

**CITY COUNCIL JOINT WORK SESSION WITH ECONOMIC DEVELOPMENT
COMMISSION, HISTORIC DISTRICT COMMISSION AND PLANNING BOARD**

FUTURE DOWNTOWN DEVELOPMENT

December 12, 2011 – 6:30 p.m.

Eileen Dondero Foley Council Chambers

City Council Present: Mayor Ferrini, Assistant Mayor Novelline Clayburgh, Councilors Lister, Spear, Dwyer, Coviello, Kennedy and Smith

City Council Absent: Councilor Hejtmanek

Staff Present: City Manager John Bohenko, Deputy City Manager Cindy Hayden, Planning Director Rick Taintor, Building Inspector Rick Hopley and Valerie French, Deputy City Clerk

Also Present: Economic Development Commission Members - Everett Eaton, Chair, Tim Allison, Philip Cohen, Joshua Cyr, Lisa Destefano, Eric Gregg, Robert Mechewka and Ron Zolla; Historic District Commission Members – Sandra Dika, Chair, Joseph Almeida, Richard Katz, Tracy Kozak, Elena Whittaker, Jonathan Wyckoff; Planning Board Members - John Ricci, Chair, Anthony Blenkinsop, William Gladhill, John Rice and Paige Roberts.

I. Introduction – Mayor Ferrini

Mayor Ferrini welcomed everyone and asked for a moment of silence in honor of Firefighter Sarah Fox who passed away after a long battle with cancer.

II. Presentation – Rick Taintor, Planning Director

- Overview of Downtown Development

Planning Director Taintor reviewed slides outlining the downtown zoning with Historic District and Downtown Overlay District as well as recent and current major development projects and their current status. Projects that are permitted and almost completed include; Portwalk Phase 1 (Marriott), Hilton Garden Inn/Harbor Hill Condos, Portwalk Phase 2 (Residences) and 51 Islington Street. Projects that are still in the Planning Stages include: 3S ArtSpace, 233 Vaughan Street, Portwalk – Phase 3 (Hotel and Apartments), 30 Maplewood – Phase 1, and 30 Maplewood – Phase 2. Finally, projects that are not defined yet and status is unknown include; 111 Maplewood – Phase 2 and Westin Hotel/Conference Center. He concluded by reviewing the current development trends and challenges including; Shifting uses, scale of new development, design review in Historic District and Off-Street parking.

III. Board Perspectives

- Sandra Dika, Chair, Historic District Commission

Ms. Dika began by stating that several years ago the northern tier had been all but decided until the downturn in the economy which resulted in substantial changes to the projects and the probable elimination of the Westin. She explained that the Historic District Commission usually bases their design approval of the building in the context of the area, but these particular projects took their design from the Northern Tier Study and Master Plan which are now out-of-date, so we are left with the context in that area of open fields that are zoned to permit 50 or 60 foot high buildings. She further stated another problem is that the procedure to ensure that large construction projects are built to the standards approved by the Historic District Commission, are out-of-date and there needs to be a built-in monitoring system or some type of penalty structure. She concluded by stating that the current membership of the Historic District Commission is superbly qualified and adequately equipped to handle the process, but in the past, efforts were made to limit terms of the members which resulted in the loss of institutional knowledge and wisdom.

- Everett Eaton, Chair, Economic Development Commission

Mr. Eaton stated that in general, the Economic Development Commission strives for a vibrant downtown which needs a balance of retail, office and residential space as well as affordable and available parking. He stated that there should be incentives and discounts for businesses who utilize the parking garage. He stated they also support the development of a parking garage at the Worth Lot as the Parking Study indicates that when the Portwalk is complete it will remove many spaces in the downtown area that are currently within walking distance. He stated they are also sensitive of the issues expressed by Historic District Commission Chairman Dika and the impact of the many hotels being proposed. He stated that hospitality is important but we also need higher paying office jobs that will also support the retail and restaurant businesses in the downtown. He concluded by stating that the most important issue currently is affordable and available downtown parking.

- John Ricci, Chair, Planning Board

Mr. Ricci explained that during the Master Plan process, the Planning Board looks to strike a balance of a vibrant, walkable city. He stated that there needs to be a focus on multi-use parking as easy parking means less traffic congestion. He continued that regarding the issue of too many hotel projects, currently hotels are more financeable than office space, so we need to have incentivized parking. He stated that putting in residential units is easy, but once the commercial space is gone, it will not come back. He concluded by stating that we should provide incentivized parking to gain balance so that we don't become a city with too many residential units or hotels.

IV. Discussion/Questions

Mayor Ferrini thanked all of the board members for the work they do for the city and opened up the floor for discussion. He stated that the new Council will be holding their retreat on January 28, 2012 and will take into account the ideas from this work session.

