



PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
Council Chambers A, Keene City Hall
April 9, 2025
6:00 PM

A. AGENDA ITEMS

1. Pathways for Keene - Request for Use of City Property - 4 on the 4th Road Race - July 4, 2025
2. Keene Pride Festival - Request for Use of City Property - Pride Festival - September 21, 2025
3. Direct Referral to Committee: Otto's Food and Drink - Request for Permission to Serve Alcohol - Sidewalk Café
4. Councilor Jones - Request for Resolution Honoring the LGBTQIA+ Community
5. Continued Discussion: Councilor Robert Williams - Policy on the Discharge of Fireworks
6. Withdrawal: Ordinance O-2024-18 - Relating to Licenses and Permits
7. Relating to Adopting the Provisions of RSA 79-E "Community Revitalization Tax Relief Incentive"
Resolution R-2025-09

B. MORE TIME ITEMS

1. Relating to Amendments to the Zoning Map - 425 Marlboro Street - Neighborhood Business to Low Density
Ordinance O-2025-07
2. Relating to Amendments to the Land Development Code, Feather Signs in Industrial Districts
Ordinance O-2025-08
3. Relating to the Land Development Code, Single-Family Parking Requirements
Ordinance O-2025-09

NON PUBLIC SESSION

ADJOURNMENT

**Pathways for Keene, Inc
P. O. Box 226
Keene, New Hampshire 03431**

Mayor Jay Kahn
Keene City Council
City Of Keene
3 Washington Street
Keene, New Hampshire 03431

To the Honorable Mayor Kahn and City Councilors:

Pathways for Keene requests a license to hold our 23rd Annual 4 on the 4th Road Race on July 4, 2025. The course will be the same as in previous years with walkers beginning at 7:30AM and the runners leaving at 8:00AM. It is a fun morning for all.

The money raised returns to the City of Keene: this year to the Transportation Heritage Trail towards the installation of the Prowse Bridge over Route #101.

Thank you for your consideration.

Sincerely

A handwritten signature in black ink, appearing to read "Janelle Sartorio". The signature is fluid and cursive, written over the printed name.

Janelle Sartorio
President

January 31, 2025



The Honorable Mayor and City Council
Keene City Hall
3 Washington St.
Keene, NH 03431
Re: 2024 Keene Pride

3/5/25

Dear Honorable Mayor Jay Kahn and City Council Members,

After the incredible success of Keene Pride Fest., we would like to continue the annual tradition for 2025. Keene Pride Week will take place between 9/13/25 and 9/21/25. We are requesting use of city property on Sunday 9/21/24 for Keene Pride Fest.

The week-long pride event will culminate on Sunday September 21, 2025 with a “block party” from 12pm – 7pm which will include entertainment, food, and local vendors. For this day, we request from the City:

- Close the street surrounding Central Square
- Close Roxbury Street from Central Square to the Green Energy Solutions building
- Close Main Street from Railroad Square to Central Square
- Close Railroad Street from Main Street to Wells Street
- Reserve the use of Railroad Square for festival use
- Request proper barriers from Public Works Department to provide adequate safety
- Request use of City Power/Electricity
- Request the support of Police and Fire
- Request City Water in the event that vendors require

We believe this will be a highly desirable attraction that will bring tourism to local businesses. We plan on marketing this event to the Monadnock Community and beyond. We also plan to leverage the beauty of the fall foliage season in conjunction with the event to draw more people.

As required, we will provide a \$1 Million certificate of insurance to the City, and work closely with City staff to ensure this event is safe and enjoyable for all.

We would like to stress that this is intended to be a family friendly event. Our intention is to reach out to local schools to be involved with helping to decorate and plan. The primary purpose of Pride is to celebrate diversity, bring awareness and support our LGBTQIA+ community; however, ALL are welcome and encouraged to attend.

