



KEENE CITY COUNCIL  
Council Chambers, Keene City Hall  
April 16, 2026  
7:00 PM

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**MINUTES FROM PRECEDING MEETING**

- April 2, 2026 Minutes

**A. HEARINGS / PRESENTATIONS / PROCLAMATIONS**

1. Proclamation - Friends of Keene Public Library - Spring Book Sale

**B. ELECTIONS / NOMINATIONS / APPOINTMENTS / CONFIRMATIONS**

**C. COMMUNICATIONS**

1. Robert and Sandra Hamm - Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park
2. Barbara and Frank Richter - Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park
3. Vicky Morton - In Support of Barbara Richter's letter about Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park
4. Tom Duston - Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park
5. Vicky Morton - Proposal to Repurpose Granite Pieces on Island Street for Use at the Skate Park Property
6. Monadnock Interfaith Project - In Opposition to Review of Land Development Code Amendments Codified with the Adoption of Ordinance O-2025-15-A
7. Councilor Ruttle-Miller – In Opposition to Review of Land Development Code Amendments Codified with the Adoption of Ordinance O-2025-15-A

**D. REPORTS - COUNCIL COMMITTEES**

1. Copper Cannon Distillery - Request to Participate in the Keene Farmers' Market
2. Keene Swampbats - Request to Discharge Fireworks - Independence Eve Celebration - July 3, 2026
3. Alana Fiero/Keene Young Professionals - Request to Use City Property - Taste of Keene Food Festival - June 6, 2026
4. Pathways for Keene - Request to Use City Property - 4 on the 4th Road Race - July 4, 2026
5. Keene Pride Festival - Request to Use City Property - Pride Festival - September 20, 2026
6. Acceptance of Donation - Transportation Heritage Trail - Public Works Director
7. Execution of an Engineering Services Agreement for the Robin Hood Improvements Design Project - City Engineer & Parks and Recreation Director
8. Construction Services — Wastewater Treatment Plant Tank Repair Project Phase 1 - Assistant Public Works Director
9. Execution of a Change Order for Construction Services for the City Hall Parking Garage Project - City Engineer

**E. CITY MANAGER COMMENTS**

**F. REPORTS - CITY OFFICERS AND DEPARTMENTS**

1. Resignation of Katie Kinsella from the Conservation Commission

**G. REPORTS - BOARDS AND COMMISSIONS**

**H. REPORTS - MORE TIME**

1. Request to Review Recent Amendments to Land Development Code - Codified with the Adoption of Ordinance O-2025-15-A

**I. ORDINANCES FOR FIRST READING**

1. Relating to Delinquent Accounts  
Ordinance O-2026-05

**J. ORDINANCES FOR SECOND READING**

1. Relating to Chapter 30 - Emergency Management  
Ordinance O-2026-04
2. Relating to Personnel  
Ordinance O-2026-06

**K. RESOLUTIONS**

**NON PUBLIC SESSION**

**ADJOURNMENT**

A regular meeting of the Keene City Council was held on Thursday, April 2, 2026. The Honorable Mayor Jay V. Kahn called the meeting to order at 7:00 PM. Roll called: Randy L. Filiault, Michele A. Chalice, 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. Catherine I. Workman was absent. Councilor Favolise led the Pledge of Allegiance.

#### MINUTES FROM PRECEDING MEETING

A motion by Councilor Greenwald to adopt the March 19, 2026 City Council meeting minutes as presented was duly seconded by Councilor Powers. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

#### ANNOUNCEMENTS

Mayor Kahn announced upcoming dates of interest:

- April is Sexual Assault Prevention Month - wearing a teal ribbon signifies awareness and support for survivors.
- The Mayor wished joyous and good holidays to all celebrating:
  - April 2, 2026 through April 9, 2026: Pesach (Passover)
  - April 3, 2026: Good Friday
  - April 5, 2026: Easter Sunday
- April 6, 2026 through April 10, 2026: NH Energy Week

On the topic of NH Energy Week, Mayor Kahn noted that the week before this meeting, he communicated the City Council's support for Senate Bill 538 (authorized at the March 19, 2026 City Council meeting). Mayor Kahn called SB 538 a critical Bill before the Legislature that enables municipalities to invest in clean energy through a stable 20-year net metering term. The Mayor communicated the City Council's motion, which passed unanimously, to Clean Energy NH, which they appreciated; now he is on their mailing list and there are several other bills they would like the City to consider. This week, Senate Bill 449 and Senate Bill 540, both of which aim to lower energy costs and expand access to clean energy. The public hearings on these would be on April 6, 2026. The Mayor encouraged Councilors and the public to participate in that process by either contacting their state representatives or signing in remotely to support these bills through the New Hampshire House system by selecting the hearing date, the Committee (Energy), and the bill numbers to show support. Mayor Kahn said even a brief message can make a meaningful impact.

The Mayor announced an Open House at the City's Wastewater Treatment Plant (420 Airport Road in Swanzey) on Thursday, April 16, 2026, from 10:00 AM to 6:00 PM. A rain date is scheduled for Friday, April 17. Members of the public and Council are invited to attend. Mayor Kahn said it is very interesting to see how they take waste and turn it into clear water that is disposed.

Next, the Mayor shared reminders for the City Council's schedule. First, the City Council would host the Legislative Delegation Meeting on Monday, April 6, 2026 at 6:00 PM in the County

Delegation Hall. Over 50 RSVPs were received, including Cheshire County State Legislators, town managers and administrators, elected School Board members, and key individuals involved in legislative matters. Keene's full Delegation from the NH House, along with State Senator Donovan Fenton, Executive Councilor Karen Liot Hill, and Commissioner of the Department of Business and Economic Affairs Lucy Lange would be present; this would provide representation across all levels of government. Mayor Kahn said it was interesting that it had attracted this much attention. The presentation by NH Municipal Association would begin at 6:30 PM after light refreshments. The Mayor extended his sincere thanks to the County for generously hosting this meeting at their facility.

Second, Mayor Kahn reminded the Council that its annual break would be in August. The regular City Council meeting of August 6, 2026, will be held as planned; however, the August 20 and September 3 Council meetings are canceled. All Standing Committee meetings in August 2026 are canceled. This includes PLD on August 12, FOP on August 13 and August 27, and MSFI on August 26. Regular meetings will resume with PLD on September 9 and FOP on September 10, 2026.

#### COMMUNITY RECOGNITION: KEENE STATE COLLEGE MEN'S BASKETBALL

The Mayor welcomed the Keene State College (KSC) Men's Basketball Team and KSC Athletic Director Marty Testo, noting Coach Steve Enright was likely watching remotely. Mayor Kahn recapped the team's 2025–2026 season, which he said was supposed to be a rebuilding year following the Keene State College Men's Basketball Team's Division III Final 16 appearance during the 2024–2025 season, and with the loss of the teams two leading scorers, Octavio Brito (Division III Player of the Year, national news) and Wesley Odiase. The 2025–2026 season was supposed to be about rebuilding without those players, but none nonetheless, the Team finished with a record of 20–11, battling their way to the Little East Championship game, and ultimately winning the Eastern College Athletic Conference Championship. They won this Championship without playing the three seniors on the team, with the designed intent of giving the underclassmen, who would be returning players, the opportunity to compete for championship-level experience. Mayor Kahn said the underclassmen pulled through, sweeping the last five playoff games, four of which were played at KSC. The Mayor called it a thrilling opportunity to see this really high level of basketball as one of the team's citizen/community fans. Mayor Kahn noted that this season marks the fifth straight 20-win season for KSC Men's Basketball. The Mayor proceeded to recognize various members of the Team:

- Junior Guard Jordan Cooper (from Goldsboro, North Carolina) had a breakout first season for the Owls. Jordan was named 1st Team All Little East Conference (LEC) and 2nd Team All Region. He had the dunk seen around the country on February 25, 2026 in a LEC quarterfinal win versus Rhode Island College. The dunk was #5 on ESPN SportsCenter's top 10 plays the following day.
- Senior Forward Leo Chaikin (from South Hero, Vermont) was named 2nd Team All Little East Conference. The Mayor had also been watching Mr. Chaikin for a few years and said he had a great second half of the season. He wished him the best in the year to come.

- Sophomore Center Denis Wainaina (from Nashua, New Hampshire) was named Little East Conference Defensive Player of the Year and finished the season with 109 Blocked Shots, second most in the country. This year, he shattered the previous single season blocked shots record in KSC Basketball history (Jeff Hunter, 83 blocked shots, 2022–23). Mayor Kahn congratulated Mr. Wainaina.
- Mayor Kahn said over the course of the season, three players eclipsed the career 1,000 college points barrier: Senior Guard Mitchell Shettles (from New Albany, Mississippi), Senior Guard Ryan Blakey, (from Akokeek, Maryland), and Junior Guard Jordan Cooper (from Goldsboro, North Carolina). The Mayor also noted enjoying watching Mr. Shettles' outside shots and commented on Mr. Blakely's remarkable pre-game warmup (including his loud voice) that pumps up the team.

Mayor Kahn said this 2025–2026 KSC Men's Basketball Team continued their dominance at home in Spaulding gymnasium, with a 13-3 home record and a 69-9 home record since 2020. He thought the greater Keene community could take pride in being the sixth player on the court, spurring the Owls Men's Basketball Team to that remarkable 69-9 home court record. The Mayor thanked Coach Steve Enright and the team for their dedication, for sharing the best show in town, and carrying Keene area basketball fans through the winter season. The Mayor almost wished for winter 2027.

Mr. Testo thanked Mayor Kahn for this opportunity, stating what this Basketball Team had accomplished was tremendous—not only this year, but in previous years. Mr. Testo thought the bigger story was what the KSC Athletic Department as a whole had been able to accomplish, including four champions this year, with multiple All Americans, multiple Regional Champions, and Regional Coaches of the Year. He said all those accolades are great and the coaches do a great job of bringing high level athletes in to achieve those awards. He thought the things that go unnoticed are the 84 athletes in the fall who had 4.0 GPAs, the athletes' more than 2,700 hours of community service, which equate to about \$80,000 of service financially in the community. Mr. Testo thinks those are the things that people do not realize that these athletes do. The day in the life of a student athlete is not just practicing for a couple of hours: they go to class, they study, some work, and some commute. He called it a big commitment by these gentlemen and the rest of the 500 student athletes, which was one fifth of KSC's campus at this time; athletics is a huge part of what makes the KSC community what it is today. Mr. Testo thanked the Mayor for this honor and encouraged everyone to continue coming to watch the athletes because they are special and it is the cheapest show in town.

#### COMMUNITY RECOGNITION: UNION LEADER 40 UNDER FORTY AWARD - DR. LITO M. AMIT

The Mayor welcomed Dr. Lito M. Amit, who had some students with him in the audience. Mayor Kahn said it was an honor to recognize Dr. Amit as a 2026 New Hampshire Union Leader, 40 Under Forty honoree for his outstanding contributions to education, innovation, and to the Keene community. Mayor Kahn explained how Dr. Amit is distinguished among his peers, approachable, and has a great influence on his students. A tenured Associate Professor at Keene State College, Dr. Amit brings a rich interdisciplinary background to occupational safety and health, combining academic rigor, practical experience, and expertise in ergonomics. He holds a

Doctor of Health Science in Public Health, specializing in ergonomics, and a Master of Science in Occupational Health, both from Daegu Catholic University in South Korea. In addition, Dr. Amit holds a Master of Arts in Science Education from Christ the King College, and a Bachelor of Science in Secondary Education majoring in Biology from Northwest Samar State University in the Philippines. He is currently pursuing a Master of Public Health at Dartmouth College as a Dartmouth Scholar. Dr. Amit is a Certified Safety Professional, Certified Instructional Trainer, Associate Safety Professional, and a Licensed Professional Teacher.

At Keene State College, Dr. Amit teaches a wide range of occupational safety and health courses while working to make a bigger impact by supporting and mentoring first-generation college students. Mayor Kahn said Dr. Amit is dedicated to developing a strong research culture among students, actively involving them in discussion, inquiry, hands-on-activities, conference presentations, and research projects, including a research trip to Berlin, Germany with students as co-authors. His research interests include musculoskeletal disorders, workplace hazards, and innovative occupational biomechanic solutions such as wearable technologies, specifically shoulder-assistance devices designed to improve worker safety and performance. Beyond the classroom, Dr. Amit is an active member of St. Bernard's Church, where he participates in the folk music choir. In recognition of Dr. Amit's professional leadership and community involvement, he was named in the 2026 New Hampshire Union Leader's 40 Under Forty. Mayor Kahn congratulated Dr. Amit on this well-deserved recognition and for the meaningful impact he continues to have on teaching, research, and service to his community.

Dr. Amit was unsure how to react to the attention and accolades. He said when he came to the U.S. and Keene State College during the height of the pandemic, it was a very strange time. When he stepped into the City of Keene at Keene State College, he felt welcome and warmth; he felt like he found a new home. He said he still feels that way today. Dr. Amit is very proud of being a part of a community that supports not just progress in terms of economic impact but also an avenue for students to actually realize their potential. He saw the basketball players in the room and some of his students and said despite challenges they face, they experience resilience every day. Dr. Amit was proud to see and feel so much love, support, and sense of community in the City of Keene and at KSC. He thanked Mayor Kahn and the City Council for this honor. Dr. Amit hopes to continue to be given the opportunity to be impactful not just for his students and the KSC community, but the Keene community as a whole.

#### CONFIRMATIONS - ENERGY AND CLIMATE COMMITTEE; *AND* LIBRARY BOARD OF TRUSTEES

Mayor Kahn nominated Claire Oursler to serve as a Regular Member of the Energy and Climate Committee, with a term to expire December 31, 2028. The Mayor also nominated Susan Matthews to serve as a Regular Member of the Library Board of Trustees, with a term to expire June 30, 2028. A motion by Councilor Greenwald to confirm the nominations was duly seconded by Councilor Powers. The motion carried unanimously on a roll call vote with 14 Councilors present and voting in favor.

#### COMMUNICATIONS - PATHWAYS FOR KEENE - REQUEST FOR USE OF CITY PROPERTY - 4 ON THE 4TH ROAD RACE - JULY 4, 2026; *AND* KEENE PRIDE

FESTIVAL - REQUEST FOR USE OF CITY PROPERTY - PRIDE FESTIVAL -  
SEPTEMBER 20, 2026

The first communication was received from Janelle Sartorio, requesting the annual license for Pathways for Keene to sponsor a footrace on July 4, 2026; the applicant requested Community Event funding for this FY27 event. A second communication was received from Adam Toepfer, requesting the annual license for use of downtown City property on September 20, 2026 to conduct the 2026 Keene Pride Festival; the applicant requested Community Event funding for this FY27 event. Mayor Kahn referred both communications to the Planning, Licenses and Development Committee.

COMMUNICATION - BRITTANY WILLIAMS - CONCERNS RELATING TO CARS  
CONGESTING ROYAL AVENUE DURING SCHOOL PICK-UP

A communication was received from Brittany Williams, submitting concerns related to the cars congesting both sides of Royal Avenue when Keene High School students are about to get out of school. Her submission includes some photographs of the congestion and an email that Keene High School has sent out to parents. Mayor Kahn referred the communication to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION - COUNCILORS FILIAULT, JONES, AND HAAS - REQUEST TO  
REVIEW RECENT AMENDMENTS TO LAND DEVELOPMENT CODE - CODIFIED WITH  
THE ADOPTION OF ORDINANCE O-2025-15-A

A communication was received from Councilors Randy Filiault, Philip Jones, and Ed Haas, requesting that the Council review recent changes to the Land Development Code, citing community concerns about increased costs of fire separations and maintenance access, as well as concerns relating to allowing a 100% increase in multifamily units by right in the Medium Density District. Mayor Kahn referred the communication to the Planning, Licenses and Development Committee.

