



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
July 20, 2023
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- July 6, 2023

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Presentation - Monadnock Economic Development Corp. Program

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

C. COMMUNICATIONS

1. Red Knights International Motorcycle Club - Motorcycle Rally - Parking Voucher System for Attendees
2. Walter Lacey - Raising a Concern over the Placement of Bike Lanes in the Downtown Reconstruction Plans
3. Ken Kost - Urging Inclusion of "Green Street" Elements in the Downtown Reconstruction Plans
4. Dixie Gurian - Requesting to Leave as Many of the Trees as Possible Intact When Designing the Reconstruction of Downtown
5. Roger Weinreich - Jeff's Speck's Presentation Response

D. REPORTS - COUNCIL COMMITTEES

1. John Sosnowski - Request for Water Abatement and Fee Waiver - 251 Park Avenue
2. Downtown Infrastructure Improvement and Reconstruction Project

3. FY23 Department of Justice - Justice Assistance Grant
4. Acceptance of Donation - Dog Park
5. CDFA Grant Acceptance - Brian A. Mattson Recreation Center Project
6. Invest NH Grant Acceptance - Demolition - 160 Water Street
7. Kevin Watterson/Keene Swampbats - Request To Use Previously Approved Community Funding
8. Councilor Filiault - Reimbursement for Speaking Fee - Jeff Speck Visit
9. Airport Land Leases for Hangar Development
10. Change Order: Wells Street Parking Structure
11. Agreement for Contracted Ambulance Service with the Town of Sullivan

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. Acceptance of Donations - Juneteenth and International Festival - Finance Director

G. REPORTS - BOARDS AND COMMISSIONS

1. Relating to An Amendment to the Zoning Map - Old Walpole Road - Rural to Low Density - Ordinance O-2023-12

H. REPORTS - MORE TIME

1. Pamela Russell Slack - Requesting an Amendment to the City Council's Rules of Order – Workshops

I. ORDINANCES FOR FIRST READING

1. Relating to an Amendment to the Zoning Map - 0 Ashuelot Street - High Density to Commerce
Ordinance O-2023-13

J. ORDINANCES FOR SECOND READING

K. RESOLUTIONS

1. Relating to the Appropriation of Funds - Sewer Fund Unassigned Fund Balance for the Martell Court Pump Station Bypass
Resolution R-2023-31

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, July 6, 2023. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Kate M. Bosley, Mitchell H. Greenwald, and Thomas F. Powers were present. Having declared a quorum was physically present, Mayor Hansel recognized Gladys Johnsen's request to participate remotely due to travel. Hearing no objections, Mayor Hansel granted the remote participation. Councilor Johnsen was alone at her location. Councilor Filiault led the Pledge of Allegiance.

ANNOUNCEMENTS

Mayor Hansel announced that there would be a Council Workshop immediately following this meeting relating to the Downtown Improvement and Infrastructure Project. The Mayor also reminded that the Council's summer vacation schedule would start with the cancelation of the July 26 and 27 MSFI and FOP meetings as well as the August 3 Council meeting. In addition, the August 9 and August 10 PLD and FOP Committee meetings were also canceled. The Council would return to its normal meeting schedule for the August 17 meeting.

MINUTES FROM THE PRECEDING MEETING

A motion by Councilor Powers to adopt the minutes of the June 15, 2023, meeting as printed was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

PROCLAMATION – PARKS AND RECREATION MONTH

Mayor Hansel welcomed Director of Parks, Recreation, and Facilities—Andy Bohannon—to receive a proclamation declaring July 2023 as Parks and Recreation Month in the City of Keene. This year's theme is "Where Community Grows." The Mayor encouraged all citizens to relish the wonders of nature around them and participate in the diverse recreational activities available to them. Mr. Bohannon shared a flyer with the Council that listed all of the July events. On July 18, there would be a public meeting for the Robin Hood Park concept plan that should be a fun event for families and children to participate in the process. Mr. Bohannon also announced that the Pat Russell Park bathroom would be installed on July 13. The Robin Hood pool would open on July 13 as well. People can learn more at www.keeneparks.com.

COMMUNICATION – PETER ESPIEFS – PLACEMENT OF CELL TOWER IN RESIDENTIAL NEIGHBORHOOD – NUISANCE AND SAFETY HAZARD CONCERNS

A communication was received from Peter Espiefs, registering concerns about the placement of a cell tower in his neighborhood, indicating the narrow road width and proximity to residential homes constitutes a "Nuisance in Fact and in Law" directly affecting the safety and security of

residents. He requests it be removed to an appropriate location. Mayor Hansel referred the communication to the Planning, Licenses, and Development Committee.

COMMUNICATIONS: JENNIFER RISLEY – URGING SUPPORT FOR BIKE LANES AS PART OF THE DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT; KEN KOST – RELEVANCE OF THE 2028 COMMUNITY VISION AND THE DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT; JANELLE SARTORIO, IN SUPPORT OF CONNECTING THE EXISTING TRAILS AND BIKE LANES TO THE DOWNTOWN; AND DORRIE MASTEN – RECOMMENDING THAT THE PUBLIC BE ALLOWED TO DISCUSS ANY NEW DESIGN OPTIONS – DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT

A communication was received from Jennifer Risley, urging support for the inclusion of bike lanes in the preferred option for the Downtown Infrastructure Improvement and Reconstruction Project. A communication was also received from Ken Kost, referring to the Community Vision for 2028 as outlined in the Comprehensive Plan. That vision stated, “Our built environment consists of ... clean and efficient public transportation that connects us to our community, the region, and beyond; pedestrian and bicycle infrastructure that is present throughout our community and that places import on people rather than automobiles; and a well-developed trail system that provides connections between neighborhoods, open spaces, and other communities while simultaneously supporting a healthy lifestyle.” Mr. Kost goes on to urge the inclusion of bike infrastructure in the preferred design for the Downtown Infrastructure Improvement and Reconstruction Project. A communication was also received from Janelle Sartorio, expressing her belief that bike lanes are an inexpensive way to enhance the City and the quality of life of its residents. A final communication was received from Dorrie Masten, requesting that any new options for the downtown project be sent to the Municipal Services, Facilities, and Infrastructure Committee for public discussion. Mayor Hansel accepted the four communications as informational.

COMMUNICATION – PAMELA RUSSELL SLACK – REQUESTING AN AMENDMENT TO THE CITY COUNCIL’S RULES OF ORDER – WORKSHOPS

A communication was received from Pamela Russell Slack, requesting that the City Council consider an amendment to its Rules of Order to include language about Council workshops. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

COMMUNICATION – DWIGHT BOWIE – ENCOURAGING EFFECTIVE COMMUNICATIONS WITH THE PUBLIC AND GREATER ACCESSIBILITY TO ANY MATERIALS THAT ARE DISSEMINATED REGARDING THE DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT

A communication was received from Dwight Bowie, recommending that the Council prioritize the citizens of Keene as their primary stakeholders and ensure that all disseminated materials are presented in a more accessible format. He offers a guideline that would be useful for consultants to follow. Mayor Hansel accepted the communication as informational.

COMMUNICATION – COUNCILOR FILIAULT – REIMBURSEMENT FOR SPEAKING FEE – JEFF SPECK VISIT

A communication was received from Councilor Randy Filiault, requesting that the City be refunded for the fees paid to host a visit from Urban Planner Jeff Speck, citing the visit as a “for profit” book sale and signing event that should not be funded with taxpayer money. Mayor Hansel referred the communication to the Finance, Organization, and Personnel Committee.

MSFI REPORT – 2023 WARRANT FOR UNLICENSED DOGS – CITY CLERK

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending that the City Council issue a warrant for unlicensed dogs pursuant to NHRSA 466:14, and that the City Clerk and the Keene Police Department be authorized to issue a civil forfeiture for each unlicensed dog to those dog owners who have failed to license their dog by April 30, 2023. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – SOLAR GENERATION FACILITIES – REVISION ENERGY LETTER OF INTENT

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a Letter of Intent with Revision Energy for solar energy generation facilities on City-owned property at the Monadnock View Cemetery, Rose Lane, and Dillant-Hopkins Airport along with assessing the potential provision of electric vehicle and aircraft charging infrastructure at the Dillant-Hopkins Airport. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

FOP REPORT – COUNCILOR FILIAULT – PROPOSING REFERENDUM QUESTION ON MUNICIPAL BALLOT – PREFERRED DESIGN ALTERNATIVE – DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT

A Finance, Organization, and Personnel Committee report read, recommending accepting this item as informational.

Councilor Filiault said he had no issue with this being accepted as informational after speaking with the City Attorney. The Councilor realized this option could be brought up again in the future. He recalled a Councilor stating that the constituents would not understand this if it was on a ballot. Councilor Filiault disagreed with that assertion, calling it an insult to Keene's citizens, and stating that the 15 Councilors were not the only ones who could figure this out. He did agree with the assertion that if this were on a ballot, it should be more specific because there had been so many plans circulating.

Mayor Hansel filed the report as informational.

FOP REPORT – COUNCILORS WILLIAMS AND CHADBOURNE – REQUEST FOR PUBLIC FORUM – EFFECTIVE USE OF OPIOID SETTLEMENT FUNDS

A Finance, Organization, and Personnel Committee report read, recommending that the communication be accepted as informational and that the City Manager request a nonprofit substance abuse provider lead a community discussion which the City participates in with other partners and the community around gaps in service to encourage grant applications to the State's opioid abatement trust fund. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Williams thought this was an important initiative to have a discussion about. He suggested figuring out the best way to use this money that was coming into the community so it can benefit the people who really need it. He hoped his fellow Councilors would make the effort to be a part of that discussion.

The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

CITY MANAGER COMMENTS

First, the City Manager reported that unfortunately, Fire Deputy Chief McCarthy gave his resignation and is moving back to Colorado to be with his family for personal reasons. The Fire Chief is working with HR to create a temp contract to help fulfill some of these duties while recruiting for a replacement. The Fire Inspection Division had been extremely busy and therefore, the goal was to bring someone in with fire inspection experience to help oversee this division.

The City Manager also announced that Community Power successfully launched on June 1. For those participating in the program, this change goes into place on the first meter read after the June 1 start date. The launch was very successful. Out of 10,477 accounts, 9,465 enrolled in Community Power. There were only 633 "opt-outs" and 243 "opt-ins." The vast majority of people stayed with the default option (which adds 10% more renewable energy), 216 opted up to 100%, 38 opted up to 50%, and 207 chose the basic option without any additional renewable

energy. Through this program, businesses and residents are saving money on their electric bill and for the majority of people enrolled, buying at least 10% additional renewable energy.

The City Manager shared that the City received its body-worn camera equipment during the month of May. Installation and training were still on track for the week of July 10, with a go-live date shortly after.

Lastly, the City Manager reported on the lower Main Street crosswalks. The City partnered with Keene State College (KSC) to make improvements to the crosswalks on Lower Main Street. In the last 6 years, 2 students were hit while crossing the crosswalk. In both accidents, the driver in one lane stopped for the pedestrian but the driver in the second lane going the same direction did not see the pedestrian and struck them. KSC agreed to pay directly for the \$25,700 cost to purchase (3) RRFB solar-powered pedestrian notification systems. While this would not eliminate the pedestrian safety issue entirely, it would provide some visible warning when used. On June 30, Public Works Staff installed the bases for these pedestrian beacons. Next, Hamblet Electric would install the beacons. The City Manager thanked KSC for partnering with the City on this safety improvement. Most Councilors would remember a few years ago, when a similar financial partnership for improvements further down on lower Main Street was accomplished following the first of the 2 pedestrian accidents mentioned.

REPORT – DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT – KEENE HERITAGE COMMISSION

A Heritage Commission report read, offering to engage in a discussion of the historical implications of the downtown infrastructure project in an effort to protect the features that speak to Keene's historic character. Mayor Hansel accepted the report as informational.

REPORT - DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT – BICYCLE/PEDESTRIAN PATH ADVISORY COMMITTEE

A Bicycle/Pedestrian Path Advisory Committee report read, continuing to advocate for protected bike lanes at sidewalk grade on both sides of Main Street. Lanes should be placed between parking spaces and the sidewalk. Lanes should be 6 feet wide, with a 2-foot buffer on each side of the lane. Mayor Hansel accepted the report as informational.

REPORT – DOWNTOWN INFRASTRUCTURE IMPROVEMENT AND RECONSTRUCTION PROJECT – ENERGY AND CLIMATE COMMITTEE

An Energy and Climate Committee report read, providing comments on the Downtown Infrastructure Improvement and Reconstruction Project. The goals of the project intersect with the Energy and Climate Committee's goals and objectives related to Keene's Energy Plan and Climate Adaptation Action Plan. Mayor Hansel accepted the report as informational.

MORE TIME – JOHN SOSNOWSKI – REQUEST FOR WATER ABATEMENT AND FEE
WAIVER – 251 PARK AVENUE

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending placing Mr. Sosnowski's request on more time. Mayor Hansel granted more time.

RESOLUTIONS – ACCEPTANCE OF DEEDS AND RETURN OF LAYOUT – MAGNOLIA
WAY RESOLUTION R-2023-22, RESOLUTION R-2023-23, & RESOLUTION R-2023-24-A

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 5–0, recommending the adoption of Resolutions R-2023-22, R-2023-23, and R-2023-24-A.

A motion by Councilor Greenwald to adopt Resolution R-2023-22 was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A motion by Councilor Greenwald to adopt Resolution R-2023-23 was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A motion by Councilor Greenwald to adopt Resolution R-2023-24-A was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

Councilor Greenwald briefly mentioned that this would not solve the housing crisis, but every new house opened the door for someone else to move in.

RESOLUTIONS – ACCEPTANCE OF DEED AND RETURN OF LAYOUT – MATTHEWS
ROAD AND WINCHESTER STREET INTERSECTION – RESOLUTION R-2023-25 &
RESOLUTION R-2023-26

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 5–0, recommending the adoption of Resolution R-2023-25 and Resolution R-2023-26. A motion by Councilor Greenwald to adopt Resolutions R-2023-25 was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor. A motion by Councilor Greenwald to adopt Resolutions R-2023-26 was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

A Municipal Services, Facilities, and Infrastructure Committee report read on a vote of 5–0, recommending that the City Council grant a waiver to Section 22-3-3 of the Land Development Code with respect to minimum right-of-way widths for Matthews Rd. A motion by Councilor

07/06/2023

Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

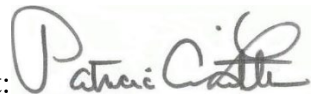
RESOLUTIONS – RELATING TO THE ACCEPTANCE OF DEED AND RETURN OF LAYOUT – BROOKFIELD LANE PETITIONER – WHITCOMB’S MILL ESTATES – RESOLUTION R-2023-28 & RESOLUTION R-2023-29

Attorney Stephen Bragdon on behalf of Whitcomb’s Mill Estates is submitting a petition for the acceptance of deed and layout of a public way to be known as Brookfield Estates. Mayor Hansel referred Resolutions R-2023-28 and R-2023-29 to the Municipal Services, Facilities, and Infrastructure Committee and Planning Board. The Mayor scheduled a site visit for August 17 at 5:45 PM and a public hearing the same evening at 7:00 PM.

ADJOURNMENT

The City Manager provided a final announcement. At the Council’s May 4, 2023 meeting, the Council approved Resolution R-2023-21, a Community Development Block Grant application for up to \$500,000 to the Community Development Finance Authority. The funding will allow Keene Housing—on behalf of its affiliate, Monadnock Affordable Housing Corporation—to renovate and construct new, affordable housing within the former Roosevelt School property at 438 Washington Street. It was since determined that the project qualifies for up to \$750,000, which is the amount to be requested. No further Council action was needed.

There being no further business, Mayor Hansel adjourned the meeting at 6:30 PM.

A true record, attest: 
City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Robert D. Trudelle
Through: Patricia Little, City Clerk
Subject: **Red Knights International Motorcycle Club - Motorcycle Rally - Parking Voucher System for Attendees**

Recommendation:

Attachments:

1. Communication_2024 Yankee Rally Team_Redacted

Background:

Mr. Trudelle is asking for the City Council to work with their organization on a voucher system for parking that would allow those attending the rally at the Best Western to be able to park in city parking spaces downtown without plugging the meter so they can visit and shop downtown. The organization would pay parking fees on their attendee's behalf.

July 13, 2023

To: Keene City Council

From: New Hampshire Red Knights International Motorcycle Club

Re: Region 1 Yankee Rally 2024

To whom it may concern,

We are the Red Knights International Motorcycle Club, members include active and retired Firefighters; we will be hosting the Region 1 Yankee Rally 2024 in Keene at the Best Western Hotel. The dates for the event have been scheduled for June 5th to June 9th of 2024. This will be the 8th Yankee Rally event we have held. In the past we have had up to 409 registered members attend this event and are expecting to exceed this number in 2024.

Our events are not just about getting together and sharing our desire to ride, explore and promote motorcycle safety. Each event always has a charity we raise money for. The charity we selected to raise money for at this event is "Donate Life-New England". All donations will be able to be written off as a donation to this charity.

Due to the volume of guests attending our event, and the array of restaurants and businesses in downtown Keene we are requesting a parking pass for the individuals attending. Please note that there will not be 400 motorcycles as many of our members attend as couples on one bike and not all attendees will be going downtown.

I would like the opportunity to discuss how our organization has approached the parking pass with past host cities. If you could let me know who to contact to schedule a time for an in person or phone discussion it would be much appreciated, my contact information is noted below.

Thank you for your time and consideration of our request. We are excited to work with the City of Keene to make this event go smoothly.

Sincerely,



Robert D. Trudelle

Committee Member- 2024 Yankee Rally Team

671 Park Avenue #26

Keene, N.H. 03431





CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Walter Lacey
Through: Patricia Little, City Clerk
Subject: **Walter Lacey - Raising a Concern over the Placement of Bike Lanes in the Downtown Reconstruction Plans**

Recommendation:

Attachments:

1. Communication _Lacey_Redacted

Background:

Mr. Lacey is expressing his concerns with the hazards of the bike lanes as currently depicted in the Downtown Reconstruction Plans.

14 July 2023

Mayor and City Council
Keene, NH

Dear Mayor and Councilors:

I feel I need to follow up on my 7/12/23 testimony at the MSFI meeting concerning the hazards of the bike lanes as currently depicted in the Downtown Reconstruction Plans.

Pedestrian ease of travel, particularly if handicapped, and business needs such as outdoor dining, art displays, etc should be considered in establishing a desirable sidewalk width. Bike lanes should be accommodated at street level as part of the vehicular traffic flow. In that manner they will be more consistently visible and avoid pedestrian conflicts. All types of human/electric powered vehicles can be accommodated so speed considerations and travel direction will not be new policing problems. Dangerous street crossings such as Cypress Street will be avoided and a less confusing traffic flow of vehicles and pedestrians the result.

Why devote a disproportionate amount of pavement to essentially seasonal usage at the expense of regular traffic, including emergency equipment, and activities such as snow removal? I say that as a realistic, dedicated bicyclist.

In short, bike lanes at street level to most effectively utilize limited space resources and safely accommodate all manner of bicycles in an integrated traffic flow on Main Street and Central Square.

Thank you.

A handwritten signature in black ink, appearing to read "Walter Lacey".

Walter Lacey

230 Daniels Hill Rd
Keene, NH 03431





CITY OF KEENE NEW HAMPSHIRE

ITEM #C.3.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Ken Kost
Through: Patricia Little, City Clerk
Subject: Ken Kost - Urging Inclusion of "Green Street" Elements in the Downtown Reconstruction Plans

Recommendation:

Attachments:

1. Communication_Kost

Background:

Mr. Kost is encouraging inclusion of green street elements in the final plans for the Downtown Infrastructure Improvement and Reconstruction Project including vegetation, soil, and permeable pavements to capture rainwater.

MSFI Committee

Subject: Downtown Infrastructure

MSFI Committee Meeting July 12, 2023-Follow up letter

Dear MSFI Committee

Thank you for your thoughtful decision process concerning how we reconstruct our streets as part of the Downtown Infrastructure Improvement & Reconstruction Project. As we move beyond the selected concept, I hope you introduce some important elements that need to be included as the concept plan moves further into design.

At the July 12 meeting there were several people discussing trees and other landscaping. This is important. In addition to the beauty of trees, they help with cooling and making spaces for people to enjoy. I am asking those involved directly with Stantec to ensure they assign their excellent urban designers and landscape architects to the design development stage of the project. As they develop the landscape, they need to focus on resiliency. As the urban design elements are worked out, we need to use the landscape, both the hardscape and planting areas, to help reduce flooding.

Our center median, traffic islands and other areas are excellent opportunities to create **green streets**, a stormwater management approach that incorporates vegetation (perennials, shrubs, trees), soil, and engineered systems (e.g., permeable pavements) to slow, filter, and cleanse stormwater runoff from impervious surfaces (e.g., streets, sidewalks). Green streets are designed to capture rainwater at its source, where rain falls.

Please bring these ideas up when discussing the next stages of design.

Thank You

A handwritten signature in dark ink, appearing to read 'Ken Kost', with a stylized, flowing script.

Ken Kost

30 D Stonehouse Lane
Keene, NH



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.4.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Dixie Gurian
Through: Patricia Little, City Clerk
Subject: **Dixie Gurian - Requesting to Leave as Many of the Trees as Possible Intact When Designing the Reconstruction of Downtown**

Recommendation:

Attachments:

1. Communication_Guiran_Redacted

Background:

Dixie Gurian is requesting that the City mitigate the amount of construction time and money needed to build the necessary by leaving trees, also necessary, and above-ground additions as they are. She believes that the end result of more tax money needed to build the "new" above-ground and the disruptive access to Main Street could produce an unintended, unpleasant outcome.

