

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

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

**Wednesday, March 11, 2026**

**6:00 PM**

**Council Chambers,  
City Hall**

**Members Present:**

Randy L. Filiault, Chair  
Robert C. Williams  
Edward J. Haas  
Laura E. Ruttle-Miller

**Jay V. Kahn, Mayor**

**Members Not Present:**

Philip M. Jones, Vice Chair

**Staff Present:**

Elizabeth A. Ferland, City Manager  
Amanda Palmeira, City Attorney  
Terri Hood, City Clerk  
Brandon Latham, Deputy City Attorney  
Paul Andrus, Community Development  
Director  
Rick Wood, Fire Marshal / Building Official  
Megan Fortson, Planner

Chair Filiault called the meeting to order at 6:00 PM.

**1) Mark Rebillard / Keene Downtown Group - Use of City Property - Series of Small-Scale Downtown Festivals During Downtown Construction Project**

Chair Filiault welcomed the applicant, Mark Rebillard: Keene resident, downtown business owner, and Chair of the Keene Downtown Group. Mr. Rebillard stated he was before the Committee representing a Keene Downtown Group project. It is a collaboration with many entities, including the Colonial Theatre. He explained the intent to host six mini festival events downtown during the first year of the Downtown Infrastructure Project construction period. He said the Keene Downtown Group recognized that these festivals bring a pulse of activity, vibrancy, and economic vitality. So, their goal is to build more of them and encourage people to come downtown. This is part of a larger project, including grants the Downtown Group sought for a very large marketing campaign built around some of this and other features too. Chair Filiault noted the Committee had heard about this concept for some time.

There were no public comments.

Councilor Haas requested to be recused due to being a member of the Keene Downtown Group Board. Hearing no objections from the Committee, Chair Filiault granted the recusal, and Councilor Haas stepped away from his seat.

The following motion by Councilor Williams was duly seconded by Councilor Ruttle-Miller.

On a vote of 3 to 0, the Planning, Licenses and Development Committee recommends the Keene Downtown Group be granted a Street Fair License to use downtown City rights-of-way to

conduct up to four small-scale festivals as part of the “Dig Into Keene” project, with event dates scheduled for Saturday, July 25, 2026, Saturday, September 12, 2026, Saturday, October 10, 2026, and Friday, November 27, 2026 including sidewalk displays, buskers on sidewalks, musical and stage performances on a small mobile stage on Railroad Square, and food vendors at locations to be determined, 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 events, and agrees to remit said payment within 30 days of the date of invoicing;
- That the footprint and layout for the events shall encumber downtown City sidewalks, Railroad Square, and Central Square (if it is available);
- The full extent of road closures and detour routes shall be agreed upon with City staff;
- That City staff are authorized to approve changes to the event dates for the applicant’s benefit due to weather or logistical considerations, provided that the revised dates are acceptable to City staff and will occur within two weeks of the Council approved event date;
- That the actual events will be held from 12:00 PM to 3:00 PM with the times for set up and clean up to be established with City staff;
- The submittal of signed letters of permission from any private property owners for the use of their property;
- 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; and
- 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 to be determined spaces within the event footprint on the day of the event.

Councilor Haas abstained.

2) **Mark Rebillard / Keene Downtown Group - Request to Use City Property - Monadnock 250th Independence Celebration - July 4, 2026**

Chair Filiault recognized Mark Rebillard for a second time. Mr. Rebillard explained that this event was a Keene Downtown Group collaboration with the Historical Society of Cheshire County. He explained the long-term plan for July 4, 2026: the Downtown Group, Historical Society, City of Keene, and other entities were planning to bring a parade to Downtown Keene with surrounding festival-like activities up and down Main Street.

Councilor Haas requested to be recused due to being a member of the Keene Downtown Group Board. Hearing no objections from the Committee, Chair Filiault granted the recusal.

Chair Filiault noted that he attended the Keene Downtown Group meetings to hear about the event, but he is not a part of the Board. He said it is going to be “a parade for the ages.” Chair Filiault commented on all the work going into it and said weather would be important.

There were no public comments.

The following motion by Councilor Ruttle-Miller was duly seconded by Councilor Williams.

