



City of Keene
New Hampshire

**MUNICIPAL SERVICES,
FACILITIES AND INFRASTRUCTURE
COMMITTEE
AGENDA
Council Chambers B
October 26, 2016
6:00 PM**

Janis O. Manwaring
Randy L. Filiault
Robert J. O'Conner
Stephen L. Hooper
Gary P. Lamoureux

-
1. Sabrina and Chris Lee - Safety Concern - Intersection of West Street and Bradford Road
 2. Tony Marcotte/Washington Park at Keene, LLC - Request for No Parking - South Side of Spring Street
 3. Attorney Mary Louise Caffrey/Bradley & Faulkner, PC - Request for Two Hour Parking Limit - 50 Washington Street
 4. Driveway Code Review - Planning Department
 5. Roxbury Street Crosswalk Discussion - Public Works Department
 6. Effort to Show Support for Police Personnel Discussion - Public Works Department

MORE TIME ITEMS:

- A. Speeding on Jordan Road – Request for Speed Humps
- B. Reconstruction of the City Roadways and the Addition of Sidewalk Construction to Reconstruction Projects - Council Policy

Non Public Session



City of Keene, N.H.
Transmittal Form

October 18, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: 1.

SUBJECT: Sabrina and Chris Lee - Safety Concern - Intersection of West Street and Bradford Road

COUNCIL ACTION:

In City Council October 20, 2016.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

ATTACHMENTS:

Description

Communication Sabrina and Chris Lee West St and Bradford Rd. intersection

BACKGROUND:

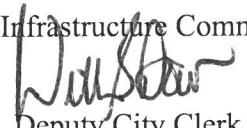
This communication from Sabrina and Chris Lee is expressing their concern over safety at the Bradford Road and West Street intersection and suggesting that there is a lack of signage at the intersection that needs to be addressed.

In City Council October 20, 2016.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

October 4, 2016

Mayor Kendall Lane & Keene City Council
3 Washington Street
Keene, NH 03431


Deputy City Clerk

Dear Mr. Lane and Keene City Council:

We are writing to alert you to a grievous lack of signage in Keene which, if not corrected, will no doubt eventually result in someone being hurt. This concern is in addition to concerns about the substantial damage to property that has occurred and will continue to occur over the years. Six months ago we bought the house at 693 West Street, on the corner of West and Bradford, and apparently the fence is crashed into about once a year by a driver who is turning north on Bradford Road. It has already happened once since we have been living here. (Additionally, I was walking to get my mail recently when someone took the turn too abruptly and to be sure – if there had been ice – I would not be here to write this letter.) It is to the point where we are afraid for our son to walk along that side of the house.

I propose that you have someone evaluate the intersection at West and Bradford, particularly for those headed East on West Street – coming from the new roundabout. We recognize we are not experts in these matters, but it is easy to see how the following ideas might be potential solutions: adding a stop sign on West for those traveling east (on West) or changing the speed limit there to 15 or 20 mph. (Within one month you would likely accumulate enough revenue from speeding tickets to fund this signage 10 times over). Finally, in addition to the one of the other measures, moving the Bradford Road sign to the south a few feet would likely help, as at the moment both the sign and the turn-off for Bradford are largely concealed. The last person who hit the fence told us that he did not realize Bradford Road was there until he was upon it, and then took the turn before he had a chance to slow down.

Please let us know how the city would like to proceed. When an accident happens in the same place with such consistent frequency, it is obviously a product of insufficient signage in this area. We would like to resolve this before further damage to property – or much worse, a person – results.

Thank you for your attention to this.

Best,
Sabrina and Chris Lee



406.223.4959
406.223.4961
693 West Street
Keene, NH 03431



City of Keene, N.H.
Transmittal Form

October 18, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: 2.

SUBJECT: Tony Marcotte/Washington Park at Keene, LLC - Request for No Parking - South Side of Spring Street

COUNCIL ACTION:

In City Council October 20, 2016.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

ATTACHMENTS:

Description

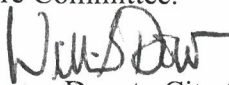
Marcotte Communication

BACKGROUND:

Tony Marcotte, the Senior Project Manager for Washington Park at Keene, LLC is requesting to limit parking to the north side of Spring Street. This parking restriction was included as a condition to the Planning Board approval of the SPR-08-16 - Washington Park Apartments of Keene 17 Washington Street - Site Plan.

