CITY OF KEENE, NH

Joint Committee of the Planning Board & Planning, Licenses & Development Committee

Monday, December 14, 2020
6:30 pm

The agenda & supporting materials are available at: ci.keene.nh.us/joint-planning-board-planning-licenses-and-development-committee

Join by Computer / Smart Device:
• Go to www.zoom.us/join
• Enter Meeting ID: 893 8296 4232

Join by Telephone:
• Call (888) 475-4499 (toll free)
• Enter Meeting ID: 893 8296 4232

Technical Issues:
• For issues with access during the meeting call: (603) 209-4697
Meeting Agenda

• Statement of Authority to Hold Remote Meeting – Chair Barrett

• Call to Order

• Roll Call

• Minutes of November 9 & November 16

• Adoption of 2021 Meeting Schedule

• Continued Public Workshop for Ordinances O-2020-10 & O-2020-11

• Next Meeting – January 11, 2021 at 6:30 pm
Authority to Hold Remote Meeting

In Emergency Order #12, issued by the Governor of the State of NH pursuant to Executive Order #2020-04, certain provisions of RSA 91-A regulating the operation of public body meetings have been waived during the declared COVID-19 State of Emergency. Specifically:

• The requirement that a quorum of a public body be physically present except in an emergency requiring immediate action under RSA 91-A:2, III(b);  

• The requirement that each part of a meeting of a public body be audible or otherwise discernible to the public at the location specified in the meeting notice as the location of the meeting under RSA 91-A:2, III(c).  

• Provided that the public body must:
  • Provide access to the meeting by telephone, with additional access possibilities by video or other electronic means;  
  • Provide public notice of the necessary information for accessing the meeting;  
  • Provide a mechanism for the public to alert the public body during the meeting if there are problems with access; and  
  • Adjourn the meeting if the public is unable to access the meeting.  

• All votes are to be taken by roll call.  

• All Committee participants shall identify the location from where they are participating and who is present in the room with them.
Meeting Agenda

• Statement of Authority to Hold Remote Meeting – Chair Barrett
• Call to Order
• Roll Call
• Minutes of November 9 & November 16
• Adoption of 2021 Meeting Schedule
• Continued Public Workshop for Ordinances O-2020-10 & O-2020-11
• Next Meeting – January 11, 2021 at 6:30 pm
Call to Order

- The public may access the meeting by any of the following options:
  - Go to [www.zoom.us/join](http://www.zoom.us/join) & enter Meeting ID: 893 8296 4232
  - Call (888) 475-4499 and enter Meeting ID: 893 8296 4232
  - View live on Cheshire TV Channel 1302

- If you encounter any issue with accessing the meeting, call (603) 209-4697

- Anyone wishing to view a copy of the agenda and supporting materials may find it on the City’s Joint Committee webpage at: [ci.keene.nh.us/joint-planning-board-planning-licenses-and-development-committee](http://ci.keene.nh.us/joint-planning-board-planning-licenses-and-development-committee)

- Members of the public shall not be permitted to speak nor shall comments be taken until the Chair asks for public comment.
Meeting Agenda

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• Call to Order

• Roll Call

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Roll Call

Planning Board:
- Douglas Barrett, Chair
- Christopher Cusack, Vice Chair
- Mayor George Hansel
- Councilor Michael Remy
- Michael Burke
- David Orgaz
- Gail Somers
- Pamela Russell-Slack
- Andrew Weglinski
- Tammy Adams, Alternate
- Emily Lavigne-Bernier, Alternate

Planning, Licenses & Development Committee:
- Councilor Kate Bosley
- Councilor Mitch Greenwald
- Councilor Phil Jones
- Councilor Gladys Johnsen
- Councilor Catherine Workman
Meeting Agenda

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• Call to Order
• Roll Call
• Minutes of November 9 & November 16
• Adoption of 2021 Meeting Schedule
• Continued Public Workshop for Ordinances O-2020-10 & O-2020-11
• Next Meeting – January 11, 2021 at 6:30 pm
Recommended Motion: To approve the minutes of the November 9, 2020 & November 16, 2020 meetings

