



City of Keene
New Hampshire

KEENE CITY COUNCIL
Council Chambers, Keene City Hall
September 1, 2016
7:00 PM

Roll Call
Pledge of Allegiance

MINUTES FROM PRECEDING MEETING

- August 4, 2016

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Presentation - Ad hoc Drug Addiction Solutions Committee
2. Retirement Resolution - Jerry McDougale

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nominations - Library Board of Trustees

C. COMMUNICATIONS

1. Ardis Osborn - Resignation - Heritage Commission
2. Kathy Harrington - Resignation - Agricultural Commission
3. Charles Redfern/Pathways for Keene - Request to Use City Property - 4 on the 4th Road Race
4. Kevin Dremel/Keene Music Festival - Event Date Change to Coincide with the Monadnock Fall Festival
5. Thomas Cook/Cheshire TV Board of Directors - Impact from the Heberton Hall Renovation
6. Mark Fraser/Eversource - Use of City Property - 16 Church Street - Pad Mounted Transformer
7. Carol Laughner/Monadnock Humane Society - Request to Use City Property - Walk for Animals

D. REPORTS - COUNCIL COMMITTEES

1. Marlboro Street Corridor Improvement Transportation Alternatives Program Grant
2. Water Abatement for Water Shutoff Fee - 25 American Avenue
3. Water and Sewer Abatement - 169 Church Street
4. 2016 Drought Conditions on Keene's Drinking Water Supply
5. Request for Short-term, Free Parking - Monadnock Center for Violence Prevention
6. Acceptance of Vehicle Forfeiture
7. Acceptance of Drug Forfeiture

8. Disposition of City Owned Property
9. Placement of a Lien on 344 West Street for Recovery of Abatement Costs

E. REPORTS - CITY OFFICERS AND DEPARTMENTS

1. CITY MANAGER COMMENTS

F. REPORTS - BOARDS AND COMMISSIONS

1. Relating to the Main Street Historic Overlay District
 - Report from the Joint PB/PLD Committee
 - Ordinance O-2016-14-A red-lined version
2. Final Report - Drug Addiction Solutions Committee

G. REPORTS - MORE TIME

H. ORDINANCES FOR FIRST READING

I. ORDINANCES FOR SECOND READING

1. Relating to the Partner City Committee
 - Report from FOP Committee
 - Ordinance O-2016-16
2. Relating to Environmental Preferred Purchasing and Collaboration
 - Report from FOP Committee
 - Ordinance O-2016-17

J. RESOLUTIONS

1. Relating to Approving a CDBG Application for Mamasezz
 - Report from FOP Committee
 - Resolution R-2016-30

Non Public Session
Adjournment

A regular meeting of the Keene City Council was held Thursday, August 4, 2016. The Honorable Mayor Kendall W. Lane called the meeting to order at 7:00 PM. Roll called: Carl B. Jacobs, Janis O. Manwaring, Robert J. O'Connor, Terry M. Clark, Jay V. Kahn, Thomas F. Powers, Robert B. Sutherland, George S. Hansel, Gary P. Lamoureux, Stephen L. Hooper, Bettina A. Chadbourne, David C. Richards and Mitchell H. Greenwald were present. Randy L. Filiault and Philip M. Jones were absent. The Mayor took a moment to recognize Councilor Manwaring's service. Councilor Manwaring was first elected as a Ward one Councilor in 2010. She has served on the Municipal Services, Facilities and Infrastructure Committee since January of 2010 and is currently serving as Chair. Councilor Manwaring led the Pledge of Allegiance. A motion by Councilor Greenwald to accept the minutes from the July 21, 2016 meeting was duly seconded. The motion passed with a unanimous vote in favor.

CONFIRMATIONS – AGRICULTURAL COMMISSION AND HERITAGE COMMISSION

A motion was made by Councilor Greenwald and duly seconded to confirm the following nominations: Mark Florenz to serve as a regular member on the Agriculture Commission for a term to expire December 31, 2017 and Jonathan T. Foskett to serve as an alternate member on the Heritage Commission for a term to expire December 31, 2018. On a roll call vote, with 13 Councilors present and voting in favor the motion carried. Councilors Filiault and Jones were absent.

COMMUNICATION – KATHERINE SNOW – RESIGNATION – JUVENILE CONFERENCE COMMITTEE

A communication was received from Katherine Snow resigning from her position on the Juvenile Conference Committee. A motion by Councilor Greenwald to accept the resignation for service on the board was duly seconded. The motion passed with a unanimous vote in favor.

COMMUNICATION – BARRY LECLAIR – RESIGNATION – ASSESSOR'S BOARD

A communication was received from Barry LeClair resigning from his position on the Assessor's Board. A motion by Councilor Greenwald to accept the resignation for service on the board was duly seconded. The motion passed with a unanimous vote in favor.

MSFI REPORT – JUVENILE CONFERENCE COMMITTEE – PERIODIC REPORT

Municipal Services, Facilities and Infrastructure Committee report read recommending the periodic report from the Juvenile Conference Committee be accepted as informational. The report was filed as informational.

MSFI REPORT – STATUS OF DOG PARK

Municipal Services, Facilities and Infrastructure Committee report read recommending the dog park report be accepted as informational. The report was filed as informational.

FOP REPORT – ACCEPTANCE OF DONATION – AAU BASKETBALL – PARKS, RECREATION AND FACILITIES DEPARTMENT

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to accept the donation of \$300 from the NH Gym Rats AAU Basketball program and that the money be used by the Parks, Recreation and Facilities Department. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – CHESHIRE RAIL TRAIL III – SCOPE & FEE INCREASE

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to execute a contract with CHA Consulting, Inc. for engineering services for the Cheshire Rail Trail III project in an amount not to exceed \$96,245.54. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – 2016 ROAD REHABILITATION PROJECT – CONSTRUCTION CHANGE ORDER

Finance, Organization and Personnel Committee report read recommending the City Manager be authorized to do all things necessary to negotiate and execute a construction change order with BDM Sweeper Services, Inc. for an amount not to exceed \$116,813 for the 2016 Road Rehabilitation Project Phase I. A motion by Councilor Greenwald to carry out the intent of the report was duly seconded. The motion passed with a unanimous vote in favor.

FOP REPORT – CITY MANAGER RECRUITMENT

Finance, Organization and Personnel Committee report read recommending the information on the City Manager recruitment process be accepted as informational. The report was filed as informational.

CITY MANAGER COMMENTS

The City Manager began his comments by explaining several paving operations were happening around the City. Contractors began the “hot, in-place recycling” of Hurricane Road and will be moving onto Roxbury Road and East Surry Road. He advised a video will be posted on the Public Works web page showing the operation of the machine. He further commented that Wood, Wagner, Algonquin, Daniels Hill and portions of West Street have been recently completed. He continued during the week of August 22, portions of the Maple Acres subdivision will receive a spray-applied application of a sealant to help keep these roads in good condition. The City Manager stated their consultant was onsite completing a road condition survey. The truck used to conduct the survey and document defects will be on display at Public Works on Friday morning from 8:30 – 9:00AM. The City Manager reported that next week contractors will begin cleaning a portion of the sewer main on Pearl Street and throughout the Edgewood neighborhood. In the coming weeks, they will return to line these sewer mains that

are over 100 years old. The public could expect to see trucks in the roadway and some minor traffic disruptions. Finally, the City Manager mentioned the Winchester Street Reconstruction Project. The Mayor's steering committee kicked off its work on Tuesday evening. The Committee received some background information about the project and spent about 45 minutes brain-storming the issues along this corridor and opportunities that the reconstruction project will create. The Committee has set a date of September 13, 2016 for a public "Listening Session". Staff will be advertising this event quite heavily and they hope to hear from as many residents and business owners as possible during this event.

MORE TIME

More time was granted by the Chair for the following items in Committee: Request for Abatement of Water Shutoff Fee – 25 American Avenue; Request for Water and Sewer Abatement – 169 Church Street; Request to Use City Property – 350/400 Marlboro Street; and Ordinance O-2016-09: Relating to Dormitory, Lodging or Rooming Houses and Residential Board and Care.

MEMORANDUM – CITY ATTORNEY AND ORDINANCE O-2016-16: RELATING TO THE PARTNER CITY COMMITTEE

A memorandum was received from the City Attorney along with Ordinance O-2016-16: Relating to the Partner City Committee. Ordinance O-2016-16 was read for the first time. The memorandum and the Ordinance were referred to the Finance, Organization and Personnel Committee.

MEMORANDUM – CITY ATTORNEY AND ORDINANCE O-2016-17: RELATING TO ENVIRONMENTAL PREFERRED PURCHASING AND COLLABORATION

A memorandum was received from the City Attorney along with Ordinance O-2016-17: Relating to Environmental Preferred Purchasing and Collaboration. Ordinance O-2016-17 was read for the first time. The memorandum and the Ordinance were referred to the Finance, Organization and Personnel Committee.

PLD REPORT AND ORDINANCE O-2016-11-A: RELATING TO FOOD SERVICE ESTABLISHMENT PERMIT FEES

Planning, Licenses and Development Committee report read recommending the adoption of Ordinance O-2016-11-A: Relating to Food Service Establishment Permit Fees. The report was filed as informational. Ordinance O-2016-11-A read for the second time. A motion by Councilor Hansel for adoption of the Ordinance was duly seconded. On a roll call vote, with 13 Councilors present and voting in favor the motion passed. Ordinance O-2016-11-A declared adopted. Councilors Filiault and Jones were absent.

FOP REPORT AND RESOLUTION R-2016-25-B: RELATNG TO FISCAL POLICIES

Finance, Organization and Personnel Committee report read recommending the adoption of Resolution R-2016-25-B. The report was filed as informational. Resolution R-2016-25-B: Relating to Fiscal Policies was read for the second time. Discussion followed. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. On a show of hands vote, with 12 Councilors present and voting in favor the motion passed. Councilor Clark was opposed. Resolution R-2016-25-B declared adopted. Councilors Filiault and Jones were absent.

MEMORANDUM – CDBG ADMINISTRATOR AND RESOLUTION R-2016-30:
APPROVING A CDBG APPLICATION FOR MAMASEZZ

A memorandum was received from the CDBG Administrator along with Resolution R-2016-30: Approving a CDBG Application for Mamasezz. Resolution R-2016-30 was read for the first time. The memorandum and Resolution were referred to the Finance, Organization and Personnel Committee.

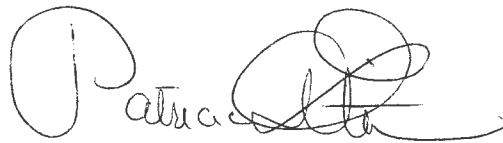
RESOLUTION R-2016-29: IN APPRECIATION OF JEROME F. MCDOUGLE UPON HIS
RETIREMENT

Resolution R-2016-29 was read by title only. A motion by Councilor Greenwald for adoption of the Resolution was duly seconded. The motion passed with a unanimous vote in favor. Resolution R-2016-29 declared adopted.

ADJOURNMENT

At 7:34 PM, there being no further business, the Mayor adjourned the meeting.

A true record, attest:


City Clerk



City of Keene, N.H.
Transmittal Form

August 30, 2016

TO: Mayor and Keene City Council

FROM: Kendall W. Lane, Mayor

ITEM: B.1.

SUBJECT: Nominations - Library Board of Trustees

RECOMMENDATION:

I hereby reappoint the following individuals to serve on the following Board or Commission.

LIBRARY BOARD OF TRUSTEES

Charles Redfern, Re-appoint, slot 5 Term expires June 30, 2019

Nathaniel Stout, Re-appoint, slot 6 Term expires June 30, 2019

ATTACHMENTS:

Description

Letter from Kathleen Packard

BACKGROUND:



Keene Public Library

60 Winter Street, Keene, NH 03431
www.keenepubliclibrary.org

(603) 352-0157
fax : (603) 283-5656

August 28, 2016

Mayor Kendall Lane
City of Keene
3 Washington Street
Keene, NH 03431

Dear Kendall,

The Keene Public Library Board of Trustees asks your consideration in filling two Board positions that ended June 30, 2016.

The positions are currently held by Nathaniel Stout, 173 North St. and Charles Redfern, 9 Colby St. We asked that they be appointed for second terms.

Thank you for your consideration.

Sincerely,

Kathleen Packard
President
Keene Public Library Board of Trustees



External Communication
Transmittal Form

August 23, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: C.1.

SUBJECT: Ardis Osborn - Resignation - Heritage Commission

ATTACHMENTS:

Description

Communication - Osborn

BACKGROUND:

Ardis Osborne has served as an alternate to the Heritage Commission since March of 2010.

Ardis Osborn
31 Carroll Street
Keene, NH 03431

August 11, 2016

To: The Honorable Mayor Kendall Lane
3 Washington Street
Keene, NH 03431

Having served as an alternate member of the Heritage Commission since March 2010, I wish to tender my resignation effective as of September 1, 2016.

It has been a most interesting and educational experience to serve on this Commission, but I think age is catching up with my activities and it is time for someone else to become an alternate member on the Commission.

May I add that I admire the research and dedication to preserving Keene's heritage of the Commission's members, the hard work of its chairperson Louise Zerba, and the invaluable input of the Planning Board representative.

Sincerely,

A handwritten signature in cursive script that reads "Ardis Osborn".

Ardis Osborn



External Communication
Transmittal Form

August 23, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: C.2.

SUBJECT: Kathy Harrington - Resignation - Agricultural Commission

ATTACHMENTS:

Description

Communication - Harrington

BACKGROUND:

Kathy Harrington has served on the Agricultural Commission since August of 2012.

Monadnock United Way

23 Center Street
Keene, New Hampshire 03431-3399
tel 603.352.4209
fax 603.352.0750

muw.org



City of Keene

3 Washington Street

Keene, NH 03431

August 18, 2016

To Whom It May Concern;

Due to my extremely busy schedule and inability to attend meetings, it is with great regret that I submit my letter of resignation for the Agricultural Commission for the City of Keene.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Harrington". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kathy Harrington



External Communication
Transmittal Form

August 23, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: C.3.

SUBJECT: Charles Redfern/Pathways for Keene - Request to Use City Property - 4 on the 4th Road Race

ATTACHMENTS:

Description

Communication - Redfern

BACKGROUND:

Pathways for Keene is requesting use of City property for their 16th annual "4 on the 4th" run/walk race on July 4, 2017. Because this use of City property is a designated community event, City Council permission is required.



VIBRANT • ACTIVE • COMMUNITY
PATHWAYSFORKEENE.ORG
P.O. BOX 226, KEENE, NH 03431

August 8, 2016

Mayor Kendall Lane and Keene City Council
City of Keene
3 Washington Street
Keene, NH 03431

Dear Mayor Lane and Keene City Council:

Pathways for Keene, Inc. ("PFK"), plans to present the 16th Annual "4 on the 4th" Run/Walk Race on July 4, 2017, and request a permit that will allow us to proceed with race preparations.

As with the last 4 years, PFK hopes to again utilize a combination of the Cheshire Rail Trail, Railroad Square Park, City streets, and private property for this two miles out and two miles back course. This plan route is identical to the route used in 2013 through 2016, and it lays out as follows:

Start/Finish Railroad Street
East on Railroad Street
Right onto Community Way
Left onto Cheshire Rail Trail
Straight across Water Street
Bear Right onto Eastern Avenue
Straight through Intersection and bear left onto Marlboro Street
Right Turn onto Optical Avenue Extension
Right Turn onto EVS grass (just passed EVS driveway)
Left towards Optical Avenue
Two-mile marker almost at Optical Avenue
Left onto Optical Avenue
Left onto Optical Avenue Extension
Left onto Marlboro Street
Cross intersection onto Eastern Avenue using as straight a tack as possible
Bear left onto Cheshire Rail Trail (Industrial Heritage segment)
Straight across Water Street
Right on Community Way
Left on Railroad Street
Straight up Railroad Street to Finish line

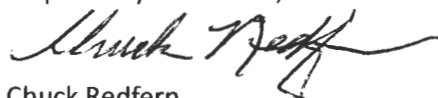
We request that the City of Keene mark Railroad Street as a No Parking area from 6am to 11am. This was done in the last several years to solve a problem encountered in 2011 with a flatbed truck parked in this start/finish line area for the duration of the event.

The 7pm registration and 8am/8:30 starts (walkers and runners, respectively), should keep the race out of peak holiday traffic, as we will be completely done at 11am.

We hope to be able to work closely again with the City of Keene to ensure a safe event.

We also look forward to providing many out of town runner and walkers (along with their "support"), a positive experience that shows downtown Keene at its very best.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Chuck Redfern", with a stylized flourish extending to the right.

Chuck Redfern
Treasurer

Enclosures:

Application for Use of Public Ways

Course Map

Certificate of Insurance for 2017 pending in September of 2016

Check for \$ 25 for permit fee

Copies:

PFK Board of Directors



External Communication
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: C.4.

SUBJECT: Kevin Dremel/Keene Music Festival - Event Date Change to Coincide with the Monadnock Fall Festival

ATTACHMENTS:

Description

Communication - Dremel

BACKGROUND:

Kevin Dremel, the Executive Director of the Keene Music Festival, is requesting to change the date of their event to coincide with the Monadnock Fall Festival, which is scheduled for October 1, 2016. City staff have been holding protocol meetings for the past several months to work out the logistics of combining these two events.



63 Emerald Street
#363
Keene, NH 03431
<http://www.keenemusicfestival.org>

August 25, 2016

The Honorable Mayor and City Council
Keene City Hall
3 Washington Street
Keene, NH 03431

Re: 16th Annual Keene Music Festival Schedule and Event Change Request.

The Keene Music Festival had previously requested to sponsor the 16th Annual Keene Music Festival on Saturday, September 3, 2016. The scheduled hours for performances and other activities were to be 9:00 AM until 10:30 AM. At this point, we are respectfully requesting to reschedule our event to Saturday, October 1, 2016 to coincide with the proposed Monadnock Fall Festival. This event will be scheduled to occur from 8:00 AM until 8:00 PM. Keene Music Festival shall remain the primary producer of this new event.

As with the thirteen previous events, we are seeking permission to use the common area and bandstand in Central Square, Railroad Square and those sections of the following sidewalks that are located within the Downtown area: Main Street, Washington Street, and Gilbo Avenue. Musicians, merchants and city permitted restaurants will use the sidewalks. In no instance will a sidewalk be blocked in a manner that restricts pedestrian traffic. In addition to these locations, City Tire Company (124 Main Street), Lindy's Diner, Heberton Hall, as well as other possible downtown businesses, will also be designated as performance venues. We would like to request and reserve the use of parking metered spaces #'s 164, 166, 168, 170, 172, and 174 on Main Street in front of the City Tire Company. The Main Street metered spaces are being requested to serve as a staging area to allow the sound crew to prepare equipment to be set up in the City Tire Company parking lot; and could be opened for use later in the day. We are also

requesting permission to set up an additional pop up tent on Central Square for vendors if needed.

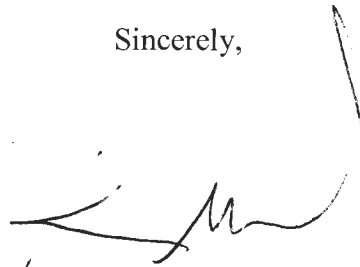
While we do not request that Railroad Street, from Main Street to the parking garage, be officially closed, we are asking that the Public Works Department please provide us with adequate barriers for that eventuality. If the Keene Police Department determines that there is a safety issue, we will close the street with the barricades. We are also requesting to place a stage at Lamson Street; in the area between Main Street and the sidewalk. We would request access to portable safety barriers to place at the entrance to Lamson Street to serve as a buffer between Main Street and the performers. The performance area would be designed to fit within the area between Main Street and the sidewalk adjacent to Lamson Street.

