Zoning Board of Adjustment
September 19, 2022 6:30 p.m.
City Hall Council Chambers
3 Washington Street, 2nd Floor

AGENDA

I. Introduction of Board Members:

II. Minutes of the Previous Meeting:

III. Unfinished Business:

House Bill 1661: Notice of Decision outlining the Findings of Fact

IV. Hearings:

ZBA 22-15: Petitioner, 310 Marlboro St., LLC, requests a Variance for property located at 310 Marlboro St., Tax Map #595-001-000-000-000 that is in the Business Growth & Reuse District. The Petitioner requests a Variance to permit five total stories above grade where three stories above grade are permitted per Chapter 100, Article 5.4.4 of the Zoning Regulations.

ZBA 22-16: Petitioner, 310 Marlboro St., LLC, requests a Special Exception for property located at 310 Marlboro St., Tax Map #595-001-000-000-000 that is in the Business Growth & Reuse District. The Petitioner requests a Special Exception from Chapter 100, Article 9.2.7.C.2.a & b. of the Zoning Regulations, Major Parking Reduction Request.

V. New Business:

Communications and Miscellaneous:

VI. Non Public Session: (if required) permeant

VII. Adjournment:

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310 MARLBORO ST.
ZBA 22-15

Petitioner requests to permit five stories above grade where three stories above grade are permitted per Chapter 100, Article 5.4.4 of the Zoning Regulations.

City of Keene
New Hampshire

NOTICE OF HEARING

ZBA 22-15

A meeting of the Zoning Board of Adjustment will be held on Tuesday, September 6, 2022, at 6:30 PM in City Hall Council Chambers, 2nd floor, 3 Washington St, Keene, New Hampshire to consider the following petition. Petitioner, 310 Marlboro St., LLC, requests a Variance for property located at 310 Marlboro St., Tax Map #595-001-000-000-000 that is in the Business Growth & Reuse District. The Petitioner requests a Variance to permit five total stories above grade where three stories above grade are permitted per Chapter 100, Article 5.4.4 of the Zoning Regulations.

This application is available for public review in the Community Development Department at City Hall, 3 Washington Street, Keene, NH 03431 between the hours of 8:00 am and 4:30 pm. or online at https://keenenh.gov/zoning-board-adjustment

Corinne Marcou

Corinne Marcou, Zoning Clerk
Notice issuance date August 26, 2022

City of Keene, NH

Zoning Board of Adjustment Variance Application

If you have questions on how to complete this form, please call: (603) 352-5440 or email: communitydevelopment@keenenh.gov

For Office Use Only:	
Case No.	ZBA22-15
Date Filled	8/19/22
Rec'd By	CM
Page	1 of 22
Rev'd by	

SECTION 1: CONTACT INFORMATION

I hereby certify that I am the owner, applicant, or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law. If applicant or authorized agent, a signed notification from the property owner is required.

OWNER / APPLICANT	
NAME/COMPANY:	310 Marlboro St., LLC
MAILING ADDRESS:	310 Marlboro Street, Keene, NH 03431
PHONE:	(603) 721-1227
EMAIL:	randallwalter@gmail.com
SIGNATURE:	
PRINTED NAME:	Randall Walter

APPLICANT (if different than Owner/Applicant)	
NAME/COMPANY:	
MAILING ADDRESS:	
PHONE:	
EMAIL:	
SIGNATURE:	
PRINTED NAME:	

AUTHORIZED AGENT (if different than Owner/Applicant)	
NAME/COMPANY:	
MAILING ADDRESS:	
PHONE:	
EMAIL:	
SIGNATURE:	
PRINTED NAME:	

SECTION 2: PROPERTY INFORMATION

Property Address: 310 Marlboro Street, Keene, NH 03431

Tax Map Parcel Number: 595-001-000-000

Zoning District: Business Growth & Reuse

Lot Dimensions: Front: 253' Rear: 279' Side: 675' Side: 675'

Lot Area: Acres: 4.25 Square Feet: 185,212

% of Lot Covered by Structures (buildings, garages, pools, decks, etc): Existing: 31.14% Proposed: 31.16%

% of Impervious Coverage (structures plus driveways and/or parking areas, etc): Existing: 68.9% Proposed: 67.9%

Present Use: Mixed Use Commercial

Proposed Use: Mixed Use Commercial & Residential

SECTION 3: WRITTEN NARRATIVE

Article 25.5.4.A.: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed variance.

SEE ATTACHED

SECTION 4: APPLICANTION CRITERIA

A Variance is requested from Article (s) 5.4.4 Height *of the Zoning Regulations to permit:*

SEE ATTACHED

Briefly describe your responses to each criteria, using additional sheets if necessary:

1. Granting the variance would not be contrary to the public interest because:

SEE ATTACHED

2. If the variance were granted, the spirit of the ordinance would be observed because:

SEE ATTACHED

3. Granting the variance would do substantial justice because:

SEE ATTACHED

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

SEE ATTACHED

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provi sion and the specific application of that provision to the property because:

SEE ATTACHED

and

ii. The proposed use is a reasonable one because:

SEE ATTACHED

B. Explain how, if the criterial in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

SEE ATTACHED

ZONING VARIANCE APPLICATION

PREPARED FOR:
City of Keene Zoning Board of Adjustment
3 Washington Street
Keene, NH 03431

PREPARED BY:
310 Marlboro St., LLC
310 Marlboro Street
Keene NH 03431

SECTION 3 PROJECT NARRATIVE

Article 25.4.5.A: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed variance.

Location & Ownership

The property is located at 310 Marlboro Street in Keene, NH. It sits on the north side of the Marlboro Street corridor in the Business Growth and Reuse (BGR) District. The property is ½ mile from Main Street. It is also adjacent to the Cheshire Rail Trail. It was purchased by 310 Marlboro St., LLC/Randall Walter, a local architect and developer, in July of 2021.

Property Description

The property has an existing building which has been built in phases totalling 86,689 square feet. The original structure was built in 1947. Built originally as the Pittsburgh Paint Factory to manufacture paint brushes, the building has substantial structural capacity which is not being utilized to its potential. A metal building of 12,580 square feet was added in 1984. All buildings are non combustible, steel framed, with metal and masonry exteriors, and are fully sprinklered.

The property is a mixed-use commercial building located in the Business Growth and ReUse (BGR) District of Keene, NH. It houses over 40 businesses offering a variety of services including a grades 9-12 charter school, professional offices, fitness studios, light manufacturing/ artisan spaces, and a variety of trades.

Since the change in ownership, the unique number of tenants has more than doubled. What was once a neglected building in need of repairs and maintenance is now a thriving center for a variety of entrepreneurs, professionals and tradespeople. Aside from the increased use of the building, notable energy improvements have been made including a 143kW solar array, installing a wood chip boiler and distribution system (decommissioned oil boiler), new air source heat pumps, triple pane windows & occupancy sensors on most common lighting. Plans are to continue energy improvements of the existing building when possible along with adding 57 residential units on top of the original structure.

Purpose, Effect & Justification

This project will provide high performance, walkable housing for Keene, with minimal impacts to the community and the environment.

The **PURPOSE** of this request is multifaceted.

1. This will provide a variety of units to help alleviate the housing shortage in Cheshire County..
2. The project is located in the Business Growth and ReUse (BGR) District. 310 supports small business growth and development while reusing the existing building to its greatest potential.
3. Reusing an existing building rather than disrupting a greenfield or wooded site is the most effective way to reduce carbon emissions in the built environment.
4. The project falls in lockstep with SMART Growth principles including:
    a. Reinvesting in existing infrastructure
    b. Rehabilitating existing buildings
    c. Revitalizes the neighborhood
    d. Creating a walkable live/work community that is adjacent to bicycle trails and downtown amenities
    e. Preserves New Hampshire's open spaces, farmlands, wetlands and forests

THE EFFECT of this request is that Keene will have 57 units of much needed housing added to an area near the downtown that will have a lasting impact on the sustainable development of Keene.

THE JUSTIFICATION for increasing the number of stories allowed on this building is to help alleviate the continued and ever pressing need for housing and to create it in the most environmentally sensitive manner possible.

SECTION 4 APPLICATION CRITERIA

Article 5.4.4: A variance is requested from Article(s) 5.4.4 Height of the Zoning Regulations

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Article 5.4 Business Growth & Reuse 5.4.4 Height
Max Stories Above Grade: 3
Max Stories Above Grade w/Parking on 1st Floor: 4

Stories Proposed: 3 on top of 2 existing

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1. Granting the variance would not be contrary to the public interest because:

Underutilized industrial buildings are contrary to the public interest. Housing availability is one of the most pressing issues in New Hampshire; so much so that Governor Sununu created a $100M InvestNH Housing Fund to help fund housing projects. The NH Business Review has stated that the lack of housing availability is making it harder for businesses to thrive here. The NH Council on Housing Stability (of which Mayor George Hansel is a member) determined that in order for Cheshire County to do their part

there must be 760 units added to the area by 2024. Large employers in Keene cite available and quality housing as a hurdle to attracting new employees to the region.

2. If the variance were granted, the spirit of the ordinance would be observed because:

It is clear from the description of the BGR District in the City of Keene's Land Development Code, that the staff and planners who wrote it envisioned this type of development. It specifically states that *"is intended to serve as an additional downtown zoning district that provides opportunity for redevelopment and revitalization of a former industrial area in an environmentally sensitive manner that is of a scale and type compatible with adjacent residential neighborhoods. The development in this District should be oriented towards pedestrian and bicyclist access. All uses in this district shall have city water and sewer service."*

Dwelling, multifamily is a permitted use in the BGR district.

@310's proposal to build up falls in direct sync with this intention. Utilizing an existing building as a foundation is the best solution to build in an environmentally sensitive matter. We want to bring forth a compact building form that is efficient and provides much needed housing.

Building upwards lends itself to:

- reducing the surface area of the building, thereby making it more energy efficient
- creating a more efficient structure, thereby reducing the raw materials needed
- reduces the need for single family homes and greenfield development

Scale and type compatible with adjacent residential neighborhoods

Location of the addition is being thoughtfully placed so that the adjacent neighborhood to the south is minimally impacted. The addition is closely in-line with the front of the existing HCS building at 312 Marlboro St. Solar access, privacy and character of the neighborhood will be preserved. Kevin Lynch points in "Site Planning" that 80' is the distance that a person becomes socially relevant. The upper story setback of the proposed addition is more than twice this distance.

The development in this District should be oriented towards pedestrian and bicyclist access

- Adjacent to the Cheshire Rail Trail (less than 100' to the north)
- City has plans to connect Marlboro Street directly to the Rail Trail adjacent to the property
- 2024 proposal includes a bike lane as part of the roadway redevelopment of Marlboro St.
- ½ mile to Downtown Keene
- Located on an existing bus route

3. Granting the variance would do substantial justice because:

The built outcome optimizes:

- the location and the stated goals for the district
- the existing structure and its capacity to carry additional floors
- a scale that is consistent with other buildings in Keene while developing a significant number of housing units.

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4. If the variance were granted the values of the surrounding properties would not be diminished because:

The current state of Marlboro Street lacks scale and vitality; as a result has a negative effect on real estate values. This project revitalizes & expands an existing building with new uses in an environmentally sensitive manner. There will be an eye for quality, aesthetics and sustainability integrated into this project. It will improve access to activities, the rail trail and provide live/work opportunities. Studies have shown that adding well designed multifamily housing to an area increases property values. This addition will be an improvement to the surrounding neighborhood and to the City of Keene as a whole.

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5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

A property is considered to be the land and buildings. The lot is undersized and notably the current building features significant unused structural capacity from its previous use as a factory.

The property has been subdivided by past owners resulting in a disproportionate amount of land for a large, strong building. Rather than building horizontally, the unique opportunity here is to build vertically. Five stories is compatible with other housing in downtown Keene, and can be supported with parking available on site.

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

Correct. The BGR encourages housing, but does not anticipate the efficiency of mid-rise housing that is allowed downtown. The relationship between NH housing needs, city goals for sustainable building, and responsible rural development can be achieved on this property as proposed.

ii. The proposed use is a reasonable one because:

- It is in line with the spirit of the intention of the BGR District
- Reusing and growing an existing building
- Following Smart Growth Principles
- Keene is in dire need of more housing - this addresses this challenge with an environmentally responsible solution

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

The BGR District is a relatively new zone that was thoughtfully created to redevelop the Marlboro Street corridor into a vibrant district.. The most efficient and environmentally responsible way to build is to have multiple stories, using current mid-rise housing methods, materials and strategies..

This variance unlocks the potential at 310 Marlboro Street. Without it, the housing situation will not improve. The existing embodied energy built into the existing structure will not be leveraged at a time when sustainable housing solutions are needed.

Keene, NH

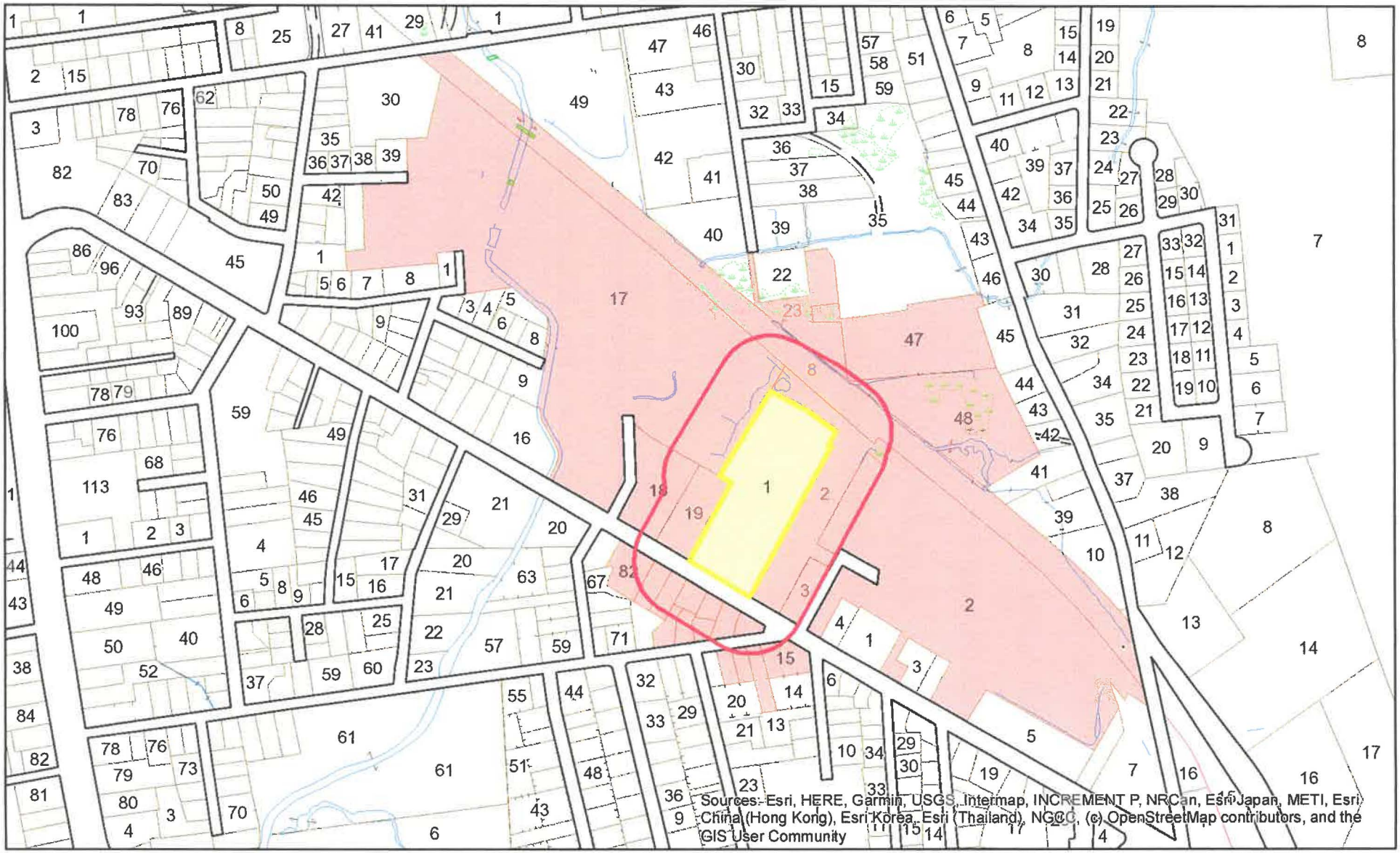
August 17, 2022

1 inch = 500 Feet

0 500 1000 1500

CAI Technologies

www.cai-tech.com



Randall S. Walter, AIA
DESIGN|BUILD
603.721.1227
www.randallwalter.com
randallwalter@gmail.com

