



Planning Board – January 22, 2018, 6:30PM
City Hall Council Chambers – 3 Washington Street, 2nd floor

AGENDA

- I. **Call to Order** – Roll Call
- II. **Minutes of Previous Meeting** – December 18, 2017 Meeting
- III. **Discussion**
Planning Board Lighting Standards
- IV. **New Business**
- V. **Director Reports**
- VI. **Upcoming Dates of Interest – February 2018**
Planning Board Meeting – February 26, 6:30 PM
Planning Board Steering Committee – February 13, 12:00 PM
Joint PB/PLD Committee – February 12, 6:30 PM
Planning Board Site Visits – February 21, 8:00 AM – To Be Confirmed

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**CITY OF KEENE
NEW HAMPSHIRE**

**PLANNING BOARD
MEETING MINUTES**

Monday, December 18, 2017

6:30 PM

Council Chambers

Members Present

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

Members Not Present:

Tammy Adams, Alternate
David Webb, Alternate

Staff:

Rhett Lamb, Asst. City
Manager/Planning Director
Tara Kessler, Planner
Michele Chalice, Planner

I. Call to order – Roll Call

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

II. Minutes of previous meeting – November 27, 2017 Meeting

A motion was made by Mayor Kendall Lane to accept the November 27, 2017 meeting minutes. The motion was seconded by Pamela Russell Slack and was unanimously approved.

III. Continued Public Hearings

1. **SPR-11-17 – Water & Grove Streets – Site Plan** – Applicant Wendy Pelletier of Cardinal Surveying & Land Planning, on behalf owners, Jeanette Wright and Michael Lynch, proposes a commercial parking lot. The site is 4,635 SF in size and located in the High Density Zoning District (TMP# 028-03-011). The Applicant is requesting a Waiver from Development Standard #8 “Screening.”

A. **Public Hearing**

Ms. Wendy Pelletier of Cardinal Surveying addressed the Board and stated that this property is now in the Residential Preservation District, it has been rezoned since it came before the Board. Ms. Pelletier stated this is a 70’ x 50’ vacant lot, which has been used as a parking lot since 1952 and was used to support the businesses across the street. In 1998, the land across the street was purchased by the City and the parking lot was no longer associated with it. Since, 1998, they have been using this as a parking lot and the City has recognized it as a parking lot in its tax records. The owners would like to continue with this use. In 2014, the City sent the owners a letter stating this lot is being used as a commercial lot in violation of the code and this is when the owners started working with the City to come into compliance. ZBA approval was granted in 2017 to use it as a parking lot and to decrease the setbacks for paving and the requirement for maximum impervious surface.

Ms. Pelletier went on to say in the Residential Preservation District the minimum lot area requirement is 8,000 square feet and this lot is 4,635 square feet and maximum allowable

coverage is 45% and the applicant is at 100%. The applicants would like to continue to use this as a parking lot and provide parking for tenants living in the area consisting of 11 spaces.

Ms. Pelletier continued, to improve the aesthetic of the lot, the applicants are proposing wooden planters, which will border Water and Grove Streets. The planters will be 4" x 4" pressure treated lumber and will be anchored to the ground by rebar drilled into the pavement. They will be two feet high by three feet wide. A landscape artist has reviewed this plan and is in agreement to what is being proposed. The planters will have a low growing perennial shrub which have a very shallow root system so not having access to the ground is not an issue for these plants. They are a very hardy plant. There was concern raised about sight distance raised at the previous meeting. Ms. Pelletier noted that by choosing a plant that grows at a low height, there will be a sight distance of 123 feet exists from the corner of Grove and Water Streets.

For screening along the westerly and southerly border, the applicant is proposing a low growing three foot high hedge planted in earthen berm. The total landscaping being provided is 536 square feet, which is 8% of the parking lot; the minimum standard is 5%.

Wheel stops have been added on the westerly side.

The applicant did consult with a lighting engineer, who suggested installing a single light pole in the middle of the western boundary. This light will be operated by a motion sensor, which will supplement the ambient light coming from street lights. Ms. Pelletier stated the applicant is requesting that they be permitted to use this as a parking lot and feel the changes being proposed would enhance this lot and provide for a safer option.

Mayor Lane asked whether anything is being proposed for the corner of Water Street and Grove Street, in the area where there are no planters being proposed, to prevent drivers from crossing this area. The Chairman asked how wide this area is. Ms. Pelletier stated it is about 20 feet. She added that the planters can be continued in this area. The Mayor stated it does not have to be planters, but anything to block vehicles from getting through will be helpful.

