



City of Keene
New Hampshire

**PLANNING, LICENSES AND
DEVELOPMENT COMMITTEE
AGENDA
Council Chambers A
July 12, 2017
7:00 PM**

David C. Richards
Philip M. Jones
George S. Hansel
Robert B. Sutherland
Bartlomiej K. Sapeta

-
1. Kevin Dremel - Request to Use City Property - Keene Music Festival
 2. Peg Bruce/Kiwanis Club of Keene - Requesting Permission to Decorate Light Poles on the Center Median of Main Street
 3. Ron Robbins/Keenesnoriders - Request to Use City Property
 4. Land Use Code Update Phase II - Planning Board/Planning, Licenses and Development Committee

MORE TIME ITEMS:

- A. Request to Use City Property for the Fall Festival - Mayor Lane
- B. Request for Lodging House License - 85 Winchester Street
- C. Tim Zinn - Let It Shine - Request to Use City Property - "Keene Pumpkin Festival Brought to You by the Children of SAU 29"

Non Public Session
Adjournment



City of Keene, N.H.
Transmittal Form

July 3, 2017

TO: Mayor and Keene City Council

FROM: Kevin Dremel

THROUGH: Patricia A. Little, City Clerk

ITEM: 1.

SUBJECT: Kevin Dremel - Request to Use City Property - Keene Music Festival

COUNCIL ACTION:

In City Council July 6, 2017

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication - Dremel

BACKGROUND:

Mr. Dremel is requesting use of City property for the 17th annual Keene Music Festival. The festival will be held on September 2, 2017. The Music Festival has been designated as a "community event."

In City Council July 6, 2017.
Referred to the Planning, Licenses
and Development Committee.


City Clerk



RECEIVED
CITY OF KEENE

JUN 15 2017

OFFICE OF
CITY CLERK

63 Emerald St, #363

Keene, NH 03431

<http://www.keenemusicfestival.org>

June 15, 2017

The Honorable Mayor and City Council
Keene City Hall
3 Washington Street
Keene, NH 03431

Re: 17th Annual Keene Music Festival

The Keene Music Festival, in association with the Keene Downtown Group wishes to sponsor the 17th Annual Keene Music Festival on Saturday, September 2nd, 2017. The scheduled hours for performances and other activities are 9:00 AM until 10:30 AM.

As with the fourteen previous events, we are seeking permission to use the common area and bandstand in Central Square, Railroad Square and those sections of the following sidewalks that are located within the Downtown area: Main Street, Washington Street, Lamson Street and Gilbo Avenue. Musicians, merchants and city permitted restaurants will use the sidewalks. In no instance will a sidewalk be blocked in a manner that restricts pedestrian traffic. In addition to these locations, City Tire Company (124 Main Street), Lindy's Diner, as well as other possible downtown businesses, will also be designated as performance venues. We would like to request and reserve the use of parking metered spaces #'s 164, 166, 168, 170, 172, and 174 on Main Street in front of the City Tire Company. The Main Street metered spaces are being requested to serve as a staging area to allow the sound crew to prepare equipment to be set up in the City Tire Company parking lot; and could be opened for use later in the day.

While we do not request that Railroad Street, from Main Street to the parking garage, be officially closed, we are asking that the Public Works Department please provide us with adequate barriers for that eventuality. If the Keene Police Department determines that

there is a safety issue, we will close the street with the barricades. We are also requesting to place a stage at Lamson Street; in the area between Main Street and the sidewalk. We would request access to portable safety barriers to place at the entrance to Lamson Street to serve as a buffer between Main Street and the performers. The performance area would be designed to fit within the area between Main Street and the sidewalk adjacent to Lamson Street.

As with prior years, and in a manner consistent with community event protocol, we ask that the City please give due consideration to absorbing any additional cost of Police Officers and Fire Department Medical Personnel for the day. We are requesting that Police and Fire Department Personnel be detailed to the event between the hours of 11:00 AM and 10:30 PM.

As required, we will provide a \$1Milion certificate of insurance to the City, and work closely with City staff to ensure that this is a safe and enjoyable event.

