



PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
Council Chambers A, Keene City Hall
April 13, 2022
6:00 PM

A. AGENDA ITEMS

1. Farmer's Market of Keene - Request to Use City Property
2. Cabana Falls Winery - Request Permission to Sell Alcohol at the Farmer's Market of Keene
3. Keene State College - Request to Discharge Fireworks
4. Keene Family YMCA - Request to Use City Property - Youth Triathlon
5. Keene Pride – Request to Use City Property – September 11–18, 2022
6. Let it Shine - Request to Use City Property - 2022 Pumpkin Festival
7. New England Aerobatic Club - Request to use City Property
8. Ash Swamp Brook ERZ - Economic Development Director/Special Projects

B. MORE TIME ITEMS

1. Zone Change - 19 Whitcomb's Mill Road - Rural to Low Density-1 Ordinance O-2022-02
2. Terry Clark - Relating to Small Wireless Facility Deployments in Public Rights-of-Way

NON PUBLIC SESSION

ADJOURNMENT



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.1.

Meeting Date: April 13, 2022
To: Mayor and Keene City Council
From: Bruce Bickford/Farmer's Market of Keene
Through: Patricia Little, City Clerk
Subject: Farmer's Market of Keene - Request to Use City Property

Council Action:

In City Council April 7, 2022.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. Communication_Farmer's Market of Keene_Redacted

Background:

Bruce Bickford is seeking the annual license to operate the Farmer's Market of Keene on Gilbo Avenue on Saturdays commencing April 23rd and ending October 31st. The request includes consideration for free use of City parking spaces.

3/25/2022

To : City of Keene, N.H.

From : Farmers Market of Keene

The Farmers Market of Keene respectfully requests a license to continue the farmers market operation for the 2022 season in the current location at the Merchant ~~parking~~ lot on Gilbo Ave. Starting April 23, 2022 until October 31, 2022.

A significant change from years past is discontinuing operation of the market on Tuesdays. (A renewed effort to strengthen Saturdays and revisiting a second day in the future.)

As this change will now not impact Tuesday parking revenue we would like to respectfully ask for a potential fee to be continued to be waived.

We are grateful for the continued support and cooperation from all the relevant departments of the city of Keene, N.H.

Walpole, NH

Sincerely

Bruce Richford



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.2.

Meeting Date: April 13, 2022

To: Mayor and Keene City Council

From: Aly & Carroll Lefebvre/Cabana Falls Winery

Through: Patricia Little, City Clerk

Subject: **Cabana Falls Winery - Request Permission to Sell Alcohol at the Farmer's Market of Keene**

Council Action:

In City Council April 7, 2022.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. Communication_Cabana Falls Winery

Background:

Aly and Carroll Lefebvre, Cabana Falls Winery, are requesting permission to sell alcohol at the Farmer's Market of Keene for the 2022 season.

Good Morning!

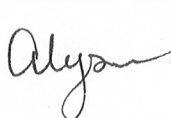
To the City of Keene Board members:

We are Cabana Falls a winery in Jaffrey NH. We have applied to become a Vendor in the 2022 Farmers Market and have been approved. We are now asking for your approval to taste and sell or just sell our wine at your Farmers Market. We currently hold a manufacturers license that includes retail and wholesale. Our plan at the Farmers Market is to hold a tasting with 1 flavor per week (if allowed) and bring 6-10 of our 35 flavors available for customers to purchase. If you will not allow tastings we do ask that you will allow only the selling of the wine. I am also enclosing paperwork that needs to be filled out if you do approve and returned to us so we can submit it to NH Liquor Commission for approval as well.

Thank you,

Aly & Carroll Lefebvre

Cabana Falls

  4-5-22
3



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.3.

Meeting Date: April 13, 2022

To: Mayor and Keene City Council

From: Jennifer L. Ferrell - Associate V.P. of Student Engagement
Kaitlyn Wilson - Senior Class President 2022

Through: Patricia Little, City Clerk

Subject: Keene State College - Request to Discharge Fireworks

Council Action:

In City Council April 7, 2022.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. Communication_Keene State College Fireworks

Background:

Keene State College Student Government Class of 2022 is seeking permission for the discharge of fireworks on April 30th at the Joyce Athletic Practice Field.



Wisdom to make a difference.

