



KEENE CITY COUNCIL
Council Chambers, Keene City Hall
October 2, 2025
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- September 18, 2025 Minutes

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Community Recognition: Paragon Marketing named to the “2025 Best Companies to Work For 2025” by Business New Hampshire Magazine

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nominations - Energy & Climate Committee, Human Rights Committee

C. COMMUNICATIONS

1. Ken Kost - In Support of Preserving 100 Church Street as a Pocket Park
2. Robert and Sandra Hamm - In Support of Preserving 100 Church Street as a Pocket Park
3. Jodi Newell - Petition for the City to Retain Ownership of 100 Church Street and Proposed Maintenance Plan
4. Michele Chalice - Request to Pursue CDBG Grant Funds - for the Renovation of 100 Church Street
5. Paul Rodenhauser - In Support of the Sale of 100 Church Street to a Private Owner

D. REPORTS - COUNCIL COMMITTEES

1. Sale of City Property - 100 Church Street *and* Petitions in Support of the Sale of 100 Church Street to a Private Owner - Tenants of 110 and 116 Church Street and 103 Roxbury Street
2. Relating to the Load Rating Study Results for the Beaver Street and Spring Street Bridges Over Beaver Brook
3. Downtown Infrastructure Project Update
4. Councilor Remy - Request to Place Social District Question on 2025 Municipal General Election Ballot
5. Acceptance of Donations - Holiday Sponsorship Program - Human Services
6. Overview of Outside Agency Funding Process - Human Services

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

1. O-2025-29 Relating to Pavement Setbacks and Cross-Site Access - Joint Planning Board/PLD
2. R-2025-26 Relating to an Amended Return of Layout for a Public Right-of-Way Known as Grove Street - Planning Board

H. REPORTS - MORE TIME

1. Relating to Rules for the Operation of Bicycles
Ordinance O-2025-33

I. ORDINANCES FOR FIRST READING

1. Petition to Amend the Zoning Map - 1.24 Acre Portion of 62 Maple Avenue - Industrial Park to Medium Density
Ordinance O-2025-34

J. ORDINANCES FOR SECOND READING

1. Relating to Class Allocation
Ordinance O-2025-31

K. RESOLUTIONS

1. Relating to an Amended Return of Layout for a Public Right-of-Way known as Grove Street *and* Relating to a Deed for land removed from the Right-of-Way and an Easement for Public Infrastructure
Petition - Public Works Director

Resolution R-2025-26
Resolution R-2025-27

NON PUBLIC SESSION

ADJOURNMENT

A regular meeting of the Keene City Council was held on Thursday, September 18, 2025. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:00 PM. Roll called: Kate M. Bosley, Laura E. Tobin, Randy L. Filiault, Robert C. Williams, Edward J. Haas, Philip M. Jones, Andrew M. Madison, Kris E. Roberts, Jacob R. Favolise, Bryan J. Lake, Catherine I. Workman, Bettina A. Chadbourne, Thomas F. Powers, and Mitchell H. Greenwald were present. Having declared that there was a quorum physically present in the Council Chamber, Mayor Kahn recognized that Councilor Michael J. Remy requested to participate remotely due to work travel; Councilor Remy was calling alone from his vehicle, enroute to the Council meeting. Hearing no objections from the Council, Mayor Kahn granted the remote participation. Councilor Remy was absent remotely from 7:07 PM to 7:35 PM. He arrived at the Council Chamber at 8:08 PM. Councilor Jones led the Pledge of Allegiance.

MINUTES FROM PRECEDING MEETING

A motion by Councilor Greenwald to adopt the September 4, 2025 meeting minutes as presented was duly seconded by Councilor Bosley. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

COMMUNICATION - MAYOR JAY KAHN - CONCERNING SOCIAL MEDIA POSTS - COUNCILOR WILLIAMS

A communication was received from Mayor Jay Kahn, to allow the Council to consider public concerns regarding recent social posts by Councilor Williams and determine whether a disciplinary process should be initiated pursuant to Council Policy Resolution R-2013-24-A.

Mayor Kahn thanked members of the public for attending but pointed out that the City Council's Rules of Order would not allow public comments on any agenda items. The Mayor stated that audience disruptions would not be tolerated and if they occurred, he would call for order in the room. If the meeting continued to be disrupted after a second verbal warning, the Mayor would ask the individual(s) causing the interruption to leave the room. If a third warning was necessary, the meeting would be recessed, while the individual(s) were escorted out of the room. Mayor Kahn requested help to conduct the meeting with efficiency and without interruption.

The Mayor explained he had submitted his letter to open the conversation regarding Councilor Williams recent social posts to allow the City Council to discuss the potential necessity of a disciplinary process pursuant to the City Council's policy, Resolution R-2013-24-A. The Mayor said the Resolution specifies that, "The City Council shall vote on the request for the disciplinary process at the next regularly scheduled City Council meeting after the filing of the complaint with the City Clerk."

Councilor Remy lost his remote connection and was temporarily absent.

The Mayor asked City Attorney Amanda Palmeira to explain the process laid out in Resolution R-2013-24-A. The City Attorney said Resolution R-2013-24-A governs the disciplinary process. It gives the Council authority, according to City Charter Section 28 and NH RSA 49-C:19, to remove a Councilor or the Mayor. She said the City Council's policy allows for discipline, short

of or including removal. The Resolution outlines a very specific and helpful process, stating that a Mayor or Councilor may write a complaint that will contain specific facts and reasons that may warrant discipline. Upon receiving that complaint, it is presented to the City Council; the complainant and respondent each provide their respective positions and following those presentations, a motion may be made and seconded to implement the discipline process. If there is no motion, or if there is a motion but no second, the matter is closed. If there is a motion and a second, the City Council may then debate and deliberate on whether to implement the discipline process, which would require a two-third roll call vote. If two thirds of the members present vote yes, the matter would be referred to a City Council Disciplinary Committee. If less than two thirds vote yes, the matter is closed. Once it is referred to a Disciplinary Committee—comprised of the three Standing Committee Chairs and two Councilors appointed by the Mayor or in this instance the Finance, Organization and Personnel Committee Chair (because the Mayor was the complainant). It is the Disciplinary Committee's role to make findings and recommendations on whether or not to impose any discipline. That recommendation would come back before the full Council for consideration. The City Attorney said the question before the Council at this meeting was not whether to impose discipline but whether the Council should form a Disciplinary Committee.

Mayor Kahn began the process, as it was the responsibility of the complainant to bring the complaint forward. Mayor Kahn suggested that the Council initiate the process to consider if Councilor Williams' communications over social media following the murder of Charlie Kirk gave rise to disciplinary action under Council Policy Resolution R-2013-24-A, Relating to City Council Disciplinary Process. By raising this question, Mayor Kahn said he offered the City Council an opportunity to weigh in on public concerns about comments made by Councilor Williams over social media. The Mayor initiated this disciplinary process, which could be done by him or a Councilor in a written complaint, leading to a vote of the Council on whether to proceed with the disciplinary process. The process requires enumeration of reasons for disciplinary action, which the Mayor explained. He said that on September 12, 2025, the day following the murder of Charlie Kirk, City Councilor Robert Williams stated on his Facebook page that, "Charlie Kirk was a piece of s**t who promoted gun violence and died by gun violence." Mayor Kahn said this comment, followed by others, was offensive: "His wife made her choice. His kids need to know." The Mayor said Councilor Williams' rhetoric on social media provoked the public into polarizing perspectives and was insensitive to the loss being felt by some in the community. Mayor Kahn said the Council's policy recognizes that pursuant to Section 28 of the City Charter, "actions may be deemed inappropriate or detrimental to the discharge of their official duties as elected representatives of the City of Keene, which require disciplinary measures short of suspension or removal." The Mayor said that while he respects the constitutional right of freedom of speech, public officials are looked upon as respected voices and as leaders in our community. Mayor Kahn stated that Mr. Williams' comments were divisive at a moment when unity is needed in our community and country, when one thing everyone in our country needs to agree upon is violence against public figures is never warranted.

The Mayor recognized Councilor Williams to respond to the complaint. Councilor Williams stated that he would accept any judgment that the Keene City Council had for him and would bear any penalty imposed. He recognized that his words were unkind and inflammatory at a time when passions were running high. Councilor Williams was sorry if what he wrote on Facebook

caused any pain to those who knew and loved Charlie Kirk. Councilor Williams added that it was a tragedy that two children have now lost their father. While there were aspects of the charges against him that Councilor Williams would challenge, he said they were a trifle compared to the challenge we were facing right now as a nation. Namely, losing our democracy more and more every day.

At 8:03 PM, the Mayor recessed the meeting due to audience disruptions. At 8:08 PM the meeting resumed.

Councilor Williams resumed his comments stating that he believed the death of Charlie Kirk was being used as a pretext for the undermining of the American people's right to free expression. Councilor Williams stated, "If I was just one guy who screwed up and was facing consequences, that would be one thing. But across the country there are hundreds of cases like mine in which people who have expressed negative sentiments about Charlie Kirk are being subjected to organized harassment campaigns of the kind that Kirk himself pioneered. This is being supported by the federal government. We're now using criticism of Charlie Kirk as grounds for deportation. People are losing their jobs and students are getting kicked out of college. This is a concerning and frightening phenomenon, and it is one reason that I am going to sit down and shut up for a while. But before I do, I want to remind my friends on the City Council of one thing. As the leftmost member of our body, if I am the canary in your coal mine, if I am loud and annoying, that is a sign that things are going relatively well. But if I am intimidated into silence, what does that say about the danger we face?" Councilor Williams concluded his statement by quoting James Baldwin: "If they come for me in the morning, they will come for you in the night." Councilor Williams said, "God bless us all."

The Mayor issued a warning to the Chamber due to further disruptions.

Councilor Greenwald stated that he would make the following motion brought forth at the request of numerous residents but wanted it to be very clear that at this time he was not expressing his personal opinion. With the amount of public comment, and in the interest of transparency, he felt Councilors needed the opportunity to express their opinions, which the motion would allow.

A motion by Councilor Greenwald to proceed with the disciplinary process outlined in Resolution R-2013-24-A was duly seconded by Councilor Bosley.

Councilor Roberts noted that he spent 21 years in the U.S. Marine Corps, served in the first Gulf War, and went to a number of places that left him pretty beaten up. Councilor Roberts said there was a saying in the Marine Corps: "I may not agree with what someone says, but I will always defend their ability to say it with my life."

Councilor Workman wanted to start by saying it is important to recognize words do matter, especially from those in public office. Their communication can either build trust or deepen divides, and she said it is their responsibility to choose language that reflects respect and fosters constructive dialogue. At the same time, Councilor Workman said nobody is perfect, nor should anybody be expected to be—public figure or not. She believes the Keene community is best

served when it is focused on listening, learning, and working together toward solutions that benefit everybody. That said, Councilor Workman was reminded of the community response when the town of Troy's Police Chief attended the January 6 protest at the U.S. Capitol that turned into a riot. Many called for his resignation, but Councilor Workman defended his actions at the time. Councilor Workman quoted her comments from January 9, 2021, that she said were just as true now: "I stand with Chief Ellis. Let's all remember, he was acting as a private citizen, not in his professional role. He has a right to attend a protest just like everyone else. Some might point to a Republican Party flyer promoting the protest that encouraged attendees to, 'Put the fear of God' into the opposition. Well, it's certainly dramatic language. It doesn't outwardly encourage violence. The Chief attended the protest using his earned time off, not in uniform, and took additional time off to quarantine upon returning home. We have talked a lot in the last year about implicit bias, but it is quite possible to have personal opinions and yet still objectively do your job." Lastly, Councilor Workman highlighted several key facts she thought were critical to this situation and should inform this vote (not in any specific order of validity): (1) The comments made were on a public page and Councilor Williams was not acting in his capacity as a Councilor at the time. (2) He did not celebrate someone's death, nor did he condone violence, figuratively or literally. She said his initial post included an opinion and then a fact, however unsettling that is. His additional comments were also his personal opinions. (3) While there was a lot of online chatter about the issue at hand, the City only received a total of six emails, five of whom identified themselves as Keene residents; one lived in Councilor Workman's ward, one was a resident of Hinsdale, and none identified themselves as Ward 2 residents—Councilor Williams' ward. Councilor Workman said she had not received one constituent call or text about this matter, which she said was significant because Councilor Williams is a Ward Councilor. Councilor Workman said much of the City was unable to vote for Councilor Williams, and Ward 2 constituents were not initiating, or even supporting, the request for disciplinary action. Councilor Workman did not like the idea of ignoring Ward 2's voices, in essence silencing them to appease what appeared to be nothing more than social media fodder. She said Councilor Williams had not broken his Oath or acted in a way that merited disciplinary action as outlined by the City Charter or Council policies. Councilor Workman noted that "immorality" and "misconduct" were not defined in the Charter, City Council policies, or NH law; they were subjective terms. She did not think any new information would be gleaned from an investigation by a Disciplinary Committee, stating there were no legal documents to request or witnesses to call, and the public would not have a possibility to speak during those meetings. Councilor Workman concluded, encouraging all community members to join her in modeling respectful dialogue, even when disagreements arise. She thought everyone needed to take a moment to pause, reflect on their own actions, and be truthful to themselves; she said change starts from within. By engaging one another with civility, patience, and openness, Councilor Workman thought the community could ensure that difficult moments become opportunities to strengthen shared values and move forward together.

Councilor Favolise agreed with Councilor Workman that the Council was not necessarily talking about the kind of misconduct like corruption or bribery that would very clearly violate a local ordinance or other state law. However, Councilor Favolise did think they were talking about the standards Councilors should hold themselves and each other to as stewards of the public trust and interest. He said each Councilor has a responsibility—collectively and individually—to represent this City with integrity. Councilor Favolise stated that the allegations in the Mayor's

letter, if founded, would to some extent represent to him a failure to meet that responsibility. Councilor Favolise thought people experience politics through their leaders. He said a statement made by a political leader in the wake of an act of political violence that belittles, dismisses, even excuses or justifies that act represents—at its most generous—a lapse in judgment. He stated that in times of division and in moments of crisis, the people rightly look to their leaders to set the example, to unify, to show us a better way forward; and people are rightly disappointed when leaders instead seek to further divide and to fan the flames. Councilor Favolise reminded the Council that a “yes” vote would not remove Councilor Williams, who to Councilor Workman’s point, was a duly elected official by his constituents in Ward 2; a “yes” vote would begin the disciplinary process. Councilor Favolise stated that so long as the Council is considering the rights of a member in their personal capacity to opine on the political issues of the day and public figures, political pundits, and parties—and he did think the Council should consider that—Councilor Favolise said the Council also has to consider a member’s responsibility to conduct oneself in a manner becoming and befitting of an elected official in this sacred office.

Councilor Filiault also proudly served in the U.S. Military. He said the whole purpose of the Military was to serve, and come home and become civilians, where everyone could speak and disagree. Councilor Filiault recalled that he is a stickler for procedure and protocol, like the Council’s Rules of Order. He stated that there is no deviating from the City Charter and recalled all the times he had spoken up to defend both documents. Councilor Filiault said the first place to go for rules and protocols is the City Charter, which he called “the Bible of the City Council.” The City Council does not write the Charter; a Charter Committee is appointed, and the constituents vote on the Charter on a ballot. The Council cannot overturn or change the Charter and is bound by the Charter by law; there is no exception. Councilor Filiault referred to Section 28 of the City Charter and pointed out there was nothing in it about disciplinary action—not a word, no gray area. He thought it might need to be put before the voters with proposed new language. He encouraged his fellow Councilors to read the Charter and particularly Section 28, noting he read it all three times in three days looking for gray areas, which he did not find. He said Section 28 simply stated that at least two-thirds of the elected City Council could remove a Councilor. He said it was vague, meaning with 10 votes of Councilors who did not like one Councilor, they could remove that elected Councilor under Section 28. He said to be careful with Section 28 and encouraged all Councilors to learn and understand it. Councilor Filiault said this was the result of the Charter being vague. Councilor Filiault said the second place the Council goes for protocols is to its 39 Rules of Order, which the Council does write. The Council modifies and votes on its Rules annually. He said everyone should also read the Rules of Order, which also made no mention of how the Council should discipline another Councilor.

Councilor Filiault said the next place to look for guidance would be resolutions, referring to Resolution R-2013-24-A, which was written in 2013 when Kendall Lane was Mayor. Councilor Filiault said this Resolution talks about City Charter Section 28 being vague. Councilor Filiault said he spoke to former Mayor Lane in detail on September 24, 2025 about Resolution R-2013-24-A and hoped some of his fellow Councilors did too. Former Mayor Lane told Councilor Filiault that Resolution R-2013-24-A was not meant for what was happening at this meeting. Councilor Filiault reiterated that his fellow Councilors should read the 4-page, Resolution R-2013-24-A. He summarized that the Council is bound by the City Charter, with no deviation. If

the Council decided, based on the Resolution, that a Councilor was derelict in their duties, then it could form the five-member Disciplinary Committee of City Councilors. Councilor Filiault noted that the Resolution did not say anything about Facebook, posting, or inflammatory comments that really upset people. The Resolution only considers whether a Councilor was derelict in their duties.

Councilor Filiault noted that upon re-reading the Charter, Rules of Order, and Resolution again before the meeting, he found no wording in any of them that would allow discipline of a City Councilor based solely on controversial comments, no matter how inflammatory, whether verbal or through social media. He added that the Council would need to update the Rules of Order because there was nothing included about social media. Councilor Filiault was clear that he did not agree with Council Williams' comments at all and was very unhappy the City Council was dragged into it. That said, Councilor Filiault went back to the Charter, the Rules of Order, the legislation, and Resolution. He challenged anyone to show him—during the meeting—where it said the Council could discipline a Councilor based on something they said on social media. He said the City Council is bound by these laws and rules he had reviewed. If a Councilor violates them, he said they should be held accountable. Councilor Filiault emphasized a *violation* and reiterated there was no gray area for disagreements. He said the laws and rules bind the Council—not social media, rumor, or mob mentality. After reading the Charter, the Rules of Order, the legislation, and Resolution R-2013-24-A, Councilor Filiault said he absolutely found no clear indisputable violation of those rules by Councilor Williams, even though Councilor Filiault disagreed with him. So, Councilor Filiault could not vote for any further action against Councilor Williams based on the facts of law.

Councilor Remy rejoined the meeting remotely.

Councilor Haas built on what Councilor Workman said about the number of direct letters or phone calls the City received about this. Councilor Haas said he received a handful of direct emails. He looked at the online petition just to see what was stated and of the 1,060 names signed on the Sunday/Monday before the meeting, 250 did not have last names, and of those remaining he only recognized 11 (but noted he was relatively new in town and did not know everybody). He did not think online petitions were of much motivation to the Council. He said Councilor Filiault mentioned gray areas. Councilor Haas said there is gray area and that is where judgment comes in, stating that was what the Council was acting upon at this meeting; he said the Council had to judge whether Councilor Williams' actions fall into moral turpitude or abrogation of duties as a leader. Those were the gray areas Councilor Haas said the Council was measuring in this instance. Councilor Haas said he believes the right to speech is the most sacred and absolute right. Barring direct threats, he thought we should be able to say whatever we want without fear of persecution. He said someone might be lambasted on social media, in the press, and in letters from neighbors, friends, and relatives—like many do—but they should still not suffer professionally or especially as elected officials because of what they say.

Councilor Remy asked if he should recuse himself because he missed parts of the Mayor's and Councilor Williams' statements. The City Attorney said to be able to not participate in a vote, it would have to be a conflict of interest rather than the situation Councilor Remy presented. On

the basis the Councilor presented, the Council would have to vote on whether he should be recused. Otherwise, the City Attorney said the policy required all members present to vote.

On a roll call vote with 4 Councilors voting in favor and 11 Councilors voting in opposition, the motion to proceed with the disciplinary process outlined in Resolution R-2013-24-A failed. Councilors Bosley, Remy, Favolise, and Powers voted in the minority.

Mayor Kahn called a recess at 7:40 PM. The meeting reconvened at 7:47 PM.

ANNOUNCEMENTS

The Mayor's Youth Council at Keene High School was up to 27 members. Mayor Kahn announced that the students would be considering whether the City should offer a Native American commemoration during National Native American Heritage Month in November. It would be a program designed by the students; a first in the City, and perhaps the state. Any student interested in joining The Mayor's Youth Council could visit the Principal's Office to sign up.

Next, the Mayor reminded everyone of the Municipal Primary Election scheduled for October 7, 2025. The polls would be open from 8:00 AM to 7:00 PM. Direct any questions about elections and voting to the City Clerk's Office.

Mayor Kahn announced the annual NH Source to Sea Clean-Up, beginning at Ashuelot River Park on September 19 from 9:00 AM until 11:00 AM. A group would also meet where Beaver Brook abuts Pat Russell Park (Water Street Bridge) on the morning of September 20. He said the public is always invited to participate—bring your hip waders and dive in. The Mayor welcomed Councilor Madison for more details, who said when the water is low, a lot of trash is removed from Ashuelot River and Beaver Brook. He noted the event is a part of the Connecticut River Conservancy's annual watershed-wide event and locally hosted by the Cheshire County Conservation District and the Ashuelot River Local Advisory Committee. Councilor Madison said annually they had removed approximately one ton of trash from the local waterways. He called it a great opportunity to get out, meet people, and see some pretty interesting trash.

Mayor Kahn shared some upcoming community events:

- Keene International Festival: Saturday, September 27, 2025, from 11:00 AM to 3:00 PM at the Keene Parks and Recreation Center.
- Clarence DeMar Marathon: Sunday, September 28, 2025, beginning at Keene State College: Full Marathon, Half Marathon, Kids Marathons, and Super Seniors.
- Keene Pride Festival: Sunday, September 21, 2025, from 12:00 PM to 7:00 PM in downtown Keene.
- Constitution Week: September 17–23, 2025, for which Mayor Kahn had delivered a Proclamation to the Daughters of the American Revolution.

Councilor Greenwald led the Council in recognizing Mayor Kahn's birthday this month and offering best wishes.

PROCLAMATION - KEENE PRIDE

Mayor Kahn read into the record a Proclamation, declaring September 14–21, 2025 as Pride Week in Keene, NH, as an expression of the community’s support for its LGBTQ+ residents.

COMMUNICATION - KEN KOST - IN OPPOSITION TO THE SALE OF CITY PROPERTY - 100 CHURCH STREET

A communication was received from Ken Kost, in opposition to the proposed sale of City-owned property located at 100 Church Street, noting its visual appeal and suggesting that a transition to private ownership will only cause individuals engaging in problem behaviors to relocate to another area in the City. Mayor Kahn accepted the communication as informational.

MARK REBILLARD - USE OF CITY PROPERTY - SERIES OF SMALL-SCALE DOWNTOWN FESTIVALS DURING DOWNTOWN CONSTRUCTION PROJECT

A communication was received from Mark Rebillard of the Keene Downtown Group, requesting to conduct a series of small-scale festivals to be held downtown during the various phases of the downtown project. Mayor Kahn referred the communication to the Planning, Licenses and Development Committee.

MSFI REPORT - HOWARD MUDGE - REQUEST TO REMOVE A TREE ON CITY PROPERTY - WESTERLY EDGE OF 9 EVERGREEN AVENUE

A Municipal Services, Facilities and Infrastructure Committee report was read, on a vote of 4 to 1, recommending granting Howard Mudge’s request to remove the tree in front of 9 Evergreen Avenue at Mr. Mudge’s expense, conditional on the planting of a replacement tree to be maintained by the City. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Tobin noted that she voted in opposition at the MSFI Committee meeting because what was said in the petitioner’s letter did not seem to reflect what the Public Works Director reported. Councilor Tobin added that Mr. Mudge was not there to give any feedback or to respond to any questions. The Councilor would have liked to know what the problem was and if the request was just for aesthetic reasons.

The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

MSFI REPORT - FREDERICK MACMILLAN - REQUEST TO INSTALL A SCULPTURE AT PATRICIA RUSSELL PARK

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the City Manager be authorized to do all things necessary to accept and install the proposed public art piece by Frederick MacMillan, to be placed at the Ashuelot Park, and to

negotiate and execute a memorandum of understanding with the donor, to include the requirement for certificates of insurance, in accordance with Resolution R-2018-22. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Greenwald summarized the Committee report, noting that the original request was to place this sculpture—on loan to the City for display for an unknown period (because it is for sale)—in Pat Russell Park. However, due to concerns for damage or being toppled near the kid's area because of the sculptures approximate eight-foot eight (though bolted down and assured by a structural engineer it would be safe), the proposal was to move it to Ashuelot River Park. Although Councilor Greenwald heard from constituents in the neighborhood of Pat Russell Park, wondering why they could not have art, he said that was not the case, and he hoped to hear a plan for more art there soon.

The motion to carry out the intent of the Committee report carried on a roll call vote with 14 Councilors voting in favor and 1 voting in opposition. Councilor Haas voted in the minority.

MSFI REPORT - COUNCILOR HAAS - REQUEST FOR HISTORICAL MARKER - KEENE BOTTLE WORKS

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending that the Yankee Bottle Club be authorized to design, fabricate, and donate a historical marker for installation on the Cheshire Rail Trail, and that the City Manager be authorized to take all actions necessary to facilitate its installation. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Haas said The Yankee Bottle Club had been in Keene since 1968. Although there was a sign talking about the Keene Bottle Works at the Recreation Center, the Bottle Works was actually located on the Rail Trail. So, the Yankee Bottle Club wanted to have a sign at the actual location. Alan Rumrill, Bottle Club member and advocate, wrote the text for the sign and with the Council's approval, a design would be underway. Councilor Haas hoped the Council would not hold his previous negative vote against him on this. He also announced the Yankee Bottle Club's Annual Bottle Show at Keene High School on October 12, 2025, from 9:00 AM to 2:00 PM. Councilor Madison noted how many historic Keene bottles would likely be retrieved during the annual Source to Sea Cleanup.

Councilor Remy arrived at the meeting in-person at 8:08 PM.

The motion to carry out the intent of the Committee report carried unanimously with 15 Councilors present and voting in favor.

MSFI REPORT - SALE OF CITY PROPERTY - 100 CHURCH STREET

A Municipal Services, Facilities and Infrastructure Committee report was read, on a vote of 4 to 1, recommending the City Manager be authorized to do all things necessary to negotiate and

execute the sale of 100 Church St., parcel #574-015. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Greenwald noted that some neighbors in the Church/Water/Roxbury Streets neighborhood came forward and expressed interest in partnering with the City to maintain the park. Because the property was not in a rush to be sold and Councilor Greenwald assumed the abutter would still be interested, he made the following motion.

