



PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
Council Chambers A, Keene City Hall
November 13, 2024
6:00 PM

A. AGENDA ITEMS

1. Greater Monadnock Collaborative – Request to Use City Property – Central Square and Railroad Square – 30th Anniversary Celebration of the Release of the Film Jumanji
2. Jared Goodell - Proposed Amendment to Land Development Code - Side Setbacks
3. Kenneth Kost - Potential for Mixed Use Development on Gilbo Avenue Land
4. Relating to Licenses and Permits Ordinance O-2024-18
5. Rules of Order Amendments - Section 15 "Voting and Conflict of Interests", Section 17 "Motions", Section 26 "Review of Items of Business" and Section 25 "Communications"

B. MORE TIME ITEMS

NON PUBLIC SESSION

ADJOURNMENT

Jared Goodell
PO Box 305
Keene, NH 03431

November 4, 2024

Honorable Mayor Jay Kahn
Keene City Council
3 Washington Street
Keene, NH 03431

Via Electronic-Mail

Dear Mayor Kahn & City Councilors:

I respectfully ask that the Keene City Council amend the City of Keene Land Development Code to remove the 20ft interior side setback for land located in the downtown edge (DT-E) zoning district when the land abuts the downtown transition (DT-T) district.

I own a parcel of land at 7 Aliber Place that is unduly burdened by this code. My land is the only land in the City in which this code affects.

The existence of this code is currently delaying six units of affordable housing from coming to the rental market in Keene.

Sincerely yours,


Jared Goodell

10/16/2024

30 D Stonehouse Lane
Keene, NH 03431

Honorable Mayor Kahn and City Councilors

I am writing to propose a compelling case for studying the 9 acres of downtown land along Gilbo Avenue.

Background and Opportunity: Last semester, the Keene State School of Architecture conducted a study on the potential of mixed-use development in this area. Their findings underscore a significant opportunity to create a vibrant new downtown neighborhood on Gilbo Avenue. With Keene allowing seven-story buildings in the Downtown Growth District, Gilbo Avenue can accommodate more than 100 units per acre. Considering surface and structured parking, green spaces, ground-floor retail, and neighborhood amenities, this translates to a potential of around 900 apartments. We of course do not have to construct this much, but this does show the significant potential of this area to support a new neighborhood.

Parking Study and Comprehensive Development: While the city conducts the parking garage study, I believe it's essential to avoid isolating parking considerations and possibly siting a garage that does not account for future development along Gilbo Avenue, and that could site a garage that diminishes the full potential of using this property. Gilbo Avenue's unique advantage lies in its controlled ownership by just two entities, eliminating the need for complex parcel assembly. Let's explore the full development potential, integrating parking solutions into a complete neighborhood plan.

Urban Design Vision: To realize this potential, I propose engaging urban designers with the expertise to develop a small area master plan that helps us envision Gilbo Avenue at varying densities, identifying optimal areas for mixed-use buildings, parking facilities, open spaces, and other neighborhood amenities. A well-crafted vision will guide our efforts toward a thriving community.

This area development plan demonstrating the development potential along Gilbo Avenue, tied to the need for housing and the Urban Growth District's housing friendly zoning, will be an excellent tool to interest developers to build in Keene.

Advantages to imagining Gilbo Avenue as a district, and not parcel by parcel:

- Realize the full development potential of the Gilbo Avenue development.
- Prevent inefficient development and lost opportunities.
- Focus energy on a downtown development site, reducing need to build in more sensitive areas.
- Add to the great downtown environment.
- Add to our residential tax base.
- Ensure a lively active downtown.

What others are doing in NH

Just from one data source*, in 2023 there were 48 multi-family housing projects, funded by New Hampshire Housing, either under commitments or construction or complete. This includes supportive housing, age-restricted and general occupancy. Total units are 2,917. Of these, 14 units of supportive housing are in Keene. We need 1400 units in the next few years. Gilbo can accommodate much of this. Housing is being built in NH. We must attract some of that development activity here in Keene and Gilbo Avenue is one of the best places to build in Keene.

* <https://www.nhhfa.org/wp-content/uploads/2023/05/NH-Housing-Multifamily-Projects-Overview.pdf>

Options to procure a small area master plan

1. Engage an urban design firm. Cost estimate \$50 - \$100,000. This provides a detailed framework plan with programming information, engineering information and design guidelines.
2. Engage Plan New Hampshire (Plan NH), a 501(c)3 non-profit organization that conducts planning charrettes. Keene is a supporting member of Plan NH. This is how they describe their charrettes:

“A Plan NH charrette brings together diverse professionals to brainstorm recommendations to address challenges a community faces. Over a two-day period, the team visits the “target area” (e.g., downtown or significant neighborhood), talks with community leaders and members, and develops recommendations based on what they have seen and heard and also on their own professional knowledge of ideas and trends that could contribute to healthy and vibrant communities”.

Here is an example of a Plan NH Charrette for Manchester.

