

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, JUNE 5, 2017 TIME: 6:15PM

AGENDA

- **6:15PM – NON PUBLIC SESSION RE: THE COMPENSATION OF PUBLIC EMPLOYEES RE: PARAPROFESSIONALS CONTRACT & NEW POLICE CHIEF CONTRACT ROBERT MERNER - RSA 91-A:3 II (a)**
- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE**
- V. ACCEPTANCE OF MINUTES – MAY 10, 2017 & MAY 15, 2017**
- VI. PUBLIC COMMENT SESSION**
- VII. PUBLIC HEARINGS**
 - A. ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE, CHARACTER BASED ZONING EXCESS COMMUNITY SPACE
 - B. ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE, SIGNS RELATED TO PUBLIC PARKING IN PRIVATE PARKING LOTS
 - C. ORDINANCE AMENDING CHAPTER 1, ARTICLE XVII, SECTION 1.1704 PUBLIC ART – EXEMPTION
 - D. ORDINANCE AMENDING CHAPTER 7, ARTICLE I – PARKING METERS, SECTION 7.105 – PARKING – DESIGNATED MOTORCYCLE PARKING AREA
 - E. ORDINANCE AMENDING CHAPTER 7, ARTICLE V – BICYCLE REGULATIONS
 - F. ORDINANCE AMENDING CHAPTER 7, ARTICLE XVII – MOPED REGULATIONS
- VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**
 - A. First Reading of Proposed Ordinance amending Chapter 1, Article IX, Section 1.902 – Election Candidate Financial Disclosure Ordinance
 - B. Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Character Based Zoning Excess Community Space
 - C. Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Signs related to Public Parking in Private Parking Lots

- D. Second Reading of Proposed Ordinance amending Chapter 1, Article XVII, Section 1.1704 Public Art - Exemption
- E. Second Reading of Proposed Ordinance amending Chapter 7, Article I – Parking Meters, Section 7.105 – Parking – Designated Motorcycle Parking Area
- F. Second Reading of Proposed Ordinance amending Chapter 7, Article V – Bicycle Regulations
- G. Second Reading of Proposed Ordinance amending Chapter 7, Article XVII – Moped Regulations

IX. ADOPTION OF PROPOSED BUDGET RESOLUTIONS

- Resolution No. 13-2017 – Municipal Fees
- Resolution No. 14-2017 – General Fund Expenditures
- Resolution No. 15-2017 – Sewer Fund Expenditures
- Resolution No. 16-2017 – Water Fund Expenditures
- Resolution No. 17-2017 – Special Revenues, Debt Service Fund and Committed Fund Balances for Necessary Expenditures
- Resolution No. 18-2017 – Investment Policy

X. CONSENT AGENDA

(ANTICIPATED ACTION - MOVE TO ADOPT CONSENT AGENDA)

- A. Letter from Amber Day, New Hampshire Film Festival, requesting permission to close Chestnut Street on Friday, October 13-15, 2017 for the NH Film Festival Red Carpet Opening Night Gala ***(Anticipated action – move to refer to the City Manager with power)***
- B. Letter from Abigail Wiggin, Portsmouth Halloween Parade Committee, requesting permission to hold the 23rd Annual parade on Tuesday, October 31, 2017 ***(Anticipated action – move to refer to the City Manager with power)***
- C. Letter from JerriAnne Boggis, Black Heritage Trail of New Hampshire, requesting permission to hold the annual Juneteenth Celebration on Saturday, June 17, 2017 from 11:30 a.m. to 3:00 p.m. ***(Anticipated action – move to refer to the City Manager with power)***

XI. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Marc Stettner regarding proposed changes to the Designated Motorcycle Parking Area and Moped Regulations
- B. Memorandum from Fire Chief Achilles regarding Position on Recommended Fire Department Budget

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

1. Report Back from Planning Board Re: Potential Release of City Interest in the Portions of Two Paper Streets (Moffat Street and Woodworth Avenue) adjoining property at 85 Woodworth Avenue (Richer) and Authorize Issuance of Building Permit for Property off Swett Avenue, Moffat Street and Woodworth Avenue (Calkins)
2. Report Back from Planning Board Re: S & G Realty Boundary Line Agreement and Easement
3. Proposed Lease for Plains Schoolhouse
4. 1283 Woodbury Avenue Traffic Signal and Sidewalk Easement
5. Request for Referral to Planning Board a Proposed Ordinance amending to Chapter 10 – Zoning Ordinance, Housing
6. Request to Reschedule the June 19, 2017 Work Session Re: Parking Scope of Services

City Manager's Informational Items

1. Events Listing

B. MAYOR BLALOCK

1. Appointment to be Considered:
 - Appointment of Samantha Wright Collins as a Regular member to the Conservation Commission
2. Mayor's Sister Cities Blue Ribbon Committee
The Committee Charge is as follows:
 - *Evaluate the level of activity, benefit and local interest in continuing the Sister City or other citizen diplomacy relations and make recommendations to the City Council to potentially terminate current relationships with little or no recent activity, resident interest or cultural/economic opportunities*
 - *Research successful Sister City/Friendship City relationships of other cities and make recommendations to the City Council for a program and strategies to ensure success of existing and future Sister City relationships*
 - *Recommend a framework for long term administrations, promotion and success of the Portsmouth Sister City Program through a Committee structure: chair, co-chairs, possible sub-committees for each Sister City, staff support requirements, etc.*
 - *Explore ways to engage the community in the program—businesses, educational, cultural and humanitarian groups and make recommendations to the City Council*

C. ASSISTANT MAYOR SPLAINE

1. City Charter Amendments
 - Defining “Municipal Officials” for Financial Disclosure Requirements
 - “Clean Elections” Campaign Disclosure by City Council Candidates and Political Action Committees

D. COUNCILOR SPEAR & COUNCILOR DWYER

1. Charter Amendment for Police Commission & Fire Commission (*To be taken up, pending discussion of issues at June 3, 2017 retreat*)

E. COUNCILOR DENTON

1. Portsmouth Recycling Success (*See attached information*)

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

XIV. ADJOURNMENT

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

**Indicates Verbal Report*

INFORMATIONAL ITEMS

(There are no items under this section of the Agenda)

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

SPECIAL CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: WEDNESDAY, MAY 10, 2017

PORTSMOUTH, NH
TIME: 6:30PM

I. CALL TO ORDER

Mayor Blalock called the meeting to order at 6:35 p.m.

II. ROLL CALL

Present: Mayor Blalock, Assistant Mayor Splaine (7:00 p.m.), Councilors Perkins, Dwyer, Lown, Pearson, Spear, Cyr and Denton (6:55 p.m.)

III. PUBLIC HEARING

A. PROPOSED FY JULY 1, 2017 THROUGH JUNE 30, 2018 BUDGET

Mayor Blalock read the legal notice regarding the public hearing on the budget.

IV. PRESENTATION – JOHN P. BOHENKO, CITY MANAGER

City Manager Bohenko provided a presentation on the FY18 Budget. He said the budget was provided to the City Council on April 27th and the City Council would need to adopt the budget by June 30th or the City Manager's budget becomes law. He reviewed the remainder of the budget schedule dates. He addressed the Joint Budget Committee (JBC) and how they recommended that the City Council set a goal for the Operating Budget of an increase of no more than 4%. He recognized that the City has received 11 consecutive budget presentation awards. He addressed the various long-term financial planning & policies that are in place:

- Unassigned Fund Balance Ordinance
- Leave at Termination Stabilization Fund
- Health Insurance Stabilization Fund
- Debt Service Planning Policy
- Capital Improvement Plan
- Rolling Stock Replacement Program
- Rate Stabilization Policies – Water & Sewer

He reported on the factors impacting current and future budgets as follows:

- Diminished State Assistance
- County Obligation
- Contractual Obligations
- Investment in City's infrastructure, Vehicle Maintenance and IT Hardware and Software
- Other Inflationary Increases

He spoke to our AAA bond rating through Standard & Poor's since FY13.

City Manager Bohenko said the City has a policy to maintain an unassigned fund balance of between 10% and 17% of total general fund appropriations.

He said he recommends the General Fund budget for FY18 is \$109,755,205.00 representing an operating budget increase of 3.99% and a non-operating budget decrease of (3.79%) for a total net increase of \$2,292,362.00 or 2.13% over FY17. He stated that the operating makes up 77% of the budget with non-operating being 23%.

He said the Fire and Police Departments came in with a budget over 4% and he reduced the budget. He also addressed the parking fund which is outside the general fund.

He reviewed key factors of the budget:

- Contractual Obligations
- COLA
- Retirement
- Leave at Termination
- Health Insurance
- Workers Compensation

City Manager Bohenko stated that salaries and benefits make up 84% of the budget and 16% are other operating expenditures. He advised the City Council due to the uncertainty of negotiated salaries and benefits associated with the four (4) unsettled agreements, the FY18 proposed budget includes a \$100,000.00 appropriation to reserve funds to offset costs. He also informed the City Council that the employees will see a 2% COLA adjustment per collective bargaining agreements.

City Manager Bohenko spoke to retirement rates and the loss of State contribution. He said prior to FY10 the State contributed 35% of employer contributions for Teachers, Police and Fire personnel. In FY10 and FY11, the State began to eliminate this contribution by reducing its' obligation to 30% and 25% respectively and was then reduced to zero percent for FY12 and all subsequent Fiscal Years.

City Manager Bohenko addressed the Health Insurance Stabilization Fund and stated per the Policy the annual appropriation amount for each department is determined by the average increase of Health Insurance rates provided by HealthTrust over 10 years. He said HealthTrust has announced a 7% premium increase in rates. He advised the Council although HealthTrust has announced a 7% premium increase in rates, the General Government, Police, Fire, and School Department used the 10-year rolling average of 5.33% to increase the health insurance appropriation.

City Manager Bohenko said utilities represent a decrease of \$81,980.00 or 3.6% from FY17. He said we continue efforts to reduce energy costs through energy conservation and infrastructure improvements. He stated the City also continues to negotiate competitive rates from third-party vendors for natural gas and electricity supply.

City Manager Bohenko reported that Worker’s Compensation has had a large impact on the Fire Department as their costs are increasing by 17.6% and the City will see an overall increase of 6.9%.

He reviewed Non-Operating Budget Key Components:

- Debt Service
- Capital Outlay
- County Tax Obligation
- Overlay
- Rolling Stock
- Property & Liability

He reported that Portsmouth is the 4th most populous community, making up 7.2% of the total county population. He said Portsmouth paid 11.09% of the tax obligation in FY17. He further stated that Portsmouth is the highest contributor in Rockingham County. He informed the Council that over the past 10 years, the total Rockingham County tax obligation has increased over 21% while Portsmouth’s share of this tax obligation has increased more than 45%.

City Manager Bohenko said the average expenditure for capital outlay over a 10-year period including the proposed FY18 budget is \$1,393,365.00. He indicated the Planning Board – CIP Subcommittee recommended appropriating \$2,140,000.00 which is in line with the City’s policy of appropriating up to 2% of the prior year’s general fund budget. He spoke to rolling stock and vehicle and equipment Replacement plan.

City Manager Bohenko reported on the total revenues for the City - \$109,755,205.00 and the property tax levy being \$84,243,509.00. He stated in FY18, the use of \$1,850,000.00 is scheduled to be utilized from committed fund balance to help offset the use of property taxes.

City Manager Bohenko reported on Parking Revenue Distribution with 32% in the General Fund and 68% in the Parking & Transportation Fund. He addressed the 10 year history of parking revenue distribution.

City Manager Bohenko said if the proposed budget is adopted as presented, it will result in an estimated tax rate of \$17.72 which represents a .68 cent increase or 3.99%.

Median Single Family Residential Home
 \$347,600.00

	<i>Tax Rate Increase</i>	<i>Annual Increase</i>	<i>Monthly Increase</i>
<i>Property Tax Increases</i>	0.68	\$236.37	\$19.70

He said if the City Council chooses to reduce the proposed tax rate, it would require a reduction in expenditures, increase in revenue or a combination of both from the City Manager’s Recommended Proposed Budget keeping in mind that every .1 cent change in the tax rate equates to approximately \$48,000.00.

City Manager Bohenko reported that Portsmouth is the lowest equalized tax rate of the 13 Cities in NH. He also stated that Portsmouth has the lowest equalized tax rate within NH Communities with 20,000+ residents. In addition, Portsmouth ranks #39 as having the lowest equalized tax rate out of all 234 taxable communities as compared to the previous year when ranked #42.

V. PUBLIC COMMENT/INPUT

Mayor Blalock declared the public hearing open and called for speakers.

Mark Brighton said he approves of the time limits recently put on the Public Comment Session and Public Hearing's. He spoke to 84% of the budget equaling salaries and benefits. He said the City Council will pass the budget and he feels that the light is dim for the City. He spoke to the statistical revaluation taking place by the Assessor's office and the values in the City are made up of 54% for residential and 46% for commercial properties. He addressed exemptions and said there is no such thing as free money it still comes from the taxpayers.

Erik Anderson said that the budget is chronic and increases happen each year. He hopes that the City Council tries to hold the increases to a lesser rate than projected. He further stated that the statistical revaluation will increase assessments and the amounts we are paying for property taxes.

With no further speakers, Mayor Blalock declared the public hearing closed.

VI. ADJOURNMENT

At 7:15 p.m., Councilor Lown moved to adjourn. Seconded by Assistant Mayor Splaine and voted.



KELLI L. BARNABY, MMC, CMC, CNHMC
CITY CLERK

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, MAY 15, 2017

PORTSMOUTH, NH
TIME: 7:00PM

I. CALL TO ORDER

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

II. ROLL CALL

Present: Mayor Blalock, Assistant Mayor Splaine, Councilors Perkins, Dwyer, Lown, Pearson, Spear, Cyr and Denton

III. INVOCATION

Mayor Blalock asked everyone to join in a moment of silent prayer in recognition of Police Peace Officers' Memorial Day.

IV. PLEDGE OF ALLEGIANCE

Resident Carl Diemer led in the Pledge of Allegiance to the Flag.

PROCLAMATIONS

1. Bike/Walk to Work Day in Portsmouth

Mayor Blalock read the Proclamation declaring Friday, May 19, 2017 as Bike/Walk to Work Day in Portsmouth.

PRESENTATION

1. Artificial Turf at the Route 33 Athletic Complex

Peter Rice, Public Works Director introduced the design team from Weston and Sampson – Gene Bolinger, Michael Moonan and Toxicologist Marie Rudiman and Haley and Aldrich Toxicologist Steve Clough who all presented various aspects of the Presentation regarding Artificial Turf at the Route 33 Athletic Complex. The presenters spoke on the design process and multiple field design options and recognized and addressed community concerns with a recommended improvement program.

Mr. Bolinger spoke to the City-wide field shortage and the critical needs for new fields. He reported that the needs are still great and youth sports participation is growing. He reviewed the multiple field design options and costs for Native Soil Natural, Sand Based Natural and Synthetic Turf.

- Native Soil Field – Not viable due to amount of playing time available
- Sand Based Natural Field – Not viable due to amount of playing time available
- Synthetic Turf Field – Best choice to begin alleviating critical field shortages

Pros and Cons for Natural Turf Fields:

- Initial Cost – Cheaper to construct and replace/re-sod
- Playability can be limited by weather
- Limited Playing Time
- Higher maintenance costs
- Environment impacts

Pros and Cons for Synthetic Turf Fields:

- Higher Initial Cost – More expensive to build, repair and replace
- More Playing Time – Can support higher intensity of use and can extend the playing season
- Less intensive maintenance program
- Fewer Injuries due to even playing surface and consistent G-max performance
- Potential heat hazards

Conclusion: For this project a synthetic turf system best meets City needs

<u>Rubber / Plastic</u>	<u>Natural Organic</u>	<u>Minerals / Coated Minerals</u>
Wide use, best Performance + resiliency	Organic	Longest life before replacement
Some Recycled	Prone to migrating, more Maintenance	Less resiliency, harder surface
Perception of risk	Requires shock pad, High cost	Requires shock pad, higher cost
Heavy metals in trace amounts, not releasable	Moisture required to resiliency, can freeze	Can be abrasive
Shock pad required with some products	May contain pesticides, heavy metals in trace amounts that are Releasable	

Conclusion: For this project a synthetic turf system with rubber infill best meets City needs

Marie Rudiman, Toxicologist said that she studies the adverse effects of chemicals on living organisms with the mix of chemistry, biology, and pharmacology. She informed the City Council that she evaluates chemicals to determine if they cause an environmental health risk using Federal (EPA) and State (NH DES/state) regulations. She addressed ways a toxicologist look at available data to determine if the risks are acceptable:

- Comparison to applicable standards
- Ingestion of crumb rubber particles (CRP)
- Dermal contact with CRP and turf bed
- Breathing in constituents that may volatilize from the synthetic field
- Leaching of constituents into groundwater

Ms. Rudiman said they analyze proposed crumb rubber prior to installation

- Polycyclic aromatic hydrocarbons (PAHs)
- Semi-Volatile Organic Compounds (SVOCs)
- Volatile Organic Compounds (VOCs)

Risk Assessment: Conservative Assumptions

- Maximum detected concentrations were used
- Sub chronic exposure (1 yr. old) 2 days/wk./30 weeks (48 hr./wk.)
- Chronic exposure 3 days/wk./30 weeks (72 hr./wk.)
- Exposure through ingestion and dermal contact
- Ingest 100 mg/kg crumb rubber on each day of exposure
- Crumb rubber sticking to face, forearms, hands, lower legs and feet
- Assumes crumb rubber can be ingested like soil and adheres to skin like soil.
Reality: far less exposure!

Risk Assessment

$$\text{Risk} = \text{Exposure} \times \text{Toxicity}$$

Conclusion: Potential Risks are an Acceptable Exposure/Negligible Exposure

- Residential Receptor
- Age 1 through 31 years
- 30 year exposure

She reported that a forthcoming study by US EPA is due summer 2017.

Stephen Clough of Haley & Aldrich reported on an article in Environmental Science & Technology on the Health Impacts of Artificial Turf.

Many risk assessment studies have been conducted to characterize the health risk of tire rubber crumb in artificial turf fields via these exposure routes, with the results consistently showing that no significant health risk was associated with being on or playing on such fields.

- Oral: There is no indication that the exposure to hazardous substances (PAHs and Pb) in tire rubber crumb via hand-to-mouth contact could cause adverse health effects.
- Dermal: Risk assessment studies have shown that the doses of toxic chemicals exposed through dermal absorption were too low to cause any adverse health effects, including allergic response or indicated sensitization, for children and adults playing on artificial turf fields.
- Inhalation: Field monitoring showed that the levels of PAHs and VOCs detected in the air above outdoor artificial turf fields were not high enough to threaten human health and that the health risk from indoor artificial turf was also below the level of concern with adequate facility ventilation.

Dr. Clough spoke to his experience addressing artificial issues at the following schools:

- Fenn Prep School
- Concord/Carlisle High School
- Town of Weymouth
- Town of Weston

Mr. Bolinger spoke on a Total Improvement Program:

- Synthetic turf sports field
- Sports lighting
- Parking area w/lighting
- Bathroom facilities
- Connection to future multi-use path
- Shade shelter
- Bike parking
- Play area

Project Benefits:

- Eases critical rectangular shortages
- Provides great playability
- Reduces impacts to other fields
- Supports high impact sports competitive levels
- Accommodates school and uses
- Maximizes periods of usage, weather disruptions

Councilor Dwyer asked what is the life cycle for an artificial turf field. Mr. Bolinger said it would depend on the use and maintenance of the field but he expects approximately 8-12 years. He said replacement cost on an artificial turf field is much less because you tear up and replace the carpet.

Assistant Mayor Splaine said there are 14 other artificial types and would like to know the assessment of the others and if they are safer.

A representative from Weston and Sampson said the organic materials must be kept wet. He informed the Council most cities do not have the ability to invest the time to maintain the field.

Mayor Blalock asked how long crumb rubber has been used. A representative from Weston and Sampson said since 1997 and reported that crumb rubber is in 95% of the fields in the United States.

Councilor Denton asked if we could include a bid alternate for the field. City Manager Bohenko said alternatives for materials can be put in but some design might change. Councilor Denton requested that the chart provided this evening be placed on the website for the public to reference and review.

City Manager Bohenko said he would like a consensus, as a vote is not required. He said he does not want a decision until after the public comment session. He would look for consensus to go out to bid with primary material and a second alternative material. He said he would only come back to the City Council if the costs for the field with the alternative material is higher than what was budgeted and would seek a special appropriation. City Manager Bohenko said that we could do 1 or 2 alternatives in the bid.

V. ACCEPTANCE OF MINUTES – MAY 1, 2017

Councilor Lown moved to accept and approve the minutes of the May 1, 2017 City Council meeting. Seconded by Councilor Cyr and voted.

VI. PUBLIC COMMENT SESSION

Lindsey Carmichael said a leading expert on the safety of crumb rubber does not share the findings of the toxicologists here today. She would like the City to hear from a toxicologist independent to speak on crumb rubber. She stated well-constructed and maintain fields are able to be highly used. She said there are health risk with crumb rubber and would like a bid for natural grass. Ms. Carmichael reported in the last 2 weeks Minneapolis has removed crumb rubber and it looks like New Hampshire will soon be joining a list of banning the use of crumb rubber.

Katie Hillman said that this is a difficult topic and very frustrating. She asked the City Council to secure a bid on natural grass. She said the consultants presenting this evening have a conflict because they are working on the project. She said this issue has become political.

Jill Capobianco spoke opposed to the use of crumb rubber. She said crumb rubber fields are made out of tires and tires are listed on the City's hazardous waste items on the Public Works Department website. She said many studies have been done to show that crumb rubber is linked to cancer. Ms. Capobianco said fields made out of hazardous waste products are unsafe.

Andy Sherburne said you should go with natural grass for the field. He said the EPA is doing a complete study on crumb rubber on playing fields and it will be out later in 2017. The City should wait until the study comes out before moving forward.

Steve Metcalf said he can't believe that the City only has 1 artificial turf field. He said UNH will be installing their 5th artificial turf field with crumb rubber. He stated that UNH would not be installing the crumb rubber if it was not safe. Mr. Metcalf said the City is not equipped to maintain a natural grass field. He said he has no hesitation for his two daughters to play on crumb rubber fields.

Marc Stettner thanked the Parking & Traffic Safety Committee for crafting the ordinances for mopeds and motorcycles. He would like the City to receive information from Portland, Maine and Boston, Massachusetts on how they handle motorcycles and mopeds. He spoke in favor of moving the ordinance forward.

Bess Mosley said that this is National Police Week and spoke in support of the Police Commission and does not want to see it eliminated. She stated 7 people ran for the Commission in 2015 which shows there is an interest in serving on the Commission.

David Calkins spoke to his request that was tabled and the complexity of the matter. He said the decision was made to hear the two requests together and he would like to refer his request to the Planning Board for a report back to the City Council.

Arthur Clough spoke to keeping the Police Commission and that there needs to be a separation from the police overseers and the force. He said there is an awareness to choose quality people to serve and is thrilled to welcome the new Chief to the City.

George Dempsey said Mark Brighton's article on Deer Street was right on target regarding the new parking garage. He questioned whether Foundry Place will make millions. He stated you don't have adequate water or sewer for the garage and the new parking garage will not be important to the City.

Charlie Griffin said the location of the garage is fixed but the cost is not. He was dismayed when he heard the costs it would take for building a new garage. He addressed the School Department needing an additional \$150,000.00 for the buses because of the new school schedule. Mr. Griffin said that the School Department should find the funds within their budget and not be given the additional funding.

Carl Diemer, Chair of the Recreation Board spoke in favor of the artificial turf field. He said the Recreation Board has worked for the last 10 years to get an athletic field built for our needs. He stated the artificial turf field will best serve the residents of the City and based on the facts, the crumb rubber would provide the best option for the development of a new athletic field at Route 33.

Esther Kennedy said she did research artificial turf and crumb rubber for her own school district. She said everything that Lindsey said is true and the information is out there. She said the City should wait until the new study comes out on crumb rubber. She made the decision for her school district and decided not to use crumb rubber.

Zelita Morgan said she would like to see how the City is handling the governance with the McIntyre Building. She said she feels that the matters that we govern start here and come to the Council. Ms. Morgan said she would not support amendments by simple ballot questions.

Crumb Rubber Consensus

Councilor Denton said he would like to see a natural grass field bid and a scientific review panel. He would also like to see a pesticide free surface used.

Councilor Dwyer said she wants to see an alternative used. She has spoken with a representative from UNH and they reviewed all the research and went with crumb rubber. She stated most of the ingredients in our New Hampshire soil are higher than crumb rubber. She indicated picking another alternative should be selected by an alternate bid. Councilor Dwyer said she has done both types of fields while serving on the Joint Building Committee and spoke to the lack of use with natural fields.

Assistant Mayor Splaine said we need to get the playing fields built. He said he and the City Council are committed. He stated that this is for our youth but is convinced that the science is not settled. He said we need better information and would support looking at natural fields. Assistant Mayor Splaine expressed his frustration with only seeing the analysis sheet after the Presentation was held. He would not encourage the City Manager to move forward with crumb rubber.

Councilor Spear moved that the City Council recommend the City Manager to move forward with a bid for crumb rubber with 2 bid alternates. Seconded Assistant Mayor Splaine.

Councilor Pearson said it was a reasonable request to have an independent environmental scientist come to speak with us.

Councilor Dwyer said the reason for the second presenter was to have someone independent to review the material.

Mayor Blalock passed the gavel to Assistant Mayor Splaine.

Mayor Blalock said he would support the motion. He said we have an independent firm to weigh in on the toxicologists on crumb rubber. He said the residents want a field now.

Assistant Mayor Splaine returned the gavel to Mayor Blalock.

Councilor Lown said he supports the motion and said this is a debate to look at risk. He said crumb rubber is used throughout the world and the evidence is one sided that there is no provable risk.

On a roll call vote 8-1, motion passed. Assistant Mayor Splaine, Councilors Perkins, Dwyer, Lown, Pearson, Spear, Cyr and Mayor Blalock voted in favor. Councilor Denton voted opposed.

Assistant Mayor Splaine asked for an idea of timing on this matter. City Manager Bohenko said it depends on getting the documents together with 2 alternatives being put out. He stated if the alternatives come in higher than we have budgeted he would need to come back to the City Council for a supplemental appropriation.

At 8:55 p.m., Mayor Blalock called for a brief recess. At 9:05 p.m., Mayor Blalock called the meeting back to order.

VII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. First Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance Character Based Zoning Excess Community Space

Councilor Lown moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the June 5, 2017 City Council meeting, as presented. Seconded by Councilor Perkins.

Councilor Dwyer said she thought 3 out of the 4 amendments by the Planning Board were fine. She would however, like to go back to 15 years versus 10 years on the reducing the maximum term of a Prospective Development Incentive Agreement.

City Manager Bohenko said the amendment would be appropriate at second reading.

Motion passed.

- B. First Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Signs related to Public Parking in Private Parking Lots

Councilor Lown moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the June 5, 2017 City Council meeting, as presented. Seconded by Councilor Cyr and voted.

- C. First Reading of Proposed Ordinance amending Chapter 1, Article XVII, Section 1.1704 Public Art – Exemption

Assistant Mayor Splaine moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the June 5, 2017 City Council meeting. Seconded by Councilor Pearson and voted.

- D. First Reading of Proposed Ordinance amending Chapter 7, Article I – Parking Meters, Section 7.105 – Parking Designated Motorcycle Parking Area

Assistant Mayor Splaine moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the June 5, 2017 City Council meeting. Seconded by Councilor Dwyer and voted.

- E. First Reading of Proposed Ordinance amending Chapter 7, Article V – Bicycle Regulations

Councilor Lown moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the June 5, 2017 City Council meeting. Seconded by Councilor Cyr and voted.

- F. First Reading of Ordinance amending Chapter 7, Article XVII – Moped Regulations

Councilor Lown moved to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the June 5, 2017 City Council meeting. Seconded by Councilor Dwyer and voted.

VIII. CONSENT AGENDA

Councilor Lown moved to adopt the Consent Agenda. Seconded by Councilor Cyr and voted.

- A. Acceptance of Fire Department Donation from Lynn, Ray & Nancy Siconolfi - \$100.00 (***Anticipated action – move to accept and approve the donation to the Fire Department, as presented***)

IX. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

(There are no items under this Section of the Agenda)

X. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

1. Report Back from Planning Board Re: Potential Release of city Interest in the Portions of Two Paper Streets (Moffat Street and Woodworth Avenue) adjoining property at 85 Woodworth Avenue (Richer) and Authorize Issuance of Building Permit for Property off Swett Avenue, Moffat Street and Woodworth Avenue (Calkins)

City Manager Bohenko said he is requesting that the matter be referred to the Planning Board for report back to the City Council.

Councilor Cyr moved to refer the request from Attorney Durbin on behalf of David Calkins to authorize the issuance of building permits on a private drive off of Swett Avenue, Moffat Street, and Woodworth Avenue pursuant to RSA 674:41(d) to the Planning Board for review, comment and report back to the City Council. Seconded by Councilor Lown.

Councilor Dwyer said she would like the Planning Board and Planning Department to speak to whether the streets should go to Mr. Calkins. She said it is a matter of knowing why the City has no interest in the streets.

City Attorney Sullivan said the term interests by the Planning Board is in the legal sense of ownership interests. He said because the street was recorded in the 1900's by a plan unless the acceptance was made in 20 years the City loses its ownership interests in the land.

City Manager Bohenko said both issues will come back to the Council at the same time.

Motion passed.

2. Request for Qualifications Re: Thomas J. McIntyre Federal Property

Deputy City Manager Colbert Puff explained back in January the City said it was interested in acquiring the property from the GSA. She said last month the GSA came to speak with the City and they are interested in working with us to transfer the property through the historic monument process. She advised the Council it is a two-step process where individuals show they have the ability and interest in redeveloping the property. Deputy City Manager Colbert Puff said we would evaluate the RFQ's and choose a select group to come back and see how they plan to reuse the building for the future.

Assistant Mayor Splaine said he does not understand this part of it and asked where have conversations with residents taken place on what they want to see for the McIntyre Building. Deputy City Manager Colbert Puff said it will be a long process with many opportunities for the public to weigh in on the site.

Councilor Dwyer asked if we know if the younger addition can have changes made. Deputy City Manager Colbert Puff said we don't know that as of yet and sees that conversation happening with our State Legislators. Councilor Dwyer said we need to do a bid conference on this and have direct contact with Deputy City Manager Colbert Puff either by webinar or with her directly. Deputy City Manager Colbert Puff announced that the Bidders Conference meeting and Site Walk will take place on June 1, 2017 at 11:00 a.m. at the Thomas J. McIntyre Federal Property.

Mayor Blalock said we need to know the limitations on the other large lot. Deputy City Manager Colbert Puff said this is more to ask individuals to provide us information about themselves and why their interested in the site.

Mayor Blalock said the process will help any one that has a vested interest and the residents of the City.

Councilor Perkins said there were 3 options and partnering with the City and asked for an explanation. Deputy City Manager Colbert Puff said last August we spoke of a private partnership. She said the case we heard in August was Bridge Street for a new federal building and after the listening session the GSA said the McIntyre building met its 50 year historic mark which made the property eligible for this process which puts us on a new path. She said the City could negotiate a sale or have the building at no cost.

Councilor Spear moved to approve the release of the Request for Qualifications (RFQ) regarding the McIntyre Federal Property. Seconded by Councilor Lown and voted.

3. Prescott Park Sound Management Plan

Assistant City Manager Moore said the request is straight forward and there is a need for an acoustic sound engineer to work with us on the sound coming from the park, the length of time the sound generates from the park and how long it can be heard. He said there will be a great deal of discussion on the schedule of events for the park. He informed the Council that we are installing a sound monitoring system and will have a record of the decibels report out on the data from the monitor.

Councilor Lown moved to authorize the City Manager to expend \$5,000.00 in contingency funds in order to move forward with the Prescott Park Sound Management Plan. Seconded by Councilor Perkins.

Councilor Spear said we are negotiating with Prescott Park Arts Festival on their payment to the City. City Manager Bohenko said the real work will commence immediately for the 2018 season and we will get the information to the Prescott Park Arts Festival by September of this year to provide them with adequate time to review the agreement.

Assistant City Manager Moore said on an annual basis the City and Prescott Park Arts Festival will work with costs related to the operation of Prescott Park Arts Festival.

City Manager Bohenko said Prescott Park is set aside as a separate fund and will need to put in \$30,000.00 to maintain the park. He will discuss the gap with Prescott Park Arts Festival.

Councilor Denton expressed concern with creating a pilot program for a gateway in collecting donations and feels it could hurt Prescott Park Arts Festival.

Councilor Dwyer said that the Advisory Committee has not had an opportunity to review this. She said there would be a pilot program but there might be a parallel throughway for donations to be collected with a clear way to gather donations.

City Manager Bohenko said we first voted to do a season for this and the Arts Festival had a concern with this so we decided to try for two weeks, and at a time when there would not be a large group or revenue. He said we would try for a night that would not have a large act in the park.

Mayor Blalock asked to let the Policy Advisory Committee and City Manager Bohenko work this through.

City Manager Bohenko said nothing is perfect and this is a living laboratory for 2018.

Councilor Dwyer said tax dollars do not pay for the entertainment at the park, nothing is free and there is so much misinformation out there.

City Manager Bohenko said we are trying to be sensitive and have the performances level to the acts they want to present. He said we are working with Prescott Park Arts Festival on a system that will work for both sides. He stated we need data and we will work with them and the neighborhood.

Councilor Cyr said this is a working document and the calendar shows the last two weeks do not have much going on and that could be the time to have the pilot program.

Motion passed.

4. Referral to Planning Board Re: S & G Realty Boundary Line Agreement and Easement

Councilor Lown moved to refer the request of S & G Realty for Boundary Line Agreement and Easement to the Planning Board for its recommendation. Seconded by Assistant Mayor Splaine and voted.

5. Work Session Re: Parking Scope of Services for the new Parking Garage (Not on Agenda)

The City Council agreed to schedule a Work Session on June 19, 2017 in Conference Room A at 6:00 p.m. regarding Parking Scope of Services for the new Parking Garage.

Councilor Dwyer asked if other land use boards should be part of the Work Session. City Manager Bohenko said he feels that this should be a session for the City Council only at this point. He said we need to develop a scope of services for planning on implementing items going forward.

Mayor Blalock said we could have a stand-alone work session with Parking & Traffic Safety Committee to look at matters.

Assistant Mayor Splaine said on June 19, 2017 he would not be able to attend the meeting but the idea of a work session is excellent.

Councilor Cyr asked about the composting program we are offering and spoke to the bins we are providing at a discounted rate of \$50.00 for the curbside program. He said he would like to see us provide the bins for free and cover the composting program.

Councilor Dwyer said you have to do something with the composting bin. She feels they would not serve the needs of the residents.

City Manager Bohenko said the funding would need to come up during the adoption of the budget and he will have proper staff present to answer questions and have the City Council weigh in on this matter.

Councilor Denton thanked Solid Waste Sustainability Coordinator Levenson for his work on the Curbside Residential Composting Pilot Program.

Councilor Dwyer said on charter questions the state law is different from the city law in terms of the percentage number of voters you would need to sign the petition. City Attorney Sullivan said the charter for the city and the state require different numbers in terms of an initiative petition. He said it would require you to have 15% of the voters sign the petition.

B. ASSISTANT MAYOR SPLAINE

1. Appointments to Boards & Commissions

Assistant Mayor Splaine moved that in addition to newspaper advertising of appointments to be made by the City Council of any kind of city Boards, Commissions, and Committees to be filled during the next three months, they will also be highlighted in the City of Portsmouth WEBSITE, and posted at the Library, on City Hall bulletin boards, and in each City Council Agenda, and the Agendas of those Boards, Commissions and Committees where such vacancies will occur. Additionally, at each City Council meeting the City Clerk will announce upcoming vacancies for the next three months. Seconded by Councilor Denton.

Assistant Mayor Splaine said that we can outreach to the residents that are interested in boards/commission vacancies. He said if someone's term ends that is a vacancy and it is often difficult to find people to serve on the boards/commissions.

Councilor Spear said we agreed as a City Council that this would be on the Retreat Agenda and we should bring it up at the Retreat.

Assistant Mayor Splaine said this is a stand-alone motion.

Mayor Blalock passed the gavel to Assistant Mayor Splaine.

Mayor Blalock said that this request makes it cumbersome and right now the boards/commission are pretty full at this time. He said that this proposed process is premature.

Assistant Mayor Splaine returned the gavel to Mayor Blalock.

Assistant Mayor Splaine said that this is not cumbersome, it is clear.

Councilor Cyr said there is not a consensus of what a vacancy is among the City Council and he would like to have a conversation on this at the retreat.

Councilor Dwyer said she would like to have a larger conversation to look at creating term limits.

Councilor Spear moved to postpone indefinitely and to discuss this matter after the City Council Retreat of June 3, 2017. Seconded by Councilor Lown.

City Attorney said Councilor Spear's motion takes precedence and the action before the City Council would in effect go away. In order to bring it back a Councilor would need to make a motion by a simple majority. If the City Council wanted to do it one night without notice it would require a two-thirds vote.

On a roll call 8-1, voted to postpone indefinitely and to discuss this matter after the City Council Retreat of June 3, 2017. Councilor Perkins, Dwyer, Lown, Pearson, Spear, Cyr, Denton and Mayor Blalock voted in favor. Assistant Mayor Splaine voted opposed.

C. COUNCILOR LOWN

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the May 4, 2017 meeting

Councilor Lown moved to accept and approve the action sheet and minutes of the May 4, 2017 Parking & Traffic Safety Committee meeting. Seconded by Councilor Dwyer.

Councilor Dwyer asked if all 15 minute spaces after 8:00 p.m. become open to park. Councilor Lown said he believes that is correct. Councilor Cyr asked if there is an app or is it indicated on the signs when the spots stop being a 15 minute space. Councilor Lown said it is on the signs. City Manager Bohenko said we would look into that matter and let the City Council know.

Motion passed.

D. COUNCILOR SPEAR

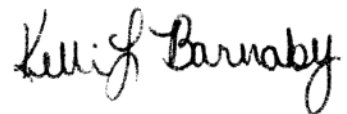
1. Thinking Fast and Slow (*Essay attached*)

Councilor Spear requested that the City Council read the essay prior to the June 3, 2017 Council Retreat.

XI. MISCELLANEOUS/UNFINISHED BUSINESS

XII. ADJOURNMENT

At 10:15 p.m., Councilor Lown moved to adjourn. Seconded by Assistant Mayor Splaine and voted.



KELLI L. BARNABY, MMC, CMC, CNHMC
CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, June 5, 2017 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 10 – Zoning Ordinance, Character Based Zoning Excess Community Space. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

LEGAL NOTICE
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Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk
RM-00183533

PROPOSED ZONING ORDINANCE AMENDMENT
As Recommended by the Planning Board on April 20, 2017
(Additions to 3/28/17 draft underlined; deletions ~~struck through~~)

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, Article 5A – Character-Based Zoning, Section 10.5A46 – Incentive Overlay Districts, be amended by inserting the following new Section 10.5A46.23:

- 10.5A46.23 When a proposed **development** in an Incentive Overlay District includes **community space** in excess of the amount required to support a proposed incentive under Section 10.5A43.43 or Sections 10.5A46.10 through 10.5A46.22, the Planning Board may grant a conditional use permit to allow the excess **community space** to be credited to the developer or its assigns for use in another **development** in the same Incentive Overlay District.
- (1) The conditional use permit shall specify the total amount of **community space** provided, the portion of such **community space** to be credited toward incentives in the proposed **development**, and the amount of excess **community space** that may be credited toward a future project in accordance with the standards set forth in Section 10.5A43.43 or Sections 10.5A46.10 through 10.5A46.22.
 - (2) The conditional use permit may allow for conveyance to the City of unimproved land in lieu of **community space** that conforms to the types shown in Figure 10.5A45.10, subject to the following:
 - (a) The application for a conditional use permit to credit unimproved land in lieu of **community space** shall include a complete site plan and design for the proposed **community space**.
 - (b) In order for a future **development** to receive incentive credit for the excess unimproved land, the future developer will be required to improve the land to be a conforming **community space** as determined by the Planning Board at the time of site plan approval, except as provided in (b) below.
 - (c) At any time after receiving title to such unimproved land, the City may, at its option, improve such land to be a conforming **community space**. If the City exercises this option, in order for a future **development** to receive the incentive credit, the

future developer shall pay to the City an amount representing the cost to the City of carrying out the improvements that were required to improve the land to be a conforming community space.

- (3) The terms of the conditional use permit shall be documented in a Prospective Development Incentive Agreement (PDIA) to be entered into between the developer and the Planning Department. The maximum term of a PDIA shall not exceed ~~fifteen (15)~~ ten (10) years, following which the rights to any unused incentive shall become null and void.
- (4) The only effect of a conditional use permit and PDIA under this section shall be to increase the allowable **building footprint** or **building height**, or to reduce the required **off-street parking**, in accordance with Section 10.5A43.43 or Sections 10.5A46.10 through 10.5A46.22.
- (5) The granting of a conditional use permit and the execution of a PDIA under this Section 10.5A46.23 shall not be deemed to supersede or waive any of the other provisions of this Article 5A or other applicable provisions of this Ordinance, nor shall such approval be considered to represent the granting of land use approval for any future **development**.
- (6) Future use of the excess **community space** to support a future project shall require the granting of a conditional use permit by the Planning Board, whether or not the **community space** is on the same parcel as the future project.

The City Clerk shall properly alphabetize and/or re-number the ordinances 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:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT.*
DATE: April 24, 2017
RE: Proposed Zoning Ordinance amendment to allow excess community space provided by a development in an Incentive Overlay District to be credited for use in another development in the same Incentive Overlay District

Under amendments to the Character-Based Zoning enacted in January 2017, proposed developments in the North End and West End Incentive Overlay Districts are eligible to build with greater building footprint (coverage) or height, or with reduced off-street parking, in return for providing either workforce housing or community space (which must be in the form of specific types itemized in the ordinance, such as parks, plazas, greenways, etc.). The Planning Department has drafted a proposed amendment to allow for “banking” the community space incentives, in order to allow community spaces to be created before a specific development project has been identified. The proposed amendment has been drafted to address a specific development proposal and a planned City open space project, but it also has broader potential applicability in the North End and West End.

