



City of Keene
New Hampshire

**PLANNING, LICENSES AND
DEVELOPMENT COMMITTEE
AGENDA
Council Chambers A
July 26, 2017
7:00 PM**

David C. Richards
Philip M. Jones
George S. Hansel
Robert B. Sutherland
Bartlomiej K. Sapeta

-
1. 2017 Pumpkin Festival License - Public Works/Emergency Management
 2. Tools for Keene's Economic Toolbox: The Community Revitalization Tax Relief Incentive (RSA 79-E) & Economic Revitalization Zones - Planning and Assessing Departments

MORE TIME ITEMS:

- A. Relating to Ch. 102 - Zoning Ordinance - Accessory Dwelling Unit Ordinance O-2017-10
- B. Request to Use City Property for the Fall Festival - Mayor Lane
- C. Request for Lodging House License - 85 Winchester Street
- D. Marlboro Street Ordinance O-2016-01-B

Non Public Session
Adjournment



City of Keene, N.H.
Transmittal Form

July 24, 2017

TO: Planning, Licenses and Development Committee

FROM: Kürt D. Blomquist, PE, Public Works Director/Emergency Management Director

THROUGH: Medard Kopczynski, City Manager

ITEM: 1.

SUBJECT: 2017 Pumpkin Festival License - Public Works/Emergency Management

RECOMMENDATION:

Move that the Planning, Licensing and Development Committee recommend that a license be granted to Let It Shine, Inc. to use downtown City rights-of-way on Sunday, October 29, 2017 to hold a "Keene Pumpkin Festival Brought to you by the Children of SAU 29" subject to the following provisions:

- This license is granted based upon the event scope presented to City staff during protocol meetings held to date, changes or additions to the license may require that an amended license be issued by the City Council and no changes to this license or the associated protocol documents will be accepted after September 1, 2017.
- The Petitioner agrees to absorb all cost of any City services provided, and agrees to remit said payment within 30-days of the date of invoicing;
- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement and associated protocol documents;
- That the agreed upon footprint and layout for the event shall encumber Central Square, including the traveled portion of the road requiring the following road closures: Central Square, West Street from Federal Street to Central Square, Roxbury Street from Roxbury Plaza to Central Square, Washington Street from Vernon Street to Central Square, and Court Street from Winter Street to Central Square;
- That the Petitioner is permitted to place 10 porta-potties in City parking spaces located at the base of Washington Street from Friday, October 27, 2017 to Sunday October 29, 2017, which will be chained together and affixed to ensure they are not vandalized while unattended overnight;
- That the Petitioner provide a list of the individuals in charge of the various focus areas associated with running the event, including contact information and specific responsibilities;
- That the Petitioner submit to staff a list of volunteers that will assist during the event and post-event, specific responsibilities and any other information as requested by staff;
- That a mandatory meeting of all volunteers be held prior to the event date and in conjunction with City staff;
- That the actual event will be held from 1:00 PM to 7:00 PM with the times for set up and clean up to be established with City staff;
- That the Petitioner assumes responsibility for full clean-up of the footprint, returning the area to the same condition that it was in prior to the event and allowing the opening of all streets to traffic on October 29, 2017;
- That the Petitioner is responsible for a Public Address System adequate to cover the entire footprint, which

shall be tested and approved by City Emergency prior to commencement of the event;

- That Public Safety personnel remain once the event has ended to ensure proper coverage for post event issues during clean-up activities;
- That the Petitioner agrees to provide a contingent of volunteers and /or personnel from their organization adequate to carry out the set-up, operation, and post event clean-up to include one person in charge of each segment of the event, whom will be equipped with communication equipment capable of contacting the overall event coordinator;
- Failure by the Petitioner to promptly close the event, the lack of adequate personnel and/or volunteers as determined by the Emergency Management Director or his representative, delays in opening the streets to traffic, or failure to complete final clean-up, or complete the event in the identified timeframe may result in additional costs that will be the responsibility of Let It Shine, Inc.;
- That the Petitioner cooperates with the decision of the City Council to endorse the intent of the City Emergency Services to review all applications for other activities requested to occur on October 29, 2017 to determine if a public safety concern exists. If a public safety concern is found to exist, said license will not be granted. This would apply to the following activities: hawkers and peddlers on private property, itinerant vendors on private property, outdoor periodic events on private property, walk-a-thons, parades, bike and foot races on public property, general uses of public property, and sidewalk obstructions and sidewalk café licenses on public property;
- That free parking be granted under the provisions of the free parking policy for City parking spaces on Washington Street needed for storage of equipment from Friday, October 27, 2017 to Sunday October 29, 2017, and spaces within the event footprint on the day of the event; and
- That the Petitioner complies with any other recommendations of City staff.

BACKGROUND:

Let It Shine (LIS) has submitted a request to hold an event on Sunday, October 29, 2017 called 2017 Keene Pumpkin Festival Brought to You by the Children of SAU 29. The intent of the event is to provide a family friendly display of carved jack-o-lanterns. LIS intends to provide pumpkins participating SAU 29 schools for carving. The event will be held on Central Square with the area being blocked to all motorized traffic.