On a vote of 3 to 0, the Planning, Licenses and Development Committee recommends the Keene Downtown Group be granted a Street Fair License to use downtown City rights-of-way on Saturday, July 4, 2026 to *conduct* the Monadnock 250th Independence Day Celebration including merchant sidewalk sales, family activities and a parade, 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 footprint and layout for the event shall encumber downtown City sidewalks, Railroad Square, a portion of the Commercial Street Parking Lot, and a portion of the Gilbo Avenue East Parking lot;
- That the petitioner is permitted to conduct a parade and use the traveled portions of Baker Street, Bruder Street, Main Street (Northbound side) from Central Square to Route 101, and a portion of Railroad Street. Road closures may include any portions of other streets needed to facilitate detour routes. The full extent of road closures and detour routes shall be agreed upon with City staff;
- That the Petitioner is permitted to place portable toilets in City parking spaces located in Commercial Street Parking Lot in the parking spaces along the former skate park from Friday, July 3, 2026 to Monday July 6, 2026, which will be chained together and affixed to ensure they are not vandalized while unattended overnight;
- That the actual event will be held from 11:00 AM to 3:00 PM with the times for set up and clean up to be established with City staff;
- Free parking has been granted under the provisions of the free parking policy for City parking spaces needed for storage of equipment from Friday, July 3, 2026 to Monday, July 6, 2026; and spaces within the event footprint on the day of the event;
- The submittal of signed letters of permission from any private property owners for the use of their property; and
- 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.

Councilor Haas abstained.

Chair Filiault noted that City Councilor Molly Ellis was also working on this 24/7 serving as the Chair of the Monadnock 250th Planning Committee.

**3) Kati Woodard / Farmers' Market of Keene - Request for Use of City Property - 2026 Farmer's Market**

Chair Filiault welcomed the applicant, Kati Woodard of The Farmers' Market of Keene. Ms. Woodard requested that The Farmers' Market of Keene be allowed to continue operating on Saturdays, starting April 25, 2026, through the end of October 2026.

City staff had no comments to add and Chair Filiault said it was basically the same request as always.

Chair Filiault opened the floor to public comments.

City Councilor Michele Chalice of 25 Beech Street thanked Ms. Woodard. Having managed The Farmers' Market one summer, Councilor Chalice noted that this is a long process and a lot of work. She wondered whether Ms. Woodard would be the person talking to City staff as they begin designing the solar array planned for the same location that The Farmers' Market occupies. Councilor Chalice looked forward to The Farmers' Market's patrons being a part of that design process. She thanked Ms. Woodard for all her work bringing fresh food to Keene citizens on a weekly basis.

Mayor Jay Kahn said the City really appreciates what The Farmers' Market does and he thinks it is a great service. He stated that the community obviously supports The Farmers' Market. Mayor Kahn asked for The Farmers' Market to collaborate with other community groups, who need to use the same vicinity the Market occupies. The Mayor recognized that this is valuable territory for the City and said it is really important that anybody who has a license on Gilbo Avenue support the other groups needing to use space in that area for events, such as the Monadnock 250th event.

Councilor Haas asked whether The Farmers' Market stalls were fully booked/sold out this year.

Ms. Woodard said they were still accepting applications through March 15, 2026. Councilor Haas was curious whether The Farmers' Market would ever need to expand or consider opening similar operations in other parts of the City. Ms. Woodard reported that in 2025, the Market was full. However, a lot of part-time vendors came maybe half the time because of their different growing seasons. Councilor Haas hoped more demand could be created for participants in The Farmers' Market at the existing site and possibly expanding it in the future.

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

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends that the Farmers' Market of Keene be granted permission to use 22 spaces along Gilbo Avenue and 18 spaces on the other side of the median strip in the Commercial Street parking lot on Saturdays from Saturday, April 25, 2026 to Saturday, October 31, 2026. Said permission is subject to the following conditions:

- 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;
- the receipt of a total rental fee of \$932.00 (payable on the first day of every month at \$155.00 per month);
- access to City electrical shall also be provided at a fee of \$60.00 for the season;
- obtainment of all necessary permits and licenses and compliance with all laws, and compliance with any recommendations of City staff.
- It is further recommended that the Farmer's Market of Keene be allowed to erect sandwich board signs on City property prior to the start of sales, subject to review and approval by City staff with respect to the number and location. The signs must be removed immediately after the sales have concluded.

Chair Filiault thanked Ms. Woodard for the work she does.

