



MUNICIPAL SERVICES, FACILITIES AND INFRASTRUCTURE COMMITTEE
Council Chambers, Keene City Hall
June 24, 2026
6:00 PM

A. AGENDA ITEMS

1. Councilor Haas - Request for Project Information Signage and Enhanced Public Outreach for Capital Projects
2. Elizabeth Hansel - Request for Resolutions Regarding Single-Use Plastic Reduction
3. Skye Stephenson - Tree Replacement along Maple Avenue
4. Kenneth Kost - Update on Neighborhood Stewardship of 100 Church Street and Request for Permanent Pocket Park Designation
5. Relating to the Absolute Discontinuance of a Portion of a Right of Way Across a Portion of Property Located on Elm Street (Identified by Tax Map Number 521-004-000)
Petition and Resolution R-2026-22
Corrected Petition and Resolution
6. Downtown Infrastructure Project Update - Public Works Director

B. MORE TIME ITEMS

NON PUBLIC SESSION

ADJOURNMENT

May 24, 2026

Attn: Honorable Mayor Jay Kahn
Keene City Council

Re: Project information Communication

It is an exciting time when residents see a capital project begin after it has been years in the making.

Several years may pass between concept community meetings, and then the adopted designs, bid documents, contractor engagement, and finally execution. In that time many will not recall the original designs and the community agreements that formed them. Instead folk often only see what is happening when it happens, vaguely remembering the outreach.

It would be incredibly beneficial if the design, images, or some representation of the project was **posted on site** when final design was reached, and especially once work begins. Prior to work beginning could be a "Coming Soon!" type of signage at the site with project views and information. Once shovels are in the ground, the final design drawing could be posted on the contractors OSHA Safety Board. This would help folk be informed about what is happening and how it came to be.

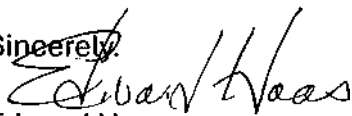
Right now we have such an opportunity with the current THT project, along with the Marlboro St. resurfacing.

For complex projects, there needs to be a community meeting(s) as designs are finalized and bid documents developed. This should be the case now for the Robin Hood Park project. The community meetings about the Park project were well done, but they were almost three years ago - memories fade. Many will not recall what concept was approved, the schedule, and of course, the cost.

I ask on behalf of community residents that appropriate City staff provide suitable project concept pictures or drawings at the current construction sites throughout the city.

Likewise, I ask that a meeting **on-site** at Robin Hood Park be presented in the very near future so all can be updated on status and design of the exciting project to come.

Preferably this request should be directed through MSFI Committee, so City staff can prepare appropriate responses and plans to move forward.

Sincerely,

Edward Haas
Councilor, Ward 2.

Honorable Mayor and City council,

We are citizens who are concerned about the health hazards and damage to our environment by our dependence on plastics. Derived from petroleum, plastics do not biodegrade and instead break down into microplastics which not only threaten wildlife but human health.

We are asking for your leadership in reducing the amount of plastics in our community.

Currently 12 states , including Maine and Vermont, require businesses to provide paper bags or charge a fee to incentivize customers to bring their own bags. And according to a report called “Plastic bans work”over 500 municipalities in 28 states have plastic ban legislation.

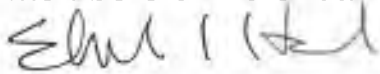
In the 2010 Master plan, achieving a sustainable community, “requires dedication throughout the city,”....“And coordinating efforts to use its resources efficiently, reduce waste and prevent pollution and environmental impacts”.

We suggest that there are two steps Keene can take to reduce our plastic reliance .

1) Creating a resolution calling for the elimination of the purchase of single-use plastic bags and food service products and styrofoam containers for the use by the City of Keene and City -sponsored events.

2) creating a resolution asking the State legislature to ban single-use plastics in businesses across the state.

