

City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, May 13, 2026

6:00 PM

**Council Chambers,
City Hall**

Members Present:

Randy L. Filiault, Chair
Philip M. Jones, Vice Chair
Robert C. Williams
Edward J. Haas
Laura E. Ruttle-Miller

Staff Present:

Elizabeth A. Ferland, City Manager
Rebecca Landry, Deputy City Manager
Amanda Palmeira, City Attorney
Brandon Latham, Deputy City Attorney
Mari Brunner, Senior Planner

Jay V. Kahn, Mayor

Members Not Present:

All Present

Chair Filiault called the meeting to order at 6:09 PM.

1. Keene Family YMCA - Request for Road Closure of Summit Road for the Otter Romp Youth Triathlon Race - June 7, 2026

Chair Filiault recognized the petitioner, Kelly Fleurette, Senior Program Director for Keene Family YMCA (of 9 Schuyler Way), who was before the Committee to request the annual closure of Summit Road for the YMCA youth triathlon in June 2026. She said the request was the same as last year. Chair Filiault said this is one of those great activities in Keene and one of the few that are not downtown. He said it was good to see another neighborhood involved.

Councilor Jones agreed it is a great event. He said there was something originally circulating among the neighbors about the street condition and asked if that had been solved. Ms. Fleurette said there are just some extra potholes, and some had been corrected. Councilor Jones asked whether she was satisfied. Ms. Fleurette said yes but they are still looking at a new route for future events, so they would be back with a proposal earlier than usual in 2027. Councilor Jones asked if that is the route around the block and she said yes. If there are still potholes before the event, Councilor Haas suggested submitting them to the City's SeeClickFix app for repairs before the race.

Chair Filiault requested City staff comments. Deputy City Manager, Rebecca Landry, reported that this event had been through the Protocol process. Police, Fire, Public Works, Community Development, and Parks and Recreation Departments have reviewed the plans. This is a recurring event and includes very limited use of the public way (a lot of the activities take place in the field). Staff look forward to this being a successful event again this year.

Chair Filiault opened the floor to public comments.

Councilor Molly Ellis (of Cross Street) noted that her son was very excited to be taking part in this event, which she thought would be fantastic. Ms. Fleurette appreciated the support.

The following motion by Councilor Williams was duly seconded by Vice Chair Jones.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Council grant a revocable license to the Keene Family YMCA for the Otter Romp Youth Triathlon Race on Sunday, June 7, 2026, subject to the licensing requirements identified in the staff report, including associated road closures. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license.

2. Black Cloud Brewing Co. - Request for Permission to Serve Alcohol - Sidewalk Café

Chair Filiault welcomed Thomas Dufault, an owner of Black Cloud Brewing Co. (of 100 Main Street). He stated that all the owners are ex-employees of the defunct brewery, who bought the equipment and decided to do it the way they wanted to and the way the public wanted them to. He formally asked to do what was always there originally. Chair Filiault said it was great that everyone was familiar. He asked if there were any changes to the sidewalk plans. Mr. Dufault said no, it is the exact same layout plan from the previous brewery; he received the blueprint layout from the City. They would follow all guidelines from previous years. He and Chair Filiault agreed they are keeping it simple. Chair Filiault stated he appreciates that.

City Manager Elizabeth Ferland noted that the applicant would not need to return again next year because if the Council approves this first-time request to serve alcohol from the new owner, it will be renewed administratively in the future.

Chair Filiault opened the floor to public comments.

Councilor Laura Tobin (of Center Street) wondered if the public could view the layout plans submitted for these sidewalk cafés. Chair Filiault suggested going to the City Clerk's Office, who should let anyone review the plans.

The following motion by Councilor Haas was duly seconded by Vice Chair Jones.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Council grant permission to Black Cloud Brewing Co. 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 November 1, 2026.

3. Relating to the Process to Amend the Zoning Text and Zoning Map - Ordinance O-2026-08

Chair Filiault recognized Senior Planner Mari Brunner to present Ordinance O-2026-08, relating to the process to amend the Zoning Text and Zoning Map. She called this a tweak to the language within the Land Development Code to allow the City Clerk, rather than City Council, to set the public hearing date. The Public Hearing would still be held before City Council, but this small change would allow a minimum of four weeks and up to six weeks out of the process timeline to be eliminated, which is important for a few reasons. One, it is just shortening the process and making things more efficient and streamlined. Also, there has been feedback from the public that it actually makes it harder to follow along when there is such a large gap between the Public Workshop and the Public Hearing. This would also allow for the details to hopefully remain a little bit more fresh in people's minds between that Workshop, when the PLD Committee hears a very detailed overview, and when the Public Hearing is conducted. She said currently, there is a very large gap and there is often a period of time where the Committee has to re-familiarize itself with the ordinance that they reviewed a few months ago. This will help shorten that time frame. Chair Filiault called this “streamlining government”. Ms. Brunner agreed. Chair Filiault thanked staff for this very simple tweak that could save a month and streamline government, noting he is all for it.

