

**City of Keene
New Hampshire**

**JOINT PLANNING BOARD/
PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES**

Monday, December 9, 2024

6:30 PM

**Council Chambers,
City Hall**

Planning Board

Members Present:

Harold Farrington, Chair
Roberta Mastrogiovanni, Vice Chair
Armando Rangel
Kenneth Kost
Michael Hoefler, Alternate

Planning Board

Members Not Present:

Mayor Jay V. Kahn
Councilor Michael Remy
Sarah Vezzani
Ryan Clancy
Randyn Markelon, Alternate
Tammy Adams, Alternate
Stephon Mehu, Alternate

Planning, Licenses &

Development Committee

Members Present:

Kate M. Bosley, Chair
Philip M. Jones, Vice Chair
Robert C. Williams
Edward J. Haas
Andrew Madison

Planning, Licenses &

Development Committee

Members Not Present:

All Present

Staff Present:

Mari Brunner, Senior Planner
Evan Clements, Planner

I) Roll Call

Chair Farrington called the meeting to order at 6:30 PM and a roll call was taken. Mr. Hoefler was invited to join the committee as a voting member.

II) Approval of Meeting Minutes – November 12, 2024

A motion was made by Councilor Madison to approve the November 12, 2024 meeting minutes. The motion was seconded by Chair Bosley and was unanimously approved.

III) Public Workshop:

- a. Ordinance – O-2024-24 – Relative to Interior Side Setback Requirements in the Downtown Edge District. Petitioner, Jared Goodell, proposes to amend Section 4.4.1 of the Land Development Code to remove the 20’ minimum interior side setback requirement for parcels in the Downtown Edge District that directly abut a parcel located in the Downtown Transition District.**

Mr. George Hansel addressed the Committee on behalf of Jared Goodell. He indicated they are working on a property on Marlboro Street, which is one of four parcels in the Downtown Edge District that would have this issue. The Downtown Edge District requires a 20-foot setback when a parcel is up against the Residential District.

Mr. Hansel noted when the city put in place the land use code update a couple years ago, it was with the understanding that these types of adjustments would need to be made going forward. He stated he sees this petition as making a change to make the development process fair for everybody and putting in place a code that will work for everybody going forward.

What is being done in this instance really doesn’t impact the public very much at all, because it is not on a street. The only parcels that are affected by this change are right up against Keene State’s parking lot, where two zoning districts come together and the rear of the lots are facing Marlborough Street. What is being requested is to take that 20-foot setback and make it 0.

Mr. Hansel noted with the downtown edge zoning district, one of the things the city wanted to do was to encourage development along Marlborough Street. One of the techniques that was put in place with the land use code was actually not a setback on the frontage, but a built-to on the frontage. Encouraging people to build to the street but on the back of their lots requires large setbacks. This concluded Mr. Hansel’s statement.

Councilor Haas noted to the lot on the corner, which is not owned by Mr. Goodell. The lot borders up against the circle, which he felt could have some issues if it is constructed according to what is permitted on the side. Mr. Hansel stated he knows four lots that would be affected by this standard, two of which are owned by Mr. Goodell and the other two are currently non-conforming. Councilor Haas stated he would like to hear Staff comments on this issue.

Staff comments were next.

Ms. Brunner addressed the Board and stated this ordinance proposes modifying the minimum interior side setback for the Downtown Edge District to be 0 feet when abutting the Downtown Transition District, instead of 20 feet. In rezoning decisions, the Board should consider existing and proposed zoning requirements, surrounding land use and zoning patterns, possible resulting impacts, and the consistency of the proposed rezoning request with the Master Plan.

She noted as the petitioner explained, both the Downtown Edge, Downtown Transition and Downtown Limited Districts are intended to be buffer districts or transition districts from the high intensity downtown districts of Downtown Growth and Downtown Core to the surrounding areas.

