



KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
April 19, 2018  
7:00 PM

Roll Call  
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- April 5, 2018

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

**B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS**

1. Confirmation  
Planning Board

**C. COMMUNICATIONS**

1. Peter Poanessa - Resignation - Historic District Commission
2. Councilor Greenwald - Conflict of Interest - Shana Davis - Hot Hogs
3. Monadnock Interfaith Project - Request for a Welcome Center with Public Toilets

**D. REPORTS - COUNCIL COMMITTEES**

1. Update-Public Arts Guidelines and Procedure-Parks, Recreation and Facilities Department
2. Janis Manwaring/Pathways for Keene - Request to Use City Property - 4 on the 4th
3. Shana Davis - Request to Display Banner Signs - Food Truck
4. New England Aerobatic Club - Request to Use City Property - Dillant Hopkins Airport
5. Acceptance of Donation - Sumner Knight Chapel - Parks, Recreation and Facilities Department
6. Sponsorship Update - Banner Placement at Wheelock Park - Parks, Recreation and Facilities Department
7. Acceptance of Donation - Monadnock Squares - Parks, Recreation and Facilities Department
8. Acceptance of Donation - Friends of Open Space in Keene - Parks, Recreation and Facilities Department
9. Advanced Life Support Intercept Transport Agreements - Fire Department
10. Life Insurance and Long-Term Disability Insurance - Human Resources Department

**E. REPORTS - CITY OFFICERS AND DEPARTMENTS**

1. CITY MANAGER COMMENTS

**F. REPORTS - BOARDS AND COMMISSIONS**

1. Sign Regulations for the Business Growth and Re-Use, Neighborhood Business, and Residential Preservation Zoning Districts - Ordinance O-2018-02-A

**G. REPORTS - MORE TIME**

1. Skate Park Update-Parks, Recreation and Facilities Department
2. The Future of the Wheelock Park Campground-Parks, Recreation and Facilities Department
3. Keene Swampbats - Request to Discharge Fireworks
4. First Light Fiber - Request to Install Conduit on City Right-of-Way

**H. ORDINANCES FOR FIRST READING**

1. Relating to Specific Street Regulations  
Ordinance O-2018-06

**I. ORDINANCES FOR SECOND READING**

**J. RESOLUTIONS**

1. USDA Rural Business Development Grant – IT Department  
Resolution R-2018-14

Non Public Session  
Adjournment

A regular meeting of the Keene City Council was held Thursday, April 5, 2018. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Thomas F. Powers, Terry M. Clark, Randy L. Filiault, Bartolmiej K. Sapeta, Margaret M. Rice, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Bettina A. Chadbourne, Stephen L. Hooper, Philip M. Jones, David C. Richards and Mitchell H. Greenwald were present. Councilor Greenwald led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the March 15, 2018 regular meeting was duly seconded. The motion passed with a unanimous vote in favor.

#### ANNOUNCEMENTS

The Mayor announced on Tuesday, April 17<sup>th</sup>, there will be a community forum to learn more about the Planning for the Future of Goose Pond. The community will be able to share input on how the forest could be managed into the future. The event starts at 6:30 PM at the Parks and Recreation Center. The Mayor announced the Planning Department will be holding an introductory workshop on planning and zoning concepts for all Councilors, Planning Board and Zoning Board of Adjustment members on Tuesday, May 1<sup>st</sup>. This will be an interactive workshop and staff hopes it will provide a better understanding of core concepts that will be discussed as the Land Use Code Update project. This training will start at 6:00 PM and will be held at The Hive at Hanna Grimes on Roxbury Street. The Mayor announced the City's operating budget meeting schedule. The first meeting is scheduled for Thursday, May 10<sup>th</sup> at 5:30 PM, the second meeting is scheduled for Monday, May 14<sup>th</sup> and the last on Tuesday, May 15<sup>th</sup>; both starting at 5:30 PM. Lastly, The Mayor announced the annual Fiscal Policy workshop will be on Tuesday, July 17<sup>th</sup> at 6:30 PM in Council Chambers.

#### PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT – 603 OPTX

Mayor Lane stated before opening the public hearing on the CDBG grant application for 603 OPTX, he would like to go over the process to be followed this evening.

The Mayor opened the first public hearing to address the proposed Community Development Block Grant application at 7:08 PM. The Notice of Hearing and Certificate of Publication were read. The Mayor went on to recognize Rebecca Bullock from Southwest Region Planning Commission to address the grant request.

Ms. Bullock identified herself as the Community Development Specialist with Southwest Region Planning Commission. She began with a brief overview of the CDBG program, followed by the specifics of this application. She continued that CDBG funds are available to municipalities for economic development, public facility and housing rehabilitation projects that primarily benefit low and moderate income persons. The City of Keene is eligible to receive up to \$500,000 per year for public facility or housing rehabilitation projects; up to \$500,000 per year for economic development projects; as well as up to \$500,000 per year in emergency funding. Feasibility study funds are also available for up to \$12,000. Ms. Bullock continued she has provided a handout describing the CDBG eligible activities, which includes the area HUD income limits.

Ms. Bullock continued that the proposed application to Community Development Finance Authority is for up to \$200,000 in CDBG funds. The CDBG would be sub-granted to Monadnock Economic Development Corporation which would loan the funds to 603 OPTX for costs related to business start-up including but not limited to equipment and capital and any other soft development related costs at the building located at 80 Krif Road in Keene. She continued this will create up to 10 new jobs of which at least seven would be filled with people from low to moderate income households. The total project cost is anticipated to exceed \$200,000 of new investment in Keene. The proposed project conforms to the City's housing and community development plan goal to assist new and existing businesses with obtaining financing to start up and /or expand, increasing the number of jobs available. Ms. Bullock went on to state that Jack Dugan from MEDC and representatives from 603 OPTX are present this evening to answer any questions and provide further details on the project.

The Mayor asked Jack Dugan to come forward. Mr. Dugan began by updating the Council on the CDBG grant application for the expansion of the Monadnock Food Co-op, which was just approved by the CDFA. He was pleased to report that project is moving forward full speed ahead. Mr. Dugan continued they are very excited about the project under discussion this evening as well. He continued we are all trying to find that next generation of folks to start up new businesses and grow businesses to create new jobs in Keene, and 603 OPTX exemplifies that. Together the two owners have about 50 years of experience in the industry. They have done a lot of due diligence on this start up and their business plan is very impressive. The intent is to apply for a \$200,000 block grant with the net proceeds of approximately \$173,000 after administrative and grant writing fees are deducted, to be loaned to 603 OPTX along with an additional loan from the MEDC revolving fund to equal a total of \$200,000 loaned to the company. They are also borrowing funds from a local bank and a lot of their own capital equity as well. This is quantified as an approximately \$800,000 project. Because they have also purchased a unit of Krif Road, the project is really worth almost \$1 million dollars.

The Mayor invited the representatives from 603 OPTX to come forward. Shawn Voisine of Keene and Stephen Polczwartek of Swanzey introduced themselves and spoke briefly about their experience in the optics industry.

Mayor Lane asked what exactly they do so people have an understanding of what they will be manufacturing. Mr. Voisine explained it is diamond turning of metals and crystals. The process involves using diamond tip tools to cut off axis mirrors in metals and in crystals. He added they will not be doing the coatings, but will use local vendors for that. Mr. Polczwartek added they will be making the optical surface which is a component to be used by itself or in an assembly. It can be used by the military or defense, or commercially across a number of different markets here in the United States.

The Mayor opened the floor to public comments and questions about the proposed CDBG project. There being none, the Mayor closed the public hearing for the proposed Community Development Block Grant application at 7:16 PM.

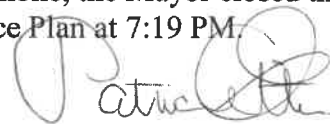
The Mayor opened the second public hearing for discussion of the Residential Anti-displacement and Relocation Assistance Plan at 7:17 PM and recognized Rebecca Bullock to address the

Council.

Ms. Bullock stated if any displacement takes place as a result of the proposed CDBG project the Uniform Relocation Act must be followed, which requires that any displaced household or business in a project using Federal funds must be found comparable housing or commercial space in a comparable neighborhood at a comparable price. Under the certification section of the application for CDBG funds, the City will certify that the Residential Anti-displacement and Relocation Assistance Plan is in place and in the event it is discovered this specific project does displace persons or households, a displacement and relocation plan must be submitted to CDFA prior to obligating or expending funds. At this time displacement is not anticipated for the proposed project.

The Mayor opened the floor to public comments and questions about the Residential Anti-displacement and Relocation Assistance Plan. There being none, the Mayor closed the public hearing for the Anti-displacement and Relocation Assistance Plan at 7:19 PM.

A true record, attest:

  
City Clerk

**ITEM CALLED FORWARD – ITEM D12 – FOP REPORT AND RESOLUTION R-2018-07-A: RELATING TO AN APPLICATION FOR CDBG FUNDS – 603 OPTX**

The Mayor called forward item D12 on this evening's agenda, a Finance, Organization and Personnel Committee report accepting as informational the presentation provided to them at their last meeting relative to the application for CDBG Funds for 603 OPTX. The report was filed as informational. The Mayor went on to call from Committee Resolution R-2018-07, and recognized Councilor Greenwald for a motion.

A motion by Councilor Greenwald to suspend Section 28 of the Rules of Order, to allow consideration of Resolution R-2018-07 on the same day as the associated public hearing was duly seconded. On a roll call vote, with 15 Councilors present and voting in favor, the Rules of Order were declared suspended. A motion by Councilor Greenwald for adoption of Resolution R-2018-07 was duly seconded. The motion passed with a unanimous vote in favor. Resolution R-2018-07 declared adopted.

**PRESENTATION – MAIN STREET/ROUTE 12 BRIDGE REPLACEMENT – PROJECT UPDATE**

The Mayor recognized City Engineer Don Lussier. With the aid of a PowerPoint presentation, Mr. Lussier provided an update on the upcoming Main Street/Route 12 Bridge Replacement Project. He explained that he will mostly discuss how this will impact traffic, but will also touch on the anticipated schedule to be followed and provide some background on what the City has been doing to make this process a little less painful for the public. This bridge is located on Main Street over Beaver Brook, a twin arch metal plate culvert. The metal arch underneath has significantly deteriorated. This is one of our red listed bridges in the City of Keene, and it is going to be replaced this summer.

Mr. Lussier continued by reviewing the traffic plan, stating that where this bridge is located is one of the busiest corridors in the City and this project is going to cause some traffic concerns. Because of this, a lot of effort was put into coming up with a traffic control plan that would allow people to get through the intersection and allow the work to be done without undue expense, while also trying to accommodate the businesses that will be affected by it as much as possible. One of the first things that will happen at the site is Martel Court will be blocked off by the project, and instead of coming in off of Martel Court, it will come in directly from Route 101 eastbound taking a right turn in using a temporary driveway access. Traffic exiting Martel Court will take a right turn to exit the temporary driveway. That will be set up before any of the actual traffic detours in the intersection are put in place.

Mr. Lussier continued once all of that is set up, the next step will be the phase one traffic control plan, which will entail all of the traffic shifting to the very western edge of the structure. We have enough room there for three lanes all together: two lanes heading northbound with a dedicated right turn lane for those wanting to get onto Route 101 towards Nashua, a lane that allows traffic to go straight and a lane for left hand turns onto Route 101 westbound. In the southbound direction, traffic will be reduced to one lane. During phase one, pedestrian access is going to be by a temporary bridge over the river adjacent to the existing bridge. This plan is actually a value engineering idea the contractor came up with that allows the work to be done in two phases instead of three. In this phase the work on the east side of the bridge will be completed. Mr. Lussier continued in phase two, traffic will be shifted onto the newly constructed east side of the bridge. There will be two lanes northbound, a dedicated right turn lane and one lane allowing through or left turn access, and one dedicated southbound lane. During this phase pedestrian access will be directed onto the new portion of the bridge just on the other side of the concrete barriers from the motor vehicle traffic.

Mr. Lussier went on to discuss the wayfinding plan. What it is showing are the ancillary signs that will be placed around the site to help traffic find their way through these new traffic patterns. As you are coming into the intersection there will be a variable message board on each major entry point giving motorists information about the construction ahead and direction on how to navigate the area as an advanced warning. These signs will be put out about three weeks ahead of the construction so people are aware and can think about alternate routes if they wish to avoid the area. He provided some details on the detour routes that will be put in place as well as the anticipated traffic patterns. He noted the message boards will go up on April 9<sup>th</sup>, and the equipment will be staged onsite on May 2<sup>nd</sup>. The bypass to access Martel Court will be started the same day. On May 14<sup>th</sup> the temporary traffic plan will be put in place with the construction beginning by the end of that week. The project is slated for completing by September 28<sup>th</sup>.

Mr. Lussier acknowledged this will be a difficult project and the Public Works Department is trying to get the word out early and let people know what they can do to make this a little easier. Public Works also held a meeting a couple years back as the project was contemplated and some of the feedback that was received was incorporated into the plan for this project. They also reached out to impacted businesses and have tried to keep them informed and this will continue as the City works through this process. They have also reached out to companies in Swanzey that may be impacted. A press release has been published as well and an article was written about the

project last spring. In addition, the City's Highway Superintendent will be speaking about it during a weekly radio segment. There will also be efforts with social media to inform the public. There will be wayfinding signage as previously mentioned. There may be jobsite cameras that will provide up to the minute images of the jobsite that can be shared online, but this still needs Department of Transportation approval.

The Mayor stated the alternative access to Martel Court seems like an improvement that might be nice to maintain. He went on to ask how traffic on Swanzey Factory Road will be controlled. Mr. Lussier said that there was some discussion about restricting access to Swanzey Factory Road; however there are some legal issues because the City does not control the southern end of this road. The DOT wasn't particularly interested in setting up traffic signals or a stop control at that location either. He continued they have determined that a flashing warning sign will be placed just west of the bridge before the blind corner, and it will display "traffic entering from right" to give motorists advanced warning that there is traffic coming into the roadway after the blind corner and bridge abutment. They do expect that some traffic will divert around the construction area using Swanzey Factory Road, and the hope is that sign will alert people to the increased traffic there.

Mayor Lane commented on the timeframe for construction of May to September, and went on to ask about the timing for the upcoming lower Winchester Street Bridge over Ash Swamp Project. Mr. Lussier stated the Winchester Street Bridge will be done in the summer of 2019. The Mayor added that Base Hill Road will need to be addressed prior to the Winchester Street Bridge so that is also a consideration. Mr. Lussier agreed.

Councilor Jones stated his recall was there were various culvert options presented for this project, and asked what option was ultimately chosen. Mr. Lussier answered the selected alternative is going to be a precast concrete twin box culvert which will improve the hydraulic opening as compared to what is there today by letting more water through. The Councilor went on to ask if the road surface will be elevated or flush with the existing road surface. Mr. Lussier stated it will stay at the same elevation as the road.

Mayor Lane stated that once you increase the ability for water to flow through the box culvert, the concern for flooding on Martel Court increases. Mr. Lussier agreed stating the consultant did have to do a hydraulic analysis as part of the project and what that revealed was that the flooding down Martel Court has more to do with the Ashuelot River elevation than with the flow through this culvert. The Mayor agreed and added that is why he has concerns because there is nowhere for the water to go.

