

**City of Keene**  
**New Hampshire**

**PLANNING, LICENSES AND DEVELOPMENT COMMITTEE**  
**MEETING MINUTES**

**Wednesday, September 12, 2018**

**7:00 PM**

**Council Chambers A**

**Members Present:**

David C. Richards, Chair  
George S. Hansel  
Bart K. Sapeta  
Margaret M. Rice

**Members Not Present:**

Philip M. Jones, Vice-Chair

**Staff Present:**

Rhett Lamb, ACM/Community Dev. Dir.  
Mark Howard, Fire Chief  
Elizabeth Dragon, City Manager  
Thomas Mullins, City Attorney  
Jack Wozmak, Airport Manager  
Kurt Blomquist, Public Works Director  
Andy Bohannon, Parks & Rec. Director

**Other Councilors Present**

Carl Jacobs

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

**1. Attorney Homer S. Bradley, Jr. - Request to Unmerge Lots - 15 and 19 Giffin Street**

Attorney Sam Bradley, of 50 Washington Street addressed the application by Russell W. Wilber and Patricia A. Wilber to unmerge lots identified as 15 Giffin Street and 19 Giffin Street on Tax Map 532 as Lot 68. This request is made pursuant to RSA 674:39-aa. Attorney Bradley continued the land identified as 15 Giffin Street and the land with the buildings thereon at 19 Giffin Street have always been described in the deeds as separate parcels. There is no evidence the applicants ever asked for the lots to be merged. Attorney Bradley distributed photocopies of all of the deeds in the chain of title. Attorney Bradley explained the deed which Leslie and Evelyn Wilber (later Evelyn Ruby Dziengowski) received from Charles A. Pierce to the land now identified as 15 Giffin Street was not recorded and is now lost. Nevertheless, Mrs. Dziengowski and her son, Russell Wilber, have paid the taxes on the land identified as 15 Giffin Street since about 1930.

Attorney Bradley advised the deal with the buyer is to provide a warranty deed for 19 Giffin Street and a quick claim deed for 15 Giffin Street. He continued in order to do this we need to unmerge the two lots.

Chair Richards deferred to the City Attorney who commented he had looked at the documents provided by Attorney Bradley. The City Attorney referred to the applicable state statute and noted staff did research the issue. The City Attorney continued there is no indication of any voluntary merger. The City has been assessing it as a single lot since about 1971. The City Attorney noted the City has no objections to this request. Attorney Bradley said John Rabb is the Attorney for the prospective buyer and he is aware of all of this, and that the extra lot does not qualify as a building lot. Attorney Bradley suggested once this proceeding is completed the new owner will come in and ask the lots be remergered. Chair Richards commented it looks like something was missed decades ago and they are just trying to straighten the books.

Chair Richards asked for Committee questions.

Councilor Sapeta asked if the lots were merged for assessment purposes. The City Attorney replied from what we have determined that is probably the case.

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

Councilor Hansel made the following motion which was seconded by Chair Richards.

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the lots currently located at 15 and 19 Giffin Street be unmerged in accordance with the request from Attorney Bradley, and as provided by RSA 674:39-aa.

## **2. Steve Piispanen/Keene Auto Body - Request to Discharge Fireworks**

Kurt Blomquist, Public Works Director explained the Petitioner is having a block party on September 29<sup>th</sup> to celebrate 90 years of doing business in the community. One of the challenges with the fireworks is the proximity to the Airport. Mr. Blomquist noted we are still working with the regulatory agencies and he will recommend amending the prepared motion so work with the Petitioner can continue; perhaps finding some other sites within the City. Mr. Blomquist clarified the suggested amendments for Councilor Rice.

Steve Piispanen, of Keene Auto Body noted the celebration is in honor of three generations in 90 years of doing business here in Keene. The block party will be on the 29<sup>th</sup> and we would like to end the celebration with some fireworks. Mr. Piispanen said as he understands it there are some issues with permitting.

Chair Richards asked if the expectation is to have this completed for Council next week. Mr. Blomquist said he cannot say yes or no. He added we will get it completed by the time the 29<sup>th</sup> comes. He referred to the prepared motion and added another amendment; to remove the Walsh property and add the appropriate property owner.

Chair Richards asked for Committee questions.

