



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
February 15, 2024
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- February 1, 2024 Minutes

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Retirement Resolution - Kurt Blomquist
2. Community Recognition - Melinda Asbury, Chief Medical Officer at MFS and Director of Psychiatry at CMC

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nominations - Airport Development and Marketing Committee, Energy and Climate Committee, Human Rights Committee, Congregate Living and Social Services Licensing Board

C. COMMUNICATIONS

1. Petition - East Side Residents - Traffic Calming on East-side Keene Streets
2. Luca Paris/Greater Monadnock Collaborative - Request to Use Parking Spaces - Classic Cars - May 5, 2024
3. Councilor Williams - Consideration for Ordinance Amendment - Requiring Dogs with a Record of Vicious Dog Offenses to be Muzzled When in Public

D. REPORTS - COUNCIL COMMITTEES

1. Relating to Amendments to the Permitted Uses in the Downtown Core, Downtown Growth, and Commerce Districts – Ordinance O-2023-16-A, *and*
Communication - Bridget Hansel - In Support of O-2023-16-A
Communication - Joslin Kimball Frank - In Support of O-2023-16-A
Communication - Camille Helminski - In Support of O-2023-16-A
Communication - Judy and Jim Putnam - In Support of O-2023-16A
2. 2024 Energy Expo Event Sponsorship - Energy and Climate Committee
3. Accept Federal Funding For Airport Capital Project
4. Marlboro Street Corridor Project - Design Change Order #3

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. Acceptance of Donations - Finance Director

G. REPORTS - BOARDS AND COMMISSIONS

H. REPORTS - MORE TIME

1. Relating to Amendments to the City of Keene Land Development Code, Definition of Charitable Gaming Facility – Ordinance O-2023-17-A
2. Keene Pride - Request for Community Funded Event Status - 2024 Pride Festival

I. ORDINANCES FOR FIRST READING

1. Relating to Amendments to the Land Development Code to create a Cottage Court Overlay District
Ordinance O-2024-01

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. Relating to the Appropriation and Use of Fund Balance for the FY2024 Finance Department Budget Shortfall
Resolution R-2024-05

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, February 1, 2024. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:00 PM. Roll called: Kate M. Bosley, Laura E. Tobin, Michael J. Remy, Randy L. Filiault, Robert C. Williams, Edward J. Haas, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Raleigh C. Ormerod, Bryan J. Lake, Catherine I. Workman, Bettina A. Chadbourne, Thomas F. Powers, & Mitchell H. Greenwald were present. Councilor Remy led the Pledge of Allegiance.

MINUTES OF THE PRECEDING MEETING

A motion by Councilor Greenwald to adopt the January 18, 2024, minutes as presented was duly seconded by Councilor Bosley and the motion carried unanimously with 15 Councilors present and voting in favor.

ANNOUNCEMENTS

Mayor Kahn announced a Council workshop on potential amendments to the City Council's Rules of Order scheduled for February 13 at 7:00 PM in Council Chambers. This time will allow Councilors to attend the Southwest Regional Planning Commission's legislative update at 5:30 PM that same evening. The Mayor also announced that the Capital Improvement Program review would continue before the Finance, Organization, and Personnel Committee. Further, the public hearing on the CIP is scheduled for March 7 at 7:00 PM. Mayor Kahn continued, announcing that to accommodate additional Municipal Services, Facilities, and Infrastructure Committee meetings focused on the downtown infrastructure project, special MSFI meeting dates were scheduled for March 13, April 10, and May 8, with all these meetings starting at 5:30 PM; the Planning, Licenses, and Development Committee's meeting time would shift to a 7:00 PM start on these dates. Lastly, the Mayor announced that the Legislative Delegation Meeting would be on March 26 at 6:30 PM at Heberton Hall.

COMMUNITY RECOGNITION: CHERYL BELAIR AND RYAN BARCOME – THE INSURANCE SOURCE – MAIN STREET AMERICA COMMUNITY IMPACT AWARD

Mayor Kahn welcomed Cheryl Belair and Ryan Barcome of The Insurance Source to honor their recent Main Street America grant, from the parent company of the National Grange Mutual Insurance Company. As a part of their 100-year anniversary, NGM launched the Community Impact Award to acknowledge agencies from across the country that share in the philosophy that each of us plays a role in creating equitable, diverse, and thriving communities. This year, The Insurance Source received the award because they understand what it means to be a part of the community that they strive to support daily. Ms. Belair is one of the original founders of The Insurance Source and she has made it her mission to give back to the Monadnock Region and the community that she credits with having helped to build her business. Many years ago, Ms. Belair began serving on local boards and organizations and quickly realized that she could support the community further by incorporating the philosophy in her business model—from donations to events. Ms. Belair and her dedicated staff—including Mr. Barcome—have made a mark on the Keene community. In 2023, Ms. Belair and her team offered over 300 volunteer hours supporting 15 local human services organizations, thereby serving thousands in the community.

Mayor Kahn congratulated Ms. Belair, Mr. Barcome, and The Insurance Source for this Award and presented them with a City of Keene pin.

Mayor Kahn intends to continue taking nominations of people, students, businesses, and organizations in the community that have risen to broad recognition in Keene and beyond. Nominations can be submitted to Mayor Kahn or the City Clerk.

RETIREMENT RESOLUTION – KURT BLOMQUIST

The retirement recognition was postponed until Mr. Blomquist is available.

CONFIRMATIONS – BICYCLE PEDESTRIAN PATH ADVISORY COMMITTEE, CONSERVATION COMMISSION, CONGREGATE LIVING AND SOCIAL SERVICES LICENSING BOARD, PLANNING BOARD, TRUSTEES OF TRUST FUNDS AND CEMETERY TRUSTEES

Mayor Kahn previously nominated the following individuals to serve on City Boards and Commissions: Bicycle/Pedestrian Path Advisory Committee: Diane Duffy as an alternate member with a term to expire on December 31, 2025; Samantha Jackson as a regular member with a term to expire on December 31, 2026; Autumn DeLaCroix as a regular member with a term to expire on December 31, 2025; Conservation Commission: Barbara Richter as a regular member with a term to expire on December 31, 2026; Congregate Living & Social Services Licensing Board: Ashok Bahl as an alternate member, with a term to expire on December 31, 2026; Planning Board: Sarah Vezzani as a regular member with a term to expire on December 31, 2026; Michael Hoefler as an alternate member with a term to expire on December 31, 2026; Trustees of Trust Funds and Cemetery Trustees: Ely Thayer as a regular member, with a term to expire December 31, 2026. A motion by Councilor Greenwald to confirm the nominations was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

CONFIRMATION – KEENE HOUSING AUTHORITY

Mayor Kahn previously nominated Emily Benson to serve as a regular member of the Keene Housing Authority, with a term to expire December 31, 2028. A motion by Councilor Greenwald to confirm the nomination was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

ACCEPTANCE OF RESIGNATIONS AND APPOINTMENTS TO THE AD HOC – ROADWAY SAFETY ACTION PLAN COMMITTEE

Mayor Kahn nominated Councilor Laura Tobin and Debra Bowie to serve on the ad hoc Roadway Safety Plan Committee to replace Councilor Lake and Reagan Messer who were previously appointed but would not be available for the meeting schedule. A motion by Councilor Greenwald to accept the resignations of Councilor Bryan Lake and Reagan Messer with regret and appreciation, and to confirm the appointments of Councilor Tobin and Debra Bowie to the Roadway Safety Plan Committee, was duly seconded by Councilor Bosley. The motion carried unanimously with 15 Councilors present and voting in favor. The Clerk identified

an error in the nomination included in the Councilors' packet. Aja Davis should have been nominated to serve on the Human Rights Committee. A separate nomination would be prepared for the next meeting.

COMMUNICATION – REQUEST FOR COMMUNITY-FUNDED EVENT STATUS – 2024 PRIDE FESTIVAL

A communication was received from Adam Toepfer, submitting an application for the Keene Pride Event to be considered for Community Event Funding Status in the next fiscal year budget. Mayor Kahn referred the communication to the Finance, Organization, and Personnel Committee to be considered during the fiscal year 2025 budget review.

COMMUNICATION – LET IT SHINE – REQUEST TO USE CITY PROPERTY – 2024 PUMPKIN FESTIVAL

A communication was received from Michael Giacomo, requesting the event license for the 2024 Pumpkin Festival, scheduled for October 12, 2024. Mayor Kahn referred the communication to the Planning, Licenses, and Development Committee to be placed on more time to allow the protocol meetings to occur.

MSFI REPORT – COUNCILOR REMY – ENFORCEMENT OF WINTER PARKING BAN

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending that the enforcement of the winter parking ban be referred to the City Manager for further review and consideration with a report back to the MSFI Committee. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 15 Councilors present and voting in favor.

MSFI REPORT – POWERPOINT PRESENTATION – WINTER OPERATIONS

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending the presentation on winter parking operations be accepted as informational. Mayor Kahn accepted the report as informational.

MSFI REPORT – POWERPOINT PRESENTATION – NEIGHBORHOOD PARKING PROGRAM – COMMUNITY DEVELOPMENT

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending the presentation on a neighborhood parking program be accepted as informational. Mayor Kahn accepted the report as informational.

MSFI REPORT – STEPHEN BRAGDON – SAFETY ISSUES ASSOCIATED WITH THE DRIVEWAY AT 82 COURT ST. AND STAFF RESPONSE TO NO PARKING REQUEST – 82 COURT ST.

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending accepting the communication regarding Safety Issues Associated with the Driveway at 82 Court Street as informational. Mayor Kahn accepted the report as informational.

DOWNTOWN PROJECT TIMELINE – CITY MANAGER; *AND* COUNCILOR GREENWALD – DESIGN ISSUES TO BE CONSIDERED IN THE DOWNTOWN IMPROVEMENT PROJECT

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending accepting the update on the project as informational. Mayor Kahn accepted the report as informational. In addition, the report recommended referring Councilor Greenwald's letter to the City Manager. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 15 Councilors present and voting in favor.

MSFI REPORT – POWERPOINT PRESENTATION – TRANSPORTATION HERITAGE TRAIL, PHASE 1 – PROPOSED ACTION

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending the City Manager be authorized to do all things necessary to implement the proposed action as presented for the Transportation Heritage Trail Phase 1 project to include:

- Trail alignment along the Rail Corridor;
- Screening consisting of chain link fencing with slats;
- Implementation of Trailhead Alternative 1 including angled parking and one way traffic circulation through the parking lot; and
- Surface Materials consisting of stone dust

A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 15 Councilors present and voting in favor.

MSFI REPORT – POWERPOINT PRESENTATION – PROJECT UPDATE – THOMPSON ROAD RECONSTRUCTION PROJECT

A Municipal Services, Facilities, and Infrastructure Committee report read, unanimously recommending that the PowerPoint presentation on the Thompson Road Reconstruction Project be accepted as informational. Mayor Kahn accepted the report as informational.

FOP REPORT – AUTHORIZATION TO APPLY FOR GRANT FUNDING – DOWNTOWN INFRASTRUCTURE IMPROVEMENT PROJECT

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to apply for applicable state and federal grant funding for the Downtown Infrastructure Improvement and Reconstruction Project. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – ENGINEERING SERVICES PERTAINING TO AIRPORT SNOW REMOVAL EQUIPMENT PURCHASES

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to execute a professional engineering services contract with McFarland Johnson Inc. for the development of bid specifications and associated grant administration for an airport Snow Removal Equipment purchase. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – AIRPORT ENGINEERING AND ARCHITECTURAL SERVICES

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to enter into an agreement with McFarland Johnson Inc. for Airport Engineering and Architectural Services for the Keene Dillant-Hopkins Airport. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – SUBORDINATION AGREEMENT – 310 MARLBORO STREET

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary to sign a Subordination Agreement to a mortgage from 310 Marlboro Street, LLC to Newburyport Five Cents Savings Bank. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – EXPENDITURE OF TRUST FUNDS – ACQUISITION OF LIGHTS AT CEMETERY

A Finance, Organization, and Personnel Committee report read, unanimously recommending that the City Manager be authorized to do all things necessary for the expenditure of Cemetery Trust Fund B – Capital Reserve of \$7,890.00 for the purpose of replacing light fixtures in the maintenance building at Monadnock View Cemetery. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

CITY MANAGER COMMENTS

The City Manager announced that in partnership with Healthy Monadnock and Cheshire Medical Center, the City would be installing NaloxBoxes, both at City Hall and the Library. These are Opioid rescue kits that will be installed on the wall near the AED units. They contain Narcan, which is a trade name for Naloxone, a medication that counteracts the effects of opiates, reversing their effect and the overdose. Narcan is available as an over-the-counter medication. The Fire Department has also offered training for Staff regarding use of the Narcan.

Next, the City Manager provided an update regarding the continued work to clean up trash and abandoned encampments on both private and public property. Most recently, the team at the City worked with a private contractor to clean up the parcel owned by City near Hannaford's (more directly behind Melanson). This parcel abuts the Ashuelot River and includes a small island during low flow. City Staff removed 15.8 tons of trash and installed fencing to discourage future use of the site. The City Manager thanked the Director of Parks, Recreation, and Facilities Director, Andy Bohanon, for taking the lead on this site. The next location the City is hoping to have cleaned is the large parcel privately owned directly behind Hannaford's.