Councilor Sapeta thanked staff for the comprehensive plan to make the disruption as minimal as possible. He went on to ask if there is anything in this plan to improve access to Martel Court, and has there been any consideration for installing a roundabout. Mr. Lussier stated there is nothing in this project that touches the Martel Court intersection. This is funded through the State Aid Bridge Program, and they pay 80 percent of the cost, but they are pretty strict about limiting the scope of work to just the bridge. We know that this intersection is a concern, but there is no immediate solution.

Councilor Greenwald asked Mr. Lussier to go over the wayfaring plan again as it relates to vehicles exiting Martel Court and their use of the Main Street roundabout to change direction. Mr. Lussier stated the detour using the roundabout is only for vehicles leaving Martel Court and wanting to go west on Route 101 because they will not be able to take a left hand turn out of the temporary access that will be established. They will go to the traffic light at Route 101/Main Street and go straight up to the Main/Marlboro/Winchester Street roundabout to reverse direction to get to the right hand turn to access Route 101 west. They could also use Optical Avenue.

Councilor Manwaring asked about vehicles coming south on Main Street wishing to access Martel Court. Mr. Lussier stated you would be directed to turn right onto Route 101 west and then to go to the roundabout and reverse direction.

Councilor Sutherland asked if there will be a dedicated turning lane for the temporary access to Martel Court stating he has concerns about the safety of this temporary entrance. Mr. Lussier stated vehicles coming in from the west will need to slow down, and they will have advanced warning with a variable message board as well as signage closer to the temporary access directing motorists where the turn is to access Martel Court. He went on to address the exiting traffic from Martel Court stating they will be entering a one-way flow of traffic and will not be crossing lanes. He stated they understand the concerns, but after considering multiple alternatives, this was found to be the one to manage the traffic. That said, they will be monitoring the situation and will make changes if needed.

Councilor Powers stated this will definitely create traffic issues, but people will adjust their routes accordingly. Local people will know and will plan accordingly.

The City Attorney referenced Swanzey Factory Road and asked if there will be two dedicated lanes for turning either right or left onto Route 101. Mr. Lussier said he would have to take a look at this, but thinks the road isn't wide enough to do that.

There being no further questions or comments, the Mayor thanked Mr. Lussier for the update on the project.

## CONFIRMATIONS

A motion was made by Councilor Greenwald and duly seconded to confirm the following nominations: Elizabeth Bendel to serve as a regular member of Airport Development and Marketing Committee with a term to expire December 31, 2018; Nathan Jacobs to serve as a regular member of Airport Development and Marketing Committee with a term to expire December 31, 2019; Eli Rivera to serve as a regular member of Juvenile Conference Committee with a term to expire December 31, 2020. On a roll call vote, with 15 Councilors present and voting in favor the nominations were confirmed.



NOMINATION

The following nomination was received from the Mayor: Fire Captain Michael Burke to serve as a regular member of Planning Board with a term to expire December 31, 2019. The nomination was tabled until the next regular meeting.

COMMUNICATION – LEE ROBATOR – RESIGNATION – KEENE HOUSING AUTHORITY

A communication was received from Lee Robator resigning from the Keene Housing Authority. A motion by Councilor Greenwald to accept the resignation with regret and appreciation of service was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – FREDERICK HAAP – RESIGNATION – AIRPORT MARKETING AND DEVELOPMENT COMMISSION

A communication was received from Frederick Haap resigning from the Airport Marketing and Development Commission. A motion by Councilor Greenwald to accept the resignation with regret and appreciation of service was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – DORRIE MASTEN/PEDRAZA'S MEXICAN RESTAURANT – REQUEST FOR REMOVAL OF PARKING KIOSKS – WEST SIDE OF CENTRAL SQUARE

A communication was received from Dorrie Masten, Pedraza's Mexican Restaurant, requesting the City to consider removing the parking kiosks along Central Square. The communication was referred to the City Manager to handle administratively.

COMMUNICATION – ROGER WEINREICH – REQUEST FOR TEMPORARY CLOSURE OF THE NORTH BOUND LANES OF MAIN STREET – BLOCK PARTY

A communication was received from Roger Weinreich of Good Fortune Jewelry requesting permission to close the north bound lanes of Main Street for a block party on Saturday, June 2 and Saturday, June 9. The communication was referred to the City Manager in order to get a better definition of the project before the request was referred to the Committee and protocol meetings scheduled.

COMMUNICATION – SHANA DAVIS – REQUEST TO DISPLAY BANNER SIGNS – FOOD TRUCK

A communication was received from Shana Davis, Hot Hogs BBQ, requesting permission to erect a banner sign for her food truck at 100 Emerald Street. The communication was referred to the Planning, Licenses and Development Committee.

COMMUNICATION – KEENE SWAMPBATS – REQUEST TO DISCHARGE FIREWORKS

A communication was received from Kevin Watterson, Keene Swampbats, requesting permission to discharge fireworks on Alumni Field on two dates: Saturday, June 16, 2018 and Monday, July 3, 2018. The communication was referred to the Planning, Licenses and Development Committee.

**COMMUNICATION – NEW ENGLAND AEROBATIC CLUB- REQUEST TO USE CITY PROPERTY – DILLANT HOPKINS AIRPORT**

A communication was received from Weston Lui, New England Aerobatic Club, requesting a license to hold aerobatic practice sessions at the Dillant-Hopkins Airport once per month starting in May 2018. The communication was referred to the Planning, Licenses and Development Committee.

**COMMUNICATION – FIRST LIGHT FIBER – REQUEST TO INSTALL CONDUIT ON CITY RIGHT-OF-WAY**

A communication was received from Edward Robinson, First Light Fiber, requesting permission to install a telecommunications conduit on Main Street to service occupants of 16 Church Street. The communication was referred to the Planning, Licenses and Development Committee.

**COMMUNICATION – COUNCILOR FILIAULT – LIGHTING IN THE DOWNTOWN**

A communication was received from Councilor Filiault, requesting that staff look at the options for improved lighting for Downtown crosswalks. The communication was referred to staff to handle administratively.

**COMMUNICATION – COUNCILOR SAPETA – REQUEST TO ESTABLISH AD HOC COMMITTEE TO HONOR CLARENCE DEMAR**

A communication was received from Councilor Sapeta, requesting consideration for the establishment of an ad hoc committee to consider options for honoring the legacy and achievements of Clarence DeMar. The communication was referred to the Mayor's Office.

**MSFI REPORT – DEPARTMENT PRESENTATION – LEAK DETECTION – PUBLIC WORKS DEPARTMENT**

Municipal Services, Facilities and Infrastructure Committee report read recommending acceptance of this item as informational. The Chair filed the report into the record as informational.

**MSFI REPORT – KEENE SERENITY CENTER – REQUEST TO CLOSE A PORTION OF CARPENTER STREET**

Municipal Services, Facilities and Infrastructure Committee report read recommending the closure of Carpenter Street from Church Street to Kingsbury Street on June 23<sup>rd</sup> at the discretion of City

staff upon the applicant following the rules of that closure. A motion by Councilor Filiault to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**MSFI REPORT – GILBO EAST PARKING LOT IMPROVEMENTS – PUBLIC WORKS DEPARTMENT**

Municipal Services, Facilities and Infrastructure Committee report read recommending that a resolution be drafted to appropriate \$185,000 from the Downtown Infrastructure Capital Reserve for additional improvements, to include new lighting and a concrete sidewalk along the eastern side of St. James Street, to the Gilbo Surface Parking Lot Rehabilitation Project, as presented. A motion by Councilor Manwaring to carry out the intent of the report was duly seconded. On showing of hands, 15 Councilors were present, 13 voted in favor and two opposed, the motion carried. Councilors Filiault and Sutherland voted in opposition.

**PLD REPORT – FARMER’S MARKET OF KEENE – REQUEST TO USE CITY PROPERTY**

Planning, Licenses and Development Committee report read recommending that the Farmer’s Market of Keene be granted permission to use 22 parking spaces along Gilbo Avenue on Tuesdays, and 22 parking spaces along Gilbo Avenue as well as additional 18 spaces on the other side of the median strip in the Commercial Street parking lot on Saturdays from May 1, 2018 to November 1, 2018. In addition, the petitioner is granted use of the median area for placement of picnic tables with the understanding that the pedestrian path may not be obstructed. Said permission is granted subject to the following conditions: compliance with the customary licensing requirements of the City Council; the receipt of a total rental fee of \$932.00 (payable on the first day of every month at \$155.00 per month); obtainment of a city food license from the Health Department; and compliance with any recommendations of City staff. Access to City electrical shall also be provided at a fee of \$60.00 for the season. It is further recommended that the Farmer’s Market of Keene be allowed to erect sandwich board signs on City property prior to the start of sales, subject to review and approval by City staff with respect to the number and location. The signs must be removed immediately after the sales have concluded. A motion by Councilor Richards to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

**PLD REPORT – LEGISLATIVE UPDATE**

An informational report was received from the Planning, Licenses and Development Committee. The Chair filed the report into the record as informational.

**PLD REPORT – UPDATE ON MORE TIME ITEMS – CITY MANAGER**

An informational report was received from the Planning, Licenses and Development Committee. The Chair filed the report into the record as informational.

**FOP REPORT – REQUEST FOR APPROVAL TO SOLICIT DONATIONS TO BE USED AS PRIZES FOR CITY OF KEENE FOURTH GRADE WATER SCIENCE FAIRS – PUBLIC WORKS DEPARTMENT**

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to solicit and accept donations to be used as prizes for the Fourth Grade Water Science Fairs from local and regional businesses. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

#### FOP REPORT – ACCEPTANCE OF DONATIONS TO LIBRARY RENOVATION PROJECT – CAMPAIGN MANAGERS FOR THE NEXT CHAPTER

Finance Organization and Personnel Committee report read recommending the acceptance of \$218,670.48 as listed in the Cambridge Trust January 1 – March 13, 2018 Donor List to be deposited into the Library Renovation Temporarily Restricted City Trust as part of the Next Chapter Campaign Drive. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

#### FOP REPORT – LAND USE CODE UPDATE - PLANNING CONSULTANT SELECTION – PLANNING DEPARTMENT

Finance Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and enter into a professional services contract with Camiros, Ltd. for planning services for the second phase of the Land Use Code Update project for an amount not to exceed \$134,000. In the event that a satisfactory contract and fee cannot be agreed upon, the City Manager is authorized to negotiate with the next highest ranked firms in turn. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

#### FOP REPORT – AMBULANCE BILLING CONTRACT – FINANCE DIRECTOR AND FIRE CHIEF

Finance Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute an ambulance billing contract with Comstar Ambulance Billing Service to provide ambulance billing services for five years, with a two year extension at the City's sole option at a fixed rate of 5% of collections. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

#### FOP REPORT – FY 17 AUDIT PRESENTATION – MELANSON HEATH

An informational report was received from the Finance Organization and Personnel Committee. The Chair filed the report into the record as informational.

#### CITY MANAGER COMMENTS

The City Manager commented about the weather in the past 24 hours resulting in downed trees, branches, and power poles in the road ways. She was very impressed that the cleanup was

completed by 8 AM. The City Manager reported that Police and Fire had responded to in excess of 30 calls during this time frame. This was more than double our average daily calls.

The City Manager continued with the meeting she attended with the Mayor and Councilor Hansel. This meeting was coordinated by Christopher Coates, County Administrator, and Tim Murphy, Southwest Regional Planning Commission. United States Senator Shaheen discussed all the importance of adding Cheshire County to the Northern Border Regional Commission. The Commission provides Federal funding to assist with economic development and target areas located in Maine, New Hampshire, Vermont and New York. These funds have been used to support property projects that have helped reduce poverty, unemployment and help migration. If Cheshire County is successfully added to the eligible lists of counties, it will be a game changer for us in terms of stimulating economic development and redevelopment because it will open up a whole new pool of funding that will become available to us.

On April 10<sup>th</sup>, the City Manager will be speaking at the Lions Club. She was contacted by the World Affairs Council to come here on April 13<sup>th</sup> with a group from Bangladesh, India, Nepal, and Sri Lanka to meet with Rhett Lamb, Planning Director, and her about Keene's work about reducing greenhouse gas emissions. This is an international visitor leadership program and the topic is always different. On April 19<sup>th</sup>, the City Manager and the Mayor will be attending a breakfast forum hosted by the Chamber of Commerce where the Governor will be our guest speaker. On April 20<sup>th</sup>, the City Manager will be at UNH speaking to the Economic Development Academy about Main Street Revitalization and some of the projects she has been involved in the past. On October 18<sup>th</sup> and 19<sup>th</sup> Plan New Hampshire is holding their fall conference here in Keene. This will be a great opportunity to interact with Plan New Hampshire and give them a chance to see all that Keene has to offer.

#### MORE TIME

More time was granted by the Chair for the following items in Committee: Monadnock Progressive Alliance – Requesting Support for their “Ready for 100% Renewable Energy” Campaign; Tim Zinn/Let It Shine – Request for 2018 Keene Pumpkin Festival Brought to You By the Students of the Area's Schools – Event License; Clarence DeMar Marathon – Request to Use City Property.

#### MSFI REPORT AND ORDINANCE O-2018-05: RELATING TO PARKING LOTS

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Ordinance O-2018-05. The report was filed as informational. Ordinance O-2018-05 was read for the second time. A motion by Councilor Manwaring for adoption of the Ordinance was duly seconded. On a roll call vote, with 15 Councilors present and voting in favor, the motion carried. Ordinance O-2018-05 declared adopted.

#### PLD REPORT AND ORDINANCE O-2018-04-A: RELATING TO THE ENERGY AND CLIMATE COMMITTEE

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2018-04-A. The report was filed as informational. Ordinance O-2018-04-A was read for the second time. A motion by Councilor Richards for adoption of the Ordinance was

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duly seconded. On a roll call vote, with 15 Councilors present and voting in favor, the motion carried. Ordinance O-2018-04-A declared adopted.

**MSFI REPORT AND RESOLUTION R-2018-05: RELATING TO THE RELEASE OF DRAINAGE EASEMENTS AND THE ACCEPTANCE OF A DEED FOR A RELOCATED DRAINAGE EASEMENT – ASHUELOT STREET**

Municipal Services, Facilities and Infrastructure Committee report read recommending the adoption of Resolution R-2018-05. The report was filed as informational. A motion by Councilor Manwaring for adoption of the Resolution was duly seconded. On a show of hands vote, with 15 Councilors voting in favor the motion carried. Resolution R-2018-05 declared adopted.

**MEMORANDUM AND RESOLUTION R-2018-12: RELATING TO THE ABSOLUTE DISCONTINUANCE OF A PUBLIC WAY KNOWN AS WELLS STREET PARKING LOT AND RESOLUTION R-2018-13: FOR THE RETURN OF LAYOUT OF A PUBLIC RIGHT OF WAY KNOWN AS WELLS STREET**

A memorandum was received from Kurt Blomquist, Public Works Director/ Emergency Management Director, along with Resolutions R-2018-12 & R-2018-13. The memorandum was filed into the record. Resolutions R-2018-12 and R-2018-13 were referred by the Chair to the Municipal Services, Facilities and Infrastructure Committee and the Planning Board. The Mayor scheduled the site visit for Thursday, May 17, 2018 at 5:45 PM. The Mayor set a public hearing for Thursday, May 17, 2018 at 7:00 PM.

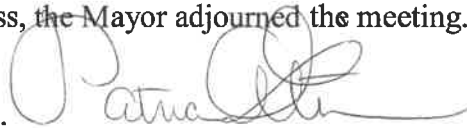
**TABLED ITEM – APPOINTMENTS –DOWNTOWN REVITALIZATION AD HOC COMMITTEE**

The Chair withdrew his appointments to the Downtown Revitalization ad hoc Committee.