Planning Board:
- Douglas Barrett, Chair
- Christopher Cusack, Vice Chair
- Mayor George Hansel
- Councilor Michael Remy
- Michael Burke
- David Orgaz
- Gail Somers
- Pamela Russell-Slack
- Andrew Weglinski
- Tammy Adams, Alternate
- Emily Lavigne-Bernier, Alternate

Planning, Licenses & Development Committee:
- Councilor Kate Bosley
- Councilor Mitch Greenwald
- Councilor Phil Jones
- Councilor Gladys Johnsen
- Councilor Catherine Workman
2021 Meeting Schedule

Monday, January 11

**Tuesday**, January 19

Monday, February 8

Monday, March 8

Monday, April 12

Monday, May 10

Monday, June 14

Monday, July 12

Monday, August 9

Monday, September 13

**Tuesday**, October 12

Monday, November 8

Monday, December 13
Recommended Motion: To approve the 2021 Joint Committee meeting schedule.

Planning Board:
- Douglas Barrett, Chair
- Christopher Cusack, Vice Chair
- Mayor George Hansel
- Councilor Michael Remy
- Michael Burke
- David Orgaz
- Gail Somers
- Pamela Russell-Slack
- Andrew Weglinski
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Planning, Licenses & Development Committee:
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- Councilor Mitch Greenwald
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- Councilor Gladys Johnsen
- Councilor Catherine Workman
Petitioner, City of Keene Community Development Department, proposes to update and unite the City of Keene’s regulations related to land use and development, including the Zoning Regulations, into the City of Keene Land Development Code; to establish 6 new zoning districts in Keene’s downtown area (Downtown Core, Downtown Growth, Downtown Limited, Downtown Edge, Downtown Transition, Downtown Institutional Campus); to remove the Gilbo Avenue Design Overlay District and the Downtown Railroad Property Redevelopment Overlay District; and, to modify the SEED Overlay District.
Ordinance Application is submitted to City Council.

City Council refers it to the Joint Committee for a Public Workshop.

**Public Workshop** phase is for Joint Committee to:
- Review proposal
- Collect public input
- Propose changes

Planning Board & Historic District Commission hold public hearings to review & vote on proposed changes to specific regulations.

City Council holds public hearing to hear public comments on Ordinance.

City Council votes on Ordinance following PLD recommendation.
Public Workshop Schedule*

1. **NOVEMBER 9, 2020**
   - 6:30 pm (remote meeting)
   - Ordinance Overview
   - Review of Articles 1 – 9 of proposed Land Dev. Code

2. **NOVEMBER 16, 2020**
   - 6:30 pm (remote meeting)
   - Review of Articles 10-18 of proposed Land Dev. Code
   - Address comments/questions from previous meeting

3. **DECEMBER 14, 2020**
   - 6:30 pm (remote meeting)
   - Review of Articles 19 – 22 of proposed Code
   - Address comments/questions from previous meeting

4. **JANUARY 11, 2021**
   - 6:30 pm (remote meeting)
   - Review of Articles 23 - 28 of proposed Land Dev. Code
   - Address comments/questions from previous meeting

5. **JANUARY 19, 2021 (Tuesday)**
   - 6:30 pm (remote meeting)
   - Address comments/questions from previous meeting and/or proposed edits

6. **FEBRUARY 8, 2021**
   - 6:30 pm (Keene Recreation Center)
   - Tentative In-person opportunity to provide comments/questions on proposed Ordinances.

7. **MARCH 8, 2021**
   - 6:30 pm (remote meeting)
   - Committee votes on consistency with Master Plan & for Mayor to set a Public Hearing Date

*Schedule may change.
How may the public follow along/provide input?