As with prior years, and in a manner consistent with community event protocol, we ask that the City please give due consideration to absorbing any additional cost of Police Officers and Fire Department Medical Personnel for the day. We are requesting that Police and Fire Department Personnel be detailed to the event between the hours of 8:00 AM and 7:30 PM.

As required, we will provide a \$1Milion certificate of insurance to the City, and work closely with City staff to ensure that this is a safe and enjoyable event. There is much excitement among a number of organizations regarding the possibility of creating an event that showcases all of the things that make our area special.

Our previous Music Festivals have always been a great success. There have been no public issues; the performances have been amazing, and the crowds' orderly. We will be working with local businesses and non-profits to showcase our town and the area with displays and demonstrations. Events such as this add to the vibrancy of our Downtown area and the City in general and help Keene to be the exceptional place that it is. We thank you in advance for your continued consideration and support.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin M. Dremel', with a long, sweeping horizontal line extending to the left and a vertical line extending upwards to the right.

Kevin M. Dremel
Music Festival Director



External Communication
Transmittal Form

August 23, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: C.5.

SUBJECT: Thomas Cook/Cheshire TV Board of Directors - Impact from the Heberton Hall Renovation

ATTACHMENTS:

Description

Communication - Cook

BACKGROUND:

Thomas Cook, President of the Board of Directors of Cheshire Television is seeking an opportunity to gain a better understanding of the potential costs that would be incurred during their displacement during the Heberton Hall renovations as well as their transitional and eventual rent and utility expenses.



RECEIVED AUG 10 2016

8 August 2016

Mayor Kendall Lane and
The Keene City Council
3 Washington Street
Keene, NH 03431

Dear Mayor Lane and City Council Members:

I write you today on behalf of the Board of Directors of Cheshire TV to initiate a discussion regarding the impending renovation of Heberton Hall and our facilities' resulting displacement. We have been fortunate to have been working closely with Nancy Vincent from the Keene Library and Jeff Hoover of Tappe Architects to plan the modifications to the building to address many of our future requirements and look forward eventually to returning to an exceptional facility.

To this end, we are planning to allocate a serious portion of our budget towards moving expenses and attempts to accommodate our technological needs during the likely extended displacement (we have been told to expect a period of between twelve and eighteen months before being able to move back into the new area). Our requests of this letter are to request more definitive information on dates and financial obligations required of Cheshire TV relating to this move.

While we have been informed by the Library staff and architects when this move and facility displacement will likely occur, we have many questions regarding this issue and its impact upon Cheshire TV operations, but specifically how such a renovation will impact us financially – what costs related to the move will we be expected to pay (if any)? What will the impact on our monthly rent be upon return to Heberton Hall?

We take pride in our history of fiscal acumen – guided by City of Keene representatives – but the lack of information regarding potential costs incurred, transitional and eventual rent, utilities expenses, etc. is of increasing concern, especially to our Treasury subcommittee. Any information you could begin to provide us will help us approach this major event with increased confidence.

We have already dedicated a substantial portion of our operating budget toward anticipated moving expenses and will be seeking ways to increase and facilitate this process. Thank you for the opportunity to begin a discussion surrounding these issues and, of course, for your continued support of our efforts to bring the very best cable access services to the Monadnock Region. We look forward to productive discussions regarding these issues and to an exciting new facility resulting from these renovations.

Very sincerely,

-
Thomas Cook, President
on behalf of the Board of Directors of Cheshire Television



External Communication *Transmittal Form*

August 30, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: C.6.

SUBJECT: Mark Fraser/Eversource - Use of City Property - 16 Church Street - Pad Mounted Transformer

RECOMMENDATION:

ATTACHMENTS:

Description

Communication - Eversource

BACKGROUND:

Eversource Energy is requesting permission to use City-owned property for the placement of a pad mounted transformer in the vicinity of 16 Church Street which would replace an existing sector cabinet in the same location. This is in keeping with the MOU between Eversource and the City of Keene, and seeks to improve electrical service to the Central Business District.

August 30, 2016

Mayor Kendal W. Lane and
Keene City Council
City of Keene
3 Washington Street
Keene, NH 03431

Re: Permission to Use City-Owned Property / Eversource Investments in Electric Distribution System in Keene's Central Business District

Dear Mayor Lane and Councilors,

In order to increase reliability, minimize outages, and improve outage response and restoration, Eversource is making significant investments to its electric transmission and distribution system in the City of Keene's Central Business District. The \$4 million, multi-year investment involves the replacement of obsolete underground transformers with new, strategically located pad-mounted transformers.

Identified by Eversource as a priority in 2012, the project was included in a 2015 Memorandum of Understanding between Eversource and the City of Keene. Since that time, Eversource has worked with an advisory committee established by the City Manager, city officials, and downtown business and property owners in order to design system improvements and strategically site equipment. As a result of working closely with several key property owners, Eversource has plans to enhance the distribution system in the Central Business District by upgrading from 4kV to 12kV, extending 12kV from Washington Street to Roxbury Street and filling an existing gap in the system.

As part of this reliability improvement project, Eversource respectfully requests permission to use of city-owned property adjacent to 16 Church Street for the installation of a new 150KVA pad mounted transformer and the necessary underground conduit and conductors. Eversource understands that installation of the proposed above grade, pad mounted transformer will also require approval by the Historic District Commission.

The proposed transformer will replace an existing sector cabinet currently on city owned property adjacent to 16 Church Street. A photo of the existing sector cabinet at the site and a photo depiction of the proposed installation, in addition to a map and preliminary drawing of the proposed installation and equipment specifications showing dimensions are enclosed. The installation of a transformer at this location will allow Eversource to serve nearby customers currently served by obsolete underground equipment located below Main Street. Should this

Mayor Kendall Lane

August 29, 2016

Page 2

request be granted, Eversource will install conduit during the parking lot resurfacing project scheduled to be completed this fall.

The replacement of the sector cabinet with a pad-mounted transformer adjacent to Church Street is an important phase in a comprehensive plan to improve the safety and reliability of the electric infrastructure in the Central Business District by replacing obsolete underground equipment. Additionally, the replacement of underground equipment will eliminate the environmental and safety risks associated with the operation of oil-filled equipment in a highly corrosive and often submerged environment.

Thank you for your consideration of this request. Please contact me at 357-7309 ext 555 5750 or mark.fraser@eversource.com if you need additional information.

Sincerely,



Mark F. Fraser
Manager, Field Engineering & Design, Western Region

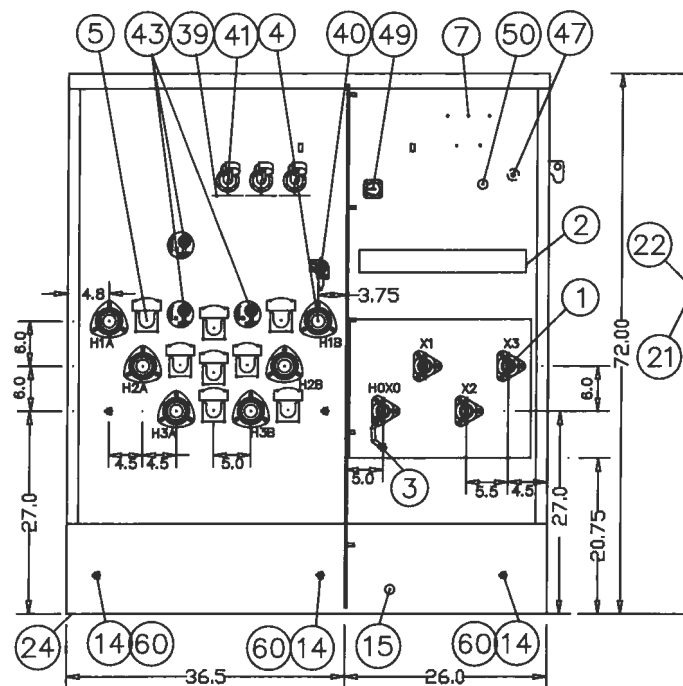
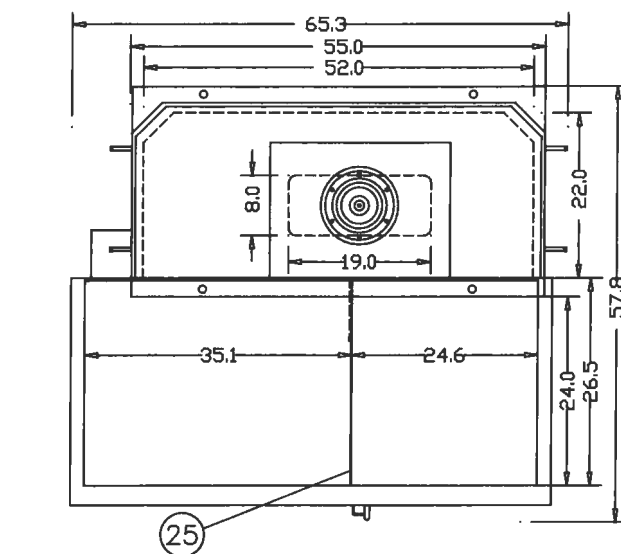
Enclosures







DESCRIPTION	
1	LV BUSHING & 6-HOLE SPADE
2	LV SPADE SUPPORT
3	1/2-13 GROUND PAD & STRAP
4	HV LB INSERT UNIV. 95 BIL
5	3.95" LOADBREAK PARKING STAND
7	NAMEPLATE ON TANK & DOOR
8	TANK
10	HANDHOLE & SECURITY COVER
12	LIFTING LUGS
13	JACKING PROVISIONS
14	1/2-13 GROUND PAD
15	1 IN PIPE PLUG - VIBRA SEAL
21	PADLOCKABLE DOOR HANDLE
22	3 PT LATCH PENTA SEC BOLT
24	12 IN REMOVABLE SILL
25	METAL LV-HV BARRIER
39	CLIP ON DRIP SHIELD
40	S/M SWITCH HANDLE
41	BAYONET FUSE HOLDER (FLAPPER)
43	2 POSITION LOADBREAK SWITCH
46	PRD/Q 208-60
47	PRESSURE RELIEF VALVE
49	2" MAGNETIC LL GAUGE
50	OIL LEVEL PLUG
60	HJ ENT AS-1203-001
SPECIAL NOTES	
A BAY-O-NET FUSE	
CPS 4038108C12 50 AMP. 4.16KV	
CPS 4038108C06 12 AMP. 12.47KV	
B CURRENT LIMITING FUSE	
HI-TECH HTSS132030 12.47KV	
HI-TECH HTSS232125 4.16KV	
C	
D	
E STOCK NUMBER: 00004634660	
CAT NO	9550435628024
DWG BY: KD	DATE: 03/29/16
APP BY: JB	CC. 745



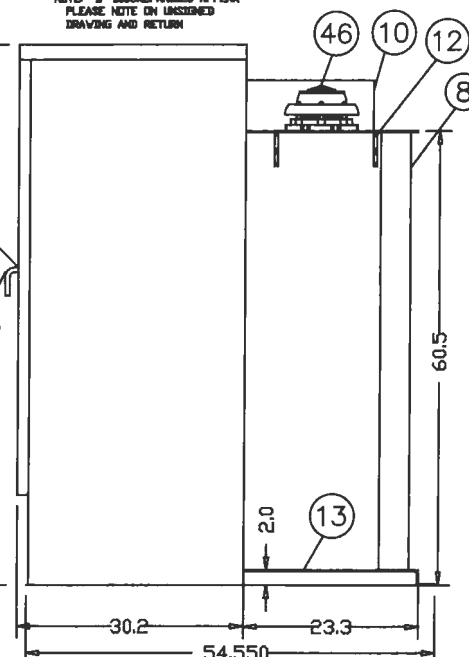
DWG NO.		0073085001.707	
HOWARD		 INDUSTRIES INC.	
LAUREL, MISS. USA 39440			
THREE PHASE PAD DISTRIBUTION TRANSFORMERS			
CUSTOMER : NORTHEAST UTILITIES, CT			
SPEC. T-781		DATED 11/02/15	
KVA 150.0 BIL 95 TAPS NONE			
HIGH VOLTAGE 4.16GY/2.4X12.47GY/7.20			
LOW VOLTAGE 208Y/120			
APPROX. CORE AND COIL WEIGHT			1340
APPROX. TANK AND ACCESS. WEIGHT			965
GAL. OF OIL 246 , APPROX. WEIGHT			1846
APPROX. TOTAL WEIGHT			4151
REV.	DATE	DESCRIPTION	BY APP
A			

APPROVAL DRAWING
PLEASE INDICATE BY SIGNING
APPROVED _____ DATE _____

THIS DRAWING REPRESENTS THE
TRANSFORMER COVERED BY
YOUR SPECIFICATION

NO. _____ DATED _____
PLEASE RETURN TO HOWARD
INDUSTRIES.

NOTE: IF DISCREPANCIES APPEAR
PLEASE NOTE ON UNSIGNED
DRAWING AND RETURN



NO. 61830068.874

THREE PHASE TRANSFORMER
DOE COMPLIANT

HOWARD INDUSTRIES LAUREL MS 39440 USA

READ INSTRUCTION HI 105 BEFORE OPERATING MFG

KVA 150

BIL HV 95 LV 30 KV 3.6 %IMP

HV 4.16GY/2.4X12.47GY/7.20

LV 208Y/120 AMPS 416

WT TANK 965 C&C 1340

TYPE II 1846 LBS TOTAL 4151 LBS

OIL 246 GAL

CONT 65 °C RISE CLASS ONAN 60HZ

TANK DESIGNED FOR +7 PSIG

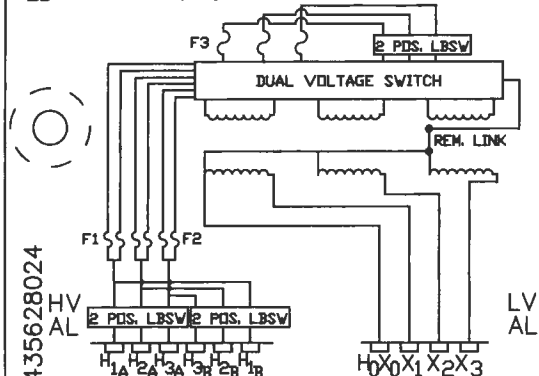
F1 CLF PARTIAL RANGE HTSS232125

F2 CLF PARTIAL RANGE HTSS132030

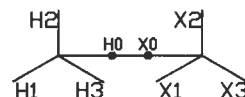
F3 BAYONET FUSE

WHEN MANUFACTURED THIS TRANSFORMER CONTAINED LESS THAN 1 PPM OF PCB

PART II, DOE-10-CFR PART 431 COMPLIANT



PDS	VOLTAGE
1	4160
2	12470



SER. NO. BAR CODE

CAT. NO. BAR CODE

SER. NO.

APPROVAL DRAWING

PLEASE INDICATE BY SIGNING

APPROVED _____ DATE _____

THIS DRAWING REPRESENTS THE TRANSFORMER COVERED BY YOUR SPECIFICATION

NO. _____ DATED _____

PLEASE RETURN TO HOWARD INDUSTRIES.

NOTE: IF DISCREPANCIES APPEAR PLEASE NOTE ON UNSIGNED DRAWING AND RETURN

BLACK ANNODIZED ALUMINUM

REV	DATE	REVISION	BY	APP

HOWARD INDUSTRIES INC.

LAUREL, MISS. USA 39440
MFG. OF DISTRIBUTION TRANSFORMERS

NAME: LASER NAME PLATE CC 857

DESCR: LF/NT/2FUSE/2PLB/ SM/Y-Y

ID 3DCM4836

P.N. 0061830068.874

SCALE 1.000 DWG BY KD

CHK BY JB

DATE 03/29/16

ROXBURY STREET

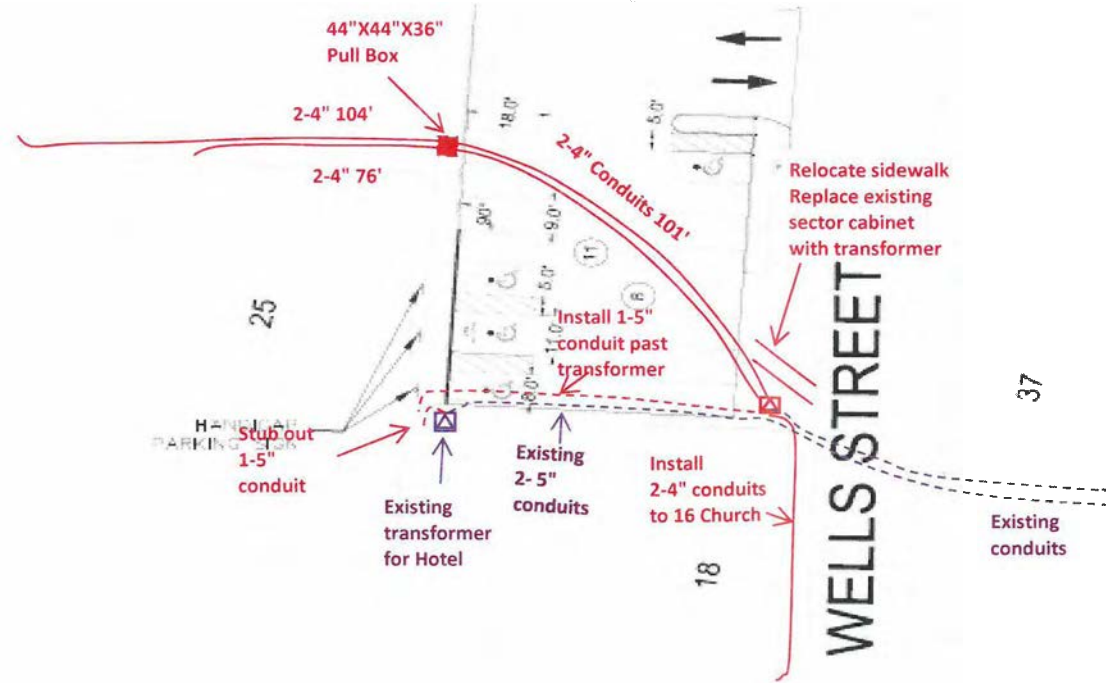
STREET

HANDICAPPED
PARKING

45

43

39



WELLS PARKING GARAGE

WELLS STREET

37

18

39

35

RAILROAD

STREET



External Communication
Transmittal Form

August 29, 2016

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: C.7.

SUBJECT: Carol Laughner/Monadnock Humane Society - Request to Use City Property - Walk for Animals

ATTACHMENTS:

Description

Communication - Laughner

BACKGROUND:

The Monadnock Humane Society is requesting the use of City property at the Dillant-Hopkins Airport to hold the 29th Annual Walk for Animals on June 17, 2017.



101 West Swanzey Road, Swanzey, NH 03446

P - 603.352.9011, F - 603.358.6095

www.monadnockhumanesociety.org, *The best shelter is...a compassionate community*

8/19/16 - sent via email to
Terri Hood

August 19, 2016

Keene Mayor and City Council
Planning, Licenses and Development Committee
3 Washington Street
Keene, NH 03431

To Whom It May Concern:

This proposal is being written on behalf of Monadnock Humane Society's 29th Annual Walk for Animals to propose the use of the Access Road to the Wastewater Treatment Plant, the Dillant-Hopkins Airport terminal building (for volunteer headquarters) the surrounding field area and main parking lot for this event, held on Saturday, June 17, 2017 (with set up the day before – June 16th).

Timeline and Description of Proposed Event

The Walk for Animals is an annual fundraising event for Monadnock Humane Society that raises funds necessary to operate. MHS is a private, non-profit 501 (c) 3 humane organization that provides quality care to more than 1400 animals each year and hosts a variety of community services and programs. MHS receives no federal or state funding – it depends solely on the generosity of the community for its funding. This past year, The Walk raised over \$41,000. The Walk for Animals event brought in approximately 200 members of the community (including our volunteers and staff), and we estimate that number will increase at next year's event.

