

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, MAY 21, 2012 TIME: 7:00PM

AGENDA

- I. CALL TO ORDER [7:00PM or thereafter]
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

- V. ACCEPTANCE OF MINUTES – APRIL 18, 2012

- VI. PUBLIC COMMENT SESSION

- VII. PUBLIC HEARINGS
 - A. RESOLUTION APPROPRIATING THE SUM OF ONE MILLION NINE HUNDRED SEVENTY-SEVEN THOUSAND, NINE HUNDRED SEVENTY-THREE DOLLARS AND SIXTY-ONE CENTS (\$1,977,973.61) FOR EXPENSES RELATING TO VARIOUS GENERAL FUND PROJECTS AS NOTED BELOW:
 - 1) SEAWALL REPAIRS
 - 2) COAKLEY ROAD/COTTAGE STREET PEDESTRIAN IMPROVEMENTS
 - 3) PEVERLY HILL ROAD NEW SIDEWALK
 - 4) LITTLE HARBOUR INSTRUCTIONAL SPACE
 - 5) SCOTT AVENUE BRIDGE REPLACEMENT
 - 6) PORTION OF THE SAGAMORE BRIDGE PROJECT

 - B. RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED ONE THOUSAND, EIGHT HUNDRED THIRTY-FOUR DOLLARS AND FOUR CENTS (\$201,834.04) FOR EXPENSES RELATING TO THE MCDONOUGH STREET SEWER LINE REPLACEMENT PROJECT

- VIII. APPROVAL OF GRANTS/DONATIONS
 - A. Acceptance of Community Development Block Grant Funds (***Sample motion - move to accept and expend a Community Development Block Grant (CDBG) in the amount of \$475,235.00 from the U.S. Department of Housing and Urban Development***)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Adoption of Resolution Appropriating the sum of One Million Nine Hundred Seventy-Seven Thousand, Nine Hundred Seventy-Three Dollars and Sixty-One Cents (\$1,977,973.61) for Expenses relating to various General Fund Projects as noted below:
- 1) Seawall Repairs
 - 2) Coakley Road/Cottage Street Pedestrian Improvements
 - 3) Peverly Hill Road New Sidewalk
 - 4) Little Harbour Instructional Space
 - 5) Scott Avenue Bridge Replacement
 - 6) Portion of the Sagamore Bridge Project

(Sample motion – move to adopt a Resolution appropriating the sum of One Million Nine Hundred Seventy-Seven Thousand, Nine Hundred Seventy-Three Dollars and Sixty-One Cents (1,977,973.61) for expenses relating to various General Fund projects) Please note: The adoption of Bond Premium Resolution requires a two-thirds vote of the City Council.

- B. Adoption of Resolution Appropriating the sum of Two Hundred One Thousand, Eight Hundred Thirty-Four Dollars and Four Cents (\$201,834.04) for Expenses relating to the McDonough Street Sewer Line Replacement Project ***(Sample motion – move to adopt a Resolution appropriating the sum of Two Hundred One Thousand, Eight Hundred Thirty-Four Dollars and Four cents (\$201,834.04) for expenses relating to Sewer line replacement for McDonough Street Sewer project) Please note: The adoption of Bond Premium Resolution requires a two-thirds vote of the City Council.***
- C. Third and Final reading of Proposed Amendment to Taxi Ordinance – Chapter 7, Article II, Section 7.229 – General Provisions by a new Sub-section E - entitled Compliance with State and Federal Law ***(Sample Motion – move to pass third and final reading of the proposed Ordinance amendment, as presented)***
- D. Third and Final reading of Proposed Amendment to Chapter 10, Article 4, Section 10.440 of the Zoning Ordinance – Table of Uses – Residential, Mixed Residential, Business and Industrial Districts by creating Performance Standards applicable to Drive-through Facilities, and Chapter 10, Article 8, Section 10.836.20 of the Zoning Ordinance regarding Accessory Drive-through Uses by changing type of approval required from a Special Exception to a Conditional Use Permit ***(Sample Motion – move to pass third and final reading of the proposed Ordinance amendment, as presented)***

- E. Third and Final reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 15, Section 10.1530 – Terms of General Applicability relative to the Definition of Museum regarding Accessory Uses that are Incidental and Subordinate to the Primary Non-Profit Museum Use (***Sample Motion – move to pass third and final reading of the proposed Ordinance amendment, as presented***)
- F. Adoption of Proposed Budget Resolutions for Fiscal Year July 1, 2012 through June 30, 2013 (FY2013)
- Resolution #5-2012 – General Fund Expenditures (***Sample motion – move to adopt Resolution #5 – General Fund Expenditures***)
 - Resolution #6-2012 – Municipal Fees (***Sample motion – move to adopt Resolution #6 – Municipal Fees***)
 - Resolution #7-2012 – Sewer Fund Expenditures (***Sample motion – move to adopt Resolution #7 – Sewer Fund Expenditures***)
 - Resolution #8-2012 – Water Fund Expenditures (***Sample motion – move to adopt Resolution #8 – Water Fund Expenditures***)
 - Resolution #9-2012 – Special Revenues and Committed Fund Balances for Necessary Expenditures (***Sample motion – move to adopt Resolution #9 – Special Revenues and Committee Fund Balances for Necessary Expenditures***)
 - Resolution #10-2012 – Investment Policy (***Sample motion – move to adopt Resolution #10 – Investment Policy***)

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Request for License from Joe Kelley, owner of ONEOHEIGHT Premium Threads for property located at 6 Commercial Alley for a projecting sign on a new bracket (***Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Joe Kelley, owner of ONEOHEIGHT Premium Threads, for 1 projecting sign at property located at 6 Commercial Alley and, further, authorize the City Manager to execute License Agreements for this request***)

Planning Director's Stipulations:

- ***The licenses shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and***

- **Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works**

- B. Request for License from Holly Fortier, owner of Blue Grasshopper for property located at 10 Commercial Alley for a projecting sign on an existing bracket (**Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Holly Fortier, owner of Blue Grasshopper, for 1 projecting sign at property located at 10 Commercial Alley and, further, authorize the City Manager to execute License Agreements for this request**)

Planning Director’s Stipulations:

- **The licenses shall be approved by the Legal Department as to content and form;**
- **Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and**
- **Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works**

- C. Request for License from Tiana Conlon and Jessica Antequera, owners of Random Acts of Sweetness for property located at 112 State Street for a projecting sign on an existing bracket (**Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Tiana Conlon and Jessica Antequera, owners of Random Acts of Sweetness, for 1 projecting sign at property located at 112 State Street and, further, authorize the City Manager to execute License Agreements for this request**)

Planning Director’s Stipulations:

- **The licenses shall be approved by the Legal Department as to content and form;**
- **Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and**

- **Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works**

D. Request for License from Ryan Cronin, owner of Clark’s Creamery, for property located at 150 State Street for a projecting sign on an existing bracket **(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Ryan Cronin, owner of Clark’s Creamery, for 1 projecting sign at property located at 150 State Street and, further, authorize the City Manager to execute License Agreements for this request)**

Planning Director’s Stipulations:

- **The licenses shall be approved by the Legal Department as to content and form;**
- **Any removal or relocation of the projecting signs, for any reason, will be done at no cost to the City; and**
- **Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting signs, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works**

E. Request for Approval of Pole License to install/replace 1 pole located on Pearl Street **(Anticipated action – move to approve the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes)**

F. Acceptance of Donations to Peirce Island Committee

- Frank Roth - \$100.00
- Lisa Louttit - \$35.00
- Ann Pattison - \$50.00
- Pat Bertrand - \$25.00
- Kathy Price - \$25.00
- Steph Delude - \$50.00
- Raffles - \$361.00
- Pizza Sales - \$495.25

(Anticipated action – move to accept and approve the donations, as submitted)

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Jim Swisher, Portsmouth Music and Arts Student Concerts, requesting permission to hold performances at North Church, Vaughan Mall, Commercial Alley, Market Street and Deer Street on Friday, June 1, 2012 for the Shop Portsmouth Friday Night Launch Party
- B. Letter from Ronan Donohoe, Warner House Association, requesting permission to place a temporary Warner House sign in the pocket-park located on Daniel Street between the Warner House and Bow Street
- C. Letter from Lisa Henderson, Workforce Housing Coalition, requesting the City to participate in a design charrette of the Rock Street Garage for re-development as workforce housing (***Sample motion – move to refer to staff for report back and recommendation***)
- D. Letter from Mark Herrholz, Portsmouth Professional Firefighters Local 1313, requesting permission to conduct two boot drives for MDA on Saturday, July 14, 2012 and Saturday, August 18, 2012 from 8:00 a.m. – 5:00 p.m. in Market Square
- E. Letter from Stephen Kelm requesting an easement from the City to access his property at 80 Wright Avenue (***Sample motion – move to refer to the Planning Board for report back***)

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

- 1. Public Hearing/Adoption of Proposed Resolutions:

Public Hearing Re: Use of Bond Premium

- 1.1 Public Hearing/Adoption of Resolution Appropriating the sum of One Million Nine Hundred Seventy-Seven Thousand, Nine Hundred Seventy-Three Dollars and Sixty-One Cents (\$1,977,973.61) for Expenses relating to various General Fund Projects as noted below:
 - 1. Seawall Repairs
 - 2. Coakley Road/Cottage Street Pedestrian Improvements
 - 3. Peverly Hill Road New Sidewalk

4. Little Harbour Instructional Space
5. Scott Avenue Bridge Replacement
6. Portion of the Sagamore Bridge Project

(Action on this matter should take place under Section IX of the Agenda)

- 1.2 Public Hearing/Adoption of Resolution Appropriating the sum of Two Hundred One Thousand, Eight Hundred Thirty-Four Dollars and Four Cents (\$201,834.04) for Expenses relating to the McDonough Street Sewer Line Replacement Project ***(Action on this matter should take place under Section IX of the Agenda)***
2. Third and Final Reading of Proposed Resolution and Ordinance Amendments:
 - 2.1 Third and Final reading of Proposed Amendment to Taxi Ordinance – Chapter 7, Article II, Section 7.229 – General Provisions by a new Sub-section E - entitled Compliance with State and Federal Law ***(Action on this matter should take place under Section IX of the Agenda)***
 - 2.2 Third and Final reading of Proposed Amendment to Chapter 10, Article 4, Section 10.440 of the Zoning Ordinance – Table of Uses – Residential, Mixed Residential, Business and Industrial Districts by creating Performance Standards applicable to Drive-through Facilities, and Chapter 10, Article 8, Section 10.836.20 of the Zoning Ordinance regarding Accessory Drive-through Uses by changing type of approval required from a Special Exception to a Conditional Use Permit ***(Action on this matter should take place under Section IX of the Agenda)***
 - 2.3 Third and Final reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 15, Section 10.1530 – Terms of General Applicability relative to the Definition of Museum regarding Accessory Uses that are Incidental and Subordinate to the Primary Non-Profit Museum Use ***(Action on this matter should take place under Section IX of the Agenda)***
3. Adoption of Proposed Budget Resolutions:
 - 3.1 Adoption of Budget Resolutions for Fiscal Year July 1, 2012 through June 30, 2013 (FY2013) ***(Action on this matter should take place under Section IX of the Agenda)***
 - Resolution #5-2012 – General Fund Expenditures
 - Resolution #6-2012 – Municipal Fees
 - Resolution #7-2012 – Sewer Fund Expenditures
 - Resolution #8-2012 – Water Fund Expenditures
 - Resolution #9-2012 – Special Revenues for Necessary Expenditures and Committed Fund Balances
 - Resolution #10-2012 – Investment Policy

City Manager's Items Which Require Action

1. Proposed Approval of the Portsmouth School Custodians Local 1386 of the American Federation of State, County and Municipal Employees (AFSCME) Tentative Agreement
2. Proposed Approval of Contract for Deputy Fire Chief Carl Roediger
3. Request to Establish a Work Session Re: Parking Omnibus Proposal
4. Request for Authority to Submit Economic Revitalization Zone Application
5. Proposed Amendments to the Zoning Ordinance Re: Off-Street Parking Standards in the Downtown Overlay District
6. Report Back Re: Request from Attorney John McGee, Jr. on behalf of the Trustees of Arthur MacDonald Trust and 82 Court Street, LLC, for Lot Line Revisions with the Middle School Property

Informational Items

1. Events Listing
2. African Burying Ground Trust Donations
3. Senior Housing Inventory
4. Property Inspections

B. MAYOR SPEAR

1. *Reports

C. COUNCILOR NOVELLINE CLAYBURGH

1. *Report on Elderly Services

D. COUNCILOR KENNEDY

1. *Report on Elderly Services

E. COUNCILOR COVIELLO

1. *Bike Corrals

F. COUNCILOR COVIELLO AND COUNCILOR DWYER

1. City Council Rule 23 – Committee Nominations

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT [AT 10:00PM OR EARLIER]

**KELLI L. BARNABY, CMC/CNHMC
CITY CLERK**

**Indicates Verbal Report*

INFORMATIONAL ITEMS

1. Notification that the Conservation Commission Minutes of April 11, 2012 meeting are available on the City's website for your review
2. Notification that the Historic District Commission Minutes of February 1, 2012 meeting are available on the City's website for your review
3. Notification that the Site Review Technical Advisory Committee Minutes of May 1, 2012 meeting are available on the City's website for your review
4. Notification that the Site Review Technical Advisory Committee Minutes of May 8, 2012 meeting are available on the City's website for your review
5. Letter from Kathy Anania and family thanking the City for the wonderful tribute given in memory of her son during the dedication of the new Alumni-Wentworth Softball Field

NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.

SPECIAL CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: WEDNESDAY, APRIL 18, 2012

PORTSMOUTH, NH
TIME: 7:00PM [or thereafter]

I. CALL TO ORDER [7:00PM or thereafter]

Mayor Spear called the meeting to order at 7:00 p.m.

II. ROLL CALL

Present: Mayor Spear, Assistant Mayor Lister, Councilors Coviello, Novelline Clayburgh, Kennedy, Lown and Thorsen

Absent: Councilors Dwyer and Smith

III. PUBLIC HEARING

A. PROPOSED FY JULY 1, 2012 THROUGH JUNE 30, 2013 BUDGET

Mayor Spear announced that the City Manager and various staff will be making presentations on a number of budgets.

IV. PRESENTATIONS

- Budget Summary – City Manager Bohenko

City Manager Bohenko provided a PowerPoint Presentation regarding the FY13 Budget Summary. He stated that the budget was submitted to the City Council on April 9, 2012. He reported that 77% of the budget represents Operating with 23% represent Non-Operating. City Manager Bohenko announced that the FY13 Proposed Operating and Non-Operating Proposed Budget is \$91,488,833.00. He spoke to the \$172,000.00 for Collective Bargaining Contingency and \$150,000.00 for Indoor Pool. He addressed the various challenges faced by the departments over the last couple of years. City Manager Bohenko outlined the Proposed Non-Operating Budget which includes the following:

• Debt Service/TANS	\$11,958,196.00
• Overlay	1,200,000.00
• Property & Liability	414,000.00
• County Tax	4,297,188.00
• Contingency	250,000.00
• Rolling Stock	773,993.00
• IT Equip Replacement	232,000.00
• Capital Outlay	1,550,000.00
• Other Non-Operating	290,017.00

City Manager Bohenko advised the City Council that the County Tax is estimated to be \$4,297,188.00 which represents an additional \$1.00 to the tax rate. He addressed the estimated revenues for FY13 to be \$91,488,833.00. He also spoke to the decrease in motor vehicle revenues and a \$1,000,000.00 loss in interest on our investments. City Manager Bohenko discussed our use of Fund Balance and our history of bond rating relative to Fund Balance. He announced that the tax rate for FY13 is proposed to be an increase of \$.57.

- ***Library – Mary Ann List, Director***

Library Director List reviewed the Library Mission and Goals:

- Library established by ordinance May 1881 as a free public library “for the use of all of our citizens”
- Gateway to reading, information, culture, community activities, and cultural heritage
- Shared resource for the Community
- A place to learn together, to relax together, to enjoy the community of others, to discuss topics of importance locally and globally

Library Director List addressed Goals and Objectives:

- Assessment of current goals
- Demographics. Community assessment
- Note Census 2010 / OCLC Environmental Scan 2010 / Involvement in community activity / 2012 State of America’s Libraries
- Trends in library use in Portsmouth
 - National trends in library service
 - Trends and developments in publishing and production
 - Developments in technology – both for consumers and for library operations

Library Director List spoke to influencing factors in planning for Library service in FY13. She addressed the economy, mobile devices, E-publishing, an increase in membership and the Library’s role in the community. She reported to the Council that 68% of Americans reported to have library cards and 80% of residents in the City of Portsmouth have a library card.

Library Director List then reviewed stats for performance as follows:

- 295,682 visits were made to the Library
- 469 meeting room uses by community, municipal and school groups
- 1,113 Library programs were presented
- 2,400 unique computer users per month

- 1,900 unique wifi users per month
- 129,000 books are available to Portsmouth library card holders. 8,000 audios, 10,000 videos, 430 magazine titles, 58 online databases, 6,000 downloadable audios and eBooks
- 476,711 items were checked out for use by the community
- 32,511 there were reference questions

Library Director List said the total Library budget being requested is \$1,521,392.00. Salaries and benefits encompass \$1,095,103.00; materials and materials support \$221,275.00; building operations \$103,000.00 and other items \$102,014.00.

- ***Public Works Department – Steve Parkinson, Director***

Public Works Director Parkinson outlined services that makeup the Public Works Department. He said the FY13 budget request for the department is \$5,743,971.00 which is a 2.87% increase with 58% of which are salaries and benefits. He spoke to the major budget increases that are snow operations, gas and diesel, repairs, vehicles, facilities, equipment, etc. He reported that salt prices have affected the budget extensively in the last 10 years.

- ***Recreation Department – Rus Wilson, Director***

Director Wilson reported that the Recreation Department is requesting an increase of 2.8% over last year. He spoke to the 4 facilities operated in the department and that all outdoor activities are handled by the department. He also addressed his services as Athletic Director for the Portsmouth High School and this year Barry Foley will serve as Athletic Director for the Portsmouth Middle School. Director Wilson reported on the various programs provided by the department and addressed the new Connie Bean Recreational Center being located at the Portsmouth Middle School with the expansion. He addressed the City's relationship with SIPP for the indoor pool. He also advised the City Council that 15 playgrounds have been rebuilt in the City over the last 15 years.

- ***General Administration – Judie Belanger, Finance Director***

Finance Director Belanger reported that General Government Departments make up \$15,905,044.00 of the budget. She outlined the various departments that encompass the General Government and that 22% of the budget is represented by the General Government Departments. She spoke to the services provided under the various departments and said the City continues to seek ways for efficiencies.

- ***School Department – Superintendent of Schools McDonough***

Superintendent McDonough read the District Mission:

Educating all students by challenging them to become thinking, responsible, contributing citizens who continue to learn throughout their lives.

He reviewed the data which make up the School Department. He announced various Points of Pride for Students.

Academic Achievement

Isabelle Halle, Jack Durkin, Juang Li received Academic Achievement

Arts

Beauty & the Beast
Percussion World Champs
Clipper Band – Gold Medalists

Athletics

Womens Lacrosse
Mens Baseball
Mens Football
Mens Basketball

Other Achievements

1. John Stokel 2012 Role Model of the Year
2. Laura Barone Scholastic Science Magazine
3. Family, Careers, Community Leaders of American (FCCLA) Competition
4. 7th Grade Middle School Students Winners of S.W. Cole Engineering Video Contest
5. Clipper News Report airing on Portsmouth Public Media TV (Channel 98)
6. Landscape Makeover Project by PHS Underclassmen
7. Work of Joint Building Committee and all involved in the Middle School Project.
Phase I opens in the Fall

Superintendent McDonough said that there is a need to strengthen math performances and addressed the focus in reading. He also spoke to the appropriate class size for Portsmouth and teacher effectiveness. He reviewed the budget process and priorities. He spoke to the Central Office relocating to the Municipal Complex. In closing, he advised the City Council that the School Department is seeking \$38,302,260.00 which is a 2.9% increase.

• ***Police Department – Police Chief Ferland***

Chief Ferland reported that the Police Department protects over 21,000 residents. He addressed how crime comes to the City. He stated that the goal of the department is public safety in the form of crime protection, early intervention, and a criminal response. Chief Ferland reported that downtown overall crime statistics have increase by 300% and assaults have increased 26%. He said that the department is tracking under the CPI and the department is seeking a 2.9% increase. He spoke to the residents wanting the department to be a community service department.

Further, they want the department more involved in neighborhoods. Chief Ferland reviewed a Youth Risk Behavior Survey that was conducted and the challenges the department faces with an increase in the abuse of prescription and synthetic drugs. In closing, Chief Ferland said the department continues to serve the community with commitment and compassion.

- ***Fire Department – Fire Chief LeClaire***

Fire Chief LeClaire reviewed the Organizational Chart for the Fire Department and the 3 fire stations. He outlined the resources and staffing for each of the three stations and the fire districts. He reported that in 2011 there were 2,615 fire calls and 3,130 EMS calls of that 70% of those individuals are transported to the hospital and are billable calls. Chief LeClaire advised the City Council that the ambulance gross revenues for 2011 were \$731,847.01 and the department continues to show an increase in the collecting of the ambulance fees. In addition, he outlined the services performed by the Fire Prevention Bureau and the departments' responsibilities with the Emergency Management Operations. In closing, the department is seeking \$7,155,250.00 in funding which is a 2.6% increase. Chief LeClaire said the budget includes all approved positions filled (14 personnel per shift) and all three fire stations operational.

- ***Conclusion – City Manager Bohenko***

City Manager Bohenko thanked all Department Heads for their work in preparing the budget and turned the meeting back to Mayor Spear to open the public comment/input for the budget.

V. PUBLIC COMMENT/INPUT

Al Romano spoke in support of the Coakley Road/Cottage Street improvements. He said it is an important project that needs to be done as soon as possible.

Scott McKee said he is speaking on behalf of WAVE and supports the School Department budget as requested. He said the system is strained as a result of reductions in the last several years. He stated there needs to be a reduction in class sizes.

Colleen Romano spoke in support of the project for Cottage Street/Coakley Road and the installation of sidewalks. She said the traffic volume is dangerous and the project needs to move forward as soon as possible.

Corinne Norris spoke in support of the School Department funding. She expressed the need for art services in the School Department. She also spoke to the needed improvements at Little Harbour School and support of that project moving forward.

Roy Helsel spoke against the increase in the budget and feels that salaries and benefits of employees need to be reviewed.

Sage Clark spoke in support of the School Department budget and that the increases they're seeking are needed. She said that there are 515 students at Little Harbour and it is not an instructional learning environment for a building that was constructed for 375 students. Ms. Clark addressed the age of the Little Harbour School and the need for improvements.

Teri Weidner Dahlen spoke in support of the School Department budget and expressed concerns with the increasing number of students attending Little Harbour School. She said that class size is an issue and there should not be over 18 students.

Mark Brighton, President of the Association of Portsmouth Taxpayers, spoke to inflation and its impact on the budget. He stated the budget is 63% greater than the rate of inflation. He further stated that the School Department is over staffed and class size does not matter to a child's ability to learn.

David Kish spoke to the proposed 4.73% increase and said it is not necessary. He stated that the City budget is double the rate of inflation and that the middle class is being wiped out of the City. He also spoke opposed to the benefits employees receive and that the City Council needs to start thinking ahead.

Cliff Lazenby spoke in support of the School Department budget and that their request is fiscally modest. He also stated that the requested increase is imperative for the operation of the School Department at its current levels. He further stated that we need to invest in education.

Zelita Morgan spoke in support of the School Department budget and stated that education is essential and a fundamental pillar of the community.

Janet Groat spoke in support of the School Department budget and said it is a modest budget. She also spoke to the importance of public safety.

Jim Lamont said he is incredibly proud of the services in the community and its employees. He spoke in support of the School Department budget and encouraged the City Council to adopt the budget as presented.

John Shea said he is proud to live in the City and spoke in support of the School Department budget and feels they should be provided additional funding. He stated that education needs to be a priority and urged the City Council to support the School budget and their request for funding.

Norm Olsen thanked the departments for their hard work and expressed his sympathies to the Police Department in the Town of Greenland and the tragic events. He stated there needs to be a flat budget and does not feel there would be dramatic reductions in services to meet a flat budget. He spoke to the need for more innovation by the departments with the preparation of the budget. He asked the City Council to oppose the budget and request a flat budget from the departments.

Jill Capablanc spoke in support of the School Department budget and said it is a thoughtful budget request.

Jim Heath said that we need to work back towards the 2004 levels of funding for the Police Department. He said there needs to be more funding for School Resource Officers and supports the School Department budget.

Saunte Gray said that funding for the Schools is important and there is a tremendous difference in the education her 10th grade daughter received to what her Little Harbour aged child is currently receiving. She requested that more funding be provided to the School Department.

Megan Wineman spoke in support of funding the School Department budget.

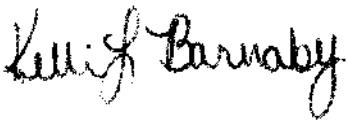
Sage Clark addressed changes in education over the last five to six years. She said her son's classroom has 23 students and it was 14 students five to six years ago. She expressed her support of the services and programs provided in the City and feels it is necessary for quality of life.

Janet Groat said that she is middle class and struggles to pay her bills but does not resent paying her taxes. She said she does see middle class families leaving the City. She urged the City Council to think broadly with their decisions on the budget.

VI. RECESS PUBLIC HEARING UNTIL MAY 14, 2012 AT 7:00PM

At 9:10 p.m., Mayor Spear recessed the public hearing on the budget until May 14, 2012 at 7:00 p.m.

VII. ADJOURNMENT



KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, May 21, 2012 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution Appropriating the sum of One Million Nine Hundred Seventy-Seven Thousand, Nine Hundred Seventy-Three Dollars and Sixty-One Cents (\$1,977,973.61) for Expenses relating to various General Fund Projects as noted below.

- 1) Seawall Repairs
- 2) Coakley Road/Cottage Street Pedestrian Improvements
- 3) Peverly Hill Road New Sidewalk
- 4) Little Harbour Instructional Space
- 5) Scott Avenue Bridge Replacement
- 6) Portion of the Sagamore Bridge Project

The complete Resolution is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

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KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

#12517 1tP 5/10

**IN THE YEAR OF OUR LORD TWO THOUSAND AND TWELVE
CITY OF PORTSMOUTH, NEW HAMPSHIRE
GENERAL FUND BOND PREMIUM APPROPRIATION**

RESOLUTION # **A RESOLUTION APPROPRIATING THE SUM OF ONE MILLION NINE HUNDRED SEVENTY-SEVEN THOUSAND, NINE HUNDRED SEVENTY-THREE DOLLARS AND SIXTY-ONE CENTS (\$1,977,973.61) FOR EXPENSES RELATING TO VARIOUS GENERAL FUND PROJECTS AS NOTED BELOW.**

RESOLVED: **BY THE CITY COUNCIL OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ASSEMBLED AS FOLLOWS:**

THAT, the sum of One Million Nine Hundred Seventy-Seven Thousand, Nine Hundred Seventy-Three Dollars and Sixty-One Cents (\$1,977,973.61) be and hereby is appropriated for the following projects:

- | | |
|---|--------------|
| 1) Seawall Repairs | \$250,000.00 |
| 2) Coakley Road/Cottage Street
Pedestrian Improvements | \$180,000.00 |
| 3) Peverly Hill Road New Sidewalk | \$50,000.00 |
| 4) Little Harbour Instructional Space | \$600,000.00 |
| 5) Scott Avenue Bridge Replacement | \$725,000.00 |
| 6) Portion of the Sagamore Bridge Project | \$172,973.61 |

Such sum representing a proportionate amount of the Two Million, One-Hundred Seventy-Nine Thousand, Eight Hundred Seven Dollars and Sixty-Five Cents (\$2,179,807.65) premium the City received from the sale of its \$32,400,000 General Obligation Capital Improvement Bonds (after payment of underwriter's discount) that is allocable to the General Fund project financed by such bonds. \$29,400,000 of the \$32,400,000 General Obligation Capital Improvement Bond was issued for General Fund capital projects.

THAT, the expected useful life of the project is determined to be at least 20 years.

THAT, this resolution shall take effect upon its passage.

APPROVED BY:

ERIC SPEAR, MAYOR

ADOPTED BY CITY COUNCIL

**KELLI L. BARNABY, CMC
CITY CLERK**

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, May 21, 2012 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution Appropriating the sum of Two Hundred One Thousand, Eight Hundred Thirty-Four Dollars and Four Cents (\$201,834.04) for Expenses relating to the McDonough Street Sewer Line Replacement Project. The complete Resolution is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, May 21, 2012 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on a Resolution Appropriating the sum of Two Hundred One Thousand, Eight Hundred Thirty-Four Dollars and Four Cents (\$201,834.04) for Expenses relating to the McDonough Street Sewer Line Replacement Project. The complete Resolution is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

#12517

1tP 5/10

IN THE YEAR OF OUR LORD TWO THOUSAND AND TWELVE
CITY OF PORTSMOUTH, NEW HAMPSHIRE
SEWER FUND BOND PREMIUM APPROPRIATION

RESOLUTION # A RESOLUTION APPROPRIATING THE SUM OF TWO HUNDRED ONE THOUSAND, EIGHT HUNDRED THIRTY-FOUR DOLLARS AND FOUR CENTS (\$201,834.04) FOR EXPENSES RELATING TO THE MCDONOUGH STREET SEWER LINE REPLACEMENT PROJECT.

RESOLVED: BY THE CITY COUNCIL OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ASSEMBLED AS FOLLOWS:

THAT, the sum of Two Hundred One Thousand, Eight Hundred Thirty-Four Dollars and Four Cents (\$201,834.04) be and hereby is appropriated for McDonough Street Sewer Line Replacement.

Such sum representing a proportionate amount of the Two Million, One-Hundred Seventy-Nine Thousand, Eight Hundred Seven Dollars and Sixty-Five Cents (\$2,179,807.65) premium the City received from the sale of its \$32,400,000 General Obligation Capital Improvement Bonds (after payment of underwriter's discount) that is allocable to the Sewer Fund project financed by such bonds. \$3,000,000 of the \$32,400,000 General Obligation Capital Improvement Bond was issued for Sewer Fund capital projects.

THAT, the expected useful life of the project is determined to be at least 20 years.

THAT, this resolution shall take effect upon its passage.

APPROVED BY:

ERIC SPEAR, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CMC
CITY CLERK

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article II, Section 7.229 – **GENERAL PROVISIONS** of the Ordinances of the City of Portsmouth which shall read as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

Section 7.229: GENERAL PROVISIONS

E. COMPLIANCE WITH STATE AND FEDERAL LAW

Every owner and holder of a taxi medallion shall operate at all times in compliance with all applicable state and federal law, including but not limited to provisions relating to the proper designation of employees as compared to independent contractors, worker's compensation, federal income tax withholding, and social security. The business records of each owner or medallion holder demonstrating compliance with this provision shall be made available on demand for review by City officials engaged in the enforcement of this ordinance.

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Eric Spear, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

ORDINANCE #
 THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, are hereby amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

(1) Amend Section 10.440, Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, as follows:

Use	GB	GW	B	WB	OR
19.40 Drive-through facility, as accessory use to a permitted principal use	S CU	S CU	S CU	N	S CU

(2) Amend Section 10.836, Accessory Drive-Through Uses, as follows:

~~10.836.20~~ ~~Size of Facilities~~

~~10.836.21~~ ~~No drive-through facility shall have more than two drive-through lanes.~~

~~10.836.22~~ ~~No drive-through facility shall have more than one drive-through lane for each 5,000 square feet of gross floor area of the principal use that it serves.~~

10.836.20 Performance Standards

10.836.21 A drive-through canopy shall not project more than 26 feet from the principal building and shall be consistent with the architectural style of the building.

10.836.22 Illuminated menu boards or other signs associated with the drive-through facility shall be shielded from public streets and residential properties.

10.836.30 Setbacks

10.836.31 All outdoor service facilities (including transaction windows, menu boards, speakers, etc.) shall be located a minimum of 100 feet from any residential zoning district, and 50 feet from any lot line.

10.836.32 All drive-through lanes, bypass lanes, and stacking lanes shall be located a minimum of 50 feet from any residential zoning district, and 30 feet from any lot line.

