaping and felt this development should be held accountable to that.

Mr. Beauregard noted the neighborhood this property is located in is a vibrant long standing neighborhood. He noted to the property he owns at 57 Washington Street which is located at the corner of Spring and Washington Streets which is a seven apartment building with no parking on site. He also owns 18 Spring Street – single-unit building, no parking on-site. At 38 Spring Street, Mr. Beauregard constructed a parking lot to serve the homes he just mentioned which don't have parking as well as a home on 37 Taylor Street which again was developed with no parking. Hence, the applicant indicating there is parking all over this neighborhood is a fallacy. He referred to Roxbury Street and noted to the 14 foot retaining wall between his property and the proposed property which he indicated he would talk about later.

Mr. Beauregard then talked about access on to Spring Street; where this property accesses Spring Street is 19 feet wide and will enter Spring Street at a hill, which is dangerous and it is a residential street. Mr. Beauregard then talked about the retaining wall; he indicated if a four-story building is constructed on that 14 feet you will be up over 64 feet. Mr. Beauregard stated the applicant did not talk about the Roxbury Street neighborhood and felt this proposal will have a significant impact on those Roxbury Street residences. He asked should this proposal be approved tonight or sometime in the future the applicant be asked to break up this building so it has some contour to it. Screening on the east side is paramount and access onto Spring Street should only be for emergency vehicles.



Mr. Beauregard stated the other concern as mentioned earlier is the lack of parking. He noted there is less parking now than was originally proposed. He stated the applicant is talking about 136 units and 132 spaces which is not adequate and stated his experience has been two spaces per residence is minimum and that is the standard throughout the City except for this district. City employees use this lot and questioned where they will park going forward. Mr. Beauregard indicated he had to move his office because of the lack of parking. He urged the Board to ask the developer to downsize this development and added he heard a comment the applicant could build on the retaining wall; there are cracks in this wall and for the developer to say you can locate a four story building on this wall is fallacy. He asked that the Board take their time to evaluate this proposed, mitigate the impact so it doesn't destroy this neighborhood.

Ms. Mary Governess of 22 Roxbury Court was the next speaker. Ms. Governess stated she was surprised no traffic study was on Roxbury Court and asked that this neighborhood be considered in this proposal as well. She stated she would like the Board to visit her home to see what kind of visual impact this development will have on her home and added she couldn't think of anywhere else in the City there is such a development next to a residence.

With reference to parking felt her neighborhood is going to be used as a cut through to avoid the roundabout. Ms. Governess asked for a better landscaping plan and also asked for some landscaping along her side of the property.

Ms. Governess questioned how the lighting will affect her property. She felt the scale will definitely diminish her property and the building itself will make her property dark. With reference to parking stated there is not enough parking already and has to talk to Mr. Beauregard about his tenants parking on her grass. She asked where guests and people who work for this development will park.

Mr. Alec Doyle of Executive Director Colonial Theater stated the Colonial would like to see nothing more than viable plan for the old Middle School site. A company investing in the central business district is also very enticing. Mr. Doyle stated in the State of NH there is only one large (1,200 seat) non-profit theater in any given City. The reason for this is the difficulty in supporting more than one performance venue through ticket sales and donated income. Mr. Doyle stated if the plan before the Board to build a theater comes to fruition, the result to the Colonial and the community would be nothing short of devastating.

Mr. Doyle talked about online shopping competing with retail sales which has left many storefronts vacant not to mention the struggling Colony Mill and felt adding a retail and restaurant space will add to a deserted Main Street. It will be exchanging one problem for another problem which would be far more damaging. As a resident of Main Street for 92 years the Colonial would like to champion a development that would sustain a healthy downtown.

Ms. Judy Russell 34 of Brooks Street stated the open space currently slows down the rain water which with this development is going to end up in Beaver Brook and affect people like herself who live in the valley. She noted Brooks Street was not addressed today – it is a forgotten street. Ms. Russell stated traffic is already bad on Brooks Street. She talked about the parking situation on Brooks Street which at times prevents plow trucks from being able to get through. Ms. Russell also talked about the issue she has with college students. She asked the Board to look at parking; the impact on her neighborhood and the water ramifications (the west side of Brooks Street) already floods.

