

City of Keene
New Hampshire

PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Wednesday, July 12, 2017

7:00 PM

Council Chambers

Members Present:

David C. Richards, Chair
Philip M. Jones, Vice-Chair
George S. Hansel
Robert B. Sutherland

Staff Present:

Medard Kopczynski, City Manager
Thomas Mullins, City Attorney
Rhett Lamb, Assistant City
Manager/Planning Director
Kurt Blomquist, Director Public Works
John Rogers, Acting Health Director

Members Not Present:

Bart K. Sapeta

Other Councilors Present

Terry Clark

Chair Richards called the meeting to order at 7:00 PM.

1. Kevin Dremel - Request to Use City Property - Keene Music Festival

Kevin Dremel, Director of the Keene Music Festival addressed the request. The Keene Music Festival, in association with the Keene Downtown Group wishes to sponsor the 17th Annual Keene Music Festival on Saturday, September 2nd, 2017. The scheduled hours for performances and other activities are 9:00 AM until 10:30 PM. Mr. Dremel advised the Festival will be slightly smaller this year.

Chair Richards asked Mr. Dremel what he meant by slightly smaller. Mr. Dremel replied there will only be 65 bands instead of the usual 95; hence a smaller footprint.

Kurt Blomquist, Public Works Director reported several protocol meetings had been held. Mr. Blomquist verified this is a slightly smaller footprint, but he can see no changes to the support the City provides. He noted the Music Festival is a designated Community Event. Mr. Blomquist recommends granting the license.

There being no comments from the Committee or the public Chair Richards asked for a motion. Councilor Hansel made the following motion, which was seconded by Councilor Jones.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Keene Music Festival be granted a street fair license to use downtown City rights-of-way for purposes of conducting merchant sidewalk sales, as well as use of City property on Central Square, Railroad Square, and designated parking spaces on Main Street to conduct the Keene Music Festival on Saturday, September 2, 2017 from 9:00 AM to 10:30 PM. In addition, the applicant is permitted to close off a portion of Railroad Street, from Main Street to the westerly entrance of the Wells Street Parking Garage, and a portion of Church Street from Main Street to the entrance of the Vision Financial parking lot. This permission is granted subject to the customary licensing requirements of the City Council, submittal of a signed letter of permission from City Tire for use of their property, and compliance with any recommendations of City staff. In addition, the petitioner is granted use of the requested parking spaces free of charge under the provisions of the Free Parking Policy. The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 18 Community Events Budget.

2. Peg Bruce/Kiwanis Club of Keene - Requesting Permission to Decorate Light Poles on the Center Median of Main Street

Peg Bruce, Secretary of the Kiwanis Club addressed the request. The request would be to decorate the light poles from the middle of October and to remove the lights the beginning of April, which would roughly line up with when the clocks are changed.. An April removal would allow the club to work in better weather.

Kurt Blomquist, Public Works Director noted he is not concerned with leaving the lights on the poles until April as the removal is a safety issue in February/March. Explaining he does receive complaints when the lights are on after February Mr. Blomquist indicated he would be discussing the possibility of leaving the lights on the poles and shutting off the power to the poles earlier than April. Mr. Blomquist referred to the prepared motion for approval in the packet.

There being no comments from the Committee or public Chair Richards asked for a motion.

Councilor Jones made the following motion which was seconded by Councilor Hansel.

Ms. Bruce clarified the motion read mid-October to early April 2018. Chair Richards confirmed this. Ms. Bruce thanked the Committee noting her intent to work with Mr. Blomquist.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Keene Kiwanis Club be granted permission to decorate the City light poles in the center median from the flag pole to the roundabout with LED lights from mid-October to early April, 2018. This permission is granted subject to the signing of a revocable license and indemnification agreement and the furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured and that the Kiwanis Club assume responsibility for the maintenance of the lights during the display period.

3) Ron Robbins/KeeneSnoRiders - Request to Use City Property

Ron Robbins, of Swanzey addressed the request noting there are no changes from previous years.

Chair Richards commented there have been very few complaints about this group. Mr. Blomquist agreed with Chair Richards. Mr. Blomquist noted The KeeneSnoRiders are submitting their annual request for use of City rights-of-way for snowmobile use. The right-of-way is along Krif Road from the Ashuelot Rail Trail to Winchester Street, crossing Winchester Street to the property of Perry Kiritsy at 471 Winchester Street. The time frame would run from December 15, 2017 through March 30, 2018.

Chair Richards asked for Committee comments or questions.

Councilor Sutherland noted he serves on the Airport Advisory Committee and asked if there was any way for them to get out to the Airport. Mr. Blomquist replied he and Mr. Robbins have been talking about it. Mr. Robbins explained they have permissions on the Swanzey side to come up to the Airport on Route 32. Chair Richards commented this could be a new request. Mr. Blomquist agreed; it entails working with Jack Wozmak and the City Council. Mr. Blomquist advised one of the challenges is the way the river runs there are only a few points that could be used and in the past those points were closed for Airport operations.