**4) Carolyn Ogren - Request for Review of Warehouse Zoning as it Relates to the Potential Housing of Detained Individuals**

Chair Filiault welcomed the petitioner, Carolyn Ogren of 667 West Street. Ms. Ogren referred to her letter to the Mayor and City Council dated February 12, 2026. She requested information on what zoning requirements would need to be filled for the City of Keene to approve the purchase of an existing warehouse for the purpose of creating an Immigrations and Customs Enforcement (ICE) processing facility by the Department of Homeland Security (DHS). Ms. Ogren said questions were raised in numerous communities throughout the country. In particular, Merrimack, NH, where its governing bodies and citizens fought to stop the purchase of a warehouse at 50 Robert Milligan Parkway. She said it appeared they were successful as of this meeting date.

Ms. Ogren said she was present to listen to the Committee regarding what measures are currently in place in Keene that would allow the City, "to take a stand if the full force of the federal government were to try to impose such an action and whether additional measures need to be explored in order to stop such a purchase by DHS here in Keene." She stated that she came to the Committee as a concerned citizen, one of many, despite the dearth of people at the meeting. She noted she is a nurse practitioner for many years, whose work has been to address the health and well-being of people in her care; she was recently the in-house occupational health nurse at Filtrine Manufacturing Company (15 Kit Street) for 15 months. As such, Ms. Ogren said she could hardly begin to imagine taking a building meant to house machinery and a workforce only eight hours per day and converting it into a facility that could competently and compassionately meet the physical/emotional/mental health and safety requirements of men, women, and potentially children for even several days. Ms. Ogren was very pleased with the opportunity to listen to the Committee's thoughts on this matter and thanked them for their time.

Chair Filiault requested a synopsis from City staff about what City zoning can/cannot do on this matter. City Attorney Amanda Palmeira explained what she understood the petitioner's question to be: what zoning regulations would apply to a warehouse if it was used by the Federal Department of Homeland Security (DHS)? The City Attorney noted that the Community

Development Director could address any specific questions regarding warehouses regulated under the City's Land Development Code (LDC) that are not privately owned and operated by the federal government.

The City Attorney continued, explaining the important takeaway from her research was that when talking about uses by the federal government, there would be *intergovernmental immunity*, which stems from the United States Constitution Supremacy Clause. This means that local governments cannot regulate the federal government. City Attorney Palmeira called it a very interesting federalism contemplation. For the question at hand, she spent time reviewing case law about local ordinances, local regulations, and how they apply to federal functions. Her takeaway was that generally speaking, at a local level, the City of Keene is not permitted to regulate the federal government or federal operations to the point that it hinders them significantly or prevents them altogether. She said a good example is post offices, which are very clearly an exclusively federal task, meaning that local municipalities cannot zone where they go because the Federal Post Office determines where they are necessary and the City cannot prevent them from being there altogether. The City Attorney said there are generally applicable codes that could apply to federal operations, such as Building, Fire, and Safety Codes that inform regulations. However, even then, if they were to be enforced, she said it is unclear exactly which ones the federal government would comply with; a lot of it might be voluntary. The federal government has their own safety regulations that really make local ordinance application unnecessary. So, she said the courts would probably not allow local enforcement of them. City Attorney Palmeira said the Code Enforcement Officer was present to describe the generally applicable local ordinances, the breadth of federal safety codes, if they are applicable, and how that would work. Her other takeaway was that it is pretty clear that intergovernmental immunity absolutely prohibits local governments to explicitly and specifically prohibit the federal government. For instance, if the City of Keene were to say no Post Offices are allowed in the municipality—or in this instance no warehouses owned and operated for DHS—the City Attorney said that it would not withstand scrutiny under the United States Constitution.

Councilor Williams asked specifically about the sewer and water needs for a warehouse full of people that would need a lot bigger pipes than a regular warehouse. Would there be any regulation the City could impose based upon that many people using a facility not fitting into the City's system. He asked what power that City would have in that respect. The City Attorney replied that she was speculating because she did not know what specific Safety or Building Codes would automate that. She reiterated that to the degree that the City has generally applicable codes like those, the City probably would enforce them. However, probably guided to the degree that the federal government already has that type of code built in for their own operations. Her understanding is that the federal government has a pretty robust internally applied code for their facilities, but she was less familiar with those specifics. Councilor Williams stated that he was sure the federal government does have a very robust set of rules but said he is not at all confident in their willingness to follow them.