The 28th Annual Walk for Animals was held at this facility on June 18, 2016. Overall, the event went off without incident. There were several vendors with tables and displays, and Monadnock Humane Society had several of their adoptable dogs who participated in the Walk. The DJ kept the crowd motivated and made announcements during the event to promote the programs and services we provide to the community. A group of volunteer dog trainers led a demonstration that involved tricks and dancing moves. It was a wonderful event that each person who attended enjoyed and is already looking forward to the 2017 event. Additionally, everyone enjoys this venue and feels it is the perfect location for this event.

There is always room for improvement/changes to the program and schedule but none will require any significant alterations to the original proposed plan. We will be happy to discuss any proposed changes to the plan below prior to the event.

The proposed timeline of the event is as follows:

- Friday, June 16th:
 - 8am – 5pm: Pre-event set up by Committee Members and Volunteers (tent set up, etc.) Note that we would like to be able to park a rental truck with all supplies in the parking lot. This saved us a great deal of work and eliminated the need to store supplies in the terminal the night before.
- Saturday, June 17th:
 - 7 am: Set up by Committee Members and Volunteers
 - 9am – 10:00 am - Registration for Walkers in main tent (leaving access road clear for any WWTP traffic). The DJ begins with announcements and music and continues throughout the duration of the event.
 - 10:00am: Parade/Walk Begins
 - 11:30 am: Award Ceremony
 - Noon: Picnic Lunch
 - 1pm: Event ends/Walkers depart
 - 1pm until completion: Clean-up by Committee members and Volunteers

(continued)

Set Up and Event Format

We will set up a large tent (40' x 60') which will be placed towards the far-side of the parking lot (same spot as last year), and this will be set up at least one day in advance. Tables and chairs will be placed under this tent along with the DJ and his equipment. There will be a 20 x 20' tent and two gas grills for serving lunch, and any other space will be available for walkers to rest and get water during the event.

Several tents will be set up for registration and tee shirt distribution. Port-o-Potties will be set up near the terminal as well as at the end of the Walk route on the Access Road. The "Parade" will kick off the Walk at 10:00am and is traditionally led by two oxen from the Swanzey Open Space organization. Walkers and their dogs will be sponsored by donations they have collected previous to the event and will have the option of walking the entire road or a portion of it.

There will be four stations along the Walk route with drinking water for the dogs and people, a pool of water for dogs to cool off, and snacks. At the end of the road, we will have a smaller tent where Walkers may rest before returning to the main event area. As the Walkers return to the main event area, a picnic lunch will be served along with music and an awards ceremony. The entire event is anticipated to go no longer than 2pm, after which the committee members and volunteers will commence clean-up.

Safety and Clean-Up/Maintenance

Dogs will be leashed at all times and no use of public roadways is requested or will be allowed. Dogs will not be permitted to wade into bodies of water along the access road as a safety and environmental precaution. All Walkers will be given plastic baggies to use to clean up after their dogs and trash receptacles will be placed intermittently along the pathway to ensure that no waste will be left behind. A clean-up crew of approximately 20 committee members and volunteers will walk the access road and surrounding areas to be sure that the area is thoroughly cleaned. Several volunteers will direct traffic for parking in an orderly fashion. The gas grills used for cooking will be a safe distance from the large tent where guests will be gathered. A fire extinguisher will be available. All committee members will have cell phones available, and there will be a car parked at the far end of the Walk route in case someone needs a ride back to the main building.

Monadnock Humane Society will meet any/all standard insurance/liability requirements requested by the City of Keene and the Town of Swanzey. We understand that we will need to submit a Certificate of Liability Insurance along with any appropriate endorsements showing additional insured status on policy and compliance. We will work with the Keene City Clerk on this and any other necessary details. All permits will be fulfilled for both Keene and Swanzey.

City Support Requested

Support by the City is requested in the form of access to electricity for the DJ and for the sound system and for access to a water source for the dogs to drink and cleanup. We would also very much appreciate the use of the chairs and tables currently stored in the terminal as well as the restrooms for use by the volunteers and committee members. . If the City would prefer a police officer to be present the committee would be happy to comply. Monadnock Humane Society would like to emphasize that although great care has been taken to plan and organize this event; the committee is very flexible with any wishes or preferences of the City. The committee feels that the airport, access road, and surrounding area continues to be the ideal location for this event and therefore will do everything requested to obtain approval.

Monadnock Humane Society and the Committee for the 29th Annual Walk for Animals thank the Keene City Council for its consideration of this proposal. This fundraising event has a long standing tradition in the community and Monadnock Humane Society looks forward to hosting yet another successful event that will bring the local businesses and individuals together for a good cause.

Respectfully Submitted,



Carol Laughner, Director of Marketing and Development for Monadnock Humane Society



City of Keene, N.H.
Transmittal Form

August 24, 2016

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities, and Infrastructure Committee

ITEM: D.1.

SUBJECT: Marlboro Street Coordinator Improvement Transportation Alternatives Program Grant

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the Mayor be authorized to sign a letter of support on behalf of the City Council expressing the City's support for the Marlboro Street Corridor Improvement project and its application for funding from the Transportation Alternatives Program.

BACKGROUND:

Tara Kessler, Planner, stated that she is here to seek the MSFI Committee's recommendation to have the Mayor send a letter of support for the Transportation Alternatives Program (TAP) Grant. She continued it is a grant program that the Federal Department of Transportation (DOT) administers on a competitive basis to school districts that want funding for transportation infrastructure improvements or studies to enhance safe passage for pedestrians or cyclists. The City of Keene is currently a recipient of TAP funds for the Cheshire Rail Trail Phase II corridor and City staff is seeking to apply for \$784,000 of Federal funds to leverage the existing \$195,000 the City has allocated in its Capital Improvement Program (CIP) for improvements to the Marlboro Street corridor. Those improvements are specifically trying to increase pedestrians' ability to cross and bicyclists' ability to travel on the Marlboro Street corridor, and to enhance connections to the rail trail from the neighborhood south of Marlboro Street to the rail trail that connects to downtown. The project total is \$980,000. This grant is very competitive at the state level. The City is trying to get as many letters of support as possible. The grant application requires a letter of support from the City Council, stating that they are dedicated to allocating the necessary funds, which has already been done in CIP, representing the 20% match requirement.

Chair Manwaring asked for questions. Councilor Lamoureux asked what the timing is. Ms. Kessler replied that September 2, 2016 is the deadline to submit the grant application. She continued that the City Council meets the day before. Chair Manwaring stated that the Southeast Keene Neighborhood Group and Pathways for Keene have both written letters of support. She continued that they are excited about this possibility. Ms. Kessler added that the reason staff is bringing this request to them now is because the City Council had a break in August, and staff was not aware until August 10th of the grant application's requirement for this letter.

Chair Manwaring asked if any members of the public had questions or comments. Hearing none, she asked for a motion.

Councilor Lamoureux 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 Mayor be

authorized to sign a letter of support on behalf of the City Council expressing the City's support for the Marlboro Street Corridor Improvement project and its application for funding from the Transportation Alternatives Program.



City of Keene, N.H.
Transmittal Form

August 24, 2016

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities, and Infrastructure Committee

ITEM: D.2.

SUBJECT: Water Abatement for Water Shutoff Fee - 25 American Avenue

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends denying the request for abatement of the water shut off fee in the amount of \$219.15 for the service at 25 American Avenue.

BACKGROUND:

Steve Thornton, Finance Director, stated that a customer recently had their water shut off due to non-payment of the water bill. He continued that they requested an abatement of the water shutoff fee. The fee to turn the water back on at a residence or business during business hours is \$90. If it is outside of business hours there is a minimum charge due to the use of a vehicle and to have City staff report to work. That fee is \$219.50 in this case. In this instance, the customer wants that fee abated. Mr. Thornton asked if he should provide the particulars, which are in his memorandum. Chair Manwaring replied yes.

Mr. Thornton reported that the City received a communication from the owner of 25 American Avenue and 22 Spruce Street regarding the water being shut off. He continued that this person owns both properties, but resides at American Avenue. The Finance Department has 22 Spruce Street as the mailing address on the account, so that is the address they use to correspond with the customer. The customer has owned 22 Spruce Street since 2001 and 25 American Avenue since 2007. The water bills for both properties have always been mailed to 22 Spruce Street. On June 7, 2016 the customer requested the mailing address change to 25 American Avenue. The City's billing process is to send two bills, covering about nine months of service, and then the third, and if there has been no activity for the two prior bills the customer get a shut off notice. That is what happened. The notice was sent to the customer on May 24, two days before the water was to be shut off, and a phone message was left at the number on file for the account, and there was no response. After the water was shut off the Revenue Department received a call from the customer. The City explained that water was shut off because no payment was given since August 2015, and a shut off notice had been issued and a phone message was left. Mr. Thornton continued that the customer replied that he did not get the phone notice and he checks his voicemail every few days. He said he waits for the shut off notice before he pays the bill. He called back and asked what it would cost to turn the water back on. He was informed that the balance due was \$756. They told him that if he chose to have the water turned on that day it would be an additional \$219 because it was after 3:00 PM, or he could wait until 7:30 AM the next morning and it would be \$90. He asked for it to be turned on right away, so it was.

Chair Manwaring asked if committee members had questions or comments. Councilor Lamoureux stated that Mr. Thornton said it was typical for the customer to wait for the shut off notice before they paid the bill. He asked if all the notices were sent to 22 Spruce Street in the past. Mr. Thornton replied yes, as that was the

address they had on file for many years, so yes, for all of the other times the customer waited for the shut off notice and then he came in and paid the bill.

Councilor O'Connor stated that the memorandum says the balance is current at both locations. He asked if that is correct. Mr. Thornton replied that the balance for 22 Spruce Street is \$610, and includes the May 2016 bill, due July 19, and the February bill, due on April 19. He continued that those are still both outstanding. The account will be billed again this month. If the City does not get payment another shut off notice will go out for this month.

Councilor O'Connor asked if the City has put in place a practice of sending the notices to both addresses. Mr. Thornton replied that the customer asked for the mailing address to be changed to 25 American Avenue in June.

Chair Manwaring asked for public comment. Hearing none, she asked what staff recommends. Mr. Thornton replied that staff recommends that the MSFI Committee deny the request for an abatement.

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

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends denying the request for abatement of the water shut off fee in the amount of \$219.15 for the service at 25 American Avenue.



City of Keene, N.H.
Transmittal Form

August 24, 2016

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities, and Infrastructure Committee

ITEM: D.3.

SUBJECT: Water and Sewer Abatement - 169 Church Street

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends the abatement of \$1,110.95 for 169 Church Street and to authorize the City Manager to negotiate and execute an agreement with the owner of the property for the remaining amount due over the next 12 months.

BACKGROUND:

Gary Carpenter, of 169 Church Street, stated that the MSFI Committee members have already seen the material he gave them. He continued that he spoke with the Public Works Director Kürt Blomquist today and Mr. Blomquist has a recommendation as a result of their conversation. Mr. Carpenter replied that he is willing to abide by that recommendation. He does not have the numbers, but Mr. Blomquist does. Chair Manwaring asked Mr. Blomquist to comment.

Mr. Blomquist stated that at the last meeting he spoke to the MSFI Committee about this topic. He continued that currently there is a \$5,412 outstanding water/sewer bill. This amount has been generated over time. He looked back at the billing records and found that Mr. Carpenter has owned the property since 2007, and over time, there were times when Mr. Carpenter got behind with payments. Previously, he has made arrangements with the City and was able to keep up with those arrangements, but then something would happen and he would fall behind again.

Mr. Blomquist continued that he has thoughts to offer for the Committee's consideration. The water was shut off in May 2016. By that point, whatever arrangements Mr. Carpenter had been making were ones he was unable to keep up with. Staff had done all they could and the water was shut off. Staff recommended the removal of the meter. As long as a person has a meter they owe a surcharge of about \$60 (per bill). Each quarter Mr. Carpenter has been billed for the meter, which was not removed. He and staff would have suggested to him to have the meter pulled. Mr. Carpenter had a fire in the property and other flood damages and he was trying to repair it. The property was unoccupied. They could abate that \$318 meter fee because it was unoccupied and there was no consumption.

The Director continued the July 2014 bill was very high, about \$1,300. He noted he asked Mr. Carpenter about that. Mr. Carpenter had some tenants in the property that caused damage, allowing water to run and not communicating with him about it. Staff has worked with property owners in the past about this - if water spilled out and was not returned to the sewer system, the thought was the City did not spend energy treating it, so they could look at abating that sewer portion. For Mr. Carpenter that sewer portion was \$792. Those two items add up to about \$1,110.95, which could be considered for abatement, because water did not return to the sewer and

because if they had been able to communicate with Mr. Carpenter they would have recommended that the meter be removed to avoid the meter fees.

Mr. Blomquist continued that that leaves \$4,301 left on the account. He noted that he normally does not recommend turning someone's water back on until they pay at least 25% of the outstanding bill, but he is willing to work out an arrangement. Mr. Carpenter plans to have occupancy by November and then he will be receiving rental income. Mr. Carpenter was requested to make that 25% payment between now and November and he said he would be willing to do that. That 25% would be \$1,100. This would allow the department to turn the water back on. That would leave about \$3,200 left on the bill. They talked about repayment by December 2017 at the latest, although Mr. Carpenter could pay it off sooner. This is also contingent on Mr. Carpenter remaining current on his current billing, once the water goes back on. Mr. Blomquist continued that he talked with the water/sewer billing person in Revenue Collection office and found that the City has no other account in this type of situation. Many times it is businesses that do not pay until they get the shut off notices. Mr. Blomquist concluded that those are his thoughts, and if the MSFI Committee concurs with supporting Mr. Carpenter, the end remedy is: if Mr. Carpenter does not keep up with this arrangement, and the water gets shut off again, the City will not turn it back on until the balance is 100% paid off.

Chair Manwaring asked if Mr. Carpenter understands. Mr. Carpenter replied yes, and he thinks it is very fair. Councilor Lamoureux thanked Mr. Carpenter and thanked staff. He continued that they understand it is a tough time and they appreciate staff for helping out. Mr. Carpenter thanked Mr. Blomquist and the MSFI Committee. He continued that they have done a great job. Councilor Hooper stated that he echoes Councilor Lamoureux and wants to see this on the front page of the Sentinel that the City sometimes goes out of its way to help the citizens of Keene and this is good news.

Assistant City Manager Elizabeth Fox asked if Mr. Blomquist has a recommended motion. Mr. Blomquist replied yes and gave it to her and the City Attorney to read. Ms. Fox suggested wording for a motion.

Councilor O'Connor 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 abatement of \$1,110.95 for 169 Church Street and to authorize the City Manager to negotiate and execute an agreement with the owner of the property for the remaining amount due over the next 12 months.



City of Keene, N.H.
Transmittal Form

August 24, 2016

TO: Mayor and Keene City Council

FROM: Municipal Services, Facilities, and Infrastructure Committee

ITEM: D.4.

SUBJECT: 2016 Drought Conditions on Keene's Drinking Water Supply

RECOMMENDATION:

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the report on the 2016 drought conditions' impact on Keene's water supply be accepted as informational.

BACKGROUND:

Donna Hanscom, Public Works Assistant Director, stated that they are hearing of all the towns around Keene declaring drought conditions and talking about the drought's impact on water supplies, so this is a good time to talk about the City's water. She continued that the City has three distinct water supplies – reservoirs in Roxbury, a wellfield on Court Street, and a wellfield on West Street. Normally the users require 2.1 million gallons per day. That has been the yearly average for the past few years; however, things are changing quickly with temperature changes. When she wrote this memorandum two weeks ago the demand was about 20% higher, with people doing extra laundry, taking more showers, watering lawns, and so on and so forth. The highest day was August 1, when 2.9 million gallons were used. At that point, about 70% of the water was taken from the reservoirs, and about .8 million gallons was pumped from the West Street wellfield. She noted the department turns the West Street wellfield on in the summer time, and the rest of the year, they just use the reservoirs. They do not routinely need to use the Court Street well and have not used it full time since 2007. It has a lot of water in reserve.

Ms. Hanscom continued that they routinely check the amount of water in the reservoirs. They get information based on consumption and they are able to determine how many gallons are in the reservoir. As of last Friday the reservoirs had between 350 and 400 million gallons. If they were taking out 2.9 million gallons per day they would have about half of that left in reserve. They do not know how much is lost due to evaporation. They allow a buffer of 10 to 20% when they look at how far they could draw them down. Last Monday they decided to open the Court Street well. It can produce about a million of gallons of water a day, which will about double the amount of days of water left in Roxbury. It extends the supply for about 4 months, even if we had no rain at all. The demand was down a little this week to 2.3 million gallons; which suggests that people were using less water as the temperature cooled off. Yesterday was the first full day using the Court Street wellfield and they took about half a million gallons from the reservoir in Babbidge, about .8 million gallons from the West Street wellfield, and about a million from the Court Street wellfield. They looked at reservoir levels today. Between the two, there are approximately 330 million gallons. If they take out half a million gallons per day there is plenty, even with a good buffer. When the two reservoirs are full, which they are often, they have about 630 million gallons in storage. They can take a million gallons per day from the Court Street wellfield and almost as much from the West Street one. The City is fortunate in terms of having options to choose from in the water supplies.

Ms. Hanscom continued that she wanted to review options available to the City Council if they did not have this much storage. A few years ago they set up a water supply shortage ordinance. The City Council can declare a water conservation alert when there is an available raw water volume of 120 calendar days or less. The City Council can choose what they want that to mean. They did not put specifics in the City Code. The City Council can ask people to reduce their water usage. The alert can be increased to a water storage watch if there are 90 days left – the City Council can give mandatory requirements, like a ban on outdoor watering, directions to reduce water consumption by 20%, etc. There are options. If the storage is less than 30 days they can require up to a 50% water reduction per day. They are not even close to being there. They will probably have a dry fall but they still have more than 500 days of water left in the reservoirs at this particular demand. Demand goes down as winter starts.

Ms. Hanscom continued that after they have this discussion tonight, staff will look at doing a PSA about conserving water. They will prepare a flyer to spread around the city, with information about ways to reduce water usage, how much water you lose from a leak from a drip, and websites that talk about water conservation. They will put it out to people as an option, not because they are in trouble. It is just a good message to send generally. The State issued a statewide announcement about the dry conditions, asking people to just pay attention to water use – not to stop water use, but to pay attention, check on leaks, etc.

Chair Manwaring asked for questions. Mr. Blomquist stated that he cannot say enough good words about the staff. He continued that this is something they have been working on, keeping him and the City Manager up to date. It is a very active program. They are making sure the community is getting what it needs. The long term forecast is for dry weather through October. He thanked Ms. Hanscom and her staff for their work and for keeping them abreast of the situation.

Councilor O'Connor asked if the Court Street wellfield is Goose Pond. Ms. Hanscom replied no, there is an aquifer at the end of the street – there are two layers of water underground, an upper layer and a lower layer, separated by clay. She continued that the lower layer is about 50 to 75 feet deep. The good news is there is not as much influence from surface water. It takes longer to recharge, though, if you stress it by using it a lot. They are in good shape with that now. They have a number of monitoring wells not far from the drinking water wells. For the last 15 to 20 years they have been measuring the depth about three times a year. They know what they expect to see there on any given year. This year you would not know it but based on the water level there is a drought. The aquifer looks good. The state has a well they monitor the level in, somewhere along Route 10 between West Street and Route 101, and they, too, found that it is in the normal range for this time of year. If the drought continues for three to five years it might be a different story, but right now it looks good.

Councilor Hooper made the following motion, which was seconded by Councilor O'Connor.

On a vote of 5-0, the Municipal Services, Facilities, and Infrastructure Committee recommends that the report on the 2016 drought conditions' impact on Keene's water supply be accepted as informational.



