

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, JULY 15, 2013 TIME: 7:00PM

## AGENDA

- 6:00PM – ANTICIPATED “NON-MEETING” WITH COUNSEL REGARDING NEGOTIATIONS – RSA 91-A:2, I (b-c)
- 6:30PM – ANTICIPATED “NON-MEETING” WITH COUNSEL REGARDING LITIGATION – RSA 91-A:2 I (c)

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

V. ACCEPTANCE OF MINUTES – JUNE 3, 2013 AND JUNE 17, 2013

VI. PUBLIC COMMENT SESSION

VII. APPROVAL OF GRANTS/DONATIONS

*(There are no items on this section of the agenda)*

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

A. First Reading of Resolution for bond authorization of up to \$5,750,000 for FY14 City Improvements

- Citywide Facilities Capital Improvements - \$1,000,000
- Citywide Sidewalk Reconstruction Program - \$800,000
- McDonough Street Area Improvements - \$400,000
- Gateway Improvements–Exit 7 - \$550,000
- Street Paving, Management and Rehabilitation - \$2,500,000
- Islington Street Improvements - \$500,000

***(Sample motion – move to pass first reading and schedule a public hearing and adoption of a Bond Resolution for City Improvements in the amount of up to \$5,750,000.00 at the August 5, 2013 City Council meeting)***

B. First Reading of Resolution for bond authorization of up to \$10,000,000 for the Peirce Island Wastewater Treatment Plant Upgrades ***(Sample motion – move to pass first reading and schedule a public hearing and adoption of a Bond Resolution for Peirce Island Wastewater Treatment Plant Upgrades in the amount of \$10,000,000.00 at the August 5, 2013 City Council meeting)***

- C. First Reading of Resolution for bond authorization of up to \$3,500,000 Pease Wastewater Treatment Plant Upgrades (**Sample motion – move to pass first reading and schedule a public hearing and adoption of a Bond Resolution for Pease Wastewater Treatment Plant Upgrades in the amount of up to \$3,500,000.00 at the August 5, 2013 City Council meeting**)

## IX. CONSENT AGENDA

### **A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA**

- A. Final 2013 Omnibus Sidewalk Obstruction Renewals – See Attached Listings (**Anticipated action – move to refer to the City Manager with power**)
- B. Letter from Virginia Skevington, Arts in Reach (AIR), requesting permission to hold the Annual AIR Walk on Saturday, October 19, 2013 (**Anticipated action – move to refer to the City Manager with power**)
- C. Letter from Mark Herrholz, Portsmouth Professional Firefighters Local 1313, requesting permission to set up two Boot Drives for the Muscular Dystrophy Association, with the first boot drive on Saturday, July 20, 2013 and the second boot drive on Saturday, August 10, 2013 from 8:00 a.m. – 5:00 p.m. (**Anticipated action – move to refer to the City Manager with power**)
- D. \*Acceptance of Donation to the Coalition Legal Fund
- Town of Carroll - \$1,000.00
- (**Anticipated action – move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund**)
- E. \*Acceptance of Donation to Art-Speak for the General Administration
- Catherine Sununu - \$150.00
- (**Anticipated action – move to approve and accept the donation, as listed**)
- F. Letter from Sister Mary Agnes, St. Charles Children's Home, requesting permission to hold the 17<sup>th</sup> Annual St. Charles Children's Home 5k on Monday, September 2, 2013 at 9:00 a.m. at the Pease International Tradeport (**Anticipated action – move to refer to the City Manager with power**)
- G. Request for Approval of Pole License to install 1 pole and a brace pole located at the intersection of Bow and Daniel Streets. One brace pole will be added while 4 poles will be removed resulting in a net loss of 4 poles in the area – License Agreement #63-0560 (**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**)

- H. Request for Approval of Pole License to install 145 feet of underground conduit at the Middle Road Bridge project in two sections; 80' of conduit on the Plains side of the bridge and 65' on the downtown side – License Agreement #63-0561 (**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**)
- I. Request for License from Shelia McMahon, owner of Man Cave Cut & Style for property located at 10A Ladd 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 Shelia McMahon, owner of Man Cave Cut & Style for a projecting sign at property located at 10A Ladd 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 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**

**X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Rob Sevigny, The Paper Patch, requesting an easement to restore a step onto Ladd Street from storefront with an address of 36 Market Street (**Sample motion – move to refer to the Planning Board for report back**)
- B. Letter from Zachary Taylor, Riverside & Pickering Marine Contractors, requesting a minor amendment to the License Agreement between Priscilla Semprini, Trustee of the Priscilla Semprini Revocable Trust of 2010, 300 New Castle Avenue and the City of Portsmouth (**Sample motion – move to refer to the Legal Department for report back**)

## XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

### A. CITY MANAGER

#### Items Which Require Action Under Other Sections of the Agenda

1. First Reading of Proposed Resolution and Ordinance Amendments:
  - 1.1 First Reading of Proposed Bonding Resolution Re: City Improvements, Peirce Island Wastewater Treatment Plant Upgrades, and Pease Wastewater Treatment Plant Upgrades
    - A. Resolution for Bond Authorization of up to \$5,750,000 for FY14 City Improvements
      - Citywide Facilities Capital Improvements - \$1,000,000
      - Citywide Sidewalk Reconstruction Program - \$800,000
      - McDonough Street Area Improvements - \$400,000
  
      - Gateway Improvements–Exit 7 - \$550,000
      - Street Paving, Management and Rehabilitation - \$2,500,000
      - Islington Street Improvements - \$500,000

***(Action on this matter should take place under Section VIII of the Agenda)***
    - B. First Reading of Resolution for bond authorization of up to \$10,000,000 for the Peirce Island Wastewater Treatment Plant Upgrades ***(Action on this matter should take place under Section VIII of the Agenda)***
    - C. First Reading of Resolution for bond authorization of up to \$3,500,000 Pease Wastewater Treatment Plant Upgrades ***(Action on this matter should take place until Section VIII of the Agenda)***

#### City Manager's Items Which Require Action

1. Report Back Re: Proposal for Mobile Vending
2. Proposed Memorandum of Understanding between the Town of Kittery and the City of Portsmouth Re: Illumination of the Memorial Bridge
3. Report Back Re: Sidewalk Policy Richards Avenue

## **Informational Items**

1. Events Listing
2. Report Back Re: Adopt a Spot
3. Water/Sewer Connection Fees
4. Update on City Transportation Projects

## **B. MAYOR SPEAR**

1. Appointments to be Voted:
  - John Palreiro – Taxi Commission
  - Dana Mary Hegre – Citywide Neighborhood Steering Committee
2. \*Establish Senior Committee Charge

The purpose of the Committee is to advise the City Council on developing a senior center. This would include potential programming, senior center location and a suggested plan of action to develop a new center.

The committee will develop a suggested menu of programming opportunities and services that could be available at a senior center. It will review community input and demographics gathered to date. It will identify activities not currently available to residents. It will identify potential partners in the community for services, programming and intergenerational activities.

After preliminary assessment of the activities and programs to be offered, physical space to operate the program will be estimated, along with staff requirements. The committee will investigate the feasibility of the Doble Army Reserve building, as well as any other potential locations that could serve as a future senior center in Portsmouth. The committee will suggest a proposed site along with plan and project budget. The committee will also develop an operations plan describing the administrative organization of the center.

The Blue Ribbon Committee will report back to the City Council in 150 days and recommend a plan-of-action for the creation of a senior center that will cover all areas of facility, budget, programming and administration

3. \*Senior Committee Appointments:
  - Bob Lister, Chair
  - Nancy Novelline Clayburgh
  - Eva Powers
  - Nancy Andrews
  - Martha Fuller Clark
  - Maureen Arsenault
  - Jack Jamison
4. \*Establish Fire Department Study Committee Charge

The purpose of the Committee is to choose an independent consultant to perform an independent study of the Portsmouth Fire Department for the purpose of recommending to the City Council and Fire Commission changes to the practices and organizational structure of the Department in order to reduce costs and/or improve service without materially affecting public safety

5. \*Fire Department Study Appointments:
  - Chris Dwyer
  - Brad Lown
  - Norm Olsen
  - Peter Somssich
  - Eric Gregg
  - Fire Commissioner
  - Steve Achilles, Fire Chief Ex-officio

**C. COUNCILOR SMITH**

1. Parking and Traffic Safety Committee Action Sheet and Minutes of the June 13, 2013 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the Parking and Traffic Safety Committee meeting of June 13, 2013***)

**XII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]**

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

**INFORMATIONAL ITEMS**

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

1. Notification that the Board of Adjustment Minutes of the February 26, 2013 meeting are available on the City's website for your review
2. Notification that the Conservation Commission Minutes of the April 10, 2013 meeting are available on the City's website for your review
3. Notification that the Planning Board Minutes of the February 21, 2013 and February 28, 2013 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 COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: MONDAY, JUNE 3, 2013

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

At 6:00 p.m., a Work Session was held regarding the Final Report of the Transportation Policy Committee.

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

Mayor Spear called the meeting to order at 7:05 p.m.

### **II. ROLL CALL**

Present: Mayor Spear, Assistant Mayor Lister, Councilors Coviello, Kennedy (7:22 p.m.), Novelline Clayburgh, Lown, Dwyer (7:20 p.m.), Smith and Thorsen

### **III. INVOCATION**

Mayor Spear asked everyone to join in a moment of Silent Prayer.

### **IV. PLEDGE OF ALLEGIANCE**

Councilor Novelline Clayburgh led the Pledge of Allegiance to the Flag.

### **PRESENTATIONS**

1. Portsmouth Housing Authority Annual Report – Craig Welch, Director

Mr. Welch provided the City Council with the Portsmouth Housing Authority Spring 2013 Annual Report.

2. Art-Speak State of the Arts Report

Nancy Pearson reviewed Art-Speak's State of the Arts Report with the City Council. She reviewed and spoke to the various programs and addressed the Request for Proposals process being used for the percent for arts ordinance. She announced that Emma Pearson will be serving as the new Director of Art-Speak.

**Councilor Lown moved to suspend the rules in order to take up Item XI. A.3. - Art-Speak Annual State of the Art Report and Memorandum of Understanding Renewal Request. Seconded by Assistant Mayor Lister and voted.**

**Councilor Coviello moved to authorize the City Manager to extend the agreement from July 1, 2013 through June 30, 2014. Seconded by Councilor Smith and voted.**

3. Update on Mosquito Control Program

Mike Morrison provided an update to the City Council on the Mosquito Control Program. He spoke to the process followed by his company in the spraying for mosquito's and what is done if a resident does not wish for their property to be sprayed.

City Manager Bohenko stated that the City website will have the mosquito control information available to residents. He also spoke regarding how regulated this process is and how it is monitored by DES.

#### **V. ACCEPTANCE OF MINUTES – MAY 6, 2013**

**Councilor Smith moved to approve and accept the minutes of the May 6, 2013 City Council meeting. Seconded by Councilor Lown and voted.**

#### **VI. PUBLIC COMMENT SESSION**

Mayor Spear announced due to the large number of speakers each person would have 1 ½ minutes to speak.

**Councilor Kennedy moved to suspend the rules in order to allow each speaker 3 minutes to make remarks. Seconded by Councilor Thorsen and voted.**

**Councilor Novelline Clayburgh moved to amend the motion to allow each person 2 minutes to speak. Seconded by Councilor Lown.**

Councilor Lown said it is difficult to function after listening to 40 speakers as it gets late into the evening.

**Motion passed with Councilors Kennedy and Thorsen voting opposed.**

Gibson Kennedy spoke in favor of the HDC appointments before the City Council. He stated that the Planning Board and Historic District Commission make balancing decisions and have come under undue scrutiny. He stated that the form-based zoning will be a useful guide to look at holistically.

Cathy Baker urged the City Council to require a 35ft building height limit. She advised the City Council that people are against the recent developments in the City. She also stated that form based zoning does not accommodate use.

Richard Adams spoke in favor of the 35ft height restriction for buildings. He said a moratorium does not support anti-growth.

Marylou McElwain spoke in support of the 35ft building height limit and that it is time to stop these large structures being developed throughout the City.

Keith Eveland, spoke in support of the 35ft building height restriction. He expressed concern with the loss of historic ambiance.

Nancy Elwell asked the Council to support a 35ft height restriction for buildings. She stated the need for caution and restraint with further development in the City.

Zelita Morgan spoke in support of a 35ft height restriction for buildings. She said development is out of sync with the vision of the City and its residents.



Doug Roberts spoke in favor of the 35ft height restriction for buildings. He said the City Council needs to ask themselves, what would be a good location for a 60ft building when allowing developments.

Lisa DeStefano said she spoke before the Council 5 months ago regarding building heights. She said years of review took place for the City's Master Plan and gave examples of buildings in the City which exceed 35ft and have received praise for their architecture. She spoke to the process in place, which is being used by the City land use boards and urged the Council not make any rash decisions.

Jerry Zelin said that big box buildings are not within the character of the City. He stated that a 35ft building height restriction is not the right decision but would put something in place until we are able to decide what is best for the City.

Ruth Griffin urged the Council to do what they can to preserve the charm of this historic City.

Dick Gamester said making a 35ft height restriction would be putting a moratorium in place. He said the City Council and Planning Board did not support a moratorium, so why explore this suggested height restriction for buildings.

Barbara DeStefano spoke strongly opposed to a 35ft building height limit. She said the entire City does not have to match in its development.

Vincent Colella said he built a building back in the 70's in which the Historic District Commission requested the height be lowered. He said the Historic District Commission can control the height of buildings and therefore a height restriction is not necessary.

Arthur Clough said residents have had enough and the City is no longer distinctive. He recommended that the cost per parking space for developers be increased.

Mimi Clark said she has restored 7 homes in the City and the footprints of the homes were not increased. She said developers are building larger structures and we need to maintain the character of the City.

Clare Kittredge expressed concern with the number of developments in line. She said form-based zoning is years away and a 35ft building height restriction is needed now, if you want to maintain the character of the City.

Bob Shouse spoke in support of the 35ft building height restriction in order to slow development. He stated that we are losing the core and character of the City.

Julie Ross spoke regarding the 21 Brewster Street Boarding House permit. She thanked the City Council for their work and for listening to the concerns of the Islington Creek Neighborhood. She stated that condition #2 of the permit has not been met, and anything less than a full time management staff is not acceptable to the neighborhood.

Robin Normandeau said she does not think the 35ft height restriction should be permanent but it would make people stop and listen when developing a structure. She said in 2 days she received 37 signatures supporting the creation of a 35ft height limit in the historical district.

Blair McCracken asked if we are willing to hurt our developers for the character of the City, the answer should be yes.

Barbara Hilton said the City is changing and not for the better. She spoke in support of the 35ft height restriction.

Christine Davidson spoke to the various zoning ordinances over the years and developments. She expressed her support of a 35ft building height restriction or a limit of 50 feet.

Duncan MacCallum spoke in favor of the 35ft height restriction. He said the Planning Board does not see anything wrong with what is happening in the City, in terms of development.

Colby Gamester urged everyone to attend the Charrette's that are being held by the Planning Board and City. He explained that the Charrette's will explore form-based zoning and if it is the right direction for the City to proceed in. He stated the request to put a 35ft height restriction on buildings should be referred to the Planning Board for consideration and report back.

Tristan Lawn said he supports the 35ft height restriction for buildings. He stated that he does not feel the buildings now are what made the City what it is.

Nicole LaPierre stated the goal of the Islington Creek Neighborhood Association was to have the role of a management facility at the Brewster Street Boarding House to be clearly defined. She indicated currently the boarding house is not in compliance with item 2.

Michele Richard urged the City Council to vote for a 35ft height restriction for buildings.

Ellen Marlatt spoke in support of the 35ft height restriction for buildings to slow down development. She said we need to preserve the City and its character.

Peter Loughlin said the 35ft building height restriction would be a moratorium and would go around the Planning Board. He further stated that this would be against State Statute.

David Noard spoke in favor of the 35ft building height restriction and asked the Council to listen to the residents.

Neill DePaoli said he is concern with over development in the City and supports the 35ft height restriction for buildings to slow things down.

Geoffrey Clark, MD spoke to the temporary moratorium in the 1970's and its affects on the City and development. He said the structures today are too large and we need to look at our zoning ordinance.

Michael McCann said he has an organic garden and spoke to mosquito spraying. He said the spraying should not occur near kids or the elderly.

At 8:55 p.m., Mayor Spear called a brief recess. At 9:00 p.m. Mayor Spear called the meeting back to order.

Mayor Spear advised the Council that Mr. Horowitz was not in the room when his name was called for the public comment session and would like to make his remarks at this time.

Rick Horowitz spoke in support of the 35ft building height restriction to slow development. He expressed concern with the form based zoning idea and said this would take away the role of the zoning and it would become a political mechanism.

Councilor Dwyer stated that form-based zoning acts as an overlay district and does not take away uses and guidelines.

City Manager Bohenko requested Nick Cracknell, Planner to speak to the issue. Mr. Cracknell said form-based zoning could replace or be an overlay. The form-based zoning would have very clear written requirements for uses. It is taking a more surgical and tactical look at the downtown with more detail to facade.

## VII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Police Department Grant and Donation:
- NH Department of Highway Safety Grant for "Join the NH Clique" seat belt campaign - \$4,680.00
  - Donation from Mr. & Mrs. David Brown to the Explorer Cadet Academy Program - \$250.00

**Councilor Novelline Clayburgh moved to approve and accept the grant and donation to the Portsmouth Police Department, as listed. Seconded by Assistant Mayor Lister and voted.**

## VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

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

## IX. CONSENT AGENDA

**Councilor Coviello moved to adopt the Consent Agenda. Seconded by Councilor Novelline Clayburgh and voted.**

- A. Letter from Thomas Martin, Race Director, Portsmouth Criterium, regarding Cancellation of 2013 Portsmouth Criterium Race ***(Anticipated action – move to accept and place the letter on file)***

- B. Letter from Russell Osgood, Vice President, Portsmouth Fire Fighters Charitable Association, requesting permission to hold Sarah's Ride on September 7, 2013 (***Anticipated action – move to refer to the City Manager with power***)
- C. Request for License from Ryan & Tyler McGill, owner of Summer Sessions Surf Shop for property located at 15 Vaughan Mall 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 & Tyler McGill, owner of Summer Sessions Surf Shop for a projecting sign at property located at 15 Vaughan Mall 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 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***

**X. PRESENTATION & COMMUNICATIONS OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Letter from Islington Creek Neighborhood Association regarding renewal extension of Boarding House Permit at 21 Brewster Street

**Councilor Coviello moved to accept and place the letter on file. Seconded by Councilor Novelline Clayburgh and voted.**

**XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

**A. CITY MANAGER**

1. Boarding House License Extension Re: 21 Brewster Street

City Manager Bohenko requested that Deputy City Manager Allen speak to the Council on this matter. He advised the City Council that any renewal of this permit would be for an additional three months.

Deputy City Manager Allen said a three month permit was approved by the Council in March. He spoke to the inspection held in May and indicated there were a few minor items left that needed to be resolved.

Deputy City Manager Allen advised the Council that Rich Brabazon, the property manager attended the inspection and the boarding house has been well maintained since the last inspection. He recommended the Council approve a renewal of the permit for a three month period.

City Manager Bohenko said that Mr. Hogan, owner of the boarding house secured the services of Mr. Brabazon as the property manager for the building. He further stated that Mr. Hogan has not been able to secure a full time manager.

Deputy City Manager Allen advised the Council that we track police calls. He reported that there have been no external calls and 3 calls internally that were minor in nature.

Councilor Dwyer asked how much time is spent on site by Mr. Brabazon. City Attorney Sullivan stated there is no time required. He is to respond to any issues 24/7 and we have not had to test that because there have been no issues.

**Assistant Mayor Lister moved to approve the 21 Brewster Street Boarding House permit for an extension to expire August 20, 2013 with all conditions as listed on the permit. Seconded by Councilor Smith.**

Conditions to be met as follows:

- *Extend the current permit until August 20, 2013 with an inspection and report back prior to further extension*
- *Maintain full time professional management of the facility; such management firm having the ability to respond to municipal inquires and requests 24/7*
- *Integrated pest management (IPM) to be maintained on monthly basis or more often if needed with monthly reports submitted to the Health Department*
- *Require all common floors to remain non-porous and non-absorbent with cleanable surfaces*
- *Soiled or infested bedding shall be disposed of and not re-used*
- *Correction of all deficiencies from the annual inspection prior to permit issuance*
- *Permittee agrees to allow unannounced inspections of all common areas of the property and to allow similar inspections of tenant rooms with the permission of the tenants*
- *Permittee agrees that any failure to comply with these conditions, after a reasonable cure period, is adequate grounds for termination of the permit*
- *The professional management described in bullet 2 above shall have the full authority of the permittee to take those actions necessary to maintain compliance with the permit*
- *The professional management described in bullet 2 above shall be provided with the complete authority to maintain open communications with the neighborhood, the tenants of the property and the City with regard to all issues concerning the property*

Assistant Mayor Lister asked what kind of communication will occur during this three month period. City Manager Bohenko said we have had a great deal of communication during this process. He said we need to be careful to not interject in how someone runs his business. Discussion followed.

City Manager Bohenko advised the City Council that the City staff has gone as far as they can and it is the owner's responsibility.

Councilor Coviello said he appreciates staff efforts and feels that they have gone over and above. He stated if Mr. Hogan can't find anyone for the position then they increase the amount they are willing to pay. If they do not accommodate item #2 by August 20<sup>th</sup> then we pursue civil action. Councilor Coviello said he would like to have a report back from Mr. Hogan regarding the property management of the building.

City Manager Bohenko said that Mr. Hogan will need to make the report to the City Council at the August 19<sup>th</sup> Council meeting.

**Motion passed. Councilor Lown abstained from voting on this matter.**

2. Proposed Additional Study Areas Re: Form-Based Zoning

City Manager Bohenko said we have a proposal from Town Planning & Urban Design Collaborative (TPUDC), LLC to add the following areas to the study:

- The "Northern Tier" at the edge of the downtown between the railroad tracks and North Mill Pond;
- An area on the opposite side of the Maplewood Avenue bridge;
- The Islington Street corridor with expanded areas at the north and south ends.

The cost of expanding this study would be \$97,000.00 and could be funded through the City's Capital Contingency Account. Phase I of this project was paid for through a \$44,000.00 grant.

Mayor Spear asked if the City Manager could enter into the contract in a few months. Councilor Dwyer stated that we should see how the Charrette's work and have the authorization at that point, to do what is needed.

City Manager Bohenko asked if Councilor Dwyer would like to table this matter until the next meeting.

Councilor Thorsen said he would like to postpone this matter indefinitely.

City Manager Bohenko suggest postponing this matter until the August 5, 2013 City Council meeting. No motion is required. City Manager will bring the matter back on the agenda for the Council at the August 5, 2013 meeting.

4. Acceptance of Easement and Quitclaim of Abandoned Line Re: Lincoln 3B Sewer Separation Project

City Manager Bohenko asked for an acceptance and quitclaim for the Lincoln #B Sewer Separation Project. The easement will be across property owned by Portsmouth Place Apartments, LLC and located at 293 Rockland Street.

**Councilor Novelline Clayburgh moved to authorize the City Manager to negotiate and accept a sewer easement from Portsmouth Place Apartments, LLC and quitclaim any municipal interests in the older line once abandoned. Seconded by Councilor Smith and voted.**

**B. MAYOR SPEAR**

1. Appointment to be Considered:
  - Ronald Poulin – Cable Television Advisory Board

The City Council considered the appointment of Ronald Poulin to the Cable Television Advisory Board which will be voted on at the June 17, 2013 City Council meeting.

2. Appointments to be Voted:
  - Daniel Rawling – Reappointment to the Historic District Commission (*postponed from May 20, 2013 meeting*)
  - Jonathan Wyckoff – Reappointment to the Historic District Commission (*withdrawn for action at May 20, 2013 meeting*)
  - Joseph Almeida – Reappointment to the Historic District Commission
  - Tracy Kozak – Reappointment to the Historic District Commission

**Councilor Lown moved to reappoint Daniel Rawling, Jonathan Wyckoff, Joseph Almeida, and Tracy Kozak to the Historic District Commission until June 1, 2016. Seconded by Councilor Coviello.**

Councilor Coviello stated that these are volunteer boards and lately they have had their reputations called into question. He said the Council needs to proceed with caution when things like this come forward. He said there are consequences to what you say.

