

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, AUGUST 19, 2013 TIME: 6:00PM

AGENDA

- **6:00PM – WORK SESSION WITH HISTORIC DISTRICT COMMISSION**

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

PROCLAMATION

1. Richard Winslow, III

PRESENTATION

1. Wastewater Treatment Plant Update – Suzanne Woodland, Assistant City Attorney and Terry Desmarais, City Water and Sewer Engineer

V. ACCEPTANCE OF MINUTES – AUGUST 5, 2013

VI. PUBLIC COMMENT SESSION

VII. PUBLIC HEARING

- A. ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE, ARTICLE 5 – DIMENSIONAL AND INTENSITY STANDARDS ARE HERE BY AMENDED AS FOLLOWS:

- SECTION 10.531 – TABLE OF DIMENSIONAL STANDARDS – BUSINESS AND INDUSTRIAL DISTRICTS, MAXIMUM STRUCTURE DIMENSIONS – STRUCTURE HEIGHT, CBA 45' OR 3 STORIES, WHICHEVER IS LESS; CBB 45' OR 3 STORIES, WHICHEVER IS LESS;
- SECTION 10.535 – EXCEPTION TO DIMENSIONAL STANDARDS IN THE CENTRAL BUSINESS DISTRICTS, BY INSERTING A NEW SECTION 10.535.13: INCREASED BUILDING HEIGHT BY CONDITIONAL USE PERMIT

(The public hearing was continued at the August 5, 2013 meeting to the August 19, 2013 City Council meeting)

VIII. APPROVAL OF GRANTS/DONATIONS

- A. *Acceptance of Donation for Bench in Triangle Park - \$1,433.33 – Friends of the South End (***Sample motion – move to accept the donation from the Friends of the South End for a bench in Triangle Park, as presented***)

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First reading of Proposed Ordinance amending various sections of Chapter 7, Vehicles, Traffic Parking Omnibus Ordinance
- B. Second reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards, are here by Amended as follows:
- Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, Maximum Structure Dimensions – Structure Height, CBA 45' or 3 Stories, which ever is less; CBB 45' or 3 Stories, which ever is less;
 - Section 10.535 – Exception to Dimensional Standards in the Central Business Districts, by Inserting a New Section 10.535.13: Increased Building Height by Conditional Use Permit

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A Letter from Chris Curtis, The Music Hall, requesting permission to close Chestnut Street throughout the weekend of September 20, 2013 – September 22, 2013 for the Telluride by the Sea film festival (***Anticipated action – move to refer to the City Manager with power***)
- B. Letter from Allison Brownell, Susan G. Komen Race for the Cure, requesting permission to hold the Race for the Cure on Saturday, May 10, 2014 (***Anticipated action – move to refer to the City Manager with power***)

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from JerriAnne Boggis, Portsmouth Black Heritage Trail, requesting permission to hold a parade on Wednesday, August 28, 2013 from 3:00 p.m. – 4:00 p.m. from Middle Street to Chestnut Street

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

Items Which Require Action Under Other Sections of the Agenda

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

- 1.1 First Reading of Proposed Omnibus Ordinance (***Action on this item should take place under Section IX of the Agenda***)
2. Public Hearing of Proposed Ordinance:
 - 2.1 Public Hearing and Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards are here by Amended as follows:
 - Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, Maximum Structure Dimensions – Structure Height, CBA 45’ or 3 Stories, which ever is less; CBB 45’ or 3 Stories, which ever is less;
 - Section 10.535 – Exception to Dimensional Standards in the Central Business Districts, by Inserting a New Section 10.535.13: Increased Building Height by Conditional Use Permit (***Action on this matter should take place under Section IX of the Agenda***)

City Manager’s Items Which Require Action

1. Brewster Street Boarding House Permit Extension

Informational Items

1. Events Listing
2. Helicopter School at Pease
3. Status of Doble Army Reserve Center

B. MAYOR SPEAR

1. Appointment to be Voted:
 - Stephen Scott Gerrato – Taxi Commission (Taxicab Representative)
2. *Establish Work Session Re: Transportation (***Sample motion – move to hold a Work Session prior to the regular City Council meeting on September 16, 2013 at 6:15 p.m.***)

C. COUNCILOR SMITH

1. Parking and Traffic Safety Committee Action Sheet and Minutes of the August 8, 2013 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the Parking and Traffic Safety Committee meeting of August 8, 2013***)

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

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

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

INFORMATIONAL ITEMS

1. Notification that the Historic District Commission Minutes of the January 2, 2013 meeting are available on the City's website for your review
2. Notification that the Historic District Commission Minutes of the January 23, 2013 meeting are available on the City's website for your review
3. Notification that the Site Review Technical Advisory Committee Minutes of the July 30, 2013 meeting are available on the City's website for your review

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

CITY COUNCIL WORK SESSION WITH HISTORIC DISTRICT COMMISSION

DATE: Monday, August 19, 2013

TIME: 6:00 P.M.

LOCATION: CITY HALL – EILEEN DONDERO FOLEY COUNCIL CHAMBERS

A G E N D A

Historic District Commission Items for Discussion:

- I. Streamline & Improve Review Process
 - a) Allow Administrative Approvals for Very Small Projects
 - b) Use a Consent Agenda for Minor Projects
 - c) Standardize Work Session Agendas
 - d) Enhance Public Participation

- II. Adding Tools for Better Decision-Making
 - a) Window Replacement Guidelines
 - b) Downtown Development Design Guidelines
 - c) Neighborhood Pattern Book
 - d) 3-D Modeling to Understand Building Height, Volume and Massing
 - e) Update of the Historic Building Survey

City Council Items for Discussion:

- I. Building Height – Conditional Use Permit

- II. Form-Based Zoning

- III. Historic District Commission Public Process

- IV. Architectural Review for New Buildings

The Council Chambers
City Hall
Portsmouth, New Hampshire

A Proclamation

WHEREAS: Richard E. Winslow, III has dedicated his life to educating others about Portsmouth history through his work at the Portsmouth Public Library, as well as his long career as an author and researcher; and

Whereas: Richard E. Winslow, III published books under the auspices of the Portsmouth Marine Society, six titles in total in addition to titles by other publishers; and

Whereas: The quality and understanding of our historical past has greatly benefitted from his many decades of research for himself and on behalf of others; and

Whereas: Richard has demonstrated his passion for history by extensive research with professional colleagues, authors, doctoral candidates, genealogists, and students, sending them notes, clippings, articles through the mail and in person. Richard created connections in our community for many research projects that he remembers even years later; and

Whereas: His love and conscientiousness of nature is evident through his eloquent Christmas letters and numerous published articles on canoeing and wilderness trips from Texas to the Arctic; and

Whereas: His friends and admirers gather here this evening to recognize his long career as a historian, writer, and good neighbor. We will long appreciate the contributions he has made to our understanding of the City's past.

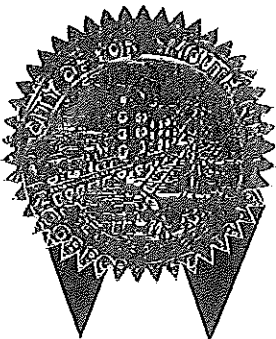
Now, therefore, I, Eric Spear, Mayor of the City of Portsmouth, on behalf of the members of the City Council and the citizens of Portsmouth, do hereby proclaim August 19, 2013 as

Richard Winslow, III Night

in the City of Portsmouth, and express our sincere gratitude and appreciation for the dedication he has given our community over the years.

Given with my hand and the
Seal of the City of Portsmouth,
on this 19th day of August, 2013.

Eric Spear, Mayor of Portsmouth



CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, AUGUST 5, 2013

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

At 6:00 p.m., an Anticipated “Non-Meeting” with Counsel was held regarding Litigation - RSA 91-A:2 I (c).

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

Mayor Spear called the meeting to order at 7:15 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.

PRESENTATIONS

1. Transportation Issues e.g. COAST, Satellite Parking, Wayfinding, Bicycle Friendly Community, etc.

Juliet Walker, City’s Transportation Planner and Rad Nichols, Executive Director of COAST, provided a presentation to the Council regarding the City’s Transportation Initiatives. The outline of the presentation included public transportation, parking access and connections, wayfinding, bicycle and walking friendly communities’ designations, and complete streets.

Mr. Nichols spoke to the annual operating budget of COAST and that revenues are derived through public sources. He discussed the various routes and the increase in ridership. He provided a review of the new Clipper Connection pilot project which offers service from Portsmouth Naval Shipyard to Pease Tradeport and Market Square. He also spoke to the seasonal trolleys that operate weekends in December only, free of charge for Vintage Christmas.

Juliet reviewed potential opportunities to maximize existing infrastructure – satellite parking, parking shuttle, bike share and valet parking.

2. Update Re: Sagamore Bridge Replacement

Peter Rice, Public Works Director, spoke regarding the Sagamore Bridge replacement project. He announced that the bridge will be closed beginning October 15, 2013 with construction anticipated to be complete by Spring 2015. The total construction cost is \$8,650,000.00. This is a Federal Highway/City of Portsmouth 80/20% cost sharing with the City's share being \$1,730,000.00.

V. ACCEPTANCE OF MINUTES – JULY 15, 2013

Councilor Coviello moved to approve and accept the Minutes of July 15, 2013 City Council Meeting. Seconded by Assistant Mayor Lister and voted.

VI. PUBLIC COMMENT SESSION

Tom Carroll spoke regarding the scrap metal operations at the Port. He submitted a letter this evening that is an official request under the right-to-know law to obtain information regarding the scrap metal being collected from Market Street by Grimmel Industries employees.

Peter Happny spoke in favor of the proposed parking lot at the end of Rock Street for the Heinemann Company and Kearsarge Mill Unit Owners Association.

Ralph DiBernardo asked why the Council is still discussing the Worth Lot as a proposed parking garage/deck. He stated that individuals have indicated their opposition to this and it is time to end the discussion.

Jim Somes requested the City support the proposed parking lot on Rock Street for the Heinemann Company. He said Heinemann has been in the City for the last 20 years and continues grow. Mr. Somes said that this would address their parking needs. He stated that parking should be dedicated to Heinemann during the day and offered to the public after hours, weekends and holidays.

Jim Anthony requested the City Council support the Rock Street parking lot. He said all employees of Heinemann Company live nearby and this parking is much needed as the company continues to expand.

Natalie Roman-Nelson spoke opposed to a study for a parking deck on the Worth Lot site. She said there will be an increase in traffic and congestion. She also stated that it makes no sense to create a green space on the top of a parking deck. She urged the Council to hire an experienced lobbyist to obtain the McIntyre Building for a possible site of a parking garage.

Blair McCracken said he would like to see the City go back to quarterly billing for water and sewer, this way he believes there would be no need for an additional staff person to be hired.

Susan Denenberg said she supports the proposed height ordinance. She also spoke regarding parking. She expressed concern with spending more money on a feasibility study for parking. Ms. Denenberg said more than 10,000 people attended a recent event at Prescott Park without additional parking being needed.

Christine Davidson spoke regarding the large developments being constructed in the downtown. She said these buildings are taking away from the character of the City.

Neill DePaoli said he is frustrated to see the Worth Lot once again appearing on the agenda for a proposed parking garage. He would like to see the City focus on creating satellite parking for residents, employees and visitors.

Lee Roberts expressed concerns with the proposed building height limit ordinance. She stated she would like to see the ordinance postponed until a report back is given from the Planning Department.

Paul Mannle said he is in support of a height limit ordinance for the entire Historic District. He also spoke to the Worth Lot and his opposition to it being brought forward again. Mr. Mannle also urged the City to find a way to honor the late Tony Rahn.

VII. PUBLIC HEARINGS

- A. ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE, ARTICLE 5 – DIMENSIONAL AND INTENSITY STANDARDS ARE HERE BY AMENDED AS FOLLOWS:
- SECTION 10.531 – TABLE OF DIMENSIONAL STANDARDS – BUSINESS AND INDUSTRIAL DISTRICTS, MAXIMUM STRUCTURE DIMENSIONS – STRUCTURE HEIGHT, CBA 45' OR 3 STORIES, WHICHEVER IS LESS; CBB 45' OR 3 STORIES, WHICHEVER IS LESS;
 - SECTION 10.535 – EXCEPTION TO DIMENSIONAL STANDARDS IN THE CENTRAL BUSINESS DISTRICTS, BY INSERTING A NEW SECTION 10.535.13: INCREASED BUILDING HEIGHT BY CONDITIONAL USE PERMIT

(The public hearing will be continued until the August 19, 2013 City Council meeting)

Councilor Coviello recused himself from discussion and voting on this matter. He stepped down from the Dais and out of the Chambers.