Chair Filiault said the City Attorney was basically reporting that not only for the letter's topic of housing people, but if the federal government wants to come in and take over a building in Keene for any reason, they can virtually circumvent local laws and zoning. City Attorney Palmeira thought it would largely depend on the use. The cases she reviewed talked about how

when the federal government is operating as a federal government, they are doing the federal government's job, so the City would have to be very hands off about trying to regulate. She said that if there was some use the federal government came up with that was really innocuous and maybe not specifically a governmental use, such as getting into commercial operations, it would be a different conversation. Still, to the degree the federal government is occupying a building for federal government business, City Attorney Palmeira said the City would "be basically at their mercy of what they are going to comply with." Chair Filiault said he appreciated Ms. Ogren's letter, but the Chair was personally not too worried about that happening in Keene. However, he thought it did open interesting questions about if the federal government wants to do something else with one of the City's buildings; he heard the City Attorney saying that if the government wants to do something with a building, for the most part, they can do it. Chair Filiault thought another community demonstrated that public opposition is one of the major forces to slow things down and it could work.

Councilor Haas asked code enforcement staff, if a private entity wanted to place an institutional type of occupancy (i.e., detention area or prison) into an existing commercial area, whether that would be permissible under the City's Land Development Code (LDC). Rick Wood, the City's Fire Marshal and Building Official, replied that anything is permissible. However, Fire Marshal Wood thought the Councilor asked whether a private entity could just take an existing commercial area as is and do something. The Fire Marshal said generally, the answer is no. He had some personal experience with federal facilities in prior employment (e.g., air traffic control centers and currency development operations) and in his experiences with the public safety side, there was a pretty strong nexus to have those conversations. As the City Attorney said, Fire Marshal Wood thinks sometimes there is a pretty big difference between being able to engage in conversation and working together vs. standing up and saying, "you will do this." In his experience, the federal government had been strong partners in the safety side of construction.

Councilor Haas clarified his question was not about the federal government but private entities. Fire Marshal Wood said yes, a private entity would have to check the existing building's infrastructure, how it was constructed, and compare that against the requirements to have a new building of similar use. He explained that there is a specific code, the International Existing Building Code (IEBC), which is adopted as part of the State of New Hampshire Building Code. The IEBC regulates the amount of work that needs to be done based on the actual scope proposed. Councilor Haas thought that was where Councilor Williams' concerns would really come into play. Chair Filiault appreciated the fact that the federal government had historically been compliant and noted we are in historically different times right now with this administration.

The City Attorney added that there would not be a distinction for the courts when there is a federal government use, but a contractor (i.e., private entity) owns the building. So, she said that if a private entity owns the building being used for a federal purpose, it will be treated as if it is federally owned. Councilor Haas understood and was trying to explore the concept with the federal government out of it.

Councilor Ruttle-Miller echoed Chair Filiault in being very heartened to see that when people spoke up across the state, their feelings were heard, whether that is due to potential nervousness

around re-elections or not. She saw a petition created by Congresspeople circulating for Merrimack, New Hampshire, which was signed by over 11,000 people. She imagined there were multiple petitions and she commented on seeing that amount of vocalizing happening across the state, not just within Merrimack. Councilor Ruttle-Miller hoped that it would be something that Keene could utilize as well, regardless of zoning.

Fire Marshal Wood added that Councilor Williams' question was specifically about sewer and things related to public health and safety. Keene has local regulations, but there are also state regulations. He explained that different things come into play between local, state, and federal regulations around public health type events. Sewerage usage and the ability to have appropriate facilities is a public health element regulated by state law, not just by local ordinance. So, Fire Marshal Wood thought there was a bit of a different pathway from a compliance perspective. He suggested that the Committee think about it this way: the federal government does not own fire trucks, but they need someone to respond to their facilities. The Fire Marshal said there are those linkages, upon which there is generally a pretty strong ability to have influence. There are some things that the federal government provides for themselves. For example, if they have their own police force, he said it is really no different than a college having its own; they cover their space and regulate how they manage it vs. if they need to interface with the local police. Fire Marshal Wood said there is a stronger tie if that resource is available when it needs to be used.

Chair Filiault opened the floor to public comments.

City Councilor Michele Chalice of Beech Street understood the Fire Marshal to be stating that the issue of ownership is moot: it does not matter whether the building is privately or federally owned, if the use is federal, then the federal law supersedes. The City Attorney replied in the affirmative. Councilor Chalice asked if there are still health and safety codes relevant to the use of a building from the local and state levels (ostensibly federal); could the community inspect a health and safety code violation and ensure what is provided meets the needs of occupants within the structure? Fire Marshal Wood said there were a lot of "tentacles" to that question. In response to whether the City would have the ability to investigate and address it if somebody identified a safety risk, he said the issue certainly could be addressed. He said whether or not the City has a regulatory enforcement ability to change something is "a little bit dicey." The City could certainly engage just like if a state law was being violated at a federal institution. Fire Marshal Wood agreed with the City Attorney about the level of nuance to the way that the City would engage with the federal government on these things. Generally, on public health and safety items, he reiterated that the courts had been pretty strong on understanding that nuance regardless of who it is.