A motion by Councilor Greenwald to amend the Committee report to refer this item back to the Municipal Services, Facilities and Infrastructure Committee for further discussion was duly seconded by Councilor Bosley.

Councilor Filiault agreed with Councilor Greenwald. Councilor Filiault was also notified by a lot of people from this neighborhood, who expressed some kind of interest; he was unsure what they were expecting but he said it was not time sensitive. Although Councilor Filiault felt the City needed to at some point either sell the park or come up with a better situation for it. He agreed with sending it back to Committee.

Councilor Roberts wholeheartedly supported referring this back to Committee. He usually walks early every morning, looked there after hearing about this, and did not see any trash on that piece of property. He said a greater worry was on the Rail Trail, where the day before there were 17 people by the hotel, including one sleeping in the bushes, trash everywhere, and a couple of needles. He saw another person washing with something that they discarded on the ground. Councilor Roberts thought the park was a very low priority for the City to get rid of and it would be really important to work out some type of partnership.

Councilor Favolise said he would vote to send this to Committee for a third time and allow the conversation to continue. He agreed with Councilor Filiault that at some point, it would have to reach a terminus. Councilor Favolise also agreed to some extent that this was not time sensitive and that the abutter would likely still be interested. However, Councilor Favolise had constituents living in the properties owned by the abutter, who he thought probably felt this was a little more time sensitive than the Council because they are there day-and-night to experience the problematic activities. Additionally, much like Councilor Filiault, Councilor Favolise was recently on a ride along with Keene Police Department and he asked about this property, which was well known to the Police. Councilor Favolise said Officers expressed the challenges the Police Department face when attempting effectively “trespass” people for the space, because it is a public space. So, he said that if there was a real plan coming to partner with some sort of neighborhood group/stewardship group and avoid this sale, then Councilor Favolise was willing to hear it out, because he would ideally like to preserve it as a green space. However, he thought it was important for the perspectives of those living in the abutting properties to be represented in this discussion.

The motion to amend the report to refer the item back to Committee carried unanimously with 15 Councilors present and voting in favor.

The motion to carry out the intent of the Committee report as amended carried unanimously with 15 Councilors present and voting in favor.

MSFI REPORT - INSTALLATION OF TRAIL SIGN IDENTIFYING THE CHARLES REDFERN BRIDGE - BPPAC COMMITTEE

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending approval of the attached design for trail signs identifying the newly named Charles Redfern Bridge (formerly South Bridge) spanning NH State Route 101 and that the City Manager be authorized to do all things necessary to install the signage on the Rail Trail. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Filiault.

Councilor Jones thanked the Bicycle/Pedestrian Path Advisory Committee (BPPAC) for presenting this to the MSFI Committee and thanked Councilor Greenwald for showing the sign's design to the Council. Councilor Jones noted this idea originally came from the BPPAC. The curvature of the wording at the top of the sign is meant to mimic the curve of the bridge. The full sign reads: "Welcome to the Charles Redfern Bridge, honoring the man with the vision and tenacity to create the magnificent multiuse trail system here in Keene, NH." Danny Mitchell on Morning Radio said it would probably be the only sign in NH with the word tenacity in it, but Councilor Jones called that well deserved for Mr. Redfern. Councilor Jones thanked the MSFI Committee for approving this.

Councilor Haas wanted to ensure this would honor the intention of the BPPAC to have a sign on both ends of the bridge on the Rail Trail. City Manager Elizabeth Ferland said yes.

Councilor Roberts said he joked with Mr. Redfern a few weeks prior that he would be on one of the few signs in the state named after someone who is alive. So, Mr. Redfern would actually get to enjoy and be proud of it. Councilor Roberts said Mr. Redfern was extremely proud of this honor.

The motion to carry out the intent of the Committee report carried unanimously with 15 Councilors present and voting in favor.

MSFI REPORT - DOWNTOWN INFRASTRUCTURE PROJECT - SUGGESTED BIKE LANE RULES - BPPAC COMMITTEE

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending that the list of suggested bike lane rules by the Bicycle and Pedestrian Path Advisory Committee (BPPAC) be accepted as informational. Mayor Kahn accepted the Committee report as informational. He noted this related to Ordinance O-2025-33 for first reading later in this agenda.

PLD REPORT - KIWANIS CLUB OF KEENE - REQUEST TO USE CITY PROPERTY - TREE LIGHTING CEREMONY

A Planning, Licenses and Development Committee report was read, unanimously recommending the Keene Kiwanis Club be granted permission to use downtown City rights-of-way on Friday, November 28, 2025, to conduct the annual Tree Lighting Festival conditional upon the following:

- The furnishing of a certificate of liability insurance in the amount of \$1,000,000 naming the City of Keene as an additional insured;
- The signing of a standard revocable license and indemnification agreement;
- That the Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated to the event, and agrees to remit said payment within 30-days of the date of invoicing;
- That the agreed upon footprint and layout for the event shall encumber Central Square, including the traveled portion of the road requiring the following road closures: Central Square, West Street at Central Square, Roxbury Street from west of the Hannah Grimes Parking lot to Central Square, Washington Street from Vernon Street to Central Square, and Court Street from Winter Street to Central Square;
- That the actual event will be held from 5:00 PM to 8:00 PM with the times for set up and clean up to be established with City staff;
- That free parking be granted under the provisions of the free parking policy for the following: use of spaces with dates, times and locations to be determined in coordination with the Parking Division for volunteer parking during pre-event set-up and post-event break-down activities, and spaces within the event footprint on the day of the event.
- Said permission is granted subject to obtainment of any necessary licenses or permits and compliance with all laws; and compliance with any recommendations of City staff.

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

PLD REPORT - AUTHORIZATION TO ENTER MUTUAL AID AGREEMENT WITH THE TOWN OF MARLBOROUGH FOR BUILDING INSPECTION AND CODE ENFORCEMENT SERVICES - COMMUNITY DEVELOPMENT DIRECTOR

A Planning, Licenses and Development Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to enter into the Mutual Aid Agreement with the Town of Marlborough. A motion by Councilor Bosley to carry out the intent of the Committee report was duly seconded by Councilor Jones. The motion carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT - ACCEPTANCE OF DONATION FOR MAKERSPACE STAFFING - LIBRARY DIRECTOR

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized do all things necessary to accept and expend a donation of \$15,000 from the Friends of the Keene Public Library to fund Makerspace staffing. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

A motion by Councilor Powers to amend the Committee report to correct the amount of the donation to \$18,000 was duly seconded by Councilor Greenwald. The motion carried unanimously with 15 Councilors present and voting in favor.

Councilor Favolise noted that he had the pleasure of attending this FOP meeting. He wanted to add that in addition to the staff members who Councilor Powers mentioned, the Makerspace program is also run with a lot of help from interns, often from Keene State College. So, Councilor Favolise said this was not just an opportunity to support the community, but it was also an opportunity for the Council to continue building the kinds of relationships that he thought the City wanted with its Institute of Higher Education. The Mayor called it a good partnership.

The motion to carry out the intent of the Committee report as amended carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT - ACCEPTANCE OF NH JUVENILE COURT DIVERSION NETWORK FUNDING - YOUTH SERVICES

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to accept and expend funds provided by New Hampshire Juvenile Court Diversion Network for Youth Services programs. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy. The motion to carry out the intent of the Committee report as amended carried unanimously with 15 Councilors present and voting in favor.

FOP REPORT - REVO CASINO HOST COMMUNITY AGREEMENT - CITY MANAGER

A Finance, Organization and Personnel Committee report was read, on a vote of 3 to 1, recommending that the City Manager be authorized to do all things necessary to execute a standard agreement for host communities with Revo Casino and Social House Keene, and to accept and expend the funds. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Remy.

Councilor Powers provided introductory comments before turning it over to City Manager Elizabeth Ferland, who brought this forward through the Committee as an opportunity for the City to have income as the result of changes in state law and because the City has a casino. Every community with a state authorized casino had an opportunity to sign on to a partnership, receiving a portion of the revenue that comes through the casino annually. Councilor Powers said many of the groups the City supports with efforts and work in the City (e.g., school programs) were doing the same thing. This would allow the host community to have some income to offset City services, which the City Manager explained more.

Elizabeth Ferland, City Manager, said the law changed in 2024. Now, host communities could sign a standard agreement with casinos located in their town or city, allowing a percentage of the revenues generated during a week. In 2025, that week for host communities is schedule for December 17–26. The percentage of funds that would be transferred to the City would be similar

to what would be transferred to a nonprofit who may sign up at another time during the year; an estimate of \$16,000–\$20,000 was seen for other nonprofits but it depends on activity during the period. The standard agreement only says the “1.) Host Community must be eligible to receive gaming revenue pursuant to RSA 287-D:4-1. 2.) Host Community must comply with all applicable laws and regulations. 3.) Host Community will provide the following insurance (if applicable),” which she said was not applicable in this case. So, there were no additional requirements upon the City to sign the standard agreement. This came to the City Manager through Councilors Filiault and Favolise, who heard about it on WMUR; the City was unaware of the opportunity until then. If the Council chose to move forward, the City Manager would execute the agreement and return to the FOP Committee to determine how to use the funds.

Councilor Roberts said he was the one who voted against this because he had some real ethical concerns that went all the way up to the State of NH. He said the state built the Lottery system to help people, the nation, and education. Then, he said the state took the Lottery—with tickets bought mostly by working class and poor people—and displaced the money that was supposed to be spent on education. Now, he said the state was in this situation, in which the City may get \$25,000–\$30,000 that he said might make a small difference on the tax return. However, Councilor Roberts referred to the casino during the week around noon, when the parking lot is full, and said there would be no “high rollers” but mostly older people; he said most people were spending and losing money at the casino, which was coming out of the cash registers of local businesses. Councilor Roberts stated, “people can only spend money in one place; you can lose it in the casino and not spend on your local economy, or you can do it in the local economy and work on your quality of life.” Councilor Roberts said he personally, and some of the people he talked to, had an ethical problem with the City taking money from a casino that is taking money from citizens. In a certain way, it felt to him like making the casino a middleperson, taking money from the residents like a roundabout tax, which Councilor Roberts called no different than the lottery.

Councilor Favolise said he would vote in support of the Committee recommendation and touched on a few points. First, although he does not typically address some of the things on social media, in this case, he wanted to be clear. Councilor Favolise stated that this action would not be authorizing an additional casino in Keene. This would not lock the City into a long-term contract, meaning the City would not start funding everybody’s salaries and pensions if the casino leaves. Councilor Favolise said this was about the City collecting about \$16,000–\$20,000 in an environment where every little bit not collected through property taxes would be helpful for the City/community. He wanted to correct some of that misinformation. Councilor Favolise also wanted to reiterate the point he made at the FOP Committee, which was that the casino was already in Keene; this vote was not about whether Keene should have the casino or whether the City should continue to have the casino. As far as he was concerned, this was not a referendum, and he encouraged the Council to view it the same way—on the morality of gambling or the ethics of the casino and the Lottery industry. Councilor Favolise said this was the State of NH’s recognition that hosting a charitable gaming facility places a burden on the host community, to one extent or another, and this is a way to offset that burden. He repeated what he said at the FOP meeting about the negatives that come along with casinos in Keene, no matter what the question was before the Council, so he said the City could try to get a little bit of a positive

return on them. Councilor Favolise hoped the Council would join him in answering this question with a “yes”.

Councilor Greenwald said he was not anti-casino. He had visited, and he called it a good casino with a good, clean operation. He agreed with Councilor Roberts that it is not a “high roller” casino but said that is fine because this is Keene, not a high roller town. Councilor Greenwald said his problem with the casino was a little different because the casino was planning to move to another location, which would involve a lot of permitting, work with the Planning and Zoning Boards, as well as non-building permits. It did not look good to Councilor Greenwald for the City to accept money from people it would be permitting. He cited the expression, “can’t buy my love.” He said he is usually all in favor of looking for money for the City and said this might be great after the permitting process. For now, he said, “No way. It is a really bad look.”

Councilor Williams concurred with Councilors Roberts and Greenwald. Councilor Williams did not like the structure of how the City would be getting money out of the casino. He thought that if the City was going to raise money from the casino, the appropriate thing would be for the State of NH to give the City the ability to tax the casinos’ revenues. Councilor Williams was not in favor of taking casino money instead.

Councilor Filiault agreed with Councilor Favolise about the casino money. Councilor Filiault said the money was not perfect, but suggested that if denying this money based on ethics and morality, then the City should also reject money from the state for alcohol sales, the Lottery, and Meals and Rooms Tax in favor of raising property taxes on all these “unethical people.” He said nothing is perfect. Councilor Filiault added one thing that is imperfect: Property taxes from a state that downshifts all the cost of responsibility onto municipalities. He said the state had done it again this year. So, he encouraged his fellow Councilors to think twice about saying no to money that would offset the property taxes.

Councilor Haas referred to Councilor Greenwald’s point and stated that this was fraught with peril. Councilor Haas said if there is a place where corruption lives, it is where things like this happen. Where an entity could come before the Council for permission to change location, borders, curb cuts, etc. Then, the City would be taking money from the casinos because they would be found in a charitable obligation. Councilor Haas called that terrible and said the City could not do that.

Councilor Madison’s concerns were similar to Councilor Greenwald’s. Councilor Madison did not want to pontificate about the morality of gambling. He is not a gambling man, he has no problem with it, has no problem with the casino in Keene or people who want to go spend their money there, said that is their business, and said people should be free to do with their money as they please. Councilor Madison shared Councilor Greenwald’s concern that at this time, the City was in a regulatory capacity over the casino. Councilor Madison was concerned with the optics of the City having authority over the casino in a regulatory capacity, taking money from the casino that is then voluntarily given to the City, as opposed to something like a fee or a tax the casino is required to pay. Councilor Madison said it felt messy and working as a regulator himself, it did not feel great to him.

Councilor Remy asked, if a city or town that a casino is located in wanted to have a week for revenue generation as allowed by the new law, would the city have to provide those dates, or would they go through a selection process like for other nonprofits. The City Manager said no, the casino would have to reserve time for the City. Revo casino reserves that time in December for all of their casinos. She said if the City wants to participate, we need to give advance notice to be included in the group of non-profits. Councilor Remy said that answer took away some of the moral aspect for him regarding money changing hands because this would be an annual thing and the City would not necessarily be chosen every time.

The motion to carry out the intent of the Committee report carried with 8 Councilors voting in favor and 7 voting in opposition. Councilors Bosley, Tobin, Williams, Haas, Madison, Roberts, and Greenwald voted in the minority.

CITY MANAGER'S COMMENTS

Before recognizing the City Manager for comments, the Mayor referred to statements during the disciplinary communication earlier in the meeting, during which there was indication that there had not been significant input from people in the City. Mayor Kahn wanted to reassure the Council and people who provided input that he received quite a bit of feedback, both through the Mayor's portal on the City website and through his phone number that is posted on the City website. He said he was surprised how many were not within Keene, but most were in the state of New Hampshire, and one came from Maine. He said it would be worth the Council considering—as suggested—forming a discipline committee for the purpose of reviewing whether Resolution R-2013-24-A should be updated. Mayor Kahn said he felt compromised as a complainant in offering testimony that furthered the testimony he provided as a part of his complaint, which was why he did not make these comments at the time. He did not think that influenced the outcome of the debate.

Elizabeth Ferland, City Manager, announced that due to dry conditions and forecasted low humidity and winds in the area, the fire danger was high. As a result, all burn permits, open burning, and consumer fireworks discharge in Keene were suspended beginning September 18 and would continue until further notice. She asked everyone to check the City of Keene Fire Department webpage; until the "High Fire Danger" banner was removed, this open burning and consumer fireworks prohibition would remain active. Any questions or concerns should be directed to Fire Department or on duty Fire Captain.

The City Manager received a few inquiries about the City's water supply. She reported that many towns had placed water usage restrictions. Keene was fortunate not to reach the level needed to trigger any restrictions. At this time, the City had about 180 days of consumption in its surface reservoirs. However, they had noticed a significant drop in the groundwater aquifer elevations. Mixing-in groundwater during summer months helps with maintaining high water quality. Over the next months, staff would monitor groundwater levels closely and could need to begin voluntary water conservation measures if the City needed to enter some sort of an advisory.

Next, the City Manager reminded everyone of an email invitation from the Fire Department, which was engaged in a strategic planning effort. The City Manager announced a work session

with community stakeholders on Monday, September 29, 2025, at 6:00 PM at the Keene Public Library. The Fire Department engaged with Emergency Services Consulting International (ESCI), a firm specializing in strategic planning for fire and emergency services. ESCI would facilitate a process with staff and community partners to develop a three-to-five-year strategic plan, guiding the Department's priorities, operations, and investment decisions. The City Manager was aware that several Councilors had a conflict that evening. To ensure full Council involvement in this important effort, any recommended plan would be presented at a Council Committee meeting for discussion and feedback. The City Manager recalled talking to the Council a lot about the staffing issues at the Fire Department and observations about regional EMS, so she thought this planning effort would be worthwhile.

City Manager Ferland also announced Fire Prevention Week: October 5–11, 2025. The Council was invited to participate in the annual parade on Sunday, October 5 at 1:00 PM (rain or shine). The Annual Inspection Dinner was scheduled for October 9 at Central Station (please rsvp to the Fire Department; dinner will be served promptly at 6:00 PM). The FOP meeting scheduled for that evening was cancelled to allow everyone to attend.

Lastly, the City Manager reported that the subdivision of 62 Maple Avenue currently owned by Cheshire Medical Center would be making its way through the process of subdivision in October and November. She reminded the Council that the recent Payment in Lieu of Taxes Agreement with Cheshire Medical Center was executed and included just over one acre (1.24 acres) at 62 Maple Avenue to be transferred to the City for the potential future home of the West Keene Fire Station. So, the City Manager said to expect that process to start moving through the Community Development Department in October and November.

ORDINANCE O-2025-28-A: RELATING TO ZONE CHANGE FOR FIVE PROPERTIES ON PEARL STREET & WINCHESTER STREET - JOINT PLANNING BOARD/PLD COMMITTEE

A Joint Planning Board-Planning, Licenses and Development Committee report was read, with the PLD Committee unanimously recommending the Mayor set a Public Hearing on Ordinance O-2025-28-A and the Planning Board unanimously finding Ordinance O-2025-28-A consistent with the 2010 Comprehensive Master Plan. Mayor Kahn filed the memorandum. He noted that the petitioner submitted a communication to the Community Development Department, requesting for this item to go back to Joint PB/PLD Committee and to not set the Public Hearing at this time. Councilor Bosley and the City Manager were both aware. Without objection, Mayor Kahn referred Ordinance O-2025-28-A back to the Joint PB/PLD Committee.

MORE TIME - PLD REPORT - REQUEST FOR CONSIDERATION OF AN ORDINANCE AMENDMENT TO REGULATE THE MUZZLING OF DOG

A Planning, Licenses and Development Committee report was read, unanimously recommending placing Councilor Williams' Request for Consideration of an Ordinance Amendment to Regulate the Muzzling of Dogs on More Time. Mayor Kahn granted more time.

MORE TIME - FOP REPORT - REQUEST TO PLACE SOCIAL DISTRICT QUESTION ON 2025 MUNICIPAL GENERAL ELECTION BALLOT

A Finance, Organization and Personnel Committee report was read, unanimously recommending that Councilor Remy's Request to Place Social District Question on the 2025 Municipal General Election Ballot be placed on more time until the next meeting. Mayor Kahn granted more time.

ORDINANCE FOR FIRST READING - RELATING TO RULES FOR THE OPERATION OF BICYCLES - ORDINANCE O-2025-33

A memorandum was read from the Public Works Director, recommending that Ordinance O-2025-33 Relating to Rules for the Operation of Bicycles be referred to the Municipal Services, Facilities and Infrastructure Committee for consideration and a recommendation back to Council. Mayor Kahn referred Ordinance O-2025-33 to the Municipal Services, Facilities and Infrastructure Committee.

ORDINANCE FOR SECOND READING - RELATING TO AMENDMENTS TO THE LAND DEVELOPMENT CODE TO ENCOURAGE HOUSING DEVELOPMENT IN KEENE - ORDINANCE O-2025-15-A

A Planning, Licenses and Development Committee report was read, on a vote of 2 to 2, the Committee failed to recommend the adoption of Ordinance O-2025-15-A. The report was filed as informational. A motion by Councilor Bosley to adopt Ordinance O-2025-15-A was duly seconded by Councilor Jones.

Councilor Bosley summarized the Committee report and non-controversial aspects of the Ordinance that had been presented to the Council to date. She also summarized the controversial aspects of the Ordinance, recalling the Council heard mostly at the Public Hearing about changing the Medium Density District from three units to six units by right. Councilor Bosley thought there was a perception after hearing words during the public hearing like the "ghettoization" of the east side or the Medium Density District. She said that as somebody who had their hand on the pulse of real estate, going from three units to six units is not as financially viable some might think. Once you go above four units, a sprinkler is required, and she said a certain number of units are needed in order to make that cost worthwhile to invest in a property. So, Councilor Bosley did not think this was going to be some prolific thing happening in Keene, noting it was already something the City allowed under the Cottage Court Overlay Ordinance. She said this proposal would only occur in instances with parking already on site and no exterior changes to the building. Councilor Bosley said she assumed people would only modify up to four units, which was unfortunate because the Ordinance for up to six units had gone through this whole process already. In order to amend that down to four (which she would be comfortable with at some point, if this did not pass tonight) she said it would have had to go all the way back through the Joint PB-PLD Committee process, adding several months. She thought the PLD Committee felt the petitioner deserved to have a vote from the whole Council on their petition.

Councilor Bosley continued, stating she also heard that some thought this Ordinance would be targeting the Medium Density District. She stated she could not name all the things she and the

PLD Committee had done in six years but wanted to name a few: changed the Rural District from five-to-two acres, changed the Low Density District acreage sizes, added up to six stories of residential housing in the Commercial zones and allowed for residential buildings behind tenantable commercial space in the those zones, created ordinances for Conservation Residential Developments for rural areas and allowed for densification on those lots based on conservation, allowed for Cottage Courts that allow densification based on the size of the units, allowed detached Accessory Dwelling Units by right across the City. Councilor Bosley stated, “I don’t think anyone in this room is going to be put in a position where anyone can say that what we are doing is targeting a specific district and I also know what is on more time at Joint Committee, and I know that more changes are coming. It takes a lot of work to see the ship get turned, and we’ve been working on this since the pandemic.” She said the City was not seeing an overabundance of development happening, there were some small projects popping up. Councilor Bosley was excited to get to see the first Cottage Court hopefully breaking ground, noting it would be a substantial size. Councilor Bosley wanted to hopefully assure everyone that these changes were not things to be scared of and that everyone could vote in favor.

Mayor Kahn reminded the Council that there were four or five letters received regarding this ordinance.

Councilor Haas said going from three to six units by right was the difficult one. He said most of the rest of the Ordinance is really good and he complimented everybody involved with bringing it so far. He thought the City should move ahead with everything other than three to six units by right, which he called problematic. Councilor Haas said the City needs housing and this would move in the direction of creating small units in existing structures, without changing the footprint of an existing structure; infilling and improving the existing structure. He said the conversion would be good and investment in the community would increase the tax base. So, he cited good things about doing this. Councilor Haas called the Medium Density Zone a transitional zone, with one side abutting downtown, another side abutting High Density districts, and another against Rural and Low Density. He said if you look at the City GIS maps, there are more open spaces moving away from the center with suitably large buildings on big enough lots to accept this kind of change. Councilor Haas noted the problem is that this change would happen without addressing all the issues that come around it. He said the first issue when you convert a building into six dwelling units by right is the conversion to short-term rentals, noting the City was working on its Short-Term Rental Ordinance but for now there was no control. He said short-term rentals do not address the housing issue; they work against increasing housing. Councilor Haas said the second problem with converting a building into six dwelling units by right is parking. He said Keene struggles with parking everywhere. He said the Code would require a minimum of six parking spots on site and if the site could not accommodate that, it would overflow into the neighborhood and onto impervious surfaces; there was no maximum allowed on site. He said there were no controls in place to make that work. Third, Councilor Haas talked about trash, said it would have to go somewhere, and six units would generate a lot more trash than three units. He said the City’s real control for trash and parking was to enforce them after the processes were underway. He said it would be better to design the systems from the beginning to accommodate the needs of these units. Councilor Haas was not saying it would be impossible to have six units but said these rules and regulations were not written into the codes yet to control these concerns. He noted there were other processes that could be used in the

meantime, like the Cottage Court Overlay; several were underway. Councilor Haas was not comfortable passing this Ordinance at this time and allowing developers to proceed retrofitting some of these big, old mansions for six dwelling units and using them as showcases.

A motion by Councilor Haas to amend Ordinance O-2025-15-A to delete Item 3.2.a. which would amend the Use Standards in the Medium Density District from “*no more than 3 units to no more than 6 units*” was duly seconded by Councilor Roberts.

Councilor Bosley asked the City Attorney to confirm if the amendment was an action the Council could take without a Public Hearing on the whole Ordinance. City Attorney Amanda Palmeira said a material change to the Ordinance would basically mean the Council is interested in a new Ordinance that would need to go through the process again. If that was the intent, for efficiency, the City Attorney recommended referring the Ordinance back to the Joint PB-PLD Committee with this conversation appended, so they could workshop a new Ordinance. At this point, she said the Council could not amend the Ordinance and then vote on it.

Councilor Haas noted most of the rest of the Ordinance was acceptable to the PLD and Joint Committee, but he still thought it was worth removing the “bad” things that could come out by having six units by right.

Councilor Haas withdrew the amendment, and Councilor Roberts seconded the withdrawal.

A motion by Councilor Haas to amend the Planning, Licenses and Development Committee report to refer Ordinance O-2025-15-A back to the Joint PB-PLD Committee was duly seconded by Councilor Roberts.