The City Manager also provided an update regarding overflow shelter beds. The City is working with Southwestern Community Services (SCS) and the United Church of Christ (UCC) to open an overflow shelter for the coldest nights of the year. The agreement was finalized on January 31. As of Monday, February 5, approximately 10–12 spaces would be available on nights that the temperature is forecasted to be 10 degrees or below. The space will be staffed with a staff person from SCS and a volunteer, as well as a volunteer from the UCC. SCS began a volunteer training program for theirs and the UCC volunteers. The City Manager thanked Beth Daniels, Chief Executive Officer at SCS, and Reverend Cindy Bagley from the UCC, as well as their volunteers for stepping up to help meet this need in our community. Working with them has been a real partnership.

Next, the City Manager shared upcoming important dates for the downtown infrastructure project. Upcoming design review forums and dedicated MSFI dates were scheduled, and the City would be publicizing that information after this meeting. Upcoming public design review forums were scheduled for March 6, April 3 and May 1. The City Manager added she was in the process of finalizing a date for an update on the public forums to the full City Council sometime in June. The consultants were working on the RAISE grant application for this project, which was due at

02/01/2024

the end of February. Lastly, the City Manager recognized the City's new hires and service milestones.

ECC REPORT – 2024 ENERGY EXPO EVENT SPONSORSHIP – ENERGY AND CLIMATE COMMITTEE

A report read from the Energy and Climate Committee recommends, on behalf of the Monadnock Sustainability Hub, that the City Council consider sponsorship, in terms of waiving any permit fees and access to City facilities, of the 2024 Energy Expo event, to be scheduled in the fall of 2024. Mayor Kahn referred the report to the Finance, Organization, and Personnel Committee.

RELATING TO THE ACCEPTANCE AND APPROPRIATION OF UNANTICIPATED BRIDGE REVENUE – RESOLUTION R-2024-04

A Finance, Organization, and Personnel Committee report read, unanimously recommending adopting Resolution R-2024-04. A motion by Councilor Powers to adopt Resolution R-2024-04 was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

NON-PUBLIC SESSION

A motion by Councilor Greenwald was duly seconded by Councilor Bosley to go into non-public session to discuss the compensation of a public employee under RSA 91-A:3, II (a), the hiring of a public employee under RSA 91-A:3, II (b), and the consideration of a pending claim or litigation under RSA 91-A:3, II (e). The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

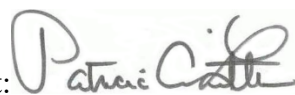
The non-public session began at 7:40 PM. The Fire Chief and the Community Development Director were invited to remain for a portion of the discussion. Discussion was limited to the subject matters. The non-public session ended at 9:48 PM.

A motion by Councilor Greenwald was duly seconded by Councilor Bosley to, with respect to the compensation of a public employee under RSA 91-A:3, II (a), and the hiring of a public employee under RSA 91-A:3, II (b), keep the minutes of the non-public session non-public until the matter discussed becomes effective. Concerning the pending claim or litigation under RSA 91-A:3, II (e) I move to keep the non-public minutes non-public until the litigation is concluded. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 9:49 PM

A true record, attest:



City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: February 15, 2024

To: Mayor and Keene City Council

From: Mayor Jay V. Kahn

Through:

Subject: **Nominations - Airport Development and Marketing Committee, Energy and Climate Committee, Human Rights Committee, Congregate Living and Social Services Licensing Board**

Recommendation:

I hereby nominate the following individuals to serve on the designated board or commission:

Airport Development and Marketing Committee

Councilor Mitchell H. Greenwald, re-nomination slot 7 Term to expire Dec. 31, 2025

Colin (Bob) Lyle, slot 1 Term to expire Dec. 31, 2026
211 Chapman Road

Energy Climate Committee

Paul Roth, re-nomination, slot 6 Term to expire Dec. 31, 2026

Kenneth Swymer, Jr., re-nomination, slot 9 Term to expire Dec. 31, 2026

Jake Pipp, alternate, slot 12 Term to expire Dec. 31, 2026

Human Rights Committee

Aja Davis, slot 3 Term to expire Dec. 31, 2024
30 Kingsbury Street

Debra Bowie, alternate, slot 13 Term to expire Dec. 31, 2026
659 Hurricane Road

Congregate Living and Social Services Licensing Board

Richard Baker, alternate, slot 7 Term to expire Dec. 31, 2026
111 Hastings Avenue

Attachments:

1. Lyle, Bob_Redacted
2. Davis, Aja_Redacted
3. Bowie, Debra_Redacted
4. Baker, Richard_Redacted

Background:

From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: Fw: Interested in serving on a City Board or Commission
Date: Wednesday, February 7, 2024 5:09:38 AM
Attachments: [Outlook-0q12sipn.png](#)

please redact and save



Patricia Little
CITY CLERK

- (603) 352-0133, ext. 2
- plittle@KeeneNH.gov
- 3 Washington Street, Keene, NH 03431
- KeeneNH.gov

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us> on behalf of City of Keene <helpdesk@ci.keene.nh.us>
Sent: Tuesday, February 6, 2024 4:41 PM
To: Helen Mattson <hmattson@keenenh.gov>
Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Tue, 02/06/2024 - 16:41</p>

<p>Submitted values are:</p>

First Name:

Colin (Bob)

Last Name:

Lyle

Address

211 Chapman Road

How long have you resided in Keene?

since 1985



Employer:

retired after 40 years with The Keene Sentinel

Occupation:

Advertising Director

Retired

Yes

Please list any organizations, groups, or other committees you are involved in

Past Chairman of the Greater Keene Chamber of Commerce, 6 years as part of the Chamber Airport Committee, 38 years as member Keene Lions Club, Past President of Keene Lions Club, past director of the Grand Monadnock Arts Council, founder and organizer of Cruisin' Downtown Keene, Ward One moderator for several years.

Have you ever served on a public body before?

Yes

Please select the Boards or Commissions you would be most interested in serving on.

Airport Development & Marketing Committee

Please let us know the Board or Commission that you are most interested in serving on.

Airport Development and Marketing Committee

Please provide 2 personal references:

Jay Kahn

References #2:

Tom Ewing

[REDACTED]





From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: Fw: Interested in serving on a City Board or Commission
Date: Friday, January 26, 2024 8:29:55 PM
Attachments: [Outlook-4zyzix1a.png](#)

please redact



Patricia Little

CITY CLERK

-  (603) 352-0133, ext. 2
-  plittle@KeeneNH.gov
-  3 Washington Street, Keene, NH 03431
-  KeeneNH.gov

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us> on behalf of City of Keene <helpdesk@ci.keene.nh.us>

Sent: Tuesday, January 23, 2024 10:45 PM

To: Helen Mattson <hmattson@keenenh.gov>

Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>

Subject: Interested in serving on a City Board or Commission

<p>Submitted on Tue, 01/23/2024 - 22:45</p>

<p>Submitted values are:</p>

First Name:

Aja

Last Name:

Davis

Address

30 Kingsbury St.

How long have you resided in Keene?

4 years

Email:

[REDACTED]

[REDACTED]

Employer:

Self

Occupation:

Coach & Consultant

Retired

No

Please list any organizations, groups, or other committees you are involved in

Keene East Side Neighbors

Have you ever served on a public body before?

No

Please select the Boards or Commissions you would be most interested in serving on.

Bicycle/Pedestrian Path Advisory Committee, Human Rights Committee

Please let us know the Board or Commission that you are most interested in serving on.

human rights Committee

Optional - Please select your second choice of which Board or Commission you would like to serve on.

Bike and pathway

Please share what your interests are and your background or any skill sets that may apply.

I've done coaching and communications training on having conversations around race. I'm a minority who would like to have a voice in how Keene grows.

Please provide 2 personal references:

Molly

[Redacted]

References #2:

Krishni Pahl

[Redacted]

From: [Patty Little](#)
To: [Heather Fitz-Simon](#)
Subject: FW: Interested in serving on a City Board or Commission
Date: Wednesday, January 31, 2024 9:11:37 AM
Attachments: [image001.png](#)



Patricia Little
CITY CLERK

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- KeeneNH.gov

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us>
Sent: Tuesday, January 30, 2024 10:37 PM
To: Helen Mattson <hmattson@keenenh.gov>
Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Tue, 01/30/2024 - 22:37</p>

<p>Submitted values are:</p>

First Name:

Debra

Last Name:

Bowie

Address

659 Hurricane Road, POB 1076
Keene, NH. 03431

How long have you resided in Keene?

19 years

Email:

[REDACTED]

Cell Phone:

[REDACTED]

Retired

Yes

Please list any organizations, groups, or other committees you are involved in

Keene State College Truth, Reconciliation, and Equity Collaborative
Manchester NAACP Economic Justice Committee
Keene State College CALL Program -- Adult Learner, CALL Book Group Facilitator
Keene State College Election Volunteer

Have you ever served on a public body before?

No

Please select the Boards or Commissions you would be most interested in serving on.

Human Rights Committee

Please let us know the Board or Commission that you are most interested in serving on.

Roadway Safety Committee

Optional - Please select your second choice of which Board or Commission you would like to serve on.

Human Rights Committee

Please share what your interests are and your background or any skill sets that may apply.

Interests are centered around building a community that works together for the well-being of all residents. This includes promoting equality, understanding, acceptance, and ensuring safety. Previous experience includes chairing and serving on the Board of Keene Housing Kids Collaborative, volunteering with Keene State College, membership in the American Association of University Women. Board experiences from years ago include involvement with the Connecticut League of Women Voters and the Wallingford (CT) Emergency Shelter.

Please provide 2 personal references:

Pam Slack

[Redacted]
[Redacted]

References #2:

Darrell Hucks

[Redacted]
[Redacted]

Patty Little

From: Helen Mattson
Sent: Tuesday, February 13, 2024 1:36 PM
To: Patty Little
Subject: FW: Interested in serving on a City Board or Commission

Richard Baker – see below.



Helen K. Mattson
EXECUTIVE ASSISTANT FOR THE
CITY MANAGER AND MAYOR
☎ (603) 357-9804
✉ hmattson@KeeneNH.gov
📍 3 Washington Street, Keene, NH 03431
🌐 KeeneNH.gov

From: helpdesk@ci.keene.nh.us <helpdesk@ci.keene.nh.us>
Sent: Tuesday, November 28, 2023 8:07 PM
To: Helen Mattson <hmattson@keenenh.gov>
Cc: Patty Little <plittle@keenenh.gov>; Terri Hood <thood@keenenh.gov>
Subject: Interested in serving on a City Board or Commission

<p>Submitted on Tue, 11/28/2023 - 20:07</p>

<p>Submitted values are:</p>

First Name:

Richard

Last Name:

Baker

Address

111 Hastings Ave

How long have you resided in Keene?

About six years

Email:

[REDACTED]

Cell Phone:

[REDACTED]

Employer:

Baker Home Inspections

Occupation:

Home Inspector

Retired

No

Please list any organizations, groups, or other committees you are involved in

Member of both Massachusetts and New Hampshire Masons having served in various roles including Lodge secretary, treasurer, and representative to the Overlook in Charlton Mass which is part of the Masonic Health System.

Have you ever served on a public body before?

Yes

Please select the Boards or Commissions you would be most interested in serving on.

Congregate living and social services licensing board, Energy and Climate Committee, Human Rights Committee, Planning Board

Please let us know the Board or Commission that you are most interested in serving on.

Planning Board

Optional - Please select your second choice of which Board or Commission you would like to serve on.

Energy & Climate Committee

Optional - Please select your third choice of which Board or Commission you would like to serve on.

Agricultural Commission

Please share what your interests are and your background or any skill sets that may apply.

My main interest is to volunteer where a need exists.

My background in summary: Real Estate Broker/owner (MA)- 20+ years; Transportation company(Owner/Manager) for special ed students and medical transportation- 13 years; Designer/Installer of geothermal hvac systems- 5 years; Retail store owner- 3 years; Home inspector (NH & VT) - 10 years and this is my current occupation.

Each committee serves an important purpose and I would serve on any of them if asked to do so.

Please provide 2 personal references:

Nick Bagley



References #2:

Raymond Frenkel





ITEM #C.1.

CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Petition from East Side Residents
Through: Patricia Little, City Clerk
Subject: **Petition - East Side Residents - Traffic Calming on East-side Keene Streets**

Recommendation:

Attachments:

1. Communication_East Side Residents

Background:

Several residents of the East side of Keene have signed a petition expressing their great concern about vehicle speed on several Keene streets. They are requesting that quantitative data be collected and that the City then look for traffic-calming features to be installed.

ATTN: Don Lussier, City Engineer
Jesse Rounds, Community Development Director
Steven Stewart, Police Chief
Roadway Safety Action Plan Committee
MFSI Committee Members

Cc: Elizabeth Dragon
Patty Little

Re: Request for Traffic Calming on East-side Keene Streets

Street vehicle speed is of great concern to residents of East Keene. On Water Street, vehicles traveling eastbound pass through the narrow corridor in front of American House and tend to accelerate as the visible travel space widens due to the lack of curb strip trees and the increased setback of the buildings, as well as in anticipation of the hill ahead. Likewise, vehicles traveling west down the hill tend to accelerate over the same stretch, coming down the hill with the visibility of the roadway ahead. Perceptions of increased speed on Carpenter, Valley, South Lincoln, and Church Streets as well as the exodus from Victoria Street also raise issues of safety.

