

**City of Keene**  
**New Hampshire**

**PLANNING, LICENSES AND DEVELOPMENT COMMITTEE**  
**MEETING MINUTES**

**Wednesday, December 10, 2025**

**6:00 PM**

**Council Chambers,  
City Hall**

**Members Present:**

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

**Members Not Present:**

Kate M. Bosley, Chair

**Jay V. Kahn, Mayor**

**Staff Present:**

Elizabeth A. Ferland, City Manager  
Amanda Palmeira, City Attorney  
Rebecca Landry, Deputy City Manager  
Paul Andrus, Community Development Director  
Steve Stewart, Police Chief  
Rick Wood, Fire Marshal / Building Official  
Mike Hagan, Deputy EMD / Building Official  
Ryan Lawliss, Housing and Health Inspector  
Mari Brunner, Senior Planner  
Megan Fortson, Planner

Vice Chair Jones called the meeting to order at 6:01 PM. He noted that under state law, any zone change that already had a Public Hearing could not have further public comment because the deadline had passed.

**1) Keene Downtown Group - Request to Use City Property - Ice and Snow Festival - February 7, 2026**

Mark Rebillard of 64 Blackberry Lane, downtown business owner downtown and Chair of the Keene Downtown Group, was present to represent the 23rd Keene Ice and Snow Festival, to be conducted downtown on February 7, 2026. Mr. Rebillard explained the Festival has two main purposes: (1) Create a free, fun day for families to get a train ride, balloon animals, face painting, pony rides, free cartoons at the Colonial Theater, s'mores, hot chocolate, sugar on snow, and all these different experiences up and down Main Street. So, he said that families with two kids would not have to pay \$10 each for both their kids to get a balloon, for example. (2) Create a great day for downtown businesses. The Keene Downtown Group's poll of downtown merchants showed that those who participated in the Festival saw an increase in sales of 30% to 300% over an average Saturday. Mr. Rebillard said that is the goal. The Downtown Group works closely with the downtown merchants, trying to create spectacle inside the stores as well (e.g., scavenger hunts). There would also be bands or some other kind of entertainment downtown. The festival typically draws about 7,000 people and Mr. Rebillard said it had really taken off, with 14 ice carvers expected in 2026. He said they were working on some new activities this year too. The Keene Downtown Group was working closely with the City's Protocol Committee to ensure a safe and fun Festival.

Vice Chair Jones recalled some past Ice and Snow Festivals that were 10° F and other years that were 55° F. He wondered what 2026 would be like. Mr. Rebillard recalled one year when the Saturday was 9°, so it was postponed to a 40° Sunday. Vice Chair Jones said he heard some discussion from the Protocol meetings about using the Transportation Center. Mr. Rebillard said the Downtown Group would love that and it would be the only change from other years. He noted a significant change: no longer having access to the Keene Chamber of Commerce, which was formerly the festival headquarters, where the ice carvers would check in. He added that these professional ice carvers from all over New England work with 600 lbs. of ice and the statues can be immense. So, the Downtown Group would need a new registration location, as well as a place for balloon twisting. Vice Chair Jones said logistics for use of the Transportation Center would come up in further Protocol meetings and Mr. Rebillard agreed.

Councilor Haas had recently been asked to join the Keene Downtown Group Board and thought he should recuse from voting. Vice Chair Jones asked the City Attorney, who said under Section 15 of the Council's Conflict of Interest Rule, for a board member, he could have the City Council vote on whether it is a conflict. She said Councilor Haas could abstain from voting at this meeting, but it would come up again at the next City Council meeting to have the Council vote for whether he should recuse himself. Councilor Haas asked the City Attorney to clarify whether he could vote at this meeting. The City Attorney said he could put the question of his recusal to a vote of this Committee, which is also bound by the City Council Rules of Order. Councilor Haas said he would abstain from voting. Vice Chair Jones asked for any opposition from the Committee and heard none.

Councilor Madison said he goes to this event every year when he is not working and it is always great. He commended Mr. Rebillard for bringing forth a great event for the City. Councilor Madison hoped it would be 10°, with lots of snow. Mr. Rebillard noted that if it is too warm, the ice carvings fall apart, and if it is too cold, they crack.

There were no public comments.

Vice Chair Jones welcomed comments on the Protocol Committee meetings from Deputy City Manager Rebecca Landry. The Deputy City Manager said she always likes to review what City staff are planning, so the Council and public can understand that the City makes an effort internally to ensure a safe and successful day for public events like this. She began by noting that the Keene Downtown Group is a veteran at this type of event, after more than 20 years with this Festival and other types of events. She said they had adjusted from year to year as necessary if there had been any concerns. Deputy City Manager Landry said the City really enjoys supporting any events that can bring more people downtown and into downtown businesses. She said the Police Department would ensure adequate barrier placement and provide staff during the duration of the event. Parking Services would put signage on meters and kiosks the week leading to and through the event. The Fire Department would be present and accept applications for burn permits as may be needed in Railroad Square and other locations. The Community Development Department and Fire Marshal also provide vendor inspections, health food inspections, and food vendor inspections. Several other departments also help this go well. Deputy City Manager Landry said the City appreciates the Keene Downtown Group.

Mr. Rebillard agreed that each year the Downtown Group makes any needed changes to ensure the event is safe for people (e.g., placement of ice carvers, footprint, sidewalk space, ease of access). Vice Chair Jones thought those changes were addressed in the motion and Mr. Rebillard agreed.

Councilor Williams called it a wonderful event, which he really appreciates attending in the cold of February. He enjoys the ice carvings.

The following motion by Councilor Williams was duly seconded by Councilor Madison.