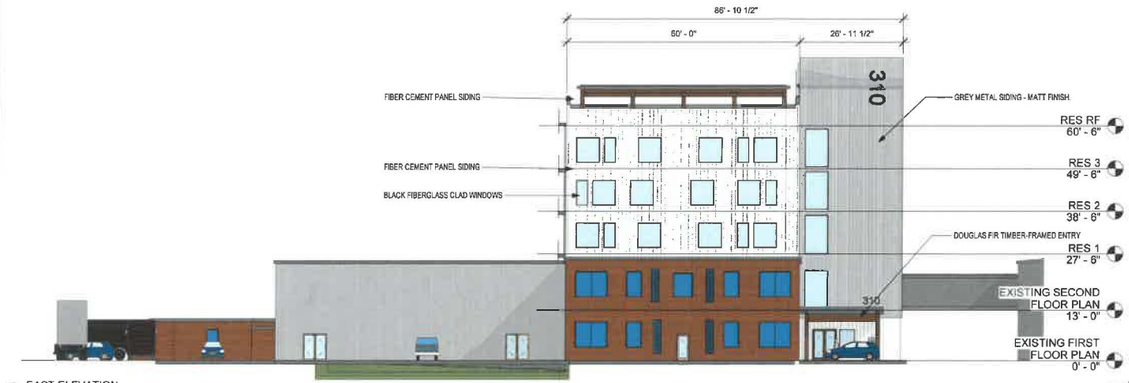
STATE OF NEW HAMPSHIRE
RANDALL S. WALTER
No. 2385
LICENSED ARCHITECT

310 MARLBORO STREET

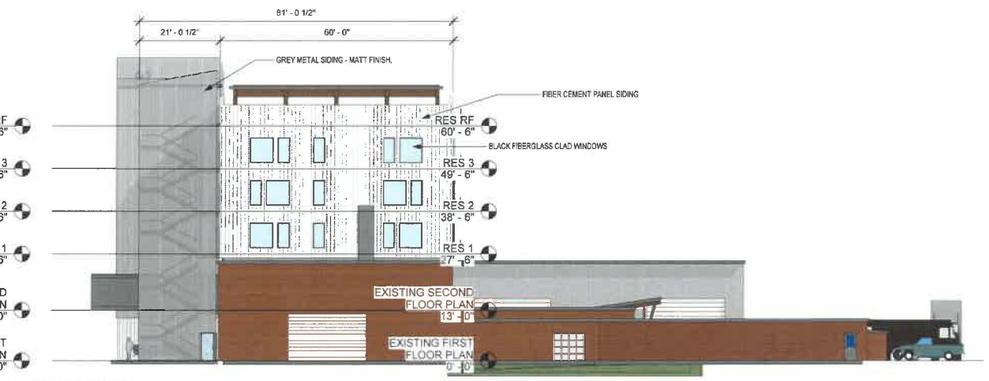
KEENE, NEW HAMPSHIRE, 03431

ISSUED:	01/24/20
FOR:	RANDALL
DRAWN BY:	Author
PROJECT NO.:	20210022

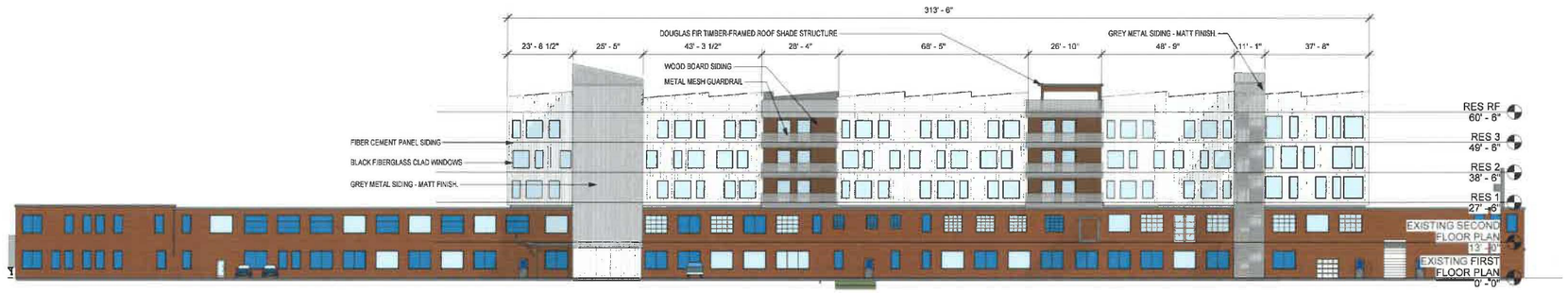
A601.1



1 EAST ELEVATION
1/16" = 1'-0"



4 WEST ELEVATION
1/16" = 1'-0"



2 NORTH ELEVATION
3/64" = 1'-0"

3 SOUTH ELEVATION
3/64" = 1'-0"

A200.1

ISSUED: 01/24/20
FOR:
DRAWN BY: RANDALL
PROJECT NO.: Author
20210022

310 MARLBORO STREET

KEENE, NEW HAMPSHIRE, 03431

LICENSED ARCHITECT
RANDALL S. WALTER
No 2385
STATE OF NEW HAMPSHIRE

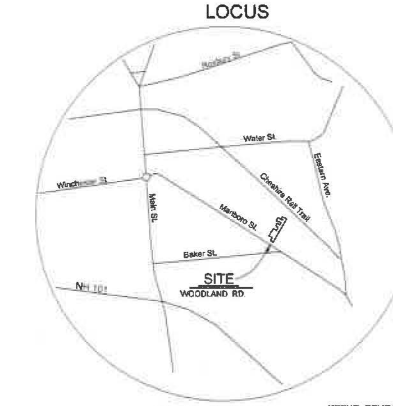
Randall S. Walter, AIA
DESIGNBUILD
603.721.1227
www.randallwalter.com
randallwalter@gmail.com

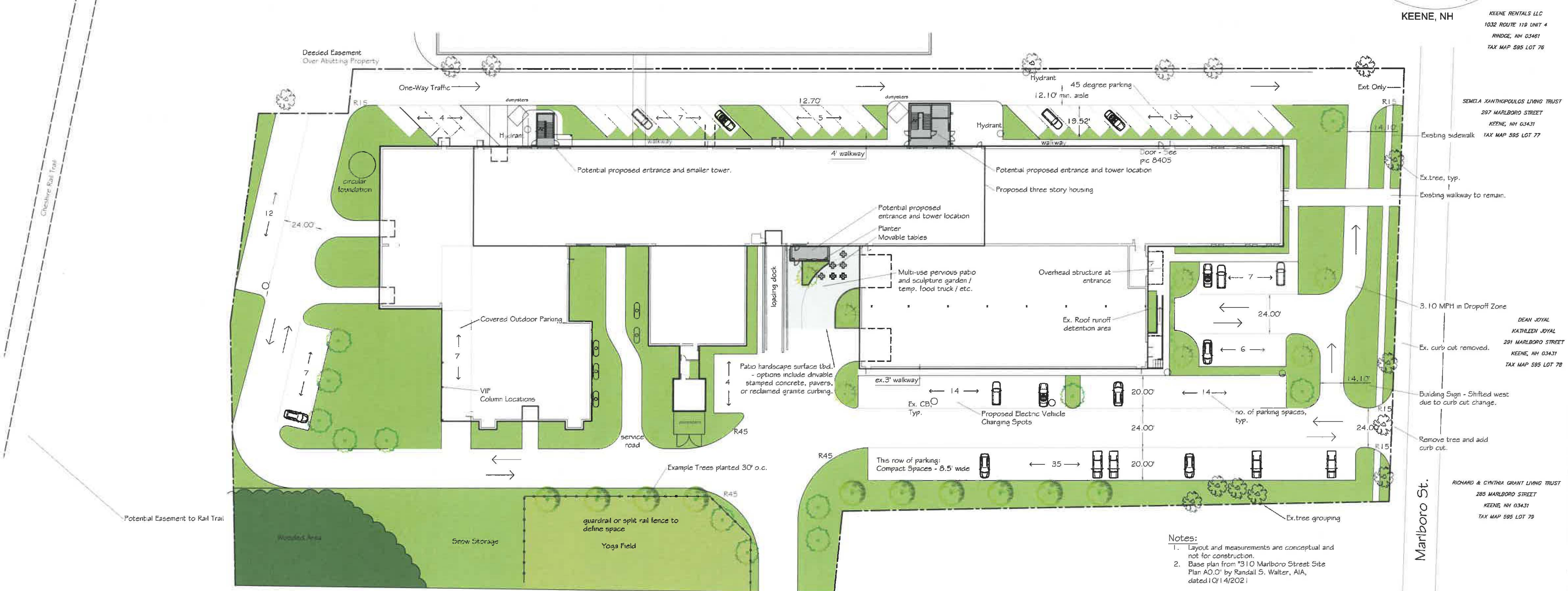
HOME HEALTHCARE HOSPICE & COMMUNITY SVC
P.O. BOX 564
KEENE, NH 03431
TAX MAP 595 LOT 2

Plant Legend

Common Name	Botanical Name
Sun Valley Red Maple	Acer rubrum 'Sun Valley'
Green Vase Zelkova	Zelkova serrata 'Green Vase'
Starburst Amur Maackia	Maackia amurensis 'Starburst'
Existing Tree	

LOCUS





KINGSBURY ACQUISITION LLC
300 DAY STREET
MANCHESTER, NH 03103
TAX MAP 589 LOT 017

FEB REALTY LLC
1800 SHELBURNE ROAD
SOUTH BURLINGTON, VT 05403
TAX MAP 589 LOT 19

KATHRYN A. HARPER
279 MARLBORO STREET
KEENE, NH 03431
TAX MAP 595 LOT 80

Notes:
1. Layout and measurements are conceptual and not for construction.
2. Base plan from "310 Marlboro Street Site Plan A0.0" by Randall S. Walter, AIA, dated 10/14/2021

Parking Space Sizes

1. 90 degree standard - 9' x 20'
2. 90 degree compact - 8.5' x 20'
3. 45 degree - see dims on plan

310 Parking Spaces Count

130 Existing spaces
135 Proposed spaces

Lot Coverage

Lot = 185,212 sq.ft.

Existing:
Impervious: 127,689sq.ft. (68.9%)
Pervious: 57,523sq.ft. (31.1%)

Proposed:
Impervious: 124,212sq.ft. (67.9%)
Pervious 59,519sq.ft. (32.1%)

N

0 10 20 40
Scale 1" = 30'

LANDSCAPE ARCHITECTURE

LANDSCAPING

310 Marlboro Street LLC
310 Marlboro Street
Keene, NH 03431

Project:

Issue Date: 08/19/2022

Revisions:

SITE PLAN

L-1

Randall S. Walter, AIA
DESIGN|BUILD
603.721.1227
www.randallwalter.com
randallwalter@gmail.com

STATE OF NEW HAMPSHIRE · RANDALL S. WALTER · No 2385 · LICENSED ARCHITECT

310 MARLBORO STREET

KEENE, NEW HAMPSHIRE, 03431

ISSUED:	01/24/20
FOR:	RANDALL
DRAWN BY:	Author
PROJECT NO.:	20210022

A600.1

310 MARLBORO ST.
ZBA 22-16

Petitioner requests a Special Exception from Chapter 100, Article 9.2.7.C.2 a & b of the Zoning Regulations, Major Parking Reduction Request.

City of Keene
New Hampshire

NOTICE OF HEARING

ZBA 22-16

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Corinne Marcou

Corinne Marcou, Zoning Clerk
Notice issuance date August 26, 2022

City of Keene, NH

Zoning Board of Adjustment
Special Exception Application

If you have questions on how to complete this form, please call: (603) 352-5440
or email: communitydevelopment@keenenh.gov

For Office Use Only:	
Case No.	ZBA22-16
Date Filled	8/19/22
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Page	1 of 31
Rev'd by	

SECTION 1: CONTACT INFORMATION

I hereby certify that I am the owner, applicant, or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law. If applicant or authorized agent, a signed notification from the property owner is required.

OWNER / APPLICANT	
NAME/COMPANY:	310 Marlboro St.,LLC
MAILING ADDRESS:	310 Marlboro Street, Keene, NH 03431
PHONE:	(603) 721-1227
EMAIL:	randallwalter@gmail.com
SIGNATURE:	
PRINTED NAME:	Randall Walter

APPLICANT (if different than Owner/Applicant)	
NAME/COMPANY:	
MAILING ADDRESS:	
PHONE:	
EMAIL:	
SIGNATURE:	
PRINTED NAME:	

AUTHORIZED AGENT (if different than Owner/Applicant)	
NAME/COMPANY:	
MAILING ADDRESS:	
PHONE:	
EMAIL:	
SIGNATURE:	
PRINTED NAME:	

SECTION 2: GENERAL PROPERTY INFORMATION

Property Address: 310 Marlboro Street, Keene, NH 03431

Tax Map Parcel Number: 595-001-000-000

Zoning District: Business Growth & Reuse

Lot Dimensions: Front: 253' Rear: 279' Side: 675' Side: 675'

Lot Area: Acres: 4.25 Square Feet: 185,212

% of Lot Covered by Structures (buildings, garages, pools, decks, etc): Existing: 31.14% Proposed: 31.16%

% of Impervious Coverage (structures plus driveways and/or parking areas, etc): Existing: 68.9% Proposed: 67.9%

Present Use: Mixed-Use Commercial

Proposed Use: Mixed-Use Commercial and Residential

SECTION 3: WRITTEN NARRATIVE

Article 25.6.4.A.: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed special exception.