Fire Marshal Wood added that in his 40 years' experience he had been told no before by federal facilities and he thought it was important to recognize that their regulations most times far exceed the local ones in these areas. Their construction standards are more robust in most cases. The City Attorney echoed the Fire Marshal. Most case laws showed that even when localities had safety codes they wanted to enforce, the courts would find that the feds already had their own regulations that exceeded them. So, courts would not enforce the local ordinances, and it was basically a moot issue for them.

Councilor Chalice asked if the City would have the ability to inspect. Also, given the comments and circumstances identified, where public pressure has moved the issue of whether a facility would happen or not, if an inspection were allowed, could the City communicate the results of that inspection to the public? Fire Marshal Wood said that the City has the ability to request an inspection on any facility, even a privately owned home or business. The City can request it. The City has no authority to enter the premises without the permission of the owner. So, if the owner declines the inspection, the City's next ability would be to go to court and ask permission. Fire Marshal Wood said that if permission were obtained from either the owner or the court, the City could absolutely conduct an inspection. He noted that some of these facilities have security features, so certain things are prohibited, such as cameras; it is very similar to top secret level defense industry businesses. Fire Marshal Wood said that it would be like any place else, for which there is a risk or a concern: the City would engage, try to get access, and if access is denied, then there are other tools available. Ultimately, Fire Marshal Wood said that if the court determines the City does not have standing, it will not have standing. Councilor Chalice asked whether the City of Keene would be able to inform the public that the access has been denied. Fire Marshal Wood did not think there would be any restriction on the City's ability to be truthful and honest about whatever its process is.

Chair Filiault noted that this was more of an informational item, that he appreciated the letter, and asked whether Ms. Ogren had any further comments. Ms. Ogren wanted the Council to be aware of something called Project Salt Box, which is a citizen-led research initiative that is primarily based in Baltimore, Maryland. Project Salt Box has utilized public records and open-source intelligence to track the expansion of ICE detention centers. She referred the Councilors to the clearinghouse website for some storylines of how this process unfolded in different cities, with both the purchase of private warehouses along with how those warehouses have then been established (she said lack thereof) and the ways that cities have fought against detention centers opening.

Councilor Williams said he appreciated Ms. Ogren sending her letter and sharing information about Project Salt Box.

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

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the acceptance of the Request for Review of Warehouse Zoning as it Relates to the Potential Housing of Detained Individuals as informational.

Chair Filiault thanked Ms. Ogren again, noting that this is a touchy subject for the whole country, and the Committee appreciated her participation in local government.

**5) Request for Sign on to Letter of Support - Senate Bill 538 Relative to Net Metering Credits for Solar Projects Serving Political Subdivisions - Senior Planner**

Chair Filiault welcomed Community Development Director Paul Andrus, who introduced City Planner, Megan Fortson. Ms. Fortson said she was presenting this item on behalf of Senior Planner Mari Brunner. Ms. Fortson reported that the City's Energy and Climate Committee

(ECC) voted unanimously at its February 25, 2026 meeting to request that the City Council sign onto a letter of support for Senate Bill 538. She explained that SB 538 is related to net metering credits for solar projects serving political subdivisions, which would include the City of Keene.

As background, Ms. Fortson said the purpose of SB 538 is to extend a 20-year term of eligibility for the net metering tariff for municipal group hosts and other political subdivision energy projects. The Bill was brought to the City's attention by Clean Energy NH, who recommended that either the local ECC or local governing body sign onto a letter of support by March 26, 2026, which is when the crossover would happen from the Senate to the House. Ms. Fortson said the ECC voted unanimously to request that the City Council sign the letter of support that was provided. She said City staff also recommended that the City Council support SB 538 in part due to the direct benefits it would provide to the City of Keene for projects like the Airport solar array.

Chair Filiault said it was nice to have any type of bill coming through that the City Council could actually support. He said there were not too many of those coming out of Concord lately.

Councilor Haas thought the ECC did some good background research on this. He appreciated all the documentation that was provided in the PLD Committee's packet. Councilor Haas suggested supporting this and Chair Filiault agreed.

The following motion by Councilor Ruttle-Miller was duly seconded by Councilor Williams.

Chair Filiault opened the floor to public comments.