In City Council October 20, 2016.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.

Washington Park of Keene, LLC
9 Old Derry Road
Hudson, NH 03051


October 5, 2016 Deputy City Clerk

Mayor Kendall W. Lane
Chairman - Keene City Council
3 Washington Street
Keene NH 03431-3191

RE: Spring Street request for parking on one side only

Dear Mr. Mayor and Council Members,

Washington Park of Keene, LLC recently was granted Planning Board approval for the renovation of the existing building at 17 Washington Street and for the construction of a new 135 unit apartment building on the property. The Planning Board listed a condition of approval that we petition the Council to limit parking to one side of the Spring Street for the entire length. Parking on one side of Spring Street was also a recommendation requested by the Fire Department.

Based on the existing parking signage, it would seem appropriate to limit parking to the north side of the street. Parking is not currently allowed on the south side of Spring Street along the frontage of our property. .

The Planning Board approval letter is attached for reference.

Please contact us at 603-886-5021 or via email tony@mdpdevelopment.com if you have any questions.

Sincerely,



Tony Marcotte, PE
Senior Project Manager
Washington Park at Keene, LLC



City of Keene *New Hampshire*

September 28, 2016

Mr. Tony Marcotte
Washington Park of Keene LLC
9 Old Ferry Road
Hudson, NH 03051

RE: **SPR-08-16 – Washington Park Apartments of Keene – 17 Washington Street – Site Plan** – Owner/Applicant, Washington Park of Keene, LLC, proposes the development of a multi-family apartment building and parking area behind the former Middle School at 17 Washington Street and 41 Spring Street. A waiver is requested from Development Standard #6: Landscaping. The site is 4.94 acres in size and located in the Central Business District and the Downtown Historic District (TMP#s 017-07-007 and 017-07-030).

Dear Mr. Marcotte,

At its meeting on September 26, 2016 the Planning Board voted to approve SPR-08-16, as shown on the plan set entitled "Proposed Residential Multifamily Housing and Change of Use, Washington Park, 17 Washington Street, Keene, New Hampshire" prepared by Bedford Design Consultants on April 6, 2016 and last revised on September 16, 2016 at varying scales with the following conditions:

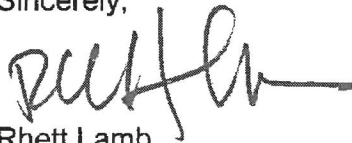
1. Prior to signature by Planning Board Chair:
 - a) Owner's signature on plan.
 - b) Submittal of a petition to the City Council by the Applicant requesting the City Council limit on-street parking on Spring Street to one side of the road along its entire length. City Council approval of this petition is not a requirement for approval of this site plan application.
 - c) Submittal of security for landscaping, sedimentation, erosion control, and "as-built" plans in a form and amount acceptable to the Planning Director and City Engineer.
 - d) Submittal of a revised landscape plan to identify vegetative screening along the eastern boundary of the property.
 - e) Submittal of a revised lighting plan and light cut-sheets to identify the location of wall-mounted lights along the south elevation of the former middle school building.
 - f) Submittal of revised elevations to identify the location and appearance of roof-mounted HVAC units to be reviewed and approved by the Planning Director.

2. Prior to issuance of a Certificate of Occupancy, the Applicant will repair existing retaining wall and install lateral movement measurement points as recommended by SCT Engineering in a letter dated September 23, 2016.
3. The Applicant will coordinate and comply with the Public Works Department on requirements with respect to the splitting of water and sewer flows.
4. A fire department connection will be installed on the proposed apartment building within 50' of a fire hydrant.

When the above conditions have been addressed, please submit five plan sets reflecting compliance with the Planning Board's conditions of approval. The final submitted plans will be subject to a review period. Once the plans are deemed complete, the Planning Board Chair will be so notified to sign the plans.

In accordance with the Planning Board Regulations, the applicant is allowed 180 days from the date of approval to meet the conditions established by the Planning Board or the plan shall automatically expire. The expiration date of this conditionally approved plan is March 26, 2017.

Sincerely,



Rhett Lamb,
Planning Director

cc: Gary Schneider, City Plans Examiner
Tim Ballantine, City Appraiser
Donald Lussier, City Engineer
Project File



Transmittal Form

October 18, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: 3.