COMMUNICATION - COUNCILOR WILLIAMS - REQUEST FOR CONSIDERATION OF  
AN ORDINANCE AMENDMENT TO ALLOW LEASHED DOGS IN WOODLAND  
CEMETERY

A communication was received from Councilor Robert Williams, requesting the Council consider updating the current regulations restricting dogs in cemeteries to allow leashed dogs in the Woodland Cemetery. Councilor Williams suggests this would benefit the neighborhood as allowing dog walkers would increase foot traffic on the paths, improving security for everyone. Mayor Kahn referred the communication to the Municipal Services, Facilities and Infrastructure Committee.

COMMUNICATION - RICK MACMILLAN - WITHDRAWAL OF REQUEST FOR PUBLIC  
ART DISPLAY - TEMPORARY SCULPTURE INSTALLATION; AND MSFI REPORT  
PUBLIC ART DISPLAY PROPOSAL - TEMPORARY LARGE-SCALE SCULPTURE  
INSTALLATION

A communication was received from Rick MacMillan, requesting the Council accept the withdrawal of his proposal of March 13, 2026 for the temporary installation of a large-scale outdoor sculpture on City property as circumstances had changed since the request was submitted.

A motion by Councilor Greenwald to accept the withdrawal of request for Public Art Display - Temporary Sculpture Installation with regret, and to file the MSFI report into the record, was duly seconded by Councilor Tobin. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

#### MSFI REPORT - EVERSOURCE ACCESS ACROSS CITY-OWNED LAND IN THE TOWN OF SWANZEY - TRANSITION TO LICENSE

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the City Manager be authorized to negotiate and execute a revocable license and indemnification agreement with Public Service Company of New Hampshire, d/b/a Eversource, for the use of City-owned land located near the Dillant-Hopkins Airport in Swanzeay for access to its transmission lines. A motion by Councilor Greenwald to carry out the intent of the Committee report was duly seconded by Councilor Tobin. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

#### MSFI REPORT - ACCEPTANCE OF FIRE DEPARTMENT STRATEGIC PLAN

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the 2026 Fire Department's Strategic Plan be accepted as informational. Mayor Kahn filed the report as informational.

Mayor Kahn noted that the MSFI Committee presentation on the Fire Department Strategic Plan was informative and the Department provided a pretty thorough review of the activities and priorities. He thanked Fire Chief Jason Martin for sharing that report, which can be found on the Fire Department's City of Keene webpage.

#### MSFI REPORT - PRESENTATION - RED PINE SCALE - DINSMOOR WOODS (MAPLE AVENUE) HARVEST

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the Dinsmoor Woods Harvest Plan and presentation by Long View Forest be accepted as informational. Mayor Kahn filed the report as informational. He stated that that the Councilors were provided with information on red pine scale that is also available at the Parks and Recreation website, should the public wish to find out more.

Councilor Tobin mentioned that the red pine scale fact sheet listed an incorrect date. It listed April 10, 2026 but should have listed April 11 at 3:30 PM for a walk with the arborist supporting Parks and Recreation on this matter. Mayor Kahn confirmed that the public were invited to join the walk.

Councilor Chalice thanked Director of Parks and Recreation Carrah Fisk-Hennessey for this extremely thorough information. Having been through a situation like this, Councilor Chalice knew the public could be really upset by these types of things, so she really appreciated that she could keep this information right on hand. She hoped Director Fisk-Hennessey might have a chance to appear on the radio to share some of this as well. Councilor Chalice really appreciated the time that was spent on this.

Councilor Greenwald said this would be a very sad, brutal cutting and the public could react to this unfavorably. He went on to encourage everyone to please read this report and asked the media to report on this to assist with getting the word out. He said this cutting would not just be done on a whim; it is a serious disease affecting the trees that will spread and this is not the only example of where this will be. There are other red pine scale issues in other forests around the City. That is why Councilor Greenwald said the City Council would be taking this very seriously. It really hurts because it is a beautiful looking forest driving down Maple Avenue. However, Councilor Greenwald said it has to be done and now, so that there is some marketable value for the timber, and so the disease will not spread. Mayor Kahn said they were good points.

#### MSFI REPORT - PRESENTATION - TRANSFER STATION ASSESSMENT REPORT

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the Transfer Station Assessment Report be accepted as informational. Mayor Kahn filed the report as informational.

#### MSFI REPORT - PRESENTATION - MANAGEMENT OF EMERALD ASH BORER INFESTED TREES

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the Highway Operations Manager's report [Management of Emerald Ash Borer Infested Trees] be accepted as informational. Mayor Kahn filed the report as informational.

#### MSFI REPORT - PRESENTATION - OUTLINING THE ROLE OF CONTRACTORS AND CONSULTANTS

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the presentation outlining the roles of contractors and consultants be accepted as informational. Mayor Kahn filed the report as informational.

Mayor Kahn thanked Councilor Favolise who brought this to the Council's attention and the Mayor thanked the Public Works Department for answering questions as the MSFI Committee presented them.

#### MSFI REPORT - DOWNTOWN INFRASTRUCTURE PROJECT UPDATE

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending accepting the Downtown Infrastructure Project Update as informational. Mayor Kahn filed the report as informational.

#### FOP REPORT - FY25 DOJ BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD

A Finance, Organization and Personnel Committee report was read, unanimously recommending that the City Manager be authorized to do all things necessary to co-apply with the County of Cheshire, NH and to accept and expend the U.S. Department of Justice FY25 Byrne JAG in the amount allocated to the City of \$5,501.00. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake. The motion carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

#### FOP REPORT - WRITTEN PUBLIC COMMENTS - PROPOSED CAPITAL IMPROVEMENT PROGRAM 2027–2033

A Finance, Organization and Personnel Committee report was read, unanimously recommending the written public comments relative to the proposed Capital Improvement Program 2027–2033 be accepted as informational. Mayor Kahn filed the report as informational.

#### FOP REPORT - PROPOSED CAPITAL IMPROVEMENT PROGRAM 2027–2033

A Finance, Organization and Personnel Committee report was read, unanimously recommending the adoption of the Capital Improvement Program for fiscal years 2027–2033. A motion by Councilor Powers to carry out the intent of the Committee report was duly seconded by Councilor Lake.

Councilor Powers recalled that this year, the Council went through the six-year Capital Improvement Program for fiscal years (FY) 2027 through 2033. He said the Finance, Organization and Personnel Committee (FOP) went through the CIP project-by-project. At this meeting, the Council would act on the CIP, a six-year plan that outlines projects and programs the City needs to address. This CIP exercise is to bring it to the fiscal impact for the Operating Budget, which would be the next project in a few months. This year's CIP review included the full six years, a public hearing (including written comments submitted to the Clerk's office; Councilors received individual comments from constituents), and a Special FOP Committee meeting and a long regular meeting for CIP review that included a considerable amount of discussion. Councilor Powers said funding for the Downtown Infrastructure Project was one of those discussions and reviews to explain once again, so everybody understood how the economics of that project came together in the CIP. The FOP Committee also talked quite a bit about road repairs and downtown bathrooms. He wanted to be clear that the downtown restroom was not proposed to be handled financially in the CIP starting on July 1, 2026; rather, beginning in FY2028 (i.e., July 1, 2027). He said the FOP Committee discussed road conditions due to a tough winter, which is to be understood. Councilor Powers said that ultimately, the Committee unanimously approved the CIP as presented. He said that it would not necessarily mean the City would be able to accomplish every single thing in the CIP, but those things planned in the near

years are the ones that are most important to the City. He said the rest of it would be handled during the Budget process. Councilor Powers thanked everybody who had some part to play in this Plan; a lot of work goes into it other than by the FOP Committee. In an effort to address the concerns about the impact of this winter, Councilor Powers made the following motion.

A motion by Councilor Powers to amend the FY2027 through FY2033 Capital Improvement Program by shifting \$500,000 from the FY2028 Road Preservation and Rehabilitation Program to FY2027 was duly seconded by Councilor Greenwald.

Simplistically, Councilor Powers said it would be shifting that \$500,000 from one page to another. It would not change the economic impact of the CIP that the FOP passed the prior week.

Councilor Lake said he hoped everyone watched the CIP discussion the previous week, when there was a lot of good, constructive discussion around this particular topic. He said it had been a pretty rough winter and with the Downtown Project going on the next couple of years, the City would likely—as the CIP's written—be putting all funding in Road Rehabilitation toward the Downtown Project. That would mean taking a couple of seasons off from actually repaving and rehabbing these roads that need it. Councilor Lake said this motion would help to address that by getting some of that road rehab in FY27, so not going those two full seasons without. He said this would not have a big financial impact if the City Manager would entertain talking about how the City usually actually pays for the road rehab; Councilor Lake believed it was by bonding rather than by the taxes that year. He asked for the City Manager's input. The City Manager said he was correct that the City typically bonds about \$1.4 to \$1.6 million for road work through the City and because of the increased cost of the Downtown Project, those funds were allocated to mitigate some of that impact of the Downtown Project. The City Manager said that shifting \$500,000 from FY28 to FY27 has no impact on the overall cost of the CIP, but it does put additional costs on the Operating Budget coming up for FY27; it is not a \$500,000 impact, it is the impact of a \$500,000 bond payment. The FOP Committee talked about not really knowing until the Operating Budget whether or not a bond payment is something the Council would still want to do at that time because of fiscal constraints. So, the City Manager said this created more of a placeholder to let the Public Works Department know the City may in fact be undertaking road work in FY27. The City Council would make this decision once it is ready to adopt the Operating Budget in June 2026. The City Manager added that typically the bond payment starts in the following year, so once the City bonds a project, the first payment is usually in the next fiscal year.

Councilor Ruttle-Miller said that being new to this process and being new to budget cycles within the City, she saw how our focus could latch onto one thing, noting that one would think that this CIP was a 200-page book about a downtown bathroom. Councilor Ruttle-Miller encouraged the public to ask additional questions, stating that there were a lot of other budget items in the CIP beyond the bathroom. She understood how the news could latch onto one exciting thing, then people latch on, and there is a lot of conversation. She was not saying that bad conversation had taken place. She was glad that it meant people were paying attention, but there is so much more to pay attention to, and a lot of other interesting and really beneficial things for the City in the CIP. Councilor Ruttle-Miller knows the news cannot cover everything but said the CIP is available for free, without a paywall, on the City of Keene website. So, if

members of the public have any questions about the CIP, she encouraged them to reach out to any City Councilor and ask them.

The motion to amend the FY2027 through FY2033 Capital Improvement Program by shifting \$500,000 from FY2028 Road Preservation and Rehabilitation Program to FY2027 carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

Councilor Jones spoke about the Liquid Brine Pre-Treatment System on page 97, calling it wonderful program. He thought the City should have done this years ago. He is glad the City is using magnesium chloride instead of calcium chloride or all the other typical things out there. However, he wondered whether this needed to be in the CIP: the City is not paying for the equipment, it is getting the equipment, and it would only be paying for the brine. He asked if that would not just be a line item right where salt is on the Operating Budget, not in the CIP. The City Manager said there are items in the CIP that are programmed—ongoing programs like replacement of radios for police and fire. The City Manager checked whether the brine treatment was a project or program. Councilor Jones said he was asking if it was not just like buying salt and would be in the Operating Budget. The City Manager did not think so, she thought there was more to it. When the Public Works Department presented this initiative, they noted some additional work that would be needed for vehicles in order to make this happen. Councilor Jones said he understood.

Mayor Kahn thanked the departments for bringing these Capital Plans forward. He respected the way that departments are looking towards the future and wanting to plan the kinds of improvements that are necessary to stay ahead of where they are today: anticipating where they need to be six years from now thanks to departmental creativity and forward looking. He said the City Manager preparing this final CIP and working with each of the departments to try to focus and narrow it down really addressed all the issues anticipated in the near-term future; he respects that part of the process before the CIP ever gets to the Council. He said it is a voluminous book but it would be more so without all this work. Mayor Kahn appreciated Councilor Powers' and the FOP Committee's leadership during the CIP workshops and hearings, when all the City Councilors and public had an opportunity to raise questions. As the Manager said, this is a Plan, all projects in the future need to come back before the Council for approval and further conversation. Mayor Kahn appreciated the amendment offered tonight because he thought it reassured the public that the Public Works Department could exercise good judgment to get necessary things done around the City beyond just the Downtown Project.

The motion to carry out the intent of the FOP Committee report to adopt the Capital Improvement Program for fiscal years 2027 through 2033, as amended, carried unanimously with 14 Councilors present and voting in favor. Councilor Workman was absent.

#### CITY MANAGER COMMENTS

City Manager Elizabeth Ferland recognized Finance Director Kari Chamberlain, noting it was definitely a team effort to create the CIP. However, Ms. Chamberlain single handedly managed a lot of it in the Finance Department and had done a fabulous job, so the City Manager thanked her. The City Manager called it a really important effort that the City makes every other year to

go through the entire document and then during the off year, the City updates that one year of the Operating Budget (i.e., changes, grants, anything for urgent attention). The CIP is a financial plan, but it also helps to plan for grant applications and how the City times its projects to be coordinated across the organization together across multiple funds. The City Manager said she looks forward to the Budget process next.

Next, the City Manager talked about the winter warming shelter. She recognized the partners who helped to make this winter's overnight warming shelter possible. Through collaboration with Hundred Nights, Southwestern Community Services, and the United Church of Christ, the community was able to provide a safe, warm place for individuals during the coldest months of the year. The shelter operated overnight throughout the winter and had recently closed for the season. This effort required a great deal of coordination and commitment. The City Manager thanked the staff and volunteers from these organizations, as well as the City's Human Services Department, who helped make this work possible. The City supported the effort this year with \$50,000 from the Human Services budget to assist Hundred Nights with staffing the overnight shelter. That investment helped ensure that individuals in the community (both visitors and residents) had a safe option during severe winter conditions. Later this month, the City Manager would be convening a meeting with all of the partners involved to begin discussing plans for the next winter. The goal is to continue improving coordination and develop a predictable approach to the community's cold-weather emergency response moving forward. She said the Mayor had been very helpful in that effort.

City Manager Ferland met with all departments and reviewed their budget submissions. The Finance Department at this time was entering that information into the system to begin the next step—making the necessary adjustments to develop a Budget proposal that complies with the City's Fiscal Policy. The City Manager's budget proposal is due to the Council by May 1, 2026, and the next Council meeting is May 7, so Budget books will be placed in Councilors' mailboxes on Friday, May 1. The Budget review process will begin at the FOP Committee meeting on May 12, 2026 with an early start time (for several FOP meetings) at 5:30 PM. The City Manager provided a copy of the full Budget review schedule throughout May 2026 to the Council. The FOP Committee's May 28 meeting will include the Committee's Budget recommendation. The Budget Public Hearing will take place on June 4, 2026 at 7:00 PM before the full City Council. The City Council is scheduled to vote on the Budget on June 18, 2026. The new fiscal year begins July 1, 2026.

The City Manager shared an update from Parks and Recreation Director, Carrah Fisk-Hennessey: Parks and Recreation Department hosting a Dinsmoor Woods walk with Alex Barrett, forester with Long View Forest on Saturday April 11, 2026 at 3:00 PM. The City Manager encouraged all to attend this very informative onsite opportunity.

Lastly, the City Manager announced a Public Works overnight parking ban from 11:00 PM on April 2 to 7:00 AM on April 3, 2026 for leaf blowing maintenance and street cleaning. The City Manager noted that in addition to the red pine scale information on the website that the Mayor mentioned, there is other information as well: keep an eye on the Fire Department's Strategic Plan and additional Parks and Recreation information. Red pine scale information was moved to

the home page. Mayor Kahn said it was great to see the departments adding these recent reports for public access.

#### MSFI REPORT - MORE TIME - TERRY BISHOP - CONCERNS WITH PARKING ON MARLBORO STREET AND ENFORCEMENT MEASURES

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending placing Concerns with Parking on Marlboro Street and Enforcement Measures on more time, making a note for there to be some enhanced enforcement over the next month. The Mayor granted more time.

#### ORDINANCE FOR FIRST READING - RELATING TO PERSONNEL - ORDINANCE O-2026-06

A memorandum was received from Human Resources Director Darcy Newport, recommending the City Council refer Ordinance O-2026-06 to the Finance, Organization and Personnel Committee. Mayor Kahn referred Ordinance O-2026-06 to the Finance, Organization and Personnel Committee meeting.

