KEENE CITY COUNCIL
Council Chambers, Keene City Hall
March 19, 2026
7:00 PM

ROLL CALL

PLEDGE OF ALLEGIANCE

MINUTES FROM PRECEDING MEETING

- March 5, 2026 Minutes

A. HEARINGS / PRESENTATIONS / PROCLAMATIONS

1. Community Recognition: Keene High School Winter Sports
2. Public Hearing - Proposed Capital Improvement Program 2027-2033

B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS

1. Nominations - Energy and Climate Committee, Library Board of Trustees
2. Confirmations - Airport Development and Marketing Committee; Bicycle Pedestrian Path Advisory Committee

C. COMMUNICATIONS

1. Councilor Ellis - Conflict of Interest - Monadnock 250
2. Councilor Haas - Conflict of Interest - Keene Downtown Group
3. Keene Swampbats - Request to Discharge Fireworks - Independence Eve Celebration - July 3, 2026
4. Alana Fiero/Keene Young Professionals - Request to Use City Property - Taste of Keene Food Festival - June 6, 2026
5. Copper Cannon Distillery - Request to Participate in the Keene Farmers' Market

D. REPORTS - COUNCIL COMMITTEES

1. Mark Rebillard/Keene Downtown Group - Use of City Property - Series of Small-Scale Downtown Festivals During Downtown Construction Project
2. Mark Rebillard/Keene Downtown Group - Request to Use City Property - Monadnock 250th Independence Celebration - July 4, 2026
3. Kati Woodard/Farmers' Market of Keene - Request for Use of City Property - 2026 Farmer's Market
4. Carolyn Ogren - Request for Review of Warehouse Zoning as It Relates to the Potential Housing of Detained Individuals
5. Request for Sign on to Letter of Support — Senate Bill 538 Relative to Net Metering Credits for Solar Projects Serving Political Subdivisions
6. Reallocation of Capital Funds – Skate Park
7. Acceptance of Local Source Water Protection Grant
8. Acceptance of Donation - Office Equipment

E. CITY MANAGER COMMENTS

F. REPORTS - CITY OFFICERS AND DEPARTMENTS

G. REPORTS - BOARDS AND COMMISSIONS

1. Memorandum - O-2026-02 - Relating to the Definition of "Family" - Joint PB/PLD

H. REPORTS - MORE TIME

I. ORDINANCES FOR FIRST READING

1. Relating to Chapter 30 - Emergency Management
   Ordinance O-2026-04

J. ORDINANCES FOR SECOND READING

1. Relating to Setback Exceptions, Accessory Dwelling Units, and Parking Regulations
   Ordinance O-2025-40

K. RESOLUTIONS

NON PUBLIC SESSION

ADJOURNMENT

Page left intentionally blank.

A regular meeting of the Keene City Council was held on Thursday, March 5, 2026. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:01 PM. Roll called: Randy L. Filiault, Michele A. Chalice, Catherine I. Workman, Bryan J. Lake, Jacob R. Favolise, Laura E. Tobin, Robert C. Williams, Philip M. Jones, Kris E. Roberts, Bettina A. Chadbourne, Edward J. Haas, Laura E. Ruttle-Miller, Molly V. Ellis, Thomas F. Powers, and Mitchell H. Greenwald were present. Councilor Haas led the Pledge of Allegiance.

MINUTES FROM PRECEDING MEETING

A motion by Councilor Greenwald to adopt the February 19, 2026 City Council meeting minutes as presented was duly seconded by Councilor Powers. The motion carried unanimously with 15 Councilors present and voting in favor.

ANNOUNCEMENTS

Mayor Kahn began by honoring individuals celebrating birthdays in March 2026: Councilors Filiault, Chadbourne, and Favolise.

The Mayor also introduced the new Keene Sentinel Reporter covering Keene and Cheshire County governments, Mason Rouser, who is originally from Austin, Texas.

Mayor Kahn announced upcoming dates of interest in March 2026:

- March is both Women's History Month and Care Workers Recognition Month.
- Sunday, March 8: International Women's Day
- Monday, March 9 at 10:00 AM: Keene Serenity Center Ribbon Cutting Ceremony. The Mayor encouraged Councilors to attend in the CVS plaza next to US Cellular; previously held at Monadnock Peer Support, where Mayor Kahn mentioned the significant renovation over the prior six months, adding an elevator and building out some of the basement area. He encouraged Councilors to see that as well.
- Tuesday, March 10: School Board Election. All wards vote at Keene Parks and Recreation Center on Washington Street. Polls open at 7:30 AM.
- Sunday, March 15 at 1:30 PM: Presentation of *Freedom's Unfinished Journey: Selma, Jonathan Daniels, and the Fight for Voting Rights* at Saint James Episcopal Church.
- Tuesday, March 17: St. Patrick's Day
- Thursday evening, March 19: Ramadan Ends

Mayor Kahn recognized Councilor Favolise, who announced that he would be serving on the New Hampshire Municipal Association's (NHMA) Governance and Administration policy guiding committee. It would kick off April 3, 2026, with meetings continuing on Fridays through April and May 2026. Councilor Favolise explained that this is the first step in NHMA's policy priority setting process for the upcoming legislative session that begins next year (in 2027). The Councilor would be representing Keene in the process. The Council congratulated Councilor Favolise and Mayor Kahn noted that it is good to have a Keene City Councilor represented at the NHMA.

Next, the Mayor thanked those Councilors who attended the Capital Improvement Planning Workshop on March 3, 2026. Mayor Kahn said the conversation and review of the proposed CIP would continue with a Special Meeting of the Finance, Organization and Personnel (FOP) Committee on March 10, 2026 at 5:30 PM. The regular FOP Committee meeting on March 12, 2026 would also start early at 5:30 PM for CIP review. Meals would be served to Councilors before both meetings.

Lastly, Mayor Kahn encouraged any group interested in participating in the Monadnock 250th Independence Day Parade and festivities to register at the event website monadnock250.com. Councilor Ellis is Chairing the event. Organizations, school groups, and nonprofit businesses throughout the Monadnock Region were invited to register for the Parade anytime between this date and May 2026. The Mayor asked everyone to sign up and spread the word.

PUBLIC HEARING - O-2025-40: RELATING TO SETBACK EXCEPTIONS, ACCESSORY DWELLING UNITS, AND PARKING REGULATIONS

Mayor Kahn opened the Public Hearing at 7:11 PM and the City Clerk read the Notice of Hearing. The Mayor welcomed City Senior Planner Mari Brunner and Planner, Megan Fortson.

Ms. Fortson called Ordinance O-2025-40 a sort of zoning clean-up Ordinance, which was first introduced to the Council on December 18, 2025. Ms. Fortson summarized the five proposed changes. First, add “retaining walls” to the list of structures that are exempt from Setback Requirements. Second, update the City’s Accessory Dwelling Unit (ADU) Regulations to comply with the updated New Hampshire law, removing the requirements that: (1) interior doors be installed between attached units, and that (2) units must have access to City water and sewer. Third, increase the amount of onsite parking that can be reduced through an administrative zoning process from 10% to 25%. Fourth, update the remote parking requirements to prohibit creation of remote parking spaces on lots that are primarily residential uses. Fifth, update the parking specifications outlined in Table 9-3 of the Land Development Code (LDC) to specify that parallel parking spaces are allowed in the City of Keene and to establish widths of adjacent driving aisles for one- and two-way traffic.

Ms. Fortson explained that the intent of these changes would be to (1) reduce the number of variances sought for setback issues related to retaining walls and (2) make parking a bit easier for people who can show there is no need for as many spaces dictated under the LDC. Additionally, ADU Regulations must be updated to comply with new state law. Ms. Fortson referred to the Joint Planning Board-Planning, Licenses and Development (PB-PLD) Committee Workshop for the Ordinance on January 12, 2026, when there were no public comments. She reported that the PB-PLD Committee Members had some confusion related to what a “retaining wall” really is and whether it is more aesthetic or structural. There were also some questions related to the parking analysis and potentially removing the requirement for administrative reductions altogether. However, Ms. Fortson said that by the end of the meeting, the Committee voted to keep the wording of the Ordinance as proposed. The Planning Board determined that the proposal was consistent with the 2025 Keene Master Plan and the PLD Committee recommended the Mayor set this Public Hearing. Ms. Brunner added that this Ordinance is really trying to make it easier for residents and people who want to do business in Keene. She said they

may seem like nitpicky changes, but they are meant to make the LDC clearer and easier for people to use.

Councilor Chalice said that as a person who has learned or tried to learn how to deal with all of these codes, she really appreciated City staff taking the time to attend to these little details. She said the public finds it incredibly challenging. So, she said having things go a little smoother is best for everyone.

Councilor Favolise asked about what the process looks like when somebody is applying for parking reduction administratively. He knew what some of the questions were at the Zoning Board level and asked whether those would be the same sorts of questions an administrator is asking, or whether that process would look a little different in terms of the fact-finding. Ms. Brunner replied that it is pretty similar. She explained the difference that at this time in the LDC, a major parking reduction would require a Special Exception from the Zoning Board of Adjustment; this includes a parking study conducted by a traffic engineer or another professional who is licensed in the State of New Hampshire, which Ms. Brunner said can be quite expensive. However, with the administrative reduction, the Zoning Administrator would accept a memo or brief analysis by a traffic engineer in lieu of a full study. Ms. Brunner called that the biggest difference for applicants from their perspective. In the LDC, there is a list of criteria that the Zoning Administrator has to consider, and they must find that the applicant meets at least one of those criteria. Ms. Brunner said that it gives the Zoning Administrator more flexibility when there are really common-sense situations (e.g., cars are not allowed or there are other criteria/circumstances making it logical not to require so many parking spaces).

Councilor Williams asked for a brief explanation of the proposed changes to the ADU Regulations. Ms. Brunner explained that the State of New Hampshire sets rules for ADUs that the City must follow. Previously, the state required the City to require an interior door between the main unit and the accessory unit, and now the state requires the City not to require that. So, the City would be striking that requirement, which in Ms. Brunner's opinion was a really good thing. She noted that it was adding a lot of unnecessary cost to ADUs because the door would have to be fire-rated to accompany the fire-rated wall in-between the units. Ms. Brunner explained the other proposed change for ADUs with respect to utilities. The way it was written previously, it made it sound like the ADU had to be connected to City water or sewer even if located in a district without access to City water or sewer. Ms. Brunner explained that this is already covered under other aspects of the LDC. For instance, if located in the Low Density District, connection to City water and sewer is required already, so she said it was duplicative and also confusing. Thus, that portion was stricken as well.

Councilor Haas referred to page 25 of the City Council's March 5, 2026 Agenda packet on the Ordinance O-2025-40, where these proposed changes were reflected in the LDC. He thought that if the proposal was to increase the amount of parking reduction allowed to 25%, then it should also be reflected in the paragraph under "Section 9.2.7. Reduction of Required Parking, C. Major Reduction Request, 1.," as shown on page 25 of the Agenda. Ms. Brunner reviewed the section and agreed that it should be updated in the other paragraph as a scrivener error. Mayor Kahn said the proposed change occurred in one paragraph and not another and Councilor Haas agreed.

Councilor Jones pointed out that the shortened definition of a *retaining wall* is "actually retaining something." He said that if the wall is built for aesthetics, then it is no longer a retaining wall. Ms. Fortson said that is correct.

Mayor Kahn opened the Hearing to public comments and there being none, the Mayor closed the Public Hearing at 7:23 PM. Written comments would be accepted up until 1:00 PM on Tuesday, March 10, 2026.

A true record, attest: Cessi Wood
City Clerk

NOMINATIONS - AIRPORT DEVELOPMENT AND MARKETING COMMITTEE; *AND* BICYCLE/PEDESTRIAN PATH ADVISORY COMMITTEE

Mayor Kahn nominated Sally Rinehart to serve as an Alternate Member of the Airport Development and Marketing Committee, with a term to expire December 31, 2028. The Mayor also nominated David Mast to serve as an Alternate Member of the Bicycle/Pedestrian Path Advisory Committee, with a term to expire December 31, 2028. Mayor Kahn tabled the nominations until the next regular City Council meeting.

COMMUNICATION - TERRY BISHOP - CONCERNS WITH PARKING ON MARLBORO STREET AND ENFORCEMENT MEASURES

A communication was received from Terry Bishop, expressing concern about parking on Marlboro Street and requesting to discuss solutions related to parking enforcement along this gateway corridor. Mayor Kahn referred the communication to the Municipal Services, Facilities and Infrastructure Committee.

Councilor Greenwald noted that the Municipal Services, Facilities and Infrastructure Committee only meets once monthly and the issue in question had been ongoing for years. He hoped that City staff could do a little homework before the actual meeting and come up with solutions for the Committee to choose from, so the Committee could act on it at the next meeting instead of pushing it down the line to the April or July meetings. City Manager Elizabeth Ferland stated that staff would certainly do their best but she did not know what concerns the petitioner would express at the meeting related to parking and parking enforcement. The City Manager understood that Mr. Bishop was not in support of some solutions the City proposed in the past. So, she said City staff would be at the meeting with comments, but the City Manager was unsure they would be quite ready to offer the Committee a recommendation. It would depend on how the conversation goes.

COMMUNICATION - MARK REBILLARD / KEENE DOWNTOWN GROUP - REQUEST TO USE CITY PROPERTY - MONADNOCK 250TH INDEPENDENCE CELEBRATION - JULY 4, 2026

A communication was received from Mark Rebillard and the Keene Downtown Group, requesting a license to conduct the Monadnock 250th Independence Day Celebration in

Downtown Keene on July 4, 2026. The event will include a parade, sidewalk sales, and family-friendly activities. Mayor Kahn referred the communication to the Planning, Licenses and Development Committee.

FOP REPORT - PRESENTATION - CITY BUDGETING / CAPITAL PLANNING / PROPERTY TAX RATE OVERVIEW

A Finance, Organization and Personnel Committee report was read, unanimously recommending acceptance of the presentation on the City Budgeting / Capital Planning / Property Tax Rate Overview as informational. Mayor Kahn filed the report as informational.

Mayor Kahn thanked City departments and the City Manager for organizing this presentation. The Mayor recalled that the City Council received a letter from a constituent who wanted more visibility about how the City's tax rate is set. Mayor Kahn thought this presentation explained both the expense side, how budgeting takes place, as well as how the tax rate is set. He said it also allowed for some discussion. He thought the meeting minutes provided a good overview of what people could expect of the City's tax rate in the coming year, while the City is going through property tax reassessment. The Mayor called it a good presentation and thanked the City Manager for organizing it.

Councilor Ruttle-Miller noted that she watched the meeting/presentation from home. She pointed out that she would not have understood a lot of the questions asked or what was being discussed if she were not a part of the City government. She thought the information as a whole was incredibly helpful and in depth, but said some things were quickly glossed over because there are people who work in those fields and are entrenched in them every day, so they understand. She said it is important to think about whether someone would understand if they do not work that job. Councilor Ruttle-Miller appreciated the follow-up questions, which recognized that not everyone might have understood the implications of what was stated, indicating that follow-up was needed. She thought it was great that the presentation led to more conversation, which she called really helpful, so she hoped people felt good about that and she thanked everyone.

Mayor Kahn noted that the last comment and discussion was about downshifting of costs and the pressure it is putting on the local property tax rate—not only in the City, but at the School District and the County levels. He thought the City Manager was involved in some conversations that were occurring, which could provide that kind of information in conjunction with the other taxing entities. The Mayor said that would provide more transparency as well.

Councilor Haas asked for this presentation to be posted to the City Assessor's webpage to give it more publicity. The City Manager said yes, except they were thinking about placing it on the Finance Department webpage along with the presentation from the Finance, Organization and Personnel Committee meeting and the Capital Planning Workshop presentation.

FOP REPORT - PAYMENT IN LIEU OF TAXES AGREEMENT WITH CEDARCREST

A Finance, Organization and Personnel Committee report was read, unanimously recommending the City Manager be authorized to negotiate and execute a Payment In Lieu of Taxes agreement

with Cedarcrest Inc. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Chadbourne.