Our previous Music Festivals have always been a great success. There have been no public issues; the performances have been amazing, and the crowds' orderly. As in previous years, Keene Music Festival does not consider or accept outside vendor applications. We prefer to encourage our guests to explore local businesses and shops as they enjoy the music. Events such as this add to the vibrancy of our Downtown area and the City in general and help Keene to be the exceptional place that it is. We thank you in advance for your continued consideration and support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin M. Dremel', with a long, sweeping flourish extending upwards and to the right.

Kevin M. Dremel
Music Festival Director



City of Keene, N.H.
Transmittal Form

June 27, 2017

TO: Mayor and Keene City Council

FROM: Peg Bruce, Keene Kiwanis Club

THROUGH: Patricia A. Little, City Clerk

ITEM: 2.

SUBJECT: Peg Bruce/Kiwanis Club of Keene - Requesting Permission to Decorate Light Poles on the Center Median of Main Street

COUNCIL ACTION:

In City Council July 6, 2017

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Kiwanis Communication

BACKGROUND:

The Kiwanis Club is requesting permission to decorate the light poles on the center median of Main Street. The lights would be installed from mid-October until early April.



Kiwaniis[®]

CLUB OF KEENE

In City Council July 6, 2017.

Referred to the Planning, Licenses and Development Committee.

Patricia Cottle
City Clerk

63 Emerald Street
PMB 451
Keene, NH 03431
keenekiwanis.org

June 19, 2017

Mayor Lane and the Keene City Council
3 Washington Street
Keene, NH 03431

OFFICERS:

Paul Bothwell
President

Dave Ganio
Vice President

Peg Bruce
Past President

Janet Genatt
Treasurer

Sue Farrell
Co-Treasurer

Peg Bruce
Secretary

Phyllis Custer
Co-Secretary

DIRECTORS:

Carl Allen

Phyllis Custer

James Faux

Pamela Little

Eli Rivera

Arthur Trombly

PAST PRESIDENTS:

Peg Bruce 2015-16

David Ganio 2014-15

Beth Healy 2013-14

Gary Grashow 2012-13

Carl Allen 2011-12

Michael Haines 2010-11

Jodi Turner 2009-10

Judy Kalich 2008-09

Art Trombly 2007-08

Michael Ward 2005-07

Re: Decorating the light poles on the center median of Main Street

Dear Mayor Lane and the Keene City Council:

The Keene Kiwanis Club requests a license to once again decorate the light poles on Main Street starting at the flagpole and ending with the light pole on the south side of the roundabout at the intersection of Marlboro Street and Winchester Street.

We are separating this decorating from the other decorations we put up with the Tree Lighting event. The Club would like to have the lights stay on the poles longer than the Holiday season. We have received comments that they should stay on year round. However, when I discussed this with Kurt Bloomquist of the Public Works Department, he made me aware that having lights on year round in the past was not well accepted by all of the residents of Keene.

Our request at this time would be to put these lights up the middle of October and then take them down the beginning of April which would roughly line up with when we change the clocks and would let us do it during better weather.

This will be the third year we are decorating the light poles. It is the first time we are asking to have it considered on its own merit. We appreciate the Mayor and the Council members considering our request.

Feel free to contact me should there be any questions as I will once again be involved in doing this decorating. I can be reached at 603-762-7276 or at

Sincerely,

Peg Bruce

Peg Bruce, Secretary
Kiwaniis Club of Keene

603-762-7276



External Communication
Transmittal Form

July 10, 2017

TO: Planning, Licenses and Development Committee

FROM: Rob Robbins/Trail Administrator for Keene Snoriders

THROUGH: Patricia A. Little, City Clerk

ITEM: 3.

SUBJECT: Ron Robbins/Keenesnoriders - Request to Use City Property

ATTACHMENTS:

Description

Communication - Snoriders

BACKGROUND:

The Keenesnoriders are submitting their annual request for use of City rights-of-way for snowmobile use. The right-of-way is along Krif Road from the Ashuelot Rail Trail to Winchester Street, crossing Winchester Street to the property of Perry Kiritsy at 471 Winchester Street. The time frame would run from December 15, 2017 through March 30, 2018.



KEENESNORIDERS
PO BOX 1511
KEENE NH 03431

June 27, 2017

To the Mayor and City Council:

The KeeneSnoRiders Snowmobile club is seeking renewal for permission to run snowmobiles in the right of way along Krif Road from the Ashuelot Rail Trail to Winchester Street, crossing Winchester Street to the property of Perry Kiritsy at 471 Winchester Street. The time frame would run from December 15TH 2017 through March 30th 2018 snow permitting.

