

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, MAY 20, 2013 TIME: 7:00PM

AGENDA

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

PRESENTATIONS

- 1. Public Works Director Steve Parkinson
- 2. Fire Chief Christopher LeClaire
- 3. Update on Coastal Resilience Initiative - Peter Britz, Environmental Planner/Sustainability Coordinator
- 4. Update on Citywide Wayfinding Plan – Juliet Walker, Transportation Planner

- V. ACCEPTANCE OF MINUTES *(There are no minutes on for acceptance this evening)*

- VI. PUBLIC COMMENT SESSION

- VII. APPROVAL OF GRANTS/DONATIONS

(There are no items under this section of the agenda this evening)

- VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Ordinance amendment to Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards and Article 15 – Definitions, by inserting a new Section 10.740 – Conditional Use Residential Development

- IX. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Letter from Kim Blanchard, National Multiple Sclerosis Society, requesting permission to hold 2013 Bike MS NH Seacoast Escape on Saturday, August 24, 2013 ***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Ken LaValley, American Foundation for Suicide Prevention requesting permission to hold the Out of the Darkness Community Walk on Saturday, October 5, 2013 from 8:00 a.m. – Noon ***(Anticipated action – move to refer to the City Manager with power)***

- C. Request for License from Michael Michalski, owner of Helene M for property located at 24 Congress Street 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 Michael Michalski, owner of Helene M for a projecting sign at property located at 24 Congress 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 Timberline Signs, owner of White Heron Tea & Coffee for property located at 601 Islington Street 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 Timberline Signs, owner of White Heron Tea & Coffee for a projecting sign at property located at 601 Islington 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 License from Steven McHenry, owner of McHenry Architecture for property located at 4 Market Street 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 Steven McHenry, owner of McHenry Architecture for a projecting sign at property located at 4 Market 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***

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Tom and Zelita Morgan requesting that the Richards Avenue sidewalks be replaced with brick and not concrete and that the Historic District be expand south to Parrott Avenue and westerly to the intersection of Austin & Summer Streets
- B. Letter from Stephen Brady regarding sidewalks at the end of Richards Avenue joining Middle Street

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

- 1. Consideration of First Reading of Proposed Resolution and Ordinance Amendments:
 - 1.1 First Reading of Proposed Ordinance amendment to Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards and Article 15 – Definitions, by inserting a new Section 10.740 – Conditional Use Residential Development (***Action on this item should take place under Section VIII of the Agenda***)

City Manager's Items Which Require Action

- 1. Approval of Proposed Employment Agreement for Fire Chief Designee Steven Achilles

Informational Items

- 1. Events Listing
- 2. Work Session Re: Development Moratorium

B. MAYOR SPEAR

1. *Parking Revenues (*Postponed from the last meeting due to the late hour*)
 - Holiday Parking – reduce from 18 days to 10 days
2. *Ideas for Senior Committee
3. Appointments to be Considered:
 - Joseph Almeida – Reappointment to the Historic District Commission
 - Tracy Kozak – Reappointment to the Historic District Commission
4. Appointments to be Voted:
 - Daniel Rawling – Reappointment to the Historic District Commission
 - Jonathan Wyckoff – Reappointment to the Historic District Commission
 - Kory Sirmaian – Reappointment to the Recreation Board

C. ASSISTANT MAYOR LISTER

1. *Authorize the City Manager to proceed with further evaluation for Doble Reserve Center as possible site for Senior/Community Center

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. 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 the March 13, 2013 meeting are available on the City's website for your review

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

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: May 16, 2013
To: Honorable Mayor Eric Spear and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on May 20, 2013 City Council Agenda

Presentation:

1. **Presentation to Public Works Director Steve Parkinson.** On Monday evening, a presentation will be made to retiring Public Works Director Steve Parkinson. Steve has worked for the City for over thirty-one years and was promoted to Public Works Director on January 3, 1989.