Councilor Powers thought all of these agreements were for 10 years. The City Manager said no, not all of them are 10 years. This one was proposed as 10 years and she spoke with the Fire Department about a potential plan to phase in the cost of these Class A uniforms, something that the City would currently be unable to fund in its budget.

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

CITY MANAGER COMMENTS

City Manager Elizabeth Ferland reported another winter weather parking ban on the evening of this meeting. She remarked on how much snow the City had received this season. No on-street parking allowed would last from 11:00 PM on Thursday, March 5, 2026, until 7:00 AM on Friday, March 6, 2026. Anyone in need of overnight parking was directed to use the Elm Street or Gilbo Avenue municipal parking lots. Looking ahead, the City Manager noted that the temperatures were expected to rise into the 50s and potentially 60s during the upcoming week. So, she said to expect snow melt, and noted that City staff would be on the lookout for any sorts of issues that may bring.

The City Manager also provided an update on the City's winter operations budget. She noted that this cost center was 79% expended as of this date. The overtime for this cost center was $43,000 over budget at this time. However, City Manager Ferland reported good news that overall, the Public Works Department wage lines would be able to absorb this overage. She also reported that the City's Salt Shed was still mostly full at this time, so things would be in good shape even in the case of a few more storms, which the City Manager called good news.

Councilor Chalice reminded everyone that this amount of snow has the ability to feed all of the plants and trees in the local forests. She noted that Keene had been in drought circumstances off and on for an extended period. So, while she knew the snow conditions were rough, she asked everyone to keep in their minds the notion of this moisture percolating down for the City's groundwater as well. Councilor Chalice said the snow is really much needed and she was so grateful for it. The City Manager said that it was a really good point because it is also helpful to fill up the City's wells.

The City Manager mentioned that Councilor Ruttle-Miller provided a great reminder about trying to always step outside of our roles, such as not relying on acronyms the public might not understand. She thought that City Assessor Dan Langille and Finance Director Kari Chamberlain did well during the aforementioned City Budgeting / Capital Planning / Property Tax Rate Overview. The City Manager enjoyed Mr. Langille's spreadsheet and the ability to plug different numbers in to see the outcome for the City's assessment and budget. She found it helpful and said City staff were discussing how to publish an online version that the public could use themselves. City Manager Ferland said it was a great reminder about getting outside of our own roles and thinking about how someone might understand what we are saying.

Councilor Workman acknowledged the Public Works Department crews, who she saw out filling potholes earlier on the day of this meeting. She reminded the public about the See-Click-Fix app that they can use to report issues they see around the City. She had just used it herself to report several potholes and said they were fixed immediately. Councilor Workman reminded the public that social media is great, but rather than reporting something on social media when they see it, they could also report it through the City's platforms, such as the See-Click-Fix app. Mayor Kahn added that people could go to the City's website at KeeneNH.gov and sign up for City notifications. Councilor Workman said you can get the See-Click-Fix app on your phone.

ORDINANCE FOR FIRST READING - RELATING TO UPDATES TO SECTION 94-321, "STOP SIGNS" IN THE CITY CODE - ORDINANCE O-2026-03

A memorandum was read from City Engineer Don Lussier, recommending that Ordinance O-2026-03 be referred to the Municipal Services, Facilities and Infrastructure Committee for review and recommendation to the City Council. Mayor Kahn referred Ordinance O-2026-03 to the Municipal Services, Facilities and Infrastructure Committee.

RELATING TO SERVICE CONNECTED TOTAL DISABILITY VETERAN TAX CREDIT - RESOLUTION R-2026-07

A Finance, Organization and Personnel Committee report was read, unanimously recommending the adoption of Resolution R-2026-07, with an effective date as of April 1, 2026. Mayor Kahn filed the report.

Councilor Roberts asked for continued recusal on this matter. Hearing no objections from the Council, Mayor Kahn granted recusal.

A motion by Councilor Powers to adopt Resolution R-2026-07, with an effective date of April 1, 2026, was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Roberts abstained.

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 7:41 PM.

A true record, attest: Terri Hood
City Clerk

PUBLIC HEARING
CAPITAL IMPROVEMENT PROGRAM

Notice is hereby given that a Public Hearing will be held before the Keene City Council relative to the proposed City of Keene Capital Improvement Program for the seven years starting July 1, 2026, and ending June 30, 2033. The plan identifies non-school capital projects and equipment acquisitions that are planned to be undertaken in the community and outlines the City's planned investments from local, State, and Federal resources. The local portion of the program is funded by the sale of bonds, property taxes, and other miscellaneous sources.

Members of the public are encouraged to attend to ask questions and provide input on the proposed program.

HEARING DATE: March 19, 2026
HEARING TME: 7:00 pm
HEARING PLACE: Council Chambers, Keene City Hall

Attest: Terri Hood
City Clerk

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Fire Department

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

CENTRAL FIRE STATION ALERTING SYSTEM

FY28 $104,000

- Replace outdated failing system
- Reduce cardiac stress on responders
- Improve turnout times
- Improve dispatch and fire department communications

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

DURABLE MEDICAL EQUIPMENT

FY27 $150,235

- Specialized Advanced Life Support Equipment
- Replace 5 Zoll Z-Vent Mechanical Ventilators
- 7-Year Service Life

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

PORTABLE RADIOS

FY27 $140,000
FY28 $140,000
FY29 $140,000

- Replace 65 portables over 3-year cycle
- End of support
- Improve interoperability and communication quality

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

AMBULANCE REPLACEMENT

FY28 $533,595

- 9-year replacement schedule
- Power load/power cot
- 10,000 responses in life
- Replace 19A3

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

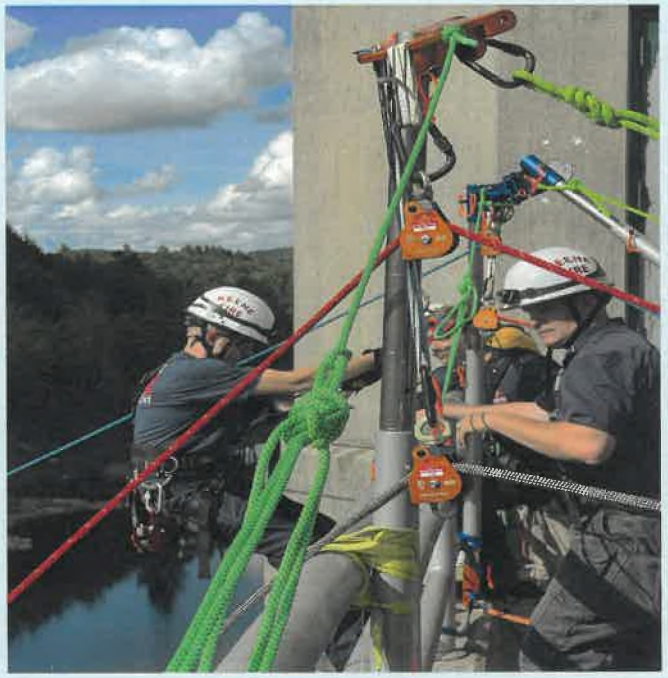
Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

TECHNICAL RESCUE EQUIPMENT

FY28 $65,000

- Specialized Advanced Technical Equipment
- 10-year replacement per manufacturer and NFPA
- Only Technical Rescue Team in Southwestern New Hampshire
- Disciplines included: Trench, Confined Space, High Angle, Swift Water, and Building Collapse



KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Parks and Recreation

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

ROBIN HOOD PARK RENOVATION PROJECT

FY27 $2,692,000

FY28 $1,175,000

- Refurbished Pool
- Inclusive Playground Structure
- Improved Camp Building & Bathrooms
- Multi-Sport Court
- Upgraded Parking Lots
- Enhanced Traffic Flow

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

OPEN SPACE & TRAILS PROGRAM

FY27 $66,000

FY28 $133,000

- Jonathan Daniels Trail Rehabilitation
- Appel Way Paving
- Robin Hood Park Trail Enhancements
- Beech Hill Trail Enhancements

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

MUNICIPAL PARKS MAINTENANCE PROGRAM

FY27 $163,530

FY28 $310,500

- Durling & O'Neal Fields Irrigation Upgrades
- Wheelock Park Playground Structure Replacement
- Wheelock Park Playground Accessible Surfacing

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

PARK FOREST SUSTAINABILITY PROJECT

FY27 $135,000

FY28 $125,000

- Dinsmoor Woods Red Pine Harvest & Understory Maintenance
- Wheelock Park Red Pine Harvest & Native Tree Installation
- Russell Park Tree Plantings

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

ASHUELOT GREEN SPACE PROJECT

FY27 $200,000

FY28 $1,000,000

- Design Process
- Natural Playground
- Canoe/Kayak Launch
- Accessible Public Restrooms
- Enhanced Parking for Ashuelot River Park Spaces

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

TRAIL BRIDGE MAINTENANCE PROGRAM

FY27 $130,000

FY28 $0

- Ashuelot Rail Trail Trestle Bridge Rehabilitation

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Police Department

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

EXACOM HINDSIGHT

FY27 $41,300

- Records telephone and radio communications
- Provides increased accuracy and accountability
- Required to maintain national accreditation
- Transition to a more affordable cloud-based solution

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

BODY AND IN-CAR CAMERA SYSTEMS REPLACMENT

FY29 $97,900

- Enhanced transparency and public trust
- Enhanced accountability and protection for our officers
- Provides improved evidence collection
- Represents only a one-year contract renewal with our current vendor

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

PORTABLE RADIO REPLACEMENT

FY29 $86,328

- The first of a 3-year replacement program
- Total cost of the program is approximately $271,928
- Vendor supported life-span for this equipment is reported at 7-10 years
- FY29 will represent 10 years for the current equipment

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Facilities

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

MUNICIPAL BUILDING CAPITAL MAINTENANCE PROGRAM

FY27 $100,000

FY28 $100,000

- Upgrade building automation systems from N4 to N5 including Central Fire
- Mini Split Heat Pump Council Chambers
- Replace water expansion tanks and hot water circulation pumps at PW

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

WEST KEENE FIRE STATION

FY28 $750,000

- Schematic Design
- Grant ready
- Maple Ave next to Cheshire Medical
- FY30 Construction contingent upon grant funding

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

LIBRARY LIGHTING

FY27 $175,000

- Completing a Feasibility Study
- Trustees pledged up to $50,000
- Friends KPL pledged up to $50,000
- Upgrades in main stack area
- Upgrades in 1st floor reading rooms
- Upgrades in 2nd floor meeting rooms
- Upgrades in main stairwell
- Additional rebates possible

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

HVAC AND ENERGY CONSERVATION

FY27 $179,000

FY28 $75,000

- Upgrades to City Hall Electrical Service and Distribution System
- Updated Facilities Assessment Report

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

PAVING PARKING LOTS PROGRAM

FY27 $379,300

FY28 $382,600

- Rehabilitation of Airport
- Rehabilitation of Recreation Center
- Future Years include Police & Library

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

MUNICIPAL BUILDING ROOFS PROGRAM

FY27 $227,875

FY28 $402,250

- Recreation Center – MP, storage and classrooms
- Airport Terminal
- Future years include Library, City Hall and Central Fire Station

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Information Technology

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

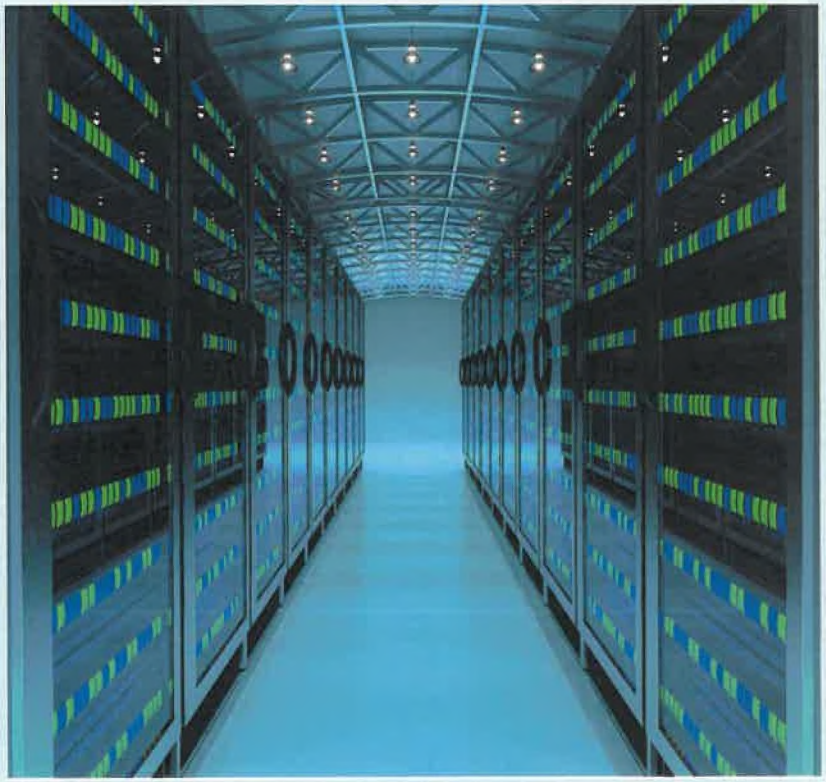
- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

ORGANIZATIONAL LEVEL EQUIPMENT REPLACEMENT

FY27 $129,000

FY28 $229,000

- Ensure hardware is supported
- Refresh hardware and software to match changing needs of organization



A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Airport

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

WILDLIFE PERIMETER FENCE PHASE III (CONSTRUCTION)

FY27 $3,968,000

- Install approximately 17,000 linear feet of wildlife perimeter fencing to enhance airfield security, reduce wildlife incursions, and improve overall operational safety.
- Eligible for 90% federal and 5% state funding

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

SNOW REMOVAL EQUIPMENT

FY27 $1,555,556

- Replace a dump truck and the large runway broom
- Eligible for 90% federal and 5% state funding

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

PAVEMENT MAINTENANCE & MARKING

FY27 $166,666

- Restore and refresh critical airfield pavement markings to maintain compliance, enhance pilot situational awareness, and ensure continued operational safety
- Eligible for 90% federal and 5% state funding

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

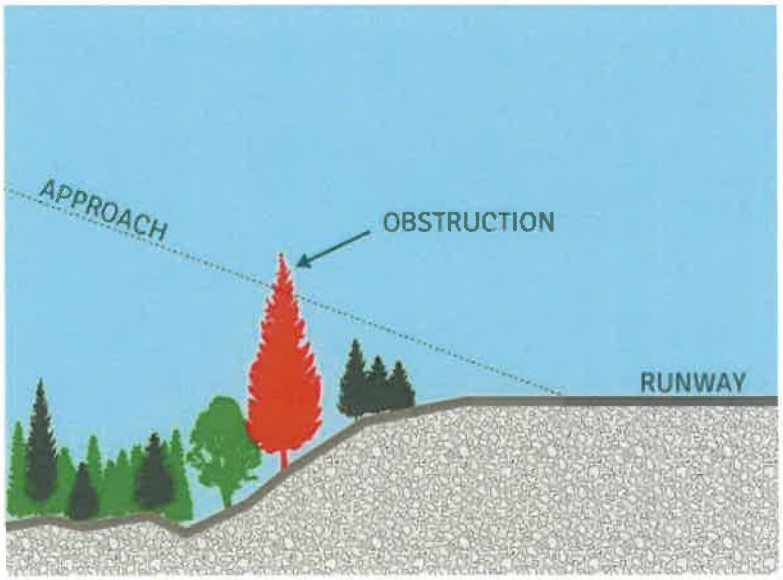
- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

AIRPORT OBSTRUCTION MANAGEMENT

FY27 $500,000

FY28 $650,000

- Identify, evaluate, and remove vegetation penetrating protected airspace surfaces to preserve approach and departure clearances and maintain FAA safety standards
- Eligible for 90% federal and 5% state funding



CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

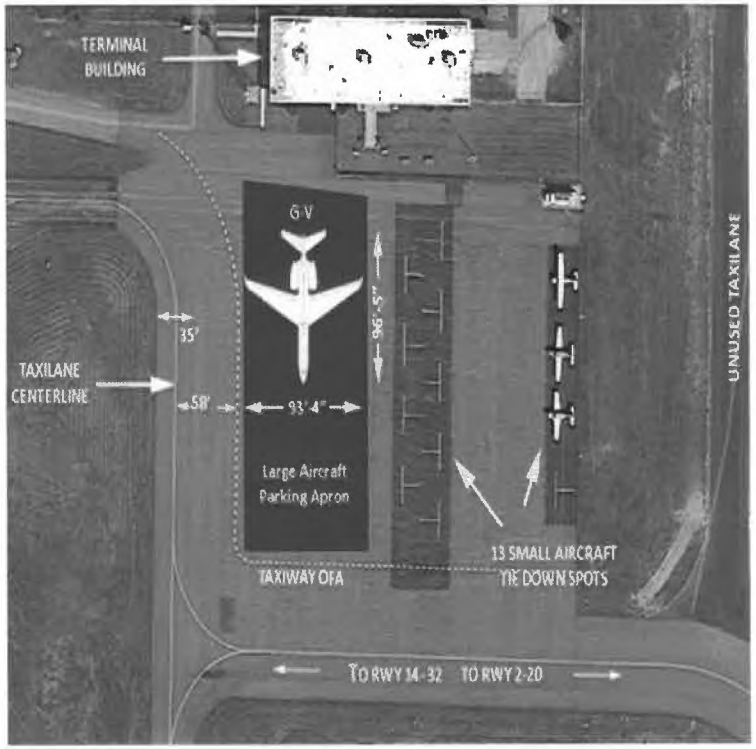
Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

TERMINAL APRON EXPANSION

FY30 $3,661,112

- Add apron space and tie-downs
- Facilitates larger aircraft and additional small aircraft
- Eligible for 90% federal and 5% state funding



KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Public Works: General Fund

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

ROAD PRESERVATIONS AND REHABILITATION PROGRAM

FY27 $1,400,800
FY28 $1,663,800

- **Scope** FY27 Downtown, rebuild of Main Street and Central Square streets.
  FY28 Roxbury St, Emerald St, Whitcomb's Mill Road and surrounding streets scheduled for rehabilitation
- **Selection Criteria:** Vehicle trip data, utility work, road condition assessment, rideability scoring, grouping streets
- **Benefits**: Extend the serviceable life of the roads, minimize operating and maintenance costs for City performed road repairs

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

STORMWATER RESILIENCY PROGRAM

FY27 $3,509,300

FY28 $1,230,700

- **Scope** FY27 Downtown, Central Square and Main Street CMP culvert and block catch basin and drain manhole replacement.
  - FY28 Court Street
  - FY29 Church Street
- **Selection Criteria:** Scheduled replacement of other utilities, road rehab needs, undersized, failed or nonfunctioning drains
- **Benefits**: Extend the serviceable life of the roads, other infrastructure, mitigation of flooding and associated damage

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

WEST STREET CORRIDOR IMPROVEMENTS PROJECT

FY27 $829,441

FY30 $334,862

- **Funding** NHDOT 80/20 funded project for the reconstruction of West Stret from Main Street to NH Rte. 9
- **Scope** The project includes road re-alignment and reconstruction, water and sewer main replacement, traffic signals, pedestrian and bicycle accessibility improvements
- **Schedule** NHDOT planned funding in FY28 for preliminary and final design. NHDOT planned funding in FY33 for construction

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

LOWER WINCHESTER STREET CORRIDOR IMPROVEMENTS PROJECT

FY27 $624,200

FY30 $10,274,231

- **Funding** Inter-community, NHDOT 80/20 funded project with the Town of Swanzey for the reconstruction of West Lower Winchester Street from to NH Rte. 9 to the Swanzey town line
- **Scope** The project includes road re-alignment, two roundabouts, bridge replacement, sewer and main replacement, pedestrian and bicycle accessibility improvements
- **Schedule** Currently in ROW Phase and Final Design phases with NHDOT planned funding in FY30 for construction

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

DOWNTOWN RESTROOM PROJECT

FY28 $442,000

- **Background** The City has not had a public restroom in the Downtown area for several years. The project was developed in the interest of supporting downtown activities, visitors and the community
- **Scope** The project includes the design, permitting, furnishing and installation of a self-cleaning public restroom for the Downtown area, in proximity to the proposed Gilbo Ave Solar Pavilion Project in order to serve dual purposes for the housing of electrical components in a separate space of the building

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

GILBO AVENUE SOLAR PAVILION PROJECT

FY27 $2,196,000

- **Funding** Northern Borders Timber for Transit, federal grant 80/20 project funding for the design and constructing of the Gilbo Ave Solar Pavilion
- **Scope** The project is currently in preliminary design and includes the design, permitting and construction of a 30-foot by 230-foot timber frame covered structure with a rooftop photovoltaic (PV) solar array that will generate enough energy to offset the City's Downtown electrical costs

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Parking Fund

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

SURFACE PARKING LOT MAINTENANCE PROGRAM

FY28 $58,400
FY30 $97,800
FY32 $69,300

- **Background** The City owns and maintains six public lots: Gilbo Ave (East and West lots), Wells St, Commercial St, Elm St and the Library Annex
- **Scope** FY28 Rehab or replace parking lot amenities FY30 Rehab or replace parking kiosks, re-seal Commercial & Gilbo (last done in FY22), FY32 Rehab and crack seal pavement at Gilbo lots, Elm St, Wells St (last done in FY25)

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

CITY HALL PARKING STRUCTURE MAINTENANCE PROGRAM

FY27 $96,000
FY30 $74,000
FY33 $50,000

- **Background** The City Hall parking garage was constructed in the late 1980s and requires rehabilitation, repairs and replacement for wear and use every three to four years
- **Scope** FY27 structure repairs, traffic membrane and misc. improvements FY30 Concrete repairs, repainting metal railing, replace lights and pay kiosk, FY32 re-seal concrete surfaces to extend the serviceable life of the facility

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

WELLS STREET PARKING STRUCTURE MAINTENANCE PROGRAM

FY28 $50,000
FY32 $65,000

- **Background** The Well Street parking garage was constructed in 1998 and requires rehabilitation, repairs and replacement for wear and use every three to four years
- **Scope** FY28 Clean, repair and recoat metal surfaces and railings FY32 re-seal concrete surfaces to extend the serviceable life of the facility
- **Funding/Planning** Funding years alternate from the City Hall Garage planned funding years

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

EV CAR CHARGING STATIONS PROGRAM

FY29 $50,000

FY32 $232,800

- **Background** The City furnished and installed EV car charging stations in 2015 with planned additional stations in FY27 in the 2025-2031 CIP. With a noted decline in use, this purchase of additional EV Car charging stations has been pushed further out in order to assess and confirm the need and demand for additional charging stations
- **Scope** FY29 Maintain and rehab existing stations. FY32 furnish and install five dual port EV car charging stations

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Solid Waste Fund

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

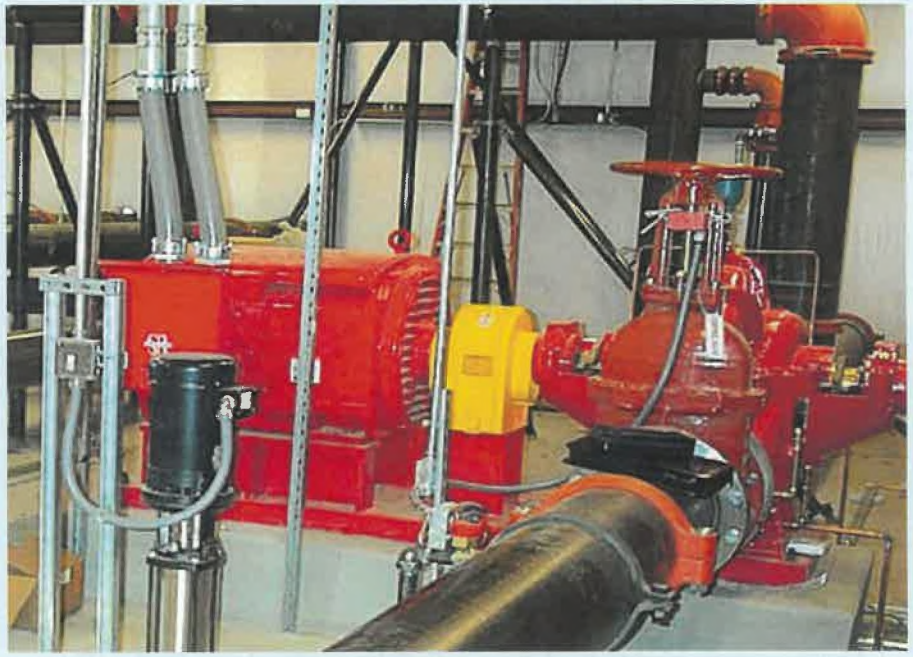
Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

FIRE SUPPRESSION SYSTEM PROJECT

FY27 $250,000

- 5 recent fires w/property & equipment damage
- Existing 30,000-gallon cistern
- Existing sprinkler heads
- Project involves connecting water tank to sprinklers
- Currently have dry system
- Looking to add fire pump & piping to sprinkler heads for immediate water response



CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

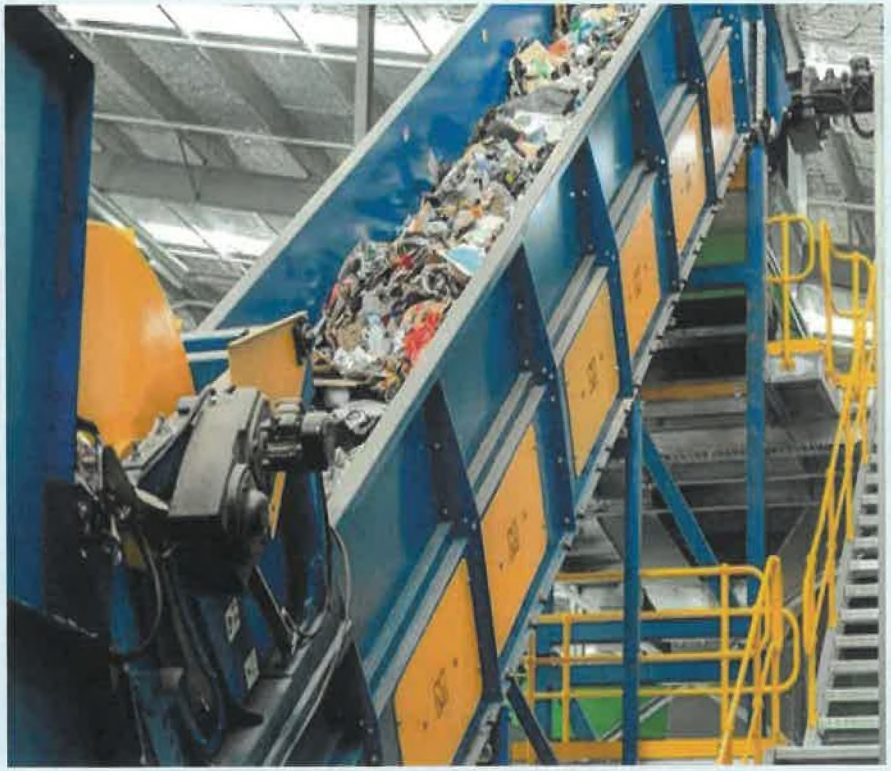
Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

RECYCLING EQUIPMENT REPLACEMENT

FY28 $75,000

- Equipment is 30+ yrs. old
- Recent contract to replace in-feed & sort line conveyors.
- Cross belt magnet planned for FY28
- Eddie Current separator will need to be replaced in the in coming years
- Replacement or Rebuild planned for bailer in FY31



KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Sewer Fund

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

BLACKBROOK WASTEWATER PUMP STATION UPGRADE

FY27 $300,000
FY29 $1,910,000

- **Improved System:** Design upgrades to station including pumps, motors and all related electrical gear. New back up power generator for operation during power outages
- **Removal:** New screening technology for trash removal from wastewater stream.
- **Growth:** New station will allow for further growth in the industrial park area

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

WWTP CHEMICAL FEED SYSTEM UPGRADE PROJECT

FY27 $100,000
FY29 $500,000

- **Better Pricing:** tote price is 0.168/lb
  bulk price is 0.109/lb
  Would save **$30,000 to $43,000** annually based on use
- **Safer:** eliminates potentially hazardous transport of dangerous chemical by personnel and heavy equipment
- **Better Processes:** would keep chemical and equipment from exposure to harsh weather that can affect the pumping process

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

CLARIFIER EQUIPMENT REPLACEMENT PROJECT

FY27 $40,000

FY28 $240,000

- **Less Metals:** Replaces aluminum weirs and baffles with composite materials lowering exposure to aluminum limits required by discharge permit
- **Better Water:** Smoother transfer of water through the new system decreases the fowling potential leading to higher quality effluent water to receiving waters

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

SEWER IMPROVEMENTS PROGRAM

FY27 $1,511,700
FY28 $1,713,400

- **Scope** FY27 Downtown replace 5,000 feet undersized pre-1900 sewer main and laterals FY28 George Street and Sullivan Street replace 3,000 feet of 1920's sewer main and laterals
- **Benefits**: Eliminates infiltration into the system, reduces maintenance, operating wastewater treatment costs to the City and Property Owners to clear and repair the sewer main and laterals.

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

SEWER MAIN LINING PROGRAM

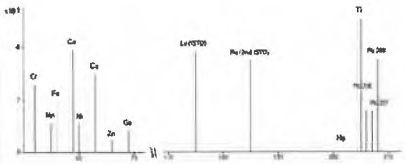
FY29 $225,000
FY30 $232,900

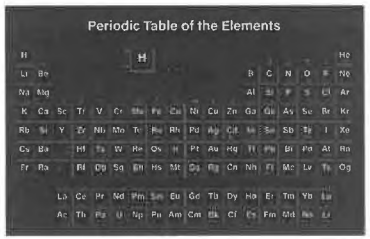
- **Scope** Lining of the City's existing sewer mains, where feasible based on the existing conditions.
- **Benefits**: Eliminates infiltration into the system, reduces maintenance, operating wastewater treatment costs to the City and Property Owners to clear and repair the sewer main and laterals. Less costly, less disturbance and less required road repair as compared to conventional dig replacement methods.