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.5.

SUBJECT: Request for Short-term, Free Parking - Monadnock Center for Violence Prevention

RECOMMENDATION:

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends reporting out this matter.

BACKGROUND:

City Manager, Med Kopczynski stated it was his understanding that there is now an arrangement between the petitioner and National Grange Insurance so the request is moot.

Chair Greenwald read the following from the background notes: Robin Christopherson, the Executive Director of Monadnock Center for Violence Prevention is requesting free parking for approximately 30 attendees who will be participating in a "train-the trainer" exercise for an initiative that seeks to reduce power-based personal violence. The training sessions will be held at the Greek Orthodox Church on September 13 - 16, 2016. As this communication is time sensitive, the communication is being directly referred to the Finance, Organization and Personnel Committee.

Chair Greenwald stated this was a rather confusing request as the City cannot waive parking for events such as this. The City contacted National Grange Insurance who has agreed to provide these spaces. The County and Chair Greenwald also offered spaces in their respective lots.

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

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends reporting out this matter.



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.6.

SUBJECT: Acceptance of Vehicle Forfeiture

RECOMMENDATION:

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a Vehicle Forfeiture awarded by the New Hampshire Attorney General's Office.

BACKGROUND:

Police Chief Brian Costa stated the item before the Committee is an award from the Attorney General's office of a forfeiture vehicle.

He explained that at the conclusion of an investigation into the sale and distribution of heroin in Keene, the Keene Police Department assisted the New Hampshire Attorney General's Drug Task Force in executing a search warrant on a vehicle in which the owner and operator had been arrested for the distribution of heroin. The investigation resulted in the seizure of a 2006 Lexus ES330 automobile which contained 6 bags of heroin, totaling approximately 1.5 kilograms (worth thousands of dollars) and \$6,779 in cash which was found with the drugs. The Keene Police Department was awarded the vehicle valued at approximately \$7,000.

Chair Greenwald asked what happens to this vehicle. Chief Costa stated he is in conversation with the Fleet Services Manager; the last vehicle which came to the department through forfeiture was supplemented in the detective pool of vehicles. Ironically it was the same model vehicle and this vehicle is ready to be rotated out but it might still have some service left in it.

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

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a Vehicle Forfeiture awarded by the New Hampshire Attorney General's Office.



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.7.

SUBJECT: Acceptance of Drug Forfeiture

RECOMMENDATION:

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept forfeiture funds in the amount of \$2,181.47 that has been awarded to the Keene Police Department from the United States Department of Justice.

BACKGROUND:

Chief Costa stated the next time is also forfeiture but this is a cash award in the amount of \$2,181.47 awarded to the Keene Police Department from the United States Department of Justice.

Chief Costa stated this was a complicated investigation lasting years, which culminated with positive results of getting these items off the streets of Keene.

He explained in October 2013, the United States Attorney's Office, New Hampshire Attorney General's Drug Task Force and Homeland Security Investigations, working in conjunction with the Keene Police Department, New Hampshire State Police, Salem Police Department, and Massachusetts State Police began an investigating of heroin distribution in Keene and the surrounding areas. As a result of this investigation, 14 individuals were arrested for drug trafficking in the Lawrence, Massachusetts to the greater Keene, New Hampshire area. The Chief pointed out there were many agencies and a lot of manpower involved in this investigation but the lead investigator was a Keene Police Detective who at that time was assigned to the Attorney General's Drug Task Force.

Because of these 14 arrests, authorities were able to dismantle a major heroin and cocaine distribution network which had been operating for a number of years out of Lawrence, Massachusetts, in addition to dismantling two greater Keene area-based drug distribution cells. In total, law enforcement seized over 5.5 kilograms of heroin, 14 ounces of cocaine, approximately 90 Oxycodone tablets, approximately \$11,000 in cash, and fourteen firearms.

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

On a vote of 3-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept forfeiture funds in the amount of \$2,181.47 that has been awarded to the Keene Police Department from the United States Department of Justice.

Councilor Kahn joined the session at 6:40 pm.



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.8.

SUBJECT: Disposition of City Owned Property

RECOMMENDATION:

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to dispose of three properties acquired through a tax deed on March 23, 2016, including, if necessary, structural demolition, and sale by advertised sealed bids. The properties being: 21 Allen Court, 270 Beaver Street, and 9 Martin Street.

BACKGROUND:

City Assessor, Dan Langille stated he was here to talk about 21 Allen Court, 270 Beaver Street, and 9 Martin Street. These properties were taken by tax deed for non-payment of 2012 unpaid property taxes in March 2016. The process has been through City Council and the proper protocol has been followed. These are now city-owned properties.

21 Allen Court is a single family home and sits on .46 acres. The lot is considered to be a double lot with the potential to be subdivided. The building is a 1927 Craftsman style 3 bedroom home. The structure appears to be solid although the maintenance has not been kept up with over the past few years.

270 Beaver Street is a vacant building, 560 square feet in size situated on one acre at the end of Beaver Street. This is a hilly, sloping lot. This building is below average construction and maintenance has not been kept up with.

9 Martin Street is a two family building located on .11 acres. There is a two bedroom unit on the second level and a studio or a one-bedroom unit on the first floor. Maintenance on the building has been neglected over the years as well.

Taxes and interest owed on the properties as of Friday, August 19 are as follows: for 21 Allen Court the amount is \$18,649; for 270 Beaver Street the amount is \$22,687; and for 9 Martin Street the amount is \$26,783.

Mr. Langille stated city staff has inspected these properties and it is staff's recommendation to put these properties back on the tax role. The sale would follow a sealed bid process and the proceeds would go to reimburse the city for interest, taxes, legal fees and other fees. Anything beyond that would need to be returned to the property owners.

Mr. Langille noted a lot of effort goes into trying to save these properties; many departments work for many months with property owners and the city is never looking to take ownership. There was one individual who

needed to be relocated – there were many city staff who worked to make sure this individual was treated with care and respect and they believe she is now in a much better place. The Parks and Recreation Department as well as Public Works have done a lot of work on these properties and Mr. Langille circulated before and after pictures of these properties.

Chair Greenwald asked whether these properties would be advertised in The Keene Sentinel. Mr. Langille stated he would be working with the Purchasing Department and there will be a date by which these bids are to be received. As far as the language for the advertisement, staff will work with the Attorney's office on this. The Chairman asked whether there is a mortgage holder. Mr. Langille stated the Revenue Collector is required to send out notice 90 days after the property is taken and so far no-one has come forward to claim the property. The Chair asked if once the bids are received, Council involvement ceases. Mr. Langille stated the Council gives the City Manager authority to make that final decision.

Councilor Kahn made the following motion which was seconded by Councilor Powers:

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to dispose of three properties acquired through a tax deed on March 23, 2016, including, if necessary, structural demolition, and sale by advertised sealed bids. The properties being: 21 Allen Court, 270 Beaver Street, and 9 Martin Street.



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: D.9.

SUBJECT: Placement of a Lien on 344 West Street for Recovery of Abatement Costs

RECOMMENDATION:

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the City Council approve the placement of a lien on property located at 344 West Street Keene, New Hampshire for cost recovery incurred by the City for corrective action taken to abate a public health nuisance.

BACKGROUND:

Acting Health Director John Rogers stated staff is before the Committee to ask for permission to place a lien on 344 West Street for cost recovery incurred by the City for corrective action taken to abate a public health nuisance.

Mr. Rogers stated the housing inspectors have been dealing with this property since last September with reference to trash issues. It is a two-family home and the inspectors have been to the house on numerous occasions with some success earlier in the process. However, starting early June 2016 the city started issuing verbal and written warnings and then issuing fines which had no effect to clean up the property.

Under RSA 147:7-b, staff was able to order the property cleaned up and warn the property owner if no action was taken within a certain time period the city would take action. Since no action was taken, Public Works accompanied by the Police Department and Health and Code removed nearly two tons of trash. Mr. Rogers showed the Committee pictures of the trash that was removed. The total cost to the City was \$3,238.97 which includes equipment time, personnel time and dumping fees at the recycling center. He noted this lien will be treated as a property tax.

Chair Greenwald asked whether the house is otherwise habitable. Mr. Rogers stated staff did not enter to house for an inspection. He added they did talk to the property owner, they still have running water, and the water has not been shut off.

Councilor Powers asked whether the taxes were up to date on this property. Staff wasn't sure. Councilor Powers went on to say Police and Fire have frequented this property on many occasions and it has become a nuisance and whatever can be done to remedy this situation would be helpful. Mr. Rogers stated the property is currently on the market.

Chair Greenwald stated he is surprised Code Enforcement did not conduct an inspection of the entire property. Mr. Rogers stated there was nothing that raised a red flag for the city to enter the property. The City Manager noted there are laws the City has to follow before they can enter someone's property. He went on to say the city

is beginning to see many more of these types of hoarding problems which involves a lot of time for many departments in the city; and these are labor intensive issues.

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

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the City Council approve the placement of a lien on property located at 344 West Street Keene, New Hampshire for cost recovery incurred by the City for corrective action taken to abate a public health nuisance.



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Tara Kessler, Planner

THROUGH: Rhett Lamb, Assistant City Manager / Planning Director

ITEM: F.1.

SUBJECT: Relating to the Main Street Historic Overlay District

RECOMMENDATION:

A motion was made by Mayor Kendall Lane that the Planning Board finds the proposed ordinances (O-2016-13, O-2016-14A, O-2016-15) dealing with Chapter 18 as amended is consistent with the Master Plan. The motion was seconded by Andrew Bohannon and carried on a 6-1 vote with Councilor Hansel voting in opposition.

A motion was made by Councilor David Richards that the Planning, Licenses and Development Committee recommend the Mayor set a public hearing date for O-2016-13, O-2016-14A, and O-2016-15. The motion was seconded by Councilor Phil Jones and was unanimously approved.

ATTACHMENTS:

Description

Ordinance O-2016-14-A

BACKGROUND:

On August 8, 2016, the Joint Planning Board / Planning, Licenses and Development Committee held a public workshop to review the proposed Ordinances O-2016-13, O-2016-14, O-2016-15 relating to the establishment of the Main Street Historic Overlay District in the area of Main Street between NH Route 101 and the intersection of Main, Winchester, and Marlboro Streets.

At this meeting, the Joint Committee made the following amendments to the proposed Ordinance - O-2016-14: Remove the word alteration from Sections 18-360(2)e and 18-360(2)f; and, replace the amount of square feet from 450 to 250 in Sections 18-360(2)b and 18-360(2)c.

A full report of the public workshop held for this proposed Ordinance at the August 8, 2016 Joint Planning Board / Planning, Licenses and Development Committee is included below:

Planner Tara Kessler was the first to address the Committee. Ms. Kessler stated the Committee has before it today three Ordinances; O-2016-13 is a proposed amendment to Chapter 102, Article XI of the City Zoning Ordinance to establish a Main Street Historic District. She stated the Committee also has before it O-2016-14 an ordinance to amend Chapter 18, Article V of the City Code which talks about building regulations and addresses the regulations within the Downtown Historic District. The proposed amendment before the

Committee is to incorporate a Main Street Historic District which would extend between the areas of Main Street from the Main/Winchester/Marlboro Street roundabout to Route 101 and would also incorporate two cul-de-sacs one at Proctor Court and the other at King Court. This is a total of about 31 acres and consist of about 52 parcels in the City. Ms. Kessler stated in 1987 an inventory was done of this area to determine if this section was eligible for listing in the National Historic Register as a Historic District. In 2012, another inventory was done of the area and it was recognized that this area had one of the most significant patterns of architectural development and was important not only in Keene but also in the State of New Hampshire.

The Council, as a result, granted the authority to the Historic District Commission to form a sub-committee to research and develop a proposed ordinance to establish an historic district in this area. This sub-committee has met since 2014 through early 2016. Their meetings were open to the public, they held two public workshops and gathered input from the public, and they did extensive research of the history of this area and looked at other similar ordinances. Ms. Kessler stated the sub-committee has prepared a draft ordinance which was reviewed and approved by the Historic District Commission to send on to the City Council for first reading. Today's public workshop is to address this ordinance and to hear from the public.

Ms. Kessler went on to say that there are 52 parcels in this district, the uses are mostly residential and this is considered an overlay district and hence won't impact the underlying base zoning – office, low density and high density, so it would be a layer on top of what already exists here today. She indicated there is currently a downtown historic district which extends north of the roundabout to approximately Mechanic Street. There are different types of activities in this district that are regulated as opposed to what is being proposed for this new district. When the sub-committee looked at this new district, they thought about the activities that would have the most impact on the historic streetscape of this area. Ms. Kessler stated eight activities were identified and these are listed on page 14 of the staff report and are as follows:

- a. Construction of a new primary structure
- b. Construction of a new accessory structure that exceeds 250 square feet in gross floor area or exceeds 5% of the gross floor area of the existing primary structure, whichever is greater
- c. Additions to an existing primary structure that exceed 250 square feet in gross floor area or exceed 5% of the gross floor area of the existing primary structure, whichever is greater

Ms. Kessler explained the first three activities address new structures, accessory structures or additions to a home and in a situation such as that, an applicant would need to go before the existing Historic District Commission and have their proposal reviewed.

- d. Alteration to rooflines, including roof features, on buildings or structures designated as a Contributing Resource

Ms. Kessler stated currently in the downtown district there are contributing resources and non-contributing resources. A Contributing Resource is defined as a building or structure in the district that is greater than fifty years old and that contributes to the district's sense of historical development. If this ordinance was to be approved, for instance if someone was going to make a change to the roofline, the item would go before the Historic District Commission for approval

- e. Alteration, addition, or removal of window openings on buildings or structures designated as a Contributing Resource
- f. Alteration, addition or removal of doorways or entrances on buildings or structures designated as a Contributing Resource

If someone was to put in a new window opening, moving or closing up a window opening approval from the Historic District Commission would be required and same would be true for a doorway.

- g. Painting of previously unpainted brick, stone masonry or concrete on buildings or structures designated as a Contributing or Non-Contributing Resource
- h. Relocation, demolition, or partial demolition of buildings or structures designated as a contributing Resource

Ms. Kessler stated it is important to note that anything that is not visible from the public way would be exempt from this ordinance. She added one important thing to note is that this ordinance does not propose to regulate color, material or site features; it is only the significant activities which were mentioned.

As to whether this ordinance is consistent with the City's Master Plan - In particular, it is stated on page 54 of the Master Plan that the historic scenic gateways of the downtown "Court Street, Washington Street, and the south end of Main Street all boast an abundance of historic homes and buildings that should be protected to preserve the character of these individual neighborhoods" and that "each of these areas should become a local historic district, a National Register District, or both."

Further, page 55 of the Master Plan states "Historic preservation should also be further integrated into other local land-use and building regulations. Potential impact on historical and cultural resources needs to be taken into account in decisions about economic development, building permits and compliance, infrastructure, land-use planning, and housing."

This concluded Ms. Kessler's comments.

Chair Spykman went on to explain how the Joint Committee works and how today's process was going to work. He indicated the Body present today is the Joint Committee of the City's Planning Board and Planning, Licenses and Development Committee. The Joint Committee consists of City Councilors and members of the Planning Board. Planning Board members are non-elected volunteers appointed by the Mayor and approved by the City Council. The Planning Board also consists of the Mayor and one City Councilor. The PLD Committee consists of City Councilors. He indicated the purpose of this public workshop is different for the Planning Board and the Planning, Licenses and Development (PLD) Committee.

The Planning Board has one mission tonight and that is to recommend as to whether the proposed ordinances are in compliance with the Comprehensive Master Plan. The PLD Committee's goal is to decide whether to recommend the Mayor set a public hearing before the City Council. Councilor Jones added even if the Planning Board votes this ordinance is not in compliance with the Master Plan and the PLD Committee does not recommend setting a public hearing, the ordinance would still go before the City Council. Councilor Jones asked Ms. Kessler to read to him the first three sentences of the Master Plan previously referred to:

"Court Street, Washington Street, and the south end of Main Street all boast an abundance of historic homes and buildings that should be protected to preserve the character of these individual neighborhoods" and that "Each of these areas should become a local historic district, a National Register District, or both."

Ms. Weeks asked whether all 52 properties would be considered "contributing resources". Ms. Kessler stated the Historic District Commission has yet to rank those resources as contributing or non-contributing, and added if this district was to be adopted then staff would rely on the historic inventory produced in 2012 and the ranking system developed for the downtown historic district to determine that. Ms. Weeks asked for a ballpark figure. Ms. Kessler felt it was too early to determine this but added the inventory done in 2012 determined most of the resources were "contributing resources".

Mr. Stout asked whether property owners will be permitted to comment on whether their property was a contributing resource or a non-contributing resource. Ms. Kessler deferred to the Planning Director. Mr. Lamb stated the public is invited to this process and will be made aware of the list and added this would be the task of the Historic District Commission who would make the public aware of the list so they could comment on it. Mr. Stout asked if this ordinance gets adopted what the City can expect from Keene State College which is a State

institution. Ms. Kessler stated as a state educational institution they are not required to adhere to the regulations but noted the Committee has a letter from President Ann Huot expressing her commitment to Keene's architectural history and design and the college's commitment to maintain this streetscape.

Councilor Sutherland noted that there are a number of streets omitted from this ordinance such as Elliot Street, Adams Street, Gates Street, Baker Street, Appleton Street but does include just Proctor Court. Ms. Kessler stated there are also two properties on King Court and added it has to do with the historic development of Main Street and which properties primarily front Main Street. Mr. Lamb stated the initial committee did this work and added in these lines but the Council has the purview to change those lines. Councilor Sutherland noted the properties on King Court can be seen from Main Street but that is not the case with those other non-Main Street properties.

Councilor Chadbourne asked, currently if a property owner living in this area wanted to change the roof line on their property whether there was a process they have to go through. Ms. Kessler stated they would need a building permit; if they were a single or two-family they would not have to go before the Planning Board but if it was a commercial property, they may need to seek additional approval. The Councilor asked if this ordinance was passed how taxes would impact those properties in this new district. Ms. Kessler stated this is a difficult question to answer; what the district is doing is instituting regulations for certain activities for review by the Historic District Commission. She wasn't sure whether this review process would have any impact on taxes. Chair Spykman stated directly there will be no impact for these properties to be located in this district.

Ms. Weeks asked how many of the 52 properties are owner occupied. Ms. Kessler stated she did not have this information but 25 of the properties are single or two family properties, ten are commercial properties of these ten there is one five-unit residential property. This is also excluding 13 buildings owned by Keene State College.

Councilor Sutherland noted the Historic District Commission is an appointed body and asked how the review process would go forward should this ordinance be adopted. Ms. Kessler stated currently there is a seven-member Historic District Commission and this group is nominated by the Mayor and appointed by the Council. If this ordinance was to be adopted one Historic District Commission would be maintained which would review both the Downtown Historic District and the proposed Main Street Historic District. The Councilor clarified that no-one from the Planning Board, the PLD Committee or the Historic District Commission own properties within this area where the City is trying to impose these regulations. Ms. Kessler stated she did not have that information.

Councilor Hansel asked whether the criteria and the ranking system will be generated by the Historic District Commission and then be approved by the Council. Ms. Kessler stated, the Historic District Commission by State Statute has the ability to develop their own ranking system. Mr. Lamb with reference to the ranking system stated this is a unique feature of Keene in the downtown district and because of how successful it has been, it has been carried over in the administration of the proposed district. The purpose of this ranking system is to establish different criteria based on the historic character of a building. Mr. Lamb used as comparison the UCC Church at Central Square which is an iconic building versus the Cumberland Farms gas station.