Lloyd P. Young Student Center
229 Main Street
Keene, NH 03435-3003
(603) 358-2662
(603) 358-2875 fax
keene.edu/young

March 25, 2022

Honorable Mayor and City Council,

I hope this letter finds you well. The 2022 Keene State College Senior Class Student Government Executive Board has been looking forward to the opportunities provided by the warmer spring weather to plan fun end-of-year COVID-safe activities for the members of their class and our soon-to-be graduates. In conjunction with other campus events for members of the class of 2022, and with respect to City Ordinance (KCO 42-61), we are requesting the ability to host a professional fireworks display on the Keene State College campus. We were able to host a similar display smoothly and successfully on May 15, 2021 to celebrate last year's graduates.

The details of the event are listed below:

Date: Saturday, April 30, 2022

Time: Begins shortly after full sunset, beginning sometime between 8:30-9:00 PM

Duration: Approximately 8-9 minutes

Location: Keene State College campus, Joyce Athletic Practice Fields (site diagram attached, 280' radius)

Company Partner: Atlas PyroVision Entertainment Group, Inc.

Lead Licensed Technician: Stephen Pelkey, Owner/CEO Atlas PyroVision Entertainment Group, Inc.

Crew Arrival Time: 4:00-4:30 PM

Display Details: The crew will be utilizing cakes, 3" shells and 4" shells. There is 300' of distance from any occupied building with 700' from the highway and the site of the display. The next morning, May 1, at first light/dawn, the technicians will recheck the site to reassure safety and good condition of the area.

Our partner Atlas PyroVision has also recently submitted the *Notification for Display of Permissible Fireworks* and we anticipate that they will receive an approved and fully executed permit for the display. We will also work directly with the new Keene Fire Department leadership team to ensure that the appropriate KFD crew are on-call or on-site as they direct. Students will be able to view the display throughout campus along Appian Way, in front of and alongside Spaulding Gym, Elliott parking lot, etc., allowing for physical distancing both from the staging site as well as each other.

Please let us know if there is any information that you would like in addition to what is provided in this letter and the permit package submitted to KFD by Atlas. Thank you for your consideration of this request and your continued support of Keene State College and our students. It is greatly appreciated, especially as we reach the end of another challenging academic year and look forward to the bright futures for our graduates.

Sincerely,

Jennifer L. Ferrell
Associate Vice President, Student Engagement

Kaitlyn Wilson
Senior Class President, 2022

Business Address:
229 Main St.
Keene, NH 03435-3003

Residential Address (Ferrell):
161 Marlboro St
Keene, NH 03431



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.4.

Meeting Date: April 13, 2022
To: Mayor and Keene City Council
From: Kelly Fleurette - YMCA Senior Program Director
Through: Patricia Little, City Clerk
Subject: Keene Family YMCA - Request to Use City Property - Youth Triathlon

Council Action:

In City Council April 7, 2022.

Referred to the Planning, Licenses and Development Committee.

Recommendation:

Attachments:

1. Communication_Keene Family YMCA

Background:

The Keene Family YMCA is requesting a license for the Use of Public Ways on June 12, 2022 to host a youth triathlon. The applicant has requested full closure of a section of Summit Road for the cycling portion of the event, which requires City Council authorization.



**FOR YOUTH DEVELOPMENT
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY**

April 5, 2022

Dear City Council Members,

The Keene Family YMCA is requesting a full road closure of Summit Road in Keene NH on June 12, 2022 from 8:00am-1:00pm for a Youth Triathlon Race. The closure will start just past the Y entrance to the end of the road. We will be using Summit Road as a loop (up and back) for the bike portion of the race and the remaining race will take place on YMCA property.

We met with the City Protocol Team on April 5, 2022, to review the closure. It was agreed that we could use city barriers to close off Summit Road just after the Y entrance and Summit Ridge off Summit Road. We will work with the police department regarding a police detail, and we will have about 40 volunteers to act as course marshals.

The YMCA will communicate with our neighbors regarding the road closure and will have volunteers ready to assist cars to and from their homes as needed.

If you have any further questions, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Kelly Fleurette'.

Kelly Fleurette, Senior Program Director
Keene Family YMCA
200 Summit Rd, Keene NH 03431
Kfleurette@keene-ymca.org
603-283-5240



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.6.

Meeting Date: April 13, 2022
To: Planning, Licenses and Development Committee
From: Lisa Scoville/Let It Shine
Through: Patricia Little, City Clerk
Subject: Let it Shine - Request to Use City Property - 2022 Pumpkin Festival

Recommendation:

Attachments:

1. Communication_Let it Shine

Background:

Let it Shine is requesting their event license to host the 2022 Pumpkin Festival on October 22, 2022.