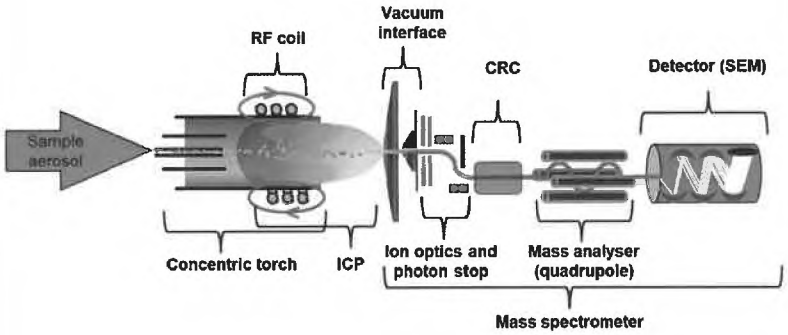
WWTP LABORATORY INSTRUMENTATION & EQUIPMENT REPLACEMENT PROGRAM

FY27 $105,000 – Sewer
$105,000 – Water

- Replaces Atomic Absorption Spectrometer with Inductively Coupled Plasma Mass Spectrometer (ICP-MS)
- **Improved detection** of metals and minerals: more elements tested at a lower concentration
- **Higher throughput**: more samples analyzed in less time, improved monitoring programs
- Testing wastewater for regulatory compliance and monitoring drinking water quality







KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Water Fund

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

WELL FIELD UPGRADE PROGRAM

FY27 $35,000
FY28 $4,229,000

- **Water Quality:** Design for upgrades at the Court St well Fields with construction funds in FY 2028
- **Energy Efficiency:** Complete renovations to 3 wells and all related electrical components
- **Security:** Installation of fencing around the sanitary protective radius at the West St Well in FY 2027

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

GLENN RD AND FOX AVE WATER PUMP STATION PROJECT

FY27 $190,000

- **Energy Saving:** Complete rehabilitation of Glenn Rd water booster Station including pumps, motors and more efficient electrical components
- **Quality and Safety:** new equipment will allow for better fire flow and overall water quality
- **Future:** FY30 funds similar upgrades to Fox Ave booster Station

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

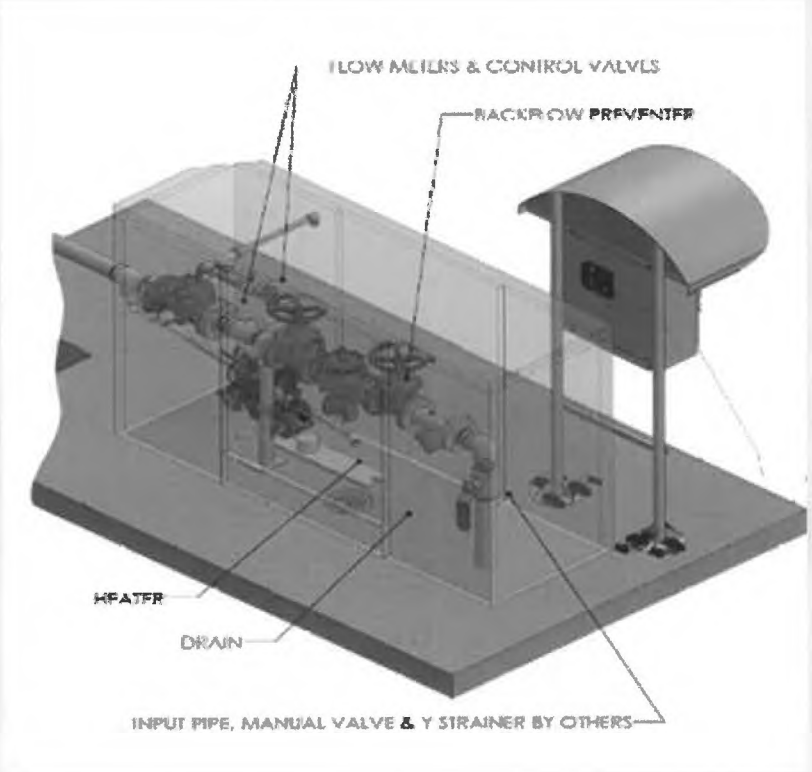
Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

BULK WATER FILL STATION

FY27 $121,000

- **Convenience:** allows water haulers opportunity to purchase water 24/7/365 with user friendly touch screen and credit card reader
- **Revenue:** Different rate structure will allow an opportunity for a new additional revenue source for the City



KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

WATER DISTRIBUTION SYSTEM IMPROVEMENTS PROGRAM

FY27 $1,814,500
FY28 $1,637,900

- **Scope:** FY27 Downtown, replace 5,150 feet of pre-1900's water main. FY28 Hastings Avenue, replace 3,400 feet of 1920's water main
- **Water Quality:** Improve water system quality, water pressure and reduce water main breaks with the increased pipe sizes and interconnections with the replacement water mains.

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

TRANSMISSION WATER MAIN INSPECTION AND CONDITION ASSESSMENT PROJECT

FY27 $250,000

- **Scope:** Perform an inspection of the City's existing 16-inch transmission water main and develop recommendations for repairs.
- **Water Quality:** Minimize water main breaks and disruption to water system availability by identifying the necessary extents of the water main repair requiring repair and/or replacement.

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

Master Plan Vision

- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

Equipment Fund

A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

KEENE

CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

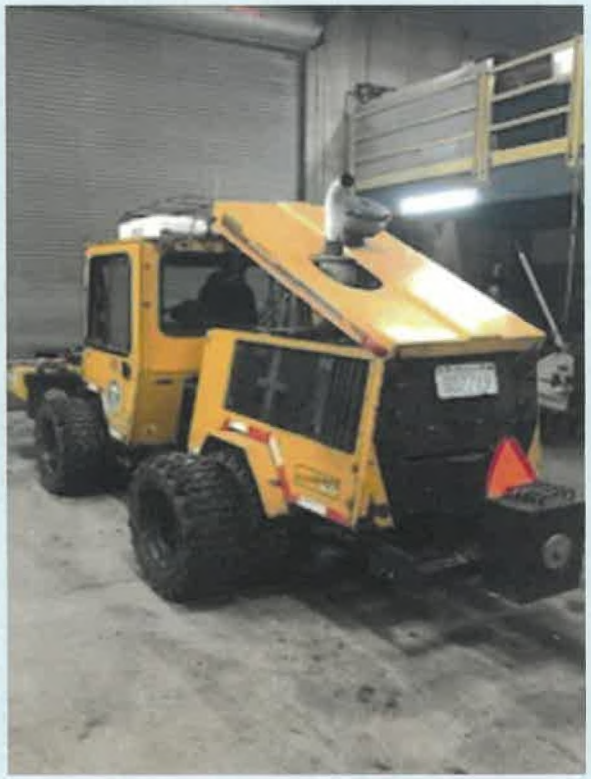
- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

EQUIPMENT REPLACEMENT PROGRAM

FY27 $943,233

FY28 $884,666

- 162 Vehicles
- Based on age, condition, trade-in value, user needs
- Retired patrol cars recycled
- Replacement only at end of useful life



CITY OF KEENE

Capital Improvement Program

Fiscal Years 2027-2033

Master Plan Vision

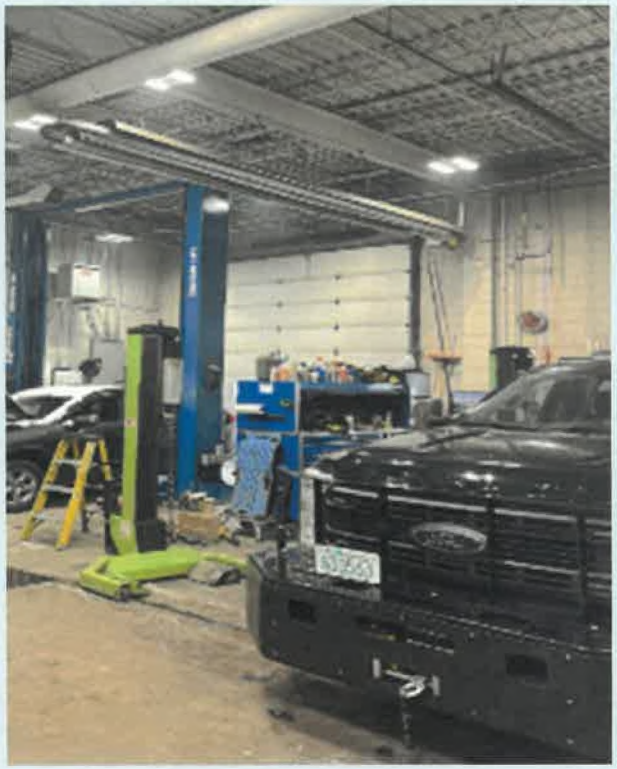
- Livable Housing
- Thriving Economy
- Connected Mobility
- Vibrant Neighborhoods
- Adaptable Workforce
- Flourishing Environment

FLEET BUILDING UPGRADE

FY28 $110,000

FY29 $900,000

- Number of bays half of what is required
- Bay size smaller than optimal
- Lack of space
- Overhead doors too small



A Standard for Sustainability | Built for an Active Lifestyle | Enthusiastic Civic Engagement | An Arts & Culture Hub

CITY OF KEENE
NEW HAMPSHIRE

ITEM #B.1.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Mayor Jay V. Kahn

Through: Terri Hood, City Clerk

Subject: **Nominations - Energy and Climate Committee, Library Board of Trustees**

Council Action:
In City Council March 19, 2026.
Nominations tabled until the next regular meeting.

A true record;

Attest: Terri Hood
City Clerk

Recommendation:

Attachments:
1. Matthews, Susan_Redacted

Background:

I hereby nominate the following individuals to serve on the designated board or commission:

Energy and Climate Committee

Claire Oursler — December 31, 2028
reappointment
Regular Member - Slot 8

Library Board of Trustees

Susan Matthews — June 30, 2029
158 High Street
Regular Member - Slot 5

2026-93

From: City of Keene
To: Nicole Howe; Terri Hood; Heather Fitz-Simon
Subject: New submission from City Board or Commission Volunteer Form
Date: Tuesday, December 16, 2025 2:42:42 PM

Submitted on 12/16/2025

Submitted fields are:

Name

Susan Matthews

Email

[redacted]

Phone

[redacted]

Address

158 High Street
Keene, New Hampshire 03431
United States
Map It

How long have you resided in Keene?

6 years

Employer

retired

Occupation

Educator

Retired?

Yes

Please list any organizations, groups, or other committees you are involved in

Friends of the Keene Public Library, Keene, NH
Educator- Community Education - Keene, NH
State of Connecticut Team Program - educator, mentor, evaluator
Educator, Evaluator - Secondary Science Education- University of St. Joseph, West Hartford, CT
Adjunct Professor - Capital Community College, Hartford, CT
Network of Educators in Science and Technology Board Member - MIT University, Cambridge, Mass
NEASC Committee Evaluating Team member
NEASC Committee Chairperson - Curriculum and Instruction- Hartford Public Schools
Team Leader- Science Educators - Hartford Public Schools
Research team member - MIT Langer Laboratory - Stem Cells
Research team member - University of Connecticut - triple screen testing and telomeres
Presenter - MIT and Weill Medical Center, NYC for science educators

Have you ever served on a public body before?

Yes

Please select the Boards or Commissions you would be most interested in serving on.

- Library Board of Trustees

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

One of my pre-requisites in moving from Connecticut was that the town had to have a library. In choosing Keene, my desires have been more than fulfilled! I have been actively participating in the activities of The Friends, sorting books, working and manning the book sales and pop-up sales. I also volunteer in the atrium on Wednesday mornings and am always happy to help in any capacity I am needed. I was also privileged to work on the Five Year Plan for the library last spring and had the opportunity to meet with community members who share a vision of excellence and community outreach for the library. I also, however, saw an opportunity for greater outreach and community engagement and would be honored to work with the Board of Trustees on finding ways to reach all of the community's stake-holders.

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

My background is in public education at both the secondary and collegiate levels, with emphasis on Urban Education. I believe I am able to effectively communicate with others and to listen and consider all ideas. I have worked on several successful committees and am known for working hard and considering all of the viewpoints presented. My science background allows me to keep up to date on issues that may affect the health and well-being of the community.

Suggest other public bodies of interest

Because of my science background (and because I am a human being living on this planet!), I am very interested in environmental issues and in the well being of all citizens.

Please provide two personal references:

Name

Jan Manwaring

Email

[redacted]

Phone

[redacted]

Name

Lynn Kidd

Email

[redacted]

Phone

[redacted]

CITY OF KEENE
NEW HAMPSHIRE

ITEM #B.2.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Mayor Jay V. Kahn

Through: Terri Hood, City Clerk

Subject: **Confirmations - Airport Development and Marketing Committee; Bicycle Pedestrian Path Advisory Committee**

Council Action:
In City Council March 19, 2026.
Voted unanimously to confirm the nominations.

A true record;

Attest: Terri Hood
City Clerk

In City Council March 5, 2026.
Nominations tabled until the next regular meeting.

A true record;

Attest: Terri Hood
City Clerk

Recommendation:

Attachments:
None

Background:
I hereby nominate the following individuals to serve on the designated board or commission:

Airport Development and Marketing Committee

Sally Rinehart — December 31, 2028
24 School Street
Alternate, Slot 12

2026-69

Bicycle Pedestrian Path Advisory Committee

David Mast December 31, 2028
27 Park Avenue
Alternate, Slot 11

2026-69

CITY OF KEENE
NEW HAMPSHIRE

ITEM #C.1.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Councilor Molly Ellis

Through: Terri Hood, City Clerk

Subject: **Councilor Ellis - Conflict of Interest - Monadnock 250**

Council Action:

In City Council March 19, 2026.
Voted 13 in favor with one abstaining to acknowledge Councilor Ellis's conflict of interest and grant the request for recusal from participation and voting on the Monadnock 250th Celebration license approval on this evening's agenda.

A true record;

Attest: Terri Hood
City Clerk

Recommendation:

Attachments:

1. Communication_Ellis

Background:

Councilor Ellis has put a Conflict of Interest on record regarding topics related to the Monadnock 250 event. She requests to be recused from the discussions and votes when the topic comes before the City Council.

2026-97

March 17, 2026

City Clerk's Office
City Hall
3 Washington Street
Keene, NH 03431

To the Honorable Mayor and City Council:

I respectfully request to be recused from matters pertaining to Monadnock 250 at the upcoming City Council meeting. I am the chair of the Monadnock 250 committee, and thus would have a conflict of interest,

Best regards,

Molly Ellis

CITY OF KEENE
NEW HAMPSHIRE

ITEM #C.2.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Councilor Ed Haas

Through: Terri Hood, City Clerk

Subject: **Councilor Haas - Conflict of Interest - Keene Downtown Group**

Council Action:

In City Council March 19, 2026.
Voted 13 in favor with one abstaining to acknowledge Councilor Haas's conflict of interest and grant the request for recusal from participation and voting on the two matters pertaining to the Keene Downtown Group on this evening's agenda.

A true record;

Attest: Terri Hood
City Clerk

Recommendation:

Attachments:

1. Communication_Haas

Background:

Councilor Haas has put a Conflict of Interest on record regarding topics related to the Keene Downtown Group. He requests to be recused from the discussions and votes when the topics come before the City Council.

2026-96

March 14, 2026

Terri Hood, City Clerk

City of Keene

10 Central Square

Keene, NH 03431

Re: Abstention from Voting:

Two items at next Council meeting

Terri,

I am active as a board member of the Keene Downtown Group. Two items concerning the Downtown Group have been referred to Council from the PLD committee, for consideration at the next Council meeting. I would expect to abstain from voting on those items due to my interest in the Group.

Thank you,

Ed Haas

Ward Two Councilor

CITY OF KEENE
NEW HAMPSHIRE

ITEM #C.3.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Kevin Watterson
President/Keene Swamp Bats

Through: Terri Hood, City Clerk

Subject: **Keene Swampbats - Request to Discharge Fireworks - Independence Eve Celebration - July 3, 2026**

Council Action:
In City Council March 19, 2026.
Referred to the Planning, Licenses and Development Committee.

A true record;

Attest: Terri Hood
City Clerk

Recommendation:

Attachments:
1. Communication_Watterson

Background:
Mr. Watterson is requesting the annual license to discharge fireworks at Alumni Field as part of the Independence Eve Celebration held at that evening's Swamp Bats Game. The applicant has requested Community Event funding for this FY27 event.

2026-87

www.swampbats.com
303 Park Ave. • Keene, NH 03431 • (603) 357-5464

January 6th, 2026

Keene City Council
Mayor Kahn

Dear City Councilors and Mayor Kahn,

The Keene SwampBats request your approval to host a Class B fireworks display on Friday July 3rd, 2026. This event is part of Keene's annual fireworks celebration, also known as Independence Eve.

The fireworks will take place at Alumni Field on Arch Street, immediately following the regularly scheduled SwampBats game. The fireworks display will begin at approximately 9:45pm, within minutes of the final out of the game. We will supply a letter of approval from the SAU29 and an insurance rider naming the City of Keene as a co-insured.

Thank you in advance for your consideration.

