

Jared Goodell  
PO Box 305  
Keene, NH 03431

April 18, 2025

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

Re: An Ordinance Relating to Amendments to the Land Development Code to Encourage Housing Development in Keene

Mayor Kahn:

As you are aware, across the State of New Hampshire and here in Keene, we are experiencing a significant housing shortage. According to a 2023 report from N.H. Housing, roughly 1,400 more housing units need to be built in the next decade to keep up with demand in the Elm City.

With that end in mind, I am proposing several amendment to the City of Keene's Land Development Code to further encourage the development of housing in Keene. Those proposals, in summary, are as follows:

1. Amend Section 1.3.3 to clarify that the Build-to Zone (BTZ) requirements only apply to the first building or structure on a lot and that additional buildings or structures may be built behind a building or structure that conforms to the BTZ. This issue has recently been identified as a road block to several projects in Keene, including two on Marlboro Street.
2. Amend the stated purpose of the Neighborhood Business (NB) District to include residential uses of varied development forms. Currently, the NB district's purpose contains no reference to residential uses, despite those uses being allowed by right in the district.
3. Amend Section 5.3.2, the Dimensions and Siting requirements in the Neighborhood Business District, to lower the minimum lot area. Currently, the minimum lot area is set at 8,000 sf, despite less than half of the lots in the NB district conforming. There are 47 lots in the NB district and only 23 lots are 8,000 sf or more. Lowering the minimum lot sizes to 5,000 sf will cause 42 units to conform. This will have the effect of allowing development, re-development, or infill development by right in the NB district.
4. Amend Section 8.3.1(C) to allow 6 dwelling units in the Medium Density District when the gross square footage of the dwellings units is not more than 600 sf. This will allow for more smaller studio/1 bedroom units to be developed in the Medium Density District, where currently only 3 of any size are allowed.
5. Amend Section 8.3.1(C) to remove the Downtown Growth (DG) District from requirement that dwelling units be located above the ground floor. The DG district contains several large buildings with underutilized first floor space. Allowing that space

to become dwelling units will have an immediate effect on allowing residential re-development by right in the DG district.

6. Add a sub-section to Section 19.2, concerning non-conforming uses, addressing lots split by zoning district boundaries. This would allow lots which are in more than one zoning district and which may not be subdivided to adopt the zoning of the largest portion of the lot in a single zoning district. This would have the effect of removing unnecessary and burdensome limits on lots in multiple zoning districts, thereby allowing faster development.

I appreciate the commitment of you and the entire Keene City Council in leading the State in reducing barriers to housing development and helping to increase housing stock to lower housing prices for residents.

Regards,

A handwritten signature in black ink, appearing to be 'Jared Goodell', written over the printed name.

Jared Goodell



## APPLICATION TO AMEND THE ZONING ORDINANCE

Petitioner: JARED GOODELL Date: April 18, 2025

Address: PO BOX 305 KEENE, NH 03431

Telephone: ( 603 ) 762-0202 Email: j.goodell@me.com

Existing Section Reference in Chapter 100, Land Development Code: 1.3.3, 5.3.2, 8.3.1, 19.2

Does the amendment affect "Minimum Lot Size"? ☒ Yes ☐ No

Does the amendment affect "Permitted Uses"? ☐ Yes ☒ No

Does the amendment affect a zoning district that includes 100 or fewer properties? ☒ Yes ☐ No

(For assistance in determining answer,  
Please contact Community Development)

I, Jared Goodell hereby certify that I have contacted Community Development to confirm whether the amendment affects a zoning district that includes 100 or fewer properties, and I certify that the information I have provided on this application is true and correct.