Vice-Chair Barrett stated there was an abutter who was concerned about light spilling over onto their property. He asked whether there might be any spillover of light onto adjacent lots. Ms. Pelletier stated the designer has indicated there will not be any spill over.

Chair Spykman thanked Ms. Pelletier for the much improved narrative this month, which filled in many of the outstanding items the Board had.

Staff comments were next. Ms. Kessler addressed the Board and stated the plan the Board has today complies with the Planning Board's Development Standards much more than the plans previously reviewed by the Board.

Ms. Kessler referred to the lighting plan, which she noted exceeds the Board's average for this type of parking lot. The standard calls for a uniformity ratio of 4:1 and this photometric plan exceeds that ratio. However, the photometric plan does not account for the ambient light levels previously measured by Ms. Pelletier, which, when combined with the proposed light fixture, would achieve a uniformity ratio that is compliant with the Board's lighting standards. She suggested that a note be added to the lighting plan that addresses the ambient light levels, if the Board was inclined to approve this application tonight.

With respect to screening, there was a request for a waiver from screening vehicular headlights, but the applicant has altered their plan to include screening in the form of landscaping on all sides of the property. Ms. Kessler noted that the applicant indicated the planters will be affixed to the ground with rebar. It is the opinion of staff that the pavement underneath the planters would need to be saw cut to establish a connection with the soil beneath to be considered permanent landscaping and to establish a better hydrologic connection.

Ms. Kessler noted that the Zoning Ordinance requires parking spaces to have some kind of wheel stop / bumpers. The previous version of this plan reviewed by the Board, had a post and chain barrier between the parking spaces and the adjacent properties. Ms. Kessler indicated that the installation of some form of wheel stop or bumper should be a condition of approval. This concluded Ms. Kessler's presentation.

Councilor Hansel referred to the plan and noted there are bumpers shown on the plan the applicant had referred to today. Ms. Kessler stated the final plan submitted by the Applicant to the Planning Department will need to show these bumpers.

Chair Spykman felt the ½ inch holes in the planters might clog up easily. Ms. Kessler stated this is staff's concern as well. Mayor Lane referred to the U-Haul site on Marlboro Street, which also has planter boxes and these boxes have rotted out. He expressed concern about the planters sitting on the pavement and collecting water underneath.

Dr. Cusack asked whether a commercial lot such as this does not require a handicap space. Ms. Kessler stated this is a conversation staff had with Code Enforcement. It was determined that since this lot is not connected to a building or a business a handicapped space is not required. However, the applicant could choose to install one.

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

Mayor Lane felt the applicant has made an effort to comply with lighting and landscaping but for him to vote in favor of this application the applicant would have to agree to have the planters sunk into the pavement and a bollard at the intersection of Water Street and Grove Street. Mr. Lamb stated the Board's draft motion includes both these items.

C. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board Approve application for SPR-11-17 as shown on the plan "Parking Lot Landscape Plan Lot 028-03-011-0000 Grove and Water Streets Keene, NH 03431" prepared by Cardinal Surveying and Land Planning and Arago Land Consultants, LLC at a scale of 1"=10' dated May 30, 2017 and last revised on December 13, 2017, and the plan "Lighting Study Lot 028-03-011-0000 Grove and Water Streets Keene, NH 03431" prepared by Charron and received by the Planning Department on December 15, 2017, with the following conditions:

1. Prior to signature, Applicant shall submit:
 - a) Owner's signature on plan.
 - b) Security, in an amount and form deemed acceptable by the City Engineer and Planning Director, for landscaping.

- c) A revised Site Plan that documents the installation of wheel stops in compliance with Section 102-794 (a)(4) of the Keene Zoning Ordinance and the installation of a bollard at the corner of Water and Grove Streets.
- d) A revised Landscaping Plan that indicates the pavement underneath the wooden planters will be sawcut and removed from the site to establish a direct connection between the planter base and the earth underneath the pavement.
- e) A revised Lighting Plan that includes the note “At its meeting on December 18, 2017, the Planning Board determined that the combination of ambient light from nearby street lamps and the light emitting from the proposed pole-mounted light fixture on the site satisfy the Board’s Lighting Development Standard.”

The motion was seconded by Councilor Hansel.

Ms. Landry asked whether the saw cut area underneath the planters will be the same size as the planters and asked whether saw cutting would damage the integrity of the pavement. Mr. Lamb stated the reason it is a saw cut and not a jack hammer is to prevent this from happening.

The motion was unanimously approved.