Councilor Sapeta congratulated Mr. Piispanen on 90 years of business. He then asked if there would be enough time to coordinate with others if you do not know where the site will be. Mr. Blomquist commented the party will happen rain or shine; the question is will whether or not there will be fireworks.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that Keene Auto Body, Inc. be granted permission for the discharge of display fireworks on Saturday, September 29<sup>th</sup> on a site to be coordinated with City staff no later than 10:00 PM subject to the customary licensing requirements of the City Council; submittal of a signed letter of permission from the appropriate property owner for use of the property; and obtainment of a Class B fireworks permit for the display date. Said permission is subject to approval of the site and display from the appropriate City Departments and other regulatory agencies. This permission is conditional upon the Petitioner absorbing the charges for any City services provided. Said payment shall be made within 30-days of the date of invoicing.

3. **Peg Bruce/Kiwanis Club of Keene - Request to Use City Property - Tree Lighting Event**

Elizabeth Sayre, of 290 Washington Street commented members of the Kiwanis Club have met with City staff for a protocol meeting. Ms. Sayre is here tonight to ask for final approval.

Kurt Blomquist, Public Works Director reported there are no changes from previous years. He noted last year was the first time we closed down a portion of Central Square for the event. Mr. Blomquist continued they have met all the requirements and we look forward to having another holiday season with the Kiwanis. He thanked all the City Departments for coming together to keep these activities going.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on November 23, 2018 for the Tree Lighting Festival from 5pm to 8pm conditional upon the customary licensing requirements of City Council, and that the Petitioner complies with any recommendations of City staff. In addition, the Petitioner is granted permission to erect a holiday tree on the Main/Marlboro/Winchester Street roundabout, and to decorate the downtown light poles on a date to be determined in conjunction with City staff. The Petitioner agrees to absorb the cost of any City services over and above any amount of City funding allocated in the

FY 19 Community Events Budget. Said payment shall be made within 30-days of the date of invoicing.

**4. Daron Friedman - Request to Acquire Property - Washington Street**

Andy Bohannon, Parks & Recreation Director addressed the Committee noting Mr. Friedman is interested in acquiring part of Ellis-Harrison Park. He continued back in 1974 there was a Land, Water, and Conservation project (LWCF). The files at Parks & Recreation are minimal; they basically said there were multiple projects in that grant round. The tennis courts at Ellis-Harrison Park were part of that project. Back then the purpose of LWCF was to place the entire park in perpetuity for park land. We have requested the file, through the state, from the federal government. We were unable to have the information for this meeting. Mr. Bohannon said he has spoken to Mr. Friedman to let him know what the process is and given him an idea what the process may look like.

Chair Richards commented we cannot do anything until we have that information so we are looking for more time. Mr. Bohannon affirmed. The City Attorney clarified depending on what that information is we may not be able to move forward with this.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the request from Daron Friedman to acquire property be placed on more time.

**5. Annual Fire Prevention Parade - Fire Department**

Mark Howard, Fire Chief addressed the Committee by noting annually, the Fire Department requests permission for use of City property and City streets for the Fire Prevention Parade. The parade kicks off Fire Prevention Week activities. This year we are requesting the use of the parking lot in the area of Fleet Services located at 350 Marlboro Street for the parade line-up. The parade will be held on October 7, 2018, starting at 1:00 pm. The parade will assemble at 350 Marlboro Street and proceed westerly along Marlboro Street to the roundabout on Main Street to Washington Street where it will disperse at Vernon Street. Following the parade there will be an awards ceremony at the Central Fire Station on Vernon Street.

Chair Richards asked for Committee questions or comments.

Chair Richards asked how many years we have been doing this. Chief Howard did not know the exact number but noted it was over 100 years. Chief Howard will get the answer for Chair Richards by next week. Chief Howard noted the open invitation to the Open House on Saturday, October 13<sup>th</sup> from 10:00 AM - 2:00 PM. This event is open to the public and has been a success over the years. Chief Howard also said all Councilors are invited to participate at the viewing stand and the notices will be coming out this week.

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Councilor Rice asked about the awards presented at the Awards Ceremony. Chief Howard replied there are awards given to participating bands, marching unit awards, one to the oldest piece of apparatus, furthest traveled, best appearing in and out of state, and finally the overall best appearing apparatus with marching unit trophy is in memorial of Lt. Phil Davis, Sr., who was killed in an off-duty logging accident.

Chair Richards asked for public questions or comments.

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

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

On a vote of 4-0, the Planning, Licenses and Development Committee recommends that the Fire Department be granted permission to use City property for the 2018 Annual Fire Prevention Parade to be held on Sunday, October 7, 2018.

6. **Adjournment** - There being no further business before the Committee Chair Richards adjourned the meeting at 7:32 PM.

Respectfully submitted by,  
Mary Lou Sheats Hall  
September 13, 2018

Additional Edits by,  
Terri M. Hood, Assistant City Clerk