We recognize that this is a qualitative measurement of the situation. We ask that a speed measurement device – “silent policeman” be deployed on these streets so proper quantitative data can be obtained. Assuming the data supports our sense of the problem, we would then look for traffic-calming features to be installed in this area. The types of calming could easily be incorporated with tree installation, better bike lane striping, and crosswalk repainting. A speed table or other feature may be appropriate. Chicanes or traffic shifts would also be options as the City entertains the possibility of on-street parking.

The actual design is yet to come of course! Please contact us as soon as possible regarding the first steps of traffic speed measurement via an appropriate device.

By copy of this letter to the City Clerk, we ask that this request be given immediate attention and placed on the agenda for the next MFSI meeting, as well as the ad hoc Roadway Safety Committee.

Thank you for your attention,



Joseph Norton
(Wicky Norton)
[Handwritten signature]

[Handwritten signature]
(Timothy Jordan)
[Handwritten signature]
Robert C. Hamm

[Handwritten signature]
[Handwritten signature]
(Krishni Pahl)



ITEM #C.2.

CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Luca Paris
CEO - Greater Monadnock Collaborative
Through: Patricia Little, City Clerk
Subject: Luca Paris/Greater Monadnock Collaborative - Request to Use Parking Spaces - Classic Cars - May 5, 2024

Recommendation:

Attachments:

1. Monadnock Collaborative_Communication

Background:

The Greater Monadnock Collaborative is requesting permission to host an event "Cruisin' Maintstreet" on May 5, 2024, from 8 am to 1:30 pm. 60 to 80 classic cars will be on display in parking spaces along Main Street and Central Square.

February 12, 2024

To honorable Mayor and City Councilors,

We are looking to create the event Crusin' Mainstreet with Monadnock Ford as our main sponsor. We want to bring 60 to 80 classic cars to Mainstreet in Keene Nh and bring folks from all over the region and beyond to explore our Mainstreet while checking out classic cars from all eras. After many years we feel it is the right time to bring it back!

When: Sunday May 5th, 2024 from 8 am to 130 pm.

We are asking to take over a spot and a half per car that signs up from the event, and being on a Sunday we understand we have a chance to bring numerous people downtown on the first weekend in the spring after Keene state has left for the year.

We would start setting up at 6 am for the cars and be ready for them, and cars would start arriving from 8 am and leave around 130/2pm. We would leave downtown before evening and leave a minimal footprint afterwards, except many people still in the area.

We have met with City Staff, and they will be available to answer any questions.

Please do not hesitate to reach out to us with any questions, please contact Luca Paris *at 603-209-8885*

Sincerely,



President/CEO - Great Monadnock Collaborative
603-209-8885
Luca@greatermonadnock.com





ITEM #C.3.

CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Councilor Robert Williams
Through: Patricia Little, City Clerk
Subject: **Councilor Williams - Consideration for Ordinance Amendment - Requiring Dogs with a Record of Vicious Dog Offenses to be Muzzled When in Public**

Recommendation:

Attachments:

1. Communication_Williams

Background:

Councilor Williams has submitted a letter requesting the City Council consider an ordinance amendment that would require dogs with a record of attacking other dogs to wear a muzzle when in public. He references an incident that occurred on North Street, with permission of the resident that experienced such an attack while walking her dog.

February 12, 2024

City of Keene Clerk's Office
3 Washington Street
Keene, NH 03431

To the Honorable Mayor and City Council,

On December 7, 2023, Deborah Leblanc was walking her small dog, Suzette, on North Street when Suzette was attacked and mauled by a larger dog. Ms. Leblanc was herself bitten by the large dog as she worked with others to wrest Suzette from its grasp.

As a result of this attack, Ms. Leblanc has felt unsafe in her neighborhood and has had to seek medical care as a precaution against rabies infection. Suzette has faced substantial veterinary bills and a difficult recovery.

The dog that attacked Suzette is known to be a repeat offender, with a record of attacking another dog in Keene last year.

Ms. Leblanc has expressed to me her concern, which I share, that the City appears to have limited tools to prevent the dog that attacked Suzette from attacking other small dogs in the future.

She has suggested that the City Council pass an ordinance requiring dogs with a record of attacking other dogs be required to wear a muzzle when in public. I believe the City Council would be empowered to pass such an ordinance under RSA 466:39.

I ask that this matter be brought before a Council committee for discussion and consideration of a possible ordinance.

Sincerely,



Bobby Williams
City Councilor, Ward 2



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

Subject: **Relating to Amendments to the Permitted Uses in the Downtown Core, Downtown Growth, and Commerce Districts – Ordinance O-2023-16-A, and**
Communication - Bridget Hansel - In Support of O-2023-16-A
Communication - Joslin Kimball Frank - In Support of O-2023-16-A
Communication - Camille Helminski - In Support of O-2023-16-A
Communication - Judy and Jim Putnam - In Support of O-2023-16A

Recommendation:

On a vote of 5–0, the Planning, Licenses, and Development Committee recommends referring Ordinance O-2023-16-A back to the Joint Planning Board-Planning, Licenses, and Development Committee for further consideration.

On a vote of 5–0, the Planning, Licenses, and Development Committee recommends filing the communications from Bridget Hansel, Joslin Kimball Frank, Camille Helminski, and Judy & Jim Putnam into the record.

Attachments:

None

Background:

Chair Bosley recalled that the public hearing for Ordinance O-2023-16-A occurred already, so there would be no further public comment at this meeting. She began by sharing her position on this Ordinance. Over the previous few months of the Joint Planning Board-Planning, Licenses, and Development Committee public hearing process, it occurred to Chair Bosley that questions continued to arise that had not necessarily been answered in the context of Ordinance O-2023-16-A. Despite her conversations with the City Attorney, Chair Bosley still had questions about restrictions that could be enacted to limit the size of charitable gaming facilities, as well as questions about what further zoning districts this use should be permitted in. She had heard references to Planning Board (PB) regulations that could be addressed, what constitutes the PB's scope, what constitutes the Council's scope, and what can go in these Ordinances. While those were not things to debate at this meeting, Chair Bosley felt that this version of this Ordinance was not ready enough for her to commit her full support. She was in favor of a large part of the Ordinance, but she thought more tuning-up was needed.

Councilor Haas posed some questions about the distinction between Ordinance O-2023-16-A and O-2023-17-A. The City Attorney explained that O-2023-17-A contains the definition of charitable gaming facilities, while O-2023-16-A would amend the Zoning Ordinance, which includes the definition but also states where in the City the charitable gaming facilities would be permitted. Keene's Zoning Ordinance is a "permissive Ordinance," meaning that if the Ordinance does not specifically state that something is permitted, then by definition it is not allowed. Ordinance O-2023-16-A includes both the definitional language and the locations where charitable gaming facilities would be permitted. Ordinance O-2023-17-A is the definition of charitable gaming facilities that would be placed in the definitions section of the Land Development Code, which is not technically a part of the Zoning Ordinance. Because these two Ordinances are so intertwined, it made the most sense to deal with them together.

Councilor Williams said he generally supported this Ordinance. He wanted these referred to as "charitable gaming facilities" and not just "gaming," because he saw a distinction between gaming (e.g., teenagers playing video games) and charitable gaming facilities, which include placing bets that the Councilor viewed as gambling. Chair Bosley asked if the definition of charitable gaming facilities under review was in accordance with the State of NH's definition. The City Attorney said yes, and he recommended keeping that definition from the NH license language. Still, the City Attorney and Chair agreed with Councilor Williams' point that there is a distinction between gaming and betting. Councilor Ormerod added that for the last 25 years, the industry had referred to the activity as "gaming" and not "gambling."

Chair Bosley also wanted to address the fact that during the public hearing before the City Council, there was a lot of testimony regarding a particular applicant for this charitable gaming facility use. She challenged the Committee to keep in mind that regardless of any one potential applicant, the City already had a charitable gaming facility license issued in the municipality. Chair Bosley was concerned about the existing charitable gaming facility in Keene, particularly after hearing during the public hearing that these facilities never get smaller, they get larger. She thought it was the Committee's job to think about where in the City these sizeable facilities would fit best. Chair Bosley did not even think the Downtown Transition District was appropriate for this use; she thought other Zoning districts would be more appropriate. She questioned what size of facility should be allowed in a more centralized area. Chair Bosley thought this whole conversation should happen during a PB-PLD workshop process, which she hoped the rest of the Committee would agree with.

Councilor Haas fully supported the idea of "just about any" commercial occupancy in the City where appropriate, which requires use standards for how those uses could exist in their permitted environments. Chair Bosley explained that the City of Keene has both a Zoning Ordinance and a Land Development Code, which are two separate documents. When one is updated, so too must the other. The City Attorney explained further that everything for the City exists in the Land Development Code, which has many parts, including the Zoning Ordinance. There is a process for amending the Zoning Ordinance that is different than the regular ordinance amendment process.

Vice Chair Jones noted that he had opposed this change of use since the beginning. He thought the Committee was getting too far into the weeds during this conversation. He recalled that Keene's 2010 Comprehensive Master Plan called for an energetic and vibrant downtown. However, he thought the Council was starting to pick-and-choose uses that could contribute to the downtown's vibrance. Chair Bosley asked whether Councilor Jones would oppose sending the Ordinance back to the Joint PB-PLD Committee to have more conversation about the definition and what the Council might be willing to adopt. Councilor Jones stated that he would support sending it back to PB-PLD if that was the only option, but he preferred voting against the adoption.

Councilor Ormerod mentioned concerns about the parking required for charitable gaming facilities

(i.e., turnover rate) and how large these entities would need to be to have a profitable venture. He asked if those considerations were in the Land Development Code. The City Attorney said that—regarding this specific use—the answer was no. However, there are Site Plan Regulations adopted by the Planning Board that would apply to commercial uses. Adding to those Site Plan Regulations would go through the Planning Board. Chair Bosley asked if the Council could recommend that the Planning Board adopt additional, more stringent regulations for this use. The City Attorney said yes and added that this would be a discussion for the PB-PLD Committee.

A motion by Councilor Williams to refer Ordinance O-2023-16-A back to the Joint Planning Board-Planning, Licenses, and Development Committee for further consideration was duly seconded by Councilor Ormerod.

Vice Chair Jones moved to amend the motion on the floor to recommend against adopting Ordinance O-2023-16-A. With no second, the motion to amend failed.

Councilor Haas noted that he fully agreed with Vice Chair Jones that the City should be open to all kinds of occupancies, but said that needed to occur in the proper manner with written use standards that could be applied across the board.

On a vote of 5–0, the Planning, Licenses, and Development Committee recommends referring Ordinance O-2023-16-A back to the Joint Planning Board-Planning, Licenses, and Development Committee for further consideration.

Communications were received from members of the public, all of which were in support of Ordinance O-2023-16-A.

Chair Bosley made the following motion, which was duly seconded by Vice Chair Jones.

On a vote of 5–0, the Planning, Licenses, and Development Committee recommends filing the communications from Bridget Hansel, Joslin Kimball Frank, Camille Helminski, and Judy & Jim Putnam into the record.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: 2024 Energy Expo Event Sponsorship - Energy and Climate Committee

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to work with the Energy and Climate Committee with respect to the potential of any facility fees and to authorize access to city facilities and support of the 2024 Energy Expo event to be scheduled in the Fall of 2024.

Attachments:

None

Background:

Mr. Zach Luse, President of the Energy and Climate Committee addressed the Committee next. Mr. Luse stated the Monadnock Sustainability Hub has approached the committee to organize an Energy Expo like the one that was conducted in Peterborough last year. They were considering the airport as a possible location; the Energy and Climate Committee members are willing to donate their time, but they are looking for the City to donate services in connection with the event.

Mr. Luse stated it is easier for the Expo to obtain approval from the FAA to conduct the event at the airport if there is City support.

The Manager noted the motion indicates to permit fees but it should be corrected to say facility fees.

Councilor Lake made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to work with the Energy and Climate Committee with respect to the potential of any facility fees and to authorize access to city facilities and support of the 2024 Energy Expo event to be scheduled in the Fall of 2024.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Accept Federal Funding For Airport Capital Project**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept, execute and expend a grant for up to the amount of \$2,767,767 from the Federal Aviation Administration Airport Improvement Program.

Attachments:

None

Background:

Airport Director, David Hickling was the next to address the committee. Mr. Hickling stated this item is in reference to a grant for a project the airport has been wanting to complete for a long time. He indicated as the grant was being delayed the project had to be re-bid and the contractor has agreed to hold their prices.

Mr. Hickling noted he would like to add the words "to expend" to the motion. He added the FAA will pay 90% of the project, the City and State will be responsible for 5% each for reconstruction of Taxiway A.

Councilor Remy made the following motion, which was seconded by Councilor Roberts.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept, execute and expend a grant for up to the amount of \$2,767,767 from the Federal Aviation Administration Airport Improvement Program.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Marlboro Street Corridor Project - Design Change Order #3

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an engineering services Change Order with DuBois & King for additional services required for the design of the Marlboro Street Corridor Project for an amount not to exceed \$20,000. Funding to come from the Marlboro Street Corridor Project (75J0018B).