There being no further comments from the public or the Committee, Chair Richards asked for a motion.

Councilor Sutherland made the following motion which was seconded by Councilor.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the KeeneSnoRiders be granted permission to use the following locations on City property for a snowmobile trail: The right-of-way along the north side of Krif Road from Krif Court to Winchester Street; City property identified by tax map numbers 911-26-015, 909-04-012, 909-03-210 and 707-02-009; The crossing of Winchester Street at Krif Road; and, The crossing of Production Avenue approximately 200 +/- feet south of NH Route 9. As well as access to the Class VI Portion of the Old Gilsum Road starting approximately one (1) mile from the Gilsum Town Line and going north, ("Premises") for the following purpose: for a snowmobile trail, and under the following conditions:

Said use shall commence on December 15, 2017, and expire on March 30, 2018, and is subject to the following conditions:

- The signing of a revocable license and indemnification agreement; and
- The submittal of a certificate of liability insurance in the amount of \$1,000,000, naming the City of Keene as an additional insured.

In addition, the KeeneSnoRiders, Inc. will be responsible (including cost) for the installation and maintenance of all signage/markings, which will be in accordance with Snowmobile Trail Standards published by NH Department of Resources and Economic Division of Parks and Recreation; that all signage/markings installed shall be removed from the City right-of-way and

City property when there is no longer any snow cover, no structures, including buildings, shelters, lights, displays, walls, etc. shall be permitted with the City right-of-way or on City property; no parking of motor vehicles or trailers and no catering servicing activities of any kind shall be permitted within the City right-of-way or on City property; grooming shall not extend outside the right-of-way of Krif Road, snow windows shall be groomed to provide adequate sight distances and a gentle sloping approach at all road and driveway intersections; no part of the City Street (paved surfaces) may be used by off-highway recreational vehicles (OHRV) or their operators for any purpose, other than direct crossing; and that KeeneSnoRiders, Inc. shall be responsible for the repair of any damage (including costs) and the City right-of-way and property shall only be used when there is snow cover.

4) Land Use Code Update Phase II – Planning Board/Planning, Licenses and Development Committee

Rhett Lamb, Planning Director stated he had no prepared comments, but was willing to answer any questions. Chair Richards commented this has been through the process and is ready to move forward. Mr. Lamb agreed noting it has been at the Joint Committee level since January. The Joint Committee's recommendation was to move the City Council move forward with the Land Use Code update using the organized development model and using the option of a form based Code in the Downtown area.

Chair Richards asked for public comments.

Chair Richards recognized City Council Terry Clark. Councilor Clark noted his optimism for the new development guidelines adding he wants to speak about a sidebar to these guidelines. He commented the development guidelines produced by our Planning Board, usually without legal enforceability, have in many cases failed to produce a comprehensive set of changes required to produce satisfying public places. Councilor Clark cited 431 Court Street as an example known among residents as "Court Street Sand and Gravel."

Councilor Hansel interjected noting he feels we are on dangerous ground talking about a specific project. The City Attorney agreed with Councilor Hansel and recommended Councilor Clark speaks less specifically.

Councilor Clark continued when public planning exercises fail to produce predictable results residents and abutters often rebel against those types of developments. Councilor Clark noted we have 19 Development Standards; he is asking for the creation of a 20th standard that addresses some of the shortfalls of these developments. Councilor Clark suggested this could be an adjunct to the fine work being done.

Rhett Lamb, Planning Director said the way he interprets Councilor Clark's comments would be in the way of in-fill development projects. This is an area the Planning Board has been intending to work on over the years. Mr. Lamb also said he thinks you will see this issue being addressed during the Land Use Code update.

Councilor Sutherland encouraged Councilor Clark to participate in the meetings and workshops.

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Councilor Jones asked if the Land Use Code update could change the 19 standards. Mr. Lamb replied in the affirmative. Mr. Lamb added there are objectives built into this update, but elements of a unified development ordinance would include an evaluation of the Planning Board Standards.

Councilor Hansel thanked Councilor Clark for coming forward with a preview of important discussions to come. Councilor Hansel commented this Land Use Code update is very important for the City. He has been very impressed with the staff and their willingness to take this on as it does represent a change.

There being no further comments from the public or the Committee Chair Richards asked for a motion.

Councilor Hansel made the following motion, which was seconded by Councilor Jones.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends the City Council move forward with phase 2 of the Land Use Code Update including an RFQ for the creation of a Unified Development Ordinance and the development of a Form-Based Zoning District in the downtown.

5) Adjournment - There being no further business before the Committee Chair Richards adjourned the meeting at 7:23 PM.

Respectfully submitted by,
Mary Lou Sheats Hall
July 13, 2017