Adam Toepfer
Board President



603-696-2927



www.keenepride.org



25 Roxbury St. #114
Keene, NH 03431



CITY OF KEENE NEW HAMPSHIRE

ITEM #A.3.

Meeting Date: April 9, 2025
To: Planning, Licenses and Development Committee
From: Kaycie Meyerrose
Through: Patricia Little, City Clerk
Subject: **Direct Referral to Committee: Otto's Food and Drink - Request for Permission to Serve Alcohol - Sidewalk Café**

Recommendation:

Move to recommend that Otto's Food and Drink be granted permission to serve alcoholic beverages in connection with their Sidewalk Café License, subject to the customary licensing requirements of the City Council, compliance with the requirements of Sections 46-1191 through 46-1196 of the City Code, and compliance with any requirements of the NH Liquor Commission. This license shall expire on March 1, 2026.

Attachments:

1. Otto's 2025 Letter to Mayor and Council

Background:

Ms. Meyerrose is requesting permission to serve alcohol at her sidewalk cafe located at 9-11 Court Street. She would like to begin using the area at the same time as other license holders, and asked that her request be directly referred to Committee to expedite the process.

Mayor Kahn and Keene City Council
City of Keene

3 Washington Street
Keene, NH 03431

Otto's Food and Drink

3-30-2025

Dear Mayor Kahn and Keene City Council,

We have had an exciting few weeks of being open here on Court Street and can't believe it's almost time for warm weather! We are requesting a patio permit for the space this year and intend to serve our full menu including alcoholic beverages on the patio so are looking to get approval from the Council! Please let us know if there are any questions and hope to see you all in for a meal soon!

Sincerely,



Kaycie Meyerrose

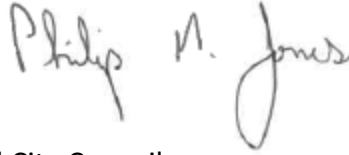
Kaycie & Kyle Meyerrose
Otto's Food and Drink

9-11 Court St
Keene, NH 03431

March 17, 2025

FROM:

Councilor Philip M. Jones



TO:

The Honorable Mayor and City Council

SUBJECT:

Submittal of Request for Resolution to be Adopted

Recommendation:

Recommend that the Keene City Council authorize staff to draft a resolution honoring the LGBTQIA+ Community.

BACKGROUND:

I would like to request the drafting of a Resolution honoring the LGBTQIA+ Community. Although the actual wording of this Resolution is still to be determined, the theme and spirit of the message should be as follows:

We the City of Keene celebrate the extraordinary courage and contributions of the Lesbian, Gay, Bisexual, Transgender, Queer, Intersex and asexual community. We reflect on the progress we have made so far in pursuit of equality, justice, and inclusion. We commit ourselves to do more to support LGBTQIA+ rights in Keene and around the world.

We as a community are truly committed to promoting the acceptance and inclusion of all, regardless of their individual lifestyle choices and gender expression. We respectfully recognize and are truly grateful for the outstanding contributions that the LGBTQIA+ community brings to our city as well as society as a whole. The City of Keene looks up to you with exceptional **PRIDE**.

November 19, 2024

City of Keene Clerk's Office
3 Washington Street
Keene, NH 03431

To the Honorable Mayor and City Council,

Large scale fireworks displays have become increasingly frequent in recent years and I am concerned that they are having a detrimental effect on the environment and on the quality of life in adjacent neighborhoods.

Fireworks are fun, but they are fun as an occasional treat. As they become more common, so too does concern about the problems they bring along with them. These problems include the cumulative effect of noise, air, and water pollution on local habitat, the disturbance caused to wild and domestic animals, including birds, bats, horses, and dogs, and the adverse impact that fireworks can have on people with conditions affected by sensory input, like autism or post-traumatic stress disorder (PTSD).

Thus, I am asking the City Council and City Staff to develop policy guidelines for the issuance of future fireworks display permits. Among other guidelines, I ask that we place a limit on the number of fireworks displays to be authorized in any single location during a calendar year.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bobby Williams". The signature is fluid and cursive, with a large, stylized initial "B".