It is the intent of LIS to have the SAU 29 staff collect and deliver the carved pumpkins for the participating schools on the morning of Sunday, October 29th. LIS volunteers and staff will arrange the pumpkins and open the event to the public at 1 PM until 7 PM. At 7 PM LIS intends to end the event, start clean up and have the public ways opened before the end of October 29th. Let it shine will require the use of parking spaces along Washington Street to pre-stage porta-potties. Other materials such as A-frames, tables, and small tents will be brought in Sunday morning. LIS is not intending to have food vendors.

City staff has been meeting with LIS to develop the appropriate protocol documentation.



City of Keene, N.H.
Transmittal Form

July 25, 2017

TO: Mayor and Keene City Council

FROM:

THROUGH: Patricia A. Little, City Clerk

ITEM: 2.

SUBJECT: Tools for Keene's Economic Toolbox: The Community Revitalization Tax Relief Incentive (RSA 79-E) & Economic Revitalization Zones - Planning and Assessing Departments

ATTACHMENTS:

Description

79E

79E Flowchart

ERZ

BACKGROUND:

At the City Council meeting on July 20th, the presentation on RSA 79-E and Enterprise Revitalization Zones was referred to the Planning, Licenses and Development Committee for further consideration.



RSA 79-E, Community Revitalization Tax Relief Incentive: Fact Sheet

This legislative proposal encourages investment in downtowns and village centers with a new tax incentive modeled on existing New Hampshire statute (the so-called Barn Bill). Its goals are to *encourage the rehabilitation and active use of under-utilized buildings* and, in so doing, to

- **promote strong local economies** and,
- **promote smart, sustainable growth, as an alternative to sprawl, in accordance with the purpose and objectives of RSA Ch. 9-B** (State Economic Growth, Resource Protection, and Planning Policy).

How it works:

- In a town that has adopted the tool created by this legislation, a property owner who wants to substantially rehabilitate a building located downtown, or in a village center, may apply to the local governing body for a period of temporary tax relief.
- The temporary tax relief, if granted, would consist of a finite period of time during which the property tax on the structure would not increase as a result of its substantial rehabilitation. In exchange for the relief, the property owner grants a covenant ensuring there is a public benefit to the rehabilitation.
- Following expiration of the finite tax relief period, the structure would be taxed at its full market value taking into account the rehabilitation.

The legislation offers strong community process and discretion:

- Any city or town may adopt this program with the majority vote of its legislative body.
- Applications by property owners are made to the governing body and are accompanied by a public notice and public hearing.
- The governing body may grant tax relief if the application meets the guidelines and public benefit test.
- The governing body may deny the application in its discretion: “..such denial shall be deemed discretionary and shall not be set aside by the board of tax and land appeals or the superior court except for bad faith or discrimination.” (79-E:4 V)

Qualifying properties:

A property owner can apply for the tax relief only if:

- The building is located in the community’s downtown district (or equivalent), and
- The rehabilitation costs at least 15% of the building’s pre-rehab assessed value, or \$75,000, whichever is less, and
- The rehabilitation is consistent with the municipality’s master plan or development regulations.
- Adopted as of 3/09: Berlin, Concord, Groveton, Hopkinton, Hooksett, Lisbon, Manchester, Moultonboro, Pittsfield, Rochester and Warner.