Attest:

Petitioner's Signature

### SUBMITTAL REQUIREMENTS WHICH MUST BE COMPLETE AT TIME OF SUBMISSION TO THE CITY CLERK:

- A properly drafted Ordinance containing the amendment in a form meeting the requirements of the City Clerk.
- A typed or neatly printed narrative explaining the purpose of, effect of, and justification for the proposed change(s).
- \$100.00 application fee.
- As provided for in RSA 675:7, if the proposed amendment would change the minimum lot sizes or the permitted uses in a zoning district, **\*and such change affects a zoning district that includes 100 or fewer properties**, the Petitioner shall submit a notarized list of property owners affected by the zoning amendment. The list shall include the tax map number and address of each abutter or owner, and must be current with the Assessing Department's records within ten days of submittal. Two sets of mailing labels shall be provided.



## APPLICATION TO AMEND THE ZONING ORDINANCE

Date Received by City Clerk: 4/28/2025 Ordinance Number: \_\_\_\_\_

On City Council agenda: \_\_\_\_\_ Workshop to be held: \_\_\_\_\_

Public Hearing to be held \_\_\_\_\_

### APPLICABLE FEES:

Application Fee @ \$100.00 \$ \_\_\_\_\_

Publication of Notice in The Keene Sentinel @ \$90.00 \$ \_\_\_\_\_

Postage Fees for property owners/agents and abutters at  
current USPS 1<sup>st</sup> Class Mailing rate  
*(Only needed if amendment impacts 100 or fewer properties)* \$ \_\_\_\_\_

**Total Fees submitted to City Clerk** \$ \_\_\_\_\_

**The petitioner is also responsible for the publication costs for the public workshop before the joint Planning Board and Planning, Licenses and Development Committee. Additional fees will be collected by the Community Development Department for the mailing costs associated with the public workshop (If a mailing is required pursuant to RSA 675:7), as well as the publication of the public workshop notice.**



## CITY OF KEENE

In the Year of Our Lord Two Thousand                      Twenty Five  
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AN                      Relating to Amendments to the Land Development Code to Encourage Housing  
ORDINANCE           Development in Keene  
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*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 1.3.3, titled Setbacks & Build-To Dimensions, as follows:

A. **Building Setback.** The required minimum or maximum distance a building or structure must be located from a lot line, which is unoccupied and unobstructed by any portion of a building or structure, unless expressly permitted by this LDC.

1. **Front Setback.** The required minimum or maximum distance that a building or structure must be located from the front lot line. **Only the first building or structure on a lot shall be required to comply with the Front Setback requirement, unless otherwise prohibited by this LDC.**

2. **Rear Setback.** The required minimum or maximum distance that a **any** structure building or structure must be located from the rear lot line, **unless otherwise permitted by this LDC.**

3. **Side Setback.** The required minimum or maximum distance that a building or structure must be located from the side lot line, **unless otherwise permitted by this LDC.** A side setback may be measured perpendicular to the interior side setback or to the corner side lot line.

a. In residential zoning districts, the corner side lot line shall be measured from the property line adjacent to the street, and shall be 10-ft greater than the minimum side setback required in the zoning district.

4. **Structure Setback Exceptions.**

a. The following may be excluded from required setbacks.

- i. Steps and stairs necessary to provide access to a building or structure
  - ii. Access landings up to 25-sf
  - iii. Structures necessary to afford access for persons with physical disabilities
  - iv. Canopies and awnings
  - v. One detached utility accessory building of less than 125-sf (e.g. garden shed)
  - vi. Fences
  - vii. Signs as regulated by Article 10
- b. Paved and unpaved parking lots and associated travel surfaces associated with all uses other than single- and two-family dwellings shall comply with the setback requirements in Section 9.4 of this LDC.
  - c. Driveways and parking spaces associated with single- and two-family dwellings shall comply with the setback requirements in Section 9.3 of this LDC.
  - d. If a front building setback extends beyond the front of a legally nonconforming building, an accessory use or structure may occupy the portion of the front setback beyond the front of the building.
  - e. The following structures may encroach up to 10-ft from the rear lot line of lots in residential zoning districts.
    - i. Pools, either above- or in-ground
    - ii. Decks, either detached or attached
    - iii. Garages, either detached or attached
    - iv. Accessory Dwelling Units, either detached or attached

**B. Building Façade Line.** The vertical plane along a lot where the building's façade is located. Upper story building façade lines relate to that part of the façade that requires a stepback.

