

11/03/2022

A regular meeting of the Keene City Council was held on Thursday, November 3, 2022. The Honorable Mayor George S. Hansel called the meeting to order at 7:00 PM. Roll called: Bryan J. Lake, Michael J. Remy, Gladys Johnsen, Michael Giacomo, Randy L. Filiault, Robert C. Williams, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Raleigh C. Ormerod, Bettina A. Chadbourne, Catherine I. Workman, Mitchell H. Greenwald, Kate M. Bosley, and Thomas F. Powers were present. Councilor Madison led the Pledge of Allegiance.

## ANNOUNCEMENTS

Mayor Hansel announced that on November 11 at 11:00 AM there would be a Veteran's Day program at the Recreation Center.

## MINUTES OF THE PRECEDING MEETING

A motion by Councilor Powers to adopt the October 20, 2022 regular meeting minutes as printed was duly seconded by Councilor Bosley and the motion carried unanimously.

## PROCLAMATION – SALAMANDER CROSSINGS

Mayor Hansel welcomed Brett Thelen, Science Director for the Harris Center of Conservation Education, and Duncan Watson, Assistant Public Director. Ms. Thelen referred to the annual salamander brigade and road closures that have occurred in Keene over the last few years. She continued that recently the Harris Center awarded the City of Keene an award for this work together. She read from the Laurie Bryan Partnership Award:

*If you spend enough time shepherding salamanders and frogs across roads on rainy nights as Ms. Thelen and many volunteers so, seeing the impacts a few cars can have on nights when thousands of amphibians are afoot, you will eventually wonder: why can we not just close the road? But when it is your job to ensure safe traffic flow in a City of 25,000 people, the answer to that question is not so clearcut. So, when one of our crossing volunteers set up a meeting with Duncan Watson, the Assistant Public Works Director for the City, in 2017 to discuss the idea of closing amphibian road crossing sites to vehicles on migration nights, Ms. Thelen expected to be sent on her way. Instead, Mr. Watson listened thoughtfully and said let's see what we can do. That was the first of many conversations with Mr. Watson, the City Engineer, and other members of the Public Works Department, with the Police Department, the Parks Department, and eventually the Mayor and City Council, who needed to give their approval for such road closures to proceed. Five years later, big night detours are an annual spring occurrence at North Lincoln Street and this past spring they expanded to a site on Jordan Road, which the Council approved. That site is home to the Jefferson salamander, which is a species of concern in NH. Keene is the first and only community in the State to close roads for amphibian migrations. Ms. Thelen was confident they would not be the last. This is a true partnership between the Harris Center and the City of Keene. The City provides their transportation planning expertise to provide smooth and safe detours, as well as the barricades and signs to make that happen. The City also spreads the*

*word to their considerable network, sometimes with very little notice. The Harris Center uses their many years of community science data on the salamander to predict when migrations are most likely to occur. We work with interns and volunteers to put the barriers and crossings in place, and train and coordinate hundreds of crossing brigade volunteers every year in Keene and beyond to collect the amphibian migration data that that informs the road closure decisions. We also welcome visitors to the North Lincoln Street site when that road is closed, orienting them, answering questions, and teaching them the basics. Over the past five years, these detours have provided safe passage for thousands of amphibians and provided a safe space for hundreds of people to experience the magic of the spring amphibian migration, including elders, toddlers, and others who would not have felt safe attending if that road were open to traffic. This project has become a source of pride for the people of Keene and the Harris Center. Every year she hears from people in other places who have been inspired by Keene's actions and ask how they can bring their own big night detours to their own towns. Keene is the first but would not be the last. We could not do this work without our partners at the City and vice versa. The Laurie Bryan Partnership Award at the Harris Center was created to honor the care and thoughtfulness that former Executive Director, Laurie Bryan, brought to the Harris Center's many community partners and to recognize that we can accomplish more together than we ever could alone. So, for saying "let's see" instead of "no" and for stepping with us into this uncharted territory and coming out the other side as leaders in grassroots wildlife conservation, and for the joyful rainy nights at North Lincoln Street over the past five years and many nights at Jordan Road and North Lincoln Street to come, is my honor to present the Laurie Bryan Partnership award to the City of Keene.*

Mayor Hansel thanked Ms. Thelen and Mr. Watson for facilitating this partnership. Mr. Watson said that if you have never seen this amphibian crossing in March–April on cool rainy nights, to check it out because it would bring out your inner child.