Dixie Gurian
680 Old Homestead Highway
Richmond, NH 03470



July 17, 2023

The Honorable George Hansel, Mayor
City Council Members
3 Washington Street
Keene, NH 03431

Mr. Mayor and City Council Members,

I am here for the trees
The birds and the bees
For folks on bikes
And folks taking hikes

I am here for the trees
The birds and the bees
For stores like Breeze Tees
And Ted's which always pleases

I am here for the trees
The birds and the bees
Do the work underground
Leave the heart* above the ground

I am here for the trees
For the breeze wafting thru the trees
For the birds nesting on the trees
For the shade provided by the trees
For the fall beauty of leaves on the trees
For snow resting on thin branches of trees
For spring's promise of green on trees
Please honor the trees
Leave them be, our beautiful trees!

*In this case, the heart refer to stores and businesses that provide a vibrant, engaging and necessary part of the larger community.

Covid-19 wounded and killed some of our downtown stores and businesses. There was not much that could have been done as the dreaded scourge made its way through every aspect of people's lives. It appears as if we are on the other side of Covid-19 now and things are beginning to resemble how things used to look though there was a cost to arriving here.

And now, a long and protracted necessary infrastructure rebuild has to happen in Keene on Main Street. I ask that you please mitigate the amount of construction time and money needed to build the necessary by leaving trees, also necessary, and above ground additions as they are. I fear the end result of more tax money needed to build the "new" above ground and the disruptive access to Main Street could produce an unintended, unpleasant outcome. Please also consider the financial hit that has been taken by so many due to Covid-19 while deciding if the above ground work has to happen. Does it?

While I do not live in Keene, I do own a rental property on Elm Street that has three apartments plus my office. Not sure if it is appropriate for me to put an oar in the water about this but felt I had to say something having read Nancy Ancharski's letter in the July 15-16 Sentinel. It may make you look for your copy of "The Lorax" and think about the trees, I suspect. She also suggested, in a previous letter to the Sentinel, to have all residents vote on this project in November. I agree. I bet I know how the trees will vote probably saying, *I'm a Truffula – please don't cut and chip me!*

Keene was and still is known as Elm City. Visually it was easy to understand why as the elegant and once sturdy elms graced our city. Those elms died as a result of a disease. There's nothing wrong with our trees except that some are in the way of? Save the Truffulas!

Thanks to everyone who has worked so hard on this project: on either side of it.

Dixie Gurian, Owner and Landlord
40 Elm Street
Keene, NH 03431

A handwritten signature in cursive script, appearing to read "Dixie Gurian".



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.5.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Roger Weinreich
Through: Patricia Little, City Clerk
Subject: **Roger Weinreich - Jeff's Speck's Presentation Response**

Recommendation:

Attachments:

1. Communication_Weinreich_Redacted

Background:

Roger Weinreich is urging the City to hire Jeff Speck as a sub contractor to Stantec and to vote to approve the Hybrid Design with an amendment to further study the above-ground option. He also addressed the concern that Mr. Speck had used the presentation as a fundraising event and offered to reimburse the City the \$21.76 in royalties that Mr. Speck received through his book sales.

Mayor Hansel and City Council Members
3 Washington Street
Keene, New Hampshire

July 18, 2023

Dear Honorable Mayor Hansel and City Council Members,

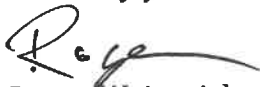
I urge you to hire Jeff Speck as a Sub Contractor to Stantec and to vote to approve the Hybrid Design, with an amendment to further study the above ground option that Mr. Speck will propose. Mr. Speck has worked with Stantec's top engineers and will present a proposal to the city that we have not yet seen or considered. I believe that his proposal will improve traffic flow, while maintaining the historical nature of Central Square. The plan will also add more green space, dedicated bike lanes and possibly provide additional downtown parking and room to plant more trees.

The good news about Jeff Speck's design proposal is that it will cost the city taxpayer less money since we will be able to access grants for much of the surface work. As we have seen around the country, Mr. Speck's designs have consistently led to increased tourism, greater business revenue, more downtown residential housing, an expanded city tax base and local community vitality. The financial benefits of this should not be overlooked, and it is therefore critical that we perform our due diligence and thoroughly explore this design alternative.

As a side note, I have heard that there may have been some concern about the sale of Mr. Speck's book at the Keene Public Library. Mr. Speck was paid his standard speaking fee and the book sales were not a requisite for his visit. We elected to invite the Toadstool Bookstore (a local business) to sell his books, with the belief that the public might benefit from reading his book.

If this was not clear to the city, then we are happy to pay the city the amount that Mr. Speck earned from the sale of his books at Heberton Hall that evening. At the event, the Toadstool Bookstore sold 17 of his books. From each \$20 book sale, the Toadstool profited \$10.80. Mr. Speck himself received \$1.80 per book in royalties, for a total of \$21.76.

Sincerely yours,



Roger Weinreich
110 Main Street
Keene, NH 03431





CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023

To: Mayor and Keene City Council

From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee

Through:

Subject: **John Sosnowski - Request for Water Abatement and Fee Waiver - 251 Park Avenue**

Recommendation:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the request for abatement and fee waiver from John Sosnowski be denied.

Attachments:

None

Background:

Chair Greenwald asked to hear from the staff.

Public Works Director Kürt Blomquist stated that this item has been on the MSFI Committee's agenda; he believes the Committee placed it on more time twice. He continued that the City Clerk's Office received a communication from Mr. Sosnowski that he/his representative was not able to come to tonight's meeting. Staff was informed this morning.

Mr. Blomquist continued that Mr. Sosnowski's request relates to a high bill he received in June 2022, covering March, April, and May 2022. The City and the Public Works Department has standard procedures for when a customer has a concern or question over about a high bill. That did occur. Mr. Sosnowski contacted the Department. On May 9, 2022, staff walked through the property with the property owner or his representative. Staff has a checklist of things that they check for, such as leaking faucets, leaking toilets, and outside water spigot issues. Staff did not find any specific issues. That is not unusual. Sometimes, particularly in multi-family homes, issues may occur, such as a sticking toilet that needs its handle jiggled in order to stop. If that is not addressed, it keeps running, and that makes the bill add up. However, at this particular time, staff did not find anything specific like that. (Per the standard procedures), staff then monitored it for the next three weeks. During those readings, it appeared that the usage did go back down to what it typically was, historically, in the records for that particular facility. Staff reports all that back to the property owner.

Mr. Blomquist continued that per the City Code, the Public Works Director has the authority to adjust or correct errors in billing. How he handles it is that if staff finds something wrong in the billing process or the reading process, (the property owner) will get the adjustment. If staff determines during the process that water went through the meter but did not return to the wastewater system –

for example, if someone left a hose on outside or there was a leak or failure of pipes in the basement leading to water on the floor – then he will grant an adjustment to the sewer portion of the bill. The philosophy is that the City expends its resources when making the water and if the water went through the meter, it is therefore owed. On the wastewater side, the City does not expend any effort or cost if it does not go into the collection system to the treatment plant. Thus, he will do adjustments to the sewer portion of their typical bills. In this case, there was no demonstration that any water was not to return to the wastewater system.

Mr. Blomquist continued that the property owner then can request, if they wish, to have the meter removed and tested. That testing cost is at the risk of the property owner. This property owner did request in August of 2022 to have that existing meter removed and tested. The Department has standard operating guidelines for testing the meters, which are consistent with the typical water industry. They have a system where a known quantity of water is passed through over a period of time, and they also put several other meters in line with the meter that is being tested, to look at to make sure that there are no known issues. They run three tests - a slow, medium, and high test. The slow test is at 3/4 of a gallon per minute, the medium test is at 2 gallons per minute, and the high test is at 15 gallons per minute. They also then do an overnight test. They set up two meters and let the water run through them, and then confirm that both meters were reading the amount. In this case, this particular meter did pass. It had 100% accuracy on the fast test, 101% accuracy on the medium test, and 94% accuracy on the slow test, and it did pass the overnight test.

Mr. Blomquist continued that the Code indicates that if the meter is within 2% of 100% accuracy it is deemed to be accurate. Today's meters are different from the old meters people might remember. The old meters had gears with teeth that could chip off or break, which could cause a digit to jump or a digit not to move. Today's meters are sealed at the factory, meaning that there is no way for City staff to go in and work with the meters. They are plastic, including the gears. The meters are also not directly driven or connected to the meter head. A device rotates when the water moves. It goes up to a magnet that turns and then another magnet turns the meter head. Typically, when a meter fails, it fails, meaning that when one of those teeth breaks within the meter head, it just stops. There is no longer a situation where numbers could jump or anything like that; it just fails. It is the same with the meter. If water is not running, that device does not turn, so it is not as if it can randomly turn and therefore have the head turn. They are confident in the new meters that if there is a failure, it fails, and usually there is no reading on the meter when that occurs.

Mr. Blomquist continued that again, this particular meter is still accurate. Per the city code, the City Council has the final say on forgiving charges and any other fees associated with the water and sewer. At this point, he cannot recommend that the Council grant an abatement or adjustment because the meter has passed all tests and he has to determine that it is accurate.

Chair Greenwald stated that the first issue is that the individual is not here, nor is his representative. He continued that Mr. Sosnowski has had the opportunity, has been given notices, and has had conversations with staff. Running water, running toilets, and so on and so forth, are common issues in property management, which he (Chair Greenwald) spends much of his day (dealing with, in his line of work). He has been through this before and has heard what happens. It is unfortunate. Well-meaning, honest people come in with big bills, but it is very simple. If water goes through the meter, you have to pay for it. Why it went through the meter is not the responsibility of City staff. They also need to bear in mind that this is a utility fund. The cost of consumption is spread across all the users, so it is not as if the Council can just say "okay" (to Mr. Sosnowski's request). If the water has been consumed, there is a charge, and if the (charge) is not going to the individual, it goes to (all the other users). Dripping faucets and running toilets are dangerous. He has heard very sad stories of things that have happened, but again, if the water goes through the

meter, there is a charge. He does not doubt that Mr. Sosnowski feels strongly that it is not right, but if the water has gone through the meter, he needs to pay for it. The meter has been tested and proven, which is good enough for him (Chair Greenwald).

Councilor Workman stated that she has a question for Mr. Blomquist. She continued that during the three-week period of monitoring, everything appeared normal and returned to normal usage. She asked if the staff knows the current numbers and if it has remained consistent. Mr. Blomquist replied that he has not looked at (Mr. Sosnowski's) consumption records, so he does not know if it is currently back (to normal). He continued that he assumes so because this is regarding June 2022, and that property has been through at least two more billing cycles and Mr. Sosnowski has not contacted the Department to say those billings were high. Councilor Workman replied that the Department would likely hear something if that were the case.

Councilor Filiault stated that he was looking forward to hearing Mr. Sosnowski's side of the story, but Mr. Sosnowski has not attended the previous two meetings when his request was on the agenda and has not given a reason. He continued that the Committee gave Mr. Sosnowski opportunities at a couple of meetings so they could hear from him, but he has chosen not to attend, so the Committee has no choice (but to follow staff's recommendation).

Chair Greenwald asked if there were further questions or comments from the Committee. Hearing none, he asked if there was any public comment. Hearing none, he asked for a motion.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the request for abatement and fee waiver from John Sosnowski be denied.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023

To: Mayor and Keene City Council

From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee

Through:

Subject: **Downtown Infrastructure Improvement and Reconstruction Project**

Recommendation:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the City Council adopt Concept C – multi-lane hybrid option as the design option for the Downtown Infrastructure Improvement and Reconstruction Project.

Attachments:

None

Background:

Chair Greenwald stated that he spoke with the City Attorney and received some clarity. He continued that the City Council workshop last week, at which the Council took a vote, was a meeting just like a Council meeting, and that vote counts. They were all getting along well and getting excited about the plans, and there were probably many small issues they wanted to talk more about. He thought he would be able to offer a couple of amendments or just fine-tune it a bit. However, he apologizes, for he should have stuck to his position and said, a Council workshop might be a meeting, but they should not vote at a Council workshop. He will ask that they make that a rule of order for the future. Nonetheless, the Council did vote and that is final. Therefore, they can talk all they want this evening – which he encourages – but they cannot amend what was done at the workshop. They all voted, and accepted a concept.

Chair Greenwald continued that a concept is not a final plan. He keeps being reminded that many of the issues they want to talk about and want to fine-tune will come out in the plan. They have only voted for a concept. This evening, they cannot offer amendments. The only way they can move forward to amend is to request reconsideration at the July 20, 2023 (City Council) meeting. The Mayor could offer reconsideration. It requires a simple majority of the Council. It is a parliamentary action. He thought the MSFI Committee had some sway in this, but they have to play by these rules. For the July 20 meeting, he will submit the notice to the City Clerk, asking for reconsideration. Right now, he is not giving a reason for why he wants this reconsideration, but he wants to give the Council the ability to offer amendments to the concept. That will open the Council floor to allow amendments, and he is not even saying what they might be, because they could be anything. For example, more planters, more trees, more specifics, bike lanes, no bike lanes, or bigger bike lanes. The Council needs to take control of this process, and right now, it is a little closed to that.

City Attorney Tom Mullins stated that he wants to make sure the Committee understands that there is, potentially, a simpler process. He continued that that is why the Committee has a proposed motion in front of them, to recommend Concept C to the City Council. Once the project is in front of the Council, Councilors can motion to amend it as many times as they want. They can change it around, add or remove items, (such as) put in a roundabout, take out a bike path, (and so on and so forth). He suggests the Committee take that route.

Chair Greenwald replied that that is not what he understood from his conversation with the City Attorney. The City Attorney replied that that was the second part of their conversation, that this is a route they can take. He continued that Chair Greenwald does not need to file a motion for reconsideration if the Committee votes to (recommend) Concept C. Chair Greenwald replied that the Council already adopted (a concept). The City Attorney replied that they actually did not. He read the verbatim motion aloud, made by Councilor Workman (on July 6, 2023):

“And I’d like to make that motion to move Concept C, the multi-lane hybrid option, back to MSFI for public consideration and input. [I further move to switch this month’s regularly scheduled PLD and MSFI meetings to allow MSFI to meet on the] 12th so that a recommendation can go to the full Council [on the 20th] for a final vote.”

The City Attorney continued that what the Committee has in front of them is not an adopted plan. The Council did not adopt Concept C at that point. It sent Concept C back to the MSFI Committee and the public for further discussion. That does not preclude the Council, on a proper motion before it, from amending anything it wants within Concept C. It could turn C back into the original (concept) that the MSFI Committee submitted, or turn it back into the (concept) that Stantec brought up, for example.

Chair Greenwald replied that the second part of his strategy is still intact. He continued that they are not taking amendments this evening. They will take notes and perhaps offer amendments on July 20. The City Attorney replied yes, and he suggests they listen to the Council, listen to the Committee. Then any member of the Committee or Council can, after listening to all of this, decide what they want to try to amend. He apologizes that that part was not clear in his conversation with Chair Greenwald. Chair Greenwald stated that they seem to be back in the same place, then. He will ask for input from the Committee and then from the public.

Councilor Roberts stated that there is a difference in “concept” versus “plan.” He continued that the City Council is coming up with a concept, and after that, the engineers and other staff members, including Finance, will come back and tell the Council how much their conceptual plan will cost, and it might be much more than they have to spend. First a concept, then a plan, then it meets fiscal reality, and it goes back to the engineers saying, “This is where your concept and your plan do not meet together, so City Council, you now need to make adjustments.” They are talking about something next week that they will come up with a “concept” that will be evolving over the next two years before the first shovel is ever put into the ground, because EPA rules may change, or other things could change. They do not know what will be happening two years from now.

The City Attorney replied that he thinks that is correct and that others would agree. He continued that that is called “value engineering.”

Chair Greenwald asked if the Committee members had further comments on the concept.

Councilor Workman stated that regarding the layout, much of what they are looking at, and the nitty gritty details, are things they will discuss and they will have other meetings to discuss what the final

design aspects look like. She continued that examples are plantings, streetlights, and the lighting system. The public will be able to give input. Chair Greenwald replied that the small things that mean a lot to the Committee, the Council, and the public are what are being called “final design” issues. He continued that he thinks the Public Works Director would say “[That is a] final design [issue,]” and it goes into the background notes.

Mr. Blomquist replied that is correct. He continued that tonight, the concept that has been worked on has four components that the Council has sent to the Committee to hear public comment on. First is the Gilbo Ave. raised table area with two-way traffic. That concept is part of this project and part of the concept that is in front of them for discussion this evening. Next is the Main St. concept, as they have been talking about all along. What the Council sent to the Committee are the two lanes in both directions, north, and south, with no parking in the center, which allows the tightening up of the space. That allows the widening of sidewalks and the provision of a multi-modal transportation lane of approximately seven feet and keeps the angled parking. For Central Square, they have moved forward to a lighted intersection. The exact details for how that lighted intersection will be is part of the next phase of the design, but there will be traffic signals of some type and of some configuration. What the Council has sent to the Committee also says the existing configuration around Central Square will remain, meaning, how it moves today and the number of lanes that move around today. That is the concept in front of the Committee tonight, to receive public comment on.

Mr. Blomquist continued that the process they are going through is one that is typical for all of the City’s large projects. For example, the Roxbury St. project went through a process for selecting a type of bridge, then staff came back and presented the options for the final components of that bridge, such as the several types of railing systems, and got feedback from the Council on that. Then they completed the final design and put it out. He expects a similar process for the Downtown Project. After the Council has decided on these four functional concept areas that they want, staff will begin the more detailed work. That is why they have heard him talk, for example, about how the islands they see in (the concept) fit, but that they might not end up looking exactly as they do in the concept, because they have to get through the final design and have more details about that. It is similar to other areas like landscaping, green infrastructure for stormwater, lights, and more. All of that has to be overlaid and put into place. That process will take them into the fall and probably early next year, and staff will probably be back to the Council sometime in mid-to late-winter to bring back many of the items that have been worked through, so they can have that next level of discussion.

Mr. Blomquist continued that the Council has also received communications from, for example, the Heritage Commission. He expects to have conversations with them about elements and things that that group is interested in and could help maintain the themes that they are interested in maintaining. There are things tonight, these big picture things that the Committee will be recommending to the Council, and the Council will do the selecting, and then staff will go off and do the next level of design effort and return to the Committee to talk more about those design elements. At that point, tweaking can occur. For example, they will not necessarily all of a sudden change over to one lane, when staff comes back to the Committee after doing this next level of work. They will come back with a two-lane (plan), with an explanation as to “here’s how we worked out those two lanes”.

Chair Greenwald asked if the Committee had further comments. Hearing none, he asked for public comment.

Nancy Ancharski of 60 School St. stated that she commends the City Council for the information during the workshops held over the past two months, and she appreciates that Councilor Bosley was able to come up with a compromise for the downtown project. She continued that she understands

that the vote needed to go forward last week, but no one has addressed this sentence in Stantec's description of option C: "In this hybrid option, 60 trees would be removed." This is almost double the number of trees to be taken down in the MSFI Committee's approved concept. She wants to know why 60 trees would be removed, and if the trees will be replanted along the Main St. and Central Square sidewalks in option C. It appears that there would be no space to replant trees, due to the bike path's location. The MSFI Committee's concept has 32 trees being removed, 14 of which are said to be diseased. All 32 trees could probably be replaced, and possibly even more trees could be replaced along Main St. and Central Square sidewalks. If no trees could be replanted, it seems that except for the trees in the median, they would be returning to the stark-looking downtown of the 1970s. It means that in our increasingly hot summers, the downtown sidewalks would have no shade. There would be no shade for the bike paths, outdoor cafes, pedestrians, or downtown buildings. Downtown buildings would need more energy for cooling. Temperatures downtown would rise and air quality would suffer. Keene's downtown beautification projects, installed over the last 20 years, would be destroyed. If we permanently lose 60 trees, "we might lose our downtown."

Jim Sterling of 197 Jordan Rd. stated that everyone talks about the trees that are being removed, but no one asks the question of whether they can be replaced. He continued that he talked with Mr. Blomquist on his way into the meeting tonight, and there has been no new landscaping plan yet. The trees can be replaced, maybe in different spots, and maybe even more can be put in. He does not want the idea that they cannot be replaced to keep being perpetuated. There has been talk about environmental issues. It would be ridiculous to object to the project due to the perceived negative environmental consequences of losing 60 trees because the project's bike lanes will help reduce pollution and help with the environmental issues. It is as if people only hear that trees are going to be removed, and he wishes they would ask the next question. The trees need to be removed for the construction process, but the design has not even been done yet, and the trees can be put back.

Ken Kost of Stonehouse Ln. stated that he appreciates this process. He continued that this concept is a skeleton, telling them the basics of "There's the parking, there's the lane, there is the building," and so on and so forth. That is all it is. He expects there will be talented designers, urban designers, landscape architects, and others who will be involved, leading to some wonderful things. They are not looking at that now, so he thinks this whole conversation about trees is premature. Trees definitely have to be there and there will be places for them. Regarding the conversation about bike lanes, he thinks building to building at Gilbo Ave. is 155 feet, which is a lot. They are asking for 5-14 feet be devoted to "mobility lanes," a term he prefers over "bike lanes," because there are other ways for people to get around. Those are critical in a multi-modal downtown. He hopes the bike lanes are a priority. They are not something that can be put in and taken out later if they do not want them; they are very important. He also wants to make sure that the underlying infrastructure to support public restrooms somewhere is also on the table, as those are very important. Mr. Costa spoke positively about the public restrooms in North Conway.