2. **SPR-13-17 – Emerald Street Substation – Site Plan** – Applicant VHB on behalf owner Public Service of NH dba Eversource proposes to rebuild the existing substation at the west end of Emerald Street. A Surface Water Protection Conditional Use Permit Application is included in this submission (SWP-CUP-2017-01). The site is 2.52 acres in size and located in the Commerce & SEED Zoning Districts (TMP# 047-03-009). The Applicant is requesting a waiver from Planning Board Development Standard #19, “Architecture and Visual Appearance.”

A. **Public Hearing**

Mr. David Venstermarker from VHB stated the last time this application was before the Board there was the issue of the screening still outstanding. The Police Department had requested the applicant to remove screening but the abutter has asked for some screening. Since that time the applicant’s representatives, the abutter and the Police Department have had a successful meeting. He turned the presentation over to Alan Roe from Eversource.

Mr. Roe stated Mr. Lamb, Ms. Chalice, Officer Maxfield from the Keene Police Department, Mr. Tousley and the applicant’s representatives had a meeting. After exploring the issue it was agreed providing 150 linear feet of screening would be acceptable. The screening will be plastic slats (green or black) woven into the mesh. He added the landscape plan and details have also been updated and another item they discussed with the Police Department is that the applicant will be providing security cameras. The Chairman asked whether the security cameras will be on live feed or whether they are a camera that will be recording and something that could be accessed at a later time. Mr. Roe stated they are triggered by a motion detector but the cameras are on all the time.

Staff comments were next. Michele Chalice stated the issues addressed by the applicants representatives were the issues raised by the Board last month. One item that was raised to the abutter was that this fence slats would increase snow drifting onto his property. The Chairman asked for public comment. With no public comment, the Chairman closed the public hearing.

The Mayor thanked Eversource for working with the abutter on this proposal. Chair Spykman stated this is an industrial building located in the heart of the City and felt if this was a new proposal that came before the Board it would not be approved and stated anything that can be done to screen it was helpful.

B. Board Discussion and Action

A motion was made by Mayor Kendall Lane that the Planning Board approve SPR-13-17 with a waiver request from Standard 19, as shown within the plan set entitled “Emerald Street Substation, Emerald Street, Keene New Hampshire, Cheshire County”, Tax Map 47-03-009, prepared for Eversource and PSNH by VHB of Bedford, NH, dated August 14, 2017, received September 15, 2017 and most recently revised December 6, 2017 at various scales; with the following conditions:

1. Submittal of the applicant’s Soil Containment Plan and other protective construction details to prevent siltation into Mill Creek due to the movement of construction materials across Emerald Street, for review and approval by the City Engineer.
2. Owner’s representative’s signature on the plan set.
3. Submittal of a security for erosion control, landscaping and an “as-built” plan in a form and amount acceptable to the Planning Director and City Engineer.
4. Signature by Planning Board Chair.

The motion was seconded by Councilor George Hansel and was unanimously approved.

IV. Public Hearings

1. SPR-967, Modification 8i – Monadnock Food Co-Op – Site Plan – Property owner Cypress Street Development, LLC c/o Monadnock Economic Development Corporation is proposing a 6,400 SF retail/office expansion of the 12,500 SF Monadnock Food Co-Op located on TMP# 023-04-027.800 (1.56 acres) at 34, #E Cypress Street in Keene, NH onto the adjacent 0.3287 acre parcel, TMP# 023-04-027.1100. The project will include the addition of eleven parking spaces and is located in the Central Business Zoning District. These properties are part of the larger Railroad Street Condominium development.

Chair Spykman stated there might be some members of the Board who might have a conflict with this application and asked those members to disclose that information. Mayor Lane stated he was not sure how many members had a conflict with this application and did not want this application to have issues later on because someone did not disclose this information. The Mayor recused himself because his wife is a member of the Food Coop, Ms. Russell Slack recused herself and Vice-Chair Barrett recused himself as well.

Mr. Lamb stated this application would be going before the Historic District Commission next week and in that case when members recuse themselves for the same conflict, they would not have a quorum unless they use the practice suggested to the Board. Initially the thought was there would be a disclosure statement by Board members and the public at that time would decide if they objected.

A. Board Determination of Completeness.

Planner Michele Chalice recommended to the Board that the Application SPR-967 was complete. A motion was made by Councilor George Hansel that the Board accept this application as complete. The motion was seconded by Andrew Bohannon and was unanimously approved.