**PUBLIC HEARING – AMENDMENT TO ZONING ORDINANCE – PROVIDING FOR RECREATION/ENTERTAINMENT FACILITY AS AN INDOOR PRINCIPAL PERMITTED USE IN THE BUSINESS GROWTH AND REUSE ZONING DISTRICT (ORDINANCE O-2022-11)**

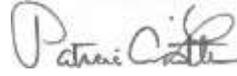
The City Clerk read the public hearing notice and Mayor Hansel called the hearing to order at approximately 7:10 PM.

Mayor Hansel heard from Community Development Director, Jesse Rounds. Mr. Rounds provided background on this amendment, which was originally introduced before the Council on August 18. The public workshop before the joint Planning Board, Planning, Licenses, and Development Committee occurred on September 12, and the Planning Board voted that the Ordinance change was consistent with the Comprehensive Master Plan and the PLD Committee voted to forward it to a public hearing. He said public comments at the workshop were positive and Staff supported the change.

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Mayor Hansel opened the floor to public comments, and hearing none, he closed the public hearing at approximately 7:12 PM. Written comments will be accepted up until 1:00 PM next Tuesday, November 8. Written comments must be signed and submitted to the City Clerk by that date and time to be included in the record.

A true record, attest:



City Clerk

**PUBLIC HEARING – AMENDMENT TO THE ZONING ORDINANCE – PROVIDING FOR AMENDMENTS TO THE CONSERVATION RESIDENTIAL DEVELOPMENT SUBDIVISIONS IN RURAL, LOW DENSITY, AND LOW DENSITY 1 ZONING DISTRICTS (O-2022-09-B)**

The City Clerk read the public hearing notice and Mayor Hansel called the hearing to order at approximately 7:12 PM. Mayor Hansel reminded that these proposed changes do not include the five-to-two-acre change, which would come forward through a separate process.

Mayor Hansel welcomed Senior Planner, Mari Brunner to introduce this item. Ms. Brunner agreed that this Ordinance was revised during the public workshop phase to remove the lot size change from five acres to two acres. Ms. Brunner continued this Ordinance was introduced to Council for first reading on July 21 and it went to the Joint PB-PLD Committee for its first public workshop on August 8. At that Joint meeting, minor changes were made to the wording, and the Ordinance moved forward as an “A” version for a public hearing with a recommendation from the Planning Board that it was consistent with the Comprehensive Master Plan. City Council held the first public hearing on the “A” version of the Ordinance on September 1, when it moved forward to the Planning, Licenses, and Development Committee. Because there was a lot of concerns from the public at the first public hearing, the City Council sent the matter back to Committee on September 15, with a recommendation to remove the change to the minimum lot size. The Joint Committee held their second public workshop on October 17, when the Committee decided to remove the minimum lot size change from five to two acres, creating a “B” version, and recommended that the Ordinance as amended was consistent with the Comprehensive Master Plan. The PLD Committee requested the Mayor set this public hearing.

Ms. Brunner continued that “B” version of the Ordinance mostly deals with the Conservation Residential District (CRD) subdivision regulations. She briefly reviewed what a subdivision is: explaining when the owner of a property wants to divide their land into additional lots from the parent parcel through a subdivision and if approved, there are new boundary lines separating the parent parcel into two or more lots. The only person with authority to subdivide the land is the property owner or someone with the written permission of the property owner. The City cannot subdivide land. To do a subdivision, the land must be surveyed by a licensed surveyor in NH. In addition, if there are surface waters on the land, a wetland scientist must delineate boundaries of those waters and the locations of the surface water protection buffer, which in this zone is 75

feet. Then the applicant must go through a public hearing process before the Planning Board, who must confirm that the subdivision requirements are met and whether the subdivision complies with zoning regulations. In addition, there are other local regulations that depend on the site. There are Planning Board site development standards, such as drainage and storm water management. If there are any surface waters on the site that would be impacted by the subdivision, the applicant would need a Conditional Use Permit through the Surface Water Protection Ordinance.