Councilor Thorsen indicated that he watched the Historic District Commission meeting after the Council postponed the appointments. He apologized to Dan Rawling and Jonathan Wyckoff for making the motion to postpone their appointments.

Councilor Novelline Clayburgh said she would support the appointments. She said their work is admirable and they have tremendous backgrounds.

Councilor Lown said he appreciates Councilor Thorsen's apology to Dan Rawling and Jonathan Wyckoff and said volunteers that seek reappointment should be reappointed.

Councilor Smith stated he voted to postpone the appointments to make sure we are meeting the requirements of the Historic District Commission. He apologized to Dan Rawling and Jonathan Wyckoff.

Councilor Kennedy said she felt the postponement was for the City Council to stop and take a breath. She said no one questioned the individual's abilities.

**Motion passed.**

### 3. Request for Funds for HDC tools

Mayor Spear spoke to the letter from Joseph Almeida, Chair of HDC regarding presenting some items that have been identified by the Commissioners as high priority items that they would like the Council's assistance with.

**Councilor Coviello moved to suspend the rules to allow Chairman Almeida to speak before the Council. Seconded by Councilor Smith and voted.**

Commissioner Almeida reviewed the Project Evaluation Form and his letter with the Council. He said the Commission would like to hire a consultant to develop and produce the following tools:

- A Design Guideline Manual to support the findings and criteria listed in the Ordinance
- A Neighborhood Pattern Book
- An electronic 3D model to use in studying scale and mass of proposed projects
- A complete and independent assessment and ranking of all existing buildings within the historic district in order to help identify priority areas for preservation and enhancement.

Mayor Spear stated his intention is that the Commission would continue to mature their ideas and the Council would have a Work Session with the HDC at the appropriate time.

Councilor Coviello asked questions relative to the 3D model.

Councilor Kennedy said there are areas still under development and we need to get the tools in place that are needed by the HDC.

Mayor Spear stated he would come back to the City Council with a suggested date to establish a Work Session with the Historic District Commission.

### **C. COUNCILOR KENNEDY**

1. Maximum Structure Height Dimensions in the Central Business District A and B District to be 35 feet

Councilor Coviello recused himself from this matter and stepped down from the dais.

**Councilor Kennedy moved to pass first reading and schedule a public hearing and second reading of an ordinance to amend the Maximum Structure Height Dimensions in the Central Business District A and B District to be 35 feet. Seconded by Councilor Thorsen.**

Councilor Novelline Clayburgh asked City Attorney Sullivan if a zoning amendment needs to go before the Planning Board.



City Attorney Sullivan stated an amendment to the zoning ordinance needs to be referred to the Planning Board but is not required to be before first reading.

Councilor Lown said he appreciates everyone that came out this evening to speak regarding the zoning ordinance and the need for changes. He stated he does not feel any zoning changes should be made immediately; the process needs to be respected.

Assistant Mayor Lister spoke in support of the Charrette's and the need to follow a process. He stated he would vote oppose to the motion because we need to continue with the Charrette and work together.

Councilor Thorsen said he feels we need to pass first reading or nothing will happen in parallel. He said we should refer this to the Planning Board and amendments can be made at second reading, if necessary.

City Attorney Sullivan stated if the City Council wants any projects to comply with the 35ft height restriction, it is upon the notice being posted for the public hearing and second reading. He stated people would need to comply with the current ordinance requirements as well as the proposed ordinance requirements.

*Councilor Kennedy agreed as the maker of the motion to add the date of July 15, 2013 for the public hearing and second reading of the ordinance to occur. Councilor Thorsen as the second to the motion agreed to the addition and no amendment is required to the motion.*

Councilor Dwyer expressed concerns going to second reading with an ordinance we know we want to amend. City Attorney Sullivan stated if the City Council sets the public hearing on the 35ft height restriction and after that the City Council wants to change that the Council would need to set and hold another public hearing to notice people. He also stated that minor amendments may be made without conducting a new public hearing, but major changes cannot be made without noticing the public and holding another public hearing.

Mayor Spear passed the gavel to Assistant Mayor Lister.

Mayor Spear asked if 51 Islington Street is in the Central Business District A or B. Planning Director Taintor stated it is located in the Central Business District B.

Planning Director Taintor stated creating a 35ft height restriction seems more appropriate for residential.

Mayor Spear stated he is uncomfortable passing temporary zoning ordinances. He said the Historic District Commission has the authority to make sure mass, height and set backs are appropriate. He said between now and December we are relying on the Historic District Commission to initiate their authority and stewardship. He further stated we should reassess this in January.

Assistant Mayor Lister returned the gavel to Mayor Spear.

Councilor Novelline Clayburgh said what is good about what is happening now, is that residents are getting involved. She stated people did not come out for the Portwalk or 51 Islington Street projects. She said the Wright Avenue plan has been scaled back from its original design.

**On a roll call 2-6, motion to pass first reading and schedule a public hearing and second reading of an ordinance to amend the Maximum Structure Height Dimensions in the Central Business District A and B District to be 35 feet at the July 15, 2013 City Council meeting failed to pass. Councilors Kennedy and Thorsen voted in favor. Assistant Mayor Lister, Councilors Novelline Clayburgh, Lown, Dwyer, Smith and Mayor Spear voted opposed. Councilor Coviello recused himself from the discussion and vote.**

**Councilor Kennedy moved to suspend the rules in order to make a further motion on this matter. Seconded by Councilor Dwyer.**

**On a roll call 4-4, motion to suspend the rules in order to make a further motion on this matter failed to pass. Councilors Kennedy, Dwyer, Smith and Thorsen voted in favor. Assistant Mayor Lister, Councilors Novelline Clayburgh, Lown and Mayor Spear voted opposed. Councilor Coviello recused himself from the discussion and vote.**

#### **D. COUNCILOR LOWN**

1. Proposed Work Session to Review Report of the Operational Efficiencies Committee for Police and Fire Departments

Councilor Lown requested the Council review the Report and that he would not be bringing forth a motion to hold a Work Session, as he does not feel it is necessary.

#### **E. COUNCILOR DWYER**

1. Ideas Related to HDC

Councilor Dwyer spoke to her memorandum and ideas relating to the Historic District Commission. She said we need a Work Session with the Historic District Commission to look at their processes. Councilor Dwyer said she is recommending a two part HDC. The challenge for the HDC is new buildings in the historic district and what the guidelines are. Councilor Dwyer also recommended that discussions at the HDC meetings should be facilitated by the Planning Department staff to allow all HDC members to express their opinions.

City Manager Bohenko indicated that Councilor Dwyer's memorandum would be forwarded to the HDC.

Mayor Spear stated the Council will conduct a Work Session with the HDC.

**F. COUNCILOR SMITH**

1. Parking and Traffic Safety Committee Action Sheet and Minutes of the May 9, 2013 meeting

**Councilor Smith moved to approve and accept the Action Sheet and Minutes of the May 9, 2013 Parking and Traffic Safety Committee meeting. Seconded by Councilor Novelline Clayburgh and voted. Councilor Kennedy voted opposed.**

**XII. MISCELLANEOUS/UNFINISHED BUSINESS**

Mr. Cracknell, Planner announced the dates of the Form-Based Zoning Charrette Sessions:

- Opening Session – Thursday, June 6<sup>th</sup> – 6:00 p.m. to 8:30 p.m. – City Council Chambers (Live on Channel 22)
- Open Studio – June 7<sup>th</sup> through June 10<sup>th</sup> – Former Connie Bean Center on 143 Daniel Street (If the lights are on, the studio is open)
- Interim Pin-Up & Review – Saturday, June 8<sup>th</sup> – 6:00 p.m. to 7:30 p.m. – Former Connie Bean Center on 143 Daniel Street
- Closing Session – Monday, June 10<sup>th</sup> – 6:00 p.m. to 8:30 p.m. - City Council Chambers (Live on Channel 22)

All of these sessions are open to the public; the members of the public are welcome to visit and participate as much as they wish and are able to. The Opening and Closing Presentations will be broadcasted live on Channel 22 and archived recordings of those meetings will be available on the City's website.

**XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]**

**At 11:15 p.m., Councilor Coviello moved to adjourn. Seconded by Councilor Smith and voted.**



Kelli L. Barnaby, CMC/CNHMC  
City Clerk

## CITY COUNCIL MEETING

MUNICIPAL COMPLEX  
DATE: MONDAY, JUNE 17, 2013

PORTSMOUTH, NH  
TIME: 7:00 PM [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, Kennedy, Novelline Clayburgh, Lown, Dwyer, Smith and Thorsen

### **III. INVOCATION**

Mayor Spear asked everyone to join in a moment of Silent Prayer.

### **IV. PLEDGE OF ALLEGIANCE**

Assistant Mayor Lister led the Pledge of Allegiance to the Flag.

### **V. ACCEPTANCE OF MINUTES – MAY 20, 2013**

**Councilor Lown moved to approve and accept the Minutes of May 20, 2013 City Council Meeting. Seconded by Assistant Mayor Lister and voted.**

### **VI. PUBLIC COMMENT SESSION**

Zelita Morgan – spoke in favor of proposed height ordinance.

George “Buzzy” Dodge – spoke in favor of proposed height ordinance.

Clare Kittredge – spoke in favor of proposed height ordinance.

Jay McSharry – thanked the Department of Public Works for the work done on the sidewalks on State Street and other locations stating the wait was worth the results.

Duncan MacCallum – spoke in favor of the proposed height ordinance.

Shaun Rafferty – spoke in favor of the proposed height ordinance.

Stephanie Seacord – invited everyone to attend the celebration of the State of New Hampshire 225<sup>th</sup> Birthday being held at Strawberry Banke.

Stephen Kelm – spoke regarding the proposed height ordinance stating there has already been a “moratorium” on building as a result of the bad economy. He stated that the current Charrette is a good process and people should remember that the taxes in Portsmouth have only gone up approximately 1% when other communities are at 7% and cutting services and this is due to the development occurring in Portsmouth.

Paul Mannle – spoke in support of the proposed height ordinance stating he would like to see it implemented throughout the entire Historic District. He also stated that the vote on the Parking issue should not be held until after the Portsmouth Listens group has given their presentation to the Council.

Mary Maurer – spoke in favor of the proposed height ordinance.

Maxene Feintuch – spoke in favor of the proposed height ordinance.

Rick Horowitz – spoke in favor of the height ordinance and preserving the scenic views that are left in the City. He also spoke regarding the parking issue stating he agrees that this should not be voted until after the Portsmouth Listens presentation.

John Tabor – invited the public to attend or tune in to the Transportation Study Circles presentation on June 24<sup>th</sup> and urged the Council to make room for this in the deliberations on the issue.

Susan Denenberg – spoke in support of the proposed height ordinance.

## **VII. PUBLIC PARKING INPUT SESSION**

Mayor Spear stated that due to the large number in attendance looking to speak, there will be 2 rounds; the first will be for Portsmouth residents only, the second round will be for all others and people who wish to speak again. He stated the limit will be 2 minutes for each speaker.

### **Mayor Spear opened the First Round at 7:30 p.m.:**

Dick Bagley – spoke against the Parrott Avenue Lot and the Worth Lot Parking Garage.

Eric Gregg – spoke in favor of the Worth Lot Parking Garage

James Horne – spoke in favor of the Worth Lot Parking Garage

Bob Hassold – spoke in favor of the Worth Lot Parking Garage

Natalie Hassold – spoke in favor of the Worth Lot Parking Garage

Margaret O'Rourke –spoke opposed to vote until after the Study Circle presentation

Bob Shouse– spoke in favor of the Worth Lot Parking Garage

Walter Hamilton – spoke opposed to the Worth Lot Parking Garage

Ariel Cilluffo – read a letter from Angela Matthews opposing the Worth Lot Parking Garage

Jonathan Sobel – spoke in favor of the Worth Lot Parking Garage

Patricia Bagley – spoke against Parrott Avenue Lot

Blair McCracken – asked that Parrott Avenue be excluded from the discussion

Josh Cyr – spoke in favor of the Worth Lot Parking Garage

John Akar - spoke in favor of the Worth Lot Parking Garage

Everett Eaton - spoke in favor of the Worth Lot Parking Garage

MaryEllen Burke, Executive Director of the Historical Society – stated she and the Board of the Historical Society are in favor of the Worth Lot Parking Garage

Barbara Ward – spoke against the Worth Lot Parking Garage

Mark Brighton – spoke opposed to the Worth Lot Parking Garage

Deb Weeks – spoke in favor of the Worth Lot Parking Garage

Dan Innis – spoke in favor of the Worth Lot Parking Garage

Doug Bates – spoke in favor of the Worth Lot Parking Garage  
Steve Marchand – spoke in favor of the Worth Lot Parking Garage  
Dana Levenson – spoke in favor of the Worth Lot Parking Garage  
Jay McSharry – spoke in favor of the Worth Lot Parking Garage  
John “Jay” Gardner – spoke in favor of the Worth Lot Parking Garage  
Joe Caldarola – spoke opposed to the Worth Lot Parking Garage  
Rick Chellman – spoke in favor of the Worth Lot Parking Garage  
Mike Delacruz – spoke in favor of the Worth Lot Parking Garage  
Shari Donnermeyer – spoke in favor of the Worth Lot Parking Garage  
John Lyons – spoke in favor of the Worth Lot Parking Garage  
Harold Whitehouse – spoke in favor of sending the issue back to the Parking and Traffic and Safety Committee  
Ralph DiBernardo – spoke opposed to the Worth Lot Parking Garage  
Lisa Destefano – spoke in favor of the Worth Lot Parking Garage  
Tracy Kozak – spoke in favor of the Worth Lot Parking Garage  
Beth Lamontagne-Hall – spoke in favor of the Worth Lot Parking Garage  
Jeremy Colby – spoke in favor of the Worth Lot Parking Garage  
Shaula Levenson – spoke in favor of the Worth Lot Parking Garage  
Jane Angelopoulos, former long-time Portsmouth resident current Rye resident and business owner – spoke in favor of well-distributed additional parking at a lower cost for employees of businesses  
Andrew Bagley – spoke opposed Worth Lot and Parrott Avenue  
Mike Frandzell – spoke opposed to the Worth Lot Parking Garage  
Richard Nylander – spoke opposed to the Parrott Avenue Lot  
Christina Davidson – spoke opposed to Worth Lot and Parrott Avenue  
Susan Denenberg – spoke opposed to the Worth Lot Parking Garage  
Sue Carlisle – spoke in favor of the Worth Lot Parking Garage  
Abby Hackett – spoke in favor of the Worth Lot Parking Garage  
Jeff Mountjoy – spoke in favor of the Worth Lot Parking Garage  
Phil Cohen – spoke in favor of the Worth Lot Parking Garage  
Angela Pont – spoke opposed to Parrott Avenue Lot  
Peter Somssich – spoke opposed to the Worth Lot Parking Garage  
Barbara Adams – spoke opposed to the Worth Lot Parking Garage  
Clare Kittredge – spoke opposed to the Worth Lot Parking Garage  
Zelita Morgan - spoke opposed to the Worth Lot Parking Garage  
Steve Taylor – spoke in favor of the Worth Lot Parking Garage  
Joe Barone – spoke in favor of the Worth Lot Parking Garage  
Arthur Clough – spoke opposed to the Worth Lot Parking Garage  
Kathleen Logan – in favor of other options and charging more for parking  
Jennifer Jacobs – spoke opposed to the Worth Lot Parking Garage  
Roy Helsel – suggested building a garage in City Hall employee lot  
Gibson Kennedy – spoke in favor of the Worth Lot Parking Garage  
Paul Mannle – spoke opposed to the Worth Lot Parking Garage  
Dan Rawling – spoke in favor of the Worth Lot Parking Garage  
Joe Almeida – spoke in favor of the Worth Lot Parking Garage  
Barbara Destefano – spoke in favor of the Worth Lot Parking Garage  
Leota Friess – spoke against parking garages being used to warehouse cars because the rates are so low

Shaun Rafferty – spoke in favor of requiring developers to provide parking and is not in favor of the Parrott Avenue Lot option

Scott Young – spoke against Worth Lot but suggested expanding the footprint of the Bridge Street Lot

Bill Hagarty - spoke opposed to the Worth Lot Parking Garage

Duncan MacCallum – spoke opposed to the Worth Lot Parking Garage

Lee Roberts – spoke opposed to the Parrott Avenue Lot

Mary Maurer – spoke opposed to the Worth Lot Parking Garage

Carol Hollis – spoke in favor of the Worth Lot Parking Garage

Walter Hamilton (2<sup>nd</sup> time) – spoke opposed to Worth Lot but in favor of additional signage informing of other public parking spaces

Patty Kennedy - spoke in favor of the Worth Lot Parking Garage

Jay McSharry – spoke in favor of the Worth Lot Parking Garage

Howard Mangold – spoke opposed to the Worth Lot Parking Garage

Shayne Bowler – spoke opposed to the Worth Lot Parking Garage

**Mayor Spear opened the second round @ 9:50 p.m.:**

Barry McArdle, Dentist Office located in Portsmouth – spoke in favor of additional parking in whatever form

Mark Galvin – business owner, 75 Congress St. – spoke in favor of Worth Lot as this was one of the reasons he located his and daughter’s businesses there.

Jeff Johnston, Cathartes Private Investments, Portwalk – spoke in favor of the Worth Lot Garage

Natalie Roman Nelson, owner Portsmouth Health Food Store – 151 Congress St. – spoke opposed to the Worth Lot Garage

Sam Winebaum – owns property in the immediate area of the Worth Lot – spoke opposed to the Worth Lot Garage

Susan Laslo – works in Portsmouth, spoke opposed of the Worth Lot Garage and is also speaking on behalf of Betty Lipton owner of business at 151 Congress St.

Peter Labrie – owner of Riverfront Restaurant and other businesses in Portsmouth, spoke in favor of the Worth Lot Garage

Ray Tweedie – office located at 155 Fleet Street, spoke in favor of the Worth Lot Garage

Mike Buckley – owner of Surf Restaurant, spoke in favor of the Worth Lot Garage

Aaron Jewell – business owner, spoke opposed to the Worth Lot Garage

Catherine Reddington – owner of City Shoes, spoke opposed to the Worth Lot Garage

**Seeing no one else wishing to speak, Mayor Spear closed the Public Parking Input Session at 10:10 p.m.**

**Councilor Lown moved to suspend the rules to bring forward Mayor’s Item XII.B.3. for consideration. Seconded by Councilor Coviello and voted.**

3. \*Worth Lot Parking Garage

**Councilor Lown moved to suspend the rules in order to renew discussion of a proposed parking garage at the Worth Lot, seconded by Councilor Coviello.**

Councilor Kennedy stated she will not support this as Portsmouth Listens is scheduled to give a presentation on their parking and transportation study circles next Monday (June 24<sup>th</sup>) and feels that they should be heard before this was even brought back. She stated there are other people who also wanted to come speak this evening but were unable to because of this afternoons' storm.

Councilor Coviello clarified that the motion is to renew discussion and learn more about possibilities. He stated that the public have defined the answers but we don't know the answers until all of the options have been presented. He stated that Portsmouth Listens isn't studying the Worth Lot, they are studying the big picture. He stated that we should look at the reports that have already been presented as well which did not say that the Worth Lot was a bad option. He feels that the reports have been cherry-picked for information to support specific opinions. He continued that the entire planning community disagrees that developers are not driving the development and also with the philosophy that parking should be provided as this does not follow best practices. He stated that this leaves some spaces unused and is not a good use of space. He stated that the parking garage generates revenue for the city and helps pay down the tax rates. He concluded by stating that we all want the same thing and no one is evil, but there are other ideas to explore and that is what this vote is meant to do.

Councilor Dwyer clarified for the record that the motion on the floor is to suspend the rules to allow discussion.

Councilor Smith stated he is not in favor as this has already been decided and it is time to move on to other alternatives.

Councilor Thorsen agreed stating that this was decided in December and we need to move on.

Assistant Mayor Lister stated he is opposed and agrees that there is a great deal of misinformation out there and the pervasive attitude of not in my back yard and neighborhoods versus businesses. He stated there is a reaction to the building of big buildings. He stated that the Portsmouth Listens and Portsmouth Now groups are creating a dialogue to help come up with good options and compromises need to be made. He concluded by stating that this is historical character versus hysterical character.

Councilor Novelline Clayburgh stated that we owe Portsmouth Listens study circles the opportunity to present their ideas as well as the Charrette report. She stated that the height and mass of the proposed Worth Lot garage was too big and would create a tunnel effect. She stated she still prefers the idea of building smaller structures and various locations and perhaps going underground. She stated that there are drawings of a 175 space facility at the Parrott Avenue Lot that the high school students involved in the Portsmouth Listens study circles will be presenting that shows how it can be done without being intrusive.

Councilor Lown thanked everyone for coming out to speak. He stated that this is a definitive moment for this Council and is showing itself to be ineffective in resolving the big problem of this city. He continued that the High/Hanover garage is full more and more often and this Council is signaling the end of the Worth Lot debate for the remainder of the year. He stated there aren't many viable, realistic alternatives and clarified that this vote is only to discuss the option again. He concluded by stated the Council was elected to resolve problems.



Councilor Dwyer stated the motion is about looking at the viability and finds it hard to believe that the Council doesn't want to even explore more information and correct the misinformation that is out there. She agrees with Councilor Coviello that people are only hearing the parts of the reports they want to hear and didn't hear the Charrette report where they recommend getting rid of all surface parking lots. She concluded by stating that not voting in favor of hearing more information is a vote for ignorance.

Councilor Kennedy stated that in response to the ignorance comment, she believes that it is about respect to hear from the Portsmouth Listens group first.

Councilor Dwyer stated that it was clear that the Portsmouth Listens study circles was looking at the big picture and not at where to locate the garage. She stated that having heard the presentation of the high school students, they reported the Worth Lot as being a valid location for a garage, but again, there are a lot of ideas out there and that is one of them that needs further discussion. Councilor Dwyer clarified that she was not calling anyone ignorant, but stating that the vote against gathering more information would be a vote for ignorance.

Councilor Coviello stated that the Council has passed a motion regarding pursuing a ground lease option on the Worth Lot property and the decision of this vote is whether we want to maintain control of that property or not.

Discussion ensued regarding the pros and cons of furthering discussion on the Worth Lot location.

Mayor Spear passed the gavel to Assistant Mayor Lister.

Mayor Spear stated that it is hard to discuss this issue when they are not actually supposed to be talking about it but feels this is a complicated issue that includes air rights, abutters, etc. He stated that the numbers regarding how many spaces we have versus how many we need and will need in the future aren't clear and the point of this vote was to allow for consultations with experts to take place and get a report back in the fall. He stated this would be well after the study circles have concluded and this vote was meant to reduce speculation.

Assistant Mayor Lister returned the gavel to Mayor Spear.

**Motion failed of a 4-5 roll call vote, Mayor Spear, Councilors Coviello, Lown and Dwyer voted in favor. Assistant Mayor Lister, Councilors Kennedy, Novelline Clayburgh, Smith and Thorsen voted opposed.**

Recess/Reconvened 10:50 p.m. – 11:00 p.m.