Councilor Hansel clarified that unlike the Zoning Board or the Planning Board which use regulations which are regulated by the City Council, whether the Historic District Commission was the only quasi-judicial process that does not have that oversight. Ms. Kessler stated the Planning Board has its own set of development standards that it adopts on its own. However, the zoning ordinance does go before the City Council. Ms. Kessler added the City Council will ultimately be voting on the boundaries for the district and what activities will be regulated. She stated this is the reason the Joint Committee has before it Chapter 18, Article V of the City Code which would usually not come before the Joint Committee as it outlines what activities will be regulated. If the ordinance was to be adopted, the regulations being implemented by the Historic District Commission would then have to comply with these City Codes.

Councilor Sutherland stated there seems to be a different set of criteria for the Downtown Historic District versus what is going to be implemented for Main Street and asked whether there was reasoning for this. Ms. Kessler stated the current Downtown Historic District treats residential and commercial in the same way; there are fewer residential uses in the current Downtown Historic District compared to the proposed Main Street District. The list of activities in the Downtown Historic District go into much more detail and there are more of them compared to what is being proposed for the Main Street District. The sub-committee heard from the public about over regulation and the more onerous process put on homeowners. Hence they took the current 21 activities in the Downtown Historic District and narrowed it down to eight activities in the proposed district.

Councilor Chadbourne referred to a situation of certain property owners on Baker Street who had gone before the Planning Board for an exception to the driveway code and they were turned down. At which point they went before the Council for reconsideration which superseded the Planning Board's decision. The Councilor asked if the City was to institute an ordinance whether property owners would have any recourse. Ms. Kessler stated they can appeal to the Zoning Board of Adjustment and if that should fail they also have the opportunity to go before the Superior Court.

Chair Spykman clarified the Historic District Commission is regulated by State Regulations. Ms. Kessler agreed but added it also needs the authority of the Council. The Chair clarified this is not a concept Keene decided to come up as a concept and there are enabling regulations at the State level. Ms. Kessler agreed and added under this ordinance if someone was to submit an application to the Planning Board, the Planning Board will schedule a public hearing, produce a staff report and letters to abutters will be sent. At the meeting, the public will be invited to comment and the Historic District Commission will review the application based on the regulations it has.

Councilor Sutherland asked why the City was looking at Lower Main Street and not Washington Street and Court Street. Ms. Kessler stated it is the intent to look at all the areas based on their historic significance. The reason for starting with this area is probably because the inventory done in 2012 has this area having the highest historic significance. The Councilor clarified the intent would then be to extend this type of district from the downtown to the hospital on Court Street and from the downtown to perhaps the Recreation Center and felt it would be prudent for other property owners to pay attention to what is going on now. Ms. Kessler stated this was the desire from the community as identified in the Master Plan in 2010 but it has been six years since that Master Plan was adopted. Mr. Lamb stated that this is a concept that was in place even before 2010, when it was put in place by the Heritage Commission.

Councilor Sutherland asked what the penalties would be to a property owner if they don't comply with these ordinances. Mr. Lamb stated the penalties are defined by RSA 675 and subsequent chapters which authorizes the City to issue notices of violation and if those violations are not adhered to, the City has the ability to issue fines. He added the City's practice rarely gets to a fine; the City tries very hard to work with the landowner to bring the project under compliance. He added \$275 per day.

Chair Spykman opened the session up to public comment next.

Anita Carroll Weldon, member of the HDC and Chair of the sub-committee addressed the Committee first. Ms. Carroll Weldon stated the sub-committee reviewed standards for 17 towns and cities and narrowed them down to five and reviewed their standards. In reviewing these standards we found many elements were regulated, some up to about 30. Such as paint color, fences, pavement, light fixtures etc. Before the ordinance was drafted these findings were presented at a public forum on 5/15/15. The public raised issues such as restriction and burden of cost. As a result the sub-committee reduced the activities down to eight as explained by Ms. Kessler.

Ms. Carroll Weldon stated the proposed ordinance is a minimum protection which could be provided for the neighborhood character and the historic defining features. She added all existing conditions will be grandfathered and there will be no review on standard maintenance. This ordinance does not prevent change but

provides for some control over change in the area.

Ms. Carroll Weldon then referred to some slides and explained before there were any policies in place to protect historic structures, Keene lost more historic architecture than most towns have ever had. The first was a slide showing the Lawrence Colony House on West Street which is now the Dunkin Donuts site. The next is the Cook House on West Street which is now the Peoples Bank on West Street. The third is the Adams House on Main Street which is now the nursing home on Main Street. Once these buildings are lost they cannot be replaced. Ms. Carroll Weldon stated the Comprehensive Master Plan the drafting of which lasted over a span of two years shows the community's preference for historic preservation and protecting this area of Main Street.

Ms. Joslin Kimball Frank read the following statement for the record:

Good evening, my name is Joslin Kimball Frank and I live in Keene's downtown, addressed the Joint Committee next. She is also a member of the sub-committee. The sub-committee was appointed from the Heritage & Downtown Historic District Commissions who worked diligently to draw up an ordinance for a second historic district that would not be overly burdensome to the residents and that would assure lower Main Street continued to be an attractive gateway to our city.

However, even before we began our work we became aware of opposition from some of the Main Street residents.

We were challenged and on one occasion were directed to resign from this assignment. When we responded that we would not do that – that there were others in the city that were in favor of the historic district, we were told that they would defeat us when it came up before the City Council.

I hope that is not what the outcome will be.

We care about the district and about those who reside there. We've listened to them and responded to their concerns wherever possible. In that regard, I'd like to speak specifically of four items.

The First Item - The residents voiced concerns about issues that they felt should be addressed – traffic speed, difficulty of pedestrians crossing, unruly behavior. While those items were not in our purview, we agreed that they should be addressed and will ask the City Council to take remedial action.

The Second Item – The residents expressed opposition to the burden of excessive regulations and to additional costs they would incur to meet the standards. Many historic districts have as many as 35-40 specific regulations. We whittled our number for this district down to eight items.

Most of the districts also required replacement of specific materials when making repairs or renovations. These could be costly to the homeowners. We have crafted an ordinance which will preserve the basic elements of these fine homes that define the era and style of the buildings themselves. We do not mandate the materials for roofing or siding, or the type of replacement windows or doors.

The Third Item – the role of the college. Many of the Main Street residents questioned why they should be beholden to the regulations of an historic district if Keene State were exempt from these. The Keene Sentinel echoed this same refrain in an editorial of May last year.

In early June 2015, the FPHK, which I chair, held its annual meeting and invited President Anne Huot to speak about her thoughts as the College looked to its future, and specifically – in light of the ordinance being drafted for a second historic district on lower Main Street whether she envisioned any further development in this area. Dr. Huot stated that KSC had no plans to acquire other Main Street buildings.

I followed up with a letter to President Huot this past spring on behalf of the Foundation. I summarized the

work of the Ordinance subcommittee and explained that the issue which had engendered great concern was the exemption of KSC from adherence to such an ordinance.

In a conversation of a little more than a week ago, I was told by Dan Petree, the Interim Vice President, that the college held several lengthy discussions on this topic and concluded that the state statutes precluded them from entering into a formal agreement – although as you will hear [or have heard] the college is very supportive of the architectural heritage of Keene.

While this was disappointing news, we hope it will still be possible for the city and the college [the Mayor and the President] to continue the conversation and to enter into a binding agreement between the two entities with respect to the lower Main Street historic district.

The Fourth Item – without an ordinance, the looming threat. KSC provides student housing for 50% of its students. Without an ordinance, one possibility might come from a builder who sees an opportunity to make a profit; purchases several buildings and demolishes them. In its place, he builds a four or five story dormitory for several hundred students, next door to one of Main Street's fine historic houses and the unraveling of this beautiful historic entryway to Keene will begin.

Thank you for your attention.

Ms. Juliana Bergeron of 410 Main Street, Keene began by thanking the City for noticing abutters regarding this workshop. She stated she appreciates that the criteria has been reduced to eight activities but questioned what exactly the city is trying to avoid in this area and why this cannot be handled by proper zoning and building codes. Ms. Bergeron stated the neighborhood still is not aware as to how many properties will be affected by this ordinance.

Ms. Bergeron stated the majority of people who live on Main Street are opposed to this ordinance and have attended many meetings and have written many letters about their opposition. She noted the Committee showed images of what the houses looked like and what they look like right now and added the houses the property owners own on Main Street look they were they are right now when they were purchased. She stated she knows of already two people who have already moved out because of this proposed change and one of those properties now houses college students.

Ms. Bergeron referred to Alexandria, VA where something similar was put in place but that city did not “divide and conquer” their city; they were not discriminatory. How that city handled this issue is that any property over a certain age in the community belonged to the Historic District and they have done a nice job preserving their community. She felt something like that would make this more palatable.

Mr. John Therriault of 76 Bradford Road was the next speaker. Mr. Therriault began by referring to page 121 of the Master Plan under the heading of Master Plan Implementation, sub-heading of Scheduling and Revisiting where it talks about revising this plan every five to seven years. Mr. Therriault felt it was time to update this Plan and get the community's input.

Mr. Therriault stated a district that places even one restriction on a homeowner equates to taking freedom from that homeowner. He stated we live in a country that has a constitution and laws that protect life, liberty and the pursuit of happiness. It's always been said pursuit of happiness equals property rights and when there is a taking of those rights without adequate adjustment then the city has violated those rights this country stands for.

Mr. Therriault went on to say because of the extended district from Central Square to Route 101, which encompasses much public property, ie, Keene State property and the Wyman Tavern which is part of the Historical Society; there is already quite a foundation and did not feel it was necessary to extend this to the rest of the property owners.

Councilor Jan Manwaring, Councilor for Ward 1 stated one of the aspects that surprises her is that there are no public members on this sub-committee and questioned the reasons for that. Ms. Kessler stated the State Statute indicates members on such a sub-committee must be members from the Historic District Commission with an option to include members from the Heritage Commission should a municipality have such a Body.

Mr. Conan Salada of 132 Kennedy Drive questioned how many members of the sub-committee live in Keene and live in the district or the proposed district. He also questioned how many City Councilors and members of the Joint Committee live in this district and the proposed district.

Mr. Salada indicated to the Mayor that he had heard on the radio today about a Committee being created to conduct a study of the effect of ordinances that exist in the City of Keene. Mr. Lamb stated Mr. Salada is probably referring to the Landuse Code Update Committee which was put in place by the Mayor's Office. There is a public input meeting of this body coming up on September 6th and there will be monthly Committee meetings. Mr. Salada asked whether this group will be looking at ordinances such as this one. Mr. Lamb stated this Committee will look at everything including the Historic District process, regulations and the expansion of the district. Mr. Salada stated he would like it noted the reason people are leaving this area or why businesses are not coming to this area is because of a district such as the one being proposed.

As far as changes made to the amendment, Mr. Salada questioned whether changes are being made today. Chair Spykman stated the Committee will take public comment and can always propose changes. Mr. Salada stated he would like to suggest an amendment and that all Council members, Joint Committee members and Historic District Commission members who vote in favor of this ordinance; that their properties be added to this District.

Mr. Lamb, in response to the composition of the sub-committee question which was raised, stated Chapter 2 of the City Code require members of any City Committee, with the exception of a handful of Committees, be residents of the City of Keene. In the current Historic District Commission there are two members who live in the district. Mr. Salada stated this is better than what he expected and asked the others be added to the district as well.

Ms. Mariah Temple of 114 Jordan Road was the next speaker. Ms. Temple stated her property is clearly not part of Main Street but she is part of the Keene community and has always treasured the feel of Keene and its response to historic buildings in the City and the community does as well.

Ms. Temple referred to community goals and asked whether these still exist. Mr. Lamb stated community goals are now referred to as community vision. Ms. Temple stated the Master Plan, which took quite a long time to put together, were the result of these community goals. She noted there is a strong call in this Plan to preserve the feel of our past so it connects us to who we are and where we are going. Hence, it is important to everyone who lives in this community as to what happens on our Main Street. She stated the community cares about the visual beauty of our community and that needs to be preserved.

Mr. Peter Hansel of 61 Bradford Road stated he wanted to respond to a comment about businesses not wanting to come to Keene because of this type of process we are going through. Mr. Hansel stated his company used to be located in Harrisville where the entire town was going through this process. He stated he does not compare Keene to Harrisville but there are portions of Keene that need to be preserved, Main Street being one of the first areas being developed and qualifies for that. Mr. Hansel stated there are always people who are going to oppose this type of change but if this is not done now, Keene will come to a point of regret very soon.

Mr. Hansel stated we can see what is happening in other parts of Keene where large buildings are going up to house students all under the guise of free enterprise and property ownership; this does have value, but the rest of the community has concerns about what's going on, especially on Main Street which is a key gateway into

the City.

Mr. Bob Lyle of 383 Main Street stated he is happy to see all the support for the historic homes on Main Street. Mr. Lyle stated he went door-to-door of this area to perform a survey based on the map provided by the City. Twelve buildings belong to Keene State College, they are in the process of selling one of the buildings to the Historical Society. Three buildings belong to the Historical Society, 18 are owner occupied, 10 are rental buildings (owner does not live in the building), and eight commercial buildings. He felt Keene State College and commercial occupy the vast amount of the properties in this district.

Mr. Lyle went on to say he is very impressed with the work the new President is doing but Keene State College recently constructed a five-story building immediately behind the Wyman Tavern and felt if Keene State was interested in preserving the street scape they need to start doing more.

Mr. Lyle went on to say this ordinance would reduce property value contrary to what has already been said. He explained if a property owner has to go through two Boards in order to make a change to a house, but there is another home where a property owner has to go through just one Board to obtain approval, it is easy to figure out which home a property owner would likely want to own. Houses without restrictions are easier to sell than houses with restrictions.

People on Main Street pay the same amount in taxes as others do and did not feel it was fair to require property owners on Main Street to be asked to carry this extra burden because the rest of Keene wants to City to “look pretty”. He asked that compensation be computed for these property owners for this extra tax on Main Street.

Councilor Steve Hooper, Councilor for Ward 1 stated he has a lot of respect for the history of a community. He stated what concerns him the most is that a good part of Main Street is occupied by Keene State College. The Councilor referred to the list of fees which a homeowner on Main Street would now have to pay but not Keene State College and felt it should be worked out in a way it would be fair to all parties. He felt Keene State College needs to “step up” and have something more binding.

Mr. Nathan Roar of 389 Main Street was the next speaker. Mr. Roar stated he was in support of preserving Main Street but did not feel what is being proposed is the way to do it. He felt firstly what needs to be done is that Main Street not be used as a highway and, secondly, he gets awakened every night because the pot holes on Main Street which are yet to be fixed.

He stated he supports not demolishing the remaining historic structures and turning them into businesses but this ordinance does not do that as that kind of change would require City approval.

Mr. Roarke stated he would like to propose an amendment to Section 18-360, item 2 – Alteration and felt this was a very broad word and needs to be changed. Mr. Roarke also felt until contributing resources are defined this ordinance cannot be passed. He thanked Mr. Lyle for collecting the necessary signatures and felt this is work the City should have done before going this far into the process. Mr. Roarke thanked the people who are trying to protect the Historic District but felt some of the items are too far reaching. He felt the issue is the rental properties on Main Street and the City is targeting the wrong people with this.

Ms. Elizabeth Sayre of 219 Main Street began by thanking the comments that have already been made. She expressed concern about some of the broad statements that have been made about people living in this district who have made threatening allegations and does not recall hearing that from any of her neighbors. She expressed disappointed that such a broad stroke was used regarding the neighborhood.

Ms. Sayre stated she is in agreement about preserving historic homes in the City but as Councilor Sutherland pointed out there seems to be one set of rules for one particular neighborhood versus another. She felt it would be in the best interest of the City to develop criteria for “historic homes” in the City which won’t feel

discriminatory, which she indicated is not the intent of the City but it does feel that way.

Ms. Sayre clarified from staff whether the ranking system is created after the ordinance is passed. Ms. Kessler stated that the Downtown Historic District already has a ranking system and the question is whether the same would also be used for this proposed district and the existing criteria was established by the Historic District Commission. Ms. Sayre asked what this Commission's expertise was. Ms. Kessler stated the Commission has hired consultants who have expertise in this area. Some members of the Commission also have expertise in the area of historic districts. Mr. Lamb added the membership today has an architect, a preservation carpenter, and a historian; there are individuals on this Commission who can do this type of work.

Ms. Sayre stated there is a difference between a resident in a home and a homeowner in this neighborhood, and the homeowners appear to be the ones who would have the most impact. She questioned whether there would be one permit for the Historic District Commission which would be required and another for the Planning Board, which she felt would add to the burden of cost.

Ms. Kessler stated the Historic District Commission would be the Body required to review an application; currently the fee an applicant incurs is for legal notice which is \$9 and notice to abutters at \$3.77 per abutter. Ms. Sayre asked whether this is a cost a homeowner would have to incur in any other neighborhood in Keene. Mr. Lamb stated if it is a building permit, then the cost is only for a building permit. If Historic District Commission review is required, this would be an additional cost. Mr. Lamb added if it is not a single- or two-family home, the application would require Planning Board approval as well. Chair Spykman added there are other processes which would require similar permits, such as subdividing a lot, which also has a fee associated to it, and did not feel this is unique to the Historic District.

Ms. Sayre stated however, when someone subdivides a lot it is mostly because they want to sell the second lot. In this instance if someone wishes to change their front door, it now becomes a cost of a permit fee to the homeowner. She went on to say if the City wishes to put in place a Historic Overlay District it should be for all historic homes in the City.

Mr. Ken Stewart of 11 Algonquin Drive stated his experience has been how much people appreciate the economic vitality of our downtown and felt there is an economic argument for preserving the historic values of downtown streets like Court Street, Washington Street and Main Street.

Mr. Stewart asked what economic impact this might have on people who are living in areas that are designated as historic districts. He indicated he had come across a study done by the Advisory Council on Historic Preservation which is a Federal Agency. The study indicates, for instance, homes in the Historic District in Philadelphia commanded a premium of 22.5% increase of comparable properties not in historic districts (this study was done in 2010).

Little Rock, Arkansas properties in the historic district carried a value of nearly \$31,000 more than properties not in the historic district (this study was done in 2006).

Louisville, Kentucky properties in the historic district carried a value of \$59,000 - \$67,000 more than properties not in the historic district (this study was done in 2009).

Marilee Rouillard of 358 Main Street was the next speaker. Ms. Rouillard stated the Master Plan is a guide; it is something that you wish for. However, once you start putting regulations on them it starts affecting people's lives. She added an ordinary resident does not understand regulations and it can become over-whelming.

Ms. Rouillard stated she loves Main Street and keeps her home to the best of her ability and felt instead of placing regulations, residents should be thanked for taking care of their homes and at times for taking care of City property. Ms. Rouillard stated when she wants to make a change to her property if she needs to obtain a

permit, hire experts in the field to assist her; it places a financial strain on the residents. She felt these types of regulations are just being placed on a few residents, the rest don't seem to be affected. She also noted the cost and time being spent on drafting such regulations and did not feel there was going to be another West Street and Main Street because there are zoning regulations in place to prevent that from happening. Ms. Rouillard stated she also takes offense to being told she lives on lower Main Street where there are gas stations; she lives in the gateway.

Ms. Shawna Nash of 132 Kennedy Drive asked whether there has been any voluntary feedback sought from residents regarding this onerous process being placed on the residents on Main Street. Mr. Lamb stated nothing as such has been done but this is part of the process being undertaken for the landuse code update which includes the Historic District and the public will be invited to be part of this process.

Ms. Nash agreed she doesn't live downtown but does visit and work in the downtown. However, felt it was egregious to place these regulations on residents in this area. Ms. Nash encouraged people who live outside this district to move downtown and contribute to it rather than place this burden on people who live downtown.