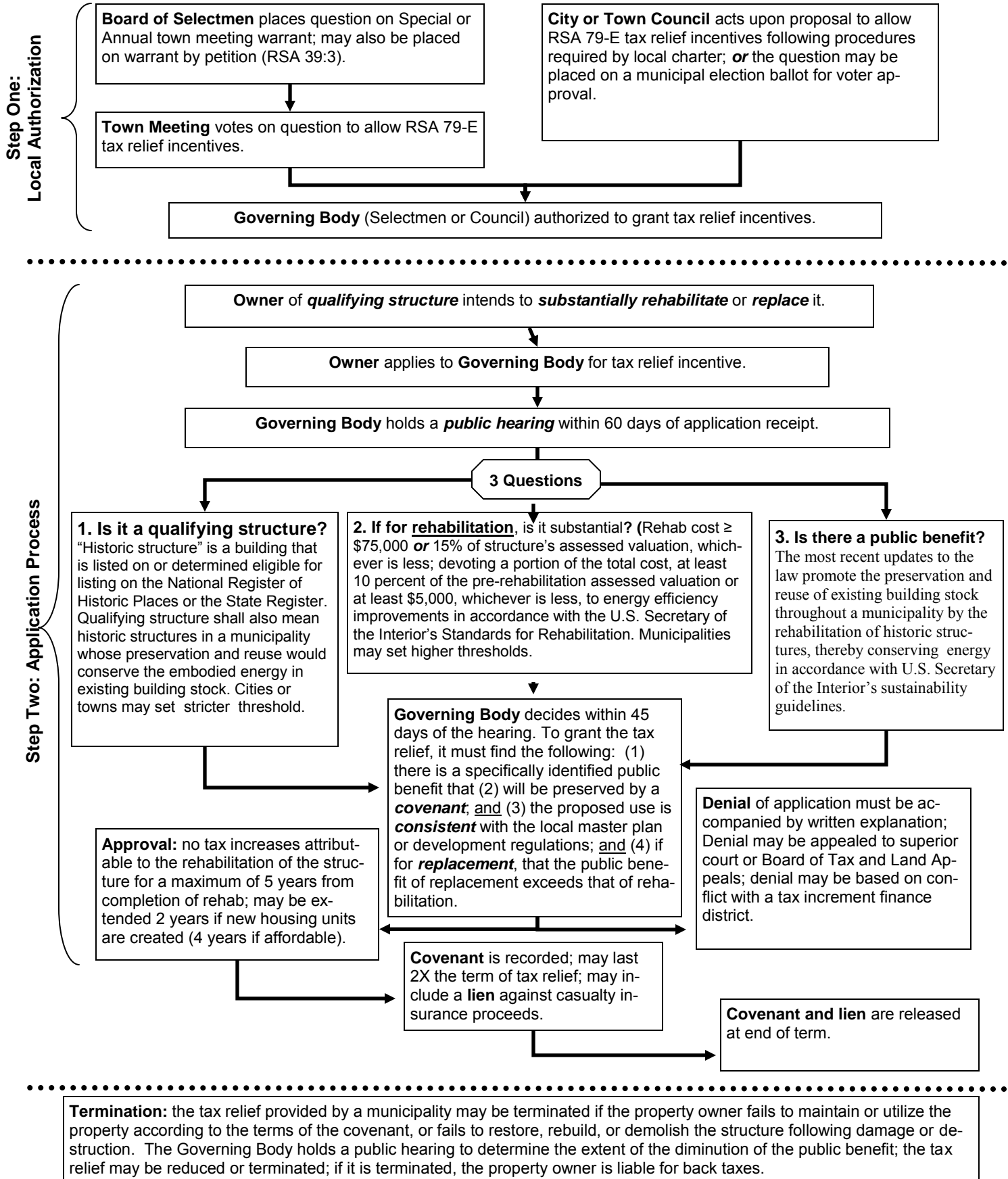
For more information or to share experiences from your municipality, contact:

N.H Preservation Alliance, 603.224.2281 or jg@nhpreservation.org

**RSA 79-E Community Revitalization Tax Relief Incentive
2013 Expansion of Law
Extends qualifying properties to include historic structures
outside of downtown.**



A municipality that has already adopted earlier provision of the law, needs to re-adopt the law if it wants to use new powers granted by revisions.



ERZ FAQs for Businesses



What is the ERZ Program?

ERZ stands for Economic Revitalization Zone. The ERZ tax credit program, which is detailed in RSA 162-N, offers a short term business tax credit for projects that improve infrastructure and create jobs in designated areas of a municipality.

Why were ERZs established?

The ERZs were established to stimulate economic redevelopment, expand the commercial and industrial base, create new jobs, reduce sprawl, and increase tax revenues within the state by encouraging economic revitalization in designated areas.

How is an ERZ defined?

An Economic Revitalization Zone means a zone with a single continuous boundary, designated in accordance with RSA 162-N:8, and having at least one of the following characteristics:

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

A community must request that a site or contiguous area be designated as an ERZ by DRED. Each ERZ is evaluated every five years to assess whether the designation is still eligible.

How much is available in tax credits?

The State of New Hampshire has designated \$825,000 statewide, per year, to be made available for ERZ tax credits.

How long will this initiative be in place?

This program will be in place until 2020, or until the State law governing ERZs is repealed or amended.

How does a business qualify?

For a business to qualify for an ERZ tax credit, it must create a least one (1) new job in the state and meet the following criteria:

- The business must be physically located in an approved ERZ;
- Investment in plant or equipment must be made directly by the business applying for the ERZ tax credit;
- Jobs created must be full time, direct employees, and not be contracted or 'temp' jobs;
- The investment and the job creation must take place within one calendar year.

What is the process for a business to apply for an ERZ tax credit?

To apply for the tax credits you must fill out form ERZ-2 available from the Department of Resources and Economic Development's [website](#).

The deadline to apply is Feb. 10 of the year following the applicant's tax year.

How is the credit calculated?

The credit is based on a percent of the salary for each new full time job created and the lesser of: either a percent of the actual cost incurred for the project or a maximum credit for each new job created in the fiscal year.

What is considered a full time job?

A full time job is at least 35 hours per week and is a permanent, year-round position.

How is the credit applied to my tax liability?

The tax credits shall be available to the taxpayer only for tax liabilities arising during tax periods including the tax period for which the tax credit is applied, up to an additional five (5) consecutive tax periods following the date of certification by the DRED commissioner.

The maximum amount of tax credit is \$240,000 per application, and the maximum applied per year by a taxpayer is limited to \$40,000.

Who do I call with additional questions?

Contact the Division of Economic Development at (603) 271-2591.