Assistant Mayor Novelline Clayburgh stated she is also a member of the Economic Development Commission and she is concerned about the status of the Westin Conference Center. She stated that this should be a priority as it brings people into our downtown who will attend shows, eat at restaurants, shop, etc.

Richard Katz, Vice Chair of the Historic District Commission, stated that when the Westin Project came before the Historic District Commission, they approved the request for an extension, but the Planning Board said no. Regarding the Design Criteria issue of the Northern Tier, he stated that there is a tendency for applicants to play it safe in their designs i.e. brick, square buildings, so they will be approved easier. Finally, he discussed the Portwalk Project, asking that judgment be reserved until it is finished.

Councilor Coviello stated he asked for this joint meeting to be held because there is a conflict in the city's goals. He stated we want to be an eco-municipality and a sustainable city with dense urban development, but then complain about the scale and size of the buildings. He stated if every parcel in the CBA district was built out to allowable specifications, it would be bad so we need to take immediate action and be pro-active and not reactive.

Elena Whitaker, Historic District Commission member, stated that the Northern Tier has a lot of challenges and is going through an "awkward period" as it is now growing and developing as the economy gets better. She stated that there has been a contemporary building approved that takes into account the aesthetics of the area. She concluded by stating that the City Council votes in the board and commission members and are the ones who speak for the residents, so the board members look to the Council for the ideas for balance.

Councilor Kennedy stated that when she was campaigning she heard people saying they were concerned with the size of the buildings and creating a "tunnel". She continued that they also want to know what we get in return for the drain on our resources, so she is looking for a happy medium and also wants to know if the regulations that are in place are being followed. Also, she asked how many hotels are too many and feels that the board/commission members are the experts so she is looking for their advice. She suggested that a joint committee of several members from each board/commission represented here at this meeting be formed to create guidelines for the city staff. She concluded by stating that we hear about the need for more parking, but there are community members who want to keep more green space and that they aren't saying no to change, but want to know it is going to be in the best interest of the city.

Councilor Lister stated he has heard many of the same concerns expressed by Councilor Kennedy and stated he is glad to hear that there is a desire to strike a balance from the board and commission members.

Planning Board Chairman Ricci stated it is good that the city continues to change and grow because it used to not be safe to walk downtown in the 1970's. He stated he wants to know if that mean that Portsmouth stop being Portsmouth because things change. He stated if they don't like what is going on now, he would like to know what people do like.

Councilor Smith stated he likes the friendliness in Portsmouth and that everyone has an opinion. He stated he went through the Master Plan process 10 years ago and we will be going through it again soon and that is when people will come out and tell us what they want to see happen in the future. He continued that he doesn't feel we should limit businesses of any type including hotels as these things are driven by the market and we should tread carefully and not curb private development. He stated the City of Portsmouth still has room in other areas as well and people's property rights need to be kept in mind.

John Rice, Vice Chair of the Planning Board, stated that there are some design oversights in the Historic District Commission process but there is a lack of clear vision. He continued that he travels all over and everyone loves Portsmouth as there is a sense of place, well-being and connection that other places don't have. He stated we need to move forward from a visionary standpoint and not have buildings that are ordinary but will contribute to the beauty of the town.

Josh Cyr, Economic Development Commission member, stated he appreciates the feedback so far but wonders if there is an actionable outcome. He stated he feels that people want future development to be relevant to them and not just for tourists. He stated that the issue is not only about parking but about people's property rights and it is not always best to do what is easiest and easiest is not always best. He concluded by stating that we also need to address that there are some stretches of area in town that there is nothing to do.

John Wyckoff, Historic District Commission member, stated that the Historic District Commission has the competence to review the development in the northern tier and doesn't feel that height is an issue. He stated they have the ability to look at the designs and work with developers and it is unfortunate that some people do not see what is going on in the context of this discussion and that things are changing. He continued that change is awkward for some people and he doesn't feel that there will be a "tunnel" effect. He stated it is important to maintain height on the street to maintain an urban feeling in the City. He concluded by stating that the northern tier is all privately owned and this is not the "Boston Development Agency".

Councilor Coviello responded to Chairman Ricci's comments stating that it is easier for people to respond to what they don't like and a lot of it depends on when people came here. He stated that we should move in the right direction and it should include a place to congregate in the northern tier area similar to Prescott Park and Market Square, but currently there is no reason to go there except for the hotels. He stated the Economic Development Commission has the financial tools to develop the areas, such as the waterfront, for a gathering place.