B. Public Hearing

Mr. Rob Hitchcock of SVE Associates addressed the Board and introduced Katie Cassidy Sutherland architect, Jack Dugan of MEDC and Michael Faber, General Manager of the Food Coop. Mr. Hitchcock referred to the existing building and to the 5,200 square foot addition attached to the building and to the 11-space parking lot. He noted the storm drain on site will be tied directly into the storm detention bed underneath the parking lot. Water and sewer will run from the existing building to the proposed expansion. There will be concrete patio consisting of about 16 – 17 tables. There will be a sidewalk running north to south. The concrete sidewalk is going to be separated from the patio with a sitting wall, planters and three bollard lights. Six new trees will be added and some of the existing landscaping will be used. Two bike racks are also going to be added. New lights are going to be added to the building and will replicate what exists now.

Mr. Hitchcock referred to the four and a half foot parapet on top of the building to screen the roof top units and this will mimic what exists there now. Snow will be pushed to the side and trucked off site as soon as they can.

Mr. Hitchcock stated that the applicant did request a waiver from requiring a parking study, which is required for every intersection located half mile from the project if you generate more than 100 vehicle trips per day. The applicant will generate 300 trips per day and about 66 additional in the PM peak hour (one more vehicle per hour). Mr. Hitchcock stated he went back to the traffic study done by Clough Harbour and Associates in 2006 for the two buildings on Railroad Street and the envisioned Rec. Center/Ice Rink. That study projected 490 trips for those three buildings. Mr. Hitchcock stated he tallied up the traffic associated with the two buildings, plus the existing Food Coop and the expansion and came up with an estimate of 377 which is 113 trips less than what Clough Harbour and Associates estimated. Mr. Hitchcock stated the reason they asked for a waiver is because they did not have the time, the cost associated with the study and there was already a study done which he felt was still valid.

Ms. Sutherland addressed the Board next. Ms. Sutherland stated the proposal is to add on to the same building with the same material of the existing building.

The existing store front is being expanded to the south and then anchoring the building with a corner brick wall and a four and a half foot parapet which turns the corner and goes to the back of the building. On the east side of the building there will be a similar store front and canopy entrance (smaller in scale) which will be the café entrance. There will be seating at this side of the building; this will face the bike path and Community Way. On the north side of the building, the proposal is to add the fourth curved wall and complete the circle and setting up a projection area and creating a function stage/community space. The applicant has spoken with many community groups about creating this pergola for them to use as backdrops, lighting etc. – the groups the applicant has approached have been MoCo Arts, Monadnock International Film Festival, Arts Alive, Keene Music Festival, and have their support about using this space.

Mr. Michael Faber was the next to address the Board. Mr. Faber stated the community needed a downtown grocery store and the Food Coop came along in 2013 and filled that need. He

indicated the support from the community has been great. Mr. Faber stated however, in these four years their staffing and sales have doubled but their space has remained static which has been challenging. He indicated they are excited about this potential project to better serve the community and would help them support local farmers and provide better food access. Mr. Faber went on to say that they are also excited about the increase to seating both inside and outside.

Mr. Stout referred to the north wall on the east side of the curve and asked what was going to be located here. Ms. Sutherland stated the plan is for this wall to be store front system with cement board panels and will be similar to a glazing appearance; it would be similar to what exists currently on the south elevation. Mr. Stout asked whether there was a reason not to have a passage way in this location. Ms. Sutherland stated the kitchen and restrooms will be on this side and did not feel this would efficient or appropriate to have glass on this end.

Chair Spykman asked how wide the top step was. Mr. Hitchcock stated it was about 4.5 feet. The Chair felt that step seemed rather narrow. Ms. Sutherland indicated there was a public five foot path pathway right next to it.

Mr. Bohannon asked who was responsible for scheduling of the oval space. Mr. Faber stated the Coop has agreed to take ownership and coordinate reserving of this space. Chair Spykman asked whether there was any plan to turn this space over to the City as it appears as a public space. Mr. Jack Dugan responded by saying that MEDC does not own this space anymore, the Condominium Association owns it now and those members will have to vote on turning the space over to the City. The Chairman asked what happens if any of these members did not like the programming that happens in this space – could they object to it. Mr. Dugan stated they could and added the Condominium Association is going to use the language the City uses for its public space and amend that language for their use. Chair Spykman stated the applicant is referring to use of the space by the public but there could be an instance when a few private owners could interfere with this. Mr. Faber stated there is agreement the uses will be compatible with the Condo Association and they are confident they will be able to do so.

Staff comments were next. Ms. Chalice addressed the Board referred to the four letters of support from MoCo Arts, two private citizens and Monadnock International Film Festival. Ms. Chalice stated the applicant has addressed the pertinent standards as it relates to traffic, drainage and screening and the project is in full compliance of City standards. She noted the Request for Proposal did not require the public space to be deeded to the City after the completion of the project in any legal sense even though it has been referred to as public space throughout many meetings.

