

**City of Keene**  
**New Hampshire**

**PLANNING, LICENSES AND DEVELOPMENT COMMITTEE**  
**MEETING MINUTES**

**Wednesday, October 13, 2021**

**6:00 PM**

**Council Chambers**

**Members Present:**

Mitchell H. Greenwald, Vice Chair  
Philip M. Jones  
Gladys Johnsen  
Catherine Workman

**Staff Present:**

Elizabeth A. Dragon, City Manager  
Thomas P. Mullins, City Attorney  
Kürt Blomquist, Public Works Director  
Rhett Lamb, Community Development  
Director

**Members Not Present:**

Kate M. Bosley, Chair

Vice Chair Greenwald called the meeting to order at 6:00 PM and explained the procedures of the meeting. He declared a quorum present.

**1) Keene Snoriders – Request to Use City Property – 2021/2022 Snowmobile Season**

Vice Chair Greenwald stated that this is the Keene Snoriders' request to use City property, which is an annual request. He asked to hear from City staff.

Kürt Blomquist, Public Works Director, stated that the Keene Snoriders maintain the snowmobile trails in Keene and the Monadnock area. He continued that Ron Robbins, the Snoriders' Trail Administrator, was not able to be here tonight, but he has been working with the Snoriders for a couple years and can speak to this topic. The Snoriders are asking for access to several City parcels and to the Old Gilsum Rd. They have a number of areas that they cross in order to access the multi-use trail system. They go across a piece of City property located by the Old Gilsum Rd. and travel on the Old Gilsum Rd. up to the town line with Gilsum. It is approximately one mile of the Old Gilsum Rd. No vehicles are permitted without permission. In addition, there are a number of properties in south Keene; including Winchester St. at Krif Rd. and crossing of Production Ave. approximately 200 ft. south of the Rt. 9 interchange. There is also a parcel off Wetmore St. and a parcel in the Three Mile Reservoir. Per his discussion with Mr. Robbins, there will be no changes to what they plan on doing. Everyone hopes for some snow this year so the Snoriders can get out there. Over the years, the Snoriders have been a good partner. They make sure members properly operate their machines and they make sure they take care of the property that they seek permission to use. They also get permission from the State of NH, and three private property owners, to complete their connection.

Councilor Jones stated that also, the Snoriders help groom those trails. He continued that that is a benefit to everyone.

Vice Chair Greenwald stated that he should note that he is a member of the Snoriders. He continued that he is not on the Board of Directors and receives no compensation.

Mr. Blomquist stated that there is a scrivener's error (in the suggested motion): they mention the old Tax Map #. He continued that before this comes before the full City Council he and Dan Langille will make sure they have the right Tax Map #. It is the correct parcel, just with the old number, which was changed about two years ago.

Vice Chair Greenwald asked if there were any further questions. He asked if members of the public had any questions.

City Attorney Tom Mullins stated that in the background, he sees the old Tax Map #s and the new Tax Map #s. He asked if Mr. Blomquist is saying those are incorrect. Mr. Blomquist replied that he has to confer with Mr. Langille and make sure the old and new numbers match up.

Councilor Johnsen made the following motion, which was seconded by Councilor Jones.

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends the Keene SnoRiders be granted permission to use the following locations on City property for a snowmobile trail: the right-of-way along the north side of Krif Road from Krif Court to Winchester Street; City property identified by tax map numbers 911-26-015, 909-05-012 and 707-02-009; the crossing of Winchester Street at Krif Road; and, The crossing of Production Avenue approximately 200 +/- feet south of NH Route 9. As well as access to the Class VI Portion of the Old Gilsum Road starting approximately one mile from the Gilsum Town Line and going north, ("Premises") for the following purpose: for a snowmobile trail, and under the following conditions:

Said use shall commence on December 15, 2021, and expire on March 30, 2022, and is subject to the following conditions: the signing of a revocable license and indemnification agreement; and the submittal of a certificate of liability insurance in the amount of \$1,000,000, naming the City of Keene as an additional insured.