At its meeting on April 3, 2017, the City Council voted to refer the draft zoning amendment to the Planning Board for a report.

Background – Proposed Vaughan Street Hotel and Waterfront Park

Cathartes is proposing to develop a new hotel at 225 and 299 Vaughan Street, two parcels that are currently occupied by Sanel Auto Parts and a municipal parking lot. Cathartes also owns an adjacent parcel that extends behind 3S Artspace to North Mill Pond. In order to gain additional building footprint area for the planned hotel, Cathartes proposes to develop the land on North Mill Pond into a public waterfront park, employing an existing provision at Section 10.5A43.43 of the Zoning Ordinance.

The site of the proposed waterfront park is part of the North Mill Pond Path, a multi-use path that the Planning Department has proposed for connecting Market Street to Maplewood Avenue, with an eventual extension down to Bartlett Street. The portion of the North Mill Pond Path between Market Street and Maplewood Avenue is also shown in the North End Vision Plan prepared by TPUDC, and is identified in the Capital Improvement Plan for funding in Fiscal Year 2018. Cathartes’ proposed project, which includes the central portion of the path, is thus timely and would help the City to create this important amenity at lower public cost than without the developer’s involvement.

Under the applicable provision of the Zoning Ordinance, the Planning Board may grant a conditional use permit to allow an increase in building footprint from 20,000 to 40,000 square feet if

at least 30% of the total property area is assigned and improved as community space. The proposed waterfront park has a total area of 43,326 square feet (0.99 acre), which is more area than is needed to provide the building footprint incentive for the proposed hotel. While Cathartes is willing to work with the City to move the North Mill Pond Path project forward, the developer does not want to give up the additional incentive potential that the excess land could provide for a future development. Thus, the developer and the City have a common interest in creating a mechanism to allow the transfer of land for public use to be credited to a future development project.

Proposed Amendment

The draft Zoning Ordinance amendment would authorize the Planning Board to allow a contribution of excess community space to be credited toward a future development project that may not yet be identified and could be carried out either by the current developer or by another landowner in the area. The proposed amendment includes the following provisions:

- If authorized by a conditional use permit from the Planning Board, a developer may convey land to the City for community space and credit that conveyance toward incentives for a future development project in the same overlay district.
- If the developer conveys the land without creating an improved community space (such as a park, plaza, greenway, etc.), the City may build the community space and charge the cost back to the future development project.
- The terms of the conditional use permit will be enshrined in an agreement between the developer and the Planning Department (similar to the agreements that are executed for any approved site plan or subdivision).

While the proposed amendment has been developed in order to allow a specific City project to be funded in part by a specific private development proposal, staff believe that it could have broader applications in the future. For example, during the discussions about the character-based zoning for the West End, some residents raised concerns that the community space provisions could result in the creation of small unconnected green spaces on a project-by-project basis, but there was no mechanism allow multiple landowners to work together to provide larger, more meaningful public spaces. Given the right circumstances, the transferable development rights created by the proposed amendment could be that mechanism, facilitating the eventual creation of a neighborhood park or plaza for the West End.

Planning Board Report

The Planning Board held a public hearing on this draft amendment to the Zoning Ordinance at its meeting on April 20, 2017. The Board voted to recommend that the amendment be enacted with the following four changes:

1. When a developer proposes to contribute unimproved land in lieu of a conforming community space, require the application to include a complete site plan and design for the future community space.

2. In 10.5A46.23(2)(a) of the draft amendment [to be redesignated as (b)], insert the word “excess” before the words “unimproved land” to clarify the intent.
3. Reduce the maximum term of a Prospective Development Incentive Agreement from 15 years to 10 years.
4. Insert a new provision requiring the grant of a conditional use permit by the Planning Board in order for a developer to be able to use the excess community space to support a future project, regardless of whether the future project would need a conditional use permit otherwise.

The attached revised amendment incorporates the Planning Board’s recommended changes (additions underlined, deletions ~~struck through~~) and is the version that should be presented for first reading at the May 1st City Council meeting.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, June 5, 2017 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 10 – Zoning Ordinance, Signs related to Public Parking in Private Parking Lots. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

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Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

PA-00283329

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

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

A. In Article 6 – Overlay Districts, Section 10.630 – Historic District, subsection 10.633.20 – Exemptions from Certificate, insert a new item (27) as follows:

(27) Parking ticket kiosks, freestanding signs and other site elements related to public parking in private parking lots when authorized under a permit from the Department of Public Works.

B. In Article 12 – Signs, Section 10.1222 – Signs Not Requiring a Permit, amend Section 10.1222.20 to read as follows:

10.1222.20 Directional signs or information signs with a sign area up to 4 square feet, located so as not to create a traffic safety hazard or to block line of sight from a motor vehicle. ~~A directional sign with a sign area greater than 4 square feet requires a sign permit.~~ **A directional or information sign pertaining to public parking in a private parking lot that has been authorized under a permit from the Department of Public Works is exempt regardless of sign area.**

C. In Article 12 – Signs, Section 10.1290 – Sign Definitions, amend the definition of “Information sign” by changing the words “2 square feet” to **“4 square feet.”**

The City Clerk shall properly alphabetize and/or re-number the ordinances 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:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

M E M O R A N D U M

TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT.*
DATE: April 24, 2017
RE: Proposed Zoning Ordinance amendment to exempt signs and other elements related to public parking in private parking lots from specific zoning standards when authorized under a permit from the Department of Public Works

At its March 6, 2017, meeting the City Council passed third reading on an ordinance relating to signs for public parking in a private parking lot. This ordinance was enacted as an amendment to the City Ordinances, Chapter 7, Article I – Parking Meters, and requires that any sign located at the entrance to a private parking lot receive a permit from the Department of Public Works.

Signs on private property are also regulated Article 12 of the Zoning Ordinance. In order to avoid duplication of reviews and potential conflicts between different City ordinances and department, staff recommends that signs relating to public parking on private lots be exempt from zoning regulation if the public parking use is allowed through a permit from DPW. This exemption would apply both to signs at the entrance to the lot and to any signs in the interior of the lot that relate to public parking.

In addition to the sign standards, the Zoning Ordinance also provides for Historic District Commission review of new structures (including ticket kiosks and freestanding signs) in the Historic District. Therefore, it is also recommended that such structures be exempt from HDC review if the public parking use has been allowed through a permit from DPW.

The Planning Department drafted the attached amendment to the Zoning Ordinance to implement these exemptions, and the City Council voted at its March 20th meeting to refer this proposed amendment to the Planning Board for a report.

At its meeting on April 20, 2017, the Planning Board voted unanimously to recommend that the Zoning Ordinance be amended as proposed.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, June 5, 2017 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 1, Article XVII, Section 1.1704 Public Art - Exemption. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

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Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

PM00283525

ORDINANCE#
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 1, Article XVII, Section 1.1704 – EXEMPTION of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

Section 1.1704: EXEMPTION

By a two-thirds (2/3) vote, the City Council may exempt a municipal building, such as a water or sewer plant, from the Public Art Commitment described in Section 1.1702 if the purpose of this ordinance would not be fulfilled due to the building's inaccessibility to the public, location, use or other factors." **Any Council determination to exempt a building under this provision shall be made no later than the final vote of the Council authorizing the funding for the project.**

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:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, June 5, 2017 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 7, Article I – Parking Meters, Section 7.105 – Parking – Designated Motorcycle Parking Area. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

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Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

7400288310

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article I of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

Section 7.105: PARKING

C. DESIGNATED MOTORCYCLE PARKING AREA

The following location is established as an exclusive “Designated Motorcycle Parking Area” for the months of April 1st through November 30th only:

- 1. Pleasant Street: On the easterly side of Pleasant Street, beginning at a point 24 feet south of the extension of the southerly curb line of Market Square running southerly the distance of 24 feet.**

Motorcycles are subject to parking meter fees for the hours of enforcement as set forth in this Chapter.

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:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, June 5, 2017 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 7, Article V – Bicycle Regulations. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, June 5, 2017 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 7, Article V – Bicycle Regulations. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

PA00283540

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, Article V, Section 7.5 – BICYCLE REGULATIONS of the Ordinances of the City of Portsmouth be amended to read as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

~~Section 7.501: LICENSE REQUIRED~~

~~From and after the effective date of this Ordinance, it shall be unlawful for any person to operate or use a bicycle propelled by muscular power upon any of the streets or alleys or public highways of the City of Portsmouth without first procuring from the Police Department a license therefor.~~

~~Section 7.502: ISSUANCE OF LICENSES~~

~~The Police Department is hereby authorized and directed to issue licenses which shall be valid for the life of the bicycle.~~

~~Section 7.503: IDENTIFICATION TAGS – RECORD KEPT BY POLICE DEPARTMENT~~

~~The Police Department shall designate and provide identification tags for the use of the license and will direct the manner of placing such tags on the bicycle by the licensee. The Police Department shall keep a record of the name of the licensee, the number of the tag and a description of the bicycle so registered.~~

~~Section 7.504: LICENSE FEES – TRANSFERS~~

~~The license fee to be determined in accordance with Chapter 1, Article XVI or similar wording and said license shall be transferred whenever the ownership of said bicycle is transferred but no fee shall be charged for this transfer. All fees collected under this Ordinance shall be paid by the Police Department into the Treasury of the City of Portsmouth. The license fee may be waived at the discretion of the Police Department.~~

Section 7.5015: RIDING ON SIDEWALKS

No person shall ride or propel any bicycle **with wheels of 16” or more in diameter upon any sidewalk in the City of Portsmouth. This shall not prohibit operation of a bicycle on a path that is signed and marked as a designated shared-use path with a minimum width of 8’.**

Section 7.5026: MANNER AND SPEED OF OPERATION

No person shall ride or propel a bicycle **upon any public way** ~~upon a public street, alley or highway~~ except in a prudent and careful manner and at a reasonable rate of speed and must exercise due care around pedestrians and must yield to pedestrians.

Section 7.5037: EQUIPMENT REQUIRED

No person shall ride or propel a bicycle upon any public ~~way street, alley or highway~~ in the City of Portsmouth unless ~~the said bicycle is~~ **the steering, brakes, tires and other required equipment are in safe condition.** Helmets are required for all persons riding on or operating a bicycle under the age of sixteen. ~~equipped with a bell or horn (except siren) or other suitable warning device, and a brake in proper working order.~~

Section 7.5048: LIGHTS, WHEN REQUIRED

~~It shall be unlawful to ride or propel a bicycle on any street, alley or highway of the City of Portsmouth after darkness unless the same shall be equipped with sufficient light, attached to the front of said bicycle, visible from the front thereof for a distance of not less than 200 feet and properly lighted; no without a tail light, red in color, or in lieu thereof, a reflector attached and visible from the rear for a distance of not less than 200 feet.~~

Every bicycle operated upon a public way during darkness shall be equipped with a lamp emitting a white light visible from a distance of 300 feet in front of the bicycle and with a red reflector or red light on the rear, which shall be visible from a distance of 300 feet to the rear. Every bicycle operated upon a public way during darkness shall have reflectors on both pedals or wear reflector leg bands on operator's lower extremity or other reflectors on legs or shoes visible from 200 feet. Any person operating a bicycle during the period from one half hour before sunrise and one half hour after sunset must wear at least one item of reflective outerwear apparel such as a reflective vest, jacket, helmet or helmet strip.

Section 7.5059: OBSERVANCE OF TRAFFIC REGULATIONS

~~Persons riding bicycles shall observe all traffic signs and signals; shall stop at all stop signs and shall further observe all traffic rules and regulations applicable thereto; shall turn only at intersections and the operator shall signal for all such turns; he/she shall ride at the right hand side of the street, alley or highway; shall pass to the left when passing overtaken vehicles that are slower moving; shall pass to the right upon meeting other vehicles approaching in the opposite direction.~~

Every person riding a bicycle shall have all of the rights and be subject to all of the duties applicable to the driver of any other vehicle under the rules of the road, except as follows:

- A. A person propelling a bicycle may pass a slower-moving vehicle in the same lane provided such movement can be made with reasonable safety.
- B. A person propelling a bicycle may pass a stationary or stopped motor vehicle on the right.
- C. A person propelling a bicycle upon a way at a speed less than the normal speed of traffic moving in the same direction at that time and place shall remain on the right portion of the way as far as practicable except when it is unsafe or impractical to do so or where signage or pavement markings are provided which indicate that it is acceptable for bicycles to use the full lane.

Section 7.51406: HANDS ON HANDLEBARS

No person shall operate or propel any bicycle without having at least one of his/her hands upon the handlebars thereof.

Section 7.51407: RIDING ON HANDLEBARS

No person operating or propelling a bicycle having only one saddle shall carry any other person on said bicycle.

Section 7.51208: CLINGING TO VEHICLES

It shall be unlawful for any person while riding or propelling a bicycle to hold onto a moving bus, truck or any other vehicle.

Section 7.51309: RIDING ABREAST ON ROADWAYS

~~No person shall ride or propel a bicycle upon a public street, alley or highway in the City of Portsmouth abreast of any other person so riding or propelling a bicycle.~~

Persons riding bicycles 2 or more abreast on a public way shall not impede the normal and reasonable movement of traffic and, on a laned roadway shall ride within a single lane.

~~Section 7.514: TRANSFER OF ASSIGNED IDENTIFICATION TAG~~

~~It shall be unlawful for any person to attach or permit to be attached to a vehicle any registration tag assigned and issued by the Police Department to another vehicle.~~

~~Section 7.515: DEFACING OF IDENTIFICATION TAG~~

~~It shall be unlawful for any person to change, erase, or deface any number or numbers used for the identification of any bicycle.~~

Section 7.5106: UNATTENDED BICYCLES/BICYCLE PARKING

~~All bicycles, when left unattended upon the streets, alleys or highways of the City of Portsmouth shall be parked in the same manner as prescribed for motor vehicles on that street, alley or highway. No bicycle shall be left unattended against or adjacent to any business establishment, building or apartment house in the City.~~

No person shall park a bicycle in a manner that:

- A. Impedes the flow of motor vehicle traffic on roadways or the normal and reasonable movements of pedestrian traffic, including but not limited to crosswalks, sidewalks, and building entrances.**
- B. Prevents or impedes the operation of or access to a parking meter, parking pay station, traffic control device.**
- C. Hinders or restricts access to handrails or ramps.**
- D. Hinders, obstructs or impedes the movement of a legally parked motor vehicle.**
- E. Bicycles shall not be parked on public roadways except in an area signed and otherwise designated for bicycle parking.**
- F. Bicycles shall not be secured to or parked against a tree.**
- G. At no time shall bicycles be secured or parked against a fire hydrant.**
- H. At no time shall bicycles be left unattended on private property without the consent of the owner or legal tenant.**
- I. Bicycles may park on a public way or on public property for a maximum consecutive time period of 72 hours except in an area signed and otherwise designated for long-term parking.**

Section 7.5117: PENALTIES

~~Upon a conviction of any offense under this ordinance, which alleges that a person has had one or more convictions under this ordinance within five (5) years preceding the date of the subsequent offense, the person shall be subject to the following penalties:~~

first offense	\$20
second offense	\$40

~~third and each subsequent \$60
offense~~

~~Any fine to which a violator is subject under this ordinance may be paid to the Clerk of Court of the Portsmouth District Court at any time prior to trial in any case charged under this ordinance.~~

Any person violating any provision of this ordinance shall be subject to a civil infraction of \$35, made payable to the Parking Clerk of the City of Portsmouth or the operator may be deprived of his/her bicycle until the provisions and requirements of this Chapter have been complied with.

Section 7.5182: APPLICABILITY

The foregoing Ordinances and rules and regulations herein contained shall apply to bicycles with wheels of 16 inches or more in diameter only.

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:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, June 5, 2017 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 7, Article XVII – Moped Regulations. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk

LEGAL NOTICE
NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, June 5, 2017 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH on a proposed Ordinance amending Chapter 7, Article XVII – Moped Regulations. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.
Kelli L. Barnaby, MMC, CMC, CNHMC
City Clerk
PM00283527

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7 of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

Article XVII MOPED REGULATIONS

Section 7.1701: DEFINITION

"Moped" shall mean a motor-driven cycle whose speed attainable in one mile is 30 miles per hour or less; if an internal combustion engine is used, the piston displacement shall not exceed 50 cubic centimeters and the power-drive system shall not require the operator to shift gears.

Section 7.1702: PARKING

Mopeds may park on public sidewalks, provided that they are not parked in a manner that:

- A. Impedes the flow of motor vehicle traffic on roadways or the normal and reasonable movements of pedestrian traffic, including but not limited to crosswalks, sidewalks, and building entrances.**
- B. Prevents or impedes the operation of or access to a parking meter, parking pay station, traffic control device.**
- C. Hinders or restricts access to handrails or ramps.**
- D. Hinders, obstructs or impedes the movement of a legally parked motor vehicle.**
- E. Mopeds shall not be secured to or parked against a tree.**
- F. At no time shall a moped be secured or parked against a fire hydrant.**
- G. At no time shall mopeds be left unattended on private property without the consent of the owner or legal tenant.**
- H. Mopeds may park on a public way or on public property for a maximum consecutive time period of 72 hours except in an area signed and otherwise designated for long-term parking.**

Section 7.1703:

A moped parked on a sidewalk shall display a license plate identifying the vehicle as a moped, or shall display a permit issued by the City of Portsmouth identifying the vehicle as complying with the definition of a moped as defined in Section 7.1701.

Section 7.1704 PENALTY

Whoever violates, or permits or allows anyone in control of their moped to violate this ordinance, shall forfeit to the City of Portsmouth the sum of twenty-five dollars (\$25.00). In the event that payment of such forfeiture amount is not made within thirty (30) days of the violation, forfeiture shall be in the sum of fifty dollars (\$50.00). In the event of failure to make such forfeiture the violator shall be subject of a fine of not more than one hundred dollars (\$100.00) upon conviction of the violation in the Portsmouth District Court.

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:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 1, Article IX, Section 1.902: - ELECTION CANDIDATE CONFLICT OF INTEREST of the ADMINISTRATIVE CODE of the Ordinances of the City of Portsmouth be amended to read as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

ARTICLE IX CONFLICT OF INTEREST/ MANDATORY FINANCIAL DISCLOSURE

Section 1.902: ELECTION CANDIDATE FINANCIAL DISCLOSURE

A. Required Disclosure: Any candidate running for City Council, School Board, Police or Fire Commissions receiving a monetary contribution from any one person or entity in the amount of a cumulative total of \$100.00 or more in any calendar year must report: ~~the name of the individual, address, amount, and date of contribution:~~

1. **In the case of an individual, the name, address, amount and date of contribution.**
2. **In the case of an entity, the name, address, amount, date of contribution, actual nature of entity (eg. voluntary association, LLC or Corporation), and the name of the person or persons who acted on behalf of the entity to make the contribution.**

The report must be filed, or updated as appropriate, with the Office of the City Clerk seven (7) days prior to any election at which that person is a candidate for any of the foregoing offices. Any contributions which would otherwise require reporting under this ordinance received within the seven days prior to the election must be submitted in a final report to the Office of the City Clerk no later than two weeks following the election.

B. Violations: For violation and enforcement purposes, complaints alleging violation of the mandatory disclosure ordinance shall be administered in accordance with the process and penalties available under the Municipal Code of Ethics, Reference Chapter 1, Article VIII.

C. Public Records: All election candidate financial disclosures shall be public records.

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

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

This ordinance shall take effect upon passage.

APPROVED:

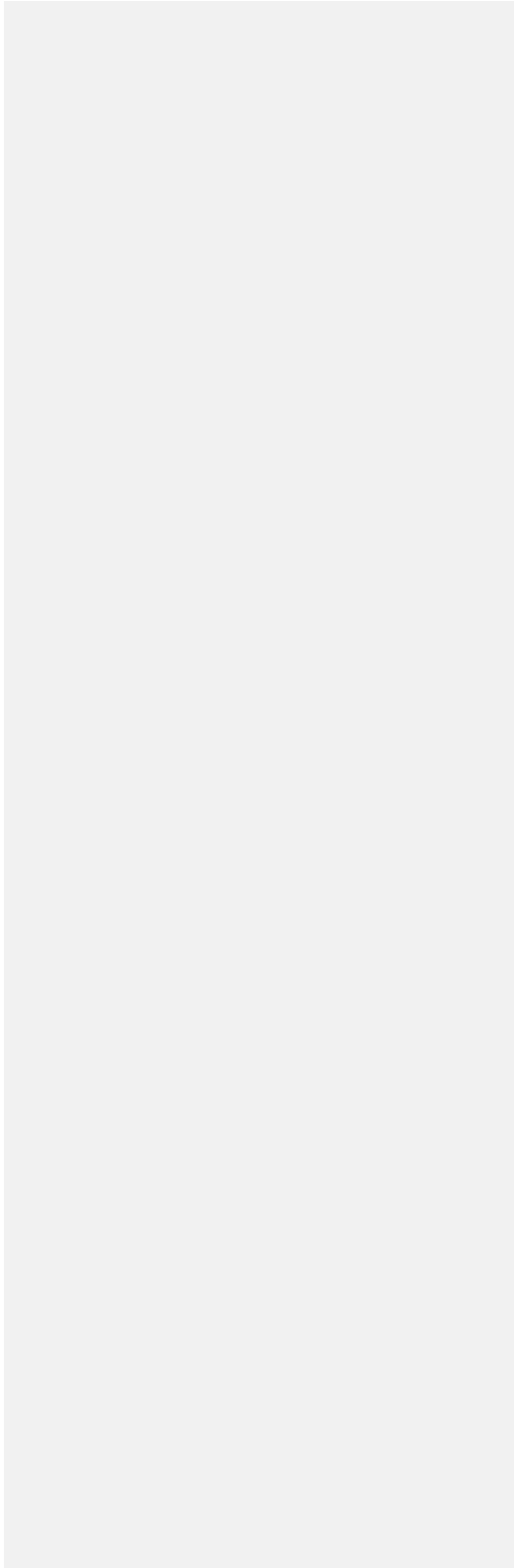
Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

DRAFT

h:\ordinances\1.902 election candidate financial disclosure



Informational Facts about the Fiscal Year 2018 Budget Resolutions

There are six proposed Resolutions (attached) that are part of the annual budget adoption process.

Resolution No. 13-2017 adopts Municipal Fees that have been recommended by the Fee Committee. The total revenue generated from these fees is estimated at \$1,167,000 or 1% of the total FY18 General Fund Revenues.

Resolution No. 14-2017 is pertinent to General Fund expenditures. In this Resolution the proposed appropriations for the General Government, Police, Fire, School, Collective Bargaining, Indoor Pool and Prescott Park as well as non-operating appropriations are listed separately.

Resolution No. 15-2017 establishes the annual appropriation, cash requirements and user rates for the Sewer fund. Sewer charges are based on water consumption. The adoption of this resolution includes a two step, inclining block rate structure.

Resolution No. 16-2017 establishes the annual appropriation, cash requirements and user rates for the Water fund. Similar to Sewer, the adoption of this resolution will include a two step, inclining block rate structure for water usage. Also included is a three step, inclining block rate structure for metered irrigation water usage. The irrigation water usage is not subject to sewer charges.

Resolution No. 17-2017 allows for the expenditure of Special Revenues, Debt Service Fund, and Committed Fund Balance. This allows the City to expend from donations, Federal and State Grants as they are accepted and received, pay principal and interest associated with Betterment Assessments, from a Debt Service Fund, and expend from committed fund balance.

Resolution No. 18-2017 deals with the adoption of an annual investment policy. State law requires the annual adoption of such a policy by every city and town.

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL APPROVAL OF FEE SCHEDULE
FOR THE FISCAL YEAR ENDING JUNE 30, 2018**

**RESOLUTION # 13-2017 A RESOLUTION TO ADOPT FEES BY BUDGET
RESOLUTION**

BE IT RESOLVED: **THAT,** the attached fee schedule (Exhibit A) is found to be reasonable and appropriate and is recommended for adoption. (The fees denoted with an asterisk have been changed; all others are incorporated for convenience.)

THAT, the fee schedule attached (Exhibit A) shall be effective July 1, 2017.

APPROVED BY:

JACK BLALOCK , MAYOR

ADOPTED BY CITY COUNCIL:

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

CITY OF PORTSMOUTH
PROPOSED SCHEDULE OF FEES
FISCAL YEAR 2018



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CITY OF PORTSMOUTH



MEMORANDUM

TO: Honorable Mayor Jack Blalock and City Council Members
FROM: M. Christine Dwyer and Brad Lown, Fee Committee
DATE: April 28, 2017
RE: FY '18 Fee Schedule
CC: John P. Bohenko, City Manager
Judie Belanger, Finance Director

The Fee Committee met February 23, 2017 to review the City's fee schedule. As in the past, the city's fee schedule will be listed in Appendix III of the proposed budget book. A resolution is scheduled to be voted upon by the City Council June 5th requesting the acceptance of the fee schedule in conjunction with all other budgetary resolutions, which will make the fees effective July 1, 2017.

It is important to note that the fees represented in the fee schedule, excluding the parking fees, historically raise approximately 1% of General Fund Revenues.

The respective department heads reviewed all current fees. Proposed fee changes were submitted where deemed necessary to cover rising administration costs, operating costs, or were suggested by consultants. After a review by the Finance Department, the Fee Committee held a meeting to review the proposals.

Following is a summary of the requested fee changes by department and approved by the Fee Committee.

Finance Department: Created one fee for copies and added a fee for a City provided USB drive. In addition made clear that records subject to Right to Know requests can be viewed at City Hall or downloaded free onto a personal USB drive.

City Clerk: Increased fees for sidewalk obstructions, tag day permits, ward checklists, event permits, and voter history disks.

Planning Department: Created 4 new fees 1) Reapplication review, preliminary conceptual review \$200, 2) Reapplication review, design review \$500, 3) Restoration of involuntary merged lots \$250, and 4) Non-wetland conditional use permit (e.g. Accessory Dwelling Units, Garden Cottages, Flexible Development, and Drive Throughs) \$200.

Inspection Department: Increased electrical fees for residential equipment.

Public Works: Created 3 new fees 1) Blasting permit \$100, 2) New driveway permit \$50, and 3) Disposal of Propane tank (30# & larger) \$5.

Health Department: Added 2 groups to no fundraising fee for Health Department permits: Veteran groups and Disabled. Added a fee for customer appreciation events \$75.

Parking/Transportation Division: Increased fees for temporary metered parking spaces. Created two tiers of rates for Monthly pass holders eliminating the \$135 fee for all pass holders. There will now be a Resident pass holder monthly fee of \$150 and all other pass holder monthly fee of \$165. The Fee Committee approved increasing the “all other pass holders” to \$175 per month in FY 19 and \$200 when the Parking Facility on Deer Street opens. In addition deleted the electric vehicle reserved parking fee of \$1.25 an hour in the High Hanover Parking Facility.

Water/Sewer Division: Request to change a variety of hourly per occurrence charges for testing and rentals.

Prescott Park: Added to the fee schedule wedding reservation fees. The wedding reservation fee shall be waived when either one of the persons being married is a Portsmouth resident. The fee shall be refunded in the event that the wedding cannot be held in Prescott Park due to inclement weather.

The Fee Committee believes the annual review and authorization of fees is essential to keeping in step with rising costs of doing city business and also to review existing and potential fees for reasonableness. We recommend your support of the fee schedule as presented in the Proposed Annual Budget 2017-2018, Appendix III. Thank you.

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**City of Portsmouth
Fee Schedule
Finance Department**

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
Individual occurrences not tracked	Non Sufficient Funds check processing fee	Pre FY 02	\$30.00 per check	\$30.00
Individual occurrences not tracked	<p>Copies:</p> <p>into be copied; i.e.,</p> <p>discharge papers, small items</p> <p>8 1/2 x 11 or 8 1/2 x 14</p>	Pre FY 02	\$0.25 per copy	* Delete
Individual occurrences not tracked	<p>Items that generate a minimum of</p> <p>research, i.e. certificate of occupancy,</p> <p>fire reports, minutes of meetings, pages</p> <p>of past annual reports.</p>	Pre FY 02	\$0.50 per copy	* Delete
Individual occurrences not tracked	(1) Any copy made for non-City use	Pre FY 02	\$2.00 1st copy	\$2.00
	(1)	Pre FY 02	\$0.50 all subsequent pages	
New Fee	(1)USB Drive for transfer of electronic files	N/A	N/A	* \$8.00
(1) Note: City records subject to Right to Know requests can be viewed at City Hall or downloaded free onto personal USB drives.				
Individual occurrences not tracked	All copies made on 11 x 17 pages.	Pre FY 02	\$0.50 per copy	\$0.50
Individual occurrences not tracked	Tax bills prepared for parties other than owners.	Pre FY 02	\$2.00 1st copy	\$2.00

**City of Portsmouth
Fee Schedule
Finance Department**

* (Indicates change from current fee)

NOTES	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
Individual occurrences not tracked	Tax Card/Tax Map from laser printer (Free to property owner)	FY 04	\$1.00 Each Print	\$1.00
Individual occurrences not tracked	Standard Assessing mailing list file	Pre FY 02	\$75.00	\$75.00
New Fee	Assessor created export file	FY 17	\$150.00	\$150.00
Individual occurrences not tracked	DVD copies of City related events	Pre FY 02	\$10.00	\$10.00

**City of Portsmouth
Fee Schedule
City Clerk**

**Suggested
FY 2018
Schedule**

NOTES

	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
* (Indicates change from current fee)				
<u>Chapter 5: Article IV Section 402</u>				
License to handle any gasoline or similar fluids within the City.				
FY 16 there were 21 Petroleum Licenses processed for \$5,775.	Initial License Fee	FY 14	\$300.00 per location	\$300.00
	Annual Renewal Fee	FY 14	\$100.00 Up to 9,999 gallons	\$100.00
	Annual Renewal Fee	FY 14	\$125.00 10,000 to 14,999	\$125.00
	Annual Renewal Fee	FY 14	\$150.00 15,000 to 19,999	\$150.00
	Annual Renewal Fee	FY 14	\$175.00 20,000 to 24,999	\$175.00
	Annual Renewal Fee	FY 14	\$200.00 25,000 to 29,999	\$200.00
	Annual Renewal Fee	FY 14	\$225.00 30,000 to 34,999	\$225.00
	Annual Renewal Fee	FY 14	\$250.00 35,000 to 39,999	\$250.00
	Annual Renewal Fee	FY 14	\$275.00 40,000 to 44,999	\$275.00
	Annual Renewal Fee	FY 14	\$300.00 45,000 to 49,999	\$300.00
	Annual Renewal Fee	FY 14	\$325.00 50,000 and over	\$325.00
<u>Chapter 6: Article I Section 109C</u>				
Licenses-Gen. Provisions-				
Duties of licensee				
Change of license location fee not charged	Change Location of Licensed Business	Pre FY 02	\$1.00 Per Occurrence	\$1.00
<u>Chapter 6: Article I Section 110B</u>				
Licenses-Gen. Provisions-Transfer				
of license				
No Initial license fee charged	Transfer of License	Pre FY 02	\$10.00 Per Occurrence	\$10.00

**City of Portsmouth
Fee Schedule
City Clerk**

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
				* (Indicates change from current fee)
	<u>Chapter 6: Article II Section 201</u>			
	Billiards and Bowling			
FY 16 there were 6 license issued for \$1,200	License	FY 14	\$25.00 Per Year, Per Table or Lane	\$25.00
	<u>Chapter 6: Article III Section 302</u>			
	Model Slot Car Racing			
No licenses issued	License	Pre FY 02	\$25.00 Per Year	\$25.00
	<u>Chapter 6: Article IV Section 403C</u>			
	Coin Operated Amusement Devices			
FY 16 there were 12 licenses issued for \$6,275.	License	FY 03	\$75.00 For each of the first 30 machines, per year	\$75.00
		FY 03	\$10.00 For each machine over 30, per year	\$10.00
	<u>Chapter 6: Article V Section 502</u>			
	Boxing and Wrestling			
No licenses issued	License	Pre FY 02	\$10.00 Each Day	\$10.00
	<u>Chapter 6: Article VI Section 602</u>			
	Dancing			
No licenses issued	License	Pre FY 02	\$10.00 Per Dance	\$10.00

**City of Portsmouth
Fee Schedule
City Clerk**

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule	
	* (Indicates change from current fee)				
	Chapter 6: Article IX Section 901C12				
	Circus License				
No licenses issued	Amusement Devices	Pre FY 02	\$30.00 Per Day	\$30.00	
	Carnivals (For Operation)	Pre FY 02	\$125.00 Per Day	\$125.00	
	Including Each Amusement Device	Pre FY 02	\$30.00	\$30.00	
	Circus (For Operation)	Pre FY 02	\$125.00 Per Day	\$125.00	
	Including Each Amusement Device	Pre FY 02	\$30.00	\$30.00	
	Fairs (For Operation)	Pre FY 02	\$10.00 Per Day	\$10.00	
	Including Each Amusement Device	Pre FY 02	\$5.00 Per Day	\$5.00	
	Temporary Structures	Pre FY 02	\$10.00 Per Day	\$10.00	
		Chapter 6: Article IX Section 902			
		Circus License			
No license issued	Total fee for Circus license shall not be less than	Pre FY 02	\$75.00 Per Day	\$75.00	
	Chapter 6: Article X Section 1003				
	Theatricals, Parades, Open Air Meetings				
No license issued	License	Pre FY 02	\$300.00 Not to exceed per day	\$300.00	
	License to exhibit in any hall	Pre FY 02	\$50.00 Not to exceed per day	\$50.00	
	Chapter 6: Article XIII Section 1315				
	Hawkers and Peddlers				
FY 16 there were 14 license issued for \$3,500	License	Pre FY 02	\$250.00 Per Year	\$250.00	

**City of Portsmouth
Fee Schedule
City Clerk**

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
				* (Indicates change from current fee)
	Chapter 6: Article XIV Section 1402			
	Pawn Brokers			
FY 16 there were 3 license issued for \$150	License	FY 14	\$50.00 Per Year	\$50.00
	Chapter 6: Article XV Section 1502			
	Roller Skating Rinks			
No license issued	License	Pre FY 02	\$50.00 Per Year	\$50.00
	Chapter 6: Article XVI Section 1608			
	Magazine Subscription Solicitors			
No license issued	License	FY 06	\$50.00 Per Year	\$50.00
	Chapter 9: Article V Section 504 C			
	Sidewalk Obstructions			*
FY 16 there were 68 licenses issued for \$6,944.	Obstruction (including Restaurant Table)	FY 14	\$60.00 Each Obstruction (including Restaurant Table)	\$75.00
	Chapter 9: Article V Section 504 C			
	Sidewalk Obstructions			
	Restaurant Chairs	FY 14	\$7.00 Each Restaurant Chair	* \$10.00
	Non-ordinance-City Council Policy No. 2012-02			
	Area Service Agreements-use of City Property for Sidewalk Café's providing Alcohol Services			
		FY 12	\$10.00 per square foot-6 month season-no proration	\$10.00
		FY 12	\$2,000.00 minimum fee	\$2,000.00

**City of Portsmouth
Fee Schedule
City Clerk**

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
		* (Indicates change from current fee)		
FY 16 collections of \$1,135 with 227 occurrences	Notarization	FY 05	\$5.00 Per Document	\$5.00
FY 16 collections of \$420 with 27 occurrences	Tag day, permits	FY 05	\$15.00	* \$20.00
FY 16 collections of \$0 with 0 occurrences	Ward checklist	Pre FY 02	\$60.00 per set	* \$75.00
FY 15 collections of \$0 with 0 occurrences	Ward checklist for individual wards	Pre FY 02	\$10.00-\$15.00 (based on size of ward)	* \$25.00
FY 16 collections of \$700 with 35 occurrences	Event permit (fairs, parades etc. not governed by ordinance)	FY 05	\$20.00	* \$50.00
FY 16 collections of \$0 with 0 occurrences	Ordinance Books	Pre FY 02	\$100.00	\$100.00
FY 16 collections of \$0 with 0 occurrences	Ordinance book supplements (distributed 2 x per year)	Pre FY 02	\$50.00	\$50.00
FY 16 collections of \$20 with 4 occurrences	Voter certification	FY 05	\$5.00	
FY 16 collections of \$700 with 7 occurrences	Voter History Disk	FY 05	\$100.00 per election	* \$125.00
FY 16 collections of \$5 with 1 occurrences	Articles of agreement filing	Pre FY 02	\$5.00	\$5.00
FY 16 collections of \$0 with 0 occurrences	Restricted Property Listing	FY 12	\$15.00 per form	\$15.00

**City of Portsmouth
Fee Schedule
Planning Department**

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
PLANNING BOARD				
The Planning Department reported the following application numbers and fees for FY 15:				
Applications:				
Site Review	18			
Subdivision	9			
Lot Line revisions	4			
Conditional Use	18			
Board of Adjustment	120			
HDC	106			
Conservation Commission	16			
State Wetland Permits	20			
Revenues:				
Planning Board	\$60,479			
Board of Adjustment	\$60,759			
Site Review	\$28,106			
		Preapplication review (site plan or subdivision)		
		Preliminary conceptual consultation	FY 18 N/A	* \$200.00
		Design Review	FY 18 N/A	* \$500.00
		Subdivision application (residential)	FY 15 \$500.00	\$500.00
		Plus Per Lot	FY 15 \$200.00	\$200.00
		Subdivision application (non-residential)	FY 15 \$700.00	\$700.00
		Plus Per Lot	FY 15 \$300.00	\$300.00
		Lot Line Revision/Verification	FY 14 \$250.00	\$250.00
		Voluntary Lot Consolidation (Merger)		
		- no subdivision	FY 10 \$175.00	\$175.00
		Restoration of Involuntarily Merged Lots	FY18 N/A	* \$250.00
		Wetland Conditional Use Permit		
		Area of disturbance in wetland or wetland buffer:		
		-up to 250 sq ft	FY 17 \$100.00	\$100.00
		-up to 1,000 sq ft	FY 15 \$500.00	\$500.00
		-greater than 1,000 sq ft	FY 15 \$1,000.00	\$1,000.00
		Non-Wetland Conditional Use Permit	FY 18 N/A	* \$200.00
		(e.g. Accessory Dwelling Units, Garden Cottages, Flexible Development, Drive-Through Facilities)		
		Conditional Use Permit Amendment	FY 17 \$200.00	\$200.00

**City of Portsmouth
Fee Schedule
Planning Department**

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
PLANNING-BOARD OF ADJUSTMENT			
Residential application 1-2 dwelling units	FY 15	\$150.00	\$150.00
3-4 dwelling units	FY 15	\$250.00	\$250.00
5-and over	FY 15	\$250.00	\$250.00
For each unit over 4	FY 15	\$50.00	\$50.00
Total application fee shall not exceed (cap)	FY 15	\$3,000.00	\$3,000.00
Residential application-accessory structure only	FY 11	\$50.00	\$50.00
Non-residential applications	FY 12	\$300.00	\$300.00
In Addition:			
Per \$1,000 of valuation of new construction	Pre FY 02	\$5.00	\$5.00
Total application fee shall not exceed (cap)	FY 15	\$3,000.00	\$3,000.00
Signs	FY 13	\$200.00	\$200.00
Appeal of administrative decision	FY 17	\$50.00	\$50.00
PLANNING-SITE PLAN REVIEW			
All developments	FY 14	\$500.00	\$500.00
In Addition:			
Per \$1,000 of site costs	Pre FY 02	\$5.00	\$5.00
and per 1,000 square feet of site development area	FY 15	\$10.00	\$10.00
Total application fee shall not exceed (cap)	FY 08	\$15,000.00	\$15,000.00
Site plan amendment			
Administrative approval	FY 17	\$200.00	\$200.00
Administrative approval after work has been done	FY 17	\$500.00	\$500.00
TAC or Planning Board approval	FY 17	\$800.00	\$800.00

**City of Portsmouth
Fee Schedule
Planning Department**

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
PLANNING-HISTORIC DISTRICT			
Work Session (prior to application for approval)	FY 17	\$200.00 per work session	\$200.00
Residential applications 1 dwelling unit	FY 15	\$100.00	\$100.00
2 dwelling units	FY 15	\$100.00	\$100.00
3 dwelling units	FY 15	\$250.00	\$250.00
4 and over dwelling units	FY 15	\$400.00	\$400.00
For each unit over 4	FY 15	\$100.00	\$100.00
Accessory structure, mechanical equipment or replacement of doors/windows only	FY 15	\$100.00	\$100.00
Non-residential applications	FY 15	\$500.00	\$500.00
In Addition:			
Per \$1,000 of valuation of new construction	Pre FY 02	\$5.00	\$5.00
Total application fee shall not exceed (cap)	FY 15	\$5,000.00	\$5,000.00
Non-residential applications-accessory structure, mechanical equipment or replacement of doors/windows only	FY 15	\$100.00	\$100.00
Amendment to Certificate of Approval			
Administrative approval	FY 17	\$100.00	\$100.00
Administrative approval after work has been done	FY 17	\$500.00	\$500.00
Commission approval	FY 17	\$800.00	\$800.00
Signs	FY 15	\$100.00	\$100.00
PLANNING DEPARTMENT - ZONING PERMITS			
Certificate of conformity	FY 17	\$50.00	\$50.00
Letter of interpretation	FY 17	\$100.00	\$100.00
Single- or two-family dwelling: new construction or addition, or accessory structure over 400 sq. ft.	FY 17	\$100.00	\$100.00
Multifamily dwelling, nonresidential or mixed residential/nonresidential: new construction, addition, change of use, tenant fit-up	FY 17	\$200.00	\$200.00
Accessory structure less than 400 sq. ft. (detached garage, ground-mounted HVAC, generator, etc.)	FY 17	\$50.00	\$50.00
Signs (per application)	FY 17	\$50.00	\$50.00