During his tenure with the City, Steve was awarded the 2008 American Public Works Association Award, and he was instrumental in the development and management of many projects to name a few:

- Rehabilitated existing wastewater treatment plant from primary treatment to advanced primary within the existing tight site.
- Embarked upon a 10-year sewer separation project to eliminate stormwater from the sanitary sewer system.
- Designed a new water treatment plant to replace the 1950s vintage plant and meet current and future drinking water standards.
- Completed facilities plans for both water and wastewater systems.
- Moved Public Works Department into a new facility through a design-build process with minimal cost to the taxpayers. Performed all normal Public Works operations during transition to new complex.
- Renovated old hospital facility into City Hall, Police Department, Social Service Agency, and Senior Housing Complex.
- Built new Library facility that was the first municipal facility in the State of New Hampshire to attain LEED Certification (Silver).
- Established a pavement management program for the City.

We wish Steve the best in the future.

2. **Presentation to Fire Chief Christopher LeClaire.** On Monday evening, a presentation will be made to Fire Chief Christopher LeClaire on his retirement from the City of Portsmouth. Chief LeClaire served the City of Portsmouth Fire Department for thirteen years. He was appointed as Acting Fire Chief on December 29, 2001 and Fire Chief on October 21, 2002.

During the Chief's tenure with the City, he was instrumental in moving the department forward with implementing:

- An impressive Capital Improvement Program which has provided the department with the replacement of much outdated fleet vehicles, firefighting equipment, radio system improvements, protective clothing, self-contained breathing apparatus (SCBA).
- Served as the City's Emergency Management Coordinator since December 2001 bringing in over \$1.2 million in Homeland Security funds to the City which included a new fire boat equipped with night vision.
- Chaired the Portsmouth Area Emergency Planning Team and has created partnerships with Greenland, New Castle, Newington, and Rye in planning, preparing and responding to region wide disasters.
- The Chief served as Operations Commander for TOPOFF; has led improvement efforts to Station 1 and was a key player in fundraising for the building of the "Vigilance" Firefighter Monument and the restoration project of the Kearsarge Engine.
- Chaired the Committee that built the new Fire Station on Lafayette Road and was instrumental in trying to get funding for Station 3.

We wish the Chief the best in the future.

3. **Update on Coastal Resilience Initiative.** Peter Britz, Environmental Planner/Sustainability Coordinator, will give an update to the City Council regarding the Coastal Resilience Initiative.

Last year the City was successful in obtaining grant funding to study coastal resilience in Portsmouth. The Portsmouth study was one of 6 projects in New England funded by the Gulf of Maine Council on the Marine Environment and the Northeast Regional Ocean Council with funding from the National Oceanic and Atmospheric Administration (NOAA).

Portsmouth's Coastal Resilience project looked at the potential impacts of storm surges and sea level rise in the City, focusing on impacts to buildings, infrastructure and coastal wetlands. The study was completed at the end of March, and information from the study will soon be available on the PlanPortsmouth.com website under "Planning Projects".

The Planning Department has scheduled a community meeting for Wednesday, May 29, where the results of the study will be shared with the public and public input

will be solicited. Department staff will lead this community meeting with assistance from the Coastal Adaptation Workgroup (CAW), a collaboration of New Hampshire public agencies, educational institutions and nonprofit organizations that helps Seacoast area communities prepare for the effects of extreme weather events and other effects of long-term climate change.

4. **Update on Citywide Wayfinding Plan.** Juliet Walker, Transportation Planner, will give an update to the City Council, regarding a Citywide Wayfinding Plan.

The first phase of the City's wayfinding program is under way. The purpose of this phase is to develop a dependable and standardized wayfinding plan that identifies appropriate wayfinding types, messaging, locations, and uniform design. The second phase will include the fabrication and installation of portions of the wayfinding system.

To prepare the wayfinding plan, the City has engaged the consulting firm of Merje, which has worked alongside more than 50 municipal wayfinding programs and has experience involving port cities, historic places and urban downtowns similar to the City of Portsmouth. The consultants and City staff are working with a Wayfinding Advisory Group that includes representatives of the Economic Development Commission, Chamber of Commerce, Portsmouth Historical Society, realtors, the hospitality industry and individual visitor destinations.