Bobby Williams

City Councilor, Ward 2



CITY OF KEENE

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

AN ORDINANCE _____ Relating to the Sale, Possession and Display of Fireworks

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 removing the stricken text and inserting the underlined text in Chapter 42. "Fire Prevention and Protection", Article III. "Fireworks and Explosives" as follows:

Sec. 42-61. Sale, possession and display of fireworks.

No person within the city shall offer for sale, expose for sale, give or transfer to another, with or without consideration, display or have in his possession or custody, any ~~class B special non-permissible~~ fireworks, packaged or unpackaged, ~~or class C permissible and non-permissible consumer fireworks, packaged or unpackaged, or both,~~ without first obtaining a permit for sale, possession and display of fireworks from the city council and in accordance with the guidelines set forth under state and federal regulations.

A. Consumer Fireworks Conditions and Restrictions:

Any person wishing to discharge New Hampshire Permissible (Consumer) Fireworks shall comply with the following specific conditions and restrictions regarding their use. This is in addition to any applicable state law requirements.

1. The person discharging fireworks must possess proof that he is the landowner of the location where the fireworks discharge will occur or has written permission from the landowner.
2. Fireworks shall not be ignited or possessed by minors (anyone under the age of 21).
3. The person discharging fireworks must be at least 21 years of age or older (Pursuant to state statute).
4. The person discharging fireworks must possess and make available upon request a valid photo identification listing their name, address and date of birth.

5. Fireworks shall be purchased from licensed Permissible Fireworks retailers in New Hampshire only. A Copy of the receipt of purchase must be kept and made available upon request.
6. The person discharging fireworks shall only purchase the quantity of fireworks needed for the planned display. Storage of Permissible fireworks is prohibited.
7. Fireworks shall be ignited a minimum of 50 feet from any public way, overhead utilities, structures, woodlands, property lines or boundaries.
8. The person discharging the fireworks is required to have a means of fire extinguishment readily accessible.
9. Anyone discharging or igniting fireworks shall not be under the influence of any drugs or alcohol.
10. Notwithstanding any other provision of City Code to the contrary, Permissible Fireworks shall only be discharged or used between the hours of 10:00 AM and 10:00 PM.
11. Fireworks can only be discharged on days when the Fire Danger Day is Class One, Two, or Three as determined by the New Hampshire Division of Forest and Lands – Bureau of Forest Protection.

B. Enforcement.

1. Any sworn law enforcement officer of the city, county or state, as well as the fire chief or their designee shall be empowered to enforce this ordinance.
2. Persons found in possession of, or discharging Non-Permissible Fireworks shall be subject to the penalties outlined in NH RSA 160 – B. This section shall not apply to those individuals that hold valid Certificates of Competency issued by the NH Department of Safety and hold a valid Display Fireworks Permit issued in accordance with RSA 160-B and Saf-C 5000, or any other ordinance. Nothing in this ordinance shall preclude any sworn police officer from enforcing any section of NH RSA 160 – B, or NH RSA 160 – C.



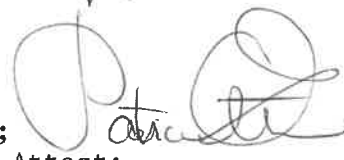
 George S. Hansel, Mayor

In City Council March 16, 2023.
 Referred to the Planning, Licenses and
 Development Committee.


 Patricia
 City Clerk

A true copy;

Attest:


 Patricia
 City Clerk

PASSED April 20, 2023



ITEM #A.6.

CITY OF KEENE NEW HAMPSHIRE

Meeting Date: April 9, 2025
To: Planning, Licenses and Development Committee
From: Terri Hood, Deputy City Clerk
Through: Patricia Little, City Clerk
Subject: **Withdrawal: Ordinance O-2024-18 - Relating to Licenses and Permits**

Recommendation:

That proposed Ordinance O-2024-18 Relating to Licenses and Permits be withdrawn.

