



City of Keene
New Hampshire

**PLANNING, LICENSES AND
DEVELOPMENT COMMITTEE
AGENDA
Council Chambers A
March 13, 2019
7:00 PM**

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

1. Milone & MacBroom on Behalf of People's Linen - Request to Use City Property - Monitoring Well
2. Bruce Bickford/Farmer's Market - Request to Use City Property - Gilbo Avenue
3. Weston Liu/New England Aerobatic Club - Request to Use City Property - Dillant Hopkins Airport
4. HB 365 "Relative to Net Energy Metering Limits for Customer Generators" - Energy and Climate Committee
5. Swanzey Dam Easement - Airport Department

MORE TIME ITEMS:

- A. Tim Zinn/Let it Shine - Request to Use City Property - 2019 Pumpkin Festival
- B. Pathways for Keene - Request to Use City Property - 4 on the 4th Road Race
- C. Daron Friedman - Request to Acquire Property - Washington Street

Non Public Session
Adjournment



Transmittal Form

March 5, 2019

TO: Mayor and Keene City Council

FROM: Charles Teale & Patrick Massicotte, Milone & MacBroom

THROUGH: Patricia A. Little, City Clerk

ITEM: 1.

SUBJECT: Milone & MacBroom on Behalf of People's Linen - Request to Use City Property - Monitoring Well

COUNCIL ACTION:

In City Council March 7, 2019.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication - Milone & MacBroom

BACKGROUND:

The engineering firm, Milone & MacBroom is requesting permission, on behalf of People's Linen, to install a groundwater monitoring well on the northwestern portion of City property at 300 N. Lincoln Street property, adjacent to Beaver Brook. The monitoring well is intended to aid in the characterization process of tetrachloroethylene (PCE) in impacted groundwater from historic dry cleaning operations at the People's Linen Facility at 9 Giffin Street.



MILONE & MACBROOM

RECEIVED
CITY OF KEENE

MAR 05 2019

OFFICE OF
CITY CLERK

March 4, 2019

In City Council March 7, 2019.
Referred to the Planning, Licenses and
Development Committee.

Mayor Kendall W. Lane & City Council
City of Keene, NH
3 Washington Street
Keene, NH 03431

City Clerk

**RE: Environmental Investigations at People's Linen Facility (9 Giffin Street) &
City of Keene Parcel 534-004 (300 N. Lincoln Street)
Keene, NH
MMI #6536-01-02**

Dear Mayor Lane and Members of the City Council:

Milone & MacBroom, Inc. (MMI) is writing to request your authorization to install a proposed groundwater monitoring well on the northwestern portion of the 300 N. Lincoln Street property, adjacent to Beaver Brook, to aid in the characterization process for the People's Linen facility at 9 Giffin Street (the "Site") regarding tetrachloroethylene (PCE) impacted groundwater from historic dry cleaning operations. This environmental investigatory work is being requested in accordance with the New Hampshire Department of Environmental Services (NHDES).

Environmental work to date has involved creating a network of on-Site groundwater monitoring wells to demarcate the extents of the PCE impacted groundwater; however, the down-gradient extent has not yet been delineated. Hence our proposed efforts to install a groundwater monitoring well on the City of Keene property (300 N. Lincoln Street), just south of the 43 George Street residence (see enclosed figures).

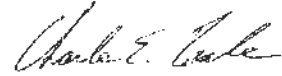
Access for drilling the proposed well would be through the People's Linen-owned undeveloped lot (Parcel 535-025), located adjacent to 43 George Street, using a track-mounted ATV drill rig. The plan would be to have the well installed during this 2019 winter season, if possible, while the ground is frozen to alleviate impacts to the ground surface by the drill rig. The groundwater monitoring well would be completed with a 3± foot vertical, 4± inch diameter steel standpipe to protect the 2-inch diameter polyvinyl chloride (PVC) well pipe at the ground surface. Sampling of the well would likely be conducted in the spring and fall of each year in accordance with an anticipated Groundwater Management Permit (GMP) to be issued by the NHDES for the Site. The well would likely be included in the GMP sampling program for a number of years until such a time when groundwater impacts at the Site are observed to be below the state regulations for PCE impacted groundwater. The NHDES would ultimately decide when sampling should cease, as well as the frequency of the sampling.