Mr. Bob Beauregard of the 47 Spring Street stated on 41 Spring Street there was a parking lot owned by the City of Keene and asked whether the City has entered into a Purchase and Sales Agreement with the applicant and whether this property was put up for bid. Mr. Lamb stated the City's disposal of property has a few options and the Council can use any one of these options; list the property with a realtor, put it up for bid or negotiate with an abutter. Mr. Lamb stated he was not involved in this process but felt it might have been something that was pursued through the Manager's office and dealt directly with the abutter based on a letter of request.

Mr. Beauregard referred to page 78 of the applicant's proposal where it is stated there is no parking on the south side. Mr. Beauregard stated this was incorrect; the area which has a no parking sign is the area close to the middle school and vehicles park on both sides of the rest of Spring Street. Mr. Beauregard referred to the utility pole on this street which has been hit quite a few times. He noted the traffic study did not mention Taylor Street, Brooks Street and Town Street. He talked about the events that sometimes happen at the Unitarian Church and during the hours of 12 pm – 3 pm and there is a tremendous amount of traffic that goes down Spring Street. He indicated he has lived on Spring Street for many years and turning onto Washington Street from Spring Street can be a very dangerous and that is before 77 more cars access Spring Street. He asked the Board to take a serious look at the neighborhood and the surrounding traffic pattern and the issues this development is going to cause.

Mr. Beauregard stated he would like a more concrete input from the applicant about trees. He stated he would like the trees to stay to provide a buffer for his home. He added this project is way out of scale for this neighborhood. Mr. Beauregard stated he visited a few high rise buildings in Keene, one example is Arcadia Hall –all high rise buildings in Keene run east to west not north to south. He felt the proposed building is nothing more than a strip apartment building that runs from Spring Street to Roxbury Street completely blocking out the Roxbury Court corridor and his building. He asked the Board to take a serious look at what this proposed building would have on the surrounding neighborhood.

Mr. Andrew Harmon of 5 Central Square was the next to address the Board. Mr. Harmon asked whether the bus service mentioned was City Express or an outside service. He stated at the present time the City Express operates on a rather tight schedule and it took a year to get the YMCA stop implemented and asked for added clarification on this.

Chair Spykman stated his understanding was that the applicant was proposing to charter private buses.

Mr. Joseph Paul representative for the auditorium proposal confirmed the transportation would not be public transportation but that they are working with an already established taxi service to avoid a large gathering of people outside their establishment during late hours.

With respect to what Mr. Doyle said about the Colonial Theater - it is not their intention to hinder or hurt existing businesses in Keene it is more about embracing those businesses. He indicated they have already approached the theater and art department at Keene State College to work with the students in an attempt to keep the workforce local. It was also their understanding to work with the Colonial to bring acts to Keene and compete on that realm to prevent people going outside to see some these shows. He added that they are not looking to move any businesses away from Main Street to their building. What they are trying to do is to have a place for businesses outside of NH to locate and start a business here. He also added they are trying to work with a transportation company as was mentioned earlier.

Ms. Vicky Pittman of the Colonial Theater stated this applicant has not done their homework; what they are discussing is trying to share something that cannot be shared. Our demographics hardly support the Colonial Theater right now and are struggling trying to bring in non-union rate tickets people can afford. Ms. Pittman felt the applicant doesn't understand what they are walking into and there is likelihood they won't be able to sustain this business at the same type put the Colonial out of business.

Ms. Pittman added artists love the Colonial because of its location and because it is community centered. She agreed this kind of investment in the City is great but wasn't sure if they have done their homework to make sure this is something the community can actually sustain. She stated she and Mr. Doyle would love to have a conversation with the applicant

Michael Kopa 11 Pine Avenue stated he agrees with the comments that have been already made. He stated he agrees there wasn't transparency with the sale of the property on Spring Street. He referred to the rental amount for these apartments and stated this is not quite clear either, if the rental is going to be \$1,500 per month, this is not something that would help the community as it is not affordable. With reference to parking, even though this Board doesn't address parking he agrees with the concerns raised about this issue. He noted the traffic pattern being proposed does not reflect for instance 600 patrons exiting the old middle school at 8 o'clock at night and felt the Board should be looking at this. He used the Maple Avenue intersection as an example where traffic patterns are appropriately handled at peak times.

Mr. Kopa went on to say he has a hard time understanding how this theater venue plans on bringing in acts for less money than an already established non-profit theater can bring in. The applicant's proposal is not a non-profit organization. He stated the Colonial is one of the reasons he moved to Keene and added the applicant's proposal feels too intense.