**C. Build-To Line (BTL).** A build-to line (BTL) is a set line on a lot, measured perpendicularly from the applicable lot line, where a structure must be located. The building façade line of a structure must be located on the build-to line. Façade articulation (e.g. window or wall recesses and projections) are not counted as the building façade line, which begins at the applicable façade wall.

**D. Build-To Percentage.** A build-to percentage specifies the percentage of the building façade that must be located within the build-to zone or at the build-to line. Façade articulation (e.g. window or wall recesses and projections) do not count against the required build-to percentage. Plazas, outdoor dining, and other public open space features that are also bounded by a building façade parallel to the frontage are counted as meeting the build-to percentage. Build-to percentage is calculated by building façade, not lot width.

E. **Build-To Zone (BTZ).** A build-to zone (BTZ) is the area on a lot, measured perpendicularly from the lot line, within which a structure must locate. A BTZ sets a minimum and maximum dimension within which the building façade line must be located (e.g. 0-5-ft). Façade articulation (e.g. window or wall recesses and projections) are not counted as the building façade line, which begins at the applicable façade wall. Additional buildings or structures shall be permitted to be located outside the required build-to zone if at least one structure on the lot is located within the build-to zone.

2. Amend Section 5.3.1, titled Purpose, as follows:

The Neighborhood Business (NB) District is intended to provide for a heterogeneous mix of smaller sized businesses, professional uses, and residential uses comprising of varied development forms, ~~to serve as an additional downtown zoning district that promotes smaller sized business and professional uses which support adjacent neighborhoods and workplaces,~~ with an orientation toward pedestrian and bicycle access. Some uses are restricted in size to limit adverse impacts on nearby residences and to maintain a pedestrian scale of development. All uses in this district shall have city water and sewer service.

3. Amend Section 5.3.2, titled Dimensions & Siting, as follows:

Min Lot Area	<del>8,000 sf</del> <b>5,000 sf</b>
Min Road Frontage	50 ft
Front Setback	5-10 ft Build-to Zone
Min Rear Setback	20 ft
Corner Side Setback	5-10 ft Build-to Zone
Min Interior Side Setback	10 ft

4. Amend Section 8.3.1(C), titled Dwelling, Multi-family, as follows:

1. **Defined.** A structure containing 3 or more dwelling units located on a single lot, with dwelling units either stacked or attached horizontally, which is designed, occupied, or intended for occupancy by 3 or more separate families.

2. **Use Standards.**

a. In the Medium Density District, no more than 3 dwelling units are allowed per lot. Notwithstanding the foregoing, if every dwelling unit is not more than 600 sf gfa, then 6 dwelling unit are allowed per lot.

b. In the Downtown Core District, ~~Downtown Growth District,~~ and Commerce District, dwelling units shall be located above the ground floor.

c. In the Downtown Growth District, dwelling units shall be located above the ground floor on lots with frontage on a Type A street.

5. Amend Section 19.2, titled Non-Conforming Uses, to add the following sub-section as follows:

**19.2.8 LOTS SPLIT BY ZONING DISTRICT BOUNDARIES. Where an existing lot of record falls into more than one zoning district, the following shall apply:**

- a. **For lots which are large enough to be subdivided, the provisions of each district shall be applied separately to each portion of the lot;**
- b. **For lots which are not large enough to be subdivided, or otherwise fail to meet any dimensional standards required, the provisions of the district which comprises the largest share of the lot shall apply to the entire lot.**

**For the purposes of this subsection 19.2.8 only, when determining if a lot meets dimensional standards to be subdivided, each portion of the lot(s) in each distinct zoning district shall be considered separately.**