It should also be noted that once this groundwater monitoring well is no longer needed, as determined by the NHDES, the well can be decommissioned, which involves the removal of the well components and filling the associated borehole with bentonite, a water absorbent clay material used as a plug to prevent other media from entering the subsurface at this location.

We look forward to hearing your response regarding the above-mentioned scope of work, and we appreciate your consideration in this matter.

Very truly yours,

MILONE & MACBROOM, INC.



Charles E. Teale, PE, LSP, LEP
Manager of Geotechnical Engineering
& Environmental Services



Patrick J. Massicotte, EIT
Environmental Engineer

Enclosures: MMI's Figure 3 – PCE Isopleth Plan
 Aerial Photograph of Proposed Monitoring Well Location

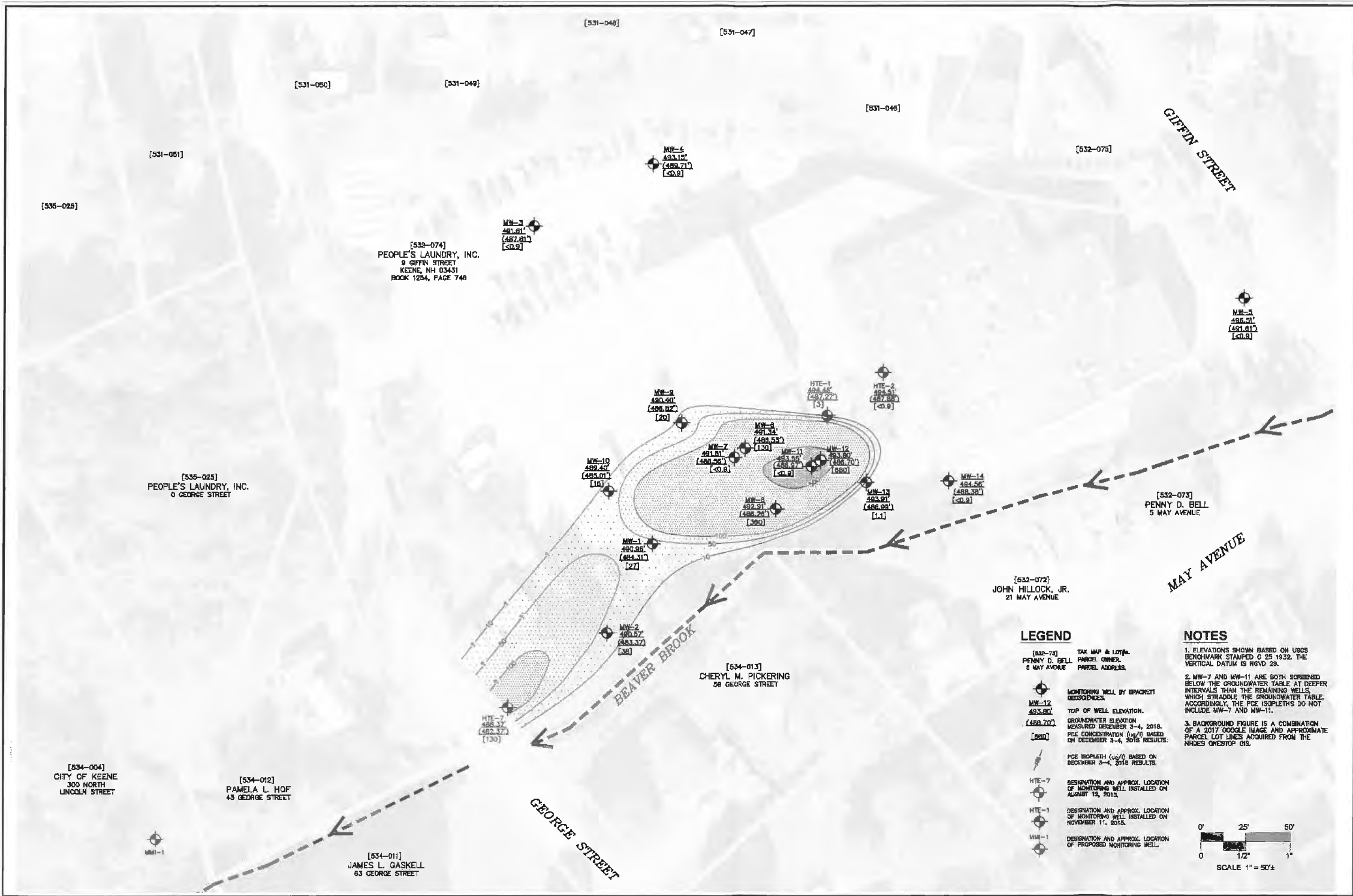


Keene, NH
Contact



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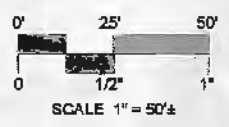


LEGEND

- [532-73] TAX MAP & LOT# PARCEL OWNER, PARCEL ADDRESS
- [532-73] PENNY D. BELL 5 MAY AVENUE
- [532-73] MONITORING WELL BY BRACKET GEODESICS
- MW-12 493.80' (490.70') [880] TOP OF WELL ELEVATION, GROUNDWATER ELEVATION MEASURED DECEMBER 3-4, 2018. PCE CONCENTRATION (ug/l) BASED ON DECEMBER 3-4, 2018 RESULTS.