April 1, 2022

Honorable Mayor and Keene City Council,

The Let It Shine Board would like to submit it's City Licensing request to host the 2022 Keene Pumpkin Festival. This year's festival will be safe, family-friendly atmosphere that will celebrate a long-time tradition that Keene has not experienced since 2019.

We are planning on having the festival centered around the downtown area at Central Square and Gilbo Avenue. The downtown area and Central Square will be the focus of local vendors and the pumpkin displays. Gilbo Avenue will have an entertainment schedule and vendors as well.

We are truly excited to celebrate this festival and am looking forward to working with the City of Keene and the City Council so that the Keene Pumpkin Festival can truly be a success for the community.

Thank you for your time and approval for this licensing request.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Scoville". The signature is fluid and cursive, with a large loop at the beginning.

Lisa Scoville
Chairman of the Board, Let It Shine



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: April 13, 2022

To: Planning, Licenses and Development Committee

From: David Hickling, Airport Director

Through: Elizabeth Dragon, City Manager

Subject: New England Aerobatic Club - Request to use City Property

Recommendation:

Move to recommend 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, 2022, 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 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 invite neighbors to the mandatory safety briefings held on practice days and further that future requests be handled administratively by the Airport Director and/or City Manager.

Attachments:

1. Communication_New England Aerobatic Club

Background:

The New England Aerobatic Club has requested City Council approval to schedule aerobatic practice days utilizing the Keene Dillant-Hopkins Airport. This club has been utilizing our facilities for many years, typically scheduling about five practice days annually depending on weather and other events they participate in. Practices are held on Saturdays, typically between 10:00 am and 4:00 pm.

New England Aerobatic Club practices benefit our airport-based businesses and are enjoyed by many in the community.

105 Mason Rd
Brookline, NH, 03033

February 8, 2022

City Council
City of Keene
3 Washington St.
Keene, NH 03431

Dear Keene City Council,

I hope that you and the good citizens of Keene are doing well amidst our ongoing health challenges.

In 2021, International Aerobatic Club Chapter 35 was successful in flying 4 healthy and productive days of aerobatic flying at the Dillant-Hopkins Keene airport. The aerobatics activity has been a healthy, socially distant outdoor activity for myself and IAC Chapter 35, the New England Aerobatic Club. We continue to appreciate and thank you for your hospitality, the help and hospitality of Dave Hickling, Mike Moriarty and the rest of the airport staff, as well as the support of Beth Bendel at Monadnock Aviation, and our new friends at Mama McDonough's. We also appreciate the support and cooperation of all of the Keene airport tenants.

We hope that health conditions everywhere continue to improve and allow more aerobatic competition in 2022.

IAC 35 and I request the renewal of our airport agreement with the City for 2022. We hope to be able to schedule aerobatic practice days starting with May 21, the Saturday of the week before Memorial Day. As in previous years we will attempt to fly about once a month, depending on weather and the International Aerobatic Club's schedule of contests.

IAC 35, the New England Aerobatic Club, and I look forward to another successful year of flying at Keene.

Sincerely,



Weston Liu

For IAC Chapter 35, the New England Aerobatic Club



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.8.

Meeting Date: April 13, 2022

To: Planning, Licenses and Development Committee

From: Medard Kopczynski, Economic Development Director/Special Projects

Through: Elizabeth Dragon, City Manager

Subject: **Ash Swamp Brook ERZ - Economic Development Director/Special Projects**

Recommendation:

That the Planning, Licenses and Development Committee recommend to the City Council the addition of the "Ash Swamp Brook ERZ" to the Economic Revitalization Zone (ERZ) tax credit program.

Attachments:

1. ProposedERZ2022_3_17_22reduced
2. Permitted Uses

Background:

The Economic Revitalization Zone (ERZ) tax credit program offers a short-term business tax credit for projects that improve infrastructure and create jobs in designated areas. Keene has four ERZs: Black Brook Corporate Park (approved 11/06) (renewed 9/21) Black Brook North Park and other adjacent properties (approved 11/06) (renewed 9/21) Marlboro Street Corridor (approved 11/17) and Ashuelot Mills (approved 12/20).

ERZs were established to stimulate economic redevelopment, expand the commercial and industrial base, create new jobs, reduce sprawl, and increase tax revenues within the state by encouraging economic revitalization in designated areas. To be eligible, an area must be designated per RSA 162-N:8, and have at least one of the following characteristics:

- (a) Unused or underutilized industrial parks; or
- (b) Vacant land or structures previously used for industrial, commercial, or retail purposes but currently not so used due to demolition, age, relocation of the former occupant's operations, obsolescence, deterioration, brownfields, or cessation of operation resulting from unfavorable economic conditions either generally or in a specific economic sector.