SEE ATTACHED

SECTION 4: APPLICANTION CRITERIA

Article of the Zoning Ordinance under which the Special Exception is sought:

9.2.7.C Reduction of Required Parking Major Reduction Request: 49%

The Zoning Board of Adjustment shall have the authority to hear an decide special exceptions from the provisions of the Zoning Regulations of the City s Land Development Code, subject to the requirements of Article 25.6, Zoning Special Exception, 25.6.3 Authority and NH RSA 674:33.

Briefly describe your responses to each criteria, using additional sheets if needed:

1. The nature of the proposed application is consistent with the spirit and intent of the Zoning Regulations, this LDC and the City's Comprehensive Master Plan, and complies with all applicable standards in this LDC for the particular use.

SEE ATTACHED

2. The proposed use will be established, maintained and operated so as not to endanger the public health, safety or welfare.

SEE ATTACHED

3. The proposed use will be established, maintained, and operated so as to be harmonious with the surrounding area and will not impede the development, use and enjoyment of adjacent property.

SEE ATTACHED

4. The proposed use will be of a character that does not produce noise, odors, glare, and/or vibration that adversely affects the surrounding area.

SEE ATTACHED

5. The proposed use will not place an excessive burden on public improvements, facilities, services or utilities.

SEE ATTACHED

6. The proposed use will not result in the destruction, loss, or damage of any feature determined to be of significant natural, scenic or historic importance.

SEE ATTACHED

7. The proposed use will not create a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity of the use.

SEE ATTACHED

In regards to: ARTICLE 9.2.7.C.2

In determining whether to grant a special exception, the Zoning Board of Adjustment shall make the following findings in addition to those required for a special exception.

a. The specific use or site has such characteristics that the number of required parking spaces is too restrictive.

Citing the parking analysis conducted by VHB Engineering, the mixed use nature of this property lends itself to sharing parking spaces rather than having a parking space for every use and every person, 24 hours per day. The conclusions from their report show that the peak load is 118 spaces. The proposed plan provides more than 14% spaces above the identified peak load.

- ☐ According to the LDC it would appear that we could need 258 parking spaces
- ☐ 51% of 258 = 132
- ☐ As proposed with the project site plan there are 135 parking spaces
- ☐ ITE study shows 118 parking spaces required
- ☐ Therefore there is an existing surplus of 17 spots built into this request.

b. The requested reduction will not cause long term parking problems for adjacent properties or future anticipated uses.

Again, the parking analysis conducted by VHB Engineering was done using the methods set forth by the ITE. We are aware that if parking needs are not met properly the tenants and thus the business model of 310 would suffer.

Furthermore, 310 Marlboro Street has a current lease with HCS next door for 10 additional spaces. 310 Marlboro Street also has an option within this agreement to lease 30 more parking spaces if needed in the future to address unforeseen outcomes or growth.

There is also non-metered on street parking available on Marlboro Street.

These relief valves should provide enough of a buffer so as to alleviate any long term parking problems for adjacent properties of future anticipated uses.

ZONING SPECIAL EXCEPTION APPLICATION

PREPARED FOR:
City of Keene Zoning Board of Adjustment
3 Washington Street
Keene, NH 03431

PREPARED BY:
310 Marlboro St., LLC
310 Marlboro Street
Keene NH 0343

SECTION 3 WRITTEN NARRATIVE

Article 25.6.4.A: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed special exception.

Location & Ownership

The property is located at 310 Marlboro Street in Keene, NH. It sits on the north side of the Marlboro Street corridor in the Business Growth and Reuse (BGR) District. The property is ½ mile from Main Street. It is also adjacent to the Cheshire Rail Trail. It was purchased by 310 Marlboro St., LLC/Randall Walter, a local architect and developer, in July of 2021.

Property Description

The property has an existing building which has been built in phases totalling 86,689 square feet. The original structure was built in 1947. Built originally as the Pittsburgh Paint Factory to manufacture paint brushes, the building has substantial structural capacity which is not being utilized to its potential. A metal building of 12,580 square feet was added in 1984. All buildings are non combustible, steel framed, with metal and masonry exteriors, and are fully sprinklered.

The property is a mixed-use commercial building located in the Business Growth and ReUse (BGR) District of Keene, NH. It houses over 40 businesses offering a variety of services including a grades 9-12 charter school, professional offices, fitness studios, light manufacturing/ artisan spaces, and a variety of trades.

Since the change in ownership, the unique number of tenants has more than doubled. What was once a neglected building in need of repairs and maintenance is now a thriving center for a variety of entrepreneurs, professionals and tradespeople. Aside from the increased use of the building, notable energy improvements have been made including a 143kW solar array, installing a wood chip boiler and distribution system (decommissioned oil boiler), new air source heat pumps, triple pane windows & occupancy sensors on most common lighting. Plans are to continue energy improvements of the existing building when possible along with adding 57 residential units on top of the original structure.

Purpose, Effect & Justification

This project will provide high performance, walkable housing for Keene, with minimal impacts to the community and the environment.

THE PURPOSE of this request is multifaceted.

1. This will provide a variety of units to help alleviate the housing shortage in Cheshire County..
2. The project is located in the Business Growth and ReUse (BGR) District. 310 supports small business growth and development while reusing the existing building to its greatest potential.
3. Reusing an existing building rather than disrupting a greenfield or wooded site is the most effective way to reduce carbon emissions in the built environment.
4. The project falls in lockstep with SMART Growth principles including:
    a. Reinvesting in existing infrastructure
    b. Rehabilitating existing buildings
    c. Revitalizes the neighborhood
    d. Creating a walkable live/work community that is adjacent to bicycle trails and downtown amenities
    e. Preserves New Hampshire's open spaces, farmlands, wetlands and forests

THE EFFECT of this request is that Keene will have 57 units of much needed housing added to an area near the downtown that will have a lasting impact on the sustainable development of Keene. The site is constrained in size and is unable to accommodate the parking requirements. The effect will be having reduced paving thus resulting in fewer heat islands as well as encouraging a live work environment and walkable community.

THE JUSTIFICATION for reduced parking is that the Institution of Transportation Engineers Parking Manual, 5th ed. Washington D.C., Feb 2019 clearly shows cumulative parking demands of the proposed development can be significantly lowered. See Attachment A. This will enable 310 Marlboro to move forward with building the proposed 57 units to help alleviate the continued and ever pressing need for housing created in an environmentally sensitive manner.

SECTION 4 APPLICATION CRITERIA

Article 9.2.7.C: Reduction of Required Parking Major Reduction Request: 49%

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1. The nature of the proposed application is consistent with the spirit and intent of the Zoning Regulations, this LDC and the City's Comprehensive Master Plan, and complies with all applicable standards in this LDC for the particular use.

A single parking place can be used upwards of three times per day by three different users. IE: A person coming for a gym workout, a traditional day worker and a resident.

The mixed use of the existing building in addition to the proposed housing matches the spirit of the BGR district and the master plan, with reduced parking demand due to access to the rail trail, sidewalks, and public transportation available.

It is clear from the description of the BGR District in the City of Keene's Land Development Code that the staff and planners who wrote it envisioned building in an environmentally sensitive manner. Strategies for parking include

- Approach parking design to maximize the use of spaces rather than for peak load
- Rethinking parking as a dynamic site feature that allows for rotating users sharing one space over a 24 hour period

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2. The proposed use will be established, maintained and operated so as not to endanger the public health, safety or welfare.

Site design improvements greatly improve the safety entering and exiting the site. Additionally by clarifying on site circulation with dropoff and one way travel, all aspects mentioned will improve and be easier for first time visitors as well as residents to understand.

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3. The proposed use will be established, maintained, and operated so as to be harmonious with the surrounding area and will not impede the development, use and enjoyment of adjacent property.

The proposed site design increases the green space distributed on all sides, adding relief and interruption to paved areas. Additional outdoor seating, recreation and space for the public are planned.

4. The proposed use will be of a character that does not produce noise, odors, glare, and/or vibration-that adversely affects the surrounding area.

Transitioning the site design from a former factory layout with extensive utilitarian paving, the proposed design introduces separate zones for parking and outdoor gathering consistent with the mixed use of the project.

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5. The proposed use will not place an excessive burden on public improvements, facilities, services or utilities

The burden will be no more and no less than it is now. The impervious area of the site will be slightly lower than the existing conditions thereby not adding to additional stormwater discharge.

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6. The proposed use will not result in the destruction, loss, or damage of any feature determined to be of significant natural, scenic or historic importance.

The existing buildings will be updated, reused and adapted, maintaining them as originally constructed. The primary brick facade and overall mill building appearance. The proposal is located in a manner to minimize the primary views from Marlboro Street.

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7. The proposed use will not create a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity of the use.

Marlboro Street, adjacent to the site is under City of Keene jurisdiction, is legislatively categorized as a Class IV: Compact Road, and functionally categorized as a Minor Arterial.

Based on Institute of Transportation Engineers (ITE) trip-generation methodologies, the proposed residential use is not anticipated to generate more than 30 total vehicles per hour during the weekday AM, weekday PM, or Saturday midday peak hours.

These estimated site trips are below the ITE and NHDOT general thresholds for when a development may result in a noticeable impact to the adjacent roadway network.

In regards to: ARTICLE 9.2.7.C.2

In determining whether to grant a special exception, the Zoning Board of Adjustment shall make the following findings in addition to those required for a special exception.

a. The specific use or site has such characteristics that the number of required parking spaces is too restrictive.

Citing the parking analysis conducted by VHB Engineering, the mixed use nature of this property lends itself to sharing parking spaces rather than having a parking space for every use and every person, 24 hours per day. The conclusions from their report show that the peak load is 118 spaces. The proposed plan provides more than 14% spaces above the identified peak load.

- ☐ According to the LDC it would appear that we could need 258 parking spaces
- ☐ 51% of 258 = 132
- ☐ As proposed with the project site plan there are 135 parking spaces
- ☐ ITE study shows 118 parking spaces required
- ☐ Therefore there is an existing surplus of 17 spots built into this request.

b. The requested reduction will not cause long term parking problems for adjacent properties or future anticipated uses.

Again, the parking analysis conducted by VHB Engineering was done using the methods set forth by the ITE. We are aware that if parking needs are not met properly the tenants and thus the business model of 310 would suffer.

Furthermore, 310 Marlboro Street has a current lease with HCS next door for 10 additional spaces. 310 Marlboro Street also has an option within this agreement to lease 30 more parking spaces if needed in the future to address unforeseen outcomes or growth.

There is also non-metered on street parking available on Marlboro Street.

These relief valves should provide enough of a buffer so as to alleviate any long term parking problems for adjacent properties of future anticipated uses.

Memorandum

To: Ms. Hilary Harris
310 Marlboro Street, LLC
310 Marlboro Street
Keene, NH 03431

Date: August 19, 2022

Project #: 52934.00

From: Jason R. Plourde, PE, PTP

Re: Trip-Generation and Parking Demand Assessment
Proposed Marlboro Street Residential Development
Keene, New Hampshire

Vanasse Hangen Brustlin, Inc. (VHB) has prepared this memorandum to summarize the anticipated traffic impacts and the parking demand associated with a proposed residential development to be constructed above existing commercial space at 310 Marlboro Street in Keene, New Hampshire. As proposed, the development would consist of 57 multifamily residential units to be constructed above the existing 86,689 square foot commercial space that consists of 9,040 square feet of office space, 44,980 square feet of general light industrial space, and 12,669 square feet of warehouse/storage space. In addition, the 130 existing on-site parking spaces would be expanded to 135 parking spaces.

Marlboro Street is legislatively categorized as a Class IV: Compact Road that is under City of Keene jurisdiction. Therefore, review and approval are expected to be required with respect to traffic through the City of Keene permitting process. In accordance with Article 20.9.1 of the City of Keene's Land Development Code, a traffic study is required for a residential development with 10 or more dwelling units. This evaluation has been conducted to summarize the anticipated traffic impacts associated with the proposed residential development. In addition, a parking demand evaluation has been summarized for the existing and proposed uses on the site.

Trip-Generation Methodology

To estimate the volume of traffic to be generated by the proposed project, trip rates published in the Institute of Transportation Engineers (ITE) Trip Generation Manual[1] were researched. The trip-generation summary for the existing and proposed uses is provided in Table 1 with the trip-generation calculations provided in the Appendix. As shown, the proposed residential development is estimated to generate 23 trips (5 entering and 18 exiting) during the weekday AM peak hour, and 29 trips (18 entering and 11 exiting) during the weekday PM peak hour.

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[1] Institute of Transportation Engineers. Trip Generation Manual, 11th ed. Washington, DC, Sept. 2021.

2 Bedford Farms Drive
Suite 200
Bedford, NH 03110-6532
P 603.391.3900

Memorandum

Table 1 – Trip-Generation Summary

Time Period/Direction	Existing Site Trips			Proposed Residential Trips [d]	Total Trips
	Office Space [a]	Industrial Space [b]	Storage Space [c]		
Weekday Daily					
Enter	158	110	30	**193**	491
Exit	158	110	30	**193**	491
Total	316	220	60	**386**	982
Weekday AM Peak Hour					
Enter	39	36	2	**5**	82
Exit	5	5	0	**18**	28
Total	44	41	2	**23**	110
Weekday PM Peak Hour					
Enter	7	6	1	**18**	32
Exit	35	30	2	**11**	78
Total	42	36	3	**29**	110

[a] ITE Land Use Code 710 (General Office Building) for 29,040 sf.
[b] ITE Land Use Code 110 (General Light Industrial) for 44,980 sf.
[c] ITE Land Use Code 150 (Warehousing) for 12,669 sf.
[d] ITE Land Use Code 220 (Multifamily Housing [Low-Rise]) for 57 units.

The vehicle trips calculated for the proposed development reflected in Table 1 represent single-use trips to the site on the study area system. Based on the ITE Trip Generation Handbook, studies have shown that some patrons of multi-use developments could visit more than one of the uses on the site (internal trips).[2] To provide a conservative (worse-case) analysis, no internal trips were accounted for between the proposed residential use and the existing uses. Therefore, the site trips reflected for the proposed residential use represent a worse-case methodology.

In accordance with ITE methodologies,[3] a development may have an impact if the addition of site trips would increase peak hour traffic volumes on an intersection approach by 100 vehicles or more. In addition, NHDOT guidance[4] suggests that a development estimated to generate 100 vehicles per hour or more (total of entering and exiting trips) through an intersection may result in a change in vehicular operations (i.e., noticeably drop level of service or increase volume-to-capacity [v/c] ratios). In general, traffic increases less than these thresholds could be attributed to the fluctuation of vehicles due to driver patterns that occur during the day, on different days of a week, or different months of a year. As shown in Table 1, the projected traffic-volume increases associated with the proposed residential development are anticipated to be less than these thresholds (i.e., less than 100 vehicles per hour entering or exiting, and less than 100 total vehicles per hour). Therefore, standard traffic engineering practice suggests that the proposed development would be expected to result in negligible impacts to the adjacent roadway system.