Ms. Brunner discussed a CRD subdivision, which is one where 50% of the starting tract of land must be designated as open space in perpetuity. Then, the developer can cluster the dwelling units on the remaining portions of the tract of land. A traditional subdivision utilizes the majority of the site for house lots, leaving fragmented pockets of open space, and most of the land is transformed into lawn and yard areas. Alternatively, the CRD clusters house lots and retains a large contiguous area of open space and the amount of impervious area reduced, with protection for streams. In both scenarios the overall number of dwelling units are the same; CRDs are considered density neutral overall unless they include a density incentive. When Ms. Brunner talked tracts, she referred to the parent parcel, whereas the lots are newly created through the subdivision, and the conservation space must include all primary conservation areas, which is done by a professional surveyor or wetland scientist and those include all wetland and surface waters, slopes greater than 25% grade, floodways, and springs. CRDs are only allowed in three zoning districts: rural, low density, and low density 1 zoning districts.

Within the CRD regulations, there are specific dimensional requirements. The parent parcel must be a minimum of 10 acres in the rural district and five acres in the low density and the low density 1 districts. There is a minimum amount of frontage required and setbacks are required around the outer tract boundaries, including from roads. The CRD regulations also include uses that are different from the underlying zoning district. The total number of units in a CRD are calculated using a density factor:  $\text{tract area} / \text{density factor} = \text{number of units}$ . Today's density factors in the rural district has a density factor that has a density bonus over the underlying zoning density. One unit for every four acres for regular CRD and one unit for every three acres if 60% of the parent tract is open space.

Within the CRD regulations, they include permitted uses and provide more flexibility on housing type. Compared to a traditional subdivision, in a CRD single-family homes and duplexes are allowed in all three districts and in the low-density district, there can be a single-family home with up to six units. This is intended to provide more efficient use of the land, reduce impervious coverage, and reduce fragments between open spaces.

Ms. Brunner said this Ordinance proposed to add three different density incentive options to the CRD regulations, allowing a developer to add additional units in return for some public benefit. The proposal includes the following density incentives:

1. To provide additional open space
  - a. The starting tract of land must be 10 acres or more.

- b. The developer would have to put at least 65% of the tract into open space.
  - c. Density bonus of 10% or one unit, whichever is greater.
2. Solar-Friendly Subdivision
- a. Developer must meet list of solar-friendly criteria.
  - b. Density bonus of 10% or one unit, whichever is greater.
3. Workforce housing
- a. Developer must meet workforce housing criteria: 20% if units in the development must be workforce housing.
  - b. Bonus of 20% or one unit, whichever is greater.
  - c. Bonus to build triplexes
    - i. Maximum height and number of stories remains at two stories.
    - ii. Triplexes would be more like a townhome style development.
    - iii. Overall density would be capped at 30%.

The goal of the workforce housing incentive is to encourage new developments that provide workforce housing. Workforce is defined as “for sale housing” that is affordable to a household of four earning up to 80% of the HUD area income, or rental housing that is affordable to a family of three making at least 60% of the AMI. Those exact numbers change year-to-year based on the HUD area incomes. This year, the affordable to a workforce family sale price is \$233,500, which is assuming a family has an income of \$71,280, which is considered middle class people working in jobs like Police Officers and nurses; this is not subsidized housing. For a rental, it would be \$1,200 for rent and utilities for a family of three making at least \$48,110.

Ms. Brunner concluded reviewing a few areas of the Comprehensive Master Plan, especially the chapter on Housing that calls for the need for a balance of housing and new housing opportunities across all areas and lifestyles. Under the affordability section, it states that “the community and City should support creative means to expand affordable workforce housing. It continues to read “changes in land use regulations can assist in creating a market for developers to build this type of housing through the provision of density bonuses or other incentives.”

So, Ms. Brunner said the proposed workforce housing density incentive was directly called out in the Master Plan as something the City should do. The Housing chapter also talks about providing a balanced and diverse housing stack. There is also a Climate Change chapter that says “the City and community should actively pursue the integration of renewable small- and large-scale energy sources such as wind, solar, and geothermal into its energy mix. There is a chapter on Open Space and Greenway Connections that discusses the importance of open space: “restoration of important conservation values and functions is important to the community, especially as it relates to wetlands and surface waters, and to the flood mitigation these resources provide. Conservation areas around important wetland and surface areas allows the natural system space to work, such as when wetlands are flooded after heavy rains or a stream shifts its location slightly over time.”