**Assistant Mayor Listed moved to suspend the rules to continue the meeting beyond 10:00 p.m. Seconded by Councilor Kennedy and voted. Councilor Coviello voted opposed.**

## VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Community Development Block Grant (CDBG) for FY2014 from the US Department of Housing and Urban Development - \$514,312.00

**Councilor Coviello moved to approve and accept the CDBG for FY14 from the US Department of Housing and Urban Development - \$514,312.00. Seconded by Assistant Mayor Lister and voted.**

## IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

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

## X. CONSENT AGENDA

***At the request of Councilor Coviello, Consent Agenda Item B was removed.***

- A. Letter from Mike Daboul, President, Seacoast Mavericks, requesting the installation of 30 outfield signs and a temporary storage trailer at Leary Field during the course of the season June 8<sup>th</sup> – August 7<sup>th</sup> (***Anticipated action – move to refer to the City Manager with power***)
- C. Letter from Sue Polidura requesting permission to hold a reading of the Declaration of Independence in front of the North Church on Thursday, July 4, 2013 at 3:00 p.m. (***Anticipated action – move to refer to the City Manager with power***)

**Councilor Lown moved to adopt Items A and C. Seconded by Councilor Dwyer and voted.**

- B. Letter from Kim Cahill, Marketing Director, Seacoast Mavericks, requesting permission to place 2 A-frame signs at designated locations downtown during the 2013 season, June 8<sup>th</sup> – August 7<sup>th</sup> on game days only (27 dates). First choice locations would be the downtown kiosk, Discover Portsmouth, Poco's or other business on Bow Street

**Councilor Coviello moved to refer to the City Manager with power, seconded by Councilor Lown.**

Councilor Coviello stated he wanted to speak to this to say that he has heard nothing but good things about the Seacoast Mavericks and feels that if they need to place the signs out the day before games as well, the City Manager should have the ability to grant that as well.

City Manager Bohenko stated that their request is consistent with the policy of other leagues in placing the signs out on the day of the games.

**Motion passed.**

**XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

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

**XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

**A. CITY MANAGER**

1. Request for First Reading on Various Bonding Resolutions
  - A) Resolution for bond authorization of up to \$5,750,000 for FY14 City Improvements
    - Citywide Facilities Capital Improvements - \$1,000,000
    - Citywide Sidewalk Reconstruction Program - \$800,000
    - McDonough Street Area Improvements - \$400,000
    - Gateway Improvements–Exit 7 - \$550,000
    - Street Paving, Management and Rehabilitation - \$2,500,000
    - Islington Street Improvements - \$500,000
  - B) Resolution for bond authorization of up to \$10,000,000 for the Peirce Island Wastewater Treatment Plant Upgrades
  - C) Resolution for bond authorization of up to \$3,500,000 Pease Wastewater Treatment Plant Upgrades

**Councilor Lown moved to authorize the City Manager to bring back for first reading the Bonding Resolutions, as presented, at the July 15, 2013 City Council Meeting, seconded by Assistant Mayor Lister.**

Councilor Novelline Clayburgh stated that during the study circles people were concerned about sidewalk improvements and she directed them to review the Capital Improvements Plan to see what is coming up. City Manager Bohenko confirmed that is where that information is provided.

Councilor Kennedy stated she is living in one of the current “improvement zones” and wonders if the entire “zone” a/k/a neighborhood will be completed at once. City Manager Bohenko stated they will do a presentation showing where the improvements have been and will be made.

**Motion voted.**

## 2. Firefighter Fact Finding Report

Attorney Tom Closson, City Negotiator, reviewed the fact finding process stating that it has been rejected by both the unions and the Fire Commission. He stated that usually the Council would be voting in response to one or the other's recommendation, but having both parties reject it, the Council can still accept it, but it wouldn't have any impact. He concluded by stating that the Council cannot pick and choose parts to support or reject either.

**Councilor Coviello moved to reject the Firefighter Fact Finding Report, seconded by Councilor Novelline Clayburgh.**

Discussion ensued regarding the pros and cons of accepting or rejecting the report with Attorney Closson again explaining that at this point they will go back to the table as both parties rejected the findings.

Councilor Lown stated that the fact finder did well and came to sensible conclusions but feels they did not go far enough. He stated they did however, do what the Council asked them to do.

Councilor Novelline Clayburgh stated that these are the only 2 unions who have not settled since 2008 and we still be starting the process again next year. She asked if we should wait until then so that they will all expire at the same time. Attorney Closson stated that we can't push them back a year.

Councilor Dwyer stated there have already been 2 fact finder reports, and asked if there are any limits. Attorney Closson stated there are no limits and no binding arbitration in the State of New Hampshire.

**Motion voted.**

## 3. Proposal for Mobile Vending

City Manager Bohenko explained that there were no bids during the bidding period for the 2 parking spaces put aside for mobile vendors, but now the Kitchen restaurant has requested the use of these spaces at a lower rate and monthly payments. He stated he is requesting this be brought back at the next regular meeting.

**Councilor Lown moved to authorize the City Manager to report back, and have the City Council take action on the proposal at the next meeting on July 15, 2013. Seconded by Councilor Coviello and voted.**

## 4. Renewal of Senior Transportation Agreement Mark Wentworth Home d/b/a/ Mark Wentworth Transportation

**Councilor Lown moved to renew the Senior Transportation Agreement with the Mark Wentworth Home for \$143,000 for the year beginning July 1, 2013 through June 30, 2014, seconded by Councilor Coviello.**

Councilor Kennedy stated that she would like to see this expanded to include weekends as there are events downtown and church on Sundays that seniors would like to participate but aren't able to because there are no rides provided. She stated that spending the money on a driver and gas might be worth it for giving people a way to attend weekend outings. She suggested that an organization may consider sponsoring the extra day(s).

City Manager Bohenko explained that it would cost \$1,500.00 a month with an extra day added, but stated he would make the inquiry and suggested that this be explored for the next fiscal year.

Councilor Kennedy stated that we need to look outside the box for options for our elderly citizens as New Hampshire has the 3<sup>rd</sup> highest elder population and seniors enjoy leaving their houses.

Councilor Dwyer asked about the 20 ride passes and if there is an alternative to purchasing the full 20 rides. Community Development Director David Moore stated that the 20-ride pass is the only option at this time. Councilor Dwyer stated that this needs to be clarified to the patrons but wonders if there can be an alternative offered for people who only need it a few times or during the winter months etc.

City Manager Bohenko stated he can talk with Wentworth Connections about this but feels that this program needs to be kept simple and not have multiple tiers.

**Motion voted.**

## **B. MAYOR SPEAR**

1. Appointments to be Considered:
  - John Palreiro – Taxi Commission
  - Dana Mary Hegre – Citywide Neighborhood Steering Committee

The appointments of John Palreiro to the Taxi Commission and Dana Mary Hegre to the Citywide Neighborhood Steering Committee were considered and will be voted at the July 15, 2013 Council meeting.

2. Appointment to be Voted:
  - Ronald Poulin – Cable Television Advisory Board

**Councilor Smith moved to appoint Ronald Poulin to the Cable Television Advisory Board with a term to expire April 1, 2015. Seconded by Councilor Coviello and voted.**

3. Worth Lot Parking Garage (*Previously acted upon*)

4. \*Request to Establish a Work Session on August 19, 2013 with the Historic District Commission at 6:00 p.m. in the Eileen Dondero Foley Council Chambers prior to the regular meeting

**Councilor Coviello moved to establish a work session with the Historic District Commission on August 19, 2013. Seconded by Councilor Novelline Clayburgh and voted.**

5. Request to Establish a Work Session on June 24, 2013 at 6:30 p.m. in the Eileen Dondero Foley Council Chambers Re: Report from Study Circles

**Councilor Coviello moved to establish a work session regarding Report from Study Circles on June 24, 2013. Seconded by Assistant Mayor Lister and voted.**

### **C. COUNCILOR KENNEDY**

1. Adopt a Spot, Policy, Procedure, and City's Responsibility

Councilor Kennedy stated that she feels there are some great spots being taken care of by some great volunteers but there are also some forgotten areas out there as well. She stated she is looking for a list of the spots and the volunteers and would like to have some sort of celebration honoring those people who volunteer their time and efforts. She stated that due to the lateness of the hour, she will revisit this at the next meeting.

2. Wastewater Treatment Plant Impact Fees

Councilor Kennedy stated that she has provided some information from the Town of Durham regarding WWTP impact fees and is looking to have a discussion regarding this at perhaps then next WWTP work session update.

City Manager Bohenko distributed a memo regarding the information provided by Councilor Kennedy and explained that this comparison is actually oranges and apples and not apples to apples.

Councilor Novelline Clayburgh asked if this should be referred to the Fees Committee. City Manager Bohenko stated that the memo he distributed clarifies the information.

### **D. COUNCILOR DWYER**

1. Proposed Zoning Amendment Re: Maximum Structure Height in the Central Business District A and Central Business District B - 45' or 3 stories, whichever is less

Councilor Coviello stated that he will be recusing himself from the discussion and vote on this issue and asked if there would be any other items being voted. Seeing none, he excused himself from the remainder of the meeting at 11:30 p.m.

Councilor Dwyer reviewed the intention of the proposed ordinance stating that the Historic District Commission needs additional support and guidance and feels that this will go towards that need. She stated the intention is not to impose a moratorium but to add a guideline and there would be an avenue for a “variance” from the restriction if certain criteria are met.

She stated that it is her intention to refer this to the Planning Board for recommendation and to a second reading and public hearing on July 15, 2013.

**Councilor Dwyer moved to pass first reading and schedule a public hearing and second reading for the July 15, 2013 City Council meeting and further refer to the Planning Board for report back, seconded by Councilor Kennedy.**

Councilor Novelline Clayburgh stated that there isn't enough time before July 15<sup>th</sup> for the Planning Board to review this because the next meeting is June 19<sup>th</sup> and the one in July is the 18<sup>th</sup>.

City Manager Bohenko suggested setting the Public Hearing for August 5, 2013 to give the Planning Board time to review the proposal and will still fall within the 120 day requirement.

The mover and seconder agreed to the amendment.

Councilors Lown, Thorsen and Smith stated they will support the motion for a public hearing to allow for public input.

Assistant Mayor Lister asked if the Historic District Commission should also review the ordinance as they would be the authority in this process.

Mayor Spear passed the gavel to Assistant Mayor Lister.

Mayor Spear stated he feels that this is a bad precedent because although this may look fine to the City Council, the Planning Board has the expertise and should make their recommendation first. Secondly, he stated that he doesn't like reactive ordinances and will vote against this because it isn't going through the regular process.

Assistant Mayor Lister passed the gavel back to Mayor Spear.

**Motion passed on a 6-2 vote, Councilor Novelline Clayburgh and Mayor Spear voted opposed.**

### **XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

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

**Councilor Smith moved to adjourn at 11:45 p.m. Seconded and voted unanimously.**

**CITY OF PORTSMOUTH  
TWO THOUSAND THIRTEEN  
PORTSMOUTH, NEW HAMPSHIRE**

**RESOLUTION # – 2013**

**A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR  
NOTES OF UP TO FIVE MILLION SEVEN HUNDRED FIFTY  
THOUSAND DOLLARS (\$5,750,000) FOR COSTS RELATED TO  
FISCAL YEAR 2014 CITYWIDE, FACILITIES, STREET, AND  
SIDEWALK IMPROVEMENTS.**

**BE IT RESOLVED:**

**THAT**, the sum of **Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000)** is appropriated for Fiscal Year 2014 Citywide Facilities, Street and Sidewalk Improvements;

**THAT**, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Five Million Seven Hundred Fifty Thousand Dollars (\$5,750,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

**THAT** That the expected useful life of the project is determined to be at least ten (10) years, and;

**THAT** That this Resolution shall take effect upon its passage.

**APPROVED:**

\_\_\_\_\_  
**ERIC SPEAR, MAYOR**

**ADOPTED BY CITY COUNCIL**

\_\_\_\_\_  
**KELLI BARNABY, CMC/CNHMC  
CITY CLERK**



**BI-PW-34: CITYWIDE FACILITIES CAPITAL IMPROVEMENTS**

The Public Works Department has the maintenance responsibilities for all municipal facilities. These facilities are wide ranging and serve multiple uses. Due to age and usage, many facilities are in need of updating in order to continue their availability to the general public and the programs conducted within.

The Public Works Department staff will identify the renovations and improvements required at each facility. This project is being set up so that the expenditures are utilized over a three-year time frame.



	FY14	FY15	FY16	FY17	FY18	FY19	Totals 14-19	6 PY's Funding	Totals
GF	1%						\$0	\$25,000	\$25,000
Fed/State	0%						\$0	\$0	\$0
Bond/Lease	98%	\$1,000,000		\$1,000,000			\$2,000,000	\$1,000,000	\$3,000,000
Other	0%						\$0	\$0	\$0
Revenues	1%						\$0	\$30,000	\$30,000
PPP	0%						\$0	\$0	\$0
Totals		\$1,000,000	\$0	\$1,000,000	\$0	\$0	\$2,000,000	\$1,055,000	\$3,055,000
Commence FY:	On-Going	Quarter 1st	Priority	Impact On Operating Budget	Negligible				

**BI-PW-34: CITYWIDE FACILITIES CAPITAL IMPROVEMENTS**

**PROPOSED CAPITAL IMPROVEMENTS - CITYWIDE FACILITIES**

Fiscal Year 2014

<u>Facility/Project</u>	<u>Cost</u>
Municipal Complex	\$300,000
Tennis Court Renovations	\$250,000
Municipal Athletic Fields	\$200,000
Spinnaker Point Recreation Center	\$100,000
Police Facility	\$75,000
Fire Facilities	\$75,000
<b>TOTAL IMPROVEMENTS</b>	<b>\$1,000,000</b>

**TSM-CITY-09: BIKE/PED: Citywide Sidewalk Reconstruction Program**

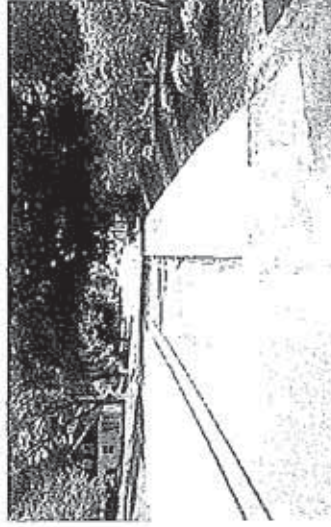
- This program relies on a management program and is funded on a two-year schedule to address the need to upgrade existing sidewalk surfaces on a priority basis. The sidewalk inventory consists of over 50 miles of sidewalks, made from asphalt, concrete, brick or stone. Some \$20,000,000 of reconstruction work is required to bring these to standard. Reconstruction is based upon need and is coordinated with other street improvements.



Woodbury Avenue



South Street



Dennett Street

Please see following page for detailed projects.

	FY14	FY15	FY16	FY17	FY18	FY19	Totals: 14-19	6 FY's Funding	Totals
GF	0%						\$0	\$0	\$0
Fed/State	0%						\$0	\$0	\$0
Bond/Lease	100%	\$800,000	\$800,000		\$800,000		\$2,400,000	\$1,100,000	\$3,500,000
Other	0%						\$0	\$0	\$0
Revenues	0%						\$0	\$0	\$0
PPP	0%						\$0	\$0	\$0
<b>Totals:</b>		\$800,000	\$800,000	\$0	\$800,000	\$0	\$2,400,000	\$1,100,000	\$3,500,000
Commence FY: On-Going	Quarter: 1st		Priority:		Impact On Operating Budget:		Negligible		

TSM-CITY-09: BIKE/PED: Citywide Sidewalk Reconstruction Program

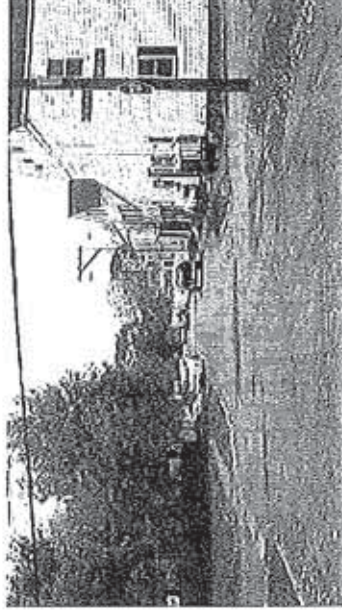
PROPOSED CAPITAL IMPROVEMENTS-SIDEWALKS

Fiscal Years 2014 and 2015

<u>Sidewalk</u>	<u>Cost</u>
Sagamore Avenue: from South Street to Sagamore Bridge	\$200,000
Middle Street: from Aldrich to South Street	\$150,000
State Street Cabot Street-Cass Street	\$150,000
Pentallow/Sheafe Streets	\$200,000
Various Street	\$100,000
	<b><u>TOTAL IMPROVEMENTS</u>      \$800,000</b>

**TSM-CITY-18: ROADWAY: McDonough Street Area Improvements Project**

- This project is at the request of the Islington Creek Neighborhood Association to have new sidewalks and traffic calming measures installed throughout the McDonough Street Area. The main purpose of this project is to enhance safety for the residents and others who travel through this area on foot, by bicycle and motor vehicle. This area is a mixed use of residential, commercial and industrial uses sandwiched between Islington Street and the North Mill Pond. The work will include water, sewer, storm drainage, paving, curbing and associated landscaping constructed in a phased approach that began in FY10.



	FY14	FY15	FY16	FY17	FY18	FY19	Totals 14-19	6 PY's Funding	Totals
GF	0%						\$0	\$0	\$0
Fed/State	0%						\$0	\$0	\$0
Bond/Lease	\$400,000	\$400,000					\$800,000	\$1,200,000	\$2,000,000
Other	0%						\$0	\$0	\$0
Revenues	0%						\$0	\$0	\$0
PPP	0%						\$0	\$0	\$0
Totals	\$400,000	\$400,000	\$0	\$0	\$0	\$0	\$800,000	\$1,200,000	\$2,000,000
Commenche FY: 2010	Quarter	1st	Priority				Impact On Operating Budget	Negligible	

**TSM-City-22: ROADWAY: Gateway Improvements-Exit 7**

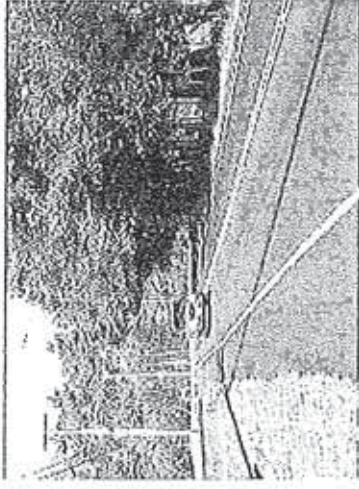
This project is a continuation of phased improvements along the Market Street right-of-way as it extends from the I-95 to Deer Street. Some of the proposed improvements are part of a cooperative effort between the City and NHDOT to improve the I-95 Exit 7 interchange (currently ongoing) and to provide safe pedestrian and bicycle travel along the road. The first phase of this project from Deer Street to Russell Street is complete and included streetscape and traffic calming improvements such as widened concrete sidewalks with a brick detail, installation of new historic street lights, landscaping, new granite curb and roadway paving. In addition to these improvements, a transportation grant enabled the City to construct a sidewalk and bike lane along the north side of the gateway. The next phase involves design (FY13) and construction (FY14) of improvements from the I-95 Exit 7 interchange to the Route 1 Bypass Bridge. This will be followed by successive alternating design and construction phases of improvements until the streetscape is complete.



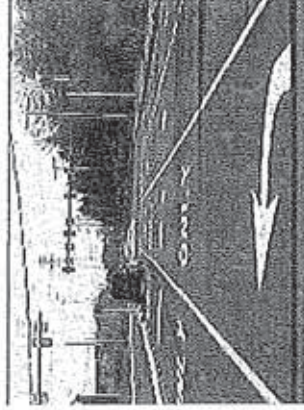
	FY14	FY15	FY16	FY17	FY18	FY19	Total: 14-19	6 PY's Funding	Totals:
CF		\$120,000		\$120,000			\$240,000	\$145,000	\$385,000
Fed/State							\$0	\$0	\$0
Bond/Lease	\$550,000		\$650,000		\$550,000		\$1,650,000	\$300,000	\$1,950,000
Other							\$0	\$0	\$0
Revenues							\$0	\$0	\$0
PPP							\$0	\$0	\$0
Totals	\$550,000	\$120,000	\$650,000	\$120,000	\$550,000	\$0	\$1,690,000	\$520,000	\$2,410,000
Comments: On-Going	Quarterly	Priority	Priority	Priority	Priority	Priority	Priority	Priority	Priority
Impact On Operating Budget							Negligible		

**TSM-CITY-23: ROADWAY: Street Paving, Management and Rehabilitation**

In 1993 the City funded a *Pavement Management Study* to implement a *Pavement Management Program*. This program produces a report showing existing conditions for each publicly owned street priority ranking for best dollar investment and has the ability to show "What If" scenarios and estimated project costs. These scenarios are also able to project future street conditions based upon various levels of expenditures. An expenditure of \$1,250,000 per year over the next twenty years would greatly improve street conditions. The indicated expenditures are capital costs to implement the improvements over a two-year period with all work lasting 20 years. (The Public Works operational budget includes those costs associated with maintenance work with an expected life of only 10 years).



Constitution Avenue



Gosling Road

Please see following page for detailed projects.

	FY14	FY15	FY16	FY17	FY18	FY19	Total 14-19	6 PYs Funding	Totals
GF							\$0		\$0
Fed/State							\$0		\$0
Bond/Lease	\$2,500,000		\$2,500,000		\$2,500,000		\$7,500,000	\$5,000,000	\$12,500,000
Other							\$0		\$0
Revenues							\$0		\$0
PPP							\$0		\$0
Totals	\$2,500,000	\$0	\$2,500,000	\$0	\$2,500,000	\$0	\$7,500,000	\$5,000,000	\$12,500,000
Commence FY:	On-Going	1st	Priority		Impact On Operating Budget	Negligible			

**TSM-CITY-23: ROADWAY: Street Paving, Management and Rehabilitation**

**PROPOSED CAPITAL IMPROVEMENTS-STREETS**

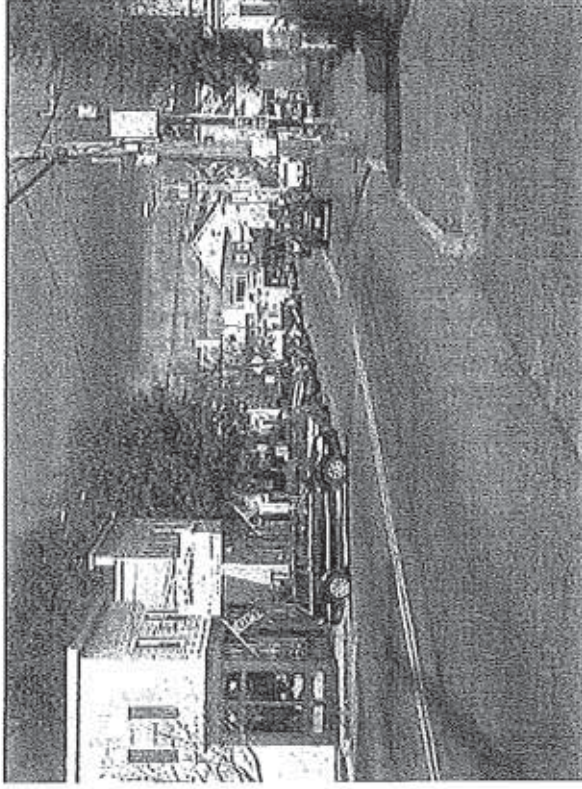
Fiscal Years 2014 and 2015

<u>Street</u>	<u>Estimated Cost</u>
Sagamore Avenue: South Street to Sagamore Bridge	\$600,000
Islington Street: Plains Avenue to Bartlett Street	\$600,000
Sewer Reconstruction Areas	\$350,000
Leslie Drive Area	\$410,000
Miscellaneous Overlays	\$500,000
Pavement Management Support and Upgrades	\$40,000
<hr/>	
<b>TOTAL IMPROVEMENTS</b>	<b>\$2,500,000</b>



**TSM-CITY/NHDOT-24: ROADWAY: Islington Street Improvements**

The *Islington Street Improvement Action Plan* was completed in 2009 with the goal of improving the appearance of Islington Street in the area between Maplewood Avenue and Rt. 1 Bypass. This project involved development of a plan for capital improvements, regulatory strategies and non-regulatory public/private approaches to revitalization. The streetscape will be enhanced in a coordinated way as properties are improved through the site review process.



The funding was approved in FY 2013 for final design plan of the first section of improvements starting at Congress St. with construction scheduled for FY 2014.