Peak Parking Demand

In accordance with Article 9.2.1 of the City of Keene's Land Development Code, the minimum number of on-site vehicle parking spaces for the existing and proposed uses were determined as follows:

- 29,040 square feet of office space = 116 spaces[5]
- 44,980 square feet of general light industrial space = 22 spaces[6]
- 12,669 square feet of warehouse/storage space = 6 spaces[7]

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[2] Institute of Transportation Engineers. Trip Generation Handbook, 3rd ed. Washington, DC, Sept. 2017.

[3] Transportation Impact Analyses for Site Development: An ITE Proposed Recommended Practice. Washington, DC: Institute of Transportation Engineers, 2010.

[4] Bollinger, Robert E. Inter-Department Communication. New Hampshire Department of Transportation, Bureau of Traffic. 17 Feb. 2010.

[5] Table 9-1 of the City of Keene's Land Development Code: 4 spaces/1,000 sf.

[6] Table 9-1 of the City of Keene's Land Development Code: 0.5 spaces/1,000 sf with no office space.

[7] Table 9-1 of the City of Keene's Land Development Code: 0.5 spaces/1,000 sf with no office space.

- 57 multifamily residential units = 114 spaces[8]
- Total = 258 spaces

Based on Article 9.2.3 of the City of Keene's Land Development Code for mixed-use developments, the minimum number of parking spaces required is the sum of each use computed separately (258 spaces). Since the existing and proposed uses may have different parking characteristics that complement each other, Article 9.2.6 of the City of Keene's Land Development Code allows for a reduction in the number of parking spaces as per the conditions outlined in Article 9.2.7. In compliance with Article 9.2.7.C, a special exception is being sought from the Keene Zoning Board of Adjustment to reduce the required number of parking spaces by less than 50 percent. To satisfy these conditions, the following parking study information has been developed in accordance with Article 9.2.7.C.3.

- **Article 9.2.7.C.3.a:** A description of the proposed uses.
  - The proposed use consists of 57 multifamily residential units to be constructed above the existing 86,689 square foot commercial building.
- **Article 9.2.7.C.3.b:** Days and hours of operation for the existing and proposed uses.
  - The existing building contains 45 tenants with varying days and time of operation. A table of the typical days and times for each tenant is provided in the Appendix.
  - The proposed residential use will be open all hours of each day for the residents.
- **Article 9.2.7.C.3.c:** Anticipated number of employees and number of daily customers or clients.
  - The approximate number of employees for the existing 45 tenants is tabulated in the Appendix. In accordance with ITE methodologies, the daily customer or client trips are reflected in the site trips provided in Table 1.
  - There are no employees associated with the proposed multifamily residential use. The number of daily customer or client trips is reflected in Table 1
- **Article 9.2.7.C.3.d:** The anticipated rate of turnover for proposed spaces.
  - To estimate the peak parking demands of the existing and proposed uses, parking demand rates published in the ITE Parking Generation Manual[9] were researched. Based on ITE procedures, the daily peak parking demands were calculated for each use and then distributed for each hour throughout the day. The parking demands for each use were combined during each hour to determine the cumulative parking demands of the development. This methodology accounts for land uses within a mixed-use development

[8] Table 9-1 of the City of Keene's Land Development Code: 2 spaces/unit.

[9] Institute of Transportation Engineers. Parking Generation Manual, 5th ed. Washington, DC, Feb. 2019.

that experience different peak parking demands. The parking demand calculations are provided in the Appendix and are summarized in Table 2.

  - As shown, the proposed development is expected to experience a peak parking demand of 128 vehicles on a weekday. These estimates provide a conservative evaluation as no credit was applied for a patron visiting more than one land use on the site. Within a mixed-use development, a motorist can park the vehicle once and then is able to visit more than one of the uses that are within walking distance. Even with this higher parking demand method, the minimum required parking spaces are shown to result in an overabundance of parking spaces as compared with the minimum required parking spaces (258 spaces).

- **Article 9.2.7.C.3.e:** The availability of nearby on-street parking or alternative modes of transportation (e.g., public transit, multi-use pathways).
  - There are approximately 100 on-street parking spaces provided along both sides of Marlboro Street within 0.25 miles of the site.
  - As part of the City's Marlboro Street Rehabilitation project, chicanes will be constructed along the corridor, a connection will be provided to Cheshire Rail Trail, a bike lane will be striped, and approximately 30 unmetered parking spaces will remain within 0.25 miles of the site.
  - Sidewalks are currently provided along both sides of Marlboro Street adjacent to the site.
  - City Express provides fixed bus route service throughout Keene with Black Route (Bus 1) having a stop located at Home Healthcare Hospice & Community Services (312 Marlboro Street).
  - Cheshire Rail Trail is located to the north of the property that allows walking, bicycling, horseback riding, snowmobiling, and cross-country skiing.
- **Article 9.2.7.C.3.f:** The anticipated peak parking and traffic loads for each of the uses on the site.
  - The ITE estimated traffic generation and parking demands for the existing and proposed uses are summarized in Tables 1 and 2, respectively. The calculations are provided in the Appendix.
- **Article 9.2.7.C.3.g:** The total vehicle movements for the parking facility as a whole.
  - Table 1 summarizes the ITE estimated traffic generation for the existing and proposed uses (aka, the entering and entering vehicle movements). The calculations are provided in the Appendix

The ITE data show that the minimum required number of parking spaces (258) far exceeds the parking demand for the existing and proposed uses (128). Therefore, ITE methodologies suggest that the 135 proposed on-site parking spaces would accommodate the future parking demands. The 135 proposed parking spaces represent a 48 percent reduction from the City's minimum number of required parking spaces ([1 – 135/258] x 100%).

Table 2 – Parking Demand Summary

Hour	Weekday Parking Demand
6:00-7:00 AM	63
7:00-8:00 AM	72
8:00-9:00 AM	97
9:00-10:00 AM	123
10:00-11:00 AM	**128**
11:00 AM-12:00 PM	126
12:00-1:00 PM	114
1:00-2:00 PM	113
2:00-3:00 PM	121
3:00-4:00 PM	124
4:00-5:00 PM	112
5:00-6:00 PM	92
6:00-7:00 PM	61
7:00-8:00 PM	57
8:00-9:00 PM	51
9:00-10:00 PM	57
10:00-11:00 PM	59

Summary of Findings

In summary, standard traffic engineering practice suggests that the vehicular trips associated with the proposed 57 unit multifamily residential development would have negligible impacts to the adjacent roadway system. The total additional site trips estimated for the proposed residential use do not meet the ITE and NHDOT guidelines for which developments may have a noticeable impact. In addition, ITE methodologies suggest that the mixed-use development would experience less parking demands than the City's minimum requirements. Therefore, standard traffic engineering practice supports relief for the reduction in the number of required parking spaces.

Appendix

Trip-Generation Calculations
Parking Demand Calculations
Existing and Proposed Tenant Data

Trip-Generation Data

ITE TRIP GENERATION WORKSHEET
(11th Edition, Updated 2021)

LANDUSE: General Office Building
LANDUSE CODE: 710
SETTING/LOCATION: General Urban/Suburban
JOB NAME:
JOB NUMBER:

Trip Type --- Vehicle
Independent Variable --- 1,000 Sq. Feet Gross Floor Area

FLOOR AREA (KSF): 29.04

WEEKDAY

RATES:

	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	59	0.78	10.84	3.27	27.56	163	14	677	50%	50%
AM PEAK (ADJACENT ST)	221	0.78	1.52	0.32	4.93	201	10	815	88%	12%
PM PEAK (ADJACENT ST)	232	0.77	1.44	0.26	6.20	199	10	1,092	17%	83%

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	316	158	158	396	198	198
AM PEAK (ADJACENT ST)	44	39	5	58	51	7
PM PEAK (ADJACENT ST)	42	7	35	60	10	49

SATURDAY

RATES:

	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	5	--	2.21	1.24	7.46	94	28	183	50%	50%
PEAK OF GENERATOR	3	--	0.52	0.30	1.57	82	28	183	54%	46%

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	66	33	33	--	--	--
PEAK OF GENERATOR	15	8	7	--	--	--

SUNDAY

RATES:

	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	5	--	0.70	0.19	3.05	94	28	183	50%	50%
PEAK OF GENERATOR	3	--	0.21	0.11	0.68	82	28	183	58%	42%

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	22	11	11	--	--	--
PEAK OF GENERATOR	6	4	3	--	--	--

ITE TRIP GENERATION WORKSHEET
(11th Edition, Updated 2021)

LANDUSE: General Light Industrial
LANDUSE CODE: 110 Independent Variable ---1000 Sq. Feet Gross Floor Area
LOCATION: General Urban / Suburban
JOB NAME: **1000 SQ. FEET GROSS FLOOR AREA** 44.98
JOB NUMBER:

WEEKDAY

RATES:

	# Studies	R^2	Total Trip Ends Average	Low	High	Independent Variable Range Average	Low	High	Directional Distribution Enter	Exit
DAILY	37	0.61	4.87	0.34	43.86	45	1	328	50%	50%
AM PEAK (ADJACENT ST) 7-9am	41	0.66	0.74	0.02	4.46	65	1	328	88%	12%
PM PEAK (ADJACENT ST) 4-6pm	58	0.55	0.65	0.07	7.02	58	1	300	14%	86%
PEAK OF GENERATOR AM	40	0.62	0.91	0.09	11.40	56	1	328	87%	13%
PEAK OF GENERATOR PM	41	0.65	0.80	0.09	8.77	62	1	328	18%	82%

TRIPS:

	BY AVERAGE Total	Enter	Exit	BY REGRESSION Total	Enter	Exit
DAILY	220	110	110	220	110	110
AM PEAK (ADJACENT ST)	33	29	4	34	30	4
PM PEAK (ADJACENT ST)	29	4	25	23	3	19
PEAK OF GENERATOR AM	41	36	5	43	37	6
PEAK OF GENERATOR PM	36	6	30	38	7	32

SATURDAY

RATES:

	# Studies	R^2	Total Trip Ends Average	Low	High	Independent Variable Range Average	Low	High	Directional Distribution Enter	Exit
DAILY	1	--	0.69	0.69	0.69	58	58	58	50%	50%
PEAK OF GENERATOR	-	--	-	-	-	-	-	-	-	-

TRIPS:

	BY AVERAGE Total	Enter	Exit	BY REGRESSION Total	Enter	Exit
DAILY	32	16	16	--	--	--
PEAK OF GENERATOR	--	--	--	--	--	--

SUNDAY

RATES:

	# Studies	R^2	Total Trip Ends Average	Low	High	Independent Variable Range Average	Low	High	Directional Distribution Enter	Exit
DAILY	1	--	5.00	5.00	5.00	58	58	58	50%	50%
PEAK OF GENERATOR	1	--	0.69	0.69	0.69	58	58	58	48%	52%

TRIPS:

	BY AVERAGE Total	Enter	Exit	BY REGRESSION Total	Enter	Exit
DAILY	226	113	113	--	--	--
PEAK OF GENERATOR	31	15	16	--	--	--

ITE TRIP GENERATION WORKSHEET
(11th Edition, Updated 2021)

LANDUSE: Warehousing
LANDUSE CODE: 150
LOCATION: General Urban / Suburban
JOB NAME:
JOB NUMBER:

Independent Variable --- 1,000 Sq. Feet Gross Floor Area

FLOOR AREA (KSF): 12.669

WEEKDAY

RATES:

	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	31	0.92	1.71	0.15	16.93	292	4	3,300	50%	50%
AM PEAK OF GENERATOR	25	0.85	0.21	0.02	2.08	284	4	3,300	66%	34%
PM PEAK OF GENERATOR	27	0.90	0.23	0.02	1.80	284	4	3,300	24%	76%
AM PEAK (ADJACENT ST)	36	0.69	0.17	0.02	1.93	448	4	3,300	77%	23%
PM PEAK (ADJACENT ST)	49	0.65	0.18	0.01	1.80	400	4	3,300	28%	72%

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	22	11	11	60	30	30
AM PEAK OF GENERATOR	3	2	1	30	20	10
PM PEAK OF GENERATOR	3	1	2	22	5	17
AM PEAK (ADJACENT ST)	2	2	0	25	19	6
PM PEAK (ADJACENT ST)	2	1	2	28	8	20

SATURDAY

RATES:

	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	3	--	0.15	0.01	1.58	226	56	420	50%	50%
PEAK OF GENERATOR	2	--	0.05	0.01	0.22	129	56	201	64%	36%

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	2	1	1	--	--	--
PEAK OF GENERATOR	1	0	0	--	--	--

SUNDAY

RATES:

	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	3	--	0.06	0.03	0.32	226	56	420	50%	50%
PEAK OF GENERATOR	2	--	0.04	0.02	0.11	129	56	201	52%	48%

TRIPS:

	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	2	1	1	--	--	--
PEAK OF GENERATOR	1	0	0	--	--	--

ITE TRIP GENERATION WORKSHEET

(11th Edition, Updated 2021)

LANDUSE: Multi-Family Housing (Low-Rise): *2-3 Story* - Not Close to Rail Transit
LANDUSE CODE: 220 Independent Variable --- Number of Dwelling Units
SETTING/LOCATION: General Urban/Suburban
JOB NAME: 57 units
JOB NUMBER:

WEEKDAY

RATES:

	# Studies	R^2	Total Trip Ends Average	Low	High	Independent Variable Range Average	Low	High	Directional Distribution Enter	Exit
DAILY	22	0.86	6.74	2.46	12.50	229	33	494	50%	50%
AM PEAK OF GENERATOR	40	0.76	0.47	0.25	0.98	234	12	1,103	24%	76%
PM PEAK OF GENERATOR	38	0.80	0.57	0.25	1.26	231	12	1,103	62%	38%
AM PEAK (ADJACENT ST)	49	0.79	0.40	0.13	0.73	249	12	1,103	24%	76%
PM PEAK (ADJACENT ST)	59	0.84	0.51	0.08	1.04	241	12	1,103	63%	37%

TRIPS:

	BY AVERAGE Total	Enter	Exit	BY REGRESSION Total	Enter	Exit
DAILY	386	193	193	442	221	221
AM PEAK OF GENERATOR	27	6	20	48	12	37
PM PEAK OF GENERATOR	32	20	12	59	36	22
AM PEAK (ADJACENT ST)	23	5	17	41	10	31
PM PEAK (ADJACENT ST)	29	18	11	46	29	17

SATURDAY

RATES:

	# Studies	R^2	Total Trip Ends Average	Low	High	Independent Variable Range Average	Low	High	Directional Distribution Enter	Exit
DAILY	1	--	4.55	4.55	4.55	282	282	282	50%	50%
PEAK OF GENERATOR	1	--	0.41	0.41	0.41	282	282	282	51%	49%

TRIPS:

	BY AVERAGE Total	Enter	Exit	BY REGRESSION Total	Enter	Exit
DAILY	260	130	130	--	--	--
PEAK OF GENERATOR	23	12	11	--	--	--

SUNDAY

RATES:

	# Studies	R^2	Total Trip Ends Average	Low	High	Independent Variable Range Average	Low	High	Directional Distribution Enter	Exit
DAILY	1	--	3.86	3.86	3.86	282	282	282	50%	50%
PEAK OF GENERATOR	1	--	0.36	0.36	0.36	282	282	282	55%	45%

TRIPS:

	BY AVERAGE Total	Enter	Exit	BY REGRESSION Total	Enter	Exit
DAILY	222	111	111	--	--	--
PEAK OF GENERATOR	21	11	9	--	--	--

Parking Demand Calculations

Marlboro Street Development Peak Parking Demand Summary

	Office Space [a] 69 peak demand		Industrial Space [b] 30 peak demand		Warehouse Space [c] 5 peak demand		Residential Units [d] 64 peak demand		Total
Start Time	**% of Weekday Demand**	**Parked Vehicles**	**% of Weekday Demand**	**Parked Vehicles**	**% of Weekday Demand**	**Parked Vehicles**	**% of Weekday Demand**	**Parked Vehicles**	**Parked Vehicles**
12:00-4:00 AM	0%	0	0%	0	1%	0	100%	64	64
5:00 AM	0%	0	2%	1	3%	0	97%	62	63
6:00 AM	0%	0	15%	5	8%	0	90%	58	63
7:00 AM	13%	9	41%	12	27%	1	77%	49	72
8:00 AM	48%	33	83%	25	57%	3	56%	36	97
9:00 AM	88%	61	100%	30	79%	4	45%	29	123
10:00 AM	100%	69	99%	30	83%	4	40%	26	**128**
11:00 AM	100%	69	98%	29	87%	4	37%	24	126
12:00 PM	85%	59	94%	28	91%	5	36%	23	114
1:00 PM	84%	58	90%	27	91%	5	36%	23	113
2:00 PM	93%	64	94%	28	97%	5	37%	24	121
3:00 PM	94%	65	88%	26	100%	5	43%	28	124
4:00 PM	85%	59	68%	20	91%	5	45%	29	112
5:00 PM	56%	39	49%	15	74%	4	55%	35	92
6:00 PM	20%	14	9%	3	47%	2	66%	42	61
7:00 PM	11%	8	3%	1	26%	1	73%	47	57
8:00 PM	0%	0	3%	1	20%	1	77%	49	51
9:00 PM	0%	0	3%	1	17%	1	86%	55	57
10:00 PM	0%	0	0%	0	1%	0	92%	59	59
11:00 PM	0%	0	0%	0	1%	0	97%	62	62

[a] ITE Land Use Code 710 (General Office Build) for 29,040 sf.