Planning Director Taintor reviewed the ordinance. He advised the Council that this matter came to the Planning Board as a referral from the Council. He informed the Council the last time height standards were changed in the downtown was 1982 and that 90% of the buildings downtown are 45 feet.

Planning Director Taintor advised the Council that the Planning Board had significant debate on this ordinance with some members feeling there should be different heights for the CBA and CBB. He informed the Council that the Planning Board public hearing was continued to August 15th and would like to see the Council continue its public hearing until August 19th.

Mayor Spear announced that this evening first time speakers would be heard with second time speakers and others wishing to speak at the August 19th meeting.

Mayor Spear read the legal notice, declared the public hearing open and called for speakers.

Gibson Kennedy said he appreciates the intent but does see some problems. He said limiting heights could get you boxy buildings. He would like to see floor area ratio used in the construction of buildings and larger buildings generate more tax revenue. Mr. Kennedy said he would like the Planning Board to report back on the tax rate revenue effect with a height limitation on buildings.

Ralph DiBernardo spoke in favor of the ordinance and that he does not support a conditional use permit. He stated that the Historic District Commission already has the authority to limit height and that exceptions to height belong with the Zoning Board of Adjustment.

Chris Erickson spoke opposed to the proposed ordinance. He said the ordinance would create large changes to the scape of the City, especially along the river. He further stated if the intent is to maintain the character of the City it should not be tied to the number of stories in a building.

Keith Eveland, Rye, NH said he recently visited Santa Fe and it is much like Portsmouth. He spoke to their height limitations and the beauty of the downtown. He urged the Council to support this ordinance.

Duncan McCallum spoke in favor of the ordinance and height restrictions. He said the proposal is not perfect but a step in the right direction. He further addressed the Historic District Commission conditional use permit option and stated if any building is higher than 45 feet it should be justified.

Barbara DeStefano spoke opposed to the height ordinance and feels it is poorly written. She stated this was a questionable decision of the City Council that was made after 10:00 p.m.

Zelitz Morgan spoke in favor of the ordinance to establish a 45 foot building height limit. She said this is about creating sustainable development. She said we do not need more traffic and congestion in the downtown people are attracted to the City because it is a City you can stroll.

Blair McCracken spoke in favor of the ordinance and the need to plan better for the developments coming forward.

Councilor Kennedy moved to keep the public hearing open and second reading of the ordinance until the August 19, 2013 City Council meeting. Seconded by Councilor Novelline Clayburgh.

Councilor Kennedy said that the Historic District Commission is debating what a conditional use permit is. She stated potentially on Wednesday there is a group coming forward for a conditional use permit and asked if the Historic District Commission had to act on the request. City Attorney Sullivan said the Historic District Commission needs to use their best judgment. Councilor Kennedy asked if the Historic District Commission could postpone the hearing until after August 19, 2013. City Attorney Sullivan said the Historic District Commission could postpone the hearing until after August 19 2013.

Councilor Thorsen said he does not support the Historic District Commission allowing a conditional use permit. He said that the HDC is very busy and this will burden them. He would like the conditional use permit removed from the ordinance at second reading.

Councilor Dwyer said the Council needs to look at the legal precedent and the way HDC makes decisions. She feels it will be a long time before there is form-based zoning.

Councilor Lown said he would speak to City Attorney Sullivan and Planning Director Taintor on whether the Council should be the board to allow a conditional use permit.

Councilor Novelline Clayburgh said she would like the Council to consider different heights for the different districts.

Motion passed.

At 9:45 p.m., Mayor Spear called for a brief recess. At 9:55 p.m., Mayor Spear called the meeting back to order.

B. 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

City Manager Bohenko provided an overview of the Resolution. He stated these projects were part of the Capital Improvement Plan and the element sheets for the projects have been provided.

Mayor Spear read the legal notice, declared the public hearing open and called for speakers, with no speakers Mayor Spear declared the public hearing closed.

C. RESOLUTION FOR BOND AUTHORIZATION OF UP TO \$10,000,000 FOR THE PEIRCE ISLAND WASTEWATER TREATMENT PLANT UPGRADES

City Manager Bohenko said this is the beginning of the process and the upgrade is required by the EPA.

Mayor Spear read the legal notice, declared the public hearing open and called for speakers.

Councilor Kennedy asked when the Council would be receiving another update of the Wastewater Treatment Plan. City Manager Bohenko said he would work with Mayor Spear in scheduling a time for an update.

With no speakers, Mayor Spear declared the public hearing closed.

D. RESOLUTION FOR BOND AUTHORIZATION OF UP TO \$3,500,000 PEASE WASTEWATER TREATMENT PLANT UPGRADES

City Manager Bohenko said that additional improvements are being made to make us compliant with EPA regulations.

Councilor Kennedy asked if we are looking at upgrades and new standards. Terry Desmarais said there is a study being conducted now and we are looking at future requirements.

Mayor Spear read the legal notice, declared the public hearing open and called for speakers. With no speakers, Mayor Spear declared the public hearing closed.

Councilor Coviello moved to suspend the rules in order to take up Items XII. A.1. – Rock Street Parking Garage Lot Proposed License Agreement for Shared Parking, XII. A.5. – Proposed Outside Area Service Agreement for British Beer Company, and XII. A.7. – Report Back Re: Letter of Request for Amendment to License Agreement between Priscilla Semprini, Trustee of the Priscilla Semprini Revocable Trust 2010, 300 New Castle Avenue and the City of Portsmouth which appeared under the City Manager’s Items Requiring Action. Seconded by Councilor Smith and voted.

XII. A.1. Rock Street Parking Garage Lot Proposed License Agreement for Shared Parking

City Manager Bohenko explained this would be a license agreement for shared parking at the Rock Street parking garage lot. He stated the Heinemann Company is experiencing significant growth and is outgrowing the existing office space at the Kearsarge Mill. In an effort to retain the firm at its current location and to accommodate future growth, the building owner, Kearsarge Mill Unit Owners Association, has worked with the company to devise a plan to add 4,500 square feet to the building. City Manager Bohenko said with the recent demolition of the Rock Street Garage adjacent to the Heinemann offices, it has been the City’s intention to create a surface parking lot with 30-40 spaces at the site. This will provide the City to gain additional neighborhood parking on the Heinemann lot during weekday evenings and on weekends. He also stated there will be no taxpayer dollars used, as this would be funded with Urban Development Action Grant funds.

Councilor Smith moved to authorize the City Manager to enter into a license agreement with the Heinemann Company and Kearsarge Mill Unit Owners Association for shared parking at the Rock Street Garage lot. Seconded by Councilor Novelline Clayburgh.

The City Council thanked City Manager Bohenko for working to the Heinemann Company to keep them here in the City and devising this plan to create additional parking.

Motion passed.

XII. A.5. Proposed Outside Area Service Agreement for British Beer Company

City Manager Bohenko explained this is an Area Service Agreement for tables and chairs which is similar to the other five Area Service Agreements that we have throughout the City. He stated this Agreement is unique in that the property itself is owned by Portwalk Development and there is no fee associated.

Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with the British Beer Company. Seconded by Councilor Novelline Clayburgh and voted.

XII. A.7. Report Back Re: Letter of Request for Amendment to License Agreement between Priscilla Semprini, Trustee of the Priscilla Semprini Revocable Trust 2010, 300 New Castle Avenue and the City of Portsmouth

City Manager Bohenko informed the Council this would be an amendment to the license agreement. City Attorney Sullivan recommended the amendment be approved by the Council. He reported the former Semprini dock constructed in the days prior to state regulation could not be permitted under existing state law. He indicated this is a policy determination for the Council which does not present significant legal issues.

Councilor Smith moved to authorize the City Manager to negotiate and execute an amendment to the Revocable License Agreement with the Priscilla Semprini Revocable Trust of 2010 in accordance with the request presented to the Council to allow a dock to be constructed attached to City land on New Castle Avenue. Seconded by Assistant Mayor Lister and voted.

IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

B. Adoption 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

Councilor Lown moved to adopt a Bond Resolution for City Improvements in the amount of up to \$5,750,000.00. Seconded by Councilor Novelline Clayburgh.

Councilor Thorsen said he would oppose the Resolution and feels we are spending too much money too fast.

Motion passed with Councilor Thorsen voting opposed.

- C. Adoption of Resolution for bond authorization of up to \$10,000,000 for the Peirce Island Wastewater Treatment Plant Upgrades

Councilor Lown moved to adopt a Bond Resolution for Peirce Island Wastewater Treatment Plant Upgrades in the amount of \$10,000,000.00. Seconded by Councilor Novelline Clayburgh.

Councilor Thorsen stated he would support the motion as this is part of the \$63,000,000.00 we will need to spend for treatment plant upgrades.

Motion passed.

- D. Adoption of Resolution for bond authorization of up to \$3,500,000 Pease Wastewater Treatment Plant Upgrades

Councilor Lown moved to adopt a Bond Resolution for Pease Wastewater Treatment Plant Upgrades in the amount of up to \$3,500,000.00. Seconded by Councilor Coviello and voted.

X. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Acceptance of Police Department Donations:
- Police Honor Guard in memory of Retired Captain Kerry Plaisted by former Commissioner William Mortimer - \$100.00
 - Police Explorer Cadets from Wentworth-Coolidge Commission Inc. - \$100.00
(Anticipated action – move to approve and accept the donations, as listed, to the Portsmouth Police Department)
- B. *Acceptance of Donation from Liberty Mutual Insurance Re: African Burying Ground Committee:
- Liberty Mutual Insurance - \$1,000.00
(Anticipated action – move to authorize the City Manager to accept and expend a \$1,000.00 donation from Liberty Mutual Insurance for fundraising soft costs related to the African Burying Ground Project)
- C. Letter from Jill McFarland, St. Patrick School, requesting permission to hold an annual 5k Road Race on Saturday, March 15, 2014 at 9:00 a.m. ***(Anticipated action – move to refer to the City Manager with power)***

- D. Letter from Jay Diener, Seacoast Half Marathon, requesting permission to hold the 8th annual Seacoast Half Marathon on Sunday, November 10, 2013
(Anticipated action – move to refer to the City Manager with power)

Councilor Novelline Clayburgh moved to adopt the Consent Agenda. Seconded by Assistant Mayor Lister and voted.

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Mark Ayotte, requesting the City return all rights and privileges to him as an abutter (9 Garden Street) from their current property line to the centerline of both Garden Street and Colonial Avenue

Councilor Novelline Clayburgh moved to refer to the Planning Board for report back. Seconded by Councilor Kennedy and voted.

- B. Letter from Valerie Rochon, Greater Portsmouth Chamber of Commerce and Assiah Russell, Chair, Retail Committee, requesting permission to hold the Summer Daze Sidewalk Sale for five days, August 29, 2013 through September 2, 2013 with the placement of sale racks outside and against their shops during retail hours, 10:00 a.m. until at least 8:00 p.m. *(Participating shops to date: Flower Kiosk, Puttin' on the Glitz, Hazel, Tugboat Alley, Kilwins, City Shoes and Le Club Boutique)*

Councilor Coviello moved to refer to the City Manager with power. Seconded by Assistant Mayor Lister and voted. Councilor Smith abstained from voting on this matter.

- C. Letter from Barbara Archibald requesting permission to have a Flash Dance/Flash Mob outside Poco's Restaurant on Saturday, September 7, 2013 from 1:30 p.m. – 2:00 p.m.

Councilor Lown moved to refer to the City Manager with power. Seconded by Councilor Kennedy and voted.

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

- 2. Proposed Omnibus Parking Ordinance

City Manager Bohenko requested to bring this ordinance back for first reading at the August 19, 2013 City Council meeting.

Councilor Novelline Clayburgh moved to authorize the City Manager to bring back for first reading the proposed Parking Omnibus Ordinance at the August 19, 2013 City Council meeting. Seconded by Councilor Smith and voted.

3. Proposed Amendments to the School Clerical Employees' Collective Bargaining Agreement in accordance with the Memorandum of Agreement and the School Custodial Supervisors' Union Collective Bargaining Agreement in accordance with the Memorandum of Agreement to Change to SchoolCare Re: Health Insurance
 - a) School Clerical Employee's Memorandum of Agreement

Assistant Mayor Lister stated he is recusing himself from discussion and voting on these matters. He stepped down from the Council Dais.