Laurie Jamison of Marlboro, VT stated that she considers shopping in Keene as shopping locally. She continued that bike lanes will not help her at all unless she gets a motorized scooter. The rainy/stormy weather is the new normal, and this is our last chance to turn that around, thus, she completely supports mobility lanes. She continued that public restrooms are very important for many people, such as pregnant women, parents of young children, people with health issues, and elderly people. She previously lived in Manchester, VT, which has beautiful public restrooms, allowing people to continue "shopping till they drop."

Kendall Lane of 5 Hastings Ave. stated that he has two comments about the concept, which he thinks is a good, workable concept that would benefit the city. He continued that first, between Church St. and Central Square are three lanes of traffic. Once parking is removed from the center of Main St., he questions whether three lanes of traffic are necessary or appropriate. Currently, someone

crossing Main St. has to cross three lanes of traffic to get to the center of Main St. That is fine for someone young, but difficult for someone older or with mobility issues. The center lane between Church St. and Main St. is a problem. It should be removed. If they choose not to remove it, they should at least put a bump-out in the center of Main St. so that the inside lane does not go all the way through. Thus, someone crossing Main St. would only be crossing two lanes of traffic. The other problem created by three lanes of traffic is that after a motor vehicle goes through those lights the lanes reduce to two. Seventy five percent of drivers using that center lane are just doing a U-turn to head south on Main St. For the other 25%, going up Washington St. means cutting across two lanes of traffic. Going up Court St. means cutting into another lane of traffic. That is a dangerous situation and this project is an opportunity to correct that. He hopes that at the next Council meeting, someone will offer an amendment to eliminate that center lane. It would also give more space to allow sidewalk widening on that side of Main St.

Mr. Lane continued that this is a little premature but he wants the Committee to keep in mind that the intersection of Court St. and Central Square has a problem. Cars coming down Court St. are supposed to yield to traffic going around Central Square, and many do not. There have been pedestrians hit. A couple days ago, he was going around the intersection and someone came down Court St., got partway into Central Square and was blocking traffic, then gave everyone the finger because he wanted the right of way and wanted the blocked traffic to get out of the way, even though the cars on Central Square had the right of way. They could correct it with a stop sign, which would have to be enforced by the Police, which would mean having Police downtown. It could be corrected with another method but has to somehow be dealt with. The engineers might have a solution. He fears that someone will be killed at that intersection one of these days.

Mr. Lane continued that beyond that, he strongly supports increasing pedestrian mobility and increasing mobility alternatives in the downtown. This concept moves strongly in the right direction, and he is very happy with it. He hopes that as they make the necessary tweaks, they will keep in mind the ultimate goal: to improve and better the center of Keene. It is the city's "front yard," the first thing anyone sees when they come into this community. During the eight years that he was Mayor, people would come up to him from out of town and out of state, and someone from Alabama said, "You've got a gem here." Yes, and they need to keep that gem, improve it, and move it forward.

Jay Kahn of 135 Darling Rd. stated that he spent over 28 years at Keene State College (KSC), and the campus's award-winning design replicated some of the look of downtown, which everyone enjoys. It is a lot different than 1988. Since 1988 when the City implemented the plan they see today, which he agrees has been very successful, two environmental trends have shifted. One, the City decided to allow outdoor dining. This was a good decision and enjoyed by many. The second is multi-modal transportation. The clearest value of downtown and its design is a walkable downtown, and they begin to add additional values based on changing demographics and changing trends. He encourages the Committee to accommodate all three of those values. Having designed many sidewalks, (he can say that) each person takes three feet, which the City's consultants said as well. If there are two people walking in one direction and two people walking in the other direction, that is a 12-foot sidewalk. Sometimes there are three people, such as a family with a young child, walking three abreast, and there needs to be room for at least one person to move in the opposite direction. Twelve feet for a sidewalk, he believes, is a requirement for a walkable city. How to fit it in is something he will leave to the Committee and Council, but they cannot lose the walkable city.

Mr. Kahn continued that commercial and retail viability is crucial in Main St., and they have lost some of that. Having more housing and more walkable areas in downtown will bring it back. Jeff Speck picked that out right away, saying that some of the most buildable properties in the city are in City-owned land downtown. More housing downtown will bring the commercial and retail viability they hope the downtown will be able to sustain. As Mr. Speck said, when you bring back housing, you

make downtowns sing. A walkable downtown, accommodating some new interests, outdoor dining, and multi-modal transportation is important. As Mr. Speck said, walkable downtowns need to be interesting and comfortable. Thus, they cannot be squeezing this and making people feel like they are competing with other interests. It means the trees are an important design element, as others have said. To maintain those values, they have to step back and ask, "The three lanes of traffic, two lanes with a turning lane, did we discard that too quickly?" He hopes they give it some thought and test it. The values are important here, and they lead with their values. If they see the values in the plan, they have success. The plan needs to accommodate the values. Right now, he thinks they are pressing the envelope of having to compromise on some of those values with this plan. Perhaps the three-lane model provides something that the current model with two lanes on both sides does not. If they stick to their values, the design will follow.

Debbie Bowie of 659 Hurricane Rd. stated that in March, she submitted a letter to the Mayor and Council, requesting a report addressing questions her letter posed. She continued that she still does not have answers to many of the questions. She asks the Council to consider if there is sufficient information to make an informed decision. One area that remains unclear is pedestrian safety. She wants to know what will be done to control the speeds of vehicles on Main St., what efforts have been made to provide accessibility for fire safety, whether the public can access the Police and Fire Department's recommendations on this plan, and whether those exist. She wants to know what the bike lane rules will be, how bicyclists will be educated on the rules, how bicycle regulations will be enforced and by whom. She wants to know what regulations will be in place regarding electrical devices on the bike lanes. She wants to know the exact cost of the proposal, although she understands they might not have that information because they need to have some guidelines on what the city can afford to pay for this proposal. She would like to see what it would cost just for the necessary improvements, and then with the addition of the bike lanes, and then she would like to see how much this would impact the Keene taxpayers, through a dollar amount, say on \$100,000 of a property value, so taxpayers can understand it. She knows it is necessary to update the water and sewer infrastructure but wants to know what additional upgrades are essential to take care of in this infrastructure plan and what additional City projects hold a high priority and might be postponed because of these expenditures. Residents and Councilors require clarity and transparency in order to vote.

Chair Greenwald stated that those are excellent questions, and his question is who will answer them. City Manager Elizabeth Dragon replied that many of the questions pertain to the final design process. She continued that as Mr. Blomquist explained earlier, in order for staff to give the Council costs, they need to have a final design. Then the Council needs to decide what sort of things to add, which will give them the final number. From that number, staff will be able to give them a cost impact on the tax rate.

Chair Greenwald asked Ms. Bowie to resend her letter, to the attention of the City Manager. He continued that the City Manager can disseminate it to wherever it needs to go.

Ken Stewart of 11 Algonquin Dr. stated that his comments relate to what Mr. Kahn said about values and what Councilor Roberts said about costs. He continued that this may be premature, but as they roll forward, he wonders how the interaction between the design values and the possibility of obtaining grants will work. He knows they cannot address that now and that going through the process will give more insight. They want a transparent process whereas they learn more about the design values that may be embedded in grant applications and whether they are able to get more or less money based on those design values, they need to hear about those trade-offs. That may involve modifying the design concept now and as they go forward. He was motivated by that, aware of the fact that Keene has a rather high tax rate. He thinks there is only \$7 million in the CIP [for this] and he thinks the number will be at least double. It would be nice to have grant funding offset that as

much as possible.

Mr. Stewart continued that at first, he thought grant numbers would be modest, then saw in a Union Leader article that the City of Manchester is getting \$25 million of RAISE funding from DOT to rebuild one intersection. Manchester has until 2029 to do the project and only has to come up with \$5 million/20% itself. If Keene is able to play its cards right with design values that enable maximum grants, and can cut the costs to taxpayers down to 20% of the project, that would be good to know, to the extent that they are making tradeoffs between design choices and the amount of grant money they will get. He asks for an open process with discussions about those tradeoffs so they are clear to everyone. He encourages the Committee to look at design values, grants, tradeoffs between that and the property taxes, and potential effects on other CIP projects that may have to be modified, pushed out, or eliminated now that they are dealing with something twice the cost of what was once \$7 million. He hopes that as the process goes further they can see what the tradeoffs are and how they are doing getting the maximum amount of grant money.

Jodi Robinson of 40 Dickinson Rd. stated that she requests that they separate the infrastructure project from the redesign and that they first fix what they know needs to be fixed, getting hard numbers on that. No businesses, residents, or others will be downtown if there is no water and sewer. (Separating the projects) might allow them more time to fully think through and develop the redesign to make sure they get it right. The downtown is what brings people to Keene, so it is important. She does not know the current state of the water and sewer, such as how close it is to failure. If it springs a leak and needs fixing, for example, it is being slowed down by (time spent on) "what the pretty picture will be in the end." She also requests they do a full traffic study of the downtown area, not just Main St. Central Square is where all of the funnels merge. Downtown has a lot of "through" traffic. They could look at surrounding streets and maybe consider some one-way traffic lanes to allow people to go around downtown. She is a bike rider and believes bikes do not belong on Main St. As others have mentioned, they are trying to fit many things into a certain width. If bikes were a block off, bikes that want to get through town could have dedicated space where there is more room, which would free up Main St. for cars, pedestrians, cafes, and those types of things. She appreciates electric and pedal bikes and rides herself, including having been riding on Main St. her whole life. Maybe it is because she is so used to it and does not know enough to be afraid, but she seems to manage.

Ms. Robinson continued that she knows this will come later, but they have talked about the trees and she knows they will be adding trees in, although maybe not in the same place. There will be a strip down the middle, then a few spotted in along the sidewalks, but that will make the edges of Main St. look like a parking lot. Central Square and Main St. will need much more signage than what is currently there. Coming across Rt. 12 and into the roundabout, big signs indicate which lane to be in, depending on your destination. She wants to know if that type of signage will hang across Main St. It is important and needs to happen. Someone talked about the dangers of the Court St. intersection, which signage can fix, but all the way around, they need to make pedestrians and motorists follow the rules. Perhaps increased Police presence would be key to these safety issues. She hopes they think long and hard about signage options, which will be key to the success of whatever they do.

Autumn Delacroix of 618 Court St. stated that regarding pedestrian safety, the number one risk is the length of the crosswalks. She continued that they are very long right now (on Main St.). Pedestrians cross four lanes of traffic, and as many people have said, sometimes one lane of traffic stops (for the pedestrian) and the second does not, which is scary. Anything that can be done to shrink those crosswalks will make them safer. People have spoken about the loss of trees, and the third lane exiting Main St. as you enter the rotary. Removing that lane adds extra space where trees could be planted, and shortens that crosswalk that sees so much traffic. Similarly, raised crosswalks make

crossing safer, reminding cars that they are entering pedestrian spaces. This is also true of raised crossings in bike lanes.

Ms. Delacroix continued that some classes of electric bikes are already regulated by the State and Federal government to some degree. Class III e-bikes are very fast, are legally motorcycles, and are required to abide by the same laws as motor vehicles. They would not be allowed on bike lanes already, so that is not an issue the City needs to even consider. In addition, at some time, there will be some bad actor who does something terrible. The force of a collision is related to both the speed, which is the concern here, and the weight. The speed is a linear equation; going a little faster will make it do more. The weight is a much bigger proportion. It is quadratic. If a 200-lb. bicyclist strikes someone, they will hit with a hundredth of the force that a car, at a ton, would be doing. A tenth of the weight of a 2,000-lb. car is 200 lbs., and it is quadratic, a hundredth of the force. There are very few bad injuries from cyclists, including e-bikes, even at high speeds.

Jan Manwaring of 50 Belmont Ave. stated that she was on the MSFI Committee for 12 years. She continued that this is the first time she has come to an MSFI meeting to make a comment. She became a Councilor because of the Comprehensive Master Plan (CMP). One priority in the CMP was a walkable city, and a commitment to multi-modal transportation to promote an active lifestyle and safety, which meant good sidewalks, and eventually bike lanes. That was in September 2010 when she was not yet a Councilor. She was a Councilor in June 2012 when the Council passed the Active and Passive Recreation Plan. The first recommendation was a better connection of the bike system to downtown, work, and that sort of thing. The second recommendation was more open space. In the fall of 2015, the Council passed the Complete Streets plan, the focus of which was more walkability, more sidewalk safety, and more bicycle safety. The last thing she did as a Councilor, in 2020, was the Sustainable Energy Plan the Council passed, which said the City would be 100% renewable energy by 2050. The question was how to do that. One method was to reduce vehicle miles driven, and the way to do that is multi-modal transportation, making it safe to walk or bike. This is the same theme. She thinks they have done a great job.

Ms. Manwaring continued that in 2022, the Bicycle Pedestrian Path Advisory Committee (BPPAC), which she is a member of brought Strengthening Connections Downtown and Trails to the Committee. The BPPAC did many surveys and worked with the UNH Cooperative Extension to show that bringing more people in to walk and bike on the trails means those people come downtown, buy specialty items from downtown shops, often look for a bike shop, and go to restaurants. With all of these things, she sees the pattern of the City moving forward, and she encourages the Committee to keep the bike lanes in (the concept) and to focus on sidewalk safety. By 2030, her understanding is that 30% of the area's population will be seniors, and seniors do not move as fast. She asks the Committee to keep them in mind, too.

Walter Lacey of 232 Daniels Hill Rd. stated that he is a dedicated bicyclist but is against bike lanes in the downtown reconstruction project. He continued that he has biked all his life and his current bike has 10,000 miles on it. He is a huge advocate of increased bicycle access and accommodation, but he is also a realist and believes that safety is paramount. The depicted bike lanes appear to introduce new hazards to pedestrians, cyclists, and motorists. He sees no benefits to himself as a cyclist, only new conflicts and problems. Presently, for example, if he is coming up Main St. and planning to go north on Court St., he only has to contend with crosswalk pedestrians and the traffic light at Roxbury St. Following the bike lane, there would be six street crossings before he even gets to Roxbury St. There are hazards at each. It is difficult enough for motorists to see pedestrians on the sidewalk, but virtually impossible to see a bicycle traveling at a speed of 10-12 mph and most likely out of view. The west side of Main St. has similar issues; he counts five street crossings. Pedestrian traffic crossing the bike lane between parking and a store or restaurant would be a newly introduced hazard. It might not seem like 10 or 12 mph is fast, but for a pedestrian, a bicycle can

appear in an instant and a collision could be serious. His ideal path as a cyclist is one that is unobstructed, with good pavement ahead, with no conflicts. These bike lanes would not do that. He assumes they are one-way. He does not think people would obey that.

Mr. Lacey continued that the increasingly popular e-bikes are capable of relatively high speeds with little rider effort. He questions whether they belong in bike lanes. He foresees significant policing problems. This project should instead be the opportunity to integrate bicycles, particularly the new generation of e-bikes, into the downtown traffic mix in a meaningful way. They should develop a traffic plan; (aim for) dimensions and speed limits that include bicycles as part of the traffic flow; inform and educate the public, drivers, and cyclists, as to their rights and responsibilities; and enforce the law. He thinks the bike lanes as drawn are unrealistic and hazardous.

Rowland Russell of 77 High St. stated that to address some misconceptions regarding multi-modal transportation issues, he went through over 20 studies on multi-modal transportation. He continued that he did an open search on the economic impacts of protected bike lanes, searching only on "impacts," not "benefits." He did not find any negative impacts on the economy. One misconception is that people do not ride downtown and will not ride downtown, even with bike lanes. However, "if we build it, they will come." The average protected bike lane sees bike ridership increase 75% in the first year alone. For example, in Chicago, bike ridership increased 56%, in Montreal, it increased 61%, and in Philadelphia, it increased 95%. He gave more examples. Mr. Russell continued that regarding safety, 96% of people using protected bike lanes believe they increase safety on the street. Streets with protected bike lanes saw 90% fewer injuries per mile than those with no bike infrastructure. On Columbus Ave., NYC, bicycling increased 56% on weekdays, and crashes decreased 34%. On another NYC avenue, local businesses saw a 49% increase in retail sales, and a 56% reduction in injuries to all street users, including a 57% reduction to people on bikes and 29% reduction to people walking.

Mr. Russell continued that protected bike lanes boost economic growth in four ways, from the League of American Bicyclists report. They fuel redevelopment, especially housing, to boost real estate value. They help companies score talented workers, and make workers healthier and more productive, increasing retail visibility and sales volume. NYC's Union Square had 49% fewer commercial vacancies, compared to 5% more throughout Manhattan. That is important to keep in mind – we never like to see empty storefronts downtown. Protected bike lanes and the people from the increased traffic it brings help those stores stay in business. In Portland, OR, people who traveled to a shopping area by bike spent 24% more per month than those who traveled by car. Other studies found similar trends. Mr. Russell gave more examples. He continued that he also included in this write-up, which he will leave with (a staff or Committee member tonight), that while it is true that the City can apply for grants without multi-modal transportation in its plans, it is scored very highly (when it includes those). He went through all the guidelines for them, and there are at least ten. He is sure the Public Works Department has the list already of multi-million dollar grants, such as RAISE, which will help reduce the taxpayer burden. In conclusion, he wants to say that he loves downtown, loves the downtown businesses, and wants them to survive. Multi-modal transportation will help those businesses immensely.

Connie Joyce of 81 Grant St. stated that she has lived and worked in Keene professionally for 60 years. She continued that she loves Keene. People come to Keene because they admire the way it is. It is a little quirky, but it is a small town of 22,000 people. Parking is limited and expensive. The downtown stores do not stay open past the dinner hour. Keene is historic, charming, and highly functional just the way it is. Taxpayers can afford it the way it is, but will not be able to afford it with increased tax bills. The list of needs versus wants is a tragedy. The area has just had torrential rain. She wants to know if people noticed any drainage issues or damage to downtown. The old pipes held. No one has produced any maintenance records to prove that there have been major

issues downtown. They have no data on the need for bike lanes. The safety of downtown walkers is a major concern. She imagines, for example, someone getting out of their car to pay the meter, and a cyclist, who may be talking on their Bluetooth, running into the person. She imagines someone walking in front of City Hall and having a cyclist come up behind them, and as they step in front of the cyclist to reenter their car, they are hit by the cyclist. Older people like her need and expect safety. They need to be able to feel that they can walk downtown safely.

Ms. Joyce continued that she does not want bike lanes around Central Square. There is no room and it is too dangerous for everyone. If someone can pedal a bike, they can walk a bike and care about the safety of others. Bikers can walk to a bike stand and park. If people care about safety issues, they should focus on West St., because there are no bike lanes, and many people who reside at the Keene Inn must use a bike. She wants to know if the City has achieved adding safe bike lanes elsewhere in the city. Before they go any further with this hybrid plan, the City needs to paint the proposed bike lanes and walking lanes, so residents and visitors can see what it would look like. The one-dimensional plan by Stantec does not clarify the intended lanes. This should have been done. Significant trees will be removed. She heard 60. These trees need to be marked in vibrant paint so people know which ones they are, and what downtown Keene will look like without the ambiance of the old-growth trees. The entire project needs to be delayed so the citizens of Keene have visuals of these plans. She wants the City to let people see what they want to do before they “damage our city forever.”

Pam Slack of Keene stated that she has a question for the City Attorney. She continued that at the beginning of the meeting, he made it quite clear that the vote that was taken at the City Council workshop – which was noticed as a workshop, not as a City Council meeting – was legal. She understands that, but she sent a letter to the Councilors before this meeting, saying that if a vote were taken at a City Council workshop, it would set a precedent. She asked if that is true.

The City Attorney replied that he understands that at some point in the past, there was a pattern or practice for the City Council not to take a vote at a workshop, but that was never codified anywhere. He continued that the City’s Code of Ordinances applies, and RSA 91-A applies. When the City Council meets, as a quorum, in a room, and it is publicly noticed, it is acting as a City Council, and it can take a vote if it wants to. It is up to the City Council whether to do that. The City Council did have the authority to vote on Thursday at the workshop. He understands that Ms. Slack has a proposal going to the Finance, Organization, and Personnel Committee to codify that into the rules of order. If the Council wants to do that, the Council has the authority to limit the practices that may happen at a workshop. The second question, if the Council decides to go that route, is what constitutes a “workshop.” That will need to be defined. The City Council rules already include a provision for a “specially called meeting,” and that follows all of the rules of the City Council, but a “workshop” does not appear in the rules or anywhere in the statute. Regardless of how people feel about what happened at the workshop, from his perspective, it was a proper act for the City Council to take.

Ms. Slack replied that she appreciates the explanation, because it was not clear to many people, and she wanted that on the record. She continued that the other night, Mr. Blomquist stated that the discussions for this project started in 2017. It is now 2023. They knew this project would have to take place. She wants to know what money is available in the CIP for this project.

The City Manager replied that the Capital Reserve, on January 31, had \$1.9 million. She continued that that reserve started around 2017. In fiscal year 2025, they allocated \$500,000 for the work that has been happening. In addition, a TIF district is adding approximately \$250,000 per year to the reserve account. Ms. Slack replied that they have known about this project since 2017 but that is all they have, which is a serious concern for her, given the amount of money this project is going to

cost. She realizes that they will be applying for grants, but they cannot do that until they have a project.

Ms. Slack continued that she also wanted to address the topic of public bathrooms. For her, it is a balancing act. She is not sure everyone knows the history. Public bathrooms used to be located at the transportation center but were closed because there was a fire started in one, and in the other, a woman was raped. There has been a lot of recent vandalism in the bathrooms at Robin Hood Park. If they decide to have public bathrooms downtown, she is not sure who will pay for them and who will monitor them. That is something to keep in mind. Public bathrooms are available at City Hall and the Library.