[b] ITE Land Use Code 110 (General Light Industrial) for 44,980.

[c] ITE Land Use Code 150 (Warehousing) for 12,669 sf.

[d] ITE Land Use Code 220 (Multifamily Housing [Low-Rise]) for 57 units.

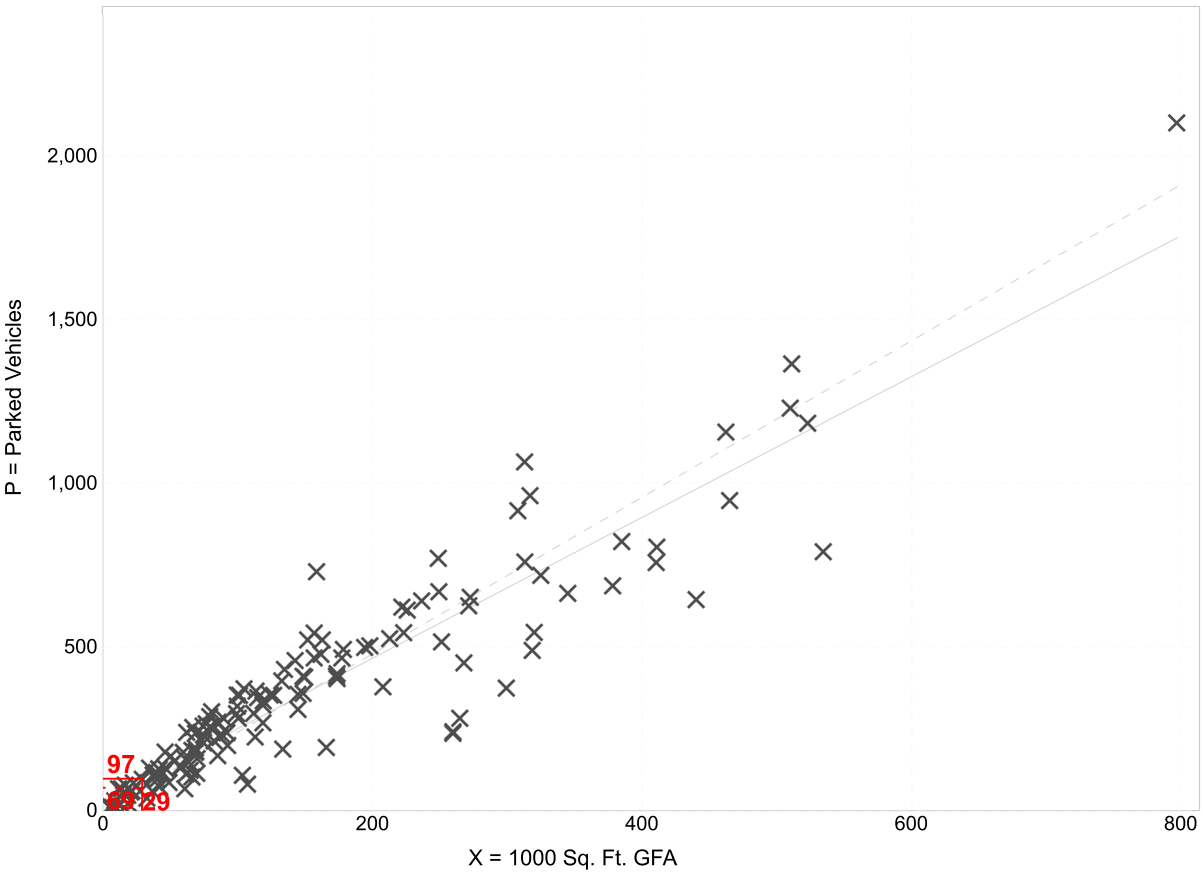
General Office Building
(710)

Peak Period Parking Demand vs: **1000 Sq. Ft. GFA**
On a: **Weekday (Monday - Friday)**
Setting/Location: **General Urban/Suburban**
Peak Period of Parking Demand: **9:00 a.m. - 3:00 p.m.**
Number of Studies: 148
Avg. 1000 Sq. Ft. GFA: 145

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
2.39	0.50 - 5.58	2.30 / 3.30	2.28 - 2.50	0.69 (29%)

Data Plot and Equation



Fitted Curve Equation: P = 2.15(X) + 34.60

R^2= 0.86

Land Use: 710 General Office Building

Description

A general office building houses multiple tenants. It is a location where affairs of businesses, commercial or industrial organizations, or professional persons or firms are conducted. An office building or buildings may contain a mixture of tenants including professional services, insurance companies, investment brokers, and tenant services, such as a bank or savings and loan institution, a restaurant, or cafeteria and service retail facilities. A general office building with a gross floor area of 5,000 square feet or less is classified as a small office building (Land Use 712). Corporate headquarters building (Land Use 714), single tenant office building (Land Use 715), medical-dental office building (Land Use 720), office park (Land Use 750), and research and development center (Land Use 760) are additional related uses.

If information is known about individual buildings, it is suggested that the general office building category be used rather than office parks when estimating parking generation for one or more office buildings in a single development. The office park category is more general and should be used when a breakdown of individual or different uses is not known. If the general office building category is used and if additional buildings, such as banks, restaurants, or retail stores are included in the development, the development should be treated as a multiuse project. On the other hand, if the office park category is used, internal trips are already reflected in the data and do not need to be considered.

When the buildings are interrelated (defined by shared parking facilities or the ability to easily walk between buildings) or house one tenant, it is suggested that the total area or employment of all the buildings be used for calculating parking generation. When the individual buildings are isolated and not related to one another, it is suggested that parking generation be calculated for each building separately and then summed.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 30 study sites in a general urban/suburban setting and two study sites in a dense multi-use urban setting.

	Percent of Weekday Peak Parking Demand	
Hour Beginning	General Urban/Suburban	Dense Multi–Use Urban
12:00–4:00 a.m.	–	–
5:00 a.m.	–	–
6:00 a.m.	–	–
7:00 a.m.	13	26
8:00 a.m.	48	65
9:00 a.m.	88	95
10:00 a.m.	100	100
11:00 a.m.	100	100
12:00 p.m.	85	99
1:00 p.m.	84	99
2:00 p.m.	93	97
3:00 p.m.	94	94
4:00 p.m.	85	90
5:00 p.m.	56	–
6:00 p.m.	20	–
7:00 p.m.	11	–
8:00 p.m.	–	–
9:00 p.m.	–	–
10:00 p.m.	–	–
11:00 p.m.	–	–

Additional Data

The average parking supply ratios for the study sites with parking supply information are as follows:

- 2.9 spaces per 1,000 square feet GFA in a dense multi-use urban setting that is not within ½ mile of rail transit (seven sites)
- 3.3 spaces per 1,000 square feet GFA (73 sites) and 1.2 spaces per employee (20 sites) in a general urban/suburban setting that is not within ½ mile of rail transit
- 3.0 spaces per 1,000 square feet GFA (seven sites) and 0.8 spaces per employee (two sites) in a general urban/suburban setting that is within ½ mile of rail transit

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Arizona, California, Colorado, Connecticut, Georgia, Illinois, Massachusetts, Minnesota, Montana, New Jersey, New York, Oklahoma, Oregon, Pennsylvania, Texas, Utah, and Washington.

Source Numbers

21, 22, 47, 122, 124, 142, 172, 201, 202, 205, 211, 215, 216, 217, 227, 239, 241, 243, 276, 295, 399, 400, 425, 431, 433, 436, 438, 440, 516, 531, 540, 551, 555, 556, 557, 571, 572, 588

Land Use: 110 General Light Industrial

Description

A light industrial facility is a free-standing facility devoted to a single use. The facility has an emphasis on activities other than manufacturing and typically has minimal office space. Typical light industrial activities include printing, material testing, and assembly of data processing equipment. Industrial park (Land Use 130) and manufacturing (Land Use 140) are related uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 29 general urban/suburban study sites.

Hour Beginning	Percent of Weekday Peak Parking Demand
12:00–4:00 a.m.	0
5:00 a.m.	2
6:00 a.m.	15
7:00 a.m.	41
8:00 a.m.	83
9:00 a.m.	100
10:00 a.m.	99
11:00 a.m.	98
12:00 p.m.	94
1:00 p.m.	90
2:00 p.m.	94
3:00 p.m.	88
4:00 p.m.	68
5:00 p.m.	49
6:00 p.m.	9
7:00 p.m.	3
8:00 p.m.	3
9:00 p.m.	3
10:00 p.m.	0
11:00 p.m.	0

Additional Data

The number of employees for this land use was the total number of employees working on all shifts. Facilities with employees that work on shifts may peak at different hours. It is unclear from the data collected for this land use whether the parking demand counts occurred during, prior to, or after shift changes at the study sites.

The average parking supply ratio for the nine study sites with parking supply information is 1.2 spaces per 1,000 square feet GFA.

The sites were surveyed in the 1980s, the 1990s, and the 2010s in California, Illinois, Oklahoma, Texas, and Washington.

Source Numbers

149, 151, 201, 235, 261, 560, 561

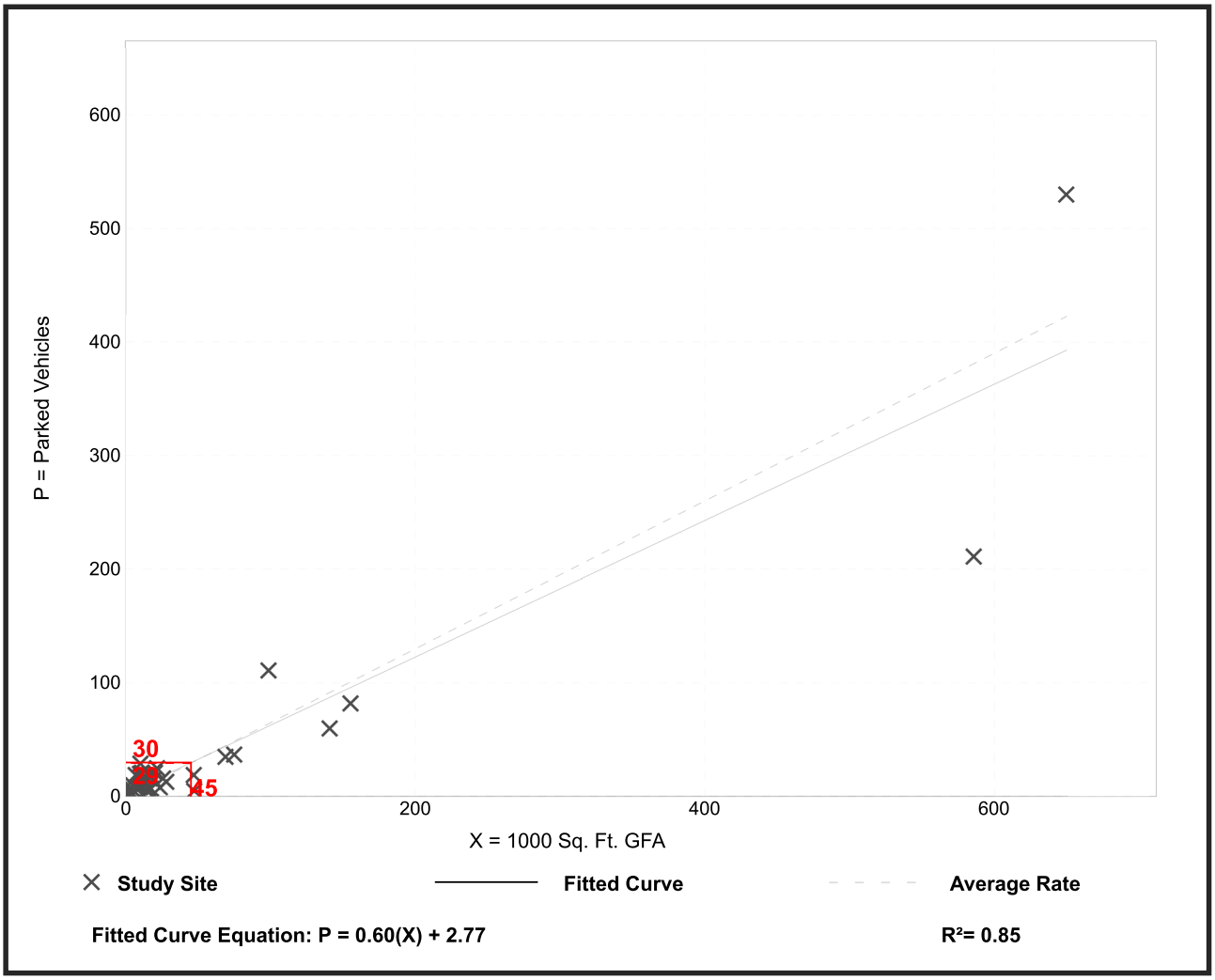
General Light Industrial
(110)

Peak Period Parking Demand vs: **1000 Sq. Ft. GFA**
On a: **Weekday (Monday - Friday)**
Setting/Location: **General Urban/Suburban**
Peak Period of Parking Demand: **9:00 a.m. - 3:00 p.m.**
Number of Studies: 40
Avg. 1000 Sq. Ft. GFA: 56

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.65	0.11 - 7.89	0.58 / 1.94	0.52 - 0.78	0.41 (63%)

Data Plot and Equation



Land Use: 150 Warehousing

Description

A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand on a weekday at 11 general urban/suburban study sites.