City Manager Bohenko advised the City Council that this union has agreed to accept SchoolCare and therefore an amendment is needed to the Memorandum of Agreement. He outlined the terms and conditions for agreeing to accept SchoolCare. They are as follows:

- Employees will pay a co-pay of 14% for all plans
- Change the Dental Plan from Northeast Delta Dental to Cigna and increase the annual amount of coverage from \$750.00 to \$1,500.00
- Extend their contract for an additional year expiring on June 30, 2015

Councilor Smith moved to approve the proposed amendment to the School Clerical Employees' Collective Bargaining Agreement in accordance with the Memorandum of Agreement, as presented. Seconded by Councilor Lown.

Councilor Kennedy requested a thank you letter be sent to the unions.

Councilor Lown stated this is a significant concession and would like other unions to step forward and agree to the change as well, which would be a great savings to the City.

Motion passed.

- b) School Custodial Supervisors' Union Memorandum of Agreement

City Manager Bohenko advised the City Council that the same amendment applies to this union to accept SchoolCare and therefore an amendment is needed to the Memorandum of Agreement. He outlined the terms and conditions for agreeing to accept SchoolCare. They are as follows:

- Employees will pay a co-pay of 14% for all plans
- Change the Dental Plan from Northeast Delta Dental to Cigna and increase the annual amount of coverage from \$750.00 to \$1,500.00
- Extend their contract for an additional year expiring on June 30, 2015

Councilor Smith moved to approve the proposed amendment to the School Clerical Employees' Collective Bargaining Agreement in accordance with the Memorandum of Agreement, as presented. Seconded by Councilor Lown and voted.

4. Proposed Application to National Parks Service Re: Doble Center

City Manager Bohenko provided an overview of this matter and further stated that action now would help to further strengthen the City's position as it advocates for receiving the property and communicating our readiness and long held plans to receive it under the BRAC disposal process.

Councilor Lown moved to authorize the City Manager to apply for a public benefit conveyance from the National Parks Service for the Paul A. Doble Army Reserve Center. Seconded by Assistant Mayor Lister and voted.

6. Proposed Additional Areas Re: Form-Based Zoning

City Manager Bohenko said in June the Council asked for a report back regarding this matter. He stated he and staff believe we should continue to put this matter off until we go through the initial study areas to determine if form-based zoning should be expanded.

Councilor Smith moved to table this item until the September 16, 2013 City Council meeting. Seconded by Assistant Mayor Lister.

Councilor Kennedy requested a brief update on this matter. Planning Director Taintor stated that the process is 3 phases and the initial draft was for the staff to review. The staff received the draft and had 2 weeks to review and make comments. He informed the Council that the draft will go back this week to the consultants.

Motion passed.

Councilor Smith asked City Manager Bohenko if he could comment on the letter left at the Councilor's seats this evening from Mr. Carroll regarding the scrap metal operations at the Port. City Manager Bohenko stated every time we receive a complaint from Mr. Carroll our Code Enforcement Officer is sent out to take pictures and he has found minimal materials and sometimes the materials are not from the site. He indicated he would like to see how the new sweeper is working and he would contact Mr. Mullen tomorrow on the materials collected.

Councilor Dwyer asked if we have received the LGC refund. City Manager Bohenko said we receive one check today and expect another check shortly.

Councilor Kennedy asked City Manager Bohenko the status of Mr. Robinson's request to prepare an historical review of the City for the 400th anniversary. City Manager Bohenko said this is in the hands of Mayor Spear. He stated it would require an appropriation of \$5,000.00 over the years. Mayor Spear said this discussion and other items associated with the anniversary are for the Committee to handle. Councilor Kennedy asked where the Committee is at this point. Mayor Spear said the appointments for that Committee are to be made by the Council. City Manager Bohenko said he would pull the file and send a list to the City Council with the description of the Committee and schedule a time to meet.

B. MAYOR SPEAR

1. Appointment to be Considered:
 - Stephen Scott Gerrato – Taxi Commission (Taxicab Representative)

The City Council considered the appointment of Stephen Scott Gerrato which will be voted on by the City Council at the August 19, 2013 meeting.

2. Letter from Tammy Wright, Clerk of the New Hampshire Senate, requesting the City appoint a representative to serve on the Projected Sea Level Rise and other Coastal and Coastal Watershed Hazards
 - Steve J. Miller, Conservation Commission Chair

Mayor Spear stated the NH Senate is requesting the City appoint a representative to serve on the Projected Sea Level Rise and other Coastal and Coastal Watershed Hazards Commission and he recommends Steve Miller, Chair of the Conservation Commission.

Councilor Kennedy moved to appoint Steve Miller, Conservation Commission Chair, as the City's Representative to the Projected Sea Level Rise and other Coastal Watershed Hazards Commission. Seconded by Councilor Novelline Clayburgh and voted.

3. Resignations:
 - Anthony Blenkinsop from the Planning Board effective at the end of the August 15, 2013 meeting

Councilor Smith moved to accept with regret the resignation of Anthony Blenkinsop from the Planning Board effective at the end of August 15, 2013 meeting. Seconded by Assistant Mayor Lister and voted.

Councilor Smith requested that a letter of thanks be sent to Mr. Blenkinsop for his service to the City.

- T. Stephen McCarthy from the Portsmouth Housing Authority effective August 1, 2013

Councilor Smith moved to accept with regret the resignation of T. Stephen McCarthy from the Portsmouth Housing Authority. Seconded by Assistant Mayor Lister and voted.

Councilor Smith requested that a letter of thanks be sent to Mr. McCarthy for his service to the City.

C. COUNCILOR NOVELLINE CLAYBURGH

1. The Worth Lot

Councilor Novelline Clayburgh moved to suspend the rules in order to take this matter up. Seconded by Councilor Coviello.

Councilor Lown said the motion is not to approve a parking lot at the Worth Lot site, design or binds any City Council. The motion is to have the City Manager report back on this idea.

Councilor Dwyer asked how we could take up this same item again, during the same term of the City Council. City Attorney Sullivan stated because there is a suspension of the rules by which a two-thirds vote of the Council is required.

Councilor Novelline Clayburgh said she feels this is a compromise and opinions on this matter are split. She said we should at least explore the idea.

On a roll call vote 4-5, motion to suspend the rules in order to take this matter up failed to pass. Councilors Coviello, Novelline Clayburgh, Lown and Mayor Spear voted in favor. Assistant Mayor Lister, Councilors Kennedy, Dwyer, Smith and Thorsen voted opposed.

D. COUNCILOR LOWN

1. Report Re: Sustainability Committee

Councilor Lown provided an update to the City Council on the May 23, 2013 and June 27, 2013 meetings of the Sustainability Committee.

2. 50 "Sustainable Tips"

Councilor Lown reviewed the 50 "Sustainable Tips" that can support Portsmouth in its ongoing process as an EcoMunicipality.

E. COUNCILOR SMITH

1. *Free Holiday Parking Period (*Deferred from the July 15, 2013 City Council meeting*)

Councilor Novelline Clayburgh moved to set the 2013 Holiday Parking from December 16, 2013 through January 1, 2014. Seconded by Councilor Kennedy.

Councilor Smith stated that the Parking and Traffic Safety Committee reviewed this matter and the number of days would be reduced to 17.

Assistant Mayor Lister said we want to offer parking and attract people to the downtown, but he would recommend a compromise and reduce the number of days to 11.

Assistant Mayor Lister moved to amend and reduce the number of days for free holiday parking to 11. Seconded by Councilor Lown.

Councilor Coviello said he does not agree with the program it would be better giving merchants free passes to customers for parking in the garage.

Councilor Kennedy thanked the Parking and Traffic Safety Committee for listening to the Council's request and lowering the number of days for free holiday parking.

Councilor Novelline Clayburgh stated this is a tradition and we should uphold that tradition.

Councilor Lown said Councilor Coviello made an excellent point but he supports the compromise of Assistant Mayor Lister and amendment.

Councilor Dwyer said this is a tradition and not a great deal of revenue. She said it is less about days and more about establishing a period of time.

Councilor Smith said he would not support cutting back days. He said people look forward to the holiday free parking and we still enforce the two hour parking period.

Councilor Kennedy said these funds would not go into the general fund but the parking fund. Councilor Coviello said he understands tradition but feels it is hurting the downtown businesses and not helping the businesses.

On a roll call vote 4-5, motion to amend and reduce the number of days for free holiday parking to 11 **failed** to pass. Assistant Mayor Lister, Councilors Coviello, Lown and Mayor Spear voted in favor. Councilors Kennedy, Novelline Clayburgh, Dwyer, Smith and Thorsen voted opposed.

Main motion passed to set the 2013 Holiday Parking from December 16, 2013 through January 1, 2014. Mayor Spear and Councilor Coviello voted opposed.

2. Parking and Traffic Safety Committee Action Sheet and Minutes of the July 11, 2013 meeting

Councilor Smith moved to approve and accept the action sheet and minutes of the Parking and Traffic Safety Committee meeting of July 11, 2013. Seconded by Councilor Novelline Clayburgh and voted. Councilors Coviello and Kennedy voted opposed.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

Councilor Novelline Clayburgh said she and others were saddened by the sudden passing of Tony Rahn. She would like to ask the Recreation Board to look at a way to honor him.

Councilor Dwyer said Principal Stokel of the Middle School and Recreation Director Wilson spoke about the creation of a recognition wall between the two gymnasiums at the Middle School. She suggested asking the Recreation Board what the plans are for the area.

City Manager Bohenko indicated he would speak with Recreation Director Wilson to have the matter considered by the Recreation Board.

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

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

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

Kelli L. Barnaby, CMC/CNHMC
City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 5, 2013 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on the proposed Ordinance:

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards, are hereby amended as follows:

1. Amend Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

	CBA	CBB
Maximum Structure Dimensions		
Structure height	50'⁵ 45' or 3 stories, whichever is less²	60' 45' or 3 stories, whichever is less²

² See Section 10.535 for building height setback from street in Central Business A district ~~exceptions to dimensional standards in the Central Business districts.~~

2. Amend Section 10.535 – Exceptions to Dimensional Standards in the Central Business Districts, by inserting the following new Section 10.535.13:

10.535.13 Increased Building Height by Conditional Use Permit

10.535.131 Within the CBA and CBB districts, the Historic District Commission may grant a conditional use permit to allow an increase in building height above the maximum structure height specified in Section 10.531, provided that at least one of the following conditions shall apply:

- (1) The building height is no greater than the height of any building on an abutting lot or on a lot located directly across a street; or
- (2) The increased building height will allow for the provision of significant and direct benefits to the City as determined by the Historic District Commission.

10.535.132 Prior to granting a conditional use permit under this section, the Historic District Commission shall make the following findings:

- (1) The increase in building height is supported by one or both of the conditions in Section 10.535.131; and
- (2) The building and site design will mitigate the impact of increased height on neighboring properties.

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 5, 2013 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH, on the proposed Ordinance:

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards, are hereby amended as follows:

1. Amend Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, as follows (deletions from existing language stricken; additions to existing language bolded; remaining language unchanged from existing):

	CBA	CBB
Maximum Structure Dimensions	50'-4 1/2' or	60'-4 1/2' or
Structure height	3 stories, whichever is less ¹	3 stories, whichever is less ¹

¹ See Section 10.535 for building height setback from street in Central Business A district exceptions to dimensional standards in the Central Business districts.

2. Amend Section 10.535 – Exceptions to Dimensional Standards in the Central Business Districts, by inserting the following new Section 10.535.13:

10.535.13 Increased Building Height by Conditional Use Permit

10.535.131 Within the CBA and CBB districts, the Historic District Commission may grant a conditional use permit to allow an increase in building height above the maximum structure height specified in Section 10.531, provided that at least one of the following conditions shall apply:

- (1) The building height is no greater than the height of any building on an abutting lot or on a lot located directly across a street; or
- (2) The increased building height will allow for the provision of significant and direct benefits to the City as determined by the Historic District Commission.

10.535.132 Prior to granting a conditional use permit under this section, the Historic District Commission shall make the following findings:

- (1) The increase in building height is supported by one or both of the conditions in Section 10.535.131; and
- (2) The building and site design will mitigate the impact of increased height on neighboring properties.

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

#12517 11P6/20

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, Article 5 – Dimensional and Intensity Standards, are hereby amended as follows:

1. Amend Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

	CBA	CBB
Maximum Structure Dimensions		
Structure height	50' 45' or 3 stories, whichever is less ²	60' 45' or 3 stories, whichever is less ²

² See Section 10.535 for ~~building height setback from street in Central Business A district~~ exceptions to dimensional standards in the Central Business districts.