The consultant has prepared a draft Wayfinding Analysis Report, which is currently being reviewed by City staff and members of the Wayfinding Advisory Group. This report assesses existing conditions and needs and begins to outline strategies for developing and managing an effective wayfinding system for the City. The consultant has also begun to develop draft concepts to guide the design of wayfinding signage.

To date, two public meetings have been held on the project: an introductory public meeting in February, and a second public meeting on Wednesday, April 24th. At the April 24th meeting, the consultant team presented preliminary draft design concepts for the wayfinding signage system for public review and comment, which is on the PlanPortsmouth.com website.

Items Which Require Action Under Other Sections of the Agenda:

1. **Consideration of First Reading of Proposed Resolution and Ordinance Amendments:**

- 1.1 **First Reading of Proposed Ordinance Amendment to Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards and Article 15 – Definitions by inserting the following new Section 10.740 Conditional Use Residential Development.** As a result of the May 6th City Council meeting, under Section VIII of the Agenda, I am bringing back for first reading the attached

proposed Ordinance Amendment to Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards and Article 15 – Definitions by inserting the following new Section 10.740 Conditional Use Residential Development. Also, attached is a memorandum from Rick Taintor, Planning Director, regarding this matter.

The proposed Conditional Use Residential Development provision would allow up to about 70 dwelling units on the parcel at 1900 Lafayette Road. The provision requires between 1.3 and 1.8 off-street parking spaces per dwelling unit; therefore, a 70-unit development would include between 91 and 126 spaces.

In order to meet the required 50% open space requirement, and assuming that the maximum number of off-street parking spaces is provided in surface lots, 70 dwelling units could be accommodated on the site in 4-story buildings. However, for two-story townhouse or garden apartment units, the maximum possible density (with surface parking) might drop to about 50 units.

For an assisted living center, the draft ordinance requires 1,500 sq. ft. of developable lot area per assisted living unit, which would allow up to about 120 units on the site at 1900 Lafayette Road. The Zoning Ordinance requires the provision of 1 parking space for every two assisted living units, so a 119-unit facility would require 60 parking spaces.

It is important to emphasize that the above numbers are estimates based solely on the standards in the proposed ordinance, and not on any site design concept. The actual potential development under the Conditional Use Residential Development provision may be less than the estimates based on ratios in the proposed ordinance.

I would recommend the City Council move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance, as presented, at the June 3, 2013 City Council meeting. Action on this item should take place under Section VIII of the Agenda.

Consent Agenda:

1. **Request for Licenses to Install Projecting Signs.** Attached under Section IX of the Agenda are the following requests for projecting sign licenses (see attached memorandums from Rick Taintor, Planning Director):
 - Michael Michalski, owner of Helene M for property located at 24 Congress Street.
 - Timberline Signs, owner of White Heron Tea & Coffee for property located at 601 Islington Street.
 - Steven McHenry, owner of McHenry Architecture for property located at 4 Market 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 the License Agreements for these requests. Action on this matter should take place under Section IX of the Agenda.

City Manager's Items Which Require Action:

1. **Approval of Proposed Employment Agreement for Fire Chief Designee Steven Achilles.** The Fire Commission has approved a four year Tentative Employment Agreement to expire June 30, 2017 with Steven Achilles to serve as Fire Chief. Attached is a copy of this agreement, along with a letter from Thomas Closson, City Negotiator outlining the highlights of this agreement.

I would recommend that the City Council approve the Employment Agreement between Steven Achilles and the Portsmouth Fire Commission for a 4-year term expiring on June 30, 2017.

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 6, 2013. In addition, this now can be found on the City's website.
2. **Work Session Re: Building Moratorium.** For your information, the Mayor has established a date of Tuesday, May 28, 2013 to conduct a Work Session with the City Council and the Planning Board regarding a building moratorium. The work session will start at 6:30 p.m., in the Eileen Dondero Foley Council Chambers.