Attachments:

None

Background:

City Engineer Don Lussier stated this item is a request to execute a change order with the design consultant for up to \$20,000. This is to redesign a portion of the project that runs through the Public Works facility. The options that were considered were to wrap it around the Fleet Services building or look at routing it through the parking lot. The consultant moved forward with the option of keeping it away from Public Works traffic. However, when they looked more into this analysis, there was property impact that needed to be considered, wetlands impact but routing around Fleet Services has more of a cost impact. This is due to a ramp that runs at the base of the rail trail up to the railroad. Mr. Lussier stated however, this design will save the City more money at the end and won't have an impact on the timeline.

Attorney Mullins asked whether this design will still go by the right of way by the Butterfly Park. Mr. Lussier agreed and added it will be adjacent to the park but before it gets to the end there will be a right turn. The attorney asked whether it will be retained on the existing right of way or whether a portion a portion of it was going to be turned into a trail. Mr. Lussier stated it will be on the existing right of way until it leaves Bartholomew Court - the intention is to lay it out as a Class A trail as part of that construction process. He added the section next to the Butterfly Park lies outside of the existing right away and this will be the Class A trail portion.

Councilor Remy asked to see a rendering of this design for the next Council meeting.

Councilor Roberts made the following motion, which was seconded by Councilor Roberts.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate and execute an engineering services Change Order with DuBois & King for additional services required for the design of the Marlboro Street Corridor Project for an amount not to exceed \$20,000. Funding to come from the Marlboro Street Corridor Project (75J0018B).



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Merri Howe, Finance Director/Treasurer
Through: Elizabeth Dragon, City Manager
Subject: **Acceptance of Donations - Finance Director**

Recommendation:

Move that the City Council accept the donations in the amount of \$15,632.65 listed below and the City Manager be authorized to use each donation in the manner specified by the donor.

Attachments:

None

Background:

The Keene Dog Park provided \$60,000 last year for the purpose of building a dog park in Wheelock Park. The organization has continued to fundraise and has provided an additional \$15,000 towards the construction.

The Human Rights Committee brought Father Greg Boyle from Homeboy Industries to speak on January 15, 2024, for the MLK Day event called "Cherished Belonging: Love in Divided Times."

In 1986, Father Greg Boyle became the Pastor of Dolores Mission Church which was the poorest Catholic Parish in Los Angeles that also had the highest concentration of gang activity. Through his work in the Parish and with community members, Homeboy Industries became the largest gang intervention, rehabilitation, and re-entry program in the world.

This event brought over 300 people together spanning over the four events on MLK Day. The Human Rights Committee sold copies of Father Boyle's books for \$20 each. After reimbursing Toadstool Bookshop for purchasing the copies, the Human Rights Committee received \$632.65 and will be donating the fund to Homeboy Industries.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Planning, Licenses and Development Committee, Standing Committee
Through:
Subject: **Relating to Amendments to the City of Keene Land Development Code, Definition of Charitable Gaming Facility – Ordinance O-2023-17-A**

Recommendation:

On a vote of 5–0, the Planning, Licenses, and Development Committee recommends placing Ordinance O-2023-17-A on more time.

Attachments:

None

Background:

Vice Chair Jones made the following motion, which was duly seconded by Councilor Ormerod.

On a vote of 5–0, the Planning, Licenses, and Development Committee recommends placing Ordinance O-2023-17-A on more time.

The Committee had a brief discussion with the City Attorney about the PB-PLD Committee process. The process for updating the Zoning Ordinance is different than the process for the Land Development Code. Under the law, the Zoning Ordinance has a different amendment process than for ordinances in general. Because Ordinances O-2023-16-A and O-2023-17-A are so intertwined, it would be impossible to talk about one without talking about the other during the PB-PLD Committee process. At the PB-PLD meetings, the PB and PLD Committee each make recommendations to the City Council. If the PB and PLD Committee do not agree on a matter, the process would start back at the beginning, which the Joint PB-PLD Committee process is meant to alleviate. Ultimately, O-2023-17-A would be back before this Committee, which would have the opportunity to make any remaining recommendations to ensure O-2023-17-A conforms to O-2023-16-A.



CITY OF KEENE NEW HAMPSHIRE

ITEM #H.2.

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Keene Pride - Request for Community Funded Event Status - 2024 Pride Festival**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends placing the rest from Keene Pride for community event funding for their 2025 Pride event on more time to be further discussed during fiscal year 2025 budget deliberations.

Attachments:

None

Background:

Mr. Adam Toepfer President of Keene Pride addressed the Committee and stated they are now in their third year of the Pride Festival. Their festival is held in September and are requesting community event status.

Councilor Remy asked whether the footprint would be like last year. Mr. Toepfer agreed and added it would be Central Square and Roxbury Street but could expand the footprint in 2025 depending on the number of vendors.

Chair Powers stated this committee will accept this item as informational and the item will be addressed again during budget discussion.

Councilor Chadbourne commended this event and the time being invested in it by the organizers.

Councilor Chadbourne made the following motion, which was seconded by Councilor Lake.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends placing the rest from Keene Pride for community event funding for their 2025 Pride event on more time to be further discussed during fiscal year 2025 budget deliberations.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Jesse Rounds, Community Development Director
Through:
Subject: **Relating to Amendments to the Land Development Code to create a Cottage Court Overlay District Ordinance O-2024-01**

Recommendation:

Recommend that the Mayor refer the proposed Ordinance O-2024-01 to the Joint Committee of the Planning Board and Planning, Licenses, and Development Committee for a Public Workshop.

Attachments:

1. Application to Amend Zoning Ordinance
2. O-2024-01 Narrative
3. Ordinance O-2024-01
4. O-2024-01 LDC Mock Up

Background:

The attached materials include the full text of Ordinance O-2024-01 relating to proposed amendments to the City of Keene Land Development Code (LDC), as well as excerpted sections of the LDC that are proposed to be amended with Ordinance O-2024-01. Text that is highlighted in yellow and bolded is proposed to be added, and text that is stricken through is proposed to be deleted.

This ordinance establishes a Cottage Court Overlay District as a Conditional Use Permit as Article 18 of the LDC. The Cottage Court Overlay would be permitted in all residential zoning districts in the City of Keene. The overlay would allow the development without density restrictions and without setback restrictions within the development. House sizes would be limited to an average of 1,250 square feet and height would be limited by zoning district. The purpose of this overlay is to permit innovative development patterns within the existing fabric of the city while ensuring that the design of these neighborhoods conform to that of the neighborhood in which they are located.

This proposal is supported in the City's Comprehensive Master Plan and grows out of a goal in the City's recently completed Housing Needs Assessment.



APPLICATION TO AMEND THE ZONING ORDINANCE

Petitioner: Community Development Date: 2/12/2024

Address: 3 Washington Street Keene NH

Telephone: (603) 352-5440 Email: jrounds@keenenh.gov

Existing Section Reference in Chapter 100, Land Development Code: N/A

Does the amendment affect "Minimum Lot Size"? [x] Yes [] No

Does the amendment affect "Permitted Uses"? [x] Yes [] No

Number of parcels in Zoning District*: LD-1 >100/HD-1 >100

Validation of Number of parcels by the Community Development Department

Petitioner's Signature

SUBMITTAL REQUIREMENTS WHICH MUST BE COMPLETE AT TIME OF SUBMISSION TO THE CITY CLERK:

- A properly drafted Ordinance containing the amendment in a form meeting the requirements of the City Clerk.
A typed or neatly printed narrative explaining the purpose of, effect of, and justification for the proposed change(s).
\$100.00 application fee.
As provided for in RSA 675:7, if the proposed amendment would change the minimum lot sizes or the permitted uses in a zoning district, *and such change includes 100 or fewer properties, the Petitioner shall submit a notarized list of property owners affected by the zoning amendment. The list shall include the tax map number and address of each abutter or owner, and must be current with the Assessing Department's records within ten days of submittal. Two sets of mailing labels shall be provided.

Date Received by City Clerk: 2/13/2024 Ordinance Number: 0-2024-01

On City Council agenda: 2/15/2024 Workshop to be held:

Public Hearing to be held



APPLICATION TO AMEND THE ZONING ORDINANCE

APPLICABLE FEES:

Application Fee @ \$100.00 \$ _____

Publication of Notice in The Keene Sentinel @ \$90.00 \$ _____

Postage Fees for property owners/agents and abutters at
current USPS 1st Class Mailing rate
(Only needed if amendment impacts 100 or fewer properties) \$ _____

Total Fees submitted to City Clerk \$ N/A

The petitioner is also responsible for the publication costs for the public workshop before the joint Planning Board and Planning, Licenses and Development Committee. Additional fees will be collected by the Community Development Department for the mailing costs associated with the public workshop (if a mailing is required pursuant to RSA 675:7), as well as the publication of the public workshop notice.

CITY OF KEENE
NEW HAMPSHIRE

O-2024-01 Relating to the Cottage Court Overlay District

This Ordinance proposes to add a new residential overlay district to the City of Keene Zoning Regulations, the “Cottage Court Overlay District,” that would allow for residential infill development and redevelopment to occur at a higher density than allowed in the underlying zoning district. The proposed overlay district would apply to parcels that have both city water and sewer service in the Rural (R), Residential Preservation (RP), Low Density (LD), Low Density 1 (LD-1), Medium Density (MD), High Density (HD), and High Density 1 (HD-1) districts.

The intent of the proposed Cottage Court Overlay District is to:

1. Promote infill development and redevelopment within established neighborhoods that is built at a scale and character consistent with existing development patterns.
2. Encourage efficient use of land and cost-effective delivery of community services.
3. Expand the range of housing choices available to meet the needs of the city's changing demographic trends, including smaller households, young professionals, older adults, and empty nesters.
4. Provide developers and property owners with flexibility to achieve high quality design and develop projects that strengthen existing neighborhoods.
5. Encourage compact development that is pedestrian-scaled, healthy, safe, and affordable.

To accomplish this purpose, the Cottage Court Overlay District would allow for innovative site design and clustering of smaller residential units at a higher density within the tract than would be allowed by the underlying zoning district. Any proposals for development under this overlay district would require a conditional use permit issued by the Keene Planning Board.

The attached materials include the full text of Ordinance O-2024-01 and excerpted sections of the City of Keene Land Development Code that are proposed to be amended with Ordinance O-2024-01. Text that is highlighted in yellow and bolded is proposed to be added, and text that is stricken through is proposed to be deleted.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Four

AN ORDINANCE Relating to the Cottage Court Overlay District

Be it ordained by the City Council of the City of Keene, as follows:

That Chapter 100 of the Code of Ordinances of the City of Keene, the Land Development Code, as amended, is further amended as follows:

- I. That a new article entitled “Cottage Court Overlay District” is added to the Zoning Regulations after Article 16, as follows:

17.1 PURPOSE

The purpose of the cottage court overlay district is to:

- 1. Promote infill development and redevelopment within established neighborhoods that is built at a scale and character consistent with existing development patterns.
- 2. Encourage efficient use of land and cost-effective delivery of community services.
- 3. Expand the range of housing choices available to meet the needs of the city's changing demographic trends, including smaller households, young professionals, older adults, and empty nesters.
- 4. Provide developers and property owners with flexibility to achieve high quality design and develop projects that strengthen existing neighborhoods.
- 5. Encourage compact development that is pedestrian-scaled, healthy, safe, and affordable.

This purpose shall be accomplished by allowing for innovative site design and clustering of smaller residential units at a higher density within the tract than would be allowed by the underlying zoning district.

17.2 APPLICABILITY

17.2.1 Generally

All land located within the Cottage Court Overlay (CCO) District, as defined in Section 17.3, is subject to this article.

17.2.2 Authority

All proposals for a Cottage Court development shall obtain a conditional use permit issued by the Planning Board in accordance with N.H. RSA 674:21, Innovative Land Use Controls. The conditional use permit shall set forth all conditions of approval and shall clearly list all plans, drawings and other submittals that are part of the approved development.

17.3 DISTRICT DEFINED

Cottage Court developments shall be permitted in all Residential Districts (R, RP, LD, LD-1, MD, HD, and HD-1), subject to the provisions of this section. Parcels may be aggregated. Parcel(s) must have both city water and sewer service.

17.4. PERMITTED USES

- A.** A cottage court conditional use permit issued by the Planning Board shall be required for the uses listed in Table 17-1 when proposed as part of a cottage court development.

Table 17-1: Cottage Court Development Permitted Uses

Residential Uses	R	RP	LD-1	LD	MD	HD	HD-1	SECTION
Dwelling, Single Family	P	P	P	P	P	P	P	8.3.1.D
Dwelling, Two Family / Duplex	P	P	P	P	P	P	P	8.3.1.E
Dwelling, Triplex*			P	P	P	P	P	8.3.1.C
Dwelling, Townhome**				P	P	P	P	8.3.1.C
Dwelling, Multi-Family						P	P	8.3.1.C
Dwelling, Above Ground Floor	P	P	P	P	P	P	P	8.3.1.A
Non-Residential Uses	R	RP	LD-1	LD	MD	HD	HD-1	SECTION
Neighborhood Grocery Store	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	8.3.2.U
Office	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	8.3.2.V
Restaurant	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	8.3.2.AB
Retail Establishment, Light	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	8.3.2.AD
Day Care Center	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	p ¹	8.3.3.C
Community Garden	P	P	P	P	P	P	P	8.3.6.B

P = Permitted in the CCO P¹ = Permitted in the CCO with limitations per Section 17.4.B

**Triplexes fall under the definition for multi-family but in the CCO, the units must be attached horizontally and may not exceed three (3) units in a building.*

***Townhomes fall under the definition for multi-family but in the CCO, the units must be attached horizontally and must be between four (4) and six (6) units in a building.*

B. Use Standards:

1. Commercial Uses (Neighborhood Grocery Store, Office, Restaurant, and Retail Establishment, Light) are allowed as follows:

- a. The commercial use must be on the corner of a public right-of-way.
- b. The commercial space shall be a maximum of 1,000 square feet.
- c. There must be residential uses above the commercial use.