Ms. Chalice then talked about the oval space which has always been referred to as the green space or the public park. The original intention of this space was as following *“the City will reserve an area approximately 1.75 acres, 76,000 square feet in size to the east of Railroad Square and south of Railroad Street for a future public park.”*

She noted there was concern about this public park early on by different City Bodies. In the 2006 plan there were four entry points to the oval. Now there is a 1,500 square foot oval, 3% of a single acre, which is far from the 1.75 acres as previously envisioned green space of which only part is a green space and this area is enclosed by 50 foot long 23 feet high solid walls of glaze block. However, this would be a great theatrical area for many community groups to enjoy.

Ms. Chalice suggested three points for the Boards to consider:

- The entire rear portion of the store faces the oval.
- These dramatic walls even though they are impressive have no relationship to human scale and will dwarf all things inside.
- The space is very seldom used but the area used for outdoor eating will be severely compromised.

She asked that the Board consider the following with the applicant:

- To replace the clear, fluid open connection that existed between the exterior eating area and now completed rather dramatic oval.
- To consider the addition of a corresponding dramatic natural element, such as a waterfall.
- To consider a reconfiguration of a reduced number of parking spaces along the north side of the access road so that the current temporary parking lot could be re-created as an open space.

Councilor Hansel felt that it was necessary for the Board to turn their attention to the Board's development standards and felt it was not up to the Board to design or re-design a project but to take a project presented to them and apply the appropriate standards. He asked the Board to move the project along as it relates to the standards.

Ms. Landry asked whether this project will complete the Railroad Land Development.
Ms. Chalice stated that was her understanding.

Mr. Stout referred to the suggestion of a waterfall and agreed the Board was not here to re-design this project but the City is looking at a change of ownership and this type of vision could be perpetuated and felt there are things that can be done to enhance a project but is not beholden on an applicant to do so.

Chair Spykman stated with reference to this being the last of the projects on the Railroad land – the narrow piece of land adjacent to the parking lot was supposed to have been a three-story housing development and asked for clarification. Mr. Dugan stated they do not have a plan for this area but it is supposed to be a condominium unit; there was a plan which was withdrawn. The Chairman asked if the Board was to approve this expansion whether it means there will not be a building constructed on this parking lot. Mr. Dugan stated he wasn't sure what the Coop would want to do in the future, they might want to further expand their building.

Mr. Lamb noted Ms. Chalice at the beginning of her presentation did indicate this application meets all of the Board's standards and is ready to be approved. He stated it was also important to note the history of this project and this was what Ms. Chalice was referring to and this plan does have some pluses and minuses. The original plan had an area where the businesses "spilled" onto where people could use as a gathering place, but that does not exist in this plan. Chair Spykman stated if the Board was to approve this application tonight; the Board would be changing the original vision for the function of that space.

Dr. Cusack asked whether the Board was not voting on a waiver for traffic. Mr. Lamb answered in the negative.

Mr. Stout stated there is not much pedestrian activity in this area and this plan is not changing a pre-existing condition.

Chair Spykman asked for public comment next.

Ms. Russell Slack stated she is fully support of this project and noted she was around when the design first came before the Council. She stated even though she appreciates the history, she likes what she sees before the Board tonight. Ms. Russell Slack also added that she likes that entities like MoCo Arts will be able to use this theater space.

Mayor Lane stated he remembers this project going back prior to 2006. He stated he understands the concerns about the oval but that proposal has now been changed. The Mayor stated he agrees with Ms. Chalice that this area has lost the human scale but felt that plan was not created by the Food Coop. He stated the City is extremely fortunate to have the Coop be as successful as they are and something the Board needs to keep in mind; this is not just a downtown grocery store but a community asset which needs to be preserved.

Doug Barrett of Keene stated he wanted to support this project but expressed concern about the oval and the outdoor patio area; at the present time there is at least visual connection but as the Mayor has pointed out this is not wholly the responsibility of the Coop. He hoped the programming being planned for the oval would be successful and perhaps there might be a redesign of the oval at a future time.

Chair Spykman referred to the four letters of support the Board has received. They are from MoCo Arts, Monadnock International Film Festival, Paula Sousa and Chris Marseilles. With no further public comment, the Chairman closed the public hearing.

Mr. Stout asked what the surface of the parking lot will be. The applicant's representative stated it would consist of asphalt pavement.

Councilor Hansel stated he was ready to approve this proposal.

Mr. Bohannon stated only a few groups have used the oval and only two have called the Parks and Recreation about using it and knowing that the arts community is growing and having another space for them to use would be beneficial. In addition adding more space to the Coop and adding more parking is a good thing for the City.