Mayor Jay Kahn noted that this would be on the docket for the Senate on Thursday, March 12, 2026. It passed out of Senate Committee unanimously with an "amend all" that extends these 20 years beyond any date of approval of the tariff order that establishes net metering. The Mayor thought the Council would need to direct the letter to the appropriate House Committee because the Senate will have already taken action on the Bill. He wanted the Council to recognize that. He added that sometimes these motions indicate who would be signing onto these letters but said that could be amended during the City Council vote. Chair Filiault agreed.

Councilor Williams wanted to take a moment for the City to pat itself on the back here. He thought the City of Keene had done a really good job getting solar deployed in an innovative way. Councilor Williams said it was a credit to some of the people in the room during this meeting and he expressed his appreciation. He mentioned that the gas station signs indicated energy prices were shifting and would be pretty expensive for a while, especially with limited natural gas supplies overseas. Councilor Williams said the City would be happy to have made this investment in solar and he appreciated it.

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends that the City Council authorize the Mayor to sign a letter in support of SB 538 provided by the Clean Energy New Hampshire.

**6) Relating to Setback Exceptions, Accessory Dwelling Units, and Parking Regulations - Ordinance O-2025-40**

Chair Filiault welcomed City Planner, Megan Fortson, who explained that this was the recommendation phase for Ordinance O-2025-40. She called this a zoning clean-up Ordinance: (1) related to structure setback exceptions, (2) adding retaining walls to the list of structures exempt from setback requirements, (3) updating Accessory Dwelling Units (ADUs) to remove the requirement that an interior door be provided between an attached ADU and the existing single family home, (4) removing the requirement that an ADU have access to City water and sewer service so that both those ADU regulations comply with most recent state law. Additionally, staff proposed changes to the Administrative Parking Criteria to increase the amount or percentage of parking that can be reduced by staff from 10% to 25%, and changed the parking table to add parallel parking as a parking space option. Ms. Fortson said there had been very little feedback received on the Ordinance. She stated that the purpose is really to make things clearer for people who read the LDC, both for customers and City staff.

Chair Filiault said he appreciates this Ordinance. He knows a lot of work goes into what most people think is a minuscule task. However, he said anything that can help make the process quicker for the constituents and easier to read is greatly appreciated. He thanked Ms. Fortson and City staff for all the work that went into this Ordinance.

Councilor Haas spoke on the theme of making things easier for applicants to get through all of this. He noted that on page 17 of the PLD's March 11, 2026 Agenda packet, item B.1.e. was *added*: "A traffic and parking analysis stamped by a NH licensed engineer shall be required for parking reduction requests greater than 10%." He thought he brought this up once before, but asked why this was added when it could have been done under the *existing* item "e" previously. If additional information was needed, he said the traffic and parking analysis study could always be requested. Councilor Haas said this because, first, the data that those parking and traffic studies are based on is pretty weak and can be "bent" in many ways to make it fit your situation. He was curious how many times an application had to be changed, or something done differently in response to a valid parking traffic and parking analysis. He did not think this item was needed in the Code as stated and asked City staff to help him understand otherwise. Ms. Fortson thought it certainly could fall under the existing item "e" proposed to be the new "f." She guessed that it was pulled out as an additional item because the City would be asking for it every single time someone is requesting an administrative parking reduction. Although she understood that a parking analysis can be marketed in whatever way needed to fit a particular case, she said the clients requesting these types of reductions are very small organizations. Having their parking reduced by one or two parking spaces is going to make a big difference for them and they are unable to speak to why they need the parking reduction request in the same way as a licensed professional. The licensed engineer providing the data needed to show that the number of parking spaces required under zoning are not actually needed for whatever individual circumstances apply to that use will allow the Zoning Administrator to decide. Councilor Haas said he heard that it is requested currently in every case anyway under item "e." Ms. Fortson said yes, this is pulling something out so that someone starting the process of requesting an administrative parking reduction and then being told they submitted all the materials, but the City actually still needs a piece of information and it further delays a project. She said this is in

hopes that although it is an additional expense and it an additional item, it will make the process smoother because once the City has all this information, the Zoning Administrator should be able to more expediently review the request.

There were no public comments.

The following motion by Councilor Haas was duly seconded by Councilor Ruttle-Miller.

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the adoption of Ordinance O-2025-40.

**7) Adjournment**

There being no further business, Chair Filiault adjourned the meeting at 6:49 PM.

Respectfully submitted by,  
Katrnya Kibler, Minute Taker

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