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Jay V. Kahn, Mayor



Parcel Number: 590-034-000-000-000  
175 MARLBORO ST LLC  
40 AMOS FORTUNE RD  
JAFFREY, NH 03452

Parcel Number: 595-015-000-000-000  
BOUDREAU J. C.  
BOUDREAU LYNN A.  
321 BAKER ST.  
KEENE, NH 03431

Parcel Number: 590-036-000-000-000  
FERRELL JENNIFER L.  
GEORGE LISLE E.  
161 MARLBORO ST.  
KEENE, NH 03431

Parcel Number: 589-016-000-000-000  
216 MARLBORO STREET LLC  
216 MARLBORO ST  
KEENE, NH 03431

Parcel Number: 596-001-000-000-000  
BUTLER MASON LLC  
PO BOX 385  
GILSUM, NH 03448

Parcel Number: 590-052-000-000-000  
FORTE DONNA J  
134 DAVIS ST  
KEENE, NH 03431

Parcel Number: 589-020-000-000-000  
233 MARLBORO ST. LLC  
C/O KERRY LEIGH CARLISLE  
111 RIDGEWOOD AVE  
KEENE, NH 03431-2805

Parcel Number: 590-051-000-000-000  
CHESHIRE COUNTY FEDERAL C  
229 PARKER ST  
GARDNER, MA 01440

Parcel Number: 590-025-000-000-000  
FORTE DONNA J  
134 DAVIS ST  
KEENE, NH 03431

Parcel Number: 595-076-000-000-000  
305 MARLBORO RE LLC  
28 EAST RD  
PLAISTOW, NH 03865

Parcel Number: 596-004-000-000-000  
CITY OF KEENE  
C/O CITY MANAGER  
3 WASHINGTON ST  
KEENE, NH 03431

Parcel Number: 595-005-000-000-000  
GENNETT REBECCA  
133 CLINTON RD  
ANTRIM, NH 03440-3520

Parcel Number: 596-003-000-000-000  
372 MARLBORO ST LLC  
PO BOX 256  
KEENE, NH 03431

Parcel Number: 596-022-000-000-000  
DANIELS RANDALL E.  
6 AVALON PL.  
KEENE, NH 03431

Parcel Number: 590-037-000-000-000  
GEORGAKOPOULOS COSTAS  
GEORGAKOPOULOS JOYCE A.  
4 ANGELO LN.  
LONDONDERRY, NH 03053-3148

Parcel Number: 596-003-000-000-000  
372 MARLBORO ST LLC  
PO BOX 666  
KEENE, NH 03431

Parcel Number: 590-018-000-000-000  
DU MOULIN KAY LOUISE  
DU MOULIN PETER DAVID  
150 MARLBORO ST  
KEENE, NH 03431

Parcel Number: 590-057-000-000-000  
HUNT ALEXANDRE D  
HUNT SOPHIE L  
123 MARLBORO ST  
KEENE, NH 03431

Parcel Number: 589-021-000-000-000  
AREC 8 LLC  
C/O U-HAUL PROPERTY TAX DEPT  
PO BOX 29046  
PHOENIX, AZ 85038-9046

Parcel Number: 590-012-000-000-000  
DUVERGER ROBERT L  
GRIFFIN MAUREEN ELLEN  
114 MARLBORO ST  
KEENE, NH 03431

Parcel Number: 596-037-000-000-000  
KADILLIU REDION  
22 HIGH ST  
KEENE, NH 03431

Parcel Number: 589-015-000-000-000  
BANGE NOAH CRAWFORD  
BANGE MICHAEL CRAWFORD  
194 MARLBORO ST  
KEENE, NH 03431

Parcel Number: 596-028-000-000-000  
EMMOND, ADRIAN P.  
HENDERSON REBECCA J.  
371 MARLBORO ST.  
KEENE, NH 03431

Parcel Number: 596-019-000-000-000  
KEENE MARLBORO GROUP LLC  
112 S LINCOLN ST  
KEENE, NH 03431