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

A Municipal Services, Facilities and Infrastructure Committee report was read, unanimously recommending the adoption of Ordinance O-2026-03. Mayor Kahn filed the report. A motion by Councilor Greenwald to adopt Ordinance O-2026-03 was duly seconded by Councilor Tobin.

Councilor Lake thought the MSFI Committee said that the Winter Street–School Street sign was for northbound traffic but the background minutes stated for westbound traffic. He wanted to ensure there would be a stop sign for the traffic that is coming from Winter Street that wants to merge onto School Street. The City Manager said that is correct.

Councilor Williams thought he had some different opinions as far as the visibility of the stop sign at Roxbury and Lincoln Streets. He understood that it was not accepted. He appreciated that the City put up signs on the existing two way stop signs that say, "traffic on Roxbury St. does not stop," because he said they do go fast, and Councilor Williams hoped that would make the difference the Council is looking for. Mayor Kahn said it was a good point.

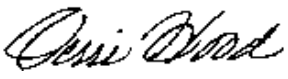
Councilor Tobin mentioned that it came up during this discussion how the Roadway Safety Action Plan would be chipping away at those things. She said the Public Works Director mentioned that he was working on making those updates available to the public and Council.

The motion to adopt Ordinance O-2026-03 carried unanimously on a roll call vote with 14 Councilors present and voting in favor. Councilor Workman was absent.

04/02/2026

ADJOURNMENT

There being no further business, Mayor Kahn adjourned the meeting at 8:06 PM.

A true record, attest:   
City Clerk



# CITY OF KEENE NEW HAMPSHIRE

ITEM #C.1.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Robert and Sandra Hamm  
**Through:** Terri Hood, City Clerk  
**Subject:** **Robert and Sandra Hamm - Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park**

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**Recommendation:**

**Attachments:**

1. Communication\_Robert and Sandra Hamm

**Background:**

Robert and Sandra Hamm are concerned that the proposed parking lot near Beaver Brook does not meet the requirements of the Surface Water Protection Ordinance and would increase risks of runoff into Beaver Brook and cause erosion. They further suggest that all areas within 100 feet of Beaver Brook would benefit from the Beaver Brook Restoration Plan prepared in 2009 by Moosewood Ecological LLC for the City. The report recommends establishing a healthy riparian zone of native, flood-tolerant, deep-rooted plants that stabilize stream banks, filter runoff, cool the water, and support wildlife. Additionally, they believe that adding a community garden with raised beds and pollinator gardens would better align with Keene's commitment in 2021 as a "bee-friendly" community.

**TO:** Honorable Mayor Kahn and City Council Members  
**FROM:** Robert C. and Sandra Hamm, 89 Valley Street, Keene, NH  
**DATE:** April 11, 2026  
**SUBJECT:** Questions and concerns about the skatepark parking lot

---

## **Concerns and Recommendations Regarding the Proposed Parking Lot Near Beaver Brook**

We appreciate the City’s openness to receiving feedback regarding the proposed parking lot on Water Street by Beaver Brook. Redevelopment efforts between Beaver Brook and Carpenter Street for public use have positively impacted both the neighborhood and the City. Families from throughout Keene regularly visit Russell Park and the skate park, and local residents value seeing these community facilities being actively used.

However, we have to express concerns about the parking lot proposed near Beaver Brook. Barbara Richter’s letter to this Council on this subject, cites the Surface Water Protection Ordinance as an important guideline which appears to be ignored by city planners:

**ARTICLE 11. SURFACE WATER PROTECTION OVERLAY DISTRICT**  
*Surface Water Buffer. The Surface Water Protection Overlay District buffer area is measured on a horizontal plane from either the top of the bank of a stream, or the ordinary high-water mark of a river, or the reference line of a lake or pond, or the delineated edge of a wetland or change in soil type.*

As she notes, and we reiterate, the planned parking lot appears to overlook the requirements of the Surface Water Protection Ordinance. Building a paved surface so close to Beaver Brook could increase the risks of runoff and erosion.

Instead, all areas within 100 feet of Beaver Brook would benefit from the Beaver Brook Restoration Plan prepared in 2009 by Moosewood Ecological LLC for the City. The report recommends establishing a healthy riparian zone of native, flood-tolerant, deep-rooted plants that stabilize stream banks, filter runoff, cool the water, and support wildlife.

A parking lot will offer none of these ecological benefits. And, since the parking spaces available at Patricia Russell Park and along Carpenter Street are rarely, if ever, fully utilized, there would be no evident need to spend our City’s tax dollars on a new parking lot for which there is no apparent need.

Although the proposed parking lot might cap a hazardous waste site, we urge the City to explore more innovative alternatives that would actually benefit the immediate community. For instance, consider developing a community garden with raised beds, for which there is already some neighborhood interest.

Further, since Keene was officially designated a “bee-friendly” community in 2021, establishing pollinator gardens would align with this commitment.

Expanding greenspace would help offset the effects of hotter summers and reducing pavement would assist with floodwater management in the watershed.

Therefore, we urge the City Council to reject plans for a parking lot proposed by the City.

Respectfully submitted,



Robert C. Hamm



Sandra Hamm





## CITY OF KEENE NEW HAMPSHIRE

ITEM #C.2.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Barbara and Frank Richter  
**Through:** Terri Hood, City Clerk  
**Subject:** **Barbara and Frank Richter - Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park**

---

**Recommendation:**

**Attachments:**

1. Communication\_Barbara and Frank Richter

**Background:**

Barbara and Frank Richter are concerned that the proposed parking lot near Beaver Brook is in conflict with the requirements of the Surface Water Protection Ordinance and the Beaver Brook Restoration Plan prepared in 2009 by Moosewood Ecological LLC for the City. They recommend instead of installing this new parking lot, that the soil is capped, a pollinator garden is planted, and the area is fenced off. Additionally, they believe that adding more trees, rain gardens, and possibly raised beds with sealed bottoms would provide greater public benefit.

**TO:** Honorable Mayor Kahn and City Council Members  
**FROM:** Barbara and Frank Richter, 22 Valley Street, Keene, NH  
**DATE:** April 12, 2026  
**SUBJECT:** Parking lot at skatepark questions and concerns

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Thank you for the opportunity to provide feedback on the proposed parking lot off Water Street next to the Skatepark property.

The redevelopment of this area has been a great improvement to the neighborhood. This park is used by all ages throughout the year. Investing in East Keene is a benefit to the city, with so many citizens looking for walkable neighborhoods. We appreciate the City Council's support of this area of the city.

We have concerns about the proposed parking lot off 160 Water Street. The proposed parking lot would be a violation of the City of Keene Surface Water Protection Ordinance. This City regulation requires a 30-foot-wide buffer area from the top of bank.

**ARTICLE 11. SURFACE WATER PROTECTION OVERLAY DISTRICT**

*Surface Water Buffer. The Surface Water Protection Overlay District buffer area is measured on a horizontal plane from either the top of the bank of a stream, or the ordinary high-water mark of a river, or the reference line of a lake or pond, or the delineated edge of a wetland or change in soil type.*

The proposed parking area provides no buffer and paves up to the top of the Beaver Brook Bank. According to the regulation, construction of new roads, driveways, and parking lots would require a conditional use permit. We ask that the city go through this process if they intend to continue with the plans for a new parking lot.

Additionally, the proposed parking lot is in direct conflict with the BEAVER BROOK RESTORATION PLAN, Stream Morphology, Wildlife Habitat and Land Use Assessment written by Moosewood Ecological LLC for the City in 2009. According to the plan, a "*Good buffer is greater than or equal to 100 feet wide.*" Paving up to the top of the stream bank would provide no buffer whatsoever, putting the water quality at risk.

The Restoration Plan recommends a buffer as a top priority for immediate restoration efforts. It describes the importance of a natural buffer for water quality protection;

*"Vegetated buffers have a few key features that drive their ability to reduce the threat of nonpoint source pollutants. With sediment as a leading NPS concern, it is easy to see part of the role vegetation plays in preventing soil erosion. The root system that holds soil in place is perhaps the most recognized feature that makes buffers effective at reducing NPS pollution threats."*

Finally, the current parking lot is never full. There is plenty of parking along Carpenter Street and the Pat Russell Parking lot. The neighbors do not see a need for additional parking in this area. We would prefer to have more green space to help mitigate increasingly hot summers and less pavement to help mitigate flood waters in the watershed.

We understand that this area needs to be capped because of toxins found in the soil on the site. We believe the site can be capped and then replanted with a vegetative layer. The Federal Environmental Protection Agency has recommendations on options to cap soil with plants.

*Vegetative layer: A top layer of soil planted with grass or other vegetation can help prevent soil erosion and make the area look more natural and attractive. An evapotranspiration or "ET" cover is a vegetative cap in which the plants and underlying soil keep rain and snowmelt from soaking down into the contaminated area. (For more information, please see A Citizen's Guide to Evapotranspiration Covers [EPA 542-F-12-006].)*

We request that you cap the soil, plant a pollinator garden, and fence off the area. Adding more trees, rain gardens, and possibly raised beds with sealed bottoms would be more of a public benefit to the community than unnecessary parking. Extending the gardens from the northern section of the property may also be appealing to local grants and foundations. Restoration of this streambank would enhance the Beaver Brook Restoration Plan and model what we could apply elsewhere in its watershed.

Respectfully submitted,

Barbara and Frank Richter

Frank Richter 4/13/26  
Barbara Richter 4/13/26



## CITY OF KEENE NEW HAMPSHIRE

ITEM #C.3.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Vicky Morton  
**Through:** Terri Hood, City Clerk  
**Subject:** **Vicky Morton - In Support of Barbara Richter's letter about Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park**

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**Recommendation:**

**Attachments:**

1. Communication1\_Vicky Morton

**Background:**

Vicky Morton supports Barbara Richter's letter and would like to see more interactions between City personnel and the neighborhood prior to initiating these types of proposals.

April 12, 2026

Mayor Jay Kahn  
City Manager Elizabeth Ferland  
Keene City Council Members  
3 Washington Street  
Keene, New Hampshire 03431

Vicky Morton  
275 Water Street  
Keene, New Hampshire 03431

RE: In support of Barbara Richter's letter

The City of Keene is indeed fortunate to have someone as knowledgeable and articulate as Barbara Richter. I support her consultation on why the City should not add more hardscape to the skate park property and her suggestions on alternatives.

East side residents are heavily invested in both the overall neighborhood and the Pat Russell Park. I truly wish there were more interactions between the City personnel and the neighborhood prior to proposals such as the proposed parking lot so that we can move forward together.



Vicky Morton





## CITY OF KEENE NEW HAMPSHIRE

ITEM #C.4.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Tom Duston  
**Through:** Terri Hood, City Clerk  
**Subject:** **Tom Duston - Concerns and Recommendations Regarding the Proposed Parking Lot at the Skate Park**

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**Recommendation:**

**Attachments:**

1. Communication\_Tom Dustin

**Background:**

Tom Duston is concerned that the proposed parking lot would add impervious ground that he believes would be detrimental to the needs of the neighborhood. Instead, he would like the City to consult with gardening consultants about what types of plants and trees could be planted in the contaminated soil.

The City Council

Keene, NH

197 Water St.

Keene, NH

April 8, 2026

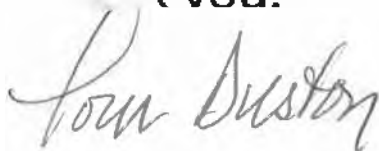
To the Council:

*and the Mayor*

I live in American House (#224) and hence have a unique view of the parking lot at Pat Russell Park. I can say that in the 2 years I have lived here I don't believe the lot has ever been filled, even when the East Keene Neighborhood Association meets here once a month. This is because most of the folks using the park are from the neighborhood and either walk, come in a carriage, ride their bicycles or come by skateboard or scooter.

The last thing the neighborhood needs is the additional impervious ground that a parking lot would bring. Consult your gardening consultant (Conservation Commission, Parks and Rec, etc.) about appropriate plants or trees if you are concerned about contaminated soil

< YOU.



Tom Duston





## CITY OF KEENE NEW HAMPSHIRE

ITEM #C.5.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Vicky Morton  
**Through:** Terri Hood, City Clerk  
**Subject:** **Vicky Morton - Proposal to Repurpose Granite Pieces on Island Street for Use at the Skate Park Property**

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**Recommendation:**

**Attachments:**

1. Communication2\_Vicky Morton

**Background:**

Vicky Morton is requesting that the City move some of the leftover construction granite located on Island Street to the skate park. She believes they can be used for one- to two-person seating, curbing, and standing stone art pieces. Ms. Morton further requests any perennial plantings in the downtown area that will be removed during reconstruction be relocated to beautify the skate park area.

April 12, 2026

Mayor Jay Kahn  
City Manager Elizabeth Ferland  
Keene City Council Members  
3 Washington Street  
Keene, New Hampshire 03431

Vicky Morton  
275 Water Street  
Keene, New Hampshire 03431

Re: Granite pieces and skate Park property

Today, as I write this letter, there is a pile of 30+ pieces of granite, on the eastern side of Island Street, possibly recovered from the reconstruction of that street earlier this year. Some pieces are rectangular while others clearly appear to have been street/sidewalk curbing.

During last month's MSFI meeting, three City Councilors spoke favorably of the Pat Russell Park, and the adjacent skate park property, as an appropriate location for art installations. Encouraged by their statements, I hope you will consider the following.

I formally ask that some of those granite pieces, currently on Island Street, be utilized, or repurposed, on the skate park property, adding visual appeal and breaking up the vast blankness of that space. Some of the rectangular pieces would be appropriate for seating for 1 to 2 persons. They are not long enough for someone to lie on. Some curbing pieces could be installed upright along the recently installed bike path from Water Street to the PRP parking lot, like standing stones, some 8 to 10 feet apart.

I am also requesting that in preparation for the downtown renovations, perennials and small trees that can be transplanted be relocated to the skate park open space. There is little reason to just remove most of the downtown planting without attempting to utilize them elsewhere.

Many thanks,

  
Vicky Morton





# CITY OF KEENE NEW HAMPSHIRE

ITEM #C.6.

**Meeting Date:** April 16, 2026

**To:** Mayor and Keene City Council

**From:** Tom Julius and Angela Pape  
Monadnock Interfaith Project

**Through:** Terri Hood, City Clerk

**Subject:** **Monadnock Interfaith Project - In Opposition to Review of Land Development Code Amendments Codified with the Adoption of Ordinance O-2025-15-A**

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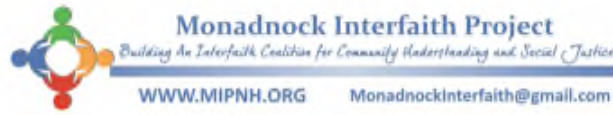
**Recommendation:**

**Attachments:**

1. Communication\_Tom Julius

**Background:**

The Monadnock Interfaith Project Opposes amending Ordinance O-2025-15-A, emphasizing the widespread impact of housing challenges across incomes and age groups. They oppose reopening the ordinance so soon, urging the City to allow time for its impact to be evaluated and to focus instead on other housing strategies identified in the 2023 City of Keene Housing Needs Assessment and Strategy report.



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

April 14, 2026  
Re: Ordinance O-2025-15-A Review

Dear Mayor and City Councilors,

Monadnock Interfaith Project (MIP) is keenly aware of housing challenges in our community. Over the years we have heard many, many stories of people struggling with the housing shortage and the high cost of housing.

People are affected across a range of incomes, from surgeons to police officers to childcare workers, and across a range of ages from kids growing up in cramped apartments, young professionals unable to afford rent or to purchase a starter home, and seniors stuck in large homes with high property taxes.

MIP was pleased when Ordinance O-2025-15-A was passed creating potential for more housing options in our community.

**We understand that the Planning Licenses, and Development Committee PLD is considering reopening discussion of Ordinance O-2025-15-A, possibly breaking it into pieces. This does not feel like a good use of time and resources.**

Keene has taken an admirably proactive approach to the housing challenge. We know there is no one solution. This ordinance is part of holistic approaches across the region to support expansion of housing options.

