



PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
Council Chambers A, Keene City Hall
February 7, 2024
6:00 PM

A. AGENDA ITEMS

1. Relating to Amendments to the Permitted Uses in the Downtown Core, Downtown Growth, and Commerce Districts
Ordinance O-2023-16-A
Communication - Bridget Hansel - In Support of O-2023-16-A
Communication - Joslin Kimball Frank - In Support of Ordinance O-2023-16-A
Communication - Camille Helminski - In Support of O-2023-16-A
Communication - Judy and Jim Putnam - In Support of O-2023-16-A
2. Relating to Amendments to the City of Keene Land Development Code, Definition of Charitable Gaming Facility
Ordinance O-2023-17-A

B. MORE TIME ITEMS

1. Let It Shine - Request to Use City Property - 2024 Pumpkin Festival
2. Keene Young Professionals Network – Request to Use City Property – 2024 Taste of Keene Food Festival

NON PUBLIC SESSION

ADJOURNMENT



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-Three

AN ORDINANCE Relating to Amendments to the Land Development Code, Permitted Uses in the Downtown Core, Downtown Growth and Commerce Districts

Be it ordained by the City Council of the City of Keene, as follows:

That Chapter 100 of the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended by deleting the stricken text and adding the bolded and underlined text, as follows.

1. Amend Section 8.3.2. of Article 8 to add a definition for “Charitable Gaming Facility” under the category of Commercial Uses, as follows:

I. Charitable Gaming Facility

1. **Defined. Charitable Gaming Facility – A facility licensed in accordance with the requirements of RSA 287-D, and operated by a Licensed Game Operator as defined by RSA 287-D:1, VII; or any facility operated by a person or entity licensed by the lottery commission under RSA 287-D:7 to operate games of chance on 5 or more dates per calendar year. Charitable Gaming Facilities may offer Lucky 7, as defined in RSA 287-E, as long as their use complies with all licensure and operation requirements under RSA 287-E and rules published by the New Hampshire Lottery Commission. This use includes facilities licensed to operate Bingo or bingo style games as Commercial Halls (287-E:1, V-a) or as Host Halls (RSA 287-E:1, X).**

2. Amend Section 8.4.2.C.2.a, “Specific Use Standards” of Article 8 to remove drive-through uses as a permitted use by Special Exception in the Downtown Core District, as follows:
 - a. Drive-through uses shall only be permitted by right in the Commerce and Commerce Limited Districts and by special exception from the Zoning Board of Adjustment in the ~~Downtown-Growth and Downtown-Core~~ Districts.
3. Update Table 8-1 “Permitted Principal Uses By Zoning District” in Article 8, Table 4-1 “Downtown Districts Permitted Uses” in Article 4, and Table 5.1.5 “Permitted Uses” in Article 5 to display “Charitable Gaming Facility” as a permitted use in the Downtown Growth District and Commerce District under the category of Commercial Uses.

Jay V. Kahn, Mayor

Letter to Mayor and City Council

I attended the January 18 City Council hearing on the amendment to the land development code (city ordinance O-2023-16-A) to prohibit gambling casinos in our historic downtown. Having done some research on the subject, I will cite "Harm Casinos do" and "How to wreck a local Economy" by Journalist David Frum. He quotes a project manager for a casino being proposed outside of Philadelphia, "no one should look to casinos to revive downtowns, because that is not what casinos do." His articles go on to echo the same arguments presented at the hearing by Jared Goodell (a former casino owner in Keene) who, according to the Sentinel article on January 19, explained that:

Casino gamblers go to gamble for hours on end. They don't go to restaurants; they don't go shopping downtown...Casinos require parking for 3-4 hours at a time. and this demand will exacerbate our already limited downtown parking.

A report from the Institute for American Values has gathered evidence on the social consequences of casinos and the finding should worry any responsible city government .It found that "residents who live close to a casino are almost twice as likely to become problem gamblers as people who live more than 10 miles away."

I am proud of our historic and beautiful downtown that includes municipal building, restaurants, retail stores, art galleries, churches, the newly renovated Colonial Theater and our beautiful Central Square. We don't need a casino in our downtown.

Please vote to adopt the proposed amendment to the zoning ordinance.

Bridget Hansel (el. cabinet)

Bridget Hansel
Keene, NH

Joslin Kimball Frank
104 West Street
Keene, NH 03431

February 5, 2024

Keene City Council
% Patrica Little, City Clerk
3 Washington Street
Keene, NH 03431

Re: Support for Ordinance 0—2023-16 regarding the regulation of Charitable Gaming
Facilities.

Dear Mayor Kahn and City Council,

I have lived in Keene and over the years I have walked with my parents and sisters and
brothers, grandparents, aunts and uncles and many friends during 1940 to 2024.

When friends come to Keene they tell us how much they enjoy the long area. The sidewalks are
wide enough that they can together and have conversations.

What I'd like to keep our Main Street - where others can walk, have stores on all areas of shops
that a variety of them - newspapers, clothings, sneakers, coffee, restaurants, breakfasts, lunch,
dinner, games for children's. Some of those have moved away from the downtown and it
would be nice to have them to come back to the Main Street.