Respectfully,

Kevin D. Watterson, President
Keene SwampBats

CITY OF KEENE
NEW HAMPSHIRE

ITEM #C.4.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Alano Fiero
Keene Young Professionals Network

Through: Terri Hood, City Clerk

Subject: **Alana Fiero/Keene Young Professionals - Request to Use City Property - Taste of Keene Food Festival - June 6, 2026**

Council Action:
In City Council March 19, 2026.
Referred to the Planning, Licenses and Development Committee.

A true record;

Attest: Terri Hood
City Clerk

Recommendation:

Attachments:
1. Communication_Fiero

Background:
The Keene Young Professionals Network has submitted their annual request for a license to conduct the Taste of Keene Food Festival on Saturday, June 6, 2026. The applicant has received Community Event funding for this FY26 event.

2026-88

Taste of Keene Food Festival

Alana Fiero

Taste of Keene Committee Chair

Mayor Kahn & the Keene City Council

3 Washington Street
Keene, NH 03431
603-357-9804

Dear Mayor Kahn & the Keene City Council,
The Keene Young Professionals Network would like to submit a request to host the 2026 Taste of Keene Food Festival in downtown Keene. We plan to host our sixth annual Taste of Keene event again this June!

City Council has been wonderfully supportive of this event and we would like to continue to make this festival an annual tradition for Keene. We plan to host this event the first Saturday of June each year. This year would be June 6th from 11:30am to 3:30pm. We plan to operate in the same manner as last year with food and beverage tastings, utilizing an amended footprint due to the anticipated downtown construction project.

The event is intended to be beneficial for downtown Keene in several ways:

- Draw people to our downtown businesses to kick off the warmer weather
- Put Keene "on the map" as a tourist destination and food hub
- Highlight local cuisine and beverage options
- Showcase a diversity of local talent with live entertainment
- Welcome new community members to town

The Keene Young Professionals Network is a program of the Hannah Grimes Center for Entrepreneurship, with the mission of connecting young professionals in the Monadnock region to their peers and their communities through social, educational, and service opportunities.

We are hopeful to partner with the City to make this a safe, successful, and fun event that is enjoyed for years to come.

Sincerely,
Alana Fiero
Alana Fiero

CITY OF KEENE
NEW HAMPSHIRE

ITEM #C.5.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Kevin Blake Amacker/Copper Cannon Distillery

Through: Terri Hood, City Clerk

Subject: **Copper Cannon Distillery - Request to Participate in the Keene Farmers' Market**

Council Action:
In City Council March 19, 2026.
Referred to the Planning, Licenses and Development Committee.

A true record;

Attest: Terri Hood
City Clerk

Recommendation:

Attachments:
1. Copper Cannon Distillery 2026 Letter to Mayor and Council_redacted

Background:
Mr. Amacker is requesting annual permission to be a vendor at the Keene Farmers' Market in 2026. They provide alcohol tastings and have appropriate safeguards in place per the liquor commission. They sell retail alcohol and follow Liquor Commission rules.

2026-94

3/16/2026
Copper Cannon Distillery
2 Lyman Way
West Chesterfield, NH 03466
[redacted]

Keene Mayor and City Council,

We have received permission to be a vendor at the Keene Farmers Market to sell alcohol and provide individual product samples to patrons in accordance with the requirements of the State of NH Liquor Commission. We are Copper Cannon Distillery located in West Chesterfield, NH. We would like to do tastings and retail at the Keene Farmers Market.

We are asking the mayor and council to give us approval to take part in the Keene Farmers Market. We will have all the appropriate safeguards in place when doing tastings per the liquor commission.

Feel free to call me anytime with questions. [redacted]

Thank you for your time,

Kevin Blake Amacker

CITY OF KEENE
NEW HAMPSHIRE

ITEM #D.1.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

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

Council Action:
In City Council March 19, 2026.
Voted 13 in favor with one abstaining to carry out the intent of the report.

A true record;

Attest: Jessi Wood
City Clerk

Recommendation:
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.

Attachments:
None

Background:
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.

CITY OF KEENE
NEW HAMPSHIRE

ITEM #D.2.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

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

Council Action:
In City Council March 19, 2026.
Voted 12 in favor with two abstaining to carry out the intent of the report.

A true record;

Attest: Jessi Wood
City Clerk

Recommendation:
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.

Attachments:
None

Background:
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.

CITY OF KEENE
NEW HAMPSHIRE

ITEM #D.3.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

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

Council Action:
In City Council March 19, 2026.
Voted unanimously to carry out the intent of the report.

A true record;

Attest: Jessi Wood
City Clerk

Recommendation:
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.

Attachments:
2026-50

None

Background:
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.

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 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.

CITY OF KEENE
NEW HAMPSHIRE

ITEM #D.4.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

Subject: **Carolyn Ogren - Request for Review of Warehouse Zoning as It Relates to the Potential Housing of Detained Individuals**

Council Action:
In City Council March 19, 2026.
Report accepted as informational.

A true record;

Attest: Jessi Hood
City Clerk

Recommendation:
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.

Attachments:
None

Background:
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.

CITY OF KEENE
NEW HAMPSHIRE

ITEM #D.5.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

Subject: **Request for Sign on to Letter of Support — Senate Bill 538 Relative to Net Metering Credits for Solar Projects Serving Political Subdivisions**

Council Action:
In City Council March 19, 2026.
Voted unanimously to carry out the intent of the report.

A true record;

Attest: Jessi Hood
City Clerk

Recommendation:
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.

Attachments:
None

Background:
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.

CITY OF KEENE
NEW HAMPSHIRE

ITEM #D.6.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Reallocation of Capital Funds – Skate Park**

Council Action:
In City Council March 19, 2026.
Voted 11 in favor and three opposed to carry out the intent of the report.

A true record;

Attest: Jessi Hood
City Clerk

Recommendation:
On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends that the City Council reallocate $75,000 from the Patricia Russell Park Construction (65J0006B) to the Skate Park Improvements Project (65J0008A).

Attachments:
None

Background:
Deputy City Manager Andy Bohannon addressed the Committee and stated in December the City had applied for an LWCF grant and were notified that the City was moving forward in the process. The City needed to allocate a funding source for that grant and this item addresses that process.

Mr. Bohannon went on to say that there are funds in the Russell Park Project fund of $75,000 which are being transferred over to the Skate Park project, which allows the City to have that match for this project. These funds are for the parking lot and the pathway that would connect the parking lot on the west side of the Skate Park to the parking lot on Russell Park. This is part of the original design.

Councilor Chalice asked whether there would be adequate shade in the parking lot itself and around its edges. Mr. Bohannon stated trees would be planted around the edges.

The following motion by Councilor Chalice which was duly seconded by Councilor Lake.

2026-78

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends that the City Council reallocate $75,000 from the Patricia Russell Park Construction (65J0006B) to the Skate Park Improvements Project (65J0008A).

2026-78

CITY OF KEENE
NEW HAMPSHIRE

ITEM #D.7.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Acceptance of Local Source Water Protection Grant**

Council Action:
In City Council March 19, 2026.
Voted unanimously to carry out the intent of the report.

A true record;

Attest: Jessi Hood
City Clerk

Recommendation:
On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept and execute a Local Source Water Protection grant from the New Hampshire Department of Environmental Services (NHDES) in the amount of $39,500.00.

Attachments:
None

Background:
Aaron Costa, Asst. Public Works Director/ Wastewater Treatment Plant Manager, and Ben Crowder, Water and Sewer Operations Manager, were the next two speakers. Mr. Costa stated that the City has taken advantage of this particular grant in the past to install fencing around the Babbage Reservoir and to conduct property surveys around the well fields. $25,000 of this grant will be used to install about 1,000 linear feet of eight-foot high security fencing around City owned land and around the sanitary protective radius at the West Street well facility. $14,500 will be used to install security fencing and a gate at the Babbage Reservoir.

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

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept and execute a Local Source Water

Protection grant from the New Hampshire Department of Environmental Services (NHDES) in the amount of $39,500.00.

2026-75

CITY OF KEENE
NEW HAMPSHIRE

ITEM #D.8.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Finance, Organization and Personnel Committee, Standing Committee

Through:

Subject: **Acceptance of Donation - Office Equipment**

Council Action:
In City Council March 19, 2026.
Voted unanimously to carry out the intent of the report.

A true record;

Attest: Jessi Hood
City Clerk

Recommendation:
On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept the donation of office furniture and equipment from Guild Mortgage Company with an estimated value of up to $100,000.

Attachments:
None

Background:
Finance Director Kari Chamberlain addressed the Committee and stated that the City has been fortunate enough to receive a donation from a company, which was closing its doors in Bedford, NH. The company was Guild Mortgage and they donated an incredible amount of office furniture. The estimated value currently is around $78,000. Additional pieces were picked up today to bring the total up to around $100,000. The donation consists of cubicles, desks, conference tables, chairs etc. which has made a significant impact, especially with the facilities project that was discussed at the last FOP Committee meeting.

Councilor Chalice asked whether this equipment will help with the noise issues the department is experiencing in their work area. Ms. Chamberlain stated the project is for two separate locations; third floor Finance Department Accounting Function and Revenue Collection on the first floor. The first floor is where the noise issue is. She added the cubicles are taller than what they have and would hence provide for more privacy.

2026-83

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

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to accept the donation of office furniture and equipment from Guild Mortgage Company with an estimated value of up to $100,000.

2026-83

CITY OF KEENE
NEW HAMPSHIRE

ITEM #G.1.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Mari Brunner, Senior Planner
on behalf of the Joint Planning Board and Planning Licenses and Development Committee

Through: Paul Andrus, Community Development Director

Subject: **Memorandum - O-2026-02 - Relating to the Definition of "Family" - Joint PB/PLD**

Council Action:
In City Council March 19, 2026.
Memorandum filed. Public Hearing set to be May 21, 2026 at 7 PM.

A true record;

Attest: Jessi Hood
City Clerk

Recommendation:
A motion was made by Harold Farrington that the Planning Board find Ordinance O-2026-02 to be consistent with the 2025 Comprehensive Master Plan. The motion was seconded by Andrew Madison and was unanimously approved.

A motion was made by Councilor Jones that the PLD Committee request that the Mayor set a public hearing on Ordinance O-2026-02. The motion was seconded by Councilor Ruttle-Miller and was unanimously approved.

Attachments:
1. O-2026-02 Relating to the Definition of Family
2. Staff Report O-2026-02
3. LDC Mock Up Pages

Background:
The Joint Committee of the Planning Board and the Planning, Licenses and Development Committee held a public workshop on Ordinance O-2026-02 on March 9, 2026. Included below is an excerpt from the draft minutes of this meeting. At the conclusion of the workshop, the Planning Board voted to find the ordinance to be consistent with the 2025 Comprehensive Master Plan and the PLD

Committee voted to recommend that the Mayor set a public hearing date.

"3. **Public Workshop:**

a. Ordinance O-2026-02 Relating to the Definition of Family. Petitioner, City of Keene Community Development Department, proposes to amend the definition of “Family” in Article 29 of the Land Development Code to comply with recent changes to state law (RSA 674:16), modify the definition of “Dwelling Unit” to clarify that this term does not include transient uses such as hotels/ motels, and amend Sections 1.2.1 “Definitions” and 26.4 “Land Development Code Amendments” to state that any modifications to the definitions in Article 29 that would have the effect of modifying the zoning ordinance shall follow the same application and review procedures that are required for an amendment to the zoning ordinance.

Planner Megan Fortson addressed the Committee and stated the proposed ordinance is related to some recent changes in state law; it changes the way we define family. Under the City’s Land Development Code, family is defined as one or more of the following: *Two or more natural persons related by blood, marriage, civil union adoption or foster care living together as a single housekeeping unit, with or without customary household helpers in a dwelling unit or a group of four or fewer natural persons who are not related by blood, marriage, civil union, adoption or foster care, living together as a single housekeeping unit in a dwelling unit. This term shall not preclude one natural person from being the sole occupant of any dwelling unit.* Ms. Fortson stated this definition no longer complies with state law and would affect other sections of the land development code.

She went on to say the proposal to change the definition of family and replace it with an updated definition, which would state as follows: *Family shall mean a natural person living alone, or a group of natural persons living together as a single housekeeping unit that is primarily non-transient. For the purposes of this definition, transient shall mean occupancy of a room or dwelling unit for less than 30 consecutive days, or the rental of a room or dwelling unit for a term of less than one month.* Ms. Fortson explained that instead of focusing on the roles and relationship of family members to one another, staff is proposing to change the definition of a family to define it as a group of people with shared responsibilities for a period of more than 30 days.

She went on to say that, because of this proposed change, the City also has to make changes to the definition of “dwelling unit”. Currently the dwelling unit definition states it is *A single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.*
Staff is proposing to add another sentence stating that a dwelling unit use shall not be deemed to include such transient occupancies as hotel, motel or bed and breakfast.

The last change that is proposed as part of this ordinance is to fix a loophole that was identified by staff related to the procedures for changing definitions in Article 29 of the Land Development Code. This is the section where all definitions are currently located. Staff’s proposal with this ordinance is to make it so that if anybody is proposing to modify a definition that would change the meaning of the zoning regulations that it would have to go through the same review process as a zoning text amendment. The reason for this is that with terms like "family" and "right of way," these are all terms that are used throughout the land development code in many sections and having someone come through and make a change to one of those definitions would have an impact throughout the code. So, in order to make sure that everything is reviewed in all of its components, staff is proposing that it go through the same process as the zoning text amendment.

Ms. Fortson went on to say there are also going to be some potential impacts on other sections of the regulations and that will include occupancy limits, congregate living and social service uses and short-term rental uses. She indicated these sections of the code are not proposed to be changed in any way as part of this ordinance; this is something that staff is proposing to change and address in the future.

Ms. Fortson went on to say that the proposed changes are consistent with the 2025 Master Plan and its associated pillars, specifically Livable Housing — Goal #5, which is to address the housing needs of all residents, current and future. Since this ordinance is proposing to eliminate an outdated definition of family that defines a family based on relationships between group members, rather than focusing on behaviors and characteristics of the group, she felt this is going to make it a more accessible definition that complies better with the overarching principles of the Master Plan.

Similarly, under the Vibrant Neighborhoods pillar, there is a section that focuses on fostering strong community bonds and focusing on place making that will enhance the community fabric, people's sense of belonging, and being included in the community. Goal #2 under this pillar is to foster community relationships, building and collaboration. Ms. Fortson stated given that this ordinance is proposing to establish a definition of family and dwelling unit, which allows for non-transient groups to operate as a single unit, it is more likely to help people create bonds by creating that sense of duration and permanency versus focusing on people's relationships to one another, such as marriage, parent etc.

This concluded Ms. Fortson's presentation.

Mr. Kost asked whether there was a reason why non-transient is only proposed to be 30 days. Ms. Fortson stated the thought was anything shorter would fall into short-term rentals, which are generally less than 30 days. Ms. Fortson introduced Rick Wood, the City's Health and Building Official and Fire Marshall for his comments on this question

Mr. Rick Wood addressed the Committee and stated the 30 days is actually embedded in code language on the building and fire code section. The transient nature has to do with how long somebody lives there. He clarified that Mr. Kost actually might have flipped the sentence; 30 days or less is considered transient and more than 30 days is considered permanent and therefore falls within this definition. Mr. Wood went on to say one of the challenges is that the code base for safety codes is geared around the term transient, meaning 30 days for several reasons. Hotels and motels are defined as transient. They can't rent for more than 30 days at a time. In theory, this is the way it is structured, this is why they are able to bill by the day instead of by the month. Hence, there are a lot of reasons for the 30-day number.

The Chair asked for public comment next. With no public comment, Chair Filiault closed the public hearing.

A motion was made by Harold Farrington that the Planning Board find Ordinance O-2026-02 to be consistent with the 2025 Comprehensive Master Plan. The motion was seconded by Andrew Madison and was unanimously approved.

A motion was made by Councilor Jones that the PLD Committee request that the Mayor set a public hearing on Ordinance O-2026-02. The motion was seconded by Councilor Ruttle-Miller and was

unanimously approved.