We encourage Keene to put its energy into pursuing other promising strategies identified in the 2023 City of Keene Housing Needs Assessment and Strategy report such as identifying development and redevelopment sites in Keene, a Community Land Trust, home sharing, and expanding transitional housing opportunities.

We urge the City Council to give Ordinance O-2025-15-A time to work. Best-practice guidance from the American Planning Association recommends: "Allowing a reasonable period of implementation before reopening a newly adopted ordinance, unless clear evidence of harm emerges."

Thank you for passing Ordinance O-2025-15-A and we urge the City to pursue other housing strategies and continue to build on the work that has been done thus far.

Thank you,

Tom Julius  
MIP Guiding Council Board Chair

Angela Pape  
MIP Community Organizer

MIP, PO Box 161, Keene NH 03431



# CITY OF KEENE NEW HAMPSHIRE

ITEM #C.7.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Councilor Laura Ruttle-Miller  
**Through:** Terri Hood, City Clerk  
**Subject:** **Councilor Ruttle-Miller – In Opposition to Review of Land Development Code Amendments Codified with the Adoption of Ordinance O-2025-15-A**

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**Recommendation:**

**Attachments:**

1. Communication\_Councilor Ruttle-Miller

**Background:**

Councilor Ruttle-Miller has submitted the attached letter in opposition to revisiting the Land Development Code amendments adopted under Ordinance O-2025-15-A, particularly the change allowing up to six dwelling units per lot in the Medium Density District. She indicates that insufficient time and data exist to evaluate the policy's impact, and emphasizes that the amendment supports the City's housing goals and broader state data encouraging reduced development barriers. She urges the Council to rely on comprehensive data and long-term evaluation rather than anecdotal concerns when considering any changes.

April 13, 2026

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

To the Honorable Mayor and City Council,

I am writing in regard to the recent request to review the ordinance changes adopted in September 2025 under O-2025-15-A. While this ordinance included multiple updates, I am writing specifically about the amendment to Use Standards under 8.3.1.C.2.a, which now states: "In the Medium Density District, no more than 6 dwelling units are allowed per lot."

I am concerned about both the substance and timing of the proposed rollback. Reversing an ordinance that expands housing opportunity, particularly less than a year after its adoption, risks undermining the City's ability to meaningfully address housing needs. As discussed at the April 8<sup>th</sup> PLD meeting, there has not been a significant increase in unit density in Medium Density zones to date; however, a seven-month period is not sufficient to evaluate the impact of a policy change of this scale.

Available data continues to support reducing barriers to housing development. According to *Who Can Afford to Live in New Hampshire* (New Hampshire Housing, 2025), "By lowering barriers to allow the market to provide diverse housing options ... New Hampshire can better align its housing market with the needs of the state." The amendment adopted under O-2025-15-A is consistent with this approach.

Rescinding this change would also conflict with the City's stated goal of expanding "enticing housing options for all." Housing demand is not limited to large, multi-bedroom units. New Hampshire is one of the oldest states in the country, and household sizes continue to shrink. Smaller, more flexible housing options are critical for a range of residents, including recent graduates, young professionals, couples, and retirees, as well as others seeking more affordable or lower-maintenance living arrangements.

Given these considerations, I do not support reintroducing barriers into the Land Development Code that limit the City's ability to respond to current and future housing needs. Any review of this ordinance should be grounded in sufficient data, a meaningful evaluation period, and alignment with established housing goals.

I understand that concerns have been raised, and I have included materials provided by the Manager of Research & Data Analytics at New Hampshire Housing to help inform this discussion. I encourage the Council to weigh all available evidence carefully and to avoid making policy decisions based primarily on anecdotal feedback.

Thank you for your time and thoughtful consideration,

  
Laura Ruttle-Miller  
Councilor At-Large

## Supporting Data and Best Practice Recommendations from New Hampshire Housing

– The role of increased density in addressing housing availability and affordability:

- [Hongwei Dong \(2021\), “Exploring the Impacts of Zoning and Upzoning on Housing Development: A Quasi-experimental Analysis at the Parcel Level”](#)
  - This quasi-experimental study that finds that upzoning and higher-density zoning significantly increase the probability, scale, and overall supply of housing development, particularly on vacant or underutilized parcels, suggesting that zoning reform is an effective tool for expanding housing supply.
- [Buchler & Lutz \(2024\), “Making housing affordable? The local effects of relaxing land-use regulation”](#)
  - The quasi-experimental study finds that relaxing zoning constraints increase housing supply, with estimates suggesting roughly a 9% increase in development following density increases. However, the effects are gradual and depend heavily on local market demand, indicating that zoning reform is an important but not sufficient tool for addressing housing affordability.
- [Cristina Bratu, Oskari Harjunen, and Tuukka Saarimaa, “JUE Insight: City-wide Effects of New Housing Supply: Evidence from Moving Chains,” Journal of Urban Economics 133 \(2023\): 103528, <https://doi.org/10.1016/j.jue.2022.103528>](#)
  - The study finds that land-use regulations significantly constrain housing supply and contribute to higher housing prices, particularly in high-demand markets. Evidence of developers clustering at regulatory limits suggests that zoning rules are binding, implying that relaxing these constraints could increase housing supply and improve affordability. Their main finding is that even when new market-rate units get occupied by high-income households, they also benefit middle- and low-income households through a moving chain mechanism.

– Potential impacts of rolling back allowable density

- [Theo S. Eicher \(2024\), “Housing Prices and Land Use Regulations: A Study of 250 Major U.S. Cities”](#)
  - A large cross-city study finds that land-use regulations significantly increase housing prices, with effects that exceed those of income and population growth. This suggests that rolling back allowable density—thereby increasing regulatory constraints—would likely reduce housing supply and place upward pressure on housing costs.

– Best practices or case studies that may help inform our decision-making

Case Study	Policy Change	Key Outcomes	Policy Lesson	Supporting Study (Title + DOI)
Minneapolis (USA)	Eliminated single-family zoning; allowed duplexes/triplexes citywide (Minneapolis 2040)	Modest increase in housing permits; minimal displacement concerns	Broad upzoning can increase supply without major neighborhood disruption	<i>Gu, Helena and Munro, David, Zoning Reforms and Housing Affordability: Evidence from the Minneapolis 2040 Plan (July 10, 2025). Available at SSRN: <a href="https://us01.l.antigena.com/l/fkXt4bam_oIR0wfO~-nk8yez8VILFs8SeJ3-jBnkTIWSh_5ebqLcfI195GhWBsTr-X4e5sr2maYRPOd2kYaiZRI8wSi4rkLM4LoQOvdnxePjiG3aQQakmswmhFNhbm5Xa1AjBm5~1ygGDohsBT4U8uUg_-AlZ1~KAeVlzeLGtiN-uuOyMO1lmeTqaT3p5w00CJio">https://us01.l.antigena.com/l/fkXt4bam_oIR0wfO~-nk8yez8VILFs8SeJ3-jBnkTIWSh_5ebqLcfI195GhWBsTr-X4e5sr2maYRPOd2kYaiZRI8wSi4rkLM4LoQOvdnxePjiG3aQQakmswmhFNhbm5Xa1AjBm5~1ygGDohsBT4U8uUg_-AlZ1~KAeVlzeLGtiN-uuOyMO1lmeTqaT3p5w00CJio</a> or <a href="http://dx.doi.org/10.2139/ssrn.5347083">http://dx.doi.org/10.2139/ssrn.5347083</a></i>

<b>Seattle (USA)</b>	Upzoning + Mandatory Housing Affordability (MHA) requirements	Increased multifamily development; gradual supply expansion	Density increases boost supply, but affordability effects are slow	Kimmel & Wang, <i>The Impact of Upzoning on Housing Development in Seattle</i> (2026) <a href="https://www.sciencedirect.com/science/article/abs/pii/S0166046226000293">https://www.sciencedirect.com/science/article/abs/pii/S0166046226000293</a>
<b>Houston (USA)</b>	Minimal zoning; flexible land-use system	High housing supply responsiveness; lower relative price growth	Fewer zoning constraints increase supply elasticity	Glaeser, Edward L., and Joseph Gyourko. "The Impact of Zoning on Housing Affordability." <i>Quarterly Journal of Economics</i> 118(2): 417–434. <a href="https://doi.org/10.1162/003355303321675458">https://doi.org/10.1162/003355303321675458</a>
<b>Auckland (New Zealand)</b>	Citywide upzoning under Unitary Plan	Significant increase in building consents and housing production	Large-scale upzoning increases housing supply	Grimes, Arthur, and Yun Liang. "Spatial Determinants of Housing Supply Responses to Upzoning in Auckland." <i>New Zealand Economic Papers</i> 54(1) (2020). <a href="https://doi.org/10.1080/00779954.2019.1608306">https://doi.org/10.1080/00779954.2019.1608306</a>
<b>Tokyo (Japan)</b>	Flexible zoning + streamlined approvals	High housing supply; stable prices despite demand growth	Flexible zoning improves long-run affordability outcomes	Ahlfeldt, Gabriel M., and Elisabetta Pietrostefani. "The Economic Effects of Density: A Synthesis." <i>Journal of Urban Economics</i> 118 (2020). <a href="https://doi.org/10.1016/j.jue.2020.103263">https://doi.org/10.1016/j.jue.2020.103263</a>
<b>San Francisco Bay Area (USA)</b>	Highly restrictive zoning; limited upzoning	Severe housing shortage; high rents and prices	Restrictive zoning contributes to persistent affordability crises	Saiz, Albert. "The Geographic Determinants of Housing Supply." <i>Quarterly Journal of Economics</i> 125(3) (2010). <a href="https://doi.org/10.1162/qjec.2010.125.3.1253">https://doi.org/10.1162/qjec.2010.125.3.1253</a>

**What research shows:**

- Upzoning increases housing supply, especially on underused land and in high-demand areas.
- Narrow or “spot” upzoning has weaker effects than broad reforms.
- Delays and discretionary approval processes significantly constrain housing supply.

- Duplexes, triplexes, townhomes, and small multifamily units are often excluded by zoning even though they are economically viable.
- Upzoning is most effective on:
  - vacant land
  - underdeveloped parcels
- Stricter land-use regulation is strongly associated with:
  - higher housing prices
  - lower supply
  - reduced affordability
- Zoning reform effects are **gradual**, often taking years.

**Best practice:**

- Allow **higher density “by right”** across large residential areas
- Avoid highly fragmented zoning maps
- Permit:
  - duplexes
  - triplexes
  - fourplexes
  - small apartment buildings in residential zones
- Maintain or expand existing density allowances
- Avoid reducing height, FAR, or unit caps
- Track:
  - permits issued
  - housing starts
  - completed units
  - rent trends



## CITY OF KEENE NEW HAMPSHIRE

ITEM #D.1.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Planning, Licenses and Development Committee, Standing Committee  
**Through:**  
**Subject:** **Copper Cannon Distillery - Request to Participate in the Keene Farmers' Market**

---

**Recommendation:**

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Council grant permission to Copper Cannon Distillery to sell alcohol and provide individual product samples to patrons at the 2026 Keene Farmers' Market on City property licensed to the Keene Farmers' Market in accordance with the requirements of the State Liquor Commission. Said permission is contingent on the following: submittal of a signed letter of permission from the Keene Farmers' Market; obtainment of all necessary permits and licenses and compliance with all laws.

**Attachments:**

None

**Background:**

Chair Filiault welcomed City Clerk, Terri Hood. The City Clerk noted that the petitioner and owner of Copper Cannon Distillery, Kevin Blake Amacker, was invited to this meeting and intended to come but unfortunately due to unforeseen circumstances, was unable to be present. The City Clerk said the petitioner was all set to move forward with this. They met all the requirements to do these tastings and sell their items at The Farmers' Market. She said City staff recommended moving ahead with this. Chair Filiault said it seemed simple enough.

Councilor Williams noted that Copper Cannon Distillery had been here year after year, perhaps five or six years now. He said they usually come and make a strong presentation, and Councilor Williams trusted that the same would happen this time.

There were no public comments.

The following motion by Councilor Williams was duly seconded by Vice Chair Jones.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Council grant permission to Copper Cannon Distillery to sell alcohol and provide individual product samples to patrons at the 2026 Keene Farmers' Market on City property licensed to the Keene

Farmers' Market in accordance with the requirements of the State Liquor Commission. Said permission is contingent on the following: submittal of a signed letter of permission from the Keene Farmers' Market; obtainment of all necessary permits and licenses and compliance with all laws.



ITEM #D.2.

## CITY OF KEENE NEW HAMPSHIRE

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Planning, Licenses and Development Committee, Standing Committee  
**Through:**  
**Subject:** **Keene Swampbats - Request to Discharge Fireworks - Independence Eve Celebration - July 3, 2026**

---

**Recommendation:**

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends the City Council grant a revocable license to the Keene Swamp Bats for the discharge of fireworks on Friday, July 3, 2026 at Alumni Field, with a rain date to be determined in coordination with City staff, subject to the licensing requirements identified in the staff report. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license.

**Attachments:**

None

**Background:**

Chair Filiault welcomed Keene SwampBats President, Kevin Watterson of 10 Westview Avenue. Mr. Watterson welcomed any of the Committee's questions about the SwampBats' request to do a fireworks show on the annual Independence Eve, July 3, 2026. Chair Filiault expected perfect weather like in 2025. Mr. Watterson said there was a great protocol meeting, and at the suggestion of City staff they inserted a make-up date this year, which had not happened before. So, he said the Fire and Police Departments would be well ahead of it.

Chair Filiault opened the floor to public comments.

City Clerk Terri Hood pointed out to the Committee that they had new Staff Reports in their meeting packets, which she hoped would be a welcome addition and approach to shortening the licensing motions. She worked on this with the City Attorney, who provided some advice on how to parse the information in the background of the memorandum, so the Committee will still have the same transparency about what it is approving, without having to state all the details out loud in the motion every time. The City Clerk hoped this would be a welcome change and she accepted questions. Chair Filiault said the Committee appreciates the shorter motions that are direct to the point and still within legal requirements.

Mr. Watterson noted that the annual Independence Eve is always one of the highlights of the

2026-87

SwampBats season, with 5,000 to 6,000 fans. This year, they are particularly proud in some ways of being the introductory act (game and fireworks) for the Monadnock 250th weekend. Chair Filiault called it a great way to kick off the weekend.

The following motion by Councilor Haas was duly seconded by Vice Chair Jones.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends the City Council grant a revocable license to the Keene Swamp Bats for the discharge of fireworks on Friday, July 3, 2026 at Alumni Field, with a rain date to be determined in coordination with City staff, subject to the licensing requirements identified in the staff report. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license.

Mr. Watterson said he would see everyone at the SwampBats opening night on June 4, 2026.



## CITY OF KEENE NEW HAMPSHIRE

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Planning, Licenses and Development Committee, Standing Committee  
**Through:**  
**Subject:** **Alana Fiero/Keene Young Professionals - Request to Use City Property - Taste of Keene Food Festival - June 6, 2026**

---

**Recommendation:**

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Council grant a revocable license to the Keene Young Professionals Network to use downtown City rights-of-way to conduct the Taste of Keene Food Festival on Saturday, June 6, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license.

**Attachments:**

None

**Background:**

Chair Filiault welcomed the petitioner, Alana Fiero of 14 Carolyn Lane, Swanzey, Keene Young Professionals Network (KYPN) Chair and leader of this year's Taste of Keene Food Festival. Like 2025, she said the proposal was to shut down a part of Main Street, with the understanding that there are some construction issues that would impact where they would locate. So, KYPN worked with the City to determine a footprint that works: the Central Square flagpole to Emerald Street/Eagle Court and use of Railroad Square. They proposed the same time frame: 11:30 AM to 3:30 PM on Saturday, June 6, 2026. Ms. Fiero said she looked forward to having another great event this year. Chair Filiault said they would also have great weather.