	FY14	FY15	FY16	FY17	FY18	FY19	Totals 14-19	6 PY's Funding	Totals
GF		\$100,000		\$100,000			\$200,000	\$200,000	\$400,000
Fed/State							\$0	\$0	\$0
Bond/Lease	\$500,000		\$500,000		\$500,000		\$1,500,000	\$0	\$1,500,000
Other							\$0	\$0	\$0
Revenues							\$0	\$0	\$0
PPP							\$0	\$0	\$0
Totals	\$500,000	\$100,000	\$500,000	\$100,000	\$500,000	\$0	\$1,700,000	\$200,000	\$1,900,000
Commence FY: 2014	Quarter 1st	Priority	Priority				Negligible		
							Impact On Operating Budget		

IN THE YEAR OF LORD  
TWO THOUSAND AND THIRTEEN  
PORTSMOUTH, NEW HAMPSHIRE

**RESOLUTION # – 2013**

**A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO TEN MILLION DOLLARS (\$10,000,000) FOR COSTS RELATED TO PERMITTING, DESIGN AND INITIAL CONSTRUCTION PHASE OF THE PEIRCE ISLAND WASTEWATER TREATMENT PLANT.**

**RESOLVED:**

**THAT the sum of up to Ten Million Dollars (\$10,000,000) is appropriated for permitting, design and the initial construction phase of the Peirce Island Wastewater Treatment Plant;**

**To meet this appropriation, the City Treasurer, with the approval of the City Manager is authorized to borrow, on a competitive or negotiated basis, up to Ten Million Dollars (\$10,000,000) through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Fund Loan, such borrowing to be effected by the issuance of bonds and/or notes of the City under the Municipal Finance Act in connection with the Peirce Island Wastewater Treatment Plant;**

**That the expected useful life of the project is determined to be at least twenty (20) years,  
and;**

**That this Resolution shall take effect upon its passage.**

**APPROVED:**

\_\_\_\_\_  
**ERIC SPEAR, MAYOR**

**ADOPTED BY CITY COUNCIL**

\_\_\_\_\_  
**KELLI BARNABY, CMC/CNHMC  
CITY CLERK**

**EF-SD-02: Peirce Island Wastewater Treatment Plant Upgrades**

The project identifies the need for a new wastewater treatment facility to bring the City into compliance with the secondary treatment standards of the new wastewater discharge permit. The City has completed a wastewater master plan and technology verification pilot study which outlines the necessary compliance program. These costs cover the permitting, design and construction of the proposed program. Costs presented here are exclusive of collection system upgrades.



	FY14	FY15	FY16	FY17	FY18	FY19	Totals 14-19	6 PYs Funding	Totals
GF	0%						\$0	\$0	\$0
Fed/State	0%						\$0	\$0	\$0
Bond/SRF	98%	\$40,000,000	\$20,000,000				\$60,000,000	\$3,500,000	\$66,000,000
Other	0%						\$0	\$0	\$0
Revenues	2%						\$0	\$1,500,000	\$1,500,000
PPP	0%						\$0	\$0	\$0
<b>Totals</b>		<b>\$40,000,000</b>	<b>\$20,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$60,000,000</b>	<b>\$5,000,000</b>	<b>\$67,500,000</b>
Commence FY:	On-going	1st	Priority:		Impact On Operating Budget:	High			

IN THE YEAR OF LORD  
TWO THOUSAND AND THIRTEEN  
PORTSMOUTH, NEW HAMPSHIRE

RESOLUTION # – 2013

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT AND/OR PARTICIPATION IN THE STATE REVOLVING FUND (SRF) LOAN OF UP TO THREE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$3,500,000) FOR COSTS RELATED TO THE PEASE WASTE WATER TREATMENT PLANT UPGRADES.

RESOLVED:

THAT the sum of up to Three Million Five Hundred Thousand Dollars (\$3,500,000) is appropriated for Pease Waste Water Treatment Plant upgrades;

To meet this appropriation, the City Treasurer, with the approval of the City Manager is authorized to borrow, on a competitive or negotiated basis, up to Three Million Five Hundred Thousand (\$3,500,000) Dollars through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Fund Loan, such borrowing to be effected by the issuance of bonds and/or notes of the City under the Municipal Finance Act in connection with the Pease Waste Water Treatment Plant;

That the expected useful life of the project is determined to be at least twenty (20) years,  
and;

That this Resolution shall take effect upon its passage.

APPROVED:

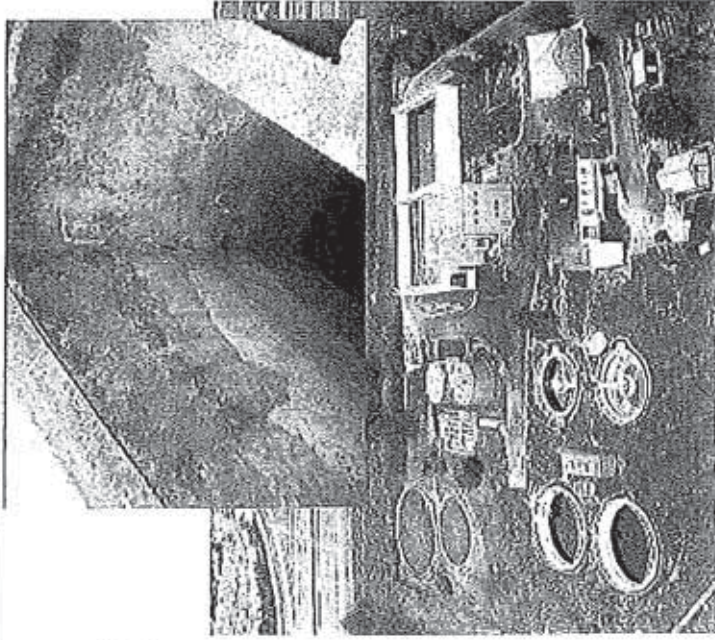
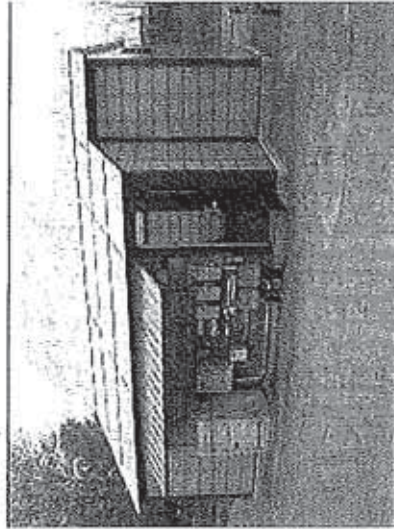
\_\_\_\_\_  
ERIC SPEAR, MAYOR

ADOPTED BY CITY COUNCIL

\_\_\_\_\_  
KELLI BARNABY, CMC/CNHMC  
CITY CLERK

## EF-SD-03: Pease Wastewater Treatment Plant Upgrades

This project addresses capital needs at the Pease Wastewater Treatment Facility. Parts of this plant date back to the original 1950s construction and are beyond their useful life. In addition, the Plant's NPDES discharge permit is up for renewal and this item anticipates additional capital needs which may result from a new permit.



	FY14	FY15	FY16	FY17	FY18	FY19	Totals 14-19	6 PY's Funding	Totals
GF	0%						\$0	\$0	\$0
Fed/State	0%						\$0	\$0	\$0
Bond/ISRF	99%	\$3,500,000					\$3,500,000	\$0	\$3,500,000
Other	0%						\$0	\$0	\$0
Revenues	1%						\$50,000	\$50,000	\$50,000
PPP	0%						\$0	\$0	\$0
<b>Totals</b>		<b>\$3,500,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,500,000</b>	<b>\$50,000</b>	<b>\$3,550,000</b>
Commence FY: 2013	Quarter 1st	Priority:	Impact On Operating Budget:	High					

**OFFICE OF THE CITY CLERK  
CITY OF PORTSMOUTH, N.H.**

# Memo

**Kelli L. Barnaby, CMC/CNHMC**  
City Clerk  
1 Junkins Avenue  
Portsmouth, NH 03801  
603-610-7207  
Fax: 603-427-1579  
[Klbarnaby@cityofportsmouth.com](mailto:Klbarnaby@cityofportsmouth.com)

**To:** Mayor Eric Spear and City Council

**From:** Kelli L. Barnaby, City Clerk

**Date:** July 11, 2013

**Re:** Final 2013 Omnibus Sidewalk Obstruction Renewals

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Please find attached the final listing of 2013 Omnibus sidewalk obstruction renewal applications without changes, submitted thus far and that have met the appropriate insurance and fee requirements.

If you should have any questions, please do not hesitate to contact me directly or via e-mail at [klbarnaby@cityofportsmouth.com](mailto:klbarnaby@cityofportsmouth.com).

cc: John P. Bohenko, City Manager

### 2013 Sidewalk Obstruction Renewal Applications - 07/15/2013 Final Omnibus

Business	LOCATION	FEE	Tables	Chairs	Bench	Planters	Sign	INSURANCE	App Date
Black Trumpet Bistro	29 Ceres St.	\$100.00				1	1	3/1/2014	4/1/2013
Ceres Bakery	51 Penhallow St.	\$150.00	2	10			1	7/15/2013	2/28/2013
Friends of the Music Hall	131 Congress St.	\$50.00					1	7/1/2013	6/19/2013
Helen Marks	42 Market St.	\$50.00					1	5/2/2014	4/29/2013
Maine-ly New Hampshire	22 Deer St.	\$50.00					1	6/27/2014	6/28/2013
Michelle's on Market Square	10 Market Sq	\$170.00	2	4			1	9/1/2013	2/25/2013
Poco's Bow Street Cantina	37 Bow Street	\$50.00					1	5/10/2014	2/22/2013
Seacoast Green Alliance	75 Congress Street	\$50.00					1	10/1/2013	5/23/2013
State Street Saloon	268 State St.	\$50.00					1	5/8/2014	4/18/2013
Surf Portsmouth	99 Bow St.	\$50.00					1	6/30/2013	4/25/2013
RiRa, The Irish Pub & Restaurant	22 Market Square	\$50.00					1	3/15/2014	6/17/2013



**Board of Directors**

Sarah Gnerre  
President

Glicka Kaplan  
Vice President

John Fitzpatrick  
Secretary/Treasurer

Kristin Forselius  
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Elise Weeks

Dr. Kimberly Higney

Rosjke Hasseldine

Judith Rubenstein

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Virginia Skevington  
Executive Director

Shannon Marshall  
Program Director

Rebecca Romanoski  
Development Assistant,  
AmeriCorps\* VISTA

Mr. John P. Bohenko  
City Manager,  
City of Portsmouth  
One Junkins Avenue  
Portsmouth, NH 03801

Dear Mr. Bohenko

Arts In Reach (AIR) respectfully requests permission to hold the organization's third annual fundraising walk, AIRWalk, a 5k walk through downtown Portsmouth, Saturday, October 19, 2013. Our walk which benefits AIR's year round mentoring, performance and visual arts programming for teenage women. This year we look forward to raising awareness and support for AIR.

Date: Saturday, October 19, 2013

Start Time: 9:00 a.m.

End Time: 11:00 a.m.

Start/End: 11 Jewell Court, Portsmouth, NH 03801 (approx. walk distance is 2.5 mi)

Route: Please see enclosure

AIR Contact: Virginia Skevington, Virginia@artsinreach.org, (603) 433-4278

The mission of AIR is to empower young women through mentoring and the arts. AIR serves more than 100 teens in the Greater Seacoast area and provides more than 135 opportunities to teens annually. To ensure that young women of all backgrounds can participate, AIR offers afterschool and vacation programs and transportation at absolutely no costs. The purpose of AIRWalk is to engage teens in fundraising efforts. Participants will walk, recruit friends and family to join, and secure pledges that will help AIR continue its mission.

Moreover, many of our teens, though they are from the Greater Seacoast area, do not have the opportunity to visit the historical and cultural landmark that is Portsmouth. This walk will be an enriching one for teens, as well as a way to promote healthy lifestyle choices which AIR works to instill in teens.

Sincerely Yours,

Virginia Skevington  
Executive Director

CC: Ann Sharpe

Arts In Reach (EIN: 02-0507428) is a 501(c)3 non-profit. All donations are tax-deductible as permissible by law. No goods or services were provided in exchange for this donation.

June 19, 2013







**Start & End at 11 Jewell Court**

- Proceed down Islington and on to Congress
- Follow Congress to Bow Street, and past Prescott Park
- Proceed down State Street to Middle and back to Islington

## 2013 3<sup>rd</sup> Annual AIRWalk Description

**Mission:** To raise awareness of Arts In Reach (AIR) and fundraise for AIR's year-round mentoring and arts programming.

**Goal:** To involve the greater community in a 5k walk created by and for AIR girls, while raising \$3,500 for the organization.

**Walk Details:** The 3<sup>rd</sup> Annual AIRWalk will be held Saturday, October 19, 9a.m.-11 a.m., 11 Jewell Court, Portsmouth (start and end will be by the AIR mural).

**Walkers:** AIR teens, families, friends, and AIR supporters will walk together. Registration is \$15 and includes an AIR t-shirt. Teen participants will raise funds in a friendly competition. The teen with the most donations (above \$100) towards her walk will win a \$100 gift card to the store of her choice.

**The Community:** AIR teens and staff will approach local businesses along the walk route and ask them to be involved. Window posters supporting AIR and AIRWalk, bottles water, mini coffees, snacks, physical presence, etc. are all easy ways for local businesses to show their support.

**Sponsors:** The goal will be to raise a minimum of \$750 in sponsorships from local gyms, studios, and other health oriented businesses to cover all expenses related to the race. Sponsorship levels will be determined, and outlined.

**AIRWalk Committee:** The AIR Committee will be composed of 5-6 AIR teen leaders and chaired by one teen. The Committee will be responsible for recruiting teen girls for the walk, securing donations towards the fundraiser, publicizing the event in their schools and their community, suggesting and securing sponsorships (in partnership with AIR staff), and being a volunteer on the day of the walk.



## PORTSMOUTH PROFESSIONAL FIRE FIGHTERS

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 1313

P.O. BOX 207 • PORTSMOUTH, NH 03802-0207

TEL: 603-427-1515

portcityfire.com

June 16, 2013

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 almost \$9,000.00 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 20<sup>th</sup> 2013 and the second to be held on Saturday August 10<sup>th</sup> 2013 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 13 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 \$15,000 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 myself at 603-969-9513 or Tim Dame at 603-834-1896.

Sincerely,

  
Mark D. Herrholz  
Secretary

Portsmouth Professional Firefighters Local 1313



## Run with the Cause

ST. CHARLES CHILDREN'S HOME 5K  
P. O. Box 1705 • Rochester, NH 03866

RECEIVED

JUL - 8 2013

CITY MANAGER  
PORTSMOUTH, NH

July 3, 2013

John Bohenko  
City Manager  
1 Junkins Ave.  
Portsmouth, NH 03801

Dear Mr. Bohenko:

The 17<sup>th</sup> Annual St. Charles Children's Home 5k held on Labor Day at the Pease International Tradeport would like to ask your permission once again to hold the St. Charles Children's Home 5K Road Race at Pease International Tradeport on September 2, 2013 at 9:00 a.m.

As in the past, we will communicate and obtain the required insurance for the City of Portsmouth, as well as Martin's Point Healthcare and the Pease Development Authority. We also will be hiring the Portsmouth Police department to provide coverage and secure an EMT to cover medical needs. Our large pool of volunteers will make sure the event runs smoothly and that the area is left spotlessly clean by 1:00 PM.

We have a new question this year. After the tragic events at the Boston Marathon, we are thinking it might be good idea to hire a plain clothes officer with a dog to make us aware of any possibility of a bomb. Last year we had almost 1300 runners. It is terrible to have to entertain the idea that such a horrible thing could happen in Portsmouth at our event, but we are seriously considering that this might be a good idea. If you have a preference about our decision, please let me know as soon as possible, so that we can make the necessary arrangements.

Thank you for your time and attention toward making this a safe and successful event.

Sincerely,

Sister Mary Agnes, DMML, MBA  
Administrator

**InterOffice Memo**

**To:** John P. Bohenko, City Manager  
**From:** Tom Richter, Engineering Technician  
**Date:** June 24, 2013  
**Subject:** PSNH License Agreement 63-0560

---

I have reviewed the pole and underground conduit location information provided by PSNH for Petition and Pole License 63-0560.

This request is to license one pole and a brace pole located at the intersection of Bow and Daniel Street. These poles will support power lines on Bow Street. One brace pole will be added while 4 poles will be removed resulting in a net loss of 4 poles in the area.

The installation of these poles pose no impact to existing city infrastructure. The Public Works Department recommends approval of this license.

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

cc: Peter Rice, P.E. 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

June 13, 2013

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 pole(s) located in City of Portsmouth, New Hampshire.

Enclosed for your review find two copies of PSNH Petition and Pole License number 63-0560 for City of Portsmouth review.

Upon approval, please have each copy of the Petition and Pole License signed by the proper authority.

Retain the Petition and Pole License copy labeled "**Portsmouth**" and mail the remaining signed copies along with any invoice for payment to PSNH in the enclosed self-addressed envelope.

If the Petition and Pole License is not approved, please return all copies to PSNH with an explanation.

Please contact me by telephone or e-mail with any questions you may have.

Thank you.

*Lisa-Marie Pinkes*

Lisa-Marie Pinkes  
Customer Operations Support - Licensing  
Public Service of New Hampshire  
PO Box 330  
Manchester, NH 03105-9989  
Tel. 603-634-2218  
E-Mail: pinkel@nu.com

Enclosure(s)

**PETITION AND POLE LICENSE  
PETITION**

Manchester, New Hampshire

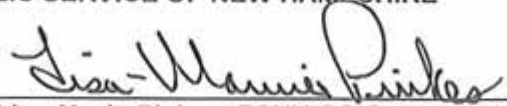
June 13, 2013

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

PUBLIC SERVICE OF NEW HAMPSHIRE requests 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), 1/3PB on Bow Street in the City of Portsmouth.

**PUBLIC SERVICE OF NEW HAMPSHIRE**

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 13rd day of June, 2013, that, PUBLIC SERVICE OF NEW HAMPSHIRE be 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" No. 63-0560, dated 4/11/2013, attached to and made a part hereof.

Town of Portsmouth, New Hampshire

Town of Portsmouth, New Hampshire

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

Received and entered in the records of the Town of Portsmouth, New Hampshire, Book \_\_\_\_\_, Page \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_  
Town Clerk

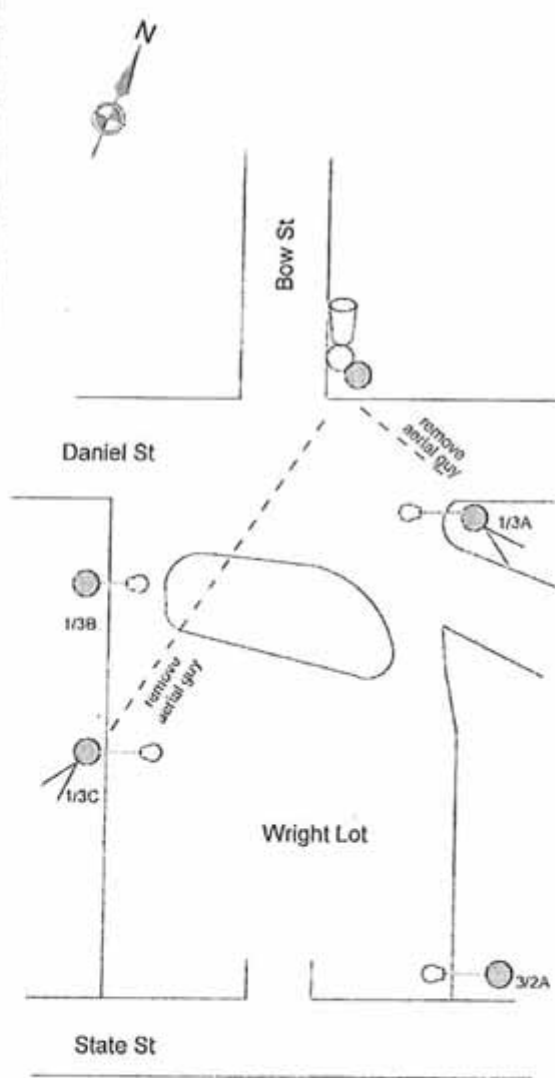


# POLE LOCATION PLAN

DATE 04/11/2013  
 MUNICIPALITY: Portsmouth  
 STREET / ROAD: Bow Street  
 PSNH OFFICE: Portsmouth  
 PSNH ENGINEER: Jim Osburn  
 TELCO ENGINEER: \_\_\_\_\_

LICENSE NO. 63-0560  
 STATE HWY. DIV. NO. 6  
 STATE LICENSE NO. \_\_\_\_\_  
 WORK REQUEST# 2105714  
 WORK FINANCIAL # 9P320230  
 TELCO PROJECT # \_\_\_\_\_

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL			REMOVE			REF	100% LTS	J/O	100% TEL	Span	Dist. from:	Remarks	DOC REQ
LTS	TEL			POLE	PB	●	■	⊗	⊠	△	▲	∩					
1/3PB	N/A	45/2														inst 100% pushbrace	M
1/3	172/10	55/2														inst/rmv JO pole	
1/3A	N/A															pole & light will be rmv'd on light project	
1/3B	N/A															pole & light will be rmv'd on light project	
1/3C	N/A															pole & light will be rmv'd on light project	
3/2A	N/A															pole & light will be rmv'd on light project	



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:**



SIDEWALK  
CLOSED



BOW ST

1-800-4-A-EMU

4-58

**InterOffice Memo**

**To:** John P. Bohenko, City Manager  
**From:** Tom Richter, Engineering Technician  
**Date:** June 24, 2013  
**Subject:** PSNH License Agreement 63-0561

---

I have reviewed the pole and underground conduit location information provided by PSNH for Petition and Pole License 63-0561.

This request is to license 145' of underground conduit at the Middle Road Bridge project in two sections; 80' of conduit on the Plains side of the bridge and 65' on the downtown side..

The installation of this underground system poses no impact to existing city infrastructure. The Public Works Department recommends approval of this license.

Attached is a picture of the proposed site. Please call with any questions you may have.

cc: Peter Rice, P.E. 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

June 10, 2013

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 pole(s) located in City of Portsmouth, New Hampshire.

Enclosed for your review find three copies of PSNH Petition and Pole License number 63-0561 for City of Portsmouth review.

Upon approval, please have each copy of the Petition and Pole License signed by the proper authority.

Retain the Petition and Pole License copy labeled "Portsmouth" and mail the remaining signed copies along with any invoice for payment to PSNH in the enclosed self-addressed envelope.

If the Petition and Pole License is not approved, please return all copies to PSNH with an explanation.

Please contact me by telephone or e-mail with any questions you may have.

Thank you.