Councilor Williams extended his appreciation to staff for drafting this Ordinance."

ORDINANCE O-2026-02

CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty-Six

AN ORDINANCE Relating to the Definition of "Family"

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

That Chapter 100 of the City Code of the City of Keene, New Hampshire, as amended, is hereby further amended by adding the bolded underlined text, and deleting the stricken text as follows:

1. That Article 1, Section 1.2.1 "Definitions" be amended by adding a new sub-section "D," as follows. The intent of this proposed change is to ensure that any future changes to definitions in the Land Development Code that would modify the meaning of the zoning regulations are treated as a zoning amendment.

   1.2.1 Definitions

   Terms that are not specifically defined in this LDC shall be accorded their commonly accepted meanings, unless the context in which they are used clearly indicates to the contrary.

   A. For the purposes of determining the commonly accepted meaning of any term, reference may be made to the latest edition of Webster's Dictionary.

   B. Terms not otherwise defined in this LDC that are defined in NH Revised Statutes Annotated (RSAs) may take on the statutory definition.

   C. The definitions of this LDC shall take precedence over any conflicting definitions, if such conflict arises.

   D. For the purpose of amendments to this LDC, any modifications to one or more definitions that would have the effect of modifying the Zoning Regulations shall be treated as a zoning text amendment. These terms shall include, but not be limited to, "Family," "Frontage," and "Public Right-of-Way."

2. That Article 26, Section 26.4.3.A be amended to state that modifications to the definitions in Article 29 which would have the effect of modifying the zoning ordinance shall follow the same application and review procedures described in Section 26.3 of the LDC, as follows:

   A. Articles 1 through 19 **and Article 29**. For amendments proposed to Article 1 through 19 of this LDC **or for amendments to definitions in Article 29 that affect the Zoning Regulations**, the same application and review procedures shall be followed as those

described in Section 26.3 of this LDC, with respect to amendments to the Zoning Regulations and Zoning Map.

3. That the definition of the term "Dwelling Unit" in Article 29 be amended to clarify that this term does not include transient uses such as hotels or motels, as follows:

   Dwelling Unit - A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. **This use shall not be deemed to include such transient occupancies as hotel/motel or bed and breakfast.**

4. That the definition of the term "Family" in Article 29 be deleted in its entirety and replaced, as follows. The intent of this proposed change is to bring the City of Keene's definition into compliance with New Hampshire State Statute 674:16, which prohibits a local municipality from adopting or enforcing an ordinance that is based on the familial or non-familial relationships or marital status, occupation, employment status, or educational status of the occupants of a dwelling unit.

   ~~Family - Family shall mean one of the following: 1) two or more natural persons related by blood, marriage, civil union, adoption, or foster care, living together as a single housekeeping unit with or without customary household helpers in a dwelling unit; or 2) a group of four or fewer natural persons, who are not related by blood, marriage, civil union, adoption, or foster care, living together as a single housekeeping unit in a dwelling unit. This term shall not preclude one natural person from being the sole occupant of any dwelling unit.~~

   Family – Family shall mean a natural person living alone or a group of natural persons living together as a single housekeeping unit that is primarily non-transient. For the purposes of this definition, "transient" shall mean occupancy of a room or dwelling unit for less than 30 consecutive days or rental of a room or dwelling unit for a term of less than one month.

_____

Jay V. Kahn, Mayor

MEMORANDUM

To: Joint Committee of the Planning Board and PLD Committee

From: Mari Brunner, Senior Planner

Through: Paul Andrus, Community Development Director

Date: March 2, 2026

Subject: O-2026-02 Relating to the Definition of Family

Overview

This Ordinance proposes to amend the definition of the term "Family" in Article 29 of the Land Development Code (LDC) to bring the city's definition into compliance with New Hampshire State Statute 674:16, which prohibits a local municipality from adopting or enforcing an ordinance that is based on the familial or non-familial relationships or marital status, occupation, employment status, or educational status of the occupants of a dwelling unit.

In addition, this ordinance proposes to amend the definition of the term "Dwelling Unit" in Article 29 to clarify that this term does not include transient occupancies such as hotels/motels or bed and breakfasts. Lastly, this ordinance proposes to add clarifying language to Article 1, Section 1.2.1 "Definitions" and Article 26, Section 26.4 "Land Development Code Amendments" to state that any modifications to the definitions in Article 29 that would have the effect of modifying the zoning ordinance shall follow the same application and review procedures that are required for an amendment to the zoning ordinance.

Background

During the 2025 legislative session, the New Hampshire State Legislature adopted House Bill 457 "relative to zoning restrictions on dwelling units" with an effective date of September 13, 2025. This change to state law prohibits municipalities from adopting or enforcing an ordinance that restricts the number of occupants of any dwelling unit to less than 2 occupants per bedroom or that is "based on the familial or non-familial relationships or marital status, occupation, employment status, or the educational status, including but not limited to scholastic enrollment or academic achievement at any level among the occupants of the dwelling unit, including but not limited to college students."

The City of Keene Land Development Code (LDC) currently defines the term "Family" in Article 29 as follows:

> ***Family*** *- Family shall mean one of the following: 1) two or more natural persons related by blood, marriage, civil union, adoption, or foster care, living together as a single housekeeping unit with or without customary household helpers in a dwelling unit; or 2) a group of four or fewer natural persons, who are not related by blood, marriage, civil union, adoption, or foster*

care, living together as a single housekeeping unit in a dwelling unit. This term shall not preclude one natural person from being the sole occupant of any dwelling unit.

This definition no longer complies with state law. The term "Family" is referenced in three definitions in the LDC, including the definitions of "Dwelling, Single-Family," "Dwelling, Two-Family / Duplex," and "Dwelling, Multi-family." The term is used 148 times throughout the LDC, almost always in reference to one of these three terms/uses. The term is also used in the workforce housing section of the subdivision regulations.

To bring the city's definition of family in the LDC into compliance with state law, staff recommend using a "functional family" approach that focuses on group behaviors and characteristics rather than the familial or non-familial relationships between the group members.

Functional family definitions often include the following components:

- The phrase "single housekeeping unit,"
- A focus on stable, rather than transient living arrangements,
- Shared cooking facilities, and
- Shared household budget.

Proposal

This ordinance proposes to delete the existing definition of "Family" in its entirety and replace it with the following definition:

> ***Family*** *– Family shall mean a natural person living alone or a group of natural persons living together as a single housekeeping unit that is primarily non-transient. For the purposes of this definition, "transient" shall mean occupancy of a room or dwelling unit for less than 30 consecutive days or rental of a room or dwelling unit for a term of less than one month.*

This definition would not place an overall occupancy limit for the dwelling unit; rather, it focuses on how the group operates and whether the group is stable or transient. Transient is defined as an occupancy of less than 30 days, or rental with a term of less than one month (e.g. renting a room by the day or week) to be consistent with building and life safety codes.

This ordinance also proposes to amend the definition of "Dwelling Unit" to clarify that this term does not include hotels, motels, bed and breakfasts, or any other similar uses that are transient, as follows:

> ***Dwelling Unit -*** *A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.* ***A dwelling unit use shall not be deemed to include such transient occupancies as hotel/motel or bed and breakfast.***

Finally, this ordinance proposes to fix a loophole identified by staff with respect to amendment procedures for definitions in Article 29. Currently, the LDC states that any amendments to Article 29 shall follow the regular City Council ordinance process; however, there are some definitions in Article 29 that, if changed, could change the meaning and/or effect of the zoning regulations. Examples include "Family" and "Frontage." Staff propose adding language to two sections of the LDC, including the "Definitions" section of Article 1 (Section 1.2.1) and the procedure for

amendments to the LDC in Article 26 (Section 26.4), to make it clear that any modifications to the definitions in Article 29 that would have the effect of modifying the zoning ordinance shall follow the same application and review procedures that are required for an amendment to the zoning ordinance.

Discussion of Potential Impacts

Occupancy limits
One potential impact of this proposed change is the removal of occupancy limits for single- and two-family dwellings. Under the current definition of family, a group of four or fewer unrelated people can live together in a single- or two-family dwelling unit whereas a "traditional" family of any size can occupy those same unit types. For example, a family of five could live in a single-family home, but five unrelated individuals cannot. In contrast, the proposed definition would not address occupancy numbers and instead focuses on the transiency of the group and whether it operates as a single housekeeping unit. However, although the proposed definition would not regulate occupancy within the zoning code, staff could still regulate overcrowded units under other codes such as life/safety codes to address safety issues (e.g., using the structure in a way that exceeds the structural capacity of the building). In addition, if there are impacts related to overcrowding such as trash or human waste piling up outside and/or infestation, the health code and housing property standards provide an avenue for addressing those issues.

Congregate Living and Social Service Uses
Another potential impact of this proposed change could be a shift in how the city regulates Congregate Living and Social Services uses where the occupants meet the new definition of a family, such as group homes. Currently, the City requires Small Group Home uses (up to 8 residents) and Large Group Home uses (up to 16 residents) to obtain a conditional use permit from the Planning Board and an annual license from the Congregate Living and Social Services Licensing Board. The City Attorney's Office is currently in the process of reviewing this category of uses, and staff anticipate bringing recommendations to City Council regarding this use category later this year.

Short-term Rental Uses
Finally, this proposed change could impact properties where the principal use is for short-term rentals (e.g., Airbnb, VRBO) that are operating in residential districts where similar transient uses, such as hotels, motels, and bed breakfasts, are not allowed. The LDC does not currently address short-term rentals explicitly and data from the 2023 Housing Needs Assessment report found that only 50 short-term rental units were available at the time in Keene, representing 0.5% of total housing stock. Staff recommend that City Council review current data related to short-term rentals and address this use in a separate ordinance.

Consistency with the 2025 Comprehensive Master Plan (CMP)

The 2025 Comprehensive Master Plan is centered around six pillars: Livable Housing, Thriving Economy, Connected Mobility, Vibrant Neighborhoods, Adaptable Workforce, and Flourishing Environment.

Livable Housing
Goal 5 under the "Livable Housing" pillar is to "address the housing needs of all residents, current and future." This ordinance proposes to eliminate an outdated definition of "family" that attempts to define what a family is based on the relationships between group members, rather than

focusing on behaviors and characteristics of the group and how it fits into a neighborhood setting. Switching to a definition based on how the group lives and operates will make housing in Keene more accessible, especially for specific groups such as college students and residents in recovery from drug or alcohol addiction who need a supportive living environment.

Vibrant Neighborhoods

Under the "Importance of Vibrant Neighborhoods" section, the CMP notes that fostering strong community bonds and focusing on place-making will "enhance the community fabric, peoples' sense of belonging, and being included in the community." Goal 2 under this pillar is to "Foster Community Relationship-Building and Collaboration." This ordinance proposes to establish a definition of "family" and "dwelling unit" that allows for non-transient groups that operate as a household unit to occupy residential dwellings and ensuring that dwellings continue to be used primarily as long-term residences. These family groups are more likely than transient occupants to form bonds with their neighbors and develop a connection to the neighborhood.

Goal 4 of this pillar is to "Foster a High Quality of Life for all Residents." This ordinance furthers this goal by promoting non-transient occupancy of residential dwellings, which improves the sense of neighborhood safety and helps to promote interaction amongst neighbors. Studies have shown that high-opportunity neighborhoods with positive social and environmental conditions have a strong influence on the health, life expectancy, and employment prospects of the people that live there.[1,2]

Adaptable Workforce

Goal 4 under this pillar is to "Meet Quality of Life Needs and Reduce Workforce Barriers, Such as Housing Availability, Childcare, and Transportation." This ordinance opens up opportunity for existing housing stock to be utilized more efficiently by removing arbitrary occupancy limits for single-family and two-family dwellings. This could allow homes to be occupied by larger groups, as long as they are non-transient and operate as a household unit, which may help to meet some of the housing needs of Keene's workforce and college student population.

Recommendation:

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

> ***Planning Board Motion:*** *"To find the proposed Ordinance O-2026-02 consistent with the 2025 Comprehensive Master Plan."*
>
> ***Planning, License & Development Committee Motion:*** *"To recommend that the Mayor set a public hearing date."*

---

[1] Wang D, Li H and Liu P (2025) The impact of neighborhood environment and social interaction on the health of Chinese residents: empirical analysis from CGSS 2021. Front. Public Health 13:1547499. doi: 10.3389/fpubh.2025.1547499

[2] National Center for Chronic Disease Prevention and Health Promotion (US) Office on Smoking and Health. Community Health and Economic Prosperity: Engaging Businesses as Stewards and Stakeholders—A Report of the Surgeon General [Internet]. Washington (DC): US Department of Health and Human Services; 2021 Jan. CHAPTER 2, How Neighborhoods Shape Health and Opportunity. Available from: https://www.ncbi.nlm.nih.gov/books/NBK568862/

1.2 RULES OF INTERPRETATION

1.2.1 Definitions

Terms that are not specifically defined in this LDC shall be accorded their commonly accepted meanings, unless the context in which they are used clearly indicates to the contrary.

A. For the purposes of determining the commonly accepted meaning of any term, reference may be made to the latest edition of Webster's Dictionary.

B. Terms not otherwise defined in this LDC that are defined in NH Revised Statutes Annotated (RSAs) may take on the statutory definition.

C. The definitions of this LDC shall take precedence over any conflicting definitions, if such conflict arises.

D. **For the purpose of amendments to this LDC, any modifications to one or more definitions that would have the effect of modifying the Zoning Regulations shall be treated as a zoning text amendment. These terms shall include, but not be limited to, "Family," "Frontage," and "Public Right-of-Way."**

1.2.2 Lists & Examples

Unless otherwise expressly indicated, lists of items or examples that use "including," "such as," or similar terms are intended to provide examples only, and shall not be construed as being limited to the items or examples listed.

1.2.3 Time Computation

In computing any period of time prescribed or allowed by these rules, except as may be required by order of a court or by applicable law, the day of the act, event, or default after which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, Sunday, legal holiday, or other day upon which the City is closed, in which event the period shall extend until the end of the next day that is not a Saturday, Sunday, legal holiday, or other day upon which the City is closed.

1.2.4 Conjunctions

A. "And" indicates that all connected words or provisions apply.

B. "Or" indicates that the connected words or provisions may apply singly or in any combination.

C. "Either [...] or" indicates that the connected words or provisions apply singly, but not in combination.

1.2.5 Mandatory, Prohibitory, & Permissive Terms

A. "Must," "will," and "shall" are mandatory terms that express a requirement.

B. "Must not," "will not," "shall not," and "may not" are terms that express a prohibition.

C. "Should" is a term that expresses a suggestion or recommendation.

D. "May" is permissive term.

1.2.6 Current Versions & Citations

All references to other regulations or manuals in this LDC refer to the most current version and citation for those regulations or manuals, unless indicated otherwise. When the referenced regulations or manuals have been repealed and not replaced by other regulations or manuals, the requirements for compliance as specified in this LDC are no longer in effect.

1.2.7 Graphics, Illustrations, & Flowcharts

Graphics, illustrations, diagrams, and flowcharts are included in this LDC to visually explain the intent and requirements of the text. In the case of a conflict between the text and any graphic, illustration, diagram, or flowchart, the text controls.

1.2.8 Common Abbreviations

A. "ft" is an abbreviation for "feet."

B. "in" is an abbreviation for "inch."

C. "Max" is an abbreviation for "maximum."

D. "Min" is an abbreviation for "minimum."

26.4 LAND DEVELOPMENT CODE AMENDMENTS

26.4.1 Description

The standards and requirements set forth in the City of Keene Land Development Code (also referred to as "this LDC") may be amended from time to time. The process for amending this LDC varies depending upon which article or articles are proposed to change. The process for amending the Zoning Regulations, which are contained in Articles 2 through 19 of this LDC, shall be as described in Section 26.3.