Councilor Bosley addressed some of Councilor Haas's reasons for sending this back to the Joint PB-PLD Committee. Councilor Bosley said the PLD Committee decided that it wanted to give the petitioner an opportunity to find out how the Council felt about this Ordinance. Councilor Bosley thought the term “by right” was being misconstrued with “without oversight.” She said *by right* means the homeowner can go into the Community Development Department and apply for permits to move forward with the process but there would still be Code Enforcement, Plan Reviews, Fire Inspections, and oversight of the entire project. She said that if the property had four parking spots and needed five, for example, it would trigger Planning Board review, which includes the neighbors. She reiterated that there would be a lot of oversight, and she thought people were getting really caught up in the term *by right*. Councilor Bosley would not vote for the amendment because she felt the petitioner deserved to get a decision, one way or another. She added that it was close to the end of the year and if this did not go in a certain direction, staff could take the parts that they liked, or the petitioner could reapply in January with an amended version.

Councilor Tobin confirmed that she was reading about the Downtown Growth District because she thought she heard Councilor Haas mention Downtown Transition.

Councilor Remy supported the six units as someone living in the Medium Density District, which he said is not only on the east side; although primarily there. To Councilor Haas's point

about there not being permeable surfaces and parking requirements, Councilor Remy said that is the core function of the LDC. Councilor Remy had been on the Planning Board since starting on the Council in 2020 and said a lot of the review is to ensure those screening requirements are done well. To Councilor Bosley's point, Councilor Remy said "allowed by right" would mean the petitioner would not need to go to the Zoning Board to get a Special Exception to allow this; they file an application without a special process. He said even those meetings that would seem simple could be painful. He said there would still be a ton of oversight over this. Councilor Remy said a part of the Housing Needs Analysis showed fewer and fewer people living in big family homes, with an average household of two people, not six. So, Councilor Remy said smaller units would be a good thing for the City and he supported the Ordinance without amendment.

Councilor Madison said he owns a house and lives in the Medium Density District. About one block north of there, still in the Medium Density District, he cited two separate properties on the corner of Spruce and Armory Streets, each of which are six units—12 units on one corner. He said the problems Councilor Haas mentioned that would come from these properties were nonexistent there. He said arguments people were making about what would happen because of six units were the same things people had said would happen in the Rural and Low Density Districts, or with ADUs and Cottage Courts. He said society was not crumbling because of more houses and he was growing really tired of the argument. Councilor Madison said he had learned one thing during his time on the City Council, which is there are two universal truths: (1) Everyone wants more housing, and (2) no one wants it anywhere near them. He said Councilor Bosley mentioned the City bringing housing Ordinances to the Rural District, to Low Density, and now the Medium Density District. Councilor Madison reiterated that after living in the Medium Density District for more than 10 years, he had not seen the issues he heard cited that some thought would arise as a result of this Ordinance.

In response to Councilor Tobin, Councilor Haas clarified that he was not talking about the Downtown Transition District, but about the idea of the Medium Density District being a transitional area because it goes from the inner parts of the City to the perimeters/Rural/Low Density Districts. Councilor Haas thought a lot of people in those areas looked forward to development and understood that it has to and would come to Keene. Rather than just handing that development over to staff reviews, code reviews, and the Planning Board, Councilor Haas wanted to see some stepwise movement that would enable picturing how these developments would fit with buildings at the neighborhood level (e.g., on Lincoln, Castle, or Wilbur Streets), before they are interspersed in/amongst big, old mansions that are fit out from the inside.

Councilor Favolise asked a procedural question. He was thinking that the last time the Council sent something back through the process in this way it was related to the zoning piece of charitable gaming facilities, and the Council made an amendment on the floor, sending it back to the Joint PB-PLD Committee. Councilor Favolise asked if there was a specific instruction; was the intent to re-refer to Joint Committee with the instruction to delete this part of the Ordinance? He said that was how he understood it based on the conversation, recognizing that the Joint Committee could tinker around with other parts of the Ordinance, and understanding the Council would append it. Councilor Favolise asked how the Council's motion would appear when referred to the Joint Committee. The City Attorney replied that with the City Council being the

final decision maker on the Ordinance, there would be incentive to get the Ordinance where the Council wants it to be. That said, the City Council does not have the authority to direct the Joint PB-PLD Committee on how to amend the Ordinance or what to do, other than the Council having to give final approval. The typical practice had been to send the Ordinance back with what the Council seeks to change, the Joint Committee workshops it, and sends it back to see if it satisfies the Council. The City Attorney agreed that our practice would be to provide enough direction for the Planning Board to know what the Council is looking for by consensus.

The motion to amend the Planning, Licenses and Development Committee report to refer Ordinance O-2025-15-A back to the Joint PB-PLD Committee failed with 5 Councilors voting in favor and 10 voting in opposition. Councilors Filiault, Haas, Jones, Roberts, and Greenwald voted in the minority.

The motion to adopt Ordinance O-2025-15-A carried on a roll call vote with 8 Councilors voting in favor and 7 voting in opposition. Councilors Filiault, Haas, Jones, Roberts, Favolise, Chadbourne, and Greenwald voted in the minority.

ORDINANCE FOR SECOND READING - RELATING TO AMENDMENTS TO DEFINITIONS OF THE LAND DEVELOPMENT CODE TO ENCOURAGE HOUSING DEVELOPMENT IN KEENE AND THE DEFINITIONS RELATING TO CHARITABLE GAMING FACILITIES - ORDINANCE O-2025-17

A Planning, Licenses and Development Committee report was read, unanimously recommending accepting Ordinance O-2025-17 as informational. Councilor Bosely explained that although this came out of Committee as informational it would require a Council vote on the Ordinance. The report was filed as informational. A motion by Councilor Bosley to adopt Ordinance O-2025-17 was duly seconded by Councilor Jones.

Councilor Remy temporarily left the room.

Councilor Bosley explained that the Committee hoped the Council would vote “No” to defeat the Ordinance because it was a companion Ordinance, which became outdated when Ordinance O-2025-15 became an “A” version. So, the definitions in Ordinance O-2025-17 no longer applied. Councilor Bosley encouraged everyone to vote “No.”

The motion to adopt Ordinance O-2025-17 failed unanimously on a roll call vote with 0 Councilors voting in favor and 14 voting in opposition. Councilors Remy was absent from the room.

Mayor Kahn stepped away temporarily, and Councilor Greenwald directed the meeting as Chair Pro Tempore.

ORDINANCE FOR SECOND READING - RELATING TO SETBACKS AND BUILD-TO DIMENSIONS - ORDINANCE O-2025-20-A

A Planning, Licenses and Development Committee report was read, unanimously recommending the adoption of Ordinance O-2025-20-A. The report was filed as informational. A motion by Councilor Bosley to adopt Ordinance O-2025-20-A was duly seconded by Councilor Jones.

Councilor Remy returned to the meeting.

The motion to adopt Ordinance O-2025-20-A carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

ORDINANCE FOR SECOND READING - RELATING TO DEFINITIONS FOR ACCESSORY STRUCTURE, SETBACKS AND BUILD-TO DIMENSIONS - ORDINANCE O-2025-21-A

A Planning, Licenses and Development Committee report was read, unanimously recommending the adoption of Ordinance O-2025-21-A. The report was filed as informational. A motion by Councilor Bosley to adopt Ordinance O-2025-21-A was duly seconded by Councilor Jones.

Mayor Kahn returned.

The motion to adopt Ordinance O-2025-21-A carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

ORDINANCE FOR SECOND READING - RELATING TO LAND DEVELOPMENT CODE FEE UPDATES - ORDINANCE O-2025-25

A Planning, Licenses and Development Committee report was read, unanimously recommending the adoption of Ordinance O-2025-25. The report was filed as informational. The Mayor noted that at the request of the PLD Committee, a copy of this Ordinance showing the old fee schedule along with the updated fees was provided to the Council on their desks. A motion by Councilor Bosley to adopt Ordinance O-2025-25 was duly seconded by Councilor Jones.

Councilor Jones wanted to make it very clear that he clarified with the City Manager that these funds go into the General Fund, they do not go directly to support the Community Development Department. So, Councilor Jones said that if the Council did not pass this Ordinance, the taxpayers would pick up this burden, and he recommended passing these fees.

The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

ORDINANCE FOR SECOND READING - RELATING TO LAND DEVELOPMENT CODE APPLICATION PROCEDURES - ORDINANCE O-2025-26

A Planning, Licenses and Development Committee report was read, unanimously recommending the adoption of Ordinance O-2025-26. The report was filed as informational. A motion by Councilor Bosley to adopt Ordinance O-2025-26 was duly seconded by Councilor Jones.

Councilor Bosley said this was another clean-up/organization Ordinance to identify the different bodies that would be overseeing the various permit processes. She outlined the most important changes in Table 26-1 (page 138 of the meeting packet): Historic District Regulation amendments appear before the City Council, Appeals of Zoning Written Interpretations appear before the Zoning Board of Adjustment, and Conditional Use Permits go to the Planning Board. Earth Excavation and Street Access were new additions. Councilor Bosley added that the noticing requirements were to be updated, and the mailing type was changing from certified mail to “Certificate of Mailing” for more timely notice of hearings.

The motion to adopt Ordinance O-2025-26 carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

RELATING TO THE APPROPRIATION OF FUNDS FOR THE LOCAL MATCH FOR THE MARLBORO STREET & CHESHIRE RAIL TRAIL IMPROVEMENTS PROJECT, NHDOT#42515 - RESOLUTION R-2025-28

The Deputy City Clerk noted that a Scrivener’s error that omitted the account funds in Resolutions R-2025-28, R-2025-29, and R-2025-31 had been corrected.

A Finance, Organization and Personnel Committee report was read, unanimously recommending the adoption of Resolution R-2025-28. The report was filed as informational. A motion by Councilor Powers to adopt Resolution R-2025-28 was duly seconded by Councilor Remy.

Mayor Kahn asked if the City would spend the full grant and the full amount being suggested in this Resolution. The City Manager said yes, the City actually received an additional \$1,000,000 and had to go back and ask for more money. This Resolution was the City’s 20% match for that additional \$1,000,000. So, Mayor Kahn said the project could be taken for the resources available with the \$1.2 million plus the \$600,000 reduction in the specification in bid. Councilor Powers agreed.

The motion to adopt Resolution R-2025-28 carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

RELATING TO THE APPROPRIATION OF ADDITIONAL FUNDS FOR FY26 WATER INFRASTRUCTURE PAVEMENT REPAIRS - RESOLUTION R-2025-29

A Finance, Organization and Personnel Committee report was read, unanimously recommending the adoption of Resolution R-2025-29. The report was filed as informational. A motion by Councilor Powers to adopt Resolution R-2025-29 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

RELATING TO THE APPROPRIATION OF FUNDS FOR FY26 SEWER MAIN LINING PROJECT - RESOLUTION R-2025-30

A Finance, Organization and Personnel Committee report was read, unanimously recommending the adoption of Resolution R-2025-30. Mayor Kahn filed the report. A motion by Councilor

Powers to adopt Resolution R-2025-30 was duly seconded by Councilor Remy. The motion carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

RELATING TO THE APPROPRIATION OF FUNDS FOR THE KEENE AIRPORT SOLAR PROJECT - RESOLUTION R-2025-31

A Finance, Organization and Personnel Committee report was read, unanimously recommending in the first paragraph the adoption of Resolution R-2025-31. In the second paragraph, the Finance, Organization and Personnel Committee unanimously recommended the City Manager be authorized to do all things necessary to negotiate and execute a contract with Revision Energy for the construction of a solar farm at the Keene Airport. The Mayor noted that the Council would consider the Resolution first and then vote on the report.

A motion by Councilor Powers to adopt Resolution R-2025-31 was duly seconded by Councilor Remy.

Councilor Powers reported on behalf of the Committee, noting that for most, \$13 million was a large project, but Revision Energy had been the City's partner in all the other solar projects. He said the project was well-reviewed financially. He thought it was one of the better projects the Council could ever vote for to support the tax bill and asked everyone to support it.

Mayor Kahn asked the City Manager for comments and noted that with 5.5 megawatts of power generated in this project, it would truly be a significant step. City Manager Elizabeth Ferland agreed that it would be a significant step if approved as one of the largest municipally owned solar projects in New Hampshire. She said there was a bit of a time crunch because the City was trying to access a federal tax incentive to do so, the City needed purchase 5% of the project before December 31, 2025. If the City met that Safe Harbor Provision, it would receive an investment tax credit of \$3.4 million, which is a substantial benefit. This had not been possible in the past; on projects for other buildings, the city purchased power through a power purchase agreement. The investors had been receiving this tax credit and now the tax credit was going away. So, it was really important for the City to move forward now. She said \$3.4 million returning to the City in a year would help to accelerate the positive cash flow and the payback period for this project. The City Manager said this was a complicated project and staff looked at it a number of different ways with and without the tax credit. She said Revision Energy provided updated project costs and expected savings, which she gave to the Council. It showed the 30% tax credit. She explained that because the City gets nontaxable municipal bonds, it only receives 25.5%. So, she cited a projected 25-year net savings of \$24 million with the tax credit and a projected a 25 year net savings of \$20 million without the tax credit; cash positive either way. The City had a separate entity look at this, Beacon Integrated Solutions, which reviewed Revision Energy's numbers and found a conservative estimate using different projections. Even with Beacon's projections, the savings would still be \$8-\$13 million over 25 years; there is also a 30- and 40-year period, but the City Manager prefers 25 years as the most realistic. The City Manager said this included replacement of parts that will be necessary midway through and an O&M agreement with Revision or someone else to maintain this project. She said this would be a net metering project, feeding energy directly into the meter and receiving the benefit of not only the energy savings but "reCs," some additional revenue built in. Lastly, the City Manager

talked about the environmental savings she discussed during the FOP meeting. This project would offset over 6.5 million lbs. of carbon dioxide equivalent annually.

Councilor Favolise mentioned that he previously lived in a community that was similarly situated to Keene in terms of size and also had a small airport. That community pursued a project like this, and he said it had great results. Even though Councilor Favolise is sometimes critical of asking the City to make a big investment up front for a long-term payoff, he had no concerns that this one was going to be successful. So, he said he would vote in favor. The City Manager added that this property at the airport really could not be developed for anything else; there are restrictions on his property in terms of height, so she said this would be the best use.

Mayor Kahn asked if the City could achieve a 5% spend on this project by the end of 2025. The City Manager said yes. The City Attorney reviewed the contract that the City would need to execute with Revision Energy in short order, including a substantial deposit of \$1 million to meet the 5%. The City was able to do that in a short time with the Finance Director's review of cash flow. The City expected to go out to bond in January, which is the same time as the return of funds, but the City Manager felt confident to accomplish it with what was on hand. Mayor Kahn said the \$1 million is essentially a divisor of the total cost of \$14 million.

The motion to adopt Resolution R-2025-31 carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

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.

RELATING TO ENDORSEMENT OF THE CITY OF KEENE 2025 COMPREHENSIVE MASTER PLAN - RESOLUTION R-2025-32

A Planning, Licenses and Development report was read, unanimously recommending the adoption of Resolution R-2025-32. The report was filed as informational. A motion by Councilor Bosley to adopt Resolution R-2025-32 was duly seconded by Councilor Jones.

Councilor Bosley pointed out that this was not a vote to adopt the Comprehensive Master Plan but the Council's adoption of an endorsement. There would be a Public Hearing held by the Planning Board on September 29, and she explained that the Master Plan is the Planning Board's document, not the Council's. She asked for the Council's endorsement of the process to support the Planning Board moving forward.

Councilor Jones thanked the staff and the Master Plan Steering Committee, which he was on with the Mayor and Councilor Remy, for 18 months of work and for their open and public ascertainment. Councilor Jones appreciated the Master Plan Implementation Matrix, which he thought was a significant improvement over the previous Master Plan and something that he had asked for since hiring this consultant.

09/18/2025

Mayor Kahn said it was well deserved, and he recognized the entire Community Development Department staff, in particular Senior Planner Mari Brunner for her coordination.

The motion to adopt Resolution R-2025-32 carried unanimously on a roll call vote with 15 Councilors present and voting in favor.

**TABLED ITEM - EXECUTION OF A CHANGE ORDER WITH INSITUFORM FOR
ADDITIONAL SCOPE OF CONSTRUCTION SERVICES AS PART OF THE SEWER MAIN
LINING PROJECT**

Mayor Kahn removed from the table (August 21, 2025) a Finance, Organization and Personnel Committee report that was read, unanimously recommending that the City Manager be authorized to do all things necessary to execute a project change order with Insituform Technologies as part of the Sewer Main Lining Project (32MI0425), in the amount of \$155,200. 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.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 8:58 PM.

A true record, attest:



Deputy City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Mayor Jay V. Kahn
Through: Terri Hood, City Clerk
Subject: **Nominations - Energy & Climate Committee, Human Rights Committee**

Council Action:

In City Council October 2, 2025.

Nominations tabled until the next regular meeting.

Recommendation:

Attachments:

1. Boulton, Matthew_Redacted
2. Kleiner_Gregory_9.16.2025_redacted

Background:

I hereby nominate the following individuals to serve on the designated Board or Commission:

Energy and Climate Committee

Matthew Boulton
71 Terrace Street
Slot 16 - Alternate

Term Exp: December 31, 2027

Human Rights Committee

Gregory Kleiner
119 Carroll Street
Slot 14 - Alternate

Term Exp: December 31, 2026

From: [City of Keene](#)
To: [Nicole Howe](#); [Terri Hood](#); [Heather Fitz-Simon](#)
Subject: New submission from City Board or Commission Volunteer Form
Date: Saturday, June 14, 2025 5:05:04 PM

Submitted on 06/14/2025

Submitted fields are:

Name
Matthew Boulton
Email
[REDACTED]
Phone
[REDACTED]
Address
71 Terrace Street Keene, New Hampshire 03431 United States Map It
How long have you resided in Keene?
7 years
Employer
SALT Project, Inc. (nonprofit filmmaking company here in Keene)
Occupation
Creative Director (filmmaker and writer)
Retired?
No
Please list any organizations, groups, or other committees you are involved in
Co-coordinator of the Keene Clean Energy Team Board member of the Monadnock Sustainability Hub Board member of the Historical Society of Cheshire County
Have you ever served on a public body before?
No
Please select the Boards or Commissions you would be most interested in serving on.
• Energy and Climate Committee
Please let us know the Board or Commission that you are most interested in serving on.

The Energy and Climate Committee.

Over the years, both in my capacity as co-coordinator of the Keene Clean Energy Team and in my capacity as a board member of the Monadnock Sustainability Hub, I've worked with Zach Luse when he was chair of the ECC (and with Ann Shedd, former chair of the ECC) – and it makes sense to me to continue to increase the connectivity between the ECC and the Keene Clean Energy Team, as well as between the ECC and the Hub. Serving on the ECC strikes me as a helpful way of doing that, so we can work together for the good of the region.

Please share what your interests are and your background or any skill sets that may apply.

Other than the organizational roles mentioned above, the nonprofit I help to run (SALT Project) is an Emmy-winning filmmaking company who also works with clients on marketing and outreach. These skills may be helpful to the ECC's work as it continues to connect with the public.

Suggest other public bodies of interest

N/A

Please provide two personal references:

Name

Zach Luse

Email

zach@paragondigital.com

Phone

[REDACTED]

Name

Ann Shedd

Email

[REDACTED]

Phone

[REDACTED]

From: [City of Keene](#)
To: [Nicole Howe](#); [Terri Hood](#); [Heather Fitz-Simon](#)
Subject: New submission from City Board or Commission Volunteer Form
Date: Tuesday, September 16, 2025 8:47:36 PM

Submitted on 09/16/2025

Submitted fields are:

Name
Gregory Kleiner
Email
[REDACTED]
Phone
[REDACTED]
Address
119 Carroll Street Apt 1 Keene, New Hampshire 03431 United States Map It
How long have you resided in Keene?
Eight years
Employer
Monadnock Ford
Occupation
Office Manager
Retired?
No
Please list any organizations, groups, or other committees you are involved in
Secretary, The Colonial Theatre Board Member, Montessori Schoolhouse of Cheshire County Board Member, Monadnock United Way Producer, Keene Lions Theatre Treasurer, Keene Young Professionals Network Co-Organizer, Taste of Keene
Have you ever served on a public body before?
Yes
Please select the Boards or Commissions you would be most interested in serving on.
• Human Rights Committee

Please let us know the Board or Commission that you are most interested in serving on.

Human Rights Committee

Please share what your interests are and your background or any skill sets that may apply.

I have a dedicated background of giving back to the Keene community. I excel in time management, organizational planning, fiscal responsibility and fundraising.

Suggest other public bodies of interest

N/A

Please provide two personal references:

Name

Max Beebe

Email

[REDACTED]

Phone

[REDACTED]

Name

Katie Fenton

Email

kfenton@fentonautosales.com

Phone

[REDACTED]



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Ken Kost
Through: Terri Hood, City Clerk
Subject: **Ken Kost - In Support of Preserving 100 Church Street as a Pocket Park**

Council Action:

In City Council October 2, 2025.

Filed the communication into the record as informational.

Recommendation:

Attachments:

1. Kost_Communication

Background:

Mr. Kost has submitted a second letter of support for maintaining 100 Church Street as a pocket park for the benefit of the residents of East Keene.

Honorable Mayor and City Council
City of Keene
3 Washington Street
Keene, NH 03431

September 27, 2025
Re: Sale of 100 Church Street

Dear Mayor and City Councilors

Why the 100 Church Street Pocket Park Matters

It Aligns with Our Master Plan

The City Council just endorsed the 2025 Master Plan, which discusses pocket parks as essential for vibrant, healthy communities. The plan highlights that green spaces improve mental health, reduce heat islands, and provide “third spaces” for social connection (see pages 55 and 76). There are also six entries discussing green space, two entries on Neighborhood Parks; and eighteen mentions of parks overall. How can this council decide to sell this corner after we made such a strong commitment to this space in our new, community developed master plan.

It Serves a Dense, Underserved Population

Within 800 feet of this site are over 400 apartment units and 50 houses, many multifamily, housing more than 450 residents, many of them seniors or people with mobility challenges. The nearest parks are 1,200–1,400 feet away, far beyond the 300–600 feet urban designers recommend for pocket parks.

This space is critical because:

- It serves a population of many seniors, some with health and mobility issues, so walking further than this is even more of a challenge to these residents.
- Many of the residents have small dogs and walk them on the city streets. 100 Church Street will become a neighborhood gathering place where people can meet and form friendships and bring their dogs. This park is already handicap accessible.
- It provides an area of permeable surfaces in an area surrounded by impervious surface; another goal of the comprehensive plan is to reduce impervious surfaces.
- Once maintained and monitored by residents, the park can be used by groups such as MOCO, the Montessori school, and others who want to program activities there.

Keep this a public asset and make it safe and welcoming. The East Side residents deserve this park.



Kenneth Kost/51 Railroad Street



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: October 2, 2025

To: Mayor and Keene City Council

From: Robert and Susan Hamm

Through: Terri Hood, City Clerk

Subject: **Robert and Sandra Hamm - In Support of Preserving 100 Church Street as a Pocket Park**

Council Action:

In City Council October 2, 2025.

Filed the communication into the record as informational.

Recommendation:

Attachments:

1. Letter to City Council re 100 Church St Pocket Park 9.28.25

Background:

Reverend Hamm and Mrs. Hamm have submitted the attached letter in support of preserving 100 Church Street as a pocket park.

Advocating for Preserving 100 Church Street
as a Neighborhood Pocket Park

Keene City Council
Mayor Jay Kahn
Terri Hood, City Clerk

We are writing to urge continued preservation of 100 Church Street as a neighborhood pocket park. This compact and well-maintained green space contributes meaningfully to the character and appeal of our community.

As a regular walker through this neighborhood, we have never actually encountered individuals in the park itself. Our experience is that individuals and small groups frequently utilize the benches along the west side of Norway Avenue. Their behavior has invariably been courteous and considerate. We reiterate: none of those interactions involved individuals who were actually in the park.

The park remains, however, a beautiful little green space that has been lovingly cultivated and maintained. We are confident that our neighborhood possesses both the capacity and commitment required to appropriately steward and maintain this valuable public amenity. Organizing volunteer efforts to sustain cleanliness, maintain plantings, and foster engagement among neighbors and visitors will be a priority that we believe is well within our capacity.

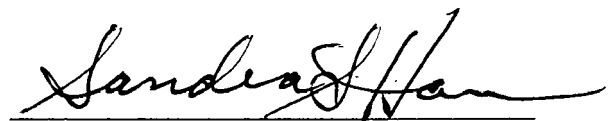
Accordingly, we respectfully request that the Council endorse our call to retain 100 Church Street as a public space, ensuring it remains accessible for the benefit of all members of the community.

Sincerely,

Robert C. Hamm
89 Valley Street
Keene, NH

A handwritten signature in black ink, appearing to read "Robert C. Hamm", written over a horizontal line.

Sandra L. S. Hamm
89 Valley Street
Keene, NH 03431

A handwritten signature in black ink, appearing to read "Sandra L. S. Hamm", written over a horizontal line.



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.3.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Jodi Newell
Through: Terri Hood, City Clerk
Subject: **Jodi Newell - Petition for the City to Retain Ownership of 100 Church Street and Proposed Maintenance Plan**

Council Action:

In City Council October 2, 2025.

Filed the communication into the record as informational.

Recommendation:

Attachments:

1. Jodi Newell Petition Cover Page

Background:

Jodi Newell has submitted the attached petition containing 21 signatures of individuals residing in Keene who have agreed to commit to the maintenance of 100 Church Street as a green space, and providing a maintenance and stewardship plan for consideration.

Do not sell 100 Church Street
September 2025

ATTN: Honorable Mayor Jay Kahn
Keene City Council

RE: Do Not Sell 100 Church Street Lot

We the undersigned ask that the corner lot at 100 Church St be maintained as City property for the use as a green space for all. We commit to:

1. Clean up the park at least once every two weeks, more often as needed
2. Twice a day inspection of the park to consider needs and issues.
3. Education of neighbors and users of services, emergency response, expected behavior.

Scheduling, assignments, and confirmation of completion of these activities will be managed by our coordinator.

We understand the concerns of nearby residents and businesses and look forward to working with them in a coordinated effort.

Overall, maintaining this 0.12 acres in the middle of 5 or more acres of building and concrete provides needed open space, which every neighborhood deserves. We will make this work.

Signed,

A handwritten signature in dark ink, appearing to be 'J. Kahn', written over a light blue horizontal line.