City of Portsmouth
 Fee Schedule
 Inspection Department

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
	Chapter 8: Article I Section 106 A			
	Street Obstructions			
FY 16 there were 92 permits issued for \$4,200	Initial	FY 11	\$50.00	\$50.00
	Extension	FY 11	\$25.00	\$25.00
BUILDING PERMIT FEES:				
	Chapter 12: Part I Section 108.2 International Building Code-			
	and			
	Chapter 12: Part II Section R108.2 International Residential Code-			
Building/Electric/Plumbing	Note: All Construction Permit Fees rounded up to the nearest \$5.00			
	Minimum Fee-Residential	FY 07	\$50.00	\$50.00
Residential:				
Permits 1,929	Special Inspection Fee	FY 07	\$60.00 Per Hour	\$60.00
Inspections 2,787	Emergency Inspection Fee	FY 07	\$60.00 Per Hour	\$60.00
Value \$29,534,259	Minimum Fee-Commercial	FY 16	\$100.00	\$100.00
Fees \$327,750.00				
	Fire Sprinkler Systems	FY 16	\$100.00 \$5,000 or less in fire sprinkler system cost	\$100.00
Commercial:		FY 16	\$10.00 each additional \$1,000 in fire system sprinkler cost	\$10.00
	Fire Alarm Systems:	FY 16	\$100.00 \$5,000 or less in fire alarm system cost	\$100.00
Permits 1,157		FY 16	\$10.00 each additional \$1,000 in fire alarm system cost	\$10.00
Inspections 1,621	Flat Rate Permits	FY 06	\$35.00	\$35.00
	Flat Rate Permits: Includes: siding, replacement windows, pools, sheds, buried tanks, pad mounted generators,			
Value \$96,714,941	temporary structures, change-in-occupancy with no construction.			
Fees \$692,833.00	Demolition Permits	FY 06	\$50.00 For structures up to 2,000 SF floor area	\$50.00
		FY 04	\$10.00 per \$1,000 of demolition cost for structures over 2,000sf	\$10.00

City of Portsmouth
 Fee Schedule
 Inspection Department

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
General Renovations			
Residential Rates,	FY 04	\$7.00 per \$1,000 of renovation cost	\$7.00
New Construction, Renovation/Remodel and Additions		Revise Text	Revise Text
Commercial Rates	FY 04	\$10.00 per \$1,000 of renovation cost	\$10.00
Sign Permits-Minimum Fee	FY 04	\$50.00	\$50.00
Special Event Sign	FY 07	\$35.00 per single event	\$35.00
Fee per sq ft of sign area (Permanent or Temporary)	FY 04	\$1.00	\$1.00
Chapter 12: Part I Section 109.7			
International Building Code-			
and			
Chapter 12: Part II Section R109.5			
International Residential Code-			
Reinspection Fee	FY 07	\$100.00 Per Reinspection	\$100.00
Chapter 12: Part I Section 108.4			
International Building Code-			
and			
Chapter 12: Part II Section R108.7			
International Residential Code-			
Fee for Nonpermitted Work			
Any person who is found to have demolished, constructed, altered, removed, or changed the use of a building or structure without the benefit of a building, electrical, plumbing, mechanical, or change in use permit shall, upon issuance of said permit(s), be assessed a charge of (1) 200% of regular permit fee or(2) \$300.00 whichever is greater. If the regular permit fee is over(3) \$300.00, the permit fee shall be the regular fee plus(4) \$300.00.			
	FY 04	(1) 200%	(1) 200%
	FY 07	(2) \$300	(2) \$300
	FY 07	(3) \$300	(3) \$300
	FY 07	(4) \$300	(4) \$300

City of Portsmouth
 Fee Schedule
 Inspection Department

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
<p><u>Chapter 12: Part I Section 110.6</u> International Building Code-</p> <p style="text-align: center;">and</p> <p><u>Chapter 12: Part II Section R110.6</u> International Residential Code-</p> <p>Fee for Certificate of Use and Occupancy</p>	FY 07	\$100.00	\$100.00
<p><u>Chapter 12: Part I Section 106.3.6</u> International Building Code-</p> <p>Outside Plan Review Services (adjustment to permit) (for all applicable building permits meaning building,electric, plumbing, mechanical or fire protection permits)</p>	FY 14	-20%	-20%
ELECTRICAL FEES:			
<p><u>Chapter 12: Part I Section 108.2</u> International Building Code-</p> <p style="text-align: center;">and</p> <p><u>Chapter 12: Part II Section R108.2</u> International Residential Code-</p> <p>Plan Review Fee</p>	FY 04	\$50.00	\$50.00
Special Inspection Fee	FY 07	\$60.00 Per Hour	\$60.00
Emergency Inspection Fee	FY 07	\$60.00 Per Hour	\$60.00
Reinspection fees	FY 07	\$100.00 Each additional inspection after the second rejections for the same item(s)	\$100.00
Minimum Electric Permit Fee	FY 07	\$50.00	\$50.00

City of Portsmouth
 Fee Schedule
 Inspection Department

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
Residential-Service Equipment			
Single Phase	FY 07	\$25.00 up to & including 100 Amps.	\$50.00 *
Single Phase	FY 08	\$50.00 101 to 200 Amps.	\$75.00 *
Single Phase	FY 07	\$70.00 201 to 400 Amps.	\$150.00 *
Single Phase	FY 07	\$15.00 Meters (each)	
Lighting Fixtures, Power Utilization			
Equipment & Outlets	FY 04	\$1.00 Each Device	\$1.00
Pad Mounted Generators:			
12 KW or less	FY 12	\$75.00	\$75.00
13 KW to 20 KW	FY 12	\$125.00	\$125.00
21 KW and above	FY 12	\$175.00	\$175.00
Manual Gen. set transfer	FY 12	\$10.00	\$10.00
Automatic Gen. set transfer	FY 12	\$25.00	\$25.00
All fees shall be rounded up to the nearest			
\$5.00 with a minimum fee of \$50.00. (Commercial)	FY 04	\$50.00	\$50.00
Commercial-Contract Cost Fee Method			
First \$5000.00 of electrical construction cost from			
\$0.01 to \$5,000.00	FY 04	\$25.00 Rate per Thousand Dollars of Contract Cost	\$25.00
Next \$5000.00 of electrical construction cost from			
\$5,000.01 to \$10,000.00	FY 04	\$20.00 Rate per Thousand Dollars of Contract Cost	\$20.00
Next \$5000.00 of electrical construction cost from			
\$10,000.01 to \$15,000.00	FY 04	\$15.00 Rate per Thousand Dollars of Contract Cost	\$15.00
Each \$1000.00 of electrical construction cost from			
\$15,000.01 & over	FY 07	\$10.00 Rate per Thousand Dollars of Contract Cost	\$10.00

**City of Portsmouth
Fee Schedule
Inspection Department**

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>	
<u>Chapter 12: Part I Section 109.7</u>				
International Building Code-				
and				
<u>Chapter 12: Part II Section R109.5</u>				
International Residential Code-				
Reinspection fees				
If, upon being called for any inspection, the work is not in compliance with this Code, verbal notice will be given as to the deficiencies and such deficiencies shall be noted on the code official's report. The permit holder shall be responsible for correcting the item(s) and for notifying the code official to reinspect said deficiencies. If when called to reinspect these deficiencies, all is correct, no further action will be taken. However, if during the first reinspection, the work in question has not been corrected, there will be a \$100.00 reinspection fee assessed, which must be paid at the Inspection Office before a third inspection will be made. For each subsequent reinspection of the same deficiency or deficiencies, a like procedure and fee shall be assessed.				
	FY 07	\$100.00	\$100.00	
<u>Chapter 14: Section 102A E</u>				
Housing Code				
City does not currently collect fee or issue certificate	<u>Certificate of Occupancy</u>	Pre FY 02	\$1.00 Per Building (Good for 3 years)	\$1.00

City of Portsmouth
 Fee Schedule
 Inspection Department

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
PLUMBING/MECHANICAL PERMIT FEES:			
<u>Chapter 15, Part I of II: Section 106.6.2</u>			
International Plumbing Code &			
<u>Chapter 15, Part II of II: Section 106.5.2</u>			
International Mechanics Code			
Residential rate:			
Fee per fixture (plumbing or gas)	Pre FY 02	\$5.00 Each	\$5.00
Water distribution piping (per dwelling)	FY 07	\$30.00 Each	\$30.00
Waste and vent piping (per dwelling)	FY 07	\$30.00 Each	\$30.00
Septic System (per dwelling)	FY 07	\$30.00 Each	\$30.00
Gas distribution piping (per gas meter)	FY 07	\$30.00 Each	\$30.00
Heating & Cooling Equipment: (Boiler, Furnace, Airhandlers, Unit Heaters, Condenser, Gas Logs, Fireplace Inserts, Solid Fuel Stoves, etc...)	FY 10	\$20.00 per Mechanical Equipment	\$20.00
Gas Appliance: (Cloths Dryers, Range/Oven Water Heater, etc....)	FY 10	\$5.00 per Gas Appliance	\$5.00
Air Distribution System:	FY 10	\$5.00 per Register	\$5.00
Minimum Permit Fee	FY 07	\$50.00	\$50.00
Commercial rate:			
Required Plan Review Fee	FY 04	\$50.00 Plumbing	\$50.00
(Per contractor and for each revision of plans)	FY 04	\$50.00 Mechanical	\$50.00
Minimum Permit Fee:	FY 04	\$50.00	\$50.00

**City of Portsmouth
Fee Schedule
Inspection Department**

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
Commercial-Contract Cost Fee Method			
First \$5000.00 of electrical construction cost from			
\$0.01 to \$5,000.00	FY 07	\$25.00 Rate per Thousand Dollars of Contract Cost	\$25.00
Next \$5000.00 of electrical construction cost from			
\$5,000.01 to \$10,000.00	FY 07	\$20.00 Rate per Thousand Dollars of Contract Cost	\$20.00
Next \$5000.00 of electrical construction cost from			
\$10,000.01 to \$15,000.00	FY 07	\$15.00 Rate per Thousand Dollars of Contract Cost	\$15.00
Each \$1000.00 of electrical construction cost from			
\$15,000.01 & over	FY 07	\$10.00 Rate per Thousand Dollars of Contract Cost	\$10.00
 Commercial Range & Duct Extinguishing System:			
Base Permit Fee (Per System):	FY 06	\$150.00	\$150.00
At time of first inspection, if system(s) are not ready for testing within 1/2 hour from time of Inspectors arrival, or if system fails the inspection, a reinspection shall be scheduled after paying a \$150 fee. This procedure and fee shall be repeated for each failed inspection or incomplete system visit.			
	FY 13	\$300.00	\$300.00
Special Inspection Fee	FY 07	\$60.00 Per hour	\$60.00
Emergency Inspection Fee	FY 07	\$60.00 Per Hour	\$60.00
 Chapter 15, Part I of II: Section 107.1.2.4			
International Plumbing Code			
Reinspection Fee	FY 07	\$100.00	\$100.00
 Chapter 15, Part II of II: Section 107.6			
International Mechanics Code			
Reinspection Fee	FY 07	\$100.00	\$100.00

**City of Portsmouth
Fee Schedule
Inspection Department**

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
<u>Chapter 15, Part I of II: Section 108.8</u>			
International Plumbing Code			
Work Commencing Before Permit Issuance			
Any person who is found to have done plumbing work without the proper permits shall, upon issuance of said permit(s), be assessed a charge of (1) 200% of the regular permit fee or (2) \$300.00 whichever is greater. If the regular permit fee is over (3) \$300.00 , the permit fee shall be the regular fee plus (4) \$300.00			
	FY 04	(1) 200%	(1) 200%
	FY 07	(2) \$300	(2) \$300
	FY 07	(3) \$300	(3) \$300
	FY 07	(4) \$300	(4) \$300
Commencing work before permit issuance			
Any person who is found to have done mechanical work without the proper permits shall, upon issuance of said permit(s), be assessed a charge of (1) 200% of the regular permit fee or (2) \$300.00 whichever is greater. If the regular permit fee is over (3) \$300.00 , the permit fee shall be the regular fee plus (4) \$300.00 .			
	FY 04	(1) 200%	(1) 200%
	FY 07	(2) \$300	(2) \$300
	FY 07	(3) \$300	(3) \$300
	FY 07	(4) \$300	(4) \$300

**City of Portsmouth
Fee Schedule
Police Department**

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
Chapter 5: Article VIII Section 802				
Alarm Systems Service Charge				
FY 16 Police-Unfounded Emergency Calls were as follows:				
Occurrences	Revenue			
772	No charge	<u>Police-Unfounded Emergency calls</u>	<u>Pre FY 02 No Charge</u>	<u>0-3 Occurrences per calendar year No Charge</u>
87	\$6,525.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 08 \$75.00</u>	<u>4th Occurrence per calendar year \$75.00</u>
50	\$3,750.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 08 \$75.00</u>	<u>5th Occurrence per calendar year \$75.00</u>
37	\$2,775.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 08 \$75.00</u>	<u>6th Occurrence per calendar year \$75.00</u>
25	\$2,500.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 08 \$100.00</u>	<u>7th Occurrence per calendar year \$100.00</u>
15	\$2,250.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 10 \$150.00</u>	<u>8th Occurrence per calendar year \$150.00</u>
10	\$2,000.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 10 \$200.00</u>	<u>9th Occurrence per calendar year \$200.00</u>
15	\$4,500.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 08 \$300.00</u>	<u>10th-15th Occurrences per calendar year \$300.00</u>
4	\$1,600.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 09 \$400.00</u>	<u>16th-20th Occurrences per calendar year \$400.00</u>
0	\$0.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 10 \$500.00</u>	<u>21th-25th Occurrences per calendar year \$500.00</u>
0	\$0.00	<u>Police-Unfounded Emergency calls</u>	<u>FY 10 \$1,000.00</u>	<u>Each Occurrences 26 or over per calendar year \$1,000.00</u>
1015	\$25,900.00	<u>Fire-Unfounded Emergency calls</u>	<u>Pre FY 02 No Charge</u>	<u>0-2 Occurrences per January to June No Charge</u>
		<u>Fire-Unfounded Emergency calls</u>	<u>Pre FY 02 \$50.00</u>	<u>Each Occurrence over 2 per January to June \$50.00</u>
Total calls by FY		<u>Fire-Unfounded Emergency calls</u>	<u>Pre FY 02 No Charge</u>	<u>0-2 Occurrences per July to December No Charge</u>
FY 15	1,149	<u>Fire-Unfounded Emergency calls</u>	<u>Pre FY 02 \$50.00</u>	<u>Each Occurrence over 2 per July to December \$50.00</u>
FY 14	1,095			
FY 13	973			
FY 12	1,005			
FY 11	1,030			
FY 10	1,031			
Fire Department does not currently monitor unfounded Emergency calls				
Chapter 7: Article V Section 504				
Bicycles				
Fee is not charged	<u>License</u>	<u>Pre FY 02</u>	<u>No Charge</u>	<u>No Charge</u>
FY 16 0 Occurrences	<u>U-Visa research</u>	<u>FY 13</u>	<u>\$150.00</u>	<u>\$150.00</u>

**City of Portsmouth
Fee Schedule
Fire Department**

* (Indicates change from current fee)

NOTES	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
	<u>Chapter 5: Article IV Section 406</u>			
	<u>Petroleum Inspector</u>			
N/A	Compensation	Pre FY 02	\$0.32 per 1,000 gallons	\$0.32
			(not to exceed the sum	
			of \$2.00 per tanker)	
			(minimum fee shall not	
			be less than \$1.00)	
	<u>Chapter 5: Article IX Section F403.2</u>			
	<u>Open Burning</u>			
FY 16 there were 149 permits issued for \$1,490		FY 13	\$10.00 Inspection Fee	\$10.00
FY 16 there were 20 reports researched for \$500	Environmental Reports and Research	FY 06	\$25.00	\$25.00

**City of Portsmouth
Fee Schedule
Public Works**

* (Indicates change from current fee)

Suggested

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	FY 2018 Schedule
	New Fee			
	Blasting Permit	FY 18	N/A	* \$100.00
	New Fee			
	New Driveway Permit	FY 18	N/A	* \$50.00
Occurrences 114	FY16 Revenue \$36,035	Excavation Permit		
		FY 15	\$200.00 1st 100 sf.	\$200.00
		FY 17	\$400.00 Expedited Permit Surcharge	\$400.00
			(within 3 business days)	
		FY 15	\$100.00 each additional 100 sf.	\$100.00
320	\$7,135	Flagging Permit		
		FY 14	\$25.00	\$25.00
		FY 17	\$50.00 Expedited Permit Surcharge	\$50.00
			(within 3 business days)	
	Rental Fees-Note: The following rental fees will be waved for Portsmouth based Non-Profits			
	Cone	FY 15	\$1.50 ea/ per event	\$1.50
	Trash/Recycling Receptacle	FY 15	\$2.00 ea/ per event	\$2.00
	Wood Barricade	FY 15	\$2.00 ea/ per event	\$2.00
	Metal Barricade	FY 15	\$4.00 ea/ per event	\$4.00
	Sign	FY 15	\$5.00 ea/ per event	\$5.00

**City of Portsmouth
Fee Schedule
Public Works**

* (Indicates change from current fee)

Suggested

NOTES

Description

Fiscal Year
Last Adjusted

FY 2017
Schedule

FY 2018
Schedule

Maps

Copy of existing map: 8 1/2 x 11 (B & W)

11 x 17 (B & W)

22 x 34 (B & W)

24 x 36 (B & W)

44 x 34 (B & W)

Plot existing maps: 8 1/2 x 11

11 x 17

22 x 34

24 x 36

44 x 34

Utility/Geodetic Control Map-

for individual property 8 1/2 x 11 (Color)

by Email

on Cd

Maps in PDF format: Tax Map CD

Standard GIS and CAD Data DVD:

Custom Disk of Historical Data (CD or DVD)

FY 06	\$0.50	Each Print	\$0.50
PRE FY 02	\$0.50	Each Print	\$0.50
FY 09	\$10.00	Each Print	\$10.00
FY 09	\$10.00	Each Print	\$10.00
FY 09	\$20.00	Each Print	\$20.00
FY 06	\$5.00	Each Print	\$5.00
FY 06	\$5.00	Each Print	\$5.00
PRE FY 02	\$10.00	Each Print	\$10.00
PRE FY 02	\$10.00	Each Print	\$10.00
PRE FY 02	\$20.00	Each Print	\$20.00
FY 09	\$0.00		\$0.00
FY 09	\$0.00		\$0.00
FY 09	\$10.00		\$10.00
FY 09	\$10.00		\$10.00
FY 09	\$50.00		\$50.00
FY 09	\$100.00		\$100.00

Occurrence	FY16 Revenue
299	\$1,495.00
1195	\$11,950.00
611	\$6,110.00
221	\$5,525.00

Disposal of Tires	FY 04	\$5.00	per tire	\$5.00
Disposal of Electronics	FY 15	\$10.00	per unit	\$10.00
CFC Removal	FY 17	\$20.00	per unit	\$20.00
Propane Tanks (30# & larger)	FY 18	N/A	per tank	* \$5.00
Yard Waste Disposal (contractors)	FY 15	\$25.00		\$25.00

**City of Portsmouth
Fee Schedule
Recreation**

* (Indicates change from current fee)

NOTES

Description

Fiscal Year
Last Adjusted

FY 2017
Schedule

Suggested
FY 2018
Schedule

RECREATION-SPINNAKER PT.

Calendar Year Information:		
	2015	2016
Adult Members	677	643
Sr. Citizen	645	639
Other	315	201
FY Revenue	\$234,322	\$256,770

Adult Resident	FY 14	\$216.00 per year	\$216.00
Senior Citizen Resident	FY 14	\$108.00 per year	\$108.00
Adult Non-Resident	FY 14	\$432.00 per year	\$432.00
Senior Citizen Non-Resident	FY 14	\$216.00 per year	\$216.00
Daily Guest Fee Resident	PRE FY 02	\$5.00 per day	\$5.00
Daily Guest Fee Non-Resident	FY 12	\$10.00 per day	\$10.00

RECREATION-INDOOR POOL

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

Article III Section 3.2

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

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

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

The Recreation Department reported the following Indoor Pool revenue:

FY 14	FY 15	FY 16
\$441,393	\$421,634	\$440,814

5 & Under, Resident	FY 11	\$3.00 per session	\$3.00
5 & Under, Non-Resident	FY 11	\$5.00 per session	\$5.00
5 & Under, Resident/Membership	FY 11	\$180.00 per year	\$180.00
5 & Under, Non-Resident/Membership	FY 11	\$240.00 per year	\$240.00
6-17, Resident	FY 11	\$5.00 per session	\$5.00
6-17, Non-Resident	PRE FY 02	\$10.00 per session	\$10.00
6-17, Resident/Membership	FY 11	\$180.00 per year	\$180.00
6-17, Non-Resident/Membership	FY 11	\$240.00 per year	\$240.00
18-59, Resident	FY 11	\$5.00 per session	\$5.00
18-59, Non-Resident	FY 11	\$10.00 per session	\$10.00
18-59, Resident/Membership	FY 11	\$300.00 per year	\$300.00
18-59, Non-Resident/Membership	FY 11	\$540.00 per year	\$540.00
Senior Citizen, Resident	FY 11	\$3.00 per session	\$3.00

**City of Portsmouth
Fee Schedule
Recreation**

* (Indicates change from current fee)

NOTES	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
	Senior Citizen, Non-Resident	FY 11	\$5.00 per session	\$5.00
	Senior Citizen, Resident/Membership	FY 11	\$240.00 per year	\$240.00
	Senior Citizen, Non-Resident/Membership	FY 11	\$300.00 per year	\$300.00
	First Adult, Resident/Family Rate	FY 11	\$300.00 per year	\$300.00
	First Adult, Non-Resident/Family Rate	FY 11	\$540.00 per year	\$540.00
	Second Adult, Resident/Family Rate	FY 11	\$180.00 per year	\$180.00
	Second Adult, Non-Resident/Family Rate	FY 11	\$300.00 per year	\$300.00
	Maximum Per Family, Resident/Family Rate	FY 11	\$720.00 per year	\$720.00
	Maximum Per Family, Non-Resident/Family Rate	FY 11	\$720.00 per year	\$720.00
	Swimming Lessons (rates based on a 8 lesson Session)			
	Resident Member	FY 11	\$30.00	\$30.00
	Resident Non-Member	FY 11	\$45.00	\$45.00
	Non-Resident Member	FY 11	\$65.00	\$65.00
	Non-Resident Non-Member	FY 11	\$100.00	\$100.00
	Pool Rental	FY 11	\$150.00 per hour	\$150.00
	per staff	FY 09	\$40.00	\$40.00
	New Member Processing Fee	FY 11	\$25.00	\$25.00

RECREATION-OUTDOOR POOL

The Recreation Department reported the following Outdoor Pool usage:		
	2015	2016
Revenue Collected	\$27,979	\$32,801

18 & Under, Resident	PRE FY 02	\$0.00 per day	\$0.00
18 & under, Non-Resident	FY 12	\$2.00 per day	\$2.00
19 & Over, Resident	FY 12	\$2.00 per day	\$2.00
19 & over, Non-Resident	FY 12	\$4.00 per day	\$4.00

RECREATION-MISCELLANEOUS

Field/Gym-Organized Teams(all inclusive)	FY 14	\$30.00 per team	\$30.00
Practice-Field/Gym use (does not apply to youth athletics including Little League)	FY 12	\$20.00	\$20.00
Co-sponsored (non-swim team) programs			

**City of Portsmouth
Fee Schedule
Recreation**

* (Indicates change from current fee)

NOTES

Description

Fiscal Year
Last Adjusted

FY 2017
Schedule

Suggested
FY 2018
Schedule

maintenance fee (placed in maintenance fund)
Non-Resident participants in co-sponsored
(non-swim team) programs
(placed in maintenance fund)

FY 06	\$200.00 per team	\$200.00
FY 06	\$20.00 per person	\$20.00

Electrical Light Usage at Ballfields(does not apply
to youth athletics)

FY 14	\$60.00	\$60.00
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Room Rental

PRE FY 02	\$10.00	\$10.00
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Peirce Island Boat Launch:

Boat Launch fees collected:	
FY 15	FY 16
\$9,570	\$9,710

Boat Launch (Non-Resident)
Boat Launch (Non-Resident)
Kayaks, non-motorized (Non-Resident)
Kayaks, non-motorized (Non-Resident)
Commercial (Non-Resident)

FY 14	\$150.00 per season	\$150.00
FY 14	\$20.00 per launch	\$20.00
FY 14	\$10.00 per launch	\$10.00
FY 14	\$75.00 per season	\$75.00
FY 14	\$50.00 per launch	\$50.00

**City of Portsmouth
Fee Schedule
Health Department**

* (Indicates change from current fee)

NOTES

Description

Fiscal Year
Last Adjusted

FY 2017
Schedule

Suggested
FY 2018
Schedule

HEALTH

FY 16 Health Permits were as follows:

# of Permits	Fees Collected	Class	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
5	\$2,500.00	A4	Restaurants (400 + seating capacity)	FY 14	\$500.00 Annually	\$500.00
8	\$2,800.00	A3	Restaurants (300-399 seating capacity)	FY 14	\$450.00 Annually	\$450.00
17	\$5,950.00	A2	Restaurants (200-299 seating capacity)	FY 14	\$400.00 Annually	\$400.00
44	\$15,400.00	A1	Restaurants (100-199 seating capacity)	FY 07	\$350.00 Annually	\$350.00
15	\$4,500.00	B	Restaurants (76-99 seating capacity)	FY 07	\$300.00 Annually	\$300.00
39	\$9,360.00	C	Restaurants (51-75 seating capacity)	FY 07	\$240.00 Annually	\$240.00
28	\$5,040.00	D	Restaurants (26-50 seating capacity)	FY 07	\$180.00 Annually	\$180.00
107	\$13,375.00	E	Restaurants (0-25 seating capacity)	FY 07	\$125.00 Annually	\$125.00
	\$58,925.00	E	Bakeries	FY 07	\$125.00 Annually	\$125.00
		E	Markets or stores with less than 2 food preparation areas selling prepared foods and inc. fish markets, seafood stores and fish processing facilities	FY 07	\$125.00 Annually	\$125.00
3	\$375.00	E	Catering	FY 07	\$125.00 Annually	\$125.00
8	\$2,800.00	F	Supermarkets	FY 14	\$500.00 Annually	\$500.00
5	\$400.00	G	Bed and Breakfast Operations	FY 07	\$80.00 Annually	\$80.00
		G	Nursing Home (Food Service)	FY 07	\$80.00 Annually	\$80.00
30	\$1,500.00	H	Prepackaged Foods (movie theaters, gas stations, video, candy, department, drug stores)	PRE FY 02	\$50.00 Annually	\$50.00
9	\$1,800.00	M	Mobile Food Operations	FY 12	\$200.00 Annually	\$200.00
Individual occurrences not tracked		T	Temporary Food Permit (Portsmouth business with food service permit exempt)	FY 14	\$125.00 (up to two (2) weeks before the day of the event)	\$125.00
Individual occurrences not tracked				PRE FY 02	\$100.00 (additional thereafter)	\$100.00
Individual occurrences not tracked		TT	Sampling for non potentially hazardous foods (14 days or less) (Portsmouth business with food service permit exempt)	FY 10	\$15.00 (up to four (4) weeks before the day of the event)	\$15.00

**City of Portsmouth
Fee Schedule
Health Department**

* (Indicates change from current fee)

NOTES

2	\$300.00
24	\$3,360.00
11	\$0.00

	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
		<u>FY 10</u>	<u>\$40.00 (additional thereafter)</u>	<u>\$40.00</u>
V	Limited Events (1 to 4 events per year)	<u>FY 14</u>	<u>\$150.00</u>	<u>\$150.00</u>
W	Farmer's Market Permit (period 5/01/xx-11/01/xx)	<u>FY 07</u>	<u>\$140.00 Annually</u>	<u>\$140.00</u>
X	No Fundraiser Fee for Health Department Permits:			
	Religious Organizations			
	Youth Groups			
	Veteran Groups			*
	Disabled			*
	School Related organizations	<u>FY 10</u>	<u>No Fee</u>	<u>No Fee</u>
	These organizations will need to obtain the appropriate Health Permit however there will be no fee associated with the permit.			
Y	Fundraiser Permit	<u>FY 14</u>	<u>\$200.00 per event</u>	<u>\$200.00</u>
	Inspection Fees:			
	Family Day Care & Foster Care	<u>FY 16</u>	<u>\$10.00 Every 3 years</u>	<u>\$10.00</u>
Z	Daycare with more than 100 children	<u>FY 16</u>	<u>\$100.00 Every 3 years</u>	<u>\$100.00</u>
	Customer Appreciation Events	<u>FY 18</u>	<u>N/A</u>	* <u>\$75.00</u>

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

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjuster	FY 2017 Schedule	Suggested FY 2018 Schedule
Chapter 6: Article XIII Section 1307				
Vendor from Motor Vehicle				
FY 16- 1 permits issued \$7,000	Vendor From Motor Vehicle Permit April 15- November 15	FY 10	\$5,000.00 Minimum Bid	\$5,000.00
Valet Parking				
	Valet - from non High Occupancy Metered Parking Spaces	FY 10	\$10.00 space per day	\$10.00
	Valet - from High Occupancy Metered Parking Spaces	FY 14	\$15.00 space per day	\$15.00
	Valet - from Commercial Loading Zone	FY 10	\$500.00 annually	\$500.00
Chapter 7: Article I Section 114A				
Construction Permit				
Revenue: FY 14 \$133,004 FY 15 \$120,745 FY 16 \$130,575	Temporary Metered Parking Space Permit	FY 13	\$30.00 Per Day	* \$35.00
	Temporary Metered Parking Space Permit	FY 16	\$45.00 High Occupancy Space Per Day	* \$50.00
Chapter 7: Article III Section 321G				
Snow Emergency-Parking Ban				
	Resident Snow Ban Rate for Parking in High Hanover	FY 07	\$3.00 Per Snow Ban Event	\$3.00
Parking Facility				

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

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjuster	FY 2017 Schedule	Suggested FY 2018 Schedule
Chapter 7: Article IV Section 402 C				
High Hanover Parking Garage				
Hourly rate revenue: FY 14 FY 15 FY 16 \$1,464,658 \$1,803,655 \$2,084,032 Monthly pass revenue: FY14 FY 145 FY 16 \$778,645 \$1,115,888 \$1,080,605 Pass Reinstatement revenue: FY 14 FY 15 FY 16 \$3,905 \$3,380 \$2,955 Monthly passes as of Jan 17 as follows: 750 - \$135 per month (24 hr passes) 127 - on waiting list	Rates	FY 16	\$1.25 Hourly Rate	* \$1.50
		FY 13	Free Resident-Sunday	Free
		FY 15	\$135.00 Monthly Pass 24 hr	* *****
		FY 18	N/A Monthly 24 hr-Resident Pass	* \$150.00
		FY 18	N/A Monthly-24 hr-All other Passes	*(1) \$165.00
		(1) Note: Fee Committee approved 02-23-17 increasing All Other Passes to \$175 per month in FY 19 and \$200 when Parking Facility on Deer Street opens.		
		FY 17	20 Hrs@ rate Lost Ticket Fee/Max Daily rate	20 Hrs@ rate
		FY 16	\$100.00 Garage Pass Deposit	\$100.00
		FY 08	\$15.00 Pass Reinstatement Fee-Leaseholders	\$15.00
		FY 16	\$5.00 Special Event Parking	\$5.00
	Electric Vehicle Reserved parking	FY 13	\$1.25 Per Hour Charge	* Delete
Chapter 7: Article IV Section 408				
Boat launch				
FY 16- 1 permits issued	Peirce Island Overnight Boat Launch Parking	FY 10	\$5.00 Nightly	\$5.00
Chapter 7: Article VI Section 604				
Truck Loading/Unloading Zones				
FY 16 - 76 permits issued for \$3,040	Commercial Loading Zone Permit	FY 16	\$40.00 Annually	* \$50.00
Chapter 7: Article IX Section 903				
Summons Administration Fee				
Revenue: FY 14 FY 15 FY 16 \$1,200 \$925 \$200	Summons Administration Fee	FY 16	\$150.00	\$150.00
Chapter 7: Article X Section 1004B				
Towing				
Revenue: FY 14 FY 15 FY 16 \$9,225 \$22,435 \$22,885	Immobilization Administration Fee	FY 15	\$150.00	\$150.00

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

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
	Chapter 11: Article II Section 204			
	Private Sewage Disposal			
see Chapter 15, Part II of II: Section 106.5.2 for Septic System fee(per dwelling)	Inspection Fee	PRE FY 02	N/A	N/A
	Chapter 11: Article II Section 205			
	Building Sewers and Connections			
	Permit	FY 15	\$25.00 New Customer	\$25.00
	Storm Water Connection Permit Fee (Dependent upon revision of ordinance)			
	Permit	FY 15	\$250.00 New Customer	\$250.00
	Industrial Discharge Permit Fee, Including Permit Renewals			
	Class 1, Permit	FY 08	Permit Based Fee	Consultant Based Fee
	Class 2, Permit	FY 08	Permit Based Fee	Consultant Based Fee
	Class 3, Permit	FY 08	\$500.00 New Customer	\$500.00
	Class 4, Permit	FY 08	\$500.00 New Customer	\$500.00
	Class 5, Permit	FY 08	\$500.00 New Customer	\$500.00
	Oil and Grease Trap Permit Fee	FY 15	\$150.00 New Customer	\$150.00
	Oil and Grease Trap Permit Renewal Fee	FY 15	\$75.00 Annual	\$75.00
	Inspection Fee	FY17	\$60.00 Per hour	\$60.00

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

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
WATER and SEWER FEES				
FY16 Occurrences were as follows				
Occurrences	Revenue			
160	\$6,400			
121	\$4,840			
426	\$17,040			
Occurrences not tracked individually				
6	\$300			
4	\$800			
	Finance Charge, Unpaid balances after due date	PRE FY 02	18% annual	18% annual
	Turn On	FY 16	\$40.00 per occurrence	\$40.00
	Turn Off	FY 16	\$40.00 per occurrence	\$40.00
	Final Billing Request	FY 14	\$40.00 per occurrence	\$40.00
	Hydrant Rental Deposit	FY 08	\$1,000.00 per occurrence	\$1,000.00
	Yearly Account History	PRE FY 02	\$10.00 per occurrence	\$10.00
	Frozen Meter Repairs =< 1 1/2"	FY 15	\$50.00 per occurrence	\$50.00
	Frozen Meter Repairs >1 1/2"	FY 15	\$100.00 per occurrence	\$100.00
	If parts exceed the minimum charge, customer is charged for parts.			
	Emergency Callout	FY 15	\$200.00 per occurrence	\$200.00
	Based on current wages + benefits			
	Minimum callout=4 hours overtime per union contracts			
	Meter Testing <1 1/2"	FY 14	\$50.00 per occurrence	\$50.00
	Meter Testing >=1 1/2"	FY 17	\$75.00 per occurrence	\$75.00
	When requested by customer, (if meter test fails no charge to customer)			
	Water Services Application Fee	FY 15	\$150.00 per occurrence	\$150.00
	Meter Reading System Repairs	FY 17	\$60.00 per occurrence	\$60.00
	Plus cost of parts			
	Fire Flow Testing	FY 13	\$200.00 per Test	\$200.00
		FY 17	\$100.00 per Visit	\$100.00
	Fire Services, Fee per Month			
	1"	FY 08	\$2.55 monthly	\$2.55
	1 1/2"	FY 08	\$3.82 monthly	\$3.82
	2"	FY 08	\$5.09 monthly	\$5.09
	2 1/2"	FY 08	\$7.64 monthly	\$7.64

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

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
	3"	FY 08	\$12.22 monthly	\$12.22
	4"	FY 17	\$19.53 monthly	* \$19.59
	5"	FY 17	\$33.83 monthly	* \$34.58
	6"	FY 17	\$49.72 monthly	* \$53.39
	8"	FY 17	\$101.48 monthly	* \$111.55
	10"	FY 17	\$174.40 monthly	* \$196.55
	12"	FY 17	\$277.12 monthly	* \$315.19
1,040 \$182,000	Hydrant Rentals to Municipalities per hydrant	FY 17	\$200.00 Annually	* \$225.00
1,649 \$90,695	Backflow Test	FY 15	\$55.00 per occurrence	\$55.00
Occurrences not tracked individually	Permits	FY 15	\$50.00 per occurrence	\$50.00
Occurrences not tracked individually	Bacteria Test and Sampling	FY 17	\$75.00 per occurrence	\$75.00
	Sewer Surcharges-BOD Portsmouth	FY 15	\$0.20 per LB	\$0.20
not tracked by location	Pease	FY 15	\$0.20 per LB	\$0.20
	TSS Portsmouth	FY 15	\$0.17 per LB	\$0.17
not tracked by location	Pease	FY 15	\$0.17 per LB	\$0.17
1,910 M gals \$167,641	Dumping Fees per 1,000 gals	FY 16	\$65.00 per 1,000 gallons	\$65.00
Occurrences not tracked individually	Recreation Vehicles	FY 17	\$30.00 per 1,000 gallons	\$30.00
Occurrences not tracked individually	Sewer Connection Permits, as req'd ENV-WQ 703.07	FY 15	\$150.00 new customer	\$150.00
	Sewer Connection Fees	FY 15	\$350.00 new customer	\$350.00
284 \$4,260	Equipment Rate (Water & Sewer) - Pick Up	FY 12	\$15.00 per hour	\$15.00
64 \$3,200	Backhoe	FY 16	\$50.00 per hour	\$50.00
93 \$6,975	Excavator	FY 16	\$75.00 per hour	\$75.00
119 \$5,950	Dump	FY 16	\$50.00 per hour	\$50.00
	Compressor	FY 17	\$20.00 per hour	\$20.00
	Tapping	FY17	\$25.00 per hour	\$25.00
	Pump	FY 14	\$15.00 per hour	\$15.00
	Roller	FY 16	\$30.00 per hour	\$30.00
	Loader	FY 16	\$60.00 per hour	\$60.00
	Steamer	FY 14	\$15.00 per hour	\$15.00
12 \$900	Vactor	FY 17	\$150.00 per hour	\$150.00
	Paver	FY 17	\$65.00 per hour	\$65.00

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

* (Indicates change from current fee)

NOTES	Description	Fiscal Year Last Adjusted	FY 2017 Schedule	Suggested FY 2018 Schedule
	TV Camera Vehicle	FY 17	\$150.00 per hour	\$150.00
FY16 \$164,320	Water - Capacity Improvement Multiplier (CIM) EDU = equivalent dwelling unit	FY 15	\$1,300.00 per EDU New Service	\$1,300.00
FY16 \$50,760	Sewer - Capacity Improvement Multiplier (CIM) EDU = equivalent dwelling unit	FY 15	\$1,800.00 per EDU New Service	\$1,800.00

**City of Portsmouth
Fee Schedule
Library**

* (Indicates change from current fee)

NOTES	<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
LIBRARY				
FY 16 Library Card collections of \$28,478	Non-Resident Library Card	<u>FY 15</u>	<u>\$90.00</u>	<u>\$90.00</u>
	Non-Resident Library Card-1/2 year	<u>FY 15</u>	<u>\$50.00</u>	<u>\$50.00</u>
	Non-Resident Library Card-Senior Ra	<u>FY 15</u>	<u>\$80.00</u>	<u>\$80.00</u>
	Non-Resident Library Card-Senior Ra	<u>FY 15</u>	<u>\$45.00</u>	<u>\$45.00</u>

**City of Portsmouth
Fee Schedule
Prescott Park**

* (Indicates change from current fee)

NOTES

Description

Fiscal Year FY 2017
Last Adjusted Schedule

Suggested
FY 2018
Schedule

Chapter 8: Article II Section 202 E 7 b

Park Property-

Park Property-Per Day Docking Fees

Fiscal Year 2016 revenue collected was \$ 62,780.

RESIDENT (May 1-Sep 30)

Craft up to twenty (20) ft in length overall	FY 15	\$3.00 Per Hour	\$3.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 15	\$4.00 Per Hour	\$4.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 15	\$5.00 Per Hour	\$5.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 15	\$7.00 Per Hour	\$7.00
For craft over fifty (50) ft overall	FY 15	\$8.00 Per Hour	\$8.00

NON-RESIDENT (May 1-Sep 30)

Craft up to twenty (20) ft in length overall	FY 15	\$6.00 Per Hour	\$6.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 15	\$9.00 Per Hour	\$9.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 15	\$12.00 Per Hour	\$12.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 15	\$15.00 Per Hour	\$15.00
For craft over fifty (50) ft overall	FY 15	\$18.00 Per Hour	\$18.00

RESIDENT (Oct 1-Apr 30)

Craft up to twenty (20) ft in length overall	FY 15	\$2.00 Per Hour	\$2.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 15	\$2.00 Per Hour	\$2.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 15	\$4.00 Per Hour	\$4.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 15	\$6.00 Per Hour	\$6.00
For craft over fifty (50) ft overall	FY 15	\$6.00 Per Hour	\$6.00

NON-RESIDENT (Oct 1-Apr 30)

Craft up to twenty (20) ft in length overall	FY 15	\$4.00 Per Hour	\$4.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 15	\$6.00 Per Hour	\$6.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 15	\$7.00 Per Hour	\$7.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 15	\$8.00 Per Hour	\$8.00
For craft over fifty (50) ft overall	FY 15	\$10.00 Per Hour	\$10.00

**City of Portsmouth
Fee Schedule
Prescott Park**

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
Park Property-Per Day Docking Fees (to be paid in advance)			
RESIDENT (May 1-Sep 30)			
Craft up to twenty (20) ft in length overall	FY 15	\$30.00 Per Day	\$30.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 15	\$35.00 Per Day	\$35.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 15	\$40.00 Per Day	\$40.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 15	\$50.00 Per Day	\$50.00
For craft over fifty (50) ft overall	FY 15	\$60.00 Per Day	\$60.00
NON-RESIDENT (May 1-Sep 30)			
Craft up to twenty (20) ft in length overall	FY 15	\$40.00 Per Day	\$40.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 15	\$60.00 Per Day	\$60.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 15	\$80.00 Per Day	\$80.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 15	\$100.00 Per Day	\$100.00
For craft over fifty (50) ft overall	FY 15	\$120.00 Per Day	\$120.00
RESIDENT (Oct 1-Apr 30)			
Craft up to twenty (20) ft in length overall	FY 15	\$15.00 Per Day	\$15.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 15	\$18.00 Per Day	\$18.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 15	\$20.00 Per Day	\$20.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 15	\$25.00 Per Day	\$25.00
For craft over fifty (50) ft overall	FY 15	\$30.00 Per Day	\$30.00

**City of Portsmouth
Fee Schedule
Prescott Park**

* (Indicates change from current fee)

NOTES

<u>Description</u>	<u>Fiscal Year Last Adjusted</u>	<u>FY 2017 Schedule</u>	<u>Suggested FY 2018 Schedule</u>
NON-RESIDENT (Oct 1-Apr 30)			
Craft up to twenty (20) ft in length overall	FY 15	\$20.00 Per Day	\$20.00
For craft twenty-one (21) ft to forty (30) ft overall	FY 15	\$30.00 Per Day	\$30.00
For craft thirty-one (31) ft to forty (40) ft overall	FY 15	\$40.00 Per Day	\$40.00
For craft over forty-one (41) ft to fifty (50) ft overall	FY 15	\$50.00 Per Day	\$50.00
For craft over fifty (50) ft overall	FY 15	\$60.00 Per Day	\$60.00
Park Property-Seasonal Rental Docking Fees			
RESIDENT (April 2 - November 1)	FY 15	\$110.00 Per Season per boat foot	\$110.00
	FY 17	\$1,500.00 Per Season Minimum	\$1,500.00
NON-RESIDENT (April 2 - November 1)	FY 15	\$135.00 Per Season per boat foot	\$135.00
	FY 17	\$1,850.00 Per Season Minimum	\$1,850.00
Park Property-Docking Utility Access Fees			
<u>Dock Utility Access:</u>			
Resident	FY 15	\$10.00 per Stay	\$10.00
	FY 17	\$250.00 Per Season	\$250.00
Non Resident	FY 15	\$10.00 per Stay	\$10.00
	FY 17	\$250.00 Per Season	\$250.00
Park Property-Wedding Reservation Fee			
The wedding reservation fee shall be waived when either one of the persons being married is a Portsmouth resident. The fee shall be refunded in the event that the wedding cannot be held in Prescott Park due to inclement weather.			
Weddings which include 1-10 participants in total		\$100.00	* \$150.00
Weddings which include 11-74 participants in total		\$250.00	* \$375.00
Weddings which include more than 74 participants in total		\$500.00	* \$750.00

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
GENERAL FUND APPROPRIATION BILL
FOR FISCAL YEAR ENDING JUNE 30, 2018**

RESOLUTION # 14 -2017

A RESOLUTION MAKING APPROPRIATION OF SUMS FOR ALL THE NECESSARY GENERAL FUND EXPENDITURES FOR THE OPERATION OF GENERAL OPERATING DEPARTMENTS AND SERVICES OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE FOR THE FISCAL YEAR ENDING JUNE 30, 2018.