Parcel Number: 590-026-000-000-000  
BEAN DAVID B.  
BEAN DANA M.  
1129 JOHNSTON DR.  
WATCHUNG, NJ 07060

Parcel Number: 590-035-000-000-000  
F&S RENTALS LLC  
2 HALL WAY  
GREENFIELD, NH 03047

Parcel Number: 596-017-000-000-000  
KEENE MARLBORO GROUP LLC  
112 S LINCOLN ST  
KEENE, NH 03431

Parcel Number: 590-033-000-000-000  
BEAVER BROOK LODGE #36 OD  
C/O GRAND LODGE OF NH  
PO BOX 4147  
CONCORD, NH 03302

Parcel Number: 596-021-000-000-000  
FERLAND, MILENA  
2 AVALON PL.  
KEENE, NH 03431

Parcel Number: 596-020-000-000-000  
LAKE ALLEN D.  
399 MARLBORO ST.  
KEENE, NH 03431

Parcel Number: 590-019-000-000-000  
LAKE GARY KIMBALL REV TRU  
GARY K LAKE TTEE  
156 MARLBORO ST  
KEENE, NH 03431

Parcel Number: 596-027-000-000-000  
SINGH-LAMY SYLVIE NOELLE  
43 DARLING RD.  
KEENE, NH 03431

Parcel Number: 595-006-000-000-000  
LAVIGNE, CHRISTOPHER  
345 MARLBORO ST.  
KEENE, NH 03431

Parcel Number: 590-028-000-000-000  
SWAMISEVA REAL ESTATES IN  
7 CHERRYWOOD DR.  
NASHUA, NH 03062

Parcel Number: 590-015-000-000-000  
LITTLE ANDREW  
LITTLE KRISTIN  
132 MARLBORO ST  
KEENE, NH 03431

Parcel Number: 590-013-000-000-000  
TIMOTHY ROUSSEAU'S PROPER  
40 GREENWOOD RD  
DUBLIN, NH 03444

Parcel Number: 590-027-000-000-000  
MARTEL, BARBARA J.  
7 JENNISON ST.  
KEENE, NH 03431

Parcel Number: 590-059-000-000-000  
UNION SCHOOL DISTRICT  
C/O SAU 29  
193 MAPLE AVE  
KEENE, NH 03431-1602

Parcel Number: 590-017-000-000-000  
MCKEOWN, BRIAN P.  
MCKEOWN JOANNE O.  
22 CONNECTICUT AVE.  
ENFIELD, CT 06082

Parcel Number: 590-016-000-000-000  
WILCOX KEVIN H.  
136 MARLBORO ST. 2  
KEENE, NH 03431

Parcel Number: 590-058-000-000-000  
O'BRIEN JANET F. REV. TRU  
117 MARLBORO ST.  
KEENE, NH 03431

Parcel Number: 596-038-000-000-000  
WISELL, CHRISTOPHER SILAS  
WISELL JESSICA  
357 MARLBORO ST.  
KEENE, NH 03431

Parcel Number: 589-013-000-000-000  
PERKINS STEVEN W.  
72 CARPENTER ST.  
KEENE, NH 03431

Parcel Number: 589-014-000-000-000  
WOJENSKI EDMUND F.  
WOJENSKI JENNIFER  
36 MCKINLEY ST.  
KEENE, NH 03431

Parcel Number: 597-020-000-000-000  
PSNH  
PO BOX 270  
HARTFORD, CT 06141-0270

Parcel Number: 590-014-000-000-000  
XANTHOPOULOS SEMELA LIVIN  
297 MARLBORO ST.  
KEENE, NH 03431

Parcel Number: 596-018-000-000-000  
R&V HOMES LLC  
PO BOX 231  
KEENE, NH 03431

Parcel Number: 595-004-000-000-000  
ROENTSCH JEFFREY C.  
340 MARLBORO ST.  
KEENE, NH 03431