Vice Chair Jones thanked KYPN for doing this. The City Manager remembered along with the Vice Chair that this event developed out of Covid and the Covid Rebound Committee. Then, KYPN took it over and Vice Chair Jones said they moved it to high standards, for which he thanked them. Ms. Fiero said it was their pleasure. Chair Filiault called it a successful downtown event and said the City needs more like it.

Councilor Haas asked if the event would have token sales for purchasing food again. Ms. Fiero said yes. Councilor Haas suggested the KYPN advertise buying those ahead of time to avoid the token line. Ms. Fiero agreed.

The following motion by Vice Chair Jones was duly seconded by Councilor Haas.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Council grant a revocable license to the Keene Young Professionals Network to use downtown City rights-of-way to conduct the Taste of Keene Food Festival on Saturday, June 6, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license.



ITEM #D.4.

## CITY OF KEENE NEW HAMPSHIRE

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Planning, Licenses and Development Committee, Standing Committee  
**Through:**  
**Subject:** **Pathways for Keene - Request to Use City Property - 4 on the 4th Road Race - July 4, 2026**

---

**Recommendation:**

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the City Council grant a revocable license to Pathways for Keene to use City property and rights-of-way to conduct the 4 on the 4th Road Race on Saturday, July 4, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City- approved safety protocol document, which becomes a part of this license. Vice Chair Jones abstained.

**Attachments:**

None

**Background:**

Chair Filiault welcomed Janelle Sartorio of 6 Kendall Road, President of Pathways for Keene, who said this year would be the organization's 24th year running the 4 on the 4th Road Race for Keene, on July 4, 2026. Usually about 500 runners sign up and another 500 supporters. Ms. Sartorio said the request was to continue the race as usual.

Vice Chair Jones noted for the record that he is recused on this issue because he serves on the Pathways for Keene Board.

Councilor Ruttle-Miller asked about the footprint because she knew that it said until 10:30 AM but said the Monadnock 250th Parade would be going down Railroad Street. Ms. Sartorio said Pathways for Keene also had members on the Monadnock 250 Event Board, so they were in close contact about logistics. She agreed that all the details, like the end time, were being worked out in coordination.

Mayor Jay Kahn of 135 Darling Road said the Committee had now heard about two dovetailed events that revolve around and are packaged into the celebration of our nation's 250th Independence Day celebration, wrapped around the broader title of Monadnock 250. Ms. Sartorio is a part of the Monadnock 250 Event Committee, as is Kevin Watterson, along with some other really good

volunteers in the community: The Historical Society of Cheshire County, Councilor Molly Ellis, and Mark Rebillard of the Keene Downtown Group. Mayor Kahn said the City ought to consider how it is going to participate in the 250th Independence Day celebration, noting it does kick off on July 3 with the fireworks, continues with 4 on the 4th, which should wrap up by 10:30 AM in Railroad Square (the City is sharing some costs with Pathways for Keene). The Mayor missed putting on the agenda an opportunity for the City to represent itself during the festivities in some manner and he wanted to get that on the record, so he wanted to initiate those conversations. Some towns are building floats others are sending their vehicles. He thought Keene, as a host City, could probably be doing both.

There were no public comments.

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

On a vote of 4 to 0, the Planning, Licenses and Development Committee recommends the City Council grant a revocable license to Pathways for Keene to use City property and rights-of-way to conduct the 4 on the 4th Road Race on Saturday, July 4, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City- approved safety protocol document, which becomes a part of this license. Vice Chair Jones abstained.



ITEM #D.5.

## CITY OF KEENE NEW HAMPSHIRE

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Planning, Licenses and Development Committee, Standing Committee  
**Through:**  
**Subject:** **Keene Pride Festival - Request to Use City Property - Pride Festival - September 20, 2026**

---

### **Recommendation:**

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Council grant a revocable license to Keene Pride to use downtown City rights-of-way to conduct the Keene Pride Festival on Sunday, September 20, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license.

### **Attachments:**

None

### **Background:**

Chair Filiault welcomed the Keene Pride Festival President and Founder, Adam Toepfer, who said this would be the fifth annual Festival already. He noted that the layout would be different because of downtown construction, so it would be the large-scale festival layout that the City already laid out, which is most of Main Street down to Eagle Court and parts of Railroad Square. He explained that they reduced the event back to six hours (12:00 PM to 6:00 PM) versus seven hours, which did not work as well the prior year. Mr. Toepfer looked forward to having another successful event.

Chair Filiault thanked Mr. Toepfer for the past events and for having this event, especially in today's day and age, with what is happening in Washington, DC, and other places. Chair Filiault said it is good to have something so positive, with the whole community coming together. So, he applauded Keene Pride for doing this and for their success in the past and surely their upcoming success at this year's event. Chair Filiault said it was a good point about adjusting certain areas for the downtown construction and still supporting downtown businesses when things are a bit hectic. Chair Filiault thought the whole Council appreciated this effort by Keene Pride on behalf of the City. Mr. Toepfer appreciated the City's support.

Vice Chair Jones remembered the first time Mr. Toepfer appeared before the Committee and the Vice Chair peppered him with questions because it was something new to the community and

everything came out perfect. He said Keene Pride did quite a job. Vice Chair Jones always looks forward to seeing Mr. Toepfer every year and seeing how much better this Festival is going to get because Keene Pride does a fine job. Mr. Toepfer appreciated the comments.

The following motion by Councilor Williams was duly seconded by Vice Chair Jones.

On a vote of 5 to 0, the Planning, Licenses and Development Committee recommends that the City Council grant a revocable license to Keene Pride to use downtown City rights-of-way to conduct the Keene Pride Festival on Sunday, September 20, 2026, subject to the licensing requirements identified in the staff report, including associated road closures and authorization of free parking. All permissions granted herein are subject to compliance with the City-approved safety protocol document, which becomes a part of this license.

Councilor Haas was impressed with the new motion structure and staff reports provided by the City Clerk, which allowed the Committee to get through five license readings in less than 20 minutes. Councilor Haas said kudos and thanks.



## CITY OF KEENE NEW HAMPSHIRE

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Finance, Organization and Personnel Committee, Standing Committee  
**Through:**  
**Subject:** **Acceptance of Donation - Transportation Heritage Trail**

---

**Recommendation:**

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$20,000.00 from the Monadnock Conservancy and that the money be allocated for the Transportation Heritage Trail, Phase 1 (65M0008A).

**Attachments:**

None

**Background:**

Public Works Director Don Lussier addressed the Committee first. Mr. Lussier stated he was before the Committee regarding a donation from the Monadnock Conservancy. He noted the Conservancy and Pathways for Keene have together been long-term sponsors of the City and benefactors of the City's trail network. Mr. Lussier noted this donation of \$20,000 and a prior donation from the Conservancy of \$12,000. He indicated work on the trail extension has already started.

Mr. Lussier introduced Amanda Littleton from the Monadnock Conservancy. Ms. Littleton thanked the City for the investment that it makes in public infrastructure, providing an opportunity for people to connect with nature, which she felt, was a critical piece of what makes living in this region a good experience.

Mr. Lussier addressed the Committee again and stated due to the timing, staff could not bring forward another donation from Pathways for Keene who have indicated they will be making a similar donation.

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

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to accept a donation of \$20,000.00 from the Monadnock Conservancy and that the money be allocated for the Transportation Heritage Trail, Phase 1 (65M0008A).





## CITY OF KEENE NEW HAMPSHIRE

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Finance, Organization and Personnel Committee, Standing Committee  
**Through:**  
**Subject:** **Execution of an Engineering Services Agreement for the Robin Hood Improvements Design Project**

---

**Recommendation:**

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends that the City Manager be authorized to do all things necessary to execute an agreement with CHA Consulting, Inc. for the Robin Hood Improvements Design Project for an amount not to exceed \$300,000.

**Attachments:**

None

**Background:**

City Engineer Bryan Ruoff and Parks and Recreation Director Carrah Fisk-Hennessey were the next two presenters. Mr. Ruoff stated they are before the Committee tonight to address the Robin Hood Park Improvement Project. He stated the project was advertised for a request for qualifications for engineering services in accordance with the grant funding that the City will be receiving for the project from the Land Water Conservation Fund. Mr. Ruoff stated the City received eight submissions, which were narrowed down to three consultants who were then interviewed. The consensus was from the selection committee to request a scope and fee proposal from CHA Consulting Services from Keene. He noted most of their staff is local and had a local understanding of Council goals and master plan goals which none of other consultants had.

Since the interview, CHA has met with staff on-site to fine-tune their scope. Staff is requesting Council approval to award that contract up to the amount of \$300,000.

Ms. Fisk-Hennessey stated when staff met with CHA they were able to gather a lot of historical information about the pool. They were impressed with what the City has done so far with such aging infrastructure and buildings and they also understood the entire scope of the project and what the City is looking for.

She stated phase one would be the pool renovation and phase two would be the rest of the park, to include the playground, additional parking and multi-sport court, a renovated public restroom area and the camp building.

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 that the City Manager be authorized to do all things necessary to execute an agreement with CHA Consulting, Inc. for the Robin Hood Improvements Design Project for an amount not to exceed \$300,000.



**City of Keene, NH**  
 Contract No. 02-26-11  
**Robin Hood Park Improvements Design Project**

Consultant Qualifications Submission Review Summary

Team Member	Activitas	BETA	CHA	Dry Landscaping Architects	DuBois & King	Oak Point Associates	SE Group	Woodward & Curran
<b>Carrah Fisk Hennessey,</b> P&R Director	4.23	3.98	4.29	3.57	4.20	3.96	3.77	3.96
<b>Frank Anderson,</b> P&R Superintendent	4.05	3.93	4.24	3.68	4.28	4.03	3.69	3.78
<b>Dr. Wanda Graham-Swiger,</b> KSC	4.35	4.35	3.94	3.59	3.65	3.59	3.69	3.87
<b>TJ O'Brien,</b> Infrastructure PM	4.25	3.91	4.32	3.74	4.25	4.19	3.74	3.74
<b>Bryan Ruoff P.E.,</b> City Engineer	3.86	4.13	4.52	3.23	4.32	3.63	3.57	3.54
<b>Weighted Score Totals:</b>	<b>20.73</b>	<b>20.29</b>	<b>21.30</b>	<b>17.80</b>	<b>20.69</b>	<b>19.40</b>	<b>18.45</b>	<b>18.88</b>

**Note:** Review of consultants in response to the City's RFQ request and the associated qualifications submission that were received on March 4, 2026. The project is partially federal funded through a \$500,000 LWCF Grant.



**City of Keene, NH**  
 Contract No. 02-26-11  
**Robin Hood Park Improvements Design Project**

Consultant Interview Review Summary

Team Member	Activitas	CHA	DuBois & King
<b>Carrah Fisk Hennessey,</b> P&R Director	3.63	4.54	3.55
<b>Frank Anderson,</b> P&R Superintendent	3.69	4.66	3.75
<b>Jason Nadeau,</b> P&R Programmer	3.85	4.53	3.95
<b>Dr. Wanda Graham-Swiger,</b> KSC	3.89	4.86	3.78
<b>Bryan Ruoff P.E.,</b> City Engineer	3.57	4.52	3.64
<b>Weighted Score Totals:</b>	<b>18.62</b>	<b>23.10</b>	<b>18.67</b>

**Note:** Review of consultants in response to the City's RFQ request and the associated qualifications submission that were received on March 4, 2026. With interviews scheduled on March 19th and 20th.  
 The project is partially federal funded through a \$500,000 LWCF Grant.



ITEM #D.8.

## CITY OF KEENE NEW HAMPSHIRE

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Finance, Organization and Personnel Committee, Standing Committee  
**Through:**  
**Subject:** **Construction Services — Wastewater Treatment Plant Tank Repair Project Phase 1**

---

**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 negotiate and execute a sole-source professional services contract with Weston and Sampson Engineers, Inc., for construction-phase services for the WWTP Tank Repair Project - Phase 1 for an amount not to exceed \$104,000.00.

**Attachments:**

None

**Background:**

Assistant Public Works Director/Wastewater Treatment Plant Manager Aaron Costa addressed the Committee next and stated he was before the Committee for approval to execute a sole source professional services contract with Weston and Sampson for construction phase services for the wastewater tank repair project in an amount not to exceed \$104,000.

Mr. Costa noted the City has worked with Weston and Sampson on a few projects most recently the 3,000,000 gallon tank rehab project. This proposed project would be very similar in nature to the project they just completed. Weston and Sampson completed the design work for this wastewater tank repair project which includes coatings for the primary clarifier, steel components, three concrete septic tank repairs, coating systems and repairs to the top of the sludge storage tank. Mr. Costa stated because this contractor completed the design and bidding phase engineering for this project, staff is recommending that they also perform the construction phase services.

Mr. Costa went on to say that construction services for this type of project could get expensive because it is important when you are doing coding systems that you have a consultant there to monitor the preparation work of these structures' atmospheric conditions and to make sure that the coatings are applied correctly. Of the \$104,000, approximately \$56,000 is for the third party inspector.

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

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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 negotiate and execute a sole-source professional services contract with Weston and Sampson Engineers, Inc., for construction-phase services for the WWTP Tank Repair Project - Phase 1 for an amount not to exceed \$104,000.00.



## CITY OF KEENE NEW HAMPSHIRE

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Finance, Organization and Personnel Committee, Standing Committee  
**Through:**  
**Subject:** Execution of a Change Order for Construction Services for the City Hall Parking Garage Project

---

**Recommendation:**

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends authorizing the City Manager to do all things necessary to negotiate and execute a contract change order with Structural Preservations Systems, LLC for an amount not to exceed \$120,000 for the City Hall Parking Garage Rehab Project (22M006AA).

**Attachments:**

None

**Background:**

Mr. Ruoff stated this item is a request to execute a change order for construction phase services for the City Hall parking garage project. He stated this project was sent out about six weeks ago and the City has a good contractor on board. He stated the manner this project was bid was that there was base bid which was a bid for immediate need repairs and then alternates that were would "like to perform repairs". The base bid was only awarded for the reason that the alternates were added after the fact; after the City received competitive pricing which made sense to complete now. For instance, to replace the lights and construct a bar as you come into the under level of the garage which would warn cars of height limitation.

Since this is an increase of greater than 20%, is why the request is before the Committee. This would be essentially adding back the same amount of contract work that was already going to be awarded and planned in the contract. He added furthermore, as part of the bidding the City included a lesser expensive but also less industrious traffic membrane material for the coating of the deck, which is about a \$20,000 cost to the project. This item is being removed from the project and replaced with a more industrial product which is an epoxy traffic membrane that lasts about five times as longer and is about three times the cost.

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

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends authorizing

the City Manager to do all things necessary to negotiate and execute a contract change order with Structural Preservations Systems, LLC for an amount not to exceed \$120,000 for the City Hall Parking Garage Rehab Project (22M006AA).



## CITY OF KEENE NEW HAMPSHIRE

ITEM #F.1.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Mari Brunner, Senior Planner  
**Through:**  
**Subject:** **Resignation - Conservation Commission**

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**Recommendation:**

To accept the resignation of Katie Kinsella from the Conservation Commission with gratitude for her service.

**Attachments:**

1. Katie Kinsella Resignation\_redacted

**Background:**

Katie Kinsella submitted her resignation from the Conservation Commission on March 31st due to the fact that she is moving out of the City.

**From:** [REDACTED]  
**To:** [Mari Brunner](#)  
**Subject:** Conservation Commission  
**Date:** Tuesday, March 31, 2026 2:51:36 PM

---

Hi Mary! Hope all is well with you! As I had indicated a couple of months ago when you asked if I would be the Vice Chair, I'm moving out of Keene so need to resign from the Conservation Commission. What is the process for resigning, is this email sufficient or do I need to submit a resignation letter?

Thank you, I've enjoyed my time on the Commission!