~~10.836.33 Menu boards shall be shielded from public streets and residential properties.~~

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Eric Spear, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

MEMORANDUM

RECEIVED

MAR 23 2012

CITY MANAGER
PORTSMOUTH, NH

TO: John P. Bohenko, City Manager

FROM: Rick Taintor, Planning Director *R.T.*

DATE: March 23, 2012

RE: City Council Referral –
Request of David Choate, III, Grubb & Ellis Northern New England, for an amendment to Section 10.836.20 of the Zoning Ordinance regarding drive-through lanes for retail/commercial buildings outside of the Central Business District

The attached letter from David Choate was referred by the City Council to the Planning Board on February 6, 2012, for report back. Mr. Choate requests that the City consider amending the Zoning Ordinance with respect to the number of drive-through lanes allowed for a use. The Planning Board considered this request at its meeting on March 15, 2012, and voted to recommend the changes to the Zoning Ordinance outlined below.

Overview

Under current zoning, the number of drive-through lanes is based on the amount of floor area in the use served, and is capped at two drive-through facilities (windows, vacuum tubes, or ATMs) per use. These rules apply equally to financial institutions, pharmacies and food establishments. Mr. Choate has indicated that financial institutions typically have a smaller building footprint than pharmacies and food service establishments because their retail branches do not require much internal building space and, in turn, current banking industry models typically need two teller drive-through lanes and often prefer a separate ATM lane.

This referral to the Planning Board presented the Board with an opportunity to assess how to better manage the impacts of drive-throughs, while at the same time recognizing the particular economic development and business needs of financial institutions. The Zoning Ordinance changes recommended to the City Council by the Planning Board, combined with changes the Planning Board intends to make to its Site Plan Review Regulations, will accomplish the following:

1. Support the economic development needs of financial institutions by allowing one more drive-through lane (up to three) per financial institution, where a maximum of two drive-through lanes are currently allowed.
2. Streamline the permitting process for all drive-through facilities. Currently, applicants must obtain approvals from two boards for any drive-through land: they must first secure a special exception and possibly a variance from the Board of Adjustment, and then begin the site plan review process with the Planning Board. With the proposed changes, applicants will only need to obtain Planning Board approval for a drive-through facilities via a conditional use permit and site plan approval.

3. Provide increased protection for neighboring properties and residential neighborhoods with regard to noise, light and aesthetics by establishing standards for landscaping and screening of drive-through lanes.

Also, this will be applicable to all permitted uses, not just financial institutions, and will be a significant improvement over what is currently allowed under the City's zoning and land use regulations.

Background – Existing Zoning Ordinance Provisions

The Zoning Ordinance currently limits the number of drive-through lanes serving a single use in two ways, as follows:

10.836.20 Size of Facilities

10.836.21 No **drive-through facility** shall have more than two **drive-through lanes**.

10.836.22 No **drive-through facility** shall have more than one **drive-through lane** for each 5,000 square feet of **gross floor area** of the **principal use** that it serves.

“Drive-through facility” and “drive-through lane” are defined as follows:

Drive-through facility

A **building**, attached **structure** or portion thereof that provides products or services directly to a customer in a motor vehicle by means of a window or mechanical device.

Drive-through lane

A lane in which vehicles obtain service from transaction windows or devices at a **drive-through facility**.

Under the current standards, any use – for example, a bank, restaurant or pharmacy – would be allowed one drive-through lane for up to 5,000 sq. ft. of gross floor area and a second lane for up to 10,000 sq. ft. of gross floor area.

Requested Amendment

In his letter to the City Council, Mr. Choate stated that banks should be permitted at least three drive-through lanes regardless of the size of the bank. He also requested that the language of the ordinance be revised so that it is clear that the phrase “for each 5,000 square feet” is intended to mean “up to 5,000 square feet.”

Analysis

Drive-through facilities may be classified into three categories based on use:

- Food service businesses such as restaurants and coffee shops generally include only one drive-through lane because of the need to deliver the product directly from a window in the building. These uses also raise the greatest concerns about traffic congestion and safety because their business tends to peak at certain times, including morning and evening rush hours, and therefore they tend to create longer queues of vehicles waiting for window service.
- Pharmacies may have more than one drive-through lane, but such uses typically contain at least 10,000 square feet of floor area and therefore meet the current requirement of no more than one drive-through lane per 5,000 square feet of floor area.
- Banks are able to support more than one drive-through lane because of the nature of the transactions: a teller is able to serve one customer through the window and additional customers using pneumatic (vacuum) tubes. Many banks also prefer to provide an additional lane for a drive-up ATM. Outside of downtowns and neighborhood business areas, branch banks tend to be smaller than 5,000 sq. ft. in area.

Based on the different requirements of these uses, it is possible to eliminate the floor area requirement altogether. It is important, however, to ensure that increasing the number of permitted drive-through lanes does not compromise the quality of the streetscape in terms of aesthetics and pedestrian comfort and safety. Therefore, it is recommended that any use incorporating multiple drive-through facilities be subject to specific standards and discretionary review by the Planning Board.

The Zoning Ordinance currently requires drive-through facilities to obtain a special exception from the Zoning Board of Adjustment but also requires that all drive-through facilities receive site plan approval by the Planning Board. Because the issues relating to drive-through uses are site issues (including aesthetics and traffic safety), it is appropriate to have the Planning Board responsible for the zoning permission as well as site plan review, which will allow for a more streamlined review process. Therefore, it is also recommended that the table of uses be amended to replace the special exception with a conditional use permit from the Planning Board.

Recommended Zoning Ordinance Amendments

At its meeting on March 15, 2012, the Planning Board voted unanimously to recommend the following changes in the Zoning Ordinance:

- (1) Amend Section 10.440, Table of Uses – Residential, Mixed Residential, Business and Industrial Districts, as follows:

Use	GB	GW	B	WB	OR
19.40 Drive-through facility , as accessory use to a permitted principal use	§ CU	§ CU	§ CU	N	§ CU

(2) Amend Section 10.836, Accessory Drive-Through Uses, as follows:

~~10.836.20~~ Size of Facilities

~~10.836.21~~ No **drive-through facility** shall have more than two **drive-through lanes**.

~~10.836.22~~ No **drive-through facility** shall have more than one **drive-through lane** for each 5,000 square feet of **gross floor area** of the **principal use** that it serves.

10.836.20 Performance Standards

10.836.21 A **drive-through canopy shall not project more than 26 feet from the principal building and shall be consistent with the architectural style of the building.**

10.836.22 **Illuminated menu boards or other signs associated with the drive-through facility shall be shielded from public streets and residential properties.**

10.836.30 Setbacks

10.836.31 All outdoor service facilities (including transaction windows, menu boards, speakers, etc.) shall be located a minimum of 100 feet from any residential zoning district, and 50 feet from any **lot line**.

10.836.32 All **drive-through lanes, bypass lanes, and stacking lanes** shall be located a minimum of 50 feet from any residential zoning district, and 30 feet from any lot line.

~~10.836.33~~ Menu boards shall be shielded from public **streets** and residential properties.

Proposed Amendments to Site Plan Review Regulations

In addition to recommending the above amendments to the Zoning Ordinance, the Planning Board also voted to schedule a public hearing on amendments to the Site Plan Review Regulations to address screening of drive-through lanes and any other design and performance standards that may appear appropriate. An initial recommendation is to insert a new subsection 3.6.5 in the Site Plan Review Regulations as follows:

3.6.5 Screening

Drive-through lanes shall be screened from public view with a fieldstone wall, or comparable structure approved by the Planning Board, to a height of at least three feet above grade, and an additional dense landscaping screen to a height determined by the Planning Board. Such

screening shall be continuous along the entire length where there are two or more drive-through lanes.

The Site Plan Review Regulations are adopted by the Planning Board and do not require City Council action.



XI. D.

Grubb & Ellis|Northern New England
500 Market Street, Suite 9
Portsmouth, NH 03801

January 27, 2012

received
1/30/12

603.433.7100 main
603.431.0028 fax
www.grubbellisnne.com
Independently Owned and Operated

Honorable Mayor and City Council
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Zoning Ordinance Section 10.836.20

Dear Mayor and City Council:

I would like to request that the Planning Board consider amending this section regarding drive-through lanes for retail/commercial buildings outside of the Central Business District. As currently worded, the section limits drive-throughs to a maximum of two lanes and each drive-through lane requires 5,000 square feet of gross floor area. This section of the ordinance is not realistic or appropriate for the following reasons:

1. Banks need at least 3 drive-through lanes (1 teller lane, 1 ATM lane and 1 bypass lane) for customer convenience and retail traffic flow.
2. Retail or commercial establishments that require more than 1 drive-through lane will usually not be 10,000 s.f. in size. Most will likely be under 5,000 s.f. and, although the Planning Director has interpreted this section to read "up to 5,000 s.f. of gross floor area is permitted one drive-through", the language in the ordinance is not clear in this regard.

Thank you for your consideration of this request and I look forward to further discussion on this issue with the Planning Board.

Sincerely yours,

GRUBB & ELLIS|NORTHERN NEW ENGLAND

David F. Choate, III

DFC/ps

G:\Files from Priscilla's Computer\David\Drive-through Ordinance Letter

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, Article 15, Section 10.1530 – Terms of General Applicability, are hereby amended by changing the definition of “museum” as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

Museum

A non-profit permanent institution, open to the public, which acquires, conserves, researches, exhibits, and interprets objects having scientific, historical or artistic value. Museums may include exhibit and display areas, libraries and research areas, administrative offices, areas for constructing exhibits, and storage areas for museum materials, artifacts and objects. Accessory uses may include retail sales (~~but not including the regular sale of objects collected or displayed~~), food services for museum visitors or others, manufacturing for museum purposes, and events such as craft demonstrations, receptions, and periodic celebrations, **provided that all such accessory uses are incidental and subordinate to the primary non-profit museum use.** ~~Museums include galleries for the display of works of art, but do not include commercial galleries for the sale of art work.~~

The City Clerk shall properly alphabetize and/or re-number the ordinance as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Eric Spear, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT*
DATE: March 27, 2012
RE: Request by Strawberry Banke Museum for Zoning Ordinance Amendment
Relative to the Definition of "Museum"

In the attached letter dated January 27, 2012, Lawrence J. Yerdon and Rodney D. Rowland of Strawberry Banke Museum request that the City consider amending the definition of "museum" in the Zoning Ordinance. Specifically, it is requested that the provision excluding "commercial galleries for the sale of art" be removed from the definition.

Background

The definition of "museum" drafted in 2009 was intended to allow more flexibility for lot area without opening the Mixed Residence Office (MRO) district to retail uses. However, it is now apparent that the definition revision created an unintentional restriction on activities at Strawberry Banke.

Prior to the enactment of the revised Zoning Ordinance in December 2009, the following use was allowed in the MRO district:

Non-profit museums on lots greater than two (2) acres with exhibits, display and/or programs and associated activities and accessory uses including periodic celebrations, receptions, retail sales, food services for museum visitors or others, manufacturing for museum purposes, craft demonstrations, library and scholarly research, administrative offices, and storage of museum materials, artifacts, and objects. In order for a commercial food service type use to be established pursuant to this section, that use must conform to additional requirements as set forth in Article III. *[Emphasis added.]*

The above provision was likely written with Strawberry Banke in mind, as evidenced by the requirement that a museum be on a lot greater than two acres.

When the revised Zoning Ordinance was drafted, the minimum lot area requirement was eliminated and a new definition of "museum" was included which was intended to clarify the difference between a non-profit museum and a commercial use. The definition of "museum" in the current Zoning Ordinance is as follows:

A non-profit permanent institution, open to the public, which acquires, conserves, researches, exhibits, and interprets objects having scientific, historical or artistic value. Museums may include exhibit and display areas,

libraries and research areas, administrative offices, areas for constructing exhibits, and storage areas for museum materials, artifacts and objects. Accessory uses may include retail sales (but not including the regular sale of objects collected or displayed), food services for museum visitors or others, manufacturing for museum purposes, and events such as craft demonstrations, receptions, and periodic celebrations. Museums include galleries for the display of works of art, but do not include commercial galleries for the sale of art work. [Emphasis added.]

The requested zoning amendment, to allow a museum to include a commercial art gallery as an accessory use, is consistent with the intent of the Zoning Ordinance and the City's support for the continuing vitality of Strawberry Banke.

Recommended Zoning Ordinance Amendment

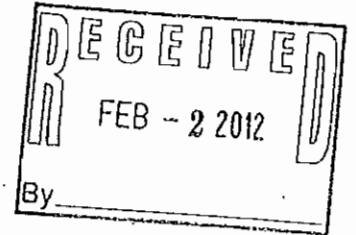
At its meeting on March 15, 2012, the Planning Board voted unanimously to recommend that the City Council amend the definition of "museum" as follows:

A non-profit permanent institution, open to the public, which acquires, conserves, researches, exhibits, and interprets objects having scientific, historical or artistic value. Museums may include exhibit and display areas, libraries and research areas, administrative offices, areas for constructing exhibits, and storage areas for museum materials, artifacts and objects. Accessory uses may include retail sales ~~(but not including the regular sale of objects collected or displayed)~~, food services for museum visitors or others, manufacturing for museum purposes, and events such as craft demonstrations, receptions, and periodic celebrations, **provided that all such accessory uses are incidental and subordinate to the primary non-profit museum use.** ~~Museums include galleries for the display of works of art, but do not include commercial galleries for the sale of art work.~~



January 27, 2012

Mr. John Ricci
Chair, Planning Board
1 Junkins Avenue
Portsmouth, NH 03801



Dear Mr. Ricci,

Strawbery Banke Museum would like to ask the Planning Board to consider a change to the definition of "museum" when it next brings forward changes to the Zoning Ordinance. Specifically, we would like the last sentence changed to remove the language prohibiting "commercial galleries for the sale of art."


The museum has, over the last few years, formed partnerships with galleries to help with seasonal shows in the Rowland Gallery. This gallery was built in 2008 and is the first space at SBM dedicated to changing art shows. Last year we featured a show titled "Painting Portsmouth" which featured over two dozens works of art (one was loaned to us from the City) from various owners and galleries across the northeast. This show would not have been possible without the help of The Banks Gallery and owner, Jamie LaFleur. His knowledge and connections were instrumental in identifying appropriate pieces of art and getting the owners to loan them for the show. The Banks Gallery maintains a space in one of our buildings that specializes in the sale of antique works of art.

Strawbery Banke needs to continue this type of cooperative effort to ensure the highest quality of exhibit show. We believe changing exhibits are crucial to seeing repeat patronage from local and regional visitors.

Thank you for your consideration of this request. Please call Rodney Rowland should you have any questions.

Sincerely,


Lawrence J. Yerdon
President/CEO


Rodney D. Rowland
Director of Facilities

CITY OF PORTSMOUTH, NEW HAMPSHIRE
GENERAL FUND APPROPRIATION BILL
FOR FISCAL YEAR ENDING JUNE 30, 2013

RESOLUTION # 5-2012

A RESOLUTION MAKING APPROPRIATION OF SUMS FOR ALL THE NECESSARY GENERAL FUND EXPENDITURES FOR THE OPERATION OF GENERAL OPERATING DEPARTMENTS AND SERVICES OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE FOR THE FISCAL YEAR ENDING JUNE 30, 2013.

RESOLVED:

By the City Council of the City of Portsmouth, New Hampshire assembled, to defray the current General Fund Expenses of the City for the Fiscal Year ending June 30, 2013, for the specific purposes stated in the General Budget adopted herewith. Said sums to be appropriated from the General Fund Revenues as follows:

Department	Appropriation
General Government	\$15,905,044
Police	\$8,838,885
Fire	\$7,155,250
School	\$38,302,260
Collective Bargaining Contingency	\$172,000
Transfer to Indoor Pool	\$150,000
Non-Operating	\$20,202,329
Total	\$90,725,768

THAT, there is therefore appropriated the total sum of **Ninety Million, Seven Hundred Twenty-Five Thousand, Seven Hundred Sixty-Eight (\$90,725,768) Dollars.**

APPROVED BY:

ERIC SPEAR, MAYOR

ADOPTED BY THE CITY COUNCIL:

KELLI L. BARNABY, CITY CLERK

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL APPROVAL OF FEE SCHEDULE
FOR THE FISCAL YEAR ENDING JUNE 30, 2013**

RESOLUTION #6-2012

BE IT RESOLVED:

That the attached fee schedule (Exhibit A) is found to be reasonable and appropriate and is recommended for adoption. The fees denoted with an asterisk have changed, all others are incorporated for convenience.

THAT, these fees attached (Exhibit A) shall be effective July 1, 2012.

APPROVED BY:

ERIC SPEAR, MAYOR

ADOPTED BY CITY COUNCIL:

KELLI L. BARNABY, CITY CLERK

City of Portsmouth
 Fee Schedule
 Finance Department

* (Indicates change from current fee)

Ordinance / Non-Ordinance Title	NOTES	Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
Non-Ordinance	Individual occurrences not tracked	Non Sufficient Funds check processing fee	Pre FY 02	\$30.00	\$30.00 per check	\$30.00
Non-Ordinance	Individual occurrences not tracked	Copies: Into be copied; i.e., discharge papers, small items				
Non-Ordinance	Individual occurrences not tracked	8 1/2 x 11 or 8 1/2 x 14	Pre FY 02	\$0.25	\$0.25 per copy	\$0.25
Non-Ordinance	Individual occurrences not tracked	Items that generate a minimum of research, i.e. certificate of occupancy, fire reports, minutes of meetings, pages of past annual reports.	Pre FY 02	\$0.50	\$0.50 per copy	\$0.50
Non-Ordinance	Individual occurrences not tracked	In-house material requiring research time, piecing together etc. Example: older fire/police reports, past budgets, plot plans, septic systems, old minutes, old deeds, agreements and other similar items.	Pre FY 02	\$2.00	\$2.00 1st copy	\$2.00
Non-Ordinance	Individual occurrences not tracked	All copies made on 11 x 17 pages.	Pre FY 02	\$0.50	\$0.50 all subsequent pages	\$0.50
Non-Ordinance	Individual occurrences not tracked	Tax bills prepared for parties other than owners.	Pre FY 02	\$0.50	\$0.50 per copy	\$0.50
Non-Ordinance	Individual occurrences not tracked	Tax bills prepared for parties other than owners.	Pre FY 02	\$2.00	\$2.00 1st copy	\$2.00
Non-Ordinance	Individual occurrences not tracked	Tax bills prepared for parties other than owners.	Pre FY 02	\$1.00	\$1.00 each additional copy	\$1.00
Non-Ordinance	Individual occurrences not tracked	Tax Card/Tax Map from laser printer (Free to property owner)	FY 04	\$1.00	\$1.00 Each Print	\$1.00
Non-Ordinance	Individual occurrences not tracked	Standard Assessing data base cd	Pre FY 02	\$75.00	\$75.00	\$75.00
Non-Ordinance	Individual occurrences not tracked	DVD copies of City related events	Pre FY 02	\$10.00	\$10.00	\$10.00

City of Portsmouth
 Fee Schedule
 City Clerk

<u>Ordinance / Non-Ordinance Title</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>
					*(Indicates change from current fee)	
Coin Operated Amusement Devices	FY 11 there were 13 licenses issued for \$5,050.	License	FY 03	\$75.00	\$75.00 For each of the first 30 machines, per year	\$75.00
			FY 03	\$10.00	\$10.00 For each machine over 30, per year	\$10.00
<u>Chapter 6: Article V Section 502</u>						
Boxing and Wrestling	No licenses issued in FY 11	License	Pre FY 02	\$10.00	\$10.00 Each Day	\$10.00
<u>Chapter 6: Article VI Section 602</u>						
Dancing	No licenses issued in FY 11	License	Pre FY 02	\$10.00	\$10.00 Per Dance	\$10.00
<u>Chapter 6: Article VII Section 707D</u>						
Dog Ordinance	No dogs sold in FY 11	Procuring City Owned Dogs	Pre FY 02	\$3.00 to \$10.00	\$3.00 to \$10.00 Per Dog (Discretion of Animal Control Officer)	\$3.00 to \$10.00
<u>Chapter 6: Article IX Section 901C12</u>						
Circus License	No licenses issued in FY 11	Amusement Devices	Pre FY 02	\$30.00	\$30.00 Per Day	\$30.00
		Carnivals (For Operation)	Pre FY 02	\$125.00	\$125.00 Per Day	\$125.00
		Including Each Amusement Device	Pre FY 02	\$30.00	\$30.00	\$30.00
		Circus (For Operation)	Pre FY 02	\$125.00	\$125.00 Per Day	\$125.00
		Including Each Amusement Device	Pre FY 02	\$30.00	\$30.00	\$30.00
		Fairs (For Operation)	Pre FY 02	\$10.00	\$10.00 Per Day	\$10.00
		Including Each Amusement Device	Pre FY 02	\$5.00	\$5.00 Per Day	\$5.00
		Temporary Structures	Pre FY 02	\$10.00	\$10.00 Per Day	\$10.00
<u>Chapter 6: Article IX Section 902</u>						
Circus License	No license issued in FY 11	Total fee for Circus license shall not be less than	Pre FY 02	\$75.00	\$75.00 Per Day	\$75.00

**City of Portsmouth
Fee Schedule
City Clerk**

<u>Ordinance / Non-Ordinance Title</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>
						* (Indicates change from current fee)
<u>Chapter 6: Article X Section 1003</u>						
Theatricals, Parades, Open Air Meetings	No license issued in FY 11	License	Pre FY 02	\$300.00	\$300.00 Not to exceed per day	\$300.00
		License to exhibit in any hall	Pre FY 02	\$50.00	\$50.00 Not to exceed per day	\$50.00
<u>Chapter 6: Article XIII Section 1315</u>						
Hawkers and Peddlers	FY 11 there were 8 license issued for \$2,000	License	Pre FY 02	\$250.00	\$250.00 Per Year	\$250.00
<u>Chapter 6: Article XIV Section 1402</u>						
Pawn Brokers	FY 11 there were 8 license issued for \$280	License	Pre FY 02	\$35.00	\$35.00 Per Year	\$35.00
<u>Chapter 6: Article XV Section 1502</u>						
Roller Skating Rinks	No license issued in FY 11	License	Pre FY 02	\$50.00	\$50.00 Per Year	\$50.00
<u>Chapter 6: Article XVI Section 1608</u>						
Magazine Subscription Solicitors	No license issued in FY 11	License	FY 06	\$50.00	\$50.00 Per Year	\$50.00
<u>Chapter 9: Article V Section 504 C</u>						
Sidewalk Obstructions	FY 11 there were 3 vendors licensing 29 newsracks	Newsrack	Pre FY 02	No Charge	No Charge	No Charge
<u>Chapter 9: Article V Section 504 C</u>						
Sidewalk Obstructions	FY 11 there were 63 licenses issued for \$6,750.	Obstruction (including Restaurant Table)	Pre FY 02	\$50.00	\$50.00 Each Obstruction (including Restaurant Table)	\$50.00
<u>Chapter 9: Article V Section 504 C</u>						
Sidewalk Obstructions		Restaurant Chairs	Pre FY 02	\$5.00	\$5.00 Each Restaurant Chair	\$5.00
<u>Chapter 13: Section 203 A</u>						
Mobile Homes	FY 11 there were 3 Mobile Home Parks with 277 occupied spaces for a total fee of \$5,540	Mobile home space, occupied, located within a mobile home park.	FY 03	\$20.00	\$20.00 Annually (Due April 1)	\$20.00
<u>Chapter 13: Section 203 B</u>						
Mobile Homes	There are no Mobile Home Parks in the City of Portsmouth with two or less homes.	A minimum fee per mobile home park shall be	Pre FY 02	\$10.00	\$10.00 Annually (Due April 1)(not less than \$10.00)	\$10.00

**City of Portsmouth
Fee Schedule
City Clerk**

<u>Ordinance / Non-Ordinance Title</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>
					* (Indicates change from current fee)	
		charged for those parks having but two or less occupied spaces.				
		In the case of overlapping jurisdiction, only one fee per annum may be imposed. When an original license/permit is issued on or after July 1st of any year, the permit fee for the remainder of the year shall be one half the permit fee. The City Clerk shall charge the fee for the transfer of the permit in amount not to exceed \$10.00 for a mobile home park. Such license/permit fees herein provided for in this section of this Ordinance shall be in lieu of all inspection or other fees and all other local taxes other than ad valorem taxes.				
			Pre FY 02	\$10.00	\$10.00	\$10.00
Non-Ordinance	FY 11 collections of \$1,405 with 281 occurrences	Notarization	FY 05	\$5.00	\$5.00	Per Document \$5.00
Non-Ordinance	FY 11 collections of \$330 with 22 occurrences	Tag day, permits	FY 05	\$15.00	\$15.00	\$15.00
Non-Ordinance	FY 11 collections of \$0 with 0 occurrences	Ward checklist	Pre FY 02	\$60.00	\$60.00	per set \$60.00
Non-Ordinance	FY 11 collections of \$0 with 0 occurrence	Ward checklist for individual wards	Pre FY 02	\$10.00-\$15.00	\$10.00-\$15.00	(based on size of ward) \$10.00-\$15.00
Non-Ordinance	FY 11 collections of \$630 with 31 occurrences	Event permit (fairs, parades etc. not governed by ordinance)	FY 05	\$20.00	\$20.00	\$20.00
Non-Ordinance	FY 11 collections of \$0 with 0 occurrence	Ordinance Books	Pre FY 02	\$100.00	\$100.00	\$100.00
Non-Ordinance	FY 11 collections of \$0 with 0 occurrence	Ordinance book supplements (distributed 2 x per year)	Pre FY 02	\$50.00	\$50.00	\$50.00
Non-Ordinance	FY 11 collections of \$105 with 21 occurrences	Voter certification	FY 05	\$5.00	\$5.00	\$5.00
Non-Ordinance	FY 11 collections of \$0 with 0 occurrences	Voter History Disk	FY 05	\$100.00	\$100.00	per election \$100.00
Non-Ordinance	FY 11 collections of \$25 with 5 occurrences	Articles of agreement filing	Pre FY 02	\$5.00	\$5.00	\$5.00
RSA 540:1-B	FY 12 will be first FY of fee	Restricted Property Listing	FY 12	N/A	\$15.00	per form \$15.00

City of Portsmouth
Fee Schedule
Planning Department

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance	NOTES	Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule	
PLANNING BOARD							
Non-Ordinance	The Planning Department reported the following application numbers and fees for FY 11: Applications: Site Review 17 Subdivision 6 Conditional Use 21 Board of Adjustment 99 HDC 105 Conservation Commission 35 Revenues: Planning Board \$41,679 Board of Adjustment \$30,472 Site Review \$23,991	Subdivision applications(residential)	FY 07	\$200.00	\$200.00	\$200.00	
Non-Ordinance		Plus Per Lot	FY 07	\$100.00	\$100.00	\$100.00	
Non-Ordinance		Subdivision applications(non-residential)	FY 09	\$350.00	\$350.00	\$350.00	
Non-Ordinance		Plus Per Lot	FY 07	\$150.00	\$150.00	\$150.00	
Non-Ordinance		Lot Line Revision/Verification	FY 09	\$175.00	\$175.00	\$175.00	
Non-Ordinance		Filing of Condominium Site Plans per State Statute-no subdivision	FY 11	\$50.00	\$50.00	\$50.00	
		Lot Consolidation-no subdivision	FY 10	\$175.00	\$175.00	\$175.00	
Conditional Use Permit (Wetlands):							
Non-Ordinance		1 and 2 Family Dwellings	FY 08	\$100.00	\$100.00	* Delete	
Non-Ordinance		All applicants(except 1-2 Family dwellings) on lots 5 acres or less	FY 08	\$250.00	\$250.00	* Delete	
Non-Ordinance	on lots greater than 5 acres	FY 08	\$450.00	\$450.00	* Delete		
Area of disturbance in wetland or wetland buffer:							
	-up to 100 sq ft	FY 13	N/A	N/A	* \$50.00		
	-up to 1,000 sq ft	FY 13	N/A	N/A	* \$250.00		
	-greater than 1,000 sq ft	FY 13	N/A	N/A	* \$500.00		
PLANNING-BOARD OF ADJUSTMENT							
Non-Ordinance	Residential application 1-2 dwelling units	FY 08	\$75.00	\$75.00	* \$125.00		
Non-Ordinance	3-4 dwelling units	FY 09	\$175.00	\$175.00	* \$200.00		

City of Portsmouth
 Fee Schedule
 Planning Department

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance	NOTES	Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
Non-Ordinance		5-10 dwelling units	FY 07	\$200.00	\$200.00	* \$250.00
Non-Ordinance		11-30 dwelling units	FY 07	\$300.00	\$300.00	\$300.00
Non-Ordinance		30+ dwelling units	FY 12	\$350.00	\$300.00	\$300.00
Non-Ordinance		For each unit over 30	FY 12	\$75.00	\$50.00	\$50.00
Non-Ordinance		Total application fee shall not exceed (cap)	FY 12	\$1,250.00	\$2,000.00	\$2,000.00
Non-Ordinance		Residential application-accessory structure only	FY 11	\$50.00	\$50.00	\$50.00
Non-Ordinance		Non-residential applications	FY 12	\$225.00	\$300.00	\$300.00
		In Addition:				
Non-Ordinance		Per \$1,000 of valuation of new construction	Pre FY 02	\$5.00	\$5.00	\$5.00
Non-Ordinance		Total application fee shall not exceed (cap)	FY 12	\$1,250.00	\$2,000.00	\$2,000.00
Non-Ordinance		Signs	FY 10	\$175.00	\$175.00	* \$200.00
		PLANNING-SITE REVIEW				
Non-Ordinance		All developments	FY 07	\$300.00	\$300.00	\$300.00
		In Addition:				
Non-Ordinance		Per \$1,000 of Site costs only	Pre FY 02	\$5.00	\$5.00	\$5.00
Non-Ordinance		Total application fee shall not exceed (cap)	FY 08	\$15,000.00	\$15,000.00	\$15,000.00
		PLANNING-HISTORIC DISTRICT				
Non-Ordinance		Residential applications 1 dwelling unit	FY 11	\$50.00	\$50.00	\$50.00
Non-Ordinance		2 dwelling units	FY 11	\$75.00	\$75.00	\$75.00
Non-Ordinance		3 dwelling units	FY 11	\$100.00	\$100.00	\$100.00
Non-Ordinance		4-10 dwelling units	FY 06	\$125.00	\$125.00	\$125.00
Non-Ordinance		11-30 dwelling units	FY 06	\$250.00	\$250.00	\$250.00
Non-Ordinance		30+ dwelling units	FY 12	\$350.00	\$300.00	\$300.00
Non-Ordinance		For each unit over 30	FY 12	\$100.00	\$50.00	\$50.00

City of Portsmouth
 Fee Schedule
 Planning Department

*** (Indicates change from current fee)**

<u>Ordinance / Non-Ordinance</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year</u> <u>Last Adjusted</u>	<u>FY 2011</u> <u>Schedule</u>	<u>FY 2012</u> <u>Schedule</u>	<u>Suggested</u> <u>FY 2013</u> <u>Schedule</u>
		Accessory structure, mechanical equipment or replacement of doors/windows only	FY 13	N/A	N/A	* \$50.00
Non-Ordinance		Non-residential applications	FY 07	\$300.00	\$300.00	\$300.00
		In Addition:				
Non-Ordinance		Per \$1,000 of valuation of new construction	Pre FY 02	\$5.00	\$5.00	\$5.00
Non-Ordinance		Total application fee shall not exceed (cap)	FY 12	\$1,600.00	\$2,000.00	* \$3,000.00
Non-Ordinance		Non-residential applications-accessory structure, mechanical equipment or replacement of doors/windows only	FY 11	\$50.00	\$50.00	\$50.00
Non-Ordinance		Signs	FY 10	\$175.00	\$175.00	* \$200.00

City of Portsmouth
 Fee Schedule
 Inspection Department

* (Indicates change from current fee)