Ms. Brunner went on to say that Downtown Edge are zones are areas that transition from Downtown Core or Downtown Growth to more commercial areas or commercial corridors. Downtown Limited is to the north of Central Square, a unique area with only one spot that is Downtown Limited, where the fire station and other institutional buildings are located. Downtown Transition is largely what used to be the office district, which goes to surrounding residential areas. Ms. Brunner noted this petition would affect Downtown Edge and Downtown Transition.

She noted the intent statement for the Downtown Edge District states the following: *is to provide for a heterogeneous mix of commercial and residential uses and varied development forms, including areas of both walkable development as well as more auto oriented development at the edges of downtown Keene, this district accommodates this rich mixture while providing for a transition into lower intensity commercial or residential development outside of the delineated downtown area.*

The Downtown Transition District is intended to accommodate a variety of residential open spaces, other low intensity uses, and a mixed-use environment of attached and detached structures. Development within the Downtown Transition District is intended to complement and transition into existing residential neighborhoods adjacent to Downtown Keene. The Downtown Edge District allows for a wider variety of uses, 38 in total, most of which are allowed by right. There are three uses that require a conditional use permit and one that requires a special exception. This district allows for more of a mix of uses.

Ms. Brunner went on to say that the Downtown Transition District allows for a total of 15 uses, over a third of which require a special exception or a conditional use permit. With respect to the dimensional requirements, the minimum lot area for downtown edge is 10,000 square feet, whereas for Downtown Transition it is 8,000 square feet. Ms. Brunner noted where the districts really differ is, as the petitioner mentioned, the Downtown Edge District has more form-based-code elements to it than the Downtown Transition District does. Downtown Edge has the built-to zone. It is a 0 to 20 feet built-to zone for the front set back and corner side setbacks. The interior side setback and the minimum rear set back are 0 feet, unless you are abutting a residential district or Downtown Transition District. Whereas the Downtown Transition has your more traditional setbacks.

She added it is common to have instances where increased setbacks are required for specific uses that are adjacent to a residential zoning district. In some instances, Downtown Transition is mixed in with other residential zoning districts. She added, as the Petitioner noted, there are only four parcels of land in the City where the Downtown Transition and Downtown Edge actually touch each other. Every other instance where those zoning districts are adjacent to each other, there is a road that separates them.

Ms. Brunner stated the master plan is a pretty high-level document. It does not get into the granular detail, for instance, of what setback should be in specific areas. However, looking at the future land use map, this area of the city would be impacted. The location in which these four parcels directly touch each other is called out in the future land use map as traditional

neighborhood mixed-use areas and TDR receding zone. The four parcels: 33 Marlboro Street (TMP# 585-086-000), 47 Marlboro Street (TMP# 590-096-000), 53 Marlboro Street (TMP# 590-095-000), and 7–13 Aliber Place (TMP# 590-093-000). It states the following: *these areas of the community are the most developed and the best able to accommodate carefully planned growth and density. These areas can be the target of the vast majority of new smart growth, residential and mixed-use development, but only with design standards to ensure that it: Maintains the quality of existing neighborhoods, blends seamlessly and transitions into the existing downtown. Mitigates traffic and parking issues and provides for a healthy diversity of the built form that respects Keene’s aesthetic appeal. More focus on design details, compatibility with historic areas. Provision of green space and quality of life within these areas are key elements for encouraging a population density consistent with the principles of smart growth. Opportunities exist to transfer development rights from residential conservation development regions into these areas.*

Ms. Brunner noted to the area Councilor Haas was referring to and noted there is an existing building on that parcel, which goes up to the property line. The parcel is already non-conforming. Councilor Haas asked what would govern filling in this area. Ms. Brunner felt if something was built, it would probably be an addition to the existing building, and it could potentially go right up to the property line. She added another thing to note is that there is also an increased setback for the rear when adjacent to a Downtown Transition parcel, and the Petitioner did not request to change that. The petition would just affect the side set back, not the rear set back.

Ms. Mastrogiovanni asked if the rendering Ms. Brunner was referring to outlined the new buildings on that property now. Ms. Brunner answered in the negative and indicated this is a base map from 2020.