BE IT RESOLVED:

By the City Council of the City of Portsmouth, New Hampshire assembled, to defray the current General Fund Expenses of the City for the Fiscal Year ending June 30, 2018, for the specific purposes stated in the General Budget adopted herewith. Said sums to be appropriated from the General Fund Revenues as follows:

Department	Appropriation
General Government	\$18,808,621
Police	\$10,798,161
Fire	\$8,674,534
School	\$46,471,405
Collective Bargaining	\$100,000
Transfer to Indoor Pool	\$150,000
Transfer to Prescott Park	\$30,479
Non-Operating	\$24,278,405
Total	\$109,311,605

THAT, there is therefore appropriated the total sum of **One Hundred and Nine Million, Three Hundred Eleven Thousand, Six Hundred and Five (\$109,311,605) Dollars.**

APPROVED BY:

JACK BLALOCK, MAYOR

ADOPTED BY THE CITY COUNCIL:

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL SEWER FUND APPROPRIATION
AND CASH REQUIREMENTS
FOR THE FISCAL YEAR ENDING JUNE 30, 2018**

RESOLUTION # 15-2017 A RESOLUTION MAKING APPROPRIATION OF SUMS OF MONEY FOR ALL NECESSARY SEWER FUND EXPENSES FOR THE OPERATION OF THE SEWER SYSTEM OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE FOR THE FISCAL YEAR ENDING JUNE 30, 2018.

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

THAT, there is hereby an appropriated sum of **Eleven Million, One Hundred Ninety-Three Thousand, Six Hundred Forty-Six (\$11,193,646) Dollars** based on the full accrual basis of accounting to defray expenses for the operation of the sewer system for the City of Portsmouth.

THAT, there is hereby cash requirements of **Sixteen Million, Eight Hundred Ninety Thousand, Nine Hundred Forty-Six (\$16,890,946) Dollars** for the purpose of principal debt repayment, purchase of assets, funding of the rate stabilization reserve to increase net position, and to defray expenses for the operations of the sewer system.

THAT, the sewer user rate effective July 1, 2017 is **\$12.73** per unit (1 unit equals 100 cubic feet or 748 gallons of water consumed) for the first 10 units of consumption per month, and **\$14.00** per unit for all units used thereafter to yield a portion of revenue to meet the cash requirements for the operation of the City of Portsmouth's sewer system.

APPROVED BY:

JACK BLALOCK, MAYOR

ADOPTED BY THE CITY COUNCIL

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL WATER FUND APPROPRIATION
AND CASH REQUIREMENTS
FOR THE FISCAL YEAR ENDING JUNE 30, 2018**

RESOLUTION # 16-2017 A RESOLUTION MAKING APPROPRIATION OF SUMS OF MONEY FOR ALL NECESSARY WATER FUND EXPENSES FOR THE OPERATION OF THE WATER SYSTEM OF THE CITY OF PORTSMOUTH, NEW HAMPSHIRE FOR THE FISCAL YEAR ENDING JUNE 30, 2018.

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

THAT, there is hereby appropriated the sum of **Eight Million, One Hundred Twenty-One Thousand, One Hundred Ninety-Five (\$8,121,195) Dollars** based on the full accrual basis of accounting to defray expenses for the operations of the water system for the City of Portsmouth.

THAT, there is hereby cash requirements of **Ten Million, Eighty-Eight Thousand, Two Hundred Twenty-Five (\$10,088,225) Dollars** for the purpose of principal debt repayment, the purchase of assets, funding of the rate stabilization reserve to increase net position, and to defray expenses for the operations of the water system.

THAT, the water user rate effective July 1, 2017, is **\$4.15** per unit (1 unit equals 100 cubic feet or 748 gallons) for the first 10 units of water consumed per month, and **\$5.00** per unit for all units consumed thereafter to yield a portion of revenue to meet the cash requirements for the operation of the City of Portsmouth's water system.

THAT, the water irrigation user rate effective July 1, 2017, is **\$5.00** per unit (1 unit equals 100 cubic feet or 748 gallons) for the first 10 units of water consumed per month, **\$9.70** for consumption over 10 and up to 20 units consumed, and **\$12.05** per unit for all units consumed thereafter to yield a portion of revenue to meet the cash requirements for the operation of the City of Portsmouth's water system.

APPROVED BY:

JACK BLALOCK, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL APPROPRIATION FOR THE EXPENDITURE OF
SPECIAL REVENUES, DEBT SERVICE FUND, AND COMMITTED FUND
BALANCE FOR THE FISCAL YEAR ENDING JUNE 30, 2018**

RESOLUTION # 17-2017 A RESOLUTION MAKING APPROPRIATION OF SUMS OF MONEY FROM SPECIAL REVENUES, DEBT SERVICE FUND, AND COMMITTED FUND BALANCE FOR NECESSARY EXPENDITURES FOR THE FISCAL YEAR ENDING JUNE 30, 2018.

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

THAT, there is hereby appropriated supplemental funding from the General Fund Committed Health Insurance Fund Balance to defray the expenses of Health Insurance costs in excess of General Fund Appropriations for Health Insurance Premiums for Fiscal Year ending June 30, 2018.

THAT, there is hereby appropriated supplemental funding from the General Fund Committed Leave at Termination Fund Balance to defray the expenses of Leave at Termination in excess of General Fund Appropriations for Leave at Termination for Fiscal Year ending June 30, 2018.

THAT, there is hereby appropriated supplemental funding from any other General Fund Committed Fund Balance to defray expenses for Fiscal Year ending June 30, 2018.

THAT, there is hereby appropriated any sums necessary to pay debt service associated with Betterment Assessments, to include principal and interest, from a Debt Service Fund for Fiscal Year ending June 30, 2018.

THAT, there is hereby appropriated any sums received from all Special Revenues received from, but not limited to, Federal, State, and Local Grants and Donations for Fiscal Year ending June 30, 2018.

THAT, there is hereby appropriated any sums received from Special Revenue Sources, to a maximum of **Eighteen Million (\$18,000,000) Dollars** for the purposes for which such sums may be lawfully expended.

APPROVED BY:

JACK BLALOCK, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
ANNUAL APPROVAL OF INVESTMENT POLICY
FOR THE FISCAL YEAR ENDING JUNE 30, 2018**

**RESOLUTION # 18-2017 A RESOLUTION APPROVING AN INVESTMENT POLICY FOR
THE FISCAL YEAR ENDING JUNE 30, 2018**

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

THAT, the following investment policy is hereby approved for Fiscal
Year ending June 30, 2018 in conformance with State Law.

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

SCOPE

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

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

OBJECTIVES

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

DELEGATION OF RESPONSIBILITY

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

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

ELIGIBLE INVESTMENT TRANSACTIONS

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

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

Certificates of deposit which meet all of the following conditions:

- a) The funds are initially invested through a federally insured bank chartered under the laws of New Hampshire or the federal government with a branch within the state, selected by the Treasurer.
- b) The selected bank arranges for the deposit of the funds in certificates of deposit in one or more federally insured financial institutions located in the United States for the account of the Treasurer.
- c) The full amount of principal and any accrued interest of each such certificate of deposit is covered by federal deposit insurance.
- d) The selected bank acts as custodian with respect to such certificates of deposit issued for the account of the Treasurer.

SAFEKEEPING AND COLLATERALIZATION

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

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

ETHICS AND CONFLICTS OF INTEREST

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

APPROVED BY:

JACK BLALOCK, MAYOR

ADOPTED BY CITY COUNCIL

KELLI L. BARNABY, CMC/CNHMC
CITY CLERK



May 11, 2017

City of Portsmouth
City Manager
1 Junkins Avenue
Portsmouth, NH 03801

Dear Honorable Mayor Jack Blalock and City Council Members,

On behalf of the NH Film Festival we would like to ask the City's permission to close Chestnut Street on Friday, October 13-15 2017 for the NH Film Festival red carpet opening night gala. The area would include the length of Chestnut Street from Congress Street to Porter Street.

While we are aware of the construction that could be happening on Chestnut during this time, we want to make sure if the weather isn't suitable for Friday for our red carpet we have the opportunity to try it again on the next day.

If there are any additional actions or permits that are required, please let us know.

Thanks again for your support. We look forward to another successful film festival season in downtown Portsmouth.

Please feel free to contact me with any questions.

Sincerely,
Amber Day
(603) 534-0905
NHFF Events Coordinator



May 30, 2017

Greetings,

On behalf of the Portsmouth Halloween Parade committee I would like to request a permit to hold our 23rd annual parade this year on Tuesday, October 31. We plan to march the same route as last year, beginning at Pierce Island to conclude at Prescott Park. We wanted to initiate this early this year, in case there are problems with the route beginning at Pierce Island.

As always, members of the committee will be happy to meet with your team to discuss particulars of the event.

Thank you for your consideration.

Best,

Abby

**Abigail Wiggin
Farm Manager
Wake Robin Farm
52 Union RD
Stratham NH 03885**



BLACK HERITAGE TRAIL OF NEW HAMPSHIRE

Celebrating Resilience, Versatility and Courage

RECEIVED

MAY 31 2017

CITY MANAGER
PORTSMOUTH, NH

Tuesday, May 30, 2017

Honorable Mayor Blalock
1 Junkins Avenue
Portsmouth, NH 03801

Dear Honorable Mayor Blalock,

On Saturday, June 17 from 11:30 am to 3 pm, The Black Heritage Trail of New Hampshire will present a series of free events to the public for our annual Juneteenth Celebration.

I am writing to seek permission for the final portion of the event to take place at the African Burying Ground, which will include a music celebration and recitation of the names of enslaved persons who lived in Portsmouth.

The observance of June 19th as the African American Emancipation Day is the oldest known nationally celebrated event commemorating the ending of slavery in the United States. Our Juneteenth Celebration "The Art of Activism, Cultural Resistance & Everyday Protest" will feature a local African American artists Joel Gill and Richard Hanes will share stories of how they use their work as tools of resistance, to celebrate their individuality and to honor their community.

The event will also feature a remembrance celebration at the African Burying Ground Memorial with traditional drumming by Robert Bellinger, a dramatic performance by actor Sandi Clark featuring a piece written by Kathleen Wheeler, *The Voices of the Ancestors*, and a retelling of the story of the African Burying Ground by Sankofa Scholar Kevin Wade Mitchell. The celebration will continue into the evening with a special concert, *Spirituals and Sacred Songs: A celebration of American Sacred Journeying*, featuring vocalist Rev. Robert Thompson.

We invite you and all members of the City Council to attend and we look forward to this year's Juneteenth Celebration and very much appreciate the City's cooperation in this programming.

Sincerely,


JerriAnne Boggis,
Executive Director, Black Heritage Trail of New Hampshire

Marc Stettner
91 Fairview Ave
Portsmouth NH 03801

5/30/2017

Portsmouth City Council
Attn: Jack Blaylock, Mayor
1 Junkins Avenue
Portsmouth, NH 03801

RE: DESIGNATED MOTORCYCLE PARKING AREA
RE: Article XVII MOPED REGULATIONS

Dear Mayor Jack Blaylock,

I am writing to support the proposed changes to the City Ordinances concerning Motorcycle and Moped parking with some minor changes.

It is readily apparent that City of Portsmouth at times does not have enough parking spaces to accommodate the large number of residents, employees or tourists that come to Portsmouth. Maximizing high density parking is one way to alleviate parking issues. Encouraging the use of two wheel transportation (bicycles, mopeds, scooters, motorcycles) and providing them with desirable parking is one way for Portsmouth to reduce the parking problem. The cities of Boston and Portland have already adopted two wheel friendly ordinances as a way to reduce their parking issues as many other cities across the county has also done.

To encourage two wheel modes of transportation the following criteria is usually adopted by municipalities:

- Dedicated two wheel parking is centrally located and desirably placed.
- Highly reduced or no parking fees are charged for two wheel parking.
- Two wheel parking is designated in highly visible locations to discourage theft. This is especially important for bicycles and mopeds.

I am requesting that the City of Portsmouth make the following changes (noted in red text) to the proposed ordinances as noted below:

Section 7.105: PARKING

C. DESIGNATED MOTORCYCLE PARKING AREA

The following location is established as an exclusive "Designated Motorcycle Parking Area" for the months of April 1st through November 30th only:

1. Pleasant Street: On the easterly side of Pleasant Street, beginning at a point 24 feet south of the extension of the southerly curb line of Market Square running southerly the distance of 24 feet.

Motorcycles are subject to *reduced or zero* parking meter fees for the hours of enforcement as set forth in this Chapter *in this Designated Motorcycle Parking Area. When more than one Motorcycle parks in a regular parking space only one of the Motorcycles occupying the parking space shall be required to pay for the parking space at the regular parking rate as set forth in this Chapter.*

Rational: The way the current ordinance proposed is written is not fair where motorcycles are charged the same fees as a car for a fraction of the parking space used per foot. Adding "reduced or zero" resolves this concern. Allowing multiple motorcycles to occupy one parking space where only one pays is the current city practice and encourages motorcycles to share regular parking spaces. The proposed ordinance is not clear and can be interpreted that no matter how many motorcycles occupy a regular parking space all would pay the full rate which is also not fair.

Article XVII MOPED REGULATIONS

Section 7.1701: DEFINITION

"Moped" shall mean a motor-driven cycle whose speed attainable in one mile is 30 miles per hour or less; if an internal combustion engine is used, the piston displacement shall not exceed 50 cubic centimeters and the power-drive system shall not require the operator to shift gears.

Section 7.1702: PARKING

Mopeds may park on public sidewalks, provided that they are not parked in a manner that:

- A. Impedes the flow of motor vehicle traffic on roadways or the normal and reasonable movements of pedestrian traffic, including but not limited to crosswalks, sidewalks, and building entrances.
- B. Prevents or impedes the operation of or access to a parking meter, parking pay station, traffic control device.
- C. Hinders or restricts access to handrails or ramps.
- ~~D. Hinders, obstructs or impedes the movement of a legally parked motor vehicle.~~
- E. Mopeds shall not be secured to or parked against a tree.
- F. At no time shall a moped be secured or parked against a fire hydrant.
- ~~G. At no time shall mopeds be left unattended on private property without the consent of the owner or legal Tenant.~~
- H. Mopeds may park on a public way or on public property for a maximum consecutive time period of 72 hours except in an area signed and otherwise designated for long-term parking

Rational: The restriction that mopeds parked on sidewalks do not *"Hinders, obstructs or impedes the movement of a legally parked motor vehicle."* Makes no sense since cars are not allowed to park on sidewalks. This restriction serves no realistic purpose. The restriction that states *"At no time shall mopeds be left unattended on private property without the consent of the owner or legal Tenant"* creates legal questions where enforcement would now be writing parking tickets for mopeds on private property. This restriction appears to be arbitrary and capricious since parking enforcement would be required to know private property boundaries and ascertain who the owner or legal tenant is before a ticket is written.

Please review the information I included with this letter that shows what Boston and Portland have done to accommodate two wheel vehicles such as motorcycles and mopeds.

Thank you in advance for considering these changes to help elevate some of the parking issues while promoting high density low impact parking options such as motorcycles, mopeds and bicycles.

Sincerely,

Marc Stettner /s/


MOTOR SCOOTER COMMUTERS EARN EXCLUSIVE PARKING SPACES IN BOSTON

Vespa Congratulates the City of Boston for Sustainability Effort

NEW YORK (Sept. 7, 2010) Metropolitan traffic congestion is an ever-growing concern that perplexes most U.S. cities, frustrating urban planners and residents alike. Increasing the use of two-wheel transportation is a simple alternative to reducing traffic congestion that urban commuters face daily across America.

For the growing number of residents living in metro Boston looking for the same solution to their in-town transportation challenges, switching to motor scooters is a very appealing option. However, with the switch, urban commuters sometimes find it difficult to locate designated parking areas, which prompted Boston to implement a motor scooter parking program modeled after successful efforts in other major metropolitan cities.

On August 26, the city of Boston began executing a motor scooter and motorcycle on-street parking pilot program to better accommodate two-wheel commuting in the city. Scooter enthusiasts will now find 40 spaces designated for scooter and motorcycle parking throughout the Back Bay area. The spaces are metered and pro-rated with 25 cents buying one hour instead of the standard 15 minutes. For commuters, the meters will be on from 8 a.m. to 8 p.m., and off at nights. Additionally, the parking spots do not have a time limit, eliminating the need to feed the meter.

"I'd like to congratulate Mayor Thomas Menino on his decision to execute a two-wheel parking program for the city of Boston," said Paolo Timoni, president and CEO of Piaggio Group Americas, importers of Vespa motor scooters. "With better fuel economy than hybrid cars, scooters are not only a viable solution when it comes to reducing traffic congestion, but equally effective at reducing America's oil consumption and protecting our environment. With this new initiative, therefore, Mayor Thomas Menino has also taken a concrete step to help Bostonians to reduce their oil consumption and carbon footprint. I can only hope that more cities will follow Boston's example and offer similar programs for two-wheel commuters." 

In 2007 Piaggio Group Americas conducted a traffic model study in New York City in response to the growing concerns about traffic congestion. The results showed by shifting the daytime vehicle mix to 80 percent cars / 20 percent scooters, the following would result annually:

- * A total decrease in delay of more than 4.6 million hours per year which translates to time savings of nearly 100 working hours per person;
- * Reduction in carbon dioxide (CO₂) emissions by more than 26,000 tons (52,000,000-pounds) per year;
- * A decrease in fuel consumption by more than 2.5 million gallons per year
- * A total savings for New York City of more than \$122 million per year in fuel and labor productivity.

In addition to Boston, many other US metropolitan cities already have programs and incentives for two-wheel commuters. San Francisco has more than 1,000 designated parking spaces and areas for motor scooters, and several other cities have orchestrated motor scooter commuter days, including Atlanta and Philadelphia. On a national level, the annual Ride to Work Day (set for June 20, 2011; see more at www.ridetowork.org) continues to raise the visibility of two-wheel commuting and demonstrates how motor scooters and motorcycles make parking easier and help traffic flow.

For more information about the benefits of two-wheel transportation, visit www.vespausa.com and click on the Vespanomics section.

About The Piaggio Group

Established in 1884 by Rinaldo Piaggio, and based out of Pontedera in Pisa, Italy; the Piaggio Group is one of the world's top manufacturers of two-wheel motor vehicles. With more than 7,000 employees, an annual production of more than 610,000 vehicles in 2009, five R&D centers, seven production facilities in Europe and Asia and operations in more than 50 countries - the Piaggio Group has a consolidated leadership in the European two-wheeler market. The company produces scooters, motorcycles and mopeds in the 50cc to 1,200cc displacement range, marketed under the Piaggio, Vespa, Gilera, Derbi, Aprilia, Scarabeo and Moto Guzzi brands. The Group also manufactures three- and four-wheel light transportation vehicles for the Ape, Porter and Quargo ranges.

Boston Launches Program With Dedicated Motorcycle And Scooter On-Street Parking Spaces

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Parking Clerk

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Scooter and Motorcycle Parking

Newbury and Boylston streets now offer the City's first metered parking slots specifically for scooters and motorcycles.

The Boston Transportation Department divided six standard car spots to create space for 39 scooters or motorcycles. The meter rate is 25 cents per hour but there is no time limit, allowing scooter and motorcycle owners to feed the meter for the day.

The new parking initiative serves to recognize Boston's growing population of scooter and motorcycle drivers, while giving them parking privileges similar to those of other motor vehicle owners. The creation of the slots keeps the vehicles from being parked illegally on sidewalks and obstructing the paths of pedestrians.

The parking spaces also aid in Boston's Green Initiatives program by encouraging the use of the smaller, more environmentally friendly transportation alternatives. The slots are even labeled with green signs, further adding the new step in Green Initiatives.

The Boston Transportation Department will be monitoring this pilot program carefully over the next few months, looking for any necessary changes to be made.

Publications

[Scooter & Motorcycle Parking Spot Map](#) 

[Home](#) > [FAQs](#)

JOBS

MEDIA CONTACT

NEWS ARCHIVE

SOCIAL NETWORKING

AGENDAS, PACKETS & MINUTES

NOTIFY ME

CALENDAR

PROPERTY INFORMATION

VOLUNTEER OPPORTUNITIES

MEDIA CENTER

 **ONLINE PAYMENTS**

 **NOTIFY ME@/ALERTS**

 **CONTACT US**

 **EMPLOYMENT**

Where can I park my motorcycle or mopeds?

Motorcycle may park at parking meters for a fee or park for up to 10 hours for free at designated motorcycle/moped parking areas.

Motorcyclists need to pay to park motorcycles at parking meters. Receipts from multispace meters must be securely displayed on the motorcycle. Detach the perforated stub and take it with you as a receipt in the event the receipt falls off your motorcycle.

Additionally, there are various locations where motorcycles can park for free at motorcycle / moped only designated spots throughout the city.

The City of Portland has dedicated certain on street parking areas to be used exclusively by motorcycles / mopeds only, allowing them to park for up to 10 hours for free without moving. The City Council approved this to enhance the viability of alternative transportation choices as well as free up existing vehicle parking spaces now used by mopeds and motorcycles.

48 moped / motorcycle parking spaces on the following streets

- Bramhall St. @ Hill St.
- Commercial St. @ Chandler's Wharf
- Commercial St. @ Cross St.
- Commercial St. @ Union Wharf
- Congress St @ Atlantic St
- Congress St. @ Myrtle St.
- Federal St. @ Market St.
- High St. between Spring St. and Congress St.
- High St. @ Deering St.
- Market St. @ Middle St.
- Middle St @ Market St
- Myrtle St. @ Congress St.
- 72 Oak St (Between Congress St & Cumberland Ave)
- Pine St @ Winter St

 **FIX IT PORTLAND**

- Silver St. @ Fore St.
- Spring St. – Southside near Union St.

 **PERMITS**

- State St. @ Deering St.
- Temple St. @ Free St.

Motorcycles / mopeds can also park at metered spaces, and multiple two-wheelers can use the same space as long as the meter is fed. If it expires all the vehicles in that space can be ticketed.





Portsmouth Fire Department

Administration

To: Mayor Blalock and Members of the City Council

From: Fire Chief Achilles

Date: 6/1/2017


Re: Position on Recommended Fire Department Budget

On behalf of the Board of Fire Commissioners, please accept this memo as our continued position on the City Council approved and City Manager recommended Fire Department budget of \$8,674,534.00. Although this budget meets the goal of no more than a 4% increase over FY17, it fails to provide appropriate and reliable funds in maintaining the essential services presently being delivered to the city by your Fire Department. Impacts and influences on our proposed FY18 budget, along with the effects of a less than 5.05% budget were presented in detail to the Council at your May 6 Work Session. The most significant and beyond our control is the increase in the State retirement system which has caused more than a \$130,000.00 impact on the department's budget. Without this, an appropriate and reliable budget would have been submitted at around 3.5%. We are hopeful and support any measures to increase the department's budget to that submitted and requested by myself and the Board of Fire Commissioners in order to maintain current level of services provided to the City of Portsmouth. Thank you for your consideration.

Department Memorandum

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: June 1, 2017
To: Honorable Mayor Jack Blalock and City Council Members
From: John P. Bohenko, City Manager 
Re: City Manager's Comments on June 5, 2017 City Council Agenda

6:15 p.m. – Non-Public Session Re: RSA 91-A:3 II (a), regarding the compensation of public employees – Contracts for Portsmouth School District Paraprofessional Union and New Police Chief Robert Merner.

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

Items Which Require Action Under Other Sections of the Agenda:

1. **First Reading of Proposed Ordinances.**
 - 1.1 **First Reading of Proposed Ordinance amending Chapter 1, Article IX Conflict of Interest/Mandatory Financial Disclosure, Section 1.902: - Election Candidate Financial Disclosure.** As you will recall at the May 1, 2017 City Council meeting, the Council voted to bring back for first reading the [attached proposed Ordinance](#) amending Chapter 1, Article IX Conflict of Interest/Mandatory Financial Disclosure, Section 1.902: - Election Candidate Financial Disclosure. As requested at the April 17, 2017 City Council meeting, the proposed Ordinance reflects new language to clarify entities from candidates.

I recommend the City Council move to pass first reading and schedule a public hearing and second reading of the proposed Ordinance at the June 19, 2017 City Council meeting, as presented. Action on this matter should take place under Section VIII of the Agenda.

2. **Public Hearings/Second Readings of Proposed Ordinances.**

2.1 **Public Hearing/Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Character-Based Zoning Excess Community Space.** As a result of the May 15, 2017 City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the [attached proposed Ordinance](#) amending Chapter 10 – Zoning Ordinance, Character-Based Zoning Excess Community Space.

As you will recall, at the April 3, 2017 City Council meeting, the Council voted to refer the draft zoning amendment to the Planning Board for report back. This proposed Zoning Ordinance amendment would allow excess community space provided by a development in an Incentive Overlay District to be credited for use in another development in the same Incentive Overlay District. [Attached for your information is a memorandum from former Planning Director Rick Taintor](#) explaining the background of the proposed Vaughan Street Hotel and Waterfront Park as well as the provisions of the proposed amendment.

The Planning Board held a public hearing on this draft amendment to the Zoning Ordinance at its meeting on April 20, 2017. The Board voted to recommend that the amendment be enacted with the following four changes:

1. When a developer proposed to contribute unimproved land in lieu of a confirming community space, require the application to include a complete site plan and design for the future community space.
2. In 10.5A46.23(2)(a) of the draft amendment [to be re-designated as (b)], insert the word “excess” before the words “unimproved land” to clarify the intent.
3. Reduce the maximum term of a Prospective Development Incentive Agreement from 15 years to 10 years.
4. Insert a new provision requiring the grant of a conditional use permit by the Planning Board in order for a developer to be able to use the excess community space to support a future project, regardless of whether the future project would need a conditional use permit otherwise.

[The attached revised amendment](#) incorporates the Planning Board’s recommended changes (additions underlined, deletions ~~struck through~~).

I recommend the City Council move to pass second reading and schedule third and final reading of the proposed Ordinance at the June 19, 2017 City Council meeting, as presented. Action on this matter should take place under Section VIII of the Agenda.

2.2 **Public Hearing/Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance, Signs related to Public Parking in Private Parking Lots.**

As a result of the May 15, 2017 City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the [attached proposed Ordinance](#) amending Chapter 10 – Zoning Ordinance, Signs related to Public Parking in Private Parking Lots.

At its March 6, 2017 meeting the City Council passed third reading on an ordinance relating to signs for public parking in a private parking lot. This ordinance was enacted as an amendment to the City Ordinances, Chapter 7, Article I – Parking Meters, and requires that any sign located at the entrance to a private parking lot receive a permit from the Department of Public Works.

[Attached is a memorandum from former Planning Director Rick Taintor](#) which outlines the reasons for an amendment to the Zoning Ordinance to exempt signs and other elements related to public parking in private parking lots from specific zoning standards when authorized under a permit from the Department of Public Works. The Planning Department drafted the [attached amendment to the Zoning Ordinance](#) to implement these exemptions, and the City Council voted at its March 20th meeting to refer this proposed amendment to the Planning Board for report back.

At its meeting on April 20, 2017, the Planning Board voted unanimously to recommend that the Zoning Ordinance be amended as proposed.

I recommend the City Council move to pass second reading and schedule third and final reading of the proposed Ordinance at the June 19, 2017 City Council meeting, as presented. Action on this matter should take place under Section VIII of the Agenda.

2.3 **Public Hearing/Second Reading of Proposed Ordinance amending Chapter 1, Article XVII, Section 1.1704 Public Art - Exemption.**

As a result of the May 15, 2017 City Council meeting, under Section VII of the Agenda, I am bringing back for public hearing and second reading the [attached proposed Ordinance](#) amending Chapter 1, Article XVII, Section 1.1704 Public Art – Exemption. This proposed Ordinance is a request of Councilor Nancy Pearson. City Attorney Robert Sullivan meet with Councilor Pearson on April 11, 2017 regarding the inclusion of a public art component to school construction projects, reference ordinances of the City of Portsmouth, Chapter 1, Article XVII.

In particular, 1.1702 **PUBLIC ART COMMITMENT** requires that, “One (1%) percent of the bid price or negotiated contract price for the construction of all new municipal buildings or for the renovation of existing municipal buildings, in which the bid price or negotiated price shall be in excess of Two Million (\$2,000,000.00) Dollars up to Fifteen Million (\$15,000,000.00) Dollars (expressed in terms of actual

construction costs exclusive of design and engineering fees), shall be contributed to the Public Art Trust for the purpose of funding public art.”

The ordinance contains further provisions which determine how public art will be selected and the public arts funds expended on that selection. There is also a provision in the ordinance which allows the City Council to exempt a municipal building under appropriate circumstances. Insofar as school buildings are owned by the municipality and construction or renovation of them is funded by the City Council, it would appear that this ordinance would apply to school buildings, such as the Little Harbour School.

I recommend the City Council move to pass second reading and schedule third and final reading of the proposed Ordinance at the June 19, 2017 City Council meeting, as presented. Action on this matter should take place under Section VIII of the Agenda.

- 2.4 **Public Hearing/Second Reading of Proposed Ordinance amending Chapter 7, Article I Parking Meters, Section 7.105: Parking - Designated Motorcycle Parking Area.** As a result of the May 15, 2017 City Council meeting, As you are aware, the City Council approved the Parking and Traffic Safety Committee meeting minutes of April 6, 2017. The Committee approved the proposed Ordinance amending Chapter 7, Article I Parking Meters, Section 7.105: Parking C. Designated Motorcycle Parking Area ([see Ordinance under Section VII of the Agenda](#)).

I recommend the City Council move to pass second reading and schedule third and final reading of the proposed Ordinance at the June 19, 2017 City Council meeting, as presented. Action on this matter should take place under Section VIII of the Agenda

- 2.5 **Public Hearing/Second Reading of Proposed Ordinance amending Chapter 7, Article V Bicycle Regulations.** As you are aware, the City Council approved the Parking and Traffic Safety Committee meeting minutes of April 6, 2017. The Committee approved the proposed Ordinance amending Chapter 7, Article V Bicycle Regulations ([see Ordinance under Section VII of the Agenda](#)).

I recommend the City Council move to pass second reading and schedule third and final reading of the proposed Ordinance at the June 19, 2017 City Council meeting, as presented. Action on this matter should take place under Section VIII of the Agenda.

- 2.6 **Public Hearing/Second Reading of Proposed Ordinance amending Chapter 7, Article XVII Moped Regulations.** As you are aware, the City Council approved the Parking and Traffic Safety Committee meeting minutes of April 6, 2017. The Committee approved the proposed Ordinance amending Chapter 7, Article XVII Moped Regulations ([see Ordinance under Section VII of the Agenda](#)).

I recommend the City Council move to pass second reading and schedule third and final reading of the proposed Ordinance at the June 19, 2017 City Council meeting, as presented. Action on this matter should take place under Section VIII of the Agenda.

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

- 3.1 **Adoption of Budget Resolutions for Fiscal Year July 1, 2017 through June 30, 2018 (FY2018).** On Monday evening, I am requesting that the City Council adopt the proposed FY 2018 Budget (July 1, 2017 thru June 30, 2018). For your review and action, there are six proposed Resolutions relative to the annual budget adoption process [attached under Section IX of the Agenda](#).

The General Fund budget has been amended as a result of the Work Session on Monday, May 22, 2017. The amendments are:

A reduction in Non-Operating of \$443,600 as follows:

- \$50,000 Overlay
- \$50,000 Contingency
- \$124,100 Rolling Stock
 - a. \$39,100 Police: one Escape
 - b. \$45,000 Fire: one SUV
 - c. \$40,000 DPW: ½ Ton Pick-up and a plow
- \$64,500 IT Replacement
 - a. \$25,000 Police: Department discretion
 - b. \$19,500 Fire: Fund incident Reporting Data System over 2 years
 - c. \$20,000 School: Department discretion
- \$155,000 Capital Outlay
 - a. \$25,000 Land Acquisition
 - b. \$30,000 US Route 1 New Side path Construction
 - c. \$50,000 Longmeadow Road Extension
 - d. \$50,000 Capital Contingency

Increase use of Fund Balance as follows:

- Increase the use of Debt Service Reserve by \$700,000 for a total of \$2,400,000
- Utilize \$231,000 from Unassigned fund balance to offset two capital outlay projects (LED Streetlight Conversion \$181,000 and Chestnut Street Pedestrian Connector \$50,000).

These amendments will result in a reduction to the estimated proposed tax rate from \$17.72 to \$17.44 or by 28 cents resulting in an estimated tax rate increase from prior year of 40 cents or 2.33%.

Attached are six FY18 Budget Resolutions for City Council adoption.

1. Resolution No. 13-2017 - Municipal Fees
2. Resolution No. 14-2017 - General Fund
3. Resolution No. 15-2017 - Sewer fund expenses, cash requirements, and user rates
4. Resolution No. 16-2017 - Water fund expenses, cash requirements, and user rates
5. Resolution No. 17-2017 - Expenditure of Special Revenues funds, Debt Service fund, and Committed Fund Balance
6. Resolution No. 18-2017 - Annual investment policy required by state law

For details on the budget, please refer to your budget books. The FY18 Budget can be found at <http://www.cityofportsmouth.com/finance/budgets.htm>

I am requesting that the City Council vote on each Resolution separately. The City Council will have adopted the FY18 Budget once the Council has voted on each Resolution separately. Action on this matter should take place under Section IX of the Agenda.

City Manager's Items Which Require Action:

1. **Report Back from Planning Board Re: Potential Release of City Interest in the Portions of Two Paper Streets (Moffat Street and Woodworth Avenue) adjoining property at 85 Woodworth Avenue (Richer) and Authorize Issuance of Building Permit for Property off Swett Avenue, Moffat Street and Woodworth Avenue (Calkins).** In a [letter to the City Council received April 26, 2017](#), [Attorney Durbin, representing Mr. David Calkins](#), requested authorization for the issuance of building permits on a private drive off of Swett Ave, Moffat St, and Woodworth Ave pursuant to RSA 674:41(d). As the RSA requires that the Planning Board be consulted, at the May 15, 2017 meeting the City Council voted to refer the request to the Planning Board for a report back.

In a [letter dated January 11, 2017](#), [Raymond and Maryrose Richer](#) had requested that the City release to them its interest in the “paper street” portions of Woodworth Avenue and Moffat Street adjoining their property at 85 Woodworth Avenue. At its March 20th meeting the City Council voted to refer this request to the Planning Board for a report back.

The two cases are related in that the Richers have expressed concern about a two-lot subdivision proposed by David Calkins that had initially involved the construction of a new street across land that they have been maintaining and using as part of their yard for many years. Subsequent to the Richer’s initial letter, Mr. Calkins has proposed an alternative approach to developing the lots that would not involve creation of a through city street, but instead would involve construction of a driveway off of the end of the existing improved portion of Swett Ave.

Due to the potential competing interests of these two requests, the City Council voted to postpone consideration of both requests until after the Planning Board had reported back with a recommendation.

In regards to the Richer’s request, the Planning Board held a public hearing at its meeting on April 20, 2017, and voted as follows:

Voted to recommend that the City release any interest it may have in the paper streets abutting 85 Woodworth Avenue, as shown on the exhibit titled “Woodworth Ave / Moffat St / Swett Ave”, prepared by the Planning Department for this meeting, with the following exception:

1. The area between the end of the accepted portion of Woodworth Avenue and the intersection with Moffat Street shall be reserved for snow storage.

[Attached to this memorandum](#) is a map showing the portions of Woodworth Avenue and Moffat Street that are recommended to be released at this time, along with two other segments of the same streets that were released by vote of the City Council on March 6, 2017.

In regards to the Calkins' request, the Planning Board held a public hearing at its meeting on May 18, 2017 and voted as follows:

Voted to recommend that the City Council authorize the issuance of building permits for property on a private drive off of Swett Ave, Moffat St, and Woodworth Ave pursuant to RSA 674:41(d) with the stipulation that the issuance of building permits would be subject to all required land use approvals.

Attached to this memorandum is a map showing potential access to the proposed subdivision provided by Mr. Calkins' at the May 18, 2017 meeting. In addition, attached is the background regarding this matter.

I recommend the City Council move to adopt the Planning Board recommendation as presented.

2. **Report Back from Planning Board Re: S & G Realty Boundary Line Agreement and Easement.** As you will recall at the May 15, 2017 City Council meeting, the Council voted to refer the [attached request from Attorney Pelech, on behalf of his client, S & G Realty Trust](#), for a boundary line adjustment along Chevrolet Avenue, to the Planning Board for a report back to the City Council.

The proposed boundary line adjustment would resolve a discrepancy in the boundary line between S & G Realty's property (Map 157 Lot 30) and the portion of Chevrolet Ave owned by the City. The proposed agreement would include a 10' utility easement that would enable the City to maintain public sewer and drainage infrastructure.

On May 18, 2017, the Planning Board voted to recommend that the City Council approve the request from S&G Realty Trust for a Boundary Line Agreement and Easement for the boundary line between S & G Realty's property (Map 157, Lot 30) and the portion of Chevrolet Ave owned by the City.

I recommend the City Council move to approve the Planning Board's recommendation for a Boundary Line Agreement and Easement for the boundary line between S & G Realty's property (Map 157, Lot 30) and the portion of Chevrolet Avenue owned by the City, and further, to authorize the City Manager to execute all necessary documents.

3. **Proposed Lease for Plains Schoolhouse.** At the April 17th meeting, the City Council received an update on the Plains School Re-use. At that time it was indicated that we would bring back a draft lease for the property. [See attached.](#) The lease is for a five-year period with an option to renew for an additional five years. As you know, the City and Pontine Theatre have developed a plan in consultation with a preservation architect for upgrades to bring the structure up to current code including making the building 100% handicapped accessible and lead-free. The City and Pontine will share equally the cost for the upgrades.

Pontine's participation in the code upgrades, called Capital Improvements in the draft lease, is in lieu of rent. For the public benefit requirement, Pontine has also agreed to develop cultural programs open to the public, such as a performance and narrative program on local history and to allow the building to be used up to four times per year for public meetings subject to Pontine's schedule.

I recommend the City Council move to authorize the City Manager to execute a lease between the City of Portsmouth and Pontine Theatre for the Plains Schoolhouse with the same or substantially similar terms.

4. **1283 Woodbury Avenue Traffic Signal and Sidewalk Easement.** On November 17, 2016, the Planning Board approved final subdivision approval for a lot on the corner of Woodbury Avenue and Granite Street, to subdivide one lot into two lots. An easement was part of the approved and recorded Subdivision Plan D-40103. The Board also voted at the same time to recommend to the City Council that the City accept the traffic signal easement shown on the plan.

The easement area is highlighted on the attached. The Legal Department has approved the form of the easement.

I recommend the City Council move to authorize the City Manager to accept a required traffic signal and sidewalk easement from Sophie Lane LLC across property at 1283 Woodbury Avenue, Portsmouth.

5. **Request for Referral to Planning Board of Proposed Ordinance Amendment to Chapter 10 – Zoning Ordinance, Housing.** In November 2016, the City's Housing Committee issued a report, which the City Council adopted, recommending zoning amendments to increase the supply and diversity of housing stock in the City. The recommendations identified three initial areas of focus: 1) along the Lafayette Rd commercial corridor and sites along Route 1 Bypass and Outer Market St; 2) both sides of Mirona Rd; 3) the I-95 Exit 7 Area.

The Housing Committee's report, identified a number of general recommendations for each of these areas, including allowing an appropriate mix of residential uses, encouraging a mix of uses, and providing incentives for workforce housing. In addition to accommodating more residential uses, the Committee also recommended zoning amendments include standards for the design and scale of new development. Working with independent planning consultant, Ted Brovitz, the Planning Department has prepared the attached zoning amendments responding to the Housing Committee's recommendation.