Thank you for your consideration
Members of the St James Church Creation Care Committee



Elizabeth(Bridget) Hansel
Peter Hansel
Elsa Worth, Rector of St James Church in Keene
Edie Fifield
Nick Germana
Rick McVoy

Skye Stephenson
14 Barrett Avenue
Keene, New Hampshire 03431

Dear Keene Mayor and City Council Members,

My name is Skye Stephenson and I have been a resident of Keene for twenty years. Like many Keene residents, the removal of the Red Pine Trees along Maple Avenue due to a pest infestation has saddened me. As the City considers the future of this area, I request that one or more Liberty Elm Trees be planted there. Below are three reasons why:

First. Symbolic: Keene was once known as Elm City, until a blight took those trees down. And now with the Red Pines removed due to pests, replanting blight resistant Elms in that space would be symbolic of hope and rebirth.

Second. Timely: Given the 250th anniversary of the US Revolution that began around an Elm Tree on the Boston Common, planting a Liberty Elm this year would have a special connotation. In fact, there is a national campaign for communities to plant 250 Liberty Elms this year.

<https://america250sar.org/libertytree/>

And Third. Continuing Practice: A decade ago, two Liberty Elm were planted in the (then new) North Street Park. Today both trees are healthy, and soar high towards the sky. Why not add a few more Liberty Elms to our public venues? In a recent Facebook post to see if others liked this idea, the responses were enthusiastic.

Thank you for considering this proposal.

Sincerely, Skye Stephens

A handwritten signature in black ink, appearing to read 'Skye Stephens', enclosed within a large, loopy oval scribble.

June 18, 2026

Keene City Council
City Hall
3 Washington Street
Keene, NH 03431

Re: 100 Church Street - Review Status

Dear Mayor and Members of the City Council,

On behalf of East Keene neighbors, I request the opportunity to speak at the June 18 Council meeting to thank the City for retaining 100 Church Street and to summarize how East Keene neighbors have fulfilled the commitments we made: **watch the space, clean the space, and activate the space.**

Watch the Space (Safety)

East Keene neighbors keep regular eyes on the space. We have not observed illegal activity. If we see someone who may need help, we know to contact the City's Human Services caseworker, Brenda Emperor, or the Police Department's social worker, Kaitlynn Mello. Neighbors living directly beside the lot have told us they appreciate the increased attention and presence.

One of the original reasons for considering a sale was the level of police activity that happened there. A comparison of police reports from **4/11–6/6 in 2025 vs. the same period in 2026** shows **four calls in 2025 and three in 2026**. While this is a small sample, we will continue to monitor trends. The ordinance sign installed by Public Works contributes to improved safety.

Clean the Space

Adjoining neighbors continue to pick up trash, and many East Keene residents walking by throughout the day do the same. As a result, the space consistently remains clean and welcoming.

Activate the Space (Free activities)

This has been the most energizing part of our work. To date, we have held **15 neighborhood events**, with **10 more planned**. Activities include garden education, a bike swap, a pie social, Taste of Yoga, small-dog meet-ups, a book club, and live music by local musicians suited to the intimate scale of the space. These events draw nearby residents who walk over to enjoy community, creativity, and connection. Adjoining neighbors have told us they enjoy the music and activity.

Our Request

East Keene neighbors respectfully ask the City to **retain this space permanently** and consider designating it as an **official city pocket park**. Our Master Plan emphasizes the importance of pocket parks like this. The current layout—designed by Antioch students—works well and we do not seek changes to its design. Thank you for your consideration.



Ken Kost
51 Railroad Street

James M. Callahan
Attorney

June 23, 2026

Via email only

Terri M. Hood, City Clerk
City of Keene
3 Washington Street
Keene, New Hampshire 03431

**Re: Paul C. & Gail M. Dubriske (the "Applicant")
Proposed Discontinuance of Right of Way ("ROW")
Tax Map Parcel #521-004-000 (the "Property")**

Dear Ms. Hood:

Enclosed are the following revised documents (revising the previous submittal dated May 19, 2026) with respect to the above-reference matter:

1. A Revised Petition for the Discontinuance of the ROW over the Property and Exhibit referenced therein;
2. A proposed Resolution related to the discontinuance of the ROW as outlined in the Petition; and,
3. A proposed Description of the portion of the ROW to be discontinued.

Please provide this revised information to the City Council's Municipal Services, Facilities, and Infrastructure Committee. Thank you and please don't hesitate to reach out with any questions.