**ADJOURNMENT**

At 8:36 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:



City Clerk



City of Keene, N.H.  
*Transmittal Form*

March 27, 2018

**TO:** Mayor and Keene City Council

**FROM:** Mayor Kendall W. Lane

**ITEM:** B.1.

**SUBJECT:** Confirmation

---

**COUNCIL ACTION:**

In City Council April 5, 2018.

Tabled until the next regular meeting of the City Council.

**RECOMMENDATION:**

I hereby nominate the following individual to serve on the designate Board or Commission:

Planning Board

Fire Captain Michael Burke, slot 8

447 Pako Avenue

administrative staff

Term to expire Dec. 31, 2019



External Communication  
*Transmittal Form*

April 16, 2018

**TO:** Mayor and Keene City Council

**FROM:** Peter Poanessa

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.1.

**SUBJECT:** Peter Poanessa - Resignation - Historic District Commission

---

**ATTACHMENTS:**

Description

Communication - Poanessa

**BACKGROUND:**

Peter Poanessa is resigning his position on the Historic District Commission. Mr. Poanessa has been a member of the Commission since June of 2017.



# KEENE SIGNWORX

DESIGN FABRICATION

12 BASE HILL RD SWANZEY NH 03446

Peter Poanessa  
36 Dickinson Road  
Keene NH 03431

04-16-2018

Kendall lane  
Mayor  
City of Keene  
3 Washington Street  
Keene NH 03431

Dear Mayor Lane,

It is with regret that I am writing to inform you of my decision to resign my position on the Board of The Historic District Commission effective immediately.

My other commitments have become too great for me to be able to fulfill the requirements of my position on the Board, and I feel it is best for me to make room for someone with the time and energy to devote to the job.

It has been a pleasure being a part of the HDC board. I hope I might be able to serve the city again sometime in the future.

If I can be of any assistance during the time it will take to fill the position, please don't hesitate to ask.

Best Regards,



Peter Poanessa



External Communication  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council

**FROM:** Councilor Mitchell H. Greenwald

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.2.

**SUBJECT:** Councilor Greenwald - Conflict of Interest - Shana Davis - Hot Hogs

---

**ATTACHMENTS:**

Description

Communication - Councilor Greenwald

**BACKGROUND:**

Councilor Greenwald is submitting a letter regarding a conflict of interest due to being the property owner of 100 Emerald Street, which is the location of a food truck operated by Shana Davis.

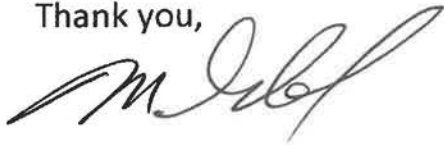
April 11, 2018

TO: Mayor and City Council

SUBJECT: Conflict of Interest – 100 Emerald Street

I am the property owner of 100 Emerald Street, which is the location of a food truck operated by Shana Davis. Ms. Davis has submitted a request to the City Council regarding the use of banners for her food truck. In the interest of avoiding a conflict of interest, I would appreciate the Council's consideration of my request to be excused from any discussion or vote on her request.

Thank you,

A handwritten signature in black ink, appearing to read "M. Greenwald", written in a cursive style.

Mitchell H. Greenwald



External Communication  
*Transmittal Form*

April 13, 2018

**TO:** Mayor and Keene City Council

**FROM:** Sandra J. Whippie, Monadnock Interfaith Project

**THROUGH:** Patricia A. Little, City Clerk

**ITEM:** C.3.

**SUBJECT:** Monadnock Interfaith Project - Request for a Welcome Center with Public Toilets

---

**ATTACHMENTS:**

**Description**

Communication - Monadnock Interfaith Project

**BACKGROUND:**

The Monadnock Interfaith Project is requesting an opportunity to make a presentation regarding the necessity of addressing the need for a welcome center with public toilets that would be open seven days a week.



## Monadnock Interfaith Project

*Building An Inclusive Community for Community Understanding and Justice*

WWW.MIPNH.ORG

Monadnockinterfaith@gmail.com

TO: CHAIR of the Keene City Council

*cc Eliz. Dragon, Keene Mayor Lane*

FROM: Sandra J. Whippie, Chair of the Monadnock Interfaith Project/COMMUNITY KITCHEN GROUP  
email: [REDACTED] phone 355-2286, address: 233 Pak Ave, Keene, NH 03431

DATE: April 13, 2018

RE: This is a specific request for the Keene City Council OR a specific appropriate committee of your council to allow a half-hour presentation regarding the necessity of addressing the need for a Welcome Center with PUBLIC TOILETS open seven days a week.

Our group has investigated these issues since June 2016. We have assessed the need, visited nearby small cities that successfully maintain such amenities and found resources to help establish them. We have in place a network of connections to promote community education and develop a sense of responsibility for use and maintenance. Highways and towns provide rest stops as a civic expectation.

Cities of the future, especially those promoting a healthy and attractive atmosphere to encourage gatherings know the importance of recognizing the human dignity of all members of their community-old and young, the shoppers and travelers and those who come to enjoy music or athletic/sports events. These facilities should be CLEAN, ATTRACTIVE and CONVENIENT.

Encouraging responsible citizenship, we request a half-hour time slot on your agenda for a formal presentation. We look forward to your prompt response to notify us of the day and time our group could make a formal presentation. We trust that you will appreciate the history of this request and the research and resources we have to share.

Signed: (MIP- Guiding Council Members)

Rev. Sandra J. Whippie, Chair of MIP- CK Committee, Minister Emerita of The Walpole Church, retired, Past Principal of Marlborough School, Resident of Keene.

Carol Hill, Coordinator of Community Breakfast Program- five winters, KUUC, Keene

Charlie Gibson, Coordinator of Community Breakfast Program 4 winters, Member of St. Bernard's, Marlborough

Sarah Harpster, Gleaner for the Community Kitchen Program, Participant on the Homelessness Coalition, Keene

Len Fleischer, Licensed Clinical Psychologist, Prof of Psychology, etc. KSC, Retired, Spofford

Denis Vaillencourt, Monadnock Humane Society, Keene.

(MIP/CK Leadership Workshop Graduates)

Edward Silvia, Maintenance Employee, Greenwald Associates

Ellen Kearney, Employee Monadnock Food Coop

Johnny Bolster, Monadnock Maker Space Manager, Keene

Eugene Cleveland,

Craig Rice, Itinerant Musician, Keene

Beth Ann West, Musician with the Keene Community Orchestra, Keene



City of Keene, N.H.  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** D.1.

**SUBJECT:** Update-Public Arts Guidelines and Procedure-Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the Public Arts Guidelines and Procedure Update as informational.

**BACKGROUND:**

Chair Manwaring recognized the Director of Parks, Recreation and Facilities, Andy Bohannon. Mr. Bohannon said on February 21, 2018, Councilor Carl Jacobs brought forward a conversation to the Committee regarding a policy and guidelines for individuals who want to gift public art to the City. He reported he met with Councilor Jacobs and Kurt Blomquist a few times and reviewed other communities that had arts ordinances, policies, or guidelines and tried to craft a starting point and determine how to proceed. Mr. Bohannon said there is still a broader conversation needed in order to create a set of guidelines and policies that will connect an Administrative Directive to a process that would be adopted by City Council through a Resolution. The next step is to engage the art community.

Councilor Carl Jacobs, said this is an exciting process that began from the arts community wanting to bring forth art to the world and the City of Keene. He shared a quote from a Finnish composer, "Art is the signature of civilization". Councilor Jacobs said there are three comments regarding the draft he provided; purpose, opportunities and the procedure. He referred to the draft, stating that what they are dealing with in the document was public property, and art that is visible to the public on a private building.

Councilor Jacobs said the proposal for public art will be submitted to the City Council for review and acceptance. He explained that the Parks, Recreation, Cemetery and Facilities Director will be the project manager for all public art proposals for locations that involve City Parks, City owned buildings, and any property under the oversight of the Department. The Public Works Director will be the project manager for all public art proposals for locations within public right-of-ways, intersections, public parking surface lots and facilities, as well as any property under the oversight of the Department. Councilor Jacobs said there would be consultation before a proposal is submitted but wanted to have some understanding of which department would be logical to oversee the art project.

Councilor Jacobs said the last part of the document lists some of the issues that need to be addressed as follows:

- Does the project create a public safety or security concern?
- Does the art require maintenance?
- How is the project funded?

- Is the art donated or is the City expected to pay for the art?
- General Property & Liability in the amounts of \$1,000,000.00 listing the City as an additional insured?
- Is the art owned by the City or loaned to the City?

Councilor Jacobs said that he was looking forward to meeting on April 16, 2017 at 4:30 PM at Hannah Grimes with the arts community. He said that he welcomed any feedback from the Councilors and hoped to have a final draft of the policy and guidelines before the Council in May.

The Public Works Director, Kürt Blomquist said this is a start and a lot of the research they have been doing talks about when getting into a public art program there needs to be a thought of a separate commission to manage the program. He referenced all of the questions that had to be answered in the draft. Mr. Blomquist noted answering these questions would take some time.

Councilor Sutherland stated this program was great and the group was addressing a lot of the complexities of these issues. He said the group was going about the project the right way by looking at other cities. Councilor Sutherland said the one thing that stands out to him is if someone is looking to display their art temporarily or permanently. He was concerned about art being displayed permanently and suggested the group think about artists applying for a term for which an end would come and then reapply for a renewal. Councilor Sutherland explained how this would give the City more flexibility to consider other artists that would like to display their art in that same location. Mr. Bohannon and Councilor Jacobs liked the idea of having a set term.

Mr. Bohannon referred to the pinwheel that will be erected on May 9, 2018 and dedicated on May 12, 2018 that will be displayed for one year. He explained after the year term there will be a conversation to determine if the pinwheel is something the City would like to keep.

Councilor Lamoureux stated that he likes the idea of having a set term because other artists could lose interest and it would help the project years from now by allowing other artists to donate their art. In addition, he stated that he would like to see the art constantly changing because having the same art would become a part of the landscape.

Councilor Lamoureux thanked Councilor Jacob's for bringing this forward and was glad to see the momentum and excitement from the City staff.

Councilor Hooper said bringing the art energy to the City is a great welcome to the City. In addition, he said that it has been proven art of this nature brings in revenue and an appreciation of the culture. Councilor Hooper commended the group for their efforts.

Chair Manwaring welcomed public comment. With no comment, Chair Manwaring asked for a motion.

Councilor Hooper made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends accepting the Public Arts Guidelines and Procedure Update as informational.



City of Keene, N.H.  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council

**FROM:** Planning, Licenses and Development Committee

**ITEM:** D.2.

**SUBJECT:** Janis Manwaring/Pathways for Keene - Request to Use City Property - 4 on the 4th

---

**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that the City Council grant permission to Pathways for Keene to sponsor a running race on July 4, 2018, subject to the customary licensing requirements of the City Council. In addition, the Police Department shall identify Railroad Street immediately adjacent to Railroad Square as a No Parking zone from the hours of 6:00 AM to 11:00 AM. This license is conditional upon the petitioners providing an adequate number of volunteer race marshals to ensure runner safety along the course, and subject to any recommendations of City staff. The petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 19 Community Events Budget. Said payments shall be made within 30-days of the date of invoicing.

**BACKGROUND:**

Kurt Blomquist, Public Works Director reported staff held protocol meetings with the petitioner and a recommended motion is in the packet. Mr. Blomquist indicated the event was pretty much the same as last year, but it is on a Wednesday this year. Councilor Manwaring confirmed this is the 17th year for the event. Councilor Jones noted race volunteers are still needed.

There being no questions or comments from the Committee or public Chair Richards asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Sapeta.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that the City Council grant permission to Pathways for Keene to sponsor a running race on July 4, 2018, subject to the customary licensing requirements of the City Council. In addition, the Police Department shall identify Railroad Street immediately adjacent to Railroad Square as a No Parking zone from the hours of 6:00 AM to 11:00 AM. This license is conditional upon the petitioners providing an adequate number of volunteer race marshals to ensure runner safety along the course, and subject to any recommendations of City staff. The petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 19 Community Events Budget. Said payments shall be made within 30-days of the date of invoicing.





City of Keene, N.H.  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council

**FROM:** Planning, Licenses and Development Committee

**ITEM:** D.3.

**SUBJECT:** Shana Davis - Request to Display Banner Signs - Food Truck

---

**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request for a banner sign be accepted as informational.

**BACKGROUND:**

Shana Davis, of 197 Skyline Drive addressed the Committee noting she operates a food truck at the corner of Emerald and Wilson Streets. Ms. Davis said last summer she bought and displayed banner flags until she was told by a City employee that she could not display a banner sign. She had noticed a 30% increase in business when she started using the banner signs. Ms. Davis also reported a loss of business since she stopped displaying the signs. Ms. Davis also reported that the City had indicated she could use an A-frame sign, which she did, but it did not seem to have any effect on her business. Ms. Davis displayed copies of the signs she had used which stick in the ground and are brought in when she closes every day.

Noting the impending Sign Code changes before the joint Committee, Chair Richards deferred to the City Attorney. The City Attorney concurred there is an initiative in front of the Joint Committee with respect to the Sign Code and temporary signs. John Rogers, Acting Health Director also confirmed there is an application in process for a Zoning change which, if approved, would allow for one temporary sign without a permit per lot. Mr. Rogers continued Ms. Davis' sign would require some tweaking as hers is one of those not allowed.

Chair Richards commented it is likely the City will approve this because the State is requiring us to follow their lead. Chair Richards outlined the Council process with Mr. Rogers adding that a public hearing will be scheduled. Rhett Lamb, ACM/Planning Director said it would go to Council next week where the Mayor will set the public hearing date. He suggested this could be back before Council the second meeting in June for a final vote on the Ordinance. Mr. Rogers reiterated his earlier comments regarding tweaking the site so the sign would be allowed. Ms. Davis said she understood and asked for clarification if this applied to the whole City or just her location. She noted she sees this type of sign being actively used across the City for other businesses. Chair Richards clarified it is the whole City. Chair Richards continued the process should take plus/minus six weeks and then Ms. Davis could work with Code Enforcement to set up her spot. Mr. Rogers clarified Ms. Davis would be allowed only one sign.

Councilor Sapeta thanked Ms. Davis for being a business owner in Keene. Councilor Sapeta suggested because this is a particular type of business so perhaps they need to look at the Sign Code from that perspective. Councilor Sapeta commented on conversations at the Workshop regarding signage on private property and the City' Right-of-Ways, and asked what action the City would take now with signs in the Right-

of-Way. Kurt Blomquist, Public Works Director advised the signs would be pulled if they were located in the Right-of-Way. Chair Richards asked Mr. Rogers to notify Ms. Davis when the Ordinance passes.

Councilor Jones thanked Ms. Davis for the job she does here and commended her as there have been no complaints about garbage at her site.

There being no questions or comments from the Committee or public, Chair Richards asked for a motion.

Councilor Hansel made the following motion which was seconded by Councilor Jones.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request for a banner sign be accepted as informational.



City of Keene, N.H.  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** D.4.