These proposed Gateway District amendments include 3 new base zoning districts: Gateway Corridor Mixed Use (G1), Gateway Corridor Mixed Use Center (G2), and Gateway Neighborhood Mixed Use Center (G3). These new districts and standards are proposed as a new Article (5B) and would replace the existing Flexible Development regulations in Section 10.730 – Gateway Planned Development (GPD) and Section 10.726 – Residential Density Planned Unit Development (RDI-PUD). The new section proposes

a formed-based zoning approach to guiding development and uses that is similar to standards adopted for the Character Districts for the Downtown and West End.

The Planning Department looks forward to refining these [attached](#) draft zoning amendments through a comprehensive public input process involving residents, representatives of the development community, housing experts, and other community members.

I recommend the City Council move to refer the proposed amendments to the Planning Board for review and recommendation.

6. **Request to Reschedule June 19, 2017 Work Session Re: Parking Scope of Services.** In a discussion with the Mayor regarding the scheduled Work Session for June 19, 2017, we both felt it was better to hold off on the Work Session regarding the Parking Scope of Services until our new Parking Director Ben Fletcher starts with the City in July. I am recommending a Work Session subsequent to that date.

Action is required regarding this matter.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on May 15, 2017. In addition, this can be found on the City's website.

Background

Mr. Calkins' original subdivision proposal called for constructing a street over the paper street portions of Woodworth, Swett and Moffat to create a loop road that would provide street frontage to the Moffat Street lots. The Zoning Board of Adjustment originally granted variances for reduced lot area and street frontage for this project in February. Because the City has never accepted this portion of Moffat Street, as originally proposed the subdivision would have required the consent of the abutting owners in order to be considered by the Planning Board.

Possibly in response to this proposed subdivision, the owners of abutting property at the end of the Moffat Street cul-de-sac petitioned the City Council to release paper street portions of Moffat Street and Woodworth Avenue that abut their two parcels. Pursuant to the Planning Board's recommendation, the City Council granted their request at its March 6 meeting.

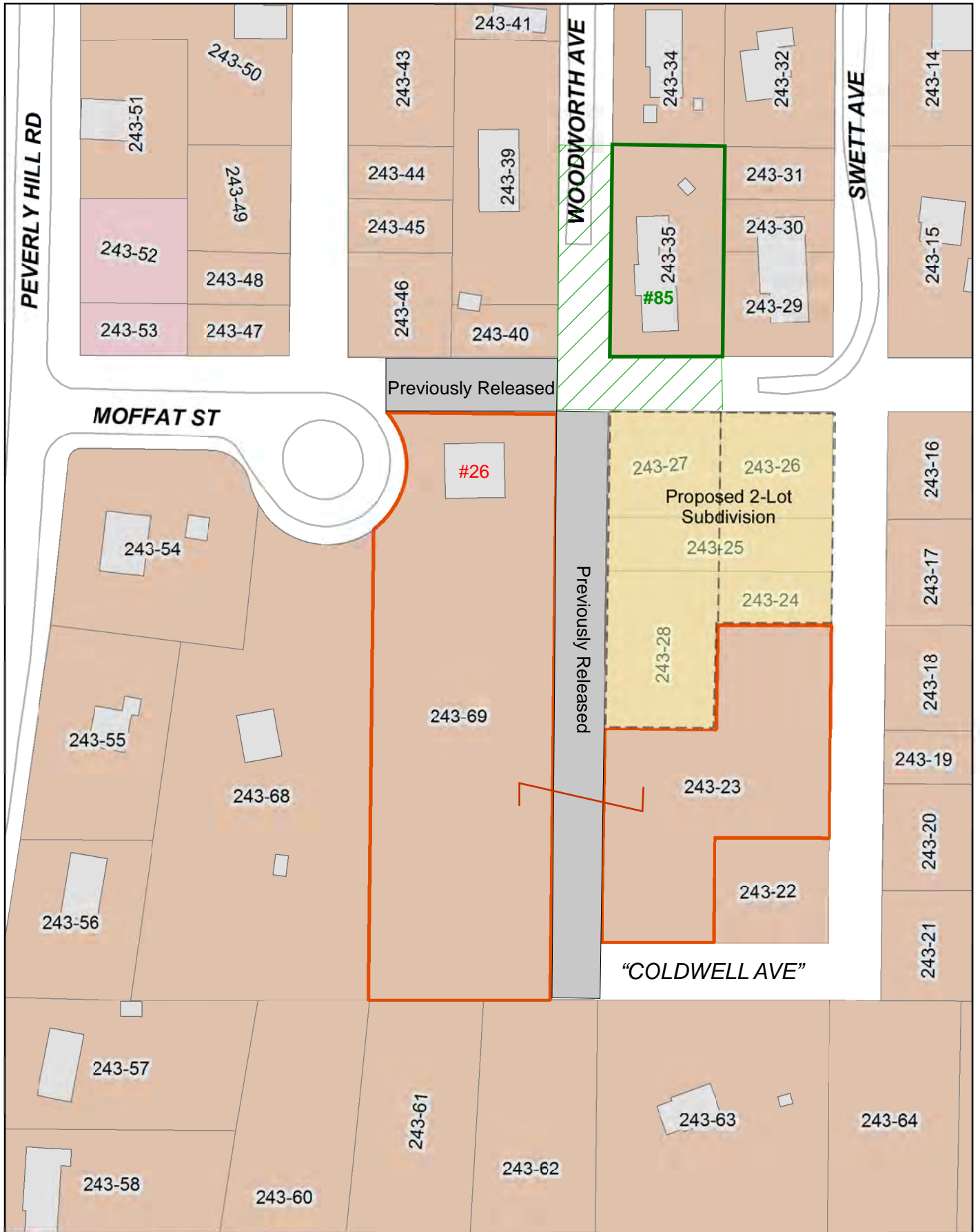
In a separate request, Raymond and Maryrose Richer requested that the City release to them its interest in the paper street portions of Woodworth Avenue and Moffat Street adjoining their property at 85 Woodworth Avenue.

Without the consent of the abutting property owners, the proposed subdivision road as previously proposed by Mr. Calkins would no longer be possible and at least one of the proposed lots would not have any street frontage. Therefore, in April Mr. Calkins applied for and received relief from the Zoning Board of Adjustment for creation of a buildable lot with no frontage on a public way.

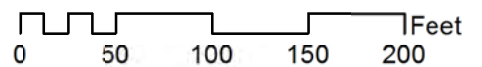
Although the applicant has received relief from the Zoning Board of Adjustment for creation of a residential lot with no street frontage, the Planning Department advised that Mr. Calkins would also need approval from the City Council because of a state statute related to street access (RSA 674:40 and 674:41). This law prohibits the issuance of a building permit unless the lot has access to a street that meets one of the following criteria (simplified):

- has been accepted by the City
- is shown on the City's official map (which we don't have)
- is shown on an approved subdivision plan
- is shown on a "street plat" approved by the planning board
- is a class VI highway
- is a private road, provided that the City Council has voted to authorize the issuance of building permits on said private road

After consultation with the Legal Department, the Planning Department determined that the Mr. Calkins cannot build on the lots as proposed without a City Council vote. Furthermore, RSA 674:41 requires that the City Council receive a recommendation from the Planning Board prior to authorizing a building permit.

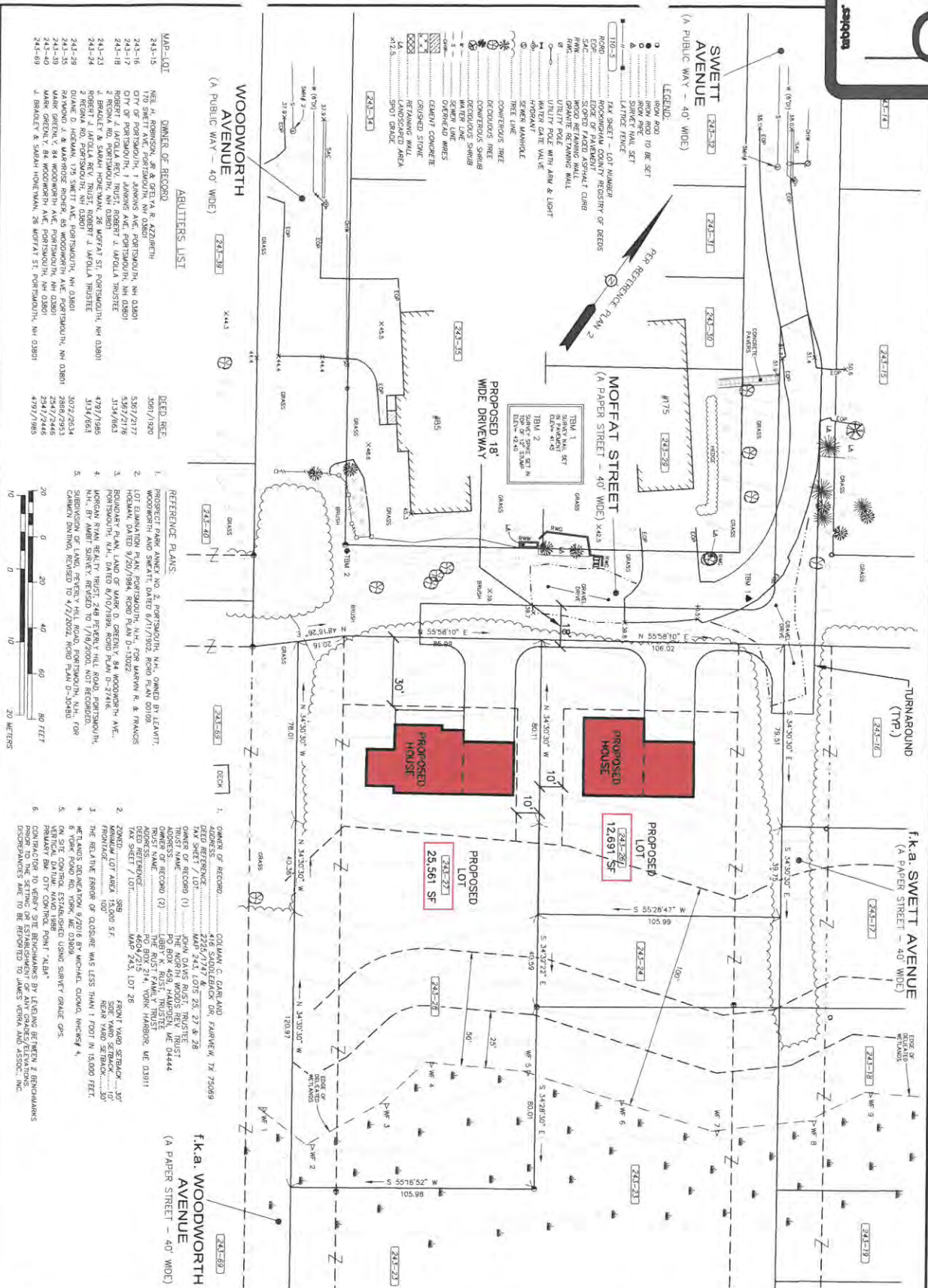


Woodworth Ave / Moffat St / Swett Ave



Area of paper streets requested to be released by Richers

1 inch = 100 feet



f.k.a. SWETT AVENUE (A PAPER STREET - 40' WIDE)

WOODWORTH AVENUE (A PUBLIC WAY - 40' WIDE)

(A PUBLIC WAY - 40' WIDE)

MOFFAT STREET (A PAPER STREET - 40' WIDE)

ABUTTERS LIST

MAP-LOT

- 243-15 DINNER OF RECORD
- 243-16 NEIL A. ROBINSON, JR & CELIA R. AZZARETH
- 243-17 CITY OF PORTSMOUTH, NH 02801
- 243-18 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-19 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-20 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-21 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-22 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-23 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-24 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-25 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-26 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-27 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-28 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-29 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-30 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-31 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-32 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-33 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-34 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE
- 243-35 ROBERT J. LAPOLLA REV. TRUST, ROBERT J. LAPOLLA TRUSTEE

DEED REF.

- 3061/920
- 5397/2177
- 5214/2177
- 3134/663
- 4731/965
- 3072/2634
- 2882/2923
- 2341/2446
- 4731/965

REFERENCE PLANS:

- WOODCOTT PARK AMENITY #2, PORTSMOUTH, NH, OWNED BY LEAMING.
- LOT ELIMINATION PLAN, PORTSMOUTH, NH - C/FW MARVIN R. & FRANCES HOUSMAN, DATED 9/20/1994, RECD PLAN D-13022
- BOUNDARY PLAN, LAND OF MARK D. GREENE, 84 WOODWORTH AVE., PORTSMOUTH, NH, DATED 6/10/1989, RECD PLAN D-27418.
- AMERICAN NIVAL REALTY TRUST, 228 FERRIS HILL ROAD, PORTSMOUTH, NH, DATED 12/15/1994, RECD PLAN D-10980.
- REVISIONS OF LAND SURVEY HILL ROAD, PORTSMOUTH, NH, 1998. CARRIAGE DRIVEWAY, REVISED TO 417/2002, RECD PLAN D-10980.



SURVEYOR: James Verra and Associates, Inc. LAND SURVEYORS

101 SHATTUCK WAY - SUITE 8 NEWINGTON, NH 02861-7876 JOB NO. 23897 PLAN NO. 23897-2

ALTUS ENGINEERING, INC.
 133 DART STREET PORTSMOUTH, NH 02801
 603.433.2525 FAX 603.433.2526

ISSUED FOR: CLIENT REVIEW
 ISSUE DATE: MAY 2, 2017

REVISIONS: NO. DESCRIPTION BY DATE
 0 BOARD OF ADJUSTMENT E/W 4/24/17

DRAWN BY: EJM
 APPROVED BY: EJM
 DRAWING FILE: 481.L016

SCALE: 22' x 34" = 1" = 20'
 11' x 17" = 1" = 40'

OWNER: TAX MAP 243, LOTS 25, 27 & 28 COLMAN C. GARLAND 416 SADDLEBACK DRIVE FAIRVIEW, TX 75069

TAX MAP 243, LOT 26 THE NORTH WOODS REV. TRUSTEE JOHN DAVIS RUST, TRUSTEE HAMPDEN, ME 04444 THE RUST FAMILY TRUST LIBBY K. RUST, TRUSTEE PO BOX 214 YORK HARBOR, ME 03971

DEDICATE: DAVID CARLINS 175 WOODLAWN CIRCLE PORTSMOUTH, NH

PROJECT: PROPOSED SITE DEVELOPMENT PLANS MOFFAT & SWETT PORTSMOUTH, NH ASSESSOR'S PARCELS MAP-243 LOTS 25, 26, 27 & 28

TITLE: PRELIMINARY SITE PLAN
 SHEET NUMBER: CO-3

DURBIN LAW OFFICES, P.L.L.C

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603-287-4764
www.durbinlawoffices.com
durbinlawoffices@gmail.com

Derek R. Durbin, Esq.
derek@durbinlawoffices.com

BY: HAND-DELIVERY

Portsmouth City Council
Attn: Jack Blaylock, Mayor
1 Junkins Avenue
Portsmouth, NH 03801

RE: Request to authorize the issuance of building permits on private drive off of Swett Avenue, Moffat Street and Woodworth Avenue pursuant to RSA 674:41, I(d)

Request to Continue Richer request (85 Woodworth Ave.) to release the City's interests in portions of Moffat Street and Woodworth Avenue

Dear Mayor Blalock,

Please accept the following request to the City Council to authorize the issuance of building permits for the construction of single family homes off of Swett Avenue, Moffat Street and Woodworth Avenue, pursuant to RSA 674:41, I(d). This request is being submitted in conjunction with a lot consolidation plan that will be soon be submitted to the Planning Board. The Applicant, David Calkins, a city resident, is proposing to consolidate five (5) lots located off of the aforementioned streets into two (2) larger lots to accommodate the development of two (2) single family homes. The situation is rather unusual in that portions of the streets upon which the lots have frontage were never constructed by the City. Therefore, they are so-called "paper streets" which are depicted on the City's tax maps, but were never constructed as originally laid out. The subject lots and streets were dedicated as part of a subdivision created in 1902 known as "Prospect Park". Due to the lack of frontage on a public way, Mr. Calkins is proposing to access the two (2) consolidated lots from a private drive or driveway.

It is the City Legal Department's opinion, from discussions with the Mr. Calkins and his representatives, that in order for the lots to be accessed and built upon as conceptually proposed (from a private drive), the City Council must first authorize the issuance of building permits pursuant to the language of RSA 674:41, I(d). See Exhibit A. While it is my legal opinion that this statute may not apply under the circumstances presented by Mr. Calkins' development plans, Mr. Calkins has agreed voluntarily to submit to the process outlined in the statute requiring City Council authorization.



It is important to note that as of last night, the Board of Adjustment has unanimously granted all of the required variance relief for the proposed consolidated lots to be developed as proposed. Mr. Calkins in consultation with his engineer and surveyor, are presently in the process of refining the lot consolidation plans for submission to TAC and the Planning Board.

Ultimately, RSA 674:41, I(d) requires that the City Council first refer Mr. Calkins request to the Planning Board for review and comment before it can authorize the issuance of building permits. Mr. Calkins would respectfully request that the City Council refer the matter to the Planning Board at its regularly scheduled meeting on Monday, May 1st.

In a separate but interrelated matter, Mr. Calkins would also respectfully request that the City Council delay its deliberations on a request brought forward by the Richers, owners of 85 Woodworth Avenue, seeking a release of the City's interest in abutting portions of Moffat Street and Woodworth Avenue. It is anticipated that the Richers' release request will be on the agenda for the May 1, 2017 meeting, as it was recommended for approval by the Planning Board during its meeting last week.

The Richers' property is located directly across the street from the lots that Mr. Calkins is seeking to consolidate and develop. *See Exhibit B.* If the release were to be granted, it would effectively eliminate one or more potential access ways to the subject lots and the ability to create any future public connector between Swett and Woodworth Avenues, something that the Public Works Department has expressed a desire in and which Mr. Calkins has attempted to accommodate.

The Richers' request was brought forward to the City Council only after Mr. Calkins initially applied for variance relief from the Board of Adjustment in January. Therefore, there is no prejudice to the Richers in the Council continuing their request to a future meeting when Mr. Calkins request can be discussed and deliberated on at the same time. Mr. Calkins submits that this is the most fair and equitable approach that the City Council can take in addressing the potentially competing interests involved with the two requests.

We thank you for your time and consideration of these important matters.

Sincerely,



Derek R. Durbin, Esq.

CC: Robert Sullivan, Esq.

TITLE LXIV PLANNING AND ZONING



CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Regulation of Subdivision of Land

Section 674:41

674:41 Erection of Buildings on Streets; Appeals. –

I. From and after the time when a planning board shall expressly have been granted the authority to approve or disapprove plats by a municipality, as described in RSA 674:35, no building shall be erected on any lot within any part of the municipality nor shall a building permit be issued for the erection of a building unless the street giving access to the lot upon which such building is proposed to be placed:

(a) Shall have been accepted or opened as, or shall otherwise have received the legal status of, a class V or better highway prior to that time; or

(b) Corresponds in its location and lines with:

- (1) A street shown on the official map; or
- (2) A street on a subdivision plat approved by the planning board; or
- (3) A street on a street plat made by and adopted by the planning board; or
- (4) A street located and accepted by the local legislative body of the municipality, after submission to the planning board, and, in case of the planning board's disapproval, by the favorable vote required in RSA 674:40;

or

(c) Is a class VI highway, provided that:

- (1) The local governing body after review and comment by the planning board has voted to authorize the issuance of building permits for the erection of buildings on said class VI highway or a portion thereof; and
- (2) The municipality neither assumes responsibility for maintenance of said class VI highway nor liability for any damages resulting from the use thereof; and
- (3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds; or

(d) Is a private road, provided that:

- (1) The local governing body, after review and comment by the planning board, has voted to authorize the issuance of building permits for the erection of buildings on said private road or portion thereof; and
- (2) The municipality neither assumes responsibility for maintenance of said private roads nor liability for any damages resulting from the use thereof; and
- (3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot for which the building permit is sought; or

(e) Is an existing street constructed prior to the effective date of this subparagraph and is shown on a subdivision plat that was approved by the local governing body or zoning board of adjustment before the municipality authorized the planning board to approve or disapprove subdivision plats in accordance with RSA 674:35, if one or more buildings have been erected on other lots on the same street.

II. Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant for such permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any municipality which has adopted zoning regulations in accordance with RSA 674, or, in municipalities in which no board of adjustment exists, to the local legislative body, or to a board of appeals, whichever is appropriate, in

accordance with RSA 674:14 and 674:15, including the requirement for a public hearing. In a municipality which does not require building permits, direct application may be made to the zoning board of adjustment, or the local legislative body, or the board of appeals for permission to erect the building. In passing on such appeal or application, the board of adjustment, local legislative body, or board of appeals may make any reasonable exception and shall have the power to authorize or issue a permit, subject to such conditions as it may impose, if the issuance of the permit or erection of the building would not tend to distort the official map or increase the difficulty of carrying out the master plan upon which it is based, and if erection of the building or issuance of the permit will not cause hardship to future purchasers or undue financial impact on the municipality. Any such decision made in this connection by a board of adjustment, local legislative body, or by a board of appeals pursuant to this section and RSA 674:14 and 674:15 shall be in writing, together with the reasons for the decision, and shall be subject to review in the manner described in RSA 677.

II-a. Municipalities may except any lot, including island lots for islands served exclusively by boats, from the requirements of paragraphs I and II by an affirmative vote of the local legislative body pursuant to RSA 675, first submitted to the planning board for its approval and:

(a) If approved by the board, approved by a majority of those present and voting at a regular or special meeting of the local legislative body; or

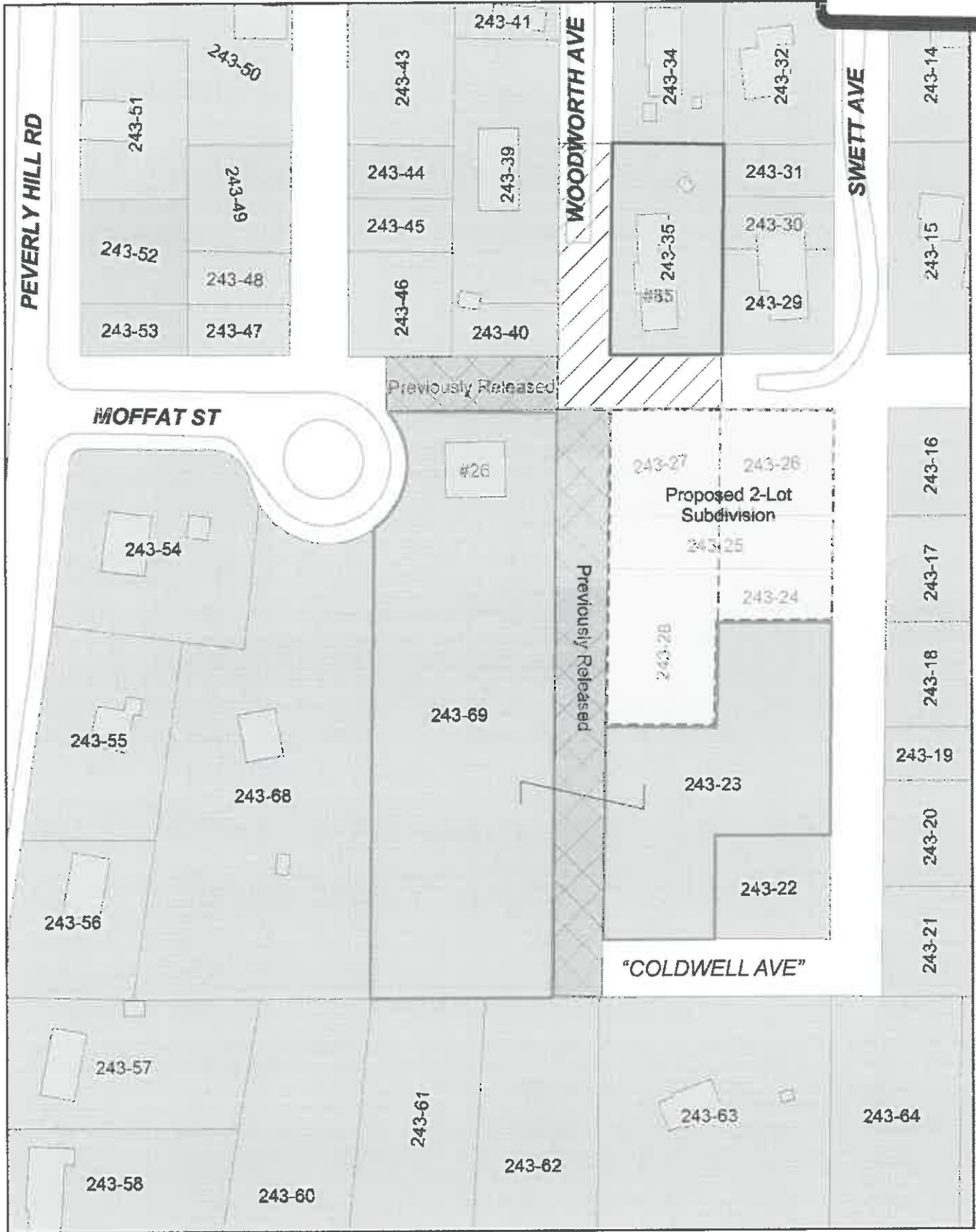
(b) If disapproved by the planning board, approved by not less than 2/3 of those present and voting at a regular or special meeting of the local legislative body.

III. This section shall supersede any less stringent local ordinance, code or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. For purposes of paragraph I, "the street giving access to the lot" means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right-of-way, unless such easement or right-of-way also meets the criteria set forth in subparagraphs I(a), (b), (c), (d), or (e).

IV. In addition to the requirements for the erection of buildings in paragraph I and notwithstanding the exceptions provided in paragraph II, the planning board for a county in which there are located unincorporated towns or unorganized places shall require every building which is erected on leased land located within an unincorporated town or unorganized place to have a building permit. A building permit shall be required under this paragraph regardless of the proximity of the building to any street or highway. The county shall, by resolution, authorize the planning board to issue building permits under this paragraph.

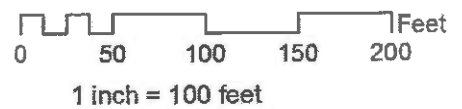
Source. 1983, 447:1. 1988, 131:2, 3. 1989, 266:20. 1995, 291:10. 1998, 344:6. 2002, 270:1, 5. 2004, 154:1, 2. 2005, 226:1, 2, eff. Sept. 3, 2005.

tabular



Woodworth Ave / Moffat St / Swett Ave

 Area of paper streets requested to be released



Portsmouth City Attorney
Mr. Bob Sullivan
Portsmouth City Hall

11 Jan 2017



Dear Sir:

I am appealing to you for assistance in a quit claim extension on my property at 85 Woodworth Ave in accordance with chapter 231:51 as I have been informed that a contractor is in the process of obtaining land for building on Moffatt Rd. a paper road that abuts my property and I feel that I should have first claim to the extension of my land by 20 feet as allowed by law. I have owned this property for 26 years and have paid for and done any clean up and repair of this area for this time. I would also ask that the frontage of my property on Woodworth Ave be extended for the same reasons.

Thank you for any assistance you may provide in this matter,

A handwritten signature in cursive script, appearing to read "Raymond and Maryrose Richer".

Raymond and Maryrose Richer
85 Woodworth Ave
Portsmouth N H 03801
603 430 9344

Law Offices of
WHOLEY & PELECH
55 CONGRESS STREET, SUITE B
P.O. BOX 395
PORTSMOUTH, NEW HAMPSHIRE 03802-0395

Tel. 603-436-6121
Fax 603-433-7491

bernie@wholey-pelech.com

BERNARD W. PELECH*

JOHN J. WHOLEY
(1922-2001)

ADMITTED NH & ME BARS

April 26, 2017

Mayor Jack Blalock
Mayor's Office
1 Junkins Avenue
Portsmouth, NH 03801

Re: S&G Realty - Chevrolet Avenue

Dear Mayor Blalock and Members of the City Council:


I represent S&G Realty, owners of certain property located on Chevrolet Avenue, Tax Map 147, Lot 30. There has been for many years a discrepancy and question as to the location of the common boundary line between the S&G lot and the city owned adjacent lot.

After many meetings with the Legal Department, Public Works Department and the Planning Department, a tentative, agreed upon boundary line, subject to Council approval, has been established.

The agreed upon boundary line is shown on the attached drawing.

On behalf of my clients, it is requested that the City Council refer this matter to the Planning Board for a report and recommendation, and thereafter vote to authorize the City Manager to execute the Boundary Line Agreement for recording in the Registry of Deeds.

Sincerely,



Bernard W. Pelech

Law Offices of
WHOLEY & PELECH
55 CONGRESS STREET, SUITE B
P.O. BOX 395
PORTSMOUTH, NEW HAMPSHIRE 03802-0395

BERNARD W. PELECH*

JOHN J. WHOLEY
(1922-2001)

ADMITTED NH & ME BARS

TEL 603-436-6121
FAX 603-433-7491

bernice@wholey-pelech.com

April 26, 2017

Suzanne Woodland, Assistant City Attorney
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Re: S&G Realty - Chevrolet Avenue

Dear Suzanne:

As you know, this office represents Scott Brown and Gail Huff of S&G Realty, with regard to their proposed 3-unit residential structures on Chevrolet Avenue.

We have received all necessary variances from the ZBA for the project and we are presently in the site review process, having appeared before TAC.

Confirming our several meetings with the legal department and the planning department, it has been well documented for over 15 years that there are conflicting surveys of the boundary line between the S&G Realty property and property of the city, namely Chevrolet Avenue.

The legal department files on this discrepancy date back to 1991. In 1995, Easterly Survey performed a standard boundary survey for the S&G Realty lot, which survey showed the lot line to be at an angle to and some distance from Chevrolet Avenue.

In 1998, the city engaged the services of James Verra and Associates to survey the public works facility and Chevrolet Avenue. This survey showed the S&G Realty property line extending into the paved area of Chevrolet Avenue.

As we have discussed in our meetings, it is in the best interest of both S&G Realty and the city to enter into a Boundary Line Agreement as provided for in RSA 472:1-4.

As discussed and tentatively agreed, subject to City Council approval, the agreed upon boundary would be established at the edge of pavement on the southerly side of Chevrolet Avenue. S&G Realty would also grant to the city a 10-foot wide utility easement southerly of the agreed upon common boundary.

Page Two
Suzanne Woodland, Assistant City Attorney
April 26, 2017

Ambit Engineering would prepare the plan depicting the agreed upon boundary which would then be recorded along with the written agreement in the Registry of Deeds.

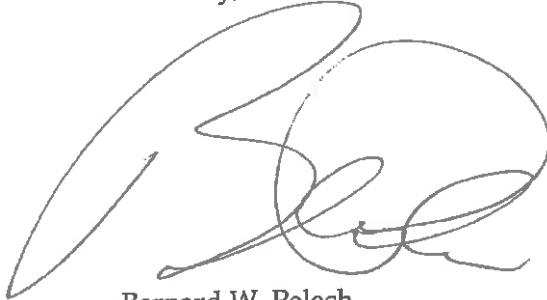
Ambit Engineering is in the process of incorporating this proposed boundary line into the pending site plan application plan set.

I have attached hereto a draft request addressed to the Mayor and Council asking for approval of the Boundary Line Agreement, after referral to and report back from the Planning Board. I would hope this could be acted upon by the Council at their May 15th meeting, and by the Planning Board at their May 18th meeting.

I plan to attend both meetings in order to answer any questions which may arise. I understand that you will be submitting a memo to the Council prior to the May 15th meeting, addressing the request.

Thank you for your cooperation in this matter and hopefully the longstanding discrepancy can be resolved.

Sincerely,

A handwritten signature in black ink, appearing to read "Bernard W. Pelech". The signature is fluid and cursive, with a large initial "B" and "W".

Bernard W. Pelech

PLANTING NOTES

- 1) ALL PLANT MATERIALS SHALL BE FIRST QUALITY NURSERY GROWN STOCK. ALL EVERGREEN TREES AND SHRUBS SHALL BE "HEAVY".
- 2) ALL PLANTS SHALL BE PLANTED IN ACCORDANCE WITH NEW HAMPSHIRE LANDSCAPE ASSOCIATION STANDARDS AND GUARANTEED FOR TWO YEARS BY THE LANDSCAPE CONTRACTOR.
- 3) ALL TREES AND SHRUBS SHALL BE MULCHED WITH 4" OF AGED BARK MULCH.
- 4) ALL LAWN AREAS SHALL BE LOAMED WITH 4" OF CLEAN LOAM, FREE OF ROCKS, ROOTS AND TRASH. TURF GRASS SHALL BE ESTABLISHED BY HYDROSEEDING A MIX OF MULCH, SEED AND FERTILIZER.
- 5) ALL DISTURBED AREAS NOT DESIGNATED FOR GRAVEL, ASPHALT, CONCRETE OR PLANTINGS SHALL BE SEEDED.
- 6) REFER TO VEGETATIVE PRACTICE NOTES ON SHEET D1 FOR SEEDING INFORMATION AND SEED MIXTURE.

TOPSOILING

- TOPSOIL QUALITY**
- 1) TOPSOIL MAY BE OF THE FOLLOWING TEXTURES: SANDY LOAM, LOAM, OR SILT LOAM.
 - 2) THE MATERIAL SHALL BE FRIABLE AND FREE OF TREE ROOTS, WEEDS, STONES MORE THAN 1.5 INCHES IN DIAMETER OR LENGTH, AND OF OTHER DEBRIS.
 - 3) SOIL TREATED WITH AN HERBICIDE WILL NOT BE USED FOR TOPSOILING IF IT IS DETERMINED THAT THE HERBICIDE WILL BE DAMAGING TO DESIRABLE VEGETATION.
- SOURCES OF TOPSOIL**
- 1) MATERIAL FOR TOPSOILING SHALL BE TAKEN FROM THE NATURAL SURFACE LAYERS (A HORIZON) OF SOILS KNOWN TO BE CAPABLE OF PRODUCING GOOD YIELDS OF CULTIVATED CROPS OR HAY.
 - 2) SOIL THAT HAS BEEN TREATED WITH AN HERBICIDE SHOULD NOT BE USED FOR TOPSOILING IF IT IS DETERMINED THAT THE RESIDUAL EFFECTS OF THE HERBICIDE WILL BE DAMAGING TO THE NEW SEEDING.
 - 3) TOPSOIL MAY BE STRIPPED FROM AND STOCKPILED AT A SITE FOR LATER REPLACEMENT. STOCKPILED TOPSOIL WILL NOT BE COMPACTED AND SHALL BE PROTECTED AGAINST EROSION.
 - 4) AREAS FROM WHICH TOPSOIL HAS BEEN REMOVED SHALL BE PROTECTED AGAINST EROSION.
- APPLYING TOPSOIL**
- 1) TOPSOIL SHOULD NOT BE COLLECTED OR SPREAD WHILE IT IS WET.
 - 2) SUBSURFACES WILL BE SCARIFIED OR OTHERWISE TILLED TO FACILITATE BONDING PRIOR TO SPREADING TOPSOIL.
 - 3) TOPSOIL WILL BE UNIFORMLY SPREAD TO A MINIMUM DEPTH OF 5 INCHES (THIS WILL PROVIDE 4 INCHES OF SETTLED TOPSOIL DEPTH).

LANDSCAPE SCHEDULE

I.D. No.	ITEM	SIZE	QTY
1	THUJA OCCIDENTALIS 'NIGRA'	6'-8'	3
	DARK AMERICAN ARBORVITAE		
2	ACER TRUNCATUM x PLATANOIDES	2" CALIPER	3
	CRIMSON SUNSET MAPLE		

LEDGEND:

- JVA BOUNDARY
- PROPOSED BOUNDARY AND EASEMENT
- EASTERLY BOUNDARY

Received at Meeting

MAY - 2 2017

From J. Chagnon



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 5
Portsmouth, N.H. 03801-7114
Tel: (603) 430-9282
Fax: (603) 430-2315

NOTES:

- 1) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.
- 2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
- 3) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "NEW HAMPSHIRE STORMWATER MANUAL, VOLUME 3, EROSION AND SEDIMENT CONTROLS DURING CONSTRUCTION." (NHDES DECEMBER 2008).
- 4) ACCUMULATED SNOW THAT EXCEEDS THE AVAILABLE SNOW STORAGE AREAS SHALL BE REMOVED FROM THE SITE AS NECESSARY.

PARKING ANALYSIS:

MULTIFAMILY RESIDENTIAL: 4 SPACES + 1.5 SPACES PER DWELLING UNIT OVER 2 UNITS
 PROPOSED PARKING REQUIREMENTS
 EXISTING BUILDING (0 DWELLING UNITS) = 0
 PROPOSED BUILDING: 3 DWELLING UNITS = 4 + (1) x 1.5 = 6 SPACES
 MINIMUM SPACES REQUIRED: 6 SPACES
 SPACES PROVIDED BY LAYOUT: 6 SPACES (GARAGE AND ONE OUTSIDE)

ZONING CALCULATIONS:

	REQUIRED	EXISTING	PROPOSED
MIN. LOT AREA:	3,500 SF	10,071 SF	10,071 SF
MIN. LOT AREA/DWELLING:	3,500 SF	N/A	3,357 SF
FRONTAGE:	70 FEET	94.6 FEET	94.6 FEET
DEPTH:	50 FEET	105.86 FEET	105.86 FEET
FRONT SETBACK:	5 FEET	<5 FEET	6.09 FEET
SIDE SETBACK:	10 FEET	<10 FEET	14.88 FEET
REAR SETBACK:	20 FEET	22 FEET	20.12 FEET
MAX. STRUCTURE HEIGHT:	35 FEET	N/A	<35 FEET
MAX. BUILDING COVERAGE:	35%	10.3%	24.1%
MIN. OPEN SPACE COVERAGE:	20%	82.3%	66.1%

VARIANCES GRANTED:

- 1) *A VARIANCE WAS GRANTED ON 2/16/16 FROM SECTION 10.521 TO ALLOW 3,357 SF OF LOT AREA PER DWELLING UNIT WHERE 3,500 SF PER DWELLING UNIT IS REQUIRED.

BOUNDARY EXHIBIT

S&G REALTY
CHEVROLET AVENUE
PORTSMOUTH, N.H.

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	5/1/17
REVISIONS		

SCALE: 1" = 10' MARCH 2017

SITE LAYOUT & LANDSCAPE PLAN

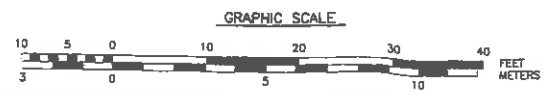
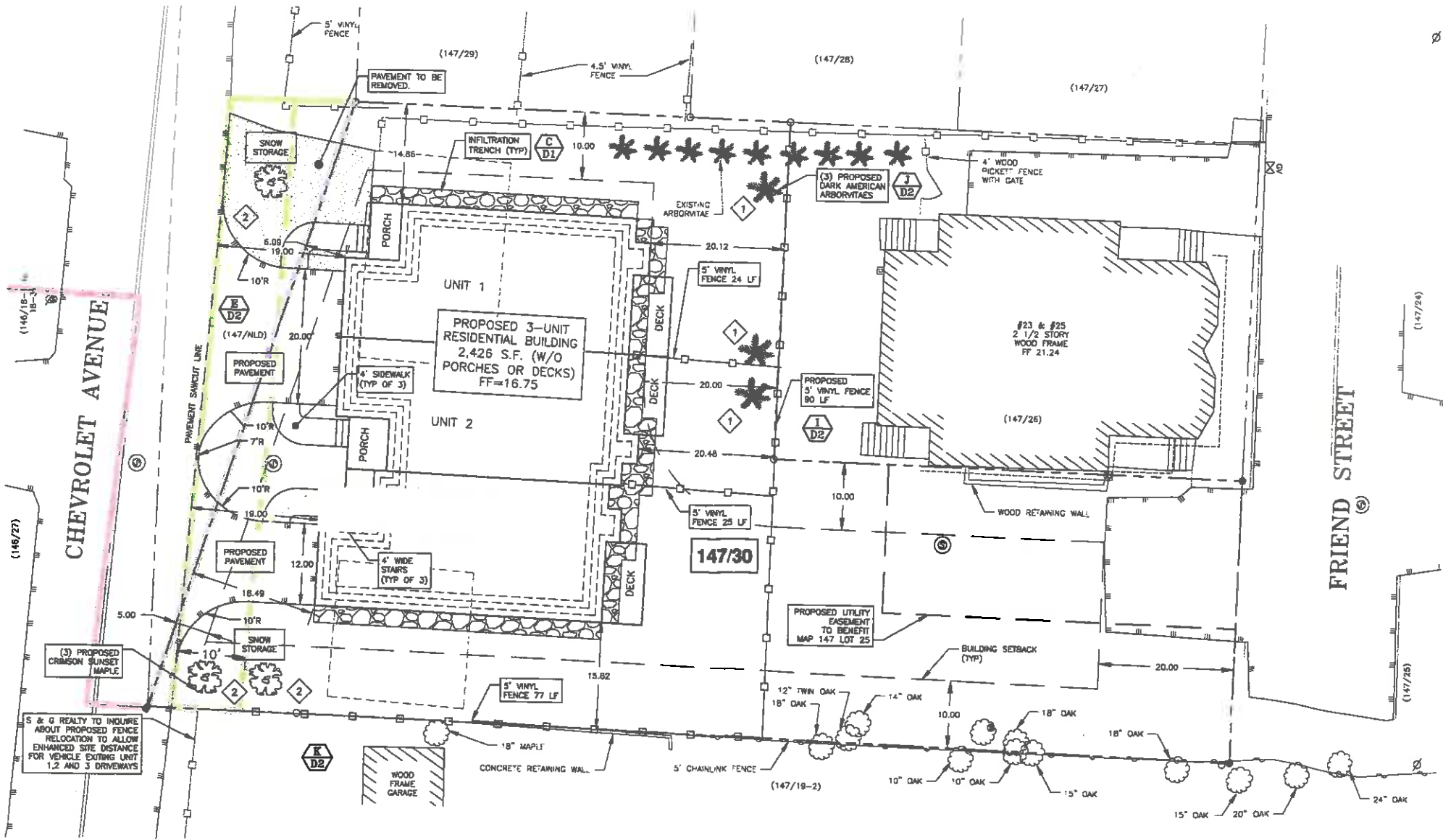
C2

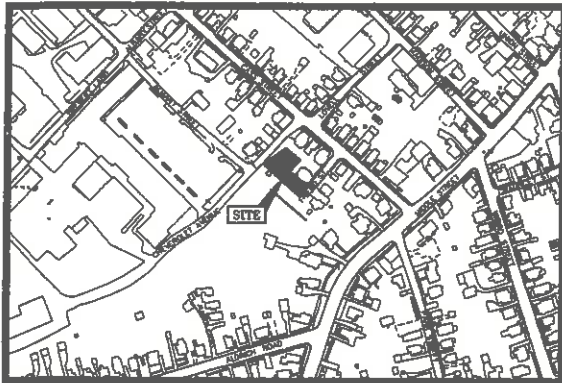
APPROVAL NOTES:

- 1) THIS SITE PLAN SHALL BE RECORDED IN THE ROCKINGHAM COUNTY REGISTRY OF DEEDS.
- 2) ALL IMPROVEMENTS SHOWN ON THIS SITE PLAN SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE PLAN BY THE PROPERTY OWNER AND ALL FUTURE PROPERTY OWNERS. NO CHANGES SHALL BE MADE TO THIS SITE PLAN WITHOUT THE EXPRESS APPROVAL OF THE PORTSMOUTH PLANNING DIRECTOR.
- 3) THE PROPERTY OWNER AND ALL FUTURE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE, REPAIR AND REPLACEMENT OF ALL REQUIRED SCREENING AND LANDSCAPE MATERIALS.
- 4) ALL REQUIRED PLANT MATERIALS SHALL BE TENDED AND MAINTAINED IN A HEALTHY GROWING CONDITION, REPLACED WHEN NECESSARY, AND KEPT FREE OF REFUSE AND DEBRIS. ALL REQUIRED FENCES AND WALLS SHALL BE MAINTAINED IN GOOD REPAIR.
- 5) THE PROPERTY OWNER SHALL BE RESPONSIBLE TO REMOVE AND REPLACE DEAD OR DISEASED PLANT MATERIALS IMMEDIATELY WITH THE SAME TYPE, SIZE AND QUANTITY OF PLANT MATERIALS AS ORIGINALLY INSTALLED, UNLESS ALTERNATIVE PLANTINGS ARE REQUESTED, JUSTIFIED AND APPROVED BY THE PLANNING BOARD OR PLANNING DIRECTOR.