Ms. Louise Zerba, Chair the Heritage Commission as well as a member of the sub-committee addressed the Joint Committee next. Ms. Zerba read the following for the record:

The Heritage Commission began working on the establishment of this district many years ago when it began to inventory the buildings in the proposed district. I would like to think that another 200+ years from now, people looking at our history will say weren't the forefathers at that time far-reaching in trying to help the community they lived in. Those homeowners any years go who lived to the west of Main Street at a town meeting agreed to move their front property lines on the west side of Main Street 4 rods or 66 feet to the left to widen the street. This broad, straight central street represents the first settlement created in Keene in 1736. We have a beautiful entry to our city with distinctive residences and educational buildings, many of them brick, brick that was made in the Mill Pond area to the west of Main Street.

Thinking back to the downtown historic district. Our city was very fortunate that we had people like Jack Dugan and Dan Scully who, when renovating the Sears and Woolworth buildings, made sure that the new facades looked to the history and architecture of our city and constructed buildings of which we are rightly proud. With the establishment of this downtown district our buildings will continue to reflect who we are and where we have been as we move to the future.

The Committee who helped draw up this final draft now before you tried to make it the least difficult and least cumbersome without added expense by focusing on major changes that would affect the visible appearance of the properties along the Main Street.

Had a Main Street Historic District been in effect when Westwood was built, Westwood might look like the Woodward Home or Prospect Place or even have kept some of the architectural features that existed when it was owned Dr. Charles G. Adams who once lived at that site, similar in appearance to what is now the Newcombe home on the corner of Elliot and Main Streets and not the building that currently exists.

I really hope that we can reach some compromise so that our front door, our main entry will continue to reflect our pride in our past and show to all those traveling up or down our lovely Main Street that we care about our community and its appearance. I thank all the homeowners who have been diligent in preserving the beauty of their distinctive properties and hope we can all find a way to support the establishment of this district.

The next to address the Committee was Jeananne Farrar of 59 School Street who stated as follows:
One of the clear statements of principles of the Smart Growth movement is to foster distinctive attractive places with a Sense of Place.

According to a nationally known author and speaker, Donovan Rypkema, who is the Principal of PlaceEconomics, “if a community did nothing but protect its historic neighborhoods, it will advance every Smart Growth principle. Historic preservation is Smart Growth.”

People develop a sense of place through time share, shared experiences and stories (history) that help to connect place and people and to transmit feelings of place from generation to generation.

I have lived in Keene for 80 years of my life. My sense of place is firmly rooted in our Main Street, its neighborhood, and the people, places and institutions that have helped to shape my life. Born in the White Mountains of New Hampshire, raised in the Monadnock Region, and schooled in the Upper Valley. I look for the iconic landscape and landmarks in every one of those places when I visit them.

Our historic home has been lived in by the Farrar family for 73 years. It is a great old house built in 1842 by Ebenezer Clark, his homestead on the east side of School Street. We value the hard work he put in to building this place. I have researched the residents who have lived here and we have completed the inventory of the land and buildings.

As a young bride and mother I was fascinated with all I began to learn about “our old house”. People often stop and ask about it. They admire the field of blue in the springtime and bring their children to photograph them in the midst of the blue sky, planted initially by Bob’s grandfather.

The little round porch on the northwest side of the house, the artful masonry and slate designs on the roof never fail to attract pedestrians. They stop on their walks to stare at the beauty and character of the place and visit with anyone who happens to be around.

By the same token, I do my share as I’m sure many others do, of looking at and appreciating the beautiful homes in other areas of the city and especially our south Main Street neighborhood which is so steeped in history. It is not only a gateway to our city but the bedrock of the settlement of this community.

One of my favorite early morning walks used to be from School Street down to the Route 101 intersection. Broad sidewalks, wide setbacks, fabulous homes and architecture were everywhere. A wonderful start to a new day. Detours through the college campus and around Brick Mill Pond were usually quiet and very pleasant.

We are so privileged to be stewards of these great old homes and so fortunate to be living in them. Stewardship defined is the careful and responsible management of something entrusted to one’s care whether the natural or the built environment.

We’ve tried to be good stewards of our historic home which will be 175 years old next year. The comfortable home our family has grown up in for five generations is where the family has found comfort and shelter. We care about historic preservation and all that it entails so that many of these magnificent homes will also be here for future generations to enjoy.

I thank you and hope that many of the questions being put forth tonight have reasonable answers.

Ms. Farrar felt she was responsible for what is before the Committee today because in 2000 she visited the Planning Department to look at possibilities for placing her own home in a historic district. She indicated the historic regulations are governed by RSA Section 674. Ms. Farrar did not feel it was about making things difficult for people. She felt stewardship was an important piece of historic preservation and we should be privileged to take care of them as they won’t be built again as we don’t have the craftsmanship, material or finances to build them.

Ms. Vicky Morton of 275 Water Street stated while the intent of this historic district complies with the Master

Plan she urged the Committee not to move forward with it as it causes an economic disadvantage for residents living in the area. Ms. Morton stated if this ordinance is going to be put into effect it should not be for one particular neighborhood, it should be City-wide.

Ms. Morton went on to say she talks about this issue because of what is being proposed for Marlboro Street – her home is in its vicinity. She talked about Chair Spykman's home being located across from her home and felt if the Marlboro Street overlay project is approved there might be things Chair Spykman could do with his home which Ms. Morton won't be able to do with her's. This is similar to what is being proposed for Main Street; there will be further restrictions for homes on the east side compared to those on the west side – restrictions are going over and beyond.

Ms. Morton mentioned the eight items that are going to be approved and suggested items e. f. and g. be eliminated. She felt property owners should be able to paint their homes if they chose to do so without seeking approval from others. Once those three are eliminated, you are now down to zoning and building. She talked about a situation in their neighborhood where clapboards were coming apart and it took over 20 months to work with the City to rectify this situation and during this time period if she was to sell her home, she would have taken a loss. She felt what happens in a neighborhood has an economic impact on one another and does understand that concept but to keep adding more and more restrictions especially in one part of the City is not fair. Ms. Morton felt if the City was going to place restrictions such as these, it should be for the entire City. She urged the City not to go forward with this.

Mr. Peter Hartz of 12 Brook Street stated as much as he appreciates the current property owners concerns they seem to have missed the point in that we are just custodians in the properties we live in or own. He referred to the various historic homes in the City and questioned what would have happened if some of these homes were not preserved by the prior owners. He agreed what someone does in your neighborhood affects your property value and the ordinance before the Committee today is intended to protect property values and preserve an important piece of an historic area for future generations. Mr. Hartz noted the Master Plan is a collective effort which is important to the City and asked the Committee to keep that in mind.

Mr. Robert Farrar of 59 School Street addressed the Committee next and stated rules are made to protect most of the people from few of the people. This historic district is to protect the homes in that district which is an important part of the City. This has no reflection on the home-owners per say right now; it is for the long-term. He agreed City taxes are high; his home is higher than most homes and his home is not located in a Historic District. Mr. Farrar stated he does not agree to the whole City concept as the entire city is not in the historic district. He felt this ordinance will make things fit in this and it won't put any problems on conscientious homeowners.

Mr. Farrar stated people live in this area because they like the area and did not feel these few rules should matter. He noted if the City did not have the reassessment they had on lower Main Street when Route 101 was constructed it wouldn't be the way it is today; it stopped DOT cold.

Main Street is an area of great historic recognition and we can't lose sight of that. He felt should this ordinance move down to Washington Street and Court Street that would be a great idea as well. He asked the Committee to move forward with this ordinance.

Mr. David Hinderaker of 409 Main Street addressed the Committee next. Mr. Hinderaker stated he appreciated the comments from his neighbors and stated he has confidence in his neighbors to maintain their home. He stated he is perplexed about the zoning laws as they exist and never envisioned a shopping mall or a high-rise apartment complex being built in this area.

Mr. Hinderaker felt this ordinance could have an opposite effect than what it is intended to create. He talked about the home he owns being in disrepair before he purchased it and did not feel this ordinance could have

protected that and did not feel if this ordinance was in place the realtor or the developer would have done the necessary work this house required because it would have been considered to be too arduous. He added if this ordinance was in place it is unlikely he would have purchased his home.

Mr. Salada of Kennedy Drive addressed the Committee again and stated he has heard the comments made so far and what he has heard is property rights on one side and aesthetic value on the opposite side. He felt property rights should prevail. He felt those who want to preserve these homes should pool their money and purchase these homes and felt having to put up with their ideals is not appropriate. He stated he is concerned this community has to protect its property rights. Mr. Salada felt if it was up to a few people this entire City would be turned into a historic district and felt that would not be the best option for this community. Property owners should be allowed to do what they want to do with their properties, in some instances it would be sad but no-one should have the right to prevent that.

Chair Spykman read into the record a letter from the Historical Society of Cheshire County:

The following motion was approved by the Board of the Historical Society of Cheshire County on March 17, 2014. "The Historical Society of Cheshire County recognizes the significance of Lower Main Street and encourages efforts to preserve the historic character of this area"

The next letter is from President Anne Huot, Keene State College:

The National Trust for Historic Preservation has recognized City of Keene New Hampshire as one of America's distinctive destinations and noted the significance of its architectural detail and strong commitment to historic preservation. Keene State College partners with the City and recognizes and values the distinction this brings to the quality of life in Keene and the attraction it holds for all those who live in and visit this City.

Over the years, Keene State College has demonstrated its appreciation for the distinguishing features of the City through the treatment of property within the Historic District and beyond. The construction of the 2009 Barry Alumni Center preserved the façade of one of Keene's quintessential New England residences. The college holds the greatest appreciation for the variety of architectural elements and historic periods as represented in the Hale Buildings, President's residence and the former Elliot Hospital. In the case of Elliot Hall, the mural work is of Keene's own Barry Faulkner.

Keene State College commends the work of the Keene Heritage Commission in its efforts to identify and preserve Keene's most important architectural asset.

The third letter is from James Putnam, 168 Court Street:

Thank you for the opportunity to comment on the Historic District's recommendation to establish a Main Street Historic District. I am strongly in favor of this recommendation and hope you will recommend it to the City Council.

The Heritage Commission and the Historic District Commission with the help of City staff have done an excellent job of following through with the Master Plan's mandate to "protect and preserve the character" of lower Main Street by having it becoming a "local historic district". They are to be congratulated on their open process and hard work.

90 years ago Barry Faulkner called upon the citizens of Keene to plan carefully and take action to preserve "the well planned streets of Keene and our handsome buildings". Faulkner's talk attached continues to be an inspiration piece that supports and validates the work of the Heritage Commission and Historic District Commission and is a good guide for the Joint Committee. Today we can look back with pride at the way recent generations have carried on the tradition of careful planning in Keene. We can see the results of the existing Historic District and other improvements along Main Street. Now it is our turn to take charge so that future generations will benefit from the beauty of Main Street, the historic gateway to the center of Keene.

Establishment of the Main Street Historic District as recommended by the Historic District Commission is the next logical step.

Councilor Jones stated he was all for historic preservation and talked about the taking down of Penn Station for construction of Madison Square Garden. Penn Station is now a finished basement under Madison Square Garden. However, stated when this item comes to the PLD Committee level he will be requesting from staff for the goals to be a little more specific and what tools are available to achieve those goals, using the Management 101 process.

The Councilor referred to Page 20 of 51, Section 102-1381: Purpose/Intent. The six items listed here are to benefit the City; there is nothing listed here to benefit the property owner.

Councilor Jones offered the following motion: Page 26, Section Sec. 18-364. - Application procedures, (1) e. Payment of an application fee established by city council and felt the burden should not be placed on the property when all the benefit is to the City. The Councilor felt the language should read as City Council shall not establish an application fee. The motion was seconded by Councilor Hansel.

Chair Spykman asked whether this motion would be voted on just by the PLD Committee. The Mayor stated it would be a vote on by the entire Body.

Ms. Weeks asked staff for the fees that pertain to the current Historic District. Mr. Lamb stated at the moment there is no fee for the existing Historic District, but there is a fee for the notice, legal ad, and the fee per abutter. Ms. Weeks asked who would then absorb this cost. Mr. Lamb stated currently the applicant pays this fee but if there was an elimination of these basic fees, the City would then pick up the cost. It is a requirement in the statute that a legal notice be provided and abutters are notified. Chair Spykman felt the motion made by Councilor Jones would not apply to these fees as the motion referred to an application fee which does not exist right now. Mr. Lamb stated there has never been a distinction made between an application fee and other fee requirements and felt it should be lumped into one category. Councilor Jones stated the intent of the motion is for all fees.

Mr. Lamb suggested this language City Council shall not establish an application fee or notice fee.

Ms. Weeks clarified this does not apply to a building permit. The Chair agreed it does not.

Mayor Lane asked whether he understands the motion to be that there would be no fees for the existing historic district and the proposed Main Street District. He stated this is an all-inclusive document (in a section that applies to the existing district and the proposed district) and hence would apply to both districts. Ms. Kessler agreed it would.

Councilor Hansel stated he does not disagree with the intent of the motion but would like to have an average cost for these applications. He felt depending on the number of applications, the City could be incurring thousands of dollars in fees. Chair Spykman for a rough estimate if you were to take the 52 properties, it would be \$35 times 52 properties. Chair Richards stated it also affects the existing district which would add to the cost.

Ms. Weeks asked whether this amendment could be delayed until the City Council considered this item so staff would have a better answer. Councilor Jones stated whether it is one dollar or a thousand dollars, nowhere in the intent section does it say it benefits the property owner, it is all about benefiting the City. Hence, it should be the City absorbing the costs. It is not about the amount, it about the concept behind it.

Mr. Barrett referred to the intent section on page 20, item (6) Promoting the use of historic districts for the education, prosperity, and general welfare of the community. He felt the residents in the proposed district would

be included in the community and would benefit from what is mentioned here as well.

Mr. Stout stated whether this ordinance is consistent with the Master Plan is totally different question and did not see a reason to delay the Joint Committee's vote and did not feel the Joint Committee should weigh in on the compliance issue. Councilor Hansel stated he had no issue voting on this amendment as it can always be amended at the PLD Committee, but with the instruction to staff to bring in those numbers for the next time this item is reviewed.

Mayor Lane stated the Joint Committee needs to be careful how it proceeds; the Joint Committee was set up with the sole purpose of amending ordinances prior to the public hearing. If the Joint Committee delays amending this ordinance until it goes before the PLD Committee, which is after the public hearing the PLD will amend the ordinance and the matter will come back through the process to be considered again. He stated if someone wants to make amendments, it should probably be done here and now prior to the public hearing. The Chair agreed.

Councilor Chadbourne stated when this meeting started the explanation that was provided to the PLD Committee was that the vote from the PLD Committee was not necessarily whether they supported this item or not – it was about recommending the Mayor schedule a public hearing. Even if the Committee voted against recommending a public hearing, the matter would still go forward to a public hearing. She stated she viewed today more as a workshop and is confused about the amendment issue being made tonight.

Mr. Lamb stated the issue is what ordinance the Joint Committee wants to put forward to a public hearing. Amendments are certainly appropriate and he agrees with the Mayor. He stated if the Joint Committee wishes to get more information about the amendment it could continue this workshop until staff gets them an answer, or move it forward and an answer could be provided at Council level. He stated there are about 190 properties in the existing Historic District and about three to four applications per month.

The motion to amend the language on Page 26, Section Sec. 18-364: - City Council shall not establish an application fee failed on a 4-8 vote with Councilor Hansel, Councilor Richards, Councilor Jones and Chair Spykman voting in favor

A motion was made by Councilor Sutherland that the Joint Committee continue this workshop.

He stated there are a number of items that still need answers; such as extending the boundary to Court Street and Washington Street and the number of additional properties that would include. He further stated a number of properties affected by this ordinance are multi-unit properties and some of these homes on Main Street are large homes. He felt at times to keep up with rising costs the prudent thing to do would be to divide their homes into multi-unit properties and this amendment would only further exacerbate that and is something the City should be considering as well.

The motion made by Councilor Sutherland died for a lack of second.

Mayor Lane stated he has heard a lot of comment today both in favor and against this ordinance. What he has not heard is discussion as to whether this ordinance is consistent with the Master Plan or not. He stated he has also not heard discussion about whether any of the eight restrictions being proposed, and how it would adversely impact a property owner, which leaves him to determine whether this ordinance is consistent with the Master Plan or not. He felt it was consistent with the Master Plan.

Mr. Stout stated he agrees with the Mayor in that this ordinance is consistent with the Master Plan.

Councilor Hansel stated in regards to the Master Plan the plan does say a historic district is preferred, however, it does not stipulate this proposed historic district or these proposed regulations are consistent. The Master

Plan also has some content which would conflict with some of the proposed regulations.

Councilor Hansel noted page 67 of the Master Plan indicates the City should strive for energy efficiency in all its buildings. However, the proposed regulations with reference alterations for window openings is considered a contributing resource and is subject to review. Councilor Hansel explained a house on Main Street which has a large window and the homeowner wishes to replace this window for energy efficiency. To be able to do this they would have to go through an additional review process, order a window to fit in with the proper regulated size which could not necessarily make a homeowner want to make changes to their homes for energy efficiency.

Page 105 of the Master Plan talked about clear rules and regulations with easy to understand timelines would be useful for those who wish to invest in the community. The Master Plan also calls for simplicity and clarity in the process. Councilor Hansel felt this overlay district does not provide simplicity or clarity. He felt the City should be streamlining its regulations not making them burdensome to residents. Councilor Hansel stated he rather see these kinds of concerns addressed in the landuse code update and maybe looking at a different form of landuse regulations that takes “forms” into account which seems to be one of the issues the City is trying to address. The Councilor did not feel the proposed ordinance complies with the intent of the Master Plan

A motion was made by Councilor Hansel to remove sections e. and f which state as follows:

e. Alteration, addition, or removal of window openings on buildings or structures designated as a Contributing Resource;

f. Alteration, addition or removal of doorways or entrances on buildings or structures designated as a Contributing Resource;

The motion was seconded Nathaniel Stout.

Mr. Stout stated if there was an instance for a homeowner to come before the Historic District Commission for approval they might find an alternative they didn’t know about, which might benefit a homeowner. Mr. Stout stated there is no restriction being placed about replacing a window, they are being asked to obtain advice before anything is done.

Mr. Lamb stated e. and f. do not refer to replacing a window or a door, they refer to altering the size of the opening, removing the opening and putting in a wall. If someone is simply replacing a window or door there is no review requirement. Councilor Hansel stated his contention is these additional restrictions have the potential to add cost.

Chair Spykman talked about the home he lives in which was built in the early 1800’s and when he purchased the home in the 90’s it probably had 40 years of neglect and delayed maintenance. He replaced these windows with affordable vinyl windows and the same was true for the doors. He indicated he is looking at the work he did and if it was to be done in the Historic District whether there would be restrictions placed on them and couldn’t find anything that would have impact on the major work he has done. He felt a major modification, changing the character of a building is what would bring a building to the level of the proposed regulations. Chair Richards talked about a door he had to alter in his home. He stated he has no problem supporting the amendment because it talks about alteration. He indicated he made his door wider because it was too narrow to bring in an appliance of any sort. If he was in the Historic District he would have had to go through this approval process.

Councilor Sutherland asked for clarification on the term “alteration” and asked about what Councilor Hansel said regarding replacing windows versus the alteration Chair Richards was referring to. Mr. Lamb explained the way in which this is written does not require any review for replacement of windows. It does require review if the size of the opening changes and if window/door opening is removed or added. The Councilor asked about the definition of “contributing resource”. Mr. Lamb explained the term “alteration” and referred to page 21 and noted in this instance it refers solely to a door or window not any other alteration of a building. A “contributing resource” would be a building which has not had a substantial amount of alteration, it already had a historic

character. He indicated for example the Westwood Home would not be a contributing resource.

The motion made by Councilor Hansel to delete items e. and f. failed on a 5-6 vote with Councilor Hansel, Councilor Chadbourne, Councilor Sutherland, Councilor Jones, Chair Richards voting in favor.