*Lisa-Marie Pinkes*

Lisa-Marie Pinkes  
Customer Operations Support - Licensing  
Public Service of New Hampshire  
PO Box 330  
Manchester, NH 03105-9989  
Tel. 603-634-2218  
E-Mail: pinkel@nu.com

Enclosure(s)

PETITION AND POLE LICENSE

PETITION

Manchester, New Hampshire

June 4, 2013

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), 145' Underground Cable- 80' pole 148/12 through ROW then 65' from pole 148/10 to 296/1 located on Middle Road 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 4th day of June, 2013, 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. 63-0561, dated 6/4/2013, 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: \_\_\_\_\_

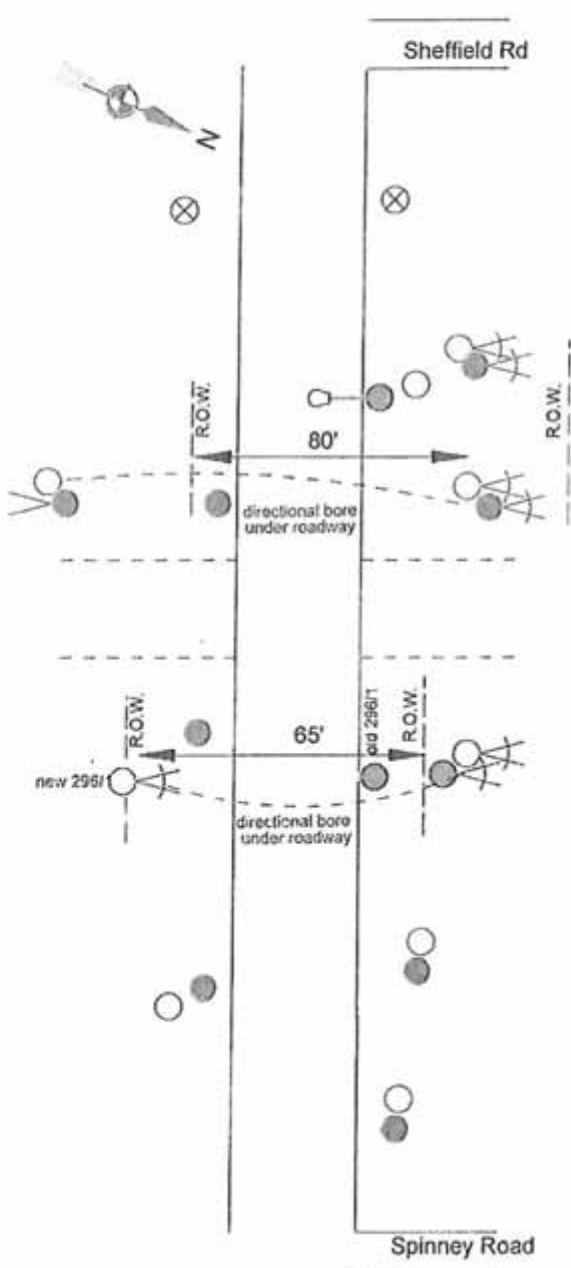
Town Clerk

# POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and  
Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

DATE	06/04/2013	LICENSE NO.	63-0561
MUNICIPALITY:	Portsmouth	STATE HWY. DIV. NO.	6
STREET / ROAD:	Middle Road	STATE LICENSE NO.	
PSNH OFFICE:	Portsmouth	WORK REQUEST#	1773318
PSNH ENGINEER:	Jim Osburn	WORK FINANCIAL #	9P120492
TELCO ENGINEER:	David Kestner	TELCO PROJECT #	264796

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL	REMOVE	REF	100% LTS	J/O	100% TEL	Span	Dist. from:	Remarks	DOC REQ
LTS	TEL			POLE	PB	⊗	⊗	∧	A				
148/13	96/70											reference pole	
148/13A	96/70-1									80		attach to existing pole	
148/12	96/69	45/2										inst/rmv JO pole/anc	
148/12A	N/A	40/2										inst/rmv 100% pole	
255/1	N/A											omit pole	
255/2	96F/1	40/2								240+/-		inst/rmv JO pole	
148/11	96/68	55/2										inst/rmv JO pole/anc	
N/A	96A/1.5											omit pole	
296/1	96A/1	45/2								95		inst/rmv JO pole/anc	
148/10	96/67	50/2										inst/rmv JO pole/anc	
148/8	96/66	45/2										inst/rmv JO pole	
148/8A	N/A	35/4										inst/rmv 100% pole	
148/7	96/65	40/2										inst/rmv JO pole	



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:







---

## M E M O R A N D U M

---

**TO:** John P. Bohenko, City Manager  
**FROM:** Rick Taintor, Planning Director  
**DATE:** July 3, 2013  
**RE:** City Council Referral – Projecting Sign  
Address: 10A Ladd Street  
Business Name: Man Cave Cut & Style  
Business Owner: Shelia McMahon

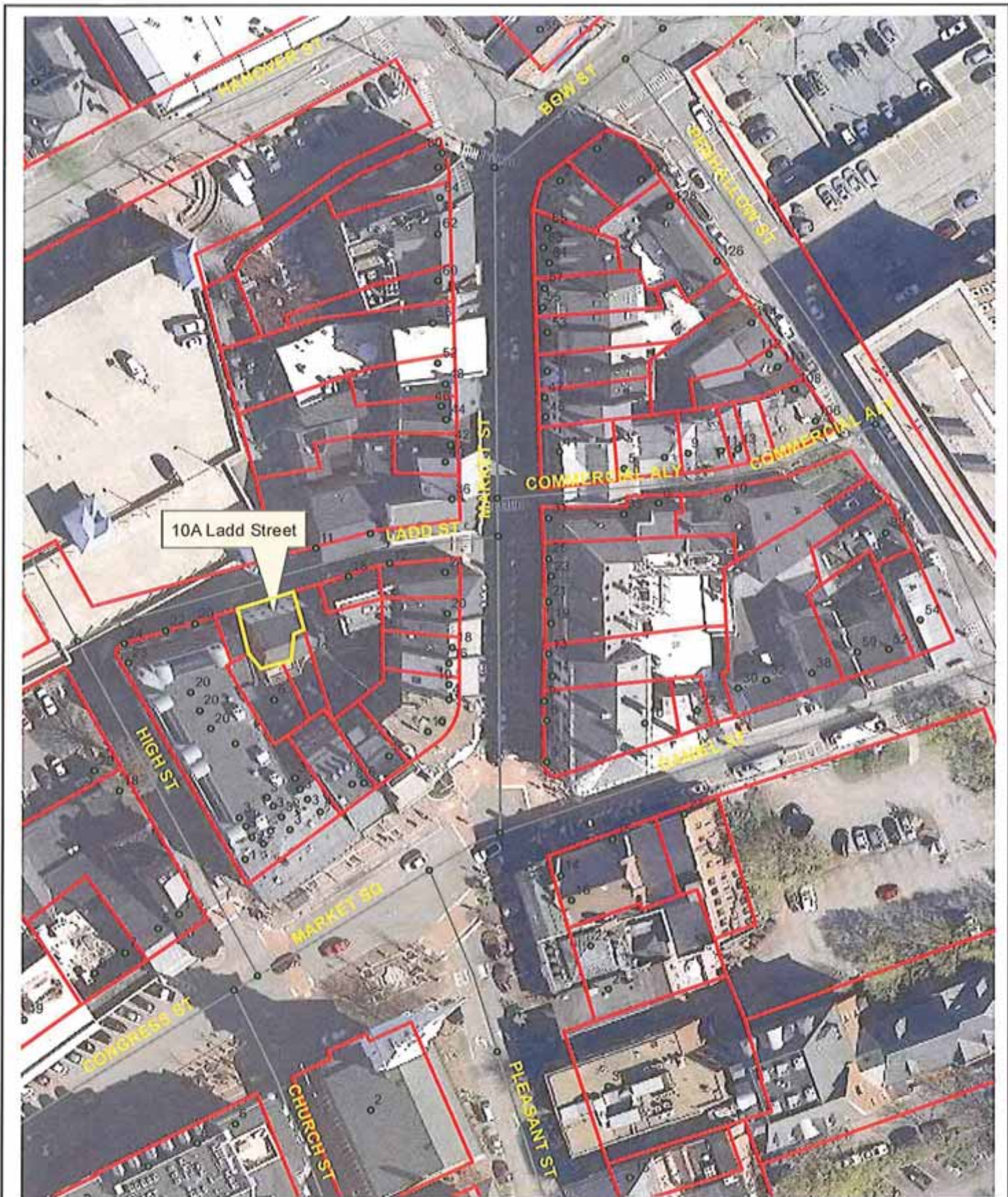
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Permission is being sought to install a projecting sign on an existing bracket, as follows:

Sign dimensions: 24" x 14"  
Sign area: 2.3 sq. ft.  
Height from sidewalk to bottom of sign: 9'0"  
Maximum protrusion from building: 30 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 10A Ladd Street

The Man Cave Cut & Style  
10 Ladd Street  
1 Projecting Sign





The Paper Patch  
36 Market Street  
Portsmouth, NH 03801

July 1, 2013



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

RE: Request for an easement on Ladd Street  
Tax Map and Lot: 0117/0029/0001  
Retail condominium at 36 Market Street, Portsmouth

Dear Mr Bohenko:

The intent of this letter is to request an easement, from the City of Portsmouth, to restore a step onto Ladd Street from my storefront with an address of 36 Market Street. The step was removed during recent renovations of the sidewalk. Its absence limits my ability to use the existing historic doorway that opens onto Ladd Street. The requested easement measures approximately 60" x 14".

I have attached a photo that shows the step, prior to renovations and the condominium site plan that shows the step, in place, as of May 28, 2008.

Please contact me if you have further questions and to inform me of the scheduled consideration of this request.

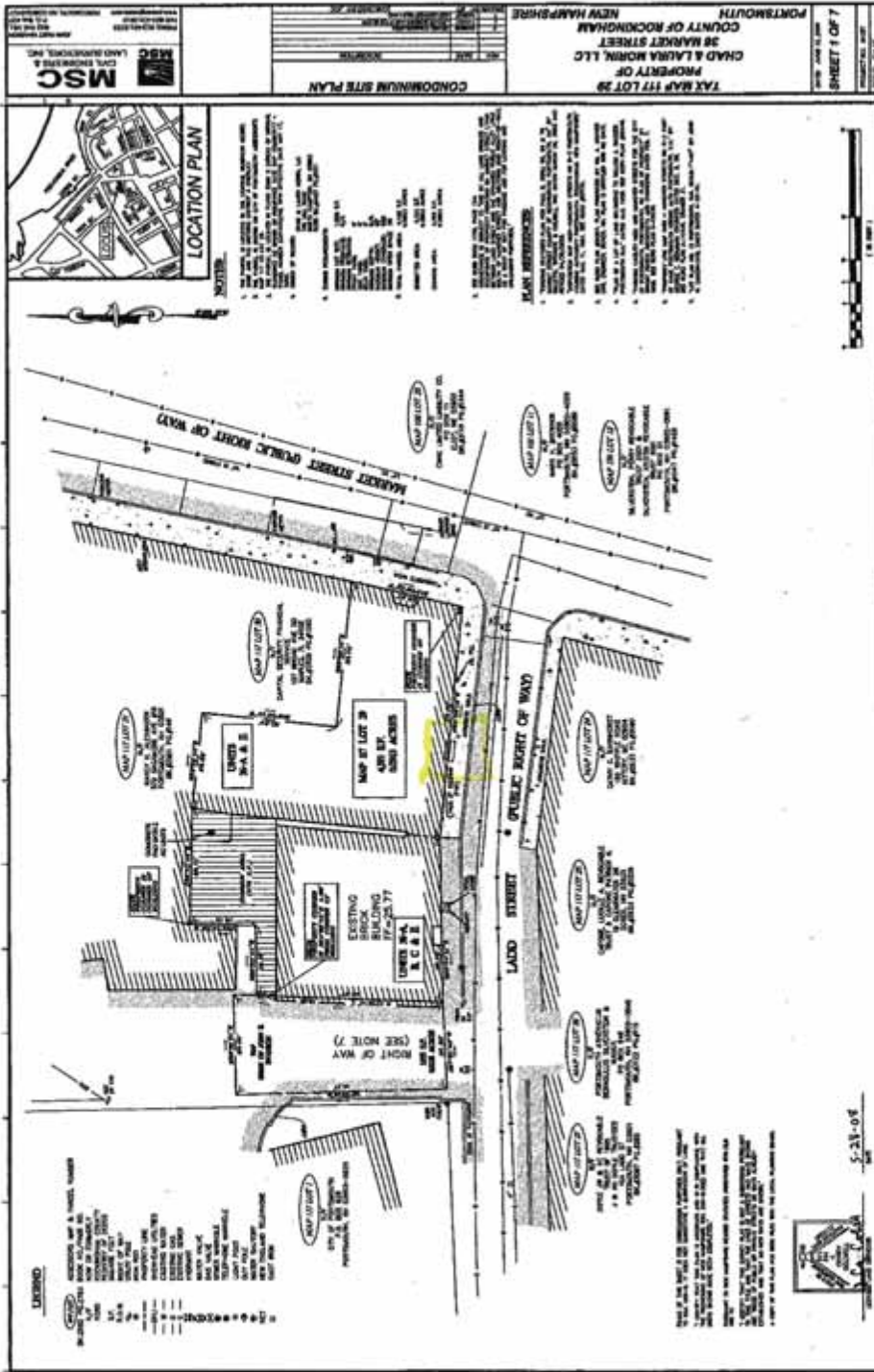
Sincerely,

Rob Sevigny

Attch: Photo  
Site plan







<b>MSC</b> LAND ENGINEERS & ARCHITECTS, INC. 1000 W. MARKET STREET, SUITE 200 PORTSMOUTH, NEW HAMPSHIRE 03801 TEL: 603-863-1100 FAX: 603-863-1101 WWW.MSC-NEA.COM		TAX MAP 117 LOT 29 PROPERTY OF CHAD & LAURA MORIN, LLC 38 MARKET STREET COUNTY OF ROCKINGHAM NEW HAMPSHIRE	SHEET 1 OF 7 DATE: 5-21-08 DRAWN BY: JMM CHECKED BY: JMM
DATE: 5-21-08 DRAWN BY: JMM CHECKED BY: JMM	DATE: 5-21-08 DRAWN BY: JMM CHECKED BY: JMM	DATE: 5-21-08 DRAWN BY: JMM CHECKED BY: JMM	DATE: 5-21-08 DRAWN BY: JMM CHECKED BY: JMM

D-35508 Sheet 1 of 7



5-21-08

THIS PLAN HAS BEEN PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF MAINE. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON. I AM NOT PROVIDING ANY GUARANTEE OR WARRANTY, EXPRESS OR IMPLIED, FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED HEREON.

- LEGEND**
- EXISTING LOT BOUNDARIES
  - EXISTING BUILDING FOOTPRINT
  - EXISTING DRIVEWAY
  - EXISTING SIDEWALK
  - EXISTING CURB
  - EXISTING STREET
  - EXISTING PUBLIC RIGHT OF WAY
  - EXISTING UTILITY LINES
  - EXISTING EASEMENTS
  - EXISTING ENCROACHMENTS
  - EXISTING SETBACKS
  - EXISTING ZONING
  - EXISTING DEED RECORDS
  - EXISTING SURVEY DATA
  - EXISTING ADJACENT PROPERTIES
  - EXISTING ADJACENT PUBLIC RIGHTS OF WAY
  - EXISTING ADJACENT UTILITIES
  - EXISTING ADJACENT EASEMENTS
  - EXISTING ADJACENT ENCROACHMENTS
  - EXISTING ADJACENT SETBACKS
  - EXISTING ADJACENT ZONING
  - EXISTING ADJACENT DEED RECORDS
  - EXISTING ADJACENT SURVEY DATA

**RIVERSIDE & PICKERING**  
MARINE CONTRACTORS

07/05/2013

Mr. Eric Spear, Mayor of Portsmouth  
and Members of the Portsmouth City Council  
1 Junkins Avenue  
Portsmouth, NH 03801

RE: Request for minor amendment to the License Agreement between Priscilla Semprini, Trustee of the Priscilla Semprini Revocable Trust of 2010, 300 New Castle Avenue and the City of Portsmouth.

Dear Mayor Spear and Members of the City Council,

On behalf of Priscilla Semprini, Trustee of the Priscilla Semprini Revocable Trust of 2010 I am writing to respectfully request a minor amendment to the existing Revocable License Agreement between Priscilla Semprini and the City regarding a docking structure to be located along the New Castle Avenue Seawall in front of her parcel at 300 New Castle Ave.

Currently under condition one of the agreement *"the Dock provided for in this agreement shall be constructed in the same location and in the same shape and configuration as the Dock which existed across New Castle Avenue from the Premises prior to the reconstruction of the New Castle Avenue seawall in 2006-2007, which is adjacent to the Gate. The location of the dock is more particularly shown and identified as STA 9+38 LT on a plan entitled "New Castle Avenue – Portsmouth, NH Restoration Plan", a copy of which is on file with the Grantor"*. The Dock, as previously existed, was an unorthodox configuration and inconsistent with most of the traditional pier-gangway-float style docking systems found in Portsmouth. The Dock was comprised of a set of stairs leading down to an approximately 488 sq/ft floating docking system (total approximate square footage for docking system was 512). This docking system, if replaced in kind, would not meet current Department of Environmental Services' (DES) regulations. The stairs would have a direct impact to the marsh grass restoration that has taken hold in the immediate area as they would land directly in the marsh grass bed.

As a more environmentally sound and aesthetically conforming alternative to the previously existing docking structure a traditional 6 foot wide by 12 foot long fixed pier on piles with a 3 foot wide by 25 foot long gangway landing on a 10 foot wide by 24 foot long float is proposed (see the attached plan for more details). This proposed dock will be located in the same location as the previously existing structure utilizing the existing Gate. The docking structure proposed has been designed to meet all of the current DES regulations and is approximately 125 square feet smaller than the previously existing dock. Both DES and the Army Corps of Engineers (ACOE) have reviewed and approved the application for this proposed dock. We respectfully request that the license agreement be amended to reflect the proposed docking structure.

Thank you Mayor Spear and Members of the City Council for your time in reviewing this request. If you should have any questions regarding the request for amendment or the construction plans please do not hesitate to contact me directly using my information below.

Sincerely,

Zachary Taylor  
Director of Operations  
Riverside & Pickering Marine Contractors  
Office: (207) 451-9229  
Fax: (207) 703-0354  
Email: zach@riversideandpickering.com

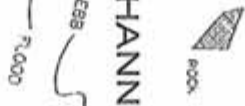
**Docks \* Piers \* Pile Driving \* Seawalls \* Residential \* Commercial \* Marine Towing**  
Office: 207-451-9229 Fax: 207-703-0354 P.O. Box 368 Eliot, Maine 03903

[www.RiversideandPickering.com](http://www.RiversideandPickering.com)

A division of Riverside Marine Construction Inc.

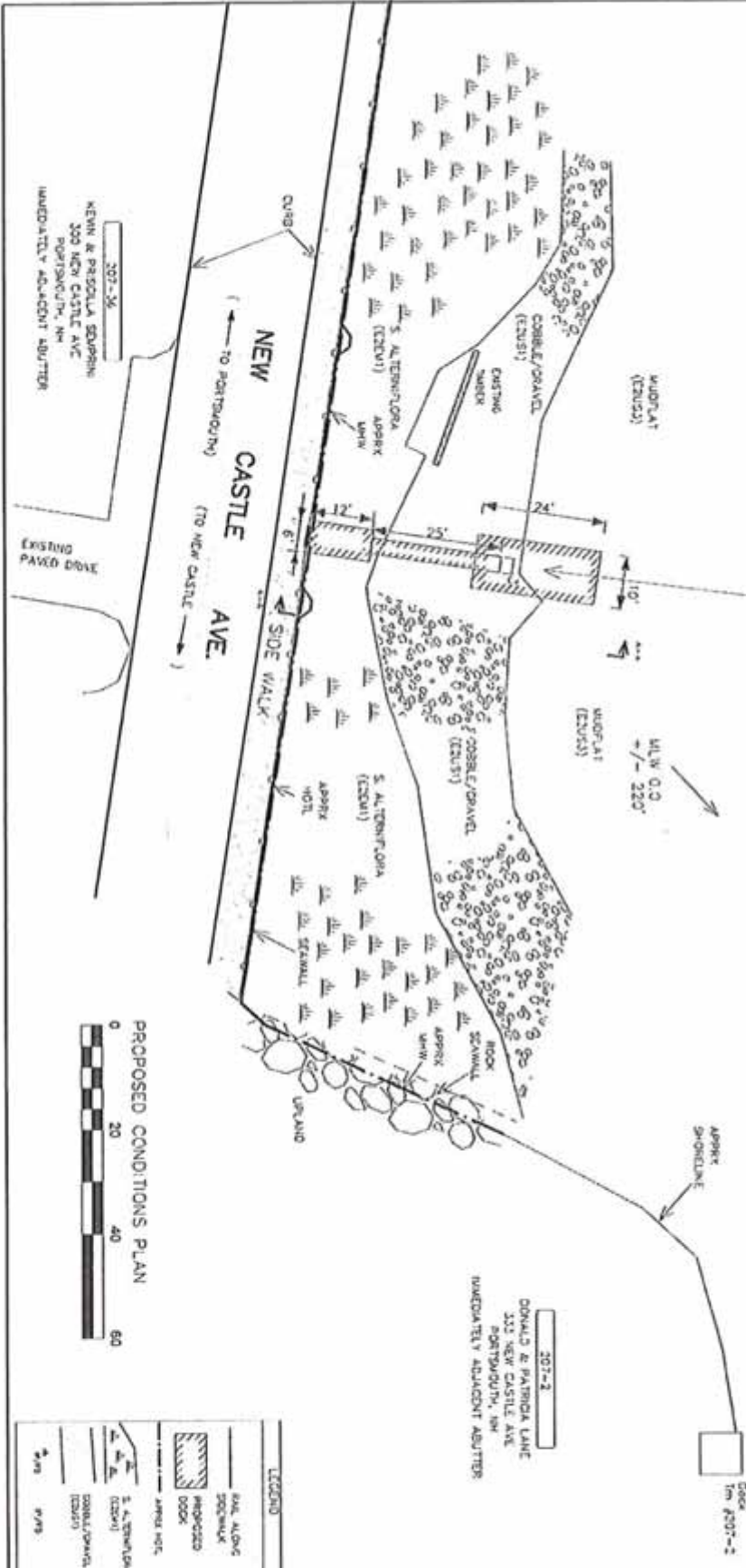
PLAN REFERENCES  
 1) NEW CASTLE AVENUE SEAWALL RECONSTRUCTION PLANS, PORTSMOUTH, NH  
 DATED MAY 2005 BY FAY, SPITTOFF & THORNDIKE, LLC FOR THE CITY OF  
 PORTSMOUTH

**BACK CHANNEL**



**PROPOSED PIER**  
 5'x12' FIXED PIER  
 3'x25' ALUMINUM GANGWAY  
 10'x24' FLOAT LOCATED  
 BY MOORINGS

M/LW O.C.  
 +/- 2.20'



**LEGEND**

	FALL ALONG SEAWALL
	PROPOSED DOCK
	APPRIV NOTE
	S. ALTONFLOGA (EAST)
	COBBLE/GRAVEL
	APPRIV



207-2  
 DONALD & PATRICIA LAHRT  
 305 NEW CASTLE AVE  
 PORTSMOUTH, NH  
 IMMEDIATELY ADJACENT ADUTTER

**REVISIONS**

No.	Description	When
1		

**RIVERSIDE & PICKERING**  
 MARINE CONTRACTORS

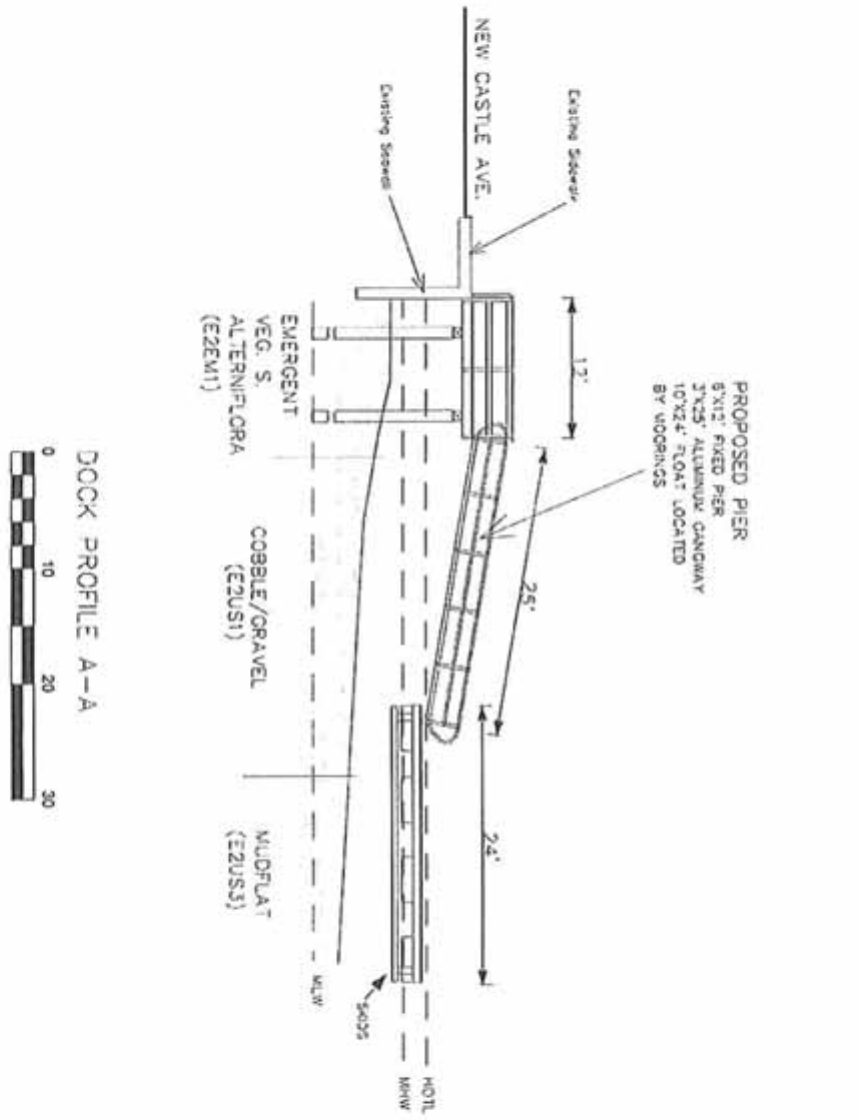
**CITY OF PORTSMOUTH**  
**PROPOSED PIER**

Address: ADMIRAL 53 May 207-36 City: PORTSMOUTH, NH  
 Plot & Lot #: 207-35 Drawing Scale: 1"=20'

Date: 12/31/2012  
 Drawn By: APF  
 Checked By: JCR

Plan No. 555-12  
 Sheet 1 of 5


- NOTES
- 1) M.W IS +/- 220' AWAY SO FLOAT WILL BE DRY AT LOW TIDE. FLOAT WILL BE SUPPORTED BY SKIDS
  - 2) ALL PILING AND STRUCTURAL TIMBER WILL BE PRESSURE TREATED SYP. THE RAMP WILL BE MADE OF ALUMINUM WITH RUBBER NON-SLIP DECKING.
  - 3) THE PROPOSED STRUCTURE WILL BE BUILT TO INDUSTRY STANDARDS WITH A 1 FOOT TO 1 FOOT RATIO OF PIER WIDTH TO DISTANCE FROM THE BOTTOM OF THE LONGITUDINAL SUPPORTS ABOVE THE SUBSTRATE (INHIBITING WETLANDS VEGETATION).