Hour Beginning	Percent of Weekday Peak Parking Demand
12:00–4:00 a.m.	1
5:00 a.m.	3
6:00 a.m.	8
7:00 a.m.	27
8:00 a.m.	57
9:00 a.m.	79
10:00 a.m.	83
11:00 a.m.	87
12:00 p.m.	91
1:00 p.m.	91
2:00 p.m.	97
3:00 p.m.	100
4:00 p.m.	91
5:00 p.m.	74
6:00 p.m.	47
7:00 p.m.	26
8:00 p.m.	20
9:00 p.m.	17
10:00 p.m.	1
11:00 p.m.	1

Additional Data

For eight of the study sites, data were also collected for trucks parked at the site. The average truck parking demand ratio was 0.11 trucks per 1,000 sq. ft. GFA with a range between 0.04 and 0.25 trucks per 1,000 sq. ft. GFA.

The average parking supply ratio for the study sites with parking supply information is 0.6 spaces per 1,000 square feet GFA (15 sites) and 1.1 spaces per employee (12 sites).

The sites were surveyed in the 1990s, the 2000s, and the 2010s in Minnesota, New Jersey, New York, Oregon, Texas, and Washington.

Source Numbers

22, 122, 275, 433, 528, 556, 558, 561, 562

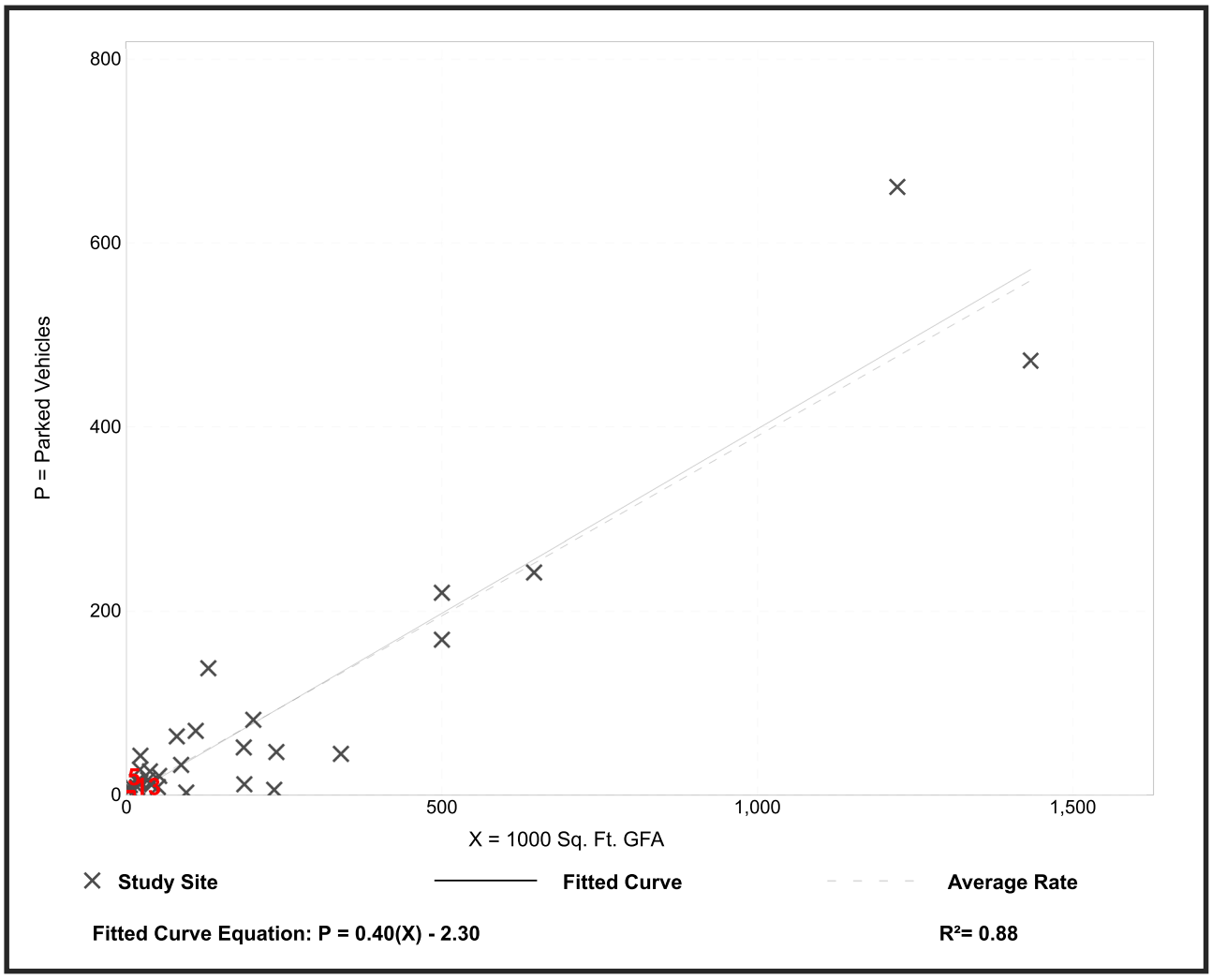
Warehousing
(150)

Peak Period Parking Demand vs: **1000 Sq. Ft. GFA**
On a: **Weekday (Monday - Friday)**
Setting/Location: **General Urban/Suburban**
Peak Period of Parking Demand: **11:00 a.m. - 4:00 p.m.**
Number of Studies: 31
Avg. 1000 Sq. Ft. GFA: 212

Peak Period Parking Demand per 1000 Sq. Ft. GFA

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
0.39	0.03 - 1.96	0.34 / 1.11	0.31 - 0.47	0.22 (56%)

Data Plot and Equation



Land Use: 220 Multifamily Housing (Low-Rise)

Description

Low-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and with one or two levels (floors) of residence. Multifamily housing (mid-rise) (Land Use 221), multifamily housing (high-rise) (Land Use 222), and affordable housing (Land Use 223) are related land uses.

Time of Day Distribution for Parking Demand

The following table presents a time-of-day distribution of parking demand (1) on a weekday (10 study sites) and a Saturday (11 study sites) in a general urban/suburban setting and (2) on a weekday (three study sites) and a Saturday (three study sites) in a dense multi-use urban setting.

	Percent of Peak Parking Demand			
	General Urban/Suburban		Dense Multi-Use Urban	
Hour Beginning	Weekday	Saturday	Weekday	Saturday
12:00–4:00 a.m.	100	93	86	100
5:00 a.m.	97	100	100	94
6:00 a.m.	90	98	94	91
7:00 a.m.	77	96	81	85
8:00 a.m.	56	92	58	79
9:00 a.m.	45	80	56	76
10:00 a.m.	40	78	53	71
11:00 a.m.	37	71	58	74
12:00 p.m.	36	68	56	68
1:00 p.m.	36	66	53	68
2:00 p.m.	37	65	47	68
3:00 p.m.	43	68	56	56
4:00 p.m.	45	70	53	59
5:00 p.m.	55	73	61	53
6:00 p.m.	66	77	81	50
7:00 p.m.	73	81	67	56
8:00 p.m.	77	82	61	65
9:00 p.m.	86	86	64	74
10:00 p.m.	92	87	75	85
11:00 p.m.	97	92	86	91

Additional Data

In prior editions of *Parking Generation*, the low-rise multifamily housing sites were further divided into rental and condominium categories. An investigation of parking demand data found no clear differences in parking demand between the rental and condominium sites within the ITE database. As more data are compiled for future editions, this land use classification can be reinvestigated.

The average parking supply ratios for the study sites with parking supply information are shown in the table below.

		Parking Supply Ratio	
Setting	**Proximity to Rail Transit**	**Per Dwelling Unit**	**Per Bedroom**
Dense Multi-Use Urban	Within ½ mile of rail transit	0.6 (12 sites)	0.4 (10 sites)
	Not within ½ mile of rail transit	0.9 (18 sites)	0.6 (18 sites)
General Urban/ Suburban	Within ½ mile of rail transit	1.5 (10 sites)	0.9 (10 sites)
	Not within ½ mile of rail transit	1.7 (52 sites)	1.0 (52 sites)

The sites were surveyed in the 1980s, the 1990s, the 2000s, and the 2010s in Alberta (CAN), California, Colorado, District of Columbia, Maryland, Massachusetts, Oregon, Pennsylvania, Texas, Washington, and Wisconsin.

It is expected that the number of bedrooms and number of residents are likely correlated to the parking demand generated by a residential site. Parking studies of multifamily housing should attempt to obtain information on occupancy rate and on the mix of residential unit sizes (i.e. number of units by number of bedrooms at the site complex). Future parking studies should also indicate the number of levels contained in the residential building.

Source Numbers

72, 124, 152, 154, 209, 215, 216, 218, 219, 255, 257, 314, 414, 419, 432, 437, 505, 512, 533, 535, 536, 537, 544, 545, 577, 578, 579, 580, 584, 585, 587

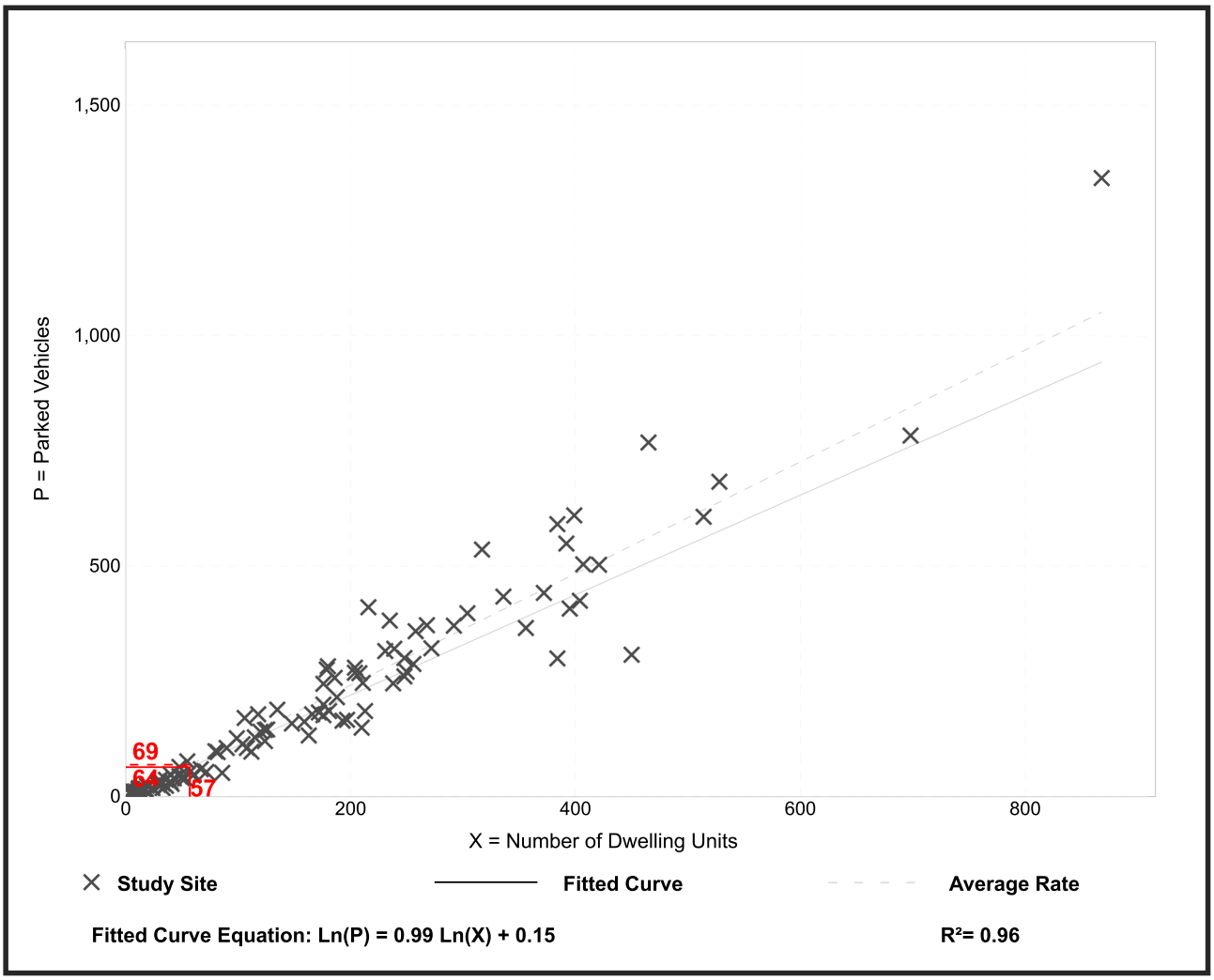
Multifamily Housing (Low-Rise)
(220)

Peak Period Parking Demand vs: **Dwelling Units**
On a: **Weekday (Monday - Friday)**
Setting/Location: **General Urban/Suburban (no nearby rail transit)**
Peak Period of Parking Demand: **11:00 p.m. - 6:00 a.m.**
Number of Studies: 119
Avg. Num. of Dwelling Units: 156

Peak Period Parking Demand per Dwelling Unit

Average Rate	Range of Rates	33rd / 85th Percentile	95% Confidence Interval	Standard Deviation (Coeff. of Variation)
1.21	0.58 - 2.50	1.03 / 1.52	1.16 - 1.26	0.27 (22%)

Data Plot and Equation



Existing and Proposed Tenant Data

310 Marlboro St Tenants	# EMPLOYEES	DAYS OF OPERATION							HOURS OF OPERATION																							
AMT Productions	1	MO	TU	WE	TH	FR	SA	SU	12:00 AM	1:00 AM	2:00 AM	3:00 AM	4:00 AM	5:00 AM	6:00 AM	7:00 AM	8:00 AM	9:00 AM	10:00 AM	11:00 AM	12:00 PM	1:00 PM	2:00 PM	3:00 PM	4:00 PM	5:00 PM	6:00 PM	7:00 PM	8:00 PM	9:00 PM	10:00 PM	11:00 PM
Ari Deihim (Elements MMA)	2																															
BDH	1																															
Bergeron	3																															
Blanchard and Sons Drywall Inc	1																															
Choate, Hall & Stewart LLP	1																															
Christin Nichols Bodywork & Skincare	1																															
Contour Manufacturing	8																															
Davis Wealth Management LLC	1																															
DC Hair Salon	1																															
Diluzio	3																															
First Light	0																															
HCS, Inc	0																															
Iron Horse	1																															
Jack's Crackers LLC	3																															
James Garrett	1																															
JE & BC Electric, LLC	4																															
Katie Sutherland	5																															
KD Prestige Detailing	1																															
Kurt Daniels Music, LLC	1																															
Kyle Farace and Kaila Cumings	2																															
Lisa & Mikel Steadman	1																															
Logopak Corp	0																															
Lumens for Less	2																															
MC2 Charter School	12																															
Michael Carter Cleaning	1																															
Michael Petrovick Architects, PLLC	3																															
Mighty Circus, LLC	1																															
Mindseeker	1																															
MOCO	2																															
Monadnock Flooring	1																															
Motivate	1																															
NEA New Hampshire	1																															
Neiman Law	2																															
Nina Fish	1																															
Optimum Financial, LLC	3																															
RebTex	0																															
Saxy Chef LLC	4																															
Shae Sterrett	1																															
Slate Roof Films	2																															
Soleron	0																															
Symquest	0																															
Tacoodelay LLC/Modest Man	0																															
The Edge Ensemble Theatre Company	6																															
WiValley, Inc	2																															
Phase II Residents																																

Manchester Street, east side, at its first 90-degree angle, 90.75 feet to the second 90-degree angle.

