



City of Keene
New Hampshire

**PLANNING, LICENSES AND
DEVELOPMENT COMMITTEE
AGENDA
Council Chambers A
November 7, 2018
7:00 PM**

David C. Richards
Philip M. Jones
George S. Hansel
Bartlomiej K. Sapeta
Margaret M. Rice

-
1. KeeneSnoRiders Snowmobile Club - Request to Use City Property

 2. 79-E Community Revitalization Tax Relief Incentive District Expansion Resolution
Resolution R-2018-33

MORE TIME ITEMS:

- A. Daron Friedman - Request to Acquire Property - Washington Street

Non Public Session
Adjournment



Transmittal Form

October 26, 2018

TO: Mayor and Keene City Council

FROM: Ron Robbins, Trail Administrator

THROUGH: Patricia A. Little, City Clerk

ITEM: 1.

SUBJECT: KeeneSnoRiders Snowmobile Club - Request to Use City Property

COUNCIL ACTION:

In City Council November 1, 2018.

Referred to the Planning, Licenses and Development Committee.

RECOMMENDATION:

ATTACHMENTS:

Description

Communication - Robbins

BACKGROUND:

KeeneSnoRider2018 is requesting access to a portion of Old Gilsum Road and use of the right-of-way along Winchester Street and crossings of Winchester Street and Production Avenue during the 2018/2019 winter snowmobile season.

In City Council November 1, 2018.
Referred to the Planning, Licenses and Development Committee.

Patricia Costello
City Clerk



KEENESNORIDERS
PO BOX 1511
KEENE NH 03431

Oct.10, 2018

To the Mayor and City Council:

The KeeneSnoRiders Snowmobile club is seeking renewal for permission to run snowmobiles in the right of way 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 15TH 2017 through March 30th 2018 snow permitting.

We currently have permission from the following property owners:

Emile J. Ledger 460 Winchester Street	Tax Map: 84-02-001
Kiritsy LLC. 471 Winchester Street	Tax Map: 911-26-043
Emile Bergeron OFF Base Hill	Tax Map: 911-26-055
State of NH	Tax Map: 911

We are asking renewals of license for permission to cross the following City of Keene properties:

Access to portion of Old Gilsum Rd. approximate one mile to Gilsum town line.
 Crossing of Winchester St. at Krif Road
 Crossing of Production Avenue approximately 200 ft. South of Route 9
 Tax Map: 909-05-012 Off Route 10 by three mile reservoir
 Tax Map: 911-26-015 Off Wetmore Street
 Tax Map: 909-03-210 See Note Below

This is 50 feet of Keene property Tax Map 909-03-210000 to access onto power line from location were our trail groomer is located. We have been giving permission from Paul Gagnon from the Society for the Protection of New Hampshire Forests where he has stated that this is acceptable in regards to the easement on property. Contact him with any questions.

We are available to answer any concerns you may have.

Thank You,

Ron Robbins
Trail Administrator
603-209-1344

Ronald Roth



Transmittal Form

October 25, 2018

TO: Mayor and Keene City Council

FROM: M.K. Kopczynski, Director-Economic Development, Initiatives and Special Projects

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 2.

SUBJECT: 79-E Community Revitalization Tax Relief Incentive District Expansion Resolution

COUNCIL ACTION:

In City Council November 1, 2018.

Referred to the Planning, Licenses and Development Committee.

RECOMMENDATION:

That Resolution R-2018-33 relative to revision and readopting of the provisions of 79-E “Community Revitalization Tax Relief Incentive” with a revised map be referred to the Planning, Licenses, and Development Committee for consideration and a recommendation back to City Council.

ATTACHMENTS:

Description

Expansion Map

Resolution R-2018-33

BACKGROUND:

Staff has had several recent conversions with property owners in the Central Business District where they have expressed a desire to utilize 79 E incentives. Staff believes that this expansion could make possible the renovation of some underutilized buildings within the Main Street corridor and further our economic development and expansion goals. The issue was discussed at the Planning, Licenses and Development Committee August 29, 2018 and the City Council directed staff September 6, 2018 unanimously to draft a resolution.




The attached map shows the inclusion of the Central Business District, parts of the Central Business Limited District, and within the Historic District; part of the High Density, part of the Commerce District; and part of the new Residential Preservation district. To be included in the area utilizing a 79 E process the land must be a public benefit to enhance downtowns 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.