<b>REVISIONS</b> Rev Description Purpose		<b>RIVERSIDE &amp; PICKERING</b> <b>MARINE CONTRACTORS</b>	<b>CITY OF PORTSMOUTH</b> <b>PROPOSED PIER</b>		Date: 12/31/2012
					Drawn By: APF
				Checked By: JCI	
Title: 556-12 Date: 2/12/12		Address: ADJACENT TO TRF 337-26 City: PORTSMOUTH, NH		Sheet: 2 of 2	

**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

***Office of the City Manager***

**Date:** July 11, 2013  
**To:** Honorable Mayor Eric Spear and City Council Members  
**From:** John P. Bohenko, City Manager   
**Re:** City Manager's Comments on July 15, 2013 City Council Agenda

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*6:00 p.m. – Non-meeting with counsel.*

For details on this matter, please refer to the confidential envelope inserted in the inside pocket of your binder.

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

1. **Request for First Reading of Proposed Bonding Resolutions Re: City Improvements, Peirce Island Wastewater Treatment Plant Upgrades, and Pease Wastewater Treatment Plant Upgrades.** As a result of the June 17th City Council meeting, under Section VIII of the Agenda, I am bringing back for first reading the attached Bonding Resolutions of up to Nineteen Million Two Hundred Fifty Thousand Dollars (\$19,250,000) for the FY 2014 – 2019 Capital Improvement Projects.

As you are aware, in the FY14 Capital Improvement Plan, there are projects that require bonding authorization from the City Council in order for the projects to move forward. The following list identifies three separate resolutions, which are attached.

A. **Resolution for bond authorization of up to \$5,750,000 for FY14 City Improvements.** As a result of the June 17<sup>th</sup> City Council meeting,

- **Citywide Facilities Capital Improvements - \$1,000,000:** (*page II-44 and II-45 of Budget Booklet FY14, which are attached*)

The Public Works Department has the maintenance responsibilities for all municipal facilities. These facilities are wide ranging and

serve multiple uses. Due to age and usage, many facilities are in need of updating in order to continue their availability to the general public and the programs conducted within.

The Public Works Department staff will identify the renovations and improvements required at each facility. This project is being set up so that the expenditures are utilized over a three-year time frame.

- **Citywide Sidewalk Reconstruction Program - \$800,000:** *(page II-63 and II- 64 of Budget Booklet FY14, which are attached)*

This program relies on a management program and is funded on a two-year schedule to address the need to upgrade existing sidewalk surfaces on a priority basis. The sidewalk inventory consists of over 50 miles of sidewalks, made from asphalt, concrete, brick or stone. Some \$20,000,000 of reconstruction work is required to bring these to standard. Reconstruction is based upon need and is coordinated with other street improvements.

- **McDonough Street Area Improvements - \$400,000:** *(page II-68 of Budget Booklet FY14, which is attached)*

This project is at the request of the Islington Creek Neighborhood Association to have new sidewalks and traffic calming measures installed throughout the McDonough Street Area. The main purpose of this project is to enhance safety for the residents and others who travel through this area on foot, by bicycle and motor vehicle. This area is a mixed use of residential, commercial and industrial uses sandwiched between Islington Street and the North Mill Pond. The work will include water, sewer, storm drainage, paving, curbing and associated landscaping constructed in a phased approach that began in FY10.

- **Gateway Improvements-Exit 7 - \$550,000:** *(page II-72 of Budget Booklet FY14, which is attached)*

This project is a continuation of phased improvements along the Market Street right-of-way as it extends from the I-95 to Deer Street. Some of the proposed improvements are part of a cooperative effort between the City and NHDOT to improve the I-95 Exit 7 interchange (currently ongoing) and to provide safe pedestrian and bicycle travel along the road. The first phase of this project from Deer Street to Russell Street is complete and included streetscape and traffic calming improvements such as widened concrete sidewalks with a brick detail, installation of new historic

street lights, landscaping, new granite curb and roadway paving. In addition to these improvements, a transportation grant enabled the City to construct a sidewalk and bike lane along the north side of the gateway. The next phase involves design and construction of improvements from the I-95 Exit 7 interchange to the Route 1 Bypass Bridge. This will be followed by successive alternating design and construction phases of improvements until the streetscape is complete.

- **Street Paving, Management and Rehabilitation - \$2,500,000:** *(page II-73 and II-74 of Budget Booklet FY14, which are attached)*

In 1993 the City funded a *Pavement Management Study* to implement a *Pavement Management Program*. This program produces a report showing existing conditions for each publicly owned street priority ranking for best dollar investment and has the ability to show "What If" scenarios and estimated project costs. These scenarios are also able to project future street conditions based upon various levels of expenditures. An expenditure of \$1,250,000 per year over the next twenty years would greatly improve street conditions. The indicated expenditures are capital costs to implement the improvements over a two-year period with all work lasting 20 years.

- **Islington Street Improvements - \$500,000:** *(page II-75 of Budget Booklet FY14, which is attached)*

The *Islington Street Improvement Action Plan* was completed in 2009 with the goal of improving the appearance of Islington Street in the area between Maplewood Avenue and Rt. 1 Bypass. This project involved development of a plan for capital improvements, regulatory strategies and non-regulatory public/private approaches to revitalization. The streetscape will be enhanced in a coordinated way as properties are improved through the site review process.

The funding was approved in FY 2013 for final design plan of the first section of improvements starting at Congress Street with construction scheduled for FY 2014.

- B. Resolution for bond authorization of up to \$10,000,000 for the Peirce Island Wastewater Treatment Plant Upgrades:** *(Page II-78 of Budget Booklet FY14, which is attached)*

This is the first phase of bonding for the proposed Wastewater Treatment Plant at Peirce Island, which is estimated to cost \$63,000,000. The project identifies the need for a new wastewater treatment facility to bring the

City into compliance with the secondary treatment standards of the new wastewater discharge permit. The City has completed a wastewater master plan and technology verification pilot study which outlines the necessary compliance program. Phase I of this resolution is for permitting, design and the initial construction phase including the demolition of existing structures and the relocation of the main power line.

C. **Resolution for bond authorization of up to \$3,500,000 Pease Wastewater Treatment Plant Upgrades:** *(Page II-79 of Budget Booklet FY14, which is attached)*

This project addresses capital needs at the Pease Wastewater Treatment Facility. Parts of this plant date back to the original 1950's construction and are beyond their useful life. In addition, the Plant's NPDES discharge permit is up for renewal and this item anticipates additional capital needs which may result from a new permit.

*I would recommend that the City Council move the following motions:*

- 1) *Move to pass first reading and schedule a public hearing and adoption of a Bond Resolution for City Improvements in the amount of up to \$5,750,000 at the August 5, 2013 City Council meeting.*
- 2) *Move to pass first reading and schedule a public hearing and adoption of a Bond Resolution for Peirce Island Wastewater Treatment Plant Upgrades in the amount of up to \$10,000,000 at the August 5, 2013 City Council meeting.*
- 3) *Move to pass first reading and schedule a public hearing and adoption of a Bond Resolution for Pease Wastewater Treatment Plant Upgrades in the amount of up to \$3,500,000 at the August 5, 2013 City Council meeting.*

*Please note that Bonding Resolutions require two readings, a public hearing and two-thirds vote of the City Council.*

*Action on this item should take place under Section VIII of the Agenda.*

### ***Consent Agenda:***

1. **Acceptance of Donation to the Coalition Legal Fund.** The Town of Carroll has donated funds in the amount of \$1,000.00 to the Coalition Legal Fund, which will be utilized to continue our fight to eliminate the statewide property tax.

*I would recommend the City Council move to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund. Action on this matter should take place under Section IX of the Agenda.*



2. **Acceptance of Donation for Art-Speak.** Art-Speak requests that the following donation to support Art-Speak's General Administration line item be accepted by the City Council on behalf of Art-Speak:

➤ Catherine Sununu                      \$150.00

*I would recommend the City Council move to accept and approve the donations to Art-Speak for the General Administration line item, as presented. Action on this matter should take place under Section IX of the Agenda.*

3. **Request for License to Install Projecting Sign.** Attached under Section IX of the Agenda is the following request for a projecting sign license (see attached memorandum from Rick Taintor, Planning Director):

➤ Shelia McMahon, owner of Man Cave Cut & Style for property located at 10A Ladd Street.

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

### ***City Manager's Items Which Require Action:***

1. **Report Back Re: Proposal for Mobile Vending.** As you will recall, the City received a request from Michael Prete of The Kitchen Restaurant Group to conduct mobile vending. See attached letter request previously provided to the City Council. In 2010, the Portsmouth City Council amended Chapter 6, Article XIII Section 6.1307 to limit vending from parking spaces. That ordinance set up an annual bidding process and a minimum bid amount of \$5,000 for the April 15-November 15 season. Attached is a copy of the ordinance. Earlier this year, the City advertised for bids to conduct vending from the designated parking spaces and no qualified bids were received. Mr. Prete subsequently expressed interest in mobile vending and he has a vehicle which is currently licensed by the Health Department.

Staff has reviewed Mr. Prete's request and offers the following:

- (1) Mr. Prete's request to vend from a parking space on Hanover and one on State Street (alternating) is not in the best interest of the City. Among other concerns, the construction activities on Hanover are such that mobile vending would further complicate traffic and pedestrian control measures. Staff has no concern with Mr. Prete vending from the State Street location shown on the attached plan and the spot would be reserved for that purpose.

- (2) Mr. Prete requested a pro-ration of the minimum bid price of \$5,000 given that the season anticipated by the Ordinance is April 15- November 15. The bid price becomes the “license fee” for the use of the parking space for the season. Staff does not recommend pro-ration of the fee. There are annual fees for licensing and permits for other non-vehicular mobile vendors and those fees are not pro-rated. There is no mechanism within the ordinance at this time to pro-rate.
- (3) With regard to his request to pay the fee monthly, Section 6.1307 of Chapter 6, Article XII does not dictate the fee payment structure. The bid documents anticipated two payments one at the commencement of the license and one mid-way through the season. Mr. Prete has requested monthly payments. Staff has no objection to monthly payments in advance of use.

The City Council may elect to entertain this special license request or not. Mr. Prete will attend the City Council meeting in the event questions arise. He is aware of the City staff's recommendations and anticipates proceeding with mobile vending if granted by the City Council.

*If the City Council wishes to move forward with the license request:*

*I would recommend the City Council move to authorize the City Manager to enter into a license agreement with the Kitchen for mobile vending in accordance with the terms recommended by staff.*

2. **Proposed Memorandum of Understanding between the Town of Kittery and the City of Portsmouth Re: Illumination of the Memorial Bridge.** Attached is a proposed Memorandum of Understanding (MOU) between the Town of Kittery and the City of Portsmouth regarding the ongoing operation and maintenance of the illumination of the Memorial Bridge. As you are aware, the Bridge Illumination Trust is anticipated to have sufficient funds for operation and maintenance until 2018 (five years). The agreement calls for each community sharing the costs equally. The Town of Kittery wanted to put a cap on the costs not to exceed \$5,000 in total. If operational and maintenance costs exceed that number, then each side will meet to negotiate a sum to be paid by each party. The MOU is written in such a way to allow either party to terminate the Agreement at any time.

*I would recommend the City Council move to authorize the City Manager to execute this Memorandum of Understanding between the Town of Kittery and the City of Portsmouth for the bridge illumination project.*

3. **Report Back Re: Sidewalk Policy Richards Avenue.** As follow-up to City Council's action at its May 20, 2013 meeting, I along with City staff held a public meeting with residents of Richards Avenue to discuss sidewalk material choice. Residents had requested brick sidewalks in lieu of concrete on their street which required a waiver from City Policy No. 2010-02 (see attached policy). This policy dictates brick sidewalks in the Historic District of the City and concrete in other areas of the City.

The City Council reviewed this request and at their March 18, 2013 voted to allow the change in material contingent upon the residents paying the incremental cost increase for the change from concrete to brick. The total cost impact was estimated at \$30,660 approximately \$1,000 per property.

The residents were informed of the Council decision and reacted with letters outlining their concerns related to the process and costs associated with the decision. These letters resulted in the City Council's reconsideration of the waiver request and a Council vote to refer the matter to the City Manager for further consideration.

After meeting with residents and reviewing the area as it relates to the intent of City Policy No. 2010-02, it is staff's recommendation that the City Council grant the waiver request to install brick sidewalks on Richards Avenue from Middle Street to Parrott Avenue on both sides of the street.

This recommendation is based on the following:

- The area has historic significance as one of the first subdivisions in the City dating back to the early 1800's.
- This area was previously part of the Historic District
- This section of Richards Avenue is a thoroughfare to many public destinations including Leary Field, Portsmouth Middle School, and Portsmouth Public Library and as such acts as a gateway to Historic Portsmouth
- A formal request has been made to the Historic District Commission to include this area in Historic District limits

*I would recommend the City Council move to grant the waiver request to install brick sidewalks on Richards Avenue from Middle Street to Parrott Avenue on both sides of the street.*

### ***Informational Items:***

1. **Events Listing.** For your information, attached is a copy of the Events Listing updated after the last City Council meeting on June 17, 2013. In addition, this now can be found on the City's website.
2. **Report Back Re: Adopt a Spot.** The City has had an Adopt -A- Spot Program since 1995. The intent of the program is to involve members of our community in helping to beautify our City through volunteer efforts, and to offset the workload of municipal employees who are unable to start new garden areas throughout the City.

The program has evolved over the years gaining and losing spots with a high in 1998 of over 60 spots and 155 volunteers. Currently there are approximately 40 active sites.

Due to changes in staffing, the previous level of support and communications with volunteers has not been maintained. Currently, upon request, City provides loam and mulch to volunteers as well as safety vests and protective glasses. In addition, yard waste and trash from the areas is picked up.

Information about the Adopt -A- Spot Program is on the City's Web site in the Public Works directory.

Planned efforts to refresh the Adopt -A- Spot Program include:

- Inventorying the past and present Adopt -A- Spots
  - Update applications and waiver forms
  - Reaching out to volunteers to let them know our appreciation for their efforts and to inform them of the resources available to support their efforts
  - Prepare outreach material for prospective volunteers
  - Reach out at the end of season to express appreciation to our volunteers
3. **Water/Sewer Connection Fees.** For your information, attached is a memorandum from Brian Goetz, Deputy Director of Public Works, regarding water/sewer connection fees.
  4. **Update on City Transportation Projects.** Attached is a memorandum from Juliet Walker, Transportation Planner, giving the City Council an update regarding City transportation projects.

To: City Manager  
Portsmouth, NH

6/7/13

From: Michael Prete / Matthew Greco  
The Kitchen on Islington Street  
Sandwich Kings Food Truck



Re: Food Truck Vending from Downtown Portsmouth

Hello,

My name is Michael Prete. My business partner, Matthew Greco and I are looking to take advantage of the mobile vending opportunity in downtown Portsmouth.

We currently have a licensed food truck here in Portsmouth operating in a catering capacity and visiting local businesses. We differ from your typical vending truck as our truck has a full service kitchen inside. All the food is made to order and fresh. It allows us the capability of continuing the quality of foods we prepare and serve at our restaurant on Islington Street.

The menu for lunch would consist of Sandwiches of a few variations, much like the items on our menu. The menu towards evening would be the same but include a couple hot type dinner items.

We would serve all of this on compostable paper, plates/bowls and we would supply a garbage that we dispose of. We have nothing that would impact the sidewalks or road. Shelves are built into the truck and the window acts a small canopy. The truck is the size of a small UPS truck so there wouldn't be any obstruction as far as parking.

After a few conversations, we are asking to pro-rate the \$5,000.00 fee for the season and break it out into those months in payment form.

We would also like to sell from both locations that are available. We feel one spot is great for day, while the other is geared towards evening. We know this would change when another vendor enters the equation.

Thank you very much for this opportunity. With the limitations and issues we have on Islington/Brewster this is a great thing for our business.

Michael Prete

The Kitchen Restaurant Group 171 Islington Street Portsmouth, NH 03801



### **Section 6.1306: PROHIBITED CONDUCT - SIDEWALK VENDORS**

In addition to the conduct prohibited by Section 6.1305, a vendor selling from a stand on the sidewalk shall not:

- A. Vend at any location where the unobstructed sidewalk area after deducting the area occupied by the stand is less than three (3) feet in width;
- B. Vend within thirty (30) feet of any driveway entrance to a police or fire station, or within ten (10) feet of any other driveway;
- C. Allow the stand or any other item relating to the operation of the vending business to lean against or hang from any building or other structure lawfully placed on public property, without the owner's written permission.

### **Section 6.1307: PROHIBITED CONDUCT - VENDOR FROM MOTOR VEHICLE**

In addition to the conduct prohibited by Section 6.1305 a vendor selling from a motor vehicle shall not:

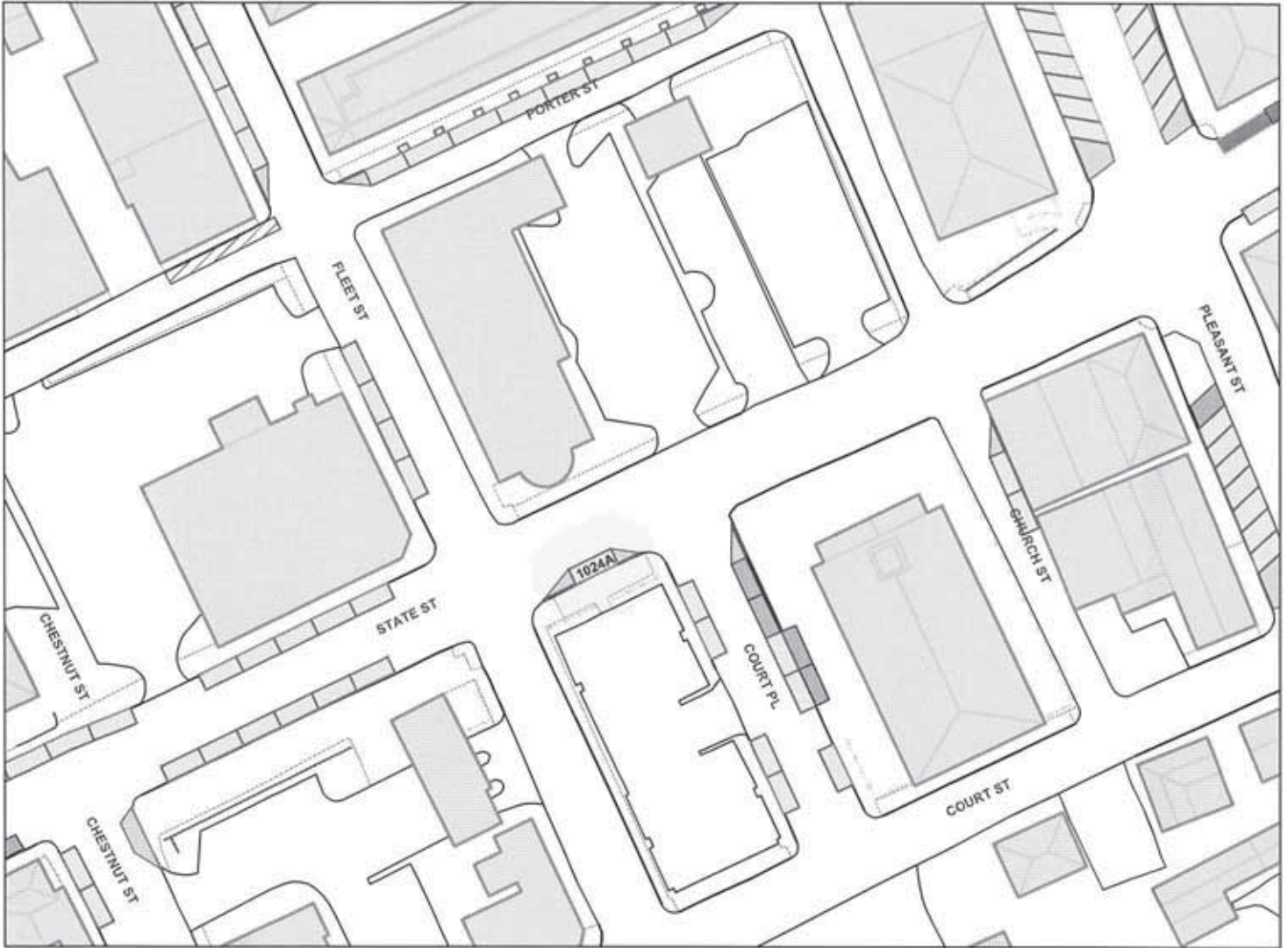
- A. Conduct his motorized business in such a way as would restrict or interfere with the ingress or egress of the abutting property owner or tenant, or create or become a public nuisance, increase traffic congestion or delay, or constitute a hazard to traffic, life or property, or an obstruction to adequate access to fire, police, or sanitation vehicles;
- B. Stop, stand, or park his vehicle upon any street, or permit it to remain there except on the roadway at the curb for the purpose of vending therefrom;
- C. Stop, stand, or park his vehicle upon any street for the purpose of selling or sell on any street under any circumstances during the hours when parking, or stopping or standing has been prohibited or is prohibited by statute by signs or curb markings or Ordinance;
- D. Vend from a municipal parking space except from those locations, not to exceed more than three (3) locations, identified for vending by the Parking Committee and ratified by the City Council through the acceptance of the Parking Committee's minutes and subject to the following limitations: (Amended 02/16/2010)

The vending spaces shall be available from April 15 – November 15 of each year.

In order to utilize such spaces, vendor must be the highest qualified bidder for use of such vending space, agreeing to all terms and conditions of the bid.

The Parking Committee shall be responsible for preparing annually a bid document in coordination with other municipal departments, including the purchasing and legal departments.

There shall be a minimum bid price of \$5,000.00 or such minimum bid price as may be established in accord with Chapter 1, Article XVI relative to the adoption of fees by City Council budget resolution.



