

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

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

**Wednesday, April 10, 2019**

**7:00 PM**

**Council Chambers A**

**Members Present:**

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

**Staff Present:**

Elizabeth Dragon, City Manager  
Kurt Blomquist, Public Works Director  
Rhett Lamb, ACM/Community Dev. Dir.  
Tom Mullins, City Attorney  
Mary Brunner, Planner

**Members Not Present:**

Bart K. Sapeta  
Philip M. Jones, Vice-Chair

**Other Councilors Present**

Terry Clark  
Mitch Greenwald

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

**1. Anthony & Fanella Levick/Granite Roots Brewing - Request to Sell Beer at Keene Farmers' Market**

Anthony Levick, of North Main Street, Troy submitting their annual request to sell beer produced by them at their Nano brewery at the Farmers Market of Keene. They plan to have 16 ounce and 22 ounce bottles of beer, and 16 ounce cans for sale this year and would like to offer small 4 ounce samples. The Liquor Commission has approved four ounce samples at Farmer's Markets. In addition, the Farmers Market of Keene has indicated their support for this activity.

Chair Richards verified through City staff that all requirements had been met.

Councilor Rice said she is in favor of the idea and asked how many samples Mr. Levick usually has. Mr. Levick said he has seven to eight different beers to sample at the Farmer's Market, and it is a roped in area.

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 Councilor Rice.

On a vote of 3-0, the Planning, Licenses and Development Committee recommends that Granite Roots Brewing be granted permission to sell alcohol at the 2019 Keene Farmer's Market on City property licensed to the Farmer's Market of Keene and to allow samples to be provided to patrons. Said permission is contingent on the following: submittal of a signed letter of permission from the Farmer's Market of Keene, obtainment of all necessary permits and licenses and compliance with all laws, including the requirements of NH RSA 179:44 II-a.

**2. Peter Poanessa & Judy Rogers/Magical History Tour - Request to Use City Property - Walldogs Mural Festival**

Judy Rogers and Peter Poanessa, of Keene representing the Magical History Tour, are requesting a license to hold the Walldogs Mural Festival in downtown Keene from June 19-23, 2019. Mr. Poanessa reported they already have 150 artists signed up and are expecting between 200 to 250. They will be painting sixteen murals around town.

Kurt Blomquist, Public Works Director/Emergency Management Director complimented the applicants on their protocol plan and efforts thus far. He continued two protocol meetings have already been held and there will be another one before the event. Mr. Blomquist commented this is an exciting time for the City. Addressing the prepared motion Mr. Blomquist noted it is a bit broad in a couple of areas as we are continuing to work with them. Mr. Blomquist noted the uniqueness of the event (three days) being most events in the City are for one day. In addition, they have all the setup and preparations before the event. Mr. Blomquist said staff recommends granting a license for this event.

Chair Richards asked for questions or comments from the public.

Ms. Rogers addressed the motion condition referring to the applicant obtaining signed letters of permission from property owners. She noted the buildings housing the sixteen murals will all have letters of agreement. Ms. Rogers asked about the other properties (parking lots) and if signed letters was needed from them. Mr. Blomquist said he would work with the applicant to make sure they have obtained the necessary permission; he noted emails have been acceptable in the past.

Ms. Rogers continued noting the motion refers to the Magical History Tour and Arts Alive who is their fiscal agent. Arts Alive was added at the request of the City Attorney. She noted the Certificate of Liability is for Magical History Tour and asked if Arts Alive had to be on all the documents. Tom Mullins, City Attorney replied as long as the Certificate of Insurance is properly issued and executed, and lists the City as an additional insured it does not matter from his perspective which entity it comes from. He added Arts Alive is on the contract for the mural going up on City Hall. Ms. Rogers then asked if the license and other documents needed to be signed by both parties. Attorney Mullins stated the license would be issued to both parties; Arts Alive and Magical History Tour. Attorney Mullins added it is up to you how you want to handle the separate contracts with the property owners for the murals.