- ATTEND MEETINGS (Online/Telephone/In-person sessions on Dec. 14 & Feb. 8)
- VIEW RECORDED MEETINGS & MEETING MATERIALS (City website, City Hall)
- SUBMIT WRITTEN COMMENTS (via email, mail, or drop off at City Hall)
- MEET WITH STAFF / CITY OFFICIALS
- VIEW WEBSITE FOR MORE INFO (www.keenebuildingbetter.com)

ci.keene.nh.us    www.keenebuildingbetter.com    communitydevelopment@ci.keene.nh.us    603-352-5440
3 Washington St, 4th Floor, Keene, NH 03431
TONIGHT’S MEETING
Proposed Land Development Code Sections to be reviewed tonight:

• Committee Discussion on Topics Reviewed at previous meetings on Ordinances

• Article 19 – Subdivision Regulations

• Article 20 – Site Development Standards

• Article 21 – Historic District Regulations

• Article 22 – Public Infrastructure Standards
Committee Discussion on Topics Reviewed at previous meetings on Ordinances
Article 19 – Subdivision Regulations

• Currently combined with Site Plan Regulations

• Proposed Code consolidates Subdivision Regulations into separate chapter

• Subdivision Regulations include standards related to viability of proposed lots for development (e.g. character of land for subdivision, fire protection & water supply, utilities)

• Consolidates standards for Conservation Reservation Development Subdivisions (currently in 2 locations)
Conservation Residential Development

• A type of residential subdivision in which 50-60% of the original parcel remains in permanently protected open space in exchange for greater flexibility in minimum lot sizes, setbacks, & placement of lots.

  • Required for subdivisions with 3 or more lots and a road

• Streamlined the application process

• Proposed changes to dimensional requirements and density factor
Currently:
- 5 acres at 50% Open Space
- 4 acres at 60% Open Space

<table>
<thead>
<tr>
<th>Zoning District</th>
<th>Density Factor per Dwelling Unit</th>
<th>Min Open Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural</td>
<td>4 acres</td>
<td>50%</td>
</tr>
<tr>
<td>Low Density-1 (without city water)</td>
<td>3 acres</td>
<td>60%</td>
</tr>
<tr>
<td>Low Density-1 (with city water)</td>
<td>1 acre</td>
<td>50%</td>
</tr>
<tr>
<td>Low Density</td>
<td>20,000 sf</td>
<td>50%</td>
</tr>
<tr>
<td>Low Density</td>
<td>10,000 sf</td>
<td>50%</td>
</tr>
<tr>
<td>TRACT</td>
<td>Rural District</td>
<td>Low Density-1 District (without city water)</td>
</tr>
<tr>
<td>-------</td>
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<td>---------------------------------------------</td>
</tr>
<tr>
<td>Min tract size</td>
<td>10 acres</td>
<td>5 acres</td>
</tr>
<tr>
<td>Min tract frontage</td>
<td>100 ft</td>
<td>100 ft</td>
</tr>
<tr>
<td>Perimeter from external roads</td>
<td>100 ft</td>
<td>30 ft</td>
</tr>
<tr>
<td>Building Setback from other tract boundaries</td>
<td>50 ft</td>
<td>20 ft</td>
</tr>
<tr>
<td>LOT</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Min Lot Area</td>
<td>1 acre</td>
<td>16,000 sf</td>
</tr>
<tr>
<td>Min Road Frontage</td>
<td>40 ft</td>
<td>40 ft</td>
</tr>
<tr>
<td>Min Lot Width at Building Line</td>
<td>75 ft</td>
<td>75 ft</td>
</tr>
<tr>
<td>Min Front Setback</td>
<td>15 ft</td>
<td>15 ft</td>
</tr>
<tr>
<td>Min Rear Setback</td>
<td>20 ft</td>
<td>20 ft</td>
</tr>
<tr>
<td>Min Side Setback</td>
<td>10 ft</td>
<td>10 ft</td>
</tr>
<tr>
<td>Max Building Coverage</td>
<td>30%</td>
<td>35%</td>
</tr>
<tr>
<td>Max Impervious Coverage</td>
<td>35%</td>
<td>40%</td>
</tr>
</tbody>
</table>
Article 20 – Site Development Standards

• Addressed known issues (e.g. lack of screening and noise standards)

• Updated landscaping, lighting, screening, and noise standard and introduced more objective architectural standards

• Merged Traffic & Comprehensive Access Management, and Surface Water & Wetlands

• Removed floodplain, air quality, & stump dump standards
Landscaping

• Proposed new standards include:
  • No invasive species shall be permitted as a proposed landscaping material
  • Proposed plant materials shall be hardy to regional climate conditions
  • All landscaping approved as part of a site plan shall be considered as elements of the site in the same manner as parking, building materials, and other site details.