2. Amend Section 10.535 – Exceptions to Dimensional Standards in the Central Business Districts, by inserting the following new Section 10.535.13:

10.535.13 Increased Building Height by Conditional Use Permit

10.535.131 Within the CBA and CBB districts, the Historic District Commission may grant a conditional use permit to allow an increase in building height above the maximum structure height specified in Section 10.531, provided that at least one of the following conditions shall apply:

- (1) The building height is no greater than the height of any building on an abutting lot or on a lot located directly across a street; or
- (2) The increased building height will allow for the provision of significant and direct benefits to the City as determined by the Historic District Commission.

10.535.132 Prior to granting a conditional use permit under this section, the Historic District Commission shall make the following findings:

- (1) The increase in building height is supported by one or both of the conditions in Section 10.535.131; and
- (2) The building and site design will mitigate the impact of increased height on neighboring properties.

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

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

This ordinance shall take effect upon its passage.

APPROVED:

Eric Spear, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

Proposed Zoning Amendment – Maximum Structure Height in the CBA & CBB Districts

Planning Board Recommendation

August 15, 2013

1. Amend Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

	CBA	CBB
Maximum Structure Dimensions		
Structure height	50' ⁵ 45' or 3½ stories, whichever is less ²	60' 50' or 4½ stories, whichever is less ²

² See Section 10.535 for building height setback from street in Central Business A district exceptions to dimensional standards in the Central Business districts.

2. Amend Section 10.535 – Exceptions to Dimensional Standards in the Central Business Districts, by inserting the following new Section 10.535.13:

10.535.13 Increased **Building Height** by Conditional Use Permit

Within the CBA and CBB districts, the Historic District Commission may grant a conditional use permit to allow an increase in **building height** above the maximum **structure height** specified in Section 10.531, up to a maximum of 50 feet in the CBA district or 60 feet in the CBB district, only if the proposed **building** and site design positively contribute to the context, quality, and overall historic character of the neighboring properties and the district as a whole, including:

- Publicly accessible open space areas such as widened sidewalks, plazas, pocket parks, playgrounds or other significant public open space areas;
- Underground parking in lieu of surface parking;
- The use of high-quality building materials in the building design including, but not limited to: slate or copper roofing; copper gutters and downspouts; restoration brick; granite sills, lintels, foundations, stoops and steps; and wood windows along the façade elevation;
- Significant scaling elements in the building design such as increased setbacks, stepbacks, reduced footprint and volume, the use of pitched roof forms, banding, quoining and other massing techniques to maintain a pedestrian scale along the façade;
- Significant restoration or reconstruction of a “focal” or “contributing” building;
- Permanent protection of a significant view corridor.

3. In Section 15 – Definitions, add the following new terms and definitions:

Story

That portion of a **building** included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters. For the purpose of determining the number of stories in a building, a **story above grade plane** shall count as a full **story**. (See also: **building height, grade plane, half story, and story above grade plane**)

Half Story

A **story** immediately below a roof in which the floor area with a ceiling height of 7 feet or more is not greater than 50 percent of the total floor area of the **story** below. Any exterior wall of a **half story** shall be set back at least 15 feet from any **building** wall of a lower **story** facing a **street** or public right of way.

Story Above Grade Plane

Any **story** having its finished floor surface entirely above **grade plane**, or in which the finished surface of the floor next above is more than 6 feet above **grade plane**, or more than 12 feet above the finished ground level at any point.

ORDINANCE # - 2013

THE CITY OF PORTSMOUTH ORDAINS that the following amendments be made to Chapter 7, Vehicles, Traffic and Parking, of the Ordinances of the City of Portsmouth (deletions from existing language ~~stricken in red~~; additions to existing language **bolded in red**; remaining language unchanged from existing):

(Explanation not part of ordinance: The following changes to the parking ordinance were either implemented by the Parking and Traffic Safety Committee for testing during the last year or are a part of ongoing improvements to the Vehicles, Traffic and Parking Ordinance and are forwarded to the City Council for approval as an Omnibus Ordinance.)

A. Amend: Chapter 7, Article VI – TRUCK LOADING/UNLOADING ZONES, Section 7.601 Truck Loading/Unloading Zones Established:

ARTICLE VI: TRUCK LOADING/UNLOADING ZONES

Section 7.601: TRUCK LOADING/UNLOADING ZONES ESTABLISHED

The following locations are established as exclusive “Truck Loading Zones” on Mondays through Saturdays between the hours of 6:00 a.m. and 7:00 p.m. **or as otherwise described below with regard to any particular location** ~~(and 6:00 a.m. to 12:00 p.m. on Sundays where noted)~~. During these times only trucks, vans and other commercial delivery vehicles **actively** engaged in loading or unloading of product, merchandise or equipment (**meaning that no more than 10 consecutive minutes pass without loading or unloading activity**) may park. Such vehicles may park at the designated locations for a period not to exceed 30 minutes. Unless otherwise determined by ordinance, at all other times these zones shall be open parking for all vehicles.

1. **Bow Street: northerly side starting 40 feet west from Chapel Street and extending west for a distance of 70 feet. In addition to Monday through Saturday, this location shall also be a truck loading zone from 6:00 a.m. to 12:00 p.m. on Sunday.**
 2. **Bridge Street: westerly side, 100 feet north from the intersection of Bridge Street and Islington Street for a distance of 49 feet.**
 - ~~7. Haven Court: both sides, entire length.~~
 10. Penhallow Street: westerly side, north from Commercial Alley for a distance of 45 feet. **In addition to Monday through Saturday, this location shall also be a truck loading zone from 6:00 a.m. to 12:00 p.m. on Sunday.**
-

- B.** Amend: Chapter 7, Article VI – TRUCK LOADING/UNLOADING ZONES Section 7.602 Truck Loading/Unloading Zones (24 Hours):

Section 7.602: TRUCK LOADING/UNLOADING ZONES (24 HOURS)

The following locations are established as exclusive “Truck Loading Zones” at all times, 24 hours a day, seven days a week. Only trucks, vans and other commercial delivery vehicles actually engaged in loading or unloading of product, merchandise or equipment may park in the designated locations. Such vehicles may park at the designated locations for a period not to exceed 30 consecutive minutes.

- 2. Haven Court**
 - a. Both sides, entire length**

-
- C.** Amend: Chapter 7, Article II – TAXICABS, Section 7.224 Taxicab Stands:

Section 7.224: TAXICAB STANDS

- A. No owner or operator of any taxicab shall allow or permit the same to remain standing or parked unattended **for longer than five (5) minutes** at any taxi stand.

-
- D.** Add: Chapter 7, ARTICLE III:

Section 7.328 UTILIZATION OF MULTIPLE PARKING SPACES:

No person having custody or control of a single vehicle shall park or cause any vehicle to be parked (or partially parked) on two adjacent spaces on any metered street in the City of Portsmouth at a time and in a location in which a parking fee is required. Vehicles with trailers or boats may occupy up to two spaces when parking fees are paid for both spaces.

-
- E.** Amend: Chapter 7, Article IV: Section 7A.408 Taxicab Stands Designated:

Section 7A.408: TAXICAB STANDS DESIGNATED

The following areas are hereby designated as Taxi stands:

- C. Hanover Street: southerly side, first parking space west from ~~the bus stop.~~ **Fleet Street**
-

**F. Add: Chapter 7, Article III, Limited Parking – Three Hours: Section 7.328:
Limited Parking – Three Hours**

- A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than three hours at any time between the hours of 9:00 a.m. and 7:00 p.m. Monday through Saturday, and between 12:00 p.m. and 7:00 p.m. Sunday, Holidays excluded, on the following streets and locations:**
- 1. Bow Street:**
 - a. both sides from Penhallow Street to Chapel Street.**
 - b. west side from point 38 feet northerly of intersection with Daniel Street to a point 445 feet northerly from said intersection.**
 - 2. Bridge Street: both sides from Hanover Street to Deer Street.**
 - 3. Ceres Street:**
 - a. land of the City of Portsmouth, Assessor's Plan 13, Lot 85, from Ceres Street 48 feet of the westerly half of said lot.**
 - 4. Chestnut Street: both sides from State Street to Court Street.**
 - 5. Church Street: easterly side, two spaces 26 feet south of State Street.**
 - 6. Congress Street:**
 - a. southerly side from Chestnut Street to Church Street, except for the first two spaces westerly from the intersection of Fleet Street.**
 - b. northerly side from a point 65 feet easterly from Fleet Street to a point 75 feet westerly from High Street.**
 - 7. Court Place: east side from Court Street to State Street.**
 - 8. Court Street: on the southerly side from Middle Street to the easterly sideline of Chestnut Street extended.**
 - 9. Daniel Street:**
 - a. north side from Piscataqua River to Market Street.**
 - b. five head-in parking spaces adjacent with the Piscataqua River commencing 30 feet from the Harbour Place property line at the northern most corner of Daniel Street and the Piscataqua River.**
 - 10. Deer Street: all except for two spaces in front of 28 Deer Street.**
 - 11. Fleet Street: westerly side from Hanover Street to State Street with the exception of Taxi Stands #1 and #2.**
 - 12. High Street:**
 - a. easterly side, first two metered spaces south of Ladd Street**
 - b. east side from Hanover Street to Deer Street.**
 - c. west side, first two metered spaces north of Hanover Street**

13. **Marcy Street: westerly side from the intersection of State Street to a point 100 feet south of Court Street**
 14. **Market Square:**
 15. **Market Street:**
 - a. **westerly side from Market Square to Bow Street, except for the first two parking spaces from Market Square. The first of which is hereby designated for police cruiser parking only and the second of which is designated as a taxi stand (see Section 7.A408).**
 - b. **easterly side from Daniel Street to Deer Street.**
 - c. **both sides from Deer Street to Russell Street.**
 16. **Penhallow Street:**
 - a. **westerly side from State Street to southerly entrance of Police Station grounds, from exit of N.H. National Bank to Daniel; from a point 160 feet north of Daniel to Bow Street.**
 - b. **easterly side between Daniel Street and Bow Street.**
 17. **Pleasant Street:**
 - a. **easterly side from #15 Pleasant Street to State Street.**
 - b. **westerly side from southerly end of the North Church to State Street.**
 18. **State Street:**
 - a. **northerly side from Middle Street 250 feet westerly.**
 - b. **northerly side from Middle Street to Marcy Street.**
 - c. **southerly side from Middle Street to Marcy Street.**
 19. **Washington Street: northerly side between State Street and Court Street**
-

G. **Amend**: Chapter 7, Article IV, Off-Street Parking Areas

H. Prescott Park Off-Street Parking Areas

The following areas to be known as the Prescott Park Off-Street Parking Areas are hereby established for off-street parking of motor vehicles:

1. **Water Street**
2. **The Lot at the northerly end of the Park.**
 - A. **No person having control or custody of any vehicle shall stop or cause same to stop for longer than two (2) hours at any time between the hours of 8:00 a.m. and 6:00 p.m., on any day of the week.**

~~I. Middle School — Library Parking Lot Off-Street Parking Area~~

~~The following area to be known as the Middle School Library Off-Street Parking Area is hereby established for off-street parking of motor vehicles in accordance with the terms and conditions contained herein:~~

~~The lot on the northerly side of Parrott Avenue between the Portsmouth Public Library and the Middle School.~~

- ~~1. The thirty one (31) parking spaces closest to the Portsmouth Library, as designated by the Department of Public Works, shall be designated as Library Only parking with a four (4) hour time limit.~~
- ~~2. All remaining parking spaces shall not be designated for parking related to any particular facility, but shall be subject to a two (2) consecutive hour time limit.~~
- ~~3. No parking shall be allowed in the lot between the hours of 11:00 p.m. and 7:00 a.m. at any time, except for the 24 parking spaces directly abutting Parrott Avenue, which spaces shall be vacated no later than 7:00 a.m.~~

J. Portsmouth Library Off-Street Parking Area

The following area to be known as the Portsmouth Library Off-Street Parking Area is hereby established for off-street parking of motor vehicles:

~~The southern section of the property located at 175 Parrott Avenue.~~

~~All of said area shall be used for off-street parking for library patrons only, not to exceed 4 hours at any one time. At no time shall a vehicle be parked overnight, or continuously from dusk until dawn.~~

~~It shall be unlawful for any personal to cause or permit any vehicle registered in his name to be parked in violation of this Section and said violation shall be subject to a fine and removal by towing.~~

K. Meeting House Hill Off-Street Parking Area

The following area to be known as the Meeting House Hill Off-Street Parking Area is hereby established for off-street parking of motor vehicles:

The property located at 280 Marcy Street, formerly known as the Children's Museum.