~~See attachments for signatures of people who committed to be stewards of the park~~

Petition signature pages are in the City Clerk's office



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.4.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Michele Chalice
Through: Terri Hood, City Clerk
Subject: **Michele Chalice - Request to Pursue CDBG Grant Funds - for the Renovation of 100 Church Street**

Council Action:

**In City Council October 2, 2025.
Referred to the City Manager.**

Recommendation:

Attachments:

1. 09-30-25 COK Request - CDBG w- signature

Background:

Michele Chalice has submitted a request for permission to pursue a Federal Community Development Block Grant for up to \$500K to renovate the 0.12 acre green space at 100 Church Street.

September 30, 2025

Keene City Council

RE: Request for Permission to Facilitate/Assist with a Federal GDBG Grant for the 0.12-Acre Parcel at 100 Church Street

Good Evening,

Please consider this communication a request for permission to pursue a Federal Community Development Block Grant (CDBG) administered by the U.S. Department of Housing and Urban Development (HUD) for up to \$500K to renovate the 0.12 acre green space at 100 Church Street. As you know, this problematic parcel has been under discussion for some time. It is located a 5-minute or three block walk from Railroad Square, two blocks to our Rail Trail and three blocks from Main Street. Of note, over 300 seniors live in several senior housing buildings that surround the area within one block.

A proposed renovation of the space could allow:

- The removal of $\frac{2}{3}$ of the unfortunate, high, grass berm to create an accessible central area connected to the surrounding sidewalks with immediate visual access from the adjacent sidewalks and roadway..
- The creation of an accessible sidewalk access into the space on its north side and an accessible ramp access from the southwest sidewalk.
- A separate, small, paved area at the southeast corner allowing ADA access into a 5' x 7', nearly indestructible, Portland Loo public bathroom in any color we choose , <\$200K, (<https://tinyurl.com/mr3m5hv5>). This public bathroom, open nearly 24-7, would be very visible and would meet the needs of our general public/families, festival visitors on weekends when city hall bathrooms are closed, cyclists using the Rail Trail, our unhoused citizens as well as the numerous seniors, previously mentioned, out and about.
- A remaining, single, fanciful, Dr. Suess-type, grass-covered hump with its tree on top for children to play on.
- A pollinator, perennial garden and host Oak tree for the supporting butterfly chrysalis and cocoons.
- A circular, iron chair surrounding the single Oak sapling allowing for public seating under its shade while still allowing all to see completely into the space from the sidewalk and the street.
- Several solar-powered, motion-detecting street lights to continue nighttime visual access into the green space without contributing to light pollution in compliance with Dark Sky recommendations (<https://darksky.org/resources/guides-and-how-tos/lighting-principles/>)

A brief conversation with Jack Ahern, Planner with the Southwest Regional Planning Commission (SWRPC) explained several aspects:

- The CDBG funding cycle is twice annually with January and July application deadline dates.
- The current funding period with an application deadline of January, 2025 is funded. There is no indication to date of how competitive this particular round of funding will be.
- The COK and SWRPC have a well-established relationship on CDBG grants with sub-recipients such as Keene Housing and the Monadnock Food Coop as prominent examples.

- In this case the COK could be both the applicant and recipient. The COK could use grant funds to hire an outside firm to manage this very small scope project so as not to additionally burden its workload given the current focus on the Downtown Improvements Project. Jack will check with his team on the associated details.
- If the COK chooses to pursue a separate, project currently under CDBG grant consideration, this application could be held until the July CDBG application deadline to meet the one grant per funding period limit.
- Jack's initial thought on identifying the required low and moderate income population's need for this type of infrastructure should be able to be met given the project's location within the near east neighborhood.
- The Federal purchasing requirement of American-only goods can be met as the Portland Loo is, in fact, manufactured in Portland OR.
- SWRPC's CDBG writing team provides substantial administrative assistance through an awarded CDBG as well as the actual grant compilation for a fee of \$36-\$46K paid from the grant.
- However, SWRPC does not write the grant's narrative piece, need, purpose, or objectives. I propose writing these as a volunteer with the assistance of Cheshire County's Grant writer and through consultations with the City of Keene's Public Works Director.
- I would also be willing to be present for and/or facilitate the required Public Application/Public Involvement hearing.
- The COK would need to pass & sign a resolution of intention to submit an application along with other documentations such as the fact that no residential relocation plan will be necessary.

It is my hope that the additional submittal of volunteers willing to maintain the park would be of assistance during the 6-24 month (or potentially longer) process.

Thank you for your consideration of this unique opportunity to more humanely meet the necessary human needs of our citizens.

Sincerely,



My name is Michele Chalice, a local, Environmental Landscape Educator and Designer with @HealthyHomeHabitats



CITY OF KEENE NEW HAMPSHIRE

ITEM #C.5.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Paul Rodenhauser
Through: Terri Hood, City Clerk
Subject: **Paul Rodenhauser - In Support of the Sale of 100 Church Street to a Private Owner**

Council Action:

In City Council October 2, 2025.

Filed the communication into the record as informational.

Recommendation:

Attachments:

1. Rodenhauser_Communication

Background:

Paul Rodenhauser has submitted the attached letter in support of the sale of 100 Church Street to a private property owner, citing the difficulties with private maintenance of publicly owned property, and the issues the location poses for the neighboring residents.

Dear Mayor Kahn and Members of the City Council,

09/29/2025

Thank you for your time and ongoing dedication to the City of Keene.

As previously discussed, the City-owned parcel at **100 Church Street** has become a persistent source of **public safety concerns, tenant unease, and neighborhood disruption**. The issues associated with the site, unauthorized use, lack of oversight, and frequent misuse pose risks to both **tenant and public safety**, while placing an unnecessary and avoidable burden on the City and its taxpayers.

The Case for Private Ownership

This proposal offers a **sensible and community-oriented solution** rooted in improved safety, fiscal responsibility, and long-term value for the City of Keene.

1. Enhancing Public and Tenant Safety

Under private ownership, the parcel would immediately fall under the **same legal protections and enforcement standards** that apply to all privately owned properties, something that fundamentally differs from the limitations of City-owned land. This includes the ability to post **"No Trespassing" signage**, install **video surveillance**, and implement **active property management** to address misuse quickly and effectively.

As noted in the MSFI meeting on September 24, 2025, many nearby tenants have expressed feeling **unsafe performing basic tasks**, such as taking out their trash. Some residents **avoid the area entirely** due to ongoing misuse and illicit activity. Others have made efforts to clean and maintain the space themselves, but those efforts are **routinely undone** by continued abuse of the parcel.

Under private ownership, there would be **clear accountability**, immediate recourse for violations, and a consistent standard of care, **none of which are feasible under the City's current management structure**. This transition would not only improve safety for tenants but also for the surrounding public and abutting property owners.

2. Why a Third-Party Partnership Is Not a Sustainable Solution

Another suggestion has been for the City to partner with a **third-party organization** to manage or maintain the parcel. While this may seem like a compromise, **it is ultimately impractical, short-sighted, and does not solve the root issues**:

- These types of arrangements **still require significant oversight from** City department coordination, communication, liability, and enforcement fall back on the City when issues inevitably arise.
- **It does not remove the City's legal or financial responsibility.** Instead, it complicates it with added administrative layers and inconsistent management outcomes.
- Most importantly, it is not a long-term fix. A third-party agreement **would continue the cycle of burden**, tying up resources, creating gray areas in responsibility, and leaving the City open to public criticism and potential liability.
- This model is, by nature, **temporary and reactive**, not strategic or sustainable.

To truly solve the problem, the parcel needs **permanent removal from the public rolls**, not a patchwork workaround that keeps the City tethered to a problematic and costly piece of land.

3. Why a Dog Park Is Not a Practical Use for This Parcel

Some have suggested converting the 100 Church Street parcel into a dog park. While well-intentioned, **this proposal is not practical for the location or the surrounding neighborhood:**

- The space is **too small** to function as a meaningful recreational area for dogs.
- It would require **complete fencing**, which adds cost and visual disruption.
- Its location, **directly adjacent to residential housing**, raises legitimate concerns about noise, odor, foot traffic, and potential sanitation issues for the public, nearby tenants and abutters.
- The City has **already invested in a well-designed dog park at Wheelock Park**, which is larger, accessible, and being maintained successfully. There **is no demonstrated need** for a second facility, especially on a problematic, constrained site like this.

4. Relieving the City of Financial and Legal Burdens

Maintaining this small, underused parcel requires disproportionate City resources: lighting, landscaping, trash removal, enforcement, KPD/KFD patrol/responses, etc. All of this adds up, **for a piece of land that serves no clear public use and generates no revenue.**

In contrast, private ownership would **transfer full responsibility and liability** away from the City, immediately reducing costs and risk.

5. Turning Liability into a Taxable Asset

Selling the parcel would:

- Generate **immediate revenue** that could be reallocated to active, well-used green spaces and recognized Parks across Keene. E.g. Continued development funds for Patricia T. Russell Park, Robinhood Park, Wheelock Park.
- Create a **new taxable property**, contributing to the City's annual budget.
- Eliminate the need for ongoing management, surveillance, and cleanup, saving the City **both time and money**.

6. Preserving Future Opportunities (Including Housing)

While there are no current plans for development, private ownership preserves the **possibility of future use**, including the potential for **much-needed housing**, pending proper approvals. This would not only help address local housing shortages but also strengthen the community by supporting workforce growth and economic vitality.

Please keep in mind; *This parcel was originally **privately owned** and was acquired by eminent domain for a use that never materialized.*

Returning it to private hands is not a novel idea, it's a logical correction, based on results and responsibility.

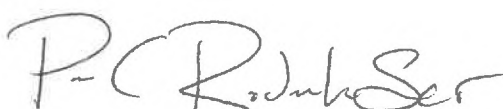
In Closing

Keeping this parcel under City ownership continues a pattern of neglect, misuse, and avoidable cost. By transferring it to private ownership, the City of Keene can:

- **Enhance safety and quality of life** for nearby residents
- **Eliminate growing liability and public expense**
- **Avoid duplicative and ill-suited land uses** like another dog park
- **Generate revenue and add a new taxable property to the rolls**
- **Preserve the potential for meaningful, future development**

Thank you again for your time and thoughtful consideration. This is a practical opportunity to turn a neglected, misused space into a **secure, self-managed, and beneficial asset** to our community.

Sincerely





CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: October 2, 2025

To: Mayor and Keene City Council

From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee

Through:

Subject: **Sale of City Property - 100 Church Street *and* Petitions in Support of the Sale of 100 Church Street to a Private Owner - Tenants of 110 and 116 Church Street and 103 Roxbury Street**

Council Action:

In City Council October 2, 2025.

Voted 9 to 6 to amend the recommendation to refer the item back to Committee for further discussion.

Voted 14 to 1 to carry out the intent of the report as amended.

Recommendation:

On a vote of 4 to 1, the Municipal Services, Facilities and Infrastructure Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute the sale of 100 Church St., Parcel #574-015. Councilor Workman voted in opposition.

On a vote of 5 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends accepting the petitions from tenants of 110 and 116 Church Street and 103 Roxbury Street as informational.

Attachments:

None

Background:

Chair Greenwald introduced the agenda item, stating that the Committee has two petitions from people at 110 and 116 Church St., and 103 Roxbury St., in support of the sale of 100 Church St. He asked to hear from Don Lussier, Public Works Director.

Mr. Lussier stated that they are here for continued discussion based on feedback that the Committee heard. He continued that he does not have any additional prepared remarks tonight, but he would be happy to answer any questions. He added that representatives from the adjoining properties are here tonight, and they might want to speak.

Chair Greenwald stated that the petitions the Committee received answered some of his questions.

He continued that he has been stalling this decision, hoping that the neighborhood would come together with a plan to maintain the park, regarding mowing, planting, maintenance, policing, or anything. If there is such a plan, it would be relevant for the Committee to hear it now, because tonight they will decide whether to recommend the sale of the property or the adoption of such a plan.

Michele Chalice of 25 Beech St. stated that she would like to add a warning. She continued that she feels this sets a terrible precedent. They should not sell developed green spaces just because of their social challenges. People who use drugs in this park will do it elsewhere. People need a respectful place to go to the bathroom, which the City is not providing, and it is a shameful thing. The City cannot just keep shutting down green spaces because of these activities. She is very sorry to hear that selling 100 Church St. is the solution, and she hopes it will not be the solution in the future, because it is a much broader problem and green spaces are important in a healthy city.

Chair Greenwald stated that Ms. Chalice raised the idea of the downtown bathroom/comfort station, which has been talked about and was even part of the rebuilding of Gilbo Ave. at one point, but there is nothing currently happening. He continued that it absolutely needs to be a priority for the Council to address. Tonight, they need to decide whether to recommend selling 100 Church St. or come up with a maintenance plan of some sort. He asked if anyone has such a plan to present.

Councilor Ed Haas of 114 Jordan Rd. stated that there is no maintenance plan, but over the past month after this was introduced, there has been talk between the fledgling Friends of Pat Russell Park group that is looking after gardening and maintenance and such there and the Friends of Ashuelot River Park Arboretum group, to get some kind of combined effort to look after these pocket parks. It is challenging to pull together a plan in one month, but there is something percolating, and he hopes that gets some credit.

Chair Greenwald stated that he knows there was an effort to locate some group to buy the park, and he can understand why that would be a huge challenge, not just in terms of the money, but also the ongoing responsibility. He asked if any abutters have anything to offer tonight.

John Tasoulas stated that he lives at 36 So. Lincoln St., and he is the abutter at 103 Roxbury St. and 93 Roxbury St. He continued that this piece of property "has been breaking his heart for years." His grandparents immigrated from Greece and bought this piece of property and built a store. At some point, the City took it by eminent domain. At one point, Antioch College was a tenant at 103 Roxbury St., and 100 Church St. was transformed into what it is today. Now, it is a horrible situation. His tenants are terrified to even go to the dumpster adjacent to the park to put their trash in there. They will only do that mid-day or if a male is present. He has tried to be a steward of this property, to no avail. The people who use the park for bad activities are smart and know when to put their beers and other items away, so that by the time the police arrive, there is nothing to see. He thinks it is time for this vacant piece of land, which is not a park, to be sold either to him or the abutter at 110 Church St. He does not see how anyone could manage this without owning it. That was the problem he ran into. He would tell people they could not drink there, and they would reply, "*Tough*." He implores the Committee and Council to do the right thing. If any of them lived or had a building next to this park, they would be dying to have the ability to buy, control, and maintain it. That is the only solution he can think of. He went to the meeting at which people tried to come up with solutions for this property, and they talked about fencing, lighting, "No Drinking" signage, removing the berm to increase visibility, or even a porta potty. The City Manager was horrified by the idea of a porta potty, saying that it would be destroyed within days.

Mr. Tasoulas continued that this is a sad situation. Usually, a problem piece of property is due to an absentee landlord not caring for their property, with the activities on that site spilling over to the neighborhood. This is different. This is a City-owned piece of property, with activities that spill out to his property and to the property Paul Rodenhauser represents. He has talked with Deputy City Manager Andy Bohannon about a fence or signage, and the best they could do was a small, 8-foot piece of fencing that has not done anything. It is strange to feel that he needs protection from a City property, which is not good. The City should set a high standard for its properties. The right action would be to sell it to the abutters.

Ken Kost of 51 Railroad St. stated that he wants to begin by acknowledging the abutters' concerns. He continued that he hears the stress the situation causes. Everything he read in the petitions in the agenda packet reflects what he also sees regularly, but blocks away, not just here. When he has to throw out his trash across from the Wells St. garage, he has to go into a little door and is looking over his shoulder, always a little bit concerned and stressed. He walks his dogs four times a day through Railroad Square and along the rail trail, and usually there are people in those places, and sometimes it is fine, and other times, the people are a little scary and he does not know what they are doing. Sometimes people are tucked in the corners of the little circle between the Monadnock Food Co-op and the hotel, which is privately-owned land. The rail trail is an important asset to the neighborhood, and he would like to walk and bike on it, but sometimes there are groups of people there who seem suspicious. Thus, the problems they are talking about regarding 100 Church St. occur throughout the neighborhood. Selling this green space would not solve the problem, it would just shift it to other areas, intensifying the challenges in the places he just mentioned. It would be like Whack-a-Mole, perhaps making it worse for him and others who live a block away. He is surprised the City considers selling 100 Church St. as the solution; it does not seem like sound policy. They have heard that this is nice green space. He understands that the City owned the other three corners, which are now gravel parking lots and other unattractive things. He does not know what they were before the City sold them. That could be the fate for this corner if it is sold.

Mr. Kost continued that he hears Chair Greenwald asking whether a group has been put together, and who will take care of this park, and whether there is a plan to consider before the Committee makes a decision. What is missing is any plan from the prospective buyers. They have not heard what the prospective buyers' solution is, beyond wanting to manage it somehow and figure it out, but he does not know what that is. Maybe they will just bulldoze it, fence it, and pave it. He thinks if the Committee is asking for a neighborhood plan, they should also ask for a plan from the prospective buyers. Lastly, he wants to make the point that the people who gather in this park and elsewhere are not a problem, rather, they are people with problems. They are individuals facing serious challenges in their lives, and the City should not treat them as nuisances to move from space to space and bench to bench. They should look more holistically for solutions. Before the Committee votes to sell the property, just like they are asking for community plans for the park if it stays in City ownership, he thinks they should ask the prospective buyers what their plans are, to see whether it would be a detriment to the neighborhood.

Councilor Favolise stated that he thinks that is a fair question from Mr. Kost, and he had the same question when Mr. Tasoulas was speaking about how they heard what has been discussed in meetings. He continued that he is not sure there is a clear plan for the management of this space, if it were to be sold. To him, there is a distinction between his concern about the lack of a plan if the City continues ownership versus if the property is sold. Like Mr. Kost, he would like to hear the answer to that, but the reason the Committee is stating a stronger interest in whether the neighborhood group has a plan is because in that scenario, the City ultimately retains responsibility for the activities there.

He will not speak for the Committee, but that is his perspective.

Robin Kost of 51 Railroad St. stated that five years ago, she and Mr. Kost made the conscientious decision to move to Keene, and it was based on what she had heard. She continued that she and Mr. Kost were somewhat familiar with Keene and liked the small-town atmosphere. In their small town in Delaware, they were very involved with the community, and they have always been very service-oriented people. While deciding on where to move to, she called into the radio show of then Mayor George Hansel and asked him to convince her on why she and Mr. Kost should move to Keene. He spoke with her off air, asking her about her work, in which she worked collaboratively with every 501c3 group in her city of 23,000 people. Mayor Hansel told her she would love Keene, because even if what she was interested in was not happening in Keene yet, she would find like-minded citizens and could make something happen here. She and Mr. Kost moved to West Keene, and then downtown to Railroad St. She loves walking her dogs, but she cannot walk on the rail trail, because people are sitting there, and she cannot control her dogs when people are taunting. She has gone to 100 Church St. and has seen people there but has also seen children enjoy it. Many residents from an adjacent senior housing project walk around with mobility devices, and she has seen them go to and enjoy the green space at 100 Church St. She utilizes Railroad Square and knows the problems there. The view from her home is over the City parking garage, and she has called the police about activity she has seen. Green spaces need to be preserved. There are few in the city. She is glad to hear there is an East Keene group considering consolidating and working with pocket parks in the city.

Ms. Kost continued that she has worked with dogs for 55 years and can see that 100 Church St. is small enough that it could become a privatized, or membership-supported small dog park. Members would pay a membership to access the fenced area with a code. She and others did this in another place in Delaware, with the property maintained by the membership. Thus, there are alternatives for 100 Church St., which are not being considered. As others have mentioned, they are not hearing what the abutting owners want to do, other than own the property. In the letters, people talked about problems with the dumpster and activities going on, but that is privately owned, not the City park. That access to that dumpster will remain the way it is. She really wants to hear what the prospective buyers want to do, because if it is to pave it and turn it into parking, she is opposed to the sale. She thinks the community can come up with other options.

Councilor Workman stated that she has questions for just about everyone, the petitioners, community group, and the Public Works Director. She asked to start with Mr. Lussier. She continued that last time they spoke about this, she did not ask enough questions. She is curious about what it would cost the City to take some immediate steps to try to remedy the situation and mitigate some of the activities happening here. She asked what the cost would be for additional signage, lighting, fencing, or breaking down the berm, and whether that would be possible to do. Mr. Lussier replied yes, all of those would be doable over a relatively short period of time. He continued that he did not determine what all of that would cost. He would like to clarify the scope of what the Committee would like to see done, and then he could report back on what the cost would be. Removing the berm could be done in-house rather easily, although it would remove some of the vegetation as well. Putting up a fence is straightforward. The lighting might take longer because Public Works cannot do it themselves. That would have to be done by Eversource and typically, that is a six-week lead time, maybe longer, depending on whether the type of lighting chosen would need to be ordered.

Chair Greenwald stated that what just occurred to him is that if they put up a fence, that would keep everyone out, which would violate the idea of trying to have a fence. Mr. Lussier replied that this

conversation started a long time ago when the applicants who are looking to purchase the land approached the City and requested the City do some improvements on the City's side, in terms of fencing between the green space and their property, so that people using the green space cannot walk behind the applicant's dumpster to relieve themselves and that sort of thing. He continued that it would be more like fencing the north and east sides of the green space. Chair Greenwald replied that he was envisioning fencing the street side, and that would just make it a closed space. Mr. Lussier replied that if it were no longer public space, the purchaser might look to do that. He continued that if it were to remain a public space, that probably would not make sense.

Chair Greenwald stated that he was thinking of asking the prospective buyer what they intend to do, but there is no way to lock them into that. He continued that they could say, for example, that they were going to plant something there, and then they could pave it two weeks later. It is not even fair to try and back them into an answer and put a deed restriction on it.

City Attorney Amanda Palmeira replied that that is legally doable, but of course, the consequence of violating a condition is that it would revert back to the City, so that might not accomplish what they are looking for.

Councilor Workman stated that she wants to say, on record, that the City has 20 parks, and six are pocket parks. She continued that that is a considerable amount for the size of the city. She heard many comments since the last meeting regarding a desire for the City to keep the property and not sell it. She was told there was a group ready to go and take this challenge on, but she is concerned and not seeing that coming to fruition right now. She, too, is very interested in hearing what the abutters have already done to protect their own property and what they would do if they owned this property.

Paul Rodenhauser of 24 Pearl St. stated that he helps manage the 110 and 116 Church St. properties, and from the first day that the current owner took title, he received phone calls from tenants about the park, about concerns for their safety and how the previous owner was incapable of providing safety to them. He continued that this is all based around tenant safety. Nearly every tenant in those buildings signed the letters to the Committee, including prominent community members who have been there for decades. The plan is private ownership, and that is the clear differential between publicly owned land and private land. The first step would be designating "No Trespassing." Most people abide by "No Trespassing" signs they see and would not go behind the dumpster or use things that are not theirs. Today, he had all the locks on the front and back doors of 110 and 116 changed, because people who are homeless have been sleeping there in the common hallways. Now every tenant has a key to access the building with. Again, the plan is just private ownership. He does not see any other plan besides keeping tenants safe.

Chair Greenwald asked if they can visualize this as grass and some landscaping. Mr. Rodenhauser replied that they can visualize it however they want to see it. He continued that he does not know who on the Committee or Council goes down to 100 Church St. currently and spends time there. It really just boils down to tenant safety and the difference between publicly owned land and privately owned land and being able to have better control over it.

Councilor Tobin stated that she cannot say she has heard much new information tonight. She continued that she keeps hearing a couple of themes, such as an interest in people taking care of property around them. She would love to look at exploring that option further with Public Works, regarding ways that people can do that. Doing that in response to a longtime concern feels different

to her. Another theme she hears is concern about people throughout the city needing help and resources, and that is a separate issue. This conversation has been going on for a while, even before it came to the Committee, and tenants are currently struggling and feeling unsafe. She understands that with lots of time, resources, and planning, there might be an option for the community to step in to this specific place. She thinks there are opportunities for them to step in to many other places. This space is not designated as a park, and although it is lovely green space, she feels the concern of the residents who live there and deal with it on a day-to-day basis. How the Committee can help them, today, is what she keeps thinking about.

Vicky Morton of 275 Water St. stated that the last time this came before the Committee, Councilor Williams had some good suggestions, such as adding a fence on the two abutting sides, a motion detector light, and a trash can. She continued that they probably will not resolve the issue with the urination and defecation without some kind of a bathroom, which will not happen at this site, but they at least have the option to try Councilor Williams's suggestions and then make a decision. She thinks they should wait six or nine months to make a decision. She thinks some of the east side neighborhood's reluctance to step in and say, "*Oh, we'll take over,*" is because it is a step too far for the City to expect a neighborhood group to take responsibility for an open space/green space. Green space is desperately needed in this side of town. She does think the neighborhood group would come together if there were a final decision, if they postpone the decision for six or eight months and see what the community will do, in stepping forward to help out with this park.

Jodi Newell of 32 Leverett St. stated that she wants to start by thanking the Council for sending this topic back to the Committee, because it is wonderful to be able to continue this conversation and flesh it out a little more. She continued that she does not think that people always pay attention to every agenda, and people do not necessarily know about this conversation. She lives across the street from an open field, and she has heard things coming out of that space at night, but during the day it is filled with school children. People might not know what the tenants know, but these are the things that need to be understood in order for the City to come up with a good solution. She does not know that everyone in that space has been paying attention to the degree that they understand that the green space could be taken away. What she has seen in this conversation is people realizing and saying they really enjoyed that space, or were part of putting that space together, or that the space is special to them in some way. These people have not been part of the conversations between the abutters, the City Manager, and the Councilors, and people who are in the know. Not everyone is in the know. She herself would be willing to participate in the maintenance of this space. She would love to do that. When she used to take her children to the playground, she would end up cleaning up litter while her children played, because she did not like to see it and she wanted to leave the space better than how she found it. She thinks what has happened through this conversation is that people are starting to realize that they should not take a space for granted because it might not always be there. She is not an East Keene resident, but she is happy to stand up and be a part of this.