State Street - Vending Space #1024A

**MEMORANDUM OF UNDERSTANDING BETWEEN  
TOWN OF KITTERY MAINE AND CITY OF PORTSMOUTH NEW HAMPSHIRE  
REGARDING THE ILLUMINATION OF THE MEMORIAL BRIDGE**

The City of Portsmouth a New Hampshire municipal corporation with a principal place of business at 1 Junkins Avenue, Portsmouth, County of Rockingham, State of New Hampshire 03801 (hereinafter "City") and Town of Kittery, a Maine municipal corporation with a principal place of business at 200 Rogers Road, Kittery, County of York and State of Maine 03904 (hereinafter "Town") hereby enter this Memorandum of Understanding under the terms and conditions contained herein:

**WHEREAS**, the City and the Town desire to provide for the ongoing operational and capital expenses required to maintain the illumination of the Memorial Bridge over the Piscataqua River connecting the municipalities; and

**WHEREAS**, the City has provided for the creation and funding of a Memorial Bridge Illumination Trust (hereinafter "the Trust") as repository of funds for that purpose; and

**WHEREAS**, the City has entered into an agreement with the New Hampshire Department of Transportation (hereinafter "NHDOT") under which the City is responsible for the ongoing operational and capital expenses required to the illumination of the Memorial Bridge (hereinafter "the Agreement"); and

**WHEREAS**, the Trust is intended by the City to be source of funds for payment of its obligation to the New Hampshire Department of Transportation under the Agreement to be financially responsible for the operational maintenance and capital improvements required for the Memorial Bridge Illumination, and



**WHEREAS**, the Town although not a party to the Trust or the Agreement desires to contribute to the ongoing operational and capital expenses required to illuminate the Memorial Bridge.

**NOW THEREFORE**, the City and the Town agree as follows:

1. The Town agrees to pay into the Trust on an annual basis after billing by the City, a sum equal to one-half (1/2) of the bona fide ongoing operational and capital expenses required to illuminate the Memorial Bridge for the preceding year.
2. All funds paid by the Town under this Agreement shall be paid directly to the Memorial Bridge Illumination Trust administered by the Trustees of Trust Funds of the City of Portsmouth.
3. This Memorandum of Understanding may be terminated at any time by either the Town or the City by providing written notice to the other party.
4. Should operational costs in any one year exceed \$5,000 in total, the parties will have the right to negotiate sum to be paid by each party, and the right to terminate their participation in this Memorandum of Understanding immediately upon written notice to the other party.

**TOWN OF KITTERY**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Maryann Place, Acting Town Manager  
Pursuant to vote of the Town Council on  
\_\_\_\_\_.

**THE CITY OF PORTSMOUTH**

Dated: \_\_\_\_\_

\_\_\_\_\_  
John P. Bohenko, City Manager  
Pursuant to vote of the City Council on  
April 15, 2013.



## CITY OF PORTSMOUTH

### CITY COUNCIL POLICY No. 2010 - 02

#### POLICY REGARDING BRICK SIDEWALKS

**WHEREAS**, there are aesthetic and cost concerns regarding any municipal decision to construct, repair or replace sidewalks using either brick or concrete; and

**WHEREAS**, the determination of the materials to be used in sidewalk construction repair and replacement must be made early in the design and engineering process in order to accommodate the City's bidding and contractual policies.

**NOW THEREFORE**, the City Council adopts the following policy:

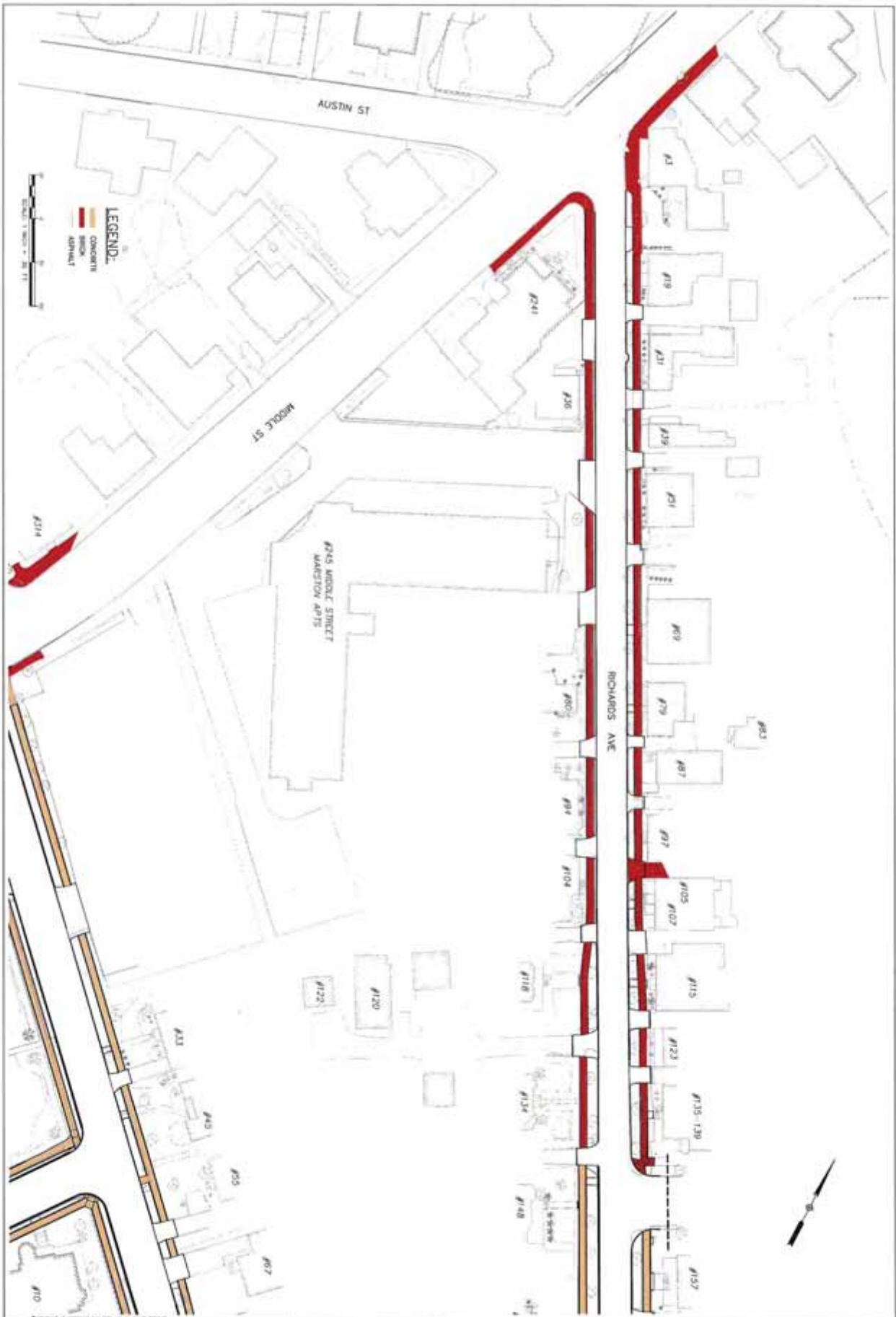
- A. Whenever sidewalks are constructed, repaired or replaced in the City the following shall apply:
1. Sidewalks within the Historic District will be brick, with the exception of the following streets which will be concrete:
    - a. Islington Street,
    - b. New Castle Avenue east of Marcy Street,
    - c. Middle Street and Lafayette Road south of Aldrich Road; and
    - d. All streets west of the easterly shore of the North Mill Pond, with the exception of Nobles Island.

(All as shown on Exhibit A attached hereto.)
  2. Sidewalk material for sidewalks located outside the Historic District which have historically been brick will be determined by vote of the City Council.
  3. Where a sidewalk is located both within the Historic District and outside of the Historic District, the relative portion of the sidewalk that is greater in length shall determine whether the sidewalk shall be brick or concrete.
  4. All other sidewalks will be concrete.

This policy shall take effect upon the passage by the City Council.

Adopted by the Portsmouth City Council on May 17, 2010.

  
Kelli L. Barnaby, CMC/CNHMC  
City Clerk



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## Event Listing by Date

Starting Date: 6/17/2013

Ending Date: 1/31/2014

Start End	Type Description	Location	Requestor	Vote Date
6/22/2013 6/22/2013	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 4/2012
6/22/2013 6/23/2013	ROAD RACE Contact: Garfield Jones of Fattman Productions at (617) 916-2002 or Garfield@fattmanproductions.com. This is the Cambridge, MA based Community Running Association in conjunction with the New England Chapter of the American Liver Foundation 24 hour relay.	Along Seacoast Route 1A, South Street, Municipal P	Fattman Productions	1/ 7/2013
6/29/2013 6/29/2013	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series that starts at 5:00 p.m. to 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 4/2012
7/ 3/2013 7/ 3/2013	FIREWORKS Rus Wilson is the contact for this event. This event is scheduled for July 3rd, beginning at 9:15 p.m., at Leary Field. The raindate of the event is July 5, 2013, at 9:15 p.m., at Leary Field.	Leary Field	City of Portsmouth	/ /
7/ 4/2013 7/ 4/2013	REENACTME Sue Polidra is the contact for this event. This is a reading of the Declaration of Independence in front of the North Church in Market Square at 11:00 a.m. with 4 people and will last about half an hour.	North Church - Market Square	Sue Polidura	6/17/2013
7/ 4/2013 7/ 4/2013	ROAD RACE Contact: Dave Abbett. This 5K event is at the Pease Tradeport.	Pease Tradeport	Sub 5 Race Management	1/ 7/2013
7/ 6/2013 7/ 6/2013	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 4/2012
7/13/2013 7/13/2013	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 4/2012
7/20/2013 7/20/2013	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 4/2012
7/27/2013 7/27/2013	MUSIC Barbara Massar is the contact for this event. This event is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 4/2012
8/ 1/2013 8/ 1/2013	ROAD RACE Justin Finn is the contact for this race. This race begins at Peirce Island at 6:00 p.m. This is part of the Greater Portsmouth Chamber of Commerce Community Road Races.	Peirce Island - Prescott Park Course	Portsmouth Rotary Club Thunder	12/17/2012
8/ 2/2013 8/ 4/2013	TALL SHIP Donald Coker (682-2624) is the contact for this event.	Port	Piscataqua Maritime Commission	/ /

## Event Listing by Date

Starting Date: 6/17/2013

Ending Date: 1/31/2014

Start End	Type Description	Location	Requestor	Vote Date
8/ 3/2013 8/ 3/2013	MUSIC Barbara Massar is the contact for this event. This event is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 4/2012
8/10/2013 8/10/2013	RALLY Cathy Goldwater is the contact for this event. Her telephone number is (603) 860-3756 or (603) 465-7933 E-mail: cathy.goldwater@gmail.com This event begins at 10:00 a.m. in front of the North Church. Ending time is 1:00 p.m.	North Church - Market Square	"350 New Hampshire"	/ /
8/24/2013 8/24/2013	BIKE TOUR Kim Blanchard is the contact for this event. She can be reached at 603-836-4758. This event is to pass through Portsmouth - coming from Maine and going to Rye, NH.	Memorial Bridge to Route 1B to Rye	National Multiple Sclerosis So	5/20/2013
9/ 7/2013 9/ 7/2013	FUND Russell Osgood is the contact for this event - his cell number is (207)451-3052. This event is a motorcycle ride that enters Portsmouth from Maine around Noon. It will come across the new Memorial Bridge, down Daniel Street, through Market Square, out Middle Street and up Lafayette Road ending at the Seacoast Harley in North Hampton.	Through Market Street	Portsmouth Fire Fighters Chari	6/ 3/2013
9/14/2013 9/14/2013	ROAD RACE Community Road Race Series Doug Bates is the contact.	Little Harbour School	BreastCancerStories.org	12/17/2012
9/21/2013 9/22/2013	TOUR Caroline Amport Piper (603-686-4338) and Dave Anderson are the contacts for this event. This is a two-day event from 11:00 a.m. to 3:00 p.m. both days.	South End	Friends of the South End	10/22/2012
9/28/2013 9/29/2013	FESTIVAL David Hallowell is the contact for this event. This event is from Noon to 6:00 p.m. in front of the RiRa Pub and Breaking New Grounds.	Pleasant Street	Portsmouth Maritime Folk Festi	2/ 4/2013
9/28/2013 9/28/2013	ROAD RACE Karen Butz Webb, Executive Director is the contact for this event. This event begins and ends at Portsmouth High School. E-mail address for information is: projectsafetyassociation@gmail.com	Portsmouth High School	Project Safety Association	10/22/2012
9/29/2013 9/29/2013	WALK Contact: Caitlyn Mosher Ellis (617) 393-2092. Strawbery Banke - Walk site opens at 8:30 a.m. for registration, the Walk kicks off at 10:00 a.m. and clean up by 1:00 p.m. The 1.3 and 2.7 mile routes will both go through the downtown area (using Congress Street).	Walk begins and ends at Strawbery Banke	Alzheimer's Association	1/ 7/2013
10/ 5/2013 10/ 5/2013	WALK Ken La Valley, is the contact for this event. Registration begins at 8:00 a.m. and the Walk duration is 10:00 a.m. to Noon. Walk begins and ends at Peirce Island.	Peirce Island	American Foundation for Suicid	5/20/2013
10/12/2013 10/12/2013	ROAD RACE This is a collaborative race with the Community Child Care. Contacts for this event are Ben Anderson of Prescott Park (436-2848) and Catherine Edison of Community Child Care Center (422-8223). This is part of the GPCC road race series.	Little Harbour School - Start and Finish	Prescott Park Arts Festival/Co	3/ 4/2013

Run: 7/10/13  
8:25AM

## Event Listing by Date

Page: 3

Starting Date: 6/17/2013

Ending Date: 1/31/2014

Start End	Type Description	Location	Requestor	Vote Date
11/28/2013 11/28/2013	ROAD RACE Community Road Race Series Doug Bates is the contact.	Peirce Island	Seacoast Rotary Club Turkey Tr	12/17/2012
1/ 1/2014 1/ 1/2014	ROAD RACE Community Road Race Series Doug Bates is the contact.	Little Harbour School	Great Bay Services	12/17/2012

City of  
Portsmouth  
*Department of Public Works*



MEMORANDUM

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**DATE:** June 17, 2013  
**TO:** John P. Bohenko  
City Manager  
**FROM:** Brian Goetz  
Deputy Director of Public Works  
**SUBJECT:** Water/Sewer Connection Fees

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June 17, 2013 City Council Meeting Packet Item XII, C, 2 - "Wastewater Treatment Plant Impact Fees." - The information included with this Council item, included a Town of Durham Department of Public Works Memorandum dated December 9, 2011 from David Cedarholm, P.E., Town Engineer to Todd Selig, Town Administrator indicates the City of Portsmouth's water and sewer service connection fees are \$100 and \$250 respectively. **This information is incomplete.** The City's service connection fee for a residential connection is \$752 for water and \$1,094 for sewer (FY-11 comparison to Durham) exclusive of installation. Commercial fees vary depending upon the size of the water service.

Durham's memorandum provides background information on how they assess water and sewer service connection fees and compares them to surrounding communities. Durham's memo indicated their impact fee "analysis considered the cost of installation, relative system operational costs and the value of system assets." However, their comparison to Portsmouth did not include all the costs associated with Portsmouth's fees.

As follow-up, Durham's Town Engineer was contacted to confirm their methodology. Per telephone conversation with the Town Engineer and follow-up via email correspondence it was confirmed that the comparison of Portsmouth's connection fee versus Durham's did not include the City's Capacity Use Surcharge (CUS) or the cost of installation.

Portsmouth's CUS's for FY-11 were \$652 for water and \$744 for sewer for one Equivalent Residential Dwelling Unit (EDU = 250 gallons per day). An EDU is based on the amount of water/sewer demand a typical single family home uses. Commercial / industrial fees are based on the total daily water demand divided by 250 gallons per day to come up with a total number of EDU's for the proposed development. The CUS is then multiplied by the total number of EDU's to determine the fee to be charged. The developer must supply a registered engineer's letter verifying this calculation and the DPW staff reviews and approves it.

Durham includes their CUS in their connection fee as opposed to the City which calculates it separately and collects the fee prior to turning on the service. Once the City's CUS is included Portsmouth's residential connection fee is \$784 for water and \$1,268 (FY-13 fee schedule) for sewer exclusive of installation. Installation is additional cost that varies depending upon service size and distance to property to be served.

It should be noted, that an evaluation of the City's service connection fees and the methodology used to calculate Capacity Use Surcharge fees is part of the on-going Water/Sewer Rate Study which will be completed prior to the FY-15 budget cycle.

The table below lists examples connection charges for a typical single residential and commercial service.

**Example of Water and Sewer Connections Costs**

SERVICE TYPE	DAILY FLOW (GPD)	# EDU (250 GPD/EDU)	TOTAL WATER FEE	TOTAL SEWER FEE
Single Family	250	1	\$784	\$1,268
Multi- family*	1,000	4	\$2,836	\$4,022
Small Commercial*	2,500	10	\$6,940	\$9,530
Large Commercial*	25,000	100	\$68,500	\$92,150


\* Example fee is based on standard connection fees for a 1 inch service. Actual fee will be slightly higher based on actual service size. Connection costs include, permit fee, connection fee capacity use surcharge exclusive of installation.



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**MEMORANDUM**

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**TO:** JOHN P. BOHENKO, CITY MANAGER  
**FROM:** JULIET WALKER, TRANSPORTATION PLANNER   
**SUBJECT:** UPDATE ON CITY TRANSPORTATION PROJECTS  
**DATE:** 7/10/2013  
**CC:** DAVID ALLEN, DEPUTY CITY MANAGER  
RICK TAINTOR, PLANNING DIRECTOR  
PETER RICE, PUBLIC WORKS DIRECTOR  
MARK NELSON, PARKING AND TRANSPORTATION DIVISION

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City staff is continuing to work on a number of transportation-related projects and infrastructure improvements, many of which are related to suggestions raised in the recent Portsmouth Listens Study Circles reports presented to City Council. A summary and status update on some of these projects is included below. We will continue to update City Council on our progress on these and other transportation-related initiatives on a regular basis.

**Bicycle Friendly Communities Designation**

As previously discussed at the City Council retreat in 2012 and included as a recommendation in the Blue Ribbon Committee on Transportation Policy Committee report, we are working toward designation by the League of American Bicyclists as a Bicycle Friendly Community (BFC). There are approximately 259 communities in the U.S. that have achieved this designation to date. To be awarded the designation there is an application process, and communities must meet a defined set of criteria. For this reason, the steps to achieving BFC designation provides a roadmap to improve conditions for bicycling and the guidance to make our distinct vision for a better, bikeable community a reality. A similar program for Walking Friendly Communities (WFC) is run by the UNC Highway Safety Research Center's Pedestrian and Bicycle Information Center, with support from a variety of national partners. About 36 communities in the U.S. have achieved WFC designation.

We are working toward pursuing BFC and WFC designation in 2014. We feel this is achievable if we make progress in some critical areas.

One of the first priorities to achieve BFC and WFC designations is completion of a Bicycle and Pedestrian Master Plan. The Plan will identify needs and deficiencies, develop guidelines and standards for bicycle and pedestrian facilities, and identify and prioritize facility improvements. Because we want to complete this Plan within 6 to 9 months, we will be hiring a professional consultant with particular expertise in the area of Bicycle and Pedestrian Planning. Planning Department staff is working on a Request for Proposals and hopes to have a consultant on board

by August. The work product from this effort will provide guidance for improving our bicycle and pedestrian infrastructure and will be incorporated into the updated City Master Plan.

Other areas we will need to show progress towards in order to achieve BFC and WFC designations are listed below and the summaries that follow identify some of the projects and infrastructure improvements that we are currently working on that will help us to be successful in these efforts.

- A comprehensive, connected and well-maintained bicycling and pedestrian network
- Adoption of a Complete Streets ordinance or policy
- An active Safe Routes to School program
- An up-to-date community-wide bicycle map
- A Bicycle and Pedestrian Advisory Committee

### **Bike Lanes / Shared Lane Markings**

In support of efforts to become a Bicycle Friendly Community, we are continuing to consider both short-term and long-term measures to expand our bicycle network and make our roadways safer for bicyclists. As a short-term improvement, we will be adding shared lane markings (“sharrows”) on a number of streets throughout the City. Shared lane markings are symbols on the roadway that indicate that the travel lane is shared by both automobiles and bicyclists. Among other things, these markings reinforce the legitimacy of bicycle traffic on the street, alert motor vehicle drivers to the potential presence of bicyclists, and indicate proper bicyclist positioning on the roadway.

Share the road signs have been added on Market Street as part of NHDOT’s roadway improvements at Exit 7. Future improvements in this area (to be considered as part of the Market Street Gateway Project which is currently underway) may include sharrows and extension of a bike lane along Market Street from Russell Street. In the Downtown, sharrows will be added along State Street and Daniel Street. We expect these to be completed in July.

Additional shared lane markings are planned for Dennett Street, Junkins Avenue, Marcy Street, and portions of Pleasant Street, Maplewood Avenue, Middle Street, and Market Street. More sharrow locations are likely to be identified as part of the Bicycle Pedestrian Master Plan expected to be completed by the end of the year.

We continue to work on expanding our network of bicycle lanes, both on-road and off-road. A Safe Routes to School grant was submitted to NHDOT to construct an on-road bicycle route along Middle Street / Lafayette Road between the High School and Downtown. This would include marked bike lanes, pavement markings, and signage as appropriate. Grant awards are expected to be announced at the end of August.

Bicycle lanes are planned as part of the Sagamore Bridge road improvement project, which is expected to be bid out for design later this year.

The City continues to work with the Pease Development Authority on completing the extension of the Pease Bicycle Path along Grafton Road.

City staff members are working with the Rockingham Planning Commission and other Seacoast towns to secure the acquisition of the Hampton Branch railroad right-of-way and its conversion to a multi-use trail. The line that is being abandoned by the railroad runs from Barberry Lane south to Hampton Center, where it connects to an existing State-owned segment that continues to the Massachusetts state line. Ultimately, this corridor will provide a continuous off-road route from Portsmouth to Newburyport and beyond.

City staff have worked with NHDOT to ensure bike lanes were included as part of the Exit 3 road construction project on the Spaulding Turnpike in Newington. This will facilitate connections north from the Portsmouth city limits.

### **Wayfinding**

Phase 1 of the City's new wayfinding program is estimated to be complete by early fall. The goal of this phase of the project is to develop a dependable and standardized wayfinding plan that identifies appropriate wayfinding types, messaging, locations, and uniform design to help people navigate efficiently and safely around the City. The plan will include recommendations for improving guidance for all modes of travel, including motor vehicles, bicycles, and pedestrians. Phase 2 of the project will include fabrication and installation of all or a portion of the wayfinding system. Some of the priorities already identified for Phase 2 include consistent and visible parking signs and directionals, interior and exterior enhancements to the parking garage, and development of a mobile-friendly (internet and smart phone) component to our wayfinding system.

### **Parking Lot Signage**

At the request of the Parking and Traffic Safety Committee, the Department of Public Works has recently added signage for the City's leased lots, including the CCC Church lot on Market Street and the Masonic Temple Lot. DPW has also posted a sign at the McIntyre lot which allows free weekend parking in 33 spaces. Temporary signs are in place to guide the public to the new Vaughan Street Lot; these will become permanent signs mounted on poles once cleared by DigSafe.

### **Crosswalk Improvements**

This summer, the Department of Public Works is focusing efforts on re-painting crosswalks City-wide. There are 392 crosswalks throughout the City. This is a weather-dependent operation, but the City hopes to have most of the needed re-painting completed by the end of July and is hiring an outside contractor to assist in this task.

### **Bicycle Racks**

This spring, we installed one of the City's two bicycle corrals with capacity of 6 bikes each at the South Mill Pond parking lot. This allowed us to double the bicycle parking for this highly utilized area. We are planning to install the second bicycle corral near the Ladd Street entrance of the High Hanover Parking Garage. Jeff Latimer of Gus' Bike Shop has offered to donate a

third bike corral to the City. We are working with Jeff to identify a possible location for this corral.