Ordinance / Non-Ordinance Title	NOTES	Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
<u>Chapter 8: Article I Section 106 A</u>	FY 11 there were 79 permits issued for \$3,925					
Street Obstructions		Initial	FY 11	\$50.00	\$50.00	\$50.00
		Extension	FY 11	\$25.00	\$25.00	\$25.00
BUILDING PERMIT FEES:						
<u>Chapter 12: Part I Section 108.2</u>						
International Building Code- and Chapter 12: Part II Section R108.2	Following is a summary of Building Permits: FY 11	Note: All Construction Permit Fees rounded up to the nearest \$5.00				
International Residential Code-	Non-Residential Commercial	Minimum Fee-Residential	FY 07	\$50.00	\$50.00	\$50.00
	Issued Value	Special Inspection Fee	FY 07	\$60.00	\$60.00 Per Hour	\$60.00
	251 \$12,196,196	Emergency Inspection Fee	FY 07	\$60.00	\$60.00 Per Hour	\$60.00
	Residential	New Construction-Residential (Includes Additions)				
	Issued Value	Habitable Enclosed Living Spaces	FY 07	\$0.25	\$0.25 Per gross square ft of floor area	* \$0.30
	330 \$24,189,621	Habitable Unenclosed Living Spaces	FY 07	\$0.20	\$0.20 Per gross square ft of floor area	* \$0.25
	Alterations and Other	Nonhabitable or Unfinished Spaces	FY 07	\$0.15	\$0.15 Per gross square ft of floor area	* \$0.20
	Issued Value	New Construction-Commercial				
	272 \$4,560,604	Minimum Fee-Commercial	FY 04	\$50.00	\$50.00	\$50.00
	Permit Fee: \$259,598	Fire Sprinkler Systems	FY 07	\$0.04	\$0.04 Per gross square ft of sprinkled area	\$0.04
		Fire Alarm Systems: (Per device installed)				
			FY 07	\$100.00	\$100.00 per Fire Alarm Control Panel	\$100.00
			FY 07	\$50.00	\$50.00 to Modify an Existing Fire Alarm Control Panel	\$50.00
			FY 07	\$35.00	\$35.00 per Remote Annunciator Panel	\$35.00
			FY 07	\$35.00	\$35.00 per Voice Alarm / Notification System	\$35.00
			(High Rise Feature)			
			FY 07	\$35.00	\$35.00 per Off Site Notification Circuit	\$35.00

City of Portsmouth
 Fee Schedule
 Inspection Department

* (Indicates change from current fee)

Ordinance / Non-Ordinance
 Title

NOTES

Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
(Central Station or Master Box)				
	FY 07	\$2.00	\$2.00	per Initiation and Notification Device \$2.00
	FY 07	\$2.00	\$2.00	per Supervisory Device \$2.00
	FY 04	\$5.00	\$5.00	per Fire Safety Control Device (Magnetic Door Holder, Elevator Recall, Smoke Control, etc.) \$5.00
	FY 07	\$2.00	\$2.00	per Voice Alarm System Device \$2.00
(Phone or Radio hookup)				
Flat Rate Permits	FY 06	\$35.00	\$35.00	\$35.00
Flat Rate Permits: Includes: siding, replacement windows, pools, sheds, buried tanks, pad mounted generators, temporary structures, change-in-occupancy with no construction.				
Demolition Permits	FY 06	\$50.00	\$50.00	For structures up to 2,000 SF floor area \$50.00
	FY 04	\$10.00	\$10.00	per \$1,000 of demolition cost for structures over 2,000sf \$10.00
General Renovations				
Residential Rates	FY 04	\$7.00	\$7.00	per \$1,000 of renovation cost \$7.00
Commercial Rates	FY 04	\$10.00	\$10.00	per \$1,000 of renovation cost \$10.00
<p>If, in the opinion of the Code Official, the type of residential renovation or repair does not lend itself to a square footage calculation, then the permit fee shall be based on (1) \$7.00 per \$1,000 of renovation cost. If there is a fee difference between the square foot rate and the construction cost rate, the rate yielding the larger amount shall be assessed.</p> <p>If, in the opinion of the Code Official, the type of commercial renovation or repair does not lend itself to a square footage calculation, then the permit fee shall be based on (2) \$10.00 per \$1,000 of renovation cost. If there is a fee difference between the square foot rate and the construction cost rate, the rate yielding the larger amount shall be assessed.</p>				
	FY 04	\$7.00	\$7.00	\$7.00
	FY 04	\$10.00	\$10.00	\$10.00
Sign Permits-Minimum Fee	FY 04	\$50.00	\$50.00	\$50.00
Special Event Sign	FY 07	\$35.00	\$35.00	per single event \$35.00
Fee per sq ft of sign area (Permanent or Temporary)	FY 04	\$1.00	\$1.00	\$1.00
Reinspection Fee	FY 07	\$100.00	\$100.00	Per Reinspection \$100.00

Chapter 12: Part I Section 109.7

International Building Code-

City of Portsmouth
 Fee Schedule
 Inspection Department

***(Indicates change from current fee)**

Ordinance / Non-Ordinance Title	NOTES	Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
and Chapter 12: Part II Section R109.5 International Residential Code-						
Chapter 12: Part I Section 108.4 International Building Code-		Fee for Nonpermitted Work				
and Chapter 12: Part II Section R108.7 International Residential Code-		Any person who is found to have demolished, constructed, altered, removed, or changed the use of a building or structure without the benefit of a building, electrical, plumbing, mechanical, or change in use permit shall, upon issuance of said permit(s), be assessed a charge of (1) 200% of the regular permit fee or (2) \$200.00 whichever is greater. If the regular permit fee is over(3) \$200.00, the permit fee shall be the regular fee plus(4) \$200.00.				
			FY 04	\$2.00	\$2.00	\$2.00
			FY 07	\$300.00	\$300.00	\$300.00
			FY 07	\$300.00	\$300.00	\$300.00
			FY 07	\$300.00	\$300.00	\$300.00
Chapter 12: Part I Section 110.6 International Building Code-		Fee for Certificate of Use and Occupancy	FY 07	\$100.00	\$100.00	\$100.00
and Chapter 12: Part II Section R110.6 International Residential Code-						
Chapter 12: Part I Section 106.3.6 International Building Code-		Outside Plan Review Services (adjustment to permit) (for all applicable building permits meaning building,electric, plumbing, mechanical or fire protection permits)	FY 07	(\$0.30)	(\$0.30)	(\$0.30)

ELECTRICAL FEES:

Chapter 12: Part I Section 108.2

International Building Code-

and

Chapter 12: Part II Section R108.2

Following is a summary of Electrical Permits:	
FY 11	
Permits:	566

Plan Review Fee	FY 04	\$60.00	\$50.00	\$50.00
Special Inspection Fee	FY 07	\$60.00	\$60.00 Per Hour	\$60.00

City of Portsmouth
 Fee Schedule
 Inspection Department

***(Indicates change from current fee)**

Ordinance / Non-Ordinance
 Title

International Residential Code-

NOTES

Permit Fees: \$84,355

Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
Emergency Inspection Fee	FY 07	\$60.00	\$60.00	Per Hour \$60.00
Reinspection fees	FY 07	\$100.00	\$100.00	Each additional inspection after the second rejection for the same item(s) \$100.00
Minimum Electric Permit Fee	FY 07	\$50.00	\$50.00	\$50.00
Residential-Service Equipment				
Single Phase	FY 07	\$25.00	\$25.00	up to & including 100 Amps. \$25.00
Single Phase	FY 08	\$50.00	\$50.00	101 to 200 Amps. \$50.00
Single Phase	FY 07	\$70.00	\$70.00	201 to 400 Amps. \$70.00
Single Phase	FY 07	\$15.00	\$15.00	Meters (each) \$15.00
Lighting Fixtures, Power Utilization				
Equipment & Outlets	FY 04	\$1.00	\$1.00	Each Device \$1.00
Pad Mounted Generators:				
12 KW or less	FY 12	N/A	\$75.00	\$75.00
13 KW to 20 KW	FY 12	N/A	\$125.00	\$125.00
21 KW and above	FY 12	N/A	\$175.00	\$175.00
Manual Gen. set transfer	FY 12	N/A	\$10.00	\$10.00
Automatic Gen. set transfer	FY 12	N/A	\$25.00	\$25.00
All fees shall be rounded up to the nearest \$5.00 with a minimum 1	FY 04	\$50.00	\$50.00	\$50.00
Commercial-Contract Cost Fee Method				
First \$5000.00 of electrical construction cost from				
\$0.01 to \$5,000.00	FY 04	\$25.00	\$25.00	Rate per Thousand Dollars of Contract Cost \$25.00
Next \$5000.00 of electrical construction cost from				
\$5,000.01 to \$10,000.00	FY 04	\$20.00	\$20.00	Rate per Thousand Dollars of Contract Cost \$20.00
Next \$5000.00 of electrical construction cost from				
\$10,000.01 to \$15,000.00	FY 04	\$15.00	\$15.00	Rate per Thousand Dollars of Contract Cost \$15.00
Each \$1000.00 of electrical construction cost from				
\$15,000.01 & over	FY 07	\$10.00	\$10.00	Rate per Thousand Dollars of Contract Cost \$10.00

City of Portsmouth
 Fee Schedule
 Inspection Department

(Indicates change from current fee)

Ordinance / Non-Ordinance Title	NOTES	Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
<u>Chapter 12: Part I Section 109.7</u> International Building Code- and <u>Chapter 12: Part II Section R109.5</u> International Residential Code-		<p>Reinspection fees</p> <p>If, upon being called for any inspection, the work is not in compliance with this Code, verbal notice will be given as to the deficiencies and such deficiencies shall be noted on the code official's report. The permit holder shall be responsible for correcting the item(s) and for notifying the code official to reinspect said deficiencies. If when called to reinspect these deficiencies, all is correct, no further action will be taken. However, if during the first reinspection, the work in question has not been corrected, there will be a \$50.00 reinspection fee assessed, which must be paid at the Inspection Office before a third inspection will be made. For each subsequent reinspection of the same deficiency or deficiencies, a like procedure and fee shall be assessed.</p>				
			FY 07	\$100.00	\$100.00	\$100.00
<u>Chapter 14: Section 102A E</u> Housing Code	City does not currently collect fee or issue certificate	Certificate of Occupancy	Pre FY 02	\$1.00	\$1.00	Per Building (Good for 3 years) \$1.00

PLUMBING/MECHANICAL PERMIT FEES:

Chapter 15, Part I of II: Section 106.6.2

International Plumbing Code &

Chapter 15, Part II of II: Section 106.5.2

International Mechanics Code

Following is a summary of Plumbing Permits:
 FY 11
 Permits: 727
 Permit Fees: \$154,850

Residential rate:	Pre FY 02	FY 07	FY 07	FY 07	
Fee per fixture (plumbing or gas)	\$5.00	\$5.00	\$5.00	Each	\$5.00
Water distribution piping (per dwelling)	\$30.00	\$30.00	\$30.00	Each	\$30.00
Waste and vent piping (per dwelling)	\$30.00	\$30.00	\$30.00	Each	\$30.00
Septic System (per dwelling)	\$30.00	\$30.00	\$30.00	Each	\$30.00
Gas distribution piping (per gas meter)	\$30.00	\$30.00	\$30.00	Each	\$30.00
Heating & Cooling Equipment: (Boiler, Furnace, Airhandlers, Unit Heaters, Condenser, Gas Logs, Fireplace Inserts, Solid Fuel Stoves, etc...)	FY 10	\$20.00	\$20.00	per Mechanical Equipment	\$20.00
Gas Appliance: (Cloths Dryers, Range/Oven Water Heater, etc...)	FY 10	\$5.00	\$5.00	per Gas Appliance	\$5.00
Air Distribution System:	FY 10	\$5.00	\$5.00	per Register	\$5.00
Minimum Permit Fee	FY 07	\$50.00	\$50.00		\$50.00

City of Portsmouth
 Fee Schedule
 Inspection Department

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance
 Title

NOTES

Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule		Suggested FY 2013 Schedule
Commercial rate:					
Required Plan Review Fee	FY 04	\$50.00	\$50.00	Plumbing	\$50.00
(Per contractor and for each revision of plans)	FY 04	\$50.00	\$50.00	Mechanical	\$50.00
Minimum Permit Fee:	FY 04	\$50.00	\$50.00		\$50.00
Commercial-Contract Cost Fee Method					
First \$5000.00 of electrical construction cost from					
\$0.01 to \$5,000.00	FY 07	\$25.00	\$25.00	Rate per Thousand Dollars of Contract Cost	\$25.00
Next \$5000.00 of electrical construction cost from					
\$5,000.01 to \$10,000.00	FY 07	\$20.00	\$20.00	Rate per Thousand Dollars of Contract Cost	\$20.00
Next \$5000.00 of electrical construction cost from					
\$10,000.01 to \$15,000.00	FY 07	\$15.00	\$15.00	Rate per Thousand Dollars of Contract Cost	\$15.00
Each \$1000.00 of electrical construction cost from					
\$15,000.01 & over	FY 07	\$10.00	\$10.00	Rate per Thousand Dollars of Contract Cost	\$10.00
Commercial Range & Duct Extinguishing System:					
Base Permit Fee (Per System):	FY 06	\$150.00	\$150.00		\$150.00
At time of first inspection, if system(s) are not ready for testing within 1/2 hour from time of inspectors arrival, or if system fails the inspection, a reinspection shall be scheduled after paying a \$150 fee. This procedure and fee shall be repeated for each failed inspection or incomplete system visit.					
	FY 06	\$150.00	\$150.00		\$300.00*
Special Inspection Fee	FY 07	\$60.00	\$60.00	Per hour	\$60.00
Emergency Inspection Fee	FY 07	\$60.00	\$60.00	Per Hour	\$60.00
Chapter 15, Part I of II: Section 107.1.2.4					
International Plumbing Code	FY 07	\$100.00	\$100.00		\$100.00
Chapter 15, Part II of II: Section 107.6					
International Mechanics Code	FY 07	\$100.00	\$100.00		\$100.00

City of Portsmouth
 Fee Schedule
 Inspection Department

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance
 Title

NOTES

Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
Work Commencing Before Permit Issuance				
Any person who is found to have done plumbing work without the proper permits shall, upon issuance of said permit(s), be assessed a charge of (1) 150% of the regular permit fee or (2) \$100.00 whichever is greater. If the regular permit fee is over (3) \$200.00, the permit fee shall be the regular fee plus (4) \$200.00				
	→ FY 04	\$2.00	\$2.00	\$2.00
	→ FY 07	\$300.00	\$300.00	\$300.00
	→ FY 07	\$300.00	\$300.00	\$300.00
	→ FY 07	\$300.00	\$300.00	\$300.00
Commencing work before permit issuance				
Any person who is found to have done mechanical work without the proper permits shall, upon issuance of said permit(s), be assessed a charge of (1) 150% of the regular permit fee or (2) \$100.00 whichever is greater. If the regular permit fee is over (3) \$200.00, the permit fee shall be the regular fee plus (4) \$200.00.				
	→ FY 04	\$2.00	\$2.00	\$2.00
	→ FY 07	\$300.00	\$300.00	\$300.00
	→ FY 07	\$300.00	\$300.00	\$300.00
	→ FY 07	\$300.00	\$300.00	\$300.00

Chapter 15, Part I of II: Section 108.8

International Plumbing Code

Chapter 15, Part II of II: Section 106.5.1

International Mechanic Code

City of Portsmouth
 Fee Schedule
 Police Department

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance Title	NOTES	Description	Fiscal Year			Suggested FY 2013 Schedule		
			Last Adjusted	FY 2011 Schedule	FY 2012 Schedule			
<u>Chapter 5: Article VIII Section 802</u>		FY 11 Police-Unfounded Emergency Calls						
Alarm Systems Service Charge	were as follows:							
	Occurrences	Revenue						
	763	No charge	Police-Unfounded Emergency calls	Pre FY 02	No Charge	No Charge	0-3 Occurrences per calendar year	No Charge
	84	\$6,300.00	Police-Unfounded Emergency calls	FY 08	\$75.00	\$75.00	4th Occurrence per calendar year	\$75.00
	65	\$4,875.00	Police-Unfounded Emergency calls	FY 08	\$75.00	\$75.00	5th Occurrence per calendar year	\$75.00
	35	\$2,625.00	Police-Unfounded Emergency calls	FY 08	\$75.00	\$75.00	6th Occurrence per calendar year	\$75.00
	25	\$2,500.00	Police-Unfounded Emergency calls	FY 08	\$100.00	\$100.00	7th Occurrence per calendar year	\$100.00
	16	\$2,400.00	Police-Unfounded Emergency calls	FY 10	\$150.00	\$150.00	8th Occurrence per calendar year	\$150.00
	10	\$2,000.00	Police-Unfounded Emergency calls	FY 10	\$200.00	\$200.00	9th Occurrence per calendar year	\$200.00
	36	\$10,800.00	Police-Unfounded Emergency calls	FY 08	\$300.00	\$300.00	10th-15th Occurrences per calendar year	\$300.00
	2	\$800.00	Police-Unfounded Emergency calls	FY 09	\$400.00	\$400.00	16th-20th Occurrences per calendar year	\$400.00
	0	\$0.00	Police-Unfounded Emergency calls	FY 10	\$500.00	\$500.00	21th-25th Occurrences per calendar year	\$500.00
	0	\$0.00	Police-Unfounded Emergency calls	FY 10	\$1,000.00	\$1,000.00	Each Occurrences 26 or over per calendar year	\$1,000.00
	1036	\$32,300.00	Fire-Unfounded Emergency calls	Pre FY 02	No Charge	No Charge	0-2 Occurrences per January to June	No Charge
			Fire-Unfounded Emergency calls	Pre FY 02	\$50.00	\$50.00	Each Occurrence over 2 per January to June	\$50.00
	Total calls by FY		Fire-Unfounded Emergency calls	Pre FY 02	No Charge	No Charge	0-2 Occurrences per July to December	No Charge
	FY 10	1,031	Fire-Unfounded Emergency calls	Pre FY 02	\$50.00	\$50.00	Each Occurrence over 2 per July to December	\$50.00
	FY 09	1,041						
	FY 08	1,224						
	FY 07	1,335						
	FY 06	1,214						
	FY 05	1,255						
	Fire Department does not currently monitor unfounded Emergency calls							
<u>Chapter 7: Article V Section 504</u>		Fee is not charged						
Bicycles		License		Pre FY 02	No Charge	No Charge		No Charge
Non-Ordinance	New fee for FY 13	U-Visa research		FY 13	N/A	N/A		* \$150.00

**City of Portsmouth
Fee Schedule
Fire Department**

*** (Indicates change from current fee)**

<u>Ordinance / Non-Ordinance Title</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>
Chapter 5: Article IV Section 406 Petroleum Inspector	N/A	Compensation	Pre FY 02	\$0.32	\$0.32 per 1,000 gallons	\$0.32
					(not to exceed the sum of \$2.00 per tanker)	
					(minimum fee shall not be less than \$1.00)	
Chapter 5: Article VI Section 601 Fire Department Emergency Medical Service	FY 11 revenue of \$654,089	(Established by City Manager, Approved by Fire Commission)				
Chapter 5: Article VIII Section 804 Alarm Systems Monitored by the City	FY 11 there were 252 alarms monitored for \$38,185	(Established by City Manager, Approved by Police or Fire Commission)				
Chapter 5: Article IX Section F403.2 Open Burning	FY 11 there were 200 permits issued for \$1,000		FY 05	\$5.00	\$5.00 Inspection Fee	* \$10.00
Non-Ordinance	FY 11 there were 5 reports researched for \$125	Environmental Reports and Research	FY 06	\$25.00	\$25.00	\$25.00

City of Portsmouth
 Fee Schedule
 Public Works

*** (Indicates change from current fee)**

<u>Ordinance / Non-Ordinance</u> Title	NOTES	Description	<u>Fiscal Year</u> <u>Last Adjusted</u>	<u>FY 2011</u> <u>Schedule</u>	<u>FY 2012</u> <u>Schedule</u>	Suggested <u>FY 2013</u> <u>Schedule</u>
Non-Ordinance	4	\$48.00 Yard Waste Disposal (contractors)	FY 04	\$12.00	\$12.00 per tree chipper box	\$12.00

City of Portsmouth
Fee Schedule
Recreation

*(Indicates change from current fee)

Ordinance / Non-Ordinance Title	NOTES	Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
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RECREATION-SPINNAKER PT.

Calendar Year Information:								
	2010	2011						
Non-Ordinance	Adult Residence	788	826	Adult Resident	FY 12	\$168.00	\$180.00 per year	* \$192.00
Non-Ordinance	Sr. Citizen Residence	520	658	Senior Citizen Resident	FY 12	\$84.00	\$90.00 per year	* \$96.00
Non-Ordinance	Non Resident Tax Payer	33	96	Adult Non-Resident	FY 12	\$336.00	\$360.00 per year	* \$384.00
Non-Ordinance	FY Revenue	\$136,202	\$145,710	Daily Guest Fee Resident	PRE FY 02	\$5.00	\$5.00 per day	\$5.00
Non-Ordinance				Daily Guest Fee Non-Resident	FY 12	N/A	\$10.00 per day	\$10.00

RECREATION-INDOOR POOL

Per the "Consolidation Lease and Operations Agreement to Maintain the Portsmouth Public Pool"

Article III Section 3.2

SIPP shall set prices for all services offered on the Premises including:

classes, lessons, memberships, rental fees, and special event operations subject to the following:

All prices affecting City residents shall be subject to review and approval by the City Manager or his designee.

Ordinance / Non-Ordinance	Description	Fiscal Year	FY 2011	FY 2012	Suggested FY 2013
Non-Ordinance	5 & Under, Resident	FY 11	\$3.00	\$3.00 per session	\$3.00
Non-Ordinance	5 & Under, Non-Resident	FY 11	\$5.00	\$5.00 per session	\$5.00
Non-Ordinance	5 & Under, Resident/Membership	FY 11	\$180.00	\$180.00 per year	\$180.00
Non-Ordinance	5 & Under, Non-Resident/Membership	FY 11	\$240.00	\$240.00 per year	\$240.00
Non-Ordinance	6-17, Resident	FY 11	\$5.00	\$5.00 per session	\$5.00
Non-Ordinance	6-17, Non-Resident	PRE FY 02	\$10.00	\$10.00 per session	\$10.00
Non-Ordinance	6-17, Resident/Membership	FY 11	\$180.00	\$180.00 per year	\$180.00
Non-Ordinance	6-17, Non-Resident/Membership	FY 11	\$240.00	\$240.00 per year	\$240.00
Non-Ordinance	18-59, Resident	FY 11	\$5.00	\$5.00 per session	\$5.00
Non-Ordinance	18-59, Non-Resident	FY 11	\$10.00	\$10.00 per session	\$10.00
Non-Ordinance	18-59, Resident/Membership	FY 11	\$300.00	\$300.00 per year	\$300.00
Non-Ordinance	18-59, Non-Resident/Membership	FY 11	\$540.00	\$540.00 per year	\$540.00

The Recreation Department reported the following Indoor Pool revenue for FY 11: \$304,533

City of Portsmouth
 Fee Schedule
 Recreation

***(Indicates change from current fee)**

<u>Ordinance / Non-Ordinance</u> Title	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year</u> <u>Last Adjusted</u>	<u>FY 2011</u> <u>Schedule</u>	<u>FY 2012</u> <u>Schedule</u>	<u>Suggested</u> <u>FY 2013</u> <u>Schedule</u>									
Non-Ordinance		Senior Citizen, Resident	FY 11	\$3.00	\$3.00 per session	\$3.00									
Non-Ordinance		Senior Citizen, Non-Resident	FY 11	\$5.00	\$5.00 per session	\$5.00									
Non-Ordinance		Senior Citizen, Resident/Membership	FY 11	\$240.00	\$240.00 per year	\$240.00									
Non-Ordinance		Senior Citizen, Non-Resident/Membership	FY 11	\$300.00	\$300.00 per year	\$300.00									
Non-Ordinance		First Adult, Resident/Family Rate	FY 11	\$300.00	\$300.00 per year	\$300.00									
Non-Ordinance		First Adult, Non-Resident/Family Rate	FY 11	\$540.00	\$540.00 per year	\$540.00									
Non-Ordinance		Second Adult, Resident/Family Rate	FY 11	\$180.00	\$180.00 per year	\$180.00									
Non-Ordinance		Second Adult, Non-Resident/Family Rate	FY 11	\$300.00	\$300.00 per year	\$300.00									
Non-Ordinance		Maximum Per Family, Resident/Family Rate	FY 11	\$720.00	\$720.00 per year	\$720.00									
Non-Ordinance		Maximum Per Family, Non-Resident/Family Rate	FY 11	\$720.00	\$720.00 per year	\$720.00									
		Swimming Lessons (rates based on a 8 lesson Session)													
		Resident Member	FY 11	\$30.00	\$30.00	\$30.00									
		Resident Non-Member	FY 11	\$45.00	\$45.00	\$45.00									
		Non-Resident Member	FY 11	\$65.00	\$65.00	\$65.00									
		Non-Resident Non-Member	FY 11	\$100.00	\$100.00	\$100.00									
Non-Ordinance		Pool Rental	FY 11	\$150.00	\$150.00 per hour	\$150.00									
Non-Ordinance		per staff	FY 09	\$40.00	\$40.00	\$40.00									
		New Member Processing Fee	FY 11	\$25.00	\$25.00	\$25.00									
		RECREATION-OUTDOOR POOL													
Non-Ordinance	The Recreation Department reported the following Outdoor Pool usage: <table border="1" style="margin-left: 20px;"> <tr> <td></td> <td>2010</td> <td>2011</td> </tr> <tr> <td>Average Daily Use</td> <td>490</td> <td>367</td> </tr> <tr> <td>Revenue Collected</td> <td>\$19,406</td> <td>\$22,085</td> </tr> </table>		2010	2011	Average Daily Use	490	367	Revenue Collected	\$19,406	\$22,085	18 & Under, Resident	PRE FY 02	\$0.00	\$0.00 per day	\$0.00
		2010	2011												
Average Daily Use		490	367												
Revenue Collected		\$19,406	\$22,085												
Non-Ordinance			18 & under, Non-Resident	FY 12	\$1.00	\$2.00 per day	\$2.00								
Non-Ordinance		19 & Over, Resident	FY 12	\$1.00	\$2.00 per day	\$2.00									
Non-Ordinance		19 & over, Non-Resident	FY 12	\$2.00	\$4.00 per day	\$4.00									
		RECREATION-MISCELLANEOUS													
Non-Ordinance		Field/Gym-Organized Teams(all inclusive)	PRE FY 02	\$25.00	\$25.00 per team	\$25.00									

City of Portsmouth
 Fee Schedule
 Recreation

*** (Indicates change from current fee)**

<u>Ordinance / Non-Ordinance</u> Title	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year</u> <u>Last Adjusted</u>	<u>FY 2011</u> <u>Schedule</u>	<u>FY 2012</u> <u>Schedule</u>	<u>Suggested</u> <u>FY 2013</u> <u>Schedule</u>
Non-Ordinance		Practice-Field/Gym use (does not apply to youth athletics including Little League)	FY 12	\$10.00	\$20.00	\$20.00
		Co-sponsored (non-swim team) programs maintenance fee (placed in maintenance fund)	FY 06	\$200.00	\$200.00 per team	\$200.00
		Non-Resident participants in co-sponsored (non-swim team) programs (placed in maintenance fund)	FY 06	\$20.00	\$20.00 per person	\$20.00
Non-Ordinance		Electrical Light Usage at Ballfields(does not apply to youth athletics)	PRE FY 02	\$45.00	\$45.00	\$45.00
Non-Ordinance		Room Rental	PRE FY 02	\$10.00	\$10.00	\$10.00
Non-Ordinance	FY 11 Boat Ramp fees collected:	Boat Launch at Peirce Island (Non-Resident)	PRE FY 02	\$100.00	\$100.00 per season	\$100.00
Non-Ordinance	\$12,440	Boat Launch at Peirce Island (Non-Resident)	FY 09	\$15.00	\$15.00 per launch	\$15.00
Non-Ordinance		Kayaks, non-motorized	PRE FY 02	\$5.00	\$5.00 per launch	\$5.00
Non-Ordinance		Kayaks, non-motorized	PRE FY 02	\$50.00	\$50.00 per season	\$50.00
Non-Ordinance		Commercial	FY 09	\$30.00	\$30.00 per launch	\$30.00

City of Portsmouth
 Fee Schedule
 Health Department

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance
 Title

NOTES

Description Fiscal Year Last Adjusted FY 2011 Schedule FY 2012 Schedule Suggested FY 2013 Schedule

HEALTH

FY 11 Health Permits were as follows:

Ordinance / Non-Ordinance Title	# of Permits	Fees Collected	Class	Description	Fiscal Year Last Adjusted	FY 2011 Schedule	FY 2012 Schedule	Suggested FY 2013 Schedule
Non-Ordinance	67	\$23,450.00	A	Restaurants (100+ seating capacity)	FY 07	\$350.00	\$350.00	\$350.00
Non-Ordinance	12	\$3,600.00	B	Restaurants (76-100 seating capacity)	FY 07	\$300.00	\$300.00	\$300.00
Non-Ordinance	30	\$7,200.00	C	Restaurants (51-75 seating capacity)	FY 07	\$240.00	\$240.00	\$240.00
Non-Ordinance	24	\$4,320.00	D	Restaurants (26-50 seating capacity)	FY 07	\$180.00	\$180.00	\$180.00
Non-Ordinance	98	\$12,250.00	E	Restaurants (0-25 seating capacity)	FY 07	\$125.00	\$125.00	\$125.00
Non-Ordinance			E	Bakeries	FY 07	\$125.00	\$125.00	\$125.00
			E	Markets or stores with less than 2 food preparation areas selling prepared foods and inc. fish markets, seafood stores and fish processing facilities	FY 07	\$125.00	\$125.00	\$125.00
Non-Ordinance			E	Catering	FY 07	\$125.00	\$125.00	\$125.00
Non-Ordinance	8	\$2,800.00	F	Supermarkets	FY 08	\$350.00	\$350.00	\$350.00
Non-Ordinance	6	\$480.00	G	Bed and Breakfast Operations	FY 07	\$80.00	\$80.00	\$80.00
Non-Ordinance			G	Nursing Home (Food Service)	FY 07	\$80.00	\$80.00	\$80.00
	31	\$1,550.00	H	Prepackaged Foods (movie theaters, gas stations, video, candy, department, drug stores)	PRE FY 02	\$50.00	\$50.00	\$50.00
Non-Ordinance	8	\$1,200.00	M	Mobile Food Operations	FY 12	\$150.00	\$200.00	\$200.00
Non-Ordinance	Individual occurrences not tracked		T	Temporary Food Permit (14 days or less) (Portsmouth business with food service permit exempt)	FY 12	\$40.00	\$100.00	(up to four (4) weeks before the day of the event) \$100.00
Non-Ordinance	Individual occurrences not tracked				PRE FY 02	\$100.00	\$100.00	(thereafter) \$100.00
Non-Ordinance	Individual occurrences not tracked		TT	Sampling for non potentially hazardous foods (14 days or less) (Portsmouth business with food service permit exempt)	FY 10	\$15.00	\$15.00	(up to four (4) weeks before the day of the event) \$15.00
					FY 10	\$40.00	\$40.00	(thereafter) \$40.00
Non-Ordinance	2	\$120.00	V	Limited Events (1 to 4 events per year)	FY 08	\$60.00	\$60.00	\$60.00
Non-Ordinance			W	Farmer's Market Permit (period 6/01/xx-11/01/xx)	FY 07	\$140.00	\$140.00	\$140.00

City of Portsmouth
 Fee Schedule
 Health Department

***(Indicates change from current fee)**

Ordinance / Non-Ordinance
 Title

NOTES

Non-Ordinance

Non-Ordinance

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>
X No Fee for Health Department Permits: Religious Organizations Youth Groups School Related organizations	FY 10	No Fee	No Fee	No Fee
These organizations will need to obtain the appropriate Health Permit however there will be no fee associated with the permit.				
Y Fundraiser Permit	FY 12	N/A	\$100.00 per event	\$100.00