The area to be included in the proposed ERZ consists of land and buildings in the Commerce Limited District as well as the Industrial District. Development and redevelopment in these districts have been spotty over the years. There is still quite a bit of vacant land as well as older-smaller industrial buildings that are greater than 25 years old. Part of the issue with this area is topographic (floodplain) and part is demand. To attempt to address the demand, about 1/3 of the industrial land was

redistricted to Commerce Limited, which has a greater menu of uses. The uses permitted are expanded as well with the newly adopted LDC (October 2021). The uses in this area have been repeatedly targeted to industrial zoning since 1993, at least with reference to the adopted Economic Development Plans as well as the Master Plan.

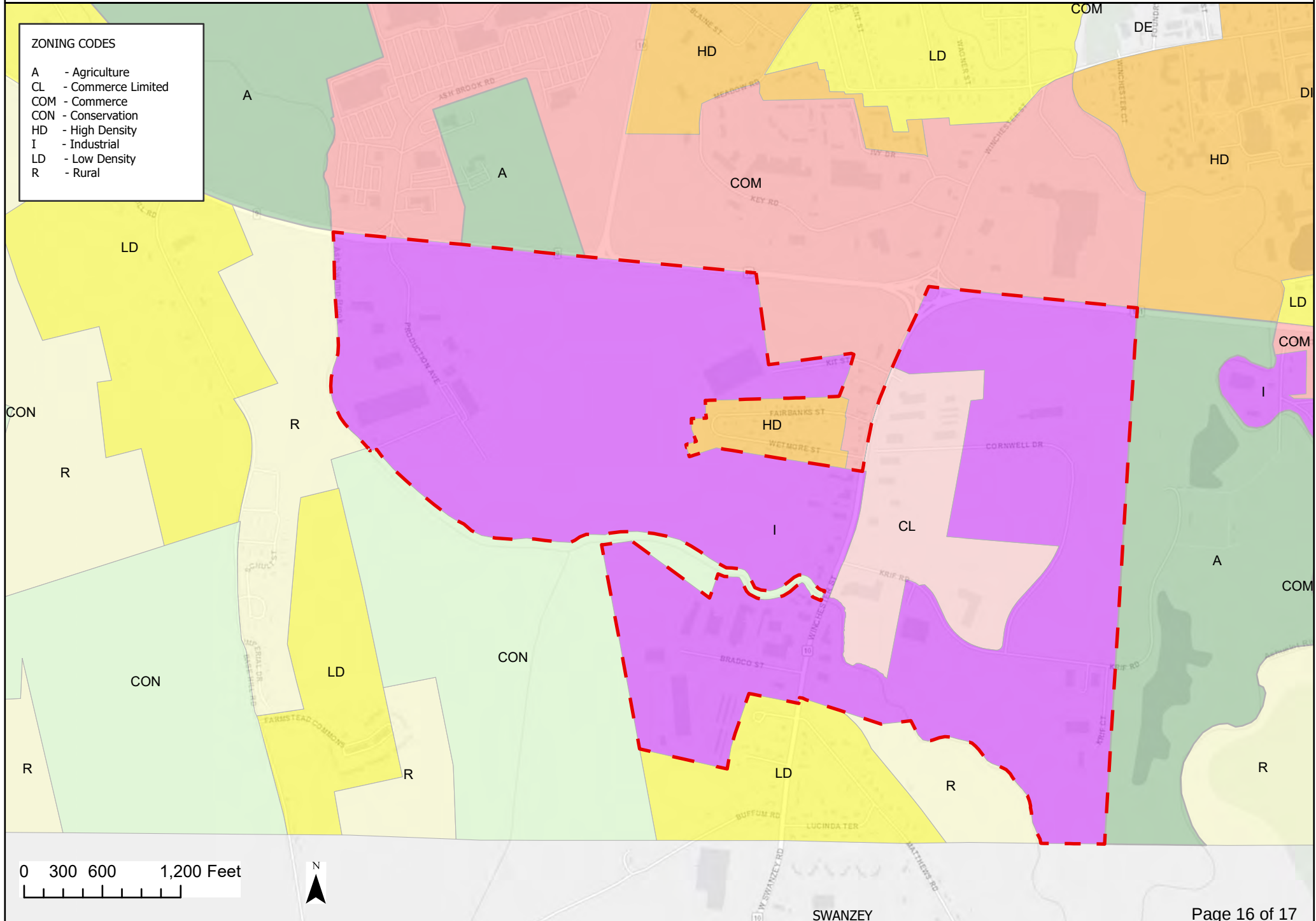


City of Keene, NH Zoning in Area of Proposed ERZ 2022

Prepared:
wschoefmann
KGIS/Com Dev
11/19/21
Data Sources
City of Keene Assessing
and Zoning