On a vote of 3 to 0, the Planning, Licenses and Development Committee recommends that the Keene Downtown Group be granted a street fair license to use downtown City rights-of-way for purposes of conducting merchant sidewalk sales, as well as use of downtown City property on Central Square, Church Street, Commercial Street, Gilbo Avenue, Main Street, Roxbury Street, Railroad Street, and designated parking spaces on Central Square and Main Street to conduct the Ice and Snow Festival on Saturday, February 7, 2026, from 11:00 AM to 5:00 PM, and reserving an inclement weather date of Sunday, February 8, 2026. In addition, the applicant is permitted to close off a portion of Railroad Street from Main Street to 93rd Street, Church Street from Main Street to Hannah Grimes back parking lot, and Commercial Street from Main Street to Commercial Street parking lot. The petitioner is further granted permission for two small outdoor campfires in enclosed firepits on City property adjacent to Railroad Square subject to obtainment of a burn permit from the Fire Prevention Bureau. This permission is granted subject to the signing of a revocable license and indemnification agreement, submittal of a certificate of liability insurance in the amount of \$1,000,000 listing the City of Keene as additional insured, submittal of signed letters of permission from the owner for any use of private property, and compliance with any recommendations of City staff. In addition, the petitioner is granted use of the requested parking spaces free of charge under the provisions of the Free Parking Policy. The Petitioner agrees to absorb the cost of any City services over and above the amount of City funding allocated in the FY 26 Community Events Budget. Councilor Haas abstained.

Vice Chair Jones reminded the public that this is an advisory Committee, and all recommendations would appear before the City Council at its December 18, 2025 meeting.

**2) Relating to Adopting the Provisions of RSA 79-E “Community Revitalization Tax Relief Incentive” - Resolution R-2025-35**

Vice Chair Jones welcomed Senior Planner Mari Brunner, who introduced the City’s consulting team from Barrett Planning Group. Ms. Brunner recalled that the City received a grant from the InvestNH Program for just under \$35,000. The purpose was to hire a consultant to help the City review its existing 79-E Program for possible updates and review the two relatively new provisions of 79-E, both of which deal with housing. One provision that the consultants would talk about at this meeting focuses on rehabilitating existing housing stock: Residential Property Revitalization Zone (RPRZ). The second provision for building new housing stock is called the Housing Opportunity Zone (HOZ). Ms. Brunner said the City had been working on this since July 2025 and had done a lot of work to explore these two options and trying to decide what might work well in Keene. She said this presentation from the consultants was to explain what

they had been working on with others in the City and to get the Committee's feedback. Ms. Brunner introduced Lily Kramer and Judy Barrett of the Barrett Planning Group. Ms. Kramer provided the project overview, schedule, changes proposed to Keene's existing 79-E District, and the proposed RPRZ in the Resolution.

Ms. Kramer said Barrett Planning Group was tasked with looking at the existing 79-E Community Revitalization Tax Relief Incentive District in Keene, which is focused on downtown revitalization, mainly economic development and historic preservation. Ms. Kramer described two new housing incentives: the Residential Property Revitalization Zone (RPRZ) that the City was moving forward with, and the Housing Opportunity Zone (HOZ), which focuses on the creation of affordable housing and the City may end up looking at again in the future. Ms. Kramer described the project schedule, which kicked off in June 2025 and then the consultants did several things to gather information about existing 79-E Program and these two housing pieces. They interviewed developers and different people in Keene, including some City Councilors and regional housing advocates. There was also a City Council workshop in September 2025, two focus groups, one with property owners to discuss a potential RPRZ and one with local lenders, the Heritage Commission, and the Monadnock Interfaith Project. This PLD meeting was to discuss the final proposed Resolution, and anything left to finish before the end of December: any supporting materials, including a new application for the RPRZ.

Ms. Kramer explained the proposed changes to Keene's existing 79-E District:

1. Expand the District down West Street to the Route 9 Bypass.
  - Ms. Kramer thought some key properties could be redeveloped under 79-E and benefit from this incentive.
2. Modify the definition of a "Qualifying Structure."
  - Originally, residential properties were included, and those that would most likely fall under RPRZ were removed. Instead, the Local Public Benefit Criteria were updated to reflect current City goals and plans, including removing the reference to sustainable building stock (mainly covered by existing City building codes) and replacing climate and energy goals (greenhouse gas initiatives) from the new Master Plan and also previously adopted in a more recent Resolution.
3. Update the local public benefit criteria to reflect current City goals and plans.
  - Moved the public benefit reestablishing owner occupancy to the RPRZs.

Next, Ms. Kramer described the proposed Residential Property Revitalization Zone (RPRZ), which is focused on aging one-to-four-unit homes. She defined Qualifying Structures: "any existing residential structures with City water and sewer service that *are at least 40 years old* and between *one and four units*." This definition came primarily from the existing New Hampshire statute, but with an added provision for City water and sewer service, so that any redevelopment would have adequate infrastructure. Additionally, Ms. Kramer said it was necessary to define Significant Improvements, meaning the types of projects that would qualify for this tax relief: "rehabilitation which costs at least 15 percent of the pre-rehab assessed valuation or at least \$50,000, whichever is less, *and* includes the creation of at least one new housing unit or resolves significant life safety or health risks." She said this would prevent a unit from falling into obsolescence. Ms. Kramer said one reason they chose this definition of Significant Improvements was to clarify the purpose of this incentive, which is to preserve, improve, and

increase the City's existing housing stock. The intent is not for property owners to apply for mainly aesthetic improvements. Ms. Kramer said this is to really benefit the City's housing stock and either add new units or prevent units from falling into disrepair.

Ms. Kramer discussed the Proposed RPRZ Public Benefits. Ms. Kramer said projects would not need to provide all of these Benefits, but they need to provide at least one. This list of Proposed RPRZ Public Benefits was created using City staff expertise and feedback from the focus groups, interviews, and City Council Workshop:

- Creates at least one new housing unit.
- Prevents at least one housing unit from falling into obsolescence.
- Enhances or improves a historically significant structure.
- Maintains or returns owner occupancy.
- Increases livability via flood-proofing, remediation of contamination, or improved energy performance.
- Results in a net-zero home.