[https://plannh.org/wp-content/uploads/2024/05/Plan-NH-Mancheorganization ster-Beech-and-Maple-2023-Report-Corrected-030124.pdf](https://plannh.org/wp-content/uploads/2024/05/Plan-NH-Mancheorganization%20ster-Beech-and-Maple-2023-Report-Corrected-030124.pdf)

The link below is the library of all their charrettes.

<https://plannh.org/library#charrette-reports>

The cost for this service is \$6,500. The result is a high-level vision. This is a good first look, but eventually needs a more in-depth small area master plan.

I look forward to discussing this at an upcoming council meeting.

Sincerely,



Ken Kost
30 D Stonehouse Lane

[Redacted address line]



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Four

AN ORDINANCE Relating to Licenses and Permits

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

That Chapter 46 “LICENSES AND PERMITS” of the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended by adding the bolded, underlined text in Article II. “LICENSING GENERALLY”, section Sec. 46-91. “Application”.

Sec. 46-91. Application.

Applications for all licenses provided by this chapter shall be available in the designated office and shall be made upon such standard forms as may be prescribed therefor from time to time, which may include the information required for an application, the process of review thereof, the fee therefor, and any conditions or other requirements pertinent to its issuance, and the expiration date thereof. No license shall be valid unless the fee therefor, if any, has been paid and the applicant has the license in his possession bearing all required information, signed by the city official designated to grant such license, and it has not expired, or been suspended, revoked or modified by the city official authorized to grant the license in accordance with the fair hearing procedures set forth in section 46-94.

The designated licensing official, as directed by the Public Works Director, shall not accept applications for licenses occurring on city property including sidewalks and rights-of-way when the area of use will be impacted by a city construction project.

Jay V. Kahn, Mayor

SECTION 15. VOTING AND CONFLICT OF INTEREST.

Every Councilor present when a vote is required shall state their vote except when the Councilor has a conflict of interest in the matter under consideration. A ~~€~~**Conflict of Interest** shall be defined to exist when a proposed action, decision, or discussion (~~“Issue”~~) (**“Item”**) presented to the City Council for consideration, would affect the Councilor's pecuniary or personal interests (**collectively “Conflict of Interest”**). A (“Pecuniary Interest”) is any private financial interest, whether in the form of money, property or other commercial or financial consideration, the primary significance of which is an economic gain to the Councilor which is not otherwise available to the public generally (“Pecuniary Interest”). A (**“Personal Interest”**) is any interest of a Councilor in the outcome of an ~~Issue~~ **Item** which would provide a financial benefit to any individual, group, or organization in which the Councilor has an interest, and which would (or could be reasonably perceived to) inhibit the impartial judgment of, or decision on, the ~~Issue-Item~~ **Item** by the Councilor (“Personal Interest”). ~~Membership in an organization generally, and not in a leadership capacity, shall not be considered a Personal Interest.~~ A ~~€~~**Conflict of Interest** shall be deemed to exist when a Councilor's spouse, parent, **child 18 years of age or older**, or other member of the Councilor's immediate family **or any other person** living in the same household (~~“Immediate Family”~~) (**“Household Member”**) has a **Pecuniary Conflict of Interest** in a proposed ~~Issue-Item~~ **Item**. A Councilor with a ~~€~~**Conflict of Interest** on a Council agenda shall file with the City Clerk the written particulars of the ~~€~~**Conflict of Interest** for inclusion on the Council agenda. If the conflict becomes known to a Councilor during a meeting, the Councilor should immediately disclose the particulars of the ~~€~~**Conflict of Interest**. The question of whether or not a conflict exists will then be decided by a majority vote of the Councilors present. The Councilor who may have a ~~€~~**Conflict of Interest** shall not vote on the question of the existence of the ~~€~~**Conflict of Interest**. When a ~~€~~**Conflict of Interest** is determined by the City Council to exist, the member having the conflict shall be prohibited from participating in the discussion and the vote on the ~~Issue-Item~~ **Item**. Except at a duly noticed public hearing, or a public meeting, in which the public is allowed to speak, no Councilor having a ~~€~~**Conflict of Interest** may discuss the ~~Issue-Item~~ **Item** in which he or she has a conflict with any other Councilor in any other place or any other time. If a Councilor with a ~~€~~**Conflict of Interest** wishes to speak at a public hearing, or in a public meeting, the Councilor shall do so from the audience section of the meeting **room**.

Any Councilor having reasonable grounds to believe that another Councilor has a ~~€~~**Conflict of Interest** may raise the ~~issue~~ **Item** on his or her own motion. The Mayor shall also be subject to the Rule on ~~€~~**Conflict of Interest** notwithstanding whether or not the Mayor is entitled to vote on an ~~Issue-Item~~ **Item**. The question of whether or not a ~~€~~**Conflict of Interest** exists is subject to debate. The question will then be decided by the Council as set forth above.

The Mayor and Councilors shall file with the City Clerk in January of each year a Statement of

Interests on a form prepared for that purpose by the City Clerk. The Statement of Interests shall identify for the Mayor, and for each Councilor, and for each ~~other the person in the immediate family~~ **Household Member** the person's employer, and ~~for the mayor, and for each Councilor,~~ any board, commission, organization, association, or other entity which the Mayor and ~~the Councilor~~ **or Household Member** Immediate Family is a member of. ~~and whether or not the person holds a leadership position in that organization.~~ The Statement of Interests shall be available in the Office of the City Clerk for public inspection.