City of Portsmouth
 Fee Schedule
 Parking / Transportation

*** (Indicates change from current fee)**

<u>Ordinance / Non-Ordinance Title</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>
Chapter 6: Article XIII Section 1307						
Vendor from Motor Vehicle	FY 11-No permits issued	Vendor From Motor Vehicle Permit April 15- November 15	FY 10	\$5,000.00	\$5,000.00 Minimum Bid	\$5,000.00
Non-Ordinance						
Valet Parking	FY 11 - 0 vendors	Valet - from Metered Parking Spaces	FY 10	\$10.00	\$10.00 space per day	\$10.00
	FY 11 - 2 permits issued	Valet - from Commercial Loading Zone	FY 10	\$500.00	\$500.00 annually	\$500.00
Chapter 7: Article I Section 114A						
Construction Permit	FY 11 revenue received was \$62,665	Meter Bag	FY 08	\$20.00	\$20.00 Per Day	* \$30.00
Chapter 7: Article I Section 114B						
Construction Permit	FY 11 reimbursement for bags was \$2,695	Meter Bag	FY 05	\$5.00	\$5.00 Cost of Bag	* Delete
Chapter 7: Article IV Section 402 C						
High Hanover Parking Garage	FY 11 hourly rate revenue equaled to \$1,295,817. FY 11 monthly pass revenue equated to \$571,648. FY 11 Pass Reinstatement revenue equated to \$2,805. Monthly passes as of Dec 11 as follows: 293 - \$100 per month (24 hr passes) 299 - \$80 per month (day passes) 0 - \$50 per month (night passes)	Rates	FY 05	\$0.75	\$0.75 Hourly Rate	\$0.75
			PRE FY 02	\$80.00	\$80.00 Monthly Pass Daytime (7am-7pm)	\$80.00
			PRE FY 02	\$50.00	\$50.00 Monthly Pass Nighttime (7pm-7am)	\$50.00
			PRE FY 02	\$100.00	\$100.00 Monthly Pass 24 hr	\$100.00
			FY 11	\$15.00	\$15.00 Lost Ticket Fee/Max Daily rate	\$15.00
			FY 08	\$35.00	\$35.00 Garage Pass Deposit	\$35.00
			FY 08	\$15.00	\$15.00 Pass Reinstatement Fee-Leaseholders	\$15.00
		Electric Vehicle Reserved parking	FY 13	N/A	N/A Per Hour Charge	* \$1.25
Chapter 7: Article IV Section 408						
Boat launch	FY 11- 3 permits issued	Peirce Island Overnight Boat Launch Parking	FY 10	\$5.00	\$5.00 Nightly	\$5.00
Chapter 7: Article VI Section 604						
Truck Loading/Unloading Zones	FY 11 - 55 permits issued for \$1,375	Commercial Loading Zone Permit	FY 10	\$25.00	\$25.00 Annually	\$25.00

**City of Portsmouth
Fee Schedule
Parking / Transportation**

*** (Indicates change from current fee)**

<u>Ordinance / Non-Ordinance Title</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>
Chapter 7: Article IX Section 903						
Summons Administration Fee	FY 11 revenue of \$9,415 with 125 occurrences of the fee.	Summons Administration Fee	FY 08	\$75.00	\$75.00	\$75.00
Chapter 7: Article X Section 1004B						
Towing	FY 11 revenue of \$16,175 with 215 occurrences of the fee.	Boot Removal Administration Fee	FY 08	\$75.00	\$75.00	\$75.00

**City of Portsmouth
Fee Schedule
Water / Sewer Divisions**

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance Title	NOTES	Description	Fiscal Year	FY 2011	FY 2012	Suggested
			Last Adjusted	Schedule	Schedule	FY 2013 Schedule
Chapter 11: Article II Section 204						
Private Sewage Disposal	see Chapter 15, Part II of II: Section 106.5.2 for Septic System fee(per dwelling)	Inspection Fee	PRE FY 02	N/A	N/A	N/A
Chapter 11: Article II Section 205						
Building Sewers and Connections		Permit and Inspection Fee	PRE FY 02	\$10.00	\$10.00	\$10.00
Storm Water Connection Permit Fee (Dependent upon revision of ordinance)		Permit and Inspection Fee	FY 06	\$200.00	\$200.00	\$200.00
Industrial Discharge Permit Fee, Including Permit Renewals		Class 1, Permit and Inspection Fee	FY 08		Consultant Based Fee	Consultant Based Fee
Industrial Discharge Permit Fee, Including Permit Renewals		Class 2, Permit and Inspection Fee	FY 08		Consultant Based Fee	Consultant Based Fee
Industrial Discharge Permit Fee, Including Permit Renewals		Class 3, Permit and Inspection Fee	FY 08	\$500.00	\$500.00	\$500.00
Industrial Discharge Permit Fee, Including Permit Renewals		Class 4, Permit and Inspection Fee	FY 08	\$500.00	\$500.00	\$500.00
Industrial Discharge Permit Fee, Including Permit Renewals		Class 5, Permit and Inspection Fee	FY 08	\$500.00	\$500.00	\$500.00
Oil and Grease Trap Permit Fee		Permit and Inspection Fee	FY 06	\$100.00	\$100.00	\$100.00
Oil and Grease Trap Permit Renewal Fee		Permit and Inspection Fee	FY 06	\$50.00	\$50.00	\$50.00

Non-Ordinance	FY11 Occurrences were as follows		WATER and SEWER FEES				
	Occurrences	Revenue					
Non-Ordinance			Finance Charge, Unpaid balances after due date	PRE FY 02	18% annual	18% annual	18% annual
Non-Ordinance	186	\$4,650	Turn On	PRE FY 02	\$25.00	\$25.00	\$25.00
Non-Ordinance	128	\$3,200	Turn Off	PRE FY 02	\$25.00	\$25.00	\$25.00
Non-Ordinance	319	\$11,165	Final Billing Request	PRE FY 02	\$35.00	\$35.00	\$35.00
Non-Ordinance			Hydrant Rental Deposit	FY 08	\$1,000.00	\$1,000.00	\$1,000.00
Non-Ordinance	Currently do not charge		Yearly Account History	PRE FY 02	\$10.00	\$10.00	\$10.00
Non-Ordinance	6	\$210	Frozen Meter Repairs =< 1 1/2"	PRE FY 02	\$35.00	\$35.00	\$35.00
Non-Ordinance			Frozen Meter Repairs >1 1/2"	PRE FY 02	\$50.00	\$50.00	\$50.00
			If parts exceed the minimum charge, customer				

City of Portsmouth
 Fee Schedule
 Water / Sewer Divisions

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance	NOTES		Description	Fiscal Year	FY 2011	FY 2012	Suggested FY 2013 Schedule
	Title			Last Adjusted	Schedule	Schedule	
Non-Ordinance	12	\$2,040	is charged for parts. Emergency Callout	FY 12	\$170.00	\$190.00	\$190.00
			Based on current wages + benefits Minimum callout=4 hours overtime per union contracts				
Non-Ordinance	1	\$280	Meter Testing <1 1/2"	PRE FY 02	\$35.00	\$35.00	\$35.00
Non-Ordinance			Meter Testing >=1 1/2"	PRE FY 02	\$50.00	\$50.00	\$50.00
			When requested by customer, (if meter test fails no charge to customer)				
Non-Ordinance			Water Services Application Fee	FY 08	\$100.00	\$100.00	\$100.00
Non-Ordinance			Meter Reading System Repairs	FY 12	N/A	\$50.00	\$50.00
			Plus cost of parts				
Non-Ordinance			Fire Flow Testing	FY 13	N/A	N/A per Test	* \$200.00
Non-Ordinance			Fire Services, Fee per Month				
Non-Ordinance			1"	FY 08	\$2.55	\$2.55	\$2.55
Non-Ordinance			1 1/2"	FY 08	\$3.82	\$3.82	\$3.82
Non-Ordinance			2"	FY 08	\$5.09	\$5.09	\$5.09
Non-Ordinance			2 1/2"	FY 08	\$7.64	\$7.64	\$7.64
Non-Ordinance			3"	FY 08	\$12.22	\$12.22	\$12.22
Non-Ordinance			4"	FY 08	\$19.35	\$19.35	\$19.35
Non-Ordinance			5"	FY 08	\$31.57	\$31.57	\$31.57
Non-Ordinance			6"	FY 08	\$38.69	\$38.69	\$38.69
Non-Ordinance			8"	FY 08	\$71.28	\$71.28	\$71.28
Non-Ordinance			10"	FY 08	\$107.93	\$107.93	\$107.93
Non-Ordinance			12"	FY 08	\$162.88	\$162.88	\$162.88
Non-Ordinance	1,040	\$104,000	Hydrant Rentals to Municipalities per hydrant	PRE FY 02	\$100.00	\$100.00	\$100.00
Non-Ordinance	1,695	\$95,600	Backflow Test	PRE FY 02	\$50.00	\$50.00	\$50.00
Non-Ordinance	Occurrences not tracked individually		Permits	PRE FY 02	\$25.00	\$25.00	\$25.00
Non-Ordinance	Occurrences not tracked individually		Test Only	PRE FY 02	\$10.00	\$10.00	\$10.00

City of Portsmouth
 Fee Schedule
 Water / Sewer Divisions

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance	NOTES		Description	Fiscal Year	FY 2011	FY 2012	Suggested
				Last Adjusted	Schedule	Schedule	FY 2013
Title							Schedule
Non-Ordinance	Occurrences not tracked individually		Test and Sampling	PRE FY 02	\$40.00	\$40.00	\$40.00
Non-Ordinance			Sewer Surcharges-BOD Portsmouth	PRE FY 02	\$0.12	\$0.12 per LB	\$0.12
Non-Ordinance	not tracked by location		Pease	PRE FY 02	\$0.12	\$0.12 per LB	\$0.12
Non-Ordinance			TSS Portsmouth	PRE FY 02	\$0.13	\$0.13 per LB	\$0.13
Non-Ordinance	not tracked by location		Pease	PRE FY 02	\$0.13	\$0.13 per LB	\$0.13
Non-Ordinance	2.431 M gals	\$145,850	Dumping Fees per 1,000 gals	FY 05	\$60.00	\$60.00	\$60.00
Non-Ordinance	Occurrences not tracked individually		Recreation Vehicles	FY 12	\$5.00	\$25.00	\$25.00
Non-Ordinance	Occurrences not tracked individually		Sewer Connection Permits, as req'd ENV-WQ 703.07	PRE FY 02	\$100.00	\$100.00	\$100.00
(Dependent upon revision of ordinance)			Sewer Connection Fees	PRE FY 02	\$250.00	\$250.00	\$250.00
Non-Ordinance	247	\$3,698	Equipment Rate (Water & Sewer) - Pick Up	FY 12	\$10.00	\$15.00 per hour	\$15.00
Non-Ordinance	117	\$4,660	Backhoe	PRE FY 02	\$40.00	\$40.00 per hour	\$40.00
Non-Ordinance	66	\$4,356	Excavator	PRE FY 02	\$66.00	\$66.00 per hour	\$66.00
Non-Ordinance	136	\$5,420	Dump	PRE FY 02	\$40.00	\$40.00 per hour	\$40.00
Non-Ordinance			Compressor	PRE FY 02	\$8.00	\$8.00 per hour	\$8.00
Non-Ordinance			Pump	PRE FY 02	\$10.00	\$10.00 per hour	\$10.00
Non-Ordinance			Roller	PRE FY 02	\$20.00	\$20.00 per hour	\$20.00
Non-Ordinance			Loader	PRE FY 02	\$50.00	\$50.00 per hour	\$50.00
Non-Ordinance			Steamer	PRE FY 02	\$10.00	\$10.00 per hour	\$10.00
Non-Ordinance			Sewer Rodder	PRE FY 02	\$20.00	\$20.00 per hour	\$20.00
Non-Ordinance	12	\$780	Vactor	FY 03	\$65.00	\$65.00 per hour	\$65.00
Non-Ordinance			Paver	PRE FY 02	\$17.00	\$17.00 per hour	\$17.00
Non-Ordinance			TV Camera Vehicle	FY 08	\$65.00	\$65.00 per hour	\$65.00
Ordinance	FY 11	\$33,336	Water - Capacity Improvement Multiplier (CIM)	FY 12	\$652.00	\$527.00 per EDU	* \$684.00
			EDU = equivalent dwelling unit				
Ordinance	FY 11	\$25,976	Sewer - Capacity Improvement Multiplier (CIM)	FY 12	\$744.00	\$814.00 per EDU	* \$918.00
			EDU = equivalent dwelling unit				

City of Portsmouth
 Fee Schedule
 Library

(Indicates change from current fee)

<u>Ordinance / Non-Ordinance Title</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>
		LIBRARY				
Non-Ordinance	FY 11 collections of \$27,334 with 355 cards distributed, there are card holders who do not purchase cards--(city employees and local business owners)	Non-Resident Library Card	FY 09	\$80.00	\$80.00	\$80.00
Non-Ordinance		Non-Resident Library Card-1/2 year	FY 09	\$45.00	\$45.00	\$45.00
Non-Ordinance		Non-Resident Library Card-Senior Rate	FY 09	\$75.00	\$75.00	\$75.00
Non-Ordinance		Non-Resident Library Card-Senior Rate 1/2 rate	FY 09	\$40.00	\$40.00	\$40.00

City of Portsmouth
 Fee Schedule
 Prescott Park

*** (Indicates change from current fee)**

<u>Ordinance / Non-Ordinance Title</u>	<u>NOTES</u>	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2011 Schedule</u>	<u>FY 2012 Schedule</u>	<u>Suggested FY 2013 Schedule</u>	
Chapter 8: Article II Section 202 E 7 b							
Park Property-	Fiscal Year 2011 revenue collected was \$43,287	RESIDENT (May 1-Sep 30)					
Daytime Docking Fees		Craft up to twenty (20) ft in length overall	FY 08	\$2.00	\$2.00 Per Hour	\$2.00	
		For craft twenty-one (21) ft to forty (30) ft overall	FY 08	\$3.00	\$3.00 Per Hour	\$3.00	
		For craft thirty-one (31) ft to forty (40) ft overall	FY 08	\$4.00	\$4.00 Per Hour	\$4.00	
		For craft over forty-one (41) ft to fifty (50) ft overall	FY 08	\$5.00	\$5.00 Per Hour	\$5.00	
		For craft over fifty (50) ft overall	FY 08	\$6.00	\$6.00 Per Hour	\$6.00	
		NON-RESIDENT (May 1-Sep 30)					
		Craft up to twenty (20) ft in length overall	FY 09	\$5.00	\$5.00 Per Hour	\$5.00	
		For craft twenty-one (21) ft to forty (30) ft overall	FY 09	\$8.00	\$8.00 Per Hour	\$8.00	
		For craft thirty-one (31) ft to forty (40) ft overall	FY 09	\$10.00	\$10.00 Per Hour	\$10.00	
		For craft over forty-one (41) ft to fifty (50) ft overall	FY 09	\$12.00	\$12.00 Per Hour	\$12.00	
		For craft over fifty (50) ft overall	FY 09	\$15.00	\$15.00 Per Hour	\$15.00	
Park Property-24 Hour Docking Fees			RESIDENT (May 1-Sep 30)				
(to be paid in advance)			Craft up to twenty (20) ft in length overall	FY 08	\$25.00	\$25.00 Per Day	\$25.00
			For craft twenty-one (21) ft to forty (30) ft overall	FY 08	\$30.00	\$30.00 Per Day	\$30.00
			For craft thirty-one (31) ft to forty (40) ft overall	FY 08	\$35.00	\$35.00 Per Day	\$35.00
			For craft over forty-one (41) ft to fifty (50) ft overall	FY 08	\$40.00	\$40.00 Per Day	\$40.00
			For craft over fifty (50) ft overall	FY 08	\$55.00	\$55.00 Per Day	\$55.00
			NON-RESIDENT (May 1-Sep 30)				
			Craft up to twenty (20) ft in length overall	FY 09	\$35.00	\$35.00 Per Day	\$35.00
			For craft twenty-one (21) ft to forty (30) ft overall	FY 09	\$50.00	\$50.00 Per Day	\$50.00
			For craft thirty-one (31) ft to forty (40) ft overall	FY 09	\$70.00	\$70.00 Per Day	\$70.00
			For craft over forty-one (41) ft to fifty (50) ft overall	FY 09	\$85.00	\$85.00 Per Day	\$85.00
			For craft over fifty (50) ft overall	FY 09	\$100.00	\$100.00 Per Day	\$100.00

City of Portsmouth
 Fee Schedule
 Prescott Park

*** (Indicates change from current fee)**

Ordinance / Non-Ordinance
 Title

NOTES

<u>Description</u>	<u>Fiscal Year</u> <u>Last Adjusted</u>	<u>FY 2011</u> <u>Schedule</u>	<u>FY 2012</u> <u>Schedule</u>	<u>Suggested</u> <u>FY 2013</u> <u>Schedule</u>
RESIDENT (Oct 1-Apr 30)				
Craft up to twenty (20) ft in length overall	FY 10	\$1.00	\$1.00 Per Hour	\$1.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 11	\$1.00	\$1.00 Per Hour	\$1.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 10	\$2.00	\$2.00 Per Hour	\$2.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 11	\$3.00	\$3.00 Per Hour	\$3.00
For craft over fifty (50) ft overall	FY 10	\$3.00	\$3.00 Per Hour	\$3.00
NON-RESIDENT (Oct 1-Apr 30)				
Craft up to twenty (20) ft in length overall	FY 11	\$3.00	\$3.00 Per Hour	\$3.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 10	\$4.00	\$4.00 Per Hour	\$4.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 10	\$5.00	\$5.00 Per Hour	\$5.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 10	\$6.00	\$6.00 Per Hour	\$6.00
For craft over fifty (50) ft overall	FY 11	\$8.00	\$8.00 Per Hour	\$8.00
RESIDENT (Oct 1-Apr 30)				
Craft up to twenty (20) ft in length overall	FY 11	\$13.00	\$13.00 Per Day	\$13.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 10	\$15.00	\$15.00 Per Day	\$15.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 11	\$18.00	\$18.00 Per Day	\$18.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 10	\$20.00	\$20.00 Per Day	\$20.00
For craft over fifty (50) ft overall	FY 11	\$28.00	\$28.00 Per Day	\$28.00
NON-RESIDENT (Oct 1-Apr 30)				
Craft up to twenty (20) ft in length overall	FY 11	\$18.00	\$18.00 Per Day	\$18.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 10	\$25.00	\$25.00 Per Day	\$25.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 10	\$35.00	\$35.00 Per Day	\$35.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 11	\$43.00	\$43.00 Per Day	\$43.00
For craft over fifty (50) ft overall	FY 10	\$50.00	\$50.00 Per Day	\$50.00

**City of Portsmouth
Fee Schedule
Prescott Park**

(Indicates change from current fee)

<u>Ordinance / Non-Ordinance</u> Title	NOTES	Description	Fiscal Year <u>Last Adjusted</u>	FY 2011 <u>Schedule</u>	FY 2012 <u>Schedule</u>	Suggested FY 2013 <u>Schedule</u>
Park Property-Seasonal Rental Docking Fees		RESIDENT (April 1 - November 1)	FY 10	\$100.00	\$100.00 Per Season per boat foot	\$100.00
		NON-RESIDENT (April 1 - November 1)	FY 10	\$120.00	\$120.00 Per Season per boat foot	\$120.00

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL SEWER FUND APPROPRIATION
AND CASH REQUIREMENTS
FOR THE FISCAL YEAR ENDING JUNE 30, 2013**

RESOLUTION #7-2012 **A RESOLUTION MAKING APPROPRIATION OF SUMS OF MONEY FOR ALL NECESSARY SEWER FUND EXPENSES FOR THE OPERATION OF THE SEWER SYSTEM OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE FOR THE FISCAL YEAR ENDING JUNE 30, 2013.**

RESOLVED: **BY THE CITY COUNCIL OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ASSEMBLED AS FOLLOWS:**

THAT, there is hereby an appropriated the sum of **Nine Million, Fifty Five Thousand, Four Hundred Twenty Eight (\$9,055,428) Dollars** based on the full accrual basis of accounting to defray expenses for the operation of the sewer system for the City of Portsmouth.

THAT, there is hereby a cash requirements of **Eleven Million, Three Hundred Eighty One Thousand, Eight Hundred Thirty Nine (\$11,381,839) Dollars** for the purpose of principal debt repayment, the purchase of assets and to defray expenses for the operations of the sewer system.

THAT, the sewer user rate effective July 1, 2012 is **\$9.54** per unit (1 unit equals 100 cubic feet or 748 gallons) for the first 10 units of sewer usage per month, and **\$10.49** per unit for all units used thereafter to yield a portion of revenue to meet the cash requirement for the operation of the City of Portsmouth's sewer system.

APPROVED BY:

ERIC SPEAR, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CITY CLERK

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL WATER FUND APPROPRIATION
AND CASH REQUIREMENTS
FOR THE FISCAL YEAR ENDING JUNE 30, 2013**

RESOLUTION #8-2012 **A RESOLUTION MAKING APPROPRIATION OF SUMS OF MONEY FOR ALL NECESSARY WATER FUND EXPENSES FOR THE OPERATION OF THE WATER SYSTEM OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE FOR THE FISCAL YEAR ENDING JUNE 30, 2013.**

RESOLVED: **THE CITY COUNCIL OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ASSEMBLED AS FOLLOWS:**

THAT, there is hereby appropriated the sum of **Six Million, Seven Hundred Twenty Eight Thousand, Four Hundred Seventy Three (\$6,728,473) Dollars** based on the full accrual basis of accounting to defray expenses for the operations of the water system for the City of Portsmouth.

THAT, there is hereby a cash requirements of **Eight Million, Nine Hundred Eighty One Thousand, Nine Hundred Seventy Seven (\$8,981,977) Dollars** for the purpose of principal debt repayment, the purchase of assets and to defray expenses for the operations of the water system.

THAT, the water user rate effective July 1, 2012 is **\$4.15** per unit (1 unit equals 100 cubic feet or 748 gallons) for the first 10 units of water consumed per month, and **\$5.00** per unit for all units consumed thereafter to yield a portion of revenue to meet the cash requirement for the operation of the City of Portsmouth's water system.

APPROVED BY:

ERIC SPEAR, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CITY CLERK

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL APPROPRIATION FOR THE EXPENDITURE OF
SPECIAL REVENUES AND COMMITTED FUND BALANCES FOR THE FISCAL YEAR
ENDING JUNE 30, 2013**

RESOLUTION #9-2012 **A RESOLUTION MAKING APPROPRIATION OF SUMS OF MONEY FROM SPECIAL REVENUES AND COMMITTED FUND BALANCES FOR NECESSARY EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2013.**

RESOLVED: **BY THE CITY COUNCIL OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE ASSEMBLED AS FOLLOWS:**

THAT, there is hereby appropriated supplemental funding from the General Fund Committed Health Insurance Fund Balance to defray the expenses of Health Insurance costs in excess of General Fund Appropriations for Health Insurance Premiums for Fiscal Year ending June 30, 2013.

THAT, there is hereby appropriated supplemental funding from the General Fund Committed Leave at Termination Fund Balance to defray the expenses of Leave at Termination in excess of General Fund Appropriations for Leave at Termination for Fiscal Year ending June 30, 2013.

THAT, there is hereby appropriated supplemental funding from any other General Fund Committed Fund Balance to defray expenses for Fiscal Year ending June 30, 2013.

THAT, there is hereby appropriated any sums received from all Special Revenues received from but not limited to Federal, State, and Local Grants and Donations for Fiscal Year ending June 30, 2013.

THAT, there is hereby appropriated any sums received from Special Revenue Sources, to a maximum of **Nineteen Million (\$19,000,000) Dollars** for the purposes for which such sums may be lawfully expended.

APPROVED BY:

ERIC SPEAR, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CITY CLERK

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL APPROVAL OF INVESTMENT POLICY
FOR THE FISCAL YEAR ENDING JUNE 30, 2013**

**RESOLUTION # 10-2012 A RESOLUTION APPROVING AN INVESTMENT POLICY FOR
THE FISCAL YEAR ENDING JUNE 30, 2013**

**RESOLVED: BY THE CITY COUNCIL OF THE CITY OF PORTSMOUTH,
NEW HAMPSHIRE ASSEMBLED AS FOLLOWS:**

THAT, the following investment policy is hereby approved for Fiscal
Year ending June 30, 2013 in conformance with State Law.

The City of Portsmouth recognizes an investment program as one aspect of sound public financial management. The investment program aims at matching the structure of the money market and operations of the City to achieve the best possible results for the City, considering such matters as safety, liquidity, and over-all yield. New Hampshire State Statute (RSA 48:16) authorizes the City Treasurer as custodian of City funds to invest funds not immediately needed for the purpose of expenditure and requires the annual approval by the City Council of an investment policy.

SCOPE

This Policy applies to all financial assets of the City of Portsmouth. Interest earned on public funds will be considered public money as is the principal invested, both are resources to achieve a public purpose.

This policy does not include the Trust Funds. The Trust Funds adhere to the Investment Guidelines for the Trust Assets of the City which are adopted by the Trustees of the Trust Funds.

OBJECTIVES

1. Where circumstances may arise and/or in maintaining compliance with this policy, the security and maintenance of principal will take precedent over the security and maintenance of interest.
2. Investments selected shall provide reasonable liquidity as directed by cash flow.
3. The desired return of investments shall be maximized, subject to #1 and #2 above.
4. This investment program encourages participation by financial institutions with the assumption that retention of funds in the local community will, in addition to the direct benefit of investment earnings, benefit the local economy, promote orderly growth and in turn enhance the tax base.
5. The City Finance Director/ City Treasurer will endeavor to have 100% of available funds invested on a day-to-day basis.

DELEGATION OF RESPONSIBILITY

1. Administration of cash management is by the Finance Director/City Treasurer. The Finance Director/City Treasurer is responsible for setting major investment strategy and conducts the day to day execution of policy.
2. Whenever the Finance Director/City Treasurer has in custody an excess of funds which are not immediately needed for the purpose of expenditure, the Finance Director/City Treasurer shall invest these funds in eligible investments defined by RSA 48:16.

3. All participants in the investment process shall act prudently to safeguard the public funds and confidence. Cash Management procedures fit the legal requirements and organizational structure and adheres to the commonly accepted "Prudent Man Rule".
4. The Cash Management Program operates daily and requires routine procedures to implement it. The City Finance Director/Treasurer shall review cash management and banking services on a continual and ongoing basis to assure that the policy objectives are met.

ELIGIBLE INVESTMENT TRANSACTIONS

Eligible investments are defined by RSA 48:16; accordingly investments will be in the following types of instruments:

1. The Public Investment Pool established pursuant to RSA 383:22.
2. Deposits including money market accounts, or certificates of deposits, or repurchase agreements, and all other types of interest bearing accounts, of federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, or in obligations fully guaranteed as to principal and interest by the United States government.

SAFEKEEPING AND COLLATERALIZATION

The Finance Director/City Treasurer shall have custody of all moneys belonging to the City. The Finance Director/City Treasurer shall deposit the same in participation units in the public deposit investment pool established pursuant to RSA 383:22, or in federally insured banks chartered under the laws of New Hampshire or the federal government with a branch within the state, except that funds may be deposited in federally insured banks outside the state if such banks pledge and deliver to a third party custodial bank or the regional federal reserve bank collateral security for such deposits of the following types:

- (a) United States government obligations;
- (b) United States government agency obligations; or
- (c) Obligations of the State of New Hampshire in value at least equal to the amount of the deposit in each case.

ETHICS AND CONFLICTS OF INTEREST

The "prudent person rule" shall be applied in the context of managing an overall portfolio. The authorized individuals acting in accordance with policy, exercising due diligence, and acting in good faith shall be relieved of personal responsibility for an individual investment's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and appropriate action is taken to control adverse developments. Authorized individuals shall refrain from personal business activity that could conflict with the proper execution of the City's investment program, or which could impair their ability to make impartial decisions.


APPROVED BY:

ERIC SPEAR, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CITY CLERK

MEMORANDUM

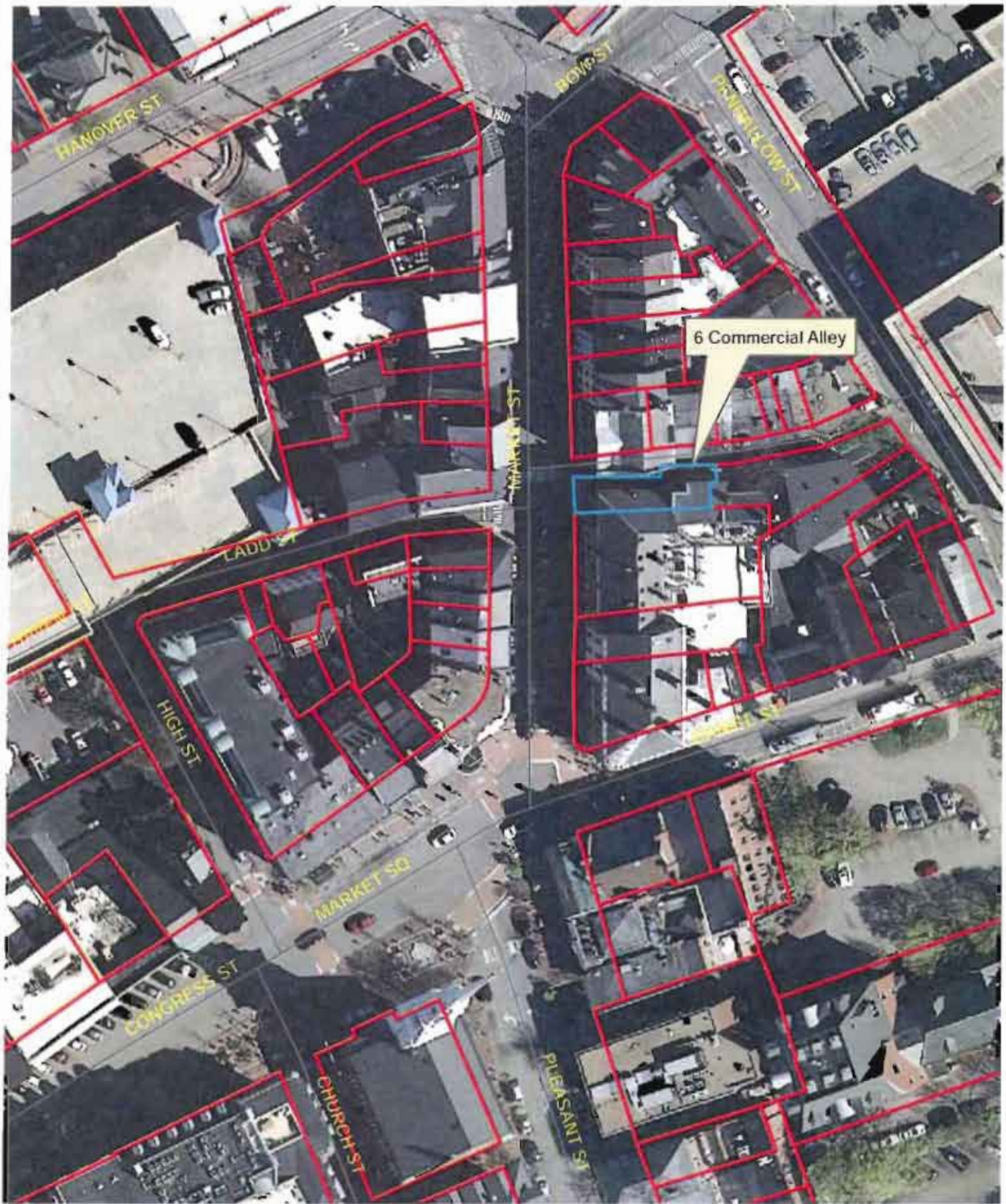
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director 
DATE: May 14, 2012
RE: City Council Referral – Projecting Sign
Address: 6 Commercial Aly
Business Name: ONEOHEIGHT Premium Threads
Business Owner: Joe Kelley

Permission is being sought to install a projecting sign on a new bracket, as follows:

Sign dimensions: 36" x 12"
Sign area: 3.0 sq. ft.
Height from sidewalk to bottom of sign: 9'0"
Maximum protrusion from building: 43 in.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.