Councilor Bosley referred to the group of properties that is zoned Downtown Transition on Main Street, which are Keene State College institutional buildings. These buildings are not residential or mixed-use residential buildings and the Downtown Institution should have encompassed all of the Keene State properties. If that was the case, this would have been a non-issue. Ms. Brunner agreed and added the downtown form-based districts focus less on the use and more on the built form of the property. She indicated the reason this cluster of buildings are downtown transition is because even though the use is not residential, the structures when they were originally built were residential. The character of the buildings fits more with the built form of the transition district. She agreed the uses in this little pocket of downtown transition are very different from the other pockets of downtown transition.

Councilor Bosley stated Downtown Limited, Downtown Growth and Downtown Transition don’t have consistency with reference to setbacks in the code when they abut Downtown Transition and asked why that decision was made. Ms. Brunner stated in many instances, when there is a proposal to have an increased setback when adjacent to a residential district, it is because it was transitioning to more residential areas. Councilor Bosley noted Downtown Limited, which is to the north of the square and has a 15-foot rear setback requirement. Downtown Limited abuts high density neighborhoods. It also has a 10-foot side setback when it abuts Downtown Transition. She stated she does not understand why the City would require

Downtown Edge, which is similar to Downtown Core, to have such an extended setback when it abuts Downtown Transition. Ms. Brunner agreed this is a good point. The Councilor stated she was open to creating more consistency.

Chair Farrington referred to page 16 and noted this change would be to Downtown Edge minimum interior side set back. You would just strike the Downtown Transition district from this sentence.

Ms. Brunner agreed and stated it would read *0 feet, unless abutting a residential district, then 20 feet*. The Chair asked why the City would have this setback requirement for the minimum rear setback. Ms. Brunner stated if the committee was interested in having more consistency, it would make sense to remove the Downtown Transition from the rear set back as well. Ms. Brunner also added if the committee wanted to make any changes, it should be done at the workshop phase, that way, members of the public will have an opportunity at the public hearing to weigh in on the version of the ordinance that City Council ultimately votes on.

Mr. Hoefler clarified the project in question sounds like variances have been granted and is moving ahead. What is before the committee would solve hypothetical issues in the future, if other property owners of these four parcels wanted to make similar changes. He asked whether it was worth making a change here or can it be handled through the variance process in the future. Councilor Haas felt the changed would increase the value of the lots and create opportunity for the corner lot.

Councilor Williams felt Mr. Hoefler makes a good point with the variance, but felt one of the ways this provides value is giving people certainty about what they get with their land. Hence, including it in the code is probably the better way to go.

Mr. Kost stated it also adds to the idea that the city is trying to encourage infill development and will make it easier for people to develop properties.

The Chair asked for public comment next.

Mr. Pete Moran of Myrtle Street addressed the committee. Mr. Moran felt this was a good project that was done, fits in nicely with the neighborhood and adds housing.

Mr. Moran stated some of the descriptions used were curious, such as the following:

obstructed view from the TPI building – he noted the landscaping from Marlboro Street, looking down at the property, creates sort of an obstructed view.

Quite a bit of vegetation – Behind the Historic Society, which Mr. Moran stated was debatable, was mostly weeds.

Heavily vegetated – between the Historic Society and these new buildings.

Blocks the view from Main Street – is questionable again.

He stated this was a good project but did not feel these descriptions quite explain the project. Mr. Moran noted privacy was an issue that was raised and felt when you increase density, it reduces privacy.

No border to regulate – Mr. Moran felt there must be a border, so it can be taxed as some sort of a lot and felt that phrase did not make sense.

Substantial justice to the neighborhood – it adds value because it is new property, but Mr. Moran felt this, too, was subjective.

Mr. Moran noted after the foundation was placed, the Petitioner realized the setbacks were not met. An official survey was not done until after the fact. He felt the Petitioner is asking for forgiveness instead of permission.

He indicated the Petitioner has been granted the variances and questioned why this item is being presented to the Joint Committee. He felt it should be left to the Planning Department to present to the City Council.