APPROVED BY THE PORTSMOUTH PLANNING BOARD

CHAIRMAN _____ DATE _____



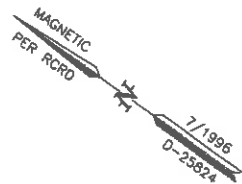


LOCATION MAP SCALE: 1" = 300'

LEGEND:

- N/F NOW OR FORMERLY
- RP RECORD OF PROBATE
- RCRD ROCKINGHAM COUNTY
- RR SPK RAILROAD SPIKE
- MAP 11/LOT 21
- IR FND IRON ROD FOUND
- IP FND IRON PIPE FOUND
- IR SET IRON ROD SET
- DH FND DRILL HOLE FOUND
- DH SET DRILL HOLE SET

- JVA BOUNDARY
- PROPOSED BOUNDARY AND EASEMENT
- EASTERLY BOUNDARY



PLAN REFERENCES:

- 1) STANDARD BOUNDARY SURVEY AT CASS STREET & FRIEND STREET FOR JUDY BROWN 699 MIDDLE STREET PORTSMOUTH, NH 03801. PREPARED BY EASTERLY SURVEYING DATED SEPTEMBER 12, 1995. FINAL REVISION DATE SEPTEMBER 10, 1997. R.C.R.D. PLAN D-25824.
- 2) SUBDIVISION PLAN 660 MIDDLE STREET PORTSMOUTH, NEW HAMPSHIRE ASSESSORS PARCEL: 0147-0019 OWNER: CATHERINE R. WHELAN. PREPARED BY JAMES VERRA AND ASSOCIATES, INC. DATED MAY 28, 2010. FINAL REVISION DATE OCTOBER 25, 2010. R.C.R.D. PLAN D-36752.

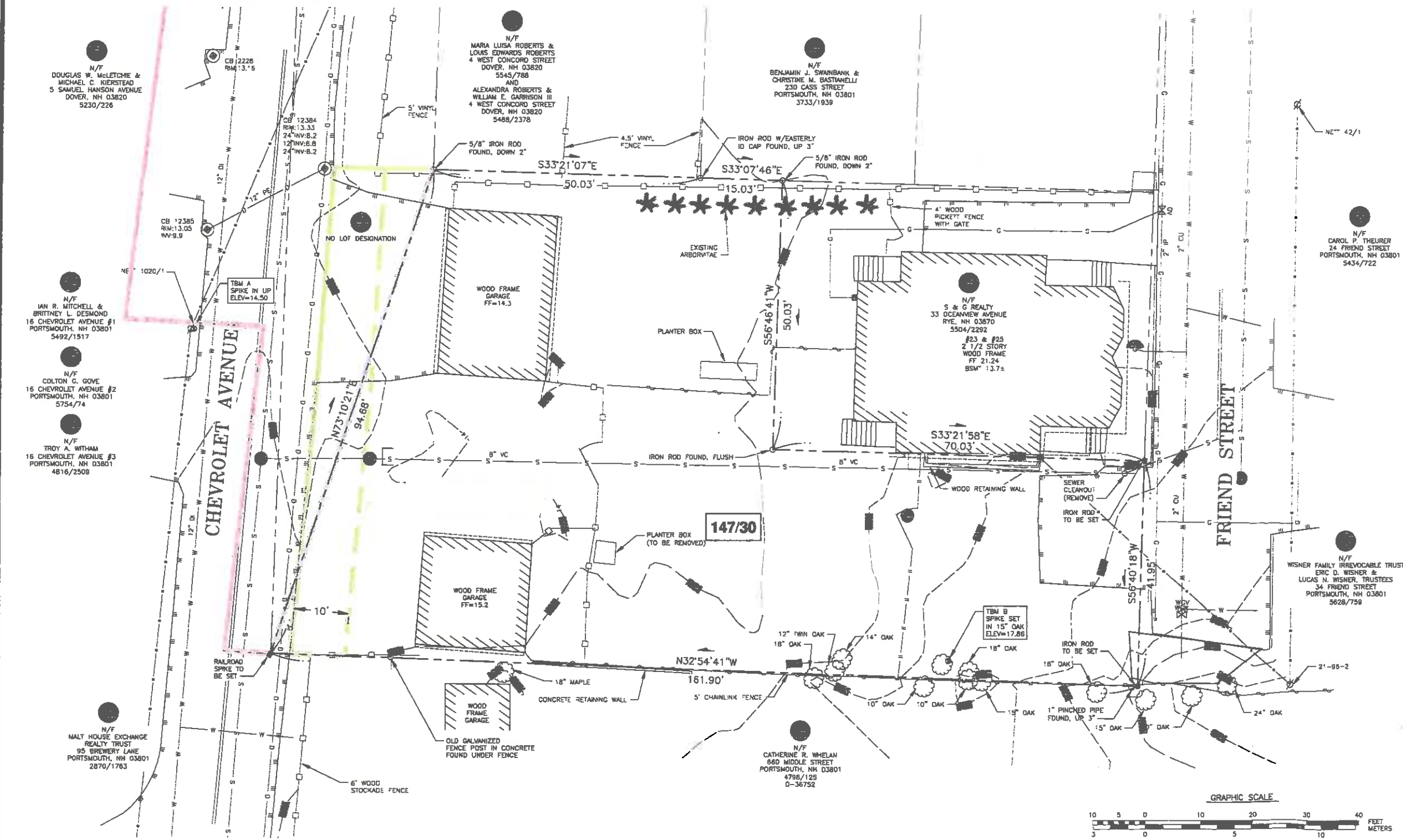


AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

NOTES:

- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 147 AS LOT 30.
- 2) OWNERS OF RECORD:
S & G REALTY
33 OCEAN VIEW AVENUE
RYE, NEW HAMPSHIRE 03870
5504/2292 (TRACT II)
- 3) PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 33015C0259E. EFFECTIVE DATE MAY 17, 2005.
- 4) EXISTING LOT AREA:
10,071 S.F.
0.2312 ACRES
- 5) PARCEL IS LOCATED IN GENERAL RESIDENCE C (GRC) ZONING DISTRICT.
- 6) DIMENSIONAL REQUIREMENTS:
MIN. LOT AREA: 3,500 S.F.
FRONTAGE: 70 FEET
SETBACKS: FRONT 5 FEET
SIDE 10 FEET
REAR 20 FEET
MAXIMUM STRUCTURE HEIGHT: 35 FEET
MAXIMUM STRUCTURE COVERAGE: 35%
MINIMUM OPEN SPACE: 20%
- 7) THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON THE SUBJECT PARCEL BOUNDARY FROM PLAN REFERENCE 1: D-25824 DATED 9/12/95.
- 8) VERTICAL DATUM IS MEAN SEA LEVEL NAVD88. BASIS OF VERTICAL DATUM IS REDUNDANT RTN GPS OBSERVATIONS (±0.3').
- 9) THE CITY OF PORTSMOUTH ZONING BOARD OF ADJUSTMENT GRANTED THE FOLLOWING VARIANCES FOR THE SUBJECT PARCEL ON OCTOBER 18, 2016:

ARTICLE 10: SECTION 10.521 FOR CONSTRUCTION OF A THREE UNIT TOWNHOUSE WITH A LOT AREA PER DWELLING UNIT OF 3,357 S.F.



BOUNDARY EXHIBIT

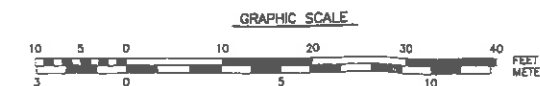
**S&G REALTY
CHEVOLET AVENUE
PORTSMOUTH, N.H.**

NO.	DESCRIPTION	DATE
0	ISSUED FOR COMMENT	5/1/17
REVISIONS		

SCALE 1"=10' MARCH 2017

EXISTING CONDITIONS AND DEMOLITION PLAN

C1



LEASE AGREEMENT

This Lease is made by and between the **City of Portsmouth**, a municipal corporation organized and existing under the laws of the State of New Hampshire and having a usual place of business at 1 Junkins Avenue, Portsmouth, New Hampshire hereinafter LESSOR, and the **PONTINE THEATRE**, a non-profit corporation in good standing and organized under the laws of the State of New Hampshire with a mailing address of P.O. Box 1301 and a place of business of _____, Portsmouth, New Hampshire, hereinafter LESSEE.

WHEREAS the City has offered, and the Pontine Theatre has accepted, to enter into an agreement to lease the property known as the Plains Schoolhouse;

WHEREAS upon the City's inspection of the property it was determined that the Plains Schoolhouse was not up to current Building and Fire Codes and was not handicapped accessible;

WHEREAS although the parties have not yet finalized the scope of work to complete the necessary repairs, they have estimated that the capital improvements associated with bringing the property up to Code and making the property handicapped accessible will cost approximately Two Hundred and Fifty Thousand Dollars (\$250,000.00) (the "Capital Improvements");

WHEREAS the parties have agreed to equally share the costs associated with these Capital Improvements and Pontine Theatre will be responsible for making these capital improvements;

WHEREAS all Capital Improvements made by Pontine Theatre shall be performed to the reasonable satisfaction of the Public Works Director of the City and copies of plans, including the design, engineering and materials to be utilized in connection with all capital improvements will be provided to the Public Works Director for his review and approval prior to construction;

WHEREAS upon the completion of these Capital Improvements, Pontine Theatre shall provide a report and attach all invoices for work associated with these capital improvements to the City; and

WHEREAS the parties have agreed that Pontine Theatre's share of the capital improvements will offset monthly rent due under the terms of this Lease;

1. **PREMISES**

LESSOR leases to LESSEE a certain building known as the Plains Schoolhouse situated at 1 Plains Avenue, Portsmouth, New Hampshire.

2. **LEASE PAYMENTS**

In lieu of rent and as consideration, the Lessee shall make the Capital Improvements to be agreed upon by the parties to bring the Premises up to code within one (1) year of the execution of this Lease. In addition, the Lessee shall fulfill the obligations of Maintenance and Repairs set forth in this Lease and shall document and account for such maintenance activities. Such records shall be submitted to the City annually on the anniversary of the Lease.

3. **TAXES**

During the term of this Lease and any renewal or extension of such term, LESSEE may apply for an exemption as provided under RSA 72.23. Provided that LESSEE meets the test for charitable use set forth in RSA 72.23 -I, no taxes shall be due. LESSEE shall provide documentation to the City's Assessor annually by April 15th of each year and as may be reasonably requested to establish charitable use.

In the event that LESSEE does not meet the test for charitable use set forth in RSA 72:23 - I, LESSEE, the cost of the Capital Improvements referenced above will be used to offset any taxes that are due.

4. **TERM AND OPTION TO REVIEW**

The term of this Lease shall be for five (5) years with a five (5) year option to renew. The Lease will commence on _____ and end on _____. If LESSEE is not in default of any term or condition of the Lease, LESSEE, at its sole option may renew this Lease for another five (5) year term on the same terms and conditions subject only to any equitable adjustments that may need to be made due to changes in the law. Notwithstanding any other provision in this Lease, this Lease may be terminated by the LESSEE without cause upon one hundred twenty (120) days written notice to the LESSOR.

5. **LESSEE PARKING**

LESSEE shall use only such portion of the surrounding grounds as LESSOR may designate for parking.

6. **WASTE**

LESSEE shall not allow any waste, rubbish or other objectionable materials to accumulate within the Premises or upon the surrounding grounds.

7. **UTILITIES AND MAINTENANCE**

LESSEE shall arrange for the prompt payment of all water, gas, heat, light, power, telephone service and other utilities furnished to the Premises throughout the term of the Lease, and all other costs and expenses of every kind whatsoever of or in connection with the use, operation and maintenance of the Premises and all activities conducted thereon, and LESSOR shall have no responsibilities for such expenses.

8. **REPAIRS AND MAINTENANCE**

LESSEE shall, throughout the term of this Lease, at its own cost, and without any expense to LESSOR, keep and maintain its own equipment in good, sanitary and neat order, condition and repair. After the expiration of the first year of this Lease when the capital improvements which are to be equally shared by the parties have been completed, LESSOR shall not be obligated to make any repairs, replacements or renewals to the interior of the leased premises exclusively occupied by LESSEE caused by the LESSEE's use thereof. LESSEE shall also comply with and abide by all federal, state and municipal laws, ordinances and regulations affecting the Premises, the improvements thereon or any activity or condition on or in such Premises. LESSEE shall, at its own cost, maintain the grounds immediately adjacent to said building keeping the area free of litter and clipping the shrubbery and safe for public access. LESSOR will be responsible for mowing the grass.

9. **DAMAGE AND DESTRUCTION**

In case the building on the Premises is destroyed and damaged so as to make it untenable, LESSEE, if not in default hereunder, may elect to terminate this Lease with the City of Portsmouth by written notice delivered to LESSOR within sixty (60) days after the occurrence of such damage or destruction.

10. **LESSOR'S RIGHT OF ENTRY**

LESSEE shall permit LESSOR and the agents and employees of LESSOR to enter into and upon the Premises at all reasonable times to inspect, or to make repairs or improvements called for in this Lease.

11. **SUBLETTING AND ASSIGNMENT**

LESSEE shall not assign this Lease or sublet any portion of the premises.

12. **NO WARRANTY OF CONDITION OR SUITABILITY BY LESSOR AND LESSEE'S ACCEPTANCE OF PREMISES**

Notwithstanding the repairs and capital improvements to the property referenced above, LESSOR makes no warranty, either express or implied, that the Premises is or will be suitable for LESSEE'S purposes or needs. LESSEE assumes the Premises as is and LESSOR shall have no responsibility for the abatement of any hazardous materials or conditions on the Premises except as may be required under state or federal law. LESSEE by acceptance of the Premises, acknowledge that they are fit for the uses of the LESSEE.

13. **LIENS**

LESSOR shall keep all of the Premises free and clear of all liens arising out of LESSEE'S occupancy of the Premises and at all times promptly and fully pay or discharge any claims on which any lien could be based.

14. **INDEMNIFICATION OF LESSOR**

To the fullest extent permitted by law, LESSEE shall protect, indemnify, save, defend and hold harmless LESSOR, including its officials, agents, volunteers and employees ("Indemnified Parties"), from and against any and all liabilities, obligations, claims, damages, penalties, causes of action, costs, interest and expenses, including but not limited to reasonable attorney and paralegal fees, which Indemnified Parties may become obligated or suffer by reason of any accident, bodily injury, personal injury, death of person, economic injury or loss of or damage to property, arising indirectly or directly under, out of, in connection with, or as a result of this Agreement or the activities of LESSEE or its agents, employees, invitees, customers, contractors or subcontractors, and even if caused in part by any negligent act or omission of Indemnified Parties.

15. **DEFAULT**

In the event of any breach of this Lease by the parties or failure to perform any condition herein, the parties may in addition to all rights and remedies each has at law:

- A. LESSOR shall give written notice to the LESSEE of a claimed breach. If such breach is not cured within 30 days, the LESSOR shall have the right of reentry and may remove all persons and property from the Premises to be stored at the expense of the LESSEE. LESSOR, after reentry, may terminate this Lease and in addition to its other rights, may recover from LESSEE, its reasonable costs and damages occasioned by LESSEE'S breach;
- B. LESSOR shall give written notice to LESSEE of the LESSEE'S failure to perform any condition of this Lease. If such failure is not cured within 30 days, the LESSOR may, but shall not be required to, obtain substitute performance of the condition. LESSEE shall repay to LESSOR ON DEMAND, the entire expense thereof including compensation to the agents and employees of LESSOR. Any act or thing done by LESSOR pursuant to the provisions of this Section shall not be or be construed as a waiver of any such default by LESSEE, or as waiver of any covenant, term or condition herein contained or the performance thereof, or of any other right or remedy of LESSOR, hereunder or otherwise. All amounts payable by LESSEE to LESSOR under any of the provisions of this Lease, if not paid when the same becomes due as in this Lease provided, shall bear interest from the date they become due until paid at the rate of eleven (11%) percent per annum, compounded annually;
- C. LESSEE may terminate this Lease after 30 days written notice to LESSOR specifying any breach or failure of the LESSOR to cure or perform under the provisions of this Lease;
- D. Either party reserves the right to contest the claim of breach or failure to perform under this Lease and to collect reasonable costs and damages occasioned thereby; and

- E. Default for LESSEE also includes dissolution, liquidation or bankruptcy, its failure to meet the purposes of the nonprofit corporation or its failure to demonstrate adequate financing for the continued operation and maintenance of the Premises.

16. **SURRENDER OF PREMISES**

All alterations, additions and improvements made in or to the Premises in the nature of fixtures and all improvements to the property shall, unless otherwise provided by written Agreement or by the terms hereof, be the property of LESSOR and remain and be surrendered with the Premises and LESSEE hereby waives all claim for damages to a loss of any property belonging to LESSEE that may be in or upon the Premises.

17. **NOTICE**

Any notice required under this Lease or other writing which may be given by either party hereto to the other shall be deemed to have been given when made in writing and deposited in the U.S. MAIL, registered and prepaid and addressed as follows:

TO LESSOR:
John P. Bohenko, City Manager
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

TO LESSEE:
Marguerite Matthews
Pontine Theatre
P.O. Box 1301
Portsmouth, NH 03801

18. **USE OF PREMISES**

The premises shall be used solely for the following purposes:

- A. Conducting business, seminars, workshops, rehearsals and fundraising events for LESSEE between the hours of 7:00 a.m. and 10:00 p.m.;
- B. There shall be no storage, consumption or service of alcoholic beverages on the Premises except in connection with fundraising/social activities with the advance written approval of the City, and such approval shall not be unreasonably withheld; and
- C. The Premises shall be used at all times in compliance with the laws of the City of Portsmouth and the State of New Hampshire.

19. **REGULATIONS**

LESSEE agrees that it shall abide by and enforce among its staff any reasonable rules and regulations established by the LESSOR which may be modified from time to time.

20. **INSURANCE, LIABILITY AND PROPERTY DAMAGE**

- A. LESSEE shall, at all times during the term of this Lease, maintain in effect at its expense and provide proof of insurance against such risks and for such amounts as are customarily insured against by entities engaged in the types of activities in which LESSEE will be engaged, including, but not necessarily limited to the following insurance coverages:
1. Comprehensive General Liability protection in a coverage amount not less than One Million (\$1,000,000) Dollars per occurrence and \$2,000,000 aggregate, including LESSOR, its officials, employees, agents and volunteers as additional insured for claims arising from LESSEE'S operation and use of LESSOR'S Premises
 2. Property damage coverage protecting the building and its contents in an amount not less than One Million (\$1,000,000) Dollars;
 3. Workers compensation insurance, disability benefits insurance and each other form of insurance which LESSEE is required by law to provide, covering loss resulting from injury, sickness, disability or death of its employees and comprehensive automobile liability insurance, if applicable; and
 4. The above insurance coverages shall be provided by an insurer and written in a form satisfactory to the LESSOR. Each policy shall name the City of Portsmouth as an additional insured. LESSEE shall maintain with the LESSOR certificates of insurance providing evidence of the required coverages and requiring the insurer to notify the LESSOR of any cancellation of the policies.
- B. LESSEE shall bear all risk of loss to the Premises and risk of personal or bodily injury arising out of the use or existence of this Lease. LESSEE shall indemnify and hold LESSOR harmless from all suits, claims or actions arising out of the existence or use of this Lease as more fully described in paragraph 14.

21. **ADA**

The LESSOR and LESSEE agree that the LESSEE shall be solely responsible for making the services and/or programs which it offers accessible to the handicapped as this term is recognized in the Americans with Disabilities Act.

22. **PUBLIC BENEFIT**

As a demonstrable public benefit arising out of its use of the Premises, LESSEE agrees that the Premises are an historic structure for which LESSEE will provide ongoing stewardship. In addition, LESSEE annually will: (1) host a cultural event that is open and free to the public such as an original performance about local history; and (2) make available the Premises as a meeting space for up to four (4) public meetings. The dates for these meetings will be mutually agreed upon by the parties. LESSEE may otherwise charge admission to its events and performances and use the Premises in its usual course consistent with its mission and this Lease.

23. **REMEDIES CUMULATIVE**

No remedy herein conferred upon or reserved to LESSOR is intended to be exclusive of any other available remedy. Each remedy shall be cumulative and in addition to other remedies now or hereafter existing at law or in equity. No delay or omission to exercise and right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver thereof, but any such right and power may be exercised from time to time and as often as may be deemed expedient.

24. **SEVERABILITY**

In the event any provision of this Lease shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

25. **AMENDMENTS, CHANGES AND MODIFICATIONS**

This Lease may not be amended, changed, modified, altered or terminated except in a writing executed by the parties.

26. **APPLICABLE LAW**

This Lease shall be governed by the laws of the State of New Hampshire.

IN WITNESS WHEREOF, the parties have executed this Lease at Portsmouth on _____, 2017.

CITY OF PORTSMOUTH

WITNESS

John P. Bohenko
City Manager

Pursuant to vote of the City Council on _____, 2017.

PONTINE THEATRE

WITNESS

Marguerite Matthews, Co-Artistic Director

WITNESS

Greg Gathers, Co-Artistic Director

**Easement Area
Woodbury Avenue and Granit Avenue.**



Article 5B Gateway Districts

Section 10.5B10 General

10.5B11 Purpose and Intent

The purpose of Article 5B is to encourage development that is consistent with the City's goals for the production and diversification of high quality housing and a mix of uses in Portsmouth's primary gateway areas. . This is accomplished by providing a range of standards that define a place and regulate the physical character of buildings and site developments through placement, form, design, and utilization. These standards aim to provide the minimum level of control necessary to meet the Purpose Statements for the G1, G2, and G3 Districts in Section 10.410 while providing a range of opportunities appropriate to the context of each Gateway District.

10.5B12 Applicability

10.5B12.10 Article 5B shall apply to the G1, G2, and G3 Gateway Character Districts as shown on the **City of Portsmouth Zoning Map**.

10.5B12.11 No development, subdivision, re-subdivision or construction of or on any building, lot or parcel of land shall occur except in compliance with all standards and requirements for these districts.

10.5B13 Relationship to Other Provisions of the Zoning Ordinance

10.5A13.10 The provisions of Article 5B shall take precedence over all other provisions of the Zoning Ordinance that conflict with Article 5B.

10.5A13.20 All provisions of the Zoning Ordinance that are not specifically modified or superseded by Article 5B, or that are not in conflict with Article 5B, shall apply to lots, buildings and uses in the Gateway Districts.

10.5B14 Relationship to Other Regulations, Codes and Ordinances

10.5B14.10 Any proposed subdivision of land shall comply with the Subdivision Rules and Regulations, in addition to the requirements of Article 5B.

10.5B14.20 Any development that requires Site Plan Review under the Site Plan Review Regulations shall comply with such Regulations, in addition to the requirements of Article 5B.

10.5B14.30 The provisions of Article 5B do not modify or supersede any provision of the Building Code, other City ordinances or regulations, or State laws relating to the development of land.

10.5B15 Figures and Tables

- 10.5B15.10 The standards and definitions included in the figures and tables in this Article are an integral part of Article 5B.
- 10.5B15.20 The diagrams, photographs and illustrations contained in the figures in this Article are provided only to provide reference to certain regulating elements and indicate general character within the various districts and shall have regulatory force and effect only to that extent.

10.5B16 Allowed Uses

Buildings, structures, and land within the Gateway Districts shall comply with the use regulations set forth in Section 10.440, Table of Uses. The Planning Board shall be the Conditional Use Permit Granting Authority for all uses requiring a Conditional Use Permit in the Gateway Districts.

10.5B17 Definitions

Terms used throughout Article 5B may be defined in the figures, Section 5B101, Section 5A60, Article 15 or elsewhere in the Zoning Ordinance. Terms not so defined shall be accorded their commonly accepted meanings. In the event of any conflict between the definitions in Article 5B, those in Article 15, other sections of the Zoning Ordinance, or any other local land use ordinances, rules or regulations, those of Article 5B shall take precedence unless the context clearly indicates otherwise.

Section 10.5B20 General Standards for All Buildings and Development

10.5B21 Building Lots

- 10.5B21.10 **Lot Dimensions:** Building lot requirements designate the range of lot sizes that a given building type as identified in Section 10.5B30 can be built on. If a lot is smaller than the minimum required for a certain building type, a different building type must be selected.

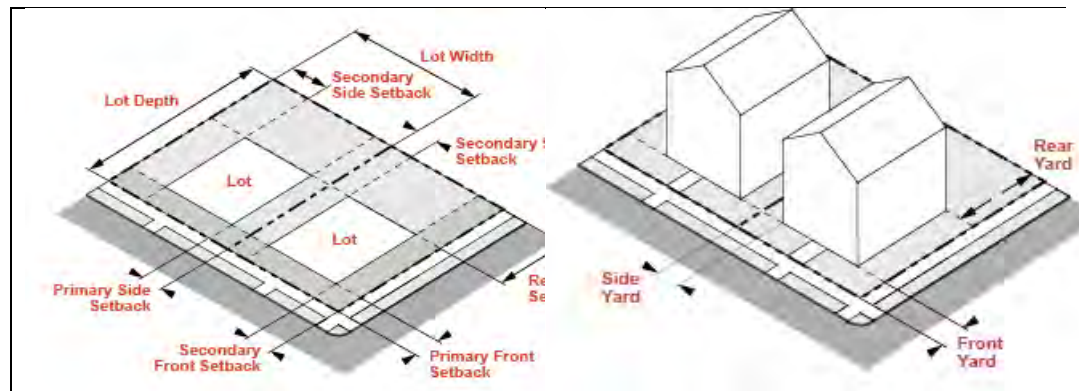


Figure 10.5B21.10 – Building Lot Dimensional Standards

- 10.5B21.20 **Number of Buildings:** No more than one principal building type is allowed on a lot except where otherwise specified in Section 10.5B40.

10.5B22 Building Placement and Orientation

- 10.5B22.10 **Building Placement:** All buildings and structures must be located at or behind any required minimum front, side, or rear yard except as indicated in Section 10.5B23. The facade of a principal building must be built at or in front of any required maximum front yard for each story of a building. The Build-to-Zone is specified for each Building Type in Section 10.5B33.

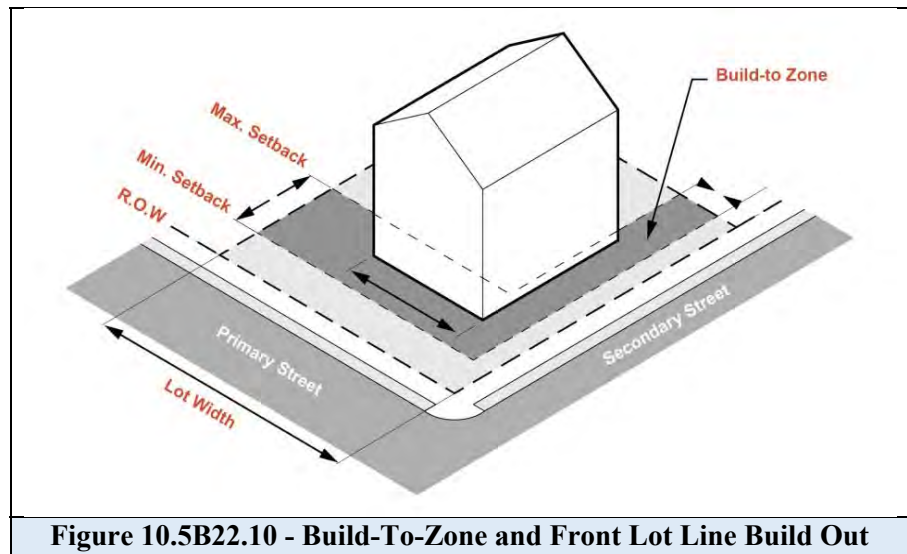
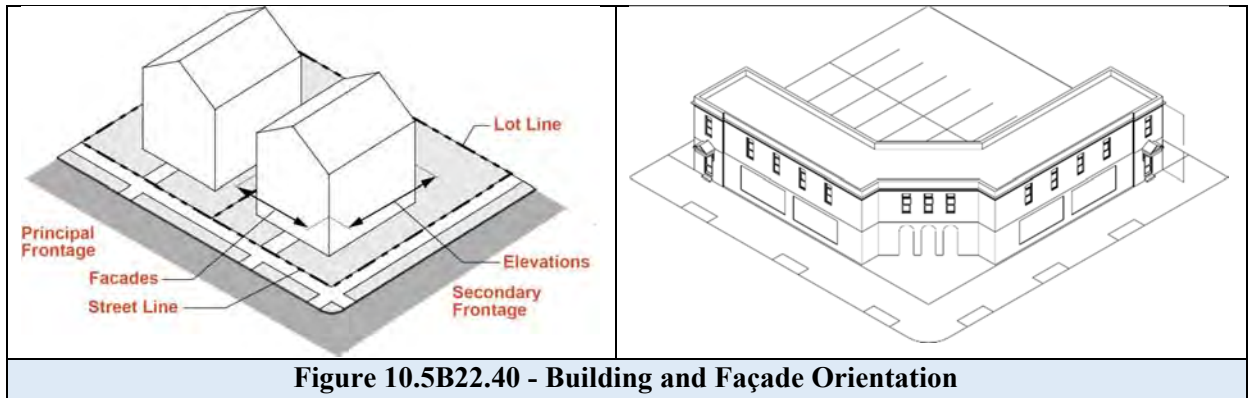


Figure 10.5B22.10 - Build-To-Zone and Front Lot Line Build Out

- 10.5B22.30 **Build-To-Zone Occupancy (Front Lot Line Build Out):** The facade of a building must be built within the Build-To-Zone to a width that equals at least 50% of the lot's primary frontage except where otherwise required in Section 10.5B33.
- 10.5B22.40 **Facade Orientation:** The primary facade of a principal building must be built parallel to a front lot line or to the tangent of a curved front lot line. On a corner lot, the facade may be retracted at a 45-degree angle between the curb radius to allow for community space and for safe site distance at the corner. All other requirements pertaining to corner visibility in Section 10.516.30 shall apply.



10.5B23 Yard Encroachments

In addition to the exceptions specified in Section 10.515 and 10.516, determination of yards shall not include:

- 10.5B23.20 Chimneys and flues may encroach up to four (4) feet, provided that at least two (2) feet is maintained from the vertical plane of any lot line.
- 10.5B23.30 Unenclosed fire escapes or emergency egress stairways may encroach up to four (4) feet into a required side or rear yard, provided that at least two (2) feet is maintained from the vertical plane of any lot line.
- 10.5B23.40 Certain Building Façade Types as permitted in 10.5B60.

10.5B24 Building Elevation and Height

- 10.5B24.10 **Ground Floor Elevation:** Minimum and maximum ground floor elevations are required for certain building types as specified in Section 10.5B33.
- 10.5B24.20 **Story Height:** Minimum ground story height applies to the first 30 feet of a building, measured inward from the facade, and at least 50% of the ground story in total. At least 80% of each upper story must meet the minimum upper story height provision. Minimum story height requirements are not measured for half-stories.

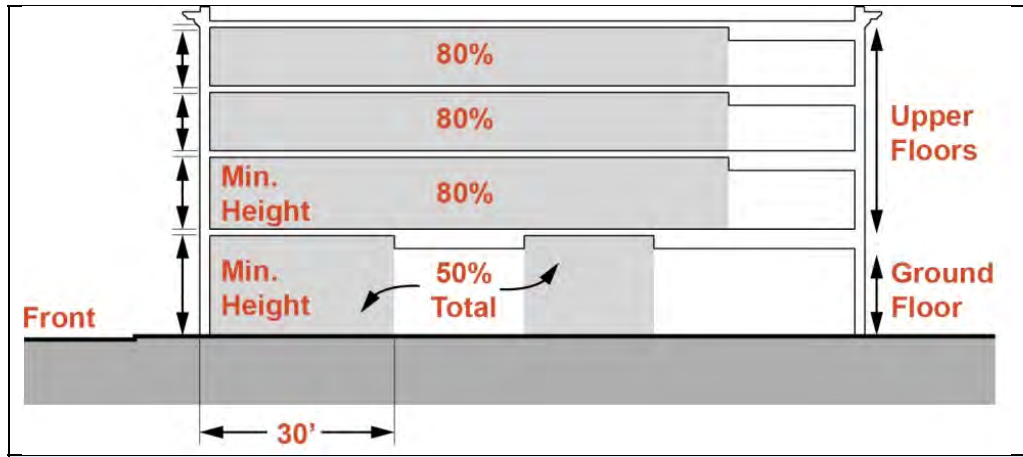


Figure 10.5B24.20 - Minimum Story Height for Ground and Upper Floors

10.5B24.30 **Building Height Exceptions:** Roof decks, roof gardens, and related structures shall not be counted in the building height limits. All other building height exceptions shall comply with Section 10.517.

10.5B24.40 **Building Stepback and Street Enclosure:** Buildings of three (3) stories or more fronting on a street with a 50-foot right-of-way or less shall be required to set back the building from the street line to the maximum depth of the Build-To-Line; or setback the building from the fourth floor and above a distance that equals the height of the floor. The purpose of this requirement is to enhance the pedestrian environment and prevent a canyon effect and shadowing on narrower streets in the district.

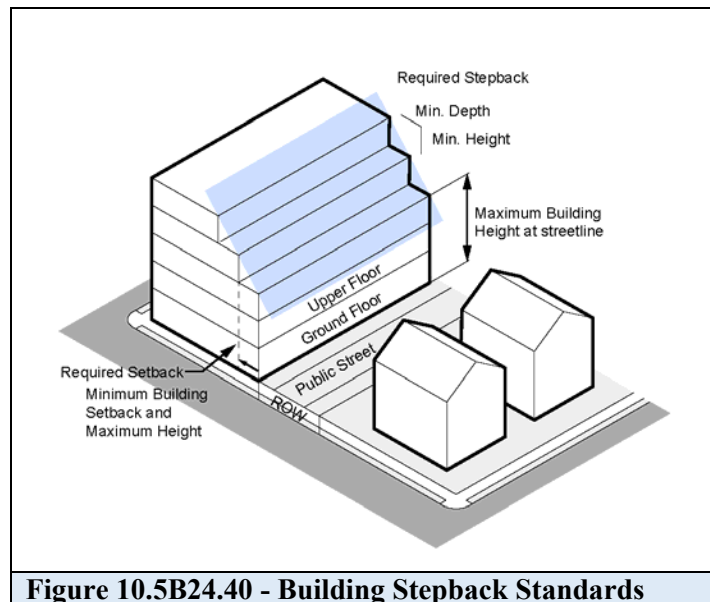


Figure 10.5B24.40 - Building Stepback Standards

10.5B25 Façade Composition Standards

10.5B25.10 **Façade Glazing:** For Building Types with specific Façade Glazing requirements as defined in Section 10.5B33, the following general standards shall apply:

- (a) Facades shall have windows and doors with highly transparent, low reflectivity glass for a percentage of the total area of a facade, measured for each story independently.
- (b) Façade glazing of a ground story facade is measured between two (2) feet and twelve (12) feet above the abutting sidewalk.
- (c) Façade glazing of an upper story facade is measured from the top of a finished floor to the top of the finished floor above.
- (d) Façade glazing requirements are only applicable to facades facing a front street line.

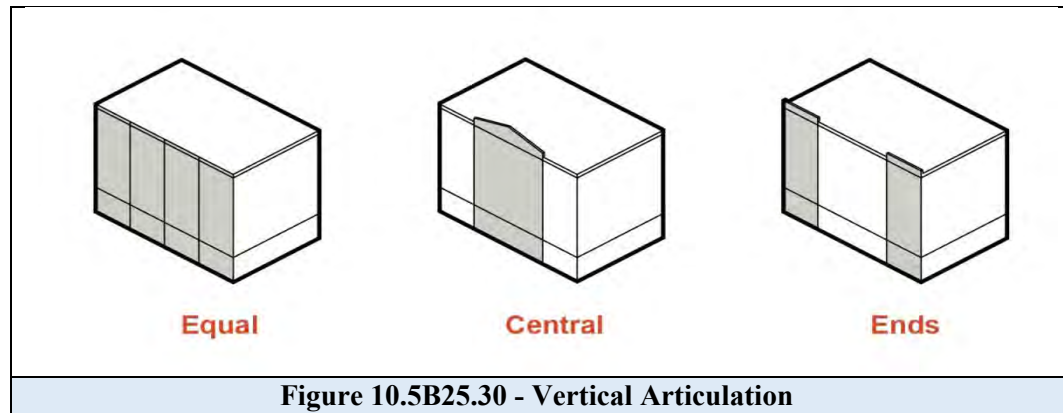


Figure 10.5B25.10 - Ground Floor and Upper Floor Façade Glazing

10.5B25.20 **Blank Wall Area:** Where Blank Wall Area limitations are required for specific Building Types, these apply both vertically and horizontally for all stories of a building for street-facing facades.



10.5B25.30 **Vertical Articulation:** Building facades shall be vertically articulated with architectural bays between six (6) feet and fifty (50) feet in width to create an equal, central, and/or ends focused composition as illustrated below.



10.5B25.40 **Large Building Articulation:** Buildings greater than one hundred (100) feet in width shall be designed to read as a series of smaller buildings with varied architectural design and Facade glazing patterns or include a change in vertical plane of the facade of at least four (4) feet (in depth or projection) for at least one (1) bay in width for every one hundred (100) feet of total facade width. This change in plane applies to the entire height of the facade.

10.5B25.50 **Horizontal Articulation and Massing Elements:** Building facades shall be horizontally articulated with a clearly defined base, middle, and top.

10.5B25.60 **Pedestrian Access:** Where pedestrian access is required for specific Building Types, entrances shall be located on the street-facing facade of a building, provide both ingress and egress, and be operable and accessible at all times.

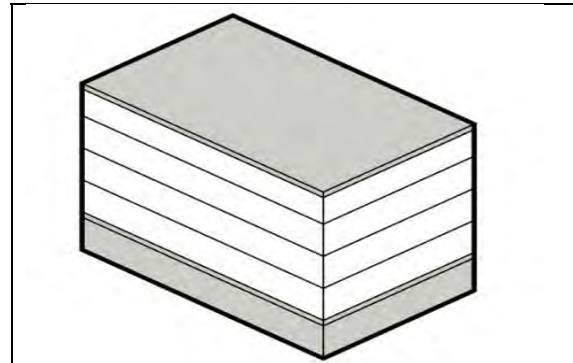


Figure 10.5B25.50 - Horizontal Articulation

10.5B26 Roof Types and Design

10.5B26.10 **Roof Shapes and Rooflines:** The shape and proportion of the roof shall be visually compatible with the architectural style of the building and with those of neighboring buildings. Pitched Roofs shall have a minimum slope as follows:

- (a) Shed: 2:12 minimum
- (b) Hip: 3:12 minimum
- (c) Gable: 6:12 minimum to 12:12 maximum.
- (d) Gambrel: 6:12 minimum to 30:12 maximum.

10.5B26.20 **Flat Roofs:** Buildings with Flat Roofs shall be capped by an articulated parapet design that acts as a structural expression of the building façade and its materials, visible from all sides of the building.

Section 10.5B30 Building Types and Standards

10.5B31 General

10.5B31.10 All new buildings in the Gateway Districts shall be Building Yypes specified in this Section.

10.5B31.20 Any new development or redevelopment of a lot or tract that includes more than one principal building or building types shall conform to one of the permitted Development Types for that zoning district as described in Section 10.5B40.

10.5B31.30 Existing buildings that are being converted as part of a residential or mixed use development shall also meet the standards of a permitted building type.