Best,

Katie



## CITY OF KEENE NEW HAMPSHIRE

ITEM #H.1.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Planning, Licenses and Development Committee, Standing Committee  
**Through:**  
**Subject:** **Request to Review Recent Amendments to Land Development Code - Codified with the Adoption of Ordinance O-2025-15-A**

---

**Recommendation:**

On a vote of 3 to 2, the Planning, Licenses and Development Committee recommends placing “Councilors Filiault, Jones and Haas - Request to Review Recent Amendments to Land Development Code - Codified with the Adoption of Ordinance O-2025-15-A” on More Time. Councilors Ruttle-Miller and Williams voted in the minority.

**Attachments:**

None

**Background:**

Chair Filiault explained this letter that he submitted to the City Council, which he said was also supported by a couple of other Councilors. He said the purpose of his letter was to initiate review of Ordinance O-2025-15-A. He provided some history on the Ordinance, which the City Council passed late in 2025. Chair Filiault was not on the PLD Committee when the Ordinance was reviewed, so he said he was not speaking from experience at the Committee level. However, after he was appointed to this Committee by the Mayor in January 2026, he received multiple requests from Keene residents for the Committee/Council to look at this Ordinance again. Particularly a couple of items: setbacks and the number of units allowed per building. Chair Filiault said he went back and looked at about eight to 10 hours of 2025 PLD meetings on YouTube to get up to speed about what happened at the Committee level. He agreed with the neighbors that this was something the Committee could take a look at again, which Chair Filiault said is not a rarity. Over his years, the Council had periodically gone back, looked at ordinances, and adjusted them. He said he brought this up so that Committee members and the public could comment, and the majority of the Committee could decide whether to leave the Ordinance alone or make changes. Then, the full Council would decide whether to accept those recommendations. Chair Filiault noted that one request he was asked by residents was to look into the old ordinance prior to O-2025-15-A and what particular changes were made. He said setbacks and the number of apartments allowed into one building were two areas that he specifically heard the most controversy about from residents.

Councilor Williams raised a concern before discussing the Ordinance specifics. He was worried that

three members of this Committee, a majority, signed this letter. To Councilor Williams, it appeared to be a violation of RSA 91-A, which says that a quorum of a committee cannot make decisions without a properly noticed public meeting. Councilor Williams wondered how he was supposed to feel about a majority of the Committee signing this letter. He said he brought it up with the City Attorney, who thought it was a close call but did not raise direct evidence of an RSA violation. From Councilor Williams's perspective, it certainly violated the spirit of what the Council always understood the behavior around RSA 91-A to be. He recalled the Council taking steps in the past, such as setting rules around Council Workshops: it requires six Councilors, two from each Standing Committee, to call a Workshop without the Mayor; the reason for two Councilors from each committee to make it six instead of seven was because three from any one committee would create a quorum of that committee. Councilor Williams said the Council had a long history of staying away from this kind of thing. This appeared to him to be a pretty clear violation of the spirit, if not the letter of RSA 91-A. Councilor Williams wanted to make it clear that someone objected. Chair Filiault replied that he also spoke to the City Attorney about this issue. He said to notice that the only signature on the letter was his and he showed the City Attorney his original draft. On this particular issue, he explained that his printer broke, and he asked another Councilor to print it, and their name became associated with it. Still, Chair Filiault said he was the only one who signed it. He said there was never a quorum of this Committee that convened to discuss this issue in advance. That was why he brought it to the Committee to discuss it in public; Chair Filiault said that it was his full intent. When he met with the City Attorney, Chair Filiault said he offered to rewrite the letter if needed. He reiterated that there was no meeting of Committee members behind the scenes. Chair Filiault appreciated the Councilor's comments but said the Committee would be moving forward.

Chair Filiault asked the difference between the original Ordinance and the changes that were made to become O-2025-15-A, specifically setbacks and number of units allowed per building. Community Development Director Paul Andrus said the Committee was provided with two documents as handouts: (1) the marked-up version of O-2025-15-A, which shows what was changed in the Ordinance itself; (2) an accompanying document that shows an overview of the Ordinance. Mr. Andrus introduced Senior Planner Mari Brunner, who was a part of the original process, to provide baseline information and answer the Committee's questions. Because he was not on the Committee at the time, Chair Filiault thought it would be good for Ms. Brunner to bring them up to speed.

Councilor Ruttle-Miller said her experience so far was that some things were being adjusted due to changes in language at the state level. She hoped Ms. Brunner could address where this falls in those state-level changes. Ms. Brunner replied that none of this was from the state-level changes. This was an ordinance submitted by a community member petitioner, Jared Goodell. The Ordinance initially included a whole list of items that were proposed to change. The reason why it was adapted as an "A" version was because the Joint Committee of the Planning Board and the Planning, Licenses and Development (PB-PLD) Committee at the time decided to remove some items. There were also some modifications made. For example, Ms. Brunner explained that there was a section of the Ordinance that initially dealt with setbacks and build-to-dimensions that was removed in its entirety from this Ordinance. Originally, there were changes proposed to the Medium Density District, so that multi-family uses could go up to six units if the units were 600 square feet or less in size; the Committee got rid of the 600 square-foot requirement. There were some changes to the Downtown Growth District: the Committee moved where the split zone parcels would go. So, Ms. Brunner said there were a number of changes the Committee made to the original proposed ordinance that are seen today in Ordinance O-2025-15-A, which was adopted by the City Council and codified in the Land Development Code.

Next, Ms. Brunner addressed the concerns highlighted in Chair Filiault's letter: changes to the Medium Density District and the changes to the Neighborhood Business District. Ordinance O-2025-15-A increased the allowed density in the Medium Density District from three units per residential building to up to six residential units per building by right. This means developers would still have to go through all other Zoning and approval processes. Still, up to six units would be allowed under Zoning without a Conditional Use Permit or any kind of Zoning relief. Ordinance O-2025-15-A also added residential uses to the intent statement for the Neighborhood Business District, and the minimum lot area was reduced from 8,000 square feet to 5,000 square feet. Ms. Brunner explained that City staff analyzed this Ordinance, looked at the actual parcels on the ground, and at what the buildable area would be if you applied the existing setbacks to a 5,000 square foot lot. Then, staff recommended that if the lot size was going to be reduced then the setbacks also be reduced in order for there to be a buildable area on the lot of the adequate size. Ms. Brunner said that resulted in the front Build-to Zone being reduced from 5-feet to a 0- to 10-foot Build-to Zone. The rear setback was reduced from 20 feet to 10 feet, and the interior side setback was reduced from 10 feet to 5 feet.

Ms. Brunner provided the Committee with a primer on the difference between a setback and a Build-to Zone: they are basically the opposite of each other. A setback is an area where you cannot build. The Build-to Zone is an area where you must place at least one façade of the building. They both regulate placement on the lot, but they have very different goals. Setbacks are all about creating spacing in the front yard; they are often used in Greenfield development, where there is not already a lot of an established building pattern, so it allows development (e.g., utilities, widening roads) to occur incrementally in that space over time. She said that is less of a concern in areas that are already really developed or built-up, and where the infrastructure is well-established. Many communities are moving toward requiring buildings to be closer to streets to create pedestrian-friendly, walkable communities; that proximity helps promote activity on the street, especially in more commercial or business-oriented areas.

Councilor Ruttle-Miller asked why, in layman's terms, having not watched the hours of past meetings, Ordinance O-2025-15-A was proposed originally by the petitioner. For what purpose? Ms. Brunner said the stated reason was to promote housing development. The petitioner had to submit a narrative with their application, which Ms. Brunner did not have before her, but she summarized that they were trying to promote housing development with these changes. Vice Chair Jones clarified that this was not a City-borne Ordinance; it came from a private petitioner and that is why the City and Council addressed it. Ms. Brunner agreed.

Councilor Haas asked how often there were inquiries to expand the number of residential units in a Medium Density District building before Ordinance O-2025-15-A was adopted and if there were, what that process was before the Ordinance. Ms. Brunner said the Community Development Department receives inquiries all the time, but she is not on the front line of those calls to say how many. Ms. Brunner was aware of at least two or three instances when somebody inquired about adding a third unit in the Medium Density District. She was not aware of any inquiries to add more than a third unit to a single building. She knew that if she went back to the early 2000s there was an inquiry about creating two, three-unit buildings on a single lot in the Medium Density District. Councilor Haas asked what the process would have been if someone wanted to put six units in a Medium Density District building before Ordinance O-2025-15-A. Ms. Brunner said the only way on a single lot prior to this Ordinance going into effect would have been to apply for a Conditional Use Permit for a Cottage Court development, which requires going to the Planning Board; if above five units, it also requires concurrent Major Site Plan Review.

Councilor Williams asked whether there had been any requests to build six-unit buildings since this has gone through. Ms. Brunner was not aware of any in the Medium Density District, but she is not privy to everything that comes into the Community Development Department.

Councilor Ruttle-Miller asked about the background of increasing it from three to six units instead of four or five. It seemed like a big jump to her. Ms. Brunner said that would be a question for the petitioner. Councilor Ruttle-Miller clarified that the Ordinance was proposed as increasing from three units to up to six units, and it was not debated by the Committee/Council. Ms. Brunner said not that she recalled. She did not want to speak for anyone, but she remembered the petitioner saying he was thinking about these really large houses that could be split up into small units on the interior. He envisioned a single-person living there who might not necessarily own a car. The PB-PLD Committee removed the proposed size limitation on the units, so it ended up being increased from three to six units allowed without any size limitation on the units.

Councilor Williams explained that the PLD Committee's discussions included quite a bit of back and forth over four units or six units. Ultimately, he said the decision was that it can be more affordable to make the overall change by adding just a few more small units to a building; whereas maybe the whole project would not have been affordable before, but more rent and capital could change that. He said the thought was about taking some of these very large old houses in Keene and maybe carving off bedrooms for studio apartments and very small units. Councilor Williams said Keene needs housing, especially inexpensive units. He said this Ordinance was the best way to get them.

Chair Filiault said he watched the comments and some constituents had contacted him, stating that they felt particular neighborhoods and the neighbors might be more burdened where multiple houses in a row are turned into six-unit rentals. He said it might put more people in, but then again it might change the character of their neighborhood with that many more people. Chair Filiault said he heard those comments when watching the past Committee meetings. He stated that this is an issue about which he does not have a strong opinion, but a lot of the constituents had a strong opinion on it. That was why he said the Ordinance was before the Committee again. It was not a personal issue to him, but enough constituents had contacted him, and he said it was the Committee's job to listen, which was why the Committee was here.

Councilor Ruttle-Miller stated for the record, although she is a newer councilor, as an At-Large Councilor, she had zero constituents contact her about this.

Vice Chair Jones said it was no secret that he spoke against Ordinance O-2025-15-A the PB-PLD Committee level. At the PLD Committee level, he said it came out with no action taken because there was a tie 2–2 vote, and he was one of those in opposition. When it went to City Council, there were eight votes in favor and seven votes against. Vice Chair Jones said it had been close ever since. He wanted to hear about potential adjustments to the Ordinance, noticing that there was a recommended motion to have a new Ordinance drawn; he wanted to see the impact from the public on that, so that would be the way the Committee should go. Because this was still notified, he added that he still had the option to move to repeal the Ordinance too, although he was not recommending that right now. Chair Filiault reminded Councilors that they were welcome to make any recommendation they wanted to make.

Councilor Ruttle-Miller clarified what would happen if the Ordinance were repealed or a new Ordinance drawn: what would happen to landlords/tenants who have units in a building technically under this current Ordinance? Would they be grandfathered in? The City Attorney, Amanda Palmeira,

said yes. Chair Filiault added that there had not been any six-unit changes at this point. The City Attorney and Ms. Brunner confirmed they were not aware of any. However, the City Attorney said that because the Ordinance was passed, there is now a law in the Land Development Code to the degree that if anyone or anything was granted or a permit was provided under that law, it would be valid even if the law changes later; if the law changes those permitted already would still be allowed to do what the Ordinance allowed them to do because they were approved within the timeframe before a new Ordinance passes.

For procedural clarity, Vice Chair Jones wanted to know whether asking for a new ordinance would mean starting over at the PB-PLD Committee level, including a public hearing at the City Council, then going to PLD, before the City Council adoption of an ordinance. Chair Filiault said it would be a long stretch. The City Attorney added a finer point that the PLD Committee would have to vote to recommend that City Council introduce a new ordinance and the Council would have to vote to introduce it. Once the Ordinance comes in, the process Vice Chair Jones described would commence. The City Attorney said if it chose, the PLD Committee could recommend to the City Council to have the City Manager come up with a new ordinance.

Councilor Haas said that he also voted against this originally. One of his issues was that the other alternate processes and alternate ways of doing this were not really clearly understood, nor were they taken advantage of at the time. However, he thought that it carried through in what came out of this Committee plus what came out of Council: the votes were very close. Councilor Haas thought that, combined with the feedback from various citizens, it reminded the Committee to take another look at this. He thought the Committee should examine and understand the drivers behind the Ordinance, how it benefits the Community, and what the liabilities to it would be. He was unsure exactly how to go about that, whether voting to rescind or asking staff to develop a new ordinance to replace it. Councilor Haas looked to his colleagues for the best process.

Councilor Williams said that by rescinding the Ordinance, it would be the first time the City Council had really backtracked on its effort to make housing more affordable for Keene citizens. Chair Filiault thanked him for his opinion.

Chair Filiault said he was only moderating and listening, and he had no preconceived notions about what direction to go this evening. He had "More Time" in the back of his mind to ensure the Committee would not stumble and jump into something they wish they had not.

Ms. Brunner reviewed a few changes included in Ordinance O-2025-15-A that she thought might be worth keeping. Specifically, the split-zoned parcels provision included in Article 1.3. She thought it would be helpful for staff if the Committee could be very specific about which provisions of the Ordinance they would like staff to address with a new ordinance. Chair Filiault understood there may be more questions than answers, which was why he thought "More Time" could be appropriate to avoid any errors and make sure things are as clear as possible for all the constituents. Because the Council's previous vote on this Ordinance was 8 to 7, he was confident that even Councilors he spoke to who voted in favor were not 100% sure what they voted in favor of. Chair Filiault wanted to ensure the Committee would not go down that path again. He did not think there had been any bad intent but sometimes there are issues the Council is not educated on enough.

Vice Chair Jones said it sounded like a motion for "More Time" was the way to go. It would allow staff to gather the information that the Committee is looking for. Ms. Brunner thought that if the Committee was coming to a decision about wanting staff to introduce a new ordinance, she just asked them to

be specific about what exactly they want staff to change. Vice Chair Jones asked if the Committee was not providing her with enough directions. Ms. Brunner said she could kind of read between the lines but wanted to be very clear, so that staff are doing exactly what the Committee is expecting. She said she only brought that up because there are a lot of different topics in this one Ordinance; some portions have nothing to do with setbacks, the Medium Density District, or the Neighborhood Business District. She said it could have been separated into five or six ordinances. So, she said it would be important to be clear about what portions of that Ordinance the Committee wants changed.

Chair Filiault said that was a question he had when watching the background materials: it seemed like a lot was jammed into the one Ordinance in his opinion and there should have been multiple ordinances. He said he saw staff nodding in response. This was why Chair Filiault said he suggested placing the Ordinance on "More Time" because he thinks it is a little more complicated than just changing an Ordinance; it would need some staff in Legal as well as Council looking into it and breaking this up into multiple ordinances. Chair Filiault thought that was one of the problems and why it was an 8 to 7 Council vote, because Councilors were not clear enough about all the particulars. He said it is hard if a Councilor agrees with four items in an Ordinance but not two others. He thought there would be a lot more discussion tonight, but at some point, Chair Filiault wanted to slow this down, and said he wanted to break it down into more specific and clearer, separate Ordinances, so the Council could vote on each separately. Chair Filiault just did not think an 8 to 7 vote was clear enough the first time, calling it a rare margin that indicates confusion based on his history of being on the Council.

Councilor Haas said the alternate path to multiple residential units in a single building is Cottage Court development. He asked how many Cottage Court applications the City had; he thought it had been a successful program. Ms. Brunner did not have her spreadsheet with her that tracks the Cottage Court developments in the City, but said a number were successful. From smaller developments to larger developments of 29 units at once. Mr. Andrus reported that at this time there were 50 total Cottage Court units, but he was also unsure of exactly how many projects those came from. Councilor Haas said that was the kind of information that would be helpful in understanding the benefit of such an Ordinance change.