Mr. Moran asked if the Committee voted in favor of zero setbacks. However, later, if the City decided not to do 0 setbacks in these zones, would that mean this Petitioner would be grandfathered for any other projects they may bring forward.

Mr. Moran went on to say this item is being presented as workforce housing, but nowhere in the information did it say anything about rents.

3000 square feet of lawn – He questioned where cars are going to park. He asked whether the lawn is going to be fenced. The reason parking on the lawn is prohibited is because, eventually, all the dirt will wash into the storm drains.

He questioned where the dumpster is going to be located and if the dumpster will be enclosed.

He stressed, again, as to why the Petitioner was asking for another variance. This concluded Mr. Moran's presentation.

Councilor Bosley provided some clarification regarding the questions Mr. Moran raised. She indicated this committee is not the Zoning Board and the variances that were requested were granted to a different applicant. What is discussed at the Joint Committee is never project specific; but rather it is about underlying conditions of zoning areas. She stated that her understanding is the Petitioner raised this issue because they found inconsistencies in the land development code.

She noted when she read through the Land Development Code, and, as she had mentioned earlier to staff, she also found additional inconsistencies in the Code. She felt it was appropriate, at times, for individuals in the Community to realize certain things and bring them to the City's attention.

Chair Farrington stated this is a workshop for an ordinance. From this Body, it gets moved up to Council for approval and, if necessary, sent back to this venue to restart the process.

Ms. Brunner thanked Mr. Moran for his comments and stated what Mr. Moran raised today would be comments that would be appropriate for a ZBA public hearing on the variances. She added no final decisions are being made tonight. This item is being forwarded to City Council for them to decide. With respect to city staff involvement, in New Hampshire there is the ability for a resident to petition changes to the zoning code. That petition goes through a specific process, depending on whether you are a city or a town. In the City of Keene, we have staff that will review the request and provide a staff report, which is what has been done tonight.

With respect to whether the Petitioner will be able to do more projects similar to this, Ms. Brunner stated the variance gave them relief for that one property. This request tonight would change the whole zoning district. If this ordinance gets approved, any parcels in Downtown Edge would be able to go up to a 0-foot side setback when they abut the Downtown Transition District. She added this is a Downtown District, so there is 0-foot setbacks throughout the downtown. She noted this is a little bit tricky because, again, it is a transition district, so it is transitioning from the downtown to the neighboring areas. In general, there is a 0-foot setback unless it is abutting a residential or downtown transition.

With no further comments, the Chair closed the public hearing.

Councilor Bosley stated she has seen these parcels and doesn't see a reason why the setbacks could not be reduced to be consistent with the other setbacks in the land development code. She stated she sees other inconsistencies this issue has brought up for her. She felt at the bare minimum, if the Committee did not wish to go to 0-foot setback, the side setbacks should be reduced. She stated she was in favor of what the Petitioner is asking for.

Chair Farrington noted staff had indicated in some of the other instances where these zones meet, they are separated by a road and asked whether that is considered abutting. Ms. Brunner stated it is, but the need for setbacks is mitigated by being located across the road.

Ms. Mastrogiovanni stated in the Edge District there could be cases where there are mixed-use buildings and asked for clarification on whether 0-foot setback be appropriate. She felt, as Councilor Bosley said, perhaps reducing the setback might be a better solution.

Mr. Kost noted by having the side setbacks be zero, it is possible this could be one big building at some point, or someone could perhaps expand and houses could at that point be right next to each other. Planner Evan Clements pointed out all the buildings on Main Street, which are 0 lot line and are right next to each other. Mr. Kost felt this change could create some development potential in this area. Ms. Brunner added there is already a 0-foot setback between Downtown Edge and Downtown Edge. What is likely going to be seen with these parcels, because they have that 0-to-20-foot build-to zone, is any new buildings are supposed to be placed up against Marlboro Street, so you are more likely to have them be immediately adjacent to each other along Marlborough Street.

Councilor Bosley clarified the buildings shown as 47 and 53 could be torn down and constructed as one building right next to Marlboro Street and touching each other on each side right now and this change would not have an impact on that.