- [880] PCE ISOPLETH (ug/l) BASED ON DECEMBER 3-4, 2018 RESULTS.
- HTE-7 DESIGNATION AND APPROX. LOCATION OF MONITORING WELL INSTALLED ON AUGUST 12, 2013.
- HTE-3 DESIGNATION AND APPROX. LOCATION OF MONITORING WELL INSTALLED ON NOVEMBER 11, 2013.
- MW-1 DESIGNATION AND APPROX. LOCATION OF PROPOSED MONITORING WELL.

NOTES

- ELEVATIONS SHOWN BASED ON USGS BENCHMARK STAMPED C 25 1932. THE VERTICAL DATUM IS NVD 29.
- MW-7 AND MW-11 ARE BOTH SCREENED BELOW THE GROUNDWATER TABLE AT DEEPER INTERVALS THAN THE REMAINING WELLS, WHICH STRADDLE THE GROUNDWATER TABLE. ACCORDINGLY, THE PCE ISOPLETHS DO NOT INCLUDE MW-7 AND MW-11.
- BACKGROUND FIGURE IS A COMBINATION OF A 2017 GOOGLE IMAGE AND APPROXIMATE PARCEL LOT LINES ACQUIRED FROM THE NHDES ONESTOP GIS.



MILONE & MACBROOM
 99 REALTY DRIVE
 CHESTER, CT 06430
 203.271.7775
 WWW.MJMINC.COM

REVISIONS	

PCE ISOPLETH PLAN

PEOPLE'S LAUNDRY FACILITY
 NHDES #199802052
 9 GIFFIN STREET
 KEENE, NEW HAMPSHIRE

DESIGNED	DRAWN	CET
FJM	PJM	CET
AS SHOWN		
SCALE		
February 8, 2019		
DATE		
6598-01-02		
PROJECT NO.		

FIG. 3



Transmittal Form

February 25, 2019

TO: Mayor and Keene City Council

FROM: Bruce Bickford, Market Coordinator

THROUGH: Patricia A. Little, City Clerk

ITEM: 2.