Mr. Mike Ward of 16 Town Street was the next speaker. Mr. Ward stated it is difficult to exit from Spring Street onto Washington Street but fortunately the City recently blocked a parking space which helps with visibility and felt adding more traffic onto Spring Street would exasperate this situation.

Ms. Ward stated he moved away from the DC area to get away from rampant development and agreed he has been waiting for years for this vacant property to be developed but felt this proposal is too "gigantic". Mr. Ward stated his home runs east-west and hence will be looking directly at this four-story property.

Mr. Ward went on to say parking is already an issue and questioned where a 200-seat restaurant parking will be accommodated and added that he doesn't want a night club in his neighborhood which is a residential neighborhood. He indicated he believes in development and applauds the effort but felt this was over development. He asked the Board envision this development in their own backyards.

Ms. Cheryl Fairbanks stated she has lived on 69 Spring Street for 38 years. She indicated she has lived through college students, flooding and her car drowned in 2005 and parked at the middle school during the next flood. She added if there is another flood she is parking in one of those 136 spaces. She stated this neighborhood has been through its ups and downs and is at a good place now and did not feel this street can accommodate the kind of traffic that is being proposed.

Ms. Fairbanks stated if anyone feels this building and night club is a good idea she asked that someone make an offer on her house.

Mr. Peter Hartz of 12 Brooks Street began by thanking the people who came out tonight. He stated there would be a tremendous impact on City infrastructure if this project was to go forward. He questioned how delivery trucks and garbage trucks will access these sites. Mr. Hartz suggested the City ask for an independent traffic study which includes parking on side streets and study very thoroughly water flow consequences on Beaver Brook. This site is pervious at the present time and takes quite a bit of rainwater and will now become impervious and water will flow into Beaver Brook and eventually back into the neighborhoods.

Mr. Hartz stated he is not against development and a good development will be advantageous to any community and no one is against having this property developed. Mr. Hartz suggested the developer in conjunction with the Planning Board host a design charrette so that everyone can provide input. Mr. Hartz also noted to this development's effect on saturating the rental market; many people who live on the east side augment their income and pay property taxes by a renting out a portion of their homes. He added two large properties on Ralston Street have soaked up the student rental market and have changed the equation on the east side. Now that this group of renters are not looking for apartments, there is a another group of renters that are coming up; drug dealers and drug addicts. He stated he knows of a landlord on Franklin Street who has had for evictions this year. By increasing the number of rental units here you are going to alter the rental market throughout the City.

Ms. Susan Newcomer stated she is not from Keene but live in Spofford. Ms. Newcomer stated she was under the impression the redevelopment of the middle school was a redevelopment of the middle school not adding on a building which seems to be an overuse of a very limited space.

With reference to the issue of workforce housing, Ms. Newcomer stated she was the workforce development coordinator for the Greater Keene Chamber of Commerce and one of the biggest issue employers in the area had was not having enough housing for their workforce. Ms. Newcomer stated when they look closely at the Keene demographics, for example for a person who has an average income between \$50,000 – \$80,000, there was nowhere to live; and if you were a single mom with two or three kids the situation was even worse. The estimation was that you had to make \$18 an hour to afford rent in Keene. With the changing demographics she felt these numbers are becoming increasingly difficult to reach. Many large businesses have moved away and hence Keene doesn't have that upper income any longer to the extent we had before. Ms. Newcomer stated if we are talking about high end apartments, she wasn't sure who is there to rent them other than people who would already want to purchase a home. She stated she would like to sell her home in Spofford and move to Keene but she can't afford \$2,200 for an apartment on a retired person's salary (her mortgage is substantially less than that). She indicated the discussion about demographics doesn't seem to exist, when discussing these 136 apartments versus what the community has now.

With reference to the Colonial Theater, as the development committee Chair, her job is to support that portion which is not under-written not covered by ticket sales. Ms. Newcomer stated it has become increasingly difficult, as those businesses she mentioned earlier have moved out of town. She noted these are things you need to be thinking about and agreed she would like to see a development at this site but how it is developed and what kind of an impact it has on the community needs to be considered.

With reference to parking, for someone like herself who comes into Keene from out of town usually to eat out, there is no parking at least three to five minutes from any downtown restaurant. Limos or buses aside, people want to be able to pull their car to as close to a place as possible. In closing she stated she didn't want to see a white elephant in our community.

