



City of Keene, NH

Surface Water Protection Conditional Use Permit (CUP) Application

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

SECTION 1: PROJECT INFORMATION

PROJECT NAME:

PROJECT ADDRESS(ES):

SECTION 2: CONTACT INFORMATION

PROPERTY OWNER

APPLICANT

NAME/COMPANY:

NAME/COMPANY:

MAILING ADDRESS:

MAILING ADDRESS:

PHONE:

PHONE:

EMAIL:

EMAIL:

SIGNATURE:

SIGNATURE:

PRINTED NAME:

PRINTED NAME:

AUTHORIZED AGENT
(if different than Owner/Applicant)

FOR OFFICE USE ONLY:

NAME/COMPANY:

TAX MAP PARCEL #(s):

MAILING ADDRESS:

PHONE:

PARCEL SIZE:

DATE STAMP:

EMAIL:

ZONING DISTRICT:

SIGNATURE:

PRINTED NAME:

PROJECT #:

SECTION 3: APPLICATION SUBMISSION REQUIREMENTS

A COMPLETE APPLICATION MUST INCLUDE THE FOLLOWING ITEMS. BOTH PHYSICAL & DIGITAL COPIES OF APPLICATION MATERIALS MUST BE SUBMITTED USING THE METHODS BELOW.

- **Digitally:** Email (communitydevelopment@keeneh.gov) or a file-sharing platform (such as Dropbox)
- **Mail / Hand Deliver:** Community Development (4th Floor), City Hall, 3 Washington St, Keene, NH 03431

The submittal requirements for Surface Water Protection Conditional Use Permit (CUP) applications are outlined further in **Article 11.6.3.B** and **Article 25.14** of the [Land Development Code \(LDC\)](#). You may request an exemption from providing any of the items below, except the application fee, notice list, narrative, and mailing labels. The Community Development Director may grant an exemption, if it is determined that the scope of the project does not warrant the submittal.

Note: Additional information may be required by the respective decision-making authority during the review process.

GENERAL SUBMITTAL REQUIREMENTS

CERTIFIED NOTICE LIST (See **Attachment A** for more information.)

2 SETS OF MAILING LABELS (See **Attachment A** for more information.)

PROJECT NARRATIVE (See **Section 2 of Attachment B** for more information.)

FEES: Fill in the information below to calculate the total fee.

\$100 base fee + \$62 legal ad fee + (_____ current USPS certified mailing rate x _____ abutters) = _____ **(Total Fee)**

NOTE: Please call the Community Development Department for the current certified mailing rate. Checks should be made payable to the *City of Keene*. Credit card payments are accepted in-person or by calling 603-352-5440.

INFORMATION DEMONSTRATING THAT THE PROPOSED ENCROACHMENT WILL NOT CAUSE ADVERSE IMPACTS TO THE SURFACE WATER RESOURCE, OR DESIGN DETAILS THAT DEMONSTRATE THAT PROPOSED MITIGATION WILL PREVENT ADVERSE IMPACTS TO THE SURFACE WATER RESOURCE. **SUBMITTED**
 EXEMPTION REQUESTED

WAIVERS (See **Section 3 of Attachment B** for additional information.) **WAIVER(S) REQUESTED**
 NO WAIVER(S) REQUESTED

PLAN SETS (See Attachment C for additional information.)	SUBMITTED	EXEMPTION REQUESTED
LOCATION MAP OF PROPOSED IMPROVEMENTS		
EXISTING CONDITIONS PLAN		
PROPOSED CONDITIONS PLAN		
GRADING PLAN		
LANDSCAPING PLAN		
LIGHTING PLAN		
ELEVATIONS		
TECHNICAL REPORTS (See Attachment C for additional information.)	SUBMITTED	EXEMPTION REQUESTED
DRAINAGE REPORT		
TRAFFIC ANALYSIS		
SOIL ANALYSIS		
HISTORIC EVALUATION		
SCREENING ANALYSIS		
ARCHITECTURAL & VISUAL APPEARANCE ANALYSIS		
OTHER REPORTS / ANALYSES		

POSTED NOTICE REQUIREMENT (See **Section 1 of Attachment B** for additional information.)