• Moved parking lot landscaping to the Zoning Regulations Parking Chapter

• Propose language addressing allowance for administrative approval for minor revisions to landscaping changes
Current Screening Standards

Landscaping should be used whenever possible to screen loading areas, trash storage and transfer areas and other areas likely to generate noise, dust or other disruptive conditions; to form a buffer between non-residential and residential uses; between single-family and multi-family projects, especially where multi-family projects are different in height, form or material than the adjacent single family units; and to screen vehicular headlights from adjacent properties.

a. All dumpsters and trash storage areas shall be fully screened by a solid fence of wood, masonry, vinyl or other material deemed acceptable by the Planning Board. Fencing shall be at least 6 feet in height. Chain link fencing with slats is unacceptable for screening.

b. Large commercial and office buildings are encouraged to provide rooftop screening of air conditioning, venting and other roof-top equipment that is visible from adjacent buildings or from public streets.

c. Drive-through businesses must erect suitable screening between their business and any adjacent residential areas. At a minimum, said screening shall consist of a living hedge not less than 4 feet in height or, as an alternative, may consist of a solid fence of wood or masonry at least 6 feet high.
Proposed Screening Standards

• Propose more specific screening standards, including new standards for screening service areas, drive-through businesses, mechanical equipment

• **Service Areas** *(waste collection/compaction and other similar areas)*:
  • Shall be located to the side or rear of buildings
  • Shall be screened from view from adjacent property or rights of way
  • Dumpsters shall be fully screened by a solid enclosure (shall be at least 6-ft high or equal to height of container if higher than 6-ft)
  • Shall be compatible with principal building’s material, color, texture

• **Drive-Through Businesses**:  
  • Drive-through windows and lanes shall be to the side and rear of building
  • Shall be screened from adjacent rights of way, existing residential property, or residential zoning districts
    • Shall be compact, evergreen hedge not less than 4-ft at maturity (at a minimum) or a solid fence of wood or masonry at least 6-ft high
Proposed Screening Standards

**Mechanical Equipment** shall not be visible from adjacent buildings and public rights of way whenever possible. If visible the following standards apply:

**Roof-mounted Equipment**
- Shall be set back from edge of roof at least 10-ft and screened from ground level view
- New buildings shall provide a parapet wall or other architectural element to screen from view
- For existing buildings with no or low parapet walls, equipment shall be screened on all sides by an opaque screen compatible with the principal building in terms of texture, materials and color

**Wall-mounted Equipment**
- If mounted on a surface visible to the public right of way shall be fully screened by landscaping or an opaque screen or covering compatible with the principal building
- New mechanical supply lines, pipes and ductwork shall be placed in inconspicuous locations or concealed with architectural elements or painted to blend in with wall surface

**Ground-Mounted Equipment**
- If visible from the public right of way or adjacent property shall be fully screened
- Screening shall be landscaping or opaque screen compatible with the building and as high as the highest point of the equipment
Lighting

- Proposed changes to these standards include:
  - Allow Community Development Directory to determine if floodlighting may be permitted *(currently Planning Board decides)*
  - The color-corrected temperature of lighting shall not exceed 3,500 Kelvins
  - Allow for security lighting to be on for not more than 1-hour before or after the activity occurs *(currently, only allowed for 1-hr after the activity ceases)*
  - Parking lot lighting levels modified:
    - Avg. illumination shall not exceed 3.5 fc
    - Uniformity ratio shall not exceed 5:1 *(currently 4:1)*
  - Avg illuminance under canopy Lighting (including vehicle fueling station islands) may not exceed 12.5 fc *(currently max illuminance allowed is 5.5 fc)*
  - Avg illuminance on a walkway surface shall not be less than 0.5-fc and max would be 5-fc *(currently avg cannot exceed 0.5 fc and max lighting level is 2 fc)*
Current noise standard is maximum of **70 dB(A)** at the property line for property in all districts.
Architectural Standards