All of said area shall be used for off-street parking not to exceed 72 hours at any one time.

~~It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parked in violation of the Section and said violation shall be subject to a fine pursuant to Section 7.901, paragraph H, and removal by towing.~~

H. Amend: Chapter 7, Article III, Traffic Ordinance, Limited Time Parking

Section 7.327: LIMITED PARKING - TWO HOURS

- A. No person having control or custody of any vehicle shall stop or cause the same to stop or park for longer than two hours at any time between the hours of 9:00 a.m. and 7:00 p.m. Monday through Saturday, and between 12:00 p.m. and 7:00 p.m. Sunday, Holidays excluded, on the following streets and locations:
- ~~1. Bow Street:
 - a. both sides from Penhallow Street to Chapel Street.
 - b. west side from point 38 feet northerly of intersection with Daniel Street to a point 445 feet northerly from said intersection.~~
 - ~~2. Bridge Street: both sides from Hanover Street to Deer Street.~~
 - ~~3. Ceres Street:
 - a. land of the City of Portsmouth, Assessor's Plan 13, Lot 85, from Ceres Street 48 feet of the westerly half of said lot.~~
 - ~~4. Chestnut Street: both sides from State Street to Court Street.~~
 - ~~5. Church Street: easterly side, two spaces 26 feet south of State Street.~~
 - ~~6. Congress Street:
 - a. southerly side from Chestnut Street to Church Street, except for the first two spaces westerly from the intersection of Fleet Street.
 - b. northerly side from a point 65 feet easterly from Fleet Street to a point 75 feet westerly from High Street.~~
 - ~~7. Court Place: east side from Court Street to State Street.~~
 - ~~8. Court Street: on the southerly side from Middle Street to the easterly sideline of Chestnut Street extended.~~
 - ~~9. Daniel Street:
 - a. north side from Piscataqua River to Market Street.
 - b. Five head-in parking spaces adjacent with the Piscataqua River commencing 30 feet from the Harbour Place property line at the northern most corner of Daniel Street and the Piscataqua River.~~
 - ~~10. Deer Street: all except for two spaces in front of 28 Deer Street.~~
 11. Doris Avenue: both sides.
 12. Dunton Street:

- ~~13. Fleet Street: westerly side from Hanover Street to State Street with the exception of Taxi Stands #1 and #2.~~
14. Greenside Avenue: both sides.
15. Hancock Street:
 - a. northerly side from Marcy Street to Pleasant Street
 - b. southerly side from Washington Street to Pleasant Street.
- ~~16. High Street:
 - a. easterly side, first two metered spaces south of Ladd Street
 - b. east side from Hanover Street to Deer Street.
 - c. west side, first two metered spaces north of Hanover Street~~
17. Islington Street:
 - a. northerly side from Tanner Street to Parker Street
 - b. northerly side from Pearl Street to a point westerly 335'
 - c. northerly side from Cabot Street to a point easterly 515'
18. Madison Avenue: westerly side from State Street to Lovell Street.
- ~~19. Maplewood Avenue: easterly side ten spaces running northerly from a point one hundred twenty feet (120') north of its intersection of Vaughan Street.~~
- ~~20. Marcy Street: westerly side from the intersection of State Street to a point 100 feet south of Court Street.~~
- ~~21. Market Square: limited two hour parking.~~
- ~~22. Market Street:
 - a. westerly side from Market Square to Bow Street, except for the first two parking spaces from Market Square. The first of which is hereby designated for police cruiser parking only and the second of which is designated as a taxi stand (see Section 7.A408
 - b. easterly side from Daniel Street to Deer Street.
 - c. both sides from Deer Street to Russell Street.~~
23. Mechanic Street: northerly side from Marcy Street intersection to Pierce Island Bridge Approach.
24. Middle Street: northerly side from Austin Street to Summer Street.
- ~~25. Penhallow Street:
 - a. westerly side from State Street to southerly entrance of Police Station grounds, from exit of N.H. National Bank to Daniel; from a point 160 feet north of Daniel to Bow Street.
 - b. easterly side between Daniel Street and Bow Street.~~

- ~~26. Pleasant Street:~~
- ~~a. easterly side from #15 Pleasant Street to State Street.~~
 - ~~b. westerly side from southerly end of the North Church to State Street.~~
27. Sheafe Street: northerly side from a point 40 feet easterly from Penhallow Street to Chapel Street.
28. Sherburne Road: both sides.
- ~~29. State Street:~~
- ~~a. northerly side from Middle Street 250 feet westerly.~~
 - ~~b. northerly side from Middle Street to Marcy Street.~~
 - ~~c. southerly side from Middle Street to Marcy Street.~~
30. Summer Street:
- a. both sides from Islington Street to State Street, Monday through Friday from 8:00 a.m. to 5:00 p.m.
 - b. southwesterly side between Chatham Street and Austin Street.
31. Sutton Street: both sides.
- ~~32. Washington Street: northerly side between State Street and Court Street~~
33. Witmer Avenue: both sides.

I. Amend: Chapter 7, Article IVA, Bus Stops, Taxicab Stands and Horse Drawn Carriages and Article IV, Off-Street Parking Areas

Section 7A-402: Bus Stops Designated

- D. Hanover Street: southerly side of Hanover Street 140–**90** feet east of Fleet Street to a point 285 feet east of Fleet Street.

J. Amend: Chapter 7, Article IV, Off-Street Parking Areas

Section 7.402: Areas established, Designated and Described

ADD: B. Dennett and Kane Streets Off-Street Parking Area:

The following area, to be known as the Dennett/Kane Off-Street Parking Area, is hereby established for the off-street parking of motor vehicles. Said area is more particularly bounded and described as follows:

The triangular area 100 feet westerly from the intersection of Dennett and Kane Streets abutting the easterly side of the property at 197 Dennett Street. The space provides parking for five vehicles.

AMEND:
(Move to end) - Business Validation Program

K. Amend: Chapter 7, Article IX, Penalties, Forfeitures and Separability, Section 7.901: Penalties

E. Notwithstanding any other provisions of this Ordinance, any person violating the following sections of this Chapter or any rule made by the Chief of Police pursuant thereto, shall forfeit to the City of Portsmouth within forty-eight (48) hours of such violation the amount designated below. In the event that the forfeiture amounts not made within thirty (30) calendar days of the violation, then the forfeiture shall be twice the sum listed below. In the event of failure to make such forfeiture, said person shall be subject to a fine of not more than \$100.00 upon conviction. ~~therefore in the Portsmouth District Court.~~

<u>Section</u>	<u>Parking Violation</u>	<u>Fine Amount</u>
ADD: 7.209	Utilization of Multiple Spaces <i>(No amendments to remaining schedule of fines)</i>	\$25.00

L. Amend: Chapter 7, Article III, Traffic Ordinance, Section 7.321: Snow Emergency Parking Ban

G. City residents may park in the High-Hanover Parking Facility during snow emergencies **by paying a flat fee to be determined by the City Council commencing from with** a declared parking ban advanced notice until a time deemed appropriate by the Public Works Director or his/her designee following termination of a snow ~~ban but in no event less than two hours after the termination of the snow ban.~~ **The time period allowed for such parking shall not terminate less than 2 hours after then end of the snow ban. To be eligible for the flat rate snow ban discount, drivers must provide proof of residency by presenting a driver's license or vehicle registration showing a Portsmouth address.** The fee is payable upon exit from the parking facility.

M. Amend: Chapter 7, Article III, Traffic Ordinance, Section 7.326: Limited Parking – Fifteen Minutes

Add:

- 9. Maplewood Avenue: easterly side, the first two spaces commencing 140 feet northerly from Vaughan Street**

Amend:

- 12. State Street:**
a. southerly side, first two metered spaces east from Atkinson Street.
b. southerly side, first metered space east from Pleasant Street.
-

N. Amend: – Chapter 7, Article IV, Off-Street Parking Areas, Section 7.401, Definitions:

Amend:

Section 7.401: Definitions **and Authority**

Add:

C. It shall be unlawful for any person to cause or permit any vehicle registered in his name to be parked in violation of this Section and said violation shall be subject to a fine pursuant to Section 7.901, paragraph H, and removal by towing.

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

The City Clerk shall remove all references of amendment dates to Chapter 7 with that information to be indexed separately.

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

This ordinance shall take effect upon its passage.

APPROVED:

ERIC SPEAR, MAYOR

ADOPTED BY COUNCIL:

KELLI L. BARNABY, CMC
CITY CLERK

Hi John and Ann,

Just my yearly note to connect with the City regarding our Telluride by the Sea film festival and the closing of Chestnut Street throughout the weekend of Sept. 20-22.

Nothing different this year, all the same. We generally are given barricades on the Friday morning (9/20 this year) and put them up and take them down (both ends - Congress and Porter Ave.), according to the movie and queue schedule.

In addition, we put up a banner across Chestnut St., where it meets Congress - this goes up the first weekend of September.

Here is our (draft) schedule. Times are approximate at this point.

Friday, 9/20:

5pm: Queues begin to form on Chestnut in front of TMH: live, unamplified jazz band on the street.

7:30pm: Film at TMH then after party at Radici

Saturday, 9/21:

10:30am: Film at Loft

1:30pm: Film at TMH

3:45pm: Film at Loft

6:15pm: Film at TMH

8:30pm: Film at TMH

Sunday, 9/22:

1:30pm: Film at TMH

4pm: Film at Loft

6:30pm: Film at TMH then party at The Brewery - End of festival

Let me know if you'd like me to come for a meeting to discuss.

Thank you and be well.

~Chris

Chris Curtis

Programming Coordinator

The Music Hall

28 Chestnut St.

Portsmouth, NH 03801

p 603.766.2199

f 603.766.1753

ccurtis@themusichall.org

www.themusichall.org

Thank you for your membership support of The Music Hall! To stay up to date with what's going on this summer sign up for our e-news!



NATIONAL SERIES SPONSORS



NEW HAMPSHIRE

AUG 15 2013

August 14th, 2013

Eric Spear, John Bohenko, & Portsmouth City Council
City of Portsmouth
1 Junkins Avenue
Portsmouth NH 03801

Dear Mayor Spear, City Manager, & City Council:

First, we would like to thank City Manager, John Bohenko, and his team for meeting with us on July 23rd to start the preliminary planning for our 2014 Susan G. Komen Race for the Cure. We appreciate your time and suggestions, and look forward to another successful year!

With your help and support our 2013 NH Race for the Cure raised over \$150,000 and had over 650 participants. Even with the rain we had a lot of men and women who came out to support our local breast cancer survivors. We heard over and over again how great our event was from the start to finish, on the course and on the grounds of Strawberry Banke, so thank you for helping us make it a happy event all around!

On behalf of Vermont-New Hampshire Affiliate of Susan G. Komen for the Cure®, we are respectfully requesting permission from the City of Portsmouth to conduct the following event in 2014:

Susan G. Komen New Hampshire Race for the Cure® (5K) on May 10, 2014; to take place at Strawberry Banke in Portsmouth, NH starting at 8:30am. *(Please see the attached, revised 5K race route).*

As you may know, Susan G. Komen for the Cure® is the world's largest and most progressive grassroots network fighting to end breast cancer forever. With your permission, this will be third NH Susan G. Komen 5K event held in Portsmouth.

Thank you in advance for your consideration.