Ms. Brunner said the density incentives proposed are directly supported in the Master Plan. They also propose to fix some issues with this adoption, for example, making sure the uses allowed in the CRD regulations are also reflected in the Zoning Ordinance so it is clear.

Councilor Greenwald asked how many rooms are included in the \$1,200 rental, including utilities. Ms. Brunner believed that to be considered workforce under the State definition it must include at least two bedrooms. The City's requirement does not include the number of bedrooms, but that any units considered workforce in a development be the same quality and character as the other units of the development.

Mayor Hansel opened the floor to public comment.

Thomas Lacey of 241 Daniels Hill Road provided a handout of a map of an existing CRD. He thought it was helpful to look at that, noting that there are two presently in the city, including this one off Daniels Hill Road and another on Darling Court. The total property acreage of the example was 27 acres. There are 17 acres of dedicated open space. One residence is a 3.4-acre lot with frontage on Daniels Hill Road. There is a short street with a cul-de-sac called Skylar Way with five lots of approximately 1.25 acres branching off the cul-de-sac. Each lot has its own well and septic system and each drilled well has a statutory protective radius of 75 feet. The house footprint can encroach some on the well protection area. He said this layout showed that a house, driveway, well, and septic system essentially fill a 1.25-acre parcel. This is a CRD as it currently exists in the rural zone. The well radius must include neighbors' septic systems. The CRD allows for the opportunity for higher housing density than would normally be possible because of serious topographic limitations. He said this 27-acre property would potentially have five lots, but the topography would not allow that. Still, applying the existing CRD density formula raises the allowable number of lots to six. He said that existing CRD parameters already allow for very concentrated buildings in the rural zone and achieve preserving valuable open spaces. Mr. Lacey continued by noting that the use of a cul-de-sac prevents a lot of road building and allows many lots.

He said the new changes proposed for CRD subdivisions would allow a minimum lot size of 32,000 square feet; this would be 40% less than the example and conditions would have to be perfect to allow such a subdivision. He said it was evident in the wholesale reduction of the density factor by 50% and pushing the viability envelope in reducing the already tight lot size, the CRD will be redefined as a vehicle for enabling very concentrated development in the rural zone, with the corresponding reduction in conserved open space. He said it was becoming an exercise of how much could fit within one space. He said these could be proposed anywhere in the rural zone under the guise of conservation.

Mr. Lacey continued that an Appendix C of the Keene Master Plan lists smart growth principles, and number five reads, "Preserve NH's working landscape by sustaining farm, forest, and other rural resource lands to maintain contiguous tracts of open land and minimize land use conflicts." Mr. Lacey said that thus far, we are doing that. He continued that he was against this CRD

proposal which is contrary to the theme of the Master Plan and could jeopardize rural land, which should be protected.

Eloise Clark of 1185 Roxbury Road focused her remarks on the City of Keene Comprehensive Master Plan approved on September 13, 2010. She compared how these zoning changes compare to the goals espoused in the plan. She cited the Chair of the Comprehensive Master Plan Steering Committee, Mr. Welsh. She said it was a two-year process involving input from approximately 2,000 citizens, including Ms. Clark. She might not have attended all the sessions, but she did attend some and responded to a survey. Mr. Welsh said, “you will notice when you read the plan that it frames an adaptive response to climate change and proactive approach to sustainability. These were recurring themes from the public in the sessions that contributed to this master plan. However, these are not issues the City is just preparing for. When you read this Master Plan, you will see that it affirms and expands on Keene’s existing plans. The new plan likewise affirms the City’s long-standing preference for concentrating development within the areas bounded by the 9/10/12 bypass and RT-101 to create a walkable community. The New plan also supports and established a Keene goal with history to the 19<sup>th</sup> century of protecting green spaces, trails, parks, and natural wildlife corridors.”

