

City of Keene
New Hampshire

MINOR PROJECT REVIEW COMMITTEE
MEETING MINUTES

Thursday, November 2, 2023

10:00 AM

Council Chambers, City Hall

Members Present:

Don Lussier
Jesse Rounds, Chair
John Rogers
Don Farquhar
Med Kopczynski, Vice Chair

Other Staff Present:

Megan Fortson, Planning Technician

1) Call to Order – Roll Call

Chair Rounds called the meeting to order at 10:00 AM. Roll call was conducted.

2) Minutes of Previous Meetings – June 1, 2023; July 6, 2023; August 3, 2023; and October 5, 2023

Mr. Rogers made a motion to approve the meeting minutes of June 1, 2023. Mr. Kopczynski seconded the motion, which passed by unanimous vote.

Mr. Lussier made a motion to approve the meeting minutes of July 6, 2023; August 3, 2023; and October 5, 2023. Mr. Rogers seconded the motion, which passed by unanimous vote.

3) Final Vote on Conditional Approvals

Megan Fortson, Planning Technician, stated that the project ready for a vote on final approval is SPR-881, Modification #2, the site plan for the new Ramunto's restaurant, going into the building at 342 Winchester St. She continued that prior to final approval, the following precedent conditions of approval needed to be met by the applicant:

- Have the property owner's signature on the proposed conditions plan
- Submit five paper copies and one digital copy of the final plan set
- Submit a paper copy and digital copy of the color elevations, showing the dimensions of the building and the proposed screening mechanism for the electric meters
- Submit documentation satisfactory to the City Engineer that the existing drainage system was installed and functioning as approved under the original site plan from 1999

- Submit a revised site plan showing dumpster screening, the location of the existing landscaping that was going to be relocated, and the protection of the sprinkler room and fire connection areas, subject to approval by the Fire Chief.

Ms. Fortson stated that all of these conditions precedent have been met.

Mr. Rogers made a motion to issue the final approval for Site Plan 881, Modification #2. Mr. Lussier seconded the motion, which passed by unanimous vote.

4) Public Hearings

- A) SPR-10-23 – Site Plan – Duplexes, 661 Main St - Applicant and owner the Wayne E. Brown Jr. Rev. Trust proposes to construct two duplexes that are each ~2,070 sf in size on the property at 661 Main St (TMP #120-056-000). The parcel is 0.70 ac and is located in the Low Density District.**

Chair Rounds introduced SPR-10-23 and asked to hear from staff regarding the application completeness.

Ms. Fortson stated that the applicant exemption requests from submitting the following: a lighting plan, a drainage report, traffic analysis, soil analysis, historic evaluation, screening analysis, and architecture and visual appearance analysis. She continued that staff believes that granting these exemptions would have no bearing on the merits of the application and recommends the MPRC accept the application as complete.

Mr. Kopczynski made a motion to accept the application as complete. Mr. Lussier seconded the motion, which passed by unanimous vote.

Chair Rounds asked if the MPRC needs to address DRI (Development of Regional Impact) for this. Ms. Fortson replied that it certainly could not hurt. Chair Rounds stated that the question is whether this project has any regional impact, in staff's view. Ms. Fortson replied that staff's recommendation is (to find that) the project does not meet the threshold for being reviewed as a Development of Regional Impact. She continued that the MPRC can make that determination during the discussion of the application. They do not need to vote.

Mr. Rogers stated that this is a proposal to replace what was a four-unit building, four dwelling units, and he therefore sees no impact, or no increase in impact to what was there prior to this application.

Chair Rounds stated that he thinks it is worth taking a vote, just to be clear. He continued that this is required as part of the review for every new project. Mr. Lussier asked him to explain what a DRI is. Chair Rounds replied that NH RSA requires the Planning Board or the MPRC to determine whether the development as designed would have "regional impact." He continued that it is a nebulous term. In reviewing a DRI, the Board would look at whether the subject

parcel is on the border with another town, or large enough to impact traffic in another town, or change how the planning would happen in an adjacent town, etc. Mr. Lussier asked if this is a new requirement. Chair Rounds replied no, it has been around for a while. He continued that the RSA is nebulous and does not give any sort of criteria for what counts as “regional impact.” He asked for a motion.

Mr. Rogers made a motion to (find) that this project does not have a regional impact. Mr. Kopczynski seconded the motion, which passed by unanimous vote.

Chair Rounds asked to hear from the applicant.

Taylor Shulda from Stevens & Associates stated that Stevens & Associates has been working with Wayne (Brown) on the site plan. He continued that he would go through the site plan. The existing conditions plan shows the conditions on the site before the building was removed. A paved driveway comes off Rt. 12/Main St. and across the site to access the garage. There is a paved walkway off that, then the old multi-unit home that was there.