Sincerely,

Allison Brownell, Race Co-Chair
370 Broad Street, Portsmouth, NH 03801
Allison.brownell@gmail.com, Cell: 845-430-9351

Valerie Wawrin-Stanton, Race Co-Chair
162 Kensington Road, Hampton Falls, NH 03844
VWS.KRFC@gmail.com, Cell: 781-640-6716

Ed Harvey – Race Director

Edmund.Harvey@usnh.edu Phone: 603-862-1246

cc: John Bohenko, City Manager

Allison Brownell, RACE CO-CHAIR
Val Wawrin-Stanton, RACE CO-CHAIR
Deborah Peterson, EXECUTIVE DIRECTOR
Carol Munson, RACE ADMINISTRATOR
Edmund Harvey, RACE DIRECTOR

Doris Armento
Jacqui Bryan
Rachel Copeland
Sarah Danforth
Stacey DeSimone
Tish Campbell
Eric Flaim
Elizabeth Fregeau
Marc Francis
Judy George
Ken George
Janine Groman
Maureen Heaps
Amy Krumsiek
Stephanie Landaverde
Danielle MacInnes
Mollie Mulligan
Tamara Murphy
Lois Nazarian
Carolyn Ostrom
Sophia Priddy
Mindy Puckett
Valerie Rochon
Allison Rubin
Katherine Ruel
Ashley Strathopolos
Laura Surdek
Gail Tomlinson
Keslie Tomlinson
Randi Turban
Diedra Turmelle
Michelle Vangel
Cynthia Vigdor
Judy Weners

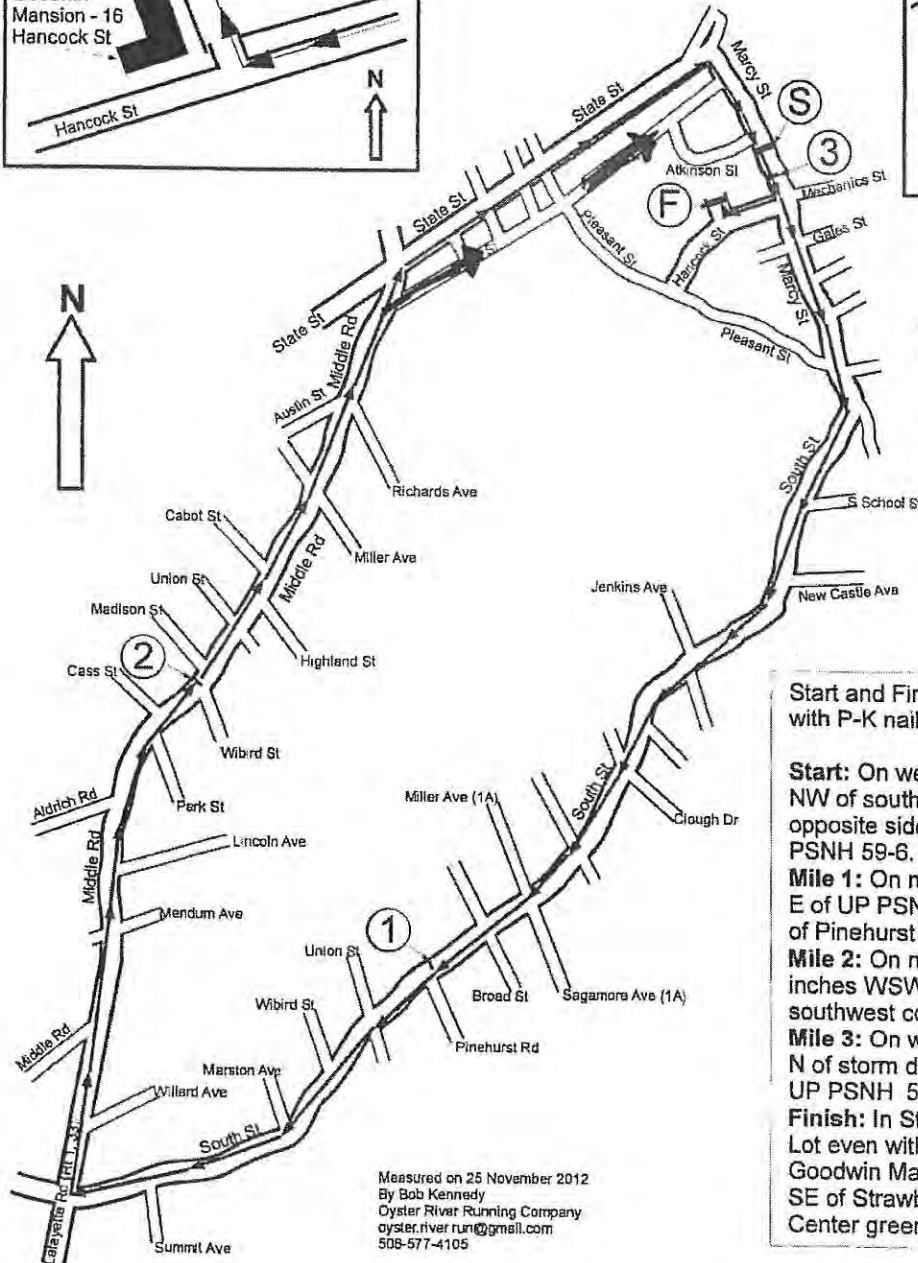
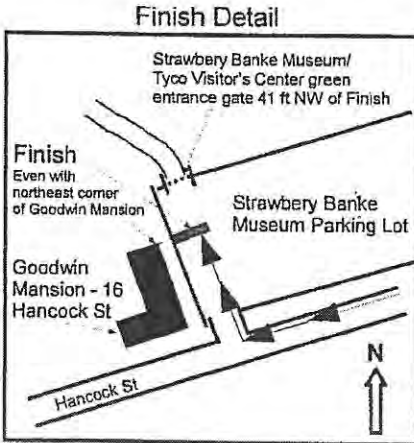
Vermont-New Hampshire Affiliate
of Susan G. Komen for the Cure®
P.O. Box 2496, 21 Bonnet Street
Manchester Center, VT 05255
888-550-CURE
Fax: 802-366-4909
Email: info@vtnhkomen.org
www.komenvtnh.org



Susan G. Komen New Hampshire Race for the Cure 5K Portsmouth, New Hampshire



**SUSAN G. KOMEN NEW HAMPSHIRE
RACE FOR THE CURE 5K
USATF CERTIFICATE NH13002TY
EFFECTIVE 2-13-13 TO 12-31-23**



*Court St to replace
State St in 2014.*

*Start on Marcy
to move back
toward Court to
keep finish in
Strawbery Banke
parking lot at
measured 5k.*

Start and Finish, and all mile markers marked with P-K nails and white paint (UP = Utility Pole)

Start: On west side of Marcy St, 8 ft 7 inches NW of southwest corner of 105 Marcy St on opposite side, and 54 ft 4 inches SE of UP PSNH 59-6.

Mile 1: On north side of South St, 5 ft 2 inches E of UP PSNH 5-38 (56-37) on northeast corner of Pinehurst Rd and South St.

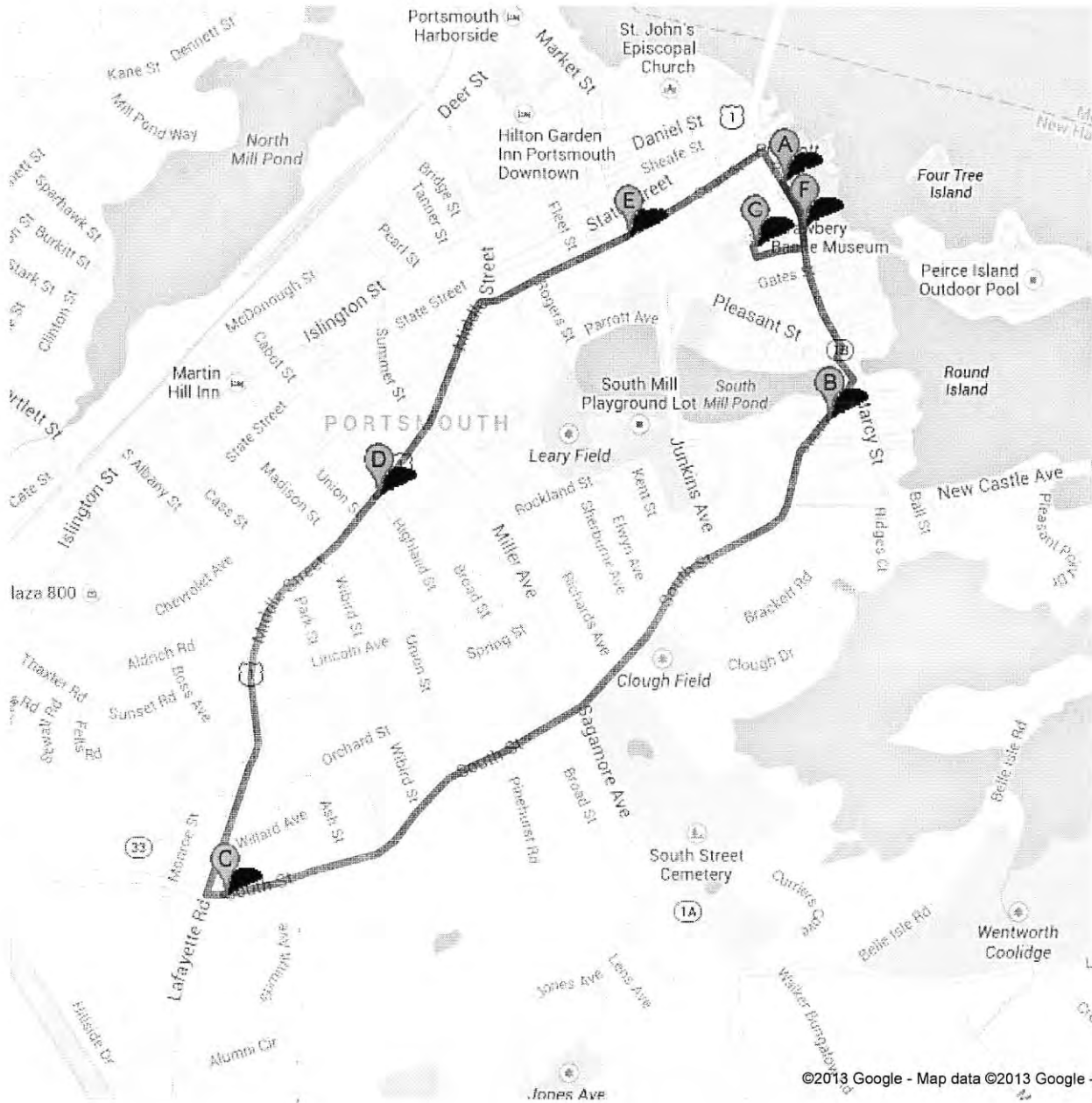
Mile 2: On northwest side of Middle St, 38 ft 3 inches WSW of UP PSNH 6-26 (100T) on southwest corner of Madison St and Middle St.

Mile 3: On west side of Marcy St, 24 ft 9 inches N of storm drain on same side, and 54 ft S of UP PSNH 59-9 on same side.

Finish: In Strawberry Banke Museum Parking Lot even with northeast (rear) corner of Goodwin Mansion at 16 Hancock St, and 41 ft SE of Strawberry Banke Museum/Tyco Visitor's Center green entrance gate.

Measured on 25 November 2012
By Bob Kennedy
Oyster River Running Company
oyster.river.run@gmail.com
508-577-4105

Directions to Unknown road
3.1 mi – about 13 mins





A Marcy St

1. Head **southeast** on **Marcy St** toward **Atkinson St**
About 1 min

go 0.3 mi
total 0.3 mi



2. Turn left to stay on **Marcy St**

go 203 ft
total 0.3 mi



3. Take the 1st right onto **South St**

go 344 ft
total 0.4 mi

Total: 0.4 mi – about 2 mins



B South St

total 0.0 mi

4. Head **southwest** on **South St** toward **Johnson Ct**
About 4 mins

go 1.1 mi
total 1.1 mi

Total: 1.1 mi – about 4 mins



C South St

total 0.0 mi

5. Head **west** on **South St** toward **Lafayette Rd**

go 121 ft
total 121 ft



6. Turn right onto **Lafayette Rd**

go 0.2 mi
total 0.2 mi

7. Continue onto **Middle Street**
About 58 secs

go 0.4 mi
total 0.7 mi

Total: 0.7 mi – about 2 mins



D Middle St, Portsmouth, NH 03801

total 0.0 mi

8. Head **northeast** on **Middle Street** toward **Cabot St**
About 1 min

go 0.3 mi
total 0.3 mi



9. Take the 3rd right onto **Court St**
About 1 min

go 0.2 mi
total 0.5 mi

Total: 0.5 mi – about 3 mins



E Court St, Portsmouth, NH 03801

total 0.0 mi

10. Head **northeast** on **Court St** toward **Washington St**
About 52 secs

go 0.2 mi
total 0.2 mi



11. Turn right onto **Marcy St**

go 0.1 mi
total 0.3 mi

Total: 0.3 mi – about 1 min



F Marcy St

total 0.0 mi

12. Head **south** on **Marcy St** toward **Mechanic St**

go 157 ft
total 157 ft



13. Take the 1st right onto **Hancock St**

go 367 ft
total 0.1 mi



14. Turn right

go 85 ft
total 0.1 mi

Total: 0.1 mi



G Unknown road

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

Map data ©2013 Google

Directions weren't right? Please find your route on maps.google.com and click "Report a problem" at the bottom left.