Tracy Desteph stated that she has lived at 110 Church St. since 2018. She continued that there have been drug dealers in the building, and someone died in the building, and she helped revive someone who overdosed in the park. She picks up trash there daily. This weekend, the person who mowed did not want to go in the back corner because there were people sitting there smoking and drinking. Parks and Recreation staff cannot force those people out, so they just do what they can and go. Thus, she went through all day Thursday and Friday to weed and snip out as much as she could with scissors. With soapy water, she washed all the sidewalks and even behind the dumpster at 103 Roxbury St. Over the weekend, she saw residents from the Cleveland building come out and sit on those benches. They usually do not sit there, but this time they did, because she disinfected

everything. She saw a man in his work clothes come to the dumpster to take the trash out, which has never happened. Every day, essentially, the Police do not have time because they are short-handed, and they know they will be dealing with the same person they just dealt with a few hours ago. They can move them to a new location. She has seen people in and out of treatment, in and out of the hospital. She sees people come out sober, and then two months later, they are using again. She has lost all understanding for that. She thinks selling the property would allow someone to gain more control, with "No Trespass" orders, to address the misuse of the property. She agrees with having more lighting at night, because often, multiple people squish onto the one bench that is furthest away from the street sign so that people do not see them, and by the time the police get there, the people are gone. The community members at 110 and 116 Church St. have a strong network now, to the point where typically, one person will call the police and then multiple tenants go over together, if they are outside. That is helpful. The new locks are helpful, too, because in the winter, people who are homeless and who know her name sleep in the hallway and say, "*Oh, I know Tracy, so I can sleep in the hallway,*" but no, they cannot. She did not give anyone permission to sleep in the hallway. She does not have any disagreement with the sale of the property. She does not think anyone has any bad intentions with the space or wants to just plow everything down, because even if they wanted to use it as a parking lot, there are many Zoning issues they would need to work out with the City; they could not just go ahead and do it. Other community members are trying to help. The manager of Achille Agway lent her a leaf blower, which she used all down the street, which is filled with trash and cigarette butts. There is no trash can, which is okay, because the City worries about needles being in it. A couple weeks ago, an Officer found a needle, which is the first in five years that she is aware of. She does not think a porta potty would be successful. There used to be one at Pat Russell Park, and one summer, there were about 12 overdoses before they had redone it. A closed space like that at 100 Church St. would encourage it. She thinks a downtown bathroom would be a different story, because there would be more people around. She messaged a few Committee members but there was no way to attach photos, which she wishes she could have done. Like she said, she did as best she could with the grass, with the scissors and tools she had.

Chair Greenwald stated that he thinks the Committee owes it to the Petitioner to make a decision about this. He continued that he would like the Committee to vote on a recommendation, which will go to the Council for their decision.

Councilor Filiault stated that he agrees with some of what Councilor Tobin said. He continued that this is not a park, a pocket park, or under control of the Parks and Recreation Department. It is just a small piece of green space. There is a pocket park about 100 yards down on Church St., controlled by the City, and Pat Russell Park is just a few steps further. About a quarter mile away is Robin Hood Park. Thus, within that area, there are some good green spaces, and some that the City has spent good money on and continues to do so. He and Councilor Favolise have both recently gone on rides with the Police, and they both experienced that of all the areas in Keene, 100 Church St. is probably the primary location the Police go to for trouble. The Police Officers dread going by there because they know what will happen, and it will tie up an Officer for a good part of a night. A month ago, when this topic came to the Committee, they all agreed to place it on more time for a month to give someone the opportunity to come up with a better solution. It is a month later, and no one seems to have a better solution. From his perspective, the City does not want this property. He does not want to get involved with someone saying, "*Yeah, we'll take care of it,*" because ultimately, if the people offering to take care of it decide they do not want to, the City will still be on the hook. The Police Department will still be going there. The suggestions for fencing, lights, and a motion detector just show that there is a problem. At this point, he would like the City to sell the property to the abutter next door. They have the most invested in this area, and provide jobs, and pay taxes. As the

gentleman said, they have to provide extra security there due to people hanging out there and getting into the building. He completely understands people thinking maybe they could come up with a plan if they had more time, but his gut feeling is that if they gave this another 30 days, the same thing would happen. No one really wants to invest the money in this, except the City. He thinks it is best for the Committee to send a recommendation to the full, 15-member City Council and let the Council decide.

Ken Kost of 51 Railroad St. stated that before the Committee votes, he wants to say that he was not aware, coming into this meeting, that there was a call on the street to get a community group together to volunteer to come up with the solution the Committee asked for. He continued that at the beginning of the meeting, the Committee asked what the solution is from the community members to maintain and take care of the park. That has not happened yet. Before they vote to sell it, even though he hears the Councilors saying they should do it today and there is no time to waste, he thinks it is worth taking some time to see if the community now has a better understanding of the Committee's position that the City should sell the property if no one wants to adopt and take care of it. He suggests giving the community a little more time. They heard people talking about volunteering and getting involved, so they should let that happen first. It is not just a piece of green space; it is a beautifully designed little square. All the other corners are atrocious. They are just gravel and parking. Part of having a city is having these nice little gems throughout the city, and he knows the city has 20 parks, but this is the one in this area and it is very nice. When he walks, he enjoys looking at its plants and beauty, and he thinks there are solutions other than selling it. He thinks they should let the community try again to come together and bring a solution to the Committee.

Robin Kost of 51 Railroad St. stated that if this property were to be offered for sale to a group other than the abutting property owners, then they need more information about it. She continued that given time, she thinks there would be enough concerned citizens with good ideas who could come up with a solution. Thirty days is nothing. It takes longer to do many other things in town. They have not solved the other problems, and she does not think this is a life-or-death problem. Also, if the owners were concerned, it was incumbent on the private owners to put up their own outside lighting, motion detectors, or fencing, at their own expense. It was not absolutely needed to be done by the City.

Peter Hartz of Brook Street stated that once it is gone, it is gone for good. He continued that he has taken care of what he could for the last five years and has seen some improvement. This space is only a trouble space when the weather is nice. In the winter, no one is there, unless they are very cold. It is only a problem six months out of the year. Second, the problem is not the park, it is people, and the people are not even the problem. The problem is that they *have* problems. He hears that the Police know 100 Church St. is where most of the problems are. It is less than a mile from their headquarters, and it is clearly visible on two sides at least. Driving around that corner, an Officer can see everything going on right from their vehicle. If this were not the place where they would find the difficulties with the people who need help, they will have to look elsewhere. If these people with difficulties are dispersed, it will be a much bigger job for the Police. Pushing people with struggles further away so we do not have to see them does not help. He has heard people walking on the bike path refer to "those people," but "those people" are the same as us and they are citizens of Keene, even if they do not pay taxes. They are people. It is not like getting rid of the park gets rid of the problems. The problems will just spread out.

Mr. Hartz continued that he does not believe the property owners intend to purchase the property and keep it as a park. The lot line for 110 Church St. and the green space can be amended through procedures with the City Council so that it is one big lot, and then the lot restrictions change and make it much more developable. Once it is gone, it is gone. There is a chance that a group could be

formed. The East Keene Neighbors and Friends group is very active online, and on the first Monday of every month, a group that came out of the Pat Russell Park redevelopment meets and is very active with many participants. He is sure they could work with the City to develop a plan that would resolve issues with “those people.” Even a light and some fencing would go a long way, for very little expense. There is now a full-time social worker in the KPD, he believes. He suggests getting that social worker involved to see what can be done. Also, it is not just the green space. He thinks the two benches across Norway Ave. from the green space are City benches, like the ones that used to be downtown. That is now where people congregate the most. During the past month, he has not seen any problems in the park. He just sees people sitting on the bench and they leave debris. He does not see the park at night, but if people being there at night is an issue, that can be addressed. Selling this property would mean that the people with problems, whom the Police now know are at the park, will no longer be there and the Police will not be able to address the situation. The people will need to go somewhere else, and the problems will be more dispersed, and the Police will still have to respond. He does not think selling the park would solve the problem of “those people.”

Alturo Dumas of 110 Church St. stated that he sees the park all the time and does not care if people go there and have a good time, if they are doing the right thing. Tenants do not need to call the Police on them then. He is happy to see families there, or children playing in the park, but when people go there to drink or do other activities, the tenants will call the Police. People leave, then, knowing the Police will show up. The park has been clear lately because of that, and people have been hanging out across the street instead on the benches. Some people come through and keep moving, while other people sit there and live there. Two or three people stay there overnight because they have nowhere to go or they do not make it to the shelter. If the property is sold, he does not mind if people come with their children. He does not like the drinking in the park.

Chair Greenwald stated that as Councilor Filiault pointed out, this Committee will make a recommendation to the Council. That Council meeting will be next Thursday. If some organization comes together with a plan, he will read it to the Council when he presents whatever the Committee’s motion is, and they will see what they come up with. They will see if the Council wants to go forward with whatever plan there is or go forward with the sale. Another possibility is that the abutter does not buy the property. Maybe the City’s price is too high or something of that sort. There is no guarantee that there is a sale pending.

Councilor Workman stated that the comments make it clear that there is a much larger problem in the city than this one park. She continued that she thinks everyone on the Council and in this Committee recognizes that. She feels for the abutters and the nearby tenants. Ms. Kost’s comments about a fenced-in dog park piqued her interest. She would be comfortable giving this no later than the end of November, with the understanding that the City Manager and/or Public Works would work with the interested community members to form a solid plan. In the meantime, Public Works could do some minimum, cost-effective changes to help improve the situation in the meantime. She is cautiously optimistic that that would even work. She suspects that at the end of November, they would be selling this property because the efforts were unsuccessful, but she would love to be proven wrong.

Andy Bohannon, Deputy City Manager, stated that he had worked with Mr. Tasoulas in November 2023, related to a concern at that time. He continued that they installed 20 feet of fencing along the dumpster, which was all they could install because of the lighting pole in that location. That was \$3,500, just as a point of reference.

Chair Greenwald stated that for those who do not know, Mr. Bohannon was involved with building the current dog park. He asked how much that dog park cost. Mr. Bohannon replied \$110,000.

Chair Greenwald stated that the Committee needs to make a decision. He continued that the Council might agree or disagree with their decision, or if a plan suddenly appears by next Thursday, that might influence it.

The following motion by Councilor Favolise was duly seconded by Vice Chair Filiault.

On a vote of 4 to 1, the Municipal Services, Facilities and Infrastructure Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute the sale of 100 Church St., Parcel #574-015. Councilor Workman voted in opposition.

The City Attorney stated that regarding the communications about 100 Church St. That came in, staff recommends filing those as informational.

The following motion by Chair Greenwald was duly seconded by Councilor Filiault.

On a vote of 5 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends accepting the petitions from tenants of 110 and 116 Church Street and 103 Roxbury Street as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: October 2, 2025

To: Mayor and Keene City Council

From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee

Through:

Subject: **Relating to the Load Rating Study Results for the Beaver Street and Spring Street Bridges Over Beaver Brook**

Council Action:

In City Council October 2, 2025.
Report accepted as informational.

Recommendation:

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Engineer's report related to weight limits for Beaver Street and Spring Street bridges be accepted as informational.

Attachments:

None

Background:

Chair Greenwald asked to hear from the City Engineer.

Bryan Ruoff, City Engineer, stated that last winter, the NH Department of Transportation (NHDOT) performed their bi-annual inspection of City-owned and maintained bridges in accordance with the National Bridge Inspection Standards, which they are required to do. Based on that inspection, three bridges were identified as having Critical Deficiencies. Those included George Street Bridge over Beaver Brook, Spring Street Bridge over Beaver Brook, and Beaver Street Bridge over Beaver Brook. Of these three bridges, which were already among the nine Red Listed bridges in the city, the George Street Bridge was currently under design and is out to bid for construction, so that will be addressed as part of that replacement of that bridge. The other two bridges, Spring Street and Beaver Street, were required to be assessed to determine the adjusted load rating to determine what could safely cross those bridges. In light of that, the Engineering Division solicited scope and fees from qualified engineering firms and selected Hoyle and Tanner to perform the assessment of those bridges. They expedited their work, since this was in the interest of public safety, and completed the assessment and inspection in about six weeks. They did very good work. The summary of their work is that they reviewed the bridges and performed structural calculations in accordance with the AASHTO (American Association of State Highway and Transportation Officials) Manual for Bridge

Evaluation and the AASHTO LRFD (Load and Resistance Factor Design) Bridge Design Manual, and determined that both bridges should be posted for a weight limit of eight tons for passenger vehicles. They are working to confirm the associated load rating for emergency vehicles and City vehicles to ensure that they can still maintain access. Hoyle and Tanner are currently working on developing the recommendations for that, but for the purposes of standard two-axle cars and trucks, the load rating limit they recommend is 10 tons for both of those bridges. Within the next two weeks or so, Hoyle and Tanner will give their recommendation on which of the City's existing vehicles should not be using those bridges in the interest of public safety, and the bridges will be posted with those load ratings. In addition, they will be recommending NHDOT add these to the Bridge Replacement Program and building both bridge replacements into the CIP.

Chair Greenwald asked what a school bus weighs. Mr. Ruoff replied that it varies, but typically, about 24 tons. He continued that it depends on the load and other factors. A school bus could still potentially cross; that is being confirmed by Hoyle and Tanner.

Mr. Lussier stated that when Public Works got this initial report from the consultant, they asked them to dig a little deeper and do a more nuanced analysis. He continued that school buses are not the primary concern, because they can adjust their routes and schedules. The larger concern right now, which they are trying to work out, is the impact this will have on the provision of emergency services for the east side of Keene. They did a quick, Google map kind of analysis and found that right now, a fire truck responding from Central Station to the east end of Beaver St. is about a minute. If they have to instead go up Washington St. to the next bridge that is not weight restricted, which is on Giffin St., and then wind their way back down and do that same return trip to get someone to the hospital, that would add about five to eight minutes to the response. That is a life safety issue. They have not posted the bridge at this point. They are trying to figure out exactly what they can do to mitigate that concern before they take any actions.

Chair Greenwald asked if there were questions from the committee. Hearing none, he asked if there were questions from the public. Hearing none, he asked for a motion.

The following motion by Councilor Workman was duly seconded by Vice Chair Filiault.

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends the City Engineer's report related to weight limits for Beaver Street and Spring Street bridges be accepted as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: October 2, 2025

To: Mayor and Keene City Council

From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee

Through:

Subject: **Downtown Infrastructure Project Update**

Council Action:

In City Council October 2, 2025.

Report accepted as informational.

Recommendation:

On a vote of 5 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends accepting the Downtown Infrastructure Project report as informational.

Attachments:

None

Background:

Mr. Lussier stated that last week, staff from Public Works and Parks and Recreation got together and went page by page through the Downtown Infrastructure Project construction documents. They are up to 268 sheets of drawings at this point, for all the different details. It was a final flip through of the plans to make sure everything had been addressed and was ready to go. Coming out of that, there are some edits and revisions for the consultant to make, but they are in very good condition, and they are looking to advertise those for construction sometime in mid to late October. Bids will be due in the first half of December.

Mr. Lussier continued that there was one other issue brought up tonight that he and Mr. Downing want to talk with the Committee about. He is not asking for a specific motion on it, because he thinks everything they will talk about is already part of what was authorized, but there was a suggestion raised regarding the aesthetic treatment of the bike lanes. Chair Greenwald had noticed a Canadian bike lane with a treatment called "exposed aggregate concrete," which there are photos of tonight. It is standard concrete, but before it cures, they hit it with a releasing agent and they essentially wash the cement paste off of the surface. That leaves the stone that is in the concrete exposed. Rather than having plain gray concrete, you get to see the colors and textures of the stone in the concrete mix. For this to look good, it relies on finding a very nice aggregate that is worthy of being exposed. If this is the direction the Council wants to go in, staff would get samples from the concrete vendor to make sure the stone looks nice and has a nice variation of colors and tones. The other option, which

the other photo shows, is plain concrete with a smooth surface, finished with a dark gray color. They previously talked about a green finish, but for some reason, the pigments used to make green concrete are absurdly expensive. Thus, Public Works suggests one of these two options, either dark gray concrete, or the exposed aggregate concrete. He was surprised to learn that the labor to do the exposed aggregate would be about the same cost as the color for the gray concrete, about \$16 per yard. Regarding advantages and disadvantages, the exposed aggregate leaves a rough texture, so if someone falls on that, they would get more scraped up than they would on normal concrete. The positive side of that is that if someone needs to brake hard to avoid a collision, it is a good, textured surface to give the friction they need to stop quickly. A potential disadvantage of the exposed aggregate would be that the pavement markings – for example, to show that the bike lane is one way – might not be as crisp due to the texture. They might have fuzzier edges. Otherwise, he thinks the exposed aggregate would have good durability and last just as well as regular concrete. He believes the exposed aggregate concrete would be finished with a high gloss sealant, so it has a darker look and helps the colors of the aggregate stone pop out a little more. Both options are viable and about the same cost. The Council has already voted for and authorized colored concrete for the bike lane. He thinks both are within the scope of what the Council voted to approve, in terms of using concrete in the downtown, so he does not think they need a special motion or Council vote. However, the Committee could express its preference. He would be satisfied with that. If the Committee disagrees and wants the full Council to vote, that is their prerogative.

Chair Greenwald stated that he has another reason for liking this exposed aggregate concrete. He continued that if they decide in a few years to have no more bike lane and just have sidewalk, they would not have an odd, green-colored piece of concrete. It would aesthetically be better if that event happens, but probably they will have many bicycles downtown and everyone will be happy and sharing the space.

Councilor Favolise stated that he thinks if they were going to go back to just having sidewalk, he does not like the idea of two different materials there. He continued that however, of all the questions related to the bike lanes that are keeping him up, this is not necessarily one of them.

Chair Greenwald stated that the plan also has feature areas, like Railroad Square, which this would be appropriate for. Mr. Lussier replied that they are proposing stamped concrete for those feature areas.

Councilor Filiault stated that in his opinion, they could just use the same material as they used on the sidewalks, to not spend extra money. He continued that if, as Chair Greenwald says, they find in a couple of years that the bike lanes are not getting the expected use, they could just become sidewalks. Having them the same material makes sense to him. To make markings, they could use a stencil and white paint to show a bike lane. He thinks that is all they should spend money on. He is not in favor of spending any additional money to designate the bike part of it from the pedestrian part, other than white markings to show that it is the bike lane temporarily.

Mr. Lussier replied that if they do not do something to designate the bike paths, they will not be bike paths, and the Council voted for bike paths. Councilor Filiault replied that he is suggesting designating the bike paths with arrows and the silhouette of a bicycle every so many feet. Mr. Lussier replied that earlier tonight, Councilor Filiault suggested that there would be no enforcement of the bike lanes. He continued that if the only indication that there is a bike lane is white paint every few hundred feet on the sidewalk, he can assuredly say that bicyclists will not know that is where they are supposed to be, pedestrians will not know they are not supposed to be there, and there will be

accidents downtown. What Councilor Filiault says is contrary to what the Council voted on and would be setting them up for an absolute disaster.

Michele Chalice stated that she loves the idea of exposed aggregate concrete. She continued that as a lifelong bicycle commuter she knows this type of texture will slow bikes down automatically. She loves this idea, for all kinds of public safety reasons.

Andy Holt of Forest St. stated that he thinks it is a great idea, too. He continued that subway platforms often have this textured space near the tracks so that people do not step over it. You feel it. This texture would help the bicyclists go slowly and help pedestrians realize that it is a space that is different. Even if pedestrians are not looking, they feel it on their feet, and it will designate it as a separate area. To what Mr. Lussier said, it makes the bike lanes safer. He thinks it is a great idea.

Councilor Workman stated that Mr. Lussier mentioned they would have different samples of concrete. She continued that she is leaning toward the photo on the right. She likes the color aspect. She hopes that when they are picking colors, they make sure there is a good contrast between the sidewalk and bike lane. Mr. Lussier replied that colors are not his personal forte, but he will make sure someone on the team picks a good color.

Chair Greenwald stated that he does not think they need to send a motion to Council, but he will ask each Committee member what they want.

Councilor Tobin stated that she is happy with either option. Councilor Filiault stated that some of the comments made about the rougher surface made sense. He continued that maybe it will slow down those electric scooters he does not want on the sidewalk, so he can go with that one.

Chair Greenwald asked if Mr. Lussier, for the next meeting, could bring in the bid book, not for the Committee to go through, but it would be interesting to see. Mr. Lussier replied that he would be happy to bring in the construction documents.

Mr. Lussier stated that he has a couple of other things to say about the downtown project. Deputy City Manager Landry has already addressed the educational component, which she summarized well. They do have a plan for that, and once the rules get resolved, they will begin that effort. Lastly, the Downtown Infrastructure Project Ombudsman, George Downing, is here tonight. Going forward, the Committee will receive a monthly update from him as well.

Mr. Downing stated that last month he told the Committee that part of his monthly update will be on what he has been hearing for challenges, concerns, and questions, more volume and trends. He continued that if an issue needs to be brought to the Council or the Committee, that will come through the normal channels, not through him. They are working hard to differentiate his role. He was hired by the City but does not represent the City. When he is out meeting people, he is not defending the project, he is explaining the project. He gets asked about the bike paths a lot. The Committee cannot revisit that this year, so the people who are vehemently opposed to bike paths need to wait a while. It is going in the bid project. People who are very opposed to bike paths need to reach out to the Council and let them know, as constituents. That is not something he can do. What he can do is walk people through the reasoning for why the bike paths were approved in the first place, because that is in the meeting minutes, as there was a lot of debate. A lot of his work has been explaining why decisions were made, not just about the bike path. Obviously, there are not many challenges yet. When the construction vehicles show up, the challenges will start overtaking the conceptual

questions. In the last month, he has had 13 issues that rose above the level of just explaining or answering questions. There are many misperceptions, such as numerous people thinking that all of downtown will be closed for the entire construction period, which obviously is wrong, and they want to give the opposite message: downtown will be open for business, and they encourage people to come. That does not really go into his tally, though, because he just talks with people about it, and then they understand. Of the 13 issues, 9 have been resolved, and 2 are pending information that will come out of the meeting with Stantec that Mr. Lussier was just talking about. One is coming to another committee of the City Council in a couple of weeks, and the last one, he just got this morning and thus has not had time to resolve yet.

Mr. Downing continued that he has walk-in hours now, thanks to the Colonial Theater, who have him set up in their lobby twice a week. He gives huge thanks to Keith Marks, the Colonial Theater's Director, and all their staff, who have been very helpful. They are among the group of people who are really digging in and acknowledging that this project will happen, discussing what they can do to help keep downtown vibrant while it is happening. They have been collaborating on some other ideas that might move forward, and they are involved with what is coming to the Planning, Licenses, and Development Committee in a week or two. The Colonial Theater is really trying to work with the City to make this happen. He is in the Colonial Theater lobby on Mondays from 1:00 to 2:30 PM, and Thursdays from 9:30 to 11:00 AM. That will go through the end of October, and then they will determine whether it is still a good use of everyone's time. He gets some people coming in every time he is there, but not a lot, and he thinks that is partly because many people perceive the construction project as still a long ways away. He suspects they probably will not continue the office hours through the winter but will look to re-open that in the spring as construction gets closer.

Mr. Downing continued that in addition, he has started the difficult work of going door to door. He needs to know and meet everyone downtown. Some of them will say they do not ever want to see him again, but for everyone who wants to be kept up to date, he needs to know who they are, and they need to know who he is. He started down at Cumberland Farms, and they did not care at all, but they have their own parking lot anyway. He is working his way up the street, through the square, and back down the other side. He is also going down the side streets, even though they are not part of construction, because people there will need some notifications when this comes about. They want to push the email opt-in, which remains the best way to get information about the project. It is on the downtown infrastructure page on the City's website, and there is also a new comment form on there that people can use.

Chair Greenwald thanked Mr. Downing for the update and asked if the Committee had any questions. Hearing none, he asked if the public had any questions.

Mr. Lussier stated that if the Committee had specific things they want Mr. Downing to include his monthly updates, they can let him know.

Chair Greenwald replied that Mr. Downing was right on with what they were looking for, such as how many approaches, questions, and answers. He continued that he hopes the merchants are paying attention. Then there are the building owners, which is another population he will need to consider. Mr. Downing replied that it is actually more than that – there are building owners, building managers in many instances, and then the tenants and residents. Sometimes, all three are the same person, and in some cases, all three are different people. One of the questions he asks when he goes into a business is thus “who is who” – who the building manager is, whether that is the same person as the building owner, and if he can get contact information for them. Most communications for the building

owners will come directly from the Public Works Department. He is trying to find all of those levels of contact so that at least people hear things once, and he can reach everyone who needs to be notified when something is happening.

The following motion by Councilor Filiault was duly seconded by Councilor Workman.

On a vote of 5 to 0, the Municipal Services, Facilities, and Infrastructure Committee recommends accepting the Downtown Infrastructure Project report as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: October 2, 2025

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Councilor Remy - Request to Place Social District Question on 2025 Municipal General Election Ballot**

Council Action:

In City Council October 2, 2025.

Voted 14 to 1 to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the question of whether to allow social districts in the City of Keene be placed on the 2025 Municipal General Election Ballot, and that a public hearing be scheduled for October 16, 2025.

Attachments:

None

Background:

Councilor Remy addressed this item. He stated that similar to what was proposed by Councilor Favolise regarding adding Keno on the ballot this is another item that could be added to the ballot referred to as social districts. Social districts are areas in the City that are designated with signs and any state liquor license holders located within the perimeter are allowed to serve alcohol within that area, under the assumption that they will serve alcohol in a special cup, which has to be a recognizable format to the City. On one side of the cup there needs to be the logo of the social district, and the other side would be that of the license holder. License holders have to opt in, purchase the cups and become part of the process. Participants are not permitted to carry a cup from one place to another. For example, participants are not permitted to carry the cup into the next bar. They can carry it on the street but not into another facility.

The Councilor stated the ballot question is not about what the design of such a district should be, what the rules should be, etc. The question puts it out to the constituents whether social districts is something they want in the City. It has to be on the ballot to be approved and if it is not added to the upcoming election, it cannot be voted on until the 2027 municipal election.

City Attorney Palmeira addressed the committee next. She stated as Councilor Remy had stated the

question before the committee is a ballot question. She explained social districts are defined in the new statute as an outdoor area where people can drink alcohol. The area expressly does not include any license holders, internal premises or their license areas outside the district. The licensees that participate have to be within that social district. Anybody outside of the area can't sell beverages inside the area. Under the Statute, there are some logistical requirements on the City. There are also requirements on the licensees that wish to participate, as well as requirements on the customers who will frequent the district.

With respect to the City, the Attorney stated the first step would be once the item is on the ballot, if it is approved, the matter would come back to City Council to develop an ordinance regulating such districts. The City Council would have to map out the boundaries and logistical plans for it. The City is also required to include "management and maintenance plans", which the Attorney stated is not specifically explained. The City also has to post the plans on its website, which includes a rendering of exactly where the district is located and this map has to be submitted to the Liquor Commission. The days and hours of when the social district is operating must also be provided.