Mr. Shulda continued that the proposed site plan is relatively simple. They are seeking to build two duplexes to replace the four units that existed in the building that burned down. Parking at the site will be up to current standards. They will add four parking spaces on the east side of the paved driveway and tenants will have access to four additional covered spaces in the existing garage. They will add landscaping in the front and add a fence along the southeast side of the project site, mainly for privacy for the tenants, so that passing vehicles cannot see directly into the windows, for example. It would be some kind of screening. A small dumpster will replace the one that existed in the back of the site at the end of the driveway. They propose screening that with a small stockade fence. There will be a couple concrete entrances to access the buildings with stairs leading up to them. There will also be concrete stoops with handrails.

Mr. Shulda stated that for the utility plan, it is a little jumbled, because in the basement of the former building there is a firewall, so the utilities have to penetrate the basement in two locations for each building. He continued that they spoke with the Public Works Department and got recommendations for materials and connection preferences for the underground utilities. There is slight grading on the site. At the north edge of the property between the garage and one of the units, they are proposing a small stormwater pond for a lot of the roof runoff.

Mr. Kopczynski asked if they will screen the property from the church parking lot to the southeast. Mr. Shulda replied that (the plan) has a line showing the proposed screening. He continued that while it is not fully screened from the whole church parking lot, the majority of it is. The intention is to mainly screen for the tenants, from the road, which has many people passing by.

Mr. Kopczynski stated that he heard something about a fence and landscaping. He asked if he heard correctly, or if it will just be a fence. Wayne Brown replied that they will either fence [or

have] arborvitaes. He continued that he spoke with the church. He has a good relationship with them. It was never blocked off before. Mr. Kopczynski replied that he understands, and is very familiar with the property. Mr. Brown continued that he has to decide whether he thinks trees would look more attractive, or a fence. Mr. Kopczynski replied that he does not think the MPRC has a preference. He was just asking as a clarifying question.

Mr. Kopczynski asked if the MPRC knows or needs to know the colors of the building, or the materials. Ms. Fortson replied that the applicant submitted elevations and that is something he could speak to. Mr. Brown replied that it will be a grayish blue just like it was before, with vinyl siding, white trim, and a black roof. He continued that the doors on the entryways will be separated approximately four feet apart. They will build steps with the proper railings and an overhang.

Mr. Rogers stated that the elevations show the right elevation as a blank wall. He asked if one of the blank walls will face Main St. Mr. Shulda replied that each building that is facing the road will have windows facing the road. Mr. Rogers asked if the left elevation shown in the plans will be facing the road on both buildings. Mr. Shulda replied yes.

Mr. Rogers stated that the site plan shows decks off the backs of the houses. Mr. Shulda replied that those will be concrete platforms; there is secondary egress off the back there. Mr. Rogers replied that the plan says, "provide wooden deck and stairs." Mr. Brown replied that for safety purposes he thought he would do a 12' x 10' concrete pad. He continued that it will be 12' in length because approximately 2-3' of that will be taken by the stairs and rail. That way they will be at ground level so there will be no chance of someone falling off the back. Mr. Rogers asked if that means he will be building a patio off the back. Mr. Brown replied that is correct.

Mr. Shulda stated that the only lighting proposed for the site will be entrance lighting, fully downcast, night skies compliant, with LED bulbs.

Mr. Lussier stated that he wanted to double check something, related to the utility connections. He continued that Section 22.1.4 (of the Land Development Code) says, "*Any infrastructure that serves two or more residential parcels shall be public.*" Currently, they have the water and sewer going into one parcel, with the two buildings on it, which is completely acceptable in the Code. He wants to point out that if there is any intention in the future to subdivide this and sell it as two different duplexes that would not be possible with the way the utilities are currently configured. Each parcel would need to have its own connections to the water and sewer if he wanted to subdivide in the future.

Mr. Brown replied that he was going to have separate meters for each of the duplexes, and obviously, separate electrical utilities for each duplex. He continued that that way, if he did decide to sell it, it would be sold as one. He does not know if they could be sold as condominiums or if he would just sell the whole property, but he does not think he would come before the Planning Board and try to subdivide. That is not the plan.

Mr. Lussier replied that as long as it is one parcel – and a condominium would still be considered one parcel – it is acceptable the way it is. He continued that regarding the metering, he does not know if Mr. Brown or Mr. Shulda has talked with water meter staff (in the City). Mr. Brown replied that he did, and they did not seem to have a problem with it.

Mr. Rogers stated that he sees a proposed shed on the site plan, to be built by owner in the future. He asked what the use would be. Mr. Brown replied lawnmowers, a snow blower, and other maintenance materials. He continued that to have the property made whole again is what he was proposing. Depending on how the insurance works out, if there were enough money left over to build that, he would like to. Mr. Rogers asked if it is correct that the shed would be an accessory use on this property, for materials that Mr. Brown would need on the property, and/or for his tenants to use as storage. Mr. Brown replied yes. Mr. Rogers stated that the shed would not become a business. Mr. Brown replied absolutely not.