10.5B32 Allowed Building Types by District

Building Types	Gateway Corridor Mixed Use (G1)	Gateway Corridor Mixed Use Center (G2)	Gateway Neighborhood Mixed Use Center (G3)
A. Cottage	P	P	P
B. Paired House	CU	CU	P
C. Apartment Building	P	P	P
D. Rowhouse	P	P	P
E. Live-Work/Shop House	P	P	P
F. General Commercial Building	P	P	P
G. Mixed-Use Building	P	P	P
H. Small Flex Space/Fabrication Building	P	P	P
I. Community Buildings (Accessory Building)	P	P	P

P = Permitted

CU = Conditional Use Permit

10.5B33 Building Type Standards

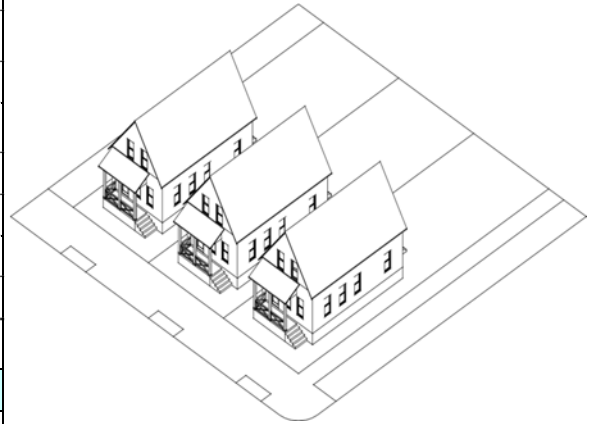
10.5B33.10 Cottage

1.1. DEFINITION AND PERMITTED USES

A small floor plate detached single family building type with narrow massing.

1.2. LOT STANDARDS

A.	Lot Size (S.F.) (Min.)	NR
B.	Street Frontage (Min./Max.)	25 Min. / 40 Max.
C.	Lot Depth (Min./Max.)	NR
D.	Front Yard Build-To-Zone (Min./Max.)	5 Ft. / 20 Ft.
E.	B-T-Z/Front Lot Line Buildout (Min.)	80%
F.	Side Yard (Min.)	5 Ft
G.	Rear Yard (Min.)	10 Ft
H.	Open Space Coverage (Min.)	20%
I.	Parking Setback (Min.)	Behind Building



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	1.5 Stories / 20 Ft
B.	Finished Ground Floor Surface Elevation (FT)	2 Min. / 4 Max.
C.	Ground Story Height (Min./Max.)	8 Ft. / 10 Ft.
D.	Upper Story Height (Min./Max.)	NR
E.	Roof Types	Gable, Hip
F.	Street Facing Wall Width (Min.)	18 Ft.
G.	Street Facing Wall Off-Set (Min.)	NR
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	20% / 20%
I.	Building Length - Street Facing Façade (Max.)	20 FT
J.	Street Facing Entrance	Required
K.	Façade Types	Door Yard, Stoop, Step, Porch



1.4. ADDITIONAL STANDARDS

A.	Maximum of 1 Dwelling Unit per building
B.	Maximum unit size is 1,400 GFA and 2 Bedrooms
C.	See Section 10.5B41 for Pocket Neighborhood Development Standards

10.5B33.20 Paired House

1.1. DEFINITION AND PERMITTED USES

A residential building type with narrow massing and horizontally attached or semi-attached dwelling units generally perpendicular to the front lot line. These buildings contain up to 3 dwelling units and are often designed to resemble large farmhouses with attached carriage houses.

1.2. LOT STANDARDS

A.	Lot Size (S.F.) (Min.)	NR
B.	Street Frontage (Min./Max.)	50 Ft./80 Ft.
C.	Lot Depth (Min./Max.)	NR
D.	Front Yard Build-To-Zone (Min./Max.)	10 Ft./30 Ft.
E.	BTZ/Front Lot Line Buildout (Min.)	60%
F.	Side Yard (Min.)	10 Ft
G.	Rear Yard (Min.)	20 Ft
H.	Open Space Coverage (Min.)	20%
I.	Parking Setback (Min.)	30 Ft



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	3.5 Stories/40 Ft
B.	Finished Ground Floor Surface Elevation (FT)	2 Ft./4 Ft.
C.	Ground Story Height (Min./Max.)	9 Ft.
D.	Upper Story Height (Min./Max.)	9 Ft.
E.	Roof Types	Gable, Hip, Gambrel
F.	Street Facing Wall Width (Min.)	30 Ft.
G.	Street Facing Wall Off-Set (Min.)	NR
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	20% / 20%
I.	Building Length - Street Facing Façade (Max.)	48 Ft
J.	Street Facing Entrance	Required
K.	Façade Types	Door Yard, Stoop, Step, Porch



1.4. ADDITIONAL STANDARDS

A.	Maximum of 3 Dwelling Units per building
B.	Paired Homes are only allowed in Pocket Neighborhood Developments

10.5B33.30 Rowhouse

1.1. DEFINITION AND PERMITTED USES

A small floor plate attached single family residential building type with narrow massing. Each unit is separated horizontally by a common wall or pedestrian passage.

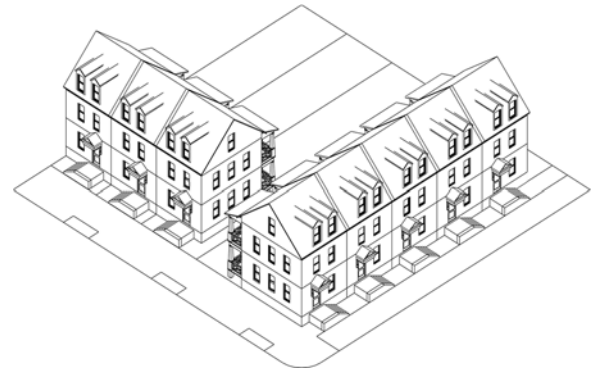
1.2. LOT STANDARDS

A.	Min. Lots Size (S.F.)	1,200 SF
B.	Street Frontage (Min./Max.)	18 Ft./24 Ft.
C.	Lot Depth (Min.)	50 Ft
D.	Front Yard Build-To-Zone (Min./Max.)	5 Ft./15 Ft.
E.	B-T-Z/Front Lot Line Buildout (Min.)	80%
F.	Side Yard (Min.)	0 Ft
G.	Rear Yard (Min.)	15 Ft
H.	Community Space (Min.)	20%
I.	Community Space Types	Pocket Park, Playground or Recreation Field, Square, Plaza
J.	Parking Setback (Min.)	Behind Building



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	2.5 Stories/35 Ft
B.	Finished Ground Floor Surface Elevation (FT)	2 Ft./4 Ft.
C.	Ground Story Height (Min./Max.)	9 Ft.
D.	Upper Story Height (Min./Max.)	9 Ft.
E.	Roof Types	All
F.	Street Facing Wall Width (Min.)	18 Ft.
G.	Street Facing Wall Off-Set (Min.)	NR
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	20% / 20%
I.	Building/Unit Length - Street Facing Façade (Min./Max.)	18 Ft./24 Ft.
J.	Street Facing Entrance	Required
K.	Façade Types	Door Yard, Stoop, Recessed Entry, Step, Porch



1.4. ADDITIONAL STANDARDS

A.	Off-street parking is not allowed between the buildings
B.	A maximum of eight (8) units can be attached by a common wall before accessway of 20 feet is provided for pedestrians, vehicles or outdoor amenity space.

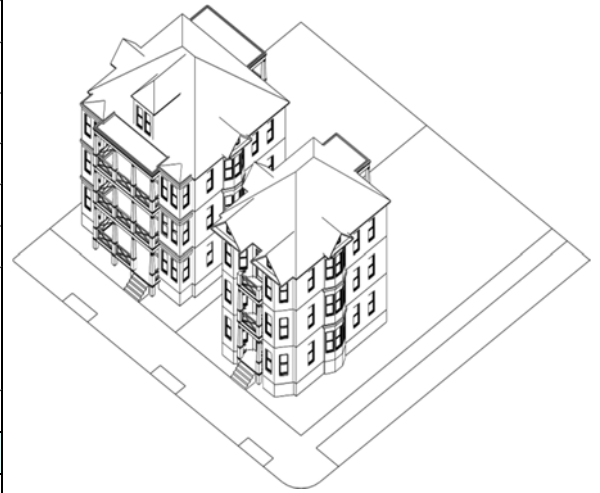
10.5B33.40 Apartment Buildings

1.1. DEFINITION AND PERMITTED USES

A large floor plate residential building type with four (4) or more dwelling units vertically and horizontally integrated and accessed by common entrances and hallways.

1.2. LOT STANDARDS

A.	Lot Size (S.F.) (Min.)	NR
B.	Street Frontage (Min./Max.)	80 Min.
C.	Lot Depth (Min./Max.)	N/A
D.	Front Yard Build-To-Zone (Min./Max.)	10 Ft. / 30 Ft.
E.	B-T-Z/Front Lot Line Buildout (Min.)	70%
F.	Side Yard (Min.)	15 Ft
G.	Rear Yard (Min.)	20 Ft
H.	Community Space (Min.)	20%
I.	Community Space Types	Pocket Park, Playground or Recreation Field, Square, Plaza
J.	Parking Setback (Min.)	30 Ft



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	4 Stories / 40 Ft
B.	Finished Ground Floor Surface Elevation (FT)	2 Ft. / 4 Ft.
C.	Ground Story Height (Min./Max.)	9 Ft.
D.	Upper Story Height (Min./Max.)	9 Ft.
E.	Roof Types	All
F.	Street Facing Wall Width (Min.)	60 Ft.
G.	Street Facing Wall Off-Set (Min.)	4 Ft / 8 Ft
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	20% / 20%
I.	Building Length - Street Facing Façade (Max.)	100 Ft
J.	Street Facing Entrance	Required
K.	Façade Types	Door Yard, Forecourt, Recessed Entry, Step, Porch

1.4. ADDITIONAL STANDARDS

A.	Apartment Buildings must be a minimum of two (2) stories
B.	Minimum of 4 dwelling units per building

10.5B33.50 Live-Work Shophouse

1.1. DEFINITION AND PERMITTED USES

A small floor plate attached residential building type with one (1) dwelling unit and one (1) ground floor commercial unit.

1.2. LOT STANDARDS

A.	Lot Size (S.F.) (Min.)	NR
B.	Street Frontage (Min./Max.)	40 Min.
C.	Lot Depth (Min./Max.)	NR
D.	Front Yard Build-To-Zone (Min./Max.)	0 Ft./15 Ft.
E.	B-T-Z/Front Lot Line Buildout (Min.)	80%
F.	Side Yard (Min.)	0 Ft
G.	Rear Yard (Min.)	20 Ft
H.	Community Space (Min.)	15%
I.	Community Space Types	Pocket Park, Playground or Recreation Field, Square, Plaza
J.	Parking Setback (Min.)	Behind Building



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	2.5 Stories/35 Ft
B.	Finished Ground Floor Surface Elevation (FT)	0 Ft./2 Ft.
C.	Ground Story Height (Min./Max.)	9 Ft.
D.	Upper Story Height (Min./Max.)	9 Ft.
E.	Roof Types	All
F.	Street Facing Wall Width (Min.)	80 Ft.
G.	Street Facing Wall Off-Set (Min.)	4 Ft/8 Ft
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	50% / 20%
I.	Building Length - Street Facing Façade (Max.)	50 Ft
J.	Street Facing Entrance	Required
K.	Façade Types	Door Yard, Recessed Entry, Porch, Shopfront, Terrace

1.4. ADDITIONAL STANDARDS

None

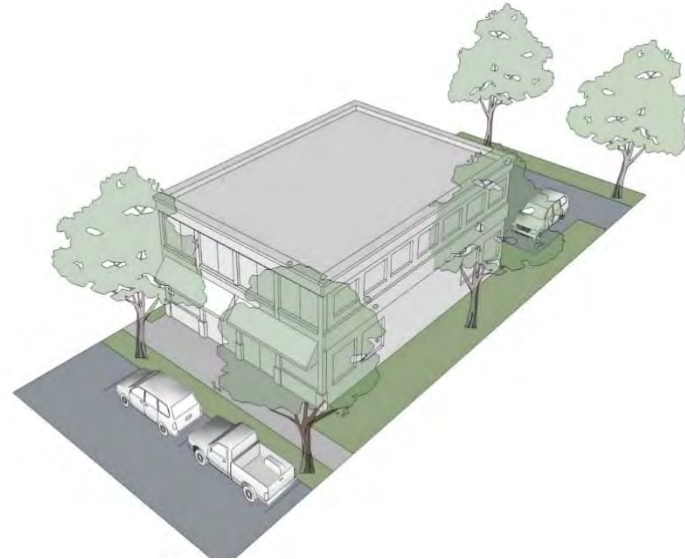
10.5B33.60 General Commercial Building

1.1. DEFINITION AND PERMITTED USES

A variable floor plate building type that typically accommodates a variety of ground floor commercial uses and upper office uses at the scale that compliments surrounding neighborhoods. When combined with residential building types, ground floor uses shall be publically-oriented.

1.2. LOT STANDARDS

A.	Lot Size (S.F.) (Min.)	NR
B.	Street Frontage (Min./Max.)	50 Min.
C.	Lot Depth (Min./Max.)	NR
D.	Front Yard Build-To-Zone (Min./Max.)	0 Ft./20 Ft.
E.	B-T-Z/Front Lot Line Buildout (Min.)	70%
F.	Side Yard (Min.)	0/10 Ft
G.	Rear Yard (Min.)	15 Ft
H.	Community Space (Min.)	10%
I.	Community Space Types	Pocket Park, Playground or Recreation Field, Square, Plaza
J.	Parking Setback (Min.)	20 Ft



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	3 Stories/40 Ft
B.	Finished Ground Floor Surface Elevation (FT)	0 Ft./2 Ft.
C.	Ground Story Height (Min./Max.)	12 Ft.
D.	Upper Story Height (Min./Max.)	9 Ft.
E.	Roof Types	All
F.	Street Facing Wall Width (Min.)	60 Ft.
G.	Street Facing Wall Off-Set (Min.)	4 Ft/8 Ft
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	60% / 20%
I.	Building Length - Street Facing Façade (Max.)	100 Ft
J.	Street Facing Entrance	Required
K.	Façade Types	Forecourt, Recessed Entry, Porch, Officefront, Shopfront, Terrace, Gallery, Arcade

1.4. ADDITIONAL STANDARDS

A.	One-Story buildings must have a minimum street facing façade height of 18 feet.
B.	Maximum Building Footprint is 20,000 SF
C.	Side Setback is not required when there is a common wall; a minimum 10 foot side setback is required when there is not a common wall to accommodate pedestrian and/vehicle access to the side and rear of the property

10.5B33.70 Mixed Use Building

1.1. DEFINITION AND PERMITTED USES

A variable floor plate building type that typically accommodates a variety of ground floor commercial uses and upper residential and office uses at the scale that compliments the historic character of the neighborhood. When combined with residential building types, ground floor uses shall be publically-oriented.

1.2. LOT STANDARDS

A.	Lot Size (S.F.) (Min.)	NR
B.	Street Frontage (Min./Max.)	50 Min.
C.	Lot Depth (Min./Max.)	NR
D.	Front Yard Build-To-Zone (Min./Max.)	0 Ft. / 20 Ft.
E.	B-T-Z/Front Lot Line Buildout (Min.)	70%
F.	Side Yard (Min.)	0/15 Ft
G.	Rear Yard (Min.)	20 Ft
H.	Community Space (Min.)	20%
I.	Community Space Types	Pocket Park, Playground or Recreation Field, Square, Plaza
J.	Parking Setback (Min.)	30 Ft



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	4 Stories /40 Ft
B.	Finished Ground Floor Surface Elevation (FT)	0 Ft. / 2 Ft.
C.	Ground Story Height (Min./Max.)	12 Ft.
D.	Upper Story Height (Min./Max.)	9 Ft.
E.	Roof Types	All
F.	Street Facing Wall Width (Min.)	60 Ft.
G.	Street Facing Wall Off-Set (Min.)	4 Ft / 8 Ft
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	60% / 20%
I.	Building Length - Street Facing Façade (Max.)	150 Ft
J.	Building Footprint (Max)	10,000 sq. ft.
K.	Street Facing Entrance	Required
L.	Façade Types	Forecourt, Recessed Entry, Porch, Officefront, Shopfront, Terrace, Gallery, Arcade

1.4. ADDITIONAL STANDARDS

A.	Mixed Use Buildings must be a minimum of 2 stories.
B.	Side Yard is not required when there is a common wall and 10 feet if there is not to accommodate pedestrian and/vehicle access to the side and rear of the property

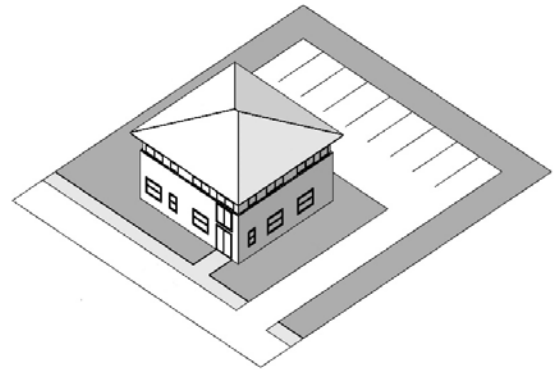
10.5B33.80 Small Flex Space/Fabrication Building

1.1. DEFINITION AND PERMITTED USES

A building located and designed to accommodate a small footprint for fabrication and light industrial uses. Flex buildings are also used to provide affordable space to small and creative business enterprises. These buildings may be combined with residential uses in Homestead Retrofit Developments.

1.2. LOT STANDARDS

A.	Lot Size (Min.)	NR
B.	Street Frontage (Min./Max.)	50 Min.
C.	Lot Depth (Min./Max.)	N/A
D.	Front Yard Build-To-Zone (Min./Max.)	0 Ft. / 30 Ft.
E.	B-T-Z/Front Lot Line Buildout (Min.)	50%
F.	Side Yard (Min.)	0/20 Ft
G.	Rear Yard (Min.)	20 Ft
H.	Community Space (Min.)	10%
I.	Community Space Types	Pocket Park, Playground or Recreation Field, Square, Plaza
J.	Parking Setback (Min.)	30 Ft



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	2 Stories / 40 Ft
B.	Finished Ground Floor Surface Elevation (FT)	0 Ft. / 2 Ft.
C.	Ground Story Height (Min./Max.)	12 Ft.
D.	Upper Story Height (Min./Max.)	9 Ft.
E.	Roof Types	All
F.	Street Facing Wall Width (Min.)	60 Ft.
G.	Street Facing Wall Off-Set (Min.)	4 Ft / 8 Ft
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	30% / 20%
I.	Building Length - Street Facing Façade (Max.)	100 Ft
J.	Building Area (Max.)	20,000 GFA
K.	Street Facing Entrance	Required
L.	Façade Types	Door Yard, Recessed Entry, Officefront, Shopfront, Terrace

1.4. ADDITIONAL STANDARDS

None

10.5B33.90 Community Building

1.1. DEFINITION AND PERMITTED USES

A building located and designed to accommodate public or civic uses such as a neighborhood center and similar public gathering facilities and spaces. Community Buildings may be privately owned and operated as an accessory building and amenity for a Pocket Neighborhood, Residential Development, Mixed Use Development, or Homestead Retrofit Development.

1.2. LOT STANDARDS

A.	Lot Size (Min.)	NR
B.	Street Frontage (Min./Max.)	80 Min.
C.	Lot Depth (Min./Max.)	N/A
D.	Front Yard Build-To-Zone (Min./Max.)	10 Ft. / 40 Ft.
E.	B-T-Z/Front Lot Line Buildout (Min.)	50%
F.	Side Yard (Min.)	15 Ft
G.	Rear Yard (Min.)	20 Ft
H.	Community Space (Min.)	20%
I.	Community Space Types	Park, Pocket Park, Playground or Recreation Field, Square, Plaza
J.	Parking Setback (Min.)	Behind Building



1.3. DESIGN STANDARDS

A.	Building Height (Max.)	3 Stories / 45 Ft
B.	Finished Ground Floor Surface Elevation (FT)	2 Ft. / 6 Ft.
C.	Ground Story Height (Min./Max.)	12 Ft.
D.	Upper Story Height (Min./Max.)	9 Ft.
E.	Roof Types	All
F.	Street Facing Wall Width (Min.)	60 Ft.
G.	Street Facing Wall Off-Set (Min.)	4 Ft / 8 Ft
H.	Street Facing Façade Glazing - Ground Floor/Upper Floor (Min.)	50% / 20%
I.	Building Length - Street Facing Façade (Max.)	100 Ft
J.	Street Facing Entrance	Required
K.	Façade Types	Door Yard, Forecourt, Stoop, Recessed Entry, Step, Porch, Terrace, Gallery, Arcade

1.4. ADDITIONAL STANDARDS

None

Section 10.5B40 Development Types and Standards

10.5B41 General

Development Types include a combination of permitted Building Types that are assembled on a lot or tract for the purpose of a single development.

10.5B42 Allowed Development Types by District

Development Types	Gateway Corridor Mixed Use (G1)	Gateway Corridor Mixed Use Center (G2)	Gateway Neighborhood Mixed Use Center (G3)
A. Pocket Neighborhood (PN)	CU	CU	CU
B. Mixed Use Development (MUD)	P	P	P
C. General Residential Development (GRD)	CU	CU	CU
D. General Commercial Development (GCD)	P	P	P
E. Homestead Retrofit Development (HRD)	CU	CU	CU

P = Permitted

CU = Conditional Use Permit

10.5B43 Development Type Standards

10.5B43.10 Mixed Use Development

A development project containing multiple residential, nonresidential, and mixed-use building types in accordance with allowed Building Types in the district as determined by Section 10.5B30. Mixed Use Developments may include a combination of horizontally and vertically mixed buildings and uses on site subject to all applicable Building Type standards in Section 10.5B33.

1.1. DEVELOPMENT STANDARDS		
A.	Tract Size (Min.)	20,000 S.F.
B.	Tract Street Frontage (Min.)	80 Ft.
C.	Tract Front Yard (Min.)	None
D.	Side/Rear Yard (Min.)	15 Ft.
E.	Community Space (Min.)	15% of Tract Size
F.	Community Space Types	Park, Pocket Park, Playground or Recreation Field, Square, Plaza
G.	Space Between Buildings (Min.)	20 Ft
H.	Street Facing Entrance	Required
1.2. PERMITTED BUILDING TYPES		
Apartment Building, Rowhouse, Live-Work/Shophouse, General Commercial Building, Mixed-Use Building, Small Flex Space/Fabrication Building, Community Buildings		
1.3. ADDITIONAL STANDARDS		
A.	Maximum Floor Area Ratio (FAR) of all buildings on the site is 1.0	
B.	Maximum individual building footprint is 20,000 GFA	
C.	Mixed Use Development tracts adjoining and oriented to Lafayette Road must have a minimum of 100 feet of Street Frontage and must meet the Front Yard requirements of Section 10.533.	



10.5B43.20 Pocket Neighborhood Development

A Pocket Neighborhood is a cohesive cluster of homes gathered around a variety of common open space amenity. In the Gateway Districts, the following Pocket Neighborhood Development Types are permitted:

(a) Cottage Court

This Pocket Neighborhood Development Type consists of multiple small, detached single family homes, arranged around a courtyard. The shared courtyard takes the place of private yard space and becomes an important community-enhancing element of this Development Type. The Cottage Court is appropriately scaled to fit within or nearby medium-density neighborhoods. The Pocket Neighborhood Development Type enables appropriately scaled, well-designed, higher density developments important for providing a broad choice of housing types in a walkable environment. Cottage Courts consist of Cottages, Paired Houses, and Community Building Types meeting the design standards in Table 10.5B33 and the density thresholds in Section 10.5B70.

(b) Cohousing/Housing Cooperative

Cohousing is a community of private homes clustered around shared building and community spaces. Each attached or single family home has traditional amenities, including a private kitchen. Shared spaces typically feature a common house, which may include a large kitchen and dining area, laundry, and recreational spaces. Other shared spaces include community garden plots, recreational fields, and shared work spaces. Cohousing Developments consists of Cottages, Paired Houses, and Community Building Types meeting the design standards in Table 10.5B33 and the density thresholds in Section 10.5B70.

1.1. DEVELOPMENT STANDARDS

A.	Tract Size (Min.)	20,000 S.F.
B.	Tract Street Frontage (Min.)	80 Ft.
C.	Tract Front Yard (Min.)	20 Ft
D.	Side/Rear Yard (Min.)	15 Ft.
E.	Courtyard Size (Min.)*	3,000 S.F.
F.	Courtyard Width (Min.)*	40 Ft.
G.	Courtyard Area Per DU*	600 S.F.
H.	Space Between Buildings (Min.)	15 Ft
I.	Street Facing Entrance	On end Units
J.	Community Space (Min)	20% of Tract
K.	Community Space Types	Park, Pocket Park, Playground or Recreation Field



1.2. PERMITTED BUILDING TYPES

Cottage, Paired House

1.3. ADDITIONAL STANDARDS

A.	Maximum Cottage Unit GFA is 1,400 GFA and 2 Bedrooms
B.	Maximum Cohousing Unit GFA is 1,800 GFA and 3 Bedrooms
C.	Cottage Courts and Cohousing Developments may include a community garden, common house, co-work space, and other common access site amenities
*	Development Standards E, F, and G above only apply to Cottage Courts

10.5B43.30 General Residential Development

A development project containing one or more residential building types in accordance with allowed Building Types and design standards in Section 10.5B33.

1.1. DEVELOPMENT STANDARDS		
A.	Tract Size (Min.)	20,000 S.F.
B.	Tract Street Frontage (Min.)	80 Ft.
C.	Tract Front Yard (Min.)	NR
D.	Side/Rear Yard (Min.)	15 Ft.
E.	Community Space (Min.)	20% of Tract Size
F.	Community Space Types	Park, Pocket Park, Playground or Recreation Field, Square, Plaza
G.	Space Between Buildings (Min.)	15 Ft
H.	Street Facing Entrance	No
I.	Parking Placement	10 feet behind front elevation of building min.
1.2. PERMITTED BUILDING TYPES		
Apartment Building, Rowhouse, Live-Work/Shopouse, Community Building		
1.3. ADDITIONAL STANDARDS		
A.	Maximum Floor Area Ratio (FAR) of all buildings on the site is 1.0	
B.	Maximum individual building footprint is 20,000 GFA	
C.	General Residential Development tracts adjoining and oriented to Lafayette Road must have a minimum of 100 feet of Street Frontage and must meet the Front Yard requirements of Section 10.533.	



10.5B43.40 General Commercial Development

A development project containing one or more commercial building types in accordance with allowed Building Types and design standards in Section 10.5B30.31.

1.1. DEVELOPMENT STANDARDS		
A.	Tract Size (Min.)	20,000 S.F.
B.	Tract Street Frontage (Min.)	80 Ft.
C.	Tract Front Yard (Min.)	NR
D.	Side/Rear Yard (Min.)	15 Ft.
E.	Community Space (Min.)	15% of Tract Size
F.	Community Space Types	Park, Pocket Park, Playground or Recreation Field, Square, Plaza
G.	Space Between Buildings (Min.)	20 Ft
H.	Street Facing Entrance	Required
1.2. PERMITTED BUILDING TYPES		
General Commercial Building, Small Flex Space/Fabrication Building, Community Building		
1.3. ADDITIONAL STANDARDS		
A.	Maximum Floor Area Ratio (FAR) of all buildings on the site is 1.0	
B.	Maximum individual building footprint is 20,000 GFA	
C.	General Commercial Development tracts adjoining and oriented to Lafayette Road must have a minimum of 100 feet of Street Frontage and must meet the Front Yard requirements of Section 10.533.	



10.5B43.50 Homestead Retrofit Development

A development project involving one or more existing buildings being retrofitted and repurposed as a residential and mixed use building in accordance with allowed Building Types and all applicable Building Type design standards in Section 10.5B33.

1.1. DEVELOPMENT STANDARDS		
A.	Tract Size (Min.)	NR
B.	Tract Street Frontage (Min.)	NR
C.	Tract Front Yard (Min.)	NR
D.	Side/Rear Yard (Min.)	15 Ft.
E.	Community Space (Min.)	20% of Tract Size
F.	Community Space Types	Park, Pocket Park, Playground or Recreation Field, Square, Plaza
G.	Space Between Buildings (Min.)	10 Ft
H.	Street Facing Entrance	NR
1.2. PERMITTED BUILDING TYPES		
Apartment Building, Rowhouse, Live-Work/Shophouse, Mixed Use Building, Small Flex Space/Fabrication Building, Community Building		
1.3. ADDITIONAL STANDARDS		
A.	Maximum Density is 1 Dwelling Unit Per 2,000 Gross Floor Area of existing building being retrofitted for residential use.	
B.	Maximum individual building footprint is 20,000 GFA	



Section 10.5B60 Building Façade Types

10.5B61 General

At least one (1) façade type is required for each principal building type.

10.5B62 Permitted Building Façade Types

In addition to the Building Façade Types defined in Section 10.5A43.10, the following supplemental types are also permitted in the Gateway Districts in accordance with the Building Type standards in Section 10.5B30.

DOOR YARD

1. DEFINITION

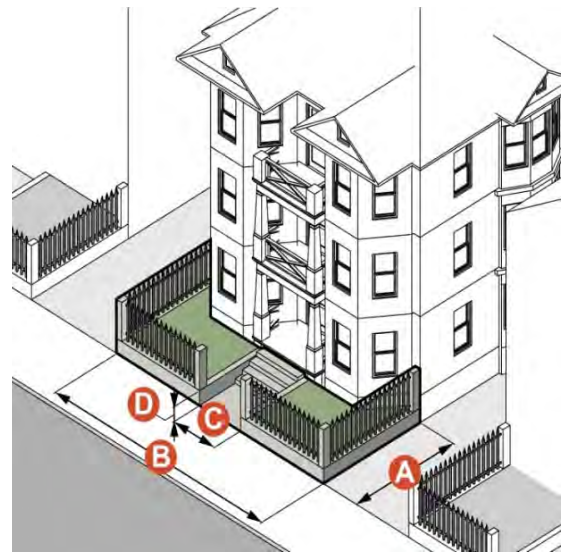
A Private Frontage where the Building Façade is aligned close to the Street Line, and the Frontage Line is defined by a low wall, decorative fence or hedge providing a strong spatial definition from the public sidewalk. The result is a small semi-private dooryard containing the principal entrance in the front yard. The dooryard may be slightly raised, sunken, or at-grade, and may be planted or landscaped. A paved walkway from the sidewalk to the front door is required. This type is commonly associated with ground-floor residential use.

2. DIMENSIONS

A.	Depth (Minimum)	8 Feet
B.	Width (Maximum)	Equal to the width of the Façade or 50 feet maximum
C.	Path of Travel (Minimum)	3 Feet
D.	Finish Level Above or Below Sidewalk (Maximum)	18 Inches

3. STANDARDS

- A. Paving, excluding driveways, must match the abutting sidewalk unless paved with pervious, porous, or permeable materials.
- B. A curb or retaining wall that is no taller than structurally necessary may be built around the planter, garden, terrace, or otherwise landscaped area.
- C. This frontage type may be used in conjunction with other frontage types such as Doorway, Stoop, Shopfront or Officefront. In case of a conflict, the Dooryard Frontage Type standards shall prevail.
- D. Dooryards shall not be used for circulation for more than one ground floor entry.
- E. Dooryards are allowed to encroach within the front yard setback to the Street Line.



TERRACE

1. DEFINITION

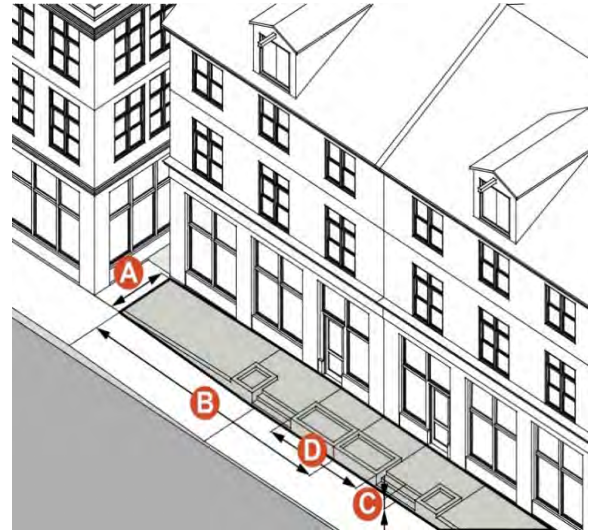
A Private Frontage where the Building Facade is at or near the Street Line with an elevated terrace that may encroach into the front yard setback providing level or terraced public circulation along the façade. This type can be used to provide at-grade access while accommodating a grade change along a Street Line. Frequent steps up to the terrace are necessary to avoid dead walls and maximize access. This type is required to be used in conjunction with other Frontage types to define individual or shared entries facing the street.

2. DIMENSIONS

A.	Depth (Minimum)	8 Feet
B.	Length (Maximum)	150 Feet
C.	Finish Above Sidewalk (Min./Max.)	18 Inches/4 Feet
D.	Distance Between Stairs/Access (Maximum)	50 Feet

3. STANDARDS

- A. Terrace frontage must be paved to match the abutting sidewalk.
- B. Frequent steps up to the terrace are required to avoid blank wall along the sidewalk and maximize pedestrian access.
- C. Low walls used as seating are encouraged.
- D. Terraces shall be used in conjunction with those for the Shopfront, Officefront, or Doorway Frontage Types.
- E. Terrace is allowed to encroach within the front yard setback to the Street Line.



GALLERY

1. DEFINITION

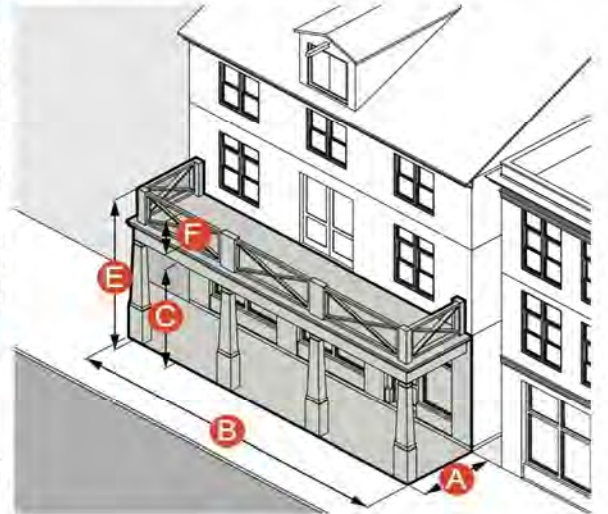
A Private Frontage where the building facade is set back from the Street Line with an attached one or two story cantilevered shed or a lightweight colonnade that is built to the Street Line. This type is intended for buildings with ground floor commercial, hospitality or retail uses. This frontage type is required to be used in conjunction with other types to define individual or shared first floor entries facing the street.

2. DIMENSIONS

A. Depth (Minimum)	8 Feet
B. Width (Minimum)	Equal to the Width of the Façade
C. Ground Floor Height, Clearance (Minimum)	14 Feet
D. Upper Floor Height, Clearance (Minimum)	9 Feet
D. Height, Total	Equal to the Second Story Floor Level
E. Upper Floor Railing Height (Maximum)	5 Feet

3. STANDARDS

- A. These standards may be used in conjunction with those for the Shopfront or Officefront Frontage Types.
- B. No external stairways are allowed to reach the upper-story portion of galleries along a frontage.
- C. Galleries shall remain open on three sides and may have a roof or awning covering the upper floor.
- D. Galleries shall have a consistent depth along a frontage.
- E. Galleries are allowed to encroach within the frontage area to the Street Line, but in no case shall it extend in the public ROW.
- F. Galleries may not contain driveways, parking, loading or service areas or mechanical equipment or vents.



ARCADE

1. DEFINITION

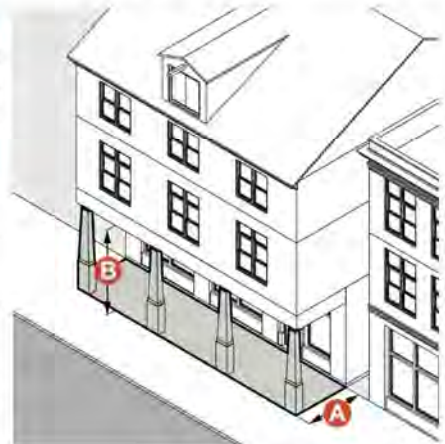
A Private Frontage where only the ground floor level of the building Facade is set back from the Street Line. The Building facade for the upper floors is at the Street Line and is supported by a colonnade with habitable space above. This frontage type is intended for buildings with ground floor commercial, hospitality or retail uses. This type is required to be used in conjunction with other frontage types to define individual or shared first floor entries facing the street.

2. DIMENSIONS

A. Depth, Clearance (Minimum)	12 Feet
B. Ground Floor Height, Clearance (Minimum)	14 Feet
C. Height (Maximum)	1 Story

3. STANDARDS

- A. These standards may be used in conjunction with those for the Shopfront or Officefront Frontage Types.
- B. Arcades shall have a consistent depth across the entire Facade.
- C. Arcades may not contain Driveways, parking, loading, or service areas or mechanical equipment or vents.
- D. Arcades are allowed to encroach within the frontage area to the Street Line, but in no case shall it extend in the public ROW.



Section 10.5B70 Density Thresholds and Bonuses

10.5B71 Residential Density

10.5B71.10 New development or redevelopment that consists of one principal residential or mixed residential building according to the standards for Building Type in Section 10.5B33 on a single lot shall comply with the following density requirements for the maximum number of dwelling units per acre.

Building Type	Dwelling Units Per Acre					
	Gateway Corridor Mixed-Use (G1)		Gateway Corridor Mixed Use Center (G2)		Gateway Neighborhood Mixed Use Center (G3)	
	P	CU	P	CU	P	CU
Cottage	NR	NR	NR	NR	NR	NR
Paired House	NR	NR	NR	NR	NR	NR
Apartment Building	16	24	16	24	16	24
Rowhouse	16	24	16	24	16	24
Live-Work/Shop House	16	24	16	24	16	24
Mixed-Use Building	16	24	16	24	16	24
Affordability Requirement	0%	50%	0%	50%	0%	50%

P = Permitted

CU = Conditional Use Permit under the provisions for Density Bonuses in Section 10.5B72

10.5B71.10 New development or redevelopment that is constructed according to the standards for a Development Type 10.5B43 on a single lot or on multiple adjoining lots that comprise a development tract shall comply with the density requirement for the maximum number of dwelling units per acre for all of the buildings in the development.

Development Types	Dwelling Units per Acre					
	Gateway Corridor Mixed-Use (G1)		Gateway Corridor Mixed Use Center (G2)		Gateway Neighborhood Mixed Use Center (G3)	
	P	CU	P	CU	P	CU
Pocket Neighborhood*	16	20	12	16	12	16
Mixed Use Development	20	30	20	30	20	30
General Residential Development	20	30	20	30	20	30
Homestead Retrofit Development	*	*	*	*	*	*
Affordability Requirement	0%	50%	0%	50%	0%	50%

*For Homestead Retrofit Development, maximum density is 1 Dwelling Unit per 2,000 Gross Floor Area of existing building being retrofitted for residential use.

10.5B72 Density Bonus Incentives

A conditional use permit may be granted by the Planning Board for increased housing density or for increased building height and footprint as described in this section. Such conditional use permit shall be contingent upon satisfying the requirements for Eligible Energy Efficiency Building Improvements or Eligible Public Realm Improvements in Section 10.5B73.

10.5B72.10 **Dwelling Units Per Building:** No more than 24 dwelling units per building shall be allowed without a conditional use permit from the Planning Board.

10.5B71.20 **Dwelling Units per Acre:** The Planning Board may, by Conditional Use Permit, allow higher density up to the maximum established in Section 10.5B71.10.

10.5B72.30 **Workforce Housing Units:** For any development projects granted a conditional use permit for increased residential density not less than fifty percent (50%) of housing units constructed shall be Workforce Housing consistent with the affordability requirements and other qualifications for rental and ownership units in Section 10.5A46.22 (2). For purposes of calculating the number of units of affordable housing required within a development project, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.

- 10.5B72.40 **Height and Building Footprint:** The Planning Board may, by Conditional Use Permit, allow an increase in the maximum building height by one (1) story and an increase in the maximum building footprint and square footage by 20 percent.

10.5B73 Bonus Incentive Requirements

In order to be eligible for bonus incentives as outlined in section 10.5B72, a development must include Eligible Energy Efficiency Building Improvements or Eligible Public Realm Improvements as outline below. Required documentation for these improvements must be submitted with the application for a Conditional Use Permit as outlined in Section 10.5B74.

- 10.5B73.20 **Eligible Energy Efficiency Building Improvements:** Building shall be designed to achieve a zero-net energy goal of 100% through best practices in design and construction practices. Eligible improvements are as follows:

- (a) Solar Orientation and Utilization: The use of solar thermal and solar photovoltaic techniques. Massing of buildings shall be considerate of solar access to neighboring properties, particularly allowing sun during winter to properties immediately to the north. Other guidelines include the following:
- 1) Whenever possible buildings shall be of a size and orientation to minimize the blocking of sunlight on public spaces such as sidewalks.
 - 2) Windows shall be oriented to make the best use of passive solar heating.
 - 3) The primary roof plane shall face as close to solar south as possible, to allow for installation or retrofit with solar panels.
- (b) Windows:
- 1) At least fifty percent (50%) of the windows of each floor of a building and serving each dwelling unit shall be operable.
 - 2) Operable windows shall be oriented toward prevailing winds to every extent possible and support the creation of cross breezes that can assist in the passive cooling of interior spaces.
 - 3) All south facing windows shall be recessed or shaded by deciduous trees, awnings, canopies, or interior or exterior light shelves.
- (d) Daylight and Views: The following apply to portions of mixed-use buildings in non-residential use:
- 1) A minimum of fifty percent (50%) of the floor area of all regularly occupied interior spaces shall receive sufficient daylight equal to a spatial daylight autonomy of three hundred (300) lux or more for at least fifty percent (50%) of the time.
 - 2) A direct line of sight to the outdoors shall be provided for at least seventy-five percent (75%) of the floor area of all regularly occupied interior spaces.