2. Day Care Center (Institutional Use) is an allowed use as follows:

- a. The use must be on the ground floor.
- b. The use shall be a maximum of 2,000 square feet.
- c. There must be residential uses above the day care center.

C. Uses Accessory to Residential Use

- a. Laundry and/or Storage structures for the use of residents are allowed if shown on the site plan prior to approval.

- b. Common Use Buildings with uses customary to support residential uses (kitchen area, meeting area, exercise areas, mail and package delivery, etc.) are allowed if shown on the site plan prior to approval.
- c. Other structures for the use or enjoyment of the residents such as picnic pavilions, arbors, trellises, mail kiosks, etc. are allowed if shown on the site plan prior to approval.
- d. Landscape elements for the use or enjoyment of the residents such as fire pits, bocce courts, play equipment, community garden beds, dog walks, picnic areas, sitting areas, and planting areas are allowed uses.
- e. Attached or Detached Garages are allowed in any district. This use may have units above the structure.

17.5 CONDITIONAL USE PERMIT

17.5.1 Development Types Allowed

- A. Projects may be developed on a single parcel of land with either a Property Management Entity, if rental units, or Homeowners Association (HOA) or Condominium Association, if for sale.
- B. Projects may be developed as a subdivision with units on individual lots. The project shall utilize either a Property Management Entity, if rental units, or a Homeowners Association (HOA) or Condominium Association, if for sale.
 - 1. **Buildout.** If lots are subdivided, the maximum building coverage, maximum impervious coverage, and stormwater runoff may be calculated for the overall tract, not individual lots, if open space is permanently protected through deed restrictions, conservation easements, or other means.
- C. Any Cottage Court development that includes proposals for condominium ownership or an HOA shall comply with all applicable state statutes regulating the condominium form of ownership and HOAs.

17.5.2 Dimensional Standards

- A. Minimum Dimensional Standards. All Cottage Court Developments shall meet the minimum dimensional standards specified in Table 17-2. If not specified in Table 17-2 or elsewhere in this Article, the dimensional requirements of the underlying zoning district shall apply.

Table 17-2. Dimensional Requirements for Cottage Court Developments

TRACT	Min tract size		None
	Min tract frontage		30 ft
	Perimeter Building Setback	From external roads	Setbacks from existing roads external to the development may be less than the underlying zoning district in order to match an established building line along the road.
		From other tract boundaries	
			Shall match that of the underlying zoning district.
LOT	Min Lot Area		None
	Min Road Frontage (internal roads)		26 ft
	Min Lot Width at Building Line		None
	Front, Rear, and Side Setbacks		None

- B.** Density. There are no minimum or maximum density requirements.
- C.** Height.
 - 1. In R, RP, LD, LD-1, and MD the maximum height shall be 2.5 stories or 35' max.
 - 2. In HD and HD-1 the maximum height shall be 3 stories or 50' max.
 - 3. Parking under a structure, if not in a flood zone, counts as a story.
 - 4. In a flood zone, the height of the first floor is measured from the Finished Floor Elevation (FFE) or Base Flood Elevation + 1 foot, whichever is less.

17.5.3 Conditional Use Permit Standards

- A.** Dwelling Unit Size: No minimum unit size is required. All units within the development shall have a maximum average size of 1,250 square feet (sf) gross floor area, excluding garages. The maximum building footprint shall be 900 sf per unit, excluding porches and garages, except for age restricted (55+) as defined in RSA 354-A:15, which shall be a maximum of 1,000 sf.
- B.** Parking.
 - 1. A minimum of 1 space per unit is required, or 0.75 per unit if units are designated for workforce housing as defined in Section 20.3.6.C of this LDC or age restricted (55+) occupancy. A maximum of 1 space per bedroom is allowed on site.
 - 2. Parking may be surface spaces or in garages that are part of or separate from the units.
 - 3. Required parking may be offsite if within 500 feet of the furthest unit unless the housing is designated for age restricted (55+).
 - 4. Leases for offsite parking areas, if applicable, must meet the requirements of Article 9, Section 9.2.9, "Remote Parking."
 - 5. Parking, if located between the street and units, shall not be visible from an external road. If the Planning Board approves a landscaped buffer to meet this requirement, the buffer shall, at a minimum, meet the "Parking Lot Screening" standards in Section 9.4.4 of this LDC.
- C.** Building separation. Separation between buildings shall be determined by applicable fire codes.
- D.** Driveways. Driveways providing access to three or more units and drive aisles internal to the site shall have a minimum width of 20' and a maximum width of 24' of paved width if two-way and a minimum of 10' and a maximum of 12' of paved width, with 18' clear width for fire access, if one-way. Where feasible, driveways should incorporate design features that give them the appearance of streets, including sidewalks, street trees, and lighting.
- E.** Internal Roads. New rights of way internal to the development shall meet the standards of Article 23.3, "Design & Construction Standards." However, some new streets may have factors such as limited access or low frequency use that may justify deviations from those standards, including lane widths, street trees, lighting, and sidewalks. Variation from those standards, if deemed appropriate, may be achieved through a waiver process as described in Article 23.

- F. Screening. A 6'-0" tall semi-opaque or opaque fence shall be required if the proposed building type (not density) is more intense than the adjacent building type (e.g., existing single-family home next to proposed town homes). The Planning Board may approve a landscaped buffer that provides similar or greater screening in lieu of a fence.

17.5.4 Architectural Guidelines

Projects using this approach should endeavor to “fit in” or be respectful of the context of the surrounding neighborhood. Approval of overall design should be gauged by adherence to the following urban design and architectural principles:

EASIER TO APPROVE	MORE DIFFICULT TO APPROVE
Narrow to the Frontage	Wider to the Frontage
Parking Screened from Frontage	Parking Visible from Frontage Building
Base Differentiated	Building Monolithic
Taller Ceiling Heights	Shorter Ceiling Heights
Natural / Integral Materials	Composite and Cladding
Structural Expression	Surface Expression
Thicker Wall Depth	Thinner Wall Depth
Simple, Clear Massing	Complex Massing
Vertical Fenestration	Horizontal Fenestration
Repetitive Fenestration	Mixed Fenestration
Contextual Materials	Unrelated Materials
Landscaping Unifies	Landscaping is unorganized.

17.5.5 Conditional Use Permit Application Procedure

All applications for a cottage court conditional use permit under this Article shall be made to the Planning Board and submitted to the Community Development Department following the procedures set forth in Section 26.14 of this LDC for conditional use permits, as they may be amended, and those listed below.

- A. Concurrent Review.
 1. Site Plan Review. Applications for a cottage court development that include 5 or more dwelling units shall require Major Site Plan review. Where major site plan review is required, no conditional use permit application may be considered complete without a complete major site plan application. Site plan applications will be considered concurrently with the conditional use permit application.
 2. Subdivision Review. Applications for a cottage court development that propose to subdivide land shall require subdivision review. Where subdivision review is required, no conditional use permit application may be considered complete without a complete

subdivision application. Subdivision applications will be considered concurrently with the conditional use permit application.

B. Submission Requirements

In addition to the materials required in Section 26.14 for a conditional use permit, an applicant for a cottage court conditional use permit shall submit the following items as part of their application.

1. A written narrative describing the following:

- a. The existing and proposed use(s) and development type.
- b. The proposed development or redevelopment including, but not limited to, the construction of new buildings or structures or additions to buildings or structures; interior renovations; installation of parking areas or paved surfaces; open space areas and accessory structures; screening; and landscaping.
- c. The physical and architectural characteristics of the site and the surrounding neighborhood.
- d. An explanation of how the proposed development complies with the Site Development Standards in Article 21. Where conflicts exist between the standards of this Article and the Site Development Standards, the standards of this Article shall apply.
- e. The location of access points for the existing and proposed lots if new lots are proposed.

2. Projects that propose 10 or more new dwelling units shall provide an analysis of estimated traffic generation associated with the proposed use utilizing the most current edition of the Institute of Transportation Engineers (ITE) Traffic Generation Manual or data provided by a NH licensed traffic engineer.

- II. That Section 2.1 of Article 2 be amended as follows: “Articles 2 through **18** ~~19~~ of this LDC shall constitute the official Zoning Ordinance for the City of Keene...”
- III. That “Dwelling, Two-Family,” “Neighborhood Grocery Store,” “Office,” “Restaurant,” “Retail Establishment, Light,” “Day Care Center,” and “Community Garden” be allowed uses with a Cottage Court Overlay (CCO) conditional use permit in all residential districts in Article 3, and that Tables 3.1.5, 3.2.5, 3.3.5, 3.4.5, 3.5.5, 3.6.5, 3.7.5, and 8-1 be updated to reflect this change. These commercial uses shall comply with the use standards detailed in Article 17, “Cottage Court Overlay District.”
- IV. That “Dwelling, Two-Family” and “Dwelling, Above Ground Floor” be allowed uses with a CCO conditional use permit in the Rural, Residential Preservation, Low Density 1, and Low Density districts, and that Tables 3.1.5, 3.2.5, 3.3.5, 3.4.5, and 8-1 be updated to reflect this change.
- V. That “Dwelling, Multi-Family” be an allowed use with a CCO conditional use permit in the Low Density 1 and Low Density districts, and that Tables 3.3.5, 3.4.5, and 8-1 be updated to reflect this change. This use shall comply with the use standards detailed in Article 17, “Cottage Court Overlay District.”

VI. That Articles 17 through 28 of the Land Development Code, and all subsections and references thereto, be amended to reflect the addition of a new Article 17, as follows:

- A. Article 17 shall become Article 18
- B. Article 18 shall become Article 19
- C. Article 19 shall become Article 20
- D. Article 20 shall become Article 21
- E. Article 21 shall become Article 22
- F. Article 22 shall become Article 23
- G. Article 23 shall become Article 24
- H. Article 24 shall become Article 25
- I. Article 25 shall become Article 26
- J. Article 26 shall become Article 27
- K. Article 27 shall become Article 28
- L. Article 28 shall become Article 29

Jay Kahn, Mayor

ARTICLE 17. COTTAGE COURT OVERLAY DISTRICT CONDITIONAL USE PERMIT

17.1 PURPOSE 17-2

17.2 APPLICABILITY..... 17-2

17.3 DISTRICT DEFINED 17-2

17.4 PERMITTED USES 17-3

17.5 CONDITIONAL USE PERMIT 17-4

17.1 PURPOSE

The purpose of the cottage court overlay district is to:

1. Promote infill development and redevelopment within established neighborhoods that is built at a scale and character consistent with existing development patterns.
2. Encourage efficient use of land and cost-effective delivery of community services.
3. Expand the range of housing choices available to meet the needs of the city's changing demographic trends, including smaller households, young professionals, older adults, and empty nesters.
4. Provide developers and property owners with flexibility to achieve high quality design and develop projects that strengthen existing neighborhoods.
5. Encourage compact development that is pedestrian-scaled, healthy, safe, and affordable.

This purpose shall be accomplished by allowing for innovative site design and clustering of smaller residential units at a higher density within the tract than would be allowed by the underlying zoning district.

17.2 APPLICABILITY

17.2.1 Generally

All land located within the Cottage Court Overlay (CCO) District, as defined in Section 17.3, is subject to this article.

17.2.2 Authority

All proposals for a Cottage Court development shall obtain a conditional use permit issued by the Planning Board in accordance with N.H. RSA 674:21, Innovative Land Use Controls. The conditional use permit shall set forth all conditions of approval and shall clearly list all plans, drawings and other submittals that are part of the approved development.

17.3 DISTRICT DEFINED

Cottage Court developments shall be permitted in all Residential Districts (R, RP, LD, LD-1, MD, HD, and HD-1), subject to the provisions of this section. Parcels may be aggregated. Parcel(s) must have both city water and sewer service.

17.4 PERMITTED USES

A. A cottage court conditional use permit issued by the Planning Board shall be required for the uses listed in Table 17-1 when proposed as part of a cottage court development.

Table 17-1: Cottage Court Development Permitted Uses

RESIDENTIAL USES	R	RP	LD-1	LD	MD	HD	HD-1	SECTION
Dwelling, Single Family	P	P	P	P	P	P	P	8.3.1.D
Dwelling, Two Family / Duplex	P	P	P	P	P	P	P	8.3.1.E
Dwelling, Triplex*			P	P	P	P	P	8.3.1.C
Dwelling, Townhome**				P	P	P	P	8.3.1.C
Dwelling, Multi-family						P	P	8.3.1.C
Dwelling, Above Ground Floor	P	P	P	P	P	P	P	8.3.1.A
NON-RESIDENTIAL USES***								SECTION
Neighborhood Grocery Store	P1	P1	P1	P1	P1	P1	P1	8.3.2.U
Office	P1	P1	P1	P1	P1	P1	P1	8.3.2.V
Restaurant	P1	P1	P1	P1	P1	P1	P1	8.3.2.AB
Retail Establishment, Light	P1	P1	P1	P1	P1	P1	P1	8.3.2.AD
Day Care Center	P1	P1	P1	P1	P1	P1	P1	8.3.3.C
Community Garden	P	P	P	P	P	P	P	8.3.6.B

P = Permitted in the CCO P1= Permitted in the CCO with limitations per Section 17.4.B

*Triplexes fall under the definition for multi-family but in the CCO, the units must be attached horizontally and may not exceed three (3) units in a building.