SUBJECT: Bruce Bickford/Farmer's Market - Request to Use City Property - Gilbo Avenue

COUNCIL ACTION:

In City Council March 7, 2019.

Referred to the Planning, Licenses and Development Committee.

ATTACHMENTS:

Description

Communication - Bickford

BACKGROUND:

The Farmer's Market of Keene is requesting use of City property along Gilbo Avenue as well as parking spaces in the Commercial Street Parking Lot for their annual farmer's market from mid April through October, 2019.

Farmers Market of Keene
P.O. Box 425
Keene, NH

2/25/2019

To the Mayor and City Councilors of ~~Keene~~

The Farmers Market of Keene respectfully requests the renewal of the leased space on Gilbo Ave used for the 2018 season for the upcoming season of 2019 to vend locally produced agricultural products and artisan wares

We would like to ask for some additional changes. The first being the addition of the last two Saturdays in April, the 20th and 27th. Opening on Earth Day we think would be a great addition to the downtown festivities and a great opening day kick off.

Secondly we would like to investigate with the City of Keene the potential of changing our Tuesday Hours from 9^{am} to 1^{pm} to 4^{pm} to 7^{pm}. There are no other Tuesday evening markets in the area and possibly this would be a better time to serve more of the community and benefit the downtown experience.

In City Council March 7, 2019.
Referred to the Planning, Licenses
and Development Committee.

Respectfully,
603-209-7100 Bruce Bickford
Coordinator

City Clerk



Transmittal Form

January 27, 2019

TO: Mayor and Keene City Council

FROM: Weston Liu, New England Aerobatic Club

THROUGH: Patricia A. Little, City Clerk

ITEM: 3.

SUBJECT: Weston Liu/New England Aerobatic Club - Request to Use City Property - Dillant Hopkins Airport

COUNCIL ACTION:

In City Council March 7, 2019.
Referred to the Planning, Licenses
and Development Committee.

ATTACHMENTS:

Description

Communication - Liu

BACKGROUND:

The New England Aerobatic Club is requesting a license to hold aerobatic practice sessions at the Dillant-Hopkins Airport once per month starting in May 2019.

105 Mason Rd
Brookline, NH, 03033

January 27, 2019

City Council
City of Keene
3 Washington St.
Keene, NH 03431

In City Council March 7, 2019.
Referred to the Planning, Licenses
and Development Committee.

City Clerk

Dear Keene City Council,

2018 was another year of aerobatic flying at the Dillant-Hopkins Keene airport for myself and the New England Aerobatic Club. We thank you for your hospitality. Thanks to Jack Wozmak, the Airport Director, Mike Moriarty and the rest of the airport staff, Beth Bendel at Monadnock Aviation, and Tracy Keating at The Flight Deck for their enthusiastic support. The feedback that we continue to receive is that the aerobatics has been a positive for business at the airport.

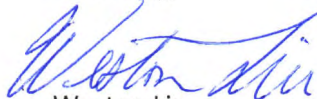
Mother nature and the airport construction schedule was not entirely cooperative in 2018 but we were able to fly at Keene once in June and once in September. Both visits were valuable practice towards the competitions we fly.

The aerobatic practice at Keene helped myself fly at the US National Aerobatic Championships to a top 10 finish in my Intermediate Category. My peers in the New England Aerobatic Club were able to earn trophies at regional contests across the northeast US.

The NEAC and I request the renewal of our airport agreement with the City for 2019. We hope to be able to schedule aerobatic practice days starting in late May. We anticipate attempting to fly about once a month, depending on weather and the International Aerobatic Club's schedule of contests.

The New England Aerobatic Club and I look forward to another successful year of flying at Keene.

Sincerely,



Weston Liu

For the New England Aerobatic Club



City of Keene, N.H.
Transmittal Form

February 27, 2019

TO: Mayor and Keene City Council

FROM: Energy and Climate Committee

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 4.