- (e) Roof Albedo:
- 1) Flat roofs and roofs pitched at or below nine and one-half degrees (9.5°; 2:12) shall have a minimum solar reflectance index rating of seventy-eight (78) for a minimum of seventy-five percent (75%) of the roof surface.
 - 2) Roofs pitched above nine and one-half degrees (9.5°; 2:12) shall have a minimum solar reflectance index rating of twenty-nine (29) for a minimum of seventy-five percent (75%) of the roof surface.
- (f) Other Sustainable Building Applications: Other applications to improve building envelope energy efficiency and use materials and equipment that reduce energy consumption include the following:
- 1) Natural cooling through appropriate glazing, shading of glazed surfaces, and operable windows.
 - 2) Wind and roof-mounted solar energy generation.
 - 3) Ground source heat exchange (closed system geothermal energy).
 - 4) On-site biomass use for energy production.
 - 5) Renewable heat and cooling (i.e. sunlight, rain, wind).
 - 6) Combined heat and power systems.
 - 7) Green walls and green blocks.
 - 8) Increased insulation (i.e. R-26 and triple-glazed windows)
 - 9) Energy Star rated appliances.
 - 10) EcoStar Program (shared recycling streams between park tenants).
 - 11) Dual-flush and waterless toilets.
 - 12) Ultra-efficient heat and hot water systems.
 - 13) Open and simple floor plans (i.e. square and cubes).
 - 14) Improved building air seal (i.e. taped sheathing).
 - 15) Greywater systems.

10.5B73.30 **Eligible Public Realm Improvements:** These improvements shall include on-site or off-site infrastructure, streetscape, open space or other amenities not otherwise required, high quality design and construction, and publicly accessible. Eligible improvements include the following:

- (a) New or improved sidewalks and multipurpose pathways within abutting public street right-of-way.
- (b) Streetscape improvements such as street trees, curb extensions and crosswalks, bus shelters, and other furnishings within a public street right-of-way, or a contribution of land suitable for a public way or public streetscape improvements.
- (c) Expansion of the Portsmouth Bicycle and Pedestrian Network including public easements and trail construction over a development site and connecting to existing or planned public trails.
- (d) Site development allocation, land acquisition, or land donation for the purpose of publicly accessible active or passive open space on site or in nearby locations, in addition to the Community spaces consistent with the requirements of Section 10.5A46.22 (1) for Community Space density bonuses.
- (e) Public or publicly-accessible parking facilities including surface and structured (above and below ground) facilities. Parking facilities may be

located on-site or on land donated to the City for the purposes of public parking to benefit the District.

10.5B74 Approval of Density Bonus Incentives

- 10.5B.74.10 **General Criteria:** All public benefit improvements used for a density bonus shall be recommended in plans or policies approved or used by the City of Portsmouth including the Portsmouth Master Plan, Capital Improvement Program, or other relevant documents.
- 10.5B.74.20 **Required Information:** In order to be eligible for bonus incentives as described in 10.5B72, the following submissions must be included with an application for a Conditional Use Permit:
- (a) The applicant shall provide the Planning Board with a written description of the intended site development or District improvements, the public benefit and/or energy efficiency improvement provided, provision for management and maintenance if required, and plans showing the location and type, size and extent of each of the eligible improvements.
 - (b) A specific time frame for the completion of all required on-site and off-site improvements shall be incorporated as a condition of approval of the Planning Board.
 - (c) The applicant shall provide a list of all permits and approvals required in connection with any proposed public realm improvements or energy efficiency building improvements with the application. These approvals shall be obtained prior to approval of the development, unless an exception for good cause is explicitly authorized by the Planning Board.
 - (d) Documentation that the increased density of the development will not have an impact on traffic, market values, stormwater runoff or environmental factors that is more detrimental to the surrounding area than the impacts of conventional development of the site
- 10.5B74.20 **Planning Board Findings:** Prior to granting a conditional use permit for project under this section, the Board shall make all of the following findings:
- 10.5B74.21 The proposed project (and any conditions of approval) meets the standards in Section 10.5B73;
 - 10.5B74.22 The proposed project is consistent with the purpose and intent set forth in Section 10.5B11;
 - 10.738.23 The anticipated impacts of the proposed development on traffic, market values, stormwater runoff or environmental factors will not be more detrimental to the surrounding area than the impacts of conventional development of the site.

10.5B74.30 **Modification of Standards:** In granting a conditional use permit, the Planning Board may modify specific standards and requirements set forth in this Section (including development intensity and dimensional standards, and building design standards) provided that the Planning Board finds such modification will promote design flexibility and overall project quality, or that such modification is required for the development to provide a proposed workforce housing component, and that such modification is consistent with the purpose and intent set forth in Section 10.5B11.

10.5B75 Legal Review

All restrictive covenants, cooperative agreements or similar instruments requiring the City’s approval or participation shall be reviewed as to content and form by the Legal Department. Such reviews may include condominium or cooperative agreements which are to be enacted as part of the project.

Section 10.5B80 Parking Requirements and Standards

10.5B81 General

- 10.5B81.10 Unless otherwise specified, parking for motor vehicles must be located on the same lot as the principal use that the accessory parking serves.
- 10.5B81.20 All off-street parking facilities in the Gateway Districts shall meet the design requirements of Section 10.1114.
- 10.5B81.30 All off-street loading facilities in the Gateway Districts shall meet the requirements of Section 10.1120.

10.5B82 Off-Street Parking Requirements

- 10.5B82.10 Off-street parking for motor vehicles shall be provided at the following rates:
 - Nonresidential uses:
 - Minimum: 1 space per 350 sq. ft. GFA
 - Maximum: 1 space per 250 sq. ft. GFA
 - Residential uses:
 - Minimum: 1.3 spaces per dwelling unit
 - Maximum: 1.8 spaces per dwelling unit
- 10.5B82.20 Bicycle parking spaces or storage capacity shall be provided at a rate of at least 15 percent of the off-street parking spaces provided for motor vehicles.
- 10.5B82.30 Where a development type or building type is allowed by Conditional Use Permit in the Gateway Districts, the Planning Board may waive the minimum and maximum parking requirements according to the following criteria:

- (a) The supply of parking on the development site and in immediate vicinity is determined to be sufficient for the intended uses.
- (b) Parking management programs and services including shared parking agreements, access to ride sharing services, proximity to available public parking reduce the demand for off-street parking.
- (c) Parking provided in excess of any maximum permitted does not result in the increase in impervious lot area.

10.5B83 Additional Parking Design Standards

10.5B83.10 Structured Parking

10.5B83.11 Design and Construction: Unless setback by Community space or buildings used for commercial and residential occupancy, the facade of any parking structure must be designed as follows:

- (a) Facade glazing and facade openings must be vertically and horizontally aligned and all floors fronting on the facade must be level (not inclined).
- (b) The facade must include windows of transparent or translucent, but non-reflective, glass or openings designed to appear as windows for between twenty percent (20%) and fifty percent (50%) of the wall area of each floor.
- (c) Window openings must be back-lit during evening hours and internal light sources must be concealed from view from public sidewalks.
- (d) The facade area masking the floors occupied by motor vehicle parking must be seamlessly integrated into the architectural design of the building's facade.

10.583.12 Access: Pedestrian access to structured parking must lead directly to a public sidewalk and to a primary building entrance. Structured parking may also be attached directly to a primary building by pedestrians directly into a building.

10.5B83.20 Bicycle Parking

10.5B83.21 Placement: Required bicycle parking spaces may be placed on private property or adjacent to a sidewalk or pathway provided that at least 5 feet of walkway remains clear for pedestrian use. Required bicycle parking shall be publicly accessible and located within 100 feet of the building entrance.

10.5B83.22 Multi-Family Residential Developments: Developments with 5 or more multi-family units shall provide at least one indoor covered bicycle parking area with space for 5 bicycles for every 5 dwelling units.

Section 10.5B90 Pedestrian Access and Circulation

- 10.5B91 Pedestrian walkways shall provide connections through the lot/tract to the public street right-of-way, and between the lot/tract and adjacent land uses.
- 10.5B92 At least one 8-foot wide pedestrian walkway shall be provided throughout the lot/tract, connecting adjacent streets, accessways, sidewalks and off-street parking areas to the entrances of all principal buildings.
- 10.5B93 Pedestrian areas shall be clearly distinguished from vehicular and bicycle traffic areas through the use of paving materials, landscaping, or other means.
- 10.5B94 A lot/tract with more than one principal building or off-street parking area shall include an internal pedestrian network that provides logical and direct routes for pedestrians throughout site.
- 10.5B95 Parking lots shall include internal walkways spaced not more than 150 feet apart. Where possible, these walkways shall be aligned to connect with major building entries or other destinations.

Section 10.5B100 Community Space

10.5B101 Purpose and Intent

The intent of the Community Space requirements is to ensure a variety of functional, well-designed community spaces are built in a way that complements adjacent properties, contribute to a comprehensive open space network, and adds vibrancy to the surrounding neighborhoods and the City in general.

10.5B102 General Requirements

- 10.5B102.10 Community Space meeting one or more of the types described in Figure 10.5A45.10 must be provided according to the standards for Building Types and Development Types as described in Sections 10.5B30 and 10.5B40.
- 10.5B102.20 Multi-Family Building and Mixed-Use Building types may provide shared community spaces, provided that the space includes the total area required for each unit that the shared space is meant to serve.

Section 10.5B101 Definitions

This Section provides definitions for certain terms in Article 5B that are not otherwise defined in Article 5A60 or Article 15:

Blank Wall Area

Blank wall area is any portion of a facade that does not include facade glazing (doors and windows) and surface relief using architectural features that either recess or project from the average plane of the facade.

Build-To-Zones (BTZ)

The area between the minimum yard and maximum yard is the Build-To-Zone (BTZ) in which the front façade of the building shall be placed.

Development Tract

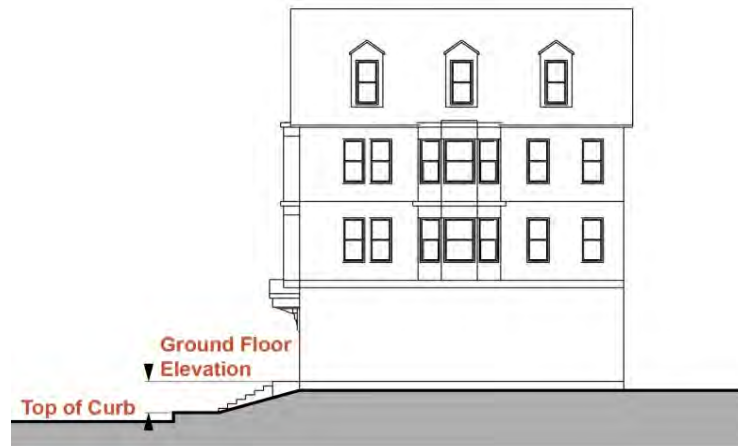
Any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of a single development.

Development Tract Area

The cumulative area of all contiguous lots that the site is composed of.

Ground Floor Elevation (GFE)

The elevation measured from the average top grade of the curb along the abutting streets or from the crown of the adjacent street when no curb exists, to the top of the finished floor of the ground story of a building.



Story Height

The measured height from the finished floor elevation to the finished floor elevation above.

Zero-Net Energy (ZNE) Building

A building with zero net energy consumption, meaning the total amount of energy used by the building on an annual basis is roughly equal to the amount of renewable energy created on the site resulting in less overall contribution of greenhouse gas to the atmosphere than similar non-ZNE buildings.

Event Listing by Date

Starting Date: 5/15/2017

Ending Date: 12/31/2017

Start End	Type Description	Location	Requestor	Vote Date
5/19/2017 5/19/2017	RIDE Josh Pierce is the contact for this event. The commuter breakfast is from 7:00 a.m. to 10:00 a.m. Popovers on Market Square	Market Square at Popovers	Seacoast Area Bicycle Riders	5/ 1/2017
5/28/2017 5/28/2017	FUND Lilia-Potter-Schwartz is the contact for this event. This is a triathlon at begins at Portsmouth High School	Portsmouth High School	Education to All Children	12/ 5/2016
5/28/2017 5/28/2017	ROAD RACE Redhook Brewery - Pease Tradeport		Runner's Alley	12/19/2016
6/10/2017 6/10/2017	FESTIVAL Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m.	Market Square	Market Square Day - Pro Portsm	9/ 6/2016
6/10/2017 6/10/2017	ROAD RACE Starts in Market Square Barbara Massar is the contact for this event. The road race starts at 9:00 a.m. in Market Square		Market Square Road Race - Pro	9/ 6/2016
6/17/2017 6/17/2017	RACE Rain Date of June 18, 2017	Pleasant Street	Big Brothers Big Sisters of Ne	9/19/2016
6/17/2017 6/17/2017	WALK Jenelle Dolan, Development Manager is the contact for this event. This event begins at 8:00 a.m. at Strawberry Bank.	Begins and Ends at Strawberry Bank	March of Dimes	4/ 3/2017
6/24/2017 6/24/2017	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Market Square - Pleasant Street	Summer in the Street Music Ser	9/ 6/2016
6/24/2017 6/24/2017	PRIDE Crystal Paradis, is the Coordinataor for this event. This event begins at the Portsmouth Public Library and continues as one rainbow down the streets leading to Strawberry Banke.	Library to Strawberry Banke	Seacoast Outright	5/ 1/2017
7/ 1/2017 7/ 1/2017	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 6/2016
7/ 4/2017 7/ 4/2017	RACE Rick Mason is the contact for this event. This is the Pack & Boots 5K - for Veteran's Count	TBD	Richard Mason	4/ 3/2017
7/ 8/2017 7/ 8/2017	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in Street Series. It begins at 5:00 to 9:30 p.m.	Downtown - Pleasant Street	Pro Portsmouth - Summer in the	9/ 6/2016

Event Listing by Date

Starting Date: 5/15/2017

Ending Date: 12/31/2017

Start End	Type Description	Location	Requestor	Vote Date
7/ 8/2017 7/ 8/2017	FUND Allan Scholtz, Secretary is the contact for this event. 8:00 a.m. to 4:00 p.m. collection	Market Square	Portsmouth Professional Fire F	4/ 3/2017
7/15/2017 7/15/2017	BIKE TOUR Contact: Chris Vlangas 1-800-757-0203 Event begins at 7:30 a.m. from Shapleigh Middle School in Kittery.	From Kittery, ME to Route 1B to Rye back to Kitter	Cystic Fibrosis Foundation	11/21/2016
7/15/2017 7/15/2017	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Streets begins at 5:00 p.m. to 9:30 p.m.	Downtown - Pleasant Street - between State Street	Pro Portsmouth - Summer in the	9/ 6/2016
7/21/2017 7/23/2017	ART EXH Lennie Mullaney is the contact for this event. This is the annual Wet Paint-out Weekend. The event takes place throughout greater Portsmouth Artists register at NHAA.	Throughout the City	NH Art Association	1/23/2017
7/22/2017 7/22/2017	MUSIC Barbara Massar is the contact for this event. This is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 6/2017
7/29/2017 7/29/2017	MUSIC Barbara Massar is the contact for this event. This event is part of the Summer in the Streets series which begins at 5:00 p.m. and ends at 9:30 p.m.	Pleasant Street	Pro Portsmouth - Summer in the	9/ 6/2016
8/19/2017 8/19/2017	BOAT This is the 7th annual Round Island Regatta	Peirce Island Boat Launch	Gundalow Company - Round Islan	3/ 6/2017
8/19/2017 8/19/2017	FUND Allan Scholtz, Secretary is the contact for this event. 8:00 a.m. to 4:00 p.m. is the time of this event.	Market Square	Portsmouth Professional Fire F	4/ 3/2017
8/26/2017 8/26/2017	BIKE TOUR Contact: Emily Christian, Logistics Manager - 781-693-5154	Along the Seacoast	National Multiple Sclerosis So	2/ 6/2017
9/ 4/2017 9/ 4/2017	RACE Sister Mary Agnes is the contact for this event. This event begins at 9:00 a.m.	Pease International Tradeport	St. Charles Children's Home	4/ 3/2017
9/16/2017 9/16/2017	WALK Ken La Valley, Chair is the contact for this event. This evening begins at 10:00 a.m. to Noon at Little Harbour School. Registration begins at 8:30 a.m.	Little Harbour School	American Foundation for Suicid	3/ 6/2017

Event Listing by Date

Starting Date: 5/15/2017

Ending Date: 12/31/2017

Start End	Type Description	Location	Requestor	Vote Date
9/17/2017 9/17/2017	RACE Jennie Halstead, Executive Director if the contact. This race begins at 7:30 a.m. with registration Start of the race: 9:00 a.m.	Portsmouth Middle School	My Brest Cancer Support	12/ 5/2016
9/23/2017 9/24/2017	FESTIVAL Contact: Bruce MacIntyre This is a two day event - Saturday events starting at 10:00 a.m. and ending at 10:00 p.m. Sunday events starting at 1:00 p.m. and ending at 5:00 p.m.	Congress Street, Market Square	Portsmouth Maritime Folk Festi	2/ 6/2017
9/23/2017 9/24/2017	FUND Caroline Amport Piper is the contact person for this event. This event is the Fairy House Tours that runs on Saturday, September 23rd and September 24, 2017. 11:00 a.m. to 3:00 p.m.	South End	Friends of the South End	4/ 3/2017
9/24/2017 9/25/2017	RIDE	Along Route 1A	Granite State Wheelmen, Inc.	11/21/2016
9/24/2017 9/24/2017	WALK Kelly Bosco is the contact for this event. Tel. (603) 606-6590 ext. 2151 kbosco@alz.org	Little Harbour School	Alzheimer's Association	1/23/2017
11/12/2017 11/12/2017	RACE Jay Diener is the contact for this event. This event begins at 8:30 a.m.	Portsmouth High School - Start and Finish	Seacoast Half Marathon	3/20/2017
12/10/2017 12/10/2017	RACE Thomas M. Bringle, Director of Development is the contact for this event. Tel. (603) 724-6080 or tbringle@arthritis.org	Little Harbour School	Arthritis Foundation	1/23/2017

Current alternate



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: Conservation Commission

Name: Samantha W Collins Telephone: 603-828-7643

Could you be contacted at work? YES / NO If so, telephone # same

Street address: 820 Middle Rd., Portsmouth, NH

Mailing address (if different): _____

Email address (for clerk's office communication): samantha.c.wright@gmail.com

How long have you been a resident of Portsmouth? +/- 5 years

Occupational background:

up until last year I worked as an Environmental Scientist at a small consulting firm in Portsmouth (Trustow Resource Consulting). In the past I have also taught Ecology at Great Bay CC. I currently own my own business designing home decor accessories.

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

B.S. Environmental Studies at Connecticut College
M.S Coastal Geomorphology at Boston University
Taught 2 years of Ecology at Great Bay Community College
4 years as an Environmental Scientist for FB Environmental
and most recently Trustow Resource Consulting



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: Despite no longer working in a position that directly involves the environment, I will always have a passion for conservation, being outdoors, and protecting the natural environment/ resources of Portsmouth. Additionally, my past experience and formal education are still something I value and wish to put to good use.

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

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

1) John Formella, Portsmouth 850-375-1707
Name, address, telephone number

2) Terri Way, formerly Portsmouth, 603-767-7444
Name, address, telephone number currently Seabrook

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: Sue Cole Date: 5/15/17

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

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

Mayor's Sister Cities Blue Ribbon Committee

Background

The first Sister City Program, *Sister Cities International*, was created in 1956 at the request of President Eisenhower, giving national focus to affiliations between cities in the United States and in other countries. The goal of the program is to promote deeper cultural understanding, international visitation and hospitality that leads to long lasting relationships.

The City of Portsmouth, NH is a member of Sister Cities International and has forged formal agreements with the following cities based on the interest and international connections of Portsmouth residents:

Sister City	Agreement Date
Nichinan, Japan*	1985
Parnu, Estonia USSR	1990
Kitago-cho & Nango-cho, Japan*	1992
Carrickfergus, Antrim, Northern Ireland**	1992
Agadir, Morocco	1995
Kitase, Ghana, Africa	2004

*The Cities of Kitago-cho & Nango-cho, Japan and Nichinan, Japan have since combined as one prefecture.

**The borough of Carrickfergus, Ireland has since consolidated and become a part a part of the East Antrim , Ireland. It still maintains representation on the East Antrim Council.

Portsmouth also has other international relationships with cities through the Friendship Cities Program. This program is a way for the City to initiate relationships on a less formal municipal government basis than through an official Sister City relationship. Friendship Cities focus primarily on promotion of cultural and commercial ties. Portsmouth has Friendship City relationships with Portsmouth, England, Szolnok, Hungary (1993), and Severodvinsk, Russia.

Administration and Status of Current International Relationships

The administration and conduit for Sister City communications and activities is through the offices of the Mayor and School Superintendent. Staff time to effectively maintain existing relationships is extremely limited and often volunteers assist with activities.

Portsmouth's most active Sister City relationship has been with Nichinan, Japan through educational, cultural, business and government exchanges. These activities are focused primarily on annual high school student exchanges as well as activities of the Japan American Society related to citizen diplomacy activities and the annual recognition of the 1905 signing of the Russo-Japanese Peace Treaty in Portsmouth. There has been limited engagement with Kitase, Ghana, Africa; Portsmouth, England; and Severodvinsk, Russia focused primarily on business, government and cultural exchanges. All other relationships have become more or less dormant.

From the success of past exchanges with its Sister Cities, Portsmouth recognizes the value of developing people-to-people contacts as a way to further international communication, diplomacy and cultural understanding. However, Portsmouth also recognizes that these relationships are effective only when interested residents/businesses work on a continuing basis with their international counterparts to promote opportunities for diplomacy, communication and understanding among people of different cultures.

Recently, the Mayor received inquiries from interested individuals to explore a new relationship with a city in France. This request spurred a discussion about the need to evaluate the current Sister City and Friendship City relationships. To accomplish this, the Mayor and the City Council agreed at its May 1, 2017 meeting to establish a Mayor's Sister Cities Blue Ribbon Committee. The Committee would consist of five citizens who are representative of the business, cultural, government and international community.

The Committee Charge is as follows:

1. Evaluate the level of activity, benefit and local interest in continuing the Sister City or other citizen diplomacy relationships and make recommendations to the City Council to potentially terminate current relationships with little or no recent activity, resident interest or cultural/economic opportunities.
2. Research successful Sister City/Friendship City relationships of other cities and make recommendations to the City Council for a program and strategies to ensure success of existing and future Sister City relationships.
3. Recommend a framework for long term administration, promotion and success of the Portsmouth Sister City Program through a Committee structure: chair, co-chairs, possible sub-committees for each Sister City, staff support requirements, etc.
4. Explore ways to engage the community in the program--businesses, educational, cultural and humanitarian groups and make recommendations to the City Council.

Wednesday, May 31, 2017

To The Portsmouth City Council

I am proposing consideration of two City Charter Amendments that will be on the City Council Agenda for our Monday, June 5th meeting.

Each of these Amendments would clarify matters that we have discussed in the past two or three years, and provide guidance for future City Councils on openness and transparency in our government activities as Portsmouth continues to grow.

Defining "Municipal Officials" for Financial Disclosure Requirements:

"For the purposes of financial disclosure and conflicts of interest, the term "municipal officials" in this City Charter shall include members of the City Council, Police Commission, Fire Commission, School Board, Planning Board, Zoning Board of Adjustment, Historic District Commission, and the City Manager."

Amendment C to the City Charter, adopted by referendum in 1987, directed the City Council to enact a "Conflict of Interest Ordinance." Amendment C also says this ordinance shall require "all police, school, [and] municipal officials, whether appointed or elected," to disclose "current sources of income and all capital assets."

The current ordinance implementing Amendment C defines "municipal officials" very narrowly, to include only members of the City Council, School Board, Police Commission, and Fire Commission. I believe that this contradicts the plain language of Amendment C, which requires financial disclosure by not only elected officials, but also appointed officials.

My proposed City Charter Amendment makes it clear that land-use board members (members of the Planning Board, Zoning Board of Adjustment, and the Historic District Commission), and the City Manager -- who is appointed by the City Council to his or her position -- are the "municipal officials" who must complete financial disclosure information.

"Clean Elections" Campaign Disclosure by City Council Candidates and Political Action Committees:

"The City Council shall adopt an ordinance requiring that each candidate for City Council and every political action committee supporting one or more candidates for City Council report contributions and expenditures prior to Election Day, including the candidate's total monetary expenditures for that election and the total monetary expenditures for each candidate or slate of candidates by the political action committee. Monetary contributions to the candidate or political action committee shall be identified by each contributor by name, address, and amount."

In the N.H. State Legislature, I sponsored several bills regarding "Clean Elections" disclosures by state candidates and officials. I worked closely for a number of years with Doris "Granny D." Haddock, who at the age of 90 walked across the United States from California to Washington in her fight for greater financial disclosure in our election process.

Granny D., a New Hampshire citizen, lived to 100 and in her last years spent much time in Concord fighting for financial disclosure by PACs -- Political Action Committees -- and their immense and undercover, backroom exploitation of the political process. I got to know her very well. A book and an HBO documentary, "Run, Granny, Run," documents her cause.

Candidates for the N.H. State House of Representatives and State Senate, which include several from Portsmouth, need to follow much stricter financial disclosure guidelines for their political campaigns than do candidates for City Council.

And considering that nine Council members have authority over a budget of over \$100 million, as well as decision-making on land-use matters that affect tens of millions of dollars of development, City Council candidates should at least be required to disclose how much they raise, and from whom, for their campaigns and how much they spend for the office they seek.

In Citizens United, the U. S. Supreme Court held that Political Action Committees are entitled to the same rights as individuals. But Portsmouth's current election law is upside down, favoring Political Action Committees over individuals.

Section 1.902 of Portsmouth's election ordinance requires that individual candidates for City Council, the School Board, and the Police and Fire Commissions report every "monetary contribution from any one person or entity in the amount of a cumulative total of \$100.00 or more in any calendar year."

However, unlike the State and some New Hampshire cities, Portsmouth does not compel a political action committee to report anything. This loophole allows dark -- yes, "hidden" -- money to influence City Council elections.

This proposed City Charter Amendment expands on the current ordinance in two important ways. First, it requires that a Political Action Committee supporting a City Council candidate or slate of candidates report its sources of income. Second, it requires that individual candidates for City Council, in addition to Political Action Committees, report their total expenditures.

Included in this proposed City Charter Amendment is only the office of City Council. Members of the School Board, Fire Commission, and Police Commission do not have the same kind of oversight on development issues and citywide budget responsibilities as do City Council members.


What we need to be sure of is that our candidates for City Council, and the Political Action Committees influencing those candidates, participate in the process of "Clean Elections" as much as is possible.

Jim Splaine

City Resident

**CITY OF PORTSMOUTH
LEGAL DEPARTMENT
MEMORANDUM**

DATE: May 30, 2017
TO: JOHN P. BOHENKO, CITY MANAGER
FROM: ROBERT P. SULLIVAN, CITY ATTORNEY
RE: MAY 15, 2017 CITY COUNCIL MEETING
PROPOSED CHARTER AMENDMENTS CONCERNING THE ELIMINATION OF
THE POLICE COMMISSION AND FIRE COMMISSION



Per the request of City Councilor Eric Spear at the City Council meeting of May 1, 2017 attached hereto are the actual text of two possible amendments to the Municipal Charter which might be considered by the City Council at its meeting of June 5, 2017.

In order, the attached charter amendments are:

1. A proposed charter amendment which would eliminate the City's Police Commission.
2. A proposed charter amendment which would eliminate the City's Fire Commission.

In order for the City Council to be advised of the procedure to be followed in connection with these proposed charter amendments, I also attach hereto a copy of a memorandum previously provided to your office on April 24, 2017 entitled Charter Amendment Timeline. This memorandum was prepared by City Clerk Kelli Barnaby and myself.

If the Council chooses to proceed with either of the attached proposed charter amendments, then the action which should be taken on June 5, 2017 would be for the Council to set a public hearing on that charter amendment or amendments for the City Council meeting of June 19, 2017. That vote is described as step #1 in the process outlined in the attached memorandum of April 24, 2017. The City Clerk would then forward the charter amendments to the state agencies for approval as described in step #3 of the memorandum of April 24, 2017.

attachment

PROPOSED CHARTER AMENDMENT #1

The Municipal Charter of the City of Portsmouth, AMENDMENT E – POLICE DEPARTMENT (POLICE COMMISSION) is hereby deleted in its entirety as is any reference contained anywhere in the municipal Charter to the election, authority or existence of a Police Commission, including but not limited to Section 6.2 Police Department (Police Commission) (deletions from existing language ~~stricken in red~~; additions to existing language **bolded in red**; remaining language unchanged from existing):

~~AMENDMENT E – POLICE DEPARTMENT (POLICE COMMISSION)~~

~~GENERALLY~~

~~Notwithstanding any other provisions of the Revised Charter, the following department of City government shall be separately identified as Charter Department, and shall be administered in accordance with the provisions of this Article.~~

~~POLICE DEPARTMENT (POLICE COMMISSION)~~

~~The policy-making body for the Police Department in the City of Portsmouth shall be a Police Commission. The Police Commission shall consist of three persons to be elected in accordance with the following.~~

~~APPOINTMENT/ELECTION TERMS~~

~~Should an elected Police Commission be approved on November 5, 1991, the Mayor of the City of Portsmouth shall appoint the first board of three Commissioners who shall assume office commencing on January 1, 1992 through January 1, 1994. In order to establish a legal and proper cycle of election in accordance with New Hampshire law, hereinafter, the first elected Board of Police Commissioners shall be elected in November, 1993 as follows:~~

~~The two candidates receiving the highest and second highest number of votes shall assume terms of four years. The candidate receiving the third highest number of votes shall assume a term of two years.~~

~~Thereinafter, each Commissioner shall be elected for a term of four years. All Police Commissioners elected from 1993 and onwards shall be elected at large and without party affiliation and may be elected for more than one term of office. In the event that a vacancy should occur on the Board, then the next runner-up candidate established out of the last, most recent Board election, shall assume the balance of the vacated term. In the event that the list of candidates from the last election available to fill vacancies becomes depleted, then the Mayor shall appoint any necessary Commissioners.~~

ELIGIBILITY

~~Any person presently residing within the City of Portsmouth for not less than two years shall be deemed eligible to seek election to the Board of Commissioners.~~

REMOVAL

~~Any member of the Police Commission may be removed from office for just cause by a two-thirds vote of the City Council following a public hearing.~~

INCOMPATIBLE OFFICES

~~No member of the Police Commission shall serve on the Commission while receiving compensation from or holding any other public office within the City of Portsmouth.~~

QUORUM (VOTES)

~~All questions put before the Police Commission shall be decided by a single majority vote of the Commission. At least three members of the Commission shall be present at any meeting to constitute a quorum.~~

POWERS

~~The Police Commission shall appoint such permanent patrol officers, sergeants, captains commanders, and police chief, as they deem necessary. The Commission shall have authority to consider and act upon any complaint and/or employee grievance(s) brought to it through such procedures. Where the Commission determines there to be sufficient cause, the Commission may, after a hearing consistent with the requirements of due process, discipline or remove any employee of the Police Department against whom such a complaint has been brought. Appeals from such decisions shall be heard pursuant to such grievance procedures as shall be established by the Commissioners or as prescribed in respective collective bargaining agreements. The commission shall assume all administrative responsibilities, which would otherwise be vested in the City Manager under this charter relating to the administration of the Department. Such power to include, but not limited to, the following:~~

- ~~A. Determine the number, location and type of facilities and installations, subject to the approval of the City Council~~
- ~~B. To determine the size of the work force and increase or decrease it's size, subject to the approval of the City Council~~

ORGANIZATION

~~The Police Commission shall, beginning January 1992, convene meeting annually in the month of January for organizational purposes. The Commission shall choose one of its members to serve as chairperson. The Commission shall choose one of its members to serve as clerk. No~~

~~one member may simultaneously serve as chairperson and clerk. (AMENDED BY REFERENDUM VOTE NOVEMBER 6, 2001).~~

~~RULES AND REGULATIONS~~

~~The Commission shall make such rules and regulations for their own proceedings and the administration of the Police Department, as they deem advisable.~~

~~COMPENSATION~~

~~The Police Commissioners shall receive such compensation as the City Council may from time to time determine.~~

~~ANNUAL BUDGET~~

~~The Police Commission shall, beginning in January of 1992 (and annually thereafter), hold a public hearing prior to the finalization of its budgetary considerations so as to discover the will of the people with respect to such matters. The Commission shall then submit its annual budget request to the City Council in accordance with the remaining provisions of this Charter. The salaries and benefits of all officers and employees of the Police Department shall be considered by the Commission through timely discussion with the recognized bargaining units of said officers and employees. The Commission shall utilize such negotiator as shall be provided by this Charter, or in the absence of a Charter provision, by the City Council. The Commissioners shall then recommend the agreed upon settlement to the City Council for final approval or denial. Should it be denied, the Commission would then be required to enter into further discussion with the recognized bargaining units until such time as a settlement is reached and ultimately ratified by the City Council. The chairperson of the Commission, or his/her designees, shall report at least semi-annually to the City Council on the state of the Police Department and its operation. Such reports shall include a summary of the Department's budget, workforce, equipment, promotions, retirements and other related matters. The Commission, in its discretion, may allow the police chief to submit a letter to the Council as part of any such report. (AMENDED BY REFERENDUM VOTE NOVEMBER 6, 2001).~~

~~(ADOPTED BY REFERENDUM VOTE NOVEMBER 5, 1991)~~

ARTICLE VI - CHARTER DEPARTMENTS

~~SECTION 6.2 - POLICE DEPARTMENT (POLICE COMMISSION)~~

~~Deleted and Replaced with Amendment E by Referendum Vote November 5, 1991.~~

If authorized by referendum vote at the municipal election scheduled for November 7, 2017, this amendment to become effective on January 1, 2018.

PROPOSED CHARTER AMENDMENT #2

The Municipal Charter of the City of Portsmouth, AMENDMENT A – FIRE DEPARTMENT (FIRE COMMISSION) is hereby deleted in its entirety as is any reference contained anywhere in the municipal Charter to the election, authority or existence of a Fire Commission, (deletions from existing language ~~stricken in red~~; additions to existing language **bolded in red**; remaining language unchanged from existing):

~~AMENDMENT A – FIRE COMMISSION~~

~~FIRE COMMISSION – ESTABLISHMENT~~

~~_____ The Fire Department of the City of Portsmouth shall be placed under the direct authority of a Board of Fire Commissioners, who shall administer the Fire Department as a Municipal Charter Department.~~

~~APPOINTMENT/ELECTION TERMS~~

~~_____ Should a Fire Commission be approved on November 3, 1987, the Mayor of the City of Portsmouth shall appoint the first Board of three Fire Commissioners who shall assume one two-year term of office commencing on January 1, 1988. In order to establish a legal and proper cycle of election in accordance with New Hampshire law, hereinafter, the first elected Board of Fire Commissioners shall be elected in November of 1989 as follows:~~

~~_____ The two candidates receiving the highest and second highest number of votes shall assume terms of four (4) years. The candidate receiving the third highest number of votes shall assume a term of two (2) years.~~

~~_____ Thereinafter, each Commissioner shall be elected for a term of four years. No one person may be elected for more than one complete four-year term of office. In the event that a vacancy should occur on the Board, then the next runner up candidate established out of the last, most recent Board election shall assume the balance of the vacated term. Should the balance of the vacated term not exceed two years, and said Commissioner may seek one more elective term of four years, all Fire Commissioners elected from 1989 and on, shall be elected at large without party affiliation. In the event that the list of candidates from the last election available to fill vacancies becomes depleted, then the Mayor shall appoint any necessary Fire Commissioners.~~

~~ELIGIBILITY~~

~~_____ Any person presently residing within the City of Portsmouth for not less than two years shall be deemed eligible to seek election to the Board of Fire Commissioners.~~

~~REMOVAL~~

~~_____ Any member of the Fire Commission may be removed from office for just cause by a two-thirds vote of the City Council following a public hearing.~~

INCOMPATIBLE OFFICES

~~_____ No member of the Fire Commission shall serve on the Commission while receiving compensation from or holding any other public office within the City of Portsmouth.~~

ORGANIZATION

~~_____ The Fire Commission shall, beginning January 1988, convene meeting annually in the month of January for organizational purposes. The Commission shall choose one of its members to serve as Chairman. The Commission shall choose one of its members to serve as Clerk. No one member may simultaneously serve as Chairman and Clerk.~~

RULES AND REGULATIONS

~~_____ The Commission shall make such rules and regulations for their own proceedings and the administration of the Fire Department, as they deem advisable.~~

COMPENSATION

~~_____ The Fire Commissioners shall receive such compensation as the City Council may from time to time determine.~~

ANNUAL BUDGET

~~_____ The Fire Commission shall, beginning in January of 1988 (and annually thereafter), hold a public hearing prior to the finalization of its budgetary considerations so as to discover the will of the people with respect to such matters. The Fire Commission shall then submit its annual budget request to the City Council in accordance with the remaining provisions of this Charter.~~

~~_____ The salaries and benefits of all officers and employees of the Fire Department shall be considered by the Commission through timely discussion with the recognized bargaining units of said officers and employees. The Commission shall utilize such negotiator as shall be provided for by this Charter, or in the absence of a Charter provision, by the City Council. The Fire Commissioners shall then recommend the agreed upon settlement to the City Council for final approval or denial. Should it be denied, the Commission would then be required to enter into further discussion with the recognized bargaining units until such time as a settlement is reached and ultimately ratified by the City Council. The Chairman of the Fire Commission, or his/her designees, shall report at least semi-annually to the City Council on the state of the Fire Department and its operation. Such reports shall include a summary of the Department's budget, manpower, equipment, promotions, retirements and other related matters. The Commission, in its discretion, may allow the Fire Chief to submit a letter to the Council as part of any such report.~~

QUORUM (VOTES)

~~_____ All questions put before the Fire Commission shall be decided by a simple majority vote of the Commission. At least two (2) members of the Commission shall be present at any meeting to constitute a quorum. (Amended by Referendum Vote November 7, 1989)~~

PROPOSED CHARTER AMENDMENT #3

The Municipal Charter of the City of Portsmouth, AMENDMENT E – POLICE DEPARTMENT (POLICE COMMISSION) is hereby deleted in its entirety as is any reference contained anywhere in the municipal Charter to the election, authority or existence of a Police Commission, including but not limited to Section 6.2 Police Department (Police Commission) and is further amended by the addition of a new provision (deletions from existing language ~~stricken in red~~; additions to existing language **bolded in red**; remaining language unchanged from existing):

~~AMENDMENT E – POLICE DEPARTMENT (POLICE COMMISSION)~~

~~GENERALLY~~

~~Notwithstanding any other provisions of the Revised Charter, the following department of City government shall be separately identified as Charter Department, and shall be administered in accordance with the provisions of this Article.~~

~~POLICE DEPARTMENT (POLICE COMMISSION)~~

~~The policy making body for the Police Department in the City of Portsmouth shall be a Police Commission. The Police Commission shall consist of three persons to be elected in accordance with the following.~~

~~APPOINTMENT/ELECTION TERMS~~

~~Should an elected Police Commission be approved on November 5, 1991, the Mayor of the City of Portsmouth shall appoint the first board of three Commissioners who shall assume office commencing on January 1, 1992 through January 1, 1994. In order to establish a legal and proper cycle of election in accordance with New Hampshire law, hereinafter, the first elected Board of Police Commissioners shall be elected in November, 1993 as follows:~~

~~The two candidates receiving the highest and second highest number of votes shall assume terms of four years. The candidate receiving the third highest number of votes shall assume a term of two years.~~

~~Thereinafter, each Commissioner shall be elected for a term of four years. All Police Commissioners elected from 1993 and onwards shall be elected at large and without party affiliation and may be elected for more than one term of office. In the event that a vacancy should occur on the Board, then the next runner-up candidate established out of the last, most recent Board election, shall assume the balance of the vacated term. In the event that the list of candidates from the last election available to fill vacancies becomes depleted, then the Mayor shall appoint any necessary Commissioners.~~

ELIGIBILITY

~~Any person presently residing within the City of Portsmouth for not less than two years shall be deemed eligible to seek election to the Board of Commissioners.~~

REMOVAL

~~Any member of the Police Commission may be removed from office for just cause by a two-thirds vote of the City Council following a public hearing.~~

INCOMPATIBLE OFFICES

~~No member of the Police Commission shall serve on the Commission while receiving compensation from or holding any other public office within the City of Portsmouth.~~

QUORUM (VOTES)

~~All questions put before the Police Commission shall be decided by a single majority vote of the Commission. At least three members of the Commission shall be present at any meeting to constitute a quorum.~~

POWERS

~~The Police Commission shall appoint such permanent patrol officers, sergeants, captains commanders, and police chief, as they deem necessary. The Commission shall have authority to consider and act upon any complaint and/or employee grievance(s) brought to it through such procedures. Where the Commission determines there to be sufficient cause, the Commission may, after a hearing consistent with the requirements of due process, discipline or remove any employee of the Police Department against whom such a complaint has been brought. Appeals from such decisions shall be heard pursuant to such grievance procedures as shall be established by the Commissioners or as prescribed in respective collective bargaining agreements. The commission shall assume all administrative responsibilities, which would otherwise be vested in the City Manager under this charter relating to the administration of the Department. Such power to include, but not limited to, the following:~~

- ~~A. Determine the number, location and type of facilities and installations, subject to the approval of the City Council~~
- ~~B. To determine the size of the work force and increase or decrease it's size, subject to the approval of the City Council~~

ORGANIZATION

~~The Police Commission shall, beginning January 1992, convene meeting annually in the month of January for organizational purposes. The Commission shall choose one of its members to serve as chairperson. The Commission shall choose one of its members to serve as clerk. No one member may simultaneously serve as chairperson and clerk. (AMENDED BY REFERENDUM VOTE NOVEMBER 6, 2001).~~

RULES AND REGULATIONS

~~The Commission shall make such rules and regulations for their own proceedings and the administration of the Police Department, as they deem advisable.~~

COMPENSATION

~~The Police Commissioners shall receive such compensation as the City Council may from time to time determine.~~

ANNUAL BUDGET

~~The Police Commission shall, beginning in January of 1992 (and annually thereafter), hold a public hearing prior to the finalization of its budgetary considerations so as to discover the will of the people with respect to such matters. The Commission shall then submit its annual budget request to the City Council in accordance with the remaining provisions of this Charter. The salaries and benefits of all officers and employees of the Police Department shall be considered by the Commission through timely discussion with the recognized bargaining units of said officers and employees. The Commission shall utilize such negotiator as shall