Attachments:

None

Background:

On October 17, 2024, an Ordinance was introduced that would incorporate language into Chapter 46 of the Code relating to non-issuance of licenses for uses on the Downtown City right-of-way during large-scale construction projects. This amendment was proposed as a means to give the Public Works Director authority to direct the Clerk's Office relative to the issuance of licenses during the upcoming Downtown Infrastructure Project. At the November 13, 2024 Planning, Licenses and Development Committee meeting, staff members were asked to consider alternative options for ensuring safety during the construction while also allowing licensees to continue their operations.

A meeting was held with licensees on April 7, 2025, where the Public Works Department provided an overview of the Downtown Construction Project, and what to anticipate within the construction zone. Staff also discussed some proposed restrictions on the use of licensed areas while active construction is happening, including restricting outdoor dining within the "Active Construction Area" (ACA), the anticipated time period that a licensee could expect their area to be unusable during active construction (anticipated to be a minimum of 3 weeks), and how much advance notice could be built in to notify licensees of pending construction in their area (seven days notice is anticipated). Licensees were also advised that they would be responsible for removing all permitted furnishings, fences, lighting, etc. no later than 6:00 AM on the morning of a notified change in ACA. Seven licensees were in attendance at this meeting, along with the City Manager, Public Works Director, City Engineer, and the Deputy City Clerk.

At this time, City staff are requesting that Ordinance O-2024-18 be withdrawn, with the understanding that staff will continue its outreach to licensees over the next several months to ensure they are advised of this information and have an opportunity to provide input.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

A RESOLUTION RELATING TO ADOPTING THE PROVISIONS OF RSA 79-E “COMMUNITY REVITALIZATION TAX RELIEF INCENTIVE”

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

WHEREAS, RSA 79-E “Community Revitalization Tax Relief Incentive” (hereinafter “RSA 79-E”) declares it a public benefit to enhance downtown and town centers with respect to economic activity, cultural and historic character, sense of community, and in-town residential uses that contribute to economic and social vitality; and

WHEREAS, RSA 79-E further declares it a public benefit to encourage the rehabilitation of underutilized structures in urban and town centers as a means of encouraging growth of economic, residential, and municipal uses in a more compact pattern, in accordance with RSA 9-B.; and

WHEREAS, RSA 79-E also declares it a public benefit to provide short-term property assessment tax relief and a related covenant to protect public benefit in order to encourage substantial rehabilitation and use of qualifying structures, or in certain cases, the replacement of qualifying structures, as described herein; and

WHEREAS, RSA 79-E:3 permits municipalities to adopt modifications of the provisions of RSA 79-E, as set forth within the Statute.

WHEREAS, on December 21, 2017 the City Council adopted RSA 79-E within certain districts located within the City as defined in R-2017-41; and

WHEREAS, the City Council hereby rescinds R-2017-41, and readopts RSA 79-E in accordance with this Resolution;

WHEREAS, the downtown district map changed when the City adopted in May of 2021 with Ordinance O-2020-10-B the Land Use Code, along with the remapping of the City’s downtown zoning districts with Ordinance O-2020-11-A,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Keene that the Council hereby readopts and re-implements the provisions of RSA 79-E, with certain modifications, as follows:

A. For purposes of administering a RSA 79-E program within Keene, the City hereby defines that a “qualifying structure” shall mean a non-residential building, a mixed use building with residential uses occupying less than 50% of the gross living area, or a residential use building, being located within the area depicted on the map labeled “City of Keene Community Revitalization Tax Relief Incentive (RSA 79-E) District” dated _____ attached hereto and made part of this Resolution.