Request for Projecting Sign License 6 Commercial Alley

Oneoheight
6 Commercial Alley
1 Projecting Sign




Projecting Sign

12"



36"

MEMORANDUM

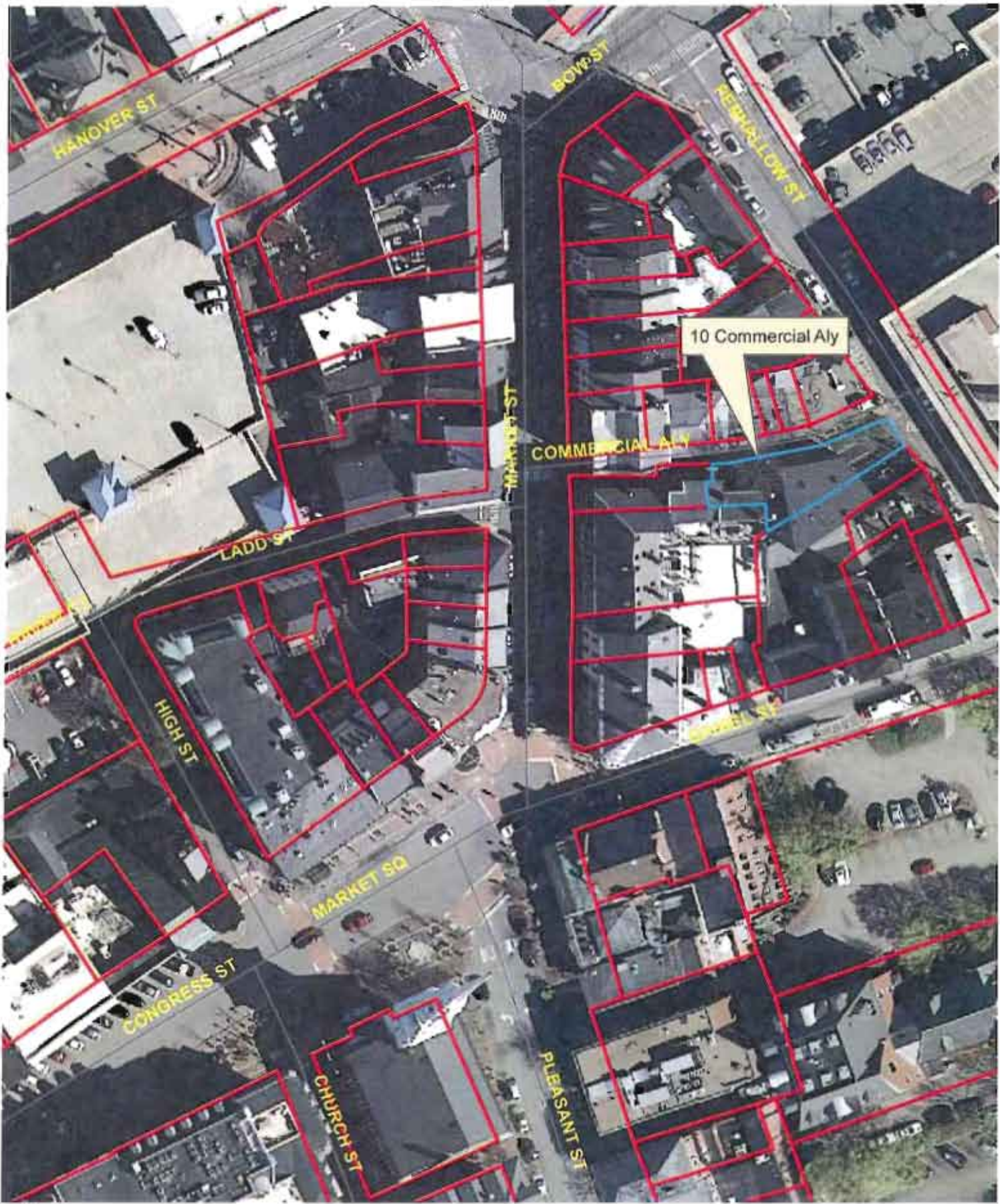
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director 
DATE: May 14, 2012
RE: City Council Referral – Projecting Sign
Address: 10 Commercial Aly
Business Name: Blue Grasshopper
Business Owner: Holly Fortier

Permission is being sought to install a projecting sign on an existing bracket, as follows:

Sign dimensions: 30" x 21"
Sign area: 3.4 sq. ft. (oval)
Height from sidewalk to bottom of sign: 8'0"
Maximum protrusion from building: 36 in.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.

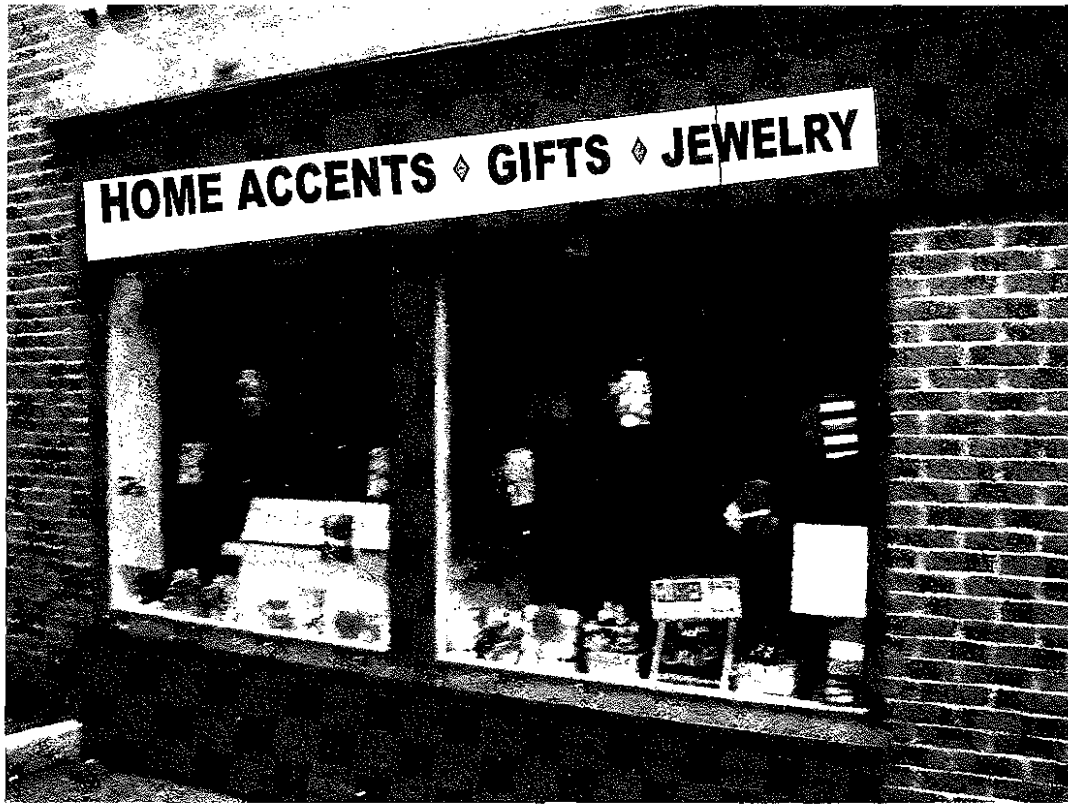


Request for Projecting Sign License 10 Commercial Aly

Blue Grasshopper
10 Commercial Alley
1 Projecting Sign

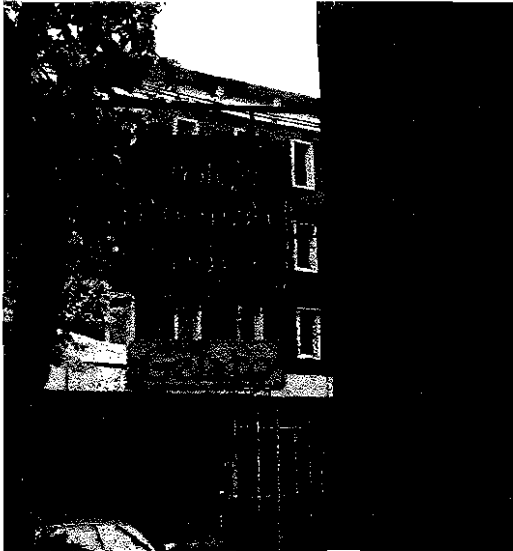


Sign #9



Barrington NH • 603-325-4545

Blue Grasshopper: Replacement of pin mounted letters. Same size as existing letters

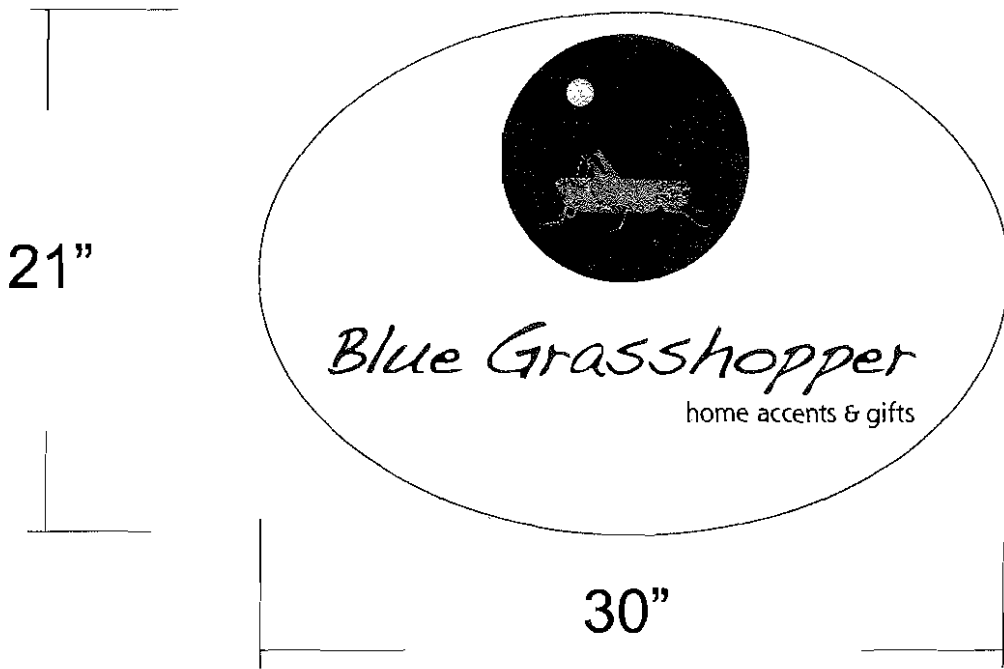


Existing



Proposed

← 6"
Between
wall &
Sign



Sign #11



Barrington NH • 603-325-4545

Blue Grasshopper: replacement of existing sign

MEMORANDUM

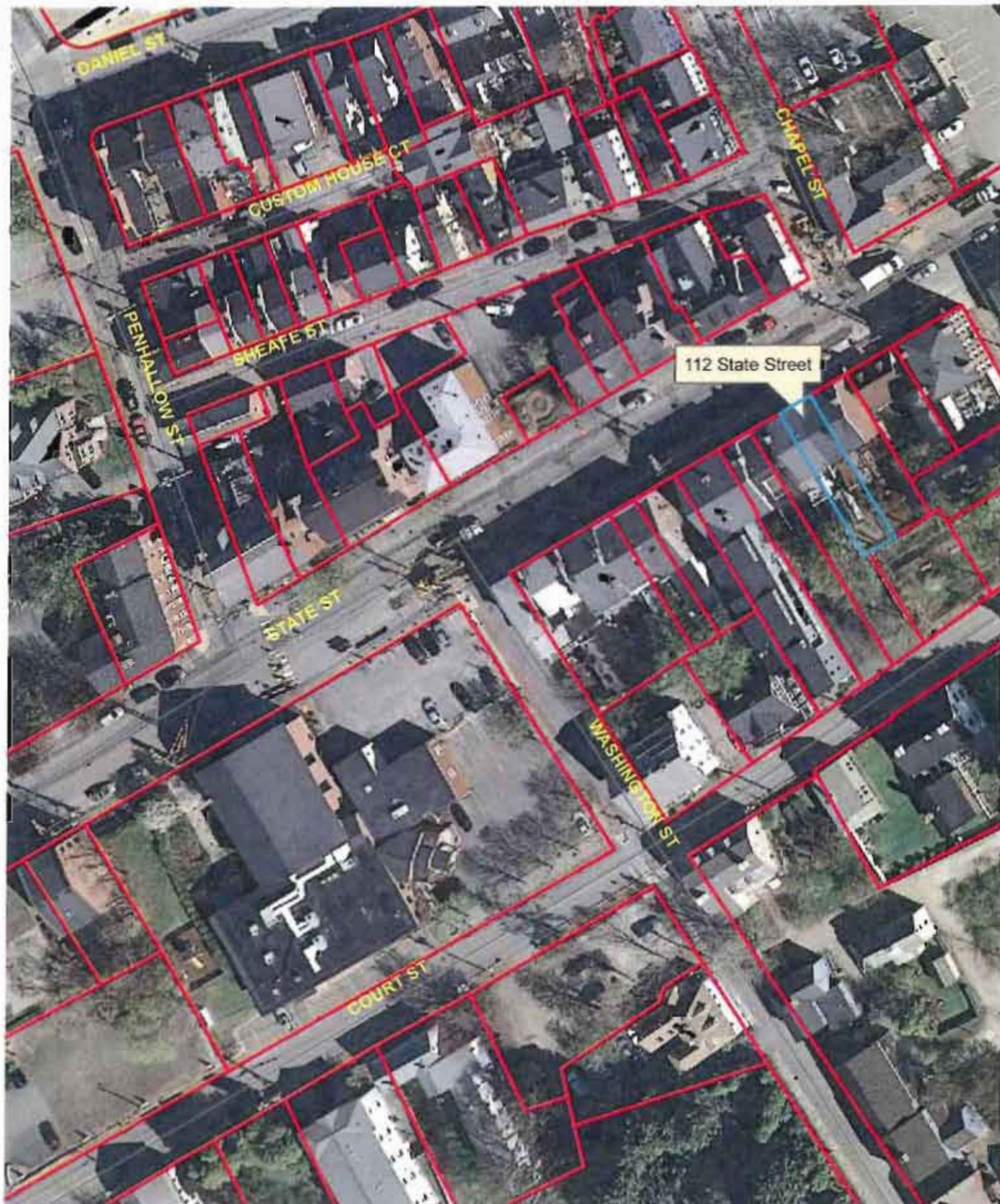
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT*
DATE: May 14, 2012
RE: City Council Referral – Projecting Sign
Address: 112 State Street
Business Name: Random Acts of Sweetness
Business Owners: Tiana Conlon and Jessica Antequera

Permission is being sought to install a projecting sign on an existing bracket, as follows:

Sign dimensions: 38" diam.
Sign area: 7.9 sq. ft. (round)
Height from sidewalk to bottom of sign: 11'0"
Maximum protrusion from building: 44 in.

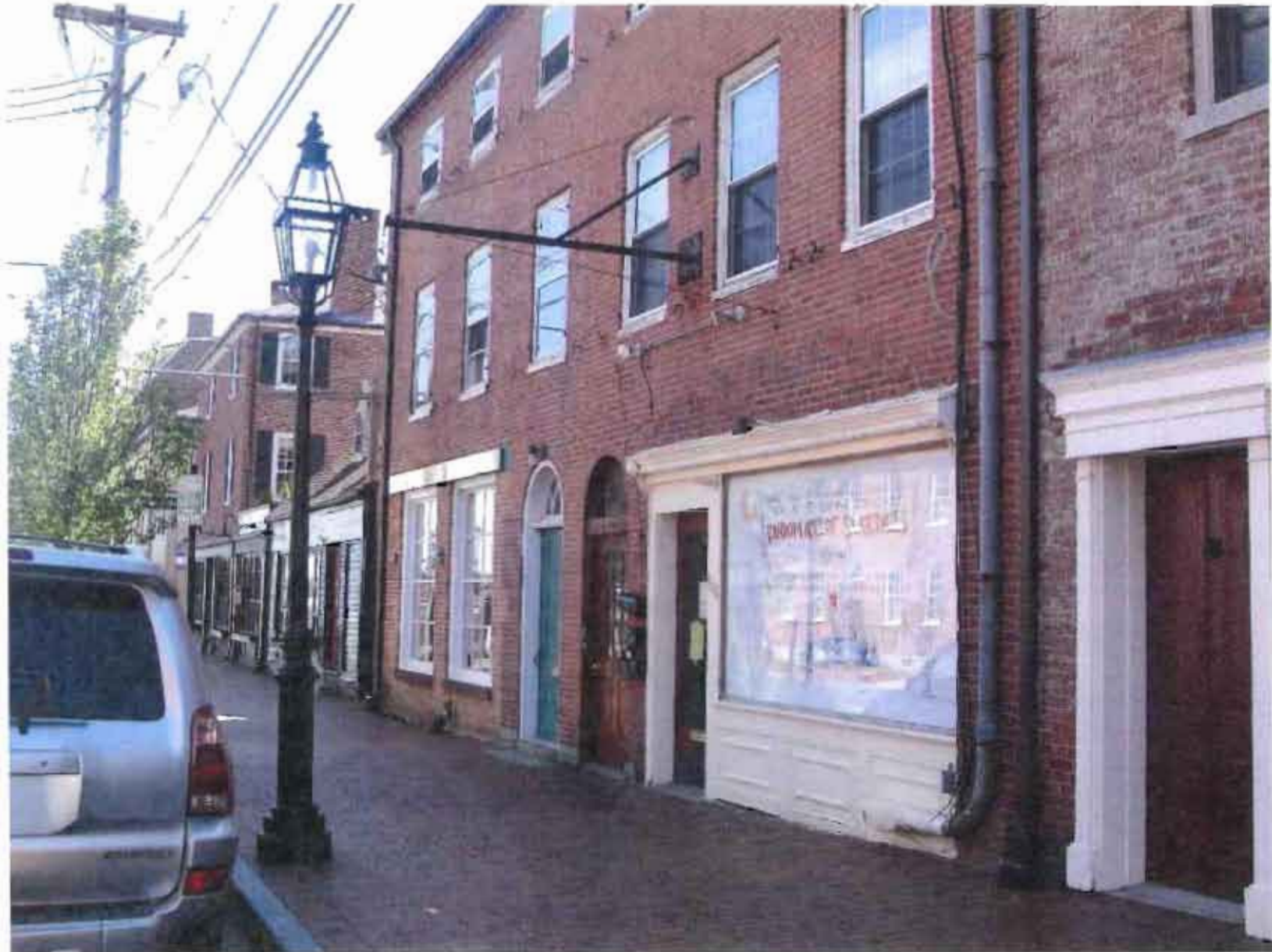
The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.



Request for Projecting Sign License 112 State Street

Random Acts of Sweetness
112 State Street
1 Projecting Sign



Random Acts of Sweetness 112 State Street

existing 8' bracket

$$\frac{11' - 11''}{3} = 47\frac{2}{3}''$$

38"

6"

44"

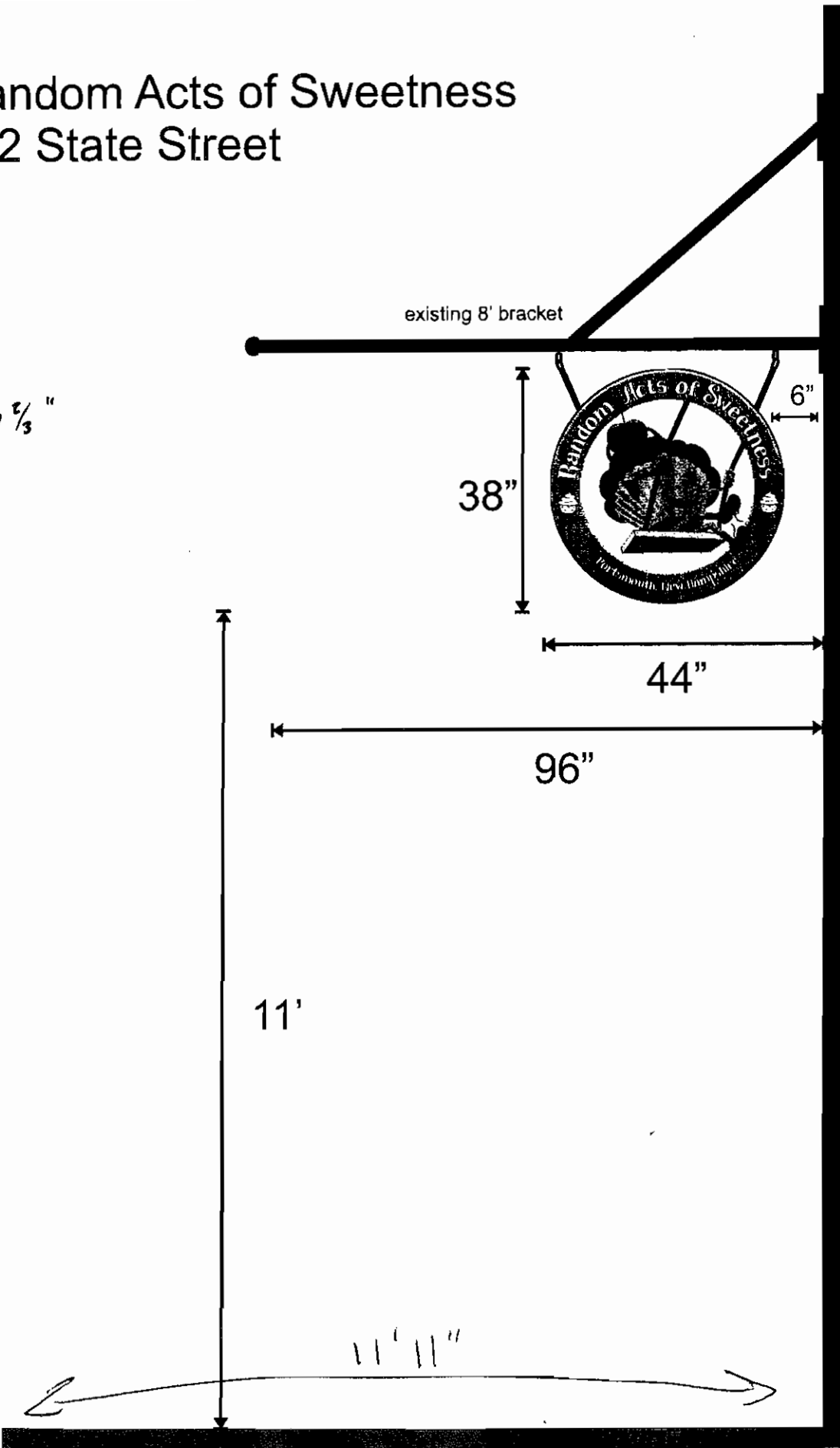
96"

11'


11' 11"

sidewalk

Building



MEMORANDUM

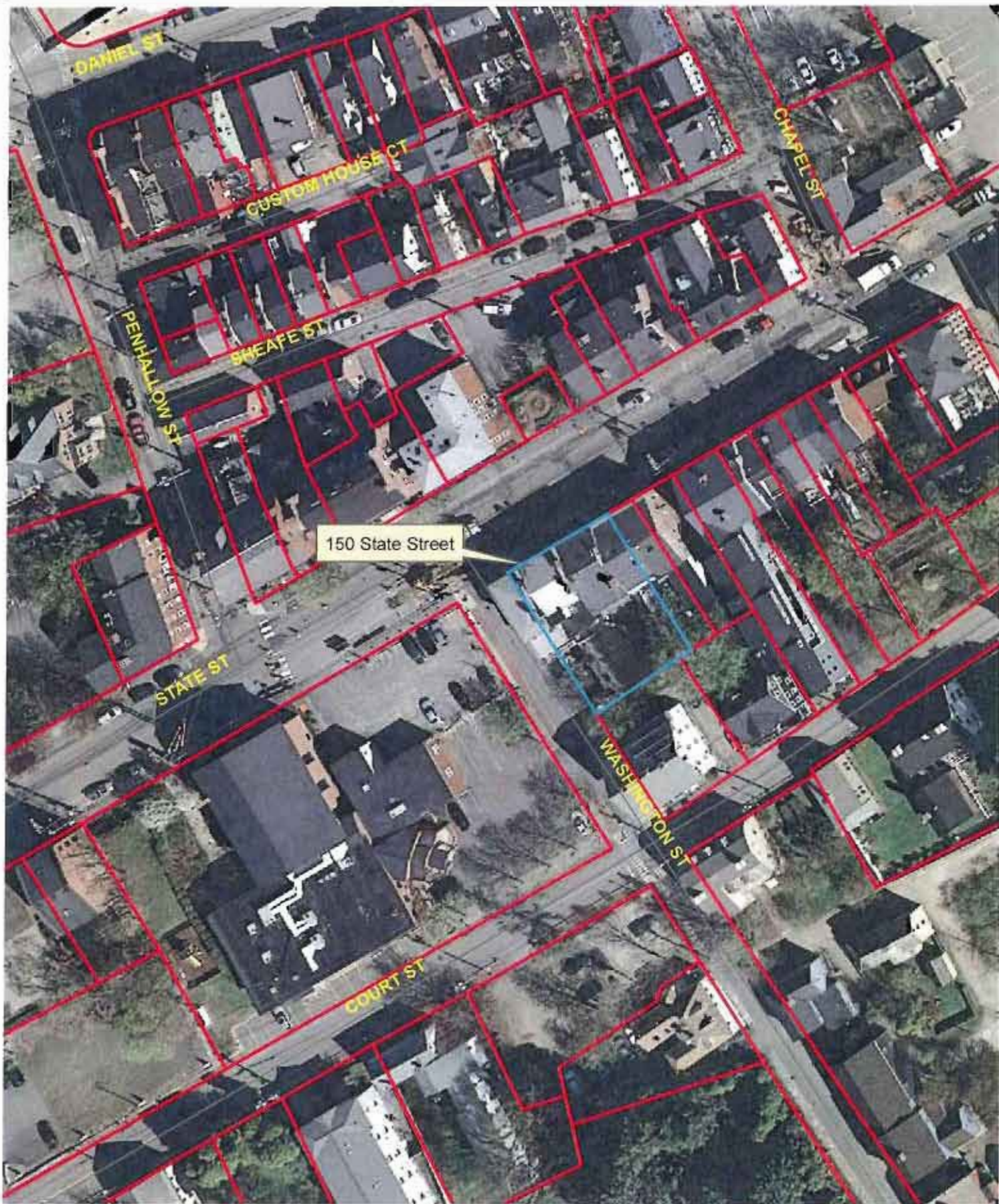
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director 
DATE: May 14, 2012
RE: City Council Referral – Projecting Sign
Address: 150 State Street
Business Name: Clark's Creamery
Business Owner: Ryan Cronin

Permission is being sought to install a projecting sign on an existing bracket, as follows:

Sign dimensions: 42" x 48"
Sign area: 14.0 sq. ft.
Height from sidewalk to bottom of sign: 9'0"
Maximum protrusion from building: 48 in.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

1. The license shall be approved by the Legal Department as to content and form;
2. Any removal or relocation of the projecting sign, for any reason, shall be done at no cost to the City; and
3. Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason, shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works.



Request for Projecting Sign License 150 State Street

Clark's Creamery
150 State Street
1 Projecting Sign



Sign B

42
44 in



10" LH

4.5" LH

3.5" LH

3" LH



Qty: SS/DS: Materials:

Background Color:

Vinyl Color: HP Int

Other:

Revision:

PORTSMOUTH
[SIGN]
COMPANY

Phone: 603-436-0047

email: service@portsmouthsignco.com

All designs and custom artwork remain the property of Portsmouth Sign Company until the order is complete and paid in full.

NOTE: Designs are NOT actual size

All orders under \$100 include 1 revision only. All orders over \$100 include 3 revisions only.

4/24/12

I understand this Order Form is the final production order and replaces all previous drawings, notes and verbal instructions to this job. I have carefully reviewed this form and verify that it contains all necessary specifications and represents my order exactly. I authorize fabrication according to this approval.

SIGNATURE: _____

Date: _____

RETURN SIGNED TO: service@portsmouthsignco.com

InterOffice Memo

To: John P. Bohenko, City Manager
From: Tom Richter, Engineering Technician
Date: April 11, 2012
Subject: PSNH License Agreement 63-0536

I have reviewed the pole location information provided by PSNH for Petition and Pole License 63-0536.

This request is to license one pole located on Pearl Street. The existing pole needs to be replaced because of its condition. The pole currently has no license and PSNH is requesting one with this petition.

This replacement pole poses no impact to existing city infrastructure. The Public Works Department recommends approval of this license.

Attached is a picture of the old pole. Please call with any questions you may have.

cc: David Allen, P.E. Deputy Director of Public Works
Kelli Barnaby, City Clerk



**Public Service
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire
P.O. Box 330
Manchester, NH 03105-0330
(603) 669-4000

The Northeast Utilities System

April 9, 2012

Office of the City Clerk
City of Portsmouth
One Junkins Avenue
Portsmouth, NH 03801

Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace poles located in the City of Portsmouth. Enclosed for your review is pole license petition 63-0536 for pole(s) located in the City of Portsmouth.

Upon approval, please have the license section signed by the proper authority. The copy labeled "**Portsmouth**" should be retained for your records.

Please return the remaining copies along with any invoices for payment to my attention at the address below.

If the petition is rejected, please return all copies of the license petitions with an explanation of rejection.

If you have any additional questions or require more information, please contact me at 603-634-2218.

Respectfully,

Lisa-Marie Pinkes

Lisa-Marie Pinkes
Representative-A Records
Public Service of New Hampshire
60 West Pennacook Street PO Box 330
Manchester, NH 03105-9989

Enclosure(s)

PETITION AND POLE LICENSE

PETITION

Manchester, New Hampshire

April 3, 2012

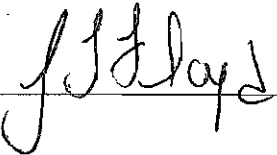
To the City Council of the City of Portsmouth New Hampshire.

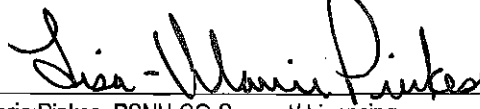
PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary along, and under the following public ways:

License one (1) pole(s), 37/1 located on Pearl Street in the City of Portsmouth.

Northern New England Telephone Operations LLC
d/b/a FairPoint Communications-NNE

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 

BY: 
Lisa-Marie Pinkes, PSNH CO Support/ Licensing

LICENSE

Upon the foregoing petition and it appearing that the public good so requires, it is hereby

ORDERED

This 3rd day of April, 2012, that, PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE be and hereby are granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the public ways covered by said petition. All of said wires, except such as are vertically attached to poles and structures, shall be placed in accordance with the National Electrical Safety Code in effect at the time of petition and/or license is granted.

The approximate location of the poles and structures shall be shown on plan marked "PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE No. 63-0536, dated 4/3/2012, attached hereto and made a part hereof.

City of Portsmouth, New Hampshire

BY: _____

BY: _____

BY: _____

BY: _____

BY: _____

BY: _____

Received and entered in the records of the City of Portsmouth, New Hampshire, Book _____, Page _____

Date: _____

ATTEST: _____

Town Clerk

ADDENDUM PER RSA 231:163

- 1) All licensee(s) and any other entity using and/or occupying property of the City pursuant to a license, lease or other agreement shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date.
- 2) All licensee(s) and any other entity using and/or occupying property of the City shall provide for the payment of properly assessed real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying property of the city; and
- 3) Failure of the licensee(s) and any other entity using and/or occupying property of the City to pay duly assessed personal and real taxes when due shall be cause to terminate said agreement by the lessor.

The changes to the licenses, leases and other agreements set forth in the preceding paragraphs shall remain in effect until changed in accordance with the requirements of RSA 231:163.

Approved by City Council:



04/11/2012

THE PEIRCE ISLAND COMMITTEE AS RAISED THE FOLLOWING FUNDS FOR THE PEIRCE ISLAND ENHANCEMENT FUND, DONATIONS FROM FRANK ROTH 100.00, LISA LOUTTIT 35.00, ANN PATTISON 50.00, PAT BERTRAND 25.00, KATHY PRICE 25.00 AND STEPH DELUDE 50.00. ALSO MONEY RAISED IN A RAFFLE OF ITEMS OF 361.00 AND FUNDS RAISED FROM SALE OF PIZZAS OF 495.25 FOR A TOTAL OF 1,141.25 DOLLARS.

AUTHORIZED BY CHAIRMAN STEVEN MARISON
AND WITNESSED BY RICHARD SMITH

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER WITH ARTIFICIAL WATERMARK

106788



PISCATAQUA
SAVINGS BANK

15 Pleasant Street
Portsmouth, NH 03801

54-7468
2114

05/04/12

PORTSMOUTH, N.H.

CITY OF PORTSMOUTH, PIERCE ISLAND FUND****

AMOUNT \$ 1,141.25

PAY TO THE
ORDER OF

ONE THOUSAND ONE HUNDRED FORTY ONE and 25/100USDollars

TREASURER'S CHECK

[Handwritten Signature]

REMITTER: ENHANCEMENT FUND

VOID AFTER 180 DAYS
TWO SIGNATURES REQUIRED IF OVER \$5,000.00

Check No. 106788
NO. 106788
05/04/12

CITY OF PORTSMOUTH, PIERCE ISLAND FUND****

\$ 1,141.25

ONE THOUSAND ONE HUNDRED FORTY ONE and 25/100USDollars

REMITTER: ENHANCEMENT FUND

TREASURERS CHECK IS AN OFFICIAL BANK OBLIGATION. A STOP
PAYMENT MAY NOT BE LEGALLY POSSIBLE. SHOULD STOP PAYMENT BE
ATTEMPTED, INDEMNIFICATION IN THE FACE AMOUNT OF THIS CHECK
OR MORE MAY BE REQUIRED. DO NOT LOSE OR DESTROY THIS CHECK.
HANDLE IT AS YOU WOULD HANDLE AN EQUAL AMOUNT OF CURRENCY.