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 3-0, the Planning, Licenses and Development Committee recommends that a license be granted to Arts Alive, Inc. and The Magical History Tour to use the Downtown area including Railroad Square, Downtown City rights-of-way and City property, along with the closing of any City Street and/or public right-of-way as identified by City staff starting on June 17<sup>th</sup> through the 23<sup>rd</sup>, 2019 to host the 2019 Walldogs Mural Festival subject to the following provisions:

- That the Petitioner is permitted to encumber various locations on the City right-of-way and City property during pre-event site preparation and scheduled mural painting dates;
- That the Petitioner is permitted to host activities on Railroad Square daily from Wednesday, June 19<sup>th</sup> through Sunday, June 23<sup>rd</sup>, including family activities, non-profit displays and using a location on Railroad Street as a starting point for guided mural tours;
- That the Petitioner is permitted to hold a block party event on Court Street from Winter Street to Vernon Street on Saturday, June 22<sup>nd</sup> from 11:00 AM to 11:00 PM including food trucks, live entertainment and the serving of alcohol on the City right-of-way in front of the Machina Arts Restaurant space;
- That free parking be granted under the provisions of the free parking policy for the use of City parking spaces encumbered for equipment and storage at murals sites from Wednesday, June 19, 2019 to Sunday, June 23, 2019, and spaces within the Block Party Event footprint on the day of the event;
- 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;
- The submittal of signed letters of permission from any private property owners for the use of their property;
- That the Petitioner shall absorb the cost of any City services provided, and agrees to remit said payment within 30-days of the date of the invoicing from the City; and
- Said permission is granted subject to obtainment of any necessary licenses or permits and compliance with all laws; and compliance with any recommendations of City staff.

**3. SB 165 "Relative to Net Energy Metering by Low-Moderate Income Community Solar Projects" - Energy & Climate Committee**

Terry Clark, Ward 3 Councilor, and Committee liaison said net metering is a rate program that

allows customers to use their own renewable energy sources to generate electricity and sell it back to Eversource at the market rate. He provided examples of low-income community solar such as Base Hill and Tanglewood Mobile Home Association. Councilor Clark reported SB-165 crossed over into the House last week. Councilor Clark said the Bill modifies the method of calculating the energy metering credits for low to moderate income communities' solar projects. It gives the opportunity to eliminate the middle man by giving the option of placing an individual's energy credit directly onto the individual's energy bill instead of sending taxable dividends through the mail; credits on the energy bill are not taxable. Councilor Clark outlined how the Bill would benefit individual share-holders including a three cent premium being added to the market rate. This Bill would also help the City reach its 100 percent Renewable Energy goal. The Energy and Climate Committee urges this Committee to send a letter of support to our County delegates and the Governor.

Chair Richards asked for Committee questions or comments.

Councilor Hansel noted this popped up on his radar talking about a potential low-income project in Keene that could benefit from this legislation. Councilor Hansel continued one of the things we have struggled with as we have gone to more renewables and solar is it tends to hit the higher incomes first; so they are looking for ways to make it accessible to lower-income people. He noted the PUC is now required to have two projects a year that qualify as moderate to low-income. Councilor Hansel is looking forward to supporting this Bill and its passing.

There being no further questions or comments 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 3-0, the Planning, Licenses, and Development Committee recommends that a letter of support be submitted to the NH State Legislators and Governor Sununu for SB 165 "Relative to net energy metering by low-moderate income community solar projects".

4. **MORE TIME ITEMS:**

- a. Pathways for Keene - Request to Use City Property - 4 on the 4th Road Race
- b. Daron Friedman - Request to Acquire Property - Washington Street

5. **Adjournment** - There being no further business before the Committee Chair Richards adjourned the meeting at 7:17 PM.

Respectfully submitted by,  
Mary Lou Sheats Hall- Minute taker  
April 11, 2019

Additional Edits by,  
Terri M. Hood  
Assistant City Clerk