Ms. Clark said in the conclusion to the Master Plan on page 135 it states, “Keene is a unique community that residents are proud to call home. Although the convenience and attraction of the large metropolitan areas are close at hand, the community maintains a solidly residential working-class character complemented by a landscape of rural areas, farms, and open space. The heart of the community is its historic and vibrant downtown core, in an age when many communities are losing their sense of place, Keene has a firm sense of its identity built upon a vision of the past and a clear vision of the future.” She said the last appendix of the Comprehensive Master Plan has a natural Resource Inventory completed in 2009, when she was Chair of the Conservation Commission; it is a series of maps on pages 308–324, showing a variety of natural features. She encouraged the City Council to review these maps before the crucial final vote. She pointed out steep slopes as a particular concern, noting that most of the Rural District has slopes of 15–25% or greater than 25%. To continue this exercise, she drew attention to the Hillside Ordinance O-2020-10-b, stating that the modifications were approved in 2020. Under the design use standards, there several items related to the Council’s decision-making. Ms. Clark cited 12.3.1, “Development including clearing, grading, and construction on all land areas in the Hillside Protection Overlay District shall be designed, sited, and carried out in a manner that does not cause adverse impact to the physical environment and shall provide for the retention of native soil, stabilization of slopes, and prevention of erosion or sedimentation of streams and water courses.” Ms. Clark said that was a worthy goal, but asked to see how it plays out as the Ordinance explains. Next, she cited section 12.3.2 on Prohibitive Slope Standards, which lists what is prohibited on slopes greater than 25% but allows several exceptions, such as driveways and utility lines. She said the Section 12.3.3 on Precautionary Slope Standards are for slopes between 15–25%; she said Chesterfield Hill is a 9% grade, for example. The Precautionary area allows for the “removal of vegetation, grading of slopes, erection buildings, addition of impermeable surfaces, installment of sewage disposal systems, and/or removal of

native soil,” on up to 20,000 square feet. She said the landowner can apply for a Conditional Use Permit to the Planning Board to exceed that limit. Exceptions also allowed are construction of driveways, City streets, or private roads. She said these are the areas she is most concerned about. She continued that despite the Hillside Ordinance protections, significant development can still occur on areas of precautionary slopes of 15-25%, and there are many acres of these in the rural district. She asked the Council to study the map she provided. Ms. Clark asked, if a CRD were approved in an area with precautionary slopes, would more than 20,000 square feet of land be cleared and become impervious surface? Will runoff and siltation really be contained? Will this lead to increased flooding on the valley floor? How will wastewater be treated? Will demands grow for costly infrastructure projects to extend water and sewer pipes to the Rural Zone. Ms. Clark said there were some practical reasons why the Rural District has been minimally developed through the years. She requested Mr. Welsh and posed the following questions: Have all avenues of development within the bypass and low density districts been fully evaluated to address the housing issue? Does pushing development into the residential district “frame an adaptive response to climate change and proactive approach to sustainability”? She asked the Council to please contemplate that question before voting. Finally, Ms. Clark quoted Mr. Welsh again as saying, The New plan also supports and established a Keene goal with history to the 19<sup>th</sup> century of protecting green spaces, trails, parks, and natural wildlife corridors.” Ms. Clark hoped the City would do that.

Walter Lacey of 230 Daniels Hill Road read a prepared statement.

*The proposed changes to the CRD regulations, in his view, are unacceptable in the rural Zone. They may be acceptable in the Low Density and Low Density 1 districts, however, where there are no changes to density factor per unit per dwelling unit or open space requirements. The existing CRD requirements for the Rural Zone reflect practical solutions for development in areas that are problematic for house siting. The use of four acres per dwelling with a 50% open space minimum, or 3 acres per dwelling with a 60% open space minimum, reflects the opportunity to site houses more creatively while still acknowledging the 5 acres per dwelling in the Rural Zone and its low density status. Adopting a two acre density factor effectively destroys the original intent and positive goals of the CRD as a development tool in the Rural Zone. A CRD was recently done on Daniels Hill Road/Schuyler Way, where six houses were built on 27 acres of land for a density ratio of 4.5 acres per house. That seemed an appropriate use of the land.*

*One curious aspect of the proposed changes are the solar density incentives. It seemed to me that more land area would be desirable to maximize solar benefits, not less. The homeowner should be in control of his/her natural environment, and not dependent on a neighbor's tree cutting for unrestricted insulation. The workforce housing incentives, however well-intended, deviate from the Master Plan and practicality. The Master Plan says “housing must be conveniently located, safe, and affordable”.*

*The Rural Zone is a wonderful place to live but is not conveniently located and there are no sidewalks. It further states that “areas suitable for future housing growth include downtown and certain surrounding neighborhoods, with no mention of the Rural Zone. The proposed minimum*