SECTION 17. MOTIONS.

A long or complex motion shall be reduced to writing if the Mayor or Temporary Chair so directs; or if any member of the City Council requests it. When a main motion is under debate, the Mayor or Temporary Chair may receive the following subsidiary motions, which have their proper position in the order, taking precedence over the motions that rank below it and yielding to motions that rank above it.

Lay on the table	2nd required	Simple majority	Not debatable	Not amendable
Previous question	2nd required	$\frac{2}{3}$ majority	Not debatable	Not amendable
Limit or extend debate	2nd required	$\frac{2}{3}$ majority	Not debatable	Amendable
Postpone definitely	2nd required	Simple majority	Debatable	Amendable
Refer	2nd required	Simple majority	Debatable	Amendable
Amend	2nd required	Simple majority	Debatable	Not amendable
Postpone indefinitely	2nd required	Simple majority	Debatable	Not amendable
Main motion	2nd required	Simple majority	Debatable	Amendable

In addition to subsidiary motions, the Mayor or Temporary Chair may receive the following incidental motions, which have no rank:

Recess	2nd required	Simple majority	Not debatable	Not amendable
Division of the question	2nd required	Simple majority	Not debatable	Amendable
Suspend Rules of Order	2nd required	$\frac{2}{3}$ majority	Not debatable	Not amendable
Take from the table	2nd required	Simple majority	Not debatable	Not amendable
Reconsider	2nd required	Simple majority	Debatable	Not amendable
Appeal from a decision of the Chair	2nd required	Simple majority	Debatable only between Mayor and the member making the appeal	Not amendable
Accept an item as informational	2nd required	Simple majority	Debatable	Not amendable
Call from Committee	2nd required	Simple majority	Debatable	Not amendable
Point of Order	None	Ruling by the Chair	Not debatable	Not amendable

SECTION 25. COMMUNICATIONS.

Communications to be introduced to the City Council must be addressed to the Mayor and City Council through the office of the City Clerk, be signed by the person(s) submitting the communication, and contain a residential address or mailing address, if different, and an email address. Communications containing a scanned image of the person's actual signature, or an electronic signature created in accordance with applicable law or City Ordinance, may be submitted electronically. Communications not containing all of the above ~~will~~ **shall** not be accepted by the City Clerk. Communications of a personal, defamatory, or argumentative nature, shall not be accepted by the City Clerk. **Communications shall be accepted by the City Clerk up until 4:00 p.m. on the Tuesday preceding the City Council meeting to be included on the agenda of the City Council.** ~~Communications requesting that the City Council consider matters not germane to either the State or to the City, or over which the City Council lacks the authority to take any action, shall not be agendaized by the City Clerk, provided, however, that the City Clerk shall place such communications into the Councilors' mailboxes.~~

SECTION 26. REVIEW OF ITEMS OF BUSINESS.

Every Ordinance, Resolution, Committee Report, and any other document to come before the City Council for consideration must be filed with the City Clerk by 4:00 PM on the Tuesday before the Thursday on which the City Council holds its regular meeting.

As soon as practicable after receipt of items of business by the City Clerk, the City Clerk shall review the items of business with the Mayor and City Manager. Items of business determined by the Mayor and City Manager to be routine City business, or within the purview of the City Manager, or of a nature that investigation by the City would be appropriate or of a nature that the matter should be dealt with confidentially shall be referred, as appropriate, to the City Manager, the City Council, Council Committee, or other appropriate governmental agency for disposition. In such cases, the sponsor of the item of business shall be given written notification of the referral of the matter and such other pertinent information as the Mayor and City Manager shall determine to be appropriate. The City Council shall be provided with a summary of the items of business not placed on the Council agenda and the disposition of the items. The City Manager shall take reasonable measures to ensure that these referrals are dealt with appropriately. Except as otherwise provided by these Rules, items of business not resolved to the satisfaction of their sponsor, may be placed upon the Council agenda by the Mayor, any member, or the City Manager. **Communications requesting that the City Council consider matters that may not be germane to either the State of New Hampshire or to the City, or over which the City Council may lack the authority to take any action, shall be placed on the City Council agenda for a determination by the City Council as to whether or not to accept the communication as informational.**

All items to be placed on the City Council agenda for the first time shall be referred by the Mayor as appropriate to a Committee or Committees for consideration and report by the Committee at the next meeting of the City Council, unless more time is requested by the Committee. Any item appearing on the City Council agenda for the first time shall not be debated, and shall have no final action without suspension of the rules. Once more time has been granted on a matter, it shall remain on more time until placed on the Committee agenda for action or a motion to call it out of Committee passes. Notwithstanding any other provisions of these Rules, Resolutions of a congratulatory, aspirational or ceremonial nature and items referred directly to a Committee under this Section and then reported out may be debated and acted upon when they first appear on the City Council agenda without suspension of the rules.