Ms. Slack continued that she kind of likes the design (in Concept C) but wonders what the destination is for the bikes. Bikers would be coming down Main St., and the bike lanes kind of end at Emerald St., so she wants to know where the bikers would be going. They could turn off onto the bike path where the railroad tracks used to be, going right or left near Railroad St., but after that, she does not know where they would be going. There are no bike lanes further down or going off any of the side streets. If some Councilors decide to pursue multi-modal transportation, bicycles should be registered, including electric bikes, with fines imposed if they are not registered. Her understanding is that bicycles have to be registered through the Keene Police Department now, but she is not sure how they would keep track of that if electric bikes are coming downtown.

Ms. Slack continued that she is happy with the decision about Gilbo Ave. She thinks that should stay the same. The raised sidewalk there works well. She does not know why there are no others in the city. The lighted intersection will stay the same, and the existing square remains the same, although it seems a bit larger (in the concept), which is a question she has. She thinks the big question, from the majority of people that she is hearing, is that in this concept, they are widening the sidewalks and adding the bike lanes, but it also looks like they have taken some space away from some of the businesses around the square, which might not allow them to have outdoor seating. This was not clear to her. She knows everyone has put a lot of time into this and she appreciates it. She hopes that if the Council takes a vote this month, which she thinks they will, at some point it does come back to the Committee and the public still has input. Her understanding is that this is the last time the public will be able to sit and speak to the Committee about their concerns. She is part of the baby boomer generation, and the youngest baby boomers are now 59 years old. Thus, the baby boomer generation will be around for 12 or 13 more years. There will be a large population of seniors. She is not sure that senior citizens in Keene feel that they are being listened to.

Chair Greenwald stated that he thinks answers to many of these questions will come in the final design phase. He continued that he asked some of the same questions, and he was told that this concept would shift. The shape of the square will shift a bit, as will some of the intersections, the bump outs, and this and that, to solve many of the issues and problems that Ms. Slack is alluding to. Ms. Slack replied that the thing is, this is when the public has the opportunity to give input, so unless they talk about it, the Committee will not know what many of the people want.

The City Manager stated that to add a bit of information to Ms. Slack's question about the capital reserve and the capital plan, she answered the question as to how much they had and how much they had raised so far, but the capital plan goes through fiscal year 2027. She continued that that plan included funding for the original amount of the project, which was just over \$7.4 million. That funding went through fiscal year 2027, which was the original date the project was intending to be funded. Ms. Slack asked if that means that each year, 2025, 2026, and 2027, they are adding more money. She continued that today, there is very little there, and she is not positive how much how much has been spent from that. The City Manager replied that she believes it is just under \$500,000.

Peter Hartz stated that he was at the last MSFI Committee meeting, and he remembers the conclusion of that meeting resulted in a recommendation to the Council that the bike lanes not be presented as a plan. The Council then voted against that idea that the Committee proposed, and now this concept is back to the Committee. This whole process has been unprofessionally slanted, right from the beginning. There was never a chance for people to register “no change” (as their preference). The question has always been about what changes they are going to do. He believes that if all the people who could have voted for “no change” had been tallied, that would have been the overwhelming response. Only a very small segment of the population ever voted on any of the proposals during the summer. Sometimes the number barely crested 100. The only proposals presented to be voted on were ones that involved change.

Mr. Hartz continued that he wants to look at the pros and cons of the hybrid option. He commends (former) Mayor Lane for saying that “we have a gem” of a city. We will lose it. What exists now will be eradicated. Sixty trees will come down, and the median down Main St. will look like every parking lot and mall and grocery store place, with perhaps a single line of trees intermingled with some streetlights, just as it is further down Main St. There will be little islands next to the parking, possibly with trees as well, but they cannot forget maintenance and snow removal. The islands today, larger than the ones proposed, are used today to mound up the snow when the parking area on Main St. is plowed, then those piles have to be removed. He does not believe the (proposed) islands along the parking strip will accommodate much of that. Other cons are the lack of flowerbeds, which will have to be removed to provide space for the bike lanes, and the lack of tree canopy. The crosswalks across Main St. will hit the median, which is much narrower than what it would have been with the existing angled parking, because you can walk from one side of the angled parking to the other, pausing and preparing to cross the rest of the street. In this (concept), people would only have five or six feet in the median and would have to cross the street quickly.

Mr. Hartz continued that the plan is to accommodate bicycles. He suspects there are only two reasons why bicycles would be downtown in the first place: one, to travel through downtown; or two, to stop and go to a shop or restaurant. Cars are doing the same, either going through downtown or stopping and shopping. Drivers have to park wherever they can find a space, which sometimes is not on Main St., and then walk to their destination. His question is why cyclists cannot do the same. It is a four-block strip. With bike parking in the middle, people could walk two blocks in either direction. He does not see the purpose of a bike lane going through all four blocks. The city is supposed to be walkable. The interface between bicyclists and pedestrians, either exiting cars or exiting the dining areas and having to cross the bike lane, presents a hazard. Another person rightly mentioned that there are more intersections that a cyclist will have to contend with than in the current [configuration], which is legally enforced, with bicycles as a mode of transportation that are in the street and have the same rights and responsibilities as cars. If someone does not feel safe in those lanes, there are other options – park your bike and walk, or ride around the downtown.

Mr. Hartz continued that there are problems specifically with the Central Square proposal. It is a congested intersection where Court St. comes into the square. Some people obey the “yield” sign and others do not. Some traffic is trying to get over to West St., and other traffic is trying to get to the two lanes going south on Main St. This [proposed concept] narrows those choices down to very specific lanes where drivers will have to duke it out to get into the right lane. The proposed island takes away much of the flexibility of that intersection, and he believes it will cause backup all the way around the square back to Main St. for traffic that is going around the square to try to get onto West St. or go south on Main St. He proposes eliminating that island and reconfiguring the square to its original configuration.

Mr. Hartz continued that the current (configuration) has a turnaround at the end of Main St. before the intersection with West St. and Roxbury St., where drivers have a choice to get in the lane, turn, and

go south. He does that many times to get to Gilbo Ave. He does not see that turnaround in this proposed (concept). In summary, the public was never given the option of “no change,” which would be the least expensive option. Yes, they could make a few changes here and there, like the Gilbo Ave. flat table idea, perhaps correcting some accessibility issues, but overall, he thinks that what they have today is a beautiful city. People desire to come here and enjoy being here, because there is a garden, and a grove of trees downtown, which will be removed. It will become essentially a shopping mall, with a long median with some trees in it, a lot of parking along the sides with very few trees in between them. It will be boring and plain, they will be losing a lot, and it will cost a lot more money.

Dave Morrill of Mechanic St. stated that someone asked what the destination is for bikers on Main St., and the answer is that bikers’ destinations are the same ones as the destinations of drivers on Main St. and pedestrians on Main St. He continued that they are talking about adding protected bike lanes, but it seems that there are already unofficial multi-modal lanes on the sidewalks. People ride bikes, scooters, and “e-whatevers” on the sidewalks, so having a separate place on the sidewalk for those methods of transport seems like a safer option to him, probably supported by the data that another speaker gave. Concept C is not his first choice, as is true for many other people. He liked the roundabout option. It is not his second choice. He liked the single-lane option. However, it is an option that he thinks can be satisfactory, and he likes the expanded green space on Central Square, the narrowed car lanes around the square, and the fewer crosswalks. What he likes most about it, and what would make it satisfactory to him, is the addition of the bike lanes. They offer economic benefits that others have spoken to, safety benefits that others have spoken to, and the drawbacks are zero. If it turns out to be a huge mistake, they can take the bike lanes away, change the signage and the paint or whatever needs to be done, and expand the dining space and walking space. (Adding these bike lanes) is very “low risk, high reward.” People have been asking for bike lanes for years, so he asks the Council to please give them bike lanes.

Tony Guarino of 11 Woodside Ave. stated that he was at the last meeting and saw all of these diagrams with the proposed bike lanes’ location, which seems impractical. He continued that by looking at all of the parking spaces, he assumes that a person would get out of their car and walk across the bike lane. It is not like there are one, two, or five crosswalks – there is, in essence, an intersection between each parking (space) and the person’s destination across the sidewalk. He bikes, including on Main St., and feels perfectly comfortable doing so. If they take away trees and the beautiful parts of the street just to give the bike lanes a trial, he bets the bike lanes will not last long. He knows what it is like being hit. He is not sure what a “protected bike lane” looks like, and how they delineate the bike lane from the walking lane, but as long as there are parking spaces there, people getting out of their cars will walk toward the shops, not backward into the road. Bikes will be whizzing by occasionally. Even as a cyclist, he tries to avoid points like that; he wants to get on a road or trail and just go. He likes the idea someone mentioned, having a place to park bikes off the street, and having people walk up and down the street. Having a cycling lane there, with all the sacrifices, space-wise does not make sense to him.

Laura Tobin of Center St. stated that she heard at another meeting that “parking was the most important concern for everyone,” and it is not for her. She continued that she is a pedestrian, and if there were a bike lane, she might buy a bike. She has heard many people mention the trees. Walking on Main St., you can see that the trees are very unhealthy. She does not know why, but the bark is falling off. It is likely that if they are not on the way out now, many of them will be soon. She wrote a letter about it the other day. Regarding multi-modal transportation and focusing on different aspects, she concedes they need to accommodate many modes of transportation, but ultimately, one (mode) always needs to be prioritized. She will not say which one, but it is a matter of realizing that not everything can be the most important. It seems like in some sections of Concept C, vehicles are the most important, and in some sections, biking/walking/multi-functional use is the most important. When she looks at the connection points, the walkers would have to cross, she does not

know how people intend to get all the way around the circle and what the incentive at this point would be for that. The green space in the middle of the square is difficult to access now, because any time you cross, you are watching for traffic coming from five different directions. If vehicles are the most important, she would maybe say, just get rid of the sidewalks. She wants it to be walkable, but right now, it is not. She loves dining outside, but the tables take up the majority of space, which means you cannot see the storefronts. Table umbrellas are nice while you are dining, but it blocks the view. There is a lot of traffic. Many people drive around in circles, looking for a parking space, which is not a great use of the roadway. If this is intended to be a walkable place, then the attitude has to be geared toward that mindset. The other day she crossed the street three times, only in crosswalks, and no one stopped for her. One time, when visibility was not a problem and she was in the crosswalk, a driver honked and yelled out the window at her to "Get out of the [obscenity] way." That is an example of people's mentality when downtown is geared toward drivers. Drivers take the right of way. It is currently not easy to walk downtown.

Ms. Tobin continued that she has heard many people express views such as, "Well, what about the gardens?" and "Where are we going to put the snow?" Right now, the piled snow creates a blind spot, so that a pedestrian crossing the street cannot see or be seen by oncoming traffic until the pedestrian is almost across the street. Snow is piled at bus stops, where elderly people have to climb over it. Bulldozers, when clearing the snow, destroy the sidewalk, and replacement is needed. The gardens are nice, but dogs urinate in them and cause dead spots. She is asking for this (project) to be looked at with a comprehensive view. She hopes a goal is for people to come to Main St., potentially start at a restaurant, and then want to walk around. She always thought that was the intent, in general. The sidewalks used to be taken care of and cleared, and are not anymore, and then in the summer they are full of tables, so they are rather un-walkable most of the year. She understands that things change, but it is a matter of what your priorities are.

Sandra Whippie of 233 Pako Ave. stated that she came to Keene in 1953 to attend college. She continued that she remembers when Main St. had no center planting. She would hate to lose those gorgeous trees and gardens. This is one of the most beautiful main streets in New England. For years, she has worked with Monadnock Interfaith Project about bathrooms downtown. Not just the ones in City Hall, but public bathrooms in the area of Railroad Square where they would be more accessible for shoppers. Her understanding is that the current proposal includes putting the plumbing and electricity in to have a welcome center with a public bathroom around Gilbo Ave. She asked if that is correct.

The City Manager replied that the staff has not determined a location for where the public bathrooms will be. She continued that there had been talk about a welcome center several years ago, but currently, there is no specific plan or location. That is something that would be discussed later in the design process.

Ms. Whippie replied that she understands that there is no specific plan for the welcome center, but her question is whether there is a plan to add plumbing for future bathrooms when the infrastructure work is being done, or if there is a chance that everything would have to be dug up again if they decided to do that welcome center in a few years. The City Manager replied that there is a plan to include plumbing for public bathrooms, but they have not finalized a location yet.

Sam Jackson of Court St. stated that she wants to address some points she heard tonight. She continued that bikers might not be able to walk long distances. She heard someone say that if someone is able to ride a bike, they are able to walk to their destination. However, biking is a low-impact activity, so anyone with knee problems can use biking as a mode of transportation but may struggle to walk, and she does not want those individuals to be forgotten. Another point is that many people are comfortable biking on Main St. She herself will do it, but does not like it, as it is

intimidating and she feels the need to keep up with motorized traffic and thus rides faster than she wants to. Regardless, when individuals say that they can bike down Main St. and leave it at that, saying there should not be bike lanes, they are ignoring entire demographics of people who cannot do that. Examples are new bikers, parents with young ones, and children. Children, in particular, have the opportunity to gain a bit of independence through biking, but cannot have that because Main St. does not allow for that safe movement. She heard people ask where the bike lanes attach to, saying that there is no bike lane on Court St. Bike lanes need to be implemented incrementally. It does not fiscally make sense to add bike lanes in all locations all in one year. It would be impossible. However, that does not mean that the City should not implement bike lanes here. It is one step in the right direction.

Ms. Jackson continued that many people are afraid of change, and she understands. Change is scary. However, change is also incredibly important. If we want to improve, we cannot allow ourselves to stagnate. We need to look to the future, and yes, we have a large senior population. Seniors will never be properly supported without a solid youth population, and trends show that today's youth want multi-modal options and pedestrian-based traffic calming measures. She urges them to reframe their thinking. For example, when people are upset thinking about bicyclists in the space, saying that bicyclists might hit someone or be a danger to people, she urges them to replace the word "bicycles" with "cars," because often, automobiles deal more damage and are often ignored in these conversations, while cyclists are demonized. She heard, "When we want to make a shared space, we want all modes of transportation to be equal." However, they cannot work under that. In practice, the mighty trumps. Cars will dominate. They need to put effort into improving their bicycle and pedestrian pathways so the less mighty can survive.

Roger Weinreich of 51 Railroad St. stated that Keene is changing, which they all know. He continued that a part of him does not like change. Speaking as the owner of a retail shop downtown, the past 32 years have been interesting. The beginning was easier when there were other men's clothing stores that his shop benefited from. Every time you lose a downtown retail business, it affects the others that remain. The nationwide trend is for retail businesses to leave downtowns and for restaurants to come in. Thirty-two years ago, there were two or three restaurants downtown, and now there are almost two dozen. It does not always impact the (retail) businesses, because retail hours tend to not be in the evening, for many reasons, but they appreciate that the businesses are there. Parking issues are profound for daytime business owners, as is traffic. Anything that can be done to increase traffic in the downtown, whether vehicular, bicycle, or pedestrian, is a great asset. The nationwide trends show a shift from what used to be mostly retail, to services such as insurance companies, tax prep, and stockbrokers, which come to downtowns because the rent is relatively cheap for them to have signage in front of their buildings. However, these services do not draw traffic. Their customers mainly come in via the Internet. Restaurants push the model nicely because they draw traffic, but the model that comes next, which will come to Keene, is residences. People decide to move to the downtown, not just to visit but also to live there, because it is a livable, walkable space.

Mr. Weinreich continued that with all that in mind, a bunch of people got together and brought Jeff Speck to Keene, one month ago tonight, to do a presentation. Individuals raised about \$10,000 of Mr. Speck's \$12,000 fee. Many people in the city want to put their money where their mouth is and want to see what we can do to have the best (plan). Mr. Speck is the top (planner) in the country and they wanted to hear his opinion. He gave a presentation, not a design, but said at the beginning of the presentation, "I'll give you guys a little bit of a design." One idea he brought forward, which Stantec had come up with, too was one lane in each direction. He (Mr. Weinreich) reacted with the thought, "Forget that, that doesn't work." He did not see how it could work to go from four lanes to two. However, what Mr. Speck did, which Stantec did not, is explain how and why it works, why it is the superior situation, and why it is happening all over the country. Even some major cities are

condensing four lanes to two. In Keene, it would make downtown traffic slower, because with one lane there is no “racing.” The second lane is usually used for racing/passing. (Having one lane in each direction) would give pedestrians many opportunities to cross a shorter, narrower piece of roadway. He understood that from Mr. Speck’s presentation. Then, Mr. Speck addressed Central Square, and he (Mr. Weinreich) had ideas in his head about the roundabout that Mr. Speck debunked. He says they are “too dynamic” for downtowns. They move traffic too fast. They should have a static approach with traffic lights. Mr. Speck did a preliminary design of two dog-leg four intersections in Central Square with two sets of traffic lights. He ran it by Stantec’s top designers, saying this would be ideal for your town and would triple the green space, which would give more opportunities for events if it is an event-driven town.

Mr. Weinreich continued that Mr. Speck is one of the country’s leading designers and they do not have a design from him. He continued that Mr. Speck’s design fee is probably double his speaking fee. He asks the City to consider bringing in this top designer and consider his design. If the City cannot spend the money, the public could raise it. He does not think they are done looking at the options. Much as he would like to put this to rest, the stakes are too big. When Jeff Speck said, “You don’t have to take down any trees, and you can keep the parking the same or increase it,” his head perked up. It would be great if they could keep the parking and add more trees, and bring more people downtown. He thanks the Committee for doing this work and listening to people and does not envy the tough decisions they need to make. As others have said, his (opinions) are not about him as a baby boomer who is aging, for he will be here 10 or 20 years, but this is a design project that will be here for the next 100 to 150 years.

Diana Duffy of Page St. stated that she encourages the Committee to keep the long view in mind. She continued that Councilor Roberts mentioned in his opening remarks that this is the long view, and she wants to acknowledge that there has been so much work to get them to this point today. Acknowledging all the analyses, all the studies, and all the dedicated staff and Council work that got us here, this meeting is part of a long series of heavy lifts that Planning launched years ago, as Ms. Manwaring mentioned. It helps her to think of this as part of that long effort, and the long view is one reason that got them here. That helps frame the whole effort.

Ms. Duffy continued that she chose to move to Keene about 12 years ago. A key reason she and her family chose Keene was its walkability and bike-ability. She is car-free and happy to be able to get around in Keene without one. When she and her family were looking at possible towns to move to, they looked at the range of options for getting around. It allows them to live, work, and play in NH in a way that makes them feel that they are part of the solution. As for where the bikes’ destinations are, she has been biking to every job she has had in Keene for ten years, all of her doctor appointments, all of her supermarket trips, and more. She does it all by bike, and can because of what is here. If it can be even better, then more people can be part of the solution. She is a big fan of making those improvements so people can get around safely.

Drew Bryenton of 39 Nelson St., Chair of BPPAC, stated that he wants to address a point he heard at the workshop. He continued that Councilor Roberts brought up questioning whether they actually need the bike infrastructure, saying that when you go down Main St. you hardly ever see a bike. He wants to share some data about that because there are different types of cyclists. They have heard from many cyclists tonight, but there is a broader spectrum of them. He has a data set from 2006 from Portland, OR. Portland was not always a bike mecca, but with specific planning and intentionality, they changed their city and brought in a lot of bike infrastructure. This paper proposes that there are four types of cyclists: the strong and the fearless (1% of cyclists), the enthused and confident (7%), the interested but concerned (60%), and the no-way-no-how (33%). Several years later, Portland State University followed up on this initial research by doing phone surveys across 50 major metropolitan areas. They found very conclusive results. The percentages may change a little,

but they are still looking at about the same percentages. Bike lanes are important because they are specifically interested in the 60% of “interested but concerned” people. That is the general population, people who say, for example, “Yeah, I ride my bike, but I would never go downtown,” or “Well, I thought about getting groceries with my bike last week, but it felt a little too hard.” Specifically, why it is too hard is because they are feeling too much of what is called “level of traffic stress.” That is one of the main reasons you do not see many cyclists downtown – the level of traffic stress is too high. Yes, there are a few cyclists downtown – those are the “strong and fearless.” There is a huge contingent of the population they are not seeing now, but when they provide this infrastructure, they will begin to see those people come through. It is important to recognize the biggest percentage of the population they have yet to tap into in Keene.

Mr. Bryenton continued that Chair Greenwald mentioned at a meeting that he recently purchased an e-bike, and he congratulates him and invites him to come to any BPPAC meeting, on the second Tuesday of any month, for as he moves around the city from a bicyclist’s perspective and has new observations, he is encouraged to share those with the BPPAC so they can get his input. As a reminder to all, the BPPAC’s charge is “to report and make recommendations to City Council and City staff with respect to the development and management of bicycle and pedestrian facilities, to serve as an advocate for the interests of the city’s bicycle pedestrian path infrastructure.” He continued that the committee has professors of GIS, professional planners, present and former Councilors, and people with decades of bicycle advocacy experience. They want people to be able to leverage that to make informed decisions.

Mr. Bryenton continued that as they move into these next design phases, the BPPAC hopes they can maintain open communication with the Committee and be able to inform and educate them on some of these new choices, so they can continue to advocate for bike and pedestrian improvements as the fine-tuning happens.

Todd Horner of Pearl St., Vice Chair of the BPPAC, stated that regarding biking in the street versus protected bike lanes and these different types of cyclists Mr. Bryenton mentioned, he is “strong and fearless” on his good days, riding in traffic when he is on his own. However, he and his family recently downsized from two cars to one, for financial and environmental reasons, and they use their bike to transport their toddler around the city. It is fantastic being able to navigate good chunks of the city on the rail trail system. Separated from traffic, it is safe. However, there is no way he would bike up and down Main St. with a toddler on the back of the bike. It is not safe, given the speed of traffic and the vehicles backing out. Protected bike lanes would make it possible for him and his family to navigate downtown on a bike.