PORTSMOUTH BLACK HERITAGE TRAIL



Operated by Portsmouth Historical Society

August 8, 2013



Portsmouth City Council
1 Junkins Avenue
Portsmouth NH 03801

Honorable Councilors;

The Portsmouth Black Heritage Trail (PBHT) requests a parade permit for 3:00 PM to 3:30 PM on Wednesday, August 28, going from the PBHT office at 10 Middle Street to Chestnut Street, and to include blocking vehicular traffic on Chestnut Street from 3:00 PM to 4:00 PM.

PBHT is inviting people of Portsmouth to participate in the national celebration of the 50th anniversary of Dr. Martin Luther King's famous "I Have A Dream" speech, which he delivered at 3:00 PM on August 28th in 1967 in Washington, DC.

In that speech, Dr. King made an appeal to "Let freedom ring from the prodigious hilltops of New Hampshire..." and, in honor of that reference, the Portsmouth Black Heritage Trail invites churches and individuals to ring bells at 3:00. Also, people may bring bells with them to ring outside the PBHT office at 10 Middle Street, then follow area musicians to the African Burying Ground for some moments of reflection. Logistically, this is the plan:

2:45 People begin gathering outside the Discover Portsmouth Center , 10 Middle St.

3:00 Bells ring for a couple minutes, then local musicians will play as people go along Middle Street to State Street and to Chestnut Street.

3:20 Remarks by PBHT Director and Rev. Robert Thompson of Exeter reading excerpts from "I Have A Dream," followed by more music.

3:50 The public will be invited to return to Discover Portsmouth Center to view the artist's model of the Memorial Park planned for the African Burying Ground and to get information about the City's other historical and cultural events.


Although the plan is to use sidewalks and crosswalks from Middle Street to Chestnut Street, we cannot guess how many people will show up or how this might affect traffic; also, for public safety we believe Chestnut Street should be closed off between 3:00 and 4:00 PM. I am available to answer any questions you might have: , 603-380-1231.

Sincerely,


JerriAnne Boggis, Director
Portsmouth Black Heritage Trail

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: August 16, 2013
To: Honorable Mayor Eric Spear and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on August 19, 2013 City Council Agenda

6:00 p.m.

Work Session:

1. **Historic District Commission.** As you will recall, at the June 17, 2013 City Council meeting, the Council voted to schedule a Work Session with the Historic District Commission. The Work Session is scheduled for 6:00 p.m. on Monday evening. Attached is an agenda for the work session.

Presentation:

1. **Wastewater Treatment Plant Update.** On Monday evening, Suzanne Woodland, Assistant City Attorney and Terry Desmarais, City Water and Sewer Engineer, will give an update to the City Council regarding the construction of the new Wastewater Treatment Plant on Peirce Island.

Acceptance of Grants and Donations:

1. **Acceptance of Donation for Bench in Triangle Park.** The Friends of the South End have made a donation to the City in the amount of \$1,433.33 for a bench in Triangle Park at the corner of Marcy/Pleasant/South Mill Streets.

I would recommend that the City Council move to accept the donation from the Friends of the South End for a bench in Triangle Park, as presented. Action on this matter should take place under Section VIII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

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

- 1.1 **First Reading of Omnibus Ordinance.** As a result of the August 5th City Council meeting, under Section IX of the Agenda, I am bringing back for first reading the attached proposed changes to Chapter 7, Vehicles, Traffic Parking Omnibus Ordinances that were either implemented by the Parking and Traffic Safety Committee for testing during the last year or are a part of ongoing improvements to the Vehicles, Traffic and Parking Ordinance and are forwarded to the City Council for approval as an Omnibus Ordinance. The changes are highlighted in red.

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

2. Public Hearing of Proposed Ordinance:

- 2.1 **Public Hearing and Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Article 5 – Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, Maximum Structure Dimensions – Structure Height, CBA 45’ or 3 Stories, whichever is less; CBB 45’ or 3 Stories, whichever is less, and Section 10.535 – Exception to Dimensional Standards in the Central Business Districts, by inserting a New Section 10.535.13: Increased Building Height by Conditional Use Permit (The public hearing was continued at the August 5, 2013 meeting to the August 19, 2013 City Council meeting).** As you will recall, at the August 5th City Council meeting, the public hearing on this matter was left open in order for the Planning Board to continue its review on this proposed Ordinance (see attached original Ordinance).

As you are aware, on Thursday, August 15th, the Planning Board acted on the City Council referral regarding the draft building height zoning ordinance amendment. At that meeting, the Board unanimously approved a version of the ordinance that incorporated comments from the City Council’s discussion on this ordinance, the joint work session of the Planning Board and HDC as well as the Public Hearing at the Planning Board. The ordinance approved by the Planning Board included a height limit of 50 feet or 4-1/2 stories, which ever is less in CBB, and 45 feet or 3-1/2 stories, which ever is less, for the CBA district. The version approved by the Planning Board included the ability to increase the building height to 50 feet in CBA and 60 feet in CBB through a conditional use permit through the HDC. The Planning Board refined the criteria to be used by the HDC in granting the Conditional Use permit and also included several

definitions required by the amendment. The complete language of the amended Planning Board's version is attached on blue paper.

Prior to the public hearing, Rick Taintor, Planning Director, will be making a presentation regarding this proposed Ordinance and amendments.

The City Council may take the following actions:

- 1) *Move to approve the Ordinance as presented, or;*
- 2) *Move to amend the proposed Ordinance in whole or in part as recommended by the Planning Board as follows:*
 - A. In Section 10.531 (Table of Dimensional Standards – Business and Industrial Districts), in the column headed “CBA,” change “3 stories” to “3½ stories.”
 - B. In Section 10.531 (Table of Dimensional Standards – Business and Industrial Districts), in the column headed “CBB,” change “45’ or 3 stories” to “50’ or 4½ stories.”
 - C. Replace the proposed Section 10.535.13 in its entirety with the following:

10.535.13 Increased Building Height by Conditional Use Permit

Within the CBA and CBB districts, the Historic District Commission may grant a conditional use permit to allow an increase in building height above the maximum structure height specified in Section 10.531, up to a maximum of 50 feet in the CBA district or 60 feet in the CBB district, only if the proposed building and site design positively contribute to the context, quality, and overall historic character of the neighboring properties and the district as a whole, including:

- Publicly accessible open space areas such as widened sidewalks, plazas, pocket parks, playgrounds or other significant public open space areas;
- Underground parking in lieu of surface parking;
- The use of high-quality building materials in the building design including, but not limited to: slate or copper roofing; copper gutters and downspouts; restoration brick; granite sills, lintels, foundations, stoops and steps; and wood windows along the façade elevation;
- Significant scaling elements in the building design such as increased setbacks, stepbacks, reduced footprint and volume, the use of pitched roof forms, banding, quoining and other massing techniques to maintain a pedestrian scale along the façade;

- Significant restoration or reconstruction of a “focal” or “contributing” building;
- Permanent protection of a significant view corridor.

D. In Article 15 – Definitions, Section 10.1530 – Terms of General Applicability, insert the following new terms and definitions:

Story

That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters. For the purpose of determining the number of stories in a building, a story above grade plane shall count as a full story. (See also: building height, grade plane, half story, and story above grade plane)

Half Story

A story immediately below a roof in which the floor area with a ceiling height of 7 feet or more is not greater than 50 percent of the total floor area of the story below. Any exterior wall of a half story shall be set back at least 15 feet from any building wall of a lower story facing a street or public right of way.

Story Above Grade Plane

Any story having its finished floor surface entirely above grade plane, or in which the finished surface of the floor next above is more than 6 feet above grade plane, or more than 12 feet above the finished ground level at any point.

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

City Manager’s Items Which Require Action:

1. **Brewster Street Boarding House Permit Extension.** As you are aware, the 21 Brewster Street Boarding House Permit will expire on Tuesday, August 20th. Attorney Dan Hoefle, on behalf of Brian Hogan, owner, will be in attendance at Monday’s meeting. I would recommend that the City Council suspend the rules to allow Attorney Hoefle to present the proposed application for the extension of this permit. City staff has completed an inspection of the property on Monday, August 12, 2013 and have found that Mr. Hogan is in compliance with all health and building issues.

Attached is a draft of the Board House Permit, as well as an e-mail from Karina Quintans, Coordinator, Islington Street Neighborhood, with their comments, regarding this matter.

I would recommend the City Council move the following motions:

1) Move to suspend the rules to allow Attorney Dan Hoefle on behalf of Brian Hogan to present the Boarding House application for 21 Brewster Street; and subsequent to the presentation;

2) Move to extend the Boarding House Permit for 3 months (permit to expire on November 19, 2013) with any stipulations that the City Council may determine after Attorney Hoefle's presentation.

Informational Items:

1. **Events Listing.** For your information, attached is a copy of the Events Listing updated after the last City Council meeting on August 5, 2013. In addition, this now can be found on the City's website.
2. **Helicopter School at Pease.** For your information, on Thursday, August 15, 2013, the Pease Development Authority (PDA) Board of Directors tabled the proposal for Seacoast Helicopters, LLC to locate a school and sightseeing operation at Portsmouth International Airport at Pease. There will be a Noise Compatibility Committee meeting on Monday, August 26th at 6:30 p.m. in the PDA Offices at 55 International Drive to receive public input regarding this matter and the PDA Board has a final vote on this matter on August 29, 2013 at 8:00 a.m.
3. **Status of Doble Army Reserve Center .** As you will recall, at its August 5th meeting, the City Council authorized me to submit a Public Benefit Conveyance (PBC) application to the National Park Service (NPS) for the Paul A. Doble Army Reserve Center. The application was submitted and the application has been approved by the NPS. The Park Service has also requested that the Department of the Army assign the property to the Park Service so it can move forward with a property transfer to the City.

I am hopeful that this new development, along with the Department of Housing and Urban Development's approval of our reuse plan, will further strengthen the City's position as it relates to the federal government's property disposal process. As you know, the Army has indicated that it no longer has the disposal authority under the BRAC law to transfer the property. However, due to the City's long efforts to secure this property under the BRAC law process and this week's development of achieving a formal approval by the Park Service for the use of the property as a recreation facility (Senior Center), I am hopeful that the Army's position will be revisited and clarified.

I will continue to work with our Congressional delegation on this issue and I have made them aware of the recent approval of the City's application. I will continue to update you on this issue.

BOARDING HOUSE PERMIT

CITY OF PORTSMOUTH, NEW HAMPSHIRE

Permit Number: 2013-03

Date: August 20, 2013

BE KNOWN, that Brian D. Hogan, 21 Brewster Street Portsmouth, NH 03801 is licensed to operate a boarding house located at 21 Brewster Street within the City of Portsmouth, NH for the following number of rooms:

Number of Rooms: 34

The boarding house complies with City Ordinance Chapter 9, Article VIII, Sections 9.801 – 9.805 at the date of issuance of permit.

The following conditions shall be met:

1. Extend the current permit through November 19, 2013 with an inspection and report back prior to further extension.
2. Maintain full time professional management of the facility; such management firm having the ability to respond to municipal inquiries and requests 24/7.
3. Integrated pest management (IPM) to be maintained on monthly basis with follow-up inspection and applicable treatment in accordance with applicable treatment protocol in the event of pest detection. Monthly reports and follow-ups shall be delivered to the Health Department.
4. Require all common floors to remain non-porous and non-absorbent with cleanable surfaces.
5. Soiled or infested bedding shall be disposed of and not re-used.
6. Correction of all deficiencies from the annual inspection prior to permit issuance.
7. 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.
8. Permittee agrees that any failure to comply with these conditions, after a reasonable cure period, is adequate grounds for termination of the permit.

DRAFT

9. The professional management described in item 2 above shall have the full authority of the permittee to take those actions necessary to maintain compliance with the permit.

10. The professional management described in item 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.

This permit will expire: November 19, 2013*

**(Extension granted by City Council August 19, 2013)*

Attest:

Kelli L. Barnaby, City Clerk
OFFICE OF THE CITY CLERK

***Footnote:** Items 7 through 10 above are derived from recommendations made by the Islington Creek Neighborhood Association by letter addressed to the Portsmouth City Council on February 13, 2013. The language of the Neighborhood Association has been modified to meet municipal purposes. The Neighborhood recommendation regarding eviction of tenants has not been included because state law regarding evictions preempts municipal authority.