James M. Callahan

cc: Paul C. & Gail M. Dubriske – *via email only*
Evan Clements – Planner, Keene Community Development – *via email only*
Amanda Palmeira, City Attorney – *via email only*
Don Lussier, City Public Works Director – *via email only*

PETITION FOR THE ABSOLUTE DISCONTINUANCE OF A SECTION OF RIGHT OF WAY ON PROPERTY ON ELM STREET

TO: THE HONORABLE MAYOR AND CITY COUNCIL FOR THE CITY OF KEENE

Your Petitioners, Paul C & Gail M. Dubriske, 454 Elm Street, Keene, New Hampshire (collectively, the “Petitioner”), respectfully petitions the City Council for the City of Keene, New Hampshire, to discontinue absolutely and completely a portion of the right-of-way (“ROW”), that crosses the Petitioner’s property shown as Lot 004 on Keene Tax Map 521 (the “Property”), and respectfully represents that there is good reason for said request, and in support thereof, states the following:

1. The Petitioner received approval from the Keene Planning Board at its December 22, 2025, meeting to develop the Property as an 18 Unit condominium project (the “Project”). Units in the Project will introduce sorely needed housing into the Keene market.
2. The Petitioner intends to convey the Property to Elmside, LLC, a New Hampshire limited liability company affiliated with the Petitioner.
3. As part of its development process, the Petitioner acquired title to several parcels of land from the State of New Hampshire that were related to the layout of New Hampshire Route 9 and relocation of Elm Street. These parcels are shown as Parcel A, Parcel B and Parcel C on Plan No. 25065 recorded in the Cheshire County Registry of Deeds (the “Plan”). A copy of the Plan is included with this Petition as *Exhibit A*.
4. ~~The~~ eat parcel of land over which the City has its ROW is shown on the Plan as the “Old Elm Street ROW.” The origin of this ROW is found in a highway layout recorded in Book 1, Page 279, in the City of Keene, Office of the City Clerk Cheshire County Registry of Deeds, recorded on June 23, 1766 (incorrectly shown on the Plan as 1866)-dated May 17, 1866
5. The approved site plan for the Project shows Units located within the ROW.
6. The Petitioner has obtained financing from the Savings Bank of Walpole to develop the Project. The existence of the ROW creates a defect in title that precludes the Petitioner from closing on its financing. The ROW is described as follows:

Beginning at a point of land on the ROW—east side of said “Old Elm Street ROW,” southwest of Elm Street, Keene, Cheshire County, New Hampshire, said point of land being

[the westernmost point of "Parcel C, Excess State ROW," as depicted on the aforementioned plan,](#)

[Thence S 26°12'39" W, a distance of 15.21 feet;](#)

Thence ~~N~~S 45° 06'27" ~~E~~W, a distance of 35.26 feet;

Thence S 43° 17' 23" E, a distance of 235.04 feet;

Thence ~~S~~N 62°12' 18" ~~W~~E, a distance of 10.90 feet;

Thence N 35°05'15" E, a distance of 39.81 feet;

Thence ~~S~~N 43°17'23" W, a distance of 236.25 feet to the point of beginning.

(See also highlighted area on the Plan).

7. The Petitioner is requesting that the City Council vote to discontinue [absolutely and completely](#) the ROW as the same is not needed for access by any party. ~~The ROW is "paper" only originating with a reservation contained in a deed dating back to Colonial times. Elm Street has been laid out as a public way for generations and provides access to not only the Petitioner and abutter Sarah D. Vezzani (referenced below), but also to the general public.~~

8. The ROW to be discontinued is abutted by the following properties:

Franklin Pierce Highway (A.K.A. N.H. Route 9 & 10)

See Return of Layout 939/400

Book 939, Page 440; Book 858, Page 460; & Book 554, Page 396 in the Cheshire County Registry of Deeds

Tax Map Parcel #521-005-000-000

Owned by Sarah D. Vezzani

By virtue of deed from Robert E. & Karin L. Muenkel dated August 7, 2007, and recorded at Book 2455, Page 749 in the Cheshire County Registry of Deeds

9. ~~A letter from the undersigned was hand delivered to Sarah D. Vezzani's house on Sunday, May 17, 2026. A copy of this letter is attached hereto as *Exhibit B*. As of the date of this Petition, no reply to this letter has been received. While this Petition is pending, the Petitioner will try to obtain Ms. Vezzani's Consent to this Petition as well as a Waiver of Damages. As the ROW exists on "paper" only and does not serve any function, the Petitioner does not believe that its discontinuance will result in damages to any party, including Ms. Vezzani. Regardless of this belief, the Petitioner will indemnify and hold harmless the City of Keene from any damages that may be incurred, including without limitation, damages assessed pursuant to RSA 231:49, 9. The undersigned has communicated with Thomas Hanna, legal counsel for Sarah D. Vezzani and, based on this~~

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communication, represents to the Council that Ms. Vezzani consents to this Petition and will waive damages.