Councilor Jones took the opportunity to mention a change he has been asking for through five mayors to streamline this same Section 5: “Planning Board shall vote on the degree to which the proposal is consistent with the City's Comprehensive Master Plan.” He thinks that the Planning Board should cite the part of the Comprehensive Master Plan (CMP) that it supports. He had been asking for that for years for transparency. He knows staff mention it sometimes. Ms. Brunner thought that was something the Planning Board could start doing in practice without changing the actual language of the regulation. She said this was really just outlining the procedure of the Planning Board, which is mostly to find the Ordinance consistent with the CMP and the staff report is usually more detailed about what parts of the CMP relate to the Ordinance. She thought that practice could easily change, and she would bring that to the Planning Board. Councilor Jones was satisfied with this approach. Chair Filiault and Ms. Brunner agreed it would be a change to practice and not the actual policy.

Councilor Jones referred to the same Section, noting the Mayor used to set the Public Hearing. He asked what would happen if the PLD Committee votes “No” to not send an Ordinance to Council for a Public Hearing. Ms. Brunner said the Ordinance would still be entitled to a Public Hearing, which Councilor Jones said he thought had always been the case. Ms. Brunner agreed that it is by state statute. Councilor Jones noted that there used to be times that the PLD Committee voted “No” even though they knew the petitioner was entitled to the Public Hearing just because the Committee knew it was its only way of expressing itself, and he said that would continue. Ms. Brunner said the PLD vote really comes later in the process after the Public Hearing; the Committee’s involvement early on is to keep the City Council and Planning Board in communication and cohesion with each other. That overlap did not used to exist, and the Planning Board would go to City Council on its own and there was not always agreement, so the mechanism was created with a Councilor and the Mayor on the Planning Board (PB), and PB-PLD Joint Workshop. Councilor Jones agreed that it is a communication tool created in the 1980s by former

Mayor Kendall Lane that the Councilor agrees with. He said the instances of PLD voting “No” on ordinances could still happen and Ms. Brunner agreed.

Councilor Haas asked if at Joint PB-PLD Committee meetings, the PLD Committee will press the PB to tell the PLD why it finds ordinances in accordance with the CMP, so the PLD can question the PB about it in some fashion. Ms. Brunner explained that Joint PB-PLD Committee meetings are a meeting of the two public bodies, so members of the PLD Committee who are present and sitting at that meeting, depending on who is chairing and what the chair allows, would certainly be able to jump into the conversation and ask questions. She does not think there is a way the PLD Committee could force the Planning Board to do something; they are their own separate body with their own decision-making authority. However, she thinks that they are very collaborative and amenable to working with the PLD. Councilor Haas agreed. He wondered if there is a legal reason the PLD could not ask that question of the PB. The City Attorney confirmed what Ms. Brunner said: the PB is its own statutory body; it is not like one of the Standing Committee’s that reports to the City Council, so the PLD cannot demand anything of the PB, necessarily. There is a joint process that reflects exactly that relationship, which is bringing the two independent bodies together to work on an ordinance that both have the right to see, but how they find it in compliance with the CMP are their own statutory obligations. Putting an ordinance back through the Council process is the PLD Committee’s obligation itself. Councilor Haas said it is incumbent upon the PLD to know where in the CMP these items sit for when they are referenced by the PB.

Chair Filiault opened the floor to public comments.

Ward One Councilor Jacob Favolise (of Main Street) said far be it for him to be critical of streamlining or making government more efficient. He just wanted to offer for the Committee one of the things that he thinks the Council should think about is whether and to what extent this change would appropriately balance the desire for efficient action on housing, which he thinks they all agree we need, with what he thinks should be a deliberative process that maybe does take a little bit longer. He heard what staff were saying about the public feedback and maybe Council feedback about things being harder to track but said that is a balance he was trying to weigh in his head right now, and he thought the Committee should as well. Chair Filiault said the Committee could always see how it goes and could always change things back if needed.

The following motion by Vice Chair Jones was duly seconded by Councilor Haas.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2026-08.

4. Adjournment

There being no further business, Chair Filiault adjourned the meeting at 6:27 PM.

Respectfully submitted by,
Katrinya Kibler, Minute Taker

Reviewed and edited by, Terri M. Hood, City Clerk and Kathleen Richards, Deputy City Clerk