Mr. Kost clarified the Petitioner is referring to interior, which is side setback not the rear. Ms. Brunner agreed, as proposed, the petition only talks about the side setback, not the rear setback.

Chair Farrington asked what the appetite is for amending this proposed ordinance to include 0 setback for the rear.

Councilor Haas felt this was straightforward and felt the rear setback should be included as well.

Councilor Madison stated he, too, agrees with the 0 rear setback, which would address the housing crisis the city has. There is buildable land in the center of town, and this is where people want to develop housing. He felt loosening restrictive zoning or inconsistent zoning, such as this, is the way to do it, and the committee should move forward with it.

A motion was made by Councilor Madison to create an A version of the ordinance to remove the rear setback requirement where Downtown Edge abuts Downtown Transition. The motion was seconded by Councilor Williams and was unanimously approved.

A motion was made by Chair Farrington that the Planning Board finds that this proposed change to Ordinance – O-2024-24A is consistent with the 2010 Master Plan. The motion was seconded by Armando Rangel and carried on a 4-1 vote with Roberta Mastrogiovanni voting in opposition.

A motion was made by Councilor Bosley that the Mayor be requested to set a public hearing for Ordinance – O-2024-24A. The motion was seconded by Councilor Madison and was unanimously approved.

**b. Ordinance – O-2024-20 – Relative to Residential Parking Requirements –
Petitioner, City of Keene Community Development Department, proposes to
amend Table 9-2 and Section 9.2.5.A.1 of the Land Development Code to modify
the required number of parking spaces for residential uses and specify parking
requirements for elderly and workforce housing in all zoning districts.**

Ms. Brunner stated this item is in reference to the residential parking requirement, and the reason it is being brought forward is due to a change to State Law. HB 1400 was adopted, which has multiple provisions, and one of those was a limit to parking requirements that municipalities might require.

Ms. Brunner stated the city recently received a couple of Invest NH Planning and Zoning Grants to develop regulations to increase housing supply. The city uses that funding for two projects, one of which was the Cottage Court Ordinance and the other was to develop a neighborhood parking study. In addition to this, there was a request from a City Councilor to eliminate the winter parking ban. The parking study consultants also provided recommendations related to on-

site parking requirements for housing for the city to consider. Staff took the recent change in state law and the recommendations from the consultant to craft this ordinance.

Ms. Brunner stated what this change does is that it changes the calculation from a per-unit to a per-bedroom requirement. At the present time, with a few exceptions, the city's requirement is every dwelling unit requires two parking spaces. However, there are some exceptions; for example, in the Downtown Core District, there is no parking required across the board. Only one parking space per dwelling unit is required in the Downtown Growth and Downtown Limited, and only one parking space is required for an accessory dwelling unit. The recently adopted Cottage Court has its own parking requirements that differ slightly.

What HB 1400 says is that in certain situations, *when you have 10 units or more in a multifamily development, you cannot require more than 1.5 parking spaces per unit. It also says that you can't require more than 1.5 parking spaces per unit per studio, and one bedroom workforce units that are less than 1,000 square feet.* They use the definition from state statute for workforce, which is *100% of the area median income for a family of four for owner occupied units and 60% of AMI for a family of three for rental units.* It also requires municipalities to consider alternative parking solutions and approve them if the applicant can demonstrate that the alternative parking solution will meet the parking demand created by the proposed residential use.

Ms. Brunner stated what staff is proposing is for residential uses dwelling, above ground floor dwelling, manufactured housing dwelling, multifamily and dwelling, and 2 family or duplex, the city would require one space per studio and one bedroom, and then 1.5 spaces per two-bedroom or more in all zoning districts, with the exception of Downtown Growth and Downtown Limited, which would be a slightly less. These districts would be 0.9 for a studio, one bedroom, or one space per two bedroom or more.