From: Jimswish777 [<mailto:jimswish777@aol.com>]
Sent: Friday, May 11, 2012 11:10 AM
To: John P. Bohenko
Subject: P. Music and Arts Performances outdoors 1 June 2012

Mr Bohenko,

Nancy Carmer asked me to forward to you the Performance Schedule for the PMAC student music performances proposed to be played in support of the Chamber of Commerce planned Shop Portsmouth Friday Night Launch Party on 1 June 2012. So here it is (still subject to time modifications).

THE FOLLOWING IS THE SCHEDULE OF PORTSMOUTH MUSIC AND ARTS STUDENT CONCERTS DOWNTOWN PORTSMOUTH FOR THE 1 JUNE 2012 FRIDAY NIGHT CHAMBER OF COMMERCE MERCHANTS SUMMER KICKOFF NIGHT:

NORTH CHURCH:

5:00 - 5:30 p.m. - New Horizons Band (26)

6:15 - 6:45 p.m. - Chamber Strings Ensemble (8)

VAUGHAN MALL

5:00 - 5:30 p.m. - Blues Band

5:30 - 6:15 p.m. - Youth Rock Bands 1 & 2 (7 each)

6:30 - 7:15 p.m. - Brewery Lane Jazz Band (16)

7:15 - 8:00 p.m. - Adult and Youth Jazz Combos (7 each)

COMMERCIAL ALLEY

5:45 - 6:15 p.m. - Flute Choir (7)

MARKET & DEER STREETS

5:45 - 6:15 p.m. - Saxophone Ensemble (6)

Numbers in parentheses - approx. # in each group

Jim Swisher
77 Hanover St #13

603 436 3202



THE WARNER HOUSE ASSOCIATION

150 Daniel Street

P.O. Box 895

Portsmouth, New Hampshire 03802-0895

John Bohenko
City Manager

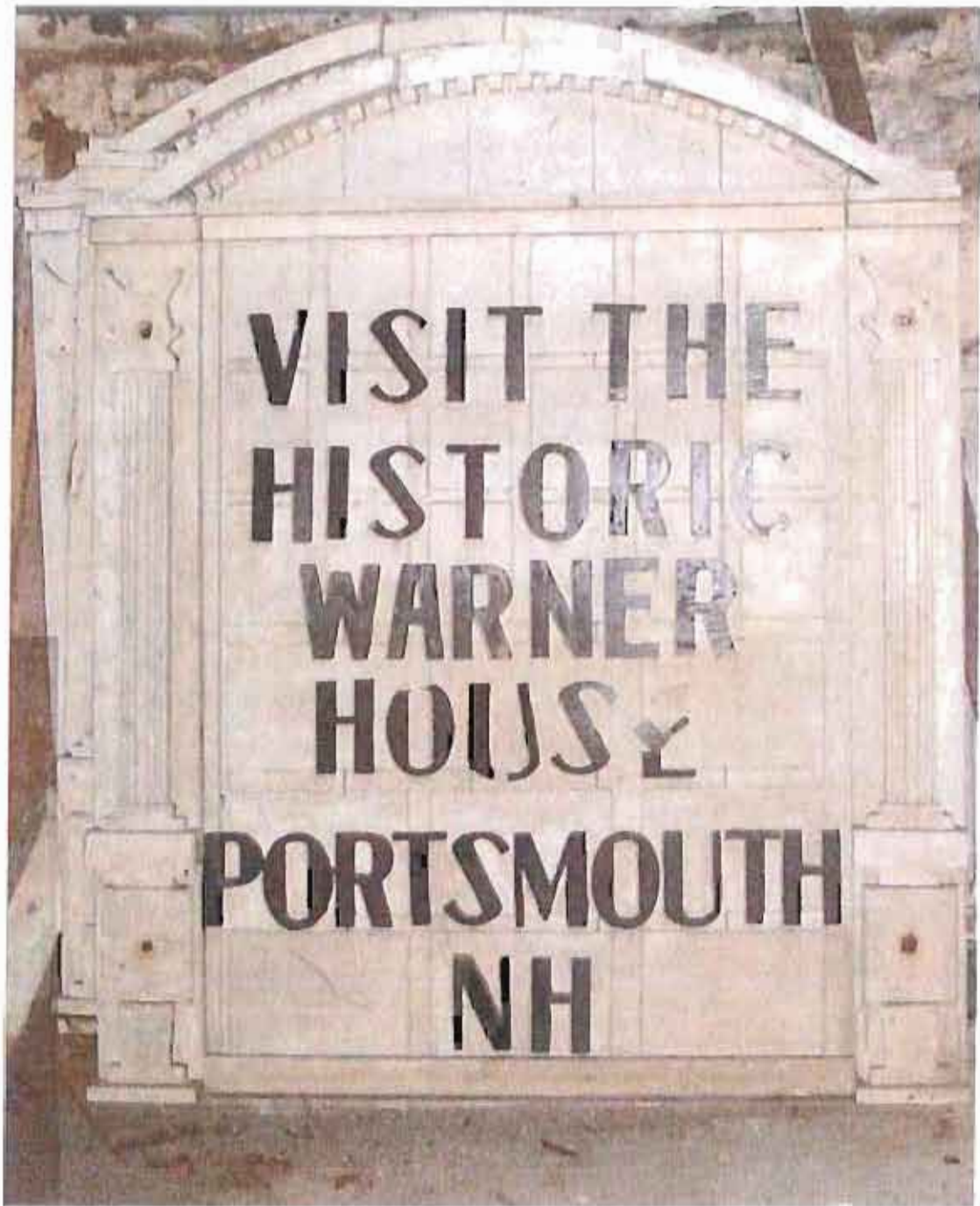
The Warner House Association asks the City Manager and the City Council to grant our application for permission to temporarily place a Warner House sign in the pocket-park located on Daniel Street between the Warner House and Bow Street.

We are concerned about the loss of revenue we might suffer this summer from the disruption caused by bridge construction. The new traffic pattern that channels traffic down State Street then around and up Daniel Street seems to offer a chance to attract attention to the house. The new shuttle service parks at the end of Daniel Street and somewhat blocks the view of our house and garden but a sign placed in the park behind the shuttle would inform and remind people of this historic gem.

As stakeholders we have been participating in discussions in the Memorial Bridge Advisory Committee and such temporary signage is seen as appropriate and even necessary to help us through this uncertain patch. Our sign would be there while the house is open from June 14 to October 14. I attach photos of the sign and the park.

Respectfully submitted,

Ronan Donohoe, Co-Chair
Warner House Association



This vintage sign would be spruced up and an arrow added pointing to the house.
4' 8" x 4'



We would place the sign in the park behind the shuttle van.

The Warner House Association
150 Daniel Street
1 temporary sign in the pocket park on Daniel Street
from June 14 until October 14





WORKFORCE
HOUSING COALITION
OF THE GREATER SEACOAST
Opening Doors to Vibrant Communities

May 11, 2012

Mr. John P. Bohenko, City Manager
Portsmouth City Hall
1 Jenkins Avenue
Portsmouth, NH 03801

re: Rock Street Garage Charrette Proposal

Dear Mr. Bohenko,

Thank you very much for meeting with us recently to discuss the Rock Street Garage. The Rock Street Garage is owned by the City. In the past the City identified the building as surplus property. It is now a listed Brownfields site, making it eligible for outside funding to help clean up past contamination as part of a re-use project. The lot on which the building is located also includes a neighborhood park, but we would not envision any change to that park.

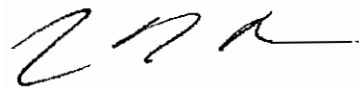
The Coalition believes the Rock Street Garage it may be a good site for re-development as workforce housing. The location of the site in close proximity to the downtown is ideal. However, the site is relatively small so the scale of redevelopment will be limited. As we have done with other projects, we propose to conduct a charrette to investigate the feasibility of redevelopment for workforce housing. In a charrette, we would bring in a team of design, environmental and real estate professionals to study the site, solicit community input, and create a realistic re-development concept focused on workforce housing. We are not proposing to establish City policy, but simply to demonstrate the feasibility of creating much needed housing for working households in the City. More details are provided on the supplemental sheet included with this letter.

The Coalition does require financial support to conduct a design charrette, and we ask the City to contribute \$1,000 towards the total cost of \$5,000. Because of the Brownfields designation, we will be able to seek a significant portion of the funding from the Rockingham Planning Commission, and private contributions would round out the funding.

I am available at your convenience to answer any questions you may have or to provide any additional information, and hope this proposal meets with your approval and is suitable to be forwarded to the City Council for its consideration.

Thank you again for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'LH', with a long horizontal flourish extending to the right.

Lisa Henderson
Executive Director



WORKFORCE
HOUSING COALITION
OF THE GREATER SEACOAST

Opening Doors to Vibrant Communities

Proposal: Design Charrette – Rock Street Garage, Portsmouth, NH

Project Area is the Rock Street Garage

The Workforce Housing Coalition (WHC) will organize a charrette for the benefit of The City of Portsmouth (City). We will first capture the input of key stakeholders then follow with a day-long workshop where highly qualified design, development and planning professionals will produce a *concept plan* for the re-development of the city-owned Rock Street Garage as workforce housing. The final report to the City will include a set of plan drawings, architectural concepts, documentation on possible code or policy changes and a brief narrative of the process and results. The charrette process will provide the City with useful information to assess its options for the Rock Street Garage.

The Workforce Housing Coalition will organize the charrette

The WHC is a nonprofit, education and outreach initiative which hosts public forums and trainings to highlight solutions to the region's housing challenges; provides municipalities with research and technical assistance to help improve local housing policies; and provides developers with information and data to advance workforce housing projects. This is our third year of our charrette program through which we have produced concept designs for housing and mixed use development opportunities in five Seacoast area communities.

The WHC is not a developer; rather, our mission is to be a *catalyst* for the development of a range of housing options for the diverse workforce in the Greater Seacoast region of New Hampshire and Maine.

The WHC promotes the principles of smart growth by encouraging mixed-use development, a range of housing opportunities, compact attractive building design, and walkable neighborhoods. We believe in the importance of community and stakeholder collaboration in the planning and development process.

The City identified the Rock Street Garage as surplus property that may be suitable for workforce housing

The City owns a 1.42 acre parcel which includes the Rock Street Public Playground and the Rock Street Garage. The Garage was identified as surplus property in a 2007 report of the City of Portsmouth Mayor's Blue Ribbon Committee on Building Re-Use. Furthermore, within the past year, the City enrolled the Rock Street Garage in the Brownfields Program run by the Rockingham Planning Commission. This has allowed a Phase I Environmental Assessment of the garage site, useful for determining potential contaminants on the site. The Brownfields program also enables publically-owned sites to tap into a revolving loan fund for remediation activities. Thus, this may be an optimal time for the City to consider its options for the Rock Street Garage.

The Charrette will follow a 3 step process

1. First, we will gather background information including maps, zoning, etc. to better understand the site and its surroundings.
2. In the second phase, we will hold one or two "listening sessions."
 - a. City officials, abutters and the general public will be invited to provide the all-volunteer design team with some context about the neighborhood, the site, and their preferences for its possible redevelopment as workforce housing.

- b. After explaining that this is a conceptual exercise and that nothing about the listening session or charrette is binding, members of the design team will ask attendees to answer three basic questions:
 - i. What would you like to see?
 - ii. What wouldn't you like to see?
 - iii. What else should we know about in order to make useful recommendations about the site?
3. The final stage will be an intensive design workshop where team members arrive at an overall concept plan for the Rock Street Garage site.

Charrette volunteers are seasoned professionals, including:

- Architects
- Engineers
- Planners
- Landscape Architects
- REALTORS[®]
- Bankers
- Community organizations
- City of Portsmouth – staff from planning, community development, DPW, etc.
- City of Portsmouth - elected and appointed officials

The charrette process will yield detailed information for the City

Over the span of the one-day charrette, the design team will produce a concept plan for the Rock Street Garage site including:

- Elevations
- Site plan
- Space programming
- Development pro forma
- Evaluation of potential opportunities and barriers
- Implementation recommendations

The City will receive a final report including a set of plan drawings, architectural concepts, documentation on possible code or policy changes and a brief narrative of the process and results.

Timeframe

At the suggestion of City Manager John Bohenko, we propose to hold the charrette in mid-October 2012. The WHC will submit a final report to the City by December 31, 2012.

Fee

The cost for the WHC to conduct a charrette is approximately \$5,000 per site. We ask the City to provide a contribution of \$1,000 towards this cost. The remaining funding will come from the Brownfields Program of the Rockingham Planning Commission and private sponsors.

Contacts

Lisa Henderson – WHC Executive Director – (603) 205-0539 or lisa@seacoastwhc.org

Steve Burns – Director of Community Development – Town of York, WHC Board member & Chair of the Charrette Committee – (207) 363-1007 or sburns@yorkmaine.org

Jack Mettee – Planning Consultant & Charrette Committee – (603) 749-4321 or jackmetteeaicp@comcast.net

Brian Groth – Planner, Portsmouth Planning Board Alternate & Charrette Committee – (603) 778-0885 or bgroth@rpc-nh.org



received
5/14/12

PORTSMOUTH PROFESSIONAL FIRE FIGHTERS
INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1313
P.O. BOX 207 • PORTSMOUTH, NH 03802-0207



May 14, 2012

Mayor Eric Spear and City Council
Portsmouth City Hall
1 Junkins Ave.
Portsmouth, NH 03801

Honorable Mayor Spear and members of the City Council:

The International Association of Firefighters is the largest contributor to the Muscular Dystrophy Association nationwide. The Portsmouth Professional Firefighters are proud members of the IAFF and have annually supported MDA with their fundraising efforts for many years. Last year alone, members of the Portsmouth local 1313 raised \$8,671.00 through our Fill the Boot campaign making Portsmouth the third largest Fill the Boot contributor in the State of New Hampshire. Portsmouth's Fill the Boot campaign has been so successful in the past in part because of the cooperation and the support of the City Council. The "Fill the Boot Drive" is a voluntary "toll booth" set up, which we have traditionally set up in Market Square, and firefighters ask motorists to fill a firefighter's boot with their donations.

Once again, we are asking for the City Council's support of our efforts to help MDA. We are respectfully asking permission to set up two boot drives again this year, one to be held on Saturday July 14th 2012 and the second to be held on Saturday August 18th 2012 from 8am to 5 pm. We would like to continue to utilize the Market Square location as it has been very successful for us in the past. The Portsmouth Professional Firefighters began its fundraising efforts for MDA over 12 years ago and every year the money collected has benefited children stricken with these diseases right here in New Hampshire, on the seacoast and in Portsmouth. This year we have set a goal of \$10,000 and with the City Council's support we believe we can achieve this goal.

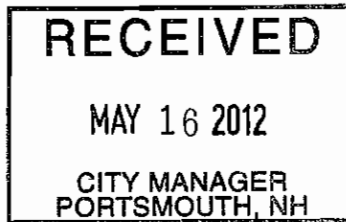
The Portsmouth Professional Firefighters look forward to working with you on this, and would like to thank you for your continued support in our efforts to help MDA. If there are any questions or concerns, please feel free to contact me at 603-969-9513.

Sincerely,

Mark D. Herrholz
Secretary

Portsmouth Professional Firefighters Local 1313

Affiliated with the International Association of Fire Fighters,
Professional Fire Fighters of New Hampshire, AFL-CIO-CLC



May 15, 2012

City Council
City of Portsmouth
1 Junkins Ave
Portsmouth, NH 03801

RE: 80 Wright Ave

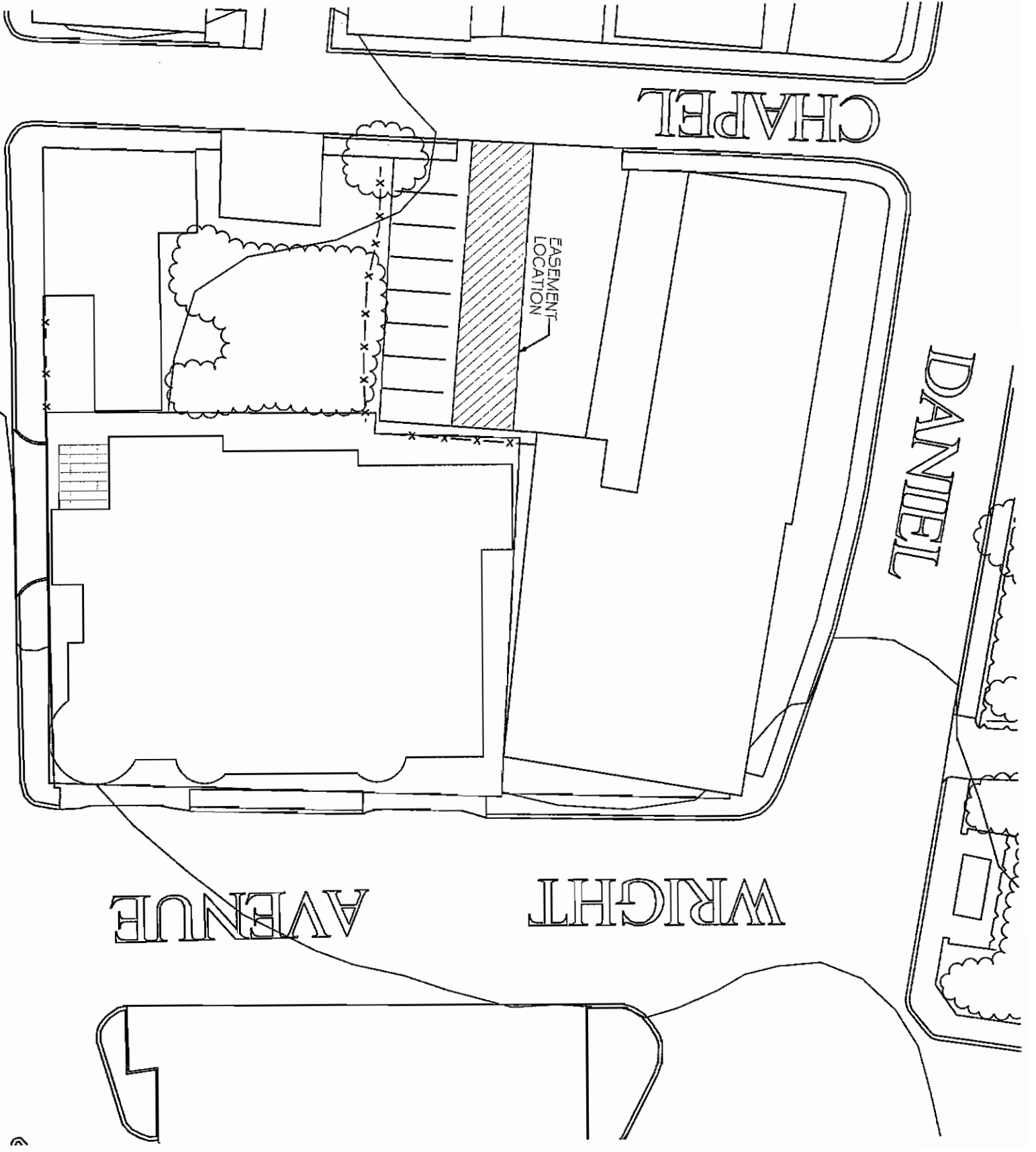
City Council Members,

This letter is to request an easement from the City to access our property at 80 Wright Ave. (the former Rosa Parking Lot) across the existing driveway within the Connie Bean Center's parking lot on Chapel Street. After discussions with the City Planning Department and the Technical Advisory Committee it has been suggested that this access, provided it does not negatively impact the redevelopment potential and economic value of the Connie Bean Center, would significantly reduce pedestrian and vehicular conflicts along State Street and also support future parking and park improvement plans to the city-owned, Wright Ave. Parking Lot.

In closing, we thank you for consideration of this request and are available to answer any questions or comments you might have on this issue. I can be reached at 603-766-3760, ext 11

Sincerely,
Stephen Kelm
80 Wright Ave, LLC

CC: File



CHAPPEL

DANIEL


WRIGHT

AVENUE

EASEMENT
LOCATION

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: May 17, 2012
To: Honorable Mayor Eric Spear and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on May 21, 2012 City Council Agenda

Acceptance of Grants/Donations:

1. **Acceptance of Community Development Block Grant Funds.** The U.S. Department of Housing and Urban Development has informed the City that a Community Development Block Grant (CDBG) in the amount of \$475,235 will be made available to Portsmouth for FY 2012-2013. This grant is \$119,228 or 20% less than the previous year's grant. Over the past two years, the grant has decreased by \$237,370 or 33%.

The Community Development Department, working in conjunction with the City's Citizens Advisory Committee, held a series of public hearings and meetings over the last several months to solicit input and prioritize projects with regard to the expenditure of these funds. **Attached is a copy of the FY 2012-2013 CDBG Budget.**

I would recommend the City Council move to accept and expend a Community Development Block Grant (CDBG) in the amount of \$475,235 from the U.S. Department of Housing and Urban Development. Action on this matter should take place under Section VIII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

1. **Public Hearing:**
 - 1.1 **Public Hearing Re: Resolution Appropriating the Sum of One Million Nine Hundred Seventy-Seven Thousand, Nine Hundred Seventy-Three Dollars and Sixty-One Cents (\$1,977,973.61) for Expenses Relating to Various General Fund Projects; Resolution Appropriating the Sum of Two Hundred One Thousand, Eight Hundred Thirty-Four Dollars and Four Cents**

(\$201,834.04) for Expenses Relating to the McDonough Street Sewer Line Replacement Project. As a result of the May 5th City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and adoption the attached two proposed resolutions: 1) to appropriate the sum of \$1,977,973.61 for expenses relating to various General Fund projects; 2) to appropriate the sum of \$201,834.04 for expenses relating to Sewer line replacement for McDonough Street Sewer project.

The City of Portsmouth currently holds the second highest bond rating available from both Standard and Poor's and Moody's rating agencies (AA+ and Aa1 respectively).

The City was able to take advantage of its excellent bond rating when on December 14, 2011; the City of Portsmouth issued a \$32,400,000 bond. The proceeds of the bond will finance \$6.4 Million of General Fund capital projects, \$500,000 for a Fire Apparatus, \$22.5 Million for the Middle School and \$3 Million for the Peirce Island Wastewater Treatment Plant and Long-Term Control Plan. In addition to the \$32.4 million principal, the City received a premium of \$2,179,807.65 from the winning underwriter at closing. A premium is the amount by which the purchase price of a bond is greater than its par value. Under certain market conditions, in order to enhance the marketability of the bonds, bond underwriters will structure their bids with bond premiums. In this case, the City of Portsmouth received a True Interest Cost (TIC) rate of 2.86% and a bond premium of \$2,179,807.65. Under Federal Tax Law and State Statutes, the City is restricted on how to appropriate and use these funds.

RSA 33:3-states that any premium received shall not be used to increase the amount to be spent for the purpose for which the loan was originally incurred. Therefore, the City cannot use this money to increase the costs of the projects set forth for the \$32.4 Million bond issuance. However, the RSA states "*a city by a vote of 2/3 of the City Council may authorize the expenditure for the premiums received for any purpose or purposes for which bonds or serial notes may be issued for an equal or longer period of time.*"

The bond premium of \$2,179,807.65 has been allocated respectively to the General Fund in the amount of \$1,977,973.61 and the Sewer Fund in the amount of \$201,834.04.

In accordance with State Statute, I recommend that the City Council authorize and appropriate the bond premium of \$1,977,973.61 to be used for the following General Fund projects:

+	1)	Seawall Repairs	Capital Outlay FY13	\$250,000.00
+	2)	Coakley Road/Cottage Street Pedestrian Improvements	Capital Outlay FY13	\$180,000.00
+ *	3)	Peverly Hill Road new Sidewalk	Capital Outlay FY13	\$50,000.00
	4)	Little Harbour Instructional Space	Bonding FY13	\$600,000.00

* 5)	Scott Avenue Bridge Replacement	Bonding FY13	\$725,000.00
* 6)	Portion of the Sagamore Bridge project	Bonding FY13	<u>\$172,973.61</u>
	Total		\$1,977,973.61
	+ reduction in FY13 proposed budget (12¢ reduction in proposed tax rate)		
	* grant match		

I also recommend that the City Council authorize and appropriate the bond premium of \$201,834.04 to be used for the following Sewer Fund project:

- 1) Sewer line replacement for McDonough Street.

As these projects have a useful life that exceeds the original bond issue from which the premiums were received, and would be eligible for bonding under the Municipal Finance Act, it is in the best interest of the City to utilize the premium of \$2,179,807.65 to fund portions of the costs associated with the General and Sewer Funds.

I would recommend the City Council move the following motions:

- 1) *Move to adopt a Resolution appropriating the sum of One Million Nine Hundred Seventy-Seven Thousand, Nine Hundred Seventy-Three Dollars and Sixty-One Cents (\$1,977,973.61) for expenses relating to various General Fund projects.*
- 2) *Move to adopt a Resolution appropriating the sum of Two Hundred One Thousand, Eight Hundred Thirty-Four Dollars and Four Cents (\$201,834.04) for expenses relating to Sewer line replacement for McDonough Street Sewer project.*

The adoption of Bond Premium Resolutions requires 2/3's vote of the City Council. Action on this matter should take place under Section IX of the Agenda.

2. **Third and Final Reading of Proposed Resolution and Ordinance Amendments:**

- 2.1 **Third and Final Reading of Proposed Amendment to Taxi Ordinance – Chapter 7, Article II, Section 7.229 – General Provisions by a new Sub-section E - Entitled Compliance with State and Federal Law.** As a result of the May 5th City Council meeting, under Section IX of the Agenda, I am bringing back for third and final reading the attached proposed Ordinance amendment to the Taxi Ordinance – Chapter 7, Article II, Section 7.229 – General Provisions by a new Sub-section E - Entitled Compliance with State and Federal Law.

I would recommend the City Council move to pass third and final reading of the proposed Ordinance amendment, as presented. Action on this matter should take place under Section IX of the Agenda.

- 2.2 **Third and Final Reading of Proposed Amendment to Chapter 10, Article 4, Section 10.440 of the Zoning Ordinance – Table of Uses – Residential, Mixed Residential, Business and Industrial Districts by Creating Performance Standards Applicable to Drive-Through Facilities and; Chapter 10, Article 8, Section 10.836.20 of the Zoning Ordinance Regarding Accessory Drive-Through Uses by Changing Type of Approval Required from a Special Exception to a Conditional Use Permit.** As a result of the May 5th City Council meeting, under Section IX of the Agenda, I am bringing back for third and final reading the attached aforementioned proposed Ordinance amendment.

As you will recall, at the February 6, 2012 City Council meeting, the Council referred this request to the Planning Board for report back to the City Council. Mr. Choate's request is that the City considers amending the Zoning Ordinance with respect to the number of drive-through lanes allowed. The Planning Board considered this request at its meeting on March 15, 2012 and voted to recommend the changes to the Zoning Ordinance as outlined in the attached memorandum from Rick Taintor, Planning Director.

I would recommend the City Council move to pass third and final reading of the proposed Ordinance amendment, as presented. Action on this matter should take place under Section IX of the Agenda.

- 2.3 **Third and Final Reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 15, Section 10.1530 - Terms of General Applicability relative to the Definition of Museum regarding Accessory Uses that are Incidental and Subordinate to the Primary Non-profit Museum Use.** As a result of the May 5th City Council meeting, under Section IX of the Agenda, I am bringing back for third and final reading the attached proposed Ordinance Amendment to Zoning Ordinance, Chapter 10, Article 15, Section 10.1530 – Terms of General Applicability relative to the Definition of Museum.

Attached is a memorandum from Rick Taintor, Planning Director, regarding a request from Strawberry Banke Museum for an amendment to the definition of "museum" in the Zoning Ordinance. Specifically, it is requested that the provision excluding "commercial galleries for the sale of art" be removed from the definition.

At its meeting on March 15, 2012, the Planning Board voted unanimously to recommend that the City Council amend the definition of "museum" as follows:

A non-profit permanent institution, open to the public, which acquires, conserves, researches, exhibits, and interprets objects having scientific, historical or artistic value. Museums may include exhibit and display areas, libraries and research areas, administrative offices, areas for constructing exhibits, and storage areas for museum materials, artifacts and objects. Accessory uses may include retail sales (but not including the regular sale of objects collected or Displayed), food services for

museum visitors or others, manufacturing for museum purposes, and events such as craft demonstrations, receptions, and periodic celebrations, **provided that all such accessory uses are incidental and subordinate to the primary non-profit museum use.**

~~Museums include galleries for the display of works of art, but do not include Commercial galleries for the sale of art work.~~

I would recommend the City Council move to pass third and final reading of the proposed Ordinance amendment, as presented. Action on this matter should take place under Section IX of the Agenda.

3. **Adoption of Proposed Budget Resolutions:**

3.1 **Adoption of Budget Resolutions for Fiscal Year July 1, 2012 through June 30, 2013 (FY2013).** On Monday evening, I am requesting that the City Council adopt the proposed FY 2013 Budget (July 1, 2012 thru June 30, 2013). For your review and action, under Section IX of the Agenda, **attached are six proposed Resolutions relative to the annual budget adoption process.**

On the inside cover of your packet is a memorandum that outlines the discussion from the May 16, 2012 Work Session.

Resolution No. 5-2012 – General Fund Expenditures. In this resolution, the proposed appropriations for the General Government, Police, Fire, and School Departments as well as Collective Bargaining Contingency, Transfer to Indoor Pool and Non-Operating appropriations are listed separately. The total proposed FY13 General Fund budget is \$90,725,768.

FY13 PROPOSED BUDGET

GENERAL GOVERNMENT	\$15,905,044
POLICE	\$8,838,885
FIRE	\$7,155,250
SCHOOL	\$38,302,260
COLLECTIVE BARGAINING	
CONTINGENCY	\$172,000
TRANSFER TO INDOOR POOL	\$150,000
NON-OPERATING	\$20,202,329
TOTAL	<u>\$90,725,768</u>

The FY 2013 original Proposed Budget of \$91,488,833 was submitted to the City Council on April 6, 2012. The Operating Budget submitted by the Departments, achieved my directive to submit a budget at no more than the CPI level of 2.9%. The submitted budget and estimated revenues resulted in a tax rate increase of 57¢ over FY12 for a rate of \$17.84 per \$1,000 of valuation.

Since the submission of the Budget to the City Council, adjustments were made which reduced the proposed budget to \$90,725,768 which reduced the proposed tax rate by 19¢ to \$17.65. This will result in an increase of 38¢ or 2.2% from FY 12.

The aforementioned adjustments are summarized as follows:

I have requested the Council move forward with approval of the use of \$1,977,973.61 in bond premium the City received from a \$32,400,000 bond issued in December 2011 for various capital improvements that were to be funded in the FY13 Proposed Budget.

Following are the projects to be funded by the Bond Premium:

*Seawall Repairs	\$250,000.00
*Coakley Road/Cottage Street Pedestrian Improvements	\$180,000.00
*Peeverly Hill Road new Sidewalk	\$50,000.00
**Little Harbour Instructional Space	\$600,000.00
**Scott Avenue Bridge Replacement	\$725,000.00
**Portion of the Sagamore Bridge project	<u>\$172,973.61</u>
Total	\$1,977,973.61

* Capital Outlay FY13
 ** Bonding FY13

The use of the bond premium results in:

- 1) The reduction of the proposed Capital Outlay of \$1,550,000 to \$1,070,000 or \$480,000 and
- 2) The reduction of debt service by \$22,969 from interest payments budgeted in FY13.

In addition, the City recently refunded the balance of the \$38 million bond issued in 2002 to construct and renovate the Portsmouth High School. This refunding will save more than \$2.8 million over the remaining 10 years of the bond issue and result in a reduction of \$260,096 in the proposed FY13 budget.

The total reduction from the originally submitted Proposed Budget is as follows:

Capital Outlay	\$480,000
Debt Service	\$283,065
Total	<u>\$763,065</u>

The Department of Revenue sets the tax rate in mid October, however, some uncertainties still remain at the State's level that may have an impact on the City's budget and/or tax rate.