As far as in the licensees, there are clear specifics in the statute about what the cup needs to look like, what it needs to say, etc. Every participant will have their own logo and the district displayed on the cup. Participants can only purchase beverages from places that are contiguous with the social district. You cannot bring alcohol from outside and you cannot leave the social district with anything you have purchased unless you are re-entering the exact place you purchased the alcohol from.

Attorney Palmeira addressed the maintenance and management plans and the City's concerns regarding liability and risk management. Social districts are going to be on City property, the statute excludes everything that is owned privately, which the Attorney noted is a very different concept than anything the City has seen before. This brings the City's premises liability into the conversation. Drinking at an establishment or a sidewalk cafe would be under the premises insurance. Once you leave that premises, then the liability falls under the City's insurance.

The Attorney explained, under state law, there are specific things for which the City has immunity. There are also specific things the City is responsible. One item the City is expressly responsible for is the maintenance of its premises. There are caps per claim which come in at around \$325,000 a person or \$1,000,000 for one event involving multiple people; this is a statutory cap for things like slip and fall events or personal injury on City premises. If there is private insurance, that cap is replaced by whatever the cap on the insurance is.

There are also some specifics items around sidewalks which falls under the sidewalk liability. She added what she wanted to emphasize is that those are well-established causes of action. This new statute creates potentially new liability. Attorney Palmeira stated she did discuss this with Primex, the City's insurer and they share all her concerns and did make it clear that this unique health, safety, security issue is not something they have seen before.

Councilor Remy stated he agrees there are things the City would need to figure out as to how this would work and what the liability would be, but stressed that if this is not done now, the City cannot change its mind until 2027.

The Councilor questioned during a licensed event, for example, Food Fest where the event already carries \$1,000,000 policy for coverage of liability to the City for use of the space, whether that liability would transfer over to the event holder. Attorney Palmeira stated it is very likely, but as she had

mentioned earlier this is a new statute. It does indicate that participants who want to serve alcohol downtown in the social district would potentially have an argument that they don't have to agree to things like that, but the statute just creates a right for them to participate, no matter what kind of distribution of liability there is. She added she did not know how that would work out. Maybe if it was participation in an event the City controls, it could be limited to that and added this does open it up to people who want to participate potentially by right.

Councilor Roberts clarified even if the voters voted for this, if the council obtains more information and subsequently determines it is too risky for the City, the Council does not have to follow through on establishing social districts in the City. Attorney Palmeira agreed it would not be in existence until the Council adopted an ordinance to create the social district.

Councilor Favolise stated he wanted to lend his support to this proposal and felt it made sense to pose this question to the voters. If the voters vote in favor, it could then be discussed further.

Mr. Bradford Hutchinson of Keene addressed the committee and started out by saying that he is a candidate for mayor in the 2025 municipal election. He stated he has not had time to read in detail about what this ordinance is and does understand the general concept of it; it will create a space for public consumption of alcohol in the City. He noted the City has an open container ordinance and this would allow some freedom for the downtown bars and restaurants in certain areas. He felt the item should be placed on the ballot. Mr. Hutchinson stated the wording on the ballot needs to be simple (yes or no) question. He felt this is something that has the potential to increase revenue downtown and increase activity downtown.

Councilor Chadbourne stated she has the same questions Councilor Roberts had but does agree it needs to be the decision of the voters and stated she would support this.

City Clerk Terri Hood addressed the committee next and stated she wanted to speak on the procedural side of this item. She stated similar to Keno the City has a window of opportunity where if the Council doesn't make a decision by the meeting of October 2, there won't be enough time to set the required public hearing. The hearing has to be held between 15 and 30 days prior to the election where the question will be voted on and there is a seven-day requirement for public notice. She reiterated October 2, 2025 is the last opportunity to make a decision. A hearing would need to be scheduled for October 16, 2025. The public hearing is an opportunity for the community to learn more about this issue prior to voting on the question at the election.

Ms. Hood ended that with reference to the wording of the question as indicated by Mr. Hutchinson, the statute lays out the wording very specifically and the City is required to stay within what the statute requires.

The following motion by Councilor Chadbourne was duly seconded by Councilor Lake.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the question of whether to allow social districts in the City of Keene be placed on the 2025 Municipal General Election Ballot, and that a public hearing be scheduled for October 16, 2025.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.5.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: **Acceptance of Donations - Holiday Sponsorship Program - Human Services**

Council Action:

In City Council October 2, 2025.

Voted unanimously to carry out the intent of the report.

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept donations associated with the City's 2025 Holiday Sponsorship Program.

Attachments:

None

Background:

Human Services Manager Natalie Darcy addressed the committee next. Ms. Darcy stated annually the department contacts sponsors who provide gifts and holiday items for families and older adults. The sponsored individuals are clients who have received assistance from Human Services in the past year. Families who have children with special needs and people who have been struggling to make ends meet are considered for sponsorship. The goal of the program is to provide holiday gifts, food, gift cards to those in need so they use their own resources to pay their basic needs in January.

Ms. Darcy stated staff appreciates the support of the Council to this annual project. She indicated that families are so appreciative and humbled by the generosity of the community.

Councilor Chadbourne commended the program.

The following motion by Councilor Lake was duly seconded by Chair Remy.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept donations associated with the City's 2025 Holiday Sponsorship Program.



CITY OF KEENE NEW HAMPSHIRE

ITEM #D.6.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Overview of Outside Agency Funding Process - Human Services

Council Action:

**In City Council October 2, 2025.
Report accepted as informational.**

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the overview of the outside agency funding process be accepted as informational.

Attachments:

None

Background:

Asst. City Manager Rebecca Landry addressed this item and stated during the budget process there was a request to review the outside agency funding process before the next budget process.

Ms. Darcy stated the Human Services Department is tasked with taking the lead on the outside agency funding and have put together a committee, which consists of employees from various departments, including Human Services; there is also a City Councilor on this committee. The role of the committee is to make sure that all nonprofit organizations that wish to apply for funding have the opportunity to do so.

Applications for funding are sent out by mid-December to those wishing to apply for funding. A notice is printed in the Keene Sentinel offering the opportunity to anybody who wants to apply to contact the office. Organizations applying are invited to meet with the committee. Ms. Darcy stated that the committee meets sometime in February of the budget year. The committee then makes recommendations for funding to the City Manager, based in part on each agency's response under the established criteria. Ms. Darcy stated the reason for this item before the committee today is to discuss as to whether the Council wants to keep the criteria that exists now or whether it wants to add some new criteria.

Ms. Darcy explained the agencies that receive funding have to demonstrate a service with a direct

financial impact on expenditures of City departments. In addition, applicants must provide the number and percentage of Keene residents served by the agency, a list of the other local service agencies providing similar services and the financial impact of prevention and intervention services that potentially saves future City spending.

The City receives about 12 to 13 requests annually. Shelters are not included in the requests because they are their own line item in the City budget and included in the general assistance budget. The Manager's request through staff is whether the Council wants to change anything in this process or retain it the way it currently exists.

Councilor Remy stated his concerns in the past are around the impact of an agency in terms of prevention and intervention services that potentially saves future City spending; if this organization did not exist, would it cost our taxpayers money. He felt shelters and the Community Kitchen falls under this category. He stated there are a number of organizations that have fallen off of funding for that reason. He stated this is the criteria he is looking for – a dollar amount that could be shown by an organization's existence that could save the City money.

Councilor Chadbourne asked why Hundred Nights and Southwestern Community Services (SCS) are under the general assistance budget. Ms. Darcy stated Hundred Nights used to be under outside agency funding, but SCS has a Memorandum of Understanding. Hundred Nights now has a Memorandum of Understanding as well. Councilor Powers noted the Memorandum of Understanding would have been authorized by the City Council at some point in time.

Councilor Lake felt the process works well. He stated he shares the same concerns as Councilor Remy with respect to impact. He however, felt some of this impact could have a tertiary effect that might not be an immediate dollar impact to the City, but might be something that is preventative down the line. He suggested moving away from the financial impact and just the impact on the City and felt the first bullet point covers that topic well.

The following motion by Councilor Remy was duly seconded by Chair Roberts.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the overview of the outside agency funding process be accepted as informational.



CITY OF KEENE NEW HAMPSHIRE

ITEM #G.1.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Evan Clements, Planner
Through: Paul Andrus, Community Development Director
Subject: **O-2025-29 Relating to Pavement Setbacks and Cross-Site Access - Joint Planning Board/PLD**

Council Action:

In City Council October 2, 2025.

Memorandum filed. Public Hearing set to be November 6, 2025 at 7 PM

Recommendation:

A motion was made by Councilor Remy that the Planning Board finds Ordinance O-2025-29 consistent with the 2010 Master Plan. The motion was seconded by Mayor Kahn and was unanimously approved.

A motion was made by Councilor Jones that the PLD Committee request the Mayor set a public hearing on Ordinance O-2025-29. The motion was seconded by Councilor Madison and was unanimously approved.

Attachments:

1. O-2025-29_Cross Site Access Exception
2. Staff Report O-2025-29

Background:

O-2025-29 went to City Council for a first reading on August 21, 2025, and was referred to the Joint Planning Board & PLD Committee. A public workshop was held on September 8, 2025. There was no public comment and no changes made to the proposed ordinance.

Included below is a section of the draft minutes from the September 8th Joint PB-PLD meeting.

- 2. Ordinance O-2025-29 Relating to Cross Site Access Exception from the Parking Lot Pavement Setback. Petitioner, City of Keene Community Development Department, proposes to amend Sec. 9.4.2.A of the LDC to create an exception to the parking lot pavement setback requirement to allow for cross-site access drive aisles across property lines.**

Mr. Clements addressed the committee and stated this ordinance proposes to amend Section 9.4.2 Dimensions and Siting, Subsection A — "Setbacks" to create an exception to the parking lot pavement set-back requirement to allow for cross-site access drive aisles across property lines. The intent of this change is to promote vehicular traffic movements between commercial properties without the need for vehicles to travel from one property to the next on the public right of way.

This change will reduce the amount of short hops from one plaza to the next as patrons travel to nearby stores. This change will also create flexibility for businesses that operate across multiple parcels and are looking to create internal connections to each side of the operation. The proposal includes some requirements for cross-access connections including size, location, access agreements and planning review.

Mr. Clements stated the article in the committee's packet outlines onsite parking requirements based on zoning and driveway design standards.

Section 4 of the article outlines the requirements of parking lots within the city, excluding single and two-family uses.

Table 9-2 is the travel and parking surface set back requirements – This is based on parking lot size and is an impervious surface set back from the edge of the property to where the pavement ends. The idea is that this requires some kind of permeable green space around the perimeter of parking lots to promote green infrastructure and smart stormwater solutions.

In the downtown districts, with the form-based codes, there are a different set of rules related to parking lots.

This proposal is more for the traditional landform.

What is cross-site access? Cross site access is a form of access management, which is one of the aspects of land use management and one of the Planning Board site development standards in Article 21 of the Land Development Code. Access management involves the planning and coordination of the location, number, spacing and design of access points from the public right of way onto adjacent property. This allows for efficient control of vehicle movements by reducing conflicts and maximizing the traffic capacity of roadways. Well-planned access management systems facilitate safe access to land along roadways, while promoting and supporting an efficient street system and unified access and internal site circulation for development.

A cross-site access is the continuation of a parking lot drive aisle across a property line that allows vehicles to travel from one property to another without having to re-enter the street system. These connections can have a one-way or two-way traffic flow with examples of these connections currently existing throughout the city. They are especially prevalent along existing major commercial corridors such as West Street. Mr. Clements provided an example of this from a rendering of the West Street Plaza.

The core function of this proposal is to provide an allowance for these design elements to happen naturally as part of a site plan design review and development process. Currently, if a property owner wanted to create an access point, there is no allowance in our zoning code outside the downtown. An applicant would need to get a variance. He noted planning staff have had within the last year at least two proposed developments for this type of change. He noted this conflict existed in the previous zoning code as well.

Mr. Clements felt this proposal is almost a cleanup - common sense approach to how things should

be done. This concluded Mr. Clements' presentation. Councilor Haas stated if there are two separate properties but the same owner, the solution was simple. If there are different owners, they would need to have an agreement. He asked what happens if one of those properties is sold and one of those owners doesn't want to continue with this. He asked whether deed restriction would be required. Mr. Clements stated there is a provision for cross access agreements when they are necessary. He added the property owner would either need to negotiate with the new property owner to continue that cross access or abandon it.

Mr. Clements stated the general intent is for safety: The first recommendation is 22 feet wide for two-way traffic and 11 feet for one-way, which is just about in line with current regulations for drive aisles in parking lots. Connections shall be far enough from the front property line to promote vehicular and pedestrian safety. He added staff did not want to establish a distance that would be uniform so that parcels of different sizes could be accommodated, so that a property owner is not being forced to apply for a variance to meet the distance required by the city.

Ms. Brunner referred to page 31, item F which says planning review shall be required per Section 26.12.3 which includes administrative planning. It does not mean a full site plan review.

There was no public comment as there was no public present.

A motion was made by Councilor Remy that the Planning Board finds Ordinance O-2025-29 consistent with the 2010 Master Plan. The motion was seconded by Mayor Kahn and was unanimously approved.

A motion was made by Councilor Jones that the PLD Committee request the Mayor set a public hearing on Ordinance O-2025-29. The motion was seconded by Councilor Madison and was unanimously approved.



CITY OF KEENE

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

AN ORDINANCE _____
Relating to Pavement Setbacks and Cross Site Access

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. That Section 9.4.2 “Dimensions & Siting,” subsection A “Setbacks” be amended to create an exception for cross site access over property lines, as follows:
 - A. 1. Drive aisles that provide vehicular connections across property lines shall be exempt from parking lot surface setbacks with the following requirements:
 - a. The connection shall be a minimum of 22 feet in width for two-way traffic and 11 feet for one-way traffic, as measured along a lot line or boundary between separate properties.
 - b. Connections shall be far enough from the front property line to promote vehicular and pedestrian safety.
 - c. The connection shall be an extension of a travel lane of the subject parking lot and align to the maximum extent practicable with a travel lane on any adjacent parking lot.
 - d. Adequate site lines shall be provided.
 - e. Shared access agreements between properties shall be required where necessary.
 - f. Planning review shall be required per Section 26.12.3.

Jay V. Kahn, Mayor

MEMORANDUM

To: Joint Committee of the Planning Board and PLD Committee

From: Evan J. Clements, AICP – Planner/Deputy Zoning Administrator

Date: August 29, 2025

Subject: O-2025-29 Relating to Cross Site Access Exception from the Parking Lot Pavement Setback

Overview

This Ordinance proposes to amend Section 9.4.2 “Dimensions & Siting” subsection A “Setbacks” to create an exception to the parking lot pavement setback requirement to allow for cross site access drive aisles across property lines. The intent of this change is to promote vehicular traffic movements between commercial properties without the need for vehicles to travel from one property to the next on the public right-of-way. This change will reduce the amount of “short hops” from one plaza to the next as patrons travel to nearby stores. This change will also create flexibility for businesses that operate across multiple parcels and are looking to create internal connections to each side of the operation. The proposal includes some requirements for cross-access connections including size, location, access agreements, and planning review.

Background

Parking Lot Regulations Overview

The City of Keene Parking & Driveway Regulations is in Article 9 of the Land Development Code, which is part of the zoning regulations for the City. The purpose of these regulations is to:

“The intent of these parking and driveway standards is to address the following objectives.

- 1. Ensure the provision of on-site vehicle parking for individual sites that supports the needs of existing and future uses.*
- 2. Promote safe and efficient circulation of pedestrians, motorists, and bicyclists into, within, and out of parking areas.*
- 3. Allow flexibility in addressing vehicle parking, loading and access issues, recognizing that both too little and too much parking can create negative impacts.*
- 4. Ensure appropriate site location and design features that mitigate the impact of parking on other land uses and surrounding neighborhoods.*
- 5. Promote parking designs that minimize runoff and incorporate infiltration of stormwater into the ground.”*

This Article of the Land Development Code outlines on-site parking requirements based on use and zoning, driveway design standards for single and two-family properties, design standards for commercial parking lots, and design standards for parking structures. These sections contain dimensional requirements for parking spaces, drive aisles, locations for parking areas, surface material and grade requirements, landscaping, and setbacks.

Section 9.4 of this Article outlines all of the requirements for parking lots within the City. Subsection 9.4.2 outlines the dimensional and siting requirements for parking lots and includes setbacks, parking space dimensions and angulation, travel lane width, and location of the parking lot. Table 9-2 below lists the minimum required parking lot surface setback from property lines. The surface setback is dependent upon the size of the parking lot and the location of the property line closest to which it will be located.

Table 9-2: Travel & Parking Surface Setbacks

Parking Lot Size	Min Setback	
	Front	Side/Rear
≤10,000 sf	8 ft	8 ft
>10,000 to ≤30,000 sf	10 ft	8 ft
>30,000 sf to ≤2 acres	15 ft	10 ft
>2 acres	20 ft	15 ft

Fig 1: Table 9-2 from section 9.4 of the LDC.

This section states that aside from what is listed in Table 9-4, these setbacks are required for all uses besides single-family and two-family dwellings. Table 9-4 is specific to the City's Downtown Zoning Districts and are related to the Form Based Codes that the regulations for these districts are designed around. Based on Table 9-4, there is an allowance for pavement up to the property line and across it to create cross site access. Outside of the downtown districts, cross access between properties is prohibited due to the pavement setback requirements.

Type A Interior Lot & Type A and Type B Corner Lot Parking Location Diagram

Prohibited parking locations (as specified above) are depicted with a diagonal hatched pattern. Required perimeter landscape (Sec. 9.4.4) is shown in solid dark green. Permitted parking locations are depicted in light gray, subject to all other standards of this ordinance.

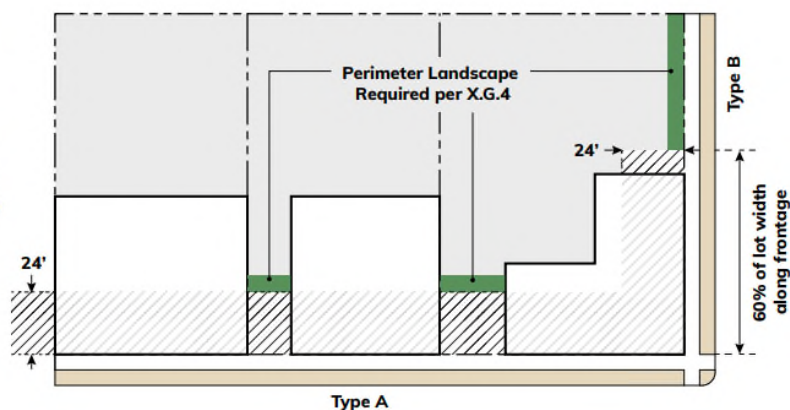


Fig 2: Example from part of Table 9-4 from section 9.4 of the LDC showing specific parking lot regulations for downtown districts.

Cross Site Access Overview

Cross Site Access is a form of Access Management, which is one of aspects of land use management and one of the Planning Board's Site Development Standards in Article 21 of the Land Development Code. Access Management involves the planning and coordination of the location, number, spacing, and design of access points from the public right-of-way onto adjacent property. This allows for efficient control of vehicle movements by reducing conflicts and maximizing the traffic capacity of roadways. Well-planned access management systems facilitate safe access to land along roadways while promoting and supporting an efficient street system and unified access and internal site circulation for development.

A Cross Site Access is the continuation of a parking lot drive aisle across a property line that allows vehicles to travel from one property to another without having to re-enter the street system. These connections can have a one- or two-way traffic flow. Examples of these connections currently exist throughout the City and are especially prevalent along the existing major commercial corridors, such as West St. The picture below is an example of a cross-site connection between the West Street Shopping Center and the adjacent property at 465 West St.



Fig 3: Ariel imagery of existing cross site access connections circled in red between the West St Shopping Center and 465 West St.

Discussion

This ordinance proposes to make an exception from the parking lot pavement setback requirement to allow for the creation of cross site access connections over property boundaries. The exception will codify an established traffic management technique that already exists in many built up commercial areas of the City. The proposal includes width requirements of the access point depending on one-way or two-way traffic, provisions for adequate sight lines, and other safety measures. The exception highlights the need for mutual access agreements between property owners, if ownership differs, and that planning review will be required prior to the establishment of a new cross site access point.

Currently, if a property owner wanted to create a cross-site access point, they would need to obtain a Variance from the Zoning Board of Adjustment from the parking lot pavement setback requirements. This traffic management tool is a technique that should be encouraged to reduce traffic pressure on roadways along the City's commercial corridors. Instead, it is currently prohibited and requires significant time and effort to receive approval. This Ordinance would not only allow this technique to be utilized by property owners, but provides a reasonable level of review to approve these connections.

Consistency with the Comprehensive Master Plan (CMP)

The 2010 Comprehensive Master Plan recognizes that, in order to promote a "Quality Built Environment," a complete transportation system with efficient transportation infrastructure is required. The plan articulates a variety of transportation strategies to improve efficiency and safety. The plan states that:

"The linkage between transportation systems and land use and development was a critical consideration in the development of transportation strategies. This linkage is crucial to planning and implementing a transportation system that efficiently and safely serves the region's wide range of activities and uses. The transportation system must adequately serve all areas within Keene, now and in the future."

This proposal furthers the goal of this section of the Master Plan by allowing vehicular traffic to navigate along developed commercial areas of the City in a controlled, safe way, that reduces traffic congestion on roadways. It also provides less hassle for customers who are visiting multiple locations without having to wait for traffic signals or make difficult turns when exiting one location to reach another plaza or business that is adjacent but inaccessible.

Recommendations:

If the Committee is inclined to approve this request, the following language is recommended for the motion for each board:

Planning Board Motion: *"To find proposed Ordinance, 0-2025-29, consistent with the 2010 Comprehensive Master Plan."*

Planning, License & Development Committee Motion: *"To recommend that the Mayor set a public hearing date."*



CITY OF KEENE NEW HAMPSHIRE

ITEM #G.2.

Meeting Date: October 2, 2025

To: Mayor and Keene City Council

From: Mari Brunner, Senior Planner

Through: Paul Andrus, Community Development Director

Subject: **R-2025-26 Relating to an Amended Return of Layout for a Public Right-of-Way Known as Grove Street - Planning Board**

Council Action:

In City Council October 2, 2025.

Memorandum filed as informational.

Recommendation:

A motion by Mayor Kahn to recommend the City Council approve a petition to amend the layout of Grove Street in the vicinity of Water Street was duly seconded by Mr. Mehu. The motion carried with a unanimous vote in favor.

Attachments:

None

Background:

The Planning Board received a referral from City Council regarding Resolution R-2025-26 Relating to an Amended Return of Layout for a Public Right-of-Way Known as Grove Street. At their meeting on Monday, September 29, 2025, the Planning Board voted unanimously to recommend that the City Council approve the petition. At the time of this memo, the draft minutes from this meeting were not yet available to include as an attachment.



CITY OF KEENE NEW HAMPSHIRE

ITEM #H.1.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee
Through:
Subject: Relating to Rules for the Operation of Bicycles
Ordinance O-2025-33

Council Action:
In City Council October 2, 2025.
More time granted.

Recommendation:
On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends placing the item on more time.

Attachments:
1. O-2025-33 Rules for Operation of Bicycles_Referral

Background:
Chair Greenwald introduced the agenda item and asked to hear from the Public Works Director.

Mr. Lussier stated that a couple of weeks ago, staff presented a draft Ordinance that they talked about a little bit before it was submitted formally for first reading. He continued that there were some suggestions and preferences expressed by Committee members. He did not hear, however, whether there was a Committee consensus on many of those comments. Thus, he has not made any changes to the draft as it was presented a couple of weeks ago. He expects that as they talk through it tonight, the Committee will recommend some changes, and they will end up with an "A" version of the Ordinance.

Mr. Lussier continued that to refresh everyone's memory about what the City Code says about bicycle rules and the use of bicycles in the city, it says simply that the rules for operation of bicycles on public ways or on public property shall be as set forth in state statute, and then it lists the relevant sections of the RSAs. The RSAs that are cited cover everything from minors using helmets, to having to have lights on your bicycle, to riding on the right of the road, to following all the rules of vehicles, and so on and so forth. This is a comprehensive set of rules that the City Code already references. The proposed Ordinance, in tonight's agenda packet, would add to that. It would say that in all cases, you must follow State rules, but within bike lanes and bike trails, these mixed-use bicycle facilities,

these additional rules apply. Those are what they talked about last time, the distilled comments of the Bicycle and Pedestrian Path Advisory Committee (BPPAC) and the work of the Mayor and City Manager's bike rules committee that met and talked about this. This is what they boiled it down to.

Mr. Lussier continued that the first one is, *"Within the Downtown Core zoning district, the maximum permissible speed shall be 10 mph."* He does not remember who, but someone on the Committee expressed a preference to keep it at 8 mph. They can talk about that more. He recommends keeping it at 10 mph, but that is completely within the Council's legislative discretionary function. It would apply within the Downtown Core district. It would apply to the bike lanes that are going to be built and to the rail trail as you are coming into the downtown.

Mr. Lussier continued that the second one is, *"Where bike lanes are provided adjacent to roadways, cyclists shall only travel in the same direction as the adjacent lane."* That clarifies that these are one way, in a counterclockwise fashion. The third one is, *"No person shall stop, park, or load any bicycle or other vehicle in such a way as to obstruct the public use of bike lanes or multi-use paths."* That is a provision that came out of BPPAC, which he did not think was covered by the existing RSAs. Fourth is, *"Bicycles and other personal vehicles shall not be parked or left unattended within the public way except at a bike rack provided for such purpose."* This would be a more stringent requirement than what is in the cited RSAs. The RSAs say you can park your bicycle on a sidewalk, provided that it does not obstruct the public's use of the sidewalk. Again, it is within the Council's purview and authority to make a more stringent requirement than that.