~~10.~~ An email was sent to Frank Linnenbringer, District Engineer for NHDOT District 4 (which District includes Keene) on May 18, 2026. A copy of this email is attached hereto as *Exhibit C*. No reply to this email has been received as of the date of this Petition. While this Petition is pending, the Petitioner will try to obtain the State of New Hampshire's Consent to this Petition as well as a Waiver of Damages. As stated in Paragraph 3, above, the State of New Hampshire conveyed several tracts of land to the Petitioner in the past year. See deeds attached hereto as *Exhibits D* and *E*. The conveyance of these parcels, two of which are identified as "Excess State ROW" on the Plan is conclusive evidence that the State does not need or require the ROW. The Petitioner does not believe that the ROW's discontinuance will result in damages to any party, including the State of New Hampshire. The Petitioner hereby reiterates that it will indemnify and hold harmless the City of Keene from any damages that may be incurred, including, without limitation, damages assessed pursuant to RSA 231:49. ~~10.~~ The undersigned spoke with Frank Linnenbringer, District Engineer for New Hampshire Department of Transportation, District 4. Mr. Linnenbringer authorized me to represent to the Council that the New Hampshire Department of Transportation consents to this Petition and will waive damages.

9. The interest of the general public in continuing the ROW is not outweighed by the burden in continuing the ROW imposes on the Petitioner. As stated, the general public has access for travel via a public way, Elm Street, and abutters do not need the ROW for access to their respective properties. ~~The ROW was never developed and is not necessary for public convenience or safety.~~

~~11.~~10. See, for example, *Town of Hinsdale v. Chesterfield*, 153 N.H. 70 (2005) for a discussion of the balancing test applied by the trial court in weighing public versus private interests in the case of a road discontinuance.

~~12.~~11. A Construction Plan showing all existing conditions and proposed improvements that includes evidence documenting the need to discontinue the ROW in order to support the Project was previously provided to the City's Planning Department.

~~13.~~12. The following conditions shall apply to the approval of this Petition:

A. The Petitioner shall grant the City a Temporary Access Agreement to access Parcel No. 521/004 for the purpose of maintaining and repairing an existing public water main located in the area to be discontinued. Such Temporary Access Agreement shall automatically extinguish upon the Public Works Director's acceptance in writing of a relocated water main.

- B. The Petitioner shall, under the supervision of the Public Works Director, relocate a City Water Main from the portion of the ROW to the Elm Street right-of-way as it is currently traveled. The relocated water main shall be constructed within 36 months of the City Council's complete discontinuance of the ROW as required by the City of Keene Land Development Code 23.2.2.B and as in accordance with the City's public infrastructure standards, and the details of such relocation shall be approved in advance by the City Engineer.
- C. The petitioner shall bear all costs of public infrastructure improvements, including the relocation of the water main, restoration of roadway and sidewalk surfaces, replacement of an existing catch basin, and installation of a new sanitary sewer manhole within the Elm Street right-of-way. Costs may include, but are not limited to, construction cost, testing fees, Public Works excavation and utility connection permit fees and Engineering inspection fees.
- D. Prior to commencing construction of any public infrastructure, the Petitioner shall furnish security in accordance with Sec. 22.2.4 of the Land Development Code.

WHEREFORE, your Petitioner respectfully requests that:

- A. The City Council conduct a hearing on the proposed absolute and complete discontinuance of the ROW, and following such hearing, the City Council vote:
- B. To discontinue absolutely and completely the ROW, more specifically bounded and described as follows:

Beginning at a point of land on the ROW—east side of said “Old Elm Street ROW,” southwest of Elm Street, Keene, Cheshire County, New Hampshire said point of land being the westernmost point of “Parcel C, Excess State ROW,” as depicted on the aforesaid plan,

Thence S 26°12'39" W, a distance of 15.21 feet;

Thence ~~S~~N 45° 06'27" ~~W~~E, a distance of 35.26 feet;

Thence S 43° 17' 23" E, a distance of 235.04 feet;

Thence ~~S~~N 62°12' 18" ~~W~~E, a distance of 10.90 feet;

Thence N 35°05'15" E, a distance of 39.81 feet;

Thence ~~S~~N 43°17'23" W, a distance of 236.25 feet to the point of beginning.