Autumn DelaCroix of Court Street said she had a lot of thoughts on this. First, practically, she said that development takes time. She thought that taking away an opportunity that developers have been looking at and possibly showing interest in after having introduced it would undermine trust in our City; they would second guess if Keene is really the place that they want to consider building. Further, she said it would give anybody doubt to have legal grounds pulled out from under them. As Ms. DelaCroix understood, the City was doing everything it could to encourage development and housing. She heard someone say that it was odd to jump from three to six and that generally there are incremental changes. Although she did not support bringing this down and stripping away rights from people who currently have them, it seemed like a weird change to her to reduce from six to four units. If choosing to make changes, she asked why not an incremental change from six to five units. Further, from a more community standpoint, Ms. DelaCroix noted that she knew people currently having buildings developed who were homeless until recently and this change had given them an opportunity to find a home that they could not previously afford; in a lot of cases, in places that they never imagined that they would be able to live, in places that are close to businesses, where they can find work, which is a key factor in whether they can afford to live in Keene at all. From an emotional standpoint, she found it "kind of disgusting" to look at our City and say, "I don't like the character of those people," and to say, "I don't want these people here." Ms. DelaCroix reported being involved with dozens of projects that gathered public opinion, noting it was repeatedly cited that the City does

not need 50 new units, it needs hundreds if not thousands to meet the community's housing needs. She thought the City should investigate every option or people will continue leaving the City and the City will lack people. Chair Filiault thanked Ms. DelaCroix for her comments. The Chair said none of the constituents who contacted him said they did not want any certain type of person in their neighborhood. The only comments heard were that they did not want so many extra apartments in their neighborhood: so many people. He did not hear any comments about a particular type of person. Ms. DelaCroix said she was referring to comments about a "change in neighborhood character," which she noted had historically been "not in my backyard (NIMBY)" speak for "we don't like those people" and had been used to keep Black people out of White neighborhoods, for example.

Dorrie Masten of 326 Matthews Road in Swanzey, a Keene business owner, shared thoughts. She reported that on June 27, 2025, while serving as Chair of this PLD Committee, City Councilor Kate Bosley registered a business entity "5359 Marlboro Street LLC." During the same period, Ms. Masten said former Councilor Bosley was actively engaged in business negotiations with the petitioner for Ordinance O-2025-15-A, Jared Goodell. Ms. Masten said Councilor Bosley acted in her official capacity as Chair of the PLD Committee on July 14, 2025, speaking and providing input on the Zoning Ordinance affecting the same petition presented by Mr. Goodell. On August 21, 2025, she said Councilor Bosley again acted as Chair during deliberations for this Ordinance. On September 2, 2025, Ms. Masten reported that Councilor Bosley completed the purchase of 5359 Marlboro Street from Mr. Goodell for \$1.1 million. On September 18, 2025, the Zoning Ordinance affecting that property was approved, directly enhancing the value of the property Councilor Bosley had just acquired from the petitioner. Once again, just weeks after her term as Councilor was over, Ms. Masten said Ms. Bosley purchased another property from Mr. Goodell. Ms. Masten stated that this sequence of events strongly suggests that former Councilor Bosley participated in official proceedings that had a direct and foreseeable financial impact on the property she was in the process of acquiring. Ms. Masten said such actions raise serious concerns regarding impartiality, ethical obligations, and compliance with conflict-of-interest standards expected of a public official. At minimum, she said this situation creates the appearance of a conflict of interest; at worst, it may represent a violation of applicable ethical laws and public trust. Ms. Masten respectfully requested a formal, independent investigation of Councilor Bosley's involvement in the zoning proceedings for 5359 Marlboro Street and specifically Ordinance O-2025-15-A, a review of whether the proper disclosures were made, and whether recusal should have occurred and who accepted it. Ms. Masten also requested determination about whether any ethics, rules, City Ordinance, or state conflict-of-interest laws were violated. She called for appropriate corrective action, if warranted, to ensure accountability and restore public trust and confidence. Ms. Masten said public trust in local government depends on transparency, fairness, and adherence to ethical standards. Situations such as this, if left unaddressed, undermine the confidence in municipal decision-making. Chair Filiault said he spoke with the City Attorney about this and City Attorney Palmeira felt there was not a conflict, for the record. Legally, he said Ms. Masten was welcome to speak with someone after the meeting. However, Chair Filiault looked into it and in coordination with the City Attorney's office, this particular City Council had done everything legally. He pointed out that now there was a chance to change the Ordinance and although he could not control what happened in 2025 before he was appointed Chair of this Committee on January 1, 2026, one of the first things he did as Chair was bring this Ordinance back up again to look at it. Chair Filiault said he did think the Ordinance should be broken into multiple individual Ordinances. As far as everything that happened before January 1, 2026, he did not think he had any control over that and could only go with the legal advice of the City Attorney. Chair Filiault said he appreciated Ms. Masten's comments. Ms. Masten believed the City Council always spoke of Robert's Rules of Order and in reading them, it seemed to her like a financial benefit to a City Councilor would be a conflict of interest. Chair Filiault thanked Ms. Masten

for her comments.

Andy Holte of Forest Street lives in a Medium Density District impacted by this Ordinance and said he thinks trying to undo these changes is a terrible idea. He said that if the City is going to make any progress in combating its housing crisis, it needs to be moving forward with incremental changes like implementing this Ordinance, not taking steps backward and making housing development harder. Mr. Holte thought the issue here was fear and said it was misplaced; fear about what might happen. He noted that these Ordinance updates were made in the fall, so he could guarantee that no one had experienced actual consequences to their neighborhoods because none of these developments could have happened yet. Instead, he said it was about catastrophizing in people's minds about what could go wrong. While he noted it is good to review ordinances from time to time, as Councilor Filiault mentioned, Mr. Holte said not when they were just passed and have not realized any impact. Mr. Holte was glad Chair Filiault was listening to feedback from a few people, but he did not think a fear of change should drive decision making in the Council Chambers. Mr. Holte said it is also critical that our City Councilors remember that they represent everyone, not just people that have the availability to comment and who have an interest in preventing change; they need to represent the interests of renters not just homeowners, represent young families and Keene State College graduates who have no option but to move elsewhere. He said not to forget the people living in the City's motels, parks, and in woods in tents: they are not the people that you see at most community meetings, and they are not the ones reaching out to Councilor Filiault, but Mr. Holte said they are impacted dramatically by these decisions. What the Committee was proposing doing to the Ordinance would make it harder for them to find housing. Mr. Holte thought it was critical for everyone to keep in mind the dramatic rise in housing costs that had occurred throughout the country. He called it great for people who owned homes before the prices went up, but not good for this community. He noted that one of the biggest drivers of the price increase is that the housing supply had not kept up. He said the City must do everything it can to make it easier, quicker, and cheaper to add housing units to the City. Mr. Holte added that the Committee might think that undoing these changes would be justified, but he called that the problem. He said there would always be residents with valid reasons to say, "not in my backyard," but when you stack all these small decisions together, it leads to the crisis the City is enduring. So, Mr. Holte said only by addressing the crisis from all angles, like Ms. DelaCroix mentioned, can the City really move the needle. Mr. Holte thought it would be a bad precedent to make housing more difficult and to undo something that had just passed the prior fall (2025). Mr. Holte asked, Why not address consequences if they actually materialize instead of giving into fear about "what if?"

Next, Mr. Holte spoke on the topic of setbacks, the first item mentioned in Chair Filiault's letter. Mr. Holte recalled this Ordinance passing a few months prior and the debate being mainly around the number of units. He stated that he saw no debate around the setbacks portion of it or any other portion of the Ordinance, which all seemed pretty fine to the Councilors who were voting on it. Mr. Holte thought Ms. Brunner explained well about how reducing setbacks is a useful change for the Ordinance and improves neighborhoods. Mr. Holte quoted the Housing Affordability Institute: "One of the most pressing concerns about lot setbacks is their effect on housing density. When setback regulations are too strict, they limit the number of housing units that can be built on a single lot. This can reduce density in areas where increasing the housing supply is essential." They cite three major issues caused by setback limits: (1) reduce land use efficiency, which is a particularly problematic in dense urban areas where every square foot matters; (2) exacerbate housing shortages, as strict setback rules can prevent developers from building the maximum number of housing units the land can support, especially in areas facing severe housing shortages; (3) setbacks drive-up costs, reducing the amount of land for development, leading to higher housing prices, and with fewer homes

per lot, the cost of land is distributed among fewer units, making each one more expensive. Mr. Holte noted that this applies to property taxes as well by wanting more units within a given amount of land. For those reasons, Mr. Holte said the City should be reducing setbacks as Ordinance O-2025-15-A does, not adding them back like the Committee was potentially proposing.

Lastly, on the topic of six units in existing buildings, Mr. Holte encouraged Councilors to look at the meeting minutes from the September 18, 2025 City Council meeting when Ordinance O-2025-15-A passed. Specifically, points made by Councilors Bosley, Remy, and Madison. Mr. Holte thought their points were all still as valid now as they were then. Councilor Bosley pointed out that these changes do not just impact one neighborhood, and that there have been changes that impact all districts to improve housing availability. She cautioned against deciding out of fear. Mr. Holte knew there was a lot of fear about one specific neighborhood being implemented but said there are a lot of Medium Density neighborhoods and the City had been improving housing availability in all districts. So, he did not think that it should be a reason against this. Councilor Remy noted at the time that he lived in the Medium Density District and that the Land Development Code addresses many of the fears that were brought up last time around such as impermeable surfaces, parking, etc. Mr. Holte said those will still be addressed even if this Ordinance stand. He importantly clarified what "allowed by right" means: there would still be oversight, but petitioners would not have to go to the Zoning Board of Adjustment for a Special Exception. Mr. Holte called it the removal of just one small barrier to make it a little bit easier to develop housing, not a dramatic change. Mr. Holte hoped the people concerned were hearing that. Finally, at the September 18, 2025 City Council meeting, former Councilor Remy pointed out that the City's Housing Needs Analysis showed fewer people living in these large homes, making them an excellent opportunity to convert into more units. Mr. Holte said that is why this sort of change is necessary. He also cited former Councilor Madison, who lives in the Medium Density District near Mr. Holte. At that September 2025 meeting, Councilor Madison pointed out that there is a corner with two separate properties, each one having six units, so 12 units on one corner. Mr. Holte said Councilor Madison was frustrated by all the arguments about what could happen and said none of those outcomes were experienced with those two properties. Mr. Holte heard similar arguments put forward with all the recent housing regulation improvements throughout the City. He reiterated that after living in the Medium Density District for more than 10 years, he had not seen the issues he heard mentioned, which some thought would arise as a result of this Ordinance. So, he said the Committee was thinking about what ifs and what could go wrong, but there was really no evidence that it was happening. Mr. Holte thought the fears were misplaced. He appreciated the Committee hearing him and asked them not to reverse these changes and not to burden staff with more time and questions. He suggested keeping the Ordinance as written and looking for more ways to make housing development easier, not peeling back things the City had done in that effort. He also asked the City Council to work to calm fears about change and to do the hard work of implementing policies that the City needs, even if some in the community are unsure. He asked: if Councilors are confused about something they are voting on, should that not have been addressed when they were voting on it, rather than months later. Mr. Holte closed by quoting Councilor Williams, who explained well at the time that, "every extra unit, every removed development hurdle, can make a difference. Keep that in mind. Keep in mind the many benefits that come from making housing easier, not just the negatives that might happen."

Sam Jackson of 618 Court Street strongly supported Ordinance O-2025-15-A as it was passed, without any changes. She shared a few points about why. She said everyone in the City knows we need more housing and this Ordinance is one way to accomplish it. Ms. Jackson said the City needs every tool at its disposal to make up for its current deficit. She called this a simple solution to a difficult problem; the City does not come across many simple solutions and needs to jump on the

ones it can get ahold of. Overall, Ms. Jackson noted this solution costs less than some because this was not about running extra water lines or electric lines (they are there already), or cutting into forests or terraforming swamps, because they are not developments starting from scratch. She said that it is big because it costs a lot of money to start from scratch. This solution uses what the City has and offers efficiencies that should help reduce how much something costs at a time when things are already inflating wildly. Ms. Jackson noted that it is better for the environment because this does not propose building brand new. Ms. Jackson cited some of the problems with rolling back this Ordinance: (1) It will make it difficult for a developer who wants to build something at five or six units in those areas. They will think twice about building in Keene because ordinances change quickly, so they will build somewhere else cheaper and easier. (2) There are other ordinances, rules, and zoning laws in place that restrict whether a building can be divided into the maximum six units that already create a boundary and barrier on this Ordinance. So, not every single building in a Medium Density District will suddenly have six units overnight; it would be an incremental change over years. Ms. Jackson said that reducing the units allowed would really set the City backward and on the wrong footing. She added that it would not support young constituents who are already struggling to own homes or even find housing in the area. Ms. Jackson strongly supported keeping the ordinance at six units. She did not have much to say about setbacks because she did not look into them.

Jennifer Sizoo of 10 Fairfield Court was in favor of breaking Ordinance O-2025-15-A apart and having it as separate ordinances. She said it was common sense to her, calling them different parts of something that is going on. She thought everybody in the room agreed that housing is an issue: too expensive and not enough. Her neighborhood has mixed-use single-family homes, some very large with multiple apartments or living spaces in them. She did not see any problems there. Her neighborhood has one empty lot where something could be built, although she did not know all the size restrictions. Ms. Sizoo did not see how converting a larger three-bedroom building into six units would provide more housing for any kind of family needing two bedrooms. She asked how many people would be able to live in these units. It was also unclear to her whether the three to six units by right increase is also for new developments; she thought it was primarily for existing developments. The Community Development Director, Mr. Andrus, replied that it would be six units by right for existing or new structures. Ms. Sizoo thought that going from allowing three to six units was too many on a small piece of property in an older part of Keene, or maybe in any part of Keene, depending on the lot size and what you can put there. Ms. Sizoo does not think that taking existing three-bedroom buildings and making them six bedrooms will solve the housing problem.

Councilor Laura Tobin of Center Street said one of her concerns with reopening this was that she honestly had not heard any concerns that she did not hear discussed at length during the original process. She even thought that the idea of breaking this up into multiple ordinances was discussed at some point, but the rationale was the petitioner had proposed these ideas together; the Committee decided it should be presented to the Council for a vote as the petitioner intended, so the Council could vote for/against. Councilor Tobin said the Council did vote, so she was struggling to start this conversation again because she was not hearing any new information. She heard that there was not enough development where this Ordinance had been used in order to even indicate a problem. She knew the number of units was discussed at length—whether three, four, or six—she said it was all discussed. When the Council voted, Councilor Tobin said she had to study up on all the content, and she knew what she was voting for. While there were parts she agreed with and parts she would have adapted, she said the Council voted.

Toby Tousley of 500 Washington Street agreed with Councilor Tobin that this was all said before. What Mr. Tousley wanted to bring something to the Committee's attention: four of the five people

speaking about this so far were in favor of keeping the Ordinance as written and one was opposed, compared to the throngs of people that were supposedly against it. He also wanted to clarify a couple of things. He knew one reason that this Ordinance came in a multi-package is because there is a monetary amount when you propose something like this to the City, and if you do them six or seven times, it is a bigger monetary amount. Mr. Tousley thought that was one of the reasons if not the primary reason. He did not think the intent was to make it more confusing for the Council as one packet. Mr. Tousley said make no mistake that the only way we are going to have affordable housing in Keene is to allow growth in existing buildings. He said what is being built new at this time is not affordable. He commented on the Roosevelt School Apartment Project, stating that the project would likely escalate (much like the Downtown Project) those units by \$450,000 for one-bedroom apartments. That is a rebuild, so he said digging into the earth just costs more money. Mr. Tousley echoed earlier mentions of the environmental issues with Cottage Court developments (i.e., digging into the earth and taking up more space). He thinks Cottage Courts have their place but not for this purpose. He thought what overwhelmingly happened here is that tenants are smaller now, individuals versus families, which was his experience as a landlord after 40 years. He does not have property in the Medium Density District, so this does not affect him. He sees more individuals renting than families, especially as the population ages and people are marrying less. The last time this Ordinance was before this Board, people talked about struggling to find smaller apartments without roommates. Mr. Tousley said that leaving these large apartments intact on the offhand chance that this trend would reverse, while digging into the ground to create smaller apartments, is absurd to him. He asked why to change the Ordinance until it does some harm; nobody had even acted upon it yet. It did not make sense to Mr. Tousley, especially when so many people spoke in favor of it previously. He asked the Committee to leave it alone.