Ms. Kramer concluded her presentation by providing three examples of potential RPRZ projects. First, a carriage house renovated to create an Accessory Dwelling Unit (ADU), adding an additional unit to the property and also likely adding historical significance to a structure. Second, a large single-family home could be converted to a duplex, which would create a new unit. Third, an unused third-floor apartment could be brought up to Code, allowing it to be rented out, creating a new unit, or preventing that unit from falling into disuse. Ms. Kramer said those were all projects that people had expressed interest in doing around Keene, but they may not have the funds; these are very expensive projects. So, she said that tax relief for a set period would be helpful in those cases. Additionally, this proposal increased the potential number of years that the City Council, at its discretion, could award tax relief (based on criteria). The base of tax relief would still be five years for Significant Improvement, but projects that add a new housing unit would be eligible for up to an additional two years of tax relief and projects that improve historically significant structures could be eligible for an additional four years of tax relief on top. So, the City Council would be able to award anywhere from zero to 11 years of tax relief, depending on the project. Vice Chair Jones asked if that occurs at the time of application. Ms. Kramer said yes.

Vice Chair Jones said that someone not following this project might ask, "Why are you giving tax breaks?" He stated that this is not a tax break. The property owner would still pay taxes, there is just an incentive for them to improve the property and once the improvement is finished, the City receives the full assessed rate. Ms. Kramer and Ms. Barrett agreed. For example, Ms. Kramer said a house assessed at \$100,000 and improved to increase the property value to \$200,000. Ms. Barrett continued the example, stating that for the period of tax relief, the owner would pay taxes on the original assessed value of \$100,000, but in the end, the City would recover the entire value that results from the improvement. She called it a classic tool for incremental development and one of the nice features of 79-E. Vice Chair Jones said the City had some success with 79-E already and he thought it was great to expand it. He thanked the consultants for the update.

Councilor Madison asked if the proposed RPRZ would be Citywide or limited to the map of the 79-E District displayed for the Committee. Ms. Kramer replied that it would not be limited to the map. As proposed, Ms. Kramer said the choice was not to map a 79-E District. She said it would apply to any property with an existing residential structure connected to City water and sewer service, where the home is at least 40 years old and has between one and four units. The decision was not to map the District because service might be extended in the future, and the consultants did not want the City to have to continually update the map. Councilor Madison said he really liked the idea of RPRZs. He was only concerned about whether the City would have safeguards to prevent this Program from being abused by Airbnb, Vrbo, and short-term rental operators; they could buy a house and turn it into two short-term rentals that are not really residences but adjacent party houses. He asked whether there were any safeguards to prevent the Program from being abused in that way. Ms. Kramer thought these projects would have to provide Public Benefits and she presumably hoped the applications would lay those out clearly, so the City Council would be able to weigh the decision whether to grant tax relief and how many years to grant. Additionally, she explained a provision in the proposed Resolution, so the property could be assessed at the Community Development Director's discretion throughout the tax relief period for whether it still provides those public benefits. So, Ms. Kramer said that if an Airbnb was no longer providing the public benefits that it agreed to in the covenant, then that tax relief could be revoked. Councilor Madison thanked the consultants for the explanation and all their hard work on this project, stating that they did a really great job.

Councilor Williams asked the consultants to confirm his understanding that RPRZs would cover someone wanting to invest in lead paint or asbestos abatement. Ms. Barrett said yes, related to health and safety. Ms. Kramer agreed but said the project would have to be significant enough to prevent a unit from being lost or unlivable, at the Community Development Department's discretion to assess the life safety or health risk, and preservation. Ms. Kramer thought the project qualifying would depend on the severity of the issue. Councilor Williams hoped the City could figure out a way to ensure those would be included. He also asked about disability access and if investments in disability access were covered under this Program (e.g., constructing a ramp or widening doorways). Ms. Barrett thought it would come down to whether it would reach the dollar threshold of a Significant Improvement, but once that is cleared, she said yes.

Councilor Haas suggested driving this Program forward as widespread and as expansively as possible. He said if anything could encourage people to maintain their properties better and give them financial incentives to do so, he thought some of the problems that his fellow Councilors mentioned could be resolved going forward. Councilor Haas said he also understood that the tax relief could be rescinded at any time if the recipient does not live up to their initial requirements. He said that by state law, the City must require some kind of Significant Improvement to the building and the City is allowed to define what a Significant Improvement is. Ms. Kramer and Ms. Barrett agreed. Councilor Haas recalled reading five potential public benefits but only one would be required, and he read one, "maintains the owner occupancy of the residential building." He said that sounded great because the owner would continue to own and live in the building if they invest in a new kitchen or something. Ms. Kramer stated that just a new kitchen would not necessarily qualify as a Significant Improvement. The Significant Improvement has to involve creating at least one new housing unit or preventing that unit from being lost. Ms. Barrett agreed, stating that it would depend on how bad the kitchen is. Ms. Kramer said in that case, it would be

at the City Council's discretion. So, Councilor Haas said the City Council could make those judgments and Ms. Kramer agreed.

Councilor Haas provided what he called another "odd example" of a house that needs a new roof and new siding, looks decrepit, and would cost \$100,000. He asked if that would qualify under the category of a Significant Improvement to ensure continued owner occupancy and meet that one criterion. Ms. Kramer explained that owner occupancy was listed under the Public Benefits, which are different from a Significant Improvement or Qualifying Project. Projects have to provide one or more of the Public Benefits, but before that, they have to a Significant Improvements, which are at least \$50,000. She said a new roof could potentially fall under a significant life safety or health risk, but the City Council could deny it if they felt that it was a mainly aesthetic improvement. Councilor Haas said that if he lived next to a decrepit building, he would consider it a Significant Improvement. As Councilor Williams mentioned, Councilor Haas thought all lead and asbestos abatement should qualify under this as health issues. Councilor Haas asked if the City Council would have to pass on every one of these projects. Ms. Kramer said yes, each project and property owner would complete an application for tax relief that would appear before the City Council, who would vote on whether to grant the tax relief and for how many years within the thresholds. Councilor Haas asked if any thresholds would be left to an administrative process. Ms. Kramer said no, under the statute, it is up to the legislative body's discretion, so City staff cannot really make any decisions; it must go through City Council. Vice Chair Jones thought that because the decision impacts taxes, it has to be made by the elected officials. Ms. Barrett agreed.