Mayor Lane noted if the members of the PLD Committee voted in favor of this motion which would mean when this matter goes before PLD after the public hearing, the amendment will be approved and process will start all over again.

Mayor Kendall Lane moved for reconsideration. The motion was seconded by George Hansel.

Ms. Weeks stated she does not understand what a motion for reconsideration means and felt that motion was done too quickly. Chair Spykman stated if the motion meets the Roberts Rules of Order the motion needs to be moved forward.

The motion made by the Mayor for reconsideration carried on a 7-4 vote with Councilor Hansel, Councilor Chadbourne, Councilor Sutherland, Councilor Jones, Chair Richards, Mayor Lane and Andrew Bohannon voting in favor.

Councilor Jones spoke to the motion made by Councilor Hansel which was reconsidered. He indicated if all the PLD members are in favor of that motion, and if PLD votes to amend the ordinance as a result, the ordinance is going to have to come back to the Joint Committee and felt the Joint Committee is avoiding a step by approving this amendment.

Mr. Stout stated this was one of the most confusing meetings he as ever attended; the Planning Board members are being asked to weigh in on a PLD matter and he has never seen a Joint Committee meeting where one body is voting against the other and that is because the Planning Board is not going to weigh in on the PLD Committee criteria. He felt the Planning Board should be asked to vote on whether this ordinance is consistent with the Master Plan and that should be the only item they should be asked to weigh in on. Mr. Lamb stated all the Joint Committee is doing is amending the ordinance. Chair Spykman felt removing these two items will “gut” this ordinance in its entirety. Councilor Hansel stated he finds these two items in conflict with the Master Plan and the city is trying to achieve energy efficiency in all its buildings and these two restrictions will inhibit that.

Ms. Weeks asked whether the two bodies could take two separate votes. Chair Spykman stated they cannot.

A motion was made by Mayor Kendall Lane to amend the amendment to retain items e. and f. but to delete the term “alteration”. The motion was seconded by Gary Spykman.

Mr. Barrett stated he understands the intent but this would mean anything other than completely removing a window or door will not fall under this; if someone was to replace a 2’ x 2’ window with a picture window it would not be covered by this item and felt this goes against the character of this district. Mr. Lamb referred to the definition for “alteration” as outlined on Page 21, Alteration, as applied to a building or structure, means a change or rearrangement in the structural parts, or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another. He stated Mr. Barrett is correct in that, based on the amendment, a dimensional change to a window for instance will not come under the review process. Councilor Jones felt the Mayor’s amendment was a good compromise. Councilor Hansel stated this does not accomplish what he intended and could bring back the original amendment at the PLD Committee if the Committee chose to do so.

The motion made by Mayor Lane to amend the amendment to retain items e. and f. but delete the term “alteration” carried on a 6-5 vote with Mayor Lane, Gary Spykman, Councilor Richards, Councilor Jones, Andrew Bohannon and Christine Weeks voting in favor.

The amendment reads as follows for items e. and f.

e. Addition, or removal of window openings on buildings or structures designated as a Contributing Resource;

f. Addition or removal of doorways or entrances on buildings or structures designated as a Contributing Resource; carried on an 8-3 vote with Douglas Barrett, Nathaniel Stout and Gary Spykman voting in opposition.

A motion was made by Councilor Sutherland on page 21, item b. to change 250 square feet to 450 square feet, to now read as follows:

b. Construction of a new accessory structure that exceeds 450 square feet in gross floor area or exceeds 5% of the gross floor area of the existing primary structure, whichever is greater;

Councilor Sutherland indicated a typical two-garage is approximately 400 square feet and a Ford F-350 is 20 feet in length.

The motion was seconded by Gary Spykman.

The Mayor stated there was previous discussion about whether a structure can be seen from a public way. Mr. Lamb stated if it cannot be seen from a public way, the change to that structure would not fall under the review process. Mr. Stout asked what if only a portion of the structure can be seen from the public way. Mr. Lamb stated it would then be regulated. He added the 250 sq. ft. threshold was the Committee's number and not staff's number, and staff is in agreement with this change.

The motion carried on a 10-1 vote with Douglas Barrett voting in opposition.

Councilor Jones noted making such amendments is common practice and putting amendments in place before an item goes to a public hearing is always preferred.

A motion was made by Mayor Kendall Lane that the Planning Board finds this proposed ordinance (O-2016-13, O-2016-14-A, O-2016-15) dealing with Chapter 18 as amended is consistent with the Master Plan. The motion was seconded by Andrew Bohannon and carried on a 6-1 vote with Councilor Hansel voting in opposition.

A motion was made by David Richards that the Planning Licenses and Development Committee recommend the Mayor set a public hearing on this proposed ordinance. The motion was seconded by Phil Jones.

Councilor Chadbourne for the benefit of the public stated voting for a public hearing is not a vote for or against this issue; it is just to move the item forward.

The motion made by David Richards was unanimously approved.

AN ORDINANCE RELATING TO THE MAIN STREET HISTORIC OVERLAY DISTRICT

That Chapter 18 Article V of the Code of Ordinances, City of Keene, New Hampshire is hereby amended to incorporate the Main Street Historic Overlay District. Said amendments appear as underlined text, which represents text to be added to the existing Code, and text that is stricken out, which represents text to be removed from the existing Code. The amended Article reads as follows:

ARTICLE V. - HISTORIC DISTRICTS

DIVISION 1. - ESTABLISHMENT OF HISTORIC DISTRICT

Sec. 18-350. - Purpose.

The purpose of this article is to amend the ordinances of the City of Keene to create ~~a downtown~~ historic districts in accordance with RSA 674:46; to create an historic district commission pursuant to RSA 673:1; and to provide the rules, regulations and procedures applicable to the historic districts consistent with RSA 674:46-a.

Sec. 18-351. - Application.

The requirements of this article shall apply in addition to the requirements of the zoning ordinance, other applicable city ordinances, and state law.

Sec. 18-352. - Boundaries.

There are two historic districts in the City of Keene – the Downtown Historic District and the Main Street Historic District. Incorporated as part of this article, are the downtown historic overlay district map and the Main Street historic overlay district map as described in section 102-13601382 of the zoning ordinance.

Sec. 18-353. - Permitted uses.

Uses permitted in the underlying zoning districts are permitted in the historic districts.

Sec. 18-354. - Definitions.

The following words, terms, and phrases shall govern the article:

Alteration, as applied to a building or structure, means a change or rearrangement in the structural parts, or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Architectural feature shall mean the architectural style, design, detail, and general arrangement of outer surfaces of a building or structure that represent a time or region and that, if altered or removed, would affect the character of the external appearance of the building or structure. Examples of "architectural features" include but are not limited to the kind and texture of building materials and the type of and style of windows, doors, lights, cornices, roofs, porticos, and other fixtures appurtenant to such features.

Building shall mean any structure or part thereof used or intended for supporting or sheltering any use or occupancy.

Certificate of appropriateness (COA) shall mean a written authorization by the Historic District Commission to the owners of a building, structure or site within the historic district, allowing the owner to conduct any of the regulated activities set forth in section 18-360 of this article.

Contributing resource shall mean any building, structure, or site which contributes to the overall historic and architectural significance of the historic district and was present during the period of historic significance but which possesses some diminishment of significance due to alterations, disturbances, or other changes to the building, structure, or site. Said diminishment of significance to the district is not so substantial as to prevent the building, structure or site from possessing historic and architectural integrity reflecting the character of that time or being capable of yielding important information about the historically significant period. Qualities of the building, structure, or site which contribute to the overall historic and architectural significance of the historic district include but are not limited to setback, massing, height, materials, architectural features, and/or fenestration.

Economic hardship shall mean quantifiable or verifiable expenditures or fiscal loss that is unreasonable for the property owner to bear under the circumstances.

Erect means to construct, reconstruct, excavate, fill, drain, or conduct physical operations of any kind in preparation for or in pursuance of construction or reconstruction, or to move a building or structure upon a lot.

Facade shall mean the front of a building or any of its sides facing a public way or public place.

Improvement shall mean upgrading or elevating the quality or condition of a building, structure, or site.

Incompatible resource shall mean a building, structure or site with no historic or architectural integrity and with setback, massing, height, materials, and/or fenestration that detract from the character of the historic district.

Noncontributing resource shall mean any building, structure, or site which does not contribute to the overall historic or architectural significance of the historic district due to alterations, disturbances, or other changes to said building, structure, or site, and therefore no longer possesses historic or architectural integrity, or was not present during the period of historic significance, or is incapable of yielding important information about that period. The building, structure, or site may have qualities which do not detract from the overall character of the historic district including but not limited to setback, massing, height, and materials.

Ordinary maintenance and repair shall mean work done to prevent deterioration, decay or damage to a building, structure, or site, or any part thereof, by restoring the building, structure, or site as nearly as practicable to its condition prior to such deterioration, decay, or damage.

Person shall mean any natural person, firm, partnership, association, corporation, company, organization, or other legal entity.

Primary resource shall mean any building, structure, or site which contributes to the overall historic and architectural significance of the historic district and was present during the period of historic significance and possesses historic and architectural integrity with little or no diminishment in value reflecting the character of that time or is capable of yielding important information about the historically significant

period. Qualities of the building, structure, or site which contribute to the overall historic and architectural significance of the historic district include but are not limited to setback, massing, height, materials, architectural features and/or fenestration.

Structural instability/safety hardship shall mean that the building or structure is structurally unsound, or deteriorated such that demolition is required for public health or safety as determined by the code enforcement officer.

Surrounding shall mean the prevailing character as represented by primary and contributing resources within the historic district.

Sec. 18-355. - Reserved.

DIVISION 2. - HISTORIC DISTRICT COMMISSION

Note - The provisions governing the establishment of the Historic District Commission and its purposes and powers and duties are set forth in Chapter 2, Administration, Article V, Boards and Commission, Division 18, Historic District Commission.

Secs. 18-356—18-358. - Reserved.

DIVISION 3. - HISTORIC DISTRICT REVIEW

Sec. 18-359. - Scope of review.

It shall be unlawful for any person to perform any of the activities set forth in section 18-360 within the historic districts without first obtaining a certificate of appropriateness in the manner prescribed in this article, the historic district regulations, and state law. The Historic District Commission may adopt rules and procedures for the review and approval by administrative official of applications for a certificate of appropriateness for minor projects as defined in the historic district regulations, provided, however, that no application may be denied without formal action by the Historic District Commission.

Sec. 18-360. - Activities requiring certificates of appropriateness.

The activities that require certificates of appropriateness vary between the City of Keene's two historic districts. The following activities shall require a certificate of appropriateness whether or not such activity requires the issuance of a permit. These activities are organized by historic district.

(1) Downtown Historic District

- a. Erection, construction, alteration, relocation, or demolition of a building or structure;
- b. Erection, construction, alteration or relocation of any architectural feature of a building or structure that is visible from a public way or other public place;
- c. Installation of new paving (excluding maintenance of existing paved areas);
- d. Removal of a tree(s) in excess of 15 inches in diameter at a height of four feet above grade, except where removal of such tree(s) is necessary for safety reasons as determined by a professional arborist or other qualified professional;
- e. Removal of stone wall(s), granite post(s), iron fence(s) or any portion thereof;
- f. Addition or alteration of existing exterior siding (e.g. vinyl, aluminum, stucco, wood, glass, etc.) of a building or structure;
- g. Painting in part or whole of a brick, stone, masonry, or concrete building or structure;

- h. Chemical or physical treatment to the exterior of a building, (including paint removal) such as sandblasting or abrasive cleaning;
- i. Installation of a bulk container, a waste storage container, a container pad, and/or screening of a container if visible from a public way; and
- j. Installation of a satellite dish and/or telecommunications facilities on an existing building, structure or site if visible from a public way.

(2) Main Street Historic District

- a. Construction of a new primary structure;
- b. Construction of a new accessory structure that exceeds 2450 square feet in gross floor area or exceeds 5% of the gross floor area of the existing primary structure, whichever is greater;
- c. Additions to an existing primary structure that exceed 2450 square feet in gross floor area or exceed 5% of the gross floor area of the existing primary structure, whichever is greater;
- d. Alteration to rooflines, including roof features, on buildings or structures designated as a Contributing Resource;
- e. ~~Alteration, a~~Addition or removal of window openings on buildings or structures designated as a Contributing Resource;
- f. ~~Alteration, a~~Addition or removal of doorways or entrances on buildings or structures designated as a Contributing Resource;
- g. Painting of previously unpainted brick, stone masonry or concrete on buildings or structures designated as a Contributing or Non-Contributing Resource; and
- h. Relocation, demolition, or partial demolition of buildings or structures designated as a Contributing Resource.

Sec. 18-361. - ~~Exception to certificate requirement.~~ Activities that do not require a Certificate of Appropriateness

The following activities shall not require a certificate of appropriateness from the historic district commission: These activities are organized by historic district.

(1) Downtown Historic District

- a. Any work or alteration to an existing building, structure or site that is not visible from a public street, way, park or other public place;
- b. Ordinary maintenance and repair of any building structure or site;
- c. Ordinary maintenance and repair of any architectural feature which does not involve a change in the design, dimensions, or materials of the feature or involve removal thereof;
- d. Painting or repainting of a wood surface and/or an already painted brick, stone, masonry, or concrete building or structure;
- e. Alteration or replacement of any existing roof covering or surface, provided that said alteration or replacement is with the same material, ~~the same~~ patterns and colors of the existing roof covering or surface and provided the roof plane remains the same; and
- f. Installation or replacement of storm doors and storm windows provided that the original architectural features are not altered, removed or demolished.

(2) Main Street Historic District

- a. Any work or alteration to an existing building, structure or site that is not visible from a public street, way, park or other public place.
- b. Any activity not included on the list of activities in Section 18-360 (2) of this Ordinance.

Sec. 18-362. - Review criteria.

The purposes of this article and the following criteria shall be used in making a determination on an application for a certificate of appropriateness, and in promulgating regulations to govern a regulated activity: These criteria are organized by historic district.

(1) Downtown Historic District

- a. The historical, architectural, or cultural value of the building, structure or site, and its relationship and contribution to the setting as evidenced by the ranking of the building, structure, or site in the resource ranking list; ~~as evidenced by the ranking of the building, structure or site in the resource ranking list.~~
- b. The compatibility of the proposed design, arrangement, texture, materials, and architectural features with the existing building(s) or structure(s) at the site and its setting, or if new construction, compatibility with buildings or structures immediately adjacent to the site;
- c. The scale and general size of building(s) or structure(s) in relationship to existing building(s) and structure(s) at the site and immediately adjacent thereto, including consideration of such factors as the overall height, and width of the building(s) or structure(s), street frontage, number of stories, roof type, facade openings, and architectural features; and
- d. The land upon which the building(s) or structure(s) are situated, including off-street parking, screening, landscaping, fencing, vehicle driveways, on-site walkways, sidewalks, lighting, and other factors which might affect the visual character of the building or structure.

(2) Main Street Historic District

- a. The historical, architectural, or cultural value of the building or structure, and its relationship and contribution to the setting as evidenced by the ranking of the building or structure in the resource ranking list;
- b. The compatibility of the proposed design, arrangement, and architectural features with the existing building(s) or structure(s) at the site, or if new construction, compatibility with buildings or structures adjacent to the site; and
- c. If new construction, the scale and general size of building(s) or structure(s) in relationship to existing building(s) and structure(s) at the site and adjacent thereto, including consideration of such factors as the overall height, and width of the building(s) or structure(s), street frontage, number of stories, roofline, facade openings, and architectural features.

Sec. 18-363. - Review of demolition or relocation of buildings and structures.

In determining whether to issue a certificate of appropriateness to demolish all or part of a building or structure, the historic district commission shall use the following criteria:

- (1) For buildings and structures designated as a primary resource or contributing resource, the applicant shall submit concept plans for the re-use of the site after demolition including elevations of any new construction and shall demonstrate ~~E~~economic hardship or structural instability/safety hardship.

Demolition requests based on structural instability/safety hardship must include a technical report prepared by an architect or professional engineer registered in the State of New Hampshire which demonstrates that the building or structure presents a risk to public health, safety and welfare.

- (2) For buildings and structures designated as a noncontributing resource or incompatible resource, the applicant must submit concept plans for the re-use of the site after demolition including elevations of any new construction and demonstrate that the concept plans for the site will be

compatible with the historic, architectural, and cultural values of buildings and structures immediately adjacent to the site.

- (3) Appeals relative to the designation of a building, structure or site on the resource ranking list, or relative to a historic district commission action on an application to demolish a building shall be as set forth in section 18-366.

DIVISION 4. - APPLICATION AND ADMINISTRATION

Sec. 18-364. - Application procedures.

The following application and review procedures shall be followed by the applicant and the historic district commission.

- (1) The applicant for a certificate of appropriateness shall make written application to the historic district commission through the planning department. The applicant shall provide:
 - a. A completed application form signed by the owner or owner's representative;
 - b. A narrative description of the activity requiring a certificate of appropriateness;
 - c. Graphic materials of sufficient clarity and detail that the commission will have a clear understanding of what the applicant intends to do;
 - d. A complete list of abutters;
 - e. Payment of an application fee established by city council, as may be amended from time to time; and
 - f. Any site plans, building plans, building elevations, perspective sketches, photographs, and/or building materials samples as the historic district commission may reasonably require.
- (2) The historic district commission shall conduct a public hearing on the application and issue a certificate of appropriateness, conditional certificate of appropriateness, or disapproval of a certificate of appropriateness within 45 days of the receipt of an application deemed complete by the commission unless the applicant agrees in writing to a longer time period.
- (3) Written notice of the time and place of the public hearing shall be given to each abutting property owner by First Class mail.
- (4) Written notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the city and shall be posted in at least two public places.
- (5) In the case of a minor project as defined in the historic district commission regulations, a public hearing shall not be required.

Sec. 18-365. - Findings.

At the conclusion of its review, the historic district commission shall issue one of the following:

- (1) Certificate of appropriateness/conditional certificate of appropriateness.
 - a. If, in the opinion of a majority of the commission members present and voting, the applicant's proposal meets the purposes of this article and ~~satisfies~~ the historic district regulations, then the historic district commission shall issue a certificate of appropriateness signed by the chairperson of the historic district commission or his/her delegate, together with any changes, conditions and/or stipulations necessary to secure the public health, safety and general welfare.
 - b. After the issuance of this certificate, the code enforcement department may issue any building, demolition or other permit for the approved project subject to approval of any other necessary board.

(2) Notice of disapproval of certificate of appropriateness.

- a. If, in the opinion of the majority of the commission members present and voting, the applicant's proposal does not meet the purposes of this article and does not satisfy the historic district regulations, then the historic district commission shall issue a notice of disapproval in writing together with the reasons for such decision signed by the chairperson of the historic district commission or his/her designee.
- b. The issuance of a notice of disapproval shall prohibit the code enforcement department from issuing a building permit, demolition permit or other permit.
- c. If the applicant's proposal is denied, the applicant is encouraged to make modifications to the proposed plan that meet the purposes of this article and satisfy the historic district regulations and shall have the right to resubmit the application at any time after so doing.

Sec. 18-366. - Appeals.

- (a) Any persons aggrieved by a decision of the historic district commission shall have the right to appeal that decision to the zoning board of adjustment in accordance with RSA 677:2 et seq. A motion for rehearing must be filed within 30 days after the decision is rendered and must specify every possible ground upon which it is claimed that the decision is unlawful or unreasonable. The 30 days shall be counted in calendar days and shall start on the day of the decision.
- (b) The zoning board of adjustment shall either grant or deny the motion for rehearing, or suspend the order or decision complained of pending further consideration. If the zoning board of adjustment grants the motion for rehearing, it shall conduct the rehearing in accordance with its rules of procedure, as may be amended from time to time, and RSA 677:2 et seq.
- (c) Any persons aggrieved by a decision of the zoning board of adjustment relative to a motion for rehearing may appeal, by petition, to the Cheshire County Superior Court in accordance with RSA 677:4 within 30 days after the date upon which the zoning board of adjustment rendered its decision. The petition shall set forth that such decision of the zoning board of adjustment is unlawful or unreasonable, in whole or part, and shall specify the grounds upon which the decision is claimed to be unlawful or unreasonable.
- (d) Pursuant to RSA 677:5, any hearing by the Cheshire County Superior Court upon appeal shall be given priority on the court calendar.