In addition, the Keene SnoRiders, Inc. will be responsible (including cost) for the installation and maintenance of all signage/markings, which will be in accordance with Snowmobile Trail Standards published by NH Department of Business and Economic Affairs; that all signage/markings installed shall be removed from the City right-of-way and City property when there is no longer any snow cover, no structures, including buildings, shelters, lights, displays, walls, etc. shall be permitted with the City right-of-way or on City property; no parking of motor vehicles or trailers and no catering servicing activities of any kind shall be permitted within the City right-of-way or on City property; grooming shall not extend outside the right-of-way of Krif

Road, snow windows shall be groomed to provide adequate sight distances and a gentle sloping approach at all road and driveway intersections; no part of the City Street (paved surfaces) may be used by off-highway recreational vehicles (OHRV) or their operators for any purpose, other than direct crossing; and that Keene SnoRiders, Inc. shall be responsible for the repair of any damage (including costs) and the City right-of-way and property shall only be used when there is snow cover.

**2) Keene Kiwanis Club – Request to Use City Property – Tree Lighting Ceremony**

Vice Chair Greenwald asked to hear from the Keene Kiwanis Club.

Elizabeth Sayre of 290 Main St. stated that she is representing the Keene Kiwanis Club. She continued that they are grateful to be able to put on their annual Tree Lighting Ceremony live and in person on November 26. They have already had protocol meetings with City staff in various departments and they are ready to move forward. They appreciate the City keeping the lights on the poles up and down Main St. Six extra sets of lights were delivered to the electric company to put on, in case any of them need to be repaired. The Kiwanis Club will be decorating the gazebo the week before. On the Saturday before Thanksgiving, they will be putting the lights on the tree downtown, which the City graciously provides. The event will not include the chorale groups this year due to COVID-19 concerns. They will make every attempt to have social distancing and be in as much compliance with the CDC's and City's requirements as is physically possible. Santa will be there, wearing a mask and a shield. There may be bands performing on the gazebo, which is quite a distance away from the audience. They expect St. Joseph's Kiwanis Youth Group to provide cookies and hot chocolate. The Keene High School's and Monadnock High School's Kiwanis groups will be distributing bells for children to ring when Santa arrives.

Ms. Sayre continued that they intend to have people start to arrive at 4:00 PM. The organizers will probably go in at 1:00 PM on Friday for the final setup. Hopefully everything will be done by 8:00 PM. Her understanding is that the event is rain or shine, unless the PLD Committee tells them no. The Kiwanis Club is really looking forward to this and hopes it is a happy event for everyone.

Vice Chair Greenwald stated that in the past there was a tree talked about, maybe installed at Marlboro St. Ms. Sayre replied that if Dave Ganio and his landscape management crew have the ability to do that they will put it up. She continued that it is in the request, but she knows that the last time, Mr. Ganio's work schedule was so busy he never got to it. Vice Chair Greenwald replied that he just wanted to make sure it was in the request.

Vice Chair Greenwald asked if there was any comment from City staff. Mr. Blomquist replied no; as Ms. Sayre indicated, she met with staff. He continued that as the Public Works Director, with the material and supply issues that are going on, he really encourages the children and adults to get out there and tell Santa what they want. Santa is even having some problems with supply issues. This is a great opportunity to kick off the season.

Vice Chair Greenwald asked if there were any further questions or comments from the committee. Councilor Jones thanked Ms. Sayre for coming and for her thoroughness and attention to detail. He continued that they look forward to this event.

Councilor Workman thanked Ms. Sayre for coming and for putting together this wonderful event. She continued that her birthday is close to this event, on November 23, so it is like a personal birthday present and she is thankful. This is a great event that kicks off the holiday season and the spirit of Keene.

Councilor Johnsen stated that she is very happy to see this event happening again. She continued that it is a shame they cannot have any chorale groups, but she understands. She thanks Ms. Sayre and her committee for the work they do.

Vice Chair Greenwald asked if members of the public had any questions. Hearing none, he asked for a motion.