Mr. Horner continued that he also wanted to talk about the connection between this project’s potential to increase multi-modal options in the city and the city’s housing shortage. Folks are struggling to find a place to live, and many employers are struggling to find workers, including the hospital and downtown businesses. The city needs more housing, and there is an opportunity for more housing development in and around downtown. If that development happens, giving folks the opportunity to move in and around downtown on foot and on a bike will keep the parking demand in check and (reduce) the cars on the road, which is a win/win.

Dorrie Masten of Swanzey stated that she has real estate in the city. She continued that as the Committee knows, from her attendance and comments at all of these meetings, she is against a majority of the cosmetic changes to downtown. However, tonight she will assume everyone is here for this project (concept) that is in front of them. She wants to give her thoughts about the roundabout as it sits on this map. The proposed changes take out the slip lane. If she were coming from Court St. and needed to go to City Hall, she does not know how she would get there. Drive all the way down Railroad St., turn around, come up Church St., and sit at a light again? She asked

someone to explain this.

Chair Greenwald stated that he would like clarification on this question. He asked if Mr. Blomquist or someone from Stantec could address it. He asked if a driver could go around the roundabout as Ms. Masten is asking.

Mr. Blomquist replied certainly, conceptually, yes. He continued that the Council has chosen a lighted intersection, similar to what is there today. What they have not sat down to do yet is design that lighted intersection. That lighted intersection might include a slip lane, but they have not gotten there yet. Again, he is waiting for a decision about the type of intersection the Council would like to have there. Right now, it appears that they want a lighted intersection.

Chair Greenwald asked if it is true that without the slip lane or “banana island,” a driver could not go from Court St. around to Washington St. Mr. Blomquist replied that a driver could, because there will be a lighted intersection, with signals – which he does not know the locations of yet because they have not gotten into those details – that would direct traffic to move in different directions. Ultimately, they could end up with another slip lane, if that makes the lighted intersection work at the most optimum level. Again, this goes back to the fact that the decision is for the lighted intersection, but how it ends up configured is dependent on the next level of design. To get from point A to point B, yes, the way it is laid out today, there is plenty of space to do that. There are 56 feet of pavement. That is the best answer he has right now.

Ms. Masten stated that she encourages the Committee to think about that slip lane, and if this (concept) is the one they choose, she asks that they please put in the slip lane, because it seems like a lot of traffic at lights, and many cars going in different directions. They could keep traffic flowing. If the environment is what this is all about, or a huge part of it, she does not see why they would make those cars stand still with their engines running, when they could simply flow with the traffic.

Ms. Masten continued that her second and largest concern with this (concept) is not necessarily the bike lanes all down Main St.; it is the bike lanes on Central Square. Those are three streets that she asks them to please not put bike lanes on, for the following reasons. One, they are reducing the lanes of traffic on Central Square, which will cause unwanted congestion. They do not need cars waiting, idling, and trying to intermingle in two lanes. Her husband is a UPS driver and parks in front of City Hall every day, Monday through Friday, with packages for the building, as do other delivery trucks. The way this (concept) sits now, that could not happen, because cars in the right lane are intended to go on Washington St. Cars would have to wait for (the delivery trucks) because it would not be possible to go around. In addition, 18-wheeler trucks, which are only allowed downtown for local delivery, are necessary to her business. These trucks are about the length of four cars. They would hit the two medians (in the concept) almost every time. Currently, The Stage, The Pour House, Luca’s, and all the other businesses, get deliveries of food and equipment. She recently had a giant stove and beer refrigerator delivered. Those come by Duie Pyle truck, which is a huge 18-wheeler. If that truck were to park in those two lanes, traffic would be backed up forever, because the truck has to stop. The same is true of UPS, Fed-Ex, and other trucks. There would no longer be a third lane so drivers could just go around them. The path that comes up from Court St. to in front of The Pour House, today as she was walking back from lunch, instead of there being one car at that median, there were two. They split, and were side-by-side right after the crosswalk, one intending to go down Main St. and the other intending to head toward West St. She is not saying it should be that way, just acknowledging that there is a problem there, which probably a stop sign could fix. It is nice to see that if they do make it, at least go down to Court St. Only one car would be able to be there, not two side by side.

Ms. Masten continued that with the way the bike lanes are now (in the concept), she thinks 7 feet

wide, traffic would be pushed into the street. Where the bike lane would begin would be at the end of where the white lines are for parking right now. That pushes those cars right out to the center of the square and makes the traffic lines much narrower. In the beginning, she thought they had a traffic problem and a roundabout was needed to get traffic flowing, but now, apparently, the city does not have a traffic problem, because they say they can reduce Central Square to one lane. It does not make sense. They need to keep the traffic flowing through the city. They need to keep people downtown. It is vibrant. It is beautiful. She loves the idea of saving the square. That was her main focus when this started, and it is nice to see that they are doing that and have made great efforts in that. However, business has to go on. They all need to still live and work downtown. Most people are driving cars to do that and they need to get traffic through. She asks that the Committee consider the Pour House, The Stage, and other businesses in their thinking tonight and for whatever plan they come up with. She asks that at least those three streets not have bike lanes and that the width of Central Square be kept so businesses can continue to get their deliveries and do business as they are.

Dave Kamm of 21 Red Oak Dr. stated that the following observations and recommendations are made based on the multi-lane hybrid option provided by Stantec and modified by himself and his business. He continued that his statements are intended to provide further design analysis and recommended designs. Additional information can be seen on keenesquare.org. The square should remain in the same shape as it is today. The triangles proposed in this document should be the same size, allowing bike lanes on the inside. He is not taking a position on bike lanes; he is taking this picture and enhancing the way they are positioned. The proposed enlargement provides very little useful space the way it is today because it enlarges the whole area of the island in the middle and many people have talked about the problems. When there is more space required for large, planned events they can do as they do today for necessary space for attendees and vendors. You can expand it and block off the streets. The traffic lights are programmable. Stantec's view at this point is to leave them as is. They can provide better traffic flow. Signaled right turns can be programmed in three locations where there is crosswalk traffic seen in the diagrams. It is not a right-turn-only, but a right-turn controlled by the walk lights. If there is no one there to walk, then drivers can take the right turn. You can see that in many places on the map. Northbound currently is one of the longest light delays. "We" did a week-long study just like Stantec did on the vehicle queues. In high traffic volumes, releasing right turns would be beneficial. The cycle starts with everyone stopping, then lanes get released all the way around at different times. The third proposal is to stop all traffic like it is today. Since they have smart walk lights, they can say that if there are no walk lights on, traffic does not have to stop. Instead of waiting for 45 to 90 seconds to allow pedestrians, vehicles could go. Programmable traffic lights, in the (concept), are very important.

Mr. Kamm continued that they talked about the Main St. turnaround. "We" did a study for a week. Almost 99% of the people who came up to take that turnaround and go back south on Main St. proceeded beyond Gilbo Ave. One or two vehicles turned right on Gilbo Ave. They could move that turnaround down to Gilbo Ave. and get rid of the turnaround at the square, and use that space to provide an island in the middle that would be nicer for pedestrians crossing. They could probably also get rid of the left lane and go down to two lanes, which would then make the crosswalk better. Bike lanes should be located street adjacent and integrated with the right-hand traffic lane. Integration with the sidewalk is dangerous to pedestrians and therefore unusable for most bike riders. Riding a bike 2 or 3 mph is fine, but generally, if there is a Peloton or several bikers, they want to go faster and cruise. The bike lanes are no place for them to cruise.

Mr. Kamm continued that all the two-wheeled vehicles that are electronic probably should be ridden on the street side. The bike lanes should be moved to the street side. For example, say a driver puts a stroller on the curb, impeding bike traffic. He returns to fetch his child or packaged goods, or other passengers enter or exit the vehicle, and that impedes the bikes that are already there if the

bike lane is put between cars and pedestrians. Current bike lanes are poorly marked. They probably should mark the ones that exist today. If they are going to do bike lanes, there is a bright green sign that Tampa uses (to consider). The green would not be marked for the bikers, but for drivers, so they understand where the bikers will be. Bright green (is preferable) to the hard-to-see stencils around the square that exist today.

Mr. Kamm continued that regarding angled parking, a Stantec diagram proposes lines at 60-degree angles. If 60-degree lines are the same length, they will protrude more than two feet on each side and four feet of parking space will be wasted. If they are 50 degrees, you can park in the same margin and there is 20 feet of parking instead of 18 and 16. Longer vehicles could park. When you slant them, it takes up about six more feet for a whole series of them, but that is a small price to pay.

Mr. Kamm continued that crosswalks should be widened. The center of the Main St. crosswalk should be expanded to allow plenty of room for pedestrians. That third lane may be removed, and the statue may be moved down a bit because they put the turnaround and the left turn down at Gilbo St. They can block that left turn down at Gilbo St. for festivals and go down to Emerald St. A considerable amount of traffic comes up and turns around to get back down there and some comes up and goes out West St. They could alleviate that by letting them go out Gilbo Ave.

Mr. Kamm continued that there is more information on the website (keenesquare.org), with other discussions and points of view. What he is after here is proposing modifying this (concept) a bit as they work on it, and these are the items he thinks would be effective in modifying it.

Jim Sterling stated that there has been a lot of talk about all of the trees that will be removed. He continued that he wants the public to know that no matter which incarnation they do, there will be trees removed because of the construction. Many of the trees have to be removed anyway because of the disease. What people are missing is that after they are removed, many will be replaced, and plantings will be replaced. That design has not been brought up. He thinks some people think the trees will be removed because of the bike lanes, but no, it is just part of the construction process and the culling of the diseased trees. The trees will be put back. People seem to have a misconception that they will remain gone.

Chair Greenwald asked if there was any further public comment. He continued that when this moves on to the City Council, the public will no longer be able to speak. According to the City Attorney, the Committee will make this motion, and the Council meeting will be open for amendments.

Councilor Filiault thanked everyone for their feedback tonight. He continued that he wants to point out that for the past year, this roundabout proposal is what has been in front of them. A couple of weeks ago when he realized there was not enough Council support for it, they were given this (Concept C). He does not think it is a bad proposal, but he thinks it needs some changes. His problem is that they had the (roundabout) one for a year, and now they get this other one and are told they have two weeks to hurry up and get it done. He is in no hurry to get it done and make mistakes. They were also told, "Well, it's not the final project, so don't worry about it, just submit it as is." He will not vote to submit this as is until there has been some discussion on some of these issues. He has learned that if you do not change it now, sometimes it does not get changed. He is not saying it will not. He is just saying he would rather change it now or next week, before this goes out.

Councilor Filiault continued that one person in the City that no one has approached, which he asked about last week and checked again this week, is the Fire Chief. No one from the City or Stantec has even talked with him. He himself went to talk to the Fire Chief, who is here tonight, and the Fire Chief can correct him if he is saying anything out of order. Ms. Masten mentioned the UPS trucks that

sometimes park (by City Hall). If you look at Washington St. where the fire truck comes in, at the proposed curbing there, and at how the square is being proposed to move back, this does not work. There is no area for the ladder truck to get through, based on the lanes here. He does not want to send this out, saying, "We're going to work on this," he wants this fixed by next week before he can vote "yes." In addition, as (former) Mayor Lane and the Fire Chief pointed out, the island coming out of Court St. has the same issue. For fire trucks coming down and trying to report to that building over there if there is an issue, that major island is in their way. The islands at Court St. and Washington St. either should not be islands and just be flat or should be completely redone because it does not work.

Councilor Filiault continued that regarding the square, it looks like they tried to expand going out to Court St. To him, that does not work. You come out of Court St., and it squeezes you into one lane and then jumps back into two lanes. They are trying to alleviate traffic problems, not create them. Someone made a comment about the slip lane, too. They need that back. They also need to put the slip lane back where the flagpole was. With this proposal, they are losing the slip lane around the square and the slip lane to reverse direction. That means everyone will have to go up around the square in one lane, come around, and wait in traffic again. Those are major flaws. He wants those taken care of before they send this out.

Councilor Filiault continued that there were many comments about bike lanes and many about walkability. If the consensus is that there will be a bike lane, they need to figure this out. He does not want to hear "Just put everything in, and we'll adjust it and figure it out later." That never works. The proposal now has 15 feet of "common area." Currently, there is 8 feet of sidewalk and 7 feet of bike lane. That (proposed) bike lane takes up 47% of the common area. He does not believe they will have 47% of bikes come downtown, compared to pedestrians. Mr. Kahn said that to have the most accessible, walkable downtown, you need 12 feet of sidewalk. If so, the 12 feet would mean 80% of the common area, which would leave a 3-foot bike lane, which is 20%. An 11-foot sidewalk with a 4-foot bike lane would be a 73% sidewalk and 27% bike lane. These percentages mean something. He does not want to just throw darts at a wall and say, "We're going to do 50% bike lane and 50% pedestrian."

Councilor Filiault continued that if they do a designated bike lane, they have to be realistic. For example, if the Colonial Theater has a show at night with 900 people, he questions how many people are downtown walking compared to biking. If they are going to do a shared bike lane, it cannot be 47% of the sidewalk. They need to have real numbers. Say they do a smaller bike lane of three or four feet. He is not saying to have no bike lane; he is just saying they should have something reasonable. If downtown is all bikes ten years from now, then they could adjust it. Right now, it is not. Right now downtown has a higher percentage of pedestrians. Then there is December to March to consider. Should they still leave the bike lanes at that percentage, or can they be flexible? It does not work to have 47% bike lane if you want a walkable city.

Councilor Filiault continued that the area around the square needs a lot of work. With the exception of putting the slip lane back, everything from Roxbury St. south, with the exception of the percentages of bike lane versus sidewalk, he is good with. However, the square needs a lot of work and he wants to get that fixed before they send this (concept) out for final design.

Councilor Workman stated that she wanted to clarify one of her comments from last week, regarding "moving bike lanes if they are not used." She continued that it seems that people have taken that out of context and perceived it to mean she was somehow dismissive of bike lanes, but it is quite the opposite. Her intention was to calm the fears of those who were opposed to bike lanes. She has heard a lot about seasonable activity. The same arguments can be made regarding sidewalk cafes. Those will only be used in warmer weather, not in the middle of winter. She thinks this

(concept), to reiterate what she said last week, does a good job of giving everyone – pedestrians, cyclists, and motorists – fair access to downtown. It is not as aggressive as a single-lane option, and it is not perfect, but it is a good compromise. She agrees with every speaker who spoke tonight. She agrees that the crosswalks are too wide currently. This (concept) shortens them. Today, she saw boys about 8 and 11 years old crossing from Miranda's at Roxbury St. over to Rymes Oil and over to Central Square. They had to run to get across the whole crosswalk within the light pattern, and they are young, vibrant children. She understands the concerns (about long crossings). In the same token, while she was at a red light on West St., she watched a (pedestrian) at Everglow Wellness waiting for a crosswalk when there was no traffic coming. She could have crossed; it would not have been jaywalking, she had a red light. She has heard many comments tonight about trees. She intends, as an MSFI Committee member and a Councilor, to support having many trees, native pollinators, and greenery added back to the final design concept, as much as possible, wherever possible. Yes, it will look different than it does now, no doubt.

Councilor Workman continued that they have heard many concerns about the safety of all of these changes and adding multi-modal (infrastructure). People are just downright inconsiderate of one another. Motorcyclists are often aggressive, out for getting to where they are going as quickly as possible. Pedestrians are also guilty of being inconsiderate and should put their phones down while they are in a crosswalk and focus on getting to where they are going. Not every cyclist uses hand signals. Some motorists do not use blinkers. We are all guilty of being a little inconsiderate at times. This change is going to take everyone being a little more considerate of their fellow humankind. They could talk about that forever. If we all can be a little more considerate of one another, Main St. could function well.

Councilor Workman continued that she has had a different experience (than Councilor Filiault). She recalls emergency responders saying that these proposed changes would work. However, she will request that perhaps at the next Council meeting, for the sake of argument, they (hear from the Fire Chief), not wanting to put him on the spot tonight. It is important to have both chiefs of the emergency services say their opinions about the project, on record, because there is a lot of misinformation out there.

Councilor Workman continued that Councilor Johnsen asked the same question about the slip lane last week. She continued that her understanding of it was that they would still use the left lane – the lane closest to the square, if you are coming down Court St. Councilor Johnsen was told that she could be in that lane and just go around from Court St. right back to Washington St. when the light turned green. That would be like a “half U-turn.” She does not think they need the slip lane there. This is her recollection of last week's discussion.

Councilor Williams stated that he wants to address Councilor Filiault's statement about “47% of the sidewalk.” He continued that he thinks Councilor Filiault is missing an entire section of the sidewalk and not including it in his calculations. He is adding the blue and yellow together, but there is also this huge pink area. When you add all three, the bike lane section becomes about 20%. That is reasonable. Biking is an important form of transportation that many people use, particularly less wealthy people. For the sake of equality, it is important to have bike lanes.

Councilor Williams continued that he thinks slip lanes in general are a bad idea because they encourage cars to go through without stopping. If they go around a corner, they could easily hit a pedestrian. He does not like the proposal for a slip lane at the square and does not like the current one. It would require a whole other lane, which would make the crosswalk span three lanes instead of two. The shorter they can make the crosswalks the better it will be for pedestrians, and the more people will actually use Central Square, instead of just walking around it. He would love to get more people/pedestrians into Central Square, but the trouble now is that it is isolated by traffic. It is a

great, underused resource.

Councilor Williams continued that he thanks the people who support public bathrooms downtown. He thinks they can do it and should get the plumbing in. It is something that would help with grant applications. Maybe then, they could search for a grant to get the rest of it built. It is an important feature, and he will keep pushing for it throughout this process.

Councilor Roberts stated that he likes to look at the big picture. He continued that Keene taxpayers are paying a lot of money for the City Manager, the City Engineer, and the people they are hiring. If they cannot trust those people to get the job right, then they all should be fired and replaced. They (the City Manager, City Engineer, and the people they hire) get together and look at what is best for the city. The Council, in turn, as the elected people, have the responsibility of asking questions and making sure they are doing their jobs right, not trying to snowball them or keep them happy. For example, people talked about Manchester. Yes, Manchester is getting \$25 million dollars from the \$1 trillion in the investment package. Yes, Manchester has to come up with a minimum of \$5 million themselves. However, if you look into this, it was not just, "Let's fix this sidewalk" or "Let's fix this." It took the education, it took the businesses, it took the housing. (The project) includes 1,800 units of housing and it is bringing in new businesses and new technology. They are talking about putting in a new bridge and a mini roundabout. It meant that all the people sat down to talk about what would help the city of Manchester grow for the next 50 to 75 years, and what would attract people and businesses to come to Manchester, to live there, and to spend their money there.

Councilor Roberts continued that Keene, on the other hand, has been talking about issues such as bike lanes and not being able to make it across a crosswalk. Those are secondary issues that can be solved once they come up with a long-range plan of what they are going to do to keep the city of Keene growing. He was on the City Council in 2014, after they had the debacle at KSC, and he said that when he traveled around the country, the two things Keene was known for were the widest and most beautiful Main St. in the country, and the Pumpkin Fest. Since Pumpkin Fest (ended), the population has gone down, and the number of people going to the college has gone down drastically. Now they are arguing back and forth, but if you destroy downtown's attraction, there is no reason for anyone to get off I-91 and leave Brattleboro to come to Keene. Because Keene would be just like a lot of other small towns in New England. Keene has to have a niche, something that sets them apart, to make it worth visiting. They need to stop being parochial and look at the big picture for the long-term development of this community, or they will be parochial right to the end and invite their own death in.

The City Manager stated that she wanted to address a couple of comments. She continued that regarding the bike lanes, it is a five-foot bike lane with a two-foot buffer between the sidewalk and the bike lane. The five-foot width is required by Federal guidelines. In addition, the plans/options that they are viewing tonight were reviewed multiple times at the ad hoc committee. These are not new. There have been some modifications here and there, but these plans and the configuration of Central Square and Main St. are not new. They just have now become the more favored option discussed by the Council. Regarding Police and Fire, she would be happy to have them put something in writing for the Committee and come speak to them, but she would like the Fire Chief, since he is here this evening, to speak for himself.

Don Farquhar, Fire Chief, stated that he has been involved in this project since the ad hoc committee started. He continued that he has had a say in all of this. He appreciates his conversation today with (Councilor Filiault), and he would be happy to speak at the next meeting. As they discussed today, it is narrow in the area (Councilor Filiault spoke of), and they talked about how coming over that island area, it can be painted or mountable. It can have some structure there; mountable is fine. It would be wide enough. The Fire Department does that successfully in all of the turnarounds in the

city. There is always traffic moving in different ways, so it is difficult to predict. Having some ability to adjust and move over is always very helpful. The common theme here is that as they get the plan finalized, these things will be refined. He has been through these processes before. What may look great now (might change. For example,) if you add a sidewalk in one position, it changes the next thing and the next thing, so there will be a lot of refinement moving forward.

Chief Farquhar continued that he can say as a very firm blanket statement that there is not a single member of City staff who would ever put something in place that was unsafe for Keene citizens. During the year and a half he has been here, the Fire Department has been through quite a bit of growth, and with growth comes some difficulties. He has been fully supported by the City Manager and City staff in general. He deeply appreciates the focus on public safety, because it is central to everything. In every meeting he has been in, on this subject and every other, citizens' safety is central. With this project, no matter how it shapes and changes over time until it exists, public safety will be at the center of their decisions.

Councilor Williams stated that someone showed them the difference in parking slot measurements, saying that 50-degree angles are better than 60-degree angles, and maybe that is true. He would love to see the numbers on that.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the City Council adopt Concept C – multi-lane hybrid option as the design option for the Downtown Infrastructure Improvement and Reconstruction Project.