Dr. Cusack agreed this is a great project and asked also to thank Ms. Chalice for her presentation as he agreed with pretty much everything Ms. Chalice had to say. He thinks that the oval is a missed opportunity. It's not to human scale. Every time he jogs or rides his bike through, he finds it unfortunate.

Ms. Landry stated she was thrilled to see a local business doing well in this community. She recalled when this area was a dirt parking lot and commended Mr. Dugan for his work. Mr. Stout commended the Coop for working with this plan and felt this plan was far ahead than what the City could have envisioned. Chair Spykman stated he too is happy with this project even though he is concerned with the change to the plan.

C. Board Discussion and Action

A motion was made by Councilor George Hansel that the Planning Board approve SPR-967, Modification #8I, as shown on the plan entitled "Monadnock Food Co-Op Expansion, 34 Cypress Street, Keene, NH" prepared for Cypress Development, LLC c/o MEDC, dated and received November 20, 2017, revised December 7, 2017, drawn by kcs Architects and SVE

Associates of Keene NH at predominant scales of 1" = 10' and 1" = 20' with the following conditions:

1. Submittal of a revised lighting plan and project specification documents to add light lids to the streetlight fixtures by including the abbreviation "LL" (Light Lid) to both the streetlight fixtures (P3 and P5) specifications of "Label" (ex. P3-LL and P5-LL) as well as both fixture's "Description"(ex. LEX-ACR-PRS (425LL)).
2. Prior to signature by Planning Board Chair, Owner's signature on plan.
3. Prior to signature, submittal security for erosion control measures, 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 and was unanimously approved.

Mayor Lane, Ms. Russell Slack and Vice-Chair Barrett rejoined the Board.

V. New Business

None

VI. Director Reports

Discussion: Co-Op Withdrawal of Temporary Parking Lot Application

Mr. Lamb reminded the Board as to the Coop's request to use the temporary parking area. This item was not moved forward to a public hearing and at this time the Coop is withdrawing its application.

A motion was made by Mayor Kendall Lane that the Board accept the Coop's withdrawal of the temporary parking lot application. The motion was seconded by Councilor George Hansel and was unanimously approved.

VII. Upcoming Dates of Interest – January 2018

Planning Board Meeting – January 23, 6:30 PM

Planning Board Steering Committee – January 9, 12:00 PM

Joint PB/PLD Committee – Monday, January 8, 6:30 PM

Planning Board Site Visits – January 17, 8:00 AM – To Be Confirmed

The meeting adjourned at 8:25 PM.

Respectfully submitted,

Krishni Pahl
Minute Taker

Reviewed by: Rhett Lamb, Planning Director
Edits L. Langella, T. Kessler, M. Chalice

Planning Board Discussion Potential New Planning Board Lighting Standard

Objective: to discuss current lighting standards and determine if an update is needed at this time.

Why Regulate Lighting?

- Public safety on private, commercial properties
- Light pollution concerns
- Energy efficiency concerns?
- Make sure new lighting complements our architectural elements
- Minimize light trespass

Intent of Our Current Standards:

- Design lighting with consideration of the setting, use, architecture, landscaping, existing trees, neighboring properties, and the architectural and community character and scale of the surrounding area. Where redevelopment is occurring and the setting, character, and scale are in transition, the applicant should seek guidance from the Planning Board and/or the Planning Board's designee.
- Provide lighting levels that are reasonably uniform to avoid very bright and very dark areas.
- Provide lighting levels that are appropriate to the task/use and/or condition of the site.
- Ensure that objects appear as close to a natural color as possible.
- Ensure that fixtures prevent glare and spillover onto adjacent property or into the sky. This can be achieved through the use of cut-off fixtures and/or reflectors in the lamp.
- Allow flexibility in mounting heights in order to achieve lighting that is compatible with the scale of the surrounding architecture and site that is aesthetically pleasing.
- Encourage the use of sensor or time controlled lights for security lighting and for energy savings.
- Preserve the rural character of the community in non-urbanized areas.
- Encourage use of new technologies.
- Avoid unnecessary use of electricity and encourage energy efficiency.

Why Change our Standards?

- Staff's Experience:
 - Outdated measurements which include new and undefined terminology, i.e. lumens (means of measuring light from a light source) verses footcandles (reading of ambient light in any given location)
 - Our standards encourage but do not account for new technologies and or methods which may be more effective and provide greater levels of flexibility to applicants
 - Several standards are voluntary and potentially non-effectual.
 - Our gas canopy/island lighting standard is not adequate; the current 5 foot-candle max. is a quarter of what is needed for the 4th floor conference room. Variances to the applicant's preference have led to extremely bright locations.
- Board Members' Experiences?