Community Development Department Certified Notice List



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

Per Article 25.2.4 of the [Land Development Code \(LDC\)](#) and in accordance with state law, certain Zoning Board of Adjustment (ZBA), Planning Board, and Historic District Commission (HDC) applications require mailed notice.

The lists below outline the information that needs to be included on a notice list and mailing labels for applications submitted to the Community Development Department.

Instructions for creating a notice list for Planning Board and Zoning Board of Adjustment applications can be found on the [City of Keene's YouTube channel](#).

The following parties are required to be noticed as part of the application process:

- Property owner
- Project applicant
- Authorized agent (if applicable)
- All direct property abutters (including those across water bodies and roads), as well as all properties within 200-ft of the subject parcel
- Every engineer, architect, land surveyor, or soil scientist whose professional seal appears on any plan
- Holders of conservation, preservation, or agricultural preservation restrictions on the property

**Note: Only direct abutters must be noticed as part of HDC applications.*

For these applications, the following items must be submitted:

- A list of all persons entitled to notice
- 2 sets of mailing labels
- Notice certification form
- Mailing fee (current USPS certified mailing rate* x number of abutters)

**Please call the Community Development Department for the current certified mailing rate.*

The notice list shall include the following information:

- Property owner's name
- Property owner's mailing address
- Property owner's street address,
- The tax map parcel (TMP) number(s) (15-digit number)

The mailing labels shall include the following information:

- Property owner's name
- Property owner's mailing address
- The tax map parcel (TMP) number(s)

The City of Keene's [GIS Database](https://next.axisgis.com/KeeneNH/#) (<https://next.axisgis.com/KeeneNH/#>) can be used to generate an abutters list and mailing labels.

PLEASE MAKE SURE THAT ALL PARTIES INCLUDED ON THE NOTICE LIST ARE ALSO INCLUDED ON THE MAILING LABELS.

CERTIFICATION OF ACCURACY

By signing below, you are certifying that the submitted notice list is accurate and true to the best of your ability and that per **Article 25.2.4.A.3** of the LDC, the notice list is current to within 10 days of the application submittal.

Print Name

Date

Signature

ATTACHMENT B

SECTION 1: POSTED NOTICE REQUIREMENT

Per **Article 25.14.6** of the [LDC](#), an applicant for any conditional use permit shall, not less than 10 calendar days prior to the date of the public hearing on the application, post a sign obtained from the Community Development Department providing notice of the use applied for and the date and time of the public hearing, in a location on the premises visible to the public. This sign shall be removed by the applicant no later than 10 calendar days after completion of the public hearing and returned to the Community Development Department.

SECTION 2: PROJECT NARRATIVE INSTRUCTIONS

A written narrative addressing the criteria in **Article 11.6.2** and **Article 25.12.5.A**, as well as the Development Standards in **Article 20** of the [LDC](#) is required for a complete application.

Below is a checklist of the items that must be included as part of this narrative:

- Description of the existing and proposed uses.**
- An explanation of how the proposal complies with the Site Development Standards in Article 20 of the LDC.**
- An explanation of how the proposal complies with the Conditional Use Permit Standards in Article 11.6.2 of the LDC.**

SECTION 3: WAIVER REQUEST INSTRUCTIONS

Per **Article 25.12.14** of the [Land Development Code \(LDC\)](#), Applicants may request a waiver from strict compliance with specific provisions of the Site Development Standards in **Article 20**, site plan review standards in **Article 25.12**, or CUP standards in **Article 25.14** of the LDC.

Applicants seeking a waiver from CUP standards outlined in **Article 11** of the LDC shall apply to the Zoning Board of Adjustment (ZBA) for a variance.