Mr. Lussier continued that last is, *"Bicycles must have a front white and rear red light if operated between a half hour after sunset and a half hour before sunrise."* This was a recommendation from the BPPAC, and he recommends deleting this item from the provisions, because the other section of the Ordinance, regarding equipment, says, *"No person shall ride a bicycle in public ways or public property of the City unless it is equipped as required by RSA 266:85-89."* The RSAs say you must have a front light, but the rear requirement is for a reflector, which must be visible from 300 feet when someone shines a light on it. Again, the Council has the authority to make a more stringent requirement, but it might be difficult for people to know that Keene has a rule that is different from every other community in the state. They might think their bicycle is compliant if it has a reflector, even if it does not have an illuminated light. He thinks it would create more difficulty in being compliant, and it might be tough to enforce. He suggests that the requirement for the reflector gets to what BPPAC is trying to accomplish. They want bicycles to be visible when they are operating at night, without actually needing the illuminated rear light.

Mr. Lussier continued that Section 94-466 talks about Operation of Bicycles on Sidewalks. State law allows you to operate a bicycle on the sidewalk. The City is allowed to prohibit the use of bicycles on City-maintained roadways, and the City has chosen to do that. Section 466 says that bicycles, skateboards, scooters, and other similar motorized vehicles may be ridden on *"all sidewalks and parking areas of the city, except for the following"* and lists everything that people would call "downtown," including the southern part of Washington St. and Court St., Main St., and the parking lots. This part of the Ordinance says you cannot ride your bicycle on the sidewalks downtown. The bike lanes are differentiated from the sidewalks by the fact of Section 464 and Section 466.

Councilor Favolise stated that regarding Section 464 and Section 466, he might be reading it incorrectly and it is covered in another section, but it says, *"Bicycles, skateboards, scooters, and other similar unmotorized wheeled or unwheeled vehicles."* He asked where that leaves them with electric bikes. Mr. Lussier replied that by State law, e-bikes are bicycles, so they would be included in

this provision. He continued that again, it means e-bikes can ride on sidewalks outside of the downtown, and they are prohibited within the downtown.

Councilor Filiault stated that as he said a couple weeks ago, he appreciates the efforts of the Ordinance and it looks good on paper, but realistically, it is completely unenforceable. He continued that for example, if they say “10 mph” is the maximum allowed speed, he does not think the Police will be down there with radar. As he has said before, he will not vote for any Ordinance that allows anything with a motor on the paths downtown. In the past few days, he has seen electric scooters in Keene going much faster than 10 mph. His research found that scooters average 20 to 30 mph and the high performance ones go over 30 mph. The other day he saw an electric skateboard that was going so fast it was going to pass him. Those go up to 40 mph. Class III electric bikes with pedal assist go up to 28 mph, and the high-performance models go up to 40 mph. Checking with the State, the City can adopt an Ordinance that disallows motorized vehicles as long as it is specific under Ordinance in the downtown area, even on what is designated as a bike path. Realistically, given the set up, when people get out of their car, as soon as they step onto the sidewalk, that is the bike path. Scooters and skateboards are stealthy. It is not a matter of “if” someone will get hit, but a matter of when. He is concerned that once downtown is set up, someone will step out into the path of one of those stealth electric vehicles. The torque on those picks up immediate speed. Someone will get hurt. As Councilor Favolise mentioned a while ago, you can see the problems around KSC. When you walk some of the sidewalks there, where the electric vehicles are, “you are taking your life in your own hands.” It is not a matter of “if” someone gets hurt, it is a matter of when, and Mayor Kahn mentioned that a month ago. It is in the meeting minutes that it is a matter of when someone gets hurt downtown. This does not have his (Councilor Filiault’s) vote.

Mr. Lussier stated that to clarify, when he said that State law says that e-bikes are bikes and they are allowed on sidewalks, he should have added some nuance there. He continued that State law says Class I and Class II e-bikes are allowed on sidewalks, but in no case is a Class III e-bike allowed to use a sidewalk. Councilor Filiault mentioned that Class III e-bikes can go up to 28 mph. Those are never allowed on sidewalks. They would have to use the roadway. Councilor Filiault replied that no one will be enforcing that. He continued that the same people not enforcing the 10-mph speed limit will not be going downtown to try and determine whether a scooter or e-bike is Class I, Class II, or Class III. They will only find out after the e-bike or scooter hits someone, because there will be no enforcement of this Ordinance. There is no enforcement now. There are bicycles and skateboards on the sidewalks downtown now, even though they are not allowed to be. He will not support an Ordinance that looks good on paper but is completely unenforceable in real life.

Chair Greenwald stated that he is sure there are regular bicycles, without motors, that easily can do 20 mph, so it is going to come back to personal responsibility. He continued that they got into this conversation about bike lanes a long time ago, and there were a lot of concerns expressed about safety, given the stores, restaurants, tables, pedestrians, dogs, bikes, and cars. Downtown has a lot of competing interests. It will have to come back to personal responsibility. Councilor Filiault is right that enforcement will be very difficult, but he himself will not say that enforcement is impossible. Certainly, you could ride a non-motorized bike very irresponsibly.

Councilor Favolise stated that he shares Councilor Filiault’s concerns about enforcement, and he led with that the last time they talked about this. He continued that he has thought about the e-bike and e-scooter issue quite a bit over the past couple of weeks. He is interested in hearing more discussion. His experience over the past four years at KSC has left him wary of sharing sidewalk space with e-bikes and e-scooters. To Councilor Filiault’s point, these are quiet and can really come

up on you, and he has concerns about whether that is appropriate in the downtown core and whether it is consistent with the intent of the bike lanes around the downtown. He would like to hear the other Committee members' thoughts on that. Other City Council members will have comments, too. One of the pieces that is missing, as he and Councilor Tobin both brought up, is he does not want to get into a situation with bicycles, scooters, or skateboards doing tricks downtown or using any of the downtown sidewalks, paths, landscaping, or infrastructure for anything other than transport from point A to point B. He does not know exactly what the language there looks like, and he welcomes suggestions, but that is something he had not considered when they discussed this months ago. It has been at the top of his mind since Councilor Tobin brought it up. He thinks they should have some kind of Ordinance, even though he shares Councilor Filiault's concerns about enforcement, but he wants to make sure they do this in a responsible way, addressing as many possibilities for unsafe operation as possible.

Chair Greenwald asked for public comment.

Pete Moran of 38 Myrtle St. stated that a couple of years ago when the bike lane was first introduced at a public forum at the Recreation Center, he asked the question, *"How do you control the bike lanes?"* Nobody replied. He then asked the question at a City Council meeting, and no one replied. His thought is, as he said then, it will not be controlled by the Parking Enforcement Officer, nor the crossing guard. The KPD will be called upon once again, and they are short-staffed, as they heard in the discussions about the park. Who will monitor the bike lanes? Who will make sure the bikes go one way? It will not happen. Councilor Favolise voted for the downtown project and is now expressing concerns about the bike lane. There is a contradiction there. Councilor Filiault is correct, and he is glad he spoke up. The bike lane will be introducing another mode of transportation with speed in a very compressed area. He does not know if the Committee realizes how many bicycles are at Hundred Nights. It is "a bike park over there," and he does not believe the people with those bikes have any interest in bike safety. They "ride around, totally oblivious to anybody." His suggestion was to have a bike park, where people would have to get off their bicycles and walk downtown, but that was blown off. There are plenty of places that could potentially be used for that. He looked at the maps and plans for the downtown project and saw a few bike racks. What happens if there are not enough bike racks? He imagines 10 bicycles leaning against the tree by The Works because there is no place for them. He wonders who is in charge, and who gets the right of way. He questions whether he, when he steps onto the bike path, has the right of way over bicycles or skateboards. That question is not covered in the Ordinance.

Mr. Lussier replied that that is covered in State law. He continued that by State law, bicycles are considered vehicles. The pedestrian has the right of way in the same way that the pedestrian has the right of way over a vehicle. That said, pedestrians are also expected to exercise due care.

Mr. Moran stated that he recommends the Committee look at the crosswalks by the college. He continued that people do not put down their cellphones when they are on the crosswalk. They go right across, expecting everyone to stop for them, ignoring common sense. From day one, he has been opposed to adding another mode of transportation to a compressed area. The dollar value is shunted off, with people saying, *"Oh well, it is only \$70,000 or \$80,000 or whatever it is, so we don't need to cut it because it's incidental,"* yet there is a 16" water line in the city that is a problem, and it has been pretty quiet for a while, but they can put money into a bike path downtown. He completely agrees with Councilor Filiault. He wonders who will be the first one to step out and take the hit, such as an EMT. It is ridiculous that the Council even voted for bike paths, except Councilor Filiault. They are not representing the taxpayers.

Chair Greenwald asked Mr. Lussier and the City Attorney if they can put something in the Ordinance to say that no motor can be used. He continued that he recognizes that enforcement would be very slim, but he is back to the concept of personal responsibility and hoping that signage will affect at least some people. He is not sure how to phrase it, but he wonders if they can say no bicycles under power. The City Attorney replied that a provision in the RSAs provides the authority to regulate the Class I and Class II vehicles in the bike lanes. That is something the Council is authorized to do. They are permitted by right, and under the statute, they could take that away.

Chair Greenwald clarified that he is asking whether someone who has the kind of e-bike that you have to pedal, whatever class that is, could be allowed to pedal it downtown but not use its power. His question is how to phrase that. The City Attorney replied that she would have to think about that and confirm that State law allows them to get into that minutia. She continued that she knows the RSA says they can regulate and be stricter, but she wants to cross compare what is in there to see if there is a distinction like that. She has not explored that idea yet.

Mr. Lussier stated that he has the RSAs, which say, *“A Class I or Class II electric bicycle may be ridden on bicycle paths or on multi-use paths where bicycles are permitted. However, a city, town, or state agency having jurisdiction over a bicycle or multi-use path may prohibit the operation of a Class I or Class II electric bicycle on that path.”* He continued that the RSA says they can “prohibit” it, but it does not say they can regulate how they are used, if they are allowing them to be used. Chair Greenwald replied that he will give the City Attorney time to look into that.

Jennifer Sizoo of 10 Fairfield Ct. stated that she appreciates everyone’s concern for public safety. She continued that she thinks most people riding bicycles are responsible. She has ridden a bike for years, and she is alert, watching out for people opening their car doors. People with children will teach them to do the same. E-bikes are here, and they are the future; they are not going away. Other towns and cities have bike lanes that are used by all types of bicycles. She does not think they should prohibit them. Of course there will be problems, as there are problems with anything, but she does not think people will be doing wheelies in the bike lane. There is no room. Any kind of bicycle is okay in a bike lane, because people who come from out of town are not going to stop and read a small sign to find out they need to get off their e-bike and walk it downtown. She has ridden on many busy roads in places like New Jersey. You just watch out, and stay aware of what is going on, and it is about personal responsibility.

Chair Greenwald stated that if someone wants to ride an e-bike 20 mph, they can do that in the road with the cars. Mr. Lussier replied yes, absolutely they can do that. Chair Greenwald stated that he would like to see if there is a way for the City to say no to e-bikes using power in the bike lane.

Rebecca Landry, Deputy City Manager, stated that she knows the Committee had questions about educational campaigns and promotional materials. She continued that they can let her know if they have specific questions, but the City has a communications plan that involves everything from detailed brochures to be available at downtown merchants and businesses if they are willing and interested, to key signage, which she and Mr. Lussier have looked at. That is something that they have not been able to locate yet, but she knows the Public Works team is good at innovative, creative projects. There is an opportunity to put something on the lamppost in a particular type of frame that is at eye level. It is not huge, and it does not mean sticking another sign in the ground somewhere, that would be visible to pedestrians and bicyclists in terms of rules or guidance for what to do and not do in the bike lanes. And of course, there are all the other standard ways the City gets

information out, like social media, press releases, and a primary website that a QR code will lead people to if they want more information. The Committee can let her know if they have questions, but she wants them to know that the City does have a comprehensive plan for education.

Chair Greenwald stated that what she is saying is exactly what he hopes to see. He asked if she could present the plan next month or the month after. Ms. Landry replied that if they want a presentation, she can either provide a copy of the plan as an informational document in the Councilors' mailboxes, or she can present at a meeting. She asked what the Committee prefers. Chair Greenwald replied that he would like the presentation at a meeting, as it is part of the unrolling to the public about what is going on downtown.

Andy Holt of Forest St. stated that he is a member of BPPAC, but these are his own thoughts and feelings. He continued that the proposed rules seem fine to him. He would probably just stick with the State's rules instead of trying to add more; he does not think it really changes too much. That said, he is frustrated by how this is being discussed. It feels like Councilors are stoking fear about bicycles as threats. Some people rely on these types of wheeled transport to get around the city because they cannot drive, including children and people with disabilities. During the downtown project design, the Council voted to have diagonal parking instead of parallel, and to have two driving lanes instead of one in each direction. Both of those were in opposition to the recommended plans, which led to a proposed plan of 80 to 90 feet width for just cars. For comparison, each bike lane will be five feet wide with a small buffer on each side. If they are very concerned about pedestrian safety, as they should be, they should consider that these decisions did three things: 1) they made less space available for sidewalks and for separating the bikes and cars from pedestrians, 2) they kept the crosswalks long, increasing dangerous interactions between cars and pedestrians, especially the mobility impaired, and 3) they allow cars to drive faster than they would with a single travel lane. It is easy to be concerned about the risks posed by selfish people riding e-bikes too fast, and he is not dismissing that fear, but there are risks that people have grown complacent to because they are normalized, such as a 5,000 lb. pickup truck in the heart of our most pedestrianized area. If a self-centered driver is running a red light or ignoring a crosswalk, they will go twice as fast as the e-bike, with weight of 20 times more. That means pedestrians struck are much more likely to be injured or killed. He does not hear much conversation about that risk, compared to the back and forth over bike lanes, and he thinks it is because one is more common, and they are used to it.

Mr. Holt continued that he asks that when they are worried about changes around bikes, to imagine that they are making that change for the first time around cars. If safety is the top priority, then they should be addressing the things that really affect it. Many people grew up biking around town, visiting friends and going to school, which is uncommon today because the public realm is built primarily to serve cars going as quickly as possible to their destinations. Cars and trucks are bigger and heavier every year, and the deaths of pedestrians and bikers from automotive violence have skyrocketed as a result. Keene needs these bike lanes, along with the rail trails and other bike routes, to continue building a connected network that separates vulnerable bicyclists from cars and lets them get around town safely. Concerns for pedestrian safety are good, but they should also consider the safety for neighbors and children when they are on wheels. Current options are to illegally ride on the sidewalk and risk collisions with pedestrians, or ride on the street, where a mistake by either the rider or driver could mean their death. The bike lane rules being discussed also protect those people. The choices are not bike lanes or no bikes, they are bike lanes or bikers being at a higher risk of being killed. If they are worried about dangerous interactions between different modes of travel, separated bike lanes with reasonable guidelines are the best way to keep everyone safe. If they bury their heads in the sand and insist on the status quo, that is more dangerous. The solution to the concern about lack

of enforcement is to create separated infrastructure, as the infrastructure creates the behavior. Designed right, it will improve the situation instead of making it worse. Refusing to vote for rules would not somehow solve the current situation.

Mr. Holt continued that he has heard some say that the bike lanes are not needed because the number of people on bikes are fewer but imagine that argument applied to roads and bridges. If our predecessors had said, *"We don't need to build a bridge to Vermont because almost no one is fording the Connecticut River,"* that would sound crazy. It is similar with bikes. They need to provide infrastructure, so people have options. He recommends they have common sense rules about bike operation and follow the industry's best practices for building separated bike lanes, which they are doing in this approved plan, and make sure that all residents and visitors can access the downtown safely, not just those on foot or in cars.

Councilor Workman stated that she has always been in favor of the bike lanes and that has not changed. She continued that she just wants to be very clear that the comparisons made to large cities such as Boston or even the KSC campus are very different than what they are talking about downtown. Those are two very different scenarios. Yes, there will absolutely be an adjustment period. Our culture is changing right now. She sat on the Master Plan Committee and heard that young people want bike lanes and multi-modal transportation. It is the future. E-bikes and scooters are here to stay and will be increasingly popular. Our community is asking for this. She has one question, which she has asked before but might not have received an answer to. She asked if anything prohibits the Council or the City Manager to add enforcement of the bike lane regulations to the Parking Enforcement Department's duties. It would make the most sense, because they are already downtown. She wonders how much red tape that would involve.

The City Attorney replied that the road regulations, including the bike rules, are assigned to law enforcement, which is the KPD by statute. She continued that it is a State statute, and therefore not up to the City.

Councilor Tobin stated that she looks forward to having bike lanes. She continued that she would be open to considering starting with non-motorized bikes and scooters, if that is an option. She also wants to say that Councilors hear a lot of information over time, and sometimes their understanding, thoughts, and opinions about things do change and evolve. She thinks that shows being open-minded.

Councilor Favolise stated that for the sake of a clear and accurate record, he wants to say that by the time he joined the Council, the decision about a multi-modal downtown project had already been made. He continued that he has voted, along with every member of the Committee and the other Councilors, to move the downtown project forward through various stages. He has never voted on the question, "yes or no on bike lanes".

Chair Greenwald stated that he had hoped the Committee could vote on this and pass it along to the Council, but he wants to give the City Attorney an opportunity to come up with a proposed rule that addresses the power issue. He continued that he is not ready at this moment to place the item on more time, when he thinks there are more public comments.

Councilor Haas stated that he thinks exploring other options for controlling motorized vehicles is an excellent idea, and he wants to point out that the BPPAC's recommendation was for an 8 mph speed limit.

Councilor Filiault stated that he wants to clear up some things. He continued that he was born and raised in the city, and as a 9- and 10-year-old, he peddled his Schwinn Stingray from the north end of Keene to the Colonial Theater to watch John Wayne movies, so he does not want anyone to think that he is anti-bike, because he is far from it. He has voted positively on all of the rail trails in the 28 years he has been on the Council. He has always been accommodating to bicyclists. Here, they are just talking about two city blocks. He used to hear comments like, *"Wow, wouldn't people in New York City love it if we could get bikes downtown."* If they were to say to them, they can get a bike into downtown Keene within one block of every store, would they be happy? It is not always apples to apples. You can get an e-bike within one block of every store in downtown Keene. They are talking about the equivalent of a block and a half here, so he does not want people going overboard about him being "anti-bike," because he is not. It is true that he was not a big fan of the bike lanes, but it is part of the project, so they are dealing with it. All he is asking for is to not allow anything with a motor on it on those two blocks of downtown Keene, on the bike lanes. The Ordinance says yes, they can regulate that. That is up to the City Council. He would be fine with people pedaling for those two blocks. They are not just talking about e-bikes. The problems he sees downtown and around the KSC campus are with the scooters and skateboards. From his perspective, people who peddle bikes are typically well-mannered and are not going that fast. Riders of electric scooters and electric skateboards are different, which they are trying to fit into one category. This is like trying to put the square peg into the round hole. He agrees with the woman who said that most people who ride bikes are respectful, but that is not as true with some of the people who ride e-bikes, nor with the people who ride electric skateboards and scooters. He is very pro-bicycle and pro-bike path, with his voting record on the issues publicly available in the City Clerk's Office. All he is asking for is to keep the motorized vehicles off the two blocks downtown.

Mr. Moran asked how many bikes can be accommodated with bike racks, with the plan the way it is. He asked what will happen if there are more bikes than what the bike racks will accommodate. He asked if thought has been given to where the overflow would go, and whether that would lead to additional bike parking. Mr. Lussier replied that he does not have the total count off the top of his head, but he knows they have gone over that, and basically each block of the downtown project will have at least one bike rack located throughout. Those are different sizes, depending on the available space at each location. For example, some might have two "staples," which are the "U" shape, or four. They will be scattered throughout downtown. It would be a wonderful problem to have, if there were too many people riding their bikes downtown to shop and eat in the restaurants, and if that became an issue, he would be the first one to come forward with a recommendation to add more bike racks. They would find room.

Councilor Workman stated that she works at KSC, and is there from 8:00 AM to 4:30 PM, Monday through Friday. She continued that the other day, she was walking to a meeting and a student on a motorized scooter was riding slower than she was walking. He was with a group of friends, so he was going very slowly. She did not even know scooters could go that slowly. He was not shaking or wavering like they heard would happen if someone was going less than 8 mph with a pedal bike. Her point is that they should all educate themselves on what they are talking about.

Chair Greenwald stated that he thinks they have said it all by now, and as he said, he wants to give the City Attorney more time to work on this.

Chair Greenwald made a motion to place the item on more time, which was duly seconded by Vice Chair Filiault.

The City Attorney stated that she thinks the plan had been to have an A version of the Ordinance come out of the Committee anyway, but she wanted to ask, if she finds that there is the option to regulate how motorized vehicles are used downtown, if the Committee wants her and other staff to return with an A version with something like that drafted. Chair Greenwald replied yes. The City Attorney asked if they are interested in anything else, while she and staff are working on it. Chair Greenwald replied that nothing comes to mind. He continued that he still thinks the blending of the State RSA with the City's Ordinance is confusing, but if that is the way it has to be, it will be. Ultimately, the Assistant City Manager will come up with a great educational plan so everyone will know what is going on.

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends placing the item on more time.



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to Rules for the Operation of Bicycles

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

That the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by deleting Section 94-464, “Rules for Operation” in Article VI of Chapter 94, entitled “TRAFFIC, PARKING AND PUBLIC WAYS” in its entirety and replacing it with the following:

Sec. 94-464. - Rules for operation.

- a) In all cases, the rules for operation of bicycles on public highways or public property within the City of Keene shall be as set forth in RSA 265:143–265:153,
- b) In addition, the following rules shall apply to the operation of bicycles, unicycles, tricycles, scooters, roller skates, skate boards, or similar devices (including electrically propelled or assisted versions of such devices) on bike lanes and multi-use paths within the City of Keene:
 - 1) Within the Downtown Core zoning district, the maximum permissible speed shall be 10 miles per hour.
 - 2) Where bike lanes are provided adjacent to roadways, cyclists shall only travel in the same direction as the adjacent travel lane.
 - 3) No person shall stop, park or load any bicycle or other vehicle in such a way as to obstruct the public use of bike lanes and multi-use paths.

- 4) Bicycles and other personal vehicles shall not be parked or left unattended within the public way, except at a rack provided for such purpose.

Jay V. Kahn, Mayor

In City Council September 18, 2025.

Referred to the Municipal Services, Facilities and
Infrastructure Committee.



Deputy City Clerk

In City Council October 2, 2025.

More time granted.



City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #1.1.

Meeting Date: October 2, 2025

To: Mayor and Keene City Council

From: Donald Lussier, Public Works Director

Through: Rebecca Landry, Deputy City Manager

Subject: **Petition to Amend the Zoning Map - 1.24 Acre Portion of 62 Maple Avenue - Industrial Park to Medium Density Ordinance O-2025-34**

Council Action:

In City Council October 2, 2025.

Referred to the Joint Planning Board and Planning, Licenses and Development Committee for a public workshop to be held.

Recommendation:

Refer to the Joint Planning Board / Planning, Licenses and Development Committee

Attachments:

1. Narrative - O-2025-34
2. Application - O-2025-34
3. Maps - O-2025-34
4. o-2025-34 Relating to a Zoning Map Amendment Maple Avenue_Referral

Background:

The Public Works Director has submitted the attached Application to Amend the Official Zoning Map of Keene to rezone a 1.24 acre segment of 62 Maple Avenue from Industrial Park to Medium Density to create the opportunity to replace the existing West Keene Fire Station located on Hastings Avenue with a new station on Maple Avenue at some future date.



September 29, 2025

TO: The Mayor & City Council
THROUGH: Elizabeth Ferland, City Manager *ELF (ACM)*
FROM: Don Lussier, Public Works Director *DL*
RE: Application for Zoning Map Amendment

Recommendation

That the City Council approve an application for a Zoning Map Amendment dated 9/29/25

Background

As part of their annual "Payment in Lieu of Taxes" (PILOT), the Cheshire Medical Center has agreed to subdivide and transfer a portion of their property located at 62 Maple Avenue (Parcel No. 227-006) to the City. Under the terms of this agreement, approximately 1.24 Acres located in the southernmost corner of the parcel (with frontage on Maple Ave) will be transferred. The transfer of this parcel will create an opportunity to replace our existing fire station located on Hastings Avenue with a new station on Maple Ave at some future date. In addition to being ideally situated to serve the emergency response needs of West Keene, relocation of Station 2 would free up the former National Guard Armory for redevelopment.

The subject parcel is currently zoned Industrial Park (IP). Within the IP zoning district, the minimum lot area is 4 acres. Therefore, the proposed subdivision would create a non-confirming parcel. However, the parcel immediately abutting to the southwest is within the Medium Density (MD) zone. The MD zone has a minimum lot area of 8,000 square feet.

The proposed Zoning Map amendment is coincident with the proposed Subdivision parcel boundaries and will allow for the intended future use without a Zoning Variance.



APPLICATION TO AMEND THE ZONING MAP

Applicant: City of Keene Date: 9/29/25

Address: 350 Marlboro Street, Keene, NH 03431

Telephone: (603) 352-6550 Email: dlussier@keenenh.gov

Property Owner (If different): Cheshire Medical Center

Location of proposed boundary line adjustment: Southern most corner of Parcel 227-006

Present Zoning District: IP Proposed Zoning District: MD

Parcel ID #'s of Property to be Rezoned: Approximately 1.24 acres of parcel 227-006

of Abutters on Abutter List: 7

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

- A properly drafted Ordinance containing the full description of the proposed new boundary line for the Zoning Map Amendment.
- 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 I (a), because the proposed amendment changes the boundary line of a zoning district, the Applicant shall submit a notarized list of **affected property owners*** within each of the zoning districts impacted by the proposed boundary line adjustment. This list shall be sequentially numbered and shall include the parcel ID number and address of each property owner and must be current with the Assessing Department's records within ten days of submittal. The list shall also include the name of any agent who should receive notice. Two sets of mailing labels shall be provided. If the proposed boundary line adjustment would affect 100 or fewer properties, the applicant shall be responsible for the cost of the required notice sent by mail to each affected property owner.
- Three maps showing the boundary of the area or areas to be changed, one at 8 1/2" x 11" and two at City tax map scale (24" x 36").

***Affected property owner** means the owner of any property (or property agent) directly abutting either side of the proposed boundary line adjustment, and the subject property or properties. (Direct abutters would include properties across water bodies or roads).