25.4.2 Authority

The City Council, after receiving a recommendation from the Planning Licenses and Development Committee, and from the Planning Board with respect to Articles 20, 21 and Sections 26.10 through 26.14 of Article 26, and from the Historic District Commission with respect to amendments to Article 22 and Section 26.15 of Article 26, shall take action on proposed amendments to this LDC.

26.4.3 Procedure

In addition to the common application and review procedures of this Article, the following procedures shall apply with respect to proposed amendments to this LDC.

A. Articles 1 through 19 and Article 29. For amendments proposed to Articles 1 through 19 of this LDC **or for amendments to definitions in Article 29 that affect the Zoning Regulations**, the same application and review procedures shall be followed as those described in Section 26.3 of this LDC, with respect to amendments to the Zoning Regulations and Zoning Map.

B. Articles 20, 21, 25 and **Sections 26.10-25.14** and **26.19 of Article 26 - "Subdivision Regulations," "Site Development Standards,"** and **"Earth Excavation Regulations"** and Planning Board Application Procedures. For amendments proposed to Articles 20, 21, 25, and Sections 26.10 through 26.14 and 26.19 of Article 26 of this LDC, the following procedures shall apply.

1. ***Planning Board Public Hearing.*** In accordance with NH RSA 675:6, the Planning Board shall hold a public hearing on the proposed amendments, and shall decide on whether they should be approved, approved with amendments, or denied. If the Planning Board denies the proposed amendments, the process shall come to an end.

   a. Notice for this public hearing shall be provided pursuant to NH RSA 675:7.

2. ***Introduction to and Review by City Council.*** Following either approval or approval with amendments by the Planning Board, the proposed amendments shall be submitted to City Council as a draft ordinance. Such ordinance shall be referred to the Planning, Licenses, and Development Committee for a recommendation to City Council. Upon receipt of such recommendation, the City Council shall vote to approve or disapprove the ordinance.

3. ***Filing.*** Following approval by City Council, the amended regulations shall be certified by a majority of the Planning Board, and shall be placed on file with the City Clerk in accordance with NH RSA 675:8. A copy of the amended regulations shall be sent to the NH Office of Planning and Development (OPD) for filing pursuant to NH RSA 675:9; provided, however, that failure to file the amended regulations with OPD shall not affect their validity.

C. Article 22 and Section 26.15 of Article 26 - "Historic District Regulations" and "Historic District Certificate of Appropriateness." For amendments proposed to Article 22 of this LDC, the following procedures shall apply.

1. ***Historic District Commission Public Hearing.*** In accordance with NH RSA 675:6, the Historic District Commission shall hold a public hearing on the proposed amendments, and shall decide on whether they should be approved, approved with amendments, or denied. If the Historic District Commission denies the proposed

Driveway - The travel surface for vehicles that connects an off-street parking space(s), or a parking area of a parking lot to the street access.

Drug Treatment Clinic - A non-residential facility authorized by the state to provide treatment and licensed drugs to natural persons, including, but not limited to, methadone or suboxone, to manage and treat drug dependencies.

Dwelling - A structure, or portion thereof, designed or used exclusively for human habitation, including single-family dwellings, two-family dwellings, and multi-family dwellings. Dwellings may be either attached or detached.

Dwelling, Above Ground Floor - A dwelling unit that is located on the second story or higher of a building that is above ground.

Dwelling, Manufactured Housing - Any structure, transportable in one or more sections, which in the traveling mode is 8-body feet or more in width and 40-body feet or more in length or when erected on site is 320-sf or more, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, which include plumbing, heating and electrical systems contained therein. Manufactured housing is regulated by the U.S. Department of Housing and Urban Development via the National Manufactured Housing Construction and Safety Standards and is so labeled. Manufactured housing as defined in this section does not include campers or recreation vehicles as defined in NH RSA 216-I:1 or NH RSA 259:84-a; presite built housing as defined in NH RSA 674:31-a; or modular buildings as defined in NH RSA 205-C:1, XI.

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

Dwelling, Single-Family - A free-standing building containing only 1 dwelling unit on a single lot, which is designed, occupied, or intended for occupancy by 1 family.

Dwelling, Two-Family / Duplex - One building on a single lot containing 2 independent dwelling units, which is designed, occupied or intended for occupancy by 2 separate families.

Dwelling Unit - A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation. **This use shall not be deemed to include such transient occupancies as hotel/motel or bed and breakfast.**

Earth - Sand, gravel, rock, soil, or construction aggregate produced by quarrying, crushing, or any other mining activity or such other naturally occurring unconsolidated materials that normally mask the bedrock.

Earth-Disturbing Activity / Earth-Disturbing Events - Actions taken to alter the existing vegetation and/or underlying soil of a site, such as timber harvesting, clearing, grading, site preparation (e.g., excavating, cutting, and filling), soil compaction, and movement and stockpiling of top soils.

Economic Hardship - Quantifiable or verifiable expenditures or fiscal loss that is unreasonable for the property owner to bear under the circumstances. Demonstration of economic hardship shall not be based on or include any of the following circumstances: willful or negligent acts by the owner; purchase of the property for substantially more than market value; failure to perform normal maintenance and repairs; failure to diligently solicit and retain tenants; or failure to provide normal tenant improvements.

Elevation (Building) - (1) A wall of a building; (2) An architectural drawing showing vertical elements, generally exterior, of a building.

Equipment Shelter - For the purposes of Article 13 "Telecommunications Overlay District", equipment shelter shall mean an enclosed structure, cabinet, shed, vault, or box near the base of the mount within which is housed equipment for telecommunication facilities such as batteries and electrical equipment. Equipment shelters are sometimes referred to as "base transceiver structures."

Erect - To construct, reconstruct, excavate, fill, drain or conduct physical operations of any kind in preparation for or in pursuance of construction or reconstruction, or to move a building or structure upon a lot.

Event Venue - A facility that provides hosting and rental services of a banquet hall or similar facility for private events (e.g. wedding receptions, holiday parties, fundraisers, etc.) with on-site or catered food service to invited guests during intermittent dates and hours of operation. Live entertainment may occur as part of an event. An event venue is not operated as a restaurant with regular hours of operation.

Excavation Activity/Excavation Operations/ Processing Activities - For the purposes of Article 24 - "Earth Excavation Regulations," excavation activity/excavation operations/processing activities shall mean the act of moving or removing earth, including but not limited to, all activities associated with the commercial taking of earth, production and processing of construction aggregate, transportation of earth and site restoration. Associated excavation and processing activities also include, but are not limited to: digging, drilling, blasting, bulldozing, crushing, washing, screening, sorting, scaling, weighing, stockpiling, loading, and transporting earth.

Excavation Area - For the purposes of Article 24 - "Earth Excavation Regulations," excavation area shall mean the surface area within an excavation site where excavation has occurred or is eligible to occur under the provisions of this LDC, and NH RSA 155-E. This area may be also referred to as the "pit surface area."

Excavation Perimeter - For the purposes of Article 24 - "Earth Excavation Regulations," excavation perimeter shall mean the land within an excavation site, which includes the excavation area, areas where excavation operations and processing activities are performed, stockpiling areas, and any areas where earth materials are or will be loaded or unloaded for purposes of transport.

Excavation Project - For the purposes of Article 24 - "Earth Excavation Regulations," excavation project shall mean a timeframe that includes all excavation activities to be conducted on an excavation site, including all excavation phases.

Excavation Site - For the purposes of Article 24 - "Earth Excavation Regulations," excavation site shall mean any area of contiguous land in common ownership upon which excavation takes place.

Façade - The front of a building or structure or any of its sides that faces a public right-of-way.

Fall Zone - The area within which there is a potential hazard from falling debris, such as ice, which encompasses a circle with a diameter equal to twice the height of a telecommunication facility as measured on the ground from the base of the facility.

Family - **Family shall mean a natural person living alone or a group of natural persons living together as a single housekeeping unit that is primarily non-transient. For the purposes of this definition, "transient" shall mean occupancy of a room or dwelling unit for less than 30 consecutive days or rental of a room or dwelling unit for a term of less than one month.**

Farming - Any land, buildings or structures on or in which agriculture and farming operations or activities are carried out or conducted as defined by NH RSA 21:34-A. Such operations include, but are not limited to, animal husbandry, the cultivation, production, harvesting and sale of any agricultural, floricultural, viticultural, forestry, or horticultural crops as well as ancillary activities integral to the operation of a farm.

Feather Sign (also known as Blade Sail Sign) - A sign made of flexible material that is generally, but not always, rectangular in shape and attached to a pole on one side so the sign can move with the wind.

Fenestration - The arrangement of windows, exterior doors and other exterior openings on a building.

Fire Line - Any pipe, including appurtenant valves or fittings, conveying water from a water main to private fire apparatus, and conveying water at no

CITY OF KEENE
NEW HAMPSHIRE

ITEM #I.1.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Kurt Blomquist, Emergency Management Director

Through: Elizabeth Ferland, City Manager

Subject: **Relating to Chapter 30 - Emergency Management Ordinance O-2026-04**

Council Action:
In City Council March 19, 2026.
Referred to the Finance, Organization and Personnel Committee meeting of April 9, 2026.

A true record;

Attest: Jessi Wood
City Clerk

Recommendation:
Ordinance O-2026-04 is submitted for first reading and referral to the Finance, Organization and Personnel Committee.

Attachments:
1. O-2026-04 -Chapter 30 - Emergency Management_Referral

Executive Summary:
Ordinance O-2026-04 proposes updating the City of Keene's Emergency Management regulations by repealing the current Chapter 30, which contains references to obsolete state and federal frameworks, and replacing it with a new Chapter 30 aligned with current practices. The proposed changes reflect significant developments in emergency management at all levels of government and ensure the City's code is consistent with contemporary standards.

Background:
Chapter 30 – Emergency Management, outlines the emergency management function of the City of Keene. This Chapter of the City Code of Ordinances has not been reviewed or updated for a significant period of time. The current Chapter 30 has references to the New Hampshire Civil Defense Act of 1950.

There have been significant changes to how emergency management is performed at the Federal, State, and local levels. This change was driven by the creation of the Federal Department of Homeland Security (DHS) in 2002. The new agency incorporated the Federal Emergency Management Agency and 22 other Federal agencies. DHS began publishing regulation that established common operating guidelines for Federal, Tribal, and State governments when involved in emergency situations.

In 2006, the State of New Hampshire established the New Hampshire Division of Homeland Security and Emergency Management (NH HSEM) through the adoption of RSA 21-P: 34 through 48. This superseded the State laws that had originally created the NH Civil Defense Agency. NH HSEM has developed and continues to develop guidelines for how the State and political subdivisions will interact during and after emergency events.

Ordinance O-2026-04 proposes to delete in its entirety Chapter 30 – Emergency Management and replace it with a new Chapter 30 – Emergency Management and Homeland Security.

ORDINANCE O-2026-04

CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Six

AN ORDINANCE Relating to Chapter 30 - Emergency Management

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

That the ordinances of the City of Keene, as amended, Chapter 30 – Emergency Management is hereby stricken in its entirety and replaced as follows:

Chapter 30 - EMERGENCY MANAGEMENT AND HOMELAND SECURITY

ARTICLE I. - IN GENERAL

Secs. 30-1—30-25. - Reserved.

ARTICLE II. - EMERGENCY PREPAREDNESS

DIVISION 1. - GENERALLY

Sec. 30-26. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Emergency Event, includes any natural or human caused event that threatens the health, safety, or welfare, or property of City's residents, businesses or visitors' or constituted government. This includes but not limited to civil unrest, drought, extraordinary fire, flood, hazardous material (transport & fixed) incident, infectious disease, long term law enforcement incident, mass shooting, mass casualty incident, radiological incident, severe weather, technology incident/failure, terrorism, extreme temperatures, transportation incident, long term utility outage, potable water incident, wastewater incident or winter weather.

Emergency Management Director (EMD) or Director, means the city office appointed, per RSA 21-P:39, to perform emergency management duties.

Emergency Management, means the preparation for and the carrying out of all emergency functions, including but not limited to emergency response, recovery, and mitigation, training functions, or the utilization of first responders, in order to prepare for, prevent, minimize, and recover from injury, loss of life, or damage resulting from the occurrence or threat of occurrence of an emergency event.

Emergency response resources, means employees, equipment and facilities of all city departments, boards, institutions, and, in addition, it includes volunteer personnel, equipment and facilities contributed by or obtained from volunteer persons, organizations, or agencies.

First Responders means Federal, state, county, City and nongovernmental emergency public safety fire, law enforcement, public safety telecommunications or dispatchers, emergency response teams, emergency medical services providers including ambulance service providers, hospital emergency facilities, emergency management, public health, building officials, clinical care, public works, and other skilled and essential support personnel and volunteers, such as administrative staff, finance, human services, geographical information system, information technology, legal, parks and recreation, and individuals serving on state and community emergency response teams, medical reserve corps, disaster animal and health professional response teams that provide immediate support services necessary to perform emergency management functions.

Volunteer means any person or organization duly registered, identified and appointed by the emergency management director and assigned to participate in the emergency management activities.

Sec. 30-27. - Intent and purpose.

(a) It is the intent and purpose of this article to establish an office that will ensure the safety, resilience, and well-being of the community before, during, and after an emergency event. To prepare for, respond to, recover from, and mitigate the impacts of emergency events. Through education, training, and resource coordination, empower citizens and stakeholders to build a culture of preparedness, promoting a unified approach to safeguarding lives, property, businesses, and the environment in Keene.

(b) The city emergency management office will be the coordinating agency for all activity in connection with emergency planning; it will be the instrument through which the community may exercise the authority and discharge the responsibilities vested in it by RSA 21-P, Homeland Security and Emergency Management, as amended, the City Charter, code of ordinances, and this chapter.

(c) This chapter will not relieve any city department of the responsibilities or authority given to it by State Law, the City Charter or City ordinance, nor will it adversely affect the work of any volunteer agency organized for relief in emergency events.

Sec. 30-28. - Suspension of conflicting ordinances, orders, rules and regulations.

At all times when the orders, rules and regulations made and promulgated pursuant to this chapter shall be in effect, they shall supersede all existing City ordinances, orders, rules and regulations insofar as the latter may be inconsistent therewith.

Sec. 30-29. - Violations.

It shall be unlawful for any person to violate any of the sections of this chapter or provisions of the regulations or plans issued pursuant to the authority contained in this chapter or to willfully obstruct, hinder or delay any member of the emergency management organization in the enforcement of this chapter or any regulation or plan issued under this article.

Sec. 30-30. - Penalty.

Any person violating any section of this chapter or any rule or regulation promulgated under this chapter, upon conviction, shall be punished by a fine as provided in section 1-15 of the City Code of Ordinances.

Secs. 30-31—30-55. - Reserved.

DIVISION 2. - ORGANIZATION

Sec. 30-56. - Authority to create; responsibilities of City Manager.

The City Manager is authorized and directed to create an organization for emergency management utilizing to the fullest extent the existing agencies within the community. The City Manager, as executive head of the municipal government, shall be responsible for the organization, administration and operation of emergency forces.

Sec. 30-57. - Composition.

The emergency management organization shall consist of the following:

(a) The emergency management office shall be within the executive department of the city government and under the direction of the City Manager. There shall be an executive head of the emergency management office, who shall be known as the emergency management director, and such assistants and other employees as are deemed necessary for the proper functioning of the organization.

(b) The employees, equipment and facilities of all city departments, boards, institutions and commissions will participate in the emergency management activities. Duties assigned to a city department shall be the same or similar to the normal duties of the department, as far as possible.

(c) Volunteer persons and agencies offering service to and accepted by the city.

Sec. 30-58. - Appointment and qualifications of emergency management director, acting director.

(a) The city council, per RSA 21-P:39, with a recommendation from the City Manager, shall appoint an emergency management director, who shall be a person versed and trained in planning operations involving the activities of many different departments or agencies which operate to protect the public health, safety and welfare if danger from Emergency Event occurs.