**SUBJECT:** New England Aerobatic Club - Request to Use City Property - Dillant Hopkins Airport

---

**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that the City Council authorize the use of the Dillant-Hopkins Airport by Chapter 35 of the International Aerobatic Club from the date of issuance through December 31, 2018, subject to the execution of a Revocable License and Indemnification Agreement, the receipt of an insurance certificate in the amount of at least \$1 million dollars naming the City as an additional insured and all other requirements of City staff including but not limited to the following restrictions: compliance with any requirements of the FAA, limit practice sessions to not more than 5 for the year, there will be no Sunday practice sessions, aerobatic activity shall not occur below 1,500 MSL, limit aerobatic activity to the southern portion of the aerobatic box established by the FAA, restrict use of the aerobatics box until after 10:00 AM and before 5:30 PM, and not occur on the Labor Day and Memorial Day weekends, and that neighbors be invited to the mandatory safety briefings held on practice days.

**BACKGROUND:**

Weston Liu, of Brookline took the opportunity to thank Mr. Wozmak, Mike Moriarity, and the City of Keene for their flying time last year, and noted they would like to do the aerobatic activities again. Explaining Mother Nature was not always in their favor, Mr. Liu said they flew approximately four times last year. Chair Richards asked if there were any changes from last year to which Mr. Liu replied in the negative.

Chair Richards asked for Committee questions or comments.

Councilor Hansel said he had a couple of questions. Referring to the recommended motion, Councilor Hansel noted there was a specified start time but no end time. Jack Wozmak, Airport Manager noted the specified start time is 10:00 AM. Councilor Hansel asked how important this component was to the license. The City Attorney commented there is probably a daylight component to this activity and deferred to the Airport Manager. Mr. Wozmak said there has not been an end time. In general Mr. Liu and the other folks have ended between four and five o'clock. Mr. Wozmak also noted he has received both complaint calls and calls wondering if there was an end time. Mr. Wozmak commented the Committee could include an end time which might help mitigate the issue for some citizens. Councilor Hansel suggested 4:30 PM as an end time and asked Mr. Liu if this would be an issue. Mr. Liu explained trying to get as much use of sunlight as possible in the summer and suggested 5:00 or 5:30 PM would be better. Noting this seems reasonable Councilor Hansel agreed with a 5:30 PM end time. Councilor Hansel also addressed flying on holiday weekends and asked how important this was. Mr. Liu said he was pretty sure holiday weekends were avoided last year, noting they typically fly on Saturdays. Councilor Hansel noted this year it would only impact Labor Day and Memorial Day. Mr. Liu commented it might not be a problem this year with July 4th being the only floating holiday. Councilor Hansel suggested these two

conditions would let it be known you are trying to establish good relationship with community. Chair Richards asked if motions were needed for these conditions. The City Attorney advised there was a prepared motion and recommended these additions be included. The City Attorney also recommended incorporating Federal holidays so the dates in the motion do not have to be adjusted every year. Mr. Wozmak commented on the continuity of the motions depicting the history from year to year. He recommended Memorial Day, July 4th, and Labor Day as those to be avoided regardless of where the calendar lines up. Councilor Sapeta suggested including the end time change and waiting on the holidays until next year so they have time to think this through, and not have to refine the motion again next year.

Ward One Councilor Steve Hooper commented last year a resident brought forth the holiday issue. He noted his concern with the canopy having been opened with the tree cutting creating more noise. Councilor Hooper supports the Aerobic Club, but he concurred with the concerns brought forth by Councilor Hansel. Councilor Hooper noted he is in favor of an amendment addressing the holiday weekends. Councilor Hooper also asked for clarification on the number of flying times this summer; Mr. Liu clarified it is five flying times this season. Councilor Hooper then suggested the timeframe not be before 10:00 AM or after 5:00 PM. Chair Richards said they will see how 5:30 PM works out. Councilor Hansel commented to Mr. Lieu that the City wants the club here and added the Council rarely hears from those who enjoy the activity. Councilor Hansel also said we would be willing to look at this again next year if you experience issues. Mr. Liu did welcome Committee members to attend any of the events.

Councilor Jones disagrees with proposed language regarding Federal holiday weekends. He suggested adding Labor Day and Memorial Day weekends because July 4th moves around and will only cause more confusion. Councilor Sapeta seconded Councilor Jones' concern and suggested not adding anything this year. Chair Richards said in the spirit of compromise the Committee could take out July 4th and just leave in Memorial Day and Labor Day weekends in the license. Councilor Jones was in agreement with this suggestion.

Ward Two Councilor Carl Jacobs raised the issue of advertising for this event. Mr. Wozmak confirmed the FAA/NHDOT prohibits advertising for these practice sessions and noted in the past he has issued a notice in the paper.

There being no further questions or comments from the Committee or public Chair Richards asked for a motion.

Councilor Rice made the following motion which was seconded by Councilor Hansel.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends that the City Council authorize the use of the Dillant-Hopkins Airport by Chapter 35 of the International Aerobic Club from the date of issuance through December 31, 2018, subject to the execution of a Revocable License and Indemnification Agreement, the receipt of an insurance certificate in the amount of at least \$1 million dollars naming the City as an additional insured and all other requirements of City staff including but not limited to the following restrictions: compliance with any requirements of the FAA, limit practice sessions to not more than 5 for the year, there will be no Sunday practice sessions, aerobic activity shall not occur below 1,500 MSL, limit aerobic activity to the southern portion of the aerobic box established by the FAA, restrict use of the aerobics box until after 10:00 AM and before 5:30 PM, and not occur on the Labor Day and Memorial Day weekends, and that neighbors be invited to the mandatory safety briefings held on practice days.



City of Keene, N.H.  
*Transmittal Form*

April 12, 2018

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.5.

**SUBJECT:** Acceptance of Donation - Sumner Knight Chapel - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the donation of \$174.00 and that the monies be used for the upkeep of the Sumner Knight Chapel.

**BACKGROUND:**

Parks Recreation and Facilities Director, Andrew Bohannon stated this item is an annual donation from the sunrise service at the Sumner Knight Chapel. This year \$174 was collected to be used for the upkeep of the chapel.

Councilor Clark asked how much has been raised to date and what the money has been used for. Mr. Bohannon stated that it is close to \$10,000 – the boiler has been replaced and some electric work has been done.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the donation of \$174.00 and that the monies be used for the upkeep of the Sumner Knight Chapel.



City of Keene, N.H.  
*Transmittal Form*

April 12, 2018

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.6.

**SUBJECT:** Sponsorship Update - Banner Placement at Wheelock Park - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting the sponsorship update for banner placements at Wheelock Park as informational.

**BACKGROUND:**

Mr. Bohannon stated the department sent out 45 letters to area businesses regarding sponsorship.

This item is from the Financial Solutions Group for a banner to be placed at the Cal Ripken Field in the amount of \$250 for one year. These monies are used for field improvements. Chair Greenwald asked whether these monies could be used to subsidize costs for students participating in Rec Center programs. Mr. Bohannon answered in the negative and stated the department does have a scholarship program to assist kids.

Councilor Powers made the following motion which was seconded by Councilor Clark.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting the sponsorship update for banner placements at Wheelock Park as informational.



City of Keene, N.H.  
*Transmittal Form*

April 12, 2018

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.7.

**SUBJECT:** Acceptance of Donation - Monadnock Squares - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the donation of \$300.00 from the Monadnock Squares and that the money is used for any improvements needed at the Keene Recreation Center.

**BACKGROUND:**

Mr. Bohannon stated Monadnock Squares is one of the longest tenants of the Rec. Center.

This donation is for \$300 for necessary improvements and something that has been given annually.

Councilor Jacobs made the following motion which was seconded by Councilor Chadbourne.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept the donation of \$300.00 from the Monadnock Squares and that the money is used for any improvements needed at the Keene Recreation Center.



City of Keene, N.H.  
*Transmittal Form*

April 12, 2018

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.8.

**SUBJECT:** Acceptance of Donation - Friends of Open Space in Keene - Parks, Recreation and Facilities Department

---

**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council authorize the City Manager to do all things necessary to accept a donation of \$2,241.00 from the Friends of Open Space In Keene for the purposes of creating a pocket park at 238 Church Street.

**BACKGROUND:**

Mr. Bohannon stated the fourth donation is for \$2,241 from the Friends of Open Space for the purposes of the pocket park at 238 Church Street. This property was turned into city property after the city went through a FEMA program and the property was supposed to remain as greenspace in perpetuity. The Friends approached the City and would like to create a pocket park and have exceeded their fundraising goals. The city has met with the neighbors and they are excited about this park.

The Chairman asked what kind of fence is being proposed. Mr. Bohannon stated they have decided to go with a blockade fence which will still delineate the property line.

Chair Greenwald asked when the project will start. Mr. Bohannon stated the work should start late April into the early May timeframe.

Councilor Jacobs clarified no tax money is involved. Mr. Bohannon agreed.

Councilor Chadbourne made the following motion which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Council authorize the City Manager to do all things necessary to accept a donation of \$2,241.00 from the Friends of Open Space In Keene for the purposes of creating a pocket park at 238 Church Street.





City of Keene, N.H.  
*Transmittal Form*

April 12, 2018

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** D.9.

**SUBJECT:** Advanced Life Support Intercept Transport Agreements - Fire Department

---

**RECOMMENDATION:**

On 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 the new one year Advanced Life Support Intercept Transport Agreements with Gilsum, Harrisville, and Stoddard, as well as a new 14 month agreement with the Town of Sullivan.

**BACKGROUND:**

Fire Chief Mark Howard stated the 2017 agreements will expire in June. In the fall the Town of Sullivan asked to see what a new contract would look like. After their town meeting they expressed interest to enter into an Agreement. Their Agreement would start in May and 14 months later the other three towns would start their Agreement.

Chair Greenwald asked for explanation of the payment. Chief Howard explained this item is strictly for advanced life support intercept and transport. When Keene arrives on scene with their ambulance, unless the other agency is in the midst of transport, Keene takes over the care of the patient and bills accordingly. A patient is not moved out of one ambulance into another; Keene would move their equipment into the other ambulance and perform the necessary service.

Councilor Clark made the following motion which was seconded by Councilor Powers.

On 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 the new one year Advanced Life Support Intercept Transport Agreements with Gilsum, Harrisville, and Stoddard, as well as a new 14 month agreement with the Town of Sullivan.



City of Keene, N.H.  
*Transmittal Form*

April 12, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Finance, Organization and Personnel Committee  
**ITEM:** D.10.

**SUBJECT:** Life Insurance and Long-Term Disability Insurance - Human Resources Department

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to enter into a new multi-year contract renewing with Anthem Life Insurance Company to administer the City's life and long term disability insurance.

**BACKGROUND:**

Asst. City Manager/Human Resources Director Beth Fox stated three years ago the city entered into multi-year agreement for life and long term disability insurance with Anthem Life Insurance. At that time it saved the city close to \$30,000 over the three-year term. The city recently went through a RFP process and Anthem again provided the lowest quote. Staff's recommendation is to renew the city's contract with Anthem for another two-year term.

Councilor Powers made the following motion which was seconded by Councilor Jacobs.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to enter into a new multi-year contract renewing with Anthem Life Insurance Company to administer the City's life and long term disability insurance.



City of Keene, N.H.  
*Transmittal Form*

April 19, 2018

**TO:** Mayor and Keene City Council

**FROM:** Rhett Lamb, Planning Director/ACM on behalf of the Joint Planning Board and PLD Committee

**ITEM:** F.1.

**SUBJECT:** Sign Regulations for the Business Growth and Re-Use, Neighborhood Business, and Residential Preservation Zoning Districts - Ordinance O-2018-02-A

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**RECOMMENDATION:**

A motion was made by Chair Spykman that the Planning Board find O-2018-02-A consistent with the Comprehensive Master Plan. The motion was seconded by Councilor George Hansel and was unanimously approved.

A motion was made by Chair David Richards that the Planning Licenses and Development Committee request the Mayor set a Public Hearing for O-2018-02-A. The motion was seconded by Councilor Jones and was unanimously approved.

**ATTACHMENTS:**

**Description**

O-2018-02-A Redlined Version

Ordinance O-2018-02-A

**BACKGROUND:**

Health Director, John Rogers and Planner, Tara Kessler addressed the Committee. Mr. Rogers referred to a Supreme Court ruling which indicates that the Sign Code needed to be of neutral content. Keene's Sign Code had a few areas which needed to be amended.

Mr. Rogers then went over the amendments as follows:

Amendment #1 – Mr. Rogers noted that the changes proposed under Amendment #1 address both Reed vs. Gilbert as well as some of the corrections the Code Department had been looking to make with respect to the definitions section. He indicated the stricken text denotes regulations that are currently content-based.

Mr. Rogers explained that staff propose to remove the phrase “for the purposes of ingress and egress” from the definitions of primary and secondary frontage. These definitions require an ingress/egress (i.e. entrance/exit) be present for it to be considered primary or secondary frontage, which can conflict with the Planning Board standards related to parking. Planning Board Development Standard 19 requires off street parking to be placed to the side and/or rear of a building. In locations where parking is located to the rear of a building, the primary entrance/exit is often also at the building's rear. For buildings that do not have entrances/exits facing the street they are not able to place signs on these facades. Mr. Rogers noted that this conflict has led to the issuance of variances from the Sign Regulations. Additionally, some businesses have chosen to install ingress and egress

doors where they are not needed for the sole purpose of obtaining signage.

Mr. Rogers noted that the definition for “primary sign” is proposed to be removed because it is defined based on content such as the name and nature of the business.

Mr. Rogers also noted the addition of a definition for “snipe signs,” which would be prohibited based on Amendment #3.

Amendment #2 – Mr. Rogers explained that this amendment is in keeping with Reed v. Gilbert to make the sign regulations content neutral.

Amendment #3 – Mr. Rogers noted that this amendment proposes prohibiting snipe signs. These are signs that are of a temporary nature that are posted on someone else’s property, such as a flyer posted to a fence or tree that is not owned by the person posting the flyer.

Amendment #4 – Mr. Roger noted that the changes proposed under Amendment #4 relate to temporary signs. This amendment would remove the standards specific to agricultural and real estate signs on the list of temporary signs that are excepted from needing a sign permit. Instead, one temporary sign would be allowed per lot without a permit subject to sign size requirements. For lots in the Agriculture, Rural, Low Density, Medium Density, High Density, Office, Residential Preservation, and Central Business Districts the sign of the temporary sign would not be able to exceed 6 square feet. For all other districts, the size of the sign cannot exceed 32 square feet. Mr. Rogers noted that since submitting the Ordinance, staff have discussed adding Neighborhood Business to the list of the districts that limit the temporary sign size to 6 square feet. He explained that this size would be in keeping with the intent of this District.

Ms. Landry referred to Section 102.1301(b)(1) “agricultural signs,” and asked whether this covers things like farm stands. Mr. Rogers answered in the affirmative and added they used to be able to have four temporary signs without a permit but now they can only have one. He noted that they could have more than one if they apply for a permit.

Councilor Jones noted there is a matter coming before the PLD Committee regarding a waiver for a stand up banner for a food truck and asked where this item is addressed in the document. Mr. Rogers stated that with the changes proposed in Amendment #4, a vendor would be allowed to have a temporary sign; however, the zoning district the vendor is located in would dictate the size requirements for this sign.

Councilor Sapeta asked where election signs fall. Mr. Rogers stated if it is on a public right-of-way it is allowed by RSA. The City’s Sign Code only covers private property. The Councilor asked whether the sign code addresses signs posted onto a utility pole. Mr. Rogers responded that if the sign is posted on a pole or land in the right-of-way, the City’s Sign Regulations would not take effect, but they may need permission from the Council.