We currently have permission from the following property owners:

Emile J. Ledger 460 Winchester Street	Tax Map: 84-02-001
Kiritsy LLC. 471 Winchester Street	Tax Map: 911-26-043
Emile Bergeron OFF Base Hill	Tax Map: 911-26-055
State of NH	Tax Map: 911

We are asking renewals of license for permission to cross the following City of Keene properties:

Access to portion of Old Gilsum Rd. approximate one mile to Gilsum town line.
Crossing of Winchester St. at Krif Road
Crossing of Production Avenue approximately 200 ft. South of Route 9
Tax Map: 909-05-012 Off Route 10 by three mile reservoir
Tax Map: 911-26-015 Off Wetmore Street
Tax Map: 909-03-210 See Note Below

This is 50 feet of Keene property Tax Map 909-03-210000 to access onto power line from location were our trail groomer is located. We have been giving permission from Paul Gagnon from the Society for the Protection of New Hampshire Forests where he has stated that this is acceptable in regards to the easement on property. Contact him with any questions.

We are available to answer any concerns you may have.

Thank You,

Ron Robbins
Trail Administrator
603-209-1344



City of Keene, N.H.
Transmittal Form

June 29, 2017

TO: Mayor and Keene City Council

FROM: Tara Kessler, Planner

THROUGH: City Manager

ITEM: 4.

SUBJECT: Land Use Code Update Phase II - Planning Board/Planning, Licenses and Development Committee

COUNCIL ACTION:

In City Council July 6, 2017

Referred to the Planning, Licenses and Development Committee

RECOMMENDATION:

At the June 12, 2017 Joint Committee meeting, Mayor Kendall Lane made a motion that the City move forward with phase 2 of the Land Use Code Update including an RFQ for the creation of a Unified Development Ordinance and the development of a Form-Based Zoning District in the downtown. The motion was seconded by Councilor George Hansel and was unanimously approved.

BACKGROUND:

An excerpt from the minutes of the June 12, 2017 Joint Committee meeting related to the topic of the Land Use Code Update are included below.

“3. Land Use Code Update Phase 1 – Continued Discussion Planning Director Rhett Lamb and Planner Tara Kessler addressed the Committee. Ms. Kessler began by noting this project was one of the top implementation strategies of the Comprehensive Master Plan and in 2012 the City allocated \$200,000 in funding in its CIP for this effort. Last year about \$66,000 was expended to implement Phase 1.

Ms. Kessler stated there are three different options for pursuing Phase 2 of the Land Use Code Update project:

1. At a minimum the City could conduct an update of the regulations to address any inconsistencies. At the last meeting, the Committee discussed how this option would not address the goals of this project, which include creating a more user friendly and business friendly environment and streamlining the regulatory process.
2. Creation of a Unified Development Ordinance (UDO)
3. Creation of a UDO and the development of Form-Based Zoning for the Downtown

Ms. Kessler stated at last month’s meeting staff did not provide cost estimates for the proposed strategies. Since this meeting, staff has reached out to Planning Firms to solicit cost estimates on a draft Scope of Work for Phase II that involves the formation of a UDO and Form Based Zoning. She indicated that staff feel Option 3 could be pursued with the funding the City has available for this project. One estimate came back at

about \$160,000. Staff feel a potential scope of work could be negotiated that would be within the limits of funding the City has available. Another estimate came in at about \$300,000. However, the firm that has submitted this estimate does not have experience developing UDOs. The firm which sent in the lower estimate is nationally known, they have done Unified Development Ordinances and Form-Based Codes for number of cities.

Ms. Kessler stated at last month's meeting there was consensus that a UDO or an approach similar to developing a UDO best meets the goals set out for this project. The question on the table is whether Form-Based Zoning should be taken on or not.

Chair Jones asked if by choosing Option 3 there are any services the City might be missing out on. Ms. Kessler noted that Option 3 contains most of the services that we have discussed as options to date. The Chairman asked whether the recommendation from the Committee today would go to Council. Ms. Kessler agreed but added the Committee is yet to decide which option they would like to recommend City Council move forward on. Mr. Lamb added that with the proposed motion the Committee will be confirming the City will be moving forward with a UDO plus a Form-Based Code. This will give staff the opportunity to finalize an RFQ and bring the contracting services at whatever level that is permitted.