(b) If there is an assistant emergency management director, they will be responsible for the emergency duties of the director during their absence or inability to act. If there is none, the City Manager will be responsible for the organization, administration, and operation of the emergency management office.

Sec. 30-59. - Emergency powers and duties of City Manager.

(a) The City Manager may exercise the emergency power and authority necessary to fulfill their general powers and duties as defined in State Law and Section 35 of the City Charter, and City Code of Ordinances, Article III, Charter Officers – Division 2. The judgment of the City Manager shall be

the sole criteria necessary to invoke emergency powers provided in the State Law, City Charter, the Code of Ordinances and other appropriate authorities.

(b) During any period when emergency event threatens or when the city has been struck by an emergency event, within the definition of this chapter, or an emergency declaration by the Federal Government or State, the City Manager may promulgate such regulations as they deems necessary to protect health, safety, welfare, life and property of the residents, visitors and businesses of the community, continuity of government, and preserve of critical resources.

Such regulations may include but shall not be limited to the following:

(1) Regulations prohibiting or restricting the movement of vehicles and/or people in order to facilitate the work of emergency management forces, or to facilitate the mass movement of persons from critical areas within or without the city.

(2) Regulations pertaining to the movement of persons from areas deemed to be hazardous or vulnerable to emergency events.

(3) Such other regulations necessary to preserve public peace, health, safety, and welfare, and continuity of government.

(c) Regulations promulgated in accordance with the authority in subsection (b) of this section will be given widespread circulation by notifications published and publicized through social media networks, newspaper, radio networks and any other available communication network. These regulations will have the force of ordinance when duly filed with the city clerk, and violations will be subject to the penalties provided in State Law and City Code Section 1-15.

(d) The City Manager shall order emergency management forces to the aid of other communities when required in accordance with State statutes, mutual aid agreements, or may order emergency management forces if requested by other communities and may request the State or other political subdivisions of the state to send aid to the city in an emergency event when conditions in the city are beyond the resources or control of the local emergency management forces.

(e) The City Manager may obtain vital supplies, equipment and other properties found lacking and needed for the protection of health, safety, welfare, life and property of the residents, business and visitors and continuity of government and bind the city for the fair value thereof.

(f) The City Manager may require emergency services of any city officer or employee. If regular city forces are determined inadequate, the City Manager may require the services of such other personnel as they can obtain that are available, including citizen volunteers or organizations that provide emergency services. All duly authorized persons or organizations rendering emergency services shall be entitled to the privileges and immunities as are provided by State law, the City Charter, this Chapter and City ordinances for regular city employees and other registered and identified emergency management and disaster workers and, upon demand, may receive appropriate compensation for their emergency employment.

(g) The City Manager will cause to be prepared the basic emergency plan referred to in this chapter and will exercise, in their ordinary powers as City Manager, all of the special powers conferred upon them by any State statue or any other lawful authority.

Sec. 30-60. - Emergency powers and duties of Emergency Management Director.

The Emergency Management Director shall be responsible to the City Manager in regard to all phases of the emergency management activity. Under the supervision of the City Manager, they shall be responsible for the planning, coordination and operation of the emergency management activity in the city. Under the supervision of the City Manager, they shall maintain liaison with the Federal, State, and County authorities and the authorities of other nearby political subdivisions as to ensure the most effective operation of the emergency management plan. Their duties shall include but are not limited to the following:

(a) Coordinating the recruitment of volunteer personnel, organizations, and agencies to augment the city personnel and facilities for emergency management.

(b) Developing and coordinating plans for the immediate use of all of the city facilities, equipment, manpower and other resources for the purpose of minimizing or preventing damage to persons and property; and protecting and restoring of usefulness governmental services and public utilities necessary for the public health, safety and welfare.

(c) Negotiating and concluding agreements with owners or persons in control of buildings or other property for the use of such buildings or other property for emergency management purposes and designating suitable buildings as public shelters.

(d) Through public informational programs, educating residents and businesses as to actions necessary and required for the protection of their persons and property in an emergency event, as defined in this article, either impending or present.

(e) Conducting public practice alerts to ensure the efficient operation of the emergency management forces and to familiarize residents with emergency management regulations, procedures and operations.

(f) Coordinating the activity of all other public and private agencies or organizations, engaged in any emergency management activity.

(g) Assuming such authority and conducting such activity as the City Manager may direct to promote and execute the emergency management plan.

Secs. 30-61—30-85. - Reserved.

DIVISION 3. - EMERGENCY MANAGEMENT BASIC PLAN

Sec. 30-86. - Preparation; adoption; contents.

(a) An emergency management basic plan shall be adopted and maintained by resolution of the City Council upon the recommendation of the City Manager. In the preparation of this plan as it pertains to the city organization, it is the intent that the services, equipment, facilities, and personnel of all existing departments and agencies shall be utilized to the fullest extent. When approved, it shall be the duty of all municipal departments and agencies to perform the functions assigned by the plan and to maintain their portion of the plan in a current state of readiness at all times. The basic plan shall be considered supplementary to this article and shall have the effect of law whenever an Emergency Event, as defined in this article, has been proclaimed.

(b) The City Manager shall prescribe in the basic plan those positions within the emergency management organization, in addition to their own, for which lines of succession are necessary.

(c) Each individual and department head assigned responsibility in the basic plan shall be responsible for carrying out all duties and functions assigned therein. Duties will include the organization and training of assigned employees and volunteers. Each individual and department head shall formulate the operational plan for their functional area which, when approved, shall be a part of the basic plan.

(d) Significant amendments to the basic plan shall be submitted to the city council.

(e) When a required competency or skill for an emergency management function is not available within the city government, the City Manager is authorized to seek assistance from persons, agencies or organizations, outside of City government. The assignment of duties, when of a supervisory nature, shall also grant authority for the persons so assigned to carry out such duties prior to, during, and after the occurrence of an Emergency Event.

(f) Such services from persons, agencies or organizations, outside of City government may be accepted by the city on a volunteer basis. Such citizens, agencies, or organizations, shall be enrolled as emergency volunteers in cooperation with the heads of city departments affected.

(g) Some of the duties ascribed to the City Manager in this section will ordinarily be handled as a matter of routine by the emergency management director, but the responsibility and authority stem from and remain with the City Manager.

Sec. 30-87. - Liability.

(a) All functions under this chapter and all other activities relating to emergency management are a governmental function for the protection of public peace, health, safety, and welfare and the continuity of government. Neither the City, nor agents and representatives of the city or any emergency volunteer, first responder, individual, receiver, firm, partnership, corporation, association, or trustee, or any of the agents thereof, complying with or reasonably attempting to comply with State law, or any order or rule adopted or regulation promulgated pursuant to the provisions of this Chapter, or pursuant to any ordinance relating to precautionary measures enacted by the City, shall not be liable for the death of or injury to persons, or for damage to property, as a result of any such activity.

(b) Any person owning or controlling real estate or other premises or private property who grants a license or privilege or otherwise permits the designation or use of the whole or any part or parts of such real estate or premises or private property for emergency management functions during an actual or impending emergency event or practice exercise, together with his or her successors in interest, if any, shall not be civilly liable for negligently causing the death of, or injury to, any person on or about such real estate or premises or private property or loss of, or damage to, the property under such license, privilege or other permission for loss of or damage to the property of such person of such person.

In City Council March 19, 2026.
Referred to the Finance,
Organization and Personnel
Committee.

City Clerk

Jay V. Kahn, Mayor

CITY OF KEENE
NEW HAMPSHIRE

ITEM #J.1.

Meeting Date: March 19, 2026

To: Mayor and Keene City Council

From: Planning, Licenses and Development Committee, Standing Committee

Through:

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

Council Action:
In City Council March 19, 2026
Voted unanimously to adopt Ordinance O-2025-40.

A true record;

Attest:
City Clerk

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

Attachments:
1. O-2025-40 Relating to Setback Exceptions, ADUs, and Parking Regulations_Adopted

Background:
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.

ORDINANCE O-2025-40

CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Five

AN ORDINANCE Relating to Setback Exceptions, Accessory Dwelling Units, and Parking Regulations

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

That Chapter 100 of the Code of Ordinances of the City of Keene, New Hampshire, as amended, is hereby further amended by deleting the stricken text and adding the bolded and underlined text, as follows.

1. That a new section be added after Section 1.3.3.4.a, sub-section vii to indicate that retaining walls are exempt from setback requirements, as follows.

    4. Structure Setback Exceptions.
        a. The following may be excluded from required setbacks.
            i. Steps and stairs necessary to provide access to a building or structure
            ii. Access landings up to 25-sf
            iii. Structures necessary to afford access for persons with physical disabilities
            iv. Canopies and awnings
            v. One detached utility accessory building of less than 125-sf (e.g. garden shed)
            vi. Fences
            vii. Signs as regulated by Article 10
            viii. Retaining walls

2. That Section 8.4.2, Subsection A be amended by removing sub-sections 2.e and 2.g, as follows. The intent of this proposed change is to come into compliance with recent changes to state law, specifically HB 577 which amended NH RSA 674:71 to :73.

    A. Accessory Dwelling Unit (ADU)

1. Defined. An independent living unit ancillary to a single-family dwelling and under the same ownership as the principal dwelling unit. The unit may be an attached Accessory Dwelling Unit (ADU), located within or attached to the principal dwelling unit, or a detached ADU, located in or as a detached accessory building on the property.
2. Use Standards
    a. Only 1 ADU shall be permitted per lot.
    b. There shall be no more than 2 bedrooms in an ADU.
    c. ADUs shall be permitted in any district and on any lot that contains a singlefamily dwelling. This shall include any legal non-conforming single-family dwelling.
    d. ADUs shall not exceed a maximum gross floor area of 1000-sf.
    ~~e. An interior door shall be provided between the principal single-family dwelling unit and an attached ADU. This interior door does not need to remain unlocked.~~
    ~~f.~~**e**. Only 1 parking space shall be required for an ADU.
    ~~g~~**f**~~. An ADU shall have city water and sewer service, or, i~~**I**n the absence of city sewer, a septic system plan approved by the state shall be required prior to the issuance of a building permit.
    ~~h.~~**g**. A scaled and dimensional plot plan of the property shall be submitted as part of the building permit application for an ADU. This plan shall show the location and number of required parking spaces, driveway and paved areas, buildings, building setbacks, utilities, fences, and any other relevant site features.
    ~~i.~~**h**. The record property owner shall occupy either the single-family dwelling or the ADU, and shall submit an affidavit in support of an ADU with their building permit application stating under oath that they satisfy the owner occupancy requirement.
    ~~j.~~**i**. Adequate notice in an acceptable legal form for recording at the County Registry of Deeds shall be duly executed by the owner of record identifying the property on which the ADU is located by source deed sufficient to notify successor owners that the ADU is subject to the City's Zoning Regulations.
        i. This notice shall be reviewed by the Zoning Administrator for acceptable form and, upon signature, it shall be recorded at the Registry by the property owner.
        ii. Evidence of recording shall be submitted to the Community Development Department prior to the issuance of a building permit.

~~k.~~j. An ADU is subject to the same overlying zoning district's dimensions & siting, buildout, and height requirements, as permitted by RSA 674:72, that would be required for a single-family dwelling without an ADU. In the case of zoning districts that do not allow a singlefamily dwelling, the zoning district's dimensions & siting, buildout, and height requirements shall apply.

i. An ADU may encroach up to 10-ft from the rear lot line of any lot where an ADU is permitted.

3. That Section 9.2.7.A "Administrative Reduction" of Article 9 be amended to increase the amount of parking that may be reduced through an administrative process, as follows. The intent of this proposed change is to reduce barriers to development where the proposed development can clearly demonstrate that the number of required parking spaces as detailed in Table 9-1 is too restrictive based on the characteristics of the specific use or site.

9.2.7 Reduction of Required Parking

A. Administrative Reduction. The Zoning Administrator may grant up to a ~~10%~~ **25%** reduction in the number of required on-site parking spaces for the principal use or mixture of principal uses on a lot when the following can be demonstrated.

1. A specific use or site has such characteristics that the number of required parking spaces is too restrictive.
2. The requested reduction will not cause long term parking problems for adjacent properties or anticipated future uses.
3. One or more of the following site conditions are applicable or present on the lot where the principal use(s) is located.

a. Reserve Area. An area of land suitable for the development of a parking facility and equal in size to the area of land needed to provide the parking spaces for which a reduction is granted will be reserved as undeveloped open space on the lot. **This criteria shall be required for residential uses seeking a reduction of more than 10%.**

b. Proximity to Alternative Modes of Transportation. The main entrance to the building of the proposed use is located within a 1,000-ft walking distance of an operating transit route or there is direct access from the lot to a multi-use bicycle pathway.

c. Shared Parking. The required parking is for a use that shares a parking lot with other uses that have different peak parking demands or operating hours (e.g. a movie theatre and a bank).

d. Proximity to On-Street Parking. Located contiguous to the lot there is on-street public parking that meets all the requirements for on-street parking in accordance with the City Code of Ordinances.

B. Administrative Reduction Request Procedure

1. A written request for an administrative parking reduction shall be filed with the Zoning Administrator and shall include, at a minimum, the following information. The Zoning Administrator may request additional information and/or technical studies at the applicant's expense.

   a. The size and type of the proposed use(s).

   b. The anticipated rate of parking turnover.

   c. The anticipated peak parking and traffic loads for all uses.

   d. A description of how the site and/or use meets the criteria in Section 9.2.7.A.

   e. A traffic and parking analysis stamped by a NH licensed engineer shall be required for parking reduction requests greater than 10%.

   f.~~e.~~ Additional information and/or technical studies deemed reasonably necessary by the Zoning Administrator, at the expense of the applicant.

2. The Zoning Administrator shall issue a written decision on requests for administrative reduction of required parking in accordance with the procedures for a written interpretation in Section 26.9 of this LDC.

4. That Section 9.2.9.B "Remote Parking" of Article 9 be amended to allow remote parking to be located on lots located in residential districts with legally non-conforming uses and excess parking capacity, as follows. The intent of this proposed change is to allow for more flexibility for remote parking arrangements in areas that are located within a residential district.

9.2.9 Remote Parking

If the required number of on-site parking spaces for any land use cannot be reasonably provided on the same lot on which the principal use is located, the Zoning Administrator may permit all or part of the required parking to be located on a separate lot, provided it complies with the following standards.

A. The remote parking spaces shall be within a 1,000-ft walking distance of the property on which the principal use is located. This distance is measured from the nearest point of the remote parking area to the primary entrance of the use served. The path of travel from the remote parking to the principal use shall have adequate pedestrian facilities (e.g. crosswalks and sidewalks) for pedestrians to safely travel between the two sites.

B. Remote parking spaces shall not be allowed **on lots where the primary use is residential (single family, two family, or multifamily).** ~~in any residential zoning district~~.

C. All required accessible parking spaces shall be provided on-site.

D. Where remote parking spaces are under separate ownership from the principal lot, a written and duly executed parking agreement between the record owners, which guarantees the use and operation of remote parking areas for the life of the principal

use, shall be submitted to and approved by the Zoning Administrator and recorded in the County Registry of Deeds. Change of ownership or use of either parcel shall require a renewal of the agreement.

E. The remote parking spaces shall not be counted toward the minimum parking requirements for the primary use(s) of the lot where the remote parking is located.

5. That Table 9-3 "Travel Lane Dimensions" be modified to include travel lane widths adjacent to parallel parking spaces, as follows. The intent of this proposed change is to clarify that parallel parking is allowed and to specify the required width of adjacent travel lanes.

Parking Space Angle	Travel Lane Width
90 degree	22 ft
60 degree	18 ft
45 degree	11 ft
30 degree	10 ft
0 degree (parallel parking)	10 ft (one-way) 20 ft (two-way)

Jay V. Kahn, Mayor

In City Council February 5, 2026.
Public Hearing set for March 5, 2026,
at 7:00 PM.

City Clerk

A true copy;

Attest:
City Clerk

PASSED: March 19, 2026