Ms. Brunner stated that they also include a *housing for older persons* category, which is defined in state statute. This would be the one instance where it would be done by unit rather than number of bedrooms. The proposal is .9 spaces per unit in general, or .75 spaces per unit in Downtown Growth and Downtown Limited. For workforce housing, the proposal is .9 spaces per studio or .75 spaces per studio in Downtown Growth or Downtown Limited, one space per bedroom or .9 if in Downtown Growth or Downtown Limited, 1.25 spaces per two-bedroom, one space if in Downtown Growth or Downtown Limited, 1.5 space per 3 bedroom or more.

Ms. Brunner noted Staff felt it would be simpler to have the same standard citywide, no matter what type of use it is, except for the downtown area where the city requires less parking across the board. Staff tried to craft this so that it would comply with the State Statute, no matter how many units there are in a development.

The overall impact is that it would require less parking throughout the City for new housing projects. She added what is being proposed are minimum requirements, and there is nothing that will prevent someone from providing more parking than the requirement.

As far as consistency with the master plan, there is a goal to rewrite the City's land use and zoning code to align with the intent of the future land use map. The plan states that *as the community moves forward with this revision, other types of land use regulations should be considered that will incorporate walkability, green infrastructure, sustainable building a smart growth principal and other features outlined in this plan.* Ms. Brunner stated reduced parking requirements are generally considered to be one of the smart growth tools. They are generally considered to be a way to improve or increase walkability and promote alternative forms of transportation.

Councilor Bosley stated this proposal makes sense if you are building a new home but asked what the plan is for someone who is renovating an older home. She asked whether the city has a definition for bedroom. Ms. Brunner stated neither the City nor the State has a definition for bedroom. With reference to an existing home, in the current parking regulations, there is something called a parking credit. If it is a legally existing use, such as legally nonconforming, or it is legal today and this change goes through, any deficit in parking that it creates will be credited moving forward. This is something that was added to the land development code and has been helpful for those trying to redevelop properties.

Councilor Bosley stated her question is really more about someone who would interpret their three-bedroom unit to be a one-bedroom unit with an office and a dining room, because they only want to offer one parking space versus the additional parking that would be required for a three-bedroom unit. She felt, at some point, it would make sense to add some sort of definition. Ms. Brunner stated this is something Staff could discuss with building code Staff because there are additional requirements for bedrooms, with respect to egress.

Councilor Madison stated his understanding is fire code does offer a definition of what constitutes a bedroom.

Mr. Kost noted certain areas in Keene have streets that could accommodate parking for certain developments. He asked why the city is requiring this minimum. He felt it should be up to a developer to decide what they need. He asked whether state law requires a minimum. Ms. Brunner stated it is up to each individual municipality. What the state law did is put a cap on what can be required. She agreed Mr. Kost does bring up some good points and this is why the city does not require any parking in the downtown core district, because that is a very historic area where there is plenty of public parking to accommodate all of those needs. However, outside the downtown area, there isn't much public parking. Neighborhood areas do have neighborhood parking, but in the commerce areas outside of the downtown, there is no public parking. She agreed it is up to a developer, but the city also needs to make sure they are not offloading the parking burden onto other uses or on to adjacent neighborhood streets.

Councilor Jones went back to the definition regarding bedrooms and noted one of the requirements for an area to be considered a bedroom is that it must have a window big enough for a fireman wearing a safety pack to get through, and the area also needs to have a closet to be defined as a bedroom. He noted this, however, does not answer the question raised by Councilor Bosley. You could have three of those units that qualify as a bedroom and use two of them as an office. Councilor Jones felt the definition needs to be clarified; is it the use or is it the structure?

Ms. Brunner stated, in her opinion, it should be the structure. She added the City is proposing to move to the bedroom model, because it helps figure out parking for the type of development proposed.

Councilor Haas referred to the senior housing building at the corner of 93rd Street and Railroad Street and asked whether this development is in compliance with parking. Councilor Haas questioned what the parking would look like under these new rules.