Other questions that need exploration?

- c. The City may require air sampling, computer modeling and/ or other technical studies, paid for by the applicant to demonstrate that the proposed project complies with these standards.
- d. Any project requiring Federal or State air quality permits must have obtained those permits and must include one copy of all submission data as well as a copy of the permit(s) prior to the issuance of a building permit.
- e. The City may require a monitoring program, paid for by the applicant to assure continued compliance with these requirements.

10. LIGHTING

A. Purpose

The City of Keene Planning Board recognizes that inappropriate, poorly designed, and excessive outdoor lighting causes glare and unsafe driving conditions; results in light pollution that limits the ability of citizens to enjoy the nighttime sky, results in the unnecessary use of electricity, and adversely impacts the enjoyment of adjacent properties. Therefore, it is the purpose of Standard #10 to enhance public safety and welfare by providing for adequate and appropriate outdoor lighting, providing for lighting that will complement the character of the city (both urban and rural areas), reduce glare, minimize light trespass, reduce the cost and waste of unnecessary energy consumption and prevent the degradation of the night sky.

B. Intent

The intent of this standard is to:

1. Design lighting with consideration of the setting, use, architecture, landscaping, existing trees, neighboring properties, and the architectural and community character and scale of the surrounding area. Where redevelopment is occurring and the setting, character, and scale are in transition, the applicant should seek guidance from the Planning Board and/or the Planning Board's designee.
2. Provide lighting levels that are reasonably uniform to avoid very bright and very dark areas.
3. Provide lighting levels that are appropriate to the task/use and/or condition of the site.
4. Ensure that objects appear as close to a natural color as possible.
5. Ensure that fixtures prevent glare and spillover onto adjacent property or into the sky. This can be achieved through the use of cut-off fixtures and/or reflectors in the lamp.

6. Allow flexibility in mounting heights in order to achieve lighting that is compatible with the scale of the surrounding architecture and site that is aesthetically pleasing.
7. Encourage the use of sensor or time controlled lights for security lighting and for energy savings.
8. Preserve the rural character of the community in non-urbanized areas.
9. Encourage use of new technologies.
10. Avoid unnecessary use of electricity and encourage energy efficiency.

C. General Standards

1. Shielding: All lights, including lights placed on buildings, shall be fully shielded (full cut-off), opaque fixtures, with no portion of the bulb visible. Uplighting is prohibited.
2. Glare¹: Lighting shall be designed, located, installed, and directed in such a manner as to prevent light levels from crossing property boundary lines (except for light that crosses property lines into the public right-of-way; not to exceed 2.0 footcandles) , and to prevent glare at any location, on or off the property.
3. Illumination: All illumination shall be of a white light, such as but not limited to, color corrected high pressure sodium, metal halide, incandescent or a combination of lamps having a color rendering index greater than seventy (70)².
4. Mounting Height: The mounting height of fixtures, measured from the finished grade to the top of the pole (inclusive of fixture) shall not exceed fifteen (15) feet in height within Residential zoning districts, twenty (20) feet within Central Business, Central Business Limited zoning districts, and shall not exceed thirty (30) feet within Commerce and Commerce Limited and Industrial zoning districts. Street lighting must comply with the City's standards for street lighting, Section 70-128 of the City Code.
5. Floodlighting: Floodlighting is prohibited, unless:
 - a. The lights are directed toward the rear of a lot, placed on heat or motion sensors, and are directed away from the road and neighboring properties, and
 - b. The Planning Board determines that there will be no negative impact upon motorists and neighboring properties.

¹ Glare is defined as light emitted from a fixture at a level of intensity and in a direction such that it causes an annoyance, discomfort, or impairs the viewers' ability to see.

² The Color Rendering Index (CRI) is a measurement of the amount of color shift that the objects undergo when lighted by a light source, or, basically the ability of a lamp to show color accurately. CRI values generally range from 0 to 100.

6. Hours of Operation: Outdoor lighting shall not be illuminated between the hours of 10:00 pm and 6 a.m. with the following exceptions:
 - a. Low level lighting sufficient for the security of persons or property on the lot may be in operation between 10:00 p.m. and 6:00 a.m., provided the average illumination on the ground or on any vertical surface is not greater than 0.5 foot candles.
 - b. If the use is being operated, such as a business open to customers, or where employees are working or where an institution or place of public assembly is conducting an activity, normal illumination shall be allowed during the activity and for not more than one hour after the activity ceases. This excludes 24-hour businesses.
 - c. For 24-hour businesses, lighting levels shall be reduced by a minimum of 50% between the hours of 10:00 PM. and 6:00 AM.