Dated this 19th 23rd day of May/June, 2026.

Respectfully submitted,

Paul C & Gail M. Dubriske

By their Attorney:

Shaheen & Gordon, P.A.

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By: _____

James M. Callahan
20 Depot Street, Suite 220
Peterborough, NH 03458
Telephone: (603)845-1959



CITY OF KEENE

In the Year of Our Lord Two Thousand and Twenty Six

A RESOLUTION RELATING TO THE ABSOLUTE DISCONTINUANCE OF A PORTION OF A RIGHT OF WAY ACROSS A PORTION OF PROPERTY LOCATED ON ELM STREET (TMP# 521-004-000)

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

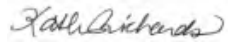
That the Keene City Council is of the opinion that there is no further need to use a portion of the Right of Way located on property identified on Keene City Tax Map 521 as Lot 004 for the accommodation of the public and there is occasion for the absolute discontinuance of said Right of Way as described in the attached Description of Complete Discontinuance, subject to the following conditions:

1. The Petitioner shall grant the City a Temporary Access Agreement to access Parcel No. 521/004 for the purpose of maintaining and repairing an existing public water main located in the area to be discontinued. Such Temporary Access Agreement shall automatically extinguish upon the Public Works Director’s acceptance in writing of a relocated water main;
2. The Petitioner shall, under the supervision of the Public Works Director, relocate a City Water Main from the portion of the ROW to the Elm Street right-of-way as it is currently traveled. The relocated water main shall be constructed in accordance with the City’s public infrastructure standards and the details of such relocation shall be approved in advance by the City Engineer;
3. The petitioner shall bear all costs of public infrastructure improvements, including the relocation of the water main, restoration of roadway and sidewalk surfaces, replacement of an existing catch basin, and installation of a new sanitary sewer manhole within the Elm Street right-of-way. Costs may include, but are not limited to, construction cost, testing fees, Public Works excavation and utility connection permit fees and Engineering inspection fees;
4. Prior to commencing construction of any public infrastructure, the Petitioner shall furnish security in accordance with Sec. 22.2.4 of the Land Development Code;
5. All affected property owners associated and in connection with the discontinuance agree to the discontinuance and either waive their rights to any damages, or the City has accepted an indemnification against any such damages;
6. All documentation is in a content and form acceptable to the City Attorney and City Engineer; and,

7. That Paul C. & Gail M. Dubriske, or their successor, Elmside, LLC, a New Hampshire limited liability company shall indemnify and hold harmless the City of Keene from any and all damages that may be claimed as a result of said discontinuance.

Jay V. Kahn, Mayor

In City Council May 21, 2026.
Referred to the Municipal Services,
Facilities and Infrastructure Committee
Meeting of the June 24, 2026, to allow
Notice to the abutters to occur.


Deputy City Clerk



CITY OF KEENE

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

A RESOLUTION RELATING TO THE ABSOLUTE DISCONTINUANCE OF A PORTION OF A RIGHT OF WAY ACROSS A PORTION OF PROPERTY LOCATED ON ELM STREET (TMP# 521-004-000)

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

That the Keene City Council is of the opinion that there is no further need to use a portion of the Right of Way located on property identified on Keene City Tax Map 521 as Lot 004 for the accommodation of the public and there is occasion for the absolute discontinuance of said Right of Way as described in the attached Description of Complete Discontinuance, subject to the following conditions:

1. The Petitioner shall grant the City a Temporary Access Agreement to access Parcel No. 521/004 for the purpose of maintaining and repairing an existing public water main located in the area to be discontinued. Such Temporary Access Agreement shall automatically extinguish upon the Public Works Director’s acceptance in writing of a relocated water main;
2. The Petitioner shall, under the supervision of the Public Works Director, relocate a City Water Main from the portion of the ROW to the Elm Street right-of-way as it is currently traveled. The relocated water main shall be constructed **within 36 months of the City Council’s complete discontinuance of the ROW as required by the City of Keene Land Development Code 23.2.2.B** and in accordance with the City’s public infrastructure standards, and the details of such relocation shall be approved in advance by the City Engineer;
3. The petitioner shall bear all costs of public infrastructure improvements, including the relocation of the water main, restoration of roadway and sidewalk surfaces, replacement of an existing catch basin, and installation of a new sanitary sewer manhole within the Elm Street right-of-way. Costs may include, but are not limited to, construction cost, testing fees, Public Works excavation and utility connection permit fees and Engineering inspection fees;
4. Prior to commencing construction of any public infrastructure, the Petitioner shall furnish security in accordance with Sec. 22.2.4 of the Land Development Code;
5. All affected property owners associated and in connection with the discontinuance agree to the discontinuance and either waive their rights to any damages, or the City ~~has accepted~~ **will accept** an indemnification against any such damages;
6. All documentation is in a content and form acceptable to the City Attorney and City Engineer; and,

7. That Paul C. & Gail M. Dubriske, or their successor, Elmside, LLC, a New Hampshire limited liability company shall indemnify and hold harmless the City of Keene from any and all damages that may be claimed as a result of said discontinuance.

Jay V. Kahn, Mayor

DESCRIPTION FOR THE ABSOLUTE DISCONTINUANCE OF A PORTION OF THE
RIGHT OF WAY LOCATED ON PROPERTY LOCATED AT 454 ELM STREET (TMP #521-
004-000)

THE DISCONTINUANCE: Upon the foregoing petition dated May 19, 2026, the Keene City Council gave notice as aforesaid, and on the ____ day of _____, 2026, at _____, the City Council is of the opinion that there is no further need to use a portion of the Right of Way at the following location for the accommodation of the public and there is occasion for the absolute discontinuance of said portion.

The undersigned represents that for the accommodation of the Public, there is occasion for the absolute discontinuance of a portion of the Right of Way at the following location:

Beginning at a point of land on the east side of the “Old Elm Street ROW,” southwest of Elm Street, Keene, Cheshire County, New Hampshire, said point of land being the westernmost point of “Parcel C, Excess State ROW,” as depicted on the Plan referenced below,

Thence S 26° 12' 39" W, a distance of 15.21 feet;
Thence N 45° 06' 27" E, a distance of 35.26 feet;
Thence S 43° 17' 23" E, a distance of 235.04 feet;
Thence N 62° 12' 18" E, a distance of 10.90 feet;
Thence N 35° 05' 15" E, a distance of 39.81 feet;
Thence N 43° 17' 23" W, a distance of 236.25 feet to the point of beginning.

Meaning and intending to absolutely discontinue that portion of the Right of Way that runs parallel to Elm Street, as the same crosses land now or formerly of Paul C. & Gail M. Dubriske and shown as “Old Elm Street ROW” on plan of land entitled “Plan of Lands of State of New Hampshire, Franklin Pierce Highway and Paul C. & Gail M. Dubriske, Tax Map Parcel 521-004, Book 2234, Page 53, 454 Elm Street, Keene, New Hampshire” revised through May 22, 2025, prepared by Huntley Survey & Design, and recorded in the Cheshire County Registry of Deeds as Plan No. 25065 (the “Plan”).

**PETITION FOR DISCONTINUANCE OF A SECTION OF RIGHT OF WAY ON
PROPERTY ON ELM STREET**

ABUTTER LIST

The ROW to be discontinued is abutted by the following properties:

1. Franklin Pierce Highway (A.K.A. N.H. Route 9 & 10)
See Return of Layout 939/400
Book 939, Page 440; Book 858, Page 460; & Book 554, Page 396 in the Cheshire
County Registry of Deeds

State of New Hampshire – Department of Transportation
District 4 – Attn: Frank Linnenbringer, District Engineer
19 Base Hill Road
Swanzey, New Hampshire 03446

2. Tax Map Parcel #521-005-000-000
Book 2455, Page 749 in the Cheshire County Registry of Deeds

Sarah D. Vezzani
464 Elm Street
Keene, New Hampshire 03431