SUBJECT: HB 365 “Relative to Net Energy Metering Limits for Customer Generators” - Energy and Climate Committee

COUNCIL ACTION:

In City Council March 7, 2019.

Referred to the Planning, Licenses and Development Committee.

RECOMMENDATION:

That the City Council draft a letter to the state legislature stating they support HB 365 “Relative to net energy metering limits for customer generators”

ATTACHMENTS:

Description

HB 365 text

BACKGROUND:

Included below is an excerpt from the February 6, 2019 Energy and Climate Committee meeting minutes under agenda item #6.b regarding House Bill 365, "Relative to net energy metering limits for customer generators."

"Chair Shedd stated that the text of the bill for HB 365 is included in the packet. She said that last year a similar bill had bipartisan support to increase the net metering cap for individual projects from 1 to 5 megawatts, and then the governor vetoed it. It came back in the fall of 2018 for a veto override vote; however, there were not enough votes to override the veto at that time. She said the bill is back again. Ms. Brunner stated that she reached out to Clean Energy NH to see if they had any summaries or talking points that relate to these bills and she received some information that she will share with the committee.

Chair Shedd said this bill was not specifically commented on by the City last year because they had already asked the City to support maintaining the renewable portfolio standard and RGGI funding, and this bill came to their attention a little bit later when it was too late to get through City channels. However, this bill will clearly impact what Keene can do. For example, the wastewater treatment plant (WWTP) is the largest electricity user in the county. Ms. Brunner noted the WWTP has already done a significant amount of work to reduce their energy usage, but even so would probably need a larger system than 1 megawatt. Chair Shedd said there has been discussion off and on about the possibility of installing a solar system to offset the WWTP electrical usage, which would probably need to be bigger than 1 megawatt, but the City could not do that with the current

1 megawatt limit. She said raising the cap to 5 megawatts would directly impact what the City can do, much less what residents and businesses can do. She asked the committee if the group is in favor of asking City Council to have the City submit comment to the legislature and the Governor. She asked Ms. Brunner to summarize the talking points from Clean Energy New Hampshire.

Ms. Brunner said the talking points from Clean Energy NH state that the bill would do the following:

-Raise project cap for net-metered projects from 1 megawatt to 5 megawatts

-Require utilities to account for net-metered power in such a way that maximizes rate payer savings and minimizes rate-payer costs.

-Would allow large energy users like municipalities, schools and business to invest in renewable energy projects that are properly sized for their needs (which gets to the point that Chair Shedd made about the WWTP, which would need a system that is larger than 1 MW)

Ms. Brunner noted that the talking points also include some general information about the overall benefits of renewable energy to the state, such as creating renewable energy jobs, reducing fossil fuel use from out of state and keeping energy dollars in the state. Ms. Brunner said she would be happy to share the talking points with the committee if people are interested.

Vice Chair Hansel asked if this bill would affect group-net metering. Ms. Brunner said there is a bill that would affect group-net metering, which is the low-income community solar bill. Vice Chair Hansel asked if they put in a facility that is bigger than they needed themselves, could the City then group-net meter that extra energy. Mr. Lamb said there have been several concepts developed for the airport and one of them is a small energy micro-grid that the City would then own and operate, however, there are some limitations because they would become a power generator which puts them in a new class. However, he said, it is likely that if there would be more energy produced in the WWTP, they could potentially take advantage of group net metering. Mr. Lamb said anytime they can use energy behind the meter it is a better deal financially than putting it back into the grid.

Ms. Brunner said SB 165 is a bill that would modify group net metering in a couple of ways. First, it will allow for members of a group-net metered system to receive on-bill crediting for their share of the net-metered generation. She believes that currently, the utility will send a check to the head of the group net-metered system and then that entity has to distribute the money. The current proposal is to change this to on bill crediting, which makes it a simpler process. It includes a 3% per kilowatt per hour adder for low income, community solar projects and it requires that there are three new moderate or low income community solar projects to be added to each utility service area per year beginning in 2020.