Mr. Rogers noted that real estate signs have been stricken as they now fall under temporary signs. He added that off-site open house sign would be permitted but would need to be removed by the end of the day. Chair Spykman asked if “open studio” signs would fall under this category as well. Mr. Rogers stated that offsite signs for any kind of open house would be allowed, but would need to be removed at the end of the day

Amendment #5 – Mr. Rogers noted that the stricken text in this amendment is specific to content and would need to be removed to be consistent with Reed v. Gilbert.

Amendment #6 – Mr. Rogers stated that this section of Education Signs is being removed to be consistent with Reed v. Gilbert.

Amendments #7 – Mr. Rogers noted that when the City recently adopted three new zoning districts in the fall of 2017, it did not update the Sign Regulations to address sign standards for these districts. The proposed changes in this Amendment would add the Neighborhood Business District to the section of the sign regulations (Section 102-1310) that address sign requirement for the Office District. Mr. Rogers noted that this Amendment would add “legally non-conforming commercial property” to this section as well. Currently, there are legal non-conforming commercial businesses located in zoning districts that do not allow for signage. Although these are allowed businesses, they need to obtain a variance to have a sign. This addition would allow for signs at these properties subject to dimensional requirements and a sign permit.

Mr. Rogers noted that staff suggest removing Section 102-1310(3) which states “Temporary signs are prohibited in the Office District.” This is in conflict with the amendment allowing for temporary signs in all zoning districts. Staff overlooked this edit when the Ordinance was first submitted to City Council.

Amendment #8 – Mr. Rogers noted that this amendment includes the Business and Regrowth District in the section of the Sign Regulations that address sign requirements for the Commerce, Commerce Limited and Central Business Limited Districts.

Amendment #9 – Mr. Rogers noted that this amendment includes the Residential Preservation in the section of the Sign Regulations that address sign requirements for the Conservation and Agricultural Districts.

Councilor Hansel referred to Amendment #8 and questioned whether Section 102-1311(4)(c) refers to content and if it should be removed. Mr. Rogers agreed this should also be stricken.

Councilor Sapeta referred to Amendment #4 related to temporary signs, and asked if there is a timeframe for display of temporary signs that are exempt from permit requirement. Mr. Rogers stated he would not attach a timeframe to this type of sign, because this now covers many different types of signs. He added the sign has to be temporary in nature, it cannot be permanently mounted.

Mr. Bohannon referred to the Amendment #1 related to the definition of Construction Signs. He asked whether the new definition of construction signs would still permit references contractors, architects, etc. to be displayed. Mr. Rogers stated they are permitted to have the one construction sign but the City cannot dictate what it can say.

Councilor Jones asked Mr. Rogers whether the Sign Code issue is mostly complaint driven. Mr. Rogers agreed. The Councilor asked whether the signs being discussed today are signs that are attached to the outside of a structure or staked in someone’s lawn; not signs that are located in someone’s window. Mr. Rogers replied that signs in windows are not regulated by the Sign Code.

Dr. Cusack asked about the “For Rent” signs whether these are signs that could be left on a property indefinitely. Mr. Rogers stated this Ordinance won’t change that circumstance. Dr. Cusack asked whether “Rental for Students” is a sign that would be permitted. Mr. Rogers stated the City cannot look at content unless it is offensive.

Ms. Kessler addressed the Joint Committee and noted the Sign Regulations are not addressed directly in the Master Plan but the Plan does address quality built environment. As sign regulations address the reduction of visual clutter and help to coordinate the shape, size and location of signs with respect to the built environment, the proposed changes are in keeping with the intent of the Master Plan to improve the quality of the built environment. In addition, many of the changes proposed as a result of this Ordinance will make it easier for businesses to obtain signage, which is in keeping with the intent of the Master Plan to encourage economic development. As for the changes related to content-neutral signs and the allowance for one temporary sign per lot in all districts, it is difficult for Planning staff to make a determination at this time as to how it might impact the community. However, these changes are prompted by a Supreme Court decision and need to be

addressed.

The Chairman asked for public comment. With no comments from the public, the Chair closed the public hearing.

Ms. Kessler went over the proposed changes to O-2018-02:

Section 102-1301(b)(1) – Neighborhood District will be added to the already existing list.

Section 102-1310 (3) “*Temporary Signs will be prohibited in the office district*” will be deleted and the list re-numbered.

Section 102-1311 (4)(c) “*Copy. Sign copy for all banners shall be limited to the logo/emblem and/or the name of the shopping center/plaza. Copy identifying individual stores is prohibited.*” will be deleted and the list re-numbered.

Councilor Sapeta asked when switching to Form Based Code, whether the Sign Ordinance would be reviewed here again. Ms. Kessler stated the Sign Code would be reviewed as part of the Land Use Code update.

A motion was made by Chair Spykman that the Planning Board find O-2018-02-A consistent with the Comprehensive Master Plan. The motion was seconded by Councilor George Hansel and was unanimously approved.

A motion was made by Chair David Richards that the Planning Licenses and Development Committee request the Mayor set a Public Hearing for O-2018-02-A. The motion was seconded by Councilor Jones and was unanimously approved.

## EIGHTEEN

## Relating to Chapter 102 Zoning Code Article VIII Sign Regulations

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by inserting the bolded text and eliminating the stricken text in Article VIII Sign Regulations of Chapter 102 entitled Sign Regulations as follows:

**ARTICLE VIII. - SIGN REGULATIONS****DIVISION 1. - IN GENERAL**AMENDMENT #1

## Sec. 102-1282. - Definitions.

The following definitions shall govern this article:

*Building directory sign:* A wall sign composed of individual smaller panels which identify businesses, occupants, owner(s) and/or the property manager. ~~Such building directory signs may set forth the occupation or other address information but shall not contain any advertising.~~

*Building frontage:* That portion of a building used to calculate the allowable signage. There are three types of building frontage that are relevant for purposes of this article:

- (1) *Parking lot building frontage:* Frontage along a building wall facing a parking lot that conforms to an approved site plan or the City of Keene Zoning Ordinance (hereinafter "zoning ordinance"), said building wall having an entry to the building that conforms to all applicable building and fire codes.
- (2) *Primary frontage:* Frontage along the narrowest point of a lot or parcel where the building wall faces a street or right-of-way that is determined to be of primary importance ~~(for purposes of ingress and egress)~~ to the business establishment occupying the premises, ~~said street or right-of-way being the same as the street address.~~
- (3) *Secondary frontage:* Frontage along a point of a lot or parcel where the building wall is parallel to a street or right-of-way that is of secondary importance to the business establishment occupying the premises ~~for purposes of ingress and egress.~~
- (4) *Tenancy frontage:* A line parallel or facing the parking lot building frontage, primary frontage or secondary frontage and defined by an extension of the tenant separation walls.

*Bulletin board:* A sign used for the posting of bulletins, notices, announcements, or other messages, ~~by a noncommercial organization.~~

*Construction sign:* A sign ~~advertising the architect, engineer or contractors, donors or financial institution for a building or project, when such sign is placed upon the site under construction.~~

~~Primary sign: In the case of a single business establishment, a primary sign is a sign that sets forth the name and nature of that business. In the case of a development, a primary sign is a sign that sets forth the name and nature of that development.~~

**Snipe sign: Means any sign, generally of temporary nature, made of any material, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, or other objects not erected, owned, and maintained by the owner of the sign.**

AMENDMENT #2

**DIVISION 2. - APPLICATION PROCESS**

Sec. 102-1287. - Signs excepted from permit requirement.

The following signs shall not require a sign permit unless otherwise provided in this article. Such signs shall conform to all building, structural, and electrical codes and regulations of the city. Building permits may be required to erect such signs even though the signs do not require a sign permit.

- (8) ~~Business signs.~~ No sign permit shall be required for signs displaying the name of a business establishment when said sign is attached or otherwise affixed to the business frontage in a covered common walkway of a shopping center, provided the area of such sign shall not exceed four square feet.

AMENDMENT #3

**DIVISION 4. - PERMISSIBLE AND PROHIBITED SIGNS**

Sec. 102-1292. - Prohibited signs.

The following signs shall be prohibited:

- (18) ~~Reserved.~~ **Snipe signs**

AMENDMENT #4

**DIVISION 6. - SPECIFIC REGULATIONS FOR INDIVIDUAL SIGNS**

Sec. 102-1301. - Temporary signs.

- (a) *Permit requirement for temporary signs.* A permit shall be required prior to the erection, construction, relocation, alteration or maintenance of temporary signs on property located in every zoning district of the city, unless specifically excepted from the permit requirement as set forth below. Permits for temporary signs shall authorize the erection, construction, relocation, alteration or maintenance of said signs for a period not exceeding 14 days, at which time they shall be removed. A subsequent temporary sign permit in any one calendar year may be issued only after the previous temporary sign permit has expired and the sign has been removed for at least 30 days. Only four temporary sign permits shall be issued in any one calendar year to the same property owner or applicant. A single permit for a temporary sign shall include all such temporary signs on the premises. The signs must be in conformance with the provisions of this article as well as all applicable building, structural, and electrical codes and regulations of the city.
- (b) *Exceptions to permit requirements for temporary signs.* The following temporary signs shall be excepted from the sign permit requirement set forth above:



- (1) ~~Agricultural signs. No sign permit shall be required for the erection, construction, location, or maintenance of signs advertising the sale of agricultural produce that is grown, raised, and/or harvested on the premises where such sale is permitted. However, there shall be no more than four signs on said premises at any one time and each shall not exceed four square feet in area. One temporary sign with a sign face no larger than 6 square feet are-is allowed per lot in the Agriculture, Rural, Low Density, Medium Density, High Density, Office, Residential Preservation, neighborhood business, and Central Business districts. One temporary sign with a sign face no larger than 32 square feet is-are allowed per lot in all other districts not listed above.~~
- (2) *Mobile vendor signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary mobile vendor signs provided said vendors are properly licensed, and actually selling merchandise on the premises. No permanent mobile vendor signs are permitted. The total aggregate area of all such signs shall not exceed 12 square feet.
- (3) *Business relocation signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary business relocation signs advertising the relocation of a business enterprise from the premises to a new location within the city, provided the area of any such sign shall not exceed 24 square feet, and shall be removed within 45 days after the business has been relocated.
- (4) *Construction signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of one sign with any development when building permits have been issued, provided the area of any sign shall not exceed 48 square feet, and shall be removed within 20 days after the last structure has been initially occupied or upon expiration of the building permit, whichever is sooner.
- (5) *Temporary event signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary event signs, subject to the following conditions or limitations:
- a. Zoning districts. Temporary event signs are only permitted in commerce and central business limited districts of the city.
  - b. Setbacks. Temporary event signs shall not be placed in or within ten feet of any travel lane or driveway, nor within the sign setback lines established in this article.
  - c. Illumination. Temporary events signs shall not be internally or externally illuminated.
  - d. Multiple sites for periodic events. Temporary events signs shall be separated from other sites containing other actively permitted periodic event signs by a 1,000 foot separation as measured from property line to property line.
  - e. Size limitations. Temporary events signs shall be a maximum of four feet by eight feet and shall comply with all applicable codes and regulations.
  - f. Duration of signage display. Temporary events signs may be displayed for up to two weeks prior to the event plus the duration of the event, but shall be removed within 24 hours after the event concludes.
- ~~Sign permit required for erection of sign structure and replacement of sign face. A sign permit shall be required, but no permit fee will be assessed, for the erection of a sign structure and/or the replacement of a sign face for a periodic temporary events sign. Written permission of the property owner where the sign is to be located must be submitted to the department in conjunction with a sign permit application.~~
- g. Signs for street fairs or community events. Please refer to chapter 46, licenses and permits, article XVIII, street fairs or community events, which governs the permitting process, approval of uses, registration, and participation and permit fees for street fairs and community events.
- (6) Posters, bulletins, banners, notices. No sign permit shall be required for the display of posters, bulletins, banners, notices inside windows, and other similar temporary signs displayed inside

windows, provided the sign is not otherwise prohibited by this article and provided the total area of such sign does not exceed ten percent of the total window area of any building elevation of any building, up to a maximum total area of ten square feet on each building elevation.

- (7) ~~Real estate signs. No sign permit shall be required for the erection, construction, relocation, and maintenance of real estate signs, provided such signs are removed within 14 days after the sale, lease, or rental transaction has been completed. Temporary real estate signs shall be located on the property that is for sale or for lease, and only one such temporary real estate sign shall be permitted per property. Temporary real estate signs for the sale, lease, or rental of residential property, shall not exceed 6 square feet. Temporary real estate signs for the sale, lease, or rental of commercial property shall not exceed 32 square feet. In the central business district, all temporary real estate signs for the sale, lease, or rental of any property shall not exceed six square feet. Off-site open house signs are permitted but must be removed by the end of the day of the open house.~~

#### AMENDMENT #5

#### Sec. 102-1304. - Development signs.

All development signs shall be subject to the following provisions in addition to any limitations or conditions set forth elsewhere in this article:

- (1) *Location.* One development sign shall be allowed for every access road to a development as defined in this article. If more than one access road to a development exists, the development signs for said development shall be a minimum of 300 feet apart. The development sign(s) shall be located at the intersection of a state numbered highway and the street or access road which provides access to the development. The development sign may be located on the side of the road or in an island if the road is divided. The sign shall be located either on public land or private land owned by the developer. If a development sign is located on private land, said land must be owned by and a part of the development. If the development sign is located within a city right-of-way, city council permission shall be required prior to the erection and construction of said sign.
- (2) *Lot ownership.* If a development is owned by more than one person, the application for a sign permit shall be signed by all persons that represent more than 80 percent of the land of the development.
- (3) *Sign copy.* All sign copy for a development sign shall be a minimum of eight inches in height and a maximum of 18 inches in height. ~~The development sign shall only contain the name of the development.~~
- (4) *Height.* Development signs shall not be more than ten feet in height.
- (5) *Temporary signs.* No temporary sign shall be affixed to, attached to, or otherwise hung from a development sign or any part thereof, including the sign structure.
- (6) *Sign area.* No development sign shall exceed 50 square feet.
- (7) *Type of sign.* All development signs shall be freestanding signs.
- (8) *Illumination.* Development signs may only be externally illuminated.

#### AMENDMENT #6

#### Sec. 102-1306. -~~Education signs.~~ **Reserved.**

~~Educational signs shall only be approved for degree granting post secondary colleges or universities and must be issued by the city council under such terms and conditions as it may reasonably require.~~

AMENDMENT #7**DIVISION 7. - DISTRICT REGULATIONS****Sec. 102-1310. - Signs in office district, neighborhood business district, and legal non-conforming commercial property in any district.**

Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the office district, neighborhood business district, and legal non-conforming commercial property in any district of the city. All such signs shall conform to the provisions specified herein in addition to any other conditions or limitations set forth in this article. Signage ~~in for these districts the office district, neighborhood business district and legal non-conforming commercial property~~ will be calculated at one square foot of signage per linear foot of primary building frontage. On secondary building frontages, signs are calculated at 0.5 square feet signage per linear foot. On parking lot building frontages, signs are calculated at 0.25 square feet signage per linear foot. In multi-tenant buildings, the aforementioned calculation of the maximum allowable area shall be based on the tenancy frontage.