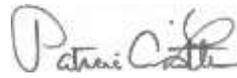
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*lot size is 32,000 square feet or the size of the City parking lot behind St. James Church, next to Lindy's Diner. The protection area of a well is about 18,000 square feet, which is a bit more than the footprint of the Common on Central Square. A septic system requires 4,000 square feet. I think you get the picture. Where do the house, garage and driveway go? And this is the Rural Zone, mind you.*

*Constructing and maintaining a well and septic system add to the expense of rural living. The small size of the lot may even make maintenance of these necessities difficult if large equipment is needed. It would seem to be a given that City water and sewer would be critical to the affordability of workforce housing. Access to public transportation would seem to be a given, as well. The proposed changes to CRD regulations in the Rural Zone would change an already flexible program for development in the Rural Zone to one that is destructive of the qualities it was designed to honor and promote. What perverse irony to have a program that was designed to protect the Rural Zone destroy it.*

The Mayor closed the public hearing except for written public comments, which will be accepted up until 1:00 PM next Tuesday, November 8. Written comments must be signed and submitted to the City Clerk by that date and time to be included in the record.

A true record, attest:



City Clerk

#### CONFIRMATION

Mayor Hansel nominated Jennifer Seher to serve as a regular member of the Congregate Living and Social Services Licensing Board, with a term to expire on December 31, 2023. A motion by Councilor Powers to confirm the nomination was duly seconded by Councilor Bosley and the motion carried on a unanimous roll call vote.

#### COMMUNICATION – GARY WEHREIN – OPPOSITION TO ORDINANCE O-2022-09-B AND SUGGESTING THAT ACCESSORY DWELLING UNITS BE CONSIDERED AS A WAY TO PROVIDE LOWER COST HOUSING

A communication was received from Gary Wehrein, expressing his continued objection to any reduction in the minimum lot size from 5 to 2 acres and encouraging the Council to consider Accessory Dwelling Units as a way to provide lower-cost housing. Mayor Hansel filed the communication into the record as informational.

#### COMMUNICATION – MATTHEW AND CATHY HALL – OPPOSITION TO ORDINANCE O-2022-09-A AND SUGGESTING ACCESSORY DWELLING UNITS BE PROMOTED AS A WAY TO PROVIDE LOWER COST HOUSING

A communication was received from Matthew and Cathy Hall, expressing their continued opposition to Ordinance O-2022-09-A and recommending that the public be educated about the benefits of Accessory Dwelling Units as a way to provide lower cost housing. Mayor Hansel filed the communication into the record as informational.

**COMMUNICATION – JENN AND KAI DAFELDECKER – 5G/4G SMALL CELL WIRELESS FACILITIES ON MIDDLE, SUMMER, CARROLL AND WEST STREETS AND ASHBROOK ROAD**

A communication was received from Jen and Kai Dafeldecker, expressing their strong opposition to the placement of small wireless cell towers in various locations in Keene and their concern over increased radiation to human health. Mayor Hansel filed the communication into the record as informational.

**MSFI REPORT – PRESENTATION – STATUS OF DOG PARK AND DISC GOLF PARK**

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending the acceptance of the dog park and disc golf park presentation as informational. MSFI Committee Chair, Greenwald, clarified that acceptance of the report included the acknowledgment that both groups would begin their fundraising efforts for these projects. Mayor Hansel filed the report as informational.

**MSFI REPORT – AARON A. LIPSKY – REQUESTING TREE REMOVAL – 64 HASTINGS AVENUE**

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending granting Aaron Lipsky's request to remove the tree in front of 64 Hastings Ave. at Mr. Lipsky's expense. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault. The motion carried unanimously with 15 Councilors present and voting in favor.

**MSFI REPORT – UPDATE ON THE FORMER FINDINGS PROPERTY AND KEENE SKATE PARK PROJECT – PARKS, RECREATION, AND FACILITIES DIRECTOR**

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending the acceptance of the conceptual plan as informational. Mayor Hansel filed the report into the record as informational.

**FOP REPORT – UPDATE ON SPECTRUM SERVICE**

A Finance, Organization, and Personnel Committee report read, recommending accepting the Spectrum Service update as informational. Mayor Hansel filed the report as informational. Spectrum representatives will be at the December 8<sup>th</sup> FOP meeting for another update.