Mayor Lane noted City Council has already approved this project when they approved the CIP and felt the process was beyond Council at this point. The Mayor felt the next step would be for him to appoint a Committee for Phase 2 assuming the Planning Board decides to go forward with Phase 2. The Mayor asked whether or not the funding was approved over a two year period with funding to happen in each year. Mr. Lamb stated \$200,000 was available in 2012 over a two year period. He added the plan is to assign, in the RFQ, some of the scope of work back to staff so that the estimate could be reduced to go along with the available funds. Mayor Lane cautioned staff to keep in mind the other tasks staff has to take on as well as there being a limit as to what staff can do. Mr. Lamb agreed and added this has been built into their program for the next 18 months and they are anticipating doing much of this work.

Councilor Hansel stated one of the aspects he raised last month was Form-Based Code being implemented downtown but there was no determination what that downtown area was going to be. Perhaps expanding it to an area where there was going to be more development pressure in the short-term so the effects of implementing Form-Based Code in the short-term could be seen. He asked whether staff had given any thought to this. Ms. Kessler stated there is an effort happening right now to define the downtown with a consultant and at the present time the boundaries extend past the Central Business District. Determination of this work would make sense for Phase 2. Councilor Hansel stated what he was looking for was perhaps extending into Marlboro Street and including this area as part of the Form-Base Code. Mr. Lamb stated as the RFQ is being drafted, the City can be more precise as to what it is looking for.

Mayor Lane stated the definition of downtown the City is currently looking at extends between Island Street on the west and Carpenter Field on the east and extending north to Mechanic Street and south to the bypass. Mr. Lamb felt this was a definable planning area and is similar to the primary growth area established for the purposes of the Comprehensive Master Plan.

Vice-Chair Barrett asked whether there was a definition of downtown given to the consultant to obtain cost estimates. Ms. Kessler referred to Task 3B.1. where it talks about working in consultation with City staff and Advisory Committee to determine the geographic extent of the downtown rezoning effort.

Mr. Stout asked whether there was a big difference in price between the two parties that submitted the bids. Ms. Kessler stated the one who provided the \$163,000 estimate has much more experience in developing UDOs and the \$300,000 estimate firm has more experience in Form-Based Zoning. Both have experience in Form-Based Zoning but one has more experience in UDO. Mr. Lamb added the higher bidder does not have experience writing a UDO. Ms. Kessler also noted developing a UDO and Form-Based Zoning is an

integrated strategy and it would be much more expensive to take on Form-Based Zoning as a separate piece rather than integrating it into the UDO.

Mr. Lamb stated the key question is whether to pursue Form-Based Zoning or not. The language is new around a Form-Based Code or Character Based Code. This is still zoning but adds an element that traditional zoning does not. He indicated staff is comfortable with the idea and feel applying it to the downtown would be the best location at the moment.

Chair Jones stated this would be the time in the meeting to open the session up for public comment but there was no public present today. Mr. Lamb stated before any ordinances are written or the City Code is changed there will be public participation.

A motion was made by Mayor Kendall Lane that the City move forward with phase 2 of the Land Use Code Update including an RFQ for the creation of a Unified Development Ordinance and the development of a Form-Based Zoning District in the downtown. The motion was seconded by Councilor George Hansel.

The Chair noted this is a vote of both bodies.

Councilor Sapeta clarified that Task 1 would be the UDO and Task 2 would be adding on Form-Based Zoning. Ms. Kessler stated during Phase 1 of this project one of the tasks was to look at the existing regulations. In Phase 2 the work done in Phase 1 will be revisited but they will go “deeper” than the review conducted in Phase 1.

The Councilor clarified that tasks 1 through 3 of the draft Scope of Work will be completed as one package. Ms. Kessler agreed they would be.

With nothing further, the motion made by the Mayor carried on a unanimous vote.”

For more information on previous discussions held by the Joint Committee on this topic prior to the June 12th meeting please review the minutes from the following meeting dates:

-February 13, 2017

-March 13, 2017

-April 10, 2017

-May 2, 2017

These minutes are available at: <https://ci.keene.nh.us/joint-planning-board-planning-licenses-and-development-committee>