Mr. Lussier stated that the site plan shows the sewer connection being cored into an existing sewer manhole. He asked if there is a reason they are doing it that way. Mr. Shulda replied that they were trying to avoid disturbing that new road, as much as possible. He continued that secondly, according to the City employee they talked with, the old sewer connection was an old pipe they had trouble locating. The connection was not ideal. Mr. Lussier replied that the reason he mentions the sewer manhole is that per RSA, connecting at a manhole requires a sewer connection permit from the State. He continued that it is just an extra step in the process. If they were connecting into the sewer mainline, they would not need to go through that.

Chair Rounds asked if the MPRC members had any further questions. Hearing none, he asked for public comment. Hearing none, he closed the public hearing and asked for further discussion from the MPRC.

Mr. Rogers stated that he wants to reiterate that this (development) will be replacing what was occurring on this lot. He continued that as nice as the big farmhouse and barn were, it is not what is being built today for dwelling units, and he thinks this is a good compromise. This project had to go to the ZBA to change things a little bit. In the Low Density District, Mr. Brown would have had the ability without going to the ZBA to build a big, four-unit building. In his opinion, this proposal is more in character with the neighborhood, which is mostly single-family homes. There are some multi-family homes, but most are one- or two-family homes. This will be more fitting to the neighborhood than the previous building was.

Ms. Fortson stated that as a reminder, it is the intent behind the MPRC that if there is anything the MPRC feels needs to be addressed as part of this application, such as questions about where utilities will be located or the need to see updated plans showing something different, the application should be continued. She continued that it would be better to continue the application and allow the applicant the opportunity to fix anything on their plan that needs to be fixed, to make sure there will be a satisfactory site plan, than to approve the application with a

laundry list of precedent conditions of approval. That is something to keep in mind as they deliberate.

Mr. Lussier replied that in terms of the issues he raised, it is up to the applicant. He continued that he does not see anything here that cannot be approved as is, but the applicant might want to change the way they are doing some things, based on how they want to use the property.

Mr. Rogers asked what the process would be if this were to be approved today, and then the applicant decided to not connect the sewer line into that manhole and changed the location of the sewer line as shown on this plan. He asked if that would be something for administrative approval, or what the path would be for that approval.

Ms. Fortson replied that if, for example, the MPRC decided to approve the application as is, and then when the building permit is submitted the applicant decides to change the location of something like that, it depends on what the scope of the changes are. (Things like) changes to the siding, or small changes to the exterior of the building, could just be noted in the project folder as changes. However, if they were changing something (larger) like all of the utilities, that is something they would have to document, either through an administrative application or a return to the MPRC.

Mr. Rogers stated that given that feedback from staff, he would be comfortable approving this application as submitted today.

Chair Rounds asked if any MPRC members had concerns they might need a continuance for, or if anyone wanted to make a motion.

Mr. Lussier made the following motion, which was seconded by Mr. Rogers.

On a vote of 5-0, the Minor Project Review Committee approved SPR-10-23 as shown on the plan entitled “Layout and Planting Plan” prepared by Stevens & Associates, PC at a scale of 1 inch = 20 feet, on October 13, 2023 and last revised on October 17, 2023, with the following conditions precedent prior to final approval and signature of the plan by the Minor Project Review Committee Chair:

- Owner’s signature shall appear on the site layout plan.
- The submittal of five paper copies and a digital copy of the final plan set and elevations.

5) Adoption of 2024 Meeting Schedule

Chair Rounds stated that the proposed 2024 meeting schedule is in the agenda packet.

Mr. Lussier made a motion to approve the proposed schedule of meetings. Mr. Rogers seconded the motion, which passed by unanimous vote.

6) **Staff Updates**

Chair Rounds asked if staff had any updates. Ms. Fortson replied no.

7) **New Business**

None.

8) **Upcoming Meeting Dates**

- **November** - 2nd Monthly MPRC Meeting – November 16, 2023 at 10:00 am (*if needed*)
- **December** - Pre-submission Meeting – December 7, 2023 at 9:00 am
- **December** - 1st Monthly MPRC Meeting – December 7, 2023 at 10:00 am
- **December** - 2nd Monthly MPRC Meeting – December 21, 2023 at 10:00 am (*If needed*)

9) **Adjourn**

There being no further business, Chair Rounds adjourned the meeting at 10:30 AM.

Respectfully submitted by,
Britta Reida, Minute Taker

Reviewed and edited by,
Megan Fortson, Planning Technician