APPLICATION TO AMEND THE ZONING MAP

Date Received by City Clerk: 9/30/25 Ordinance Number: 0-2025-34

On City Council agenda: 10/2/25 Workshop to be held: _____

Public Hearing to be held: _____

APPLICABLE FEES:

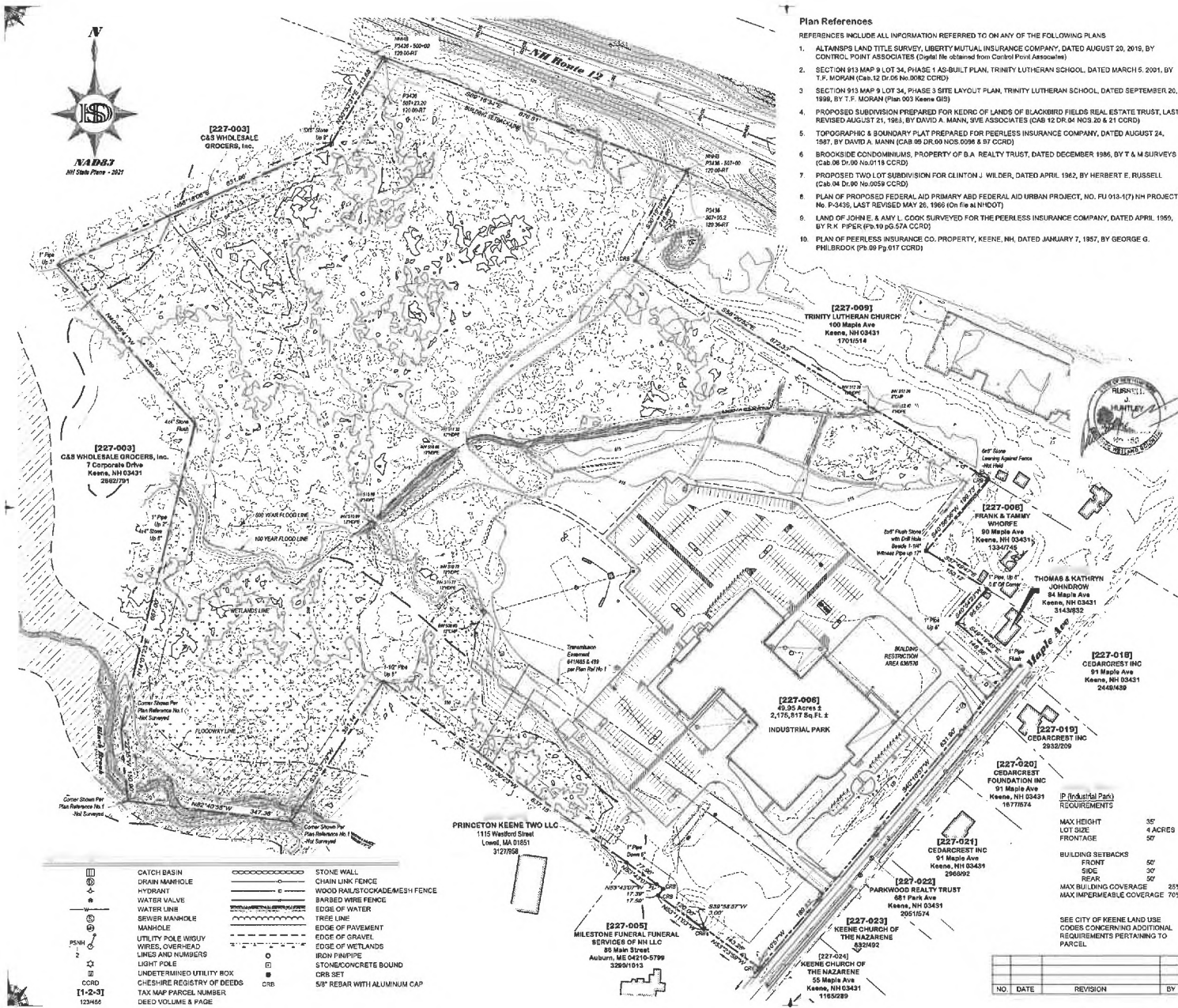
Application Fee @ \$100.00 \$ N/A

Publication of Notice in The Keene Sentinel @ \$90.00 \$ N/A

Postage Fees for property owners/agents
and abutters at current USPS 1st Class Mailing rate \$ N/A

Total Fees submitted to City Clerk \$ N/A

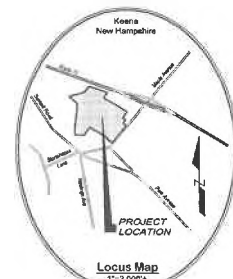
The petitioner is also responsible for the publication costs for the public workshop before the joint Planning Board and Planning, Licenses and Development Committee. Additional fees will be collected by the Community Development Department for the mailing costs associated with the public workshop as well as the publication of the public workshop notice.



Plan References

REFERENCES INCLUDE ALL INFORMATION REFERRED TO ON ANY OF THE FOLLOWING PLANS

1. ALTAMPS LAND TITLE SURVEY, LIBERTY MUTUAL INSURANCE COMPANY, DATED AUGUST 20, 2010, BY CONTROL POINT ASSOCIATES (Digital file obtained from Control Point Associates)
2. SECTION 913 MAP 9 LOT 34, PHASE 1 AS-BUILT PLAN, TRINITY LUTHERAN SCHOOL, DATED MARCH 15, 2001, BY T. F. MORAN (Cab 12 Dr 06 No 0082 CCRD)
3. SECTION 913 MAP 9 LOT 34, PHASE 3 SITE LAYOUT PLAN, TRINITY LUTHERAN SCHOOL, DATED SEPTEMBER 20, 1998, BY T. F. MORAN (Plan 003 Keene 010)
4. PROPOSED SUBDIVISION PREPARED FOR KEDOC OF LANDS OF BLACKBIRD FIELDS REAL ESTATE TRUST, LAST REVISED AUGUST 21, 1983, BY DAVID A. MANN, SVE ASSOCIATES (CAB 12 DR 01 NOS 20 & 21 CCRD)
5. TOPOGRAPHIC & BOUNDARY PLAT PREPARED FOR PEERLESS INSURANCE COMPANY, DATED AUGUST 24, 1987, BY DAVID A. MANN (CAB 99 DR 00 NOS 0098 & 97 CCRD)
6. BROOKSIDE CONDOMINIUMS, PROPERTY OF B.A. REALTY TRUST, DATED DECEMBER 1986, BY T & M SURVEYS (CAB 06 Dr 00 No 0116 CCRD)
7. PROPOSED TWO LOT SUBDIVISION FOR CLINTON J. WILDER, DATED APRIL 1982, BY HERBERT E. RUSSELL (Cab 04 Dr 90 No 0059 CCRD)
8. PLAN OF PROPOSED FEDERAL AID PRIMARY AND FEDERAL AID URBAN PROJECT, NO. PU 013-17) NH PROJECT No. P-3435, LAST REVISED MAY 26, 1966 (On file at NHDOT)
9. LAND OF JOHN E. & AMY L. COOK SURVEYED FOR THE PEERLESS INSURANCE COMPANY, DATED APRIL 1959, BY R.K. PIPER (Pb 19-57A CCRD)
10. PLAN OF PEERLESS INSURANCE CO. PROPERTY, KEENE, NH, DATED JANUARY 7, 1957, BY GEORGE G. PHILBROCK (Pb 09 Pg 017 CCRD)



Notes

1. THE BEARINGS SHOWN ON THIS PLAN (ARE REFERENCED TO NAD83 NH STATE PLANE GRID, BASED ON A STATIC GPS SURVEY PERFORMED ON OCTOBER 20, 2021 USING AN IGS3 GNSS RECEIVER)
2. THE BOUNDARY LINES SHOWN ON THIS PLAN WERE CALCULATED FROM RECORD DEEDS, SURVEYS AND PHYSICAL EVIDENCE FOUND DURING THE CURRENT FIELD SURVEY.
3. TOPOGRAPHY SHOWN ON THIS PLAN IS FROM A COMBINATION OF AN ACTUAL FIELD SURVEY BY HUNTLEY SURVEY & DESIGN, PLLC PERFORMED DURING THE MONTH OF NOVEMBER 2021 IN THE DEVELOPED AREAS & LIDAR MAPPING OBTAINED FROM HighPoint+ software IN THE UNDEVELOPED AREAS. THE VERTICAL DATUM IS NAVD 83 OBTAINED BY THE GPS SURVEY DESCRIBED IN NOTE NO. 1. CONTOUR INTERVAL IS ONE (1) FOOT
4. UNDERGROUND UTILITIES, STRUCTURES AND FACILITIES HAVE BEEN PLOTTED FROM DATA OBTAINED FROM FIELD SURVEY OF SURFACE LOCATIONS. PREVIOUS MAPS AND RECORDS OBTAINED FROM THE CITY OF KEENE. THEIR EXISTENCE MUST BE CONSIDERED APPROXIMATE. THERE MAY BE OTHER UNDERGROUND UTILITIES THE EXISTENCE OF WHICH ARE NOT KNOWN. THE SIZE AND LOCATION OF ALL UTILITIES AND STRUCTURES MUST BE VERIFIED PRIOR TO ANY AND ALL CONSTRUCTION. CALL DIG-DATE PRIOR TO ANY CONSTRUCTION.
5. JURISDICTIONAL WETLANDS WERE DELINEATED BY HUNTLEY SURVEY & DESIGN, PLLC, DURING THE MONTH OF NOVEMBER 2021, USING THE THREE PARAMETER APPROACH DESCRIBED IN TECHNICAL MANUAL V-31-1, THE CORPS OF ENGINEERS 1987 WETLAND DELINEATION MANUAL AND SUPPLEMENTED BY THE JANUARY 2018 REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHEAST AND NORTHWEST REGION, U.S. ARMY CORPS OF ENGINEERS, V2
6. THE PARCEL SHOWN IS PARTIALLY LOCATED IN ZONES X, ZONE AE AND THE FEMA FLOODWAY ZONE AE AND THE FLOODWAY ARE CATEGORIZED AS BEING SPECIAL FLOOD HAZARD AREAS. SEE FEMA PANEL 330050222E EFFECTIVELY DATED 05/23/2006. THE SFE IS 5147 NAVD83.
7. SOILS LINE AND TYPES SHOWN HEREON WERE OBTAINED FROM NRCS WEB SOIL SURVEY ONLINE PROGRAM. SOIL SURVEY STAFF, NATURAL RESOURCES CONSERVATION SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE, WEB SOIL SURVEY, AVAILABLE ONLINE AT <https://websoilsurvey.sc.egov.usda.gov/> ACCESSSED NOVEMBER 1, 2021



Surveyor's Certification

PURSUANT TO RSA 676:18 AND RSA 672:14, I CERTIFY THAT THIS SURVEY AND PLAT WERE PRODUCED BY ME OR THOSE UNDER MY DIRECT SUPERVISION FROM A TOTAL STATION AND DATA COLLECTOR. TRAVELERS WITH A POSITION TOLERANCE OF 0.04 + 100 GPM THAT MEETS OR EXCEEDS NH LRS 604 AND THE ALLOWABLE RELATIVE POSITIONAL ACCURACY FOR RURAL AREAS AS REQUIRED BY THE STATE OF NEW HAMPSHIRE IN TABLE 500.1. ACCURACY MEASUREMENTS, LOCAL ACCURACY OF CONTROL, SUPPORTING THE SURVEY, AND IS BASED ON INFORMATION RECORDED AT THE CHESHIRE COUNTY REGISTRY OF DEEDS AS REFERENCED HEREON. INFORMATION PROVIDED BY THE CLIENT AND PHYSICAL EVIDENCE FOUND.



Existing Conditions Plan

LAND OF Cheshire Medical Center

located at
Tax Map 227 Lot 66
62 Maple Avenue, Keene, Cheshire County, New Hampshire
Book 3164, Page 1025

Surveyed 11/2021 Plan prepared 08/30/2025
Project No. H25-047 C&S File No. H25-047.dwg

Huntley Survey & Design, PLLC

NH & VT Land Surveying, Wetlands & NH Septic System Design
650 West Road, Temple, NH 03084 (603) 924-1689 www.huntleysurvey.com

[P Industrial Park] REQUIREMENTS			
MAX HEIGHT	35'		
LOT SIZE	4 ACRES		
FRONTAGE	50'		
BUILDING SETBACKS			
FRONT	50'		
SIDE	30'		
REAR	50'		
MAX BUILDING COVERAGE	25%		
MAX IMPERMEABLE COVERAGE	70%		
SEE CITY OF KEENE LAND USE CODES CONCERNING ADDITIONAL REQUIREMENTS PERTAINING TO PARCEL			
NO.	DATE	REVISION	BY

- | | |
|----------------------------|-------------------------------|
| CATCH BASIN | STONE WALL |
| DRAIN MANHOLE | CHAIN LINK FENCE |
| HYDRANT | WOOD RAIL STOCKADE MESH FENCE |
| WATER VALVE | BARBED WIRE FENCE |
| WATER LINE | EDGE OF WATER |
| SINKER MANHOLE | TREE LINE |
| MANHOLE | EDGE OF PAVEMENT |
| UTILITY POLE W/ WIRES | EDGE OF GRAVEL |
| WIRES, OVERHEAD | EDGE OF WETLANDS |
| LINES AND NUMBERS | IRON PIPE/PIPE |
| LIGHT POLE | STONE/CONCRETE BOUND |
| UNDETERMINED UTILITY BOX | CRB SET |
| CHESHIRE REGISTRY OF DEEDS | 50' RESUR WITH ALUMINUM CAP |
| TAX MAP PARCEL NUMBER | |
| DEED VOLUME & PAGE | |
- PS/NH
2
CCRD
[1-2-3]
123456



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to a Zoning Map Amendment – Maple Avenue

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

That the Zoning Map of the City of Keene, as amended, is hereby further amended by changing the zoning designation of a portion of Tax Map Parcels 227-006, known as 62 Maple Avenue from Industrial Park (IP) to Medium Density (MD), as shown as "Lot 1, 1.28 Acres $\pm$, 55,881 Sq.Ft. $\pm$, Proposed Medium Density" on a map entitled "Two Lot Subdivision Plan, Land of Cheshire Medical Center, Located at Tax Map 227 Lot 06, 62 Maple Avenue, Keene, Cheshire County, New Hampshire, Book 3164, Page 1025" prepared by Huntley Survey & Design, PLLC, dated 8/30/2025.

Jay V. Kahn, Mayor

In City Council October 2, 2025.
Referred to the Joint Planning Board/
Planning, Licenses and Development Committee.


City Clerk



CITY OF KEENE NEW HAMPSHIRE

ITEM #J.1.

Meeting Date: October 2, 2025
To: Mayor and Keene City Council
From: Finance, Organization and Personnel Committee, Standing Committee
Through:
Subject: Relating to Class Allocation
Ordinance O-2025-31

Council Action:

In City Council October 2, 2025.

Voted unanimously to adopt Ordinance O-2025-31.

Recommendation:

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2025-31.

Attachments:

1. O-2025-31 Ordinance Class Allocation_adopted

Background:

Asst. City Manager/HR Director Beth Fox was the next to address the committee. She stated she was before the committee regarding a proposal to make an amendment to an ordinance to add a job title – she stressed this does not add a position, just a title.

She stated the City is in the process of restructuring and rebuilding the Community Development department; building and housing inspection and code enforcement services. There is one individual who has been providing oversight for both departments. This proposed position - Building Construction Manager is the start of the process to rebuild within the division itself and the supervisory responsibility.

The Building Construction Manager would supervise the building inspectors and permit technician, who staff that side of the function, and he would serve as the Deputy Building Official providing building official duties when the primary building official who is the Fire Marshall is absent. Ms. Fox stated at the present time Rick Wood is serving as the City's Building Official and Health Official. That position is currently vacant on the salary schedule, and this will begin to rebuild the department. The proposed position is an S19 on the scale.

The following motion by Councilor Roberts was duly seconded by Chair Chadbourne.

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2025-31.



CITY OF KEENE

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

AN ORDINANCE Relating to Class Allocation

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

That the ordinances of the City of Keene as amended, are hereby further amended by inserting the bold text in Section 62-194, “Administrative, Office, Technical and Management Personnel” of Chapter 62 entitled Personnel, as follows:

Section 62-194. Administrative, office, technical and management personnel

S 4 Library Aide

S 5 Minute Taker

S 6 Administrative Assistant; Records Clerk

S 7 Administrative Assistant I

S 8 NO POSITIONS ASSIGNED

S 9 NO POSITIONS ASSIGNED

S 10 Audio Video Production Specialist; Recreation Specialist

S 11 Office Manager; Parking Services Technician

S 12 Librarian I; Planning Technician; Executive Secretary; Staff Accountant; Purchasing Specialist; Human Resource Specialist

S 13 NO POSITIONS ASSIGNED

S 14 NO POSITIONS ASSIGNED

S 15 Executive Assistant; Librarian II; Payroll Administrator; Human Resources Assistant; Youth Services Manager; Engineering Technician; Assistant City Clerk; Senior Paralegal; Police Dispatch Supervisor; Social Worker; Fire Department Administrator; Deputy Revenue Collector

S 16 Planner; Laboratory Supervisor; GIS Coordinator

S 17 Property Appraiser; Recreation Programmer; Librarian III; Airport Maintenance & Operations Manager; IT Systems Specialist; Parking Operations Manager; Recreation Facilities Manager

S 18 Purchasing Agent; Civil Engineer; Solid Waste Manager; Maintenance Manager; Revenue Collector; Records Manager/Deputy City Clerk; Laboratory Manager; Human Services Manager; Treatment Plant Manager; Deputy City Clerk; Infrastructure Project Manager

- S 19 Senior Planner, Recreation Manager; Fleet Services Manager; Accounting & Fund Manager; Highway Operations Manager; **Building Construction Manager**
- S 20 Systems Administrator; Purchasing & Contract Services Manager; Assistant City Attorney; Water/Sewer Operations Manager
- S 21 NO POSITIONS ASSIGNED
- S 22 NO POSITIONS ASSIGNED
- S 23 NO POSITIONS ASSIGNED
- S 24 City Engineer; Database Administrator; Building/Health Official
- S 25 Assistant Finance Director/Assistant Treasurer; Assistant Public Works Director/Division Head; Airport Director
- S 26 City Assessor; Human Resources Director; Library Director; Parks & Recreation Director
- S 27 IT Director; Community Development Director; Police Captain; Deputy Fire Chief
- S 28 Finance Director/Treasurer
- S 29 Public Works Director
- S 30 Police Chief; Fire Chief
- S 31 Deputy City Manager
- S 32 NO POSITIONS ASSIGNED



Jay V. Kahn, Mayor

In City Council September 4, 2025.
Referred to the Finance, Organization and
Personnel Committee.



City Clerk

A true copy;

Attest: 
City Clerk

PASSED: October 2, 2025



CITY OF KEENE NEW HAMPSHIRE

ITEM #K.1.

Meeting Date: October 2, 2025

To: Mayor and Keene City Council

From: Municipal Facilities, Services and Infrastructure Committee, Standing Committee

Through:

Subject: Relating to an Amended Return of Layout for a Public Right-of-Way known as Grove Street *and* Relating to a Deed for land removed from the Right-of-Way and an Easement for Public Infrastructure
Petition - Public Works Director
Resolution R-2025-26
Resolution R-2025-27

Council Action:

In City Council October 2, 2025.

Voted unanimously to adopt Resolution R-2025-26 and R-2025-27.

Recommendation:

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Resolution R-2025-26.

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Resolution R-2025-27.

Attachments:

1. 2025 0715 Petition to amend the Layout of Grove Street
2. R-2025-26 Return of Layout Grove Street_Adopted
3. R-2025-27 Deed and Easement Grove Street_adopted

Background:

Mr. Lussier stated that the Grove St. right-of-way amendment had a public hearing a couple of weeks ago. They went out to do a site visit. He does not have the graphic tonight, but what this boils down to is that in 2014, the City acquired a few hundred square feet of property along the west side of Grove St. with the intention of widening the roadway. That widening happened, because they thought at the time that the Railroad Land development was going to include some sort of public event venue, a pavilion or stadium. That did not come to fruition, so the traffic that was expected and justified widening the roadway did not come to fruition, either. There is an interest in straightening that intersection and reducing the confusion for motorists and pedestrians. At the same time, the City recently sold the property on the west side of Grove St. and the developer, Habitat for Humanity, has

expressed interest in reacquiring some of the land the City took from the previous owners, so they can get the maximum size property and develop it as much as possible. That strip of land is 2'9" at the southern end and about 5' at the northern end, very narrow, but it might make the difference between being able to put a single-family home on the property versus a duplex and having to get a waiver or not. The City does not need the land for any foreseeable public infrastructure purposes. That said, as they talked about in the site visit and public hearing, giving up that strip of land probably means they would be giving up potential for a future sidewalk on the west side of Grove St. He explained previously, he thinks the chances of the City ever going back to put a sidewalk on that side of the street are minimal. Down the street is a row of utility poles that are in the way. By State law, the City can require them to be moved, but if they move to the other side of the street, there is a sidewalk right up to the right-of-way limit there, too, so he does not know where, in practical terms, they could be moved to. There is sidewalk on the other side of the roadway and crosswalks where they need to be. The crosswalk to Wheelock School is on the east side where needed, so he thinks it is a relatively minor risk they would be taking, and Public Works supports this application.

Chair Greenwald asked if anyone on the Committee had questions. Hearing none, he asked for a motion.

The following motion by Councilor Tobin was duly seconded by Vice Chair Filiault.

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Resolution R-2025-26.

The following motion by Councilor Tobin was duly seconded by Vice Chair Filiault.

On a vote of 5 to 0, the Municipal Services, Facilities and Infrastructure Committee recommends the adoption of Resolution R-2025-27.

CITY OF KEENE

Petition for an Amended Layout of Grove Street

TO: Mayor and Keene City Council

The undersigned represents that for the accommodation of the Public there is occasion to amend the layout of Grove Street by completely discontinuing and removing from the Public ROW the following tract of land:

Beginning at an iron pin set in the Western line of Grove Street, said pin being the southeast corner of a Parcel No. 585-057; Thence,

North 5° 44' 54" East along the westerly line of said Grove Street a distance of 59.81 feet to a metal spike set in the pavement; Thence,

Following a curve to the left with a Delta angle of 66° 54' 51", a radius of 16.00 feet, and an arc length of 18.69 feet to a metal spike set in pavement; Thence,

Following a curve to the right with a point of curvature bearing of South 30° 38' 45" East, a Delta angle of 74° 7' 46", a radius of 21.00 feet, and an arc length of 27.17 feet to a drill hole in granite curbing; Thence,

South 7° 49' 28" West a distance of 60.18 feet to a point in the Westerly line of Grove Street, said point also being the northeasterly corner of parcel No. 585-056; Thence,

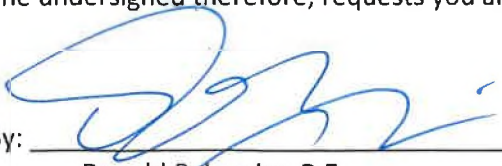
North 89° 31' 8" West along the northerly line of said Parcel No 585-056 a distance of 2.73 feet to the place of beginning..

Containing 257 Square Feet, More or Less.

All being as shown on a plan titled "Right of Way Amendment Plan, Prepared for the City of Keene," Dated 6-25-2025; by David A. Main Survey, on file at the Office of the City Engineer for the City of Keene.

The costs of construction and all other necessary improvements for the amended layout shall be paid by the Petitioner and shall conform to the Public Infrastructure Standards of the City of Keene.

The undersigned therefore, requests you amend the layout of Grove Street as described above.

By: 
Donald B. Lussier, P.E.
Public Works Director

Date: 7/15/25



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

A RESOLUTION Relating to an Amended Return of Layout for a Public Right-of-Way known as Grove Street

Resolved by the City Council of the City of Keene, as follows:

WHEREAS the Keene City Council has received a “Petition for an Amended Layout of Grove Street”; and,

WHEREAS at a regularly scheduled City Council meeting on July 17, 2025, the Mayor scheduled a site visit and public hearing to occur on September 4, 2025, and directed the City Clerk to make appropriate notifications to the petitioner and affected property owners; and,

WHEREAS the Petition was referred to the Planning Board in accordance with RSA 670:40; and,

WHEREAS the City Council made a personal examination of the requested amendments at a properly noticed site visit conducted on September 4, 2025, and heard testimony from concerned parties at a property noticed public hearing held that same day; and,

NOW THEREFORE, BE IT RESOLVED THAT:

The Keene City Council is of the opinion that for the accommodation of the public there is occasion to amend the layout of Grove Street for the purposes of altering the highway, utilities and other public improvements as described in a “Petition for an Amended Layout of Grove Street” dated July 15, 2025, subject to the following conditions:

1. Approval of the final plans and construction by the City Engineer.
2. All expenses associated and in connection with the Petition shall be borne by the petitioner.

3. All affected property owners shall provide a written Waiver of Damages in a form satisfactory to the City Attorney.
4. All documentation is in a content and form acceptable to the City Attorney, City Engineer, and Planning Director.



Jay V. Kahn, Mayor

In City Council July 17, 2025.

Referred to the Municipal Services, Facilities and Infrastructure Committee and Planning Board. Site visit scheduled for September 4, 2025, at 5:30 PM. Public Hearing to be held September 4, 2025, at 7:00 PM.



City Clerk

A true copy; 
Attest:
City Clerk

PASSED: October 2, 2025



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

A RESOLUTION Relating to a Deed for land removed from the Right-of-Way and an Easement for Public Infrastructure

Resolved by the City Council of the City of Keene, as follows:

The City Manager be and hereby is authorized to:

1. Execute a deed conveying land removed from the public Right-of-Way as described in Resolution R-2025-26 back to the owner of the adjacent parcel; and,
2. To accept an easement to operate, maintain, repair, and replace an existing fire hydrant installed within the land to be conveyed; and,
3. To apply to the Keene Planning Board for a Boundary Line Adjustment, or other such land use applications as the Community Development Director may deem necessary; and,
4. To do all things necessary to carry out the Resolution R-2025-26.

Jay V. Kahn, Mayor

In City Council July 17, 2025.

Referred to the Municipal Services, Facilities and Infrastructure Committee and Planning Board. Site visit scheduled for September 4, 2025, at 5:30 PM. Public Hearing to be held September 4, 2025, at 7:00 PM.

City Clerk

A true copy; Attest:
City Clerk

PASSED: October 2, 2025