Sec. 18-367. - Enforcement.

The historic district commission is responsible, for administering the ordinance and regulations within the historic districts. The provisions of the historic district ordinance shall be enforced through traditional zoning enforcement mechanisms as set forth in section 102-6 of the zoning ordinance and RSA 676.



City of Keene, N.H.
Transmittal Form

August 29, 2016

TO: Mayor and Keene City Council

FROM: Elizabeth Brown, Staff - ad hoc Drug Addiction Solutions Committee

ITEM: F.2.

SUBJECT: Final Report - Drug Addiction Solutions Committee

ATTACHMENTS:

Description

Final Report

BACKGROUND:

This is the final report from the ad hoc Drug Addiction Solutions Committee, which was established on September 17, 2015. The charge of the Committee was to act as a public forum for private and public agencies engaged in the prevention, combating and treatment of drug addiction, heroin addiction and substance abuse in order to inform, to problem solve, and to coordinate initiatives intended for the prevention and treatment of addictions.

**Ad Hoc Committee on Drug Addiction Solutions
2016
Committee's Final Report
August 18, 2016**

Overview

In recent years, New Hampshire has seen an unprecedented increase in substance abuse among its citizens, especially heroin and fentanyl use. The City of Keene has not been immune to this trend. In the past four years, emergency service calls for overdoses have nearly tripled. Drug-related deaths have also increased at an alarming rate. The current epidemic has devastating effects on the lives of individuals and their families, but also poses a significant threat to the local economy, the efficient deployment of city services, and the overall health of our community.

In the spring of 2014, the city council voted in favor of requesting that Mayor Kendall Lane appoint an Ad-Hoc Committee on Drug Addiction Solutions to investigate the current epidemic, identify gaps in current resources, support ongoing collaborative efforts, and present a list of recommendations to the Keene City Council.

The main goal and accomplishment of the task force was the bringing together a broad representation of stakeholders from the community to identify gaps and to raise awareness about current resources. Grandparents, parents, concerned citizens, medical professionals, teachers, school nurses, substance abuse counselors, state representatives and local public officials explored solutions for reducing the burden (economic, physical, social and emotional) of substance misuse.

Over the past year, the committee:

- Met monthly and facilitated coordination and collaborative efforts among many community stakeholder groups
- Facilitated dialog and presentations from experts in the areas of addiction treatment, recovery, and prevention.
- Created work groups to focus on education and legislative initiatives.
- Conducted an impact feasibility survey to analyze and evaluate potential action steps/recommendations

Ad Hoc Committee Members

- Randy Filiault (Co-Chair)
- Terry Clark (Co-Chair)
- Jan Manwaring
- James Duffy
- Brian Costa
- Mark Howard
- Kate McNally
- Eli Rivera
- George Hansel
- Robert Malay
- Alison Welsh
- Mary Drew
- Jessica White
- Dave Pence
- Marylouise Alther
- Deb Parker
- Natalie Neilson
- Amelie Gooding
- Kevin Holfelner
- Jeanne Leclerc
- Michelle Morrow, Ph.D.
- Christopher Coates
- Jennifer Whitehead
- Christopher McLaughlin
- Jose Montero, M.D.
- John Manning

Official Charge

Commission Charge: To act as a public forum for private and public agencies engaged in the prevention, combating, and treatment of drug addiction, heroin addiction, and substance abuse, in order to inform, to problem solve, and to coordinate initiatives intended for the prevention and treatment of addiction.

Scope of the Problem

In 2012, the Keene Fire Department responded to sixteen (16) overdose calls and administered a reversal drug (Narcan) twenty (20) times. In 2015, Keene Fire personnel responded to forty (40) overdose calls; and issued Narcan a total of seventy two (72) times. Through July 2016, the Keene Fire Department has responded to forty seven (47) drug overdose calls for service and has administered Narcan ninety (90) times.

In 2012, the Keene Police Department investigated two (2) overdose deaths resulting from opioids, namely heroin and fentanyl. In 2013, the number of drug overdose deaths elevated to nine (9). There were seven (7) overdose deaths in 2014, four (4) deaths in 2015 and (3) in the first half of 2016. To paint a clearer perspective, Keene experienced twenty-one (21) drug overdose deaths in the twelve-year period between 2000-2011. Over the past four and one half years, our city has experienced a total of twenty-five (25) overdose deaths.

The committee also recognized, but did not calculate, effects of substance abuse on other city services, as well as the impacts to local businesses and our workforce.

Exemplary Community Initiatives

Several promising initiatives and resources have recently developed (or expanded) in our region. Many of the committee members have been intimately involved in these collaborative efforts, and believe them worthy of highlighting in hopes they garner continued community support:

Cheshire County Addiction Assisted Recovery Initiative (ChAARI):

The Cheshire County Addiction Assisted Recovery Initiative (ChAARI) is a component of the Coordinated Access Point Program (CAPP), a pilot program created to address the current opioid epidemic. The initiative provides a single point of contact for individuals who want to begin treatment to recover from their addiction. Recovery Coaches are the foundation of the ChAARI program and serve as the single point of contact. Recovery Coaches guides the individual through obstacles and challenges as they work toward their goals. Those seeking, and ready, for help with substance use can call a 24/7 Helpline at 1.844.604.7878. The Coordinated Access Point Program is a pilot program of Southwestern Community Services that was also created to address the current opioid epidemic. This program augments the ongoing work of the many state, regional, and local entities striving to make a difference and save lives. Both of these programs are examples of what can be accomplished when all stakeholders come together and work to create positive influence regarding very complex community issues, such as the current opioid epidemic.

The Keene Serenity Center:

The Serenity Center on Carpenter Street in Keene has recently expanded (both physically and in the amount of programming) to play a larger role in recovery peer support for the community. Keene Serenity Center vision is: A community that embraces recovery. The center's mission: To build a community that embraces recovery through education and social supports in a safe environment.

Heroin Anonymous:

A Heroin Anonymous group has launched to offer an outlet to local addicts and people in recovery who want to find a way out of addiction. Since June 3, a group of nearly 25 members has met every Friday from 7 to 8:30 p.m., at the Serenity Center. The meetings feature open discussions, guest speakers, and sponsors. Jessica White, founder of Keene Hates Heroin, helped Heroin Anonymous get started in Keene. One of the most effective facets of the program is it pairs a recovering heroin addict with someone who has been sober for a longer period of time for peer-to-peer support. Heroin Anonymous is a nonprofit fellowship of men and women who have found an

alternative to heroin addiction. Members' primary purpose is to stay sober and help other heroin addicts achieve sobriety.

Emma's Circle:

Emma's Circle is a support group for caregivers of children affected by parents who are addicted, in early recovery, or have been lost to addiction. The group provides a warm, welcoming environment for caregivers to share their stories with others devoting their lives to the same care of a child and building supportive relationships with each other. Meetings are held every other Tuesday at the Keene Serenity Center in Keene.

Grand Heroes:

Grand Heroes is a program for Grandparents raising Grandchildren. It is a support and sharing group, which covers topics such as legal issues, housing, finances, health, and feelings. For more information, call 762-0265.

Recovery Coach Training:

A Recovery Coach is defined as anyone interested in promoting recovery by removing barriers and obstacles to recovery and serving as a personal guide and mentor for people seeking or already in recovery. Several Recovery Coach training events have been held in Keene and more training events are planned. Recovery coaches are a vital component to the success of the recovery community and the Cheshire County Drug Court program.

Increased Narcan Training and Narcan Kit Distribution:

Through several state-led initiatives and community action, naloxone (Narcan) kits have been more widely available to law enforcement agencies, emergency rooms, community health centers and community groups. Support for continued training and access to this life-saving drug is essential to lowering the number of overdose-related deaths in our community.

Increased Distribution and Communication of Data:

In an effort to inform the public the Keene Fire Department and Keene Police Department have been releasing data on the number of suspected opiate overdose responses and the number of times Narcan is administered. These monthly updates have been widely distributed and alert the public to the depth and severity of the current epidemic.

Policy Changes and Legislation:

Several pieces of State and Federal legislation have recently been passed, or are pending, that deal specifically with increasing access to treatment and addressing substance misuse. The committee recommends tracking and advocating for this legislation, as well as suggesting future legislation that will aid in filling the gaps and implementing the recommendations included in this report.

“Tapestry of Hope” Summit:

Healthy Monadnock welcomed more than 300 attendees to the Tapestry of Hope summit on May 17, 2016 that focused on preventing and treating addiction. Johann Hari was the keynote speaker and urged the group to end the stigma associated with substance misuse and to embrace social connection as part of the solution. Healthy Monadnock has hosted several community summits to increase education and awareness of issues impacting our community health. The goal is to build community capacity to implement action strategies for change. The summits also offer an opportunity to update the community on the progress of Healthy Monadnock and share community successes.

Community Health Improvement Plan (CHIP):

The Greater Monadnock Community Health Improvement Plan (CHIP) has identified substance misuse as a priority area and created a work plan to address it. The plan measures the economic impacts of substance misuse in New Hampshire and details strategic goals and objectives for the region to address the issue.

Gaps in Current Resources

The committee identified several gaps in resources in their investigation of the issue and from the testimony of committee members and guests. This is by no means an exhaustive list, but the most striking gaps were identified:

- Lack of access to treatment for addiction
- Insufficient number of treatment professionals
 - There are few [approximately fifteen (15)] licensed alcohol and drug counselors practicing in Keene in outpatient and residential settings, as well as in private practice.
 - Licensure is essential for reimbursement and quality of care.
 - Expanded reimbursement for AOD services through Medicaid and commercial insurance has drastically increased demand for services, but treatment options have not grown at nearly the same pace.
- The following treatment types are very limited or not available in Keene:
 - Medical Detoxification
 - 28-day residential programs often have wait lists of between 1-4 weeks.
 - Residential treatment longer than (4) weeks.
 - Day treatment (also called “partial hospital”) 5hrs/day, (4) days per week.
 - Medication assisted treatment (MAT), especially buprenorphine and naltrexone injections.

- Adequate Continuum of Care
 - A system in which to properly place individuals where they will most benefit from treatment.
 - Residential treatment longer than four (4) weeks
- Insufficient capacity for alcohol and other drug outpatient services
 - Monadnock Family Services, MAPS, and Phoenix House all provide AOD services, but there are often waiting lists to receive treatment.

Recommendations

With the help of a professional facilitator, the committee generated a list of recommendations and participated in an impact feasibility study to assign scores to each based on impact and feasibility.

Highest Impact Recommendations:

- Support legislation for increased treatment, prevention, and recovery resources
- Support intervention and prevention efforts earlier with youth
- Increase access to detox facilities
- Increase resources for treatment
- Improve systems for resource allocation
- Support a continuum of care

Most Feasible Recommendations:

- Support intervention and prevention efforts earlier with youth
- Educate on the nature of addiction/combat stigma
- Develop systems for transportation
- Encourage more sober housing/transitional housing
- Develop a central hub for substance abuse/treatment information

Legislative Recommendations:

- Restore the New Hampshire Alcohol Fund
- Support permanent Medicaid Expansion
- Invest in evidence informed prevention programs
- Advance behavioral health workforce development
- Remove barriers to insurance coverage



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: I.1.

SUBJECT: Relating to the Partner City Committee

RECOMMENDATION:

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2016-16.

ATTACHMENTS:

Description

Ordinance O-2016-16

BACKGROUND:

Mr. Kopczyński stated when the Council rebuilt the Fiscal Policies it was requested the Partner City section of the fiscal policies be placed in the City Code. The City Attorney has drafted language to be able to do so.

Councilor Kahn noted the organization of the Fiscal Policies makes it much clearer the relationship for guidelines for the budget and the two motions before the Committee today would reinforce other parts of city code in a way that is meaningful. The city is now down to two pages of budget guidelines which are easier to digest both for the Council and for the public.

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

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2016-16.



CITY OF KEENE

Sixteen

In the Year of Our Lord Two Thousand and

Relating to the Partner City Committee

AN ORDINANCE

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by deleting Section 2-1097, in its entirety, and inserting the following new Section 2-1097, Functions and guidelines, to Chapter 2, Administration, Article V, Boards and Commissions, Division 20, Partner City Committee, as follows:

Sec. 2-1097 – Functions and guidelines

The functions and guidelines in this section are established for the conduct of the Partner City Committee.

- (1) The committee is authorized to conduct fundraising events to further its purpose;
- (2) The committee shall receive gifts and donations in the name of the City with prior approval of the City Council;
- (3) General Fund appropriations shall be accounted for and expended separately from donations and proceeds from fundraising activities;
- (4) Each year, if the City Council approves a General Fund appropriation, that amount shall be transferred into a distinct non-lapsing account. The Partner City Committee is authorized to spend this appropriation, as well as the donations and proceeds from fundraising activities, for activities associated with its purpose, as defined in the City Code. At year end, the balance remaining in the non-lapsing account funded by General Fund appropriations shall be reviewed by City staff. To the extent that any balance remaining exceeds the total of the two most recent appropriations, the excess shall be returned to the General Fund as surplus.
- (5) The committee shall perform such other related functions as required by the City Council or as requested by the City Manager.

 Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: I.2.

SUBJECT: Relating to Environmental Preferred Purchasing and Collaboration

RECOMMENDATION:

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2016-17.

ATTACHMENTS:

Description

Ordinance O-2016-17

BACKGROUND:

Chair Greenwald explained this item is similar to item 6 and is a change from a fiscal policy becoming an ordinance. This is regarding the Environmental Preferred Purchasing and Collaboration. The Chair clarified there are no changes. The Manager agreed.

Councilor Kahn made the following motion which was seconded by Councilor Powers:

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the adoption of Ordinance O-2016-17.



CITY OF KEENE

Sixteen

In the Year of Our Lord Two Thousand and

Relating to Environmental Preferred Purchasing and Collaboration

AN ORDINANCE

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

That the Ordinances of the City of Keene, as amended, are hereby further amended by inserting the following new Section 2-1341, Environmental Preferred Purchasing and Collaboration, to Chapter 2, Administration, Article IX, Purchasing, as follows:

Sec. 2-1341 - Environmental Preferred Purchasing and Collaboration

- (a) Environmental Preferred Purchasing. To the greatest extent possible and within budgetary constraints, the City of Keene will consider life-time costs and environmental impacts when purchasing goods and services.
 - (1) Practices will be developed, implemented, and adhered to that will reduce waste by increasing product efficiency and effectiveness.
 - (2) Products that minimize environmental impacts, toxins, pollution, and hazards to worker and community safety will be given preference to the greatest extent practicable.
 - (3) To the greatest extent possible and within budgetary constraints, the City of Keene will purchase products that:
 - a. include recycled content,
 - b. are durable and long-lasting,
 - c. conserve energy and water,
 - d. use agricultural fibers and residues,
 - e. reduce greenhouse gas emissions.
 - (4) To the greatest extent possible and within budgetary constraints, the City of Keene will incorporate green building principles and practices into the planning, design, construction, management, renovation, operation, and demolition of all City facilities.
- (b) Collaboration. The City will seek collaboration with other interested governmental entities or agencies to consolidate when possible and practicable employees, services, and the purchase of materials, supplies, and other consumables, when doing so:
 - (1) reduces duplication of effort,
 - (2) provide for the efficient and effective use of public resources, and
 - (3) conforms to budgetary parameters and remain cost competitive.

Kendall W. Lane, Mayor



City of Keene, N.H.
Transmittal Form

August 25, 2016

TO: Mayor and Keene City Council

FROM: Finance, Organization and Personnel Committee

ITEM: J.1.

SUBJECT: Relating to Approving a CDBG Application for Mamasezz

RECOMMENDATION:

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2016-30.

ATTACHMENTS:

Description

Resolution R-2016-30

BACKGROUND:

Linda Mangones of Keene Housing Authority addressed the Committee, and began by introducing Lisa Lorimer who is associated with the business and Jack Dugan from Monadnock Economic Development Corporation. Ms. Mangones stated this is a \$300,000 application for a community development block grant which they hope to submit very soon. Ms. Mangones stated this application had a public hearing last week and has had very favorable comments.

Jack Dugan from Monadnock Economic Development Corporation stated how this program works is if \$300,000 is applied in block grants the company is required to contribute at least dollar for dollar in matching funds. In this instance the company will contribute more than \$300,000 in equity into the project, which is not often seen. The company also has to agree to create at least 15 new full-time jobs in the area. Those positions in this instance will be full-time jobs paying a livable wage. Mr. Dugan stated this is a start-company but a company that comes with an impressive background. Mr. Dugan stated the company will be leasing the facility formerly used by First Course on the Railroad land.

Chair Greenwald asked whether this is a loan or a grant. Mr. Dugan explained it originates as a grant and after administrative costs and grant writing costs the \$275,000 which is left is loaned to the company. As it is paid back it goes into the revolving fund to invest with other growing companies.

Ms. Lisa Lorimer stated she owned the Vermont Bread Company in Brattleboro, Vermont. She sold that company a few years ago, went back to school earned her Master's Degree in Business and is excited about starting this venture. The food they would be preparing would be plant based food, shipped directly to a home in a cooler and when the cooler is returned, it is sanitized and recycled. These vegan meals will be shipped from Maine to Virginia. They plan to buy as much organic food locally as possible.

Chair Greenwald asked for the cost of these meals. Ms. Lorimer stated the plan is to charge \$6 to \$8 for each

entrée.

Councilor Kahn asked how many meals are shipped at a time to a household. Ms. Lorimer stated their minimum order will be \$79 (10 – 12 items per cooler). She added they also have a great kids' line. The Councilor asked how important the internet is to their business. Ms. Lorimer stated the internet is the life blood of their business; everything they do is web based. She went on to say they plan on doing a number of events in the community to introduce their business. Councilor Kahn asked whether they have formed any partnerships with the Food Co-op. Ms. Lorimer stated they have purchased many things from the Co-op but have not yet fully formed that relationship but will be doing so soon.

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

On a vote of 4-0, the Finance, Organization and Personnel Committee recommends the adoption of Resolution R-2016-30.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Sixteen

A RESOLUTION Approving a CDBG Application for Mamasezz

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

- WHEREAS, the City of Keene has stated as one of its Community Goals that the economic base of the City be diversified; and
- WHEREAS, the present national economic climate suggests there is a need for development that would provide jobs; and
- WHEREAS, The Monadnock Economic Development Corporation has been incorporated for the purpose of working to expand the economic base of the Monadnock region; and
- WHEREAS, the U. S. Department of Housing and Urban Development has established a Community Development Block Grant Program which is administered within the State of New Hampshire by the Community Development Finance Authority; and
- WHEREAS, the Community Development proposal would provide up to \$300,000 to be subgranted to Monadnock Economic Development Corporation and loaned to MamaSezz for costs needed to expand the business;

NOW, THEREFORE, BE IT RESOLVED that the City Council approve and support the City's grant application to the Community Development Finance Authority of the State of New Hampshire for an amount up to \$300,000 in Community Development Block Grant funds to be used by Monadnock Economic Development Corporation for a loan to MamaSezz for costs needed to expand the business; that the Council re-adopt the Housing and Community Development Plan and Displacement and Relocation Plan previously adopted; that the City will accept the grant if it is approved and enter into a contract with the Community Development Finance Authority; and, further, that the City Manager is authorized to execute any documents which may be necessary for the contract.

Kendall W. Lane, Mayor