Resolution No. 6-2012 adopts Municipal Fees that have been recommended by the Fee Committee. The total revenue generated from these fees is estimated at \$863,000 or 1% of the total FY13 General Fund Revenues.

Resolution No. 7-2012 establishes the annual appropriation, cash requirements and user rates for the Sewer Fund. The adoption of this Resolution includes a two step, inclining block rate structure. This means the first 10 units (1 unit equals 100 cubic feet or 748 gallons) of sewer usage per month will be charged at \$9.54 per unit, all consumption over 10 units per month will be charged at \$10.49 per unit. This increase translates to an approximate monthly increase of \$12.50 to the average residential user. Eighty percent (80%) of all residential customers fall in the 10 units or less tier.

Resolution No. 8-2012 establishes the annual appropriation, cash requirements and user rates for the Water Fund. Similar to Sewer, the adoption of this Resolution will include a two step, inclining block rate structure. The first 10 units (1 unit equals 100 cubic feet or 748 gallons) of water consumed per month will be charged at \$4.15 per unit, all consumption over 10 units per month will be charged at \$5.00 per unit, both rates are unchanged from the previous fiscal year. Eighty percent (80%) of all residential customers fall in the 10 units or less tier.

Resolution No. 9-2012 allows for the expenditure of Special Revenues and Committed Fund Balances. This allows the City to expend from committed fund balances, donations and Federal and State Grants as they are accepted and received.

Resolution No. 10-2012 deals with the adoption of an annual investment policy. State law requires the annual adoption of such a policy by every city and town.

Suggested Motions:

Move to adopt Resolution #5 – General Fund Expenditures.

Move to adopt Resolution #6 – Municipal Fees.

Move to adopt Resolution #7 – Sewer Fund Expenditures.

Move to adopt Resolution #8 – Water Fund Expenditures.

*Move to adopt Resolution #9 – Special Revenues and Committed Fund Balances
for Necessary Expenditures.*

Move to adopt Resolution #10 – Investment Policy.

(Actions on Resolutions 5 thru 10 should take place under Section IX of the Agenda.)

Consent Agenda:

1. **Request for Licenses to install Projecting Signs.** Attached under Section X of the Agenda are the following requests for projecting sign licenses (see memorandums from Rick Taintor, Planning Director):

- Joe Kelley, owner of ONEOHEIGHT Premium Threads for property located at 6 Commercial Alley
- Holly Fortier, owner of Blue Grasshopper for property located at 10 Commercial Alley
- Tiana Conlon and Jessica Antequera, owners of Random Acts of Sweetness for property located at 112 State Street
- Ryan Cronin, owner of Clark's Creamery for property located at 150 State Street

I would recommend the City Council move to approve the aforementioned Projecting Sign Licenses as recommended by the Planning Director and, further, authorize the City Manager to execute License Agreements for these requests. Action on this matter should take place under Section X of the Agenda.

2. **Acceptance of Donations to Peirce Island Committee.** Attached under Section X of the Agenda is a statement from the Peirce Island Committee regarding the receipt of the following funds in the amount of \$1,141.25 for acceptance by the City Council:

- Frank Roth \$ 100.00
- Lisa Louttit 35.00
- Ann Pattison 50.00
- Pat Bertrand 25.00
- Kathy Price 25.00
- Steph Delude 50.00
- Raffles 361.00
- Pizza Sales 495.25

I would recommend the City Council move to accept and approve the donations, as submitted. Action on this matter should take place under Section X of the Agenda.

City Manager's Items Which Require Action:

1. **Proposed Approval of the Portsmouth School Custodians Local 1386 of the American Federation of State, County and Municipal Employees (AFSCME) Tentative Agreement.** As you are aware, the Portsmouth School Custodians, Local 1386 of the American Federation of State, County and Municipal Employees, (AFSCME) has approved a Tentative Agreement for a six-year contract to expire June 30, 2014. (Their contract expired on June 30, 2008.) Attached are the following documents:

- 1) A letter from Thomas Closson, Interim City Negotiator, outlining the changes of the Tentative Agreement.
- 2) A cost analysis, if the Tentative Agreement is approved.

Please bring your copy of the collective bargaining agreement from the last meeting. If you do not have it, please let me know and I will provide another one. All this information is online on the City's Website.

Dianna Fogarty, Human Resources Director will be available on Monday evening to answer any questions you may have regarding the Tentative Agreement.

I would recommend the City Council move to approve the Agreement between the Portsmouth School Board and the Portsmouth School Custodians Local 1386 of the American Federation of State, County and Municipal Employees (AFSCME) Tentative Agreement to expire June 30, 2014.

2. **Proposed Approval of Contract for Deputy Fire Chief Carl Roediger.** Attached is an Employment Agreement between the Portsmouth Fire Commission and Carl F. Roediger, Deputy Fire Chief for a 2-year term commencing on May 21, 2012 and ending on June 30, 2014.

I would recommend the City Council move to approve the Employment Agreement between the Portsmouth Fire Commission and Carl F. Roediger, Deputy Fire Chief.

3. **Request to Establish a Work Session Re: Parking Omnibus Proposal.** I would like to establish a work session on June 18, 2012 starting at 6:30 p.m., regarding the parking omnibus proposal.

I would recommend the City Council move to establish a work session on Monday, June 18, 2012 at 6:30 p.m., regarding the parking omnibus proposal.

4. **Request for Authority to Submit Economic Revitalization Zone Application.** At its May 4, 2012 meeting, the Economic Development Commission reviewed the three Economic Revitalization Zones (ERZ) in the City at Pease Tradeport, Commerce Way and at High Liner Avenue. It also discussed other areas in the city that might qualify for designation under this state authorized business retention tool.

You may recall that the ERZ designation is an economic development tool that creates incentive for companies to expand or relocate to an eligible area. Businesses located in an ERZ may be eligible for up to \$40,000 annually in tax credits to be used against its Business Profit Tax and Business Enterprise Tax up for a five year period. To qualify for the tax credit, businesses in the zone must create new jobs and expand the economic base by creating new facilities or by the rehabilitation of existing structures.

Following discussion of potential ERZ areas at the May 4th meeting, the EDC unanimously voted to recommend to the City Council that an ERZ application be

submitted to the State for Heritage Avenue and Constitution Avenue. This area is a good candidate because it is poised for new investment. A new building was recently approved in the business park and it is likely that there will be future investment in other businesses. This business location is also attractive to manufacturing businesses because it is an approved Foreign Trade Zone. If approved, qualified businesses that invest in new buildings or significantly renovate their properties and create jobs in this area would be able to apply for tax credits. *Attached for illustrative purposes, is a map of the recommended area.*

To implement the ERZ program so that local businesses are able to qualify for the ERZ tax credits, the city must identify a revitalization area and apply to the state for approval of the designated area. After state approval from the Division of Business Resources, businesses can apply for tax credits. There is no cost to the local community for designating ER Zones and as long as the ERZ program is funded at the state level, there is no limit on the number of ERZ's a city can designate.

I recommend that the City Council authorize the City Manager to submit an application to the New Hampshire Department of Resources and Economic Development for designation of Heritage Avenue and Constitution Avenues as an Economic Revitalization Zone (ERZ).

5. **Proposed Amendments to the Zoning Ordinance Re: Off-Street Parking Standards in the Downtown Overlay District.** *Attached is a memorandum from Rick Taintor, Planning Director, outlining the proposed amendments to Zoning Ordinance, Section 10.1115 – Off-Street Parking Provisions in the Downtown Overlay District. At its meeting on April 19, 2012, the Planning Board voted unanimously to recommend that the City Council enact the attached zoning amendment regarding off-street parking standards in the Downtown Overlay District. The recommended amendment would make the following changes to the Zoning Ordinance:*

- Eliminate off-street parking requirements for all nonresidential uses.
- Change the residential parking requirement to 1.5 parking spaces per dwelling unit.
- Eliminate the option to make a payment in lieu of providing required off-street parking.

I would recommend the City Council move to accept the recommendation of the Planning Board, and further, authorize the City Manager to bring back for first reading the proposed Ordinance amendments, as presented, at the June 11th City Council meeting.

6. **Report Back Re: Request by Attorney John McGee, Jr. on behalf of the Trustees of Arthur MacDonald Trust and 82 Court Street, LLC, for Lot Line Revisions with the Middle School Property.** On April 22, 2011, Attorney Ralph R. Woodman, Jr. submitted to the City Council a request for a lot line revision between the Middle School property and the parcel at 82 Court Street owned by 82 Court Street LLC. On May 12, 2011, Attorney John P. McGee, Jr. submitted to the Council a request for a boundary line agreement to establish the boundary between the Middle School property and two parcels on Mark Street owned by the Arthur MacDonald Trust. As you may recall, at its June 6,

2011 meeting, the City Council referred a request from Attorney John McGee, Jr., to the Planning Board for report back.

After discussion with Robert Sullivan, City Attorney and Rick Taintor, Planning Director, Attorney McGee agreed to modify the request to a lot line revision under the Planning Board's Subdivision Rules and Regulations, which is the same procedure that the City adopted with respect to a similar request by the owners of property at 54 Rogers Street. After a period of inactivity, Attorney McGee is requesting that the City Council approve these three proposed transfers at its May 21 meeting so that a lot line revision plan can be presented to the Planning Board in June ([see attached letter](#)).

These requests arise from a discrepancy between the surveyed boundary of the Middle School property and the fence line around the property. The MacDonald Trust and 82 Court Street LLC wish to acquire from the City the small wedges of City-owned land that lie outside the fence line and are adjacent to their respective parcels. The areas proposed to be transferred are 253.0 sq. ft. to 46 Mark Street, 339.0 sq. ft. to 65 Mark Street, and 440.5 sq. ft. to 82 Court Street. The affected parcels and the approximate areas to be transferred are shown on the [attached two maps](#).

On May 8, 2012, the Portsmouth School Board unanimously voted that the small areas of land requested by the MacDonald Trust and 82 Court Street LLC were no longer needed for school purposes, and voted to transfer care, control and custody over to the City of Portsmouth ([see attached letter from Edward McDonough, Superintendent of Schools](#)).

Rick Taintor, Planning Director, placed these requests on the agenda for the Planning Board meeting on Thursday, May 17, 2012, for a report back on the referral by the City Council. On Monday evening, I will provide the City Council with a report as to the action taken by the Planning Board.

Assuming a positive report from the Planning Board, the recommended action would be for the City Council to approve the request to convey the land to the Arthur MacDonald Trust and 82 Court Street LLC, and to join in an application to the Planning Board for a lot line revision.

I would recommend the City Council move to approve the request to convey the land to Arthur MacDonald Trust and 82 Court Street LLC and join in an application for a lot line revision, and, further to authorize the City Manager to proceed with the negotiation and execution of the necessary documents.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#); updated after the last City Council meeting on May 5, 2012. In addition, this now can be found on the City's website.

2. **African Burying Ground Trust Donations.** The African Burying Ground Committee has received the following donations to the African Burying Ground Trust since its April 9, 2012 memo to City Council. The total donated to the trust to date from individuals is \$97,771.04.

Kelvin & Royaline Edwards	\$500
Cynthia & Robert Lister	\$50
Sue & Bob Thoresen	\$1,000
P. Darcy Horgan	\$500
Algene Bailey, Sr. & Mary J. Bailey	\$5,000
John & Skye Maher	\$5,000
North Church Women	\$500
North Church of Portsmouth	\$500
Peter Peirce Rice	\$1,000
Jameson and Priscilla French	\$2,500
Nicholas & Lea Aeschliman	\$250
Mary M. Griffin	\$150
The John Bickford Foundation	\$500

3. **Senior Housing Inventory.** As you may recall, at the April 16th City Council meeting Councilor Dwyer asked a series of questions related to the housing options available to Portsmouth seniors.

In follow-up, City staff has researched the total number of housing units for seniors in both publicly and privately-owned assisted housing developments. In addition, the staff researched the number of assisted living, independent living and long-term care beds available in Portsmouth's privately-owned residential facilities. **Attached is a summary for your information.**

4. **Property Inspections.** **Attached please find a memorandum from Rosann Maurice-Lentz, City Assessor, regarding a preliminary inspection schedule to measure and list a certain percentage of properties within the City annually. These inspections will commence May 2012.**



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Thomas.Closson@jacksonlewis.com
Direct Dial: 603-559-2729

received
4/16/12

April 16, 2012

Honorable Mayor Eric Spear and City Council
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

RE: Settlement with AFSCME Local #1386 – School Custodial Unit

Dear Mayor Spear and Members of the City Council:

I am pleased to recommend for your consideration the terms of a tentative agreement with AFSCME Local #1386 School Custodial Unit. The major items in the contract are as follows:

- Term: 6-Year agreement, expiring on June 30, 2014.
- Salaries: No COLA adjustment for contract years 2008-09, 2009-10, or 2010-11. 10-year rolling COLA average (2.43%) adjustment, effective January 1, 2012. 10 year rolling COLA each July 1 through July 1, 2013.
- Health Insurance
 - o Employee contribution to Comp100 and Blue Choice will increase to 20% effective January 1, 2012.
 - o Employee contribution to Matthew Thornton will increase to 15.5% effective January 1, 2012
 - o City may offer 2 new plans under Blue Choice and Matthew Thornton with \$5 co-pay for office visits; \$25 for emergency room; and \$10/\$20/\$45 for prescriptions.
 - o AFSCME will serve on City-wide committee to study health insurance options.
 - o In the event that AFSCME decides to change to SchoolCare during the term of this contract, employees will contribute 14% of the premiums. They will also be eligible for CIGNA dental insurance with an annual limit of \$1,500.

- Vacation:
 - All paid vacation leave taken shall not be counted as hours worked when computing overtime.
 - The language allowing employee to receive prepaid vacation has been removed.
- Holiday pay:
 - Holiday pay shall be granted if an employee reports for work on the last regularly scheduled work day prior to holiday and the first regularly scheduled work day after the holiday, except in the case a sick day supported by a doctor's note.
- Discipline
 - Warnings shall remain in the employee's personnel file. Said discipline will not be considered after two (2) years provided no subsequent infraction of the same type occurs.
 - Suspension shall remain in the employee's personnel file. Said discipline will not be considered after three (3) years provided no subsequent infraction of the same type occurs.
 - Custodians may be transferred for cause or when it is determined to be in the best interest of the district. The employee being transferred would replace the least senior person in the school that the custodian transferred to. The employee being bumped shall be put in the position vacated because of the transfer.
- Sick Leave
 - Reduce the number of sick days from 15 days to 13 days a year
 - Up to 15 days per year may be used care for an immediate family member.
 - All paid sick leave taken shall not be counted as hours worked when computing overtime.
- Personal Days
 - Increase personal days from 3 days to 4 days.
- Unusual or Imperative Leave has been eliminated
- Overtime
 - The language the employees will be paid time and a half for all hours worked over eight in any day has been eliminated.
- All time spent while serving on jury duty shall not be counted as hours worked

- On Call Pay
 - Call in time has been reduced from four (4) hours to three (3)
- Clothing Allowance/Shoe Allowance
 - Each full-time employee will receive an annual clothing allowance of \$266 (pro-rated for part-time employees).
 - Effective July 1, 2012, the School Department will provide \$90 annually for work boots/shoes/sneakers.
 - Effective July 1, 2013, the School Department will provide \$100 annually for work boots/shoes/sneakers.
- Long Term Disability
 - Increase the monthly amount of LTD from \$1,200 a month to \$4,000.

If you have any questions or comments, please do not hesitate to let me know.

Sincerely yours,



Thomas M. Closson
Attorney at Law
Jackson Lewis LLP

EMPLOYMENT AGREEMENT

1. Preamble

This Agreement is entered into between the Fire Commission, City of Portsmouth, New Hampshire (hereinafter called "Commission/Board") and Carl F. Roediger (hereinafter called "Employee"). This Agreement is null and void unless approved by the Portsmouth City Council.

2. Employment and Term

The Commission/Board agrees to employ the Employee and the Employee agrees to accept employment in the position of Deputy Fire Chief for a 2-year term commencing on May 21, 2012 and ending on June 30, 2014. The Commission/Board and the Employee acknowledge that this is a full-time, year-round position including extensive obligations in the evenings and on week-ends. The Employee agrees to devote all of his professional efforts to the successful fulfillment of the responsibilities to the Commission/Board and the City.

3. Salary

Effective May 21, 2012, the Employee shall be placed on Grade 22, step B of the City of Portsmouth Non-union Salary Schedule which is Seventy Nine Thousand Five Hundred and Eighty Six Dollars (\$79,568.00) per annum, payable in no fewer than twenty-six installments and subject to such deductions as may be authorized or as may be required by law. Except as expressly described herein, the Employee shall not be entitled to any salary enhancements except as specifically provided herein.

Effective July 1 of 2012 and 2013 a COLA adjustment percentage increase shall be computed which shall not be less than 2% nor more than 5%. The COLA Adjustment percentage shall be determined by taking the 10 year average of the CPI-U for the Boston-Brockton-Nashua—MA-NH-ME-CT all items index as computed by the Bureau of Labor Statistics of the US Department of Labor for the most recent 10 calendar years preceding the July 1 adjustment. BLS's calendar year for this index is November through November, it is not published on a December to December basis. The reference base is 1982-1983 equals 100 until BLS updates the reference base at which time the parties agree to adopt the official reference base as used by BLS.

Effective May 21, 2012 and each May 21st thereafter until the Employee reaches the top step of the Wage/Salary Schedule or until June 30, 2014, whichever occurs first, the Employee is eligible to move up one (1) step on the Schedule.

4. Certification

This Section is not applicable to the Deputy Fire Chief position.

5. Termination for Cause

This Agreement may be terminated by the Commission/Board at any time for cause, i.e., failure on the part of the Employee to comply with any term or condition of this Agreement, the laws, rules and regulations of the State of New Hampshire, or the rules and regulations of the Commission/Board, or the City of Portsmouth; or malfeasance, misfeasance, nonfeasance, or insubordination in carrying out the responsibilities of the position as specified in the Municipal Charter of the City of Portsmouth or as directed by the Commission/Board.

Termination for Cause shall take place only following written notification specifying the reasons for termination. Unless the Employee submits to the Commission/Board, within twenty (20) days of receipt of such notification, a written request for a hearing before the Commission/Board, the Agreement shall be considered terminated as of the date which falls thirty (30) days after the Employee's receipt of notification. If the Employee requests a hearing, the Commission/Board shall hold this hearing within twenty (20) days after receipt of such request. The Commission/Board shall render a written decision to the Employee within ten (10) days of the hearing. In the event of a Termination for Cause, the Employee shall receive no severance and no further compensation beyond the last day worked.

6. Termination with Severance Payment

If at any time the Commission/Board in its discretion shall so determine, the Commission/Board may, without cause and with or without prior notice, relieve the Employee of duties under this Agreement. In such event, the Employee shall be entitled to severance benefits. Such severance benefits shall be six month's salary or the balance of the contract, whichever is less. As is set forth above in Section 5, if the termination is for cause, the Employee shall not be entitled to severance benefits. Severance benefits shall not be paid upon the voluntary resignation of the Employee.

7. Termination by Mutual Consent/Voluntary Resignation

This Agreement may be terminated at any time by mutual consent of the Commission/Board and the Employee or by voluntary resignation of the Employee. In the event the Employee voluntarily resigns before the expiration of the term of this Agreement or any renewal thereof, the Employee shall give the Commission/Board sixty (60) days written notice in advance of such resignation. In the event of voluntary resignation, the Employee shall not be eligible for severance benefits pursuant to Section 6 of this Agreement.

8. Severance Constitutes Release

The acceptance by the Employee of the severance benefits provided under this Agreement shall constitute a full and complete release of any other rights, claims, or causes of action, whether in law, equity or otherwise, that the Employee may have against the Commission/Board, the City of Portsmouth, and the employees, elected or appointed officials, officers, agents, representatives and attorneys of such entities.

9. Benefits

Except as otherwise provided herein, the Employee's fringe benefits shall be established by the collective bargaining agreement currently in place between the City of Portsmouth and the Professional Management Association. The exceptions shall be described in detail in Section 10 below.

10. Exception to Benefits in Section 9.

In lieu of or in addition to the compensation enumerated above, the Employee shall also be entitled to the following:

- a. The Deputy Fire Chief shall be provided with a suitable automobile for use in the performance of his duties under this Agreement. Recognizing that the Deputy Chief is on-call at all times, it is understood that the automobile may also be used for personal business; and
- b. Subject to budgetary constraints, the City agrees to cover the cost of tuition and textbooks for courses and/or other classes that would provide for improved job performance as part of a career development program. Prior approval by the Fire Commission of any and all courses is required. If the Employee fails to successfully complete the course and/or class with a final passing grade, the Employee will be required to reimburse the City for the entire cost of tuition and textbooks.

AGREED: The parties below acknowledge that this Agreement is subject to the approval of the Portsmouth City Council without which approval this Agreement is without force and effect.

For the Commission/Board:

Employee:

Date:

Date:

Approved by the Portsmouth City Council:

Date


Certified by the City Clerk

City Clerk



Heritage Constitution Proposed ERZ

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director 
DATE: May 15, 2012
RE: Proposed Amendment to Zoning Ordinance, Section 10.1115 – Off-Street Parking Provisions in the Downtown Overlay District

At its meeting on April 19, 2012, the Planning Board voted unanimously to recommend that the City Council enact the attached zoning amendment regarding off-street parking standards in the Downtown Overlay District. The recommended amendment would make the following changes to the Zoning Ordinance:

- Eliminate off-street parking requirements for all nonresidential uses.

Currently, parcels are required to provide 1 parking space per 100 sq. ft. of restaurant floor area and 1 space per 1,000 sq. ft. of all other upper-floor uses (there is no parking requirement for ground floor uses other than restaurants).

- Change the residential parking requirement to 1.5 parking spaces per dwelling unit.

The current requirement (enacted in 2009) is 1 parking space per 1,000 sq. ft. of floor area for all upper-floor uses (residential uses are not permitted on the ground floor of buildings in the Downtown Overlay District). However, some condominium units being constructed in the downtown are in excess of 2,500 sq. ft., which results in a parking requirement of more than 2 parking spaces per unit. This requirement is excessive, and therefore it is recommended to base the residential parking standard on the number of dwelling units rather than on the floor area of the building.

Note that the Zoning Ordinance exempts the first 4 parking spaces required in the Downtown Overlay District: thus, single-family and two-family uses would not be required to provide any off-street parking.

- Eliminate the option to make a payment in lieu of providing required off-street parking.

Property owners currently have the option to make a payment in lieu of providing off-street parking spaces. The current payment amount is \$2,200 per parking space not provided. The Planning Board recommends that residential development be required to provide parking on site. With the elimination of off-street parking requirements for nonresidential uses, there will be no need to maintain the current in-lieu payment system.

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, Article 11, Section 10.1115 – Off-Street Parking Provisions in the Downtown Overlay District, are hereby amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

10.1115 Off-Street Parking Provisions in the Downtown Overlay District

10.1115.10 Purpose

10.1115.11 This Section 10.1115 establishes modified off-street parking standards for lots in the Downtown Overlay District in recognition of the availability of municipal on-street and off-street parking facilities, private shared parking facilities, and public transit, and the pedestrian-oriented pattern of lots and uses.

~~10.1115.12 This section also provides an option for developments to contribute to the cost of developing public parking facilities in lieu of providing a portion of the required off-street parking spaces.~~

10.1115.132 Except as specifically modified by this Section 10.1115, lots in the Downtown Overlay District shall comply with all other provisions of Section 10.1110.

10.1115.20 Number of Required Off-Street Parking Spaces

10.1115.21 The following requirements shall apply in the Downtown Overlay District in lieu of the requirements in Section 10.1112.30:

Use	Required Parking Spaces
Restaurant	1 space per 100 square feet GFA
Other ground floor uses	No requirement
Other upper floor uses (residential and nonresidential)	1 space per 1,000 square feet GFA
Residential uses	1.5 space per dwelling unit
Nonresidential uses	No requirement

10.1115.22 The requirements in Section 10.1115.21 shall be applied to all uses on a lot, and not to individual uses.

10.1115.23 For any lot, the number of off-street parking spaces that would be required by applying the ratios in Section 10.1115.21 shall be reduced by 4 spaces. (Therefore, any lot that would be required to

provide 4 or fewer off-street parking spaces shall not be required to provide any spaces.)

~~10.1115.30 — Optional Payment in Lieu of Providing Required Off-Street Parking Spaces~~

~~In the Downtown Overlay District, a property owner may elect to make a payment to the City's Parking Fund, as set forth in Section 10.1115.40, in lieu of providing a portion of the off-street parking spaces that would otherwise be required by this Ordinance.~~

~~10.1115.40 — Amount of Payment in Lieu~~

~~10.1115.41 — The payment in lieu of providing required off-street parking spaces shall be calculated by multiplying the number of required parking spaces not provided by the current fee per space as determined under Sections 10.1115.42 and 10.1115.43.~~

~~10.1115.42 — The fee per space as of January 1, 2010, shall be \$2,000.00.~~

~~10.1115.43 — The fee per space shall be adjusted annually effective on January 1 of each year. The adjustment shall be based on the annual change in the Civil Works Construction Cost Index System (CWCCIS), EM 1110-2-1304, CWBS Feature Code 19 — Buildings, Grounds & Utilities, published by the US Army Corps of Engineers for the most recent twelve-month period preceding the adjustment date, and shall be rounded to the nearest 100 dollars.~~

Annual change, Sep. 2009 — Sep. 2010 = 2.62%

2011 adjustment = \$2,000 x 2.62% = \$52.40

2011 payment per space = \$2,100.00 (rounded)

Annual change, Sep. 2010 — Sep. 2011 = 4.96%

2012 adjustment = \$2,100 x 4.96% = \$104.16

2012 payment per space = \$2,200.00 (rounded)

~~10.1115.50 — Procedure and Administration~~

~~10.1115.51 — A payment in lieu of providing required off-street parking spaces shall be paid to the City prior to the issuance of a building permit or Change of Use Permit.~~

~~10.1115.52 — Payments in lieu of providing off-street parking spaces shall be deposited in a fund for off-street parking facilities within the Downtown Overlay District, under the control of the City Council.~~

~~10.1115.53 — Payments in lieu of providing off-street parking spaces shall be encumbered or otherwise legally bound within six years from the time the payment is received by the City. If not encumbered within that time period the payment shall be returned to the applicant together with any accrued interest.~~

~~10.1115.60~~ Application of Provisions

~~10.1115.61~~ The requirements of this Section 10.1115 shall not apply to any existing uses on a lot, but shall apply to any change or expansion of existing uses that results in an increase in the number of off-street parking spaces required for the lot by Section 10.1115.20, as of the date of application.

~~10.1115.62~~ If changes in the uses on a lot after the adoption of this Section 10.1115 result a lower parking requirement for the lot, that new requirement shall become the baseline for computing the change in off-street parking requirements resulting from any future proposed uses.

LAW OFFICES OF
FLYNN & MCGEE, P.A.
222 COURT STREET, PORTSMOUTH, N.H. 03801-4451
—
TELEPHONE 603-436-5360
FAX 603-436-7833
—
MAILING ADDRESS:
P.O. Box 507, PORTSMOUTH, N.H. 03802-0507



JOHN P. MCGEE, JR.

THOMAS E. FLYNN
(1922-1989)

May 16, 2012

John Bohenko,
City Manager
City of Portsmouth
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: Boundary Issue – Mark Street Properties of
A. T. Michael MacDonald, Mara Khavari and Suzanne Brown
Mark Street Properties Boundary with Portsmouth
Middle School – 82 Court Street, LLC Boundary with
Portsmouth Middle School

Dear Mr. Bohenko:

I represent A.T. Michael MacDonald, Mara Khavari and Suzanne Brown as they are the successors of the Arthur MacDonald Trust as to certain properties on Mark Street in Portsmouth, New Hampshire. The specific properties are 46 Mark Street and 65-67 Mark Street. I'm also writing this letter on behalf of Ralph Woodman, Esquire who represents 82 Court Street, LLC which is the owner of premises on Court Street.

As you are aware, in the summer of 2010 a survey by Doucet Surveying indicated that the boundary line of the City of Portsmouth as to the Portsmouth Middle School property extended beyond the fence which separates the school property from my clients property and from the property of 82 Court Street, LLC. In the spring of 2011, I wrote a letter to you suggesting a potential resolution of the issues raised by this discovery and I requested that you bring it to the attention of the Portsmouth City Council. It is my understanding that Attorney Woodman on behalf of 82 Court Street, LLC also wrote a letter to you also seeking a potential resolution of this issue as it affected his client and he too requested that it be presented to the Portsmouth City Council.

Page Two
May 16, 2012

I understand that both letters were presented to the Portsmouth City Council and referral was made to the Portsmouth Planning Board. The Planning Board referred my letter to Rick Taintor as City Planner and Robert Sullivan as City Attorney to discuss potential resolutions. As a result of the referral there was a meeting among myself, Mr. Taintor, Attorney Sullivan and Attorney Woodman. At this meeting the City through Mr. Taintor and Attorney Sullivan presented its thoughts on potential resolution. Those thoughts were along the same line with the resolution that the City had reached with William E. Hess and Jane N. Donovan to premises on Rogers Street which also abutted the Portsmouth Middle School property.

Attorney Woodman and I subsequently advised Mr. Taintor and Attorney Sullivan that our respective clients were amenable to negotiating with the City on the same lines as the negotiations which took place with Mr. Hess and Ms. Donovan.

Mr. Taintor advised that the first step in the process would be to have the School Board vote to abandon any interest or need it had to the Portsmouth Middle School property as it extended beyond the fence which separates the Portsmouth Middle School from our respective clients properties. The Portsmouth School Board on May 8, 2012 did vote to abandon its claims beyond the fence and I understand that the Portsmouth Superintendent of Schools has provided evidence of same to your office.

The next step, as I understand it, is for the Portsmouth Planning Board to vote to recommend that the City itself be authorized to convey the strips of land beyond the fence at the Portsmouth Middle School to our respective clients so that the boundary of my clients as well as 82 Court Street would extend up to the fence.

In the hope that the Portsmouth Planning Board will vote such a recommendation at its meeting of May 17, 2012 I am respectfully requesting that you present to the Council at its May 21, 2012 meeting our request to enter negotiations for the purchase of the "strips".

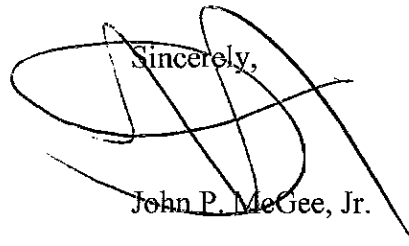
I am enclosing herewith a plan prepared by James Verra and Associates, Inc. entitled "Lot Line Revision Plan 46 & 65-67 Mark Street, 82 Court Street and 155 Parrott Avenue, Portsmouth, New Hampshire Assessor's Parcels 116-52, 116-51, 116-048 & 128-015 for: A.T. Michael MacDonald, ET.AL. 82 Court St., LLC & City of Portsmouth". (In addition to the full plan I am also enclosing ten copies of relevant section of the plan in 8" x 10" format.) Mr. Verra was asked to base the survey as to the strips according to the Doucet Plan and he advises that he has done so. As you can see

Page Three
May 16, 2012

from the plan, the strips are approximately five feet in width and extend along the southeasterly boundaries of my clients property as well as the property of 82 Court Street.

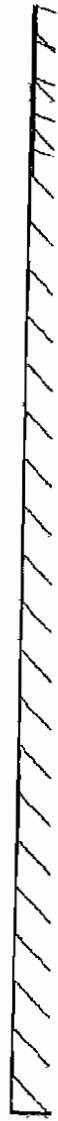
My clients as well as 82 Court Street, LLC understand that the cost of the survey necessary to effect the conveyance will be borne by us. We also understand that we are responsible for all recording costs. We understand the actual price will be determined by negotiations with the City and I would assume that the Council would empower you to complete and finalize any price and final agreement.

I thank you for your consideration as well as the consideration of the City Council. Certainly if you or the City Council has any questions, we would be more than happy to address them.

Sincerely,

John P. McGee, Jr.