Chair Greenwald stated that the motion will be open for amendments and comments at the next Council meeting. He continued that he sincerely thanks all of the members of the public who came out to speak to the Committee, and thanked the Committee and staff as well.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **FY23 Department of Justice - Justice Assistance Grant**

Recommendation:

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to co-apply with the County of Cheshire, and to accept and expend the U.S. Department of Justice FY23 JAG in the amount allocated to the City of \$5,525.

Attachments:

None

Background:

Police Captain Tenney addressed the Committee regarding the Edward Byrne Department of Justice JAG grant. Captain Tenney stated the Keene Police Department co-applies for this grant with Cheshire County, which is the fiscal agent. The City enters into a Memorandum of Agreement with the County for the City's portion of the money. The City's portion this year would be \$5,525. The funds will be used for cell phones for field operations, investigations and for the SRO.

Councilor Madison asked for the total value of the grant. Captain Tenney stated the total amount of the grant is \$12,155. The County gets the same amount as the City received to be used for direct expenses and the balance of \$1,105 is used for in-direct costs of the grant.

Councilor Lake made the following motion, which was seconded by Councilor Madison.

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to co-apply with the County of Cheshire, and to accept and expend the U.S. Department of Justice FY23 JAG in the amount allocated to the City of \$5,525.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Acceptance of Donation - Dog Park

Recommendation:

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$40,000.00 for the purpose of building a dog park in Wheelock Park.

Attachments:

None

Background:

Parks, Recreation and Facilities Director Andy Bohannon addressed the next item. Mr. Bohannon stated this item is in reference to a donation of \$40,000 for the Keene dog park. He indicated the group has been working diligently on this effort based on the Dubois and King study. He added that they have been working with various contractors who have donated their services and in addition they removed the pavilion out of their scope of work which reduced the cost of the project. Mr. Bohannon stated this donation starts the bidding process for the City and the plan is to start work in early fall.

Mr. Bohannon noted Rebecca Lancaster is in the audience who spearheaded the second effort for the dog park and thanked her for her efforts. He invited Ms. Lancaster to address the Committee.

Ms. Lancaster stated they are grateful to have the support of the City and recognized Paige Walker and Susan Newcomer, who have helped with the fundraising efforts as well. So far, they have been able to raise \$89,000 from the community, personal donations, and corporate members and felt they were in an excellent place to begin construction in the fall.

Councilor Chadbourne and Councilor Madison recognized the efforts of this group and thanked them for their work. Ms. Lancaster indicated their website is keenedogpark.org, and they also have a very active Facebook page.

Councilor Madison made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$40,000.00 for the purpose

of building a dog park in Wheelock Park.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: CDFA Grant Acceptance - Brian A. Mattson Recreation Center Project

Recommendation:

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to accept, execute and expend a Community Development Finance Authority Grant award for \$801,250.00 for the Brian A. Mattson Recreation Center project.

Attachments:

None

Background:

Mr. Bohannon addressed the next item as well. He indicated this item is for the City to accept a grant in the amount of \$801,250 for the Brian A Matson Recreation Center project through the CDFA, Community Center Investment Program. He reminded the Committee in April he brought this item forward through a grant application process and the City has been fortunate to receive those funds.

Mr. Bohannon indicated the City has completed the level 2 survey which would focus on the HVAC system specifically in the multi-purpose room, office, and lobby. It will also create an ADA ramp from the parking lot to the war memorial. All windows within the building will also be replaced.

Councilor Remy stated this is a forgivable loan and asked what the conditions for forgiveness would be. Mr. Bohannon stated it would be 0%; instead of having a grant which has a lot more reporting, this loan does not. He indicated CDFA recommends the City go forward with a loan as opposed to a grant. Asst. City Manager/HR Director Beth Fox added the condition of forgiveness is a pretty low threshold; the City has to own the building and do the work. She added Mr. Bohannon is correct in that if CDFA put this through their customary grant process, it would bind the City to enumerable grant conditions into perpetuity. She added that she wanted the Committee and Council to be aware that this was a very unique funding opportunity completed in a short timeline. Mr. Bohannon had to work hard and was successful, while eight or nine other applications were not. There were 18 applications in total and many were not successful, some were not successful because they were not attentive to the threshold requirements which the City paid attention to. She also noted that the City was well positioned to compete for this grant because it was an asset management focus and had information available in the capital improvement planning process. Mr. Bohannon commended Scott Martin, Facilities Manager for his work with this item

Councilor Remy made the following motion, which was seconded by Councilor Chadbourne.

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends that the City Manager is authorized to accept, execute and expend a Community Development Finance Authority Grant award for \$801,250.00 for the Brain A. Mattson Recreation Center project.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.6.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Invest NH Grant Acceptance - Demolition - 160 Water Street

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to accept, execute and expend an Invest NH Municipal Demolition Grant award for \$130,000.00 for the property located at 160 Water Street.

Attachments:

None

Background:

Mr. Bohannon stated this item is an Invest New Hampshire Municipal demolition grant for an award of \$130,000 for a property located at 160 Water Street known as Findings. Mr. Bohannon indicated the City acquired this property last September and went forward to move the skate park to this location. The current building footprint is where the parking lot and the existing parking lot are where the skate park would be located.

Mr. Bohannon indicated that what this grant enables is for the skate park to have some additional square footage which they would be able to use from the Land, Water and Conservation Fund. That application is in the Federal process right now and is looking very favorable.

Councilor Chadbourne made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to accept, execute and expend an Invest NH Municipal Demolition Grant award for \$130,000.00 for the property located at 160 Water Street.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.7.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Kevin Watterson/Keene Swampbats - Request To Use Previously Approved Community Funding

Recommendation:

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends the communication submitted by the Keene Swampbats on June 15, 2023, requesting an additional fireworks discharge in July be reported out as informational. The Keene Swampbats are further authorized to reschedule their Independence Eve community-funded event to occur on Friday, July 28 on Alumni Field subject to the same conditions as the previous authorization. The petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 24 Community Events Budget for the display. Said payments shall be made within 30 days of the date of invoicing.

Attachments:

None

Background:

Mr. Kevin Watterson was the next to address the Committee. Mr. Watterson stated as a 50-plus-year resident of Keene and a close friend of the late Brian Mattson he wanted to thank Mr. Bohannon for his effort with the previous item.

He stated he was before the Committee tonight relative to Independence Eve, the City's annual fireworks display. The weather conditions on July 3rd were such that the Swamp Bats chose to postpone the event due to safety reasons. Mr. Watterson thanked police and fire for being so flexible with the event being postponed. He stated he is requesting the community funding that was previously approved to be instituted for their makeup date of Friday, July 28th - rain or shine.

The Public Works Director reiterated what Mr. Watterson stated.

Councilor Lake made the following motion, which was seconded by Councilor Madison.

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends the communication submitted by the Keene Swampbats on June 15, 2023, requesting an additional fireworks discharge in July be reported out as informational. The Keene Swampbats are further authorized to reschedule their Independence Eve community-funded event to occur on Friday, July

28 on Alumni Field subject to the same conditions as the previous authorization. The petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the FY 24 Community Events Budget for the display. Said payments shall be made within 30 days of the date of invoicing.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Councilor Filiault - Reimbursement for Speaking Fee - Jeff Speck Visit**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting this item as informational.

Attachments:

None

Background:

Councilor Filiault stated he was before the Committee requesting reimbursement of the \$2,500 City taxpayers' money that was spent on the Jeff Speck presentation on the downtown project. The Councilor stated the event might have been acceptable, but the end result was not because Mr. Speck was conducting book sales, the event turned into a for-profit event.

The Councilor stated he sees in the proposed options for motions prepared for the Committee an option to accept this item as informational. He requested the Committee not do that. He felt elected officials of Keene should be asking for any tax dollars back when it is not used for precisely what it is intended for.

Councilor Remy stated the Council agreed to bring in a speaker who, by nature is not a nonprofit. He is a person who runs a business and this is what he does for a living. Hence, stated he did not understand why there would be any perception that he was doing this out of the kindness of his heart. He added the books that were being sold in the lobby were being sold by Toadstool Bookstore, not by Mr. Speck. Councilor Filiault stated he was told the monies went to Mr. Speck. He added an individual speaking at a City requested event is one thing but when it becomes a book signing event, that is something totally different than what was interpreted or anticipated. Councilor Remy stated he purchased one of the books at the event and he had to pay Toadstool for it.

Councilor Madison stated he was not totally unsympathetic to Councilor Filiault's point and does find issue with public dollars being used for private profit. However, the Council voted for this individual to speak at the event and the Council did not include a stipulation about books not to be sold at this event. Hence, this is the City's issue for not including such language. He added the City of Keene negotiates in good faith and does not go back on deals that are made. He stated he agrees with the Councilor, but the City made a deal but did not include such a stipulation, and should be something

to think about in the future. Councilor Chadbourne stated the majority of the Council vote prevails but she does understand Councilor Filiault's point.

Councilor Remy made the following motion, which was seconded by Councilor Madison.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends accepting this item as informational.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Airport Land Leases for Hangar Development**

Recommendation:

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate Keene Airport land leases with potential hangar developers consistent with the Airport Land Leasing Policy.

Attachments:

None

Background:

Airport Director Dave Hickling stated, as he has mentioned in the past there is still much interest for hangar development with a hangar shortage at the airport. He said that sometimes those conversations tend to lead to negotiating leases, and at that point he comes before City Council to receive approval for the City Manager to negotiate and execute a lease.

Mr. Hickling stated what staff is looking for is a recommendation to authorize the City Manager to negotiate land leases. He stated if staff gets through those negotiation process and gets to a point where they feel they have a good chance of executing a lease staff at that point could come before the City Council to get approval to execute that lease. This will avoid staff bringing multiple proposals to negotiate when many negotiations might not culminate in a lease.

Councilor Lake asked the City Attorney if this motion was approved would this be binding going forward or would there be certain timeline. Attorney Mullins stated it would be fairly open ended, but indicated the City Council can change this at any time that it. He indicated this authorization would give the Manager an opportunity to look at various options but at some point should the Council decide not to do that, it can always be changed. He added this item was reviewed by the attorney's office and it did make sense to him as some of these negotiations can take some time.

Councilor Chadbourne made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization, and Personnel Committee recommends that the City Manager be authorized to do all things necessary to negotiate Keene Airport land leases with potential hangar developers consistent with the Airport Land Leasing Policy.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.10.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Change Order: Wells Street Parking Structure

Recommendation:

On a 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 Change Order #1 with Pierce Property Services to add tee-joint sealant replacement to the Wells Street Parking Structure Repair Project for an amount not to exceed \$44,550, with a revised contract total of \$431,514.

Attachments:

None

Background:

Mr. Blomquist addressed the Committee next and stated that this item was in reference to a change order for the Wells Street parking deck. He stated this project is to remove the existing membrane on the second deck, make the necessary repairs and install a new membrane. During the design process when the consultant was looking at the deck surface the sealant membrane was in poor condition. Hence, it is being recommended the sealant be replaced on the deck. This change is at a cost of \$44,550. The project budget for this work is \$678,800. To date \$419,814 has been spent which includes original design, construction inspection and current construction contract. After this change order there would be approximately \$258,000 left in the project. Staff does not anticipate any more substantial issues.

Councilor Chadbourne asked how long Mr. Blomquist feels this repair would last. Mr. Blomquist stated it should last about ten years and added the last major work was done eight years ago and the membrane material does wear out and if it is not maintained then the deck would require substantial repair.

Councilor Lake made the following motion, which was seconded by Councilor Madison.

On a 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 Change Order #1 with Pierce Property Services to add tee-joint sealant replacement to the Wells Street Parking Structure Repair Project for an amount not to exceed \$44,550, with a revised contract total of \$431,514.



CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Agreement for Contracted Ambulance Service with the Town of Sullivan**

Recommendation:

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Council authorize the City Manager to do all things necessary to execute an agreement for Contract Ambulance service with the Town of Sullivan.

Attachments:

None

Background:

Fire Chief Farquhar was the next speaker, Chief Farquhar stated this item is to request an agreement to enter an ambulance service contract with the Town of Sullivan. The Chief indicated it has been the City's position from the onset to be supportive to the overall countrywide effort to stabilize EMS. It was the City's position not to offer contracts rather to use its position as a well-established and well respected EMS agency in the community to try and bring everyone together into a cooperative model versus one of competition. The City was very close to putting an agreement in place which unfortunately did not come to fruition.

Because the City could not finalize a cooperative model, each municipality went with an EMS agency of their choice. The Chief indicated as a significant compliment to the City many towns reached out to the Fire Department and asked to enter an EMS Agreement with them, and almost all cases except for one. Looking at the current resources and the department's ability to provide for its own citizens and current contract towns the department is in a very difficult spot to absorb any additional call volume.

He added the Town of Sullivan presents somewhat of a unique outlier to the overall landscape, and after some analysis, the department feels it can enter into an agreement with the Town of Sullivan. The Chief used Westmoreland as an example which has a population of about 700 people and the City responded to about 90 -100 calls annually and had a standby fee of \$54,000 and EMS revenue of approximately 100,000. The City no longer has a contract with Westmoreland and hence has the capacity to assist Sullivan, and there is also the added benefit of Sullivan being located closer to Westmoreland. He indicated the Town sent the department a proposal which the Chief indicated was an excellent proposal. Sullivan has a population of less than 700 and a call volume of nearly 58 annually. Their annual standby fee would be approximately \$24,000, and approximately \$60,000 in

fee recovery from EMS billing. The Chief stated the proposal in front of the committee this evening is for the City to extend an EMS service contract to the good citizens of Sullivan.

Councilor Madison thanked the Fire Department for all its work during the recent flood events in Alstead.

Councilor Madison made the following motion, which was seconded by Councilor Remy.

On a vote of 5-0, the Finance, Organization and Personnel Committee recommends that the City Council authorize the City Manager to do all things necessary to execute an agreement for Contract Ambulance service with the Town of Sullivan.



CITY OF KEENE NEW HAMPSHIRE

ITEM #F.1.

Meeting Date: July 20, 2023

To: Mayor and Keene City Council

From: Merri Howe, Finance Director/Treasurer

Through: Elizabeth Dragon, City Manager

Subject: **Acceptance of Donations - Juneteenth and International Festival - Finance Director**

Recommendation:

Move that the City Council accept the donations below in the amount of \$5,900 and the City Manager be authorized to use each donation in the manner specified by the donor.

Attachments:

None

Background:

Keene Parks and Recreation received multiple donations totaling \$5,900, and that the funds be used for the Human Rights Committee events for Juneteenth and the International Festival.

Local Burger pledged \$5.00 for every burger sold during the Juneteenth event to help support the celebration. In the end, the Local Burger donation amounted to \$500 toward the Juneteenth holiday.

Badger Balm Inc. was a sponsor for the Juneteenth event. Two Badger Balm employees donated \$200 each to support the travel expenses related to Zaron Burnet of the Black Cowboys podcast. This was a sold-out performance with additional shared stories during the event the next day.

The Human Rights Committee is actively seeking corporate funding sources for their International Festival on Saturday, September 23 to help showcase and celebrate the rich cultural diversity of the City of Keene. Cersosimo Lumber Company has donated \$500 and C&S Wholesale Grocers and Savings Bank of Walpole have donated \$1,000 each for the Human Rights Committee International Festival event.

The International Festival is also the recipient of a generous anonymous donation in the amount of \$2,500.

Total donations amount to \$5,900.



CITY OF KEENE NEW HAMPSHIRE

ITEM #G.1.

Meeting Date: July 20, 2023

To: Mayor and Keene City Council

From: Jesse Rounds, Community Development Director

Through: Elizabeth Dragon, City Manager

Subject: **Relating to An Amendment to the Zoning Map - Old Walpole Road - Rural to Low Density - Ordinance O-2023-12**

Recommendation:

A motion was made by Mayor George Hansel that the Planning Board finds Ordinance – O-2023-12 consistent with the Comprehensive Master Plan of 2010. The motion was seconded by David Orgaz and was unanimously approved.

A motion was made by Councilor Giacomo that the Mayor set a public hearing on this item. The motion was seconded by Councilor Jones and was unanimously approved.

Attachments:

None

Background:

Relating to Zone Change. Petitioner and owner Monadnock Habitat for Humanity, Inc. proposes to amend the Zoning Map of the City of Keene by changing the zoning designation of the property located at 0 Old Walpole Rd (TMP 503-005-000) from Rural to Low Density. The total area of land that would be impacted by this request is 7.1 ac.

Michael Conway volunteer for Habitat for Humanity and Matthew Keenan President of Monadnock Habitat for Humanity addressed the Committee. Mr. Keenan stated they own property on Old Walpole Road which was donated for construction of affordable housing. He indicated the land is too big to construct just one house and make it affordable for their clientele and the feasible solution was to subdivide the property and locate additional housing. The first step in that process is to request a zoning change from rural to Low Density which would go along with the properties that surround the land with one exception.

He further stated in order to have more lots they would need access to City water and sewer and the applicant has an estimate of the cost to extend the water and sewer line. He added their construction would be a multi-year project.

Councilor Jones explained when the Joint Committee looks at a zone change it cannot be project specific. The Committee has to look at everything possible with that zone change; is it in keeping with surrounding properties. Mr. Conway stated their rationale for the zone change is that it is in keeping with the

surrounding properties and the request is also in keeping with the goals of the master plan. Mr. Conway stated affordable housing is a huge issue for the City and felt this is one way to solve that problem.

Councilor Bosley asked for costs associated with extending the water and sewer line. Mr. Conway stated they have a rough budgetary figure of \$600,000. The Councilor asked whether the applicant has worked with the Community Development Department to see if LD1 could be a possible zoning change which is a version of Low Density that does not require water but does require sewer. Mr. Conway stated sewer is the biggest issue but they are also looking at the possibility of tying into the sewer on Butternut Drive via an easement. The Councilor asked whether the applicant had discussed with the City the possibility of expansion of those lines in the future which might benefit the applicant. Mr. Conway stated they have had a conversation and it was indicated there might be a possibility but there was no assurance.

Staff comments were next.

Ms. Brunner addressed the Committee and stated as was indicated by Councilor Jones when considering this zoning change all uses in the area need to be considered not just this one use. She indicated this request is to change one parcel of land in the rural district to Low Density. The total impacted land area will be 7.1 acres. This parcel is located on Old Walpole Road and it is surrounded by rural district on three sides across the road and the rear portion abuts Low Density.

Ms. Brunner went on to say, in terms of consistency with the master plan - looking at community vision. She noted the master plan has six vision focus areas and the focus area that is probably most relevant to this application is Focus Area 1 - Quality Built Environment.

Under this vision focus area the community stated *achieving a quality built environment includes providing quality housing and balancing growth and the provision of infrastructure.*

Ms. Brunner noted this area of the City is close to City water and sewer but the City sewer is further away and would require extension of both those lines. However, it is definitely feasible to connect to both City water and sewer.

Ms. Brunner stated this proposed zoning change would also provide the opportunity for more housing; in that, it would increase the density that would be allowed on the lot. Currently, in the rural district you are allowed three units but in the Low Density district, if an applicant provided for CRD you can get as many as 30 units (not including site constraints).

With respect to the future land use plan in the master plan, the master plan identifies areas that are suitable for future growth and areas where growth should be constrained. This parcel is right on the edge of two of those areas. It is on the edge of what is referred to as conservation residential development/rural/Low Density residential/agriculture area. The future land use and policy section notes that the CRD category includes areas for continued preservation of open space, agriculture and rural residential uses. It also states this area would be appropriate for conservation residential development type subdivision.

The secondary growth areas, identified as consisting of single family and low to medium density development.

Ms. Brunner went on to say the proposed zoning change would allow for a single family development or if the land is developed as a conservation residential development subdivision in the Low Density district, it could be developed as single family, 2-family or small multi-family with up to six units on each lot.

The final portion of the Master Plan, is the Housing chapter. Ms. Brunner noted in the application narrative, the applicant states *the purpose of this proposal is to create an opportunity for the development of affordable workforce housing. The Comprehensive Master Plan identifies housing as a fundamental challenge for the community as cost of community services continue to increase and Keene's reliance on*

property taxes places a growing financial burden on its residents and businesses. The housing chapter discusses the importance of providing a balanced, and diverse housing stock.

Ms. Brunner stated this proposal would provide for the potential for higher density of housing development in an area that is on the edge of existing development (low to medium density). It is also on the edge of where City water and service could be provided.

Ms. Brunner then provided an overview of the two zoning districts. The current zoning is rural which is intended to provide for areas of very Low Density development, predominantly of residential or agricultural nature. Generally, the properties in the rural district are beyond the valley floor where City water and sewer service are not readily available.

The Low Density district is intended to provide for low intensity single family residential development and all uses in the Low Density district shall have City water and sewer service.

With respect to the district uses for those two zoning districts. Ms. Brunner stated the proposed change to go from rural to Low Density would significantly decrease the number of permitted uses that are allowed on the site. She indicated she did not believe there are any uses that are allowed in Low Density that are not allowed in the rural district. However, there are many that are allowed in the rural districts that are not allowed in Low Density. For example, manufactured housing dwellings, manufactured housing park, agriculture related education and recreational activities as a business animal care facility, bed and breakfast, event venue, greenhouse/nursery kennel, recreation/entertainment facility outdoors, cemetery, farming, golf course, gravel pit, solar energy systems, including small scale, medium scale, and large scale.

However, the uses listed above are not allowed in Low Density and won't be permitted on this property if this request is approved.

Ms. Brunner went on to say that the dimensional requirements are fairly similar. The main difference will be minimum lot size that is allowed in the rural district. Currently in the rural district it is two acres whereas in the Low Density district it will be 10,000 square feet. The rural district also has larger setback requirements and is more restrictive in terms of maximum building coverage and maximum impervious coverage that is permitted. However, the required road frontage in the Low Density district is slightly higher compared to the rural district.