Chair Shedd said the SB 165 group net-metering bill is different than the energy cap bill (HB 365) and perhaps they should pay attention to that right now. She asked members again if they want to ask Council to support the bill. Ms. Baum and Councilor Clark said they are in favor of asking City Council to support the bill. Councilor Clark noted that the City had weighed in on the statewide cap on net metering in the past. Chair Shedd clarified that this bill is to raise the cap for individual projects; the previous bill that the City commented on was for a cap on all projects throughout the state. This bill would allow larger institutions, such as schools, municipalities, and other large electric users, to install systems that are the proper size.

Councilor Clark reviewed several process options and asked about the best way to make this request. Mr. Lamb said he thinks it is important for ECC to take a vote and make a recommendation for the Mayor or City Council to draft a letter. He said if the committee makes a vote today, it may be referred to either the PLD or MSFI committee and at that point public input will be solicited. ECC members could provide input at this point in the process which would allow City Council to hear their story. The PLD/MSFI will make their recommendation and then it will go back to Full Council, possibly by March 5th. Chair Shedd this is a reasonable timing for the process, because bills crossover from the senate to the house and vice versa in April.

Ms. Baum motioned that ECC make a recommendation to City Council to draft a letter to the legislature

stating they support HB 365 “Relative to net energy metering limits for customer generators”, Councilor Clark seconded and motion passed unanimously.”

HB 365 - AS INTRODUCED

2019 SESSION

19-0090
06/08

HOUSE BILL **365**

AN ACT relative to net energy metering limits for customer generators.

SPONSORS: Rep. Moffett, Merr. 9; Rep. Backus, Hills. 19; Rep. Suzanne Smith, Graf. 8; Rep. P. Schmidt, Straf. 19; Rep. Danielson, Hills. 7; Rep. Wolf, Merr. 5; Rep. McWilliams, Merr. 27; Rep. O'Connor, Rock. 6; Rep. Hennessey, Graf. 1; Sen. Bradley, Dist 3

COMMITTEE: Science, Technology and Energy

ANALYSIS

This bill increases the electric generating capacity of customer generators who may participate in net energy metering and modifies the transition of tariffs applicable to certain customer-generators. The bill also clarifies the definition of eligible customer-generator for purposes of the utility property tax.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struckthrough.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

19-0090
06/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Nineteen

AN ACT relative to net energy metering limits for customer generators.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 Findings. The general court finds that:

I. New Hampshire's electricity consumers, including municipalities, manufacturers, commercial businesses, and other large users, strongly support more competitive retail options to lower their energy costs.

II. These same consumers deserve the freedom to invest their own capital to become more self-sufficient and energy independent and less reliant on out-of-state electricity companies that control our high electricity rates.

III. ISO-New England, Inc., the independent, nonprofit regional transmission organization that oversees the operation of New England's bulk electric power system and transmission lines, has stated that infrastructure constraints could pose a challenge to the reliable operation of the regional power grid,

create price increases and volatility, and contribute to increased air emissions, all of which would adversely impact New Hampshire's citizens, businesses, and economy.

IV. The current size limit of one megawatt on customer-generators that may participate in net energy metering is an unnecessary barrier that denies larger electricity users the same rights that smaller users already have to produce and use local renewable power that reduces their energy costs, increases supply, and insulates all New Hampshire ratepayers from electric price volatility and higher transmission costs.

V. The current size limit is also a barrier to significant investment in existing and new small renewable energy projects, which would help keep our energy dollars in-state, drive economic activity, support good-paying jobs, and increase state and local business and property tax revenues.

VI. It is in the best interests of all citizens of New Hampshire that the size limit on customer-generators that may participate in net energy metering be increased from one megawatt to 5 megawatts to help mitigate the cost of electric service in the state, reduce the price volatility of that service, and reduce the potential for disruptions in electricity supply due to inadequate wholesale generating capacity in the New England marketplace.