- (1) *Parallel signs.* Parallel signs shall be subject to the following restrictions:
  - a. Area. The total area of a parallel sign shall not exceed 12 square feet per business, with a maximum of 36 square feet per building.
  - b. Limitation of placement and area. No parallel sign shall cover any portion of any building wall opening or project beyond the ends or top of the wall.
  - c. Maximum height. A parallel sign shall not extend above the bottom windowsills of the second story above grade plane of any building.
  - d. Minimum height. No parallel sign shall be permitted at a height of less than seven feet above the grade.
  - e. Projection. No parallel sign shall project more than 12 inches from the face of the building wall to which it is attached and shall not project beyond the end or top of the building wall.
  - f. External illumination. Externally illuminated parallel signs shall not be illuminated until the start of business or 8:00 a.m., whichever is later, and shall cease to be illuminated at the end of the business day or 9:00 p.m., whichever is later.
- (2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:
  - a. Number. Only one freestanding sign structure may be permitted per frontage. At no time shall there be more than two freestanding signs per lot.
  - b. Area. The area of any freestanding signs shall not exceed one square foot per five linear feet of lot frontage. The total area of any freestanding sign shall not exceed 20 square feet in area.
  - c. Height. Freestanding signs shall not exceed eight feet in height for the sign structure and six feet in height for the sign when placed within one-half (.5) of the district setback, and such signs shall not exceed 14 feet in height for the sign structure and 12 feet in height for the sign when placed beyond this line.
  - d. Proximity to property line or entrance/exit. No freestanding sign shall be located closer than ten feet to any public right-of-way and/or within ten feet of a building entrance/exit.
  - e. External illumination. Externally illuminated freestanding signs shall not be illuminated until the start of business or 8:00 a.m., whichever is later, and shall cease to be illuminated at the end of the business day or 9:00 p.m., whichever is later.

~~(3) Temporary signs. Temporary signs are prohibited in the office district.~~

~~(4)~~(3) *Projecting signs.* Projecting signs shall be subject to the following restrictions:

- a. Substitution. If a projecting sign is used, no freestanding sign shall be permitted.
- b. Number. There shall be no more than one projecting sign per primary business frontage.
- c. Area. The total area of a projecting sign shall not exceed ten square feet.
- d. Projection. The maximum projection of a projecting sign beyond the building line shall not exceed four feet.
- e. Minimum height. The lower edge of a projecting sign shall be at least eight feet above the grade.
- f. Maximum height. A projecting sign shall not be placed or extend beyond the first story above grade plane.
- g. Sign copy. Sign copy shall not be less than one inch nor more than 12 inches in height.

### AMENDMENT #8

Sec. 102-1311. - Signs in commerce, commerce limited, **business growth and re-use** and central business limited districts.

Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the commerce, commerce limited, **business growth and re-use**, and central business limited districts of the city. All such signs shall conform to the provisions specified herein in addition to any other conditions or limitations set forth in this article. Signage **in these districts for the commerce, commerce limited and central business limited** districts will be calculated at two square foot of signage per linear foot of primary building frontage. On secondary building frontages, signs are calculated at one square foot signage per linear foot. On parking lot building frontages, signs are calculated at 0.5 square feet signage per linear foot. In multi-tenant buildings the aforementioned calculation of the maximum allowable area shall be based on the tenancy frontage.

(1) *Parallel signs.* Parallel signs shall be subject to the following restrictions:

- a. Limitation of placement and area. No parallel sign shall cover any portion of a wall opening, nor project beyond the ends or top of the building wall.
- b. Area. The total area of one or more parallel signs shall not exceed 200 square feet.
- c. Projection. Except for marquee signs, no parallel sign shall project more than 12 inches from the face of the wall to which it is attached
- d. Minimum height. No parallel sign shall project into a vehicle or pedestrian right-of-way at a height of less than seven feet above grade.

(2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:

- a. Number. Only one freestanding sign shall be permitted per frontage. At no time may there be more than two freestanding signs per lot.
- b. Area. The total area of any such sign shall not exceed one square foot per one linear feet of frontage or a total of 100 square feet. In the commerce district, if the frontage is greater than 300 feet, then the maximum allowable sign area may be no more than 200 square feet.
- c. Height. Freestanding signs shall not exceed 14 feet in height when placed within one-half of the district setback line and 18 feet in height when placed beyond this line.
- d. Proximity to street property line and/or entrance/exit. Freestanding signs located closer than ten feet from the street property line and closer than ten feet from an entrance or exit are not permitted.

(3) *Menu board and changeable copy signs.* Menu board and changeable copy signs shall be restricted as follows:

- a. Number. Only one menu board sign and one changeable copy sign shall be permitted per lot or site frontage.
  - b. Area. A menu board or changeable copy sign may be either a parallel or freestanding sign. A menu board sign is in addition to the number of signs specified above. The area of either or both shall be included in the total area allowed based on building area or tenant area calculations.
  - c. Height. A menu board sign shall not exceed six feet in height. A changeable copy sign shall not exceed 12 feet in height.
  - d. Limitation of placement. A menu board sign shall not be located in the front setback.
  - e. Projection. A parallel sign which is also a menu board or a changeable copy sign shall not project more than one foot from the face of the wall to which it is attached.
- (4) *Banners.* Notwithstanding the restrictions set forth in sections 102-1292 and 102-1301, banners are permitted in the commerce district subject to the following restrictions:
- a. Location. Banners may be located at shopping centers/plazas in the commerce district that have a minimum of 200 feet frontage.
  - b. Numbers. A maximum of two banners may be mounted per pole. The poles for said banners shall be relocated on the property line common with the city right-of-way. There shall be a minimum of 60 feet between each pole containing banners.
  - ~~c. Copy. Sign copy for all banners shall be limited to the logo/emblem and/or the name of the shopping center/plaza. Copy identifying individual stores is prohibited.~~
  - ~~d.c.~~ Height. Banners shall be no more than of 18 feet higher than the first story above grade level and no less than ten feet higher than the first story above grade level.
  - ~~e.d.~~ Size. Each banner shall be a maximum of 16 square feet. The square footage of any banner shall be added to the maximum allowable area for a freestanding sign.
  - ~~f.e.~~ Height. The lower edge of a banner shall be at least eight feet above the grade directly beneath the sign as measured from the lowest point where the grade meets the building line on the facade to which the sign is attached. The maximum height to the top of such a sign, as measured from the lowest point where the grade meets the building line on the facade to which the sign is attached, shall not exceed 18 feet.
  - ~~g.f.~~ Materials. Banners shall be constructed of cloth, canvas or other material treated to withstand inclement weather.
  - ~~h.g.~~ Mounting. Banners are to be safely mounted so as to withstand winds, storms, etc.
- (5) *Projecting signs.* Projecting signs shall be subject to the following restrictions:
- a. Number. There shall be no more than one projecting sign per tenancy frontage.
  - b. Area. The total area of such a projecting sign shall not exceed 20 square feet.
  - c. Projection. The maximum projection of such sign beyond the building line shall not exceed four feet.

#### AMENDMENT #9

#### Sec. 102-1315. - Signs in agricultural, ~~conservation,~~ **residential preservation** districts.

Unless otherwise provided by state law, no signs shall be permitted in the conservation district. Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the agricultural district and **residential preservation district** of the city. All such signs shall conform to the provisions specified herein in addition to any other condition or limitation set forth in this article. Signage for the agricultural district **and residential preservation district** will be calculated at one square foot of signage per linear foot of primary building frontage. On secondary building frontages,

signs are calculated at 0.5 square feet signage per linear foot. On parking lot building frontages, signs are calculated at 0.25 square feet signage per linear foot. In multi-tenant buildings the aforementioned calculation of the maximum allowable area shall be based on tenancy frontage.

- (1) *Parallel signs.* Parallel signs shall be subject to the following conditions:
  - a. Limitation of placement and area. No parallel sign shall cover any wall opening, nor project beyond the ends or top of the building wall.
  - b. Projection. No parallel sign shall project more than one foot from the face of the wall to which it is attached.
- (2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:
  - a. Number. Only one freestanding sign shall be permitted per lot.
  - b. Area. The total area of any such sign shall not exceed 32 square feet.
  - c. Height. Freestanding signs shall not exceed 12 feet in height.

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Kendall W. Lane, Mayor



# CITY OF KEENE

In the Year of Our Lord Two Thousand and ..... EIGHTEEN .....

AN ORDINANCE ..... Relating to Chapter 102 Zoning Code Article VIII Sign Regulations .....

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

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by inserting the bolded text and eliminating the stricken text in Article VIII Sign Regulations of Chapter 102 entitled Sign Regulations as follows:

## ARTICLE VIII. - SIGN REGULATIONS DIVISION 1. - IN GENERAL

### AMENDMENT #1

Sec. 102-1282. - Definitions.

The following definitions shall govern this article:

*Building directory sign:* A wall sign composed of individual smaller panels which identify businesses, occupants, owner(s) and/or the property manager. ~~Such building directory signs may set forth the occupation or other address information but shall not contain any advertising.~~

*Building frontage:* That portion of a building used to calculate the allowable signage. There are three types of building frontage that are relevant for purposes of this article:

- (1) *Parking lot building frontage:* Frontage along a building wall facing a parking lot that conforms to an approved site plan or the City of Keene Zoning Ordinance (hereinafter "zoning ordinance"), said building wall having an entry to the building that conforms to all applicable building and fire codes.
- (2) *Primary frontage:* Frontage along the narrowest point of a lot or parcel where the building wall faces a street or right-of-way that is determined to be of primary importance ~~(for purposes of ingress and egress)~~ to the business establishment occupying the premises, ~~said street or right-of-way being the same as the street address.~~
- (3) *Secondary frontage:* Frontage along a point of a lot or parcel where the building wall is parallel to a street or right-of-way that is of secondary importance to the business establishment occupying the premises ~~for purposes of ingress and egress.~~
- (4) *Tenancy frontage:* A line parallel or facing the parking lot building frontage, primary frontage or secondary frontage and defined by an extension of the tenant separation walls.

*Bulletin board:* A sign used for the posting of bulletins, notices, announcements, or other messages, ~~by a noncommercial organization.~~

*Construction sign:* A sign ~~advertising the architect, engineer or contractors, donors or financial institution for a building or project, when such sign is placed upon the site under construction.~~



~~*Primary sign:* In the case of a single business establishment, a primary sign is a sign that sets forth the name and nature of that business. In the case of a development, a primary sign is a sign that sets forth the name and nature of that development.~~

**Snipe sign: Means any sign, generally of temporary nature, made of any material, when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, stakes, fences, or other objects not erected, owned, and maintained by the owner of the sign.**

AMENDMENT #2

**DIVISION 2. - APPLICATION PROCESS**

Sec. 102-1287. - Signs excepted from permit requirement.

The following signs shall not require a sign permit unless otherwise provided in this article. Such signs shall conform to all building, structural, and electrical codes and regulations of the city. Building permits may be required to erect such signs even though the signs do not require a sign permit.

- (8) ~~*Business signs.*~~ No sign permit shall be required for signs displaying the name of a business establishment when said sign is attached or otherwise affixed to the business frontage in a covered common walkway of a shopping center, provided the area of such sign shall not exceed four square feet.

AMENDMENT #3

**DIVISION 4. - PERMISSIBLE AND PROHIBITED SIGNS**

Sec. 102-1292. - Prohibited signs.

The following signs shall be prohibited:

- (18) ~~*Reserved.*~~ **Snipe signs**

AMENDMENT #4

**DIVISION 6. - SPECIFIC REGULATIONS FOR INDIVIDUAL SIGNS**

Sec. 102-1301. - Temporary signs.

- (a) *Permit requirement for temporary signs.* A permit shall be required prior to the erection, construction, relocation, alteration or maintenance of temporary signs on property located in every zoning district of the city, unless specifically excepted from the permit requirement as set forth below. Permits for temporary signs shall authorize the erection, construction, relocation, alteration or maintenance of said signs for a period not exceeding 14 days, at which time they shall be removed. A subsequent temporary sign permit in any one calendar year may be issued only after the previous temporary sign permit has expired and the sign has been removed for at least 30 days. Only four temporary sign permits shall be issued in any one calendar year to the same property owner or applicant. A single permit for a temporary sign shall include all such temporary signs on the premises. The signs must be in conformance with the provisions of this article as well as all applicable building, structural, and electrical codes and regulations of the city.
- (b) *Exceptions to permit requirements for temporary signs.* The following temporary signs shall be excepted from the sign permit requirement set forth above:

- (1) ~~Agricultural signs. No sign permit shall be required for the erection, construction, location, or maintenance of signs advertising the sale of agricultural produce that is grown, raised, and/or harvested on the premises where such sale is permitted. However, there shall be no more than four signs on said premises at any one time and each shall not exceed four square feet in area. One temporary sign with a sign face no larger than 6 square feet is allowed per lot in the agriculture, rural, low density, medium density, high density, office, residential preservation, neighborhood business, and central business districts. One temporary sign with a sign face no larger than 32 square feet is allowed per lot in all other districts not listed above.~~
- (2) *Mobile vendor signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary mobile vendor signs provided said vendors are properly licensed, and actually selling merchandise on the premises. No permanent mobile vendor signs are permitted. The total aggregate area of all such signs shall not exceed 12 square feet.
- (3) *Business relocation signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary business relocation signs advertising the relocation of a business enterprise from the premises to a new location within the city, provided the area of any such sign shall not exceed 24 square feet, and shall be removed within 45 days after the business has been relocated.
- (4) *Construction signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of one sign with any development when building permits have been issued, provided the area of any sign shall not exceed 48 square feet, and shall be removed within 20 days after the last structure has been initially occupied or upon expiration of the building permit, whichever is sooner.
- (5) *Temporary event signs.* No sign permit shall be required for the erection, construction, relocation, or maintenance of temporary event signs, subject to the following conditions or limitations:
- a. Zoning districts. Temporary event signs are only permitted in commerce and central business limited districts of the city.
  - b. Setbacks. Temporary event signs shall not be placed in or within ten feet of any travel lane or driveway, nor within the sign setback lines established in this article.
  - c. Illumination. Temporary events signs shall not be internally or externally illuminated.
  - d. Multiple sites for periodic events. Temporary events signs shall be separated from other sites containing other actively permitted periodic event signs by a 1,000 foot separation as measured from property line to property line.
  - e. Size limitations. Temporary events signs shall be a maximum of four feet by eight feet and shall comply with all applicable codes and regulations.
  - f. Duration of signage display. Temporary events signs may be displayed for up to two weeks prior to the event plus the duration of the event, but shall be removed within 24 hours after the event concludes.
- ~~Sign permit required for erection of sign structure and replacement of sign face. A sign permit shall be required, but no permit fee will be assessed, for the erection of a sign structure and/or the replacement of a sign face for a periodic temporary events sign. Written permission of the property owner where the sign is to be located must be submitted to the department in conjunction with a sign permit application.~~
- g. Signs for street fairs or community events. Please refer to chapter 46, licenses and permits, article XVIII, street fairs or community events, which governs the permitting process, approval of uses, registration, and participation and permit fees for street fairs and community events.
- (6) Posters, bulletins, banners, notices. No sign permit shall be required for the display of posters, bulletins, banners, notices inside windows, and other similar temporary signs displayed inside

windows, provided the sign is not otherwise prohibited by this article and provided the total area of such sign does not exceed ten percent of the total window area of any building elevation of any building, up to a maximum total area of ten square feet on each building elevation.

