

City of Keene
New Hampshire

JOINT PLANNING BOARD /
PLANNING, LICENSES AND DEVELOPMENT COMMITTEE
MEETING MINUTES

Monday, March 9, 2026

6:30 PM

**Council Chambers,
City Hall**

Planning Board

Members Present:

Harold Farrington, Chair
Michael Hoefel
Kenneth Kost
Andrew Madison
Councilor Molly Ellis
Dave Bergeron

Planning Board

Members Not Present:

Roberta Mastrogiovanni, Vice Chair
Mayor Jay Kahn
Stephon Mehu, Alternate
Tammy Adams, Alternate
Joseph Cocivera, Alternate

Planning, Licenses &

Development Committee

Members Present:

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

Planning, Licenses &

Development Committee

Members Not Present:

All Present

Staff Present:

Paul Andrus,
Community
Development Director
Megan Fortson,
Planner
Rick Wood, Fire
Marshall and Building
& Health Official

1) Roll Call

PLD Chair Filiault called the meeting to order at 6:30 PM and a roll call was taken.

2) Approval of Meeting Minutes – January 12, 2026

Chair Jones offered the following correction: Line 127 – to add after the words *Committee level to create an “A” version of the document* – if it is a private petitioner, he is entitled to have his motion go to the City as presented.

A motion was made by Councilor Jones to approve the January 12, 2026 meeting minutes as amended. The motion was seconded by Councilor Haas and was unanimously approved,

3) Public Workshop:

- A) **Ordinance O-2026-02 Relating to the Definition of Family.** Petitioner, City of Keene Community Development Department, proposes to amend the definition of “Family” in Article 29 of the Land Development Code to comply

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

Planner Megan Fortson addressed the Committee and stated the proposed ordinance is related to some recent changes in state law; it changes the way we define family. Under the City’s Land Development Code, family is defined as one or more of the following:

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

Ms. Fortson stated this definition no longer complies with state law and would affect other sections of the land development code.

She went on to say the proposal to change the definition of family and replace it with an updated definition, which would state as follows: *family shall mean a natural person living alone, or a group of natural persons living together as a single housekeeping unit that is primarily non transient. For the purposes of this definition, transient shall mean occupancy of a room or dwelling unit for less than 30 consecutive days, or the rental of a room or dwelling unit for a term of less than one month.*

Ms. Fortson explained instead of focusing on the roles and relation of family members to one another, staff is proposing to change the definition of a family to define it as a place where you live with other people, with shared responsibilities for a period of more than 30 days.

She went on to say because of this proposed change the City also has to make changes to the definition of “dwelling unit.” Currently the dwelling unit definition states—*it is a single unit providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.*

Staff is proposing to add another sentence stating that *a dwelling unit use shall not be deemed to include such transient occupancies as hotel, motel or bed and breakfast.*

The last change that is proposed as part of this ordinance is fix this loophole that was identified by staff related to the procedures for changing definitions in Article 29 of the Land Development Code. This is the section where all definitions are currently located.

Staff’s proposal with this ordinance is to make it so that if anybody is proposing to modify a definition that would change the meaning of the zoning regulations that it would have to go

through the same review process as a zoning text amendment. The reason for this is because with terms like family, right of way, these are all terms that are used throughout the land development code in many sections and having someone come through and make a change to one of those definitions would have an impact throughout the code. So, in order to make sure that everything is reviewed in all of its components, staff is proposing that it go through the same process as the zoning text amendment.

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

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

Similarly, under the Vibrant Neighborhoods pillar, there is a section that focuses on fostering strong community bonds and focusing on place making that will enhance the community fabric, people's sense of belonging, and being included in the community.

Goal #2 under this pillar is to foster community relationship, building and collaboration.

Ms. Fortson stated given that this ordinance is proposing to establish a definition of family and dwelling unit, which allows for non-transient groups to operate as a single unit, it is more likely to help people create bonds by creating that sense of duration permanency versus focusing on people's actual relationships to one another, such as marriage, parent etc.

This concluded Ms. Fortson's presentation.

Mr. Kost asked whether there was a reason why non-transient is only proposed to be 30 days.

Ms. Fortson stated the thought was anything shorter fall into short-term rentals, which are generally less than 30 days.

Ms. Fortson introduced Rick Wood, the City's Health and Building Official and Fire Marshall for his comments on this question.

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

In theory, this is the way it is structured, this is why they are able to bill by the day instead of by the month. Hence, there are a lot of reasons for the 30-day number.

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

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

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

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

- 4) **New Business**
- 5) **Next Meeting – Monday, April 13, 2026**
- 6) **Adjournment**

There being no further business, Chair Filiault adjourned the meeting at 6:47 PM.

Respectfully submitted by,
Krishni Pahl, Minute Taker

Reviewed and edited by,
Mari Brunner, Senior Planner