FOP REPORT – HIGHWAY SAFETY AGENCY GRANT – POLICE CAPTAIN

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept the grant from the New Hampshire Highway Safety Agency to fund the Highway Safety Grant- Keene. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy and the motion carried unanimously.

FOP REPORT – LAND AND WATER CONSERVATION FUND GRANT ROUND 33  
NOTICE OF INTENT – PARKS, RECREATION AND FACILITIES DIRECTOR

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to execute the submission of the application for Land and Water Conservation Fund Grant Round 33 for the Russell Park Renovation Project and the Skate Park Project. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – ACCEPTANCE OF DONATIONS – HOLIDAY SPONSORSHIP PROGRAM  
– HUMAN SERVICES MANAGER

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept donations associated with the City's 2022 Holiday Sponsorship Program. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – AUTHORIZATION TO ACCEPT INVEST NH HOUSING OPPORTUNITY  
PLANNING GRANT FOR REGULATORY DEVELOPMENT – SENIOR PLANNER

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to accept and expend grant funds in the amount of \$91,150 from the Invest NH Municipal Planning & Zoning Grant Program for the purpose of hiring a consultant to develop regulations with the goal of increasing the supply of housing in the community. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT – AMENDED KEENE COMMUNITY POWER PLAN – SENIOR PLANNER

A Finance, Organization, and Personnel Committee report read, recommending the approval of the Keene Community Power Plan, as amended on July 31, 2022. A motion by Councilor Powers

to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

**FOP REPORT – ENVIROTRAC ENVIRONMENTAL SERVICES WATER MONITORING AT CLOSED MUNICIPAL LANDFILL – CHANGE ORDER #2 – ASSISTANT PUBLIC WORKS DIRECTOR**

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute Change Order #2 with Envirotrac Environmental Services for expanded landfill monitoring for an amount not to exceed \$29,200 for a revised contract total of \$68,152. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

**FOP REPORT – IMPRINTED CROSSWALKS DOWNTOWN – CHANGE ORDER – TRANSPORTATION AND STORM WATER OPERATIONS MANAGER**

A Finance, Organization, and Personnel Committee report read, recommending that the City Manager be authorized to do all things necessary to negotiate and execute a change order with BDM for the repair of downtown imprinted crosswalks in the amount of \$9,957 for a revised contract amount of \$56,779. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion carried unanimously with 15 Councilors present and voting in favor.

**CITY MANAGER COMMENTS**

The City Manager had no comments this evening.

**MORE TIME – REQUESTING NO PARKING – 191 WASHINGTON STREET**

A Municipal Services, Facilities, and Infrastructure Committee report read, recommending the communications requesting no parking at 191 Washington St. be placed on more time for staff to look at recommendations with a report back to the Committee at their next month's meeting. Mayor Hansel granted more time.

**RESOLUTION – IN APPRECIATION OF THADDEUS J. DERENDAL III UPON HIS RETIREMENT – RESOLUTION R-2022-34**

Resolution R-2022-34 read by title only. A motion by Councilor Powers to adopt Resolution R-2022-34 was duly seconded by Councilor Bosley and the motion carried unanimously.

**RESOLUTION – RELATING TO FY23 FISCAL POLICIES – RESOLUTION R-2022-33**

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Resolution R-2022-33 read by title only. A motion by Councilor Powers to adopt Resolution R-2022-33 was duly seconded by Councilor Giacomo and the motion carried unanimously.

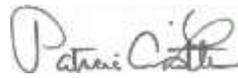
#### NON PUBLIC

At 8:48 PM a motion by Councilor Powers to go into a non-public session under RSA 91-A:3, II (e) was duly seconded by Councilor Bosley. A brief recess was called. Staff who remained in attendance included, the Public Works Director, the Assistant Public Works Director/Solid Waste Manager and the Assistant City Attorney. Councilor Madison recused himself and exited the room during the non-public session. The discussion was limited to the subject matter. At 9:39 PM the session concluded. A motion by Councilor Powers to keep the minutes of the non-public session, non-public was duly seconded by Councilor Bosley. On roll call vote, 14 Councilors were present and voting in favor. Councilor Madison was absent.

#### ADJOURNMENT

There being no further business, Mayor Hansel adjourned the meeting at approximately 9:40 PM.

A true record, attest:



City Clerk