The use of timers, sensors, and other energy saving devices is encouraged. During the Planning Board's review, the Board may stipulate a specific time when lighting other than that used for security purposes should be turned off and this determination shall be noted on the final lighting plan submitted for signature.

7. Existing Lighting: When 50% or more of the lights of an existing outdoor lighting installation are being modified, extended, expanded or added to, the entire outdoor lighting installation shall be subject to the requirements of Standard #10. When less than 50% of the lights are being modified, extended, expanded or added to, those lights being installed, modified, extended or expanded shall be subject to the requirements of this standard.

D. Specific Standards

1. Parking Lot Lighting: In addition to the General Standards, Section C, Outdoor lighting of parking and related circulation areas shall comply with the following standards:
 - a. The mounting height for any fixture shall comply with C.4 above.
 - b. Illumination levels shall comply with the following IESNA recommendations based upon level of activity:

Level of Activity	Footcandle Recommendations (IESNA)					
	General Parking & Pedestrian			Vehicle Only		
	Ave.	Min.	U. Ratio ³	Ave.	Min.	U. Ratio
High	3.6	0.9	4:1	2	0.67	3:1
Med	2.4	0.6	4:1	1	0.33	3:1
Low	0.8	0.2	4:1	0.5	0.13	4:1

Examples of Activity:

High = civic recreational facilities, regional shopping centers, fast food facilities, gas/convenience stores

Med= community shopping centers, office parks, hospital parking, commuter lots, residential complex parking

Low = neighborhood shopping, industrial employee parking, educational facility parking, church parking

- c. Illumination levels shall be reduced by a minimum of 50% within one hour after the end of public business hours.

These standards also shall apply to the top and/or unenclosed level of any parking garage.

2. Gas Station Island and Canopy Lighting: Lighting levels on gasoline station/convenience store aprons and under canopies shall be sufficient to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to the business. In addition to the General Standards, Section C, the following shall be met:
 - a. Areas around the pump islands and under canopies shall be illuminated so that the minimum illuminance at grade level is 1.0 footcandle and no more than 5.5 footcandles. The uniformity ratio for areas around the pump island or under canopies in commercial and other zones where permitted shall not be greater than 4:1.
 - b. Canopies located in or adjacent to residential zoning districts and/or where they are associated with a pre-existing non-conforming use, the average illumination levels shall not exceed 5.5 footcandles.
 - c. Light fixtures mounted under a canopy shall be recessed so that the lens cover is recessed into, or flush with, the underside (ceiling) of the canopy.

³ The uniformity ratio is the ratio of average illumination to minimum illumination. For example, if the Illuminating Engineering Society recommends an average-to-minimum ratio of 4:1 for a parking lot, the minimum illuminance should be no less than 1/4 of the average illuminance across the parking lot.

- d. No light fixtures may be mounted on top of the canopy, and the sides of the canopy (facade) shall be opaque and shall not be illuminated.
 - e. Areas away from fueling pump islands, as defined by the extent of the canopy, shall be considered parking and circulation areas. They shall be identified as such on the lighting plan submitted in accordance with the requirements outlined in Section D of the Planning Board's Site Plan and Subdivision Regulations, and shall be subject to parking area lighting regulations as set forth in section D.1 above.
3. Walkway Lighting: Outdoor lighting of walkways, alleys, and pedestrian paths shall comply with the following standards:
- a. The average illumination level on a walkway or pathway surface shall not exceed 0.5 footcandles. Maximum lighting levels shall not exceed 2 footcandles.
 - b. The area over which the average illumination level is computed shall only include the walkway surface plus an area on each side not more than 5 feet in width.
 - c. Lighting fixtures other than full cut-off fixtures may be used but shall be designed to minimize glare, direct illumination downward, and shall have an initial output of no more than 1,200 initial lumens.

E. Exceptions

Technological advances in outdoor lighting lamp sources may allow for options not considered in these standards. Induction (electrodeless) or LED lighting are two current examples. The use of new technologies, and especially those that have energy saving properties, are encouraged. Applications that use new technologies, and follow the purpose and intent of the ordinance will be considered and evaluated for approval.

11. SEWER AND WATER

- a. All sewer and water utilities must comply with the City's Utility Standards.
- b. The City may require technical studies, at the applicant's expense to assure that existing sewer and water services will not be adversely affected by the proposed development and that there in fact is adequate sewer and water capacity for the proposed development.
- c. In some instances State permits are required for modification or expansion of City sewer or water systems, and it shall be the responsibility of the developer to obtain those permits.
- d. Any development must comply with the City's industrial pre-treatment program.