The small portion of Residential Preservation included is the only section that logically fits a downtown definition, bridging the existing and proposed 79 E districts. Any application in this district for a 79 E incentive must meet goals of returning or maintaining owner occupancy and increasing energy sustainability in conformance to the adopted City Greenhouse Gas initiative. Examples of the types of improvements expected

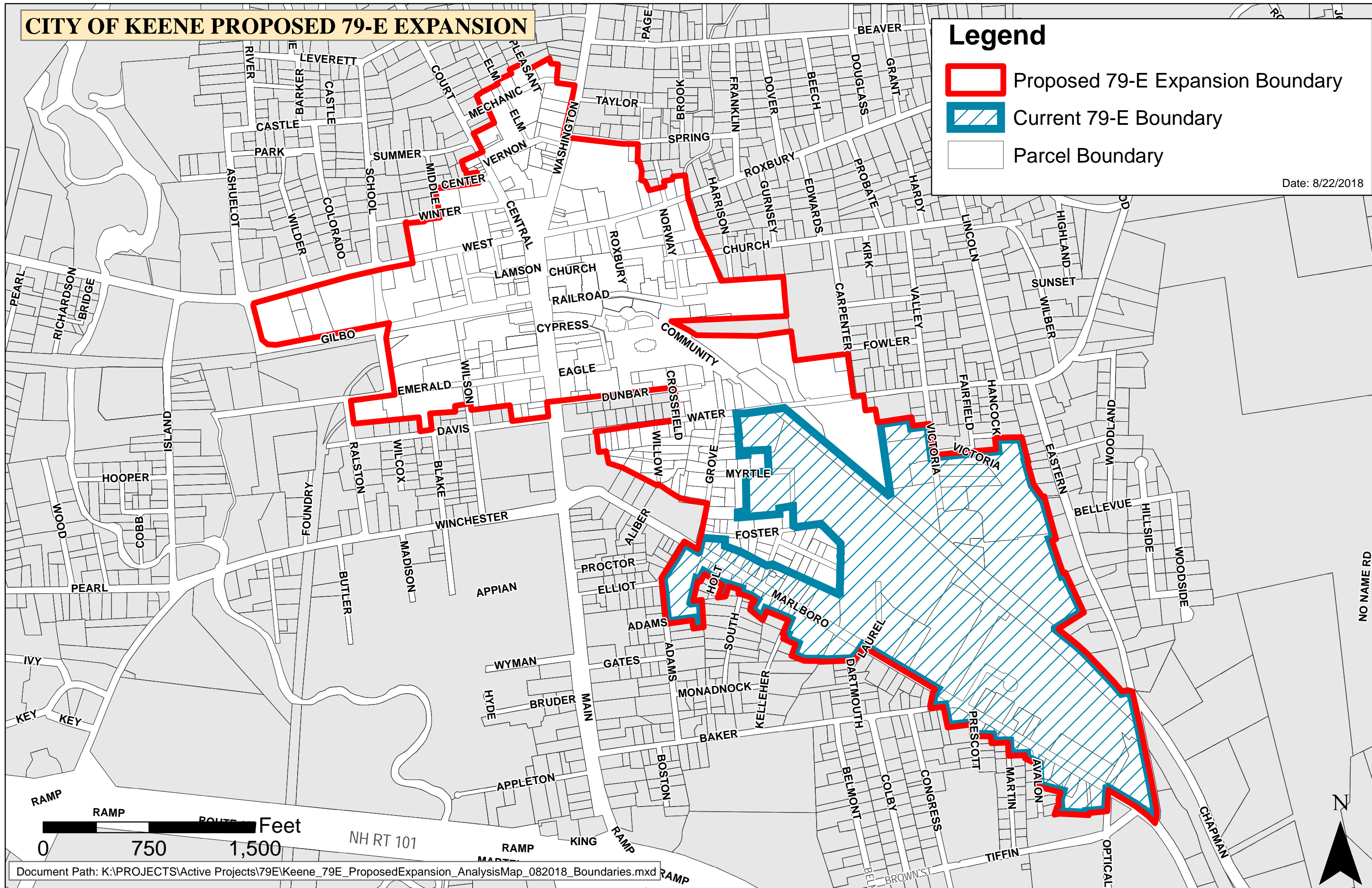
would include envelope improvements (windows/doors/infiltration), roofs with insulation, solar energy production, insulation and upgraded energy efficient heating and cooling systems and lighting. The mechanism to measure the starting condition and the proposed final condition uses the Home Energy Score. Developed by the Department of Energy and its national laboratories, a Home Energy Score of at least six (6) would have to be met and demonstrated carbon emission reduction of at least 10%.

CITY OF KEENE PROPOSED 79-E EXPANSION

Legend

-  Proposed 79-E Expansion Boundary
-  Current 79-E Boundary
-  Parcel Boundary

Date: 8/22/2018





CITY OF KEENE

R-2018-33

In the Year of Our Lord Two Thousand and Eighteen.....

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 and expands RSA 79-E in accordance with this Resolution;

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 sixty (60) days following approval by City Council.

In City Council November 1, 2018.
Referred to the Planning, Licenses
and Development Committee.

Kendall W. Lane, Mayor

City Clerk