**Townhomes fall under the definition for multi-family but in the CCO, the units must be attached horizontally and must be between four (4) and six (6) units in a building.

B. Use Standards:

1. Commercial Uses (Neighborhood Grocery Store, Office, Restaurant, and Retail Establishment, Light) are allowed as follows:
 - a. The commercial use must be on the corner of a public right-of-way.
 - b. The commercial space shall be a maximum of 1,000 square feet.
 - c. There must be residential uses above the commercial use.

2. Day Care Center (Institutional Use) is an allowed use as follows:
 - a. The use must be on the ground floor.
 - b. The use shall be a maximum of 2,000 square feet.
 - c. There must be residential uses above the day care center.

C. Uses Accessory to Residential Use

- a. Laundry and/or Storage structures for the use of residents are allowed if shown on the site plan prior to approval.

- b. Common Use Buildings with uses customary to support residential uses (kitchen area, meeting area, exercise areas, mail and package delivery, etc.) are allowed if shown on the site plan prior to approval.
 - c. Other structures for the use or enjoyment of the residents such as picnic pavilions, arbors, trellises, mail kiosks, etc. are allowed if shown on the site plan prior to approval.
 - d. Landscape elements for the use or enjoyment of the residents such as fire pits, bocce courts, play equipment, community garden beds, dog walks, picnic areas, sitting areas, and planting areas are allowed uses.
 - e. Attached or Detached Garages are allowed in any district. This use may have units above the structure.
- C. Any Cottage Court development that includes proposals for condominium ownership or an HOA shall comply with all applicable state statutes regulating the condominium form of ownership and HOAs.

17.5.2 Dimensional Standards

- A. Minimum Dimensional Standards. All Cottage Court Developments shall meet the minimum dimensional standards specified in Table 17-2. If not specified in Table 17-2 or elsewhere in this Article, the dimensional requirements of the underlying zoning district shall apply.

17.5 CONDITIONAL USE PERMIT

17.5.1 Development Types Allowed

- A. Projects may be developed on a single parcel of land with either a Property Management Entity, if rental units, or Homeowners Association (HOA) or Condominium Association, if for sale.
- B. Projects may be developed as a subdivision with units on individual lots. The project shall utilize either a Property Management Entity, if rental units, or a Homeowners Association (HOA) or Condominium Association, if for sale.
 - 1. **Buildout.** If lots are subdivided, the maximum building coverage, maximum impervious coverage, and stormwater runoff may be calculated for the overall tract, not individual lots, if open space is permanently protected through deed restrictions, conservation easements, or other means.

Table 17-2: Dimensional Requirements for Cottage Court Developments

TRACT	Min tract size		None
	Min tract frontage		30 ft
	Perimeter Building Setback	From external roads	Setbacks from existing roads external to the development may be less than the underlying zoning district in order to match an established building line along the road.
		From other tract boundaries	Shall match that of the underlying zoning district.
LOT	Min Lot Area		None
	Min Road Frontage (internal roads)		26 ft
	Min Lot Width at Building Line		None
	Min Front, Rear, and Side Setback		None

B. Density. There are no minimum or maximum density requirements.

C. Height.

1. In R, RP, LD, LD-1, and MD the maximum height shall be 2.5 stories or 35' max.
2. In HD and HD-1 the maximum height shall be 3 stories or 50' max.
3. Parking under a structure, if not in a flood zone, counts as a story.
4. In a flood zone, the height of the first floor is measured from the Finished Floor Elevation (FFE) or Base Flood Elevation + 1 foot, whichever is less.

17.5.3 Conditional Use Permit Standards

A. Dwelling Unit Size. No minimum unit size is required. All units within the development shall have a maximum average size of 1,250 square feet (sf) gross floor area, excluding garages. The maximum building footprint shall be 900 sf per unit, excluding porches and garages, except for age restricted (55+) as defined in RSA 354-A:15, which shall be a maximum of 1,000 sf.

B. Parking.

1. A minimum of 1 space per unit is required, or 0.75 per unit if units are designated for workforce housing as defined in Section 20.3.6.C of this LDC or age restricted (55+) occupancy. A maximum of 1 space per bedroom is allowed on site.
2. Parking may be surface spaces or in garages that are part of or separate from the units.
3. Required parking may be offsite if within 500 feet of the furthest unit unless the housing is designated for age restricted (55+).
4. Leases for offsite parking areas, if applicable, must meet the requirements of Article 9, Section 9.2.9, "Remote Parking."
5. Parking, if located between the street and units, shall not be visible from an external road. If the Planning Board approves a landscaped buffer to meet this requirement, the buffer shall, at a minimum, meet the "Parking Lot Screening" standards in Section 9.4.4 of this LDC.

C. Building Separation. Separation between buildings shall be determined by applicable fire codes.

- D. Driveways.** Driveways providing access to three or more units and drive aisles internal to the site shall have a minimum width of 20' and a maximum width of 24' of paved width if two-way and a minimum of 10' and a maximum of 12' of paved width, with 18' clear width for fire access, if one-way. Where feasible, driveways should incorporate design features that give them the appearance of streets, including sidewalks, street trees, and lighting.
- E. Internal Roads.** New rights of way internal to the development shall meet the standards of Article 23.3, "Design & Construction Standards." However, some new streets may have factors such as limited access or low frequency use that may justify deviations from those standards, including lane widths, street trees, lighting, and sidewalks. Variation from those standards, if deemed appropriate, may be achieved through a waiver process as described in Article 23.
- F. Screening.** A 6'-0" tall semi-opaque or opaque fence shall be required if the proposed building type (not density) is more intense than the adjacent building type (e.g., existing single-family home next to proposed town homes). The Planning Board may approve a landscaped buffer that provides similar or greater screening in lieu of a fence.

17.5.4 Architectural Guidelines

Projects using this approach should endeavor to “fit in” or be respectful of the context of the surrounding neighborhood. Approval of overall design should be gauged by adherence to the following urban design and architectural principles:

EASIER TO APPROVE

- Narrow to the Frontage
- Parking Screened from Frontage
- Base Differentiated
- Taller Ceiling Heights
- Natural / Integral Materials
- Structural Expression
- Thicker Wall Depth
- Simple, Clear Massing
- Vertical Fenestration
- Repetitive Fenestration
- Contextual Materials
- Landscaping Unifies

MORE DIFFICULT TO APPROVE

- Wider to the Frontage
- Parking Visible from Frontage Building
- Building Monolithic
- Shorter Ceiling Heights
- Composite and Cladding
- Surface Expression
- Thinner Wall Depth
- Complex Massing
- Horizontal Fenestration
- Mixed Fenestration
- Unrelated Materials
- Landscaping is unorganized

17.5.5 Conditional Use Permit Application Procedure

All applications for a cottage court conditional use permit under this Article shall be made to the Planning Board and submitted to the Community Development Department following the procedures set forth in Section 26.14 of this LDC for conditional use permits, as they may be amended, and those listed below.

A. Concurrent Review

- 1. Site Plan Review.** Applications for a cottage court development that include 5 or more dwelling units shall require Major Site Plan review. Where major site plan review is required, no conditional use permit application may be considered complete without a complete major site plan application. Site plan applications will be considered concurrently with the conditional use permit application.
- 2. Subdivision Review.** Applications for a cottage court development that propose to subdivide land shall require subdivision review. Where subdivision review is required, no conditional use permit application may be considered complete without a complete subdivision application. Subdivision applications will be considered concurrently with the conditional use permit application.

B. Submission Requirements

In addition to the materials required in Section 26.14 for a conditional use permit, an applicant for a cottage court conditional use permit shall submit the following items as part of their application.

- 1.** A written narrative describing the following:
 - a.** The existing and proposed use(s) and development type.
 - b.** The proposed development or redevelopment including, but not limited to, the construction of new buildings or structures or additions to buildings

or structures; interior renovations; installation of parking areas or paved surfaces; open space areas and accessory structures; screening; and landscaping.

- c.** The physical and architectural characteristics of the site and the surrounding neighborhood.
 - d.** An explanation of how the proposed development complies with the Site Development Standards in Article 21. Where conflicts exist between the standards of this Article and the Site Development Standards, the standards of this Article shall apply.
 - e.** The location of access points for the existing and proposed lots if new lots are proposed.
- 2.** Projects that propose 10 or more new dwelling units shall provide an analysis of estimated traffic generation associated with the proposed use utilizing the most current edition of the Institute of Transportation Engineers (ITE) Traffic Generation Manual or data provided by a NH licensed traffic engineer.

ARTICLE 3. RESIDENTIAL ZONING DISTRICTS

3.1 RURAL (R)	3-2
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3.1 RURAL (R)

3.1.1 Purpose

The Rural (R) District is intended to provide for areas of very low density development, predominantly of a residential or agricultural nature. These areas are generally outside of the valley floor, beyond where city water, sewer and other city services can be readily supplied.

3.1.2 Dimensions & Siting

Min Lot Area	2 acres
Min Lot Width at Building Line	200 ft
Min Road Frontage	50 ft
Min Front Setback	50 ft
Min Rear Setback	50 ft
Min Side Setback	50 ft

3.1.3 Buildout

Max Building Coverage	10%
Max Impervious Coverage	20%

3.1.4 Height

Max Stories Above Grade	2
Max Building Height	35 ft

3.1.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Manufactured Housing	P ¹	8.3.1.B
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family	CRD, CUP	8.3.1.E
Dwelling, Multifamily	CRD	8.3.1.C
Dwelling, Above Ground Floor	CUP	8.3.1.A
Manufactured Housing Park	P	8.3.1.F
COMMERCIAL USES		SECTION
Animal Care Facility	P	8.3.2.B
Bed and Breakfast	SE	8.3.2.G
Greenhouse / Nursery	P	8.3.2.L
kennel	P	8.3.2.P
Neighborhood Grocery Store	CUP	8.3.2.U
Office	CUP	8.3.2.V
Restaurant	CUP	8.3.2.AB
Retail Establishment, Light	CUP	8.3.2.AD
INSTITUTIONAL USES		SECTION
Day Care Center	CUP	8.3.3.C
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Group Home, Small	CUP	8.3.4.F
OPEN SPACE USES		SECTION
Cemetery	P	8.3.6.A
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
Farming	P	8.3.6.D
Golf Course	P ¹	8.3.6.E
Gravel Pit	SE	8.3.6.F
INFRASTRUCTURE USES		SECTION
Solar Energy System (Small-Scale)	P ¹	8.3.7.A
Solar Energy System (Medium-Scale)	CUP	8.3.7.B
Solar Energy System (Large-Scale)	CUP	8.3.7.C
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
SE = Permitted by Special Exception
CUP = Permitted by Conditional Use Permit
CRD = Permitted by Conservation Residential Development

3.2 RESIDENTIAL PRESERVATION (RP)

3.2.1 Purpose

The Residential Preservation (RP) District is intended to return this area of the City to neighborhoods composed predominantly of moderately dense single-family residential development. This district serves as an additional downtown zoning district that promotes pedestrian-scale development, walkability, bikeability, and urban green space where possible. All uses in this district shall have city water and sewer service.

3.2.2 Dimensions & Siting

Min Lot Area	8,000 sf
Min Lot Width at Building Line	60 ft
Min Road Frontage	50 ft
Min Front Setback	15 ft
Min Rear Setback	20 ft
Min Side Setback	10 ft

3.2.3 Buildout

Max Building Coverage	35%
Max Impervious Coverage	45%
Min Green / Open Space	55%

3.2.4 Height

Max Stories Above Grade	2
Max Building Height	35 ft

3.2.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family	CUP	8.3.1.E
Dwelling, Above Ground Floor	CUP	8.3.1.A
COMMERCIAL USES		SECTION
Bed and Breakfast	SE	8.3.2.G
Neighborhood Grocery Store	CUP	8.3.2.U
Office	CUP	8.3.2.V
Restaurant	CUP	8.3.2.AB
Retail Establishment, Light	CUP	8.3.2.AD
INSTITUTIONAL USES		SECTION
Day Care Center	CUP	8.3.3.C
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Group Home, Small	CUP	8.3.4.F
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
SE = Permitted by Special Exception
CUP = Permitted by Conditional Use Permit

3.3 LOW DENSITY (LD)

3.3.1 Purpose

The Low Density (LD) District is intended to provide for low-intensity single-family residential development. All uses in this district shall have city water and sewer service.