Manchester Street, north side, 136 feet from Main Street; west side, 130.7 feet from the end of the first prohibition; and north side, 179 feet from the end of the second prohibition.

Marlboro Street, both sides, from the dead end a distance of 300 feet westerly including the dead end and the turnaround.

Marlboro Street; north side, from the east curb line of Grove Street for 66 feet in a southeasterly direction.

Marlboro Street, south side, from a point even with the westerly line of Adams Street, 366 feet in a southeasterly direction.

Marlboro Street, south side, for a distance of 20 feet in a westerly direction from the western intersection of Adams Street.

Marlboro Street, south side, from Prescott Street to Avalon Place.

Marlboro Street, within 310 feet of the easterly curbline of Main Street on the south side, and within 310 feet of the easterly curbline of Main Street on the north side.

Martel Court, both sides of street, from a point 1,295 feet from the west curbline of Main Street to the dead end and turnaround.

Mechanic Street, north side, from Washington Street curbline to a point 130 feet westerly and a point of 210 feet westerly from Washington Street to Court Street.

Middle Street, east side.

Middle Street, west side from a point 70 feet north of the curbline of Winter Street to a point 148 feet north of the curbline of Winter St.

Middle Street, west side from a point 168 feet north of the curbline of Winter Street to Summer Street

Morin Avenue, southeast side, from a point 50 feet east of Park Avenue to Park Avenue.

Norway Avenue, west side, for a distance of 78 feet southerly from Roxbury Street.

Parking Space Lease Agreement

New Hampshire

This Parking Space Lease Agreement, hereinafter referred to as the "Agreement," is entered into and made effective as of the date set forth at the end of this document by and between the following parties:

Home Healthcare, Hospice and Community Services, Inc., a Corporation, incorporated under the laws of the state of New Hampshire, having its principal place of business at the following address:

312 Marlboro Street
Keene, NH 03431

and **310 Marlboro Street, LLC**, a Limited Liability Company, organized under the laws of the state of New Hampshire, having its principal place of business at the following address:

310 Marlboro Street
Keene, NH 03431

Hereinafter, "Lessor" will refer to and be used to describe the following party: Home Healthcare, Hospice and Community Services, Inc. "Lessee" will refer to and be used to describe the following party: 310 Marlboro Street, LLC. Lessor and Lessee may be referred to individually as "Party" and collectively as the "Parties."

RECITALS:

WHEREAS, Lessor wishes to offer for rent parking spaces,

WHEREAS, Lessee wishes to rent such parking spaces from Lessor;

NOW, therefore, in consideration of the promises and covenants contained herein, as well as other good and valuable consideration (the receipt and sufficiency of which is hereby acknowledged), the Parties do hereby agree as follows:

Article 1 - LEASE OF SPACE:

Lessor hereby agrees to provide, and Lessee agrees to rent, ten (10) parking spaces located at the following address:

312 Marlboro Street
Keene, NH 03431

with the following description:

The parking spaces are located immediately to the left upon entrance to the 312 Marlboro Street lot. These spaces will be accessed by entering at 312 Marlboro Street, and following the flow of traffic to the right, around the middle section to access their spaces.

Lessee's lease of the parking space will hereinafter be described as the "Lease."

Article 2 - DURATION OF LEASE:

The initial Lease will begin on September 1st, 2022 ("Start Date") and end on January 31st, 2023 ("End Date"), at which point it will renew for an additional 12 months at the original rate stated in Article 4 unless terminated by either party with 30 days' notice. If additional spaces are requested at this time, they can be added at the original lease rate stated in Article 4 upon agreement by both parties and execution of an amendment of Article 1. Under this lease, Lessor could provide up to 30 additional spaces in either the front or rear lot, at Lessor's sole discretion.

Article 3 – CONDITIONS:

Lessor and Lessee agree to the follow conditions with regard to this agreement:

1. **Parking:** Vehicles are allowed to park at 312 Marlboro Street from 7:00am to 8:00pm, EST. No overnight parking unless contact for this agreement is notified in advance and written approval is given. It is the Lessee's responsibility to communicate this condition to its tenants.
2. **Signage:** Lessee will provide signage indicating which spaces are available for tenants of 310 Marlboro Street. Lessor will have final approval of signage.
3. **Maintenance/Repair:** Lessor will provide maintenance to spaces with regard to snow removal, line striping, and pavement sealant, and agrees to keep the designated spaces in good repair.

Article 4 - PRICE:

For the Lease, Lessee agrees to pay and Lessor agrees to accept the following amount:

The spaces shall be leased at a rate of $30.00 (thirty) per space per month (in sum, the "Lease Price"). This Lease Price is exclusive of any applicable taxes. For the initial term, Lessor agrees to lease 10 (ten) spaces to Lessee.

The Lessor and the Lessee each acknowledge the sufficiency of the Lease Price as consideration.

Article 5 - DEPOSIT:

A security deposit of the following amount is required: $300 (three hundred US dollars) ("Deposit"). The Deposit will be due on September 1st, 2022.

After the Lease is entirely completed and the parking space has been relinquished back to the Lessor, Lessee will get the Deposit back in total. The Deposit may be refundable in case the Lease is cancelled prior to its beginning, at Lessor's sole and exclusive discretion.

Article 6 - PAYMENT:

The Lease Price will be paid in only one of the following methods of payment:

Bank check

Payment of the full Lease Price will be due as follows:

Monthly payment is due on the 1st of the month.

Article 7 - DISCLAIMER OF WARRANTY:

Lessor and Lessee each agree that the parking space is being leased "as is" and that Lessor hereby expressly disclaims any and all warranties of quality, whether express or implied, including but not limited the warranties of merchantability and fitness for a particular purpose.

Article 8 - LIMITATION OF LIABILITY:

Lessee agrees to hold Lessor harmless for any damage or injuries caused to any vehicles or any personal property left in vehicles and hereby specifically agrees that Lessor shall not be responsible for any damages. In no event will Lessor's liability exceed the total amount paid by Lessee to Lessor for the Lease for any cause of action or future claim. Lessee hereby acknowledges and agrees that Lessor is not liable for any special, indirect, consequential, or punitive damages arising out of or relating to this Agreement in any way. Lessee agrees to add HCS as "Additional Insured" to their General Liability and Commercial Auto policy and to provide a Certificate of Insurance with this signed agreement.

Article 9 - DAMAGE TO PREMISES:

Should Lessee or Lessee's tenants cause any damages beyond normal wear and tear to the building or facility where the parking spaces are located, Lessee will be held responsible for replacement or loss of any stolen, damaged, or misplaced property.

Article 10 - TERMINATION:

This Agreement may be terminated by either party upon 30 days written notice to the other party.

Article 11 – TERMINATION FOR CAUSE:

Either party may terminate this Agreement if a party materially breaches its obligations under this Agreement, and such breach is not cured within thirty (30) days after delivery of the non-breaching party's notice or such longer time as the non-breaching party may specify in the notice.

Article 12 - GENERAL PROVISIONS:

A) GOVERNING LAW: This Agreement shall be governed in all respects by the laws of the state of New Hampshire and any applicable federal law. Both Parties consent to jurisdiction under the state and federal courts within the state of New Hampshire. The Parties agree that this choice of law, venue, and jurisdiction provision is not permissive, but rather mandatory in nature.

B) LANGUAGE: All communications made or notices given pursuant to this Agreement shall be in the English language.

C) ASSIGNMENT: This Agreement, or the rights granted hereunder, may not be assigned, sold, leased or otherwise transferred in whole or part by either Party.

D) AMENDMENTS: This Agreement may only be amended in writing signed by both Parties.

E) NO WAIVER: None of the terms of this Agreement shall be deemed to have been waived by any act or acquiescence of either Party. Only an additional written agreement can constitute waiver of any of the terms of this Agreement between the Parties. No waiver of any term or provision of this Agreement shall constitute a waiver of any other term or provision or of the same provision on a future date. Failure of either Party to enforce any term of this Agreement shall not constitute waiver of such term or any other term.

F) SEVERABILITY: If any provision or term of this Agreement is held to be unenforceable, then this Agreement will be deemed amended to the extent necessary to render the otherwise unenforceable provision, and the rest of the Agreement, valid and enforceable. If a court declines to amend this Agreement as provided herein, the invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of the remaining terms and provisions, which shall be enforced as if the offending term or provision had not been included in this Agreement.

G) ENTIRE AGREEMENT: This Agreement constitutes the entire agreement between the Parties and supersedes any prior or contemporaneous understandings, whether written or oral.

H) HEADINGS: Headings to this Agreement are for convenience only and shall not be construed to limit or otherwise affect the terms of this Agreement.

I) COUNTERPARTS: This Agreement may be executed in counterparts, all of which shall constitute a single agreement. If the dates set forth at the end of this document are different, this Agreement is to be considered effective as of the date that both Parties have signed the agreement, which may be the later date.

J) FORCE MAJEURE/EXCUSE: Neither Party is liable to the other for any failure to perform due to causes beyond its reasonable control including, but not limited to, acts of God, acts of civil authorities, acts of military authorities, riots, embargoes, acts of nature and natural disasters, and other acts which may be due to unforeseen circumstances.

K) NOTICES ELECTRONIC COMMUNICATIONS PERMITTED: Any notice to be given under this Agreement shall be in writing and shall be sent by first class mail or airmail to the address of the relevant Party set out at the head of this Agreement. Notices may also be sent via email to the relevant email address set out below, if any, or other

email address as that Party may from time to time notify to the other Party in accordance with this clause.

Article 13 – Contact Information:

The relevant contact information for the Parties is as follows:

Lessor:

Jessica Mack, MBA, CHC
Corporate Compliance Officer
312 Marlboro Street
Keene, NH 03431
603-757-1718
jmack@hcsservices.org

Lessee:

Randall Walter, AIA
310 Marlboro Street
Keene, NH 03431
603-721-1227
310marlborostreetllc@gmail.com

Notices sent as above shall be deemed to have been received 3 working days after the day of posting (in the case of inland first class mail), or 7 working days after the date of posting (in the case of airmail). In the case of email, notices shall be deemed to have been received the next working day after sending.

In proving the giving of a notice it shall be sufficient to prove that the notice was left, or that the envelope containing the notice was properly addressed and posted, or that the applicable means of telecommunication was addressed and dispatched and dispatch of the transmission was confirmed and/or acknowledged as the case may be.

EXECUTION:

Record of Signing

For	310 Marlboro St., LLC	For	Home Health, Hospice and Community S...
Name	Randall S. Walter	Name	Maura McQueeney
Title	Manager	Title	President and CEO
	Randall S. Walter		Maura McQueeney
	Signed on 2022-08-17 19:06:41 GMT		Signed on 2022-08-17 19:31:05 GMT

200 foot Abutters List Report

Keene, NH
August 18, 2022

Subject Property:

Parcel Number: 595-001-000
CAMA Number: 595-001-000-000-000
Property Address: 310 MARLBORO ST.

Mailing Address: 310 MARLBORO ST. LLC
310 MARLBORO ST.
KEENE, NH 03431

Abutters:

Parcel Number: 588-047-000
CAMA Number: 588-047-000-000-000
Property Address: 26 VICTORIA CT.

Mailing Address: 26 VICTORIA CT. LLC
63 EMERALD ST. PMB 434
KEENE, NH 03431

Parcel Number: 588-048-000
CAMA Number: 588-048-000-000-000
Property Address: 0 OFF EASTERN AVE.

Mailing Address: 26 VICTORIA CT. LLC
63 EMERALD ST. PMB 434
KEENE, NH 03431

Parcel Number: 589-017-000
CAMA Number: 589-017-000-000-000
Property Address: 80 LAUREL ST.

Mailing Address: KINGSBURY ACQUISITION LLC
300 GAY ST.
MANCHESTER, NH 03103

Parcel Number: 589-018-000
CAMA Number: 589-018-000-000-000
Property Address: 250 MARLBORO ST.

Mailing Address: ALL PURPOSE OFFICE KEENE LLC
4023 DEAN MARTIN DR.
LAS VEGAS, NV 89103

Parcel Number: 589-019-000
CAMA Number: 589-019-000-000-000
Property Address: 260 MARLBORO ST.

Mailing Address: FEB REALTY LLC
1800 SHELBURNE RD.
SOUTH BURLINGTON, VT 05403

Parcel Number: 589-023-000
CAMA Number: 589-023-000-000-000
Property Address: 92 VICTORIA ST.

Mailing Address: ELLS, JAMES L. ELLS BEVERLY A.
PO BOX 3
SPOFFORD, NH 03462

Parcel Number: 595-002-000
CAMA Number: 595-002-000-000-000
Property Address: 312 MARLBORO ST.

Mailing Address: HOME HEALTHCARE HOSPICE &
COMMUNITY SVC
PO BOX 564
KEENE, NH 03431

Parcel Number: 595-003-000
CAMA Number: 595-003-000-000-000
Property Address: 0 MARLBORO ST.

Mailing Address: CITY OF KEENE
PO BOX 483
CONCORD, NH 03302-0483

Parcel Number: 595-015-000
CAMA Number: 595-015-000-000-000
Property Address: 321 BAKER ST.

Mailing Address: BOUDREAU J. C. BOUDREAU LYNN A.
321 BAKER ST.
KEENE, NH 03431

Parcel Number: 595-016-000
CAMA Number: 595-016-000-000-000
Property Address: 243 BAKER ST.