As far as the implications of the proposed change, there are two major items staff identified.

As mentioned previously: first, one is potential density of development - under the current the maximum number of dwelling units would be three because the parcel is less than 10 acres in size. If it is rezoned to Low Density, because it is more than five acres in size, it could be developed as a CRD subdivision within the Low Density districts. This means the applicant could get significant density out of the parcel - maximum number of dwelling units would be 30. However, whether the applicant could get that many units would depend on site constraints.

Ms. Brunner added if the applicant was to develop the property just doing front lots where their frontage is on Old Walpole Road because of the frontage requirement in the Low Density districts, the maximum number of units under that scenario would be 13. Hence, 13 to 30 would be the potential for development.

With respect to City water and sewer service. The zoning regulation states as follows: *all uses in the Low Density district shall have City water and sewer service.*

Therefore, the property owner would be required to extend seawater and sewer to the site at their own expense prior to any developments. Ms. Brunner stated she did reach out to City engineering staff and they assured her there is definitely sufficient volume and pressure available to connect to City water.

However, the public main would need to be extended and depending on the nature of the development, they may be required to provide one or more hydrants.

In addition, while there is sufficient capacity available in the existing sewer main on Old Walpole Road, this is located further away at the intersection of Hilltop Drive. Hence, the developer would need to install a pump in order to reach the property. The applicant did note they are seeking options to try and connect this sewer service on Butternut Drive, which is much closer. The constraint with this option is that they would need to secure an easement to get that sewer line to run across private property. This concluded staff comments.

Councilor Bosley asked why the option for LD1 has not been discussed which she felt was a less restrictive option and asked whether there would be any restriction for CRD with LD1. Ms. Brunner stated the applicant did consider LD1 and connection to City water was not a barrier for them versus connecting to City sewer was a bigger issue for the applicant. She added CRD would be an option with LD1 as well but this would limit the number of houses to seven.

Councilor Bosley stated she was concerned with lot 4 being isolated with this zoning change and asked why this zoning change would not be extended to accommodate lot 4. Ms. Brunner stated the applicant did reach out to the owner of that parcel and the owner of that parcel was not interested in that parcel being rezoned.

Councilor Jones referred to page 22 – dimensional requirements – he noted Ms. Brunner had referred to three districts and asked for clarification. Ms. Brunner stated it should be just two districts; rural and Low Density.

Chair Farrington stated this is not a public hearing instead a public workshop. He however, invited the public to comment on this proposal.

Mr. Todd Palmer 142 Old Walpole Road (lot 4) stated by changing zoning of his property (the lot 4 that was previously mentioned) he gains nothing by it and wanted to leave his property as is. He stated he did not have any further questions at this time but stated he did look forward to having Habitat for Humanity as his neighbors.

Mr. Jim Craig abutter across the street stated he own 33 acres of land which is entirely in the rural district and has enjoyed his property as it exists for the past 47 years. He stated rural district minimum lot size was recently changed from five acres to two acres and referred to the increase to density this has yielded and the request to further change the zoning to Low Density would increase that density. He also added if water and sewer are connected across the street would that give him the opportunity to locate on his property as well – he did not feel that would be a good option.

Mr. Craig stated he is also concerned about the wildlife in this area. He also noted to the area of land across his property that slopes up and the water that comes down that slope that empty into three drains and felt it was important to keep this area as wooded as possible. He also indicated his driveway as recent as last week has washed out. Mr. Craig felt if this area is changed then he would also have the right to change his property (or someone else who might acquire his property in the future) and questioned where this ends. He felt the Committee has done a good job in changing the minimum lot size in the rural district from five acres to two acres and felt the change should end at that.

Mr. David Bergeron of 139 Old Walpole Road was the next speaker. He stated he likes the work Habitat for Humanity does but going from the ability to locate three lots versus up to 30 lots concerns him. Mr. Bergeron referred to the map in the Committee's packet and stated this property is not surrounded by the Low Density district rather by rural but does have Low Density at the rear. The rural districts properties close to the applicant's property range from two acres to 30 acres. He stated he disagrees when it is said that changing to Low Density would be in keeping with the character of the neighborhood. Mr. Bergeron

questioned what happens if Habitat for Humanity does not prevail in their fund raising to connect to sewer or acquire an easement to go down Butternut Drive. The property then gets sold and the new owner would do whatever they want to at that point and locate as many houses as they like.

Mr. Bergeron went on to say the character of the area is two acre lots and going to Low Density would increase to four lots per acre and would not be keeping with the area and could be a detriment to the area. He felt if Habitat for Humanity keeps the property as rural they could get three lots and perhaps four with a variance.

Mr. Nick Leone of 178 Old Walpole Road stated he owns 2.1 acres and stated 30 units seem excessive for this property. He felt this type of development would disrupt the wildlife that exists in this area. Mr. Leone also noted to his concern about excessive noise and traffic – traffic is already an issue.

Ms. Laura Tobin of Keene noted to the various uses that could be located in the rural district which are not residential in nature. She noted most people who have raised concern have talked about the many residential properties but have not raised concern about perhaps a school being built or the other uses that could be allowed. Ms. Tobin felt having houses close together preserves an area. She noted the master plan calls for development of a neighborhood and having houses close together does that

Ms. Jessica Wright of 108 Butternut Drive addressed the Committee next. Ms. Wright stated she has lived in her property since 2007 and has enjoyed the privacy that comes along with her property and stated she is concerned about this application. She noted Maple Acres which is in this neighborhood have sewer problems a lot and they fail very easily. Another individual who also resides at 108 Butternut Drive stated the proposed property today is a “pond” and when it gets developed the water would have to go somewhere which would impact everyone on Butternut Drive. He added neighbors on Butternut Drive already have problems with drainage and this development would only exasperate that problem. Ms. Wright stated she was approached by Habitat for Humanity looking for an easement across her property and based on the concerns expressed, she has declined.

Mr. Nick Bergman of 122 Butternut Drive stated currently they have no issues with water in their basement but many homes in the neighborhood do. Mr. Bergman stated he has concerns about existing wildlife that will be disrupted because of this development. Mr. Bergman indicated he has great concerns about rezoning this property from rural to Low Density.

Mr. Steve Rennick of 26 Butternut Drive addressed the Committee next and stated the existing drains cannot handle the water that already come from Autumn Hill and Apollo Avenue. He indicated there are already three drains very close to his property and when it rains like it has in the last few days, the drains cannot handle the water. Mr. Rennick stated in the 28 years he has owned his property, he has replaced his basement three times. All sewer drains have been repaired except for the one at the corner of Kennedy Drive and Liberty Lane. Nothing has been replaced on Autumn Hill, Apollo Avenue and by adding anymore housing, there is no way the existing drains are going to be able to handle anymore drainage. Mr. Resnick stated it cost him \$30,000 to replace the drains under his house because they keep collapsing and same is true for all drains on Butternut Drive; adding more housing will make the existing situation even worse. Mr. Resnick added insurance does not cover such costs unless a homeowner has “special insurance”.

Todd Palmer of 142 Old Walpole Road addressed the Committee again and stated he supports Mr. Bergeron and Mr. Craig’s comments who have researched this item more than he has.

Chair Farrington noted four letters were received by the Planning Department in support of this application. The letters are from the Richards Group, Monadnock Interfaith Project, Cheshire Medical Center and Insurance Source. Copies of the letters were emailed to Committee members and hard copies are on their desks.

With no further comments, the Chairman closed public workshop.

Chair Bosley asked how many lots can be placed on a property if CRD was considered in the rural district. Ms. Brunner stated CRD would not be permitted under the current zoning as the minimum lot size is ten acres. The applicant could request a variance but they would still be restricted to three units.

Mayor Hansel stated the committee is only looking at zoning but does hear the concerns raised with respect to flooding, runoff etc. He stated this however, would need to be looked at as part of a site plan review process by the Planning Board. What the committee is looking at is a zoning change against the master plan done in 2010. He added the public would have an opportunity to address these issues before the full Council.

Councilor Giacomo stated when he read the summary it felt like a good suggestion. He stated he however, after hearing testimony today, has concerns about the drainage issue and any more intense development could cause serious issues for the neighborhood. He added the committee's only recommendation today would be whether to send this item to a broader public hearing. He stated he would like this item to be reviewed by a larger group.

Councilor Jones agreed with Councilor Giacomo that this item needs to be sent to the full Council and this committee's vote is just a formality. He added even if the PLD Committee voted no, the applicant has the right to be heard before the full Council.

Councilor Ormerod stated he is biased in finding sites for workforce development but this may not be a site but felt it needs to be reviewed by the full Council.

Mayor Hansel stated from the Planning Board perspective this is a difficult item to review as you can pick sentences out of the master plan that support this type of zoning change and ones that would be against it. He added from his perspective the master plan would be in support of this zoning change but felt there should be a caveat to say it is not very clear the master plan is at a high level intentionally so to get specific can be challenging. The Chairman agreed and added if this item goes to site plan review he can see many significant issues with water which would need to be addressed.

Councilor Giacomo stated if this site was accessed off Butternut Drive it might seem to be more in line as opposed to access off Old Walpole Road which is not a residential road.

Councilor Bosley explained to the public that the Planning Licenses and Development Committee would vote tonight to request the Mayor set a public hearing, which is a formality and encouraged the public to make their voices heard, in support or against this item at that public hearing. After that public hearing the Council will decide as to whether this zoning change should be approved or not.

A motion was made by Mayor George Hansel that the Planning Board finds Ordinance – O-2023-12 consistent with the Comprehensive Master Plan of 2010. The motion was seconded by David Orgaz and was unanimously approved.

A motion was made by Councilor Giacomo that the Mayor set a public hearing on this item. The motion was seconded by Councilor Jones and was unanimously approved.



CITY OF KEENE NEW HAMPSHIRE

ITEM #H.1.

Meeting Date: July 20, 2023
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Pamela Russell Slack - Requesting an Amendment to the City Council's Rules of Order – Workshops**

Recommendation:

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the request from Pamela Russell Slack in regards to an amendment to the City Council's Rules of Order regarding Workshops be placed on more time.

Attachments:

None

Background:

Councilor Madison made the following motion, which was seconded by Councilor Remy.

On a 5-0 vote, the Finance, Organization and Personnel Committee recommends that the request from Pamela Russell Slack in regards to an amendment to the City Council's Rules of Order regarding Workshops be placed on more time.



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.1.

Meeting Date: July 20, 2023

To: Mayor and Keene City Council

From: Attorney Thomas R. Hanna

Through: Patricia Little, City Clerk

Subject: **Relating to an Amendment to the Zoning Map - 0 Ashuelot Street - High Density to Commerce Ordinance O-2023-13**

Recommendation:

Attachments:

1. Application to Amend Zoning Map_Hanna
2. Ordinance O-2023-13_Narrative
3. Ordinance O-2023-13_Zone Change_Ashuelot Street
4. Ordinance O-2023-13_Map
5. Ordinance O-2023-13_Reference Documents

Background:

JRR Properties LLC and the Monadnock Conservancy proposes to rezone a 3.35 acre parcel of property located at 0 Ashuelot Street from High Density to Commerce for mixed used development.



APPLICATION TO AMEND THE ZONING MAP

Petitioner: JRR Properties LLC and The Monadnock Conservancy Date: July 13, 2023

Address: P.O. Box 323, Keene, NH 03431; P.O. Box 337, Keene, NH 03431

Telephone: (603) 352-1928 Email: hanna@nhlandlaw.com

Property Owner: JRR Properties LLC

Location of Property to be Rezoned: 0 Ashuelot Street, Keene, NH

Approximate Acreage: 3.53 Present Zoning District: HD Proposed Zoning District: COM

Parcel ID #'s of Property to be Rezoned: 567-001-000

Thomas R. Hanna
Petitioner's Signature

[Signature]
Validation of parcel ID #'s by the Assessing
Department

SUBMITTAL REQUIREMENTS WHICH MUST BE COMPLETE AT TIME OF SUBMISSION TO THE CITY CLERK:

- A properly drafted Ordinance containing the full description of the property to be rezoned (by Parcel ID number(s) or metes and bounds description, as appropriate) and the proposed amendment.
- A typed or neatly printed narrative explaining the purpose of, effect of, and justification for the proposed change(s).
- \$100.00 application fee.
- As provided for in RSA 675:7, if the proposed amendment changes the boundary of a zoning district, the Petitioner shall submit a notarized list of all property owners within the zoning district directly affected by the proposed boundary line change, and of all property owners outside of the zoning district that abut the proposed boundary line change. This list shall include the tax map number and address of each abutter and owner, and must be current with the Assessing Department's records within ten days of submittal. The list shall also include the name of any agent who should receive notice. Two sets of mailing labels shall be provided.
- Three maps showing the boundary of the area or areas to be changed, one at 8 1/2" x 11" and two at City tax map scale (24" x 36").



APPLICATION TO AMEND THE ZONING MAP

Date Received by City Clerk: 7/13/23 Ordinance Number: _____
On City Council agenda: 7/20/23 Workshop to be held: _____
Public Hearing to be held: _____

APPLICABLE FEES:

Application Fee @ \$100.00	\$ <u>\$100</u>
Publication of Notice in <u>The Keene Sentinel</u> @ \$90.00	\$ <u>\$90</u>
Postage Fees for property owners/agents and abutters at current USPS 1 st Class Mailing rate	\$ <u>16 X \$0.63</u>
Total Fees submitted to City Clerk	\$ <u>\$200.08</u>

The petitioner is also responsible for the publication costs for the public workshop before the joint Planning Board and Planning, Licenses and Development Committee. Additional fees will be collected by the Community Development Department for the mailing costs associated with the public workshop as well as the publication of the public workshop notice.

Petition for Zoning Map Change for 0 Ashuelot Street (TMP# 567-001-000)

ZONE MAP CHANGE APPLICATION NARRATIVE

I. Description of Proposed Amendment and Property to be Rezoned

This application proposes to rezone the parcel at 0 Ashuelot Street (Tax Map #567-001-000) from the High Density District to the Commerce District. Prior to its current use as undeveloped open space, this 3.53-acre parcel was used as an overflow parking lot for the former Colony Mill Marketplace on West Street. In 2013, JRR Properties LLC (“Owner”) purchased this parcel with the goal of converting most of the land into a vibrant and active community park for children and also a public landing for canoes and kayaks to access the Ashuelot River. For the past decade, the Owner and the City of Keene have worked together on designs and plans for a city greenspace on this land. In 2022, the City Council accepted the Owner’s offer to donate approximately 2.5 acres of the parcel for use as a city park and authorized the City Manager to enter into a purchase and sales agreement with the Owner. Following subdivision, the Owner intends to donate the remaining land to the Monadnock Conservancy for construction of a net-zero energy building for the organization’s regional headquarters and also a medium-scale solar energy system that will provide power to this building, with surplus energy to go to the grid via net metering.

The subject parcel is adjacent to three different zoning districts, not including the High Density District. To the west is the Ashuelot River Park, which is in the Conservation District. To the south is a commercial plaza owned by Mascoma Bank, which is in the Commerce District. To the north is a mixture of multifamily and single family residences along Ashuelot Court, and further north is Keene Housing’s Harper Acres, which has 112 units spread among 15 buildings. These residences are in the Medium Density District. Across Ashuelot Street are single family residences in the Low Density District and two mixed use parcels in the High Density District. Most of the subject parcel is in the 100-Year Floodplain and is subject to the City’s Floodplain Regulations.

Although the subject parcel is currently undeveloped vacant land, it is served by City water and sewer. It has 376.9± feet of road frontage on Ashuelot Street and is located approximately 460 feet from the signalized intersection of West Street and Ashuelot Street. The West Street corridor is a major commercial/gateway corridor that consistently experiences high traffic volumes. Over 14,800 vehicles travel through this intersection on West Street daily according to the NH Department of Transportation’s Traffic Data Management System.

II. Purpose of and Justification for Change

The purpose of this zone change request is to provide the opportunity for mixed use development and more options for sustainable energy uses on the subject parcel. Prior to the recent adoption of the Land

Petition for Zoning Map Change for 0 Ashuelot Street (TMP# 567-001-000)

Development Code in 2021, the parcel was in the Central Business Limited (CBL) District. The CBL District was an extension of the Central Business District and was oriented toward vehicular access and commercial/mixed uses that required larger lots than what was available in the Central Business District. The purpose of this district was similar to the intent of the Commerce District, which is to provide an area for commercial development that is accessed predominantly by vehicles. The two districts also had similar types of permitted uses. However, as part of the land use code update, both the CBL and Central Business Districts were eliminated. Given the location of the parcel at the confluence of several zoning districts, the City provided the Owner with the option of rezoning the subject parcel to either the Commerce or High Density District. At the time, the Owner and the Monadnock Conservancy had not yet discussed the donation of a portion of the site to the Monadnock Conservancy for use as its headquarters and conservation education center. As such, the Owner chose the High Density District to preserve the option for residential development. Now that formal plans for this parcel are established, the Owner requests that this parcel be rezoned to the Commerce District.

As noted above, the Owner intends to donate approximately 2.5 acres of the subject parcel to the City for use as a park/greenspace. The remaining acre ($\pm$) of land will be donated to the Monadnock Conservancy to construct a net-zero energy building that will provide office space for its staff, room for meetings/events, and area to share environmental and conservation educational information. To power this building, a 100 kW (AC) solar energy system is proposed, which will be mounted on both the Monadnock Conservancy's roof, the ground, and on the roof of carports in the parking area. Based on the estimated size/area of the proposed ground-mounted portion of the system, it will likely be classified as a "Medium Scale Ground Mounted Solar Energy System" in accordance with Section 8.3.7.B of the Land Development Code. The parcel's current zoning designation of High Density prohibits offices and ground-mounted solar energy systems as permitted primary uses. Further, since the proposed solar energy system will share its surplus power with the energy grid via net metering, it is considered a second primary use of the parcel. The High Density District does not permit more than one primary use on a parcel. Under the current zoning, variances would be required to permit the proposed office use and ground-mounted solar energy system, and to allow for multiple primary uses on the lot.

The proposed zone change is consistent with the objectives for future land use in the City's Comprehensive Master Plan. The subject parcel is located in the Court Street (West Side)/Ashuelot Neighborhood, which the Master Plan describes as being comprised of a mix of office and commercial uses that transition to residential uses, combined with open space and trail amenities (see page 121 of the 2010 Comprehensive Master Plan). This neighborhood is in the area designated as the City's Primary Growth Area on the Future Land Use Map on pages 125 and 126 of the Comprehensive Master Plan, and is

Petition for Zoning Map Change for 0 Ashuelot Street (TMP# 567-001-000)

identified as being a traditional neighborhood with mixed uses. The proposed rezoning will allow for mixed uses, including office uses, to occur on this parcel. It will also return this parcel to a zoning district that permits both commercial and residential uses.

The proposed rezoning will also support the City's goals for increasing renewable energy generation, which appear in both the 2010 Comprehensive Master Plan and the 2021 Sustainable Energy Plan. The High Density District does not permit ground-mounted solar energy systems as a primary use on a lot, whereas the Commerce District permits small-scale ground-mounted solar energy systems outright and medium-scale ground-mounted solar energy systems by Conditional Use Permit.

III. Effect of Proposed Zone Change

The expansion of the Commerce District to include the subject parcel will enhance opportunities for mixed use and sustainable development in an area that has historically allowed for commercial uses. Prior to 2021, the parcel was in a zoning district that permitted higher intensity commercial uses and mixed use development, and it had historically been used as a commercial parking lot. Over the years, various commercial uses have been proposed for the site, including an 83-unit condominium complex, which received site plan approval from the Planning Board in 2007. This proposal never moved forward due to the 2008 recession. The parcel is also directly adjacent to the section of the Commerce District that encompasses the West Street corridor between its intersections with Ashuelot Street/Gilbo Ave and the Route 9/10/12 onramp.

The proposed zone change will not render the lot or its current use nonconforming. The existing use of the site, which is undeveloped open space, is a permitted use in the Commerce District. The subject parcel, which is 153,767 sq. ft., has more than sufficient land area to satisfy the 15,000 sq. ft. minimum lot size requirement of the Commerce District. In addition, the permitted uses in the Commerce District align with the proposed uses of the parcel, which include greenspace/conservation area, office and environmental/conservation education center, and medium-scale ground mounted solar energy system.



CITY OF KEENE

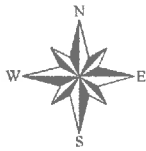
In the Year of Our Lord Two Thousand and Twenty-Three

AN ORDINANCE Relating to Change of Zone – 0 Ashuelot Street – High Density to Commerce

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

That the Zoning Map of the City of Keene, as amended, be hereby further amended by changing the zoning designation of the parcel at 0 Ashuelot Street (Parcel ID: 567- 001-000) in the City of Keene, County of Cheshire, State of New Hampshire from High Density to Commerce.