I don't believe that gambling should not be a part of our Main Street.

Joslin Kimball Frank
104 West Street
Keene, NH 03431



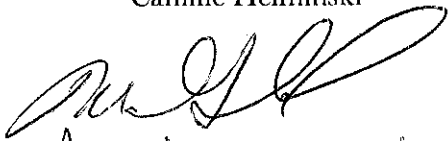
Dear City Council members,

I am writing to express concern about the possible expansion of "gaming facilities" in the downtown core area of Keene.

As owner of the building known as "32 Central Square," adjacent to the church on Central Square, that has long housed the renowned Stage restaurant, I have long appreciated the historic qualities of the beautiful downtown area of Keene and the family-oriented festivities that occur there. The Main Street and gazebo park area, and the surrounding buildings and church at the top are iconic. Surely there are other "entertainment" possibilities that might be encouraged in the downtown core other than "gaming" through which many societal problems can arise. Communities that promote healthy life-styles, the arts, and family-oriented business are the kind of communities that prosper and attract more of the same qualities and visitors, tourists from afar as well as local people. For long-term viability it's important to avoid the cheapening of the downtown environment. The parking challenges are one issue, but the overall plan for future development and the well-being of the city and its inhabitants are another.

I very much hope that the council will vote for zoning that would not allow further gambling in the heart of Keene, that the council will do its best to uphold the distinguished character of the city and preserve it. I look forward to the development rather of an upgraded downtown revitalization plan that would maintain an open, wholesome environment for future families and generations to come.

Sincerely,
Camille Helminski



Agent For Camille Helminski

Jim & Judy Putnam
168 Court Street
Keene, N. H. 03431

February 1, 2024

Keene City Council
c/o Patricia Little, City Clerk
3 Washington Street
Keene, NH 03431

Re: Support for Ordinance O-2023-16 regarding the regulation of Charitable Gaming Facilities

Dear Mayor Kahn and City Council,

Please accept this letter addressing our support for O-2023-16, which proposes to limit the use of charitable gaming facilities to the City's Downtown Growth District and Commerce District. We commend the Community Development Department for distinguishing this use from other types of indoor recreation facilities and recognizing that it is incompatible with the intent and land use pattern of the City's Downtown Core District.

The Downtown Core District is the heart of downtown Keene. It is intended to be a highly walkable, mixed-use environment with an active streetscape. An active streetscape is one alive with people and commerce, with buildings that are oriented to the street. Visitors might grab dinner and then walk to the theater for a performance, or they might walk between shops for leisure or to run errands. When people are visible in the downtown, it is not only a more vibrant destination, it is safer. There are more 'eyes on the street' to monitor what is happening and to promote a feeling of security. Casino-style gaming is focused inwards. It is designed to keep people indoors and occupied for as long as possible, taking them away from the life of the street.

Gaming facilities typically require large, off-street parking lots that allow patrons to stay and play for lengthy periods. Not only is there limited land area around Main Street to build private parking lots, it would be contrary to the spirit and intent of the City's Master Plan and Zoning Ordinance to do so. Gaming facilities in the Downtown Core will monopolize limited public parking, taking it away from other businesses and venues. As such, they are better suited for zoning districts that are oriented to vehicular uses, such as the Commerce District.

Although gambling facilities are a form of entertainment, they encourage unhealthy behavior such as addiction and negative risk-taking. In a community struggling to address widespread substance misuse, we cannot afford to promote this use in the Downtown Core, where several social service providers are working to help persons in recovery or struggling with addiction.

Furthermore, Keene's Master Plan states that the downtown "...is the most visible representation of the community to visitors...[it] establishes our community's overall identity..." (See page 38). The uses promoted in the downtown should contribute to a streetscape that is rich with social interaction, where families can enjoy time together, and where visitors/residents feel safe and welcome.

For these reasons, we strongly urge you to adopt Ordinance O-2023-16. Sincerely,



Jim & Judy Putnam



CITY OF KEENE

In the Year of Our Lord Two Thousand and _____ Twenty Three

AN ORDINANCE _____ Relating to Amendments to the Land Development Code, Definition of Charitable Gaming Facility _____

Be it ordained by the City Council of the City of Keene, as follows:

That Chapter 100 of the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended by adding the bolded and underlined text, as follows.

1. That Article 28 “Defined Terms” be amended to include a definition for “Charitable Gaming Facility,” as follows:

Charitable Gaming Facility – A facility licensed in accordance with the requirements of RSA 287-D, and operated by a Licensed Game Operator as defined by RSA 287-D:1, VII; or any facility operated by a person or entity licensed by the lottery commission under RSA 287-D:7 to operate games of chance on 5 or more dates per calendar year. Charitable Gaming Facilities may offer Lucky 7, as defined in RSA 287-E, as long as their use complies with all licensure and operation requirements under RSA 287-E and rules published by the New Hampshire Lottery Commission. This use includes facilities licensed to operate Bingo or bingo style games as Commercial Halls (287-E:1, V-a) or as Host Halls (RSA 287-E:1, X).

Jay V. Kahn, Mayor