SUBJECT: Attorney Mary Louise Caffrey/Bradley & Faulkner, PC - Request for Two Hour Parking Limit -
50 Washington Street

COUNCIL ACTION:

In City Council October 20, 2016.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

ATTACHMENTS:

Description

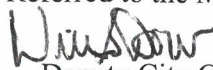
Mary Louis Caffrey Two Hour parking limit 50 Washington Street

BACKGROUND:

Attorney Mary Louise Caffrey is requesting that a two hour parking limit be established in front of 50 Washington Street to encourage turnover in the parking spaces.

In City Council October 20, 2016.

Referred to the Municipal Services, Facilities and Infrastructure Committee.


Deputy City Clerk

BRADLEY & FAULKNER, PC

ATTORNEYS AT LAW

Homer S. Bradley, Jr.
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Gary J. Kinyon
Douglas F. Green
Mary Louise Caffrey
George R. Freund, Jr., *Of Counsel*

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Kerry K. O'Neill

October 12, 2016

HAND DELIVERED

Mayor Kendall W. Lane, Esq.
Keene City Councilors
Attn.: Patricia A. Little, City Clerk
City of Keene
3 Washington Street
Keene, New Hampshire 03431

Re: Request for two hour parking limit in front of 50 Washington Street, Keene, NH

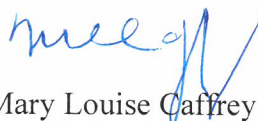
Dear Honorable Mayor Lane and City Councilors:

Please consider this as a formal request by Bradley & Faulkner, P.C. and the members of 50 Washington Street, LLC to install signage in front of 50 Washington Street limiting parking to two (2) hours.

We have many elderly and handicapped clients who are unable to find parking nearby. There are a number of vehicles that park in front of our office all day and sometimes overnight thus limiting access for our clients.

Please let me know if you need any additional information or have any questions.
Thank you for your kind consideration.

Very truly yours,



Mary Louise Caffrey

MLC/djw



City of Keene, N.H.
Transmittal Form

10/26/16

TO: Municipal Services, Facilities and Infrastructure Committee

FROM: Rhett Lamb, ACM/Planning Director

ITEM: 4.

SUBJECT: Driveway Code Review - Planning Department

RECOMMENDATION:

Move that the Municipal Services, Facilities and Infrastructure Committee select option X as presented in this memorandum and authorize the City Staff to draft revisions appropriate to the selected option to the driveway permits and standards in City Code Chapter 70 Section 70-135 through 70-137 relating to the review and issuance of exceptions and appeals, notification of abutters, and temporary driveways.

ATTACHMENTS:

Description

Second Driveway E-Mail

BACKGROUND:

At its meeting of May 25, 2016 the MSFI Committee reviewed 3 options to revise City Code Section 70-136 relating to issuance of exceptions and appeals to applications for driveway permits. These options are included at the end of this memorandum.

The discussion was placed on “more time” to allow staff to provide additional information on the following items:

1. If abutter notification is included in the process of review of an application for an exception to the driveway code standards, what process would be followed to carry out such notification?
2. Are property values affected by the installation of a second driveway?
3. Should the Driveway Code include the issuance of temporary driveways?

Analysis

Issue 1. Abutter Notification

The current driveway permit application process does not require that abutters be notified of an application for a driveway permit exception or an appeal. Making abutters aware that an application for an exception has been submitted increases transparency in the issuance of driveway permits and ensures that those potentially affected by a driveway are aware of the proposed changes.

Abutter notification would be carried out by revising the sections of the code which address the application and appeals processes. Following a process similar to other land use permit applications, a property owner would submit a list of abutters certified as current property owners by the Assessing Department; abutters would be defined as those properties contiguous with or across the street from the subject property. Notification would be mailed by the appropriate City Department to each abutter; the cost of mailing would be borne by the

applicant. A time period for application review would be established within which an abutter could choose to review the exception application or appeal and submit comments or information to the reviewing Department or Board prior to the issuance of a decision on the application.

In the case of an appeal, an abutter would be notified of the date, place and time of the public meeting at which the appeal would be heard.

Issue 2. Property Values

Attached is an email dated 6/9/16 from City Assessor Dan Langille which addresses this issue.