The Daniel Street streetscape improvement project is wrapping up and will add a total of six (6) of the City's standard inverted U-shaped bicycle racks (2 bike capacity) along both sides of Daniel Street.

In March, the City was awarded a grant in the amount of \$20,000 for bicycle racks and bicycle storage in locations easily accessible to public bus routes. A request for bids has been issued and delivery of the racks is expected by late July. The City's public works staff will begin installing the racks later this summer. The grant application specified the following locations, additional locations may be considered based on evaluation of need and proximity to public bus routes.

- Market Square
- Crossroads House
- Discover Portsmouth Center
- Bridge Street Lot
- Deer St / Russell St
- City Hall
- Prescott Park
- Parking Garage

### **Complete Streets**

The Blue Ribbon Committee on Transportation Policy included a recommendation for the City to adopt a Complete Streets Policy to support creation of City streets that are safe, comfortable, and convenient for travel for everyone – motorists, pedestrians, bicyclists, and public transportation riders. The Planning Department has created a draft Complete Streets Policy. In adopting this policy, the City would commit to following nationally recognized street design standards and reference best practices in street management.

Recent improvements to State Street and Daniel Street in the Downtown have incorporated aspects of Complete Streets principles. As a pilot program to demonstrate how additional Complete Streets principles might be applied to our existing road network, the City has contracted with Resource Systems Group to investigate the feasibility of implementing improvements along the portion of Maplewood Avenue between Congress and Vaughan Streets. One of the tools being considered is a road diet, which involves reducing the number and width of vehicular travel lanes in order to reclaim road space for pedestrians, bicyclists, transit and streetscape enhancements. The study will explore potential benefits and impacts of a road diet on this section of Maplewood and the opportunities for adding on-street parking, bicycle lanes, and accommodating public transit as well as motor vehicle traffic. As a demonstration project, the study will present three alternatives to be reviewed and considered by the community. We expect the three alternatives to be ready for community review and feedback later this month.

### **Bicycle Share**

City staff has explored the potential of establishing a bike share program in Portsmouth. Bike share programs are designed for short distance point-to-point trips and provide users the ability to pick up a bicycle at self-serve bike stations and return the bicycle to another bike station. In researching other communities where bike shares have been successful, we have found that they tend to be larger urban areas than Portsmouth with a fairly robust public transit system. The infrastructure investment includes installation of bike share stations at multiple locations and acquisition of bicycle stock. Initial set-up costs are approximately \$35,000 per bike station. Ongoing maintenance and operating costs per station are estimated at about \$15,000. We have found that the successful bike share programs for smaller cities are either entirely privately run or else are run by a collaborative public / private partnership.

Because Portsmouth is unique compared to other communities where bike share programs have been successful, City staff recommends inviting private and/or non-profit entities through an RFP process to submit proposals for setting up, funding, and running a bike share program in Portsmouth. With no obligation to award the bid, this could be an effective way to assess how viable a bike share program may be and whether there are potential interested partners.

### **Downtown Parking Shuttle**

At the request of the City Council, City staff has been researching options for providing a shuttle that would facilitate quick and convenient passage from parking lots to the heart of the Downtown. We have considered a potential partnership with COAST (the regional public bus service provider). With the assistance of the Chamber, staff is gathering input from downtown businesses about who would be likely to use the shuttle and when. We are also planning to survey riders on the Downtown Loop trolley, which runs on a 20-minute loop around the Downtown for the months of July and August.

#### *Type of Service*

The cost estimate is based on the following assumptions about the service:

- The shuttle would operate for 12 hours a day.
- It would run at a frequency of every 10 minutes. In order to maintain this frequency, the shuttle's route would be restricted from the CCC Church Lot on Market Street to Market Square. To expand the service to other parking areas and still maintain a 10 minute loop time would require adding an additional shuttle (at double the operating cost).
- The shuttle would seat a maximum of 15 (including driver and wheelchair space).

#### *Cost Estimate*

- The total per day cost is approximately \$865 per day. The total estimated annual operating costs for one (1) shuttle running 6-days a week, 12-hours a day is about \$274,200.
- There are no set-up costs included as COAST would use its existing fleet and operators.
- There would be an additional cost for the purchase of count-down clocks indicating expected time of arrival to be located at the bus stops. These costs have not been researched.

### *Options*

- To reduce annual operating costs, the shuttle could be run only on a seasonal basis, between May and October for example to help alleviate traffic congestion during typically peak tourism months.
- Another option for reducing potential operating costs is running the shuttle a few days a week, for example on Thursday, Friday, and Saturday when parking demand tends to be higher.
- A public-private partnership with the business community to help fund the shuttle should be discussed with downtown businesses.



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.



Committee: TAXI COMMISSION

Name: JOHN W. PALREIRO Telephone: 603-957-0138

Could you be contacted at work? YES/NO If so, telephone # 603-326-8294

Street address: 100 Hedgewood Drive, Apt 6

Mailing address (if different): 1465 Woodbury Ave. PMB 360

Email address (for clerk's office communication): JWPALREIRO@GMAIL.COM

How long have you been a resident of Portsmouth? 6 years

Occupational background:

Retired / Part Time Taxi Driver  
V.P. Marketing & Sales - Detroit Auto Industry  
Oil Service Company - President/CEO

Please list experience you have in respect to this Board/Commission:

None



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to serve: Better TAXI Services

Please list any organizations, groups, or other committees you are involved in:

AARP

First Tee

Volunteer Fire Chief, Ricardo, TX

USGA, Member

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) Bill Naugle, 100 Lodgewood Dr. Portsmouth, NH 207-451-7806  
Name, address, telephone number

2) Brian Stone, 7 Heather W, Eliot, Me. 207-252-2759  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: [Signature] Date: 4/29/2013

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes X No

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801





received  
5/24/13

# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.*

Committee: Citywide Neighborhood Steering Committee Initial applicant

Name: Dana Mary Hegre Telephone: 603-418-4301

Could you be contacted at work?  YES  NO If so, telephone # 603-957-5775

Street address: 303 Islington Street #1, Portsmouth, NH 03801

Mailing address (if different): Same

Email address (for clerk's office communication): dhegre@gmail.com

How long have you been a resident of Portsmouth? 4 years

Occupational background:

Employed full-time at Seacoast Mental Health Center, Inc located in Portsmouth, NH.

I am also currently attending Graduate School at the University of New Hampshire for a

Masters degree in Public Health.

Please list experience you have in respect to this Board/Commission:

I have worked in a variety of capacities in the City of Portsmouth and have established

a positive reputation for being actively engaged and concerned with the growth and

development of the city. I am also a volunteer for various organizations, including

Blue Ocean Society, the Music Hall, the Cinderella Project, and running fundraising events. My

education in Public Health exposes me to environmental and social aspects of a healthy community.

OVER  
➔

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO *viewed meeting times online.*

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to serve: I have always been engaged in the community I live in.

I feel Portsmouth is in a critical position for making positive change related to growth and development and I want to be a part of that change. Living in the Islington neighborhood community and talking with neighbors and business owners, I feel I can be a voice and  
and liaison.

Please list any organizations, groups, or other committees you are involved in:

Currently interning with Seacoast Local where I am researching and developing a pedestrian wayfinding program. I am extensively examining urban planning and design and the impact it has on community health. I have been involved with various NH Listens dialogues and am currently involved with Portsmouth Listens.

Please list two character references not related to you or city staff members:  
(*Portsmouth references preferred*)

1) Rob Levey, 1145 Sagamore Avenue, Portsmouth, NH (603) 369-1046  
Name, address, telephone number

2) Maxene Feintuch, 180 Lincoln Avenue, Portsmouth, NH (603) 969-1489  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Dana Mary Hegre Date: May 21, 2013

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes X No     

*Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801*

# ACTION SHEET

## PARKING and TRAFFIC SAFETY COMMITTEE

Councilor Ken Smith, Chairman

To: City Council Meeting of July 15, 2013

Re: Parking and Traffic Safety Committee Meeting held **June 13, 2013**

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### ACTIONS:

- [1] Accepted and placed on file the minutes of the Parking and Traffic Safety Committee Meeting held May 9, 2013.
- [2] Accepted and placed on file the Financial Report.
- [3] **Discussion Regarding City Resident parking discounts:** –
  - On-Street – **MOTION** to drop the pursuit of tokens for meters **passed**.
  - Garage/EasyPark – **MOTION** to direct staff to continue researching the options and revenue impact and come back with a recommendation for inclusion in the FY2015 budget process **passed**.
- [4] **Placement of Pay and Display Receipts in cars** – Update and testimonial given by Parking Enforcement Staff regarding recommending educational outreach to citizens to place parking receipts on the curbside area of the passenger side of the vehicle for easier and safer monitoring by staff. No action taken.
- [5] **Improved Signage needed for parking lots, specifically CCC lot** – **MOTION** to refer to Department of Public Works to implement improved signage **passed**.
- [6] **15-minute parking spaces – policy and location**– Map and location plan reviewed by Committee of current 15 minute spaces. No action taken.
- [7] **Loading Zone at intersection of Fleet and Hanover Streets** – **MOTION** to implement a loading zone in 2 parking spaces and taxi stand space in front of Legends during the hours of 6:00 a.m. to 11:00 a.m. only with proper signage and notice to Taxi Commission **passed**. – ***(This Item is enacted as a temporary regulation and will be considered for inclusion in a future omnibus ordinance)***
- [8] **Curbing on Union Street**– **MOTION** to deny request but with a recommendation for the Public Works Director to work with residents on a curb cut to allow for off-street parking **passed on a 7-1 vote**, Chairman

Smith voted opposed. **MOTION** to review the No-through truck traffic request on Union Street with the Legal Department and to implement the Stealth Stat device to come back with a recommendation at the next Parking and Traffic Safety Committee meeting with a report back **passed**.

[9] **Valet License renewals and Valet on Bow Street Issues**–

- A. Atlantic Parking Services – **Pleasant Street** – Green Monkey and Brazo - **MOTION** to approve the renewal for one year to expire June 30, 2014 **passed**.
- B. Atlantic Parking Services – **State Street** – The Common Man - **MOTION** to approve the renewal for one year to expire June 30, 2014 **passed**.
- C. One Hundred Club Concepts – **100 Market Street** - **MOTION** to approve the renewal for one year to expire June 30, 2014 **passed**.  
*Chairman Smith recused himself and abstained from voting.*
- D. Atlantic Parking Services – **Bow Street** – Wellington Room, Martingale Wharf, Surf Sushi and Surf Restaurant – **MOTION** to approve the renewal for **three months** to expire September 30, 2013 **passed**.

[10] **Free Holiday Parking Period** - **MOTION** to set the 2013 Holiday Parking from ***December 16, 2013 through January 1, 2014*** **passed**.

[11] **Community Campus Circle Safety Issue** –**MOTION** to refer to the Public Works Department to implement the appropriate signage and to notify the businesses **passed**.

[12] **Public Comment**: There was 1 speaker.

**MINUTES**  
**PARKING AND TRAFFIC SAFETY COMMITTEE MEETING**

8:00 A.M. – Thursday, June 13, 2013  
City Hall – Eileen Dondero Foley Council Chambers

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**I. CALL TO ORDER:**

Chairman Ken Smith called the meeting to order at 8:00 a.m.

**II. ROLL CALL:**

**Members Present:**

Councilor Ken Smith, Chair  
John Bohenko, City Manager  
Peter Rice, Public Works Director  
Steve Achilles, Fire Chief  
Frank Warchol, Police Department Rep.  
Ron Cypher, Member  
Ted Gray, Member  
Harold Whitehouse, Member

**Members Absent:**

Shari Donnermeyer, Member

**Staff Advisors Present:**

Mark Nelson, Parking Division Director  
Tom Cocchiaro, Parking Operations Supervisor

**III. ACCEPTANCE OF THE MINUTES:**

**City Manager Bohenko moved to accept the minutes of May 9, 2013, seconded by Mr. Cypher. Motion passed.**

**IV. FINANCIAL REPORT:**

**Mr. Whitehouse moved to accept the Financial Report and place on file. Seconded by City Manager Bohenko and passed.**

**V. NEW BUSINESS:**

A. Discussion Item: City resident parking discounts:

- On Street
- In Garage
- Using EasyPark

Public Works Director Rice explained that they have been exploring discount options in the 3 general categories but they present challenges operationally and administratively. He stated that requiring proof of residency for the discount would be difficult. Additionally, offering tokens at a discounted rate would require for the tokens to be separated from coins and result in an increase in administrative costs as well as the cost to modify the meters.

City Manager Bohenko stated that it is a well-intentioned idea but would be going backwards to utilize tokens. He stated that we should be focusing our efforts on technology-driven programs i.e., smart phones etc.

**City Manager Bohenko moved to drop the pursuit of tokens. Seconded by Mr. Whitehouse and passed.**

Public Works Director Rice then discussed the possibility of offering discounts on the EasyPark system stating that there is a monthly membership fee as well as a fee to load the EasyPark and is administered through the Parking Clerk's Office. He stated that if a discount was offered, the City would have to make up the difference in the cost. He concluded by stating that this device is also used in other cities i.e., Dover, so there is potential for abuse. He stated that there would be a similar issue with how residency would be proved, etc. but he would like to see this steered towards implementing with the FY15 budget process if it goes forward.

City Manager Bohenko stated that the first question to be answered is whether the City wants to offer parking discounts to residents and would be a policy decision by the City Council. He stated we are looking to push people towards parking in the garage where there are already discounts offered. He stated there is a discount of the first hour free in the garage which has reduced revenue by 20%. He suggested that any further discounts should be brought forward for the FY15 budget process.

**City Manager Bohenko moved to direct staff to continue researching the options and revenue impact and come back with a recommendation for inclusion in the FY2015 budget process. Seconded by Captain Warchol and passed.**

B. Discussion Item: EasyPark usage in the Parking Garage

Parking and Transportation Director Nelson explained that this is still ongoing as the technology is not there yet to match the current system.

City Manager Bohenko stated this will be a part of the Capital Improvements Plan process and are looking to make sure that the two systems don't oppose each other.

Chairman Smith stated there will be a report back at a future meeting.

C. Discussion Item: Placement of Pay and Display Receipts in cars

Public Works Director Rice explained that there has been a concern raised by the parking enforcement officers regarding their ability to read the Pay and Display parking receipts. He stated that the enforcement officers are requesting that they be located on the sidewalk/passenger side of the vehicle as they often have to go into the street to read them on the driver side. He further stated that the directions on the Pay and Display state to "Display the Receipt visibly on the Inside of Vehicle's Dashboard" but doesn't specify where. He stated he is recommending educational outreach to citizens to place parking receipts on the curbside area of the passenger side of the vehicle for easier and safer monitoring by staff.

Chairman Smith asked if that would be the case with the EasyPark Device as well. Public Works Director Rice stated yes.

Several Parking Enforcement Officers were in attendance and spoke to the request and their concerns for safely performing their duties.

Public Works Director Rice stated he and the staff will work on a new design for the ticket systems and report back at a later date.

D. Discussion Item: Improved Signage needed for parking lots, specifically CCC lot

Public Works Director Rice explained that currently the signage in some of the leased lots, specifically the Masonic Lot and CCC Lot, is missing or obscured by foliage and they are looking to improve the signage.

**City Manager Bohenko moved to refer to Department of Public Works to implement improved signage. Seconded by Mr. Gray and passed.**

E. Discussion Item: 15-Minute parking spaces – Policy and location

Parking and Transportation Director Nelson presented a map and location plan of the current 15-minute spaces.

Chairman Smith asked if there are enough of these spaces around the City or should there be a review. City Manager Bohenko stated that he feels the spaces should be left as is because businesses come and go and if there is a request for a change of time limits for spaces, then they can be addressed as they come forward.

F. Action Item: Loading Zone at intersection of Fleet and Hanover Streets

Mr. Cypher stated that a site walk was held and it was decided based on that review that the better location would be two (2) spaces and the taxi-stand in front of Legends.

**Mr. Cypher moved to implement a loading zone in 2 parking spaces and taxi stand space in front of Legends during the hours of 6:00 a.m. to 11:00 a.m. only with proper signage and notice to the Taxi Commission. Seconded by Public Works Director Rice and passed. – (This Item is enacted as a temporary regulation and will be considered for inclusion in a future omnibus ordinance)**

G. Action Item: Curbing on Union St.

Mr. Whitehouse stated that a site walk was held and as a result the Public Works Director was asked to revise the plans which have been distributed to the members for review.

Public Works Director Rice stated that this is in an area where there is ongoing street reconstruction in relation to the sewer separation project. He explained that an indentation in the curb line will not correct the issues regarding off-street parking in times of snow bans and that the street widths modification to 28' is intended as a traffic calming effort to address speeding concerns.

**Public Works Director Rice moved to deny request but with a recommendation for the Public Works Director to work with residents on a curb cut to allow for off-street parking. Seconded by City Manager Bohenko and passed on a 7-1 vote, Chairman Smith voted opposed.**

Martha and Brian Ratay of 348 Union Street spoke regarding the request stating that although the reduced street width is meant to reduce speeding it has not done so on Lincoln Avenue where the modifications have already occurred. The asked that this request be reconsidered as they are concerned for the safety of their children as there are no speed limit signs posted on the road and people travel at excessive speeds. Mrs. Ratay also stated that due to the Edgewood Center being across from the end of Union Street, large delivery trucks often use Union Street instead of South Street to access the facility.

Chairman Smith asked for clarification from the Police Department as to what the speed limit default is when there is no speed limit posted. Captain Warchol stated 35 mph. He stated that the Stealth Stat unit can be placed in the area to gather data. Chairman Smith asked about adding Union Street to the No-Through Truck list.

Mr. Whitehouse asked if the Public Works Department has held the information session for this area. Public Works Director Rice stated the construction information center has not been held, but the design session has been and there are ample opportunities for the residents to be involved in the process.

**City Manager Bohenko moved to review the No-through truck traffic request on Union Street with the Legal Department and to implement the Stealth Stat device to come back with a recommendation at the next Parking and Traffic Safety Committee meeting with a report back. Seconded by Mr. Cypher and passed.**

H. Action Item: Valet License renewals and Valet on Bow Street Issues

1. Atlantic Parking Services – **Pleasant Street** – Green Monkey and Brazo –

**City Manager Bohenko moved to approve the renewal for one year to expire June 30, 2014. Seconded by Fire Chief Achilles and passed.**

2. Atlantic Parking Services – **State Street** – The Common Man –

**City Manager Bohenko moved to approve the renewal for one year to expire June 30, 2014. Seconded by Fire Chief Achilles and passed.**

3. One Hundred Club Concepts – **100 Market Street** –

*Chairman Smith recused himself* from discussion turning the meeting over to City Manager Bohenko during the action on this item.

**Mr. Whitehouse moved to approve the renewal for one year to expire June 30, 2014 Seconded by Public Works Director Rice and passed. Chairman Smith abstained from voting.**



Mr. Whitehouse asked if the City has recourse if there are any infractions of the valet licenses. Parking and Transportation Director Nelson stated that they work with the staff of the Valet companies who quickly resolve the issues. City Manager Bohenko stated that the licenses can be revoked if there are violations of the agreement.

4. Atlantic Parking Services – **Bow Street** – Wellington Room, Martingale Wharf, Surf Sushi and Surf Restaurant –

City Manager Bohenko moved to approve the renewal for three months to expire September 30, 2013, seconded by Fire Chief Achilles.

City Manager Bohenko stated that this is the most active valet location in the City and presents traffic issues on the weekends. He stated there are various challenges in the area and the City needs to be more involved to ensure the service is properly administered. He stated the company is not doing anything wrong but traffic flow and pedestrian safety need to be ensured.

Mr. Gray asked if there have been a lot of complaints from the public. Chairman Smith stated he has heard from the public and is aware that cars are being parked in slashed out spaces and the sign is being put in one of the public spaces, etc.

Brian Slovenski of Atlantic Parking Services stated that he wants to clarify that often times the valets are pointed out because they are wearing reflective vests and are more visible, but it is usually the general public who are in violation and not complying with the signage. He stated the valet service in that area provides an additional 160 spaces, 200-300 cars a weekend, and although they are there to serve for their clients, the public can utilize the valets as well for a fee.

**Motion passed.**

Chairman Smith asked if there will be a report back regarding public parking issues in that area. City Manager Bohenko stated no report back, we will enforce the regulations.

Chairman Smith asked the status of the Residence Inn Valet Parking issue. City Manager Bohenko stated the City Attorney is still working with them on this issue.

I. Action Item: Free Holiday Parking period (Referred from City Council)

City Manager Bohenko stated that 3-4 years ago the free holiday parking period went from 2 weeks to 3 weeks but currently the Council has been discussing cutting it back to 2 weeks. He stated the committee can choose to accept the recommendation of 2 weeks or continue to provide the holiday parking for 3 weeks.

**Mr. Whitehouse to set the 2013 Holiday Parking from December 16, 2013 through January 1, 2014. Seconded by Mr. Cypher and passed.**

J. Action Item: Community Campus Circle Safety Issue

Mr. Gray stated that a site walk was held at the site and the issue is that there is a small traffic circle before the Community Campus building. He stated that large trucks are driving over the grass and breaking up the pavement, etc. and they are in the wrong area in the first place. He stated that there needs to be proper signage in place at the intersection of West Road and Campus Drive and notification made to the businesses who have the large trucks delivering to them that they need to be directed to their businesses.

**Mr. Gray moved to refer to the Public Works Department to implement the appropriate signage and to notify the businesses. Seconded by Mr. Cypher and passed.**

Parking and Transportation Director Nelson asked about enforcement after the signs are in place. Captain Warchol stated that they can step up enforcement if it continues to be a problem.

**VI. OLD BUSINESS: NONE**

**VII. PUBLIC COMMENT**

Doug Roberts, 247 Richards Avenue – stated he was speaking on behalf of approximately 20 families in the neighborhood of Richards Avenue and Rockland Street. He discussed concerns relating to the Seacoast Mavericks playing at Leary Field and the parking issues it is causing. He stated that he feels the Seacoast Mavericks organization is doing what they can to address the parking problem, but people are still parking on both sides making it impassible for emergency vehicles etc. He stated that the combination of having the playground, tennis courts, ball fields, etc. and that people park on both sides of the road as well as facing the wrong way adds to the general chaos in the area. Finally, he stated that he feels that better striping and enforcement of the parking and stop signs would help the neighborhood be safer for the many children and pedestrians.

City Manager Bohenko asked Mr. Roberts to speak with Recreation Director Rus Wilson and Parking and Transportation Manager Nelson regarding the Seacoast Mavericks parking issue. He stated that Capt. Warchol will also address the enforcement issue.

**VIII. INFORMATIONAL:**

Chairman Smith stated that he has received phone calls and e-mails regarding the removal of the Stop signs at the railroad tracks on Banfield Road and that people are now speeding on this road. He asked that the Stealth Stat device be placed there.

Mr. Cypher stated that former Fire Chief LeClaire would be pleased to know that this stop sign had finally been removed.

**IX. ADJOURNMENT**

**Mr. Whitehouse moved to adjourn at 9:10 a.m., seconded by voted unanimously.**

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## MEMORANDUM

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**TO:** John Bohenko, City Manager  
**FROM:** Mary E. Koepenick, Planning Department  
**SUBJECT:** Board of Adjustment Minutes  
**DATE:** June 21, 2013


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The approved Minutes of the following Board of Adjustment meetings are now available for review on the City's website:

February 26, 2013

## MEMORANDUM

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**TO:** John P. Bohenko, City Manager  
**FROM:** Liz Good, Planning Department   
**SUBJECT:** Conservation Commission Minutes  
**DATE:** June 13, 2013

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Please be advised that the approved minutes from the April 10, 2013 Conservation Commission meeting are now available on the City's website for your review.

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## MEMORANDUM

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**TO:** John P. Bohenko, City Manager  
**FROM:** Jane Shouse, Planning Department  
**SUBJECT:** Planning Board Minutes  
**DATE:** June 25, 2013

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Please be advised that the approved minutes from the February 21, 2013 and February 28, 2013 Planning Board meetings are now available on the City's website for your review.