- (7) ~~Real estate signs. No sign permit shall be required for the erection, construction, relocation, and maintenance of real estate signs, provided such signs are removed within 14 days after the sale, lease, or rental transaction has been completed. Temporary real estate signs shall be located on the property that is for sale or for lease, and only one such temporary real estate sign shall be permitted per property. Temporary real estate signs for the sale, lease, or rental of residential property, shall not exceed 6 square feet. Temporary real estate signs for the sale, lease, or rental of commercial property shall not exceed 32 square feet. In the central business district, all temporary real estate signs for the sale, lease, or rental of any property shall not exceed six square feet. Off-site open house signs are permitted but must be removed by the end of the day of the open house.~~

#### AMENDMENT #5

##### Sec. 102-1304. - Development signs.

All development signs shall be subject to the following provisions in addition to any limitations or conditions set forth elsewhere in this article:

- (1) *Location.* One development sign shall be allowed for every access road to a development as defined in this article. If more than one access road to a development exists, the development signs for said development shall be a minimum of 300 feet apart. The development sign(s) shall be located at the intersection of a state numbered highway and the street or access road which provides access to the development. The development sign may be located on the side of the road or in an island if the road is divided. The sign shall be located either on public land or private land owned by the developer. If a development sign is located on private land, said land must be owned by and a part of the development. If the development sign is located within a city right-of-way, city council permission shall be required prior to the erection and construction of said sign.
- (2) *Lot ownership.* If a development is owned by more than one person, the application for a sign permit shall be signed by all persons that represent more than 80 percent of the land of the development.
- (3) *Sign copy.* All sign copy for a development sign shall be a minimum of eight inches in height and a maximum of 18 inches in height. ~~The development sign shall only contain the name of the development.~~
- (4) *Height.* Development signs shall not be more than ten feet in height.
- (5) *Temporary signs.* No temporary sign shall be affixed to, attached to, or otherwise hung from a development sign or any part thereof, including the sign structure.
- (6) *Sign area.* No development sign shall exceed 50 square feet.
- (7) *Type of sign.* All development signs shall be freestanding signs.
- (8) *Illumination.* Development signs may only be externally illuminated.

#### AMENDMENT #6

##### Sec. 102-1306. -~~Education signs.~~ **Reserved.**

~~Educational signs shall only be approved for degree granting post secondary colleges or universities and must be issued by the city council under such terms and conditions as it may reasonably require.~~

AMENDMENT #7**DIVISION 7. - DISTRICT REGULATIONS****Sec. 102-1310. - Signs in office district, neighborhood business district, and legal non-conforming commercial property in any district.**

Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the office district, **neighborhood business district, and legal non-conforming commercial property in any district** of the city. All such signs shall conform to the provisions specified herein in addition to any other conditions or limitations set forth in this article. Signage ~~in for these districts the office district, neighborhood business district and legal non-conforming commercial property~~ will be calculated at one square foot of signage per linear foot of primary building frontage. On secondary building frontages, signs are calculated at 0.5 square feet signage per linear foot. On parking lot building frontages, signs are calculated at 0.25 square feet signage per linear foot. In multi-tenant buildings, the aforementioned calculation of the maximum allowable area shall be based on the tenancy frontage.

(1) *Parallel signs.* Parallel signs shall be subject to the following restrictions:

- a. Area. The total area of a parallel sign shall not exceed 12 square feet per business, with a maximum of 36 square feet per building.
- b. Limitation of placement and area. No parallel sign shall cover any portion of any building wall opening or project beyond the ends or top of the wall.
- c. Maximum height. A parallel sign shall not extend above the bottom windowsills of the second story above grade plane of any building.
- d. Minimum height. No parallel sign shall be permitted at a height of less than seven feet above the grade.
- e. Projection. No parallel sign shall project more than 12 inches from the face of the building wall to which it is attached and shall not project beyond the end or top of the building wall.
- f. External illumination. Externally illuminated parallel signs shall not be illuminated until the start of business or 8:00 a.m., whichever is later, and shall cease to be illuminated at the end of the business day or 9:00 p.m., whichever is later.

(2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:

- a. Number. Only one freestanding sign structure may be permitted per frontage. At no time shall there be more than two freestanding signs per lot.
- b. Area. The area of any freestanding signs shall not exceed one square foot per five linear feet of lot frontage. The total area of any freestanding sign shall not exceed 20 square feet in area.
- c. Height. Freestanding signs shall not exceed eight feet in height for the sign structure and six feet in height for the sign when placed within one-half (.5) of the district setback, and such signs shall not exceed 14 feet in height for the sign structure and 12 feet in height for the sign when placed beyond this line.
- d. Proximity to property line or entrance/exit. No freestanding sign shall be located closer than ten feet to any public right-of-way and/or within ten feet of a building entrance/exit.
- e. External illumination. Externally illuminated freestanding signs shall not be illuminated until the start of business or 8:00 a.m., whichever is later, and shall cease to be illuminated at the end of the business day or 9:00 p.m., whichever is later.

~~(3) *Temporary signs.* Temporary signs are prohibited in the office district.~~

(4) (3) *Projecting signs.* Projecting signs shall be subject to the following restrictions:

- a. Substitution. If a projecting sign is used, no freestanding sign shall be permitted.
- b. Number. There shall be no more than one projecting sign per primary business frontage.
- c. Area. The total area of a projecting sign shall not exceed ten square feet.
- d. Projection. The maximum projection of a projecting sign beyond the building line shall not exceed four feet.
- e. Minimum height. The lower edge of a projecting sign shall be at least eight feet above the grade.
- f. Maximum height. A projecting sign shall not be placed or extend beyond the first story above grade plane.
- g. Sign copy. Sign copy shall not be less than one inch nor more than 12 inches in height.

#### AMENDMENT #8

Sec. 102-1311. - Signs in commerce, commerce limited, **business growth and re-use** and central business limited districts.

Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the commerce, commerce limited, **business growth and re-use**, and central business limited districts of the city. All such signs shall conform to the provisions specified herein in addition to any other conditions or limitations set forth in this article. Signage **in these districts** ~~for the commerce, commerce limited and central business limited districts~~ will be calculated at two square foot of signage per linear foot of primary building frontage. On secondary building frontages, signs are calculated at one square feet signage per linear foot. On parking lot building frontages, signs are calculated at 0.5 square feet signage per linear foot. In multi-tenant buildings the aforementioned calculation of the maximum allowable area shall be based on the tenancy frontage.

- (1) *Parallel signs.* Parallel signs shall be subject to the following restrictions:
  - a. Limitation of placement and area. No parallel sign shall cover any portion of a wall opening, nor project beyond the ends or top of the building wall.
  - b. Area. The total area of one or more parallel signs shall not exceed 200 square feet.
  - c. Projection. Except for marquee signs, no parallel sign shall project more than 12 inches from the face of the wall to which it is attached
  - d. Minimum height. No parallel sign shall project into a vehicle or pedestrian right-of-way at a height of less than seven feet above grade.
- (2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:
  - a. Number. Only one freestanding sign shall be permitted per frontage. At no time may there be more than two freestanding signs per lot.
  - b. Area. The total area of any such sign shall not exceed one square foot per one linear feet of frontage or a total of 100 square feet. In the commerce district, if the frontage is greater than 300 feet, then the maximum allowable sign area may be no more than 200 square feet.
  - c. Height. Freestanding signs shall not exceed 14 feet in height when placed within one-half of the district setback line and 18 feet in height when placed beyond this line.
  - d. Proximity to street property line and/or entrance/exit. Freestanding signs located closer than ten feet from the street property line and closer than ten feet from an entrance or exit are not permitted.
- (3) *Menu board and changeable copy signs.* Menu board and changeable copy signs shall be restricted as follows:

- a. Number. Only one menu board sign and one changeable copy sign shall be permitted per lot or site frontage.
  - b. Area. A menu board or changeable copy sign may be either a parallel or freestanding sign. A menu board sign is in addition to the number of signs specified above. The area of either or both shall be included in the total area allowed based on building area or tenant area calculations.
  - c. Height. A menu board sign shall not exceed six feet in height. A changeable copy sign shall not exceed 12 feet in height.
  - d. Limitation of placement. A menu board sign shall not be located in the front setback.
  - e. Projection. A parallel sign which is also a menu board or a changeable copy sign shall not project more than one foot from the face of the wall to which it is attached.
- (4) *Banners*. Notwithstanding the restrictions set forth in sections 102-1292 and 102-1301, banners are permitted in the commerce district subject to the following restrictions:
- a. Location. Banners may be located at shopping centers/plazas in the commerce district that have a minimum of 200 feet frontage.
  - b. Numbers. A maximum of two banners may be mounted per pole. The poles for said banners shall be relocated on the property line common with the city right-of-way. There shall be a minimum of 60 feet between each pole containing banners.
  - ~~c. Copy. Sign copy for all banners shall be limited to the logo/emblem and/or the name of the shopping center/plaza. Copy identifying individual stores is prohibited.~~
  - d. c. Height. Banners shall be no more than of 18 feet higher than the first story above grade level and no less than ten feet higher than the first story above grade level.
  - e. d. Size. Each banner shall be a maximum of 16 square feet. The square footage of any banner shall be added to the maximum allowable area for a freestanding sign.
  - f. e. Height. The lower edge of a banner shall be at least eight feet above the grade directly beneath the sign as measured from the lowest point where the grade meets the building line on the facade to which the sign is attached. The maximum height to the top of such a sign, as measured from the lowest point where the grade meets the building line on the facade to which the sign is attached, shall not exceed 18 feet.
  - ~~g. f. Materials. Banners shall be constructed of cloth, canvas or other material treated to withstand inclement weather.~~
  - h. g. Mounting. Banners are to be safely mounted so as to withstand winds, storms, etc.
- (5) *Projecting signs*. Projecting signs shall be subject to the following restrictions:
- a. Number. There shall be no more than one projecting sign per tenancy frontage.
  - b. Area. The total area of such a projecting sign shall not exceed 20 square feet.
  - c. Projection. The maximum projection of such sign beyond the building line shall not exceed four feet.

#### AMENDMENT #9

#### Sec. 102-1315. - Signs in agricultural, conservation, **residential preservation** districts.

Unless otherwise provided by state law, no signs shall be permitted in the conservation district. Unless otherwise provided in this article, a sign permit shall be required for all signs erected, constructed, or relocated in the agricultural district and **residential preservation district** of the city. All such signs shall conform to the provisions specified herein in addition to any other condition or limitation set forth in this article. Signage for the agricultural district **and residential preservation district** will be calculated at one square foot of signage per linear foot of primary building frontage. On secondary building frontages,

signs are calculated at 0.5 square feet signage per linear foot. On parking lot building frontages, signs are calculated at 0.25 square feet signage per linear foot. In multi-tenant buildings the aforementioned calculation of the maximum allowable area shall be based on tenancy frontage.

- (1) *Parallel signs.* Parallel signs shall be subject to the following conditions:
  - a. Limitation of placement and area. No parallel sign shall cover any wall opening, nor project beyond the ends or top of the building wall.
  - b. Projection. No parallel sign shall project more than one foot from the face of the wall to which it is attached.
- (2) *Freestanding signs.* Freestanding signs shall be subject to the following restrictions:
  - a. Number. Only one freestanding sign shall be permitted per lot.
  - b. Area. The total area of any such sign shall not exceed 32 square feet.
  - c. Height. Freestanding signs shall not exceed 12 feet in height.

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Kendall W. Lane, Mayor





City of Keene, N.H.  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** G.1.

**SUBJECT:** Skate Park Update-Parks, Recreation and Facilities Department

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**RECOMMENDATION:**

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the Director of Parks, Recreation and Facilities return at the next meeting cycle with an update on the condition of the existing skate park.

**BACKGROUND:**

Chair Manwaring welcomed Andy Bohannon, Parks, Recreation and Facilities Director. Mr. Bohannon gave the Committee a brief history of the skate park located on Gilbo Avenue. In 1996, the skate park was built through the efforts of a group of young men within the community who sought to create a skate park due to the lack of space available to skate. The group collaboratively came together to raise enough funds to build a skate park within the downtown footprint. Mr. Bohannon commended the group on their hard work and effort.

Mr. Bohannon reported this group visited a well-known skate park in Pennsylvania called Woodward. After the visit the group decided to mimic that park here in Keene. Over the years Mr. Bohannon explained they have removed some items in the park due to wear and tear. He said part of the problem with the skate park is the design, not the flow or transitions of the design. Mr. Bohannon explained that a wooden frame in New England with steel plates deteriorates over time and has become a maintenance challenge. He reported Primex inspected the park once in 2010 and again in 2014. In 2017, the City hired SCT Engineering to evaluate the structural integrity of the ramps and platforms. After the evaluation report was received, Mr. Bohannon said initial repairs were made. In addition, the results from the evaluation noted that the structure is good and well built. The outer surfaces were noted as a challenge.

Mr. Bohannon said the park was originally designed for the use of skate boarders and rollerblades. Over the years BMX bikes have become very popular which has led to the use of bikes. Mr. Bohannon noted the amount of force from a bike is completely different from the force and use of a skateboard. The weight that comes down on the platform causes the boards to deteriorate.

Mr. Bohannon reported that in 2015 a group of young professionals came up with a design for the park that was put in the CIP with a price tag that was \$773,000. He noted the full price never went into the CIP and only went in as \$500,000 because the extra cement bowl was never phased into the cost. A short time later that group of young professionals went in different directions and were not as invested in the skate park. The City decided to keep this figure for the skate park in the CIP last year as the Parks, Recreation and Facilities Department decided to conduct a structural study. During this time Kathy Burke came to Mr. Bohannon stating that her son was a big advocate for the park and had a group of people that want a new park and could do some

fundraising. Mr. Bohannon reported he met with this group in the fall during the time when the CIP was due. He noted there was not enough information about the new skate park at that time to update the CIP. In addition, Mr. Bohannon stated it was the desire of this group to keep the park downtown and had a goal to raise \$300,000. He noted this new group chose the downtown location due to the proximity to downtown businesses.

Mr. Bohannon explained that his department has gone back to Spohn Ranch to create a mock design for the 9,200 square foot of City land. Spohn Ranch recommended the group move forward with their fundraising efforts and once the funding has been established, they will create a design mockup.

At this time, the group has begun to assemble a fundraising team to begin raising the \$300,000. In addition, they are working with Pathways for Keene, as their fiscal agent.

Councilor Filiault asked what the current condition of the park is and if it was plausible to keep it maintained for another year. Mr. Bohannon replied that the steel is the issue and to get another year out of the park will take some funding. He explained that the last time they had to replace the steel it had to be customized and the park would need to be shut down for a week in order for someone to come in and weld the steel. Mr. Bohannon said he could find out the cost to have the park updated and report back to the Committee.

Councilor Filiault said it is important to weigh all the options available in order to make a good decision. In addition, he also wanted to have something open for the kids to use. Councilor Filiault recommended Mr. Bohannon come back before the Committee with all of the available options, the recommendation from the City and what the group would be doing for fundraising.

Councilor Sutherland asked Mr. Bohannon to explain why a group interested in providing an area for recreation located on City property is asked by the City to provide their own funding. He stated that he looked at what the City was doing by engaging the upcoming Senior Center that is an independent organization. In addition, he said the City is planning on spending an estimated 1.6 million of tax payer money and in the case of the skate park this group has to go fundraise on their own. Councilor Sutherland asked Mr. Bohannon to explain the difference between these two groups. He reiterated that one location is on City land and the other is going to be given funds to expand their facility, parking and allowed to house their origination within the City. Mr. Bohannon replied this particular park came about the same time as Ashuelot Park and these two are models of how advocates for these types of amenities must fundraise. He explained this was the messaging he has received over the years and that these models have worked in the past. Mr. Bohannon said if the City Council does not want to continue with these types of models, there should be a conversation with the City Manager. Councilor Sutherland said there seems to be conflict of engagement rules for different groups and there should be standards.