3.3.2 Dimensions & Siting

Min Lot Area	10,000 sf
Min Lot Width at Building Line	70 ft
Min Road Frontage	60 ft
Min Front Setback	15 ft
Min Rear Setback	20 ft
Min Side Setback	10 ft

3.3.3 Buildout

Max Building Coverage	35%
Max Impervious Coverage	45%
Min Green / Open Space	55%

3.3.4 Height

Max Stories Above Grade	2
Max Building Height	35 ft

3.3.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family	CRD, CUP	8.3.1.E
Dwelling, Multifamily	CRD, CUP	8.3.1.C
Dwelling, Above Ground Floor	CUP	8.3.1.A
COMMERCIAL USES		SECTION
Neighborhood Grocery Store	CUP	8.3.2.U
Office	CUP	8.3.2.V
Restaurant	CUP	8.3.2.AB
Retail Establishment, Light	CUP	8.3.2.AD
INSTITUTIONAL USES		SECTION
Day Care Center	CUP	8.3.3.C
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Group Home, Small	CUP	8.3.4.F
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
CUP = Permitted by Conditional Use Permit
CRD = Permitted by Conservation Residential Development

3.4 LOW DENSITY 1 (LD-1)

3.4.1 Purpose

The Low Density 1 (LD-1) District is intended to provide for low intensity residential development, which is primarily detached single-family dwellings on lots of 1-acre or larger in areas on the outer edge of available city water and sewer service. All uses in this district shall have city sewer. City water is required if sufficient volume and pressure is available as determined by the Public Works Department.

3.4.2 Dimensions & Siting

Lots Without City Water Service

Min Lot Area	1 acre
Min Lot Width at Building Line	75 ft
Min Road Frontage	100 ft
Min Road Frontage (For lots fronting on a cul-de-sac)	60 ft
Min Front Setback	15 ft
Min Rear Setback	20 ft
Min Side Setback	10 ft

Lots With City Water Service

Min Lot Area	20,000 sf
Min Lot Width at Building Line	75 ft
Min Road Frontage	75 ft
Min Road Frontage (For lots fronting on a cul-de-sac)	60 ft
Min Front Setback	15 ft
Min Rear Setback	20 ft
Min Side Setback	10 ft

3.4.3 Buildout

Max Building Coverage	30%
Max Impervious Coverage	35%
Min Green / Open Space	65%

3.4.4 Height

Max Stories Above Grade	2
Max Building Height	35 ft

3.4.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family	CRD, CUP	8.3.1.E
Dwelling, Multifamily	CRD, CUP	8.3.1.C
Dwelling, Above Ground Floor	CUP	8.3.1.A
COMMERCIAL USES		SECTION
Neighborhood Grocery Store	CUP	8.3.2.U
Office	CUP	8.3.2.V
Restaurant	CUP	8.3.2.AB
Retail Establishment, Light	CUP	8.3.2.AD
INSTITUTIONAL USES		SECTION
Day Care Center	CUP	8.3.3.C
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Group Home, Small	CUP	8.3.4.F
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
CUP = Permitted by Conditional Use Permit
CRD = Permitted by Conservation Residential Development

3.5 MEDIUM DENSITY (MD)

3.5.1 Purpose

The Medium Density (MD) District is intended to provide for medium intensity residential development and associated uses. All uses in this district shall have city water and sewer service.

3.5.2 Dimensions & Siting

Min Lot Area	8,000 sf
Min lot area for single dwelling unit	8,000 sf
Min lot area for each additional dwelling unit	5,400 sf
Min Lot Width at Building Line	60 ft
Min Road Frontage	50 ft
Min Front Setback	15 ft
Min Rear Setback	15 ft
Min Side Setback	10 ft

3.5.3 Buildout

Max Building Coverage	45%
Max Impervious Coverage	60%
Min Green / Open Space	40%

3.5.4 Height

Max Stories Above Grade	2
Max Building Height	35 ft

3.5.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Above Ground Floor	P	8.3.1.A
Dwelling, Multifamily	P ¹	8.3.1.C
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family / Duplex	P	8.3.1.E
COMMERCIAL USES		SECTION
Neighborhood Grocery Store	CUP	8.3.2.U
Office	CUP	8.3.2.V
Restaurant	CUP	8.3.2.AB
Retail Establishment, Light	CUP	8.3.2.AD
INSTITUTIONAL USES		SECTION
Day Care Center	CUP	8.3.3.C
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Domestic Violence Shelter	P ¹	8.3.4.A
Group Home, Small	CUP	8.3.4.F
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
CUP = Permitted by Conditional Use Permit

3.6 HIGH DENSITY (HD)

3.6.1 Purpose

The High Density (HD) District is intended to provide for high intensity residential development and associated uses. All uses in this district shall have city water and sewer service.

3.6.2 Dimensions & Siting

Min Lot Area	6,000 sf
Min lot area for single dwelling unit	6,000 sf
Min lot area for each additional dwelling unit	5,000 sf
Min Lot Width at Building Line	50 ft
Min Road Frontage	50 ft
Min Front Setback	15 ft
Min Rear Setback	15 ft
Min Side Setback	10 ft

3.6.3 Buildout

Max Building Coverage	55%
Max Impervious Coverage	75%
Min Green / Open Space	25%

3.6.4 Height

Max Stories Above Grade	2
Max Building Height	35 ft

3.6.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Above Ground Floor	P	8.3.1.A
Dwelling, Multifamily	P	8.3.1.C
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family / Duplex	P	8.3.1.E
COMMERCIAL USES		SECTION
Bed and Breakfast	SE	8.3.2.G
Neighborhood Grocery Store	SE, CUP	8.3.2.U
Office	CUP	8.3.2.V
Restaurant	CUP	8.3.2.AB
Retail Establishment, Light	CUP	8.3.2.AD
INSTITUTIONAL USES		SECTION
Day Care Center	CUP	8.3.3.C
Senior Center	SE	8.3.3.G
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Domestic Violence Shelter	P ¹	8.3.4.A
Group Home, Large	CUP	8.3.4.E
Group Home, Small	CUP	8.3.4.F
Lodginghouse	CUP	8.3.4.I
Residential Care Facility	CUP	8.3.4.J
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
SE = Permitted by Special Exception
CUP = Permitted by Conditional Use Permit

3.7 HIGH DENSITY 1 (HD-1)

3.7.1 Purpose

- A. The High Density 1 (HD-1) District is intended to provide for high intensity residential development. All uses in this district shall have city water and sewer service.
- B. Lots in this district shall have frontage on the following list of street locations, and all vehicle access, except for gated emergency access, shall be from the following streets.
1. Court St (on the west side from Westview St to Maple Ave, and on the east side from Evergreen Ave to Maple Ave)
 2. Maple Ave
 3. Marlboro St (from Main St to Eastern Ave)
 4. Park Ave
 5. Washington St
 6. West St (from Central Square to Park Ave)
 7. Winchester St

3.7.2 Dimensions & Siting

Min Lot Area	2 acres
Min lot area per dwelling unit	3,000 sf
Min Lot Width at Building Line	150 ft
Min Road Frontage	50 ft
Min Front Setback	50 ft
Min Rear Setback	50 ft
Min rear setback for 3-story building	50 ft
Min Side Setback	50 ft
Min side setback for 3-story building	50 ft

3.7.3 Buildout

Max Building Coverage	55%
Max Impervious Coverage	75%
Min Green / Open Space	25%

3.7.4 Height

Max Stories Above Grade	3
Max Building Height	50 ft

3.7.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Above Ground Floor	P	8.3.1.A
Dwelling, Multifamily	P	8.3.1.C
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family / Duplex	P	8.3.1.E
COMMERCIAL USES		SECTION
Bed and Breakfast	SE	8.3.2.G
Neighborhood Grocery Store	CUP	8.3.2.U
Office	CUP	8.3.2.V
Restaurant	CUP	8.3.2.AB
Retail Establishment, Light	CUP	8.3.2.AD
INSTITUTIONAL USES		SECTION
Day Care Center	CUP	8.3.3.C
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Group Home, Large	CUP	8.3.4.E
Group Home, Small	CUP	8.3.4.F
Residential Care Facility	CUP	8.3.4.J
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Telecommunications Facilities	P ¹	8.3.7.E

P = Permitted
P¹ = Permitted with limitations per Article 8.
SE = Permitted by Special Exception
CUP = Permitted by Conditional Use Permit

2.1 TITLE

Articles 2 through ~~18~~ 19 of this LDC shall constitute the official Zoning Ordinance for the City of Keene, as may be amended, in accordance with state law. For the purposes of this LDC, the Zoning Ordinance, shall be referred to as the Zoning Regulations.

2.2 AUTHORITY

It shall be the authority of the City Council to adopt or amend the Zoning Regulations, including amendments to the official Zoning Map in accordance with Article 25.3 of this LDC. The Zoning Administrator shall have the authority to administer and make interpretations of the Zoning Regulations.

2.3 ESTABLISHMENT OF DISTRICTS

In order to carry out the purpose and intent of these Zoning Regulations and this LDC, the City of Keene is divided into the zoning districts in Table 2-1.

2.4 ZONING MAP

2.4.1 Official Zoning Map

The location and boundaries of zoning districts established in these Zoning Regulations are shown and maintained upon the map entitled "1977 Amended Zoning Map of the City of Keene," as may be amended, filed in the office of the City of Keene Clerk. This map, including all the boundary lines and designations thereon, is hereby made a part of these Zoning Regulations and this LDC, and may be referred to as the "Zoning Map."

Table 2-1: City of Keene Zoning Districts

Residential Districts		
R	Rural	Sec. 3.1
RP	Residential Preservation	Sec. 3.2
LD	Low Density	Sec. 3.3
LD-1	Low Density 1	Sec. 3.4
MD	Medium Density	Sec. 3.5
HD	High Density	Sec. 3.6
HD-1	High Density 1	Sec. 3.7
Downtown Districts		
DT-C	Downtown Core	Sec. 4.2
DT-G	Downtown Growth	Sec. 4.3
DT-L	Downtown Limited	Sec. 4.4
DT-E	Downtown Edge	Sec. 4.5
DT-T	Downtown Transition	Sec. 4.6
DT-I	Downtown Institutional Campus	Sec. 4.7
Commercial Districts		
COM	Commerce	Sec. 5.1
CL	Commerce Limited	Sec. 5.2
NB	Neighborhood Business	Sec. 5.3
BGR	Business, Growth & Reuse	Sec. 5.4
O	Office	Sec. 5.5
Industrial Districts		
CP	Corporate Park	Sec. 6.1
I	Industrial	Sec. 6.2
IP	Industrial Park	Sec. 6.3
Special Purpose Districts		
HC	Health Care	Sec. 7.1
A	Agriculture	Sec. 7.2
C	Conservation	Sec. 7.3

TABLE 8-1: PERMITTED PRINCIPAL USES BY ZONING DISTRICT

P = Permitted P¹ = Permitted with limitations per Article 8 SE = Permitted by Special Exception CUP = Permitted by Conditional Use Permit CRD = Permitted by Conservation Residential Development - = Not Permitted

Use Definition & Standards Section #

RESIDENTIAL USES	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Dwelling, Above Ground Floor	CUP	CUP	CUP	CUP	P	P	P	P	P	P	P	P	P	-	-	P	P	P	-	-	-	-	P	-	8.3.1.A
Dwelling, Manufactured Housing	P ¹	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8.3.1.B
Dwelling, Multifamily	CRD	-	CRD, CUP	CRD, CUP	P ¹	P	P	P ¹	P P ¹	P	P	P	-	P ¹	-	P	P	P	-	-	-	-	-	-	8.3.1.C
Dwelling, Single-Family	P	P	P	P	P	P	P	-	-	-	-	P	-	-	-	-	P	P	-	-	-	-	P	-	8.3.1.D
Dwelling, Two-Family / Duplex	CRD, CUP	CUP	CRD, CUP	CRD, CUP	P	P	P	-	-	P	P	P	-	-	-	-	P	P	-	-	-	-	SE	-	8.3.1.E
Manufactured Housing Park	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8.3.1.F
COMMERCIAL USES	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Agricultural-Related Educational & Recreational Activity as a Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P ¹	-	8.3.2.A
Animal Care Facility	P	-	-	-	-	-	-	-	P	P	P	-	-	P	P	-	-	-	-	-	-	-	P	-	8.3.2.B
Art Gallery	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	-	-	-	-	-	-	-	8.3.2.C
Art or Fitness Studio	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	-	-	P	-	-	-	-	8.3.2.D
Banking or Lending Institution	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	-	P	-	-	-	-	-	-	-	8.3.2.E
Bar	-	-	-	-	-	-	-	P	P	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2.F
Bed and Breakfast	SE	SE	-	-	-	SE	SE	-	-	-	-	P ¹	-	-	-	P ¹	SE	P ¹	-	-	-	-	SE	-	8.3.2.G
Car Wash	-	-	-	-	-	-	-	-	-	SE	-	-	-	P	P	-	-	-	-	P	-	-	-	-	8.3.2.H
Clinic	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	-	-	-	-	-	-	P	-	-	8.3.2.I
Event Venue	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-	-	-	-	-	-	-	SE	-	8.3.2.J
Funeral Home	-	-	-	-	-	-	-	-	P	P	P	P	-	P	P	-	P	P	-	-	-	-	-	-	8.3.2.K
Greenhouse / Nursery	P	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	P	-	-	P	-	8.3.2.L
Health Center / Gym	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	-	-	-	P	-	P	-	-	8.3.2.M
Heavy Rental & Service Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	8.3.2.N
Hotel/Motel	-	-	-	-	-	-	-	P	P	-	-	-	P	P	-	-	-	-	-	-	-	-	-	-	8.3.2.O
Kennel	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	8.3.2.P
Micro-Brewery/Micro-Distillery/Micro-Winery	-	-	-	-	-	-	-	P	P	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2.Q-S
Motor Vehicle Dealership	-	-	-	-	-	-	-	-	-	P	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2.T
Neighborhood Grocery Store	CUP	CUP	CUP	CUP	CUP	SE, CUP	CUP	P	P	P	P	-	-	P	-	P	P	-	-	-	-	-	-	-	8.3.2.U
Office	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	P	P	P	P	P	P ¹	P ¹	P	P ¹	SE	SE	P	-	-	8.3.2.V
Personal Service Establishment	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	-	-	-	-	P	-	-	8.3.2.W
Private Club / Lodge	-	-	-	-	-	-	-	P	P	P	P	SE	-	P	P	-	-	SE	-	-	-	-	-	-	8.3.2.X
Recreation/Entertainment Facility - Indoor	-	-	-	-	-	-	-	P	P	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-	8.3.2.Y
Recreation/Entertainment Facility - Outdoor	-	-	-	-	-	-	-	-	P	-	-	-	P	P	P	-	-	-	-	-	-	-	SE	-	8.3.2.Z
Research and Development	-	-	-	-	-	-	-	SE	P	-	-	-	P	P	P	P	-	-	P	P	P	P	-	-	8.3.2.AA
Restaurant	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	P	-	P	P	P	P ¹	P ¹	-	-	-	-	-	-	-	8.3.2.AB
Retail Establishment, Heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2.AC
Retail Establishment, Light	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	P	-	P	P	P	-	P ¹	-	-	-	-	P	-	-	8.3.2.AD
Self Storage Facility - Exterior Access	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	P	-	-	-	-	8.3.2.AE
Self Storage Facility - Interior Access	-	-	-	-	-	-	-	-	SE	P	-	-	-	P	P	-	-	-	-	P	-	-	-	-	8.3.2.AF
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	P ¹	-	-	-	-	-	-	-	-	-	-	8.3.2.AG