Mr. Hoefler felt simplifying and requiring less parking is good; he questioned the requirement of .9 versus one space. Ms. Brunner, in response, stated when there is a project that is proposing 50 units or 90 units, the number does add up. This is meant mostly for larger projects

Mr. Kost stated having this requirement is a concern for him as he feels a developer would know how much parking they would need to make their development marketable. He noted there is also the process through which a developer could ask for reduced parking and move forward through that process. Ms. Brunner agreed and added to obtain the 50% reduction in parking, it is done through a special exception and at that point the applicant would be required to complete a parking study to show that they are able to meet demand on their site for the use being proposed. Mr. Kost asked whether street parking could not be considered as part of the requirement. Ms. Brunner stated there isn't because the city doesn't have an on-street parking program, but she added that the council recently eliminated the six-month winter parking ban, which opens up the possibility for year-round on street parking.

Ms. Brunner further stated another set of recommendations the city received from the consultants is a suggestion to create a residential parking program.

The Chair asked for public comments next.

Mr. George Hansel of 84 Elm Street Keene addressed the committee. Mr. Hansel felt overall this was a good proposal and felt anything the city can do to reduce the parking requirements is helpful. He noted he has never met a developer who constructed a development they could not rent or sell.

Mr. Hansel questioned how the workforce housing requirement and elderly housing requirement would be enforced. Mr. Clements stated it would be by deed restriction. Mr. Hansel stated he is against this strategy; this would be something beneficial to Housing Authority and/or a non-profit housing developer, mostly because they are foreseeing that property being in this use forever. However, for a for-profit developer, it would not be a good option. He stated he is integrating workforce units into some of his projects, but there is a timeline associated with it. He suggested focusing more on size of the unit themselves to be attractive to workforce.

Mr. Andy Holt of Forest Street Keene addressed the committee next. Mr. Holt thanked the city for improving the code to make housing easier to add. He felt this ordinance is a step in the right direction, but it does not go far enough. He stated he suggests amending the ordinance to remove

the parking space minimums entirely and, in the future, consider expanding that to all zones and building types in the city. He felt removing the mandates reduces complexity in the code.

Mr. Holt noted the consultant's report, which focuses on reducing the requirements from where it is now. He added, as staff pointed out, this isn't saying you can't have parking spots, it talks about removing the mandate that says you have to have an arbitrary number of spaces to build housing. Mr. Holt stated this is not a new or extreme idea. There are many cities that have removed parking minimums entirely. Cities such as Minneapolis, Austin, Buffalo, St. Louis and in New England, Cambridge, Burlington, Somerville and Boston. He indicated the benefits of removing parking minimums, benefits of the individual projects and the city overall. Developments will be less expensive and faster to complete. It will allow for more spaces per lot per living space.

Mr. Holt went on to say not having to obtain variances reduces costs to the developer. For the city, this will reduce administrative costs. He felt if the city did not have these minimums, adding them right now would be difficult.

Mr. Chris Freeman of 390 Court Street stated he does share the perspective that we should consider going all the way and removing parking minimums entirely. Mr. Freeman stated he has a business in Keene for rentals and he rents out by the bedroom, which is one adult per bedroom which often translates to one car per bedroom, which makes parking needs more intensive. He encouraged the city to look at the on-street parking program.

He stated, when they look at properties that have higher bedroom count, those are great candidates for conversion into the co-living model and indicated one of the things that holds him back currently is the need to be able to provide a parking spot for each person in the building. That is what is marketable. He stated the removal of the winter parking ban potentially opens us up more options where we can let tenants know that this option exists for off street parking.

Mr. Freeman stated they have increased the number of bedrooms in order to maximize the co-living potential. But, when the requirement might be based on the number of bedrooms, does this mean next time he would need to draw up a site plan to install a partition wall to close up a dining room. Now a project where they could add an entire new residential unit to Keene's housing market, and free up one bedroom for somebody else, it now is potentially going to cost thousands of dollars in surveying and site plan development fees.

With no further public comment the Chair closed the public hearing.

Councilor Haas suggested opening this up to a market-based process and let the market decide how many parking spaces are required. He felt any reduction in parking would help with the housing needs.