Issue 3. Temporary Driveways

As described at the 5/25/16 meeting, the issuance of permits for temporary driveways should be limited to certain activities which require access for a limited time duration. These activities could include logging, construction and development of land, and events such as Agricultural Fairs. In these cases the driveway permit would be effective only for the duration of the activity and would expire when the activity ends.

Temporary driveway permits for permanent land uses, such as a second driveway for residence, are not recommended. The temporary nature of such a permit would be problematic to enforce. Driveway permits, like other land use permits and approvals run with the land and do not change when the ownership of land is transferred.

The options presented at the 5/25/16 meeting are as follows:

Option 1 Amendment of the City Code to require prior abutter notification by the applicant for an exception by the Planning Board to the driveway standards, and for any appeal of a Planning Board decision on an exception by any party aggrieved to the City Council. Abutter notification should be included in any process that the City Council may wish to adopt, even if no changes are otherwise proposed to the existing process.

Option 2 Add procedural standards and guidelines for the City Council to follow in connection with its review of an appeal of the Planning Board decision. These would include, but **not necessarily** be limited to: timelines, notifications, conduct of the appeal in connection with a quasi-judicial action, burden of proof, representation in connection with the Planning Board's decision, and Engineering/Code technical assistance.

Option 3 Amend the driveway exception process to allow the City Engineer to review the application for an exception, to determine whether or not the standards for an exception are met, and to grant or deny the application for exception. Thereafter an appeal by any party aggrieved by the decision of the City Engineer would be to the Planning Board, and not to the City Council. The City Engineer would present his rationale for the decision to the Planning Board, which would also consider the position of the appellant, and any technical information to be provided by the appellant the burden of persuasion would remain with the applicant. Any further appeal of the Planning Board decision would be to the Superior Court.

Option 1 addressing abutter notification and addition of language regarding issuance of driveway permits for temporary activities is recommended for both Options 2 and 3.

Rhett Lamb

From: Daniel Langille
Sent: Thursday, June 09, 2016 11:00 AM
To: Rhett Lamb
Cc: Thomas Mullins; Kurt Blomquist; Donald Lussier
Subject: Second driveway and its effect on property value

The question was asked about whether adding a second driveway would impact the value of a property or not.

In order to determine the effect a second driveway may or may not have on the value of a property, we really need to understand all of the circumstances concerning the property and consider such things as the property's use, location, lot size, and the neighborhood and how these have an impact on the property. The mere fact of adding a hypothetical second driveway to a hypothetical property alone is not enough information to determine if there would be any market value effect on the property due to the added driveway. In short, the issue should not be looked at in a vacuum for the purposes of valuation. Any effect really would have to be looked at on a case by case basis with a number of variables to consider before making any adjustment. Furthermore, all adjustments made to a property are accounted for by analyzing how the market is either acting or reacting to certain attributes of a property, such as a second driveway. In reality, identifying empirical evidence on how the market would react, i.e. would a typical buyer pay more or less for an added driveway, would be difficult at best, due to the limited data on such occurrences. Any assumptions would have to be weighed regarding the value of the second driveway in relationship to the other factors influencing the property.

With the above stated, it has been my experience that when there are improvements made to a property that go above and beyond what is in demand by typical buyers for the type of property then the improvement is viewed as an over-improvement and won't warrant any additional value. However, it may be plausible that in an instance where a property does not have an adequate driveway or the available parking that other similar properties in the area have and with all else being equal, an adjustment may be warranted to that property to account for such a deficiency. In general, when valuing a property, any deficiency or positive attribute that differs from the base model may need to be accounted for. In the stated scenario concerning adding a second driveway, if where the existing driveway really is determined to be deficient, it would appear that a negative adjustment could be applied to account for the inadequacy of the driveway and as a result adding a second driveway may be curing the deficiency and thus "add value" to the property. In this case the added value really is negating the negative adjustment and bringing the value in-line with the other similar properties. Now there are a number of different sizes, shapes, and configurations of driveways with any given property and the specificity of each driveway is not examined in great detail from a valuation perspective. Concerning driveways and valuation, what we are looking for is access to the dwelling/building on a property that is more or less typical for the area in terms of use and that is generally accepted by typical buyers and sellers as adequate.