TABLE 8-1: PERMITTED PRINCIPAL USES BY ZONING DISTRICT

P = Permitted P¹ = Permitted with limitations per Article 8 SE = Permitted by Special Exception CUP = Permitted by Conditional Use Permit CRD = Permitted by Conservation Residential Development - = Not Permitted

Use Definition & Standards Section #

	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Specialty Food Service	-	-	-	-	-	-	-	P	P	P	P	-	P	P	P	P	P	-	-	-	-	-	-	-	8.3.2.AH
Vehicle Fueling Station	-	-	-	-	-	-	-	-	-	-	-	-	-	P ¹	P ¹	-	-	-	-	-	-	-	-	-	8.3.2.AI
Vehicle Rental Service	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-	-	-	-	-	8.3.2.AJ
Vehicle Repair Facility – Major	-	-	-	-	-	-	-	-	-	-	-	-	-	P ¹	P ¹	-	-	-	-	P ¹	-	-	-	-	8.3.2.AK
Vehicle Repair Facility – Minor	-	-	-	-	-	-	-	-	P ¹	P ¹	-	-	-	P ¹	P ¹	-	-	-	-	P ¹	-	-	-	-	8.3.2.AL
INSTITUTIONAL USES (See Article 8.2 for additional use locations)	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Community Center	-	-	-	-	-	-	-	P ¹	P ¹	P ¹	P ¹	SE	P ¹	P ¹	-	SE	-	SE	-	-	-	-	-	-	8.3.3.A
Cultural Facility	-	-	-	-	-	-	-	P ¹	P ¹	P ¹	P ¹	SE	P ¹	P ¹	-	P ¹	-	SE	-	-	-	-	-	-	8.3.3.B
Day Care Center	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	SE	SE	P	P	P	P	SE	SE	P	SE	P	P	-	-	8.3.3.C
Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P ¹	-	-	8.3.3.D
Place of Worship	-	-	-	-	-	-	-	P ¹	P ¹	P ¹	P ¹	-	P ¹	P ¹	-	-	-	-	-	-	-	-	-	-	8.3.3.E
Private School	-	-	-	-	-	-	-	P ¹	P ¹	P ¹	-	-	P ¹	P ¹	-	P ¹	-	-	-	-	-	-	-	-	8.3.3.F
Senior Center	-	-	-	-	-	SE	-	P ¹	P ¹	P ¹	P ¹	SE	-	P ¹	-	SE	-	SE	-	-	-	-	-	-	8.3.3.G
CONGREGATE LIVING & SOCIAL SERVICE USES	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Domestic Violence Shelter	-	-	-	-	P ¹	P ¹	-	P ¹	P ¹	P ¹	P ¹	-	-	P ¹	-	-	-	-	-	-	-	-	-	-	8.3.4.A
Drug Treatment Clinic	-	-	-	-	-	-	-	-	CUP	-	-	-	-	CUP	-	-	-	-	-	-	-	CUP	-	-	8.3.4.B
Fraternity/Sorority	-	-	-	-	-	-	-	-	-	-	-	-	CUP	-	-	-	-	-	-	-	-	-	-	-	8.3.4.C
Food Pantry	-	-	-	-	-	-	-	P	P	P	P	-	-	P	-	-	-	-	-	-	-	-	-	-	8.3.4.D
Group Home, Large	-	-	-	-	-	CUP	CUP	CUP	CUP	-	CUP	-	-	-	-	-	-	-	-	-	-	-	-	-	8.3.4.E
Group Home, Small	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	CUP	CUP	-	-	-	-	CUP	CUP	-	-	-	-	-	-	8.3.4.F
Group Resource Center	-	-	-	-	-	-	-	CUP	CUP	CUP	CUP	-	CUP	CUP	-	-	-	-	-	-	-	CUP	-	-	8.3.4.G
Homeless Shelter	-	-	-	-	-	-	-	-	CUP	-	-	-	-	CUP	-	-	-	-	-	-	-	-	-	-	8.3.4.H
Lodginghouse	-	-	-	-	-	CUP	-	CUP	CUP	CUP	CUP	-	-	CUP	-	-	-	-	-	-	-	-	-	-	8.3.4.I
Residential Care Facility	-	-	-	-	-	CUP	CUP	CUP	CUP	CUP	CUP	-	-	CUP	-	CUP	CUP	-	-	-	-	CUP	-	-	8.3.4.J
Residential Drug/Alcohol Treatment Facility	-	-	-	-	-	-	-	-	CUP	-	CUP	-	-	CUP	-	-	-	-	-	-	-	CUP	-	-	8.3.4.K
INDUSTRIAL USES	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Artisanal Production	-	-	-	-	-	-	-	P ¹	P ¹	P ¹	SE	-	P ¹	P ¹	P ¹	P ¹	-	-	-	P	-	-	-	-	8.3.5.A
Bulk storage & distribution of goods, including flammable material	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	8.3.5.B
Bulk storage & distribution, excluding flammable material	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	P	-	-	-	-	8.3.5.B
Data Center	-	-	-	-	-	-	-	-	P	P	-	-	-	P	P	P	-	-	P	P	P	-	-	-	8.3.5.C
Industrial, Heavy	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	8.3.5.D
Industrial, Light	-	-	-	-	-	-	-	-	SE	-	-	-	-	SE	SE	P ¹	-	-	P	P	P	-	-	-	8.3.5.E
Outdoor Storage Yard	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	P	-	-	-	-	8.3.5.F
Warehouse & Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P ¹	-	-	P	P	-	-	-	-	8.3.5.G
Wholesale	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P ¹	-	-	-	P	-	-	-	-	8.3.5.H
OPEN SPACE USES	R	RP	LD	LD-1	MD	HD	HD-1	DT-C	DT-G	DT-E	DT-L	DT-T	DT-I	COM	CL	BGR	NB	O	CP	I	IP	HC	A	C	
Cemetery	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	8.3.6.A
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	P	-	-	-	-	-	P	-	8.3.6.B
Conservation Area	P	P	P	P	P	P	P	-	-	-	-	-	-	P	P	P	P	-	-	P	P	P	P	P	8.3.6.C
Farming	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	8.3.6.D
Golf Course	P ¹	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P ¹	-	8.3.6.E



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: February 15, 2024
To: Mayor and Keene City Council
From: Natalie Darcy, Human Services Manager
Through: Elizabeth Dragon, City Manager
Subject: **Relating to the Appropriation and Use of Fund Balance for the FY2024 Finance Department Budget Shortfall Resolution R-2024-05**

Recommendation:

That R-2024-05 relating to an appropriation of funds and use of unassigned fund balance for the FY 2024 Finance Department Human Services Division operating budget have a first reading in front of the City Council and that it be referred to the Finance, Organization, and Personnel Committee.

Attachments:

1. Resolution R-2024-05

Background:

The Human Services General Assistance Rentals operating budget line items is projected to be over expended by \$900,000 at the end of FYF 2024 due to the increased demand for shelter assistance.

Historically, Human Services referred all persons presenting as homeless, to area shelters at little to no cost to the city. Hotel accommodation was not an option as area shelters had the capacity to help those in need. Housing options were plentiful with area landlords reaching out to Human Services with apartment vacancy looking for tenant at an affordable rent. It wasn't until 2018, when Human Services found a need to use hotel accommodations however, it was only in rare and extenuating circumstances that presented challenges to housing, as in once case a large family size. Only a few hotel rooms that were needed had little impact on the Human Services operating budget.

In 2020 the Covid-19 era began. Federal monies were made available to families (NH Emergency Rental Assistance Program), providing assistance to families for rent and utilities payments throughout the Covid emergency for up to the next 18 months. These federal funds paid for families to stay in their apartments or area hotels without restrictions or expectations of the recipient to plan and save for future rent payments. Complicating this was a rental moratorium in place forbidding landlords from evicting tenants for non-payment of rent. When the programs ended, those that did not plan and save accordingly, were now without a means to pay for shelter turning to the city for assistance. In addition, in 2022, those living in homeless encampments in the woods, were asked to vacate and to contact the City of Keene's Human Services office.

With shelters at max capacity and the city legally obligated by state statute to provide shelter for those in need, hotels were used as a means of shelter to house the homeless. In addition to a dramatic increase in homelessness, area landlord began drastically increasing rents, making apartments unaffordable to area low-income families. When ERAP funding ended, the rental moratorium also ended, and the evictions began and turned to the City of Keene Human Services for assistance. This rush inundated shelter resources and hotels absorbed the overflow. It was during FY 2023 that the city saw the demand for assistance impact the rental assistance line by a shortfall of \$233,021, however, the Finance Department operating budget was able to absorb the line-item overage caused by the increase in assistance and cost associated with hotels and increase in rents.

FY 2024 has seen much of the same since July 1. Human Services sees a daily stream of people seeking rent and homeless assistance. Making use of a variety of area hotels, there is an average of 23 rooms housing individuals and families as area shelters are all at capacity and have been for some time. It is difficult to place people in new apartments when landlords have created an expectation that tenant will need earning of 3 times the rental rate to apply and to reside in units. The increase in back rent applications and dollar amounts have increased as tenants are now seeking assistance for 2 and 3 months of back rent to avoid evictions. It is a delicate balancing act between assisting for back rent or paying for shelter, which may come at a higher cost to the city.

Overall, a combination of high rents, lack of affordable housing, increase in outside agencies referrals to Human Services, homeless encampment removals, and increase in people moving to the City of Keene from out of state have all contributed to this financial crisis.

Human Services has a General Rental Assistance budget of \$300,000.00. We have surpassed this amount and are currently over budget by \$442,520 and averaging \$100,000 a month just in housing assistance. With 5 months remaining in this fiscal year, it is anticipated that by fiscal year end this amount will be \$900,000.

State of New Hampshire RSA 165-Aid to Assisted Persons places a local responsibility to assist. As stated in 165:1 Who Entitled; Local Responsibility; - I. "Whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of public welfare of such town, whether or not he has resided there. For the purposes of this chapter the term 'residence' shall have the same definition as in RSA 21-6A."



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Four

A RESOLUTION Relating to an Appropriation of Funds and Use of Unassigned Fund Balance in the amount of nine-hundred thousand dollars (\$900,000) for the FY 2024 Finance Department Operating Budget

Resolved by the City Council of the City of Keene, as follows:

WHEREAS: Resolution R-2023-33 Relating to Fiscal Policies states all departments are authorized to vary actual departmental spending from line-item estimates provided the total departmental budget is not exceeded within each fund; provided however, that any item specifically eliminated by the City Council during budget approval cannot be purchased from another line item without City Council approval; and

WHEREAS: The Human Services office is a division of the Finance Department; and

WHEREAS: The budget of the Finance Department has a budgetary shortfall due to increase in demand for shelter assistance; and

WHEREAS: New Hampshire RSA 165:1 Who Entitled; Local Responsibility - I. “Whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of public welfare of such town, where or not he has residence there. For the purposes of this chapter the term ‘residence’ shall have the same definition as in RSA 21:6-a;”;
and

WHEREAS: New Hampshire RSA 165;1-a Assisted Person Defined; Local Responsibility. – “Any person in a town or city who is poor and unable to support himself shall be known as a town or city assisted person, and shall be relieved and maintained at the expense of the town or city of residence”:

NOW, THEREFORE, BE IT RESOLVED by the City Council that funds from the general fund unassigned fund balance be appropriated to General Assistance Rentals Operating budget line totaling \$900,000.

Jay V. Kahn, Mayor