Councilor Jones made the following motion, which was seconded by Councilor Workman:

On a vote of 4 – 0, Councilor Jones made a motion for the Planning, Licenses, and Development Committee to recommend that the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 26, 2021 for the Tree Lighting Festival from 5pm to 8pm conditional upon the signing of a revocable license and indemnification agreement, submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene and an additional insured, and that the Petitioner complies with any recommendations of City staff. In addition, the Petitioner is granted permission to erect a holiday tree on the Main/Marlboro/Winchester Street roundabout. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 22 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing.

**3) Attorney James Callahan – Assignment of License – 43-45 Roxbury St. – Access to City Property**

Vice Chair Greenwald asked to hear from the petitioner.

James Callahan stated that he is here today for Chad Branon, who is a principal of the applicant, a real estate company affiliated with Fieldstone Land Development, an engineering/survey firm based in Milford, NH. He continued that they are opening an office here and the closing was last week. The property is on Roxbury Street. He continued that there is a strip of City property approximately two feet wide that goes down Roxbury Ct. The former property owners received a license to utilize that City property 20 years ago. The license was recorded in the Registry of Deeds. Because the license does not run with the land like an easement, it is revocable by its nature, he is here on behalf of Mr. Branon to ask if they can get a new license so they can access the property the way it has been previously. They sent a letter to the City a week or two ago, and

a copy of the old license. They are asking for the issuance of a new license running to the new owner.

The City Attorney stated that there was something he wanted to include in the motion: it would be more appropriate to terminate the recorded license and then issue this new license.

Mr. Callahan asked if the City Attorney wants him to send the address for the license of the holder, the real estate company. The City Attorney replied that that would be a good idea. Mr. Callahan replied that he thinks the letter came in under Fieldstone Land Development, and they created an LLC, so he will send that information.

Vice Chair Greenwald stated that he is very happy to see a new business coming. He asked if there were any further questions. Hearing none, he asked for a motion.

Councilor Workman made the following motion, which was seconded by Councilor Jones.

On a vote of 4-0, the Planning, Licenses, and Development Committee recommends the prior existing license with Roxbury Realty Partnership be terminated and to issue a new, revocable license in a form acceptable to the City Attorney and containing the standard City license terms and conditions to FLC Elm St. Realty Trust, Inc., for the use of City property located adjacent to 43-45 Roxbury St. to provide pedestrian access to the property.

#### **4) Ordinance O-2021-12-A: Relating to the Land Development Code**

Vice Chair Greenwald stated that they have discussed and voted on the Land Development Code. He continued that there were some changes recommended by City staff, discussed, and brought through the process. He asked to hear from Rhett Lamb, Community Development Director.

Mr. Lamb stated that the PLD Committee is at the last step in the process of amending the Zoning Ordinance through the new Land Development Code process. It includes the same steps that they traditionally would have used prior to the adoption of the Land Development Code. He continued that this set of amendments came out of a test run of the Ordinance that they did over the summer before it became effective on September 1. They have had an explanation of those, both at the Joint Planning, Licenses, and Development Committee/Planning Board and at the public hearing, so he will not go into detail about what those are, but he will remind them that as the last step before the City Council votes on this, they will not be taking any public comment on this. The public comment period ended with the public hearing at the City Council.

Vice Chair Greenwald asked if there were any questions or comments from the Committee. Councilor Jones stated that this is a big book, and probably they all have amendments they want to make somewhere along the line. He knows he does, but he does not think it is time to do that now, because if they make any changes to this motion it has to go back through the Joint

Committee process and he does not want to do that. Anyone who wants to make an amendment should do it as a new amendment. Vice Chair Greenwald thanked Mr. Lamb for his hard work.

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

By a vote of 4-0, the Planning, Licenses, and Development Committee recommends the adoption of Ordinance O-2021-12A relating to the Land Development Code.

**5) Adjournment**

There being no further business, Vice Chair Greenwald adjourned the meeting at 6:25 PM.

Respectfully submitted by,  
Britta Reida, Minute Taker

Additional Edits by,  
Terri M. Hood, Assistant City Clerk