

CITY COUNCIL WORK SESSION

Continuing Care Retirement Community (CCRC)

June 28, 2010 – 6:30 p.m.

Eileen Dondero Foley Council Chambers

City Council Present: Assistant Mayor Novelline Clayburgh, Councilors Hejtmanek, Lister, Dwyer, Coviello and Kennedy. Mayor Ferrini arrived at 7:05 p.m.

Absent: Councilors Spear and Smith

Staff Present: John Bohenko, City Manager, Cindy Hayden, Deputy City Manager, Rick Taintor, Planning Director, Steve Griswold, Deputy Fire Chief, Steve Achilles, Assistant Fire Chief and Valerie A. French, Deputy City Clerk I.

I. Call to Order – Mayor Ferrini

Assistant Mayor Novelline Clayburgh opened the meeting at 6:30 p.m. stating that Mayor Ferrini had a previous commitment but is on his way.

City Manager Bohenko asked Planning Director Taintor to give a brief review of the CCRC zoning amendment history to this point.

II. Overview of Continuing Care Retirement Community (CCRC) Ordinance

Planning Director Taintor reviewed a power point presentation of the Continuing Care Retirement Community (CCRC) Draft Zoning Ordinance Amendments. He explained that a CCRC provides a new option for senior housing with continuum care provided in one facility i.e., Independent Living, Assisted Living and Skilled Nursing. He stated that this would require a conditional use permit by the Planning Board. He continued to review the site requirements of the current OR District compared to the proposed CCRC zone including building setbacks, building heights, and the requirement of at least 50% of building perimeters shall be habitable space (not parking) with direct access to exterior at grade. He showed several slides of examples of CCRC buildings that have been built in other communities. He showed slides of overlays for the proposed “Borthwick Village” CCRC and explained the access and circulation issues of the parcel which include 2 separate access points to existing public streets; continuous vehicle access between the two street access points; and reserve sufficient right-of-way for public street. Finally, he stated that the 4 areas that the Council has expressed concern are; Fiscal impacts (tax revenues vs. municipal service costs), Traffic and safety (with/without second access), Affordability to Portsmouth residents, and resident preference in units.

III. Review of Memorandum from Rick Taintor, Planning Director dated June 16, 2010

Mr. Taintor addressed the concern of fiscal impacts stating that the developers have agreed to a payment in lieu of taxes if they ever go to a non-profit status. He addressed the issue of giving Portsmouth residents preference stating that this would be difficult to monitor long term.

Councilor Hetjmanek discussed the 2 accesses stating there is a problem with the Islington Street neighborhood and he would prefer to see a gated access. Mr. Taintor explained that it would make it longer to travel into town. Councilor Hetjmanek stated he is concerned with aging residents pulling out onto busy Islington Street. Mr. Taintor stated that we should look at traffic management on Islington Street to address that issue.

Assistant Mayor Novelline Clayburgh read an e-mail statement from Councilor Smith stating he also wants a gated access road on Islington Street.

Councilor Lister asked about the 500' requirement. Mr. Taintor explained that the 500' is a cul-de-sac requirement and that nothing has been approved since that was implemented and that Atlantic Heights was required to have a 2nd entrance.

Councilor Coviello cautioned the Council not to get too specific stating that without a civil or traffic engineer we can't do the job of the Planning Board. He gave an example of Cottage Street and the unintended traffic impact that occurred.

Councilor Dwyer stated we aren't making recommendations but are clarifying some of the issues. Mr. Bohenko stated that is correct and then it will begin the process of coming before the Council as a first reading, etc.

IV. Discussion/Questions

Councilor Kennedy stated she is perplexed and feels the Council is being forced to micro-manage as we are looking at overall zoning for a CCRC but we are looking at maps for a specific project. She stated she feels the Council was clear the first time and is confused as to why this project can't go into other areas of that land and closer to Borthwick. She stated there aren't any wetlands according to the maps she was looking at. She stated that we get the same proposals from the developers and they agree to this and that, but not for the long term. She stated that the residents of the neighborhood are long term and wants to know why the access is not moved. Planning Director Taintor stated he understands but he is answering the specific questions that were previously asked by the Council and there haven't been any alternate proposals presented yet.

Councilor Kennedy asked about the figures and information and where that was obtained. Mr. Taintor replied that the financial impact information comes from the developer and was reviewed by our Assessor. Councilor Kennedy asked if the city would be willing to cross-reference the numbers. Mr. Bohenko stated yes that could be requested through his office.

Councilor Coviello again stated that he is not trying to stifle debate, but feels they should be careful of specifics and impacts of comments. He stated that the bigger question should be allowing a CCRC in an OR zone and that the previous Council found it hard to let go to the Planning Board, but they are the ones who have the tools to make the decision.

Councilor Hetjmanek stated he agrees, but it is the Council that is elected to answer to the citizens. Next, he asked about emergency response and the Medicaid billing. Assistant Fire Chief Achilles explained the complexity of the ambulance/fire and rescue billing, stating that the elderly component requires more assistance and that not all costs are recouped.

Councilor Lister stated he agrees that the Planning Board should do its job, but it is the Council that gets the calls. He explained his concerns are the potential drain on city services.

Councilor Dwyer stated that this comes down to being a problem between sorting out zoning from site review and would like to have the specific issues separated accordingly. Mr. Taintor stated that the fiscal impact issues would apply to anywhere and the question of whether providing a residential option in an office area is more profitable, it is, and this is why this specific area is being discussed because it wasn't developed as Office Space. He continued to explain that the affordability concern would also be something that would affect any CCRC.

Councilor Coviello asked if it would be appropriate to have a traffic engineer give a report on the specifics of this area. Mr. Taintor stated it would be difficult to have the developer go through another entire process without having the zoning in place. Councilor Coviello stated that is why he feels that this cannot be done at this time.

Councilor Coviello asked for more clarification regarding the ambulance billing. Assistant Fire Chief Achilles again explained the Medicaid billing etc.

Councilor Kennedy stated she is still perplexed because if it is the Planning Board who is supposed to be dealing with specifics, then why are we already using the developers' figures to make this decision. She stated no matter how we look at it, this is spot zoning for one project and if we need more information then we should be able to get it.

Discussion ensued regarding requesting additional information from outside consultants.

Assistant Mayor Novelline Clayburgh stated she is trying to look at proposed zoning and feels that her concern regarding affordability should be included as a part of the actual ordinance so that it addresses any CCRC. She stated another issue that should be addressed in the ordinance is that there be no negative impact on neighborhoods such as traffic and safety.

V. Next Steps

Mayor Ferrini asked the Council for a consensus as to where they should go from this point i.e. set a date for a first reading, engage consultants, etc.

Councilor Dwyer stated that in general this is a good strategy but feels this is more specific and feels that a traffic impact study would be useful. She doesn't feel that we need an independent look at what our Assessor already reviewed. City Manager Bohenko stated it would need to be clarified as to who would be required to pay for consultants that would be engaged to work on behalf of the City with the Planning Department and Planning Board. Councilor Coviello stated this language could be added to the ordinance as well.

Councilor Kennedy stated that she questions the data regarding the revenue as it came from the developer. Mayor Ferrini asked for comments as to what specific data Councilors are looking for and what lends itself to requiring outside experts.

After much discussion it was determined that the affordability and access to Portsmouth residents, potential non-profit status of the CCRC development and traffic and safety issues of neighborhoods were issues that needed to be further reviewed at a future work session.

VI. Adjournment

Meeting was adjourned at 8:00 p.m.

Respectfully submitted

Valerie A. French, Deputy City Clerk