- Organized by **Massing/Scale, Visual Interest, Site Design & Relationship to Surrounding Community**

- Proposed (new) **Massing/Scale standards**:
  - For buildings of 150-ft in length or more, facades shall be divided into “modules” that are no wider than 50-ft, expressed through significant architectural changes (e.g. change in materials, pattern elements, building setback)
  - Commercial storefronts shall include traditional pedestrian-oriented elements (e.g. display windows, transoms, pilasters, etc.)
  - Additions to existing structures shall be compatible in size and scale with the principal building
Architectural Standards

- Proposed (new) **Visual Interest standards**:
  
  - Facades shall express a traditional visual distinction between the ground floor and upper stories through architectural features or detailing, change in materials, or a change in pattern elements such as fenestration.
  
  - Buildings shall be designed with consistent building materials and treatments that wrap around all facades visible from the public right of way. Where material or color treatments change, there shall be a significant change in surface plane of a minimum of 6-in in difference.
  
  - Where parapet walls are used, they shall feature 3D cornice treatments or other shadow creating details along their tops.
  
  - Modifications and additions to existing structures shall be harmonious with the character of the existing structure.
Architectural Standards

- Proposed (new) **Site Design & Relationship to Surrounding Community Standards**:
  
  - All principal buildings located on lot shall be oriented toward a public right of way, unless it is determined that the primary façade cannot face the street due to site constraints, in which case, the elevation facing the street shall be designed with form, composition and details consistent with and appropriate to the primary façade.

  - A cohesive visual character shall be maintained within a development through the use of coordinated hardscape (*e.g. paving materials, lighting, outdoor furniture, etc.*) and landscape treatments.
Site Review Thresholds

• Proposes the creation of a Minor Project Review Committee, as allowed by NH RSA 674:43,III, to review minor site plan review applications.

• Revision to the thresholds for the types of development that would require either Planning Board (Major Projects), Minor Project Review Committee (Minor Projects) or administrative review.
<table>
<thead>
<tr>
<th></th>
<th>MAJOR PROJECT – PLANNING BOARD</th>
<th>MINOR PROJECT – MINOR PROJECT REVIEW COMM.</th>
<th>ADMINISTRATIVE</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Principal Building or Structure</td>
<td>&gt;5,000 sf gfa</td>
<td>1,000 to 5,000 sf gfa</td>
<td>&lt; 1,000 sf gfa</td>
</tr>
<tr>
<td>Additions to Existing Building</td>
<td>&gt; than 15% of the gfa of the existing principal building</td>
<td>Between 10-15% of the gfa of the existing principal building</td>
<td>I&lt; 10% of the gfa of the existing principal building</td>
</tr>
<tr>
<td>Traffic</td>
<td>Increase of 100 vehicle trips per day or 50 per peak hour</td>
<td>&lt; 10,000 sf (at discretion of Community Development Director)</td>
<td>&lt; 10,000 sf (at discretion of Community Development Director)</td>
</tr>
<tr>
<td>Impervious Surface</td>
<td>Installation of &gt; than 10,000 sf contiguous impervious surface area</td>
<td>&lt; 1 acre (at discretion of Community Development Director)</td>
<td>&lt; 1 acre (at discretion of Community Development Director)</td>
</tr>
<tr>
<td>Land Disturbance</td>
<td>1 acre or &gt; of impact</td>
<td>&lt; 1 acre (at discretion of Community Development Director)</td>
<td>&lt; 1 acre (at discretion of Community Development Director)</td>
</tr>
<tr>
<td>Change of Use</td>
<td>At discretion of Community Development Director</td>
<td>At discretion of Community Development Director</td>
<td>At discretion of Community Development Director</td>
</tr>
<tr>
<td>Modifications to Site or Building (e.g. lighting, landscaping, etc.)</td>
<td>At discretion of Community Development Director</td>
<td>At discretion of Community Development Director</td>
<td>At discretion of Community Development Director</td>
</tr>
<tr>
<td>MAJOR PROJECT – PLANNING BOARD</td>
<td>MINOR PROJECT - ADMINISTRATIVE</td>
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<td>&lt; 1,000 sf gfa</td>
<td></td>
</tr>
<tr>
<td><strong>Traffic</strong></td>
<td>Change or expansion of vehicle trips per day of 100; per peak of 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Change of Use</strong></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A change in site configuration that increases the potential for adverse impacts to drainage systems, surface waters, groundwater, floodplains, pedestrian/vehicular safety</strong></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Modifications to Site or Building (e.g. lighting, landscaping, driveways, visual appearance, etc.)</strong></td>
<td>At discretion of Community Development Director</td>
<td>At discretion of Community Development Director</td>
<td></td>
</tr>
</tbody>
</table>
Minor Project Review Committee