EXEMPTIONS VS. WAIVERS: Waiver requests are submitted when an application will not comply with all applicable standards. Exemptions may be requested from submitting materials that are not relevant to an application by checking the appropriate box under **Section 3** of the application form.

Any waiver request must be in writing, and must cite the specific regulation or standard a waiver is requested from and the reason(s) why it cannot be met. In addition, the waiver request should address the following waiver criteria:

1. Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.
2. Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.
3. In granting a waiver, the Planning Board may require any mitigation that is reasonable and necessary to ensure that the spirit and intent of the standard being waived will be preserved, and to ensure that no increase in adverse impacts associated with granting the waiver will occur.

PLEASE SUBMIT A SEPARATE WAIVER REQUEST FOR EACH STANDARD THAT YOU ARE REQUESTING A WAIVER FROM.

Please call the Community Development Department at 603-352-5440 if you have questions about waivers and exemptions.

ATTACHMENT D: PLAN SETS & TECHNICAL REPORTS

A plan set signed and stamped by a NH licensed engineer or architect showing all items outlined in **Article 25.12.5.B** of the [LDC](#) is required for a complete application. **Please submit 2 copies of plan sets (including elevations) on 22-in by 34-in paper or larger size and an electronic PDF file.**

A complete plan set shall include the following materials. You may request an exemption from submitting any of these items by checking the appropriate box in **Section 3** of the application form.

ITEM DESCRIPTIONS

LOCATION MAP OF THE PROPOSED IMPROVEMENTS.

AN EXISTING CONDITIONS PLAN (AT A SCALE OF 1-IN = 100-FT OR LARGER) SHOWING ALL PARCELS AFFECTED BY THE PROPOSAL, AND DEPICTING THE FOLLOWING INFORMATION:

- Contours of at most 5-ft intervals.
- Owner names and tax map parcel numbers for all direct abutters.
- Boundaries and acreage of the existing lot(s) subject to review.
- Surface waters, including wetland areas delineated by a NH certified wetland scientist, and any manmade waterways, ponds, ditches, etc.
- Precautionary and prohibitive slopes.
- Delineation of 100-year floodplain and floodways as shown on current FIRM maps.
- Location of any public streets, rights-of-way, and easements.
- Location of existing structures, wooded and vegetated areas, site features (e.g. fences, walls, ground-mounted equipment, utilities, stormwater facilities, wells, septic systems, stone walls, etc.), driveways, and parking areas on the subject property, and to the extent practicable on directly abutting properties.
- A plan prepared by a NH certified wetlands scientist that delineates the location, area, and limits of surface waters on the site, along with the associated Surface Water Protection Buffer as specified in this Article 11 of the LDC.
- Details showing the proposed encroachment into the Surface Water Protection Overlay District.

A PROPOSED CONDITIONS PLAN (AT A SCALE OF 1-IN = 100-FT OR LARGER) SHOWING ALL PARCELS AFFECTED BY THE PROPOSAL, AND DEPICTING THE FOLLOWING INFORMATION:

- Contours of at most 5-ft intervals.
- Owner names and tax map parcel numbers for all direct abutters.
- Boundaries and acreage of the lot(s) subject to review.
- Location of any existing structures or site features, public streets, rights-of-way, easements, driveways, parking areas, surface waters (including wetland areas delineated by a NH certified wetland scientist), precautionary and prohibitive slopes, 100-year floodplain and floodways delineation, and wooded and vegetated areas that are displayed on the existing conditions plan, which will not be altered or relocated.
- Location of proposed structures and site features, public streets, rights-of-way, and easements.
- Locations and design details for proposed provisions for vehicular and pedestrian traffic (e.g. parking areas, access driveways, and sidewalks, etc.).
- A plan prepared by a NH certified wetlands scientist that delineates the location, area, and limits of surface waters on the site, along with the associated Surface Water Protection Buffer as specified in this Article 11 of the LDC.
- Details showing the proposed encroachment into the Surface Water Protection Overlay District.