Vice Chair Jones said this is a Resolution, so the provisions and map could be amended. Ms. Kramer agreed that it could be amended as the City changes; the City had amended the existing 79-E District since its adoption in 2017. Vice Chair Jones asked if the consultants had ever seen a case of a 79-E District overlapping a Tax Incremental Financing (TIF) District or vice versa. Ms. Kramer had not specifically, and Ms. Barrett thought that because this provision was so new, they would not see it anyway. Ms. Barrett called it a good question without a good answer. Ms. Kramer noted there were provisions under the statute, so that if a 79-E project is in a TIF District and would impact that TIF District, the City Council could use its discretion deny or approve the application for that reason.

Vice Chair Jones opened the floor to public comments.

Mayor Jay Kahn clarified that the RPRZ is a valuation that needs to increase by \$50,000 or 15% of the assessed valuation of the structure or property; it is the valuation that must change. Mayor Kahn thought that answered some of the specifics about whether a handicap ramp or lead abatement would qualify: would they add \$50,000 of assessed valuation to the property? He thought there was a distinction in the wording between these two sections: one said an investment of \$75,000; the other that said relative to the RPRZ that the valuation needs to change by \$50,000 or 15% of the value, whichever is less. He asked the consultants to clarify the distinction. Ms. Kramer referred to the proposed Resolution and specifically the construction costs. She said the reason they added creation of a new housing unit or resolving life safety or health risks was to result in not only in a significant level of tax relief for the property owner, but also a significant increase in benefit to the City once the full valuation is taxed at the end of the

relief period. Vice Chair Jones asked if that valuation is determined by the City Assessor at the time of application. Ms. Kramer said that is correct, noting there might times when there is a revaluation in the middle of an application term, which could change things. Mayor Kahn thought the consultants clarified that it was a cost and not an evaluation change. The Mayor said he was also concerned about the discretionary nature of decision making in that it was unclear whether it would be an added two or four years in addition to the base five years; it would be left to the discretion of the decision-making body, the City Council. He thought everyone would be concerned about consistency. Mayor Kahn liked the good, clear criteria in the first set of community revitalization to determine the number of years of tax credit and said it was not as clear for this; the legislation said, “up to two years,” and “up to four years.” He wanted to point out that it was up to this Committee to recommend a cap the Council. The Mayor wished there could be as much administrative review allocated, so it could be with recommendation from the Community Development Department with the City Council as the decision-making body. He did not want to see a cumbersome process created, with review at the Council level that otherwise could be accomplished administratively to make that recommendation with consistency. Vice Chair Jones wondered if those additional years could be for certain projects such as those that address flood mitigation. Mayor Kahn said the Resolution could be more specific but was not. He said the criteria were there but not assigned to the specific extension.

The City Manager, Elizabeth Ferland, referred back to the criteria, noting that this Program is not meant for minor home remodels. She said this is meant for significant home improvements that do a variety of things for the public benefit, not just the personal homeowner’s benefit. She said the Program shifts taxes that would be collected to someone else, so there is an important decision when deciding how many years of tax relief to grant and what the public benefit is of the work being done. She said it is pretty easy to make a case for lead abatements because rentable units in the City were not being rented due to the presence of lead, but they could be rented if abated; that would restore a unit of housing. The City Manager noted it is also pretty easy to determine preservation of historic structures. She wanted to ensure the Council understood that there would need to be a Significant Improvement and a Public Benefit when weighing these. City Manager Ferland agreed with Mayor Kahn that a lot of judgement call would come into play for the Council because it says “up to five years” but could be two, three, or five years, and then there are caveats for added years based on other criteria. The City Manager said those were things the Council would need to really think hard about so they could be applied equally to applications. Vice Chair Jones thought that would help address some of the issues Councilor Madison mentioned.

Michele Wright, property owner on Pearl Street, asked if the property would be at the assessed or appraised value after rehabilitation. Ms. Kramer said the assessed value. Ms. Wright asked who absorbs the cost of the tax breaks (i.e., the other City taxpayers) or how it would be calculated. The City Manager replied that it is a deferred tax benefit, so it is additional revenue that the City would collect elsewhere because the City still needs to collect the same amount of revenue. Vice Chair Jones said it is an incentive program.

Chris Freeman of Court Street, owner of six properties in Keene, asked about the definition of Qualifying Structures. He recalled it saying for RPRZs: single-family, two-family, or an attached multi-family up to four units. He asked why it was worded that way instead of saying, “any



property up to four units.” Ms. Kramer said the definition included came directly from the state statute. Mr. Freeman wondered if the requirement for the property to be connected to City water and sewer was moot to begin with because, in looking at the outline of the District, he was not sure there were any parcels in that area connected to City water and sewer. So, he asked the reason for that criterion especially if thinking about giving tax relief to properties, which have private systems already placing less of a burden on public resources. It seemed to Mr. Freeman like those properties should almost get an extra benefit. Ms. Kramer replied that the RPRZ is not technically mapped, so it does not conform to the downtown district or the expansion map that she showed. Ms. Barrett said it would require access to City water and sewer. She agreed that the District was not mapped, but she noted that water and sewer service covered the majority of the City and likely the majority of older homes that would qualify for this type of incentive.