Ms. Nancy Wilkinson of 80 Roxbury Street stated she is happy to see new housing coming downtown not geared for college students.

Mr. Joseph Paul stated it was indicated previously this entity was not going to be a non-profit organization; Mr. Paul stated it is their intention to be a non-profit organization. He indicated it is not their goal to conflict with the Colonial Theater. He further stated he doesn't have any experience with attending school at the middle school and questioned where people were parking when the middle school had events in the auditorium and stated they are doing the best they can.

With reference to trash removal, dump trucks etc. they are not making the space larger, they are utilizing the space that was already there and minimizing the number of people who could be in this location and hence felt their trash would be much less compared to what a municipal cafeteria already proposed. He stated he is open to having a conversation with anyone at any time on these issues.

Owner, Mario Plante stated from day one they have been working with the town and the goal was to fix the existing building and try to save it. He stated they have been working closely with the Historic District Commission, they have completed a traffic study, completed a market study and discussed a date of move in of December 1. He stated they are willing to do whatever else they can. He talked about the reduction of the number of stories as well as moving away from construction right on the property line. Mr. Plante thanked the Board for their assistance.

Mr. Doyle stated the Colonial Theater has reached out to the applicant for over a month and they have been either unavailable or unwilling to talk with the Colonial. He further stated if this entity was planning on becoming a 501-C3 entity, then this would exasperate the competition. Mr. Doyle stated as Ms. Newcomer noted the pool of donors is shrinking.

Mr. Beauregard addressed the Board again and stated he wished Mr. Joseph Paul was still in the room to hear his comments. He stated he has experience attending middle school events but at that time there was the Vernon Street lot, the Winter Street lot and the Mechanics Arts Building lot open for public parking. Those lots are now not available. The applicant has 132 units calling for 264 parking spaces. The applicant is providing 136 spaces making this problem worse. Mr. Beauregard recalled a conversation he had with former City Manager, John MacLean who said when the former middle school is developed, that would be the time for the City to rethink its commitment for public parking. No-where in the City's planning document is there any contemplation for a parking structure north of central square which would accommodate the parking need this project would develop.

The other issue is parking for the workforce this development is creating. He felt this was a gigantic mess and hoped the Board uses its wisdom to try and mitigate it.

Mr. Hartz encouraged again a public forum where people get to see a large scale of the project and comment on it.

Mr. Marcotte with reference to the Colonial Theater and the operator of the new auditorium stated that Mr. Robert Gaskill has had a sickness in his family and hence has been unavailable. He added the business plan for the auditorium is to bring in acts that typically will not travel to this area. He further stated his comment about not responding to resident comments is so that there would be no back and forth in the interest of time and not because they are closed for working with the public. The Chair encouraged Mr. Marcotte to meet with individuals after the meeting to answer specific questions.

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board continue this public meeting to the September Planning Board meeting. The motion was seconded by George Hansel and was unanimously approved.

**VII. Marlboro Street Corridor Transportation Alternatives Grant – Letter of Support Request / Approval**

The City is seeking to apply for a Transportation Alternative Program grant from the NH Department of Transportation to make roadway and streetscape improvements to the Marlboro Street corridor. The proposed project would be to design and construct complete streets concepts, such as traffic calming, pedestrian crossings, bike lanes, new sidewalks, street trees and pedestrian scale lighting, and improved connections to the rail trail, along a 0.5-mile segment of the City's right-of-way from the intersection of Marlboro Street with Main Street to the west and Baker Street to the east.

A motion was made by Mayor Kendall Lane that the Board approve the letter. The motion was seconded by George Hansel and was unanimously approve.

**VIII. Planning Director Reports**

**1. Possible recurring agenda item: 6:30 pm Planning Board Discussion**

Item continued to next month.

**VII. Upcoming Dates of Interest – September 2016**

Planning Board Meeting – Monday, September 26, 6:30 PM

Planning Board Steering Committee – Tuesday, September 13, 5:30 PM

Joint PB/PLD Committee – Monday, September 12, 6:30 PM

Planning Board Site Visits – Wednesday, September 21, 8:00 AM – To Be Confirmed

The meeting adjourned at 10:45 PM.

Respectfully submitted,

Krishni Pahl  
Minute Taker

Reviewed by: Rhett Lamb, Planning Director  
Edits, L. Langella