JPM:bf
enclosure

cc: Suzanne Brown
Mara Khavari
A. T. Michael MacDonald
Ralph Woodman, Esquire
Edward McDonough, Superintendent
Of Schools
John Ricci, Chairman of the Portsmouth
Planning Board
Rick Taintor, City Planner
Robert Sullivan, Esquire
Betty@correspondence/bohenkoletteronmarkstreet



REV. NO.	DATE	DESCRIPTION	APPR'D
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LOT LINE REVISION PLAN
46 & 65-67 MARK STREET,
82 COURT STREET & 155 PARROTT AVENUE.
PORTSMOUTH, NEW HAMPSHIRE
ASSESSOR'S PARCELS 116-52, 116-51,
116-048 & 128-015
FOR: A. T. MICHAEL MACDONALD, ET.AL,
82 COURT ST., LLC & CITY OF PORTSMOUTH

DATE:	PRELIMINARY
JOB NO:	2343426
SCALE:	1" = 10"
DWG NAME:	2343426
PLAN NO:	23434-2
SHEET:	1 OF 1

JAMES VERRA and ASSOCIATES, INC.
 101 SHATTUCK WAY
 SUITE # 8
 NEWINGTON, N.H 03801-7876
 603.436.3557

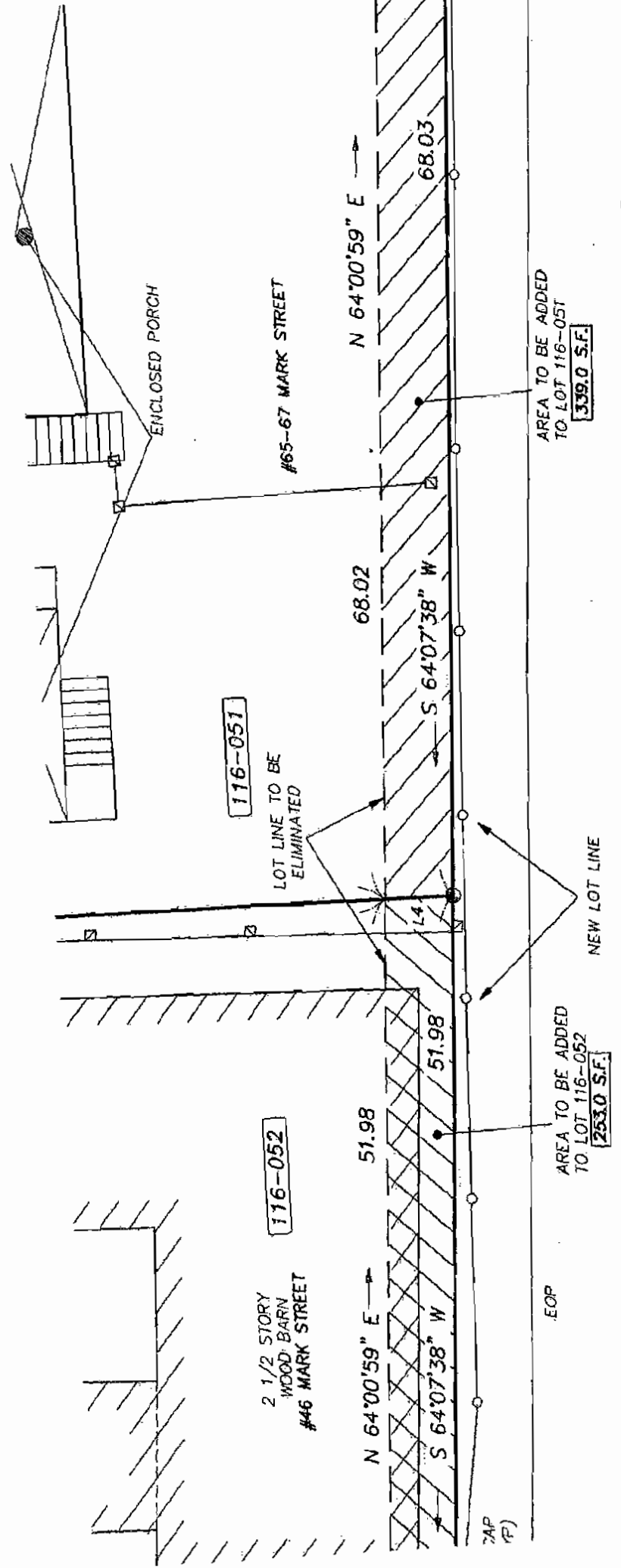
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 PROJECT MGR _____
 COPYRIGHT © 2012 by JAMES VERRA and ASSOCIATES, INC.

MAY 04 2012

SCAP POINCE

LOCUS (N.T.S.)

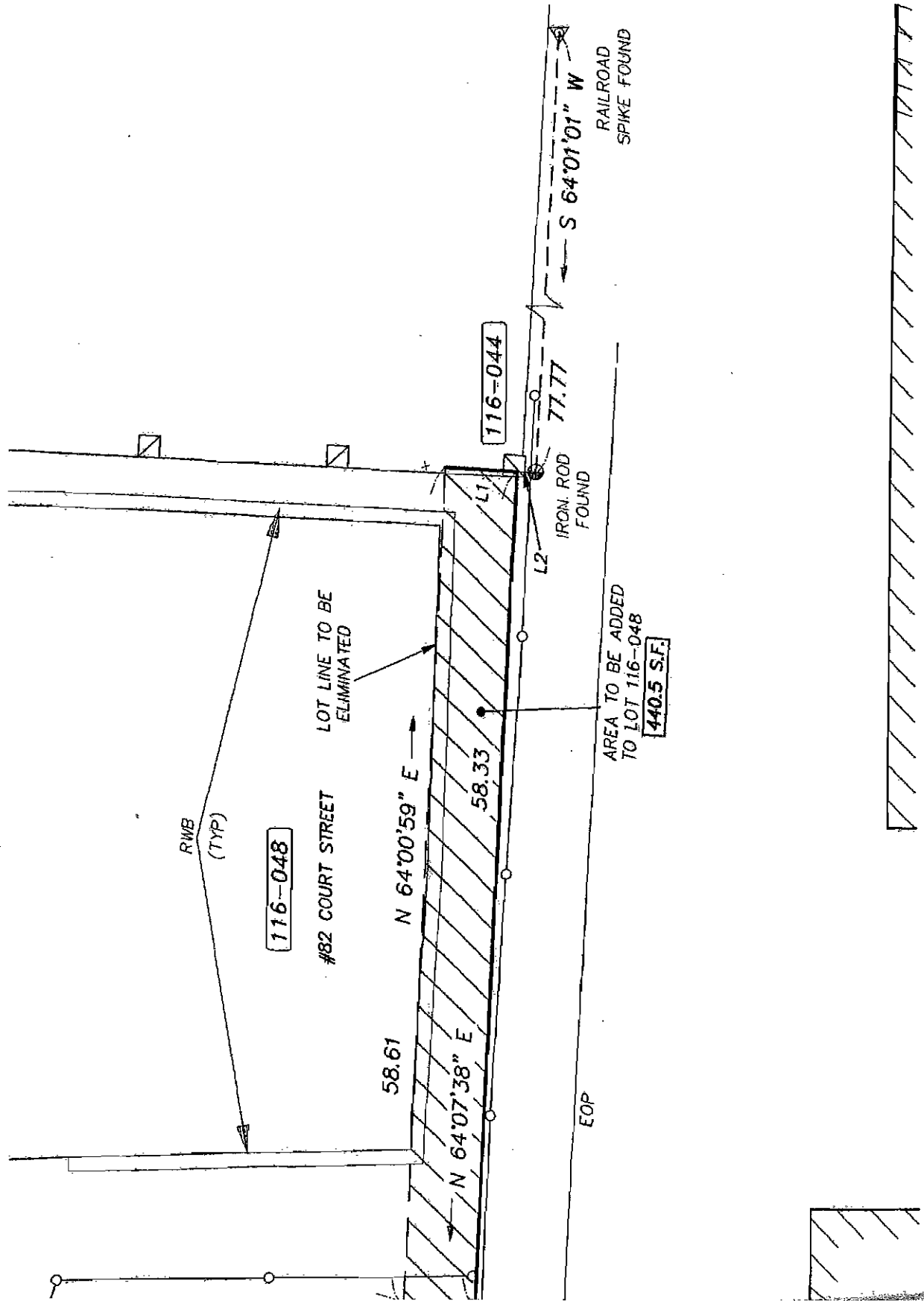
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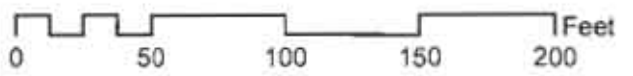
128-015

LINE TABLE	BEARING	DISTANCE
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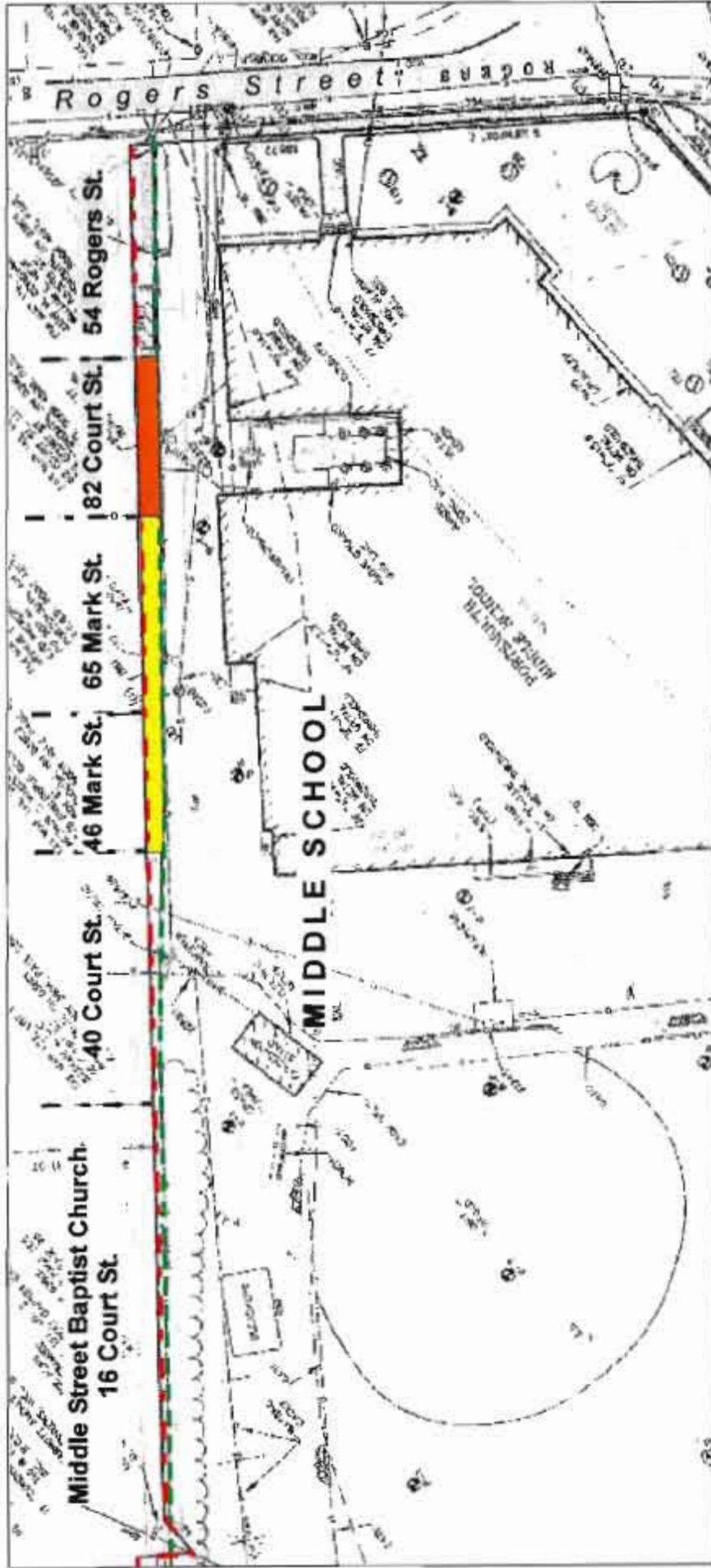
"E M DONOVAN," DATED 2-24-2011 RECORDED RCRD #D-36876.



Requests for Lot Line Revisions
46 & 65 Mark Street and 82 Court Street



Request for Lot Line Revisions
26 & 65 Mark Street and 82 Court Street



--- Surveyed Property Line
--- Fence Line

Lot Line Revision Requested by Arthur MacDonald Trust
for 46 and 65 Mark Street
Lot Line Revision Requested for 82 Court Street

Base map: "Existing Conditions Plan of Portsmouth Middle School & Alumni Field for J.C.J Architecture, Inc. - (Tax Map 128, Lots 15 & 16) - Parrott Avenue & Rogers Street - Portsmouth, New Hampshire", Prepared by Doucet Survey, Inc., Date: March 17, 2010



PORTSMOUTH SCHOOL DEPARTMENT

OFFICE OF THE SUPERINTENDENT OF SCHOOLS

EDWARD McDONOUGH
SUPERINTENDENT OF SCHOOLS

STEPHEN ZADRAVEC
ASSISTANT SUPERINTENDENT

STEPHEN BARTLETT
BUSINESS ADMINISTRATOR

May 15, 2012

Mr. John P. Bohenko
Portsmouth City Manager
1 Junkins Avenue
Portsmouth, New Hampshire 03801

Dear Mr. Bohenko:

At the May 8, 2012 Portsmouth School Board Meeting, the School Board unanimously voted the proposed lot line revisions at 46 Mark Street, 65 Mark Street and 82 Court Street were no longer needed for school purposes and voted to transfer care, control and custody over to the City of Portsmouth.

Sincerely,

Edward McDonough
Superintendent of Schools

cc: Rick Taintor, Planning Director

"THE PURPOSE OF THE PORTSMOUTH SCHOOLS IS TO EDUCATE ALL STUDENTS BY CHALLENGING THEM TO BECOME THINKING, RESPONSIBLE, CONTRIBUTING CITIZENS WHO CONTINUE TO LEARN THROUGHOUT THEIR LIVES."

AN EQUAL OPPORTUNITY EMPLOYER

50 CLOUGH DRIVE, PORTSMOUTH, NEW HAMPSHIRE 03801-5297 (603) 431-5080 FAX (603) 431-6753

Run: 5/17/12
9:00AM

Event Listing by Date

Page: 1

Starting Date: 1/ 1/2012

Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
1/ 1/2012 1/ 1/2012	ROAD RACE	Little Harbour School Stu Simon is the contact for this event - 436-2014. This event begins at 11:00 a.m.	Great Bay Services	4/ 4/2011
2/13/2012 2/13/2012	CONCERT	Chestnut Street Vernis Jackson is the contact for this event.	African Burying Ground Committ	12/19/2011
3/11/2012 3/11/2012	ROAD RACE	Pease Tradeport Todd Hanson is the contact for this event. He can be reached at 436-2551. This event starts at 10:30 a.m.	St. Paddy's 5 Miler	3/15/2012
3/25/2012 3/25/2012	ROAD RACE	Portsmouth High School Donald Allison is the contact for this event. This event begins at Portsmouth High School to Route 1A South. The event begins at 11:00 a.m.	Eastern States 20 Mile	1/17/2012
4/14/2012 4/14/2012	ROAD RACE	Baptist Church - Miller Avenue Robert Sutherland, Jr. is the contact for this event. This event begins and ends at the Baptist Church on Miller Avenue. Race starts at 9:00 a.m.	St. John's Lodge - Out of Hibe	2/ 6/2012
4/14/2012 4/14/2012	WALK	Little Harbour School Heidi R. Roy, Development Manager is the contact for this event. This event begins and ends at Little Harbour School, from 10:00 a.m. to 2:00 p.m.	National Multiple Sclerosis So	12/19/2011
4/15/2012 4/15/2012	ROAD RACE	Pease Tradeport Olivia Kopri is the contact for this event. This event begins at approximately 11:00 a.m. This event starts and finishes at Martin's Point Health Care.	Sexual Assault Support Service	2/ 6/2012
4/15/2012 4/15/2012	WALK	City Hall Randy Eaton is the contact of this event. The event beings at City Hall and ends at Prescott Park, starting at 1:00 p.m.	Walk for Faith	12/19/2011
5/ 6/2012 1/ 3/2012	BIKE TOUR	Little Harbour School Kathryn M. Libby is the contact for this event. This event begins at 7:00 a.m. and ends at approximately 4:00 p.m.	American Lung Association	12/19/2011
5/ 6/2012 5/ 6/2012	FESTIVAL	Downtown Portsmouth Barbara Massar is the contact for this event. This event begins at Noon until 4:00 p.m.	Pro Portsmouth - Children's Da	1/18/2012
5/ 6/2012 5/ 6/2012	WALK	Lower Parking Lot of City Hall Barbara Kautz is the contact for this event (207-363-5833). This event begins at 10:00 a.m. and the walk starts at 2:00 p.m. and ends around 5:00 p.m.	AIDS Response Seacoast	1/17/2012
5/12/2012 5/12/2012	ROAD RACE	Pease Tradeport Kimberly McGlinchey and Deirdre Barrett are the ECO Club Advisors and they are the contacts for this event. The time of this event is 1:00 p.m. to 3:00 p.m.	Portsmouth High School ECO Clu	2/21/2012

Run: 5/17/12
9:00AM

Event Listing by Date

Page: 2

Starting Date: 1/ 1/2012

Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
5/12/2012 5/12/2012	ROAD RACE Deborah Peretz is the contact for this event. This event begins at 9:00 a.m.	Strawberry Banke	Susan G. Komen for the Cure	10/ 3/2011
5/19/2012 5/20/2012	BIKE TOUR Kelly Sicard is the contact for this event. Tel. (603)669-2411 ex. 120	Pease International Tradeport	Breathe New Hampshire	3/ 5/2012
5/19/2012 5/19/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Greater Portsmouth Chamber of Commerce Road Race series. This event begins and ends at the YMCA on Peverly Hill Road. **This event has been canceled.	YMCA - Peverly Hill Road	GPCC - YMCA - CANCELED	12/19/2011
5/20/2012 5/20/2012	MARCH Contact Mylene Hollick. Starting and Finishing at Little Harbour Elementary School from 9:00 a.m. to 1:00 p.m.	Little Harbour School	Seacoast March for Babies	5/ 7/2012
5/27/2012 5/27/2012	ROAD RACE Jeanine Sylvester is the contact for this event. This event begins at 11:00 a.m.	Redhook Ale Brewery	Runner's Alley	2/ 6/2012
6/ 9/2012 6/ 9/2012	FESTIVAL Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m.	Downtown Portsmouth	Pro Portsmouth - Market Square	1/17/2012
6/ 9/2012 6/ 9/2012	ROAD RACE Barbara Massar is the contact for this event. This is the Market Square Day Road Race that starts at 9:00 a.m. in Market Square.	Starts in Market Square	Pro Portsmouth - Market Square	2/17/2012
6/23/2012 6/23/2012	FESTIVAL This is a Summer in the Street Music Series. It begins at 5:00 p.m. to 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - summer in the	1/17/2012
6/30/2012 6/30/2012	FESTIVAL Barbara Massar is the contact for this event. This is Summer in the Streets event beginning at 5:00 p.m. to 9:00 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/17/2012
7/ 7/2012 7/ 7/2012	FESTIVAL Barbara Massar is the contact for this event. This is a part of the Summer in the Streets series that begins at 5:00 p.m. and ends at 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/17/2012
7/ 7/2012 7/ 7/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race Series. It begins and ends at Little Harbour School at 9:00 a.m.	Little Harbour School	GPCC - Harbour Trail	12/19/2011
7/ 8/2012 7/ 8/2012	PARADE Contacts: Peter Somssich and Josh Denton		Welcome Home, Iraq Veterans Pa	3/19/2012

Event Listing by Date

Starting Date: 1/ 1/2012
Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
7/14/2012 7/14/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in Street Series. It begins at 5:00 to 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/18/2012
7/15/2012 7/15/2012	ROAD RACE Brenda M. Blonigen is the contact of this event. Her cell number is (603) 475-4080	Pease Tradeport - Great Bay Community College	The Minuteman Fund	3/ 5/2012
7/21/2012 7/21/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Streets begins at 5:00 p.m. to 9:30 p.m.	Downtown - Pleasant Street - between State Street	Pro Portsmouth - Summer in the	1/17/2012
7/28/2012 7/28/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Streets series that begins at 5:00 p.m. and ends at 9:30 p.m.	Downtown - Pleasant Street - between State Street	Pro Portsmouth - Summer in the	1/17/2012
7/28/2012 7/28/2012	RACE Contact Alyssa Aldrich Close Chestnut Street on Saturday, July 28, 2012 from 4:00 p.m. to 6:00 p.m. (Rain date of Saturday, August 4, 2012)	Chestnut Street	Big Brothers Big Sisters of th	5/ 7/2012
8/ 2/2012 8/ 2/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race series. It begins and ends at Peirce Island at 6:00 p.m.	Peirce Island	GPCC - Portsmouth Rotary Club	12/19/2011
8/ 4/2012 8/ 4/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Street series which begins at 5:00 p.m. and ends at 9:30 p.m.	(Raindate)Downtown - Pleasant Street/State and Squ	Pro Portsmouth - Summer in the	1/17/2012
8/ 8/2012 8/ 8/2012	FESTIVAL Doug Bates is the contact for this event. This is the 2012 Greater Portsmouth Chamber of Commerce Annual Dinner "Celebrating Portsmouth Business".	Pleasant Street from State to Congress Street	Greater Portsmouth Chamber of	2/17/2012
8/11/2012 8/11/2012	BIKE TOUR Heidi R. Roy, Development Manager is the contact for this event. Her contact number: 623-3502. This is a use of roads from Strawberry Banke onto Marcy Street, onto Route 1B south to Odiorne State Park (Route 1A) for a rest stop.	Thru South End	National Multiple Sclerosis So	4/ 2/2012
9/ 9/2012 9/ 9/2012	BIKE TOUR Susanne Delaney or Catherine Keenan are the contacts for this event. This event begins and ends at Market Square.	Downtown	Portsmouth Criterium	12/ 6/2011
9/15/2012 9/15/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race series - it begins at 9:00 a.m.	Little Harbour School	GPCC - BreastCancerStories.org	12/19/2011
9/15/2012 9/16/2012	TOUR Caroline Amport (686-4338) and Nancy Pollard are the contacts for this event. This event begins on Saturday, September 15th from 9:00 a.m. to 1:00 p.m. and Sunday, September 16th - 11:00 a.m. to 3:00 p.m.	South End	Friends of the South End	2/ 6/2012

Run: 5/17/12
9:00AM

Event Listing by Date

Page: 4

Starting Date: 1/ 1/2012

Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
9/29/2012 9/29/2012	ROAD RACE Karen Butz Webb is the contact for this event. This event begins and ends at Portsmouth High School. the course starts at Portsmouth High School, left onto South Street, right onto Middle Street, bear right to Court Street, right onto Marcy Street back to South and finishing at the PHS.	Portsmouth High School	Project Safety	2/21/2012
9/29/2012 9/29/2012	WALK Ken La Valley is the contact for this event - 603-862-4343. Registration for this event begins at 8:00 a.m. and the walk duration is 10:00 a.m. to Noon. The walk would begin and end on Peirce Island near the outdoor pool. Walkers would make a 2.6 mile loop starting from Peirce Island to March Street, continuing onto South Street, Miller Avenue, Middle Street, State Street and finishing at Peirce Island.	Peirce Island	American Foundation for Suicid	4/ 2/2012
10/13/2012 10/13/2012	ROAD RACE Doug Bates is the contact for this event. This event is the for the Community Child Care and it is part of the Road Race series. This event begins at 9:00 a.m.	Little Harbour School	GPCC - Community Child Care	12/19/2011
11/11/2012 11/11/2012	ROAD RACE Jay Diener, Co-Race Director is the contact for this event. This race begins and ends at Portsmouth High School.	Portsmouth High School	Seacoast Half Maranthon	3/20/2012
11/22/2012 11/22/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race Series. The event begins at 8:30 a.m.	Prescott Park	GPCC - Seacoast Rotary Club -	12/19/2011

Inventory of Senior Housing Opportunities in Portsmouth – May 2012

PORTSMOUTH HOUSING AUTHORITY									
Property Name	Property Address	Owner/Manager	Age Restrictions	# of Housing Units					
Bedford Way Apartments	40 Bedford Way	PHA Owned & Managed (Limited Partnership)	Senior*	30					
Cottage Senior Housing	8 Junkins Avenue	PHA Owned & Managed (Limited Partnership)	Senior	20					
Feaster Apartments	140 Court Street	PHA Owned & Managed	Senior	100					
Lafayette School Senior Apartments	100 Lafayette Road	PHA Owned & Managed (Limited Partnership)	Senior	10					
Margeson Apartments	245 Middle Street	PHA Owned & Managed	Senior	137					
Pleasant Street	444 Pleasant Street	PHA Owned & Managed	Senior	8					
State Street	940 State Street	PHA Owned & Managed	Senior	12					
Woodbury Manor	Manor Drive	PHA Owned & Managed	Senior	40					
Section 8 Vouchers used by Seniors	Various Private Addresses	Section 8 Program	Senior	34					
TOTAL				391					
Note: there is a total of 125 households on the senior housing waiting list (Public Housing and Section 8)									
PRIVATE HOUSING									
Property Name	Property Address	Owner/Manager	Age Restrictions	# of Housing Units					
Keefe House	20 Islington Street	Desaulnier Steele LLC / EastPoint Properties	Senior	58					
Portsmouth Place Apartments	263 Miller Avenue	Portsmouth Place Apartments LLC	Senior	48					
TOTAL				106					
PRIVATE ASSISTED LIVING AND LONG TERM CARE (NURSING HOMES) FACILITIES									
Property Name	Property Address	Managed/Owned	Total Beds	Assisted Living	Independent Living Apts.	Memory Units	Long Term Care	Skilled Rehab	Licensed Beds
Edgewood Centre	928 South Street	Edgewood Manor Inc.	140				115	25	158
Mark Wentworth Home	346 Pleasant Street	Mark H. Wentworth Home for Chronic Invalids	71	71					104
Clipper Harbor of Portsmouth	188 Jones Avenue	Sunbridge Healthcare	102			48	26	28	102
Langdon Place of Portsmouth**	188 Jones Avenue	Sunbridge Healthcare	36	18	18				30
Victorian Heights	936 South Street	South Street Residential Care LLC	14	14					16
TOTAL			363	103	18	48	141	53	408

* Senior refers to 62 years of age and older.

** Please note the total number of beds (36) exceed the number of licensed beds (30) due to the absence of licensing requirements for the independent living units.

Memo

To: John Bohenko, City Manager

From: Rosann Maurice-Lentz, City Assessor



CC: Judith Belanger, Finance Director

Date: May 14, 2012

Re: Property Inspections

In order to comply with state mandates and maintain accurate property data, it is necessary to measure and list a certain percentage of properties within the City annually. Attached please find a preliminary inspection schedule which will commence May 2012.

As part of the notification process, taxpayers will receive a letter of the intended inspection (see attached) and the City's Website will indicate that inspections are in process (see attached). If no one is home at the time of inspection, every taxpayer who receives a letter will have the opportunity to schedule an appointment.

Projected Inspection Schedule *

Single Family Homes	2012 - 2013
Manufactured Housing	2012 - 2013
Multifamily Dwellings	2013 - 2014
Vacant Land	2013 - 2014
Condominiums	2013 - 2014
Mixed Use Properties	2014 - 2015
Commercial/Industrial	2014 - 2015

*** Inspection schedule subject to change**

TO BE PUBLISHED ON WEB SITE

Property Inspections

As required by New Hampshire State Statute 75:8-a, the City of Portsmouth Assessor's Office will begin re-inspecting all properties within the City. Residential and Commercial properties will be inspected in preparation for the 2015 update/revaluation and the 2016 assessment review by the State of New Hampshire Department of Revenue Administration.

Prior to the inspection, taxpayers will receive a letter from the City Assessor indicating their property is scheduled for review. A data collector will visit these properties and ask an adult permission to inspect the interior of the building and any other structures.

All data collectors will wear and present a City of Portsmouth photo identification card and their picture will also be posted on the City's Website. Please do not hesitate to verify this identification. If you have any concerns, please call the City Assessor at 610-7249.

You are not required to allow the data collector inside your property. However, it is important for the accuracy of your subsequent assessment and overall success of the inspection process. For your convenience, we encourage you to contact this office to schedule an appointment for an interior inspection once you receive a letter. An inspection of each property requires verification of exterior measurements, as well as interior information. If no one is home, all accessible buildings will have the exteriors measured and recorded on the City assessment record cards.

We understand the inconvenience our visits may cause, but we hope that you can accommodate us in this very important project. Thank you in advance for your patience and assistance.

Projected Inspection Schedule *		Status
Single Family Homes	2012 - 2013	Letters Sent to Neighborhood XXX
Manufactured Housing	2012 - 2013	
Multifamily Dwellings	2013 - 2014	
Vacant Land	2013 - 2014	
Condominiums	2013 - 2014	
Mixed Use Properties	2014 - 2015	
Commercial/Industrial	2014 - 2015	

* Inspection schedule subject to change



City Of Portsmouth

Assessing Department

1 Junkins Avenue, Portsmouth, NH 03801
(603)610-7249

May 14, 2012

Parcel Id:

Dear Property Owner:

As required by New Hampshire State Statute 75:8-a, the City of Portsmouth Assessor's Office will begin re-inspecting all properties within the City in preparation for the 2015 update/revaluation and the 2016 assessment review by the State of New Hampshire Department of Revenue Administration. This letter is to notify you that a representative from this office shall be in your neighborhood shortly.

This inspection of your property and requires verification of exterior measurements as well as interior information. Although you are not required to allow the data collector inside your property, an interior inspection is important for the accuracy of your subsequent assessment and overall success of the Assessment Review.

A representative from the City's Assessing Department will be visiting your property to conduct the inspection. They will wear and present a City of Portsmouth photo identification and their picture will be posted on the City's Website. If no one is home or if only children are present at the time of the visit, the exterior of the building(s) will be measured and exterior information noted. **Please remember to inform other family members and/or tenants that a data collector will be visiting the property.**

For your convenience, if you wish to make an appointment for an interior inspection, please call within the next 15 days at (603) 610-7249, Monday through Friday between the hours of 8:30 a.m. and 4:30 p.m.

We understand the inconvenience our visits may cause, but hope that you can accommodate us in this very important project. Thank you in advance for your patience and assistance.

Sincerely,

Rosann Maurice-Lentz
City Assessor

RULE 23 – COMMITTEE NOMINATIONS

Rule 23:

The City Council shall meet as necessary to review applications for appointment to all city boards and committees. This 'selection meeting' should occur to review and critique all the available applications for an open position or a position up for renewal. At this meeting, the Mayor shall attempt to develop a consensus on an applicant to bring forward for a vote at a subsequent council meeting. The Mayor shall not be bound to bring forward any name. The council recommends that the Mayor does not bring a name forward for a vote that has not been considered at the most recent 'selection meeting'.

Proposed Rule taken verbatim from Councilor Coviello

MEMORANDUM

TO: City Council Members
FROM: Liz Good, Planning Department
SUBJECT: Conservation Commission Minutes
DATE: May 10, 2012

Please be advised that the approved minutes from the April 11, 2012 Conservation Commission meeting are now available on the City's website for your review.

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Liz Good, Planning Department
SUBJECT: Historic District Commission Minutes
DATE: May 2, 2012

Please be advised that the approved minutes from the February 1, 2012 Historic District Commission meeting are now available on the City's website for your review.

MEMORANDUM

TO: John P. Bohenko, *City Manager*
FROM: Jane Shouse, *Planning Department*
SUBJECT: *Site Review Technical Advisory Committee Minutes*
DATE: May 8, 2012

Please be advised that the approved minutes from the May 1, 2012 Site Review Technical Advisory Committee meeting are now available on the City's website for your review.

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Jane Shouse, Planning Department *gms*
SUBJECT: Site Review Technical Advisory Committee Minutes
DATE: May 10, 2012

Please be advised that the approved minutes from the May 8, 2012 Site Review Technical Advisory Committee meeting are now available on the City's website for your review.

Bob Luster + City Council Members,

Bob ~

On behalf of myself, my son
Michael + the Anania family,
we would like to thank you
so very much for the wonderful
tribute you gave during the
dedication of the new Alumni-
Wentworth Softball Field.

We are so overwhelmed with
Pride + humbled at the love
& support the community he
grew up in and began to build
his life in. The Memorial
Sign which is his example of
good sportsmanship for future
generations in this city, is what
he left as his legacy. We are so
honored. Sincerely, Kathy Anania + family