B. For purposes of administering a RSA 79-E program within Keene, the City Council shall ensure that the proposed substantial rehabilitation provides one or more of the following public benefits, or that the proposed replacement provides one or more of the public benefits to a greater degree than would substantial rehabilitation of the same qualifying structure:

- I. It enhances the economic vitality of downtown areas;
- II. It enhances and improves a structure that is culturally or historically important on a local, regional, state, or national level, either independently or within the context of an historic district, town center, or village center in which the building is located;
- III. It promotes the preservation and reuse of existing building stock throughout a municipality by the rehabilitation of historic structures, thereby conserving the embodied energy in accordance with energy efficiency guidelines established by the U.S. Secretary of the Interior’s Standards for Rehabilitation;
- IV. It promotes efficient design, safety, and a greater sense of community in a manner consistent with the Keene Comprehensive Master Plan;
- V. It will add to the City’s employment base by creating at least one new, full-time job in Keene’s downtown area;
- VI. It directly supports the integration of public art in the downtown; or
- VII. It promotes development of a sustainable building stock in the downtown that achieves a nationally or internationally recognized green building standard (e.g. LEED, Green Globes, National Green Building Standard, and International Green Construction Code).
- VIII. It maintains owner occupancy of a residential building or it returns a residential building to owner occupancy;
- IX. It results in an increase in energy sustainability in conformance with the City adopted greenhouse gas initiatives as determined by a home energy score of at least six (6), and demonstrated carbon emission reduction of at least 10%.

C. “Substantial Rehabilitation” shall mean rehabilitation of a qualifying structure which costs at least \$75,000 and, in certain cases, replacement of a qualifying structure which costs at least \$75,000;

D. “Tax Relief Period” shall mean that for a period of up to five (5) years the property tax on a qualifying structure shall not increase as a result of the substantial rehabilitation or reconstruction thereof, beginning only upon completion of substantial rehabilitation or, in the case of a replacement structure, upon completion of its construction;

E. In accordance with RSA 79-E:5, the duration of the tax relief period for applications filed in Keene shall be considered in the context of each specific application and shall only provide that level of tax relief necessary in the discretion of the City Council to effectuate the specific targeted public benefit(s) outlined as determined by the City Council. By way of example, a qualifying project that is deemed by the City Council to provide one or two of the public benefits listed above

may be granted a tax relief period of up to two years, and a qualifying project that provides three or more public benefits may be granted a tax relief period of up to five years; provided, however, that in determining what, if any, tax relief duration to provide, the City Council may consider the impact the proposed substantial rehabilitation will have on existing, or required, City infrastructure.

BE IT FURTHER RESOLVED that a property owner, as a condition of being granted such tax relief, shall

A. Document the proposed public benefit(s) at the time of the application for tax relief under the Keene RSA 79-E program; and

B. Provide the City promptly with all information and documentation that the City may deem relevant for review of the application for such tax relief, as well as for review of the rehabilitation or replacement project under federal, state, and local laws, codes and regulations, as may be applicable; and

C. Grant to the City a Covenant ensuring that the structure shall be maintained and used in a manner that furthers the public benefit(s) for which the property tax relief was granted and shall require the property owner to obtain casualty insurance, and flood insurance, if appropriate, for twice the term of the tax relief granted; and

D. Grant to the City a lien against the property for the purpose of ensuring proper restoration or demolition of damaged structures and property; and

E. Maintain the property as taxable, regardless of whether the property owner is otherwise subject to property taxes under RSA Chapter 72; and

BE IT FURTHER RESOLVED that if the Covenant is terminated for any reason, the City shall assess all current and arrears taxes, with interest, to the property owner as though no tax relief was granted in accordance with RSA 79-E:9,II; and

BE IT FURTHER RESOLVED that the City Manager or her or his designee, is hereby authorized to execute all documents and undertake all actions as may be required to implement this resolution.

This resolution shall take effect upon approval by City Council.

Jay V. Kahn, Mayor

City of Keene, NH 79-E District Update 2024 With Underlying Zoning Districts