2 Definition; Customer-generator. Amend RSA 362-A:1-a, II-b to read as follows:

II-b. "Eligible customer-generator" or "customer-generator" means an electric utility customer who owns, operates, or purchases power from an electrical generating facility either powered by renewable energy or which employs a heat led combined heat and power system, with a total peak generating capacity of up to and including [~~one megawatt,~~] **5 megawatts and** that is located behind a retail meter on the customer's premises, is interconnected and operates in parallel with the electric grid, and is used to offset the customer's own electricity requirements. Incremental generation added to an existing generation facility, that does not itself qualify for net metering, shall qualify if such incremental generation meets the qualifications of this paragraph and is metered separately from the nonqualifying facility.

3 Net Energy Metering; Net Effects. Amend RSA 362-A:9, VII to read as follows:

VII. A distribution utility may perform an annual calculation to determine the net effect this section had on its default service and distribution revenues and expenses in the prior calendar year. The method of performing the calculation and applying the results, as well as a reconciliation mechanism to collect or credit any such net effects with appropriate carrying charges and credits applied, shall be determined by the commission. ***Regardless of whether or not an annual calculation is performed, a distribution utility shall take any and all steps necessary to eliminate or mitigate the creation of any ratepayer costs that could otherwise arise as a result of the utility's handling or accounting of kilowatt-hours generated by a customer-generator and fed into the electric distribution system. Furthermore, a distribution utility shall take any and all steps necessary to handle or account for kilowatt-hours generated by a customer-generator and fed into the electric distribution system in ways that maximize ratepayer savings, including, but not limited to, peak demand savings and transmission-related savings. Such steps shall include, but not be limited to, filing new state or federal tariffs if necessary to minimize ratepayer costs and maximize ratepayer savings. A distribution utility shall demonstrate to the commission that it has taken any and all such steps to minimize ratepayer costs and maximize ratepayer savings. Such demonstration shall also be a condition of commission approval of any request to collect or credit the net effects of this section.***

4 Net Energy Metering; Transition of Tariffs. Amend RSA 362-A:9, XV to read as follows:

XV. Standard tariffs that are available to eligible customer-generators under this section shall terminate on December 31, 2040 and such customer-generators shall transition to tariffs that are in effect at that time. ***Customer-generators with a total peak generating capacity of more than one megawatt***

and not exceeding 5 megawatts shall be grandfathered with the net metering design and structure specified in this section through December 31, 2040 if the customer-generator's electrical generating facility first becomes operational on or after July 1, 2019. After December 31, 2040, those customer-generators shall transition to tariffs that are in effect at that time.

5 Utility Property Tax; Definition of Eligible Customer-Generator; Exclusion Clarified. Amend RSA 83-F:1, V(d) to read as follows:

(d) The electrical generation, production, and supply equipment of an "eligible customer-generator" as defined in RSA 362-A:1-a, II-b, *up to and including one megawatt, or up to and including 5 megawatts if the customer-generator's electrical generating facility first becomes operational on or after July 1, 2019;*

6 Effective Date. This act shall take effect 60 days after its passage.



External Communication
Transmittal Form

March 11, 2019

TO: Planning, Licenses and Development Committee

FROM: Rebecca Landry, Assistant City Manager & IT Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 5.

SUBJECT: Swanzey Dam Easement - Airport Department

RECOMMENDATION:

That the City Council authorize the City Manager to do all things necessary to negotiate and execute an easement with the Town of Swanzey for the rehabilitation and long term maintenance of a Wilson Pond dam.

BACKGROUND:

There is a small dam at lower Wilson Pond on Route 132 in Swanzey with associated facilities on Keene Airport property. The dam is in need of rehabilitation for which the Town of Swanzey is responsible. In order to tend to an outlet pipe and other associate dam facilities, the Town of Swanzey is requesting an easement for both short term rehabilitation and long term maintenance purposes. It is recommended that the easement be negotiated and executed for these purposes.