Mailing Address: MARTEL MATTHEW WEBSTER SMALL-
MARTEL SAMANTHA LEE
243 BAKER ST.
KEENE, NH 03431

200 foot Abutters List Report

Keene, NH
August 18, 2022

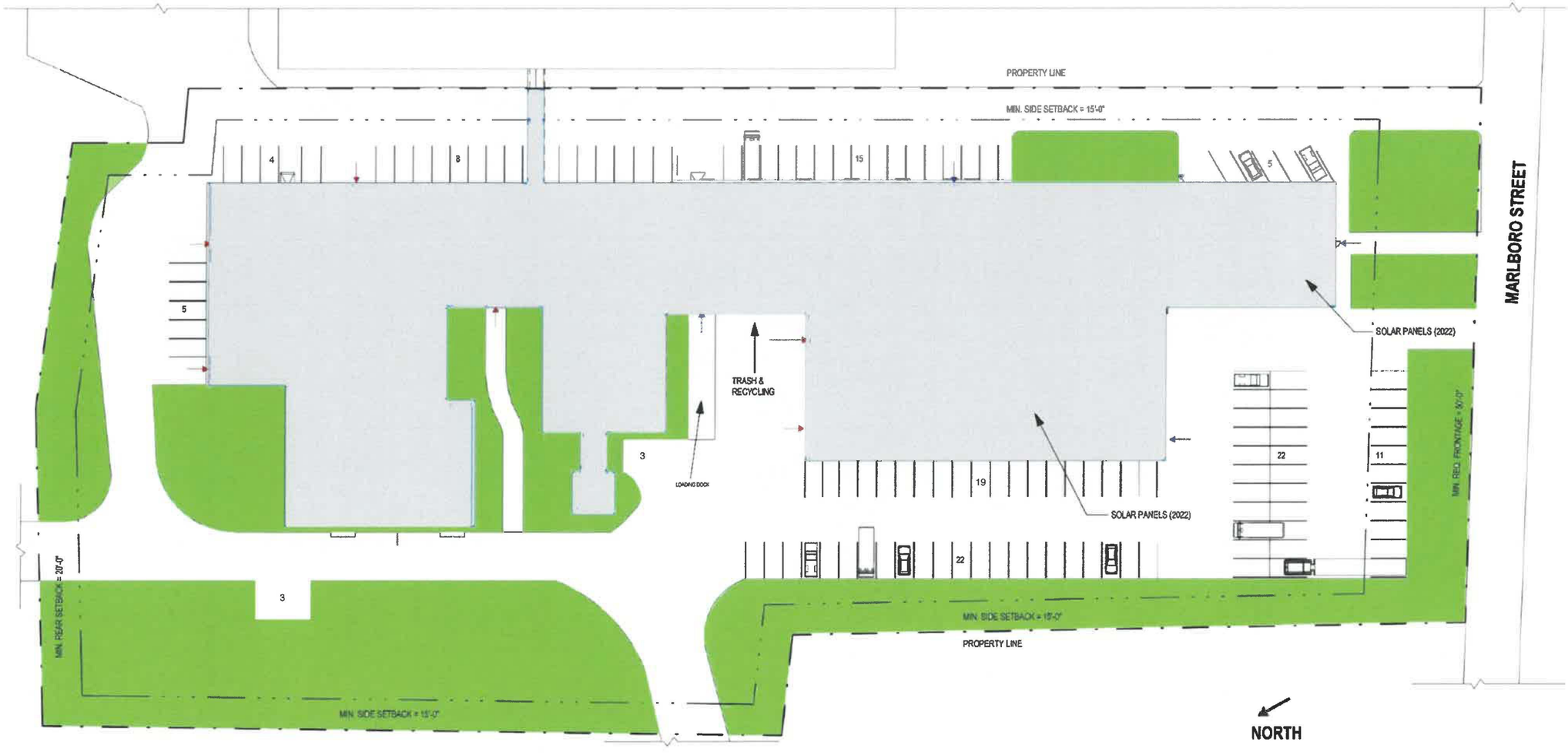
Parcel Number:	595-017-000	Mailing Address:	WHITEHILL SCOTT E. 237 BAKER ST. KEENE, NH 03431
CAMA Number:	595-017-000-000-000		
Property Address:	237 BAKER ST.		
Parcel Number:	595-018-000	Mailing Address:	SCALIA, SANTINA 286 GEORGE ST. MIDDLETOWN, CT 06457
CAMA Number:	595-018-000-000-000		
Property Address:	231-233 BAKER ST.		
Parcel Number:	595-073-000	Mailing Address:	HANSMEIER MARTIN E. HANSMEIER SUSAN M. 204 BAKER ST. KEENE, NH 03431
CAMA Number:	595-073-000-000-000		
Property Address:	204 BAKER ST.		
Parcel Number:	595-074-000	Mailing Address:	GERMANA, NICHOLAS A. GERMANA LESLIE A. 206 BAKER ST. KEENE, NH 03431
CAMA Number:	595-074-000-000-000		
Property Address:	206 BAKER ST.		
Parcel Number:	595-075-000	Mailing Address:	DAVIS MARYANN 218 BAKER ST. KEENE, NH 03431
CAMA Number:	595-075-000-000-000		
Property Address:	218 BAKER ST.		
Parcel Number:	595-076-000	Mailing Address:	KEENE RENTALS LLC 1032 ROUTE 119 UNIT 4 RINDGE, NH 03461
CAMA Number:	595-076-000-000-000		
Property Address:	305 MARLBORO ST.		
Parcel Number:	595-077-000	Mailing Address:	XANTHOPOULOS SEMELA LIVING TRUST 297 MARLBORO ST. KEENE, NH 03431
CAMA Number:	595-077-000-000-000		
Property Address:	297 MARLBORO ST.		
Parcel Number:	595-078-000	Mailing Address:	JOYAL DEAN JOYAL KATHLEEN 291 MARLBORO ST. KEENE, NH 03431
CAMA Number:	595-078-000-000-000		
Property Address:	291 MARLBORO ST.		
Parcel Number:	595-079-000	Mailing Address:	GRANT RICHARD & CYNTHIA LIVING TRUST 285 MARLBORO ST. KEENE, NH 03431
CAMA Number:	595-079-000-000-000		
Property Address:	285 MARLBORO ST.		
Parcel Number:	595-080-000	Mailing Address:	HARPER KATHRYN A. 279 MARLBORO ST. KEENE, NH 03431
CAMA Number:	595-080-000-000-000		
Property Address:	279 MARLBORO ST.		
Parcel Number:	595-081-000	Mailing Address:	MADDEN, LAURA L. 271 MARLBORO ST. APT. 1 KEENE, NH 03431
CAMA Number:	595-081-000-000-000		
Property Address:	271 MARLBORO ST.		
Parcel Number:	595-082-000	Mailing Address:	TOUSLEY CHARLES D. REV. TRUST PO BOX 626 KEENE, NH 03431
CAMA Number:	595-082-000-000-000		
Property Address:	259 MARLBORO ST.		

200 foot Abutters List Report

Keene, NH
August 18, 2022

Parcel Number:	596-002-000	Mailing Address:	CITY OF KEENE
CAMA Number:	596-002-000-000-000		3 WASHINGTON ST.
Property Address:	350 MARLBORO ST.		KEENE, NH 03431
Parcel Number:	596-008-000	Mailing Address:	CITY OF KEENE
CAMA Number:	596-008-000-000-000		3 WASHINGTON ST.
Property Address:	0 WATER ST.		KEENE, NH 03431
Parcel Number:	596-008-000	Mailing Address:	FIRSTLIGHT FIBER INC.
CAMA Number:	596-008-000-001-000		41 STATE ST. STE. 1001
Property Address:	0 WATER ST.		ALBANY, NY 12207

EXISTING PARKING SPACES: 130
IMPERVIOUS SURFACE: 127,689 SF, 68.9%
PERVIOUS 57,523 SF, 31.1%



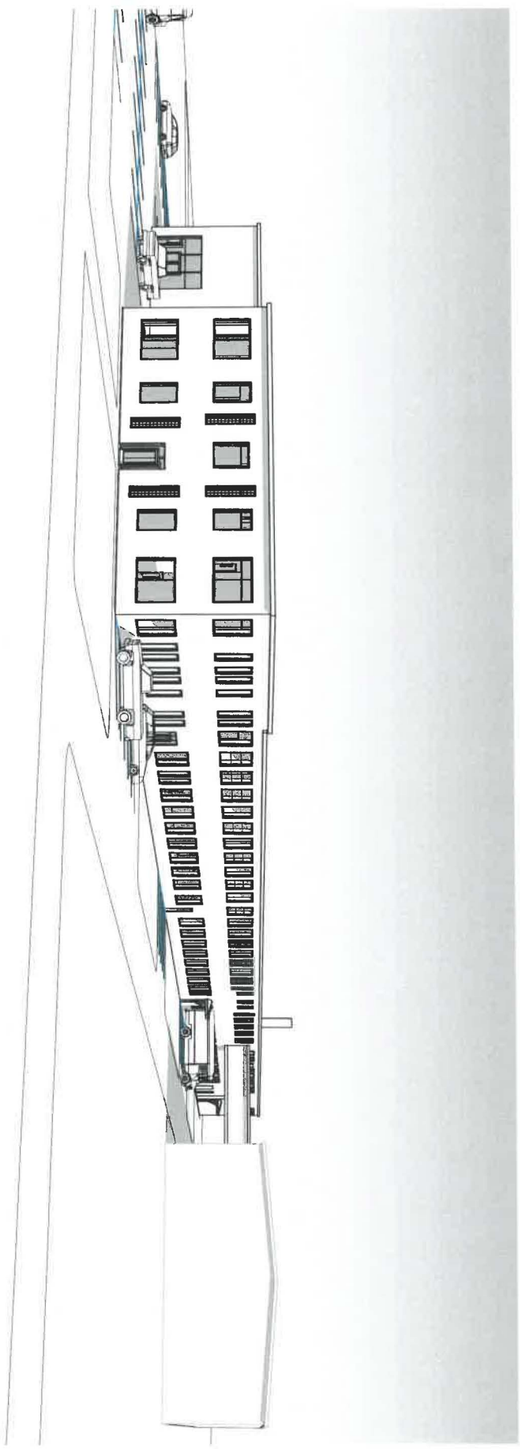
A1.0

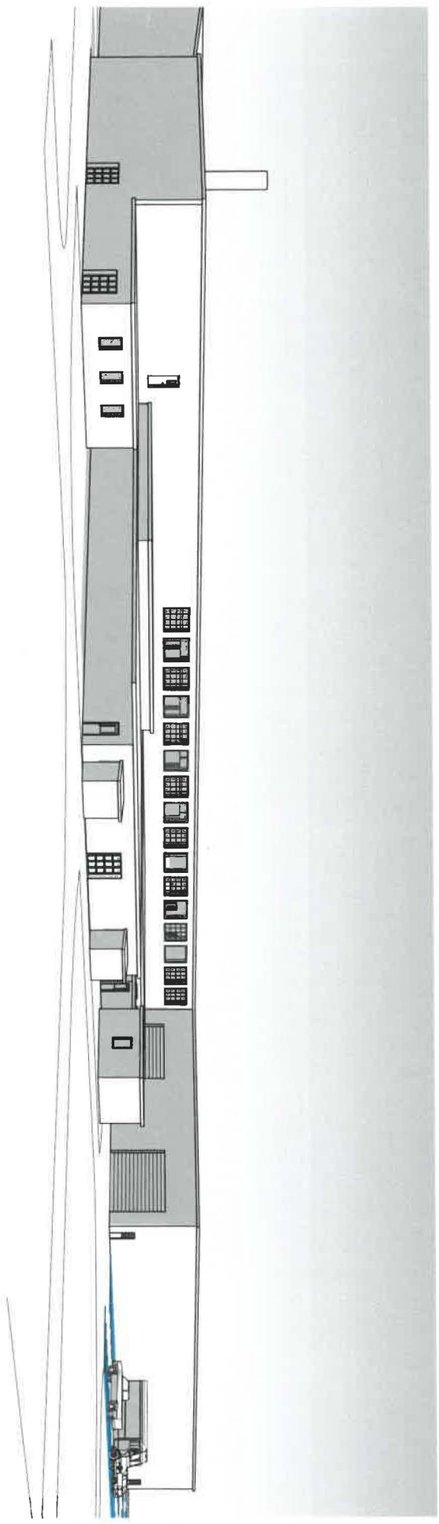
ISSUED: 08/18/22
FOR:
DRAWN BY: RANDALL
PROJECT NO.: HBHARRIS 20210022

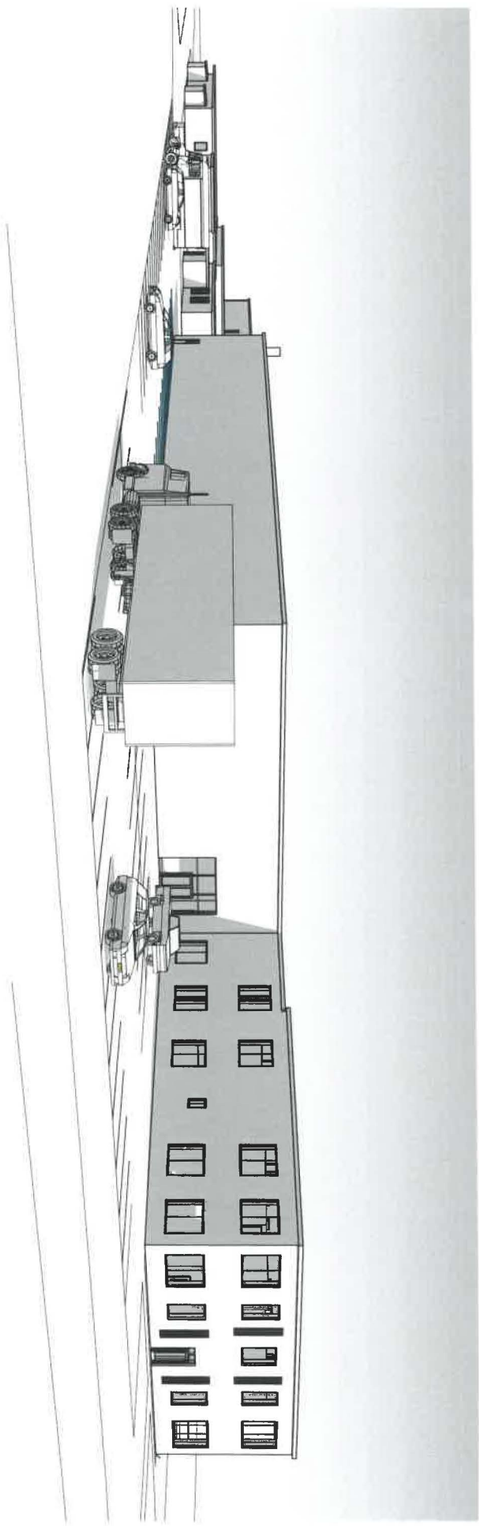
310 MARLBORO STREET
EXISTING CONDITIONS
310 Marlboro Street
Keene, New Hampshire, 03431

STAMP:

Randall S. Walter, AIA
DESIGN|BUILD
603.721.1227
www.randallwalter.com
randallwalter@gmail.com







Randall S. Walter, AIA
DESIGN|BUILD
603.721.1227
www.randallwalter.com
randallwalter@gmail.com

STAMP:

310 MARLBORO STREET

KEENE, NEW HAMPSHIRE, 03431

ISSUED:	07/27/21
FOR:	RANDALL WALTER EJFRENCH
DRAWN BY:	
PROJECT NO.:	20210022

T0.3

1 NORTH ELEVATION
1" = 40'-0"

2 EAST ELEVATION
1" = 40'-0"

3 SOUTH ELEVATION
1" = 40'-0"

4 WEST ELEVATION
1" = 40'-0"

A2.0

ISSUED: 07/27/21
FOR:
DRAWN BY: RANDALL WALTER EJFRENCH
PROJECT NO.: 20210022

310 MARLBORO STREET
KEENE, NEW HAMPSHIRE, 03431

STAMP:

Randall S. Walter, AIA
DESIGN|BUILD
603.721.1227
www.randallwalter.com
randallwalter@gmail.com