Mr. Hoefler reiterated his comments about simplification overall, but stated he was not ready to vote for zero requirements. Also, getting rid of differentiating between workforce and 55 plus feels like there might be some ways to simplify and perhaps move more aggressively towards no requirements.

Councilor Williams felt parking is something the City subsidizes heavily and wished it would pay for itself. He felt market-based parking is a better way to go in the long run but did not want to be too radical. He stated he would be interested in looking at what the experience is removing parking requirement in a city like Keene's size.

Councilor Jones stated he likes the idea of reducing parking requirements but would not want to use the overnight parking ban as the city could potentially have a parking ban for two weeks in a row. These individuals would still need a place to park.

Councilor Bosley stated for 20 years she has been investing in real estate in this community and the only properties she looks at are those that have a certain amount of parking. She felt there could be a further reduction in parking in this ordinance but perhaps not go to 0 just yet, which could create quite a bit of confusion with street parking. She felt the city needs to figure out what needs to be included in neighborhood parking programs but would be comfortable reducing some of the parking requirements to one space per unit. If it is one space per unit as a minimum, the developer is going to make decisions based on the market. She stated she has some comfort in letting the market decide.

Mr. Kost stated perhaps not going to zero. He asked whether there is an understanding of what the capacity is for on street parking in the City. If investors are made aware of this, they can make better decisions. Ms. Brunner stated the neighborhood parking study that was done earlier this year looked at specific areas of the city. It looked at areas that are zoned for multifamily within walking distance of downtown. For this project area they calculated the number of spaces that they think the city could get on street. Based on the number of units the city had today and the amount of off-street parking that is available today, there really isn't that big of a need for on-street parking. If the City Council was inclined, in certain areas of the city, maybe in areas where there is a residential permit district in place, you would get rid of the onsite parking requirements. There might be the ability to meet some of that parking need with on-street parking. She added, however, Staff is not ready today to make that recommendation because they were not looking at it from that angle. Staff were looking at coming into compliance with the state law, which goes into effect on January 1st.

Councilor Madison stated he is happy with the market settling this issue. He talked about living in Concord in a 5-unit building, which had three parking spaces. He stated he parked on the street most of the time, snow emergencies were sometimes a bit difficult, but they figured it out and made it work. He felt the city can reduce the amount of parking and it won't cause a catastrophe. People who are renting are going to know what they are getting into.

He felt the city could do away with parking requirements but didn't feel this was the right time to do that. He added the good thing about ordinances is that you can amend them as is being done now. The Councilor felt what is before the committee could be further reduced.

Ms. Brunner referred to what she had previously stated. The number that was calculated that the City could get with on street parking is 133 spaces on the low end and 165 on the high end. This would require some redesigning of streets and is not something that is available today.

A motion was made by Councilor Bosley to amend Ordinance O-2024-20 to an A version reducing the parking requirement across the board to a maximum of one space and leaving the lower allotment for spaces where Staff has already indicated. The motion was seconded by Councilor Madison.

Ms. Brunner clarified that the Councilor was not proposing a parking maximum but proposing a parking minimum of one space per unit, unless it is lower. Councilor Bosley agreed and added unless it is indicated an instance where it would be lower as relating to workforce housing or older persons' housing, etc. Mr. Clements noted this will keep it under what the state is trying to force municipalities to do.

The amendment carried on a 9-1 vote with Kenneth Kost voting in opposition.

A motion was made by Chair Farrington that the Planning Board find O-2024-20-A consistent with the Master Plan. The motion was seconded by Armando Rangel and was unanimously approved.

A motion was made by Councilor Bosley that Planning, Licenses and Development request the Mayor set a public hearing for Ordinance O-2024-20A. The motion was seconded by Councilor Jones and was unanimously approved.

IV) New Business

None

V) Next Meeting – January 13, 2025

A) More Time Items

1. Short Term Rental Properties
2. Neighborhood / Activity Core areas (“Neighborhood Nodes”)
3. Private Roads

VI) ADJOURNMENT

There being no further business, Chair Farrington adjourned the meeting at 8:35 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Emily Duseau, Planning Technician