DRAFT

Dave S. Allen

From: Karina N. Quintans [kquintans@comcast.net]
Sent: Saturday, August 10, 2013 10:34 AM
To: Eric Spear; Bob Lister; Nancy Novelline Clayburgh; Esther Kennedy; cdwyer@rmcres.com; Jack Thorsen; 'Tony Coviello, PE'; Bradley M. Lown; Ken Smith; John P. Bohenko; Dave S. Allen
Cc: ross alex; julie applegarth; Jay Dennett; Jay Dennett; drew martin; Nicole Glapierre
Subject: for the Aug 19 council meeting

Dear Mayor and City Councilors, I hope you are having an enjoyable summer!

As the permit renewal approaches, I of course, wanted to drop a note about our "position" on the matter of 21 Brewster Street as follows:

1. it is my understanding that things have been **relatively** quiet. and yes, that is good news. but the key word is **relative**. please do not let this relatively quiet period allow us to become complacent too soon. history has shown that Mr. Hogan, when given too quickly a nod from the city, will immediately revert to his old ways of negligence (please review the city files for the evidence); to reinforce the idea - case in point: things seemingly OK at the Page, despite numerous violations and problems, ended up in a death which then resulted in the action/attention that many people had wished happened a long time ago; while this may not be a perfect apples to apples comparison, it is not far off in terms of the types of problems experienced: disturbance to the public peace, fights/assault/violence, negligence
2. thus, we respectfully request that the 3-month permit renewals continue for at least one year, to demonstrate to Mr. Hogan that we are serious and that things must change and **stay that way**
3. while things seem to be OK, we can't fail to mention and remind the council of our disappointment in the approval of the current "management" situation which was absolutely not in line with what the council agreed to and voted to have back in March of this year.

All things said, we, as always, appreciate your attention to our concerns and hope you will continue to work with us and remain vigilant to achieve permanent change at 21 Brewster. I do not wish to sound negative in this email, but mainly my objective is to remind us all that **change doesn't happen overnight**. if we want change to happen, it means **reinforcing change OVER TIME. please continue to vote for 3 month permit renewals for 21 Brewster.**

Best regards,
Karina Quintans
Coordinator, Islington Creek Neighborhood

--

We should all be concerned about the future because we will have to spend the rest of our lives there. ~ C. F. Kettering
kquintans@comcast.net; tel: 603-501-0280

Event Listing by Date

Starting Date: 8/ 5/2013

Ending Date: 3/31/2014

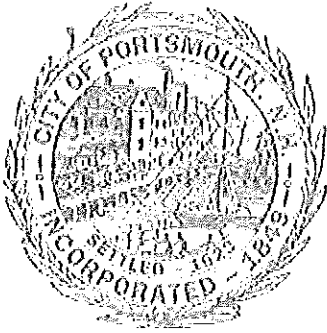
Start End	Type Description	Location	Requestor	Vote Date
8/10/2013 8/10/2013	FUND Mark Herrholz, Secretary is the contact for this event. This event is being held in Market Square, from 8:00 a.m. to 5:00 p.m.	Market Square	Portsmouth Professional Fire F	7/15/2013
8/10/2013 8/10/2013	RALLY Cathy Goldwater 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
8/29/2013 9/ 2/2013	SIDEWALK Assiah Russell from Puttin on the Glitz and Valerie Rochon, of the Chamber are the contacts for this event. Participating shops will put sale racks outside and against the front walls of their shops to display sale items. Hours will be from 10:00 a.m. until at least 8:00 p.m.	Downtown	Retail Committee	8/ 5/2013
9/ 2/2013 9/ 2/2013	ROAD RACE Sister Mary Agnes, DMML,MBA is the contact for this event. This event is being held out at Pease International Tradeport beginning at 9:00 a.m.	Pease International Tradeport	St. Charles Children's Home	7/15/2013
9/ 7/2013 9/ 7/2013	Barbara Archibald is the contact for this event. This is a birthday celebration which will take place at approximately 1:30 - 2:00 p.m. for 3 minutes.	Outside of Poco's Restaurant	Barbara Archibald	8/ 5/2013
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 Course.	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

Event Listing by Date

Starting Date: 8/ 5/2013

Ending Date: 3/31/2014

Start End	Type Description	Location	Requestor	Vote Date
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 are (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.	Starts in Kittery - Ends at Prescott Park	Prescott Park Arts Festival/Co	3/ 4/2013
10/19/2013 10/19/2013	WALK Virginia Skevington is the contact for this event. This event begins at 9:00 a.m. It begins and ends at Jewel Court.	11 Jewel Court	Arts in Reach	7/15/2013
11/10/2013 11/10/2013	ROAD RACE Jay Diener is the contact for this event. He can be reached at 758-1177. This event begins at 8:00 a.m. The course travels through Rye and New Castle, as well as parts of Portsmouth.	Thru Portsmouth	Jay Diener, Co-Race Director	8/ 5/2013
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
3/15/2014 3/15/2014	ROAD RACE Jill McFarland is the contact for this event. Telephone contact number: 501-9029.	125 Austin Street	St. Patrick School	8/ 5/2013



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: Taxicab representative for taxi comm.

Name: Stephen Scott Berrato Telephone: 603-531-0929

Could you be contacted at work? YES / NO If so, telephone # 531-0929

Street address: 1338 Woodbury Ave. Box 209, Portsmouth NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): scott@rockinghamlivery.com

How long have you been a resident of Portsmouth? 1 year

Occupational background:

Taxicab owner, president of Rockingham Taxi,
driver for Rockingham Taxi.

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

attend all meetings as owner
do business in City of Portsmouth
largest fleet in Portsmouth
most employed drivers in Portsmouth



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: Attended many meetings and have an understanding of proper employment practices. As a driver, I can interact with the public and other taxi companies.

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

board of directors for Hampton Village Plaza. Treasurer of Greenland Parent Organization. President of Rockingham Taxi.

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

1) Allen Ladd, Sunshine Taxi, 309 Knox Marsh Rd. Madbury NH
Name, address, telephone number 242-5000

2) Robert Gaskill 87 Morningst., Portsmouth NH 205-1788
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: Steven G. Stevens Date: 7-15-13

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

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801
6/27/2012

ACTION SHEET
PARKING and TRAFFIC SAFETY COMMITTEE

Councilor Ken Smith, Chairman

To: City Council Meeting of August 19, 2013

Re: Parking and Traffic Safety Committee Meeting held **August 8, 2013**

ACTIONS:

- [1] Accepted and placed on file the minutes of the Parking and Traffic Safety Committee Meeting held July 11, 2013.

- [2] Accepted and placed on file the Financial Report.

- [3] **Update on Placement of Pay and Display Receipts in Cars** - Parking Operations Supervisor Cocchiario updated the Committee on the public outreach efforts regarding displaying receipts on the curb side of the car. He stated the website has been updated with the new policy as well as the stickers on the Pay and Display Meters have diagrams illustrating the placement of the receipts. – *NO ACTION REQUIRED*

- [4] **Establishing Loading Zone in the vicinity of the intersection of Market and Deer Streets** – **MOTION** to place request on file **passed**.

- [5] **Establishing Time Limits for Unmetered On-Street Parking**– **MOTION** to add sentence to Chapter 7, Article X, Section 7.1000-E as follows: Any vehicle or object remaining in the same location in any uncontrolled on-street parking space in the Central Business District areas A and B for more than 24 hours, may be removed in the manner provided in Section 7.1000 D **passed**. (*The Legal Department will generate an ordinance for Council action*)

- [6] **No Parking Here-To-Corner Signs for Hancock Street (vicinity of Marcy Street intersection)**– Per the Site walk held, the Public Works Director will authorize the placement of the sign as recommended.

- [10] **Public Comment:** There were no speakers.

MINUTES
PARKING AND TRAFFIC SAFETY COMMITTEE MEETING

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

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
Stephen Dubois, Police Chief
Steve Achilles, Fire Chief
Peter Rice, Public Works Director
Ronald Cypher, Member
Shari Donnermeyer, Member
Ted Gray, Member

Member Absent:

Harold Whitehouse, Member

Staff Advisors Present:

Mark Nelson, Parking Division Director
Tom Cocchiaro, Parking Operations Supervisor
Bob Sullivan, City Attorney
Juliet Walker, Transportation Planner

III. ACCEPTANCE OF THE MINUTES:

City Manager Bohenko moved to accept the minutes of July 11, 2013, seconded by Mr. Cypher. Motion passed.

IV. FINANCIAL REPORT:

Public Works Director Rice moved to accept the Financial Report and place on file, seconded by Mr. Gray. Motion passed.

V. NEW BUSINESS:

A. **Discussion Item:** Update on Placement of Pay and Display Receipts in Cars

Parking and Transportation Director Nelson stated that there has been an ongoing effort to encourage the public to place their Pay and Display receipts on the curb side of the vehicle.

Parking Operations Supervisor Cocchiaro stated the website has been updated with the new policy as well as the stickers on the Pay and Display meters have diagrams illustrating

the proper placement of the receipts. Parking and Transportation Director Nelson stated that the parking enforcement officers will track the compliance data.

- B. Action Item: Establishing Loading Zone in the vicinity of the intersection of Market and Deer Streets

Fire Chief Achilles stated a site review was held in the area and they looked for an appropriate location for an additional loading zone. He stated they concluded that it would be challenging to do so and do not recommend action at this time.

Fire Chief Achilles moved to place the request on file, seconded by City Manager Bohenko. Motion passed.

- C. Action Item: Establishing Time Limits for Unmetered On-street parking

Chairman Smith stated it had been brought to his attention that there are cars being left for days around the old Portsmouth Herald building and feels there needs to be set limits for parking on-street as there are in city parking lots. He stated the current limit in parking lots is 72 hours and wonders if this should be decreased for the on-street parking spaces.

City Manager Bohenko stated that 72 hours is specific to the parking lots and feels that is a long time to be parked in any space, but especially on the street.

Police Chief Dubois explained that when a complaint is made regarding a parked car they begin the time limit from the time of the complaint and put a sticker on the car warning them that they will be towed if not moved.

Ms. Donnermeyer stated she had heard that a business was instructing people to park in those spaces because there were no limits. Chairman Smith stated yes, the Star Island Company was instructing people that visit the island for any extended times to park there. He stated he is looking for input as to what an appropriate time limit would be.

City Manager Bohenko stated he would like to first reach out to the Executive Director of the business to not have people park there. He stated that 48 hours may be an appropriate time limit but it is a lot of work to enforce these limits. He stated we need to decide what we are trying to achieve, turnover every 8 hours, etc.

Mr. Gray stated he is in favor of 24 hours especially in the winter. Police Chief Dubois clarified that even with the 24 hour limit the time begins upon complaint so it could be on the street for as long as 72 hours anyway.

City Manager Bohenko stated that we have to think about the effect this would have on the rest of the city as well. City Attorney Sullivan agreed stating that vehicles are left on-street in residential areas a lot for various reasons.

Chairman Smith stated he would limit the area to Central Business Districts A and B.

City Manager Bohenko moved to add a sentence to Chapter 7, Article X, Section 7.21000-E as follows:

“Any vehicle or object remaining in the same location in any uncontrolled on-street parking space in the Central Business District areas A and B for more than 24 hours, may be removed in the manner provided in Section 7.1000 D”

Seconded by Fire Chief Achilles and passed.

City Attorney Sullivan stated an ordinance will be generated for Council action.

- D. Information Item: No parking here to corner signs for Hancock Street (vicinity of Marcy Street intersection)

Ms. Donnermeyer stated a site review of the area was held and it was found that there were vehicles parked within the 20' area of a stop sign. She stated this is not allowed and tickets are issued. She stated that signs need to be posted and made a motion accordingly.

Public Works Director Rice clarified that he already has the administrative authority to install the signs so no motion is necessary.

VI. OLD BUSINESS: NONE

VII. PUBLIC COMMENT – There were no speakers.

IX. ADJOURNMENT

City Manager Bohenko moved to adjourn at 8:17 a.m., seconded by voted unanimously.

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Liz Good, Planning Department
SUBJECT: Historic District Commission Minutes
DATE: August 8, 2013

Please be advised that the approved minutes from the January 2, 2013 Historic District Commission meeting are now available on the City's website for your review.

MEMORANDUM

TO: John P. Bohenko, *City Manager*
FROM: Liz Good, *Planning Department*
SUBJECT: *Historic District Commission Minutes*
DATE: August 8, 2013

Please be advised that the approved minutes from the January 23, 2013 Historic District Commission meeting are now available on the City's website for your review.

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Jane Shouse, Planning Department
SUBJECT: Site Review Technical Advisory Committee Minutes
DATE: August 6, 2013

Please be advised that the approved minutes from the July 30, 2013 Site Review Technical Advisory Committee meeting are now available on the City's website for your review.