Councilor Sutherland stated that he submitted materials on a number of skate parks that feature pre-manufactured parks and asked if that had been assessed. Mr. Bohannon replied they have looked into Skatelite as well as a couple of other companies that feature the same material and asked for quotes to replace one ramp. The quotes received to fabricate one ramp were in the range of \$60,000. He noted this was only for one piece and were talking similar money to replacing the entire park.

Councilor Lamoureux referred to Councilor Sutherland's comment about the fundraising models and explained the City Council votes on how to move forward and gives direction to City staff on how to move forward with those types of models.

In addition, Councilor Lamoureux asked if there was a decision made that the skate park was going to Wheelock Park or if it was a process that this was a good location. Mr. Bohannon replied few years ago there were two things leading a discussion regarding Wheelock Park. One was the dog park and the other was the skate park. He said there was a concept plan drawn out for Wheelock Park and in working with the contractor

the question was if these various elements could be fit into Wheelock Park. He said the answer was, "Yes" because there is enough space. Mr. Bohannon said there was no hard decision to say the skate park was going to Wheelock Park and that it was more to acknowledge there was space available and what it would look like.

Councilor Hooper stated that he supported the project whole heartedly and that it is great the skate park was targeted for downtown in order to create more energy and action. He asked if the park would be safe for the upcoming summer season and if the City was comfortable with the park as it stands at this point. Mr. Bohannon replied that he would have all of these options available to the Committee at the next meeting cycle.

Councilor Sutherland referred to a company called Rye Airfield located on the seacoast that is a profit making skate park and bike park. He wondered if charging fees or developing another source of income from the skate park would help offset the maintenance fees. Councilor Sutherland said that he was thinking about a business model to help build, maintain, improve and serve the community.

Chair Manwaring recognized Kathy Burke, 29 Grant Street. Ms. Burke said she has lived in Keene for 6 years and is the mother of a son who is an avid BMX bike rider. She became involved with this project because she watched her son become confident and athletic due to the sport and wanted to help support her son, who is spearheading the campaign. Ms. Burke noted the park is in bad condition and was concerned that her son was going to injure himself due to deteriorating conditions. The idea to help get a new skate park came forward and they decided to contact Mr. Bohannon. Ms. Burke explained to Mr. Bohannon this is a great park and the kids want to keep the park downtown due to the access to the bike path, restaurants and retail shops.

Ms. Burke referred to Councilor Sutherland's comment in regard to charging a fee to use the skate park. She said most cities that run their municipal parks are free and noted that parks of this nature bring economic benefits to the community. In addition, she said skateboarders and BMX riders visit parks all over the country and would come to Keene. Chair Manwaring asked how one would donate to the park. Ms. Burke replied they are in process of creating all of this information and wanted to have the City's approval before launching the campaign.

Chair Manwaring welcomed public comment. With no comment, Chair Manwaring asked if there was a motion.

Councilor Filiault made the following motion, which was seconded by Councilor Lamoureux.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends the Director of Parks, Recreation and Facilities return at the next meeting cycle with an update on the condition of the existing skate park.



City of Keene, N.H.  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council

**FROM:** Municipal Services, Facilities and Infrastructure Committee

**ITEM:** G.2.

**SUBJECT:** The Future of the Wheelock Park Campground-Parks, Recreation and Facilities Department

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**RECOMMENDATION:**

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends The Future of the Wheelock Park Campground be put on more time for the next meeting cycle.

**BACKGROUND:**

Chair Manwaring recognized the Director of Parks, Recreation and Facilities, Andy Bohannon. He informed the Committee that the Wheelock Park Campground was one of the original recreational facilities of the City. He said it was important to understand why the campground was created. In 1959, the Monadnock Chapter 66, NAFC (North American Family Campers Association) built a small campground in the back of Wheelock Park. The purpose of the chapter was to open and close the campground and make improvements as the summers passed. The local chapter is still in existence but is no longer involved in the campground. Over the years no additional improvements have been made to the campground.

As the park grew, world championship softball tournaments, horseshoe tournaments and dog shows were held at the park during the 1980's. This model worked for the campground at that time. The dog show has gone away and the softball tournaments have lessened. The staple at the park is the New England Horseshoe Tournament held on Labor Day weekend. During that time, over 300 pitchers come in from around the region. The campground is full and generates an income of \$6,000-\$7,000 off that one weekend. In addition, softball tournaments and two other horseshoe tournaments are still held at the park.

Today, Mr. Bohannon said camping is now an extension of one's home in order to make camping a comfortable experience. The RV's passing through, frustrated with the services available, leave the campground or many times only stay for a day or two. He said the conversation about the campground started a couple years ago when the campground manager retired after 15 years of service. Mr. Bohannon described how difficult it was to find someone willing to fill the position when the position requires 24 hours a day, 7 days a week attention. The position entails check in for campers, monitoring payments and the daily duties of running a campground. Last year the campground transitioned away from the cash model and only accepted credit cards. The temporary manager was able to track who is using the campground and took good notes. If there was an incident it was documented and if the police were called it was documented. Mr. Bohannon said the campground manager position has been advertised but the right person has just not come along.

Mr. Bohannon reiterated the infrastructure that is currently in place does not attract today's RV's and noted how this has never been addressed. He stated there was a need to put together a CIP that addresses the options. Mr. Bohannon said he does not want to close in total because the campground is important for tournaments and is a

benefit. In addition, demographics have completely changed of who uses the campgrounds. The City of Keene and the Town of Ashland are the only two municipalities in NH that continue to operate a campground.

Mr. Bohannon stated the considerations for providing a campground should be as follows:

- a. Continue to operate the campground as is.
- b. Create an infrastructure plan and bring forward to the next CIP cycle and operate the campground for the 2018 season.
- c. Close the campground for public use for the 2018 season, but allow tournaments to use the campground for their specific purpose.
- d. Create an infrastructure plan to bring forward during next CIP cycle, close the campground for public use during the 2018 season, but allow tournaments to use the campground for the specific purposes.
- e. Close the campground and consider it for repurposing the portion of the park.

Chair Manwaring asked if Mr. Bohannon had a basic cost level that it would take to fix the campground and make it attractive. Mr. Bohannon stated last year prior to opening an internal committee put together a project plan where the status of the campground was examined. The committee put together an RFP to do just that and to make an estimate on electric for each site. He said the RFP was sent to firms and they received a wide range to prices from \$15,000 to \$30,000. Mr. Bohannon said another option would be to bring someone in to evaluate the park in order to provide him with the right specifications for a cost estimate.

Councilor Filiault asked if there have been any problems with illegal campers during the warmer months. Mr. Bohannon replied on occasion people do try to camp prior to opening. City staff does inspect the campground as part of park operations and work has been done with the trees to help with visibility. In addition, Eversource in cleaning the power lines have worked on replanting and introduced a different feel to the park.

Councilor Sutherland said it seemed there are two questions and the first is if the City should continue operating the campground and the estimated cost to continue operations. He asked if the cost would include the cost of the campground manager. Mr. Bohannon replied in the affirmative and the stipend for the campground manager is \$7,600 for the summer.

Chair Manwaring welcomed public comment.

Councilor Hansel asked if there was a reason why the campground caters to RV camping as opposed to tents. He noted tents use less utilities compared to RV's. Mr. Bohannon replied that tent camping reaches a different demographic and often times there have been various issues. He noted the use of tents tend to be used as transitional living as opposed to being used for a vacation or used during a tournament. The campground does have a rule in the campground that allows a stay up to three weeks and then the camper must leave for two weeks. The first week is paid up front, and second and third are based on the recommendation of the campground manager or the Director of Parks, Recreation and Facilities. If there are any problems the campers are asked to leave.

Councilor Hansel asked if the tents were being used by families in Keene for vacation or people in transition. Mr. Bohannon replied the tents were not being used by families in Keene and more for transitional living.

Chair Manwaring suggested placing this on more time and would like to have a tour of the campground. The Committee agreed to meet at the campground on Wednesday, April 25, 2018, at 5:15 PM. Chair Manwaring welcomed all City Councilors because this is not a decision to make quickly due to the campground being a fixture of Keene for quite some time.

The City Attorney stated Mr. Bohannon would need to notify the City Clerk's Office in order to have the tour publicly noticed.

With no further public comment, Chair Manwaring requested a motion.

Councilor Lamoureux made the following motion, which was seconded by Councilor Hooper.

On a vote of 5-0, the Municipal Services, Facilities and Infrastructure Committee recommends The Future of the Wheelock Park Campground be put on more time for the next meeting cycle.



City of Keene, N.H.  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** G.3.  
**SUBJECT:** Keene Swampbats - Request to Discharge Fireworks

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**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request from the Keene Swampbats be placed on more time to allow City staff to hold a series of protocol meetings with the petitioner.

**BACKGROUND:**

Kurt Blomquist, Public Works Director confirmed the staff's desire that the request be placed on more time to allow protocol meetings to be held.

Councilor Jones made the following motion which was seconded by Councilor Rice.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request from the Keene Swampbats be placed on more time to allow City staff to hold a series of protocol meetings with the petitioner.



City of Keene, N.H.  
*Transmittal Form*

April 11, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Planning, Licenses and Development Committee  
**ITEM:** G.4.

**SUBJECT:** First Light Fiber - Request to Install Conduit on City Right-of-Way

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**RECOMMENDATION:**

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request from First Light Fiber be placed on more time.

**BACKGROUND:**

Kurt Blomquist, Public Works Director reported City staff is working with the petitioner and recommending this be placed on more time. Mr. Blomquist continued First Light is a private communication company. They are looking to install a section of conduit along Main Street from Church Street up to Roxbury Street to service an individual customer. They do not go through the normal licensing process through the City Clerk's Office because they are not a regulated utility like FairPoint or Eversource.

Councilor Jones asked if this would be a good time for the City to run conduit for broadband. Mr. Blomquist said this is part of the conversation they are having internally about the long range plan for broadband in the City. They are proposing to do a micro-trench (narrow width) not a full trench to minimize their costs.

Councilor Jacobs asked if the narrow trench would be going into the street. Mr. Blomquist indicated it would be closer to the parking stalls. The petitioner has come to an agreement with FairPoint on two access points but they could not come to an agreement on how to get from those two points. Continuing, Councilor Jacobs asked how the Dig Once policy relates to this. Mr. Blomquist indicated he was moving away from the Dig Once term because this is a different perspective. This is more of a selective installation and he reiterated this is a private company and not regulated utility so there are different rules to consider. Councilor Jacobs said he is just saying if there is an opportunity to benefit other businesses or the City should seize that opportunity. Mr. Blomquist agreed adding if it makes sense and noting there is always a cost that comes with it. Adding to the discussion Councilor Hansel said he is not comfortable throwing a bunch of conduit in the ground and not know if it will ever be used.

There being no questions or comments from the Committee or public Chair Richards asked for a motion.

Councilor Sapeta made the following motion which was seconded by Councilor Hansel.

On a vote of 5-0, the Planning, Licenses and Development Committee recommends the request from First Light Fiber be placed on more time.





City of Keene, N.H.  
*Transmittal Form*

March 30, 2018

**TO:** Mayor and Keene City Council  
**FROM:** Donald R. Lussier, P.E., City Engineer  
**THROUGH:** Elizabeth A. Dragon, City Manager  
**ITEM:** H.1.  
**SUBJECT:** Relating to Specific Street Regulations

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**RECOMMENDATION:**

That Ordinance O-2018-06, Relating to Specific Street Regulations, be referred to the Municipal Services, Facilities and Infrastructure Committee for review and recommendation to the City Council.

**ATTACHMENTS:**

Description

Ordinance O-2018-06

**BACKGROUND:**

As a condition of approval for the Hillside Village project on Wyman Road, the Planning Board required the developer to petition the City Council for a restriction of truck traffic on the northern end of Wyman Road. On March 16, 2017 the City Council directed staff to "develop the necessary ordinance to restrict truck traffic on Wyman Road from the crossing of Wyman Road over Black Brook to the Old Walpole Road Intersection."

Attached is Ordinance O-2018-06, Relating to Specific Street Regulations, drafted in accordance with the City Council's instructions.



# CITY OF KEENE

O-2018-06

Eighteen

In the Year of Our Lord Two Thousand and .....

Relating to Specific Street Regulations

AN ORDINANCE .....

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by editing Article IV "Specific Street Regulations" of Chapter 94 entitled "Traffic, Parking and Public Ways" as follows:

Secs. 94-347 – 94-370 ~~350~~. – Reserved.

## **DIVISION 7. – SELECTIVE EXCLUSIONS**

### **Section 94-351. – No Trucks.**

**(a) No person shall operate any vehicle of 16,000 pounds or greater gross vehicle weight rating over the following public ways or parts of ways:**

**(1) Wyman Road from the bridge over Beaver Brook to the intersection with Old Walpole Road**

**(b) This section shall not prohibit the following:**

**(1) Access to destinations within the excluded ways.** The operation of trucks upon any street where necessary to access a destination point within the excluded portion of a public way, provided streets upon which such traffic is permitted are used until reaching the intersection nearest the destination point.

**(2) Emergency vehicles.** The operation of emergency vehicles upon any street in the city.

**(3) Public improvements and utilities.** The operation of trucks owned or operated by the city governmental entity, public or private utilities, or any contractor while engaged in the repair, maintenance or construction of streets, street improvements, or street utilities within the city.

**(4) *Detoured trucks.*** The operation of trucks upon any officially established detour when such truck could lawfully be operated upon the street for which such detour is established.

**Secs. 94-352 – 94-370. – Reserved.**

**DIVISION 7 8. - SPEED LIMITS**

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Kendall W. Lane, Mayor



City of Keene, N.H.  
*Transmittal Form*

April 12, 2018

**TO:** Mayor and Keene City Council

**FROM:** Finance, Organization and Personnel Committee

**ITEM:** J.1.

**SUBJECT:** USDA Rural Business Development Grant – IT Department

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**RECOMMENDATION:**

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2018-14 Relating to the Authority of the City Manager to Apply for and Administer USDA Rural Business Development Grant.

**ATTACHMENTS:**

Description

Resolution R-2018-14

**BACKGROUND:**

Asst. City Manager/IT Director Rebecca Landry stated staff is in the process of drafting a USDA Rural Business Development Grant to conduct a workforce development study. Ms. Landry noted the city seems to have an issue trying to fill the vacancies that arise nor are they well aligned. This is an attempt to work on an alignment initiative. The grant is for \$30,000 but it is a very competitive process and staff is pulling together the application process. The application requires the Manager to be authorized by Resolution to administer the grant.

Councilor Jacobs made the following motion which was seconded by Councilor Powers.

On 5-0 vote, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2018-14 Relating to the Authority of the City Manager to Apply for and Administer USDA Rural Business Development Grant.



# CITY OF KEENE

R-2018-14

In the Year of Our Lord Two Thousand and .....Eighteen.....

A RESOLUTION .....RELATING TO THE AUTHORITY OF THE CITY MANAGER TO APPLY FOR  
AND ADMINISTER USDA RURAL BUSINESS DEVELOPMENT GRANT.....

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

That the Keene City Council authorize Elizabeth Dragon, Keene City Manager, to do all things necessary to apply for and administer a USDA Rural Business Development Grant for a City of Keene Workforce Development Study.

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Kendall W. Lane, Mayor