ZONING CODES

- A - Agriculture
- CL - Commerce Limited
- COM - Commerce
- CON - Conservation
- HD - High Density
- I - Industrial
- LD - Low Density
- R - Rural



Permitted Uses

Industrial

6.2.5 Permitted Uses

COMMERCIAL USES		SECTION
Art or Fitness Studio	P	8.3.2.D
Car Wash	P	8.3.2.H
Day Care Center	SE	8.3.2.J
Greenhouse / Nursery	P	8.3.2.M
Health Center / Gym	P	8.3.2.N
Heavy Rental & Service Establishment	P	8.3.2.O
Office	SE	8.3.2.W
Research and Development	P	8.3.2.AB
Self Storage Facility - Exterior Access	P	8.3.2.AF
Self Storage Facility - Interior Access	P	8.3.2.AG
Vehicle Repair Facility – Major	P ¹	8.3.2.AL
Vehicle Repair Facility – Minor	P ¹	8.3.2.AM
INDUSTRIAL USES		SECTION
Artisanal Production	P	8.3.5.A
Bulk storage & distribution of goods, including flammable material	P	8.3.5.B
Bulk storage & distribution, excluding flammable material	P	8.3.5.B
Data Center	P	8.3.5.C
Industrial, Heavy	P	8.3.5.D
Industrial, Light	P	8.3.5.E
Outdoor Storage Yard	P	8.3.5.F
Warehouse & Distribution	P	8.3.5.G
Wholesale	P	8.3.5.H
OPEN SPACE USES		SECTION
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Solar Energy System (Small-Scale)	P ¹	8.3.7.A
Solar Energy System (Medium-Scale)	P ¹	8.3.7.B
Solar Energy System (Large-Scale)	P ¹	8.3.7.C
Public Utility Facilities	P	8.3.7.D
Telecommunications Facilities	P ¹	8.3.7.E

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

Commerce Limited

5.2.5 Permitted Uses

COMMERCIAL USES		SECTION
Animal Care Facility	P	8.3.2.B
Art Gallery	P	8.3.2.C
Art or Fitness Studio	P	8.3.2.D
Banking or Lending Institution	P	8.3.2.E
Bar	P	8.3.2.F
Car Wash	P	8.3.2.H
Clinic	P	8.3.2.I
Day Care Center	P	8.3.2.J
Funeral Home	P	8.3.2.L
Greenhouse / Nursery	P	8.3.2.M
Health Center / Gym	P	8.3.2.N
Heavy Rental & Service Establishment	P	8.3.2.O
Micro-Brewery/Micro-Distillery/ Micro-Winery	P	8.3.2.R-T
Motor Vehicle Dealership	P	8.3.2.U
Office	P	8.3.2.W
Personal Service Establishment	P	8.3.2.X
Private Club / Lodge	P	8.3.2.Y
Recreation/Entertainment Facility - Indoor	P	8.3.2.Z
Recreation/Entertainment Facility - Outdoor	P	8.3.2.AA
Research and Development	P	8.3.2.AB
Restaurant	P	8.3.2.AC
Retail Establishment, Heavy	P	8.3.2.AD
Retail Establishment, Light	P	8.3.2.AE
Self Storage Facility - Exterior Access	P	8.3.2.AF
Self Storage Facility - Interior Access	P	8.3.2.AG
Specialty Food Service	P	8.3.2.AI
Vehicle Fueling Station	P ¹	8.3.2.AJ
Vehicle Rental Service	P	8.3.2.AK
Vehicle Repair Facility – Major	P ¹	8.3.2.AL
Vehicle Repair Facility – Minor	P ¹	8.3.2.AM
INDUSTRIAL USES		SECTION
Artisanal Production	P ¹	8.3.5.A
Bulk storage & distribution, excluding flammable material	P	8.3.5.B
Data Center	P	8.3.5.C
Industrial, Light	SE	8.3.5.E
Outdoor Storage Yard	P	8.3.5.F
Warehouse & Distribution	P	8.3.5.G
Wholesale	P	8.3.5.H