Mr. Freeman also asked if there would be any added benefit for a property on septic, with a concern about whether the completed project would be adequately served by the private system that is already going to be regulated as a part of the permitting process; would the additional requirement in the 79-E Ordinance bring any incremental value? Senior Planner Mari Brunner replied to Mr. Freeman’s question about the decision to tie this to City water and sewer, noting it went back to the City Council Workshop in September 2025, when trying to determine where this District would be located. She said there were a bunch of different ideas, from having it Citywide to focusing on specific neighborhoods. She said ultimately it was determined that it did not make sense to cherry pick neighborhoods for this incentive to be available and not others; it would likely not go over well. It was determined that they needed to narrow it down to where the City really wants to focus development. She noted that through the Master Plan and many other planning processes, the City heard repeatedly from the community and elected officials that they want to concentrate development where the City already has infrastructure available. So, she said parcels that are not connected to the City’s water and sewer do not create a burden on it and they also tend to be further out, on steep hills, or further away from other City services like the Fire Stations. Ms. Brunner said it was about conforming to an overall community goal. Mr. Freeman asked if there was a reason for capping the unit counts at four instead of leaving it a little bit open-ended. He also asked whether the unit counts aggregate at the structure level or at the parcel level. For example, a multi-structure property: one with five units and a separate duplex on the same parcel. Ms. Kramer replied that the limit of up to four units was also listed in the New Hampshire statute, so the City must conform to that. She said it is for any existing residential structure; it is not technically tied to the parcel level.

New Hampshire Representative Jodi Newell of 32 Leverett Street spoke in support of this Resolution. She thought it was a wonderful idea. When it came to the idea of whether or not the taxes would be paid at that moment, she spoke as someone who had been trying to figure out how we could increase infill and create more housing through ADUs, for which she had found a huge cost barrier, even in her own situation. As a homeowner and property owner with an outbuilding that could be converted, Representative Newell said she would love to be a housing creator and a housing provider, and she thought the City should do anything it can to bring that cost down. She added that considering the water and sewer would be paid for, the electricity and all of these other things would be paid for. So, when it comes down to those taxes, at least for someone in her situation, she said it would never increase the value of her property because she would never have that money up-front unless there were some types of incentives to make it

possible. Representative Newell wanted the Council to know how she looked at it from that perspective as a property owner who would love to avail herself of this resource and would never be able to provide housing for anybody else if things like this were not implemented. Vice Chair Jones said you have to have a return on your investment.

Councilor Haas asked when the Council would define the perimeter and map the RPRZ. Ms. Kramer replied that the decision was not to map the RPRZ because it would be tied to any existing structure with City water and sewer. She said the thinking was that City water and sewer would eventually expand and because it would be at the structure and not parcel level, there were difficulties in determining how to map that; she thought there would be pockets where it was not applicable. So, she said it would basically be up to the property owner to make the case that an existing residential structure meets all the criteria without having a map. Ms. Barrett said that it is essentially an “adequate facilities approach.” Councilor Haas said anywhere with water and sewer would qualify. Ms. Kramer said it is somewhat similar to the Cottage Court Ordinance: any zone and any parcels with City water and sewer.

The following motion by Councilor Haas was duly seconded by Councilor Madison.

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the rescission of Resolutions R-2018-33 and R-2025-09 and the adoption of Resolution R-2025-35.

**3) Relating to Amendments to the Zoning Map - Low Density to Commerce - Intersection of Pearl Street and Winchester Street - Ordinance O-2025-28-A**

**a. Written Public Comments:**

- i. Christopher Hamblet - In Support of Ordinance O-2025-28-A*
- ii. Michele Wright - Compilation of Written Statements - Submitted on behalf of Pearl Street Residents - In Opposition to Ordinance O-2025-28-A*

Vice Chair Jones noted that in addition to the two written communications received before the deadline from Christopher Hamblet and Michele Wright, nine more written communications were submitted after the deadline and placed in Councilors’ mailboxes.

Vice Chair Jones welcomed Senior Planner Mari Brunner and Planner Megan Fortson forward for comments related to Ordinance O-2025-28-A. Ms. Brunner clarified that the Ordinance proposed to take five parcels, versus the original proposal for eight parcels, and rezone them from Low Density to Commerce. The Ordinance was originally introduced during the public workshop phase, and the “A” version was created based on some concerns the Joint Planning Board/Planning, Licenses and Development (PB/PLD) Committee heard from the public about the impacts to that historic neighborhood. So, three parcels were removed to lessen the impact on the neighborhood, and Ordinance O-2025-28-A moved forward for the Public Hearing before the City Council on December 4, 2025. Ms. Brunner said the neighbors raised a number of concerns at the public hearing regarding things like traffic, noise orders, and the existing impacts that they already experience from commercial development. She said the Council also heard from some supporters of the Ordinance, who view the rezoning as an opportunity to expand needed commercial development and to clean up that area, which is sort of a transition zone between a

neighborhood and a commercial corridor. Ms. Brunner thought the Council was seeing that tension play out.

Councilor Haas was curious about whether anyone in the Public Works Department had looked at the issues related to the Winchester/Pearl Streets roundabout. Ms. Brunner agreed that it would fall under the purview of the Public Works Department if any tweaks were needed to the very recently designed roundabout. She thought staff hoped that a lot of the issues the neighborhood was experiencing would lessen or go away once Island Street would be fully operational again. Ms. Brunner said it is always difficult trying to assess a zoning map amendment because it means trying to assess all of the potential possibilities and not a specific project. However, she said that at the point when a specific project is proposed, that is when the City would require a more detailed look at traffic and how it impacts safety in the area. Unfortunately, though, she said the process is set up to consider the zoning map amendment first and then a specific proposal comes forward later. She said it is a little bit hard to talk about traffic and safety impacts without knowing what could be there; the Council could look at the worst-case scenario, but that may not end up being proposed, so it is not always a fair way to do things. Vice Chair Jones clarified if Councilor Haas was talking about adjustments being needed if the rezoning occurs not under the existing conditions. Councilor Haas replied either way, calling it a difficult situation and saying he still did not know which lanes to use, but noting it was nice to get on/off Island Street. Vice Chair Jones said that was a question for another Committee.