ITEM DESCRIPTIONS CONTINUED

A GRADING PLAN (DRAWN AT A SCALE OF 1-IN = 50-FT OR LARGER) SHOWING PROPOSED EROSION AND SEDIMENTATION CONTROL AND STORMWATER MANAGEMENT FACILITIES THAT WILL BE CONSTRUCTED OR UTILIZED TO CONTROL STORM-WATER VOLUME, VELOCITY AND WATER QUALITY.

THIS PLAN SHALL INCLUDE THE FOLLOWING:

- Contours of at most 2-ft.
- All finish slopes that will exceed 25%.
- Surface waters (including wetland areas delineated by a NH certified wetland scientist), precautionary and prohibitive slopes, 100-year floodplain and floodways delineation, and wooded and vegetated areas.
- Location of existing and proposed structures, roads, rights-of-way, driveways, impervious surfaces, and easements (including utility or drainage).
- The location and dimensional information, as appropriate, of existing and proposed utilities (e.g. water lines, sewer lines, storm drain lines and catch basins, gas lines, gas storage tanks, fire hydrants, irrigation lines, grease traps, pump stations, ground water monitoring wells, ground water source wells, septic systems, electric lines, transformers, etc.).
- Location and design details for all proposed erosion and sedimentation control, and stormwater management structures, devices, and processes (e.g. catch basins and storm water lines, stormwater detention or retention ponds or devices, sediment settlement area, silt fences and other erosion control devices, flow dissipation measures, soil stabilization measures, etc.) and any other measures proposed to minimize erosion and sedimentation, and promote soil stabilization.
- A note describing the procedures and timing for inspecting, maintaining, and repairing erosion and sedimentation control, and stormwater management structures, devices and processes.
- A note indicating the requirement for documenting all inspection and maintenance activities, all adverse impacts identified during inspections, and actions taken to remediate the adverse impacts.

A LANDSCAPING PLAN (DRAWN AT A SCALE OF 1-IN = 50-FT OR LARGER) PROVIDING THE FOLLOWING INFORMATION:

- The location, species and size of all landscaping materials proposed to be installed on the site.
- Plants shall be drawn to scale and shall show the drip line diameter of each plant at the time of planting and a second circle displaying the average drip line diameter at maturity.
- A table listing all plant species to be installed on the site, indicating the size (average height and width) at planting and maturity as well as the number of each species to be installed.
- A table indicating the number of trees and shrubs required and proposed to meet landscaping or screening requirements of this LDC.
- Design details following best management practices for installing landscaping materials.

A LIGHTING PLAN PROVIDING THE FOLLOWING INFORMATION:

- The location of existing and proposed structures, roads, rights-of-way, driveways, easements, lot lines, walkways, and sidewalks on the subject property and, to the extent practicable, on abutting properties.
- Location and outline of wooded and vegetated areas.
- Location of all existing and proposed exterior lighting fixtures with a notation differentiating the types of fixtures.
- Manufacturer's specifications (i.e. cut sheets) for all proposed light fixtures, indicating the type of fixture and bulb, wattage of bulb, and height of fixture head.
- Photometric plan showing light intensity in foot candles across the site and immediately (minimum of 20-ft) beyond the perimeter of the site.
- An analysis of the minimum, maximum and average light intensity in foot candles for the site.
- A separate analysis for full lighting and security lighting shall be provided when security lighting is proposed by the applicant or required by the Planning Board.

ELEVATIONS:

Elevations should show the visual appearance and architectural details of all proposed structures, with proposed façade height and length dimensions, construction materials, finishes, and colors clearly labeled. Landscaping should not be included on elevations.

TECHNICAL REPORTS:

Certain technical reports may be required/requested for an application based on the nature or scope of the proposal. All technical reports should be prepared by a NH licensed engineer or qualified professional, and may include, but are not limited to drainage, traffic, and/or soils analyses. They may also include historic evaluation, screening analysis, or architectural and visual appearance analyses. **Please submit 2 paper copies and a PDF copy of all reports.**