Councilor Ruttle-Miller addressed the City Attorney, seeking clarification because she felt like there was an “elephant in the room” now. Councilor Ruttle-Miller needed more information around the only comments given that were not directly related to Chair Filiault’s letter. Councilor Ruttle-Miller wanted to know what she was speaking to when voting, and knew the letter she was reading, but was very uncomfortable now and needed more information. City Attorney Palmeira appreciated that and planned to share the position from her office (as Chair Filiault had) that that there had not been any procedural flaw or conflict of interest in the way that the previous Ordinance was handled. The City Attorney said there are no concerns for her about Ordinance O-2025-15-A for violation of state law, conflicts, Rules, Charter, or anything like that. As far as the City Attorney was concerned, it was all good.

Councilor Williams hoped this item would be accepted as “Informational” because he would hate to go through weeks and months of fighting about this over and over again, going over the same issues the Committee has already gone over. He said it could potentially result in another eight to seven vote by the Council, which he did not think was worth it. Councilor Williams stated that he would prefer to move on with so many more things that the Committee has to work on.

Councilor Haas appreciated all the comments from the audience tonight. He agreed that subdividing buildings creates more housing. Whether it can be done successfully or whether the City has the means to do it right now were his questions at this time. He knew that if someone were to subdivide a building as suggested in this Ordinance, they would still be subject to all of the fire (e.g., parking), plumbing, and electrical codes that would be invoked by the increased number of occupancies; he said they are still effective but could be challenged by after the fact applications, and how well they are enforced is always difficult. He was interested in more discussion related to generating more housing, the process of how to get there, and the fear part: Councilor Haas did not think anyone was

afraid of more housing but concerned about the process of getting there. He noted that two out of four of the Ordinance items seemed like “no brainers” and would be likely supported no matter what. Councilor Haas said the Committee could consider separating those two; he said it would then be great to try building support around the other two items, one way or the other. He suggested that option or “More Time” to give more consideration until the Committee could develop a better instruction for staff.

Chair Filiault said he did not agree or disagree with anything that was said here tonight. This was not an issue he was prepared to “fall on the sword for,” but he wanted to ensure all the constituents were heard. He noted not all members of the public come to meetings because they might be too nervous to speak in public. But, they still have a right to be heard and they are still constituents who pay taxes. Chair Filiault said his opinion is the Ordinance should be broken up a little bit and there was too much pushed into it that should be separated. He supported placing this on “More Time” to give City staff some time to look at Ordinance O-2025-15-A as the Committee had mentioned, break some things out, see what makes sense for the Community Development Department, and come back to the next month’s meeting. He said this was not to be rushed. He thought the Council owed the constituents a little more time on this.

Councilor Ruttle-Miller noted that there was talk of three units to six units, but there are also four and five units in between. She said it does not mean that somebody increasing the amount of apartments in a building will automatically go to six. Chair Filiault said that it was absolutely correct. He thought a lot of those questions had not been completely answered yet. He heard from talking to some other Councilors that they were not sure, and he thought they should be a little surer.

Vice Chair Jones said that from listening to the Senior Planner, it did sound like there would be an opportunity to break the Ordinance down into parts. He said the Senior Planner was also seeking more clarity about what the Board was feeling. Vice Chair Jones agreed that it should go on “More Time” because it is not a time-sensitive issue.

The following motion by Vice Chair Jones to place “Councilors Filiault, Jones and Haas - Request to Review Recent Amendments to Land Development Code - Codified with the Adoption of Ordinance O-2025-15-A” on More Time was duly seconded by Councilor Haas.

Chair Filiault thought this was the smart way to go and would allow staff to take a look a little more and come back. He said it could wind up going the exact same way as before. However, he did not think it would hurt for the Councilors and staff to look at an issue that still had questions to see if maybe they could do better.

The City Manager asked for more clarity: was the Committee asking for the Ordinance to be broken into its various parts for consideration? Chair Filiault said he heard staff mention that there might have been too many things packed into the Ordinance and he would like to see their planning expertise on how to separate them. He said that because it was a split Council vote, some Councilors were debating whether they had wanted to vote on some parts but not others.

Councilor Williams asked a point of order question: if the Committee recommends placing this on More Time, is that automatic at the City Council meeting or does the Council vote on it? City Manager Elizabeth Ferland clarified that the Mayor typically will say that “more time is granted” unless it is challenged by a member of the full Council, which proceeds to a vote on the floor. Councilor Williams stated that if this was recommended for more time, he intended to challenge it at

the April 16, 2026 City Council meeting. If going down this road of asking staff to do all this work, he at least wanted to get a preliminary vote on whether it is something the City Council wants. Chair Filiault said he would certainly be welcome to do that.

On process in general, the City Attorney said that directing a Charter Officer to draft an ordinance usually comes from the full City Council. So, the Committee should not expect to place this on More Time and have a Charter Officer return with drafts or further recommendations on ordinances. The City Attorney said the Committee would need to gauge the temperature of the Council about that first. Chair Filiault said he was not asking for specific ordinance drafts, just to break things apart and what would make more sense to break things apart.

Councilor Haas commented that in the interest of better directions to staff, the items of concern to the Committee within Ordinance O-2025-15-A were #2 related to setbacks and #3 related to the increase of units by right. He suggested that if staff were to resurrect the work they did on this Ordinance related to those two points prior to version "A" and bring it back for discussion at the next meeting, that it would accomplish a lot of what the Committee hoped to rethink. He said they were not asking staff to change anything, only to limit what needs to be done and represent it for another hearing.

Chair Filiault appreciated the clarification of those sticking points, noting the Ordinance still might wind up as it is now. However, he thought the clarification could help, especially for newer Councilors, who might look at it and think that it is fine the way it is, which he said is fine. He has no problem with "majority rules."

On a vote of 3 to 2, the Planning, Licenses and Development Committee recommends placing "Councilors Filiault, Jones and Haas - Request to Review Recent Amendments to Land Development Code - Codified with the Adoption of Ordinance O-2025-15-A" on More Time. Councilors Ruttle-Miller and Williams voted in the minority.



# CITY OF KEENE NEW HAMPSHIRE

ITEM #1.1.

**Meeting Date:** April 16, 2026

**To:** Mayor and Keene City Council

**From:** Donald Lussier, Public Works Director

**Through:** Elizabeth Ferland, City Manager  
Kari Chamberlain, Finance Director/Treasurer

**Subject:** **Relating to Delinquent Accounts  
Ordinance O-2026-05**

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**Recommendation:**

That Ordinance O-2026-05 be referred to the Finance, Organization, & Personnel Committee for their consideration and a recommendation back to the Council.

**Attachments:**

1. O-2026-05-Relating to Delinquent Accounts

**Executive Summary:**

**Ordinance O-2026-05 would reduce the interest charged on delinquent accounts from 1.5% per month to 1% per month (12% per year). This will make our collection practices consistent with New Hampshire State law related to the collection of unpaid utility bills through property liens.**

**Background:**

City Ordinance Sec. 2-1186 currency allows the City to charge interest of 1.5% per month on delinquent accounts. New Hampshire state law (RSA 38:22) allows for municipalities to use a lien upon a property to collect debts owed to municipally owned utilities. However, the RSA stipulates that if the City is forced to file suit to collect such debts, they are entitled to interest of only 12% per year. This creates a potential conflict in the City's calculation of delinquent charges and how a Court may ultimately calculate the amount owed.

In order to alleviate this discrepancy and synchronize the City's ordinance with state law, Staff recommends that Sec. 2-1186 be revised to mirror RSA 38:22.



# CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Six

AN ORDINANCE Relating to Delinquent Accounts

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

That the City Code of the City of Keene, New Hampshire, as amended, are hereby further amended by deleting the stricken text and inserting the bolded text\* in Section 2-1186, "Delinquent Accounts" of Chapter 2 entitled "Administration" as follows:

Sec. 2-1186. Delinquent accounts.

Except where procedures are established by state law or the district court, all items billed by the city are payable by the debtor upon receipt of a bill; net payment of such bills shall be allowed within 30 days. The interest on accounts due and owing after 30 days shall be computed at a rate of ~~1½~~ **12 percent per month year (1 percent per month, nominal)** ~~but not less than \$2.00~~ on the unpaid amounts. The interest computation shall be rounded to the nearest penny. Interest shall be payable daily; compounded and posted monthly. The finance department, at the discretion of the finance director, shall determine the necessity for special arrangements. When a delinquency exists, the debtor shall incur no further obligations with the city.

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Jay V. Kahn, Mayor



# CITY OF KEENE NEW HAMPSHIRE

ITEM #J.1.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Finance, Organization and Personnel Committee, Standing Committee  
**Through:**  
**Subject:** **Relating to Chapter 30 - Emergency Management Ordinance O-2026-04**

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**Recommendation:**

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2026-04.

**Attachments:**

1. O-2026-04 -Chapter 30 - Emergency Management\_Referral

**Background:**

Emergency Management Administrator Kurt Blomquist addressed the Committee. Mr. Blomquist stated he was before the Committee to discuss an update to Chapter 30 of City Code; Emergency Management. Mr. Blomquist stated this chapter has not been updated in a while.

Definitions: Update was made to the definition “emergency event” – emergency events are not individually listed anymore. The focus today is on any kind of natural or human emergency event which would be a threat to the community, life safety, and the welfare of the community.

Definition of “emergency management” - definition is focusing on not just response, but everything from pre-planning, mitigation, response, and recovery, etc.

Definitions of “First Responders” - There are two areas for first responders. The first is the lead agencies, such as Fire, Police, EMS, Public Works, and Health. There are also now the support functions, for example the Finance Department who you would call in an emergency to see if there are funds to cover the emergency. This could also include Legal, Human Services, and Youth Services.

Intent and Purposes – Mr. Blomquist stated this has not changed – it has been updated to include safety and resiliency. It was updated to go along with RSA21:P-39 to keep with the State’s update to Homeland Security.

Suspension in Conflict of Ordinances – No Change – for instance during an event such as Covid, it would state if there are any existing ordinances of law - those are suspended for this period of time.

Violations – Straightforward – if someone violates it they get a ticket.

Organization – This position has been under the City Manager’s office. This section clearly defines that and also defines the responsibilities of emergency management back to the Manager. It gives a little more definition of what the expectations are of the Emergency Management Director. He noted the big change in this area is under the Appointment; when RSA 21:P-39 was created it is actually the City Council who appoints the Emergency Management Director. The City Manager will recommend someone to be appointed as the Emergency Management Director to Council. It also allows for the continuation of assistance or other positions as the Manager works with the Emergency Management Director. Traditionally, there has been an Assistant Emergency Management Director. At the present time, Mike Hagan is the Assistant Emergency Management Director. Mr. Blomquist felt this was important because if the Emergency Management Director is not available, by code the Assistant would take up the responsibility of Emergency Management Director. If there is no Emergency Management Director by law, it falls to the City Manager.

Updating the Powers of the City Manager – The City has included the charter code of ordinances and state law that provides the outline for Manager’s authority.

Regulations – The Manager has the authority to issue regulations. Mr. Blomquist noted the section has been updated as to how this message is conveyed.

The Manager has authority to request support from surrounding communities. The State also gives her the authority to grant support to surrounding communities.

Mr. Blomquist added Section 60 outlines the responsibilities of the Emergency Management Director. He added his role is currently part time but in the future another department head is likely going to be assigned to this position.

Plans - During Covid the City updated its continuing operation plans. Mr. Blomquist stated he is currently in the process of revisiting those with the various departments. During emergencies, the City also has the authority to work with property owners for use of facilities within the City. The City also has an emergency notification system.

Development of a Basic Emergency Plan – This refers to the Emergency Management Director being responsible for providing this Plan, bringing it to Council for approval and keeping it updated.

Liability Section – This section has been updated to match what the State Law says. It outlines liability exemptions how volunteers in an emergency can be used by the City and how private property owners are exempt from liability as a result of their space being used for emergency purposes by the City. This concluded Mr. Blomquist’s presentation.

Councilor Chalice asked whether it is the City Manager who determines an emergency. Mr. Blomquist stated it could happen in number of different ways. A City department could make a request through the Manager or if the state or federal government determines an emergency. The Councilor asked when the Council could expect an updated local emergency plan. Mr. Blomquist stated he is working on this document and will be passing it on to the next person who takes over this position. The one the City has right now dates back to 2018 and he plans to have an updated plan by

the end of next year.

The Manager stated the Emergency Management Director position is currently an assignment through a contract for part-time assistance with Mr. Blomquist. Staff will be coming up with plan and will have a recommendation to Council very soon.

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 adoption of 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 statute 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

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Jay V. Kahn, Mayor



# CITY OF KEENE NEW HAMPSHIRE

ITEM #J.2.

**Meeting Date:** April 16, 2026  
**To:** Mayor and Keene City Council  
**From:** Finance, Organization and Personnel Committee, Standing Committee  
**Through:**  
**Subject:** **Relating to Personnel  
Ordinance O-2026-06**

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**Recommendation:**

On a vote of 5 to 0, the Finance, Organization and Personnel Committee recommends adoption of Ordinance O-2026-06.

**Attachments:**

1. O-2026-06-Related to Personnel\_referral

**Background:**

Human Resources Director, Darcy Newport was the next speaker. Ms. Newport stated this Ordinance is relative to the insurance opt out payment for Keene City employees who are not a part of a collective bargaining unit. She explained when an employee waives the City's health insurance, as an incentive the City gives them an opt out insurance payment provided, they have proof of alternative coverage. The City is requesting to increase that amount from \$3,500 to \$5,000 annually to be more aligned with what is happening with the collective bargaining agreements.

Councilor Chadbourne asked whether it was common or unusual for an employee to opt out of this choice. Ms. Newport stated it is not common, the City does not have a high participation rate, but the City does save a lot of money when somebody opts out. The hope here is that the City can make this change in time for open enrollment, which starts on May 1, 2026 to encourage more people to migrate off the plan. The Chair noted it is a common practice for businesses to offer this opt out incentive to employees. Ms. Newport agreed

Councilor Roberts stated the School Board increased their amount to \$7,000 per person because a family plan is \$26,000 and \$7,000 is a good investment. Ms. Newport noted if the City can get one person to migrate off the plan, it would more than offset the increase in the payout.

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 adoption of Ordinance O-2026-06.



# CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Six

AN ORDINANCE Related to Personnel

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

That the ordinances of the City of Keene as amended, are hereby further amended by removing the stricken text and inserting the bold text in Section 62-61 1a (3) "Insurances" of Chapter 62 entitled Personnel as follows:

- (3) If a regular full-time employee so chooses, the employee may elect, upon receipt by the city of written verification that the benefit is received by some other means, to receive taxable income in the amount of **\$5,000.00** ~~\$3,500.00~~ in lieu of the city health insurance benefit. To qualify for such payment, the election must be such that it will not subject the city to penalty or assessment and is compliant under the Affordable Care Act, Tricare or any other legislative requirements. This amount shall be distributed in a lump sum payment in December for the prior year (December 1 to November 30), or a pro-rated amount shall be distributed to the employee if employment ends or insurance election changes at some point during that time period. If both spouses are employed by the city and covered by the city medical plan benefit, this shall not apply.

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Jay V. Kahn, Mayor

In City Council April 2, 2026.  
Referred to the Finance, Organization  
and Personnel Committee.

  
City Clerk