George S. Hansel, Mayor



Zone Map Change for 0 Ashuelot Street

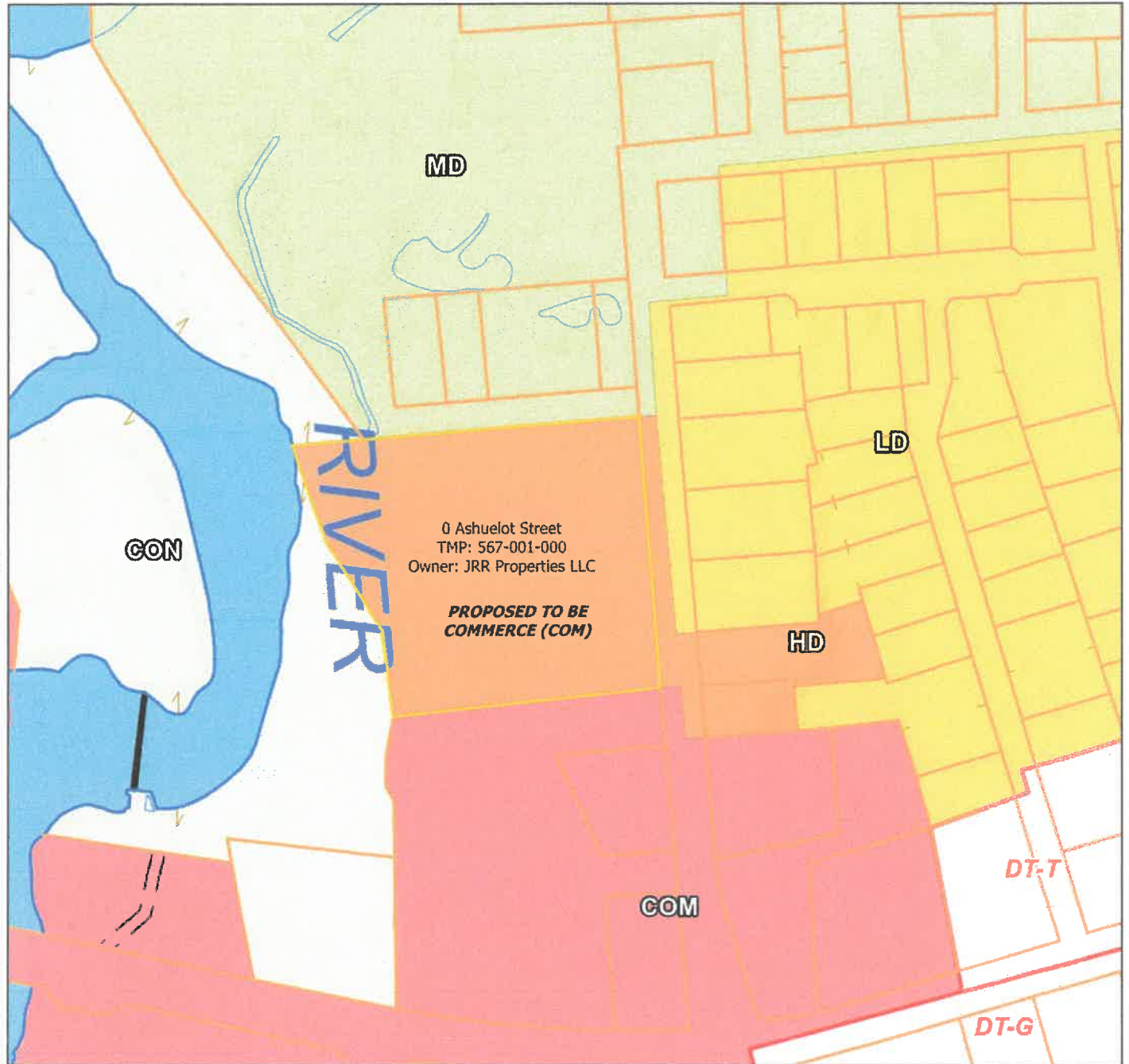
TMP: 567-001-000

1 inch = 200 Feet



www.cai-tech.com

July 6, 2023



PWater	Dam	TaxmapText_Arrowheads	LOW DENSITY	Green: Band_2
Private Road	Property Hook	Wet Areas	MEDIUM DENSITY	Blue: Band_3
Property Line	Property TIC	Water-poly	HIGH DENSITY	World Hillshade
Public Road	Wetland	Downtown Subdistricts	CONSERVATION	Red: Band_1
Right of Way	WaterLines	DOWNTOWN DISTRICTS		
Utility	TaxmapText_Leaders	COMMERCE		

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

3.6 HIGH DENSITY (HD)

3.6.1 Purpose

The High Density (HD) District is intended to provide for high intensity residential development and associated uses. All uses in this district shall have city water and sewer service.

3.6.2 Dimensions & Siting

Min Lot Area	6,000 sf
Min lot area for single dwelling unit	6,000 sf
Min lot area for each additional dwelling unit	5,000 sf
Min Lot Width at Building Line	50 ft
Min Road Frontage	50 ft
Min Front Setback	15 ft
Min Rear Setback	15 ft
Min Side Setback	10 ft

3.6.3 Buildout

Max Building Coverage	55%
Max Impervious Coverage	75%
Min Green / Open Space	25%

3.6.4 Height

Max Stories Above Grade	2
Max Building Height	35 ft

3.6.5 Permitted Uses

RESIDENTIAL USES		SECTION
Dwelling, Above Ground Floor	P	8.3.1.A
Dwelling, Multifamily	P	8.3.1.C
Dwelling, Single-Family	P	8.3.1.D
Dwelling, Two-Family / Duplex	P	8.3.1.E
COMMERCIAL USES		SECTION
Bed and Breakfast	SE	8.3.2.G
Neighborhood Grocery Store	SE	8.3.2.U
INSTITUTIONAL USES		SECTION
Senior Center	SE	8.3.3.G
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Domestic Violence Shelter	P ¹	8.3.4.A
Group Home, Large	CUP	8.3.4.E
Group Home, Small	CUP	8.3.4.F
Lodginghouse	CUP	8.3.4.I
Residential Care Facility	CUP	8.3.4.J
OPEN SPACE USES		SECTION
Community Garden	P	8.3.6.B
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
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

5.1 COMMERCE (COM)

5.1.1 Purpose

The Commerce (COM) District is intended to provide an area for intense commercial development that is accessed predominantly by vehicles. Shopping plazas and multiple businesses in one building would be typical in this district. All uses in this district shall have city water and sewer service.

5.1.2 Dimensions & Siting

Min Lot Area	15,000 sf
Min Road Frontage	50 ft
Min Front Setback	20 ft
Min Rear Setback	20 ft
Min rear setback if abutting residential district	50 ft
Min Side Setback	20 ft

5.1.3 Buildout

Max Building Coverage	80%
Max Impervious Coverage	80%
Min Green / Open Space	20%

5.1.4 Height

Max Stories Above Grade^{a,b}	2
^a With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.	3
^b With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.	4
Max Building Height^{a,b}	35 ft
^a With an additional 10-foot front and side building setback, or a building height stepback of at least 10 feet. Stepback must occur above the ground floor.	42 ft
^b With an additional 20-foot front and side building setback, or a building height stepback of at least 20 feet. Stepback must occur above the ground story and no higher than the third story.	56 ft

5.1.5 Permitted Uses

RESIDENTIAL USES		
Dwelling, Multi-family	P ¹	8.3.1.C
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
Event Venue	P	8.3.2.J
Funeral Home	P	8.3.2.K
Greenhouse / Nursery	P	8.3.2.L
Health Center / Gym	P	8.3.2.M
Hotel/Motel	P	8.3.2.O
Micro-Brewery/Micro-Distillery/ Micro-Winery	P	8.3.2.Q-S
Motor Vehicle Dealership	P	8.3.2.T
Neighborhood Grocery Store	P	8.3.2.U
Office	P	8.3.2.V
Personal Service Establishment	P	8.3.2.W
Private Club / Lodge	P	8.3.2.X
Recreation/Entertainment Facility - Indoor	P	8.3.2.Y
Recreation/Entertainment Facility - Outdoor	P	8.3.2.Z
Research and Development	P	8.3.2.AA
Restaurant	P	8.3.2.AB
Retail Establishment, Heavy	P	8.3.2.AC
Retail Establishment, Light	P	8.3.2.AD
Self Storage Facility - Exterior Access	P	8.3.2.AE
Self Storage Facility - Interior Access	P	8.3.2.AF
Sexually Oriented Business	P ¹	8.3.2.AG
Specialty Food Service	P	8.3.2.AH
Vehicle Fueling Station	P ¹	8.3.2.AI
Vehicle Rental Service	P	8.3.2.AJ
Vehicle Repair Facility – Major	P ¹	8.3.2.AK
Vehicle Repair Facility – Minor	P ¹	8.3.2.AL
INSTITUTIONAL USES		SECTION
Community Center	P ¹	8.3.3.A
Cultural Facility	P ¹	8.3.3.B
Day Care Center	P	8.3.3.C
Place of Worship	P ¹	8.3.3.E

Private School	P1	8.3.3.F
Senior Center	P1	8.3.3.G
CONGREGATE LIVING / SOCIAL SERVICES USES		SECTION
Domestic Violence Shelter	P1	8.3.4.A
Drug Treatment Clinic	CUP	8.3.4.B
Food Pantry	P	8.3.4.D
Group Resource Center	CUP	8.3.4.G
Homeless Shelter	CUP	8.3.4.H
Lodginghouse	CUP	8.3.4.I
Residential Care Facility	CUP	8.3.4.J
Residential Drug/Alcohol Treatment Facility	CUP	8.3.4.K
INDUSTRIAL USES		SECTION
Artisanal Production	P1	8.3.5.A
Data Center	P	8.3.5.C
Industrial, Light	SE	8.3.5.E
Outdoor Storage Yard	P	8.3.5.F
OPEN SPACE USES		SECTION
Conservation Area	P	8.3.6.C
INFRASTRUCTURE USES		SECTION
Solar Energy System (Small-Scale)	P1	8.3.7.A
Solar Energy System (Medium- Scale)	CUP	8.3.7.B
Telecommunications Facilities	P1	8.3.7.E
TRANSPORTATION USES		SECTION
Parking Lot (Principal Use)	P1	8.3.8.A
Parking – Structured Facility (Principal Use)	P1	8.3.8.B

P = Permitted

P1 = Permitted with limitations per Article 8.

SE = Permitted by Special Exception

CUP = Permitted by Conditional Use Permit

DIVISION 12. - CENTRAL BUSINESS LIMITED (CBL)

Footnotes:

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Cross reference— *Licenses and permits, ch. 46.*

Sec. 102-511. - Intent.

The intent of the central business limited (CBL) district is to be an extension of the central business zone. It is next to the CB zone and is oriented toward vehicular access rather than pedestrian. The uses permitted are expanded to include those that would require larger lots than are available in the CB zone. On-site parking is required as is on-site landscaping and buffering when abutting residential zones.

(Code 1970, § 2305.9)

Sec. 102-512. - Permitted uses.

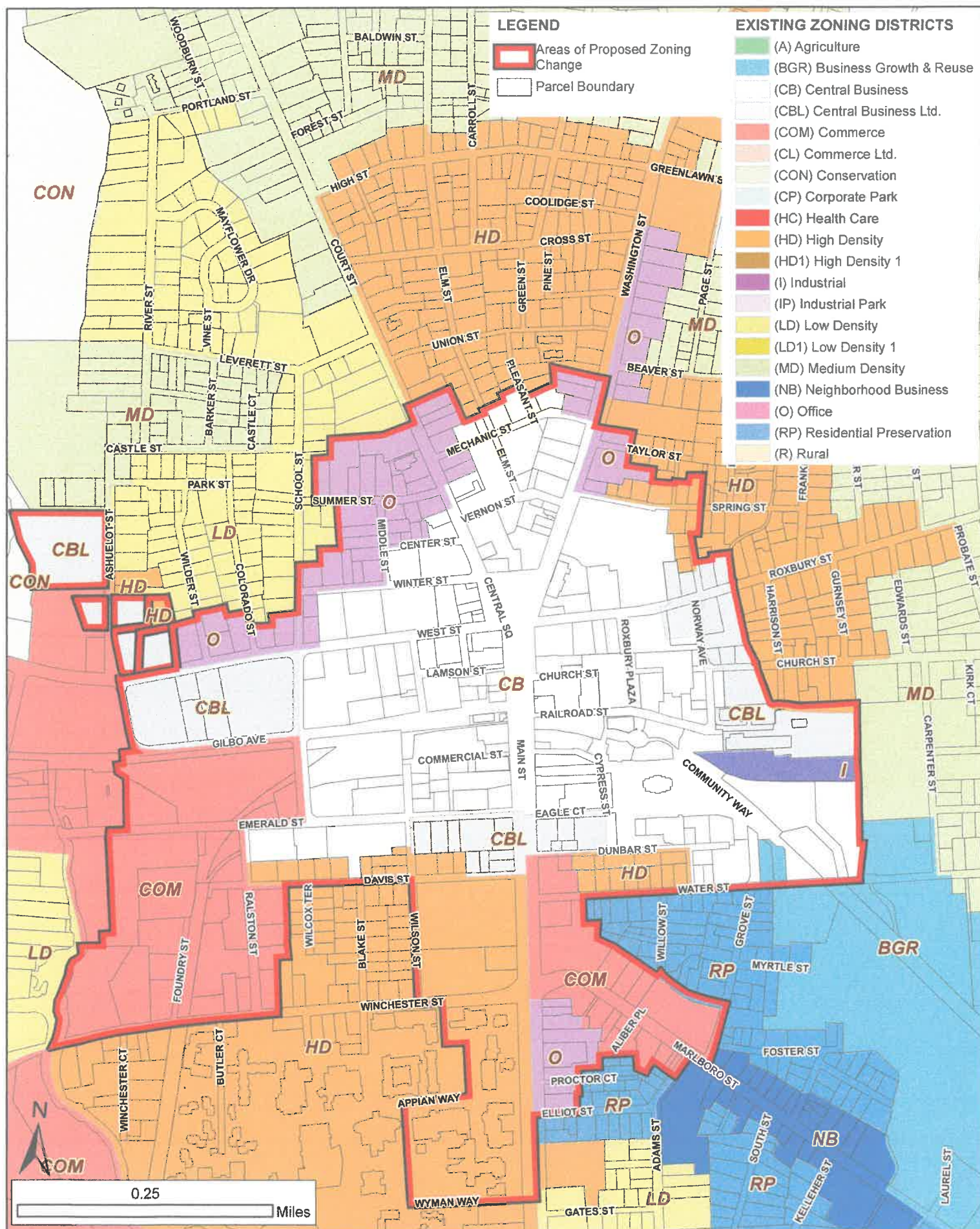
Permitted uses in the central business limited (CBL) district are as follows:

Permitted Use	Subject to the Following:
Banking or lending institutions	
Bed and breakfast inn/tourist home	
Boardinghouse/lodginghouse	
Clinic	
Drive-in uses	
Dwelling, multifamily	Condition: Minimum of four or more dwelling units.
Funeral parlor	
Garage, business	
Health and fitness center	Special exception required for all outdoor activities.
Historic site open to the public	
Hotel	
Institutional use	
Motel/motel apartment	
Motor vehicle dealership	Condition: No outside storage of dismantled vehicles or vehicle parts between building line and street. All outside storage must be screened from any adjacent residential use by a minimum six-foot-high fence, hedge or other impervious buffer along internal lot lines which separate such use from adjacent residential use. No display or storage within ten feet of curb or curblane.
Motor vehicle service station/filling station	Condition: See division 10 of article V of this chapter pertaining to filling stations, service stations, repair garages, paint shops, vehicle body shops.
Nursery or child care facility	
Nursing home, sanitarium, convalescent home, home for the aged	
Office	
Parking area (lot)	
Place of worship	
Private club, lodge, or fraternal activity where primary function is indoors	
Privately owned school	
Recreational activity as a business	Special exception.
Research and development	
Restaurant	
Retail sales and services	
Senior center	

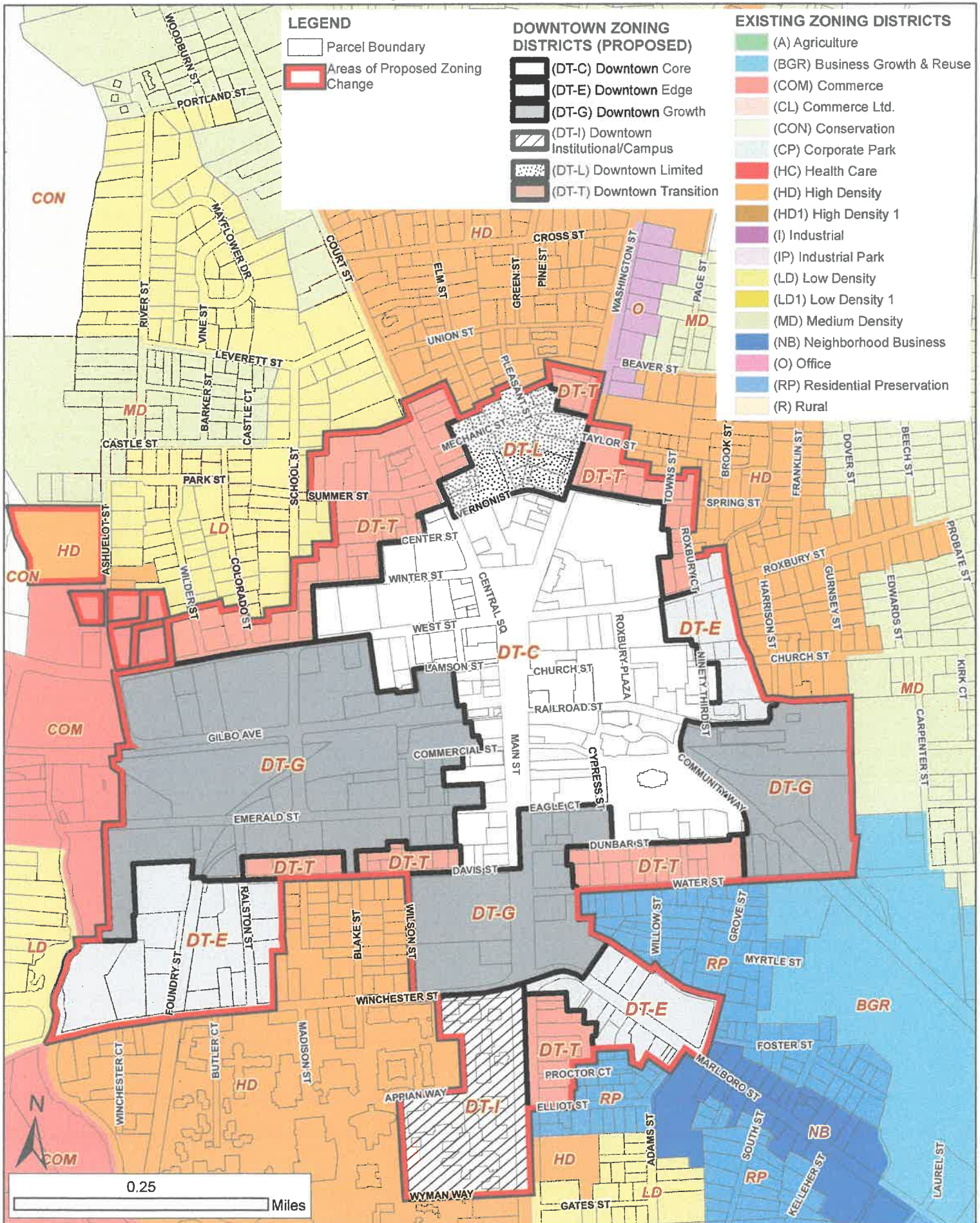
(Code 1970, § 2305.9; Ord. No. O-2009-02-A, 5-21-2009)

Secs. 102-513—102-540. - Reserved.

Ordinance #O-2020-11A Existing Downtown Keene Zoning



Ordinance #O-2020-11A Proposed Downtown Keene Zoning (updated 3/25/21)





ITEM #K.1.

CITY OF KEENE NEW HAMPSHIRE

Meeting Date: July 20, 2023

To: Mayor and Keene City Council

From: Kurt Blomquist, ACM/Public Works Director
Aaron Costa, Asst. Public Works Directors/ Operations Mgr.

Through: Elizabeth Dragon, City Manager

Subject: **Relating to the Appropriation of Funds - Sewer Fund Unassigned Fund Balance for the Martell Court Pump Station Bypass Resolution R-2023-31**

Recommendation:

That the City Council refer Resolution 2023-31 relating to the appropriation of funds from the Sewer Fund Unassigned Fund Balance for the Martell Court Pump Station Bypass to the Finance, Organization and Personnel Committee for consideration.

Attachments:

1. R-2023-31 Martell Court Pump Station bypass

Background:

The City owns and operates a wastewater treatment plant (WWTP) that came online in 1985. The WWTP is designed to treat 6 million gallons of wastewater per day and operates 24 hours a day, 7 days a week. All the wastewater from the City of Keene and Town of Marlborough is pumped to the WWTP via the Martell Court Pump Station.

The Martell Court Pump Station was constructed at the same time as the treatment plant and is the heart of the sewer collection system. Currently there is no bypass pumping system in place that would allow the station to be taken offline for repairs.

On July 10, 2023, the station experienced a seal failure on a gate valve on the discharge side of the pumps. Raw sewage began to fill the pump room. Fortunately, the pump room is equipped with sump pumps that were able to keep up with the flow of wastewater into the station. The following day, with the assistance of a contractor, the City was able to temporarily seal the gate valve. To make a more permanent repair, the station will need to be offline and a bypass pumping system will need to be in place prior to shutting down flow to the station.

Repairs and bypassing the station will take place in two phases. Phase 1 will be a temporary bypass that will allow staff to make the necessary repairs to the seals on the gate valve. Due to the

importance of the repair, the goal is to have this accomplished as soon as possible. Phase 2 will be a permanent bypass pumping system that will remain in place and will allow staff to isolate the station for repairs.

Since this is an emergency repair and not part of the existing Capital Improvement Program, it is recommended that the funds for this work come from the Unassigned Fund Balance in the Sewer Fund.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Three

A RESOLUTION Relating to the Appropriation of funds from the Sewer Fund Unassigned Fund Balance
for the Martell Court Pump Station Bypass

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

That the sum of four hundred thousand dollars (\$400,000) be appropriated from the Sewer Fund Unassigned Fund Balance to the Martell Court Pump Station Bypass project 32JM012A.

George S. Hansel, Mayor