Vice Chair Jones referred to some things mentioned at the PB/PLD Committee level. First, the flood problems in that area. The Vice Chair noted he had to help people bail out their basements in that area adjacent to the Ashuelot River. So, Vice Chair cited the potential for problems there if switching over to losing 20% of the pervious surface. He said that really bothers him and he thought that it would create more conditions for flooding. He also said to look at precedents, noting the City already had a request for rezoning on Pearl Street several years prior that was defeated by the City Council because he said the northern end of Pearl Street, where it meets West Street, is considered a “failed intersection” and any additional impact would hurt it even more. Vice Chair Jones continued, noting that this neighborhood is the Old Italian Neighborhood, with a lot of pride, and he was unsure the City was ready yet to start upsetting these types of neighborhoods; the City had been trying to promote these types of neighborhoods, and he thought it should not be upsetting them. Lastly, the Vice Chair said that during the City’s last revaluation, the cost of residential property went up, and commercial property went down, which was the first time he had ever seen that situation since being on the City Council. He said that it bothered him. Vice Chair Jones asked why the City would add more commercial property when there was more potential for residents to bring in more ratables. Vice Chair Jones did not think this proposal would be the right thing at the right time.

Councilor Madison said he drove down Winchester Street and noticed a number of vacant commercial lots: two in the Walmart Plaza and others going toward Keene State College. He said he had not seen the demand for commercial property, but the demand for small residential lots to build a single-family home was very high at this time. He cited his own home buying experience in Keene of trying to find an affordable lot to build a small home, “like the diamond in the rough. At this point, it is, difficult to actually find.” This being Councilor Madison’s final meeting, he said his decision-making process over the previous five years had been that communities and

neighborhoods should be able to decide what goes on in their communities and neighborhoods; it should be up to the residents most local to the impact to decide what happens. He thought he had heard a lot from the residents on Pearl Street that this was not the direction they wanted to see their neighborhood going in. Councilor Madison said that led him to be inclined to support the residents of Pearl Street in that decision. So, the Councilor said he agreed with Vice Chair Jones in thinking this was not the right time for this proposal.

Councilor Williams said he is also not a huge fan of commercial development on Pearl Street. He said he did have some empathy for the two properties on the corner of Winchester and Pearl Streets, but he did not like the Commerce District designation for them; he would not be opposed to some lesser designation, whether it be Medium Density that allows some commercial purposes with a Conditional Use Permit or Commerce Limited (e.g., Marlboro Street) that focuses on really small businesses, which Councilor Williams thought might be appropriate for this location. He thought that the big, empty lot there should really be housing. He said that is what Keene needs, and he encouraged the property owners to perhaps look at putting a Cottage Court development there, which Councilor Williams thought would solve a lot of the problems.

Councilor Haas said he compared the allowable occupancies under the Commerce and Low Density Districts and looked at some of the other types of zoning that could be implemented at this location, as Councilor Williams mentioned. Councilor Haas stated that there was not a proper zone definition for what might really work well at this location. He cited the use of Downtown Transition and Downtown Edge in some other places but said the Council did not want to shoehorn something like that here. He said this is a tough spot, and he thought that a lot of the issues the residents raised were related to traffic and noise; he thought that perhaps there were other ways to resolve them. He said the City could look at the traffic that travels on Pearl Street. He was unsure what the City could do about noise from McDonald's or the smell of French fries. However, regarding traffic on Pearl Street, he said there could be means to either limit the size of trucks or slow the traffic. Councilor Haas noted that some places make streets like Pearl one-way in either direction, coming to a center dead end, with a gate that could be opened for emergency services. So, Councilor Haas thought there were other solutions the City needed to seriously pursue because he said Winchester Street is a commercial corridor and the City needs commercial development as well as residential development. He agreed with Council Madison about how hot residential development was at this time; it was hard to find residential lots but pretty easy to see empty commercial spots. However, Councilor Haas said the City needs both. He thought the City needed to go out and solve the other issues it had been talking about, rather than immediately leaping into rezoning. However, he thought the City should rezone those lots at some point in the future to make something that would work there and attract a developer.

Councilor Madison asked the Community Development Department staff to confirm that the commercial uses allowed in the Low Density District by Conditional Use Permit: neighborhood grocery, restaurant, and light retail. Ms. Brunner agreed, if they are developed as a part of a Cottage Court development and are on the corner of a road, and there is also a significant limitation on the size (1,000 square feet). Councilor Madison said small, reasonable commercial activity would still be allowed in the Low Density District. Vice Chair Jones noted that the Committee's future agenda included the Community Nodes and said this might be a place where that could happen too and still be a community activity.

Councilor Haas asked to confirm what a yes and no vote on the subsequent motion would mean. Vice Chair Jones confirmed that a “Yes” vote would recommend rezoning and “No” vote would recommend keeping it the same.

The following motion by Councilor Madison was duly seconded by Councilor Williams.

On a roll call vote of 0 to 4, the Planning, Licenses and Development Committee failed to recommend the adoption of Ordinance O-2025-28-A.

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

Vice Chair Jones welcomed Senior Planner Mari Brunner and Planner Megan Fortson to speak on Ordinance O-2025-34-A. Ms. Fortson explained that this application originally went before the Joint Planning Board/Planning, Licenses and Development Committee, which opted to create an “A” version of the Ordinance. O-2025-34-A took it from rezoning a small section of the Cheshire Medical Center parcel that was about 1.3 acres and expanded the Ordinance to include three additional parcels to the east of that lot. So, four parcels along Maple Avenue were proposed to be rezoned from Industrial Park to Medium Density and two parcels across Route 12 currently also currently zoned Industrial Park proposed to be rezoned to Low Density. She said the intent was to rezone these parcels because the City had received feedback that many of the existing uses of these lots do not currently comply with the allowed uses in the Industrial Park District. She said that altering some of the zoning designations for single-family homes from Industrial Park to Medium Density would actually help this area to come further into compliance with one of the zoning districts. It would also offer further future development potential in areas that are really neighborhoods in nature, as well as with some institutional uses that are allowed along Maple Avenue, which is on the “Institutional Streets” list. Vice Chair Jones confirmed that the petitioner for this Ordinance was the City and Ms. Fortson said that was correct.