Councilor Dwyer stated that we need to connect a piece of this to the State's taxation structure as well and downtown needs to continue to be relevant to residents. She continued that it is the Council's job to develop those goals and feels that residents and tourists like the vitality of the downtown. She stated she understands the right to develop hotels but doesn't want to see them sitting empty in 5-6 years and having to be converted to another use and feels the conference center would help alleviate that situation. Next, she stated that the Historic District

Commission does have the skills but need to articulate the vision and be able to apply the rules to the vision. She stated that the challenge is to continue to be relevant and vital to the people who pay the taxes and the elected officials need to ensure there is use as much as form and articulate how to balance those.

Bob Marchewka, Economic Development Commission member, stated we have to think about how modern development and architecture could be incorporated into the downtown area and enhance other properties. He stated that some of the recent buildings in the historic district have been really big and can look out of place because historic buildings are usually small. He stated that contemporary buildings are more economically feasible to build and allow some diversity and cited 233 Vaughan as a good example.

Elena Whitaker, Historic District Commission member – stated that there are 2 things that keep coming up including what the Historic District Commission purview is and clarified they don't have purview over use. She continued that some of the things they are held accountable for are pedestrian passageways and directional flow and feels that is the challenge for the northern tier and feels that this would be something a joint Blue Ribbon Committee would be a good idea to address. She stated she agrees with having modern architecture and agrees that 233 Vaughan is a good example, but she doesn't understand where the negative comments regarding the Historic District Commission are coming from and wants feedback share among all of the committees.

Mayor Ferrini stated that constant constructive conversations are the best way to move forward.

Richard Katz, Historic District Commission Vice Chair, stated he agrees with Elena's comments regarding forming a Blue Ribbon Committee stating that it would be a good mechanism for people to share opinions, but also reminded people that the commission meetings are open to the public and they can come and express their opinions at any time. He concluded by stating that regarding the Portwalk and 30 Maplewood there has been an applied effort on building a sense of place by providing seating for people to visit and linger.

Sandra Dika, Historic District Commission Chair stated that as an Historic District Commission member and a citizen, she loves beautiful architecture and is concerned that new construction within the Historic District Commission is limited by what the architect can bring to the process when building within the district as they don't want to suffocate creative juices.

Councilor Smith stated we need to be careful about limiting businesses and feels it is easy to pick on hotels, but the same question can be made regarding how many banks or law offices, etc. do we need and it is up to the marketplace to decide. He stated wanting to create gathering places is fine, but we need to see how things flow and feels we need to rely on the boards and commissions expertise as things move along.

Councilor Kennedy stated we need to work on the disconnect that the citizens are feeling and take ownership of the northern tier. She stated we need to get questions answered about infrastructure and how its going to look and will there be any open space. She stated we need to go to the next step and use the expertise of these boards to answer these questions. She stated the taxpayers need to be brought into the process and understands that they can attend meetings, but feels it is a scary thought for some people to speak at meetings. She concluded by stating that we need to spell out what the impact on city services will be or not be.

Tracy Kozak, Historic District Commission member, stated that regarding the question “What do people like about Portsmouth?”, she feels it’s a real city with history, a waterfront, jobs and a vibrant downtown. She stated that we need to allow the pattern of development to be honest to the uses and if it is controlled too much, it will be artificial. She concluded by stated that the Historic District Commission purview is that they would like subdivision of the northern tier to define guidelines better.

Assistant Mayor Novelline Clayburgh stated she would like to see a Blue Ribbon Committee formed with 2 members from each board, a monthly press release, and information on the website for people to e-mail their comments and suggestions. She stated she recently watched an Historic District Commission meeting and saw lots of talk about green space at Portwalk. She stated that 30 Maplewood Avenue is being compared to a mini Faneuil Hall that both residents and tourists will visit. She stated she doesn’t want to criticize the Planning Board for denying the extension for the convention center and understands the rules and regulation, but feels it is important to have it.

John Ricci, Planning Board Chair, clarified that it was not a matter of supporting the project or not, the regulations are black and white. He stated that he also believes that parking is an issue that the city needs to address with one central area that people know they can park and walk from. He stated if we wait too long it will be too late and the other towns will get the overflow.

William Gladhill, Planning Board member and Rep. to the Historic District Commission, stated he is glad that this meeting is happening. He stated that when urban renewal was occurring back in the 1970’s people’s homes were taken for certain purposes which then never happened, so he is glad its going forward after 40 years.

V. Next Steps

Mayor Ferrini turned to Mayor-elect Spear for the next steps.

Councilor Spear stated that going forward the Council-elect will be holding their Retreat on January 28, 2012 and will discuss this issue. He stated that instead of forming a Blue Ribbon Committee, he would like to continue to hold quarterly joint meetings of these groups to continue the discussion and focus on specific issues at each meeting. He stated it is important to stay connected and get feedback going forward.

V. Adjournment

Mayor Ferrini closed the Work Session at 8:10 p.m.

Respectfully submitted by:

Valerie A. French,
Deputy City Clerk