• Committee composed of City staff (e.g. Community Development Director, Zoning Administrator, City Engineer, etc.)

• Planning Board would designate authority to review and decide on Minor Site Plans to this Committee

• Faster timeline for review
  • Applications due **9 business days** prior to Committee meeting *(Major Project applications submitted 26 business days before Planning Board meeting)*

• Public hearing is held (Abutters noticed and legal ad posted)

• Committee decides on application within 60-days

• Appeal timeframe is 20-calendar days after decision is issued

• Cannot act on site plan applications where a waiver is request from the standards or a conditional use permit is required
Administrative Review

- Currently minor project review is conducted administratively and applications decided on within 14 days of complete application submittal.

- Propose to maintain administrative review for work that does not meet thresholds for site plan review:
  - Established less onerous application requirements & appeal process to Planning Board.
  - Maintained 14-day decision timeframe.
Article 21 – Historic District Regulations

• Moved out of Zoning Regulations

• Reorganized standards and streamlined language

• Most significant change is to exempt buildings younger than 50 years from the Historic District Regulations

• More opportunities for administrative review
Downtown Keene Historic District Boundary
Article 22 – Public Infrastructure Standards

• Moved/updated existing Chapter 70 Street & Utility Standards to Land Development Code
  • Establishes min standards for the development of new infrastructure to support proposed land development
  • Addresses standards for new roads, utility service connections, street access (i.e. driveway connection)

• Removed technical specifications (e.g. size and types of materials) from the Code

• Includes utility connection permit (proposes requirement for water permit and drainage permit)

• Proposes requirement that “any person who proposes to develop a new public street or to replace 500-ft or more of existing City-owned utilities shall also install telecommunications infrastructure, which shall become the property of the City.”
  • Shall include conduit, vaults, and service conduit to vaults
Members of the public wishing to speak may do so now by:

• If using a computer: Click on the “Raise Hand” icon on the screen.
• If using a phone: press *9 on your keypad.

To join the meeting now dial (888) 475-4499,
Enter Meeting ID #: 893 8296 4232 and Enter *9

Be prepared to state your name & address. You may have to wait to be recognized
PUBLIC COMMENT for this meeting is CLOSED

Written comments on info shared at tonight’s meeting may be shared with City Staff via email, mail, dropping off at City Hall
How to Follow Along?

City Website:  ci.keene.nh.us/joint-planning-board-planning-licenses-and-development-committee

Project Website:  www.keenebuildingbetter.com/ldc

Email:  communitydevelopment@ci.keene.nh.us

Call:  (603) 352-5440

Mail:  3 Washington St, 4th Floor
       Keene, NH 03431

NEXT
Public Workshop:
Jan. 11 (Mon)
6:30 pm
Roll Call Vote

Planning Board:
- Douglas Barrett, Chair
- Christopher Cusack, Vice Chair
- Mayor George Hansel
- Councilor Michael Remy
- Michael Burke
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- Councilor Kate Bosley
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Motion to continue the public workshop for O-202-10 & O-2020-11 to the January 11, 2021 Joint Committee meeting.
Meeting Agenda

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- Call to Order
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