Councilor Haas asked how access to the lot on the east side of Route 12 was obtained. Ms. Brunner replied that at this time, those lots did not really have any access. She noted that some members of the public had reached out to the City with questions about those properties. Ms. Brunner said that without combining them with adjacent properties, they really could not be accessed because they are so near to the bypass entrance. She said that while the lots legally have frontage on Route 12, they do not have any way to access them, so at this time they would have to be accessed through another property. Councilor Haas said he respected it if City staff did not answer his next question: he conceived that there was no City water or sewer on those lots and asked if perhaps these were areas that could be acquired by the lots on Pako Avenue to make larger lots. Ms. Brunner replied that the lots being rezoned in Ordinance O-2025-34-A should have the ability for access to City water and sewer based on their zoning designation; they could be combined with any adjacent parcels if they were under common ownership. Councilor Haas wondered whether Ms. Brunner envisioned access coming in from the north, perhaps for a housing development of some sort. Ms. Brunner replied that in the Maple Acres neighborhood area there are a few stubs, or “paper streets,” but they are actually laid out as City right-of-way (ROW); that subdivision was planned with the ability to create future connections to adjacent

parcels, should that be desired in the future, so there are areas where utilities can be extended to adjacent parcels. Without looking at it, Ms. Brunner was unsure whether the two small parcels in question were in that situation but said the larger parcel that they are adjacent to was next to some public right-of-way that could be used to extend utilities. Councilor Haas asked, if the area to the west of Route 12 was all zoned Medium Density but this area to the west was Low Density, why not make the whole thing Low or Medium Density and increase the opportunity to subdivide. Ms. Brunner replied that staff considered it but wanted to keep it consistent with the District to which it was immediately adjacent; all the parcels that are across Route 12 are immediately adjacent to other Low Density parcels, so they are separated from the other parcels by Route 12, which is pretty wide. She said that in order to make the map a little bit more consistent, the City proposed low density. Councilor Haas said it would have to start somewhere.

The following motion by Councilor Haas was duly seconded by Councilor Madison.

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2025-34-A.

#### **5) Relating to the Muzzling of Vicious Dogs - Ordinance O-2025-35**

Vice Chair Jones noted that this had been on the Committee's agenda since Councilor Williams asked for it in 2024, and the City could not act until the State of New Hampshire created a statute for it. Vice Chair Jones thanked New Hampshire Representative Jodi Newell for her hard work on the legislation; the Vice Chair tracked it as Representative Newell worked hard to get this passed through the state legislature, and he thanked her for that. Now, the City of Keene could create a muzzling Ordinance because the state had legislation passed. Vice Chair Jones thanked Councilor Williams for the City finally being here.

Vice Chair Jones requested comments on the draft Ordinance from the City Attorney, Amanda Palmeira. The City Attorney noted that Police Chief Steve Stewart was present; he and Animal Control Officer Michelle Grimes had spoken with the Committee about this concept before and they helped the City Attorney draft the Ordinance. City Attorney Palmeira noted that they had brought this draft to the Committee before presenting it to the Council for first reading on December 4, 2025. The last time this Committee saw the Ordinance as a draft, no changes were provided, so it stayed in the same form this time. She welcomed questions about the law behind the Ordinance. Vice Chair Jones thanked the City Attorney for keeping the Ordinance in a draft up to this point, stating that he always likes it better that way instead of multiple lettered versions. Vice Chair Jones thought it had gone well. He confirmed that there had been no changes to the Ordinance text since the last meeting and the City Attorney agreed.

Councilor Williams said this had been quite a long journey. It was almost exactly two years prior that the little dog, Suzette, was attacked by another dog, which ultimately led to the passage of legislation at the state level, enabling the City to hopefully pass this Ordinance. Councilor Williams thanked Representative Newell again for helping to make that legislation happen on behalf of the City of Keene, her City. Councilor Williams said that it was great. He also recognized the City Attorney for some great work. The Councilor was pleased with the very targeted language of this Ordinance. He said that people do not always understand what "vicious

dog” means and sometimes they react out of fear. He knew there was a concern that it might be aimed at certain breeds of dogs who often get a bad label attached to them. Councilor Williams said the City would not just muzzle a dog because they have that bad label attached. He said this Ordinance is a treatment for behavior and the idea is to modify the behavior of the dog but also make the dog owner more conscientious about what risks they put the public in by having a dog out who could potentially attack other dogs or people. Councilor Williams did not think it was an overly onerous penalty: two years for a dog to wear a muzzle, and if they participate in some training that is effective, they can get off early. He said it is not a life sentence and he appreciated that. Even when there is a fine, he said it would be \$50, which he called not too onerous but significant enough to remind people that if their dog is dangerous, they do need to muzzle it. In all, Councilor Williams was quite pleased with this Ordinance. He really hoped it would have the effect that everyone hoped for, which is to increase public safety. Councilor Williams thanked everyone who had been a part of this.

Vice Chair Jones called it a learning process and thanked Chief Stewart and particularly ACO Grimes for teaching the Committee about the significance of bites, which are rated from nipping pants (Level 0) to fatal (Level 6). So, Vice Chair Jones said there is a great variety of dog bites.

There were no public comments.

The following motion by Councilor Williams was duly seconded by Councilor Madison.

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2025-35.

Vice Chair Jones thanked Councilor Williams for all he did for this Ordinance.

**6) Relating to Update of Chapter 18 Property and Housing Standards Code - Ordinance O-2025-36**

Vice Chair Jones welcomed Community Development Director Paul Andrus, who introduced the presenters: the City’s Fire Marshal and Building Official, Rick Wood; the Plans Examiner and Flood Administrator, Mike Hagan; and the Building and Health Inspector, Ryan Lawliss.

Fire Marshal Wood recalled that this Ordinance was last presented to the Committee in a concept phase before it was presented to City Council for first reading on December 4, 2025. He said staff took the Committee’s recommendations, which were incorporated into Ordinance O-2025-36. One of the most concerning items dealt with the difference between yard waste and solid waste, so yard waste was removed for that purpose. He said the rest remained intact. Based on comments that staff heard, Fire Marshal Wood said staff slightly adjusted parts about posting property owner information in rental units; an exception was added for owner occupied properties, as requested. Mr. Lawliss added that after introduction of the Ordinance, some numerical typos were identified that need to be corrected on the contact page. They also addressed a concern from the City Attorney related to the appeals process. Mr. Lawliss said it was returned to the existing appeals process, which was approved by the State of New

Hampshire. These changes were identified after the Ordinance was introduced, and so an “A” version has been provided incorporating the amendments.

Community Development Director Andrus added that this Chapter update was a long time coming. There had been a lot of due diligence in ensuring all the input that the City had received over the years and just recently was incorporated. Vice Chair Jones said the City was adjusting to communications and doing well.

There were no public comments.

The following motion by Councilor Madison was duly seconded by Councilor Haas.

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2025-36-A.

Vice Chair Jones thanked City staff for all their work updating Chapter 18.

**7) Relating to New Chapter 44 Building Construction and Demolition - Ordinance O-2025-37**

Vice Chair Jones welcomed Community Development Director Paul Andrus, who introduced the presenters: the Fire Marshal and Building Official, Rick Wood; the Plans Examiner and Flood Administrator, Mike Hagan; and the Building and Health Inspector, Ryan Lawliss.

Mr. Hagan recalled that City staff had been working to critique our City Code to be in line with the new state law that allows us to make certain adjustments and enforcement. City staff had made those changes over the prior year, which they presented to the Committee as Ordinance O-2025-37 at its November 12, 2025 meeting. Mr. Hagan said they took the Committee’s recommendation and added back in one thing that is unique to Keene, which is Sec. 44-5. B) Exceptions. Mr. Hagan said this would reduce the allowable 200 square foot accessory structure down to 120 square feet to be in line with the City’s Zoning Ordinance for an accessory structure not needing to meet setback requirements. Vice Chair Jones asked what it was before. Mr. Hagan replied that when it was last presented to the Committee, it had been removed and the state requirement was used, but at the request of Chair Bosley staff changed it back to 120 square feet so that it would align with the City’s Zoning Ordinance as well. Vice Chair Jones said that it affected setbacks too. Mr. Hagan said it would be in line with the setbacks; any accessory structure under 120 square feet is not required to meet setbacks in the current Zoning Ordinance. So, Vice Chair Jones said it was the same.

There were no public comments.

The following motion by Councilor Haas was duly seconded by Councilor Madison.

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2025-37.



**8) Relating to Amendments to the Planning Board Regulations and Application Procedures - Ordinance O-2025-38**

Vice Chair Jones welcomed Senior Planner Mari Brunner, who said this was a bit of a formality going back to the way the Land Development Code (LDC) was structured under state statute. Ms. Brunner explained that the Planning Board (PB) has independent authority to adopt and amend its own regulations and application procedures, which it did when the City developed and created the LDC. Ms. Brunner said the City made an intentional decision to put everything into one document, which makes it easier for the public and developers to use. However, it does mean that it requires a two-step process to amend PB Regulations; while before it could just be done by the PB, now it also requires a vote by City Council to incorporate the adopted amendments into the Land Development Code because they are a part of the City Code. The PB had already adopted these amendments, but Ms. Brunner was happy to explain them. She said City staff hoped the Committee would recommend incorporating the amendments into City Code. If the PLD Committee were to recommend any changes, the PB would need to hold another Public Hearing to consider those changes and return the considerations to this Committee. Vice Chair Jones said the changes the PB requested would only affect that Board; this Committee and the City Council are only the conduits to make the changes legal. Ms. Brunner agreed. She said this process would basically ensure the Planning Board could continue to work with the Land Development Code document along with all the other zoning and land use regulations.

Councilor Haas asked if these amendments would make the PB's job easier. Ms. Brunner said she guessed that the intent behind many of these changes was to hopefully increase the number of projects that qualify to go through the Minor Site Plan Review versus the Major Site Plan Review processes. She recalled the three main goals of the LDC project: (1) simplify the City's codes, (2) make them easier to navigate, and (3) maintain thoughtful regulation and codes to ensure the City's character is protected. One new thing in the LDC was creation of the middle tier of Minor Site Plan Review. Prior to the LDC, there were some things staff could review, but most things had to go to the Planning Board. With the Land Development Code. Ms. Brunner said Minor Site Plan Review had worked out for the projects that qualified, but very few projects qualified, with zero in 2025. So, everything was still either going to admin or going to the Planning Board. Ms. Brunner said the threshold for the Minor Site Plan Review process was too narrow and the goal was to broaden those thresholds so that more projects would qualify. The other changes were to correct errors, in addition to some updates required because of changes to state law. The Planning Board was also updating some of its submittal requirements because its practices had changed since Covid. For example, applicants no longer need to submit seven full copies of a plan set because digital copies are used much more now. Councilor Haas said it sounded like it would make their job easier.

Councilor Madison asked if this was something that the PB had already discussed and adopted, and the Committee/Council would just be codifying it. Ms. Brunner said that was correct. The Planning Board adopted these amendments on November 24, 2025, with an effective date of January 1, 2026 to allow time to go through this process and be reflected in the LDC. Councilor Madison thought some of his initial concerns were that the Planning Board rules were changing in advance of potentially new Planning Board members and Councilors. Knowing that this was

something the PB had discussed already and that it was not a last-minute surprise alleviated Councilor Madison's concerns. He said it made total sense.

There were no public comments.

Vice Chair Jones said this seemed very simple and the Council would be giving the PB what it asked for.

The following motion by Councilor Madison was duly seconded by Councilor Williams.

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2025-38.

**9) Adjournment**

In closing, Vice Chair Jones thanked Councilor Madison for his work on this Committee and said he would be missed. Vice Chair Jones also paid homage to Chair Kate Bosley, who the Vice Chair said did a wonderful job over the years as Chair, and the Committee certainly thanked her.

There being no further business, Vice Chair Jones adjourned the meeting at 7:34 PM.

Respectfully submitted by,  
Katryna Kibler, Minute Taker

Edits submitted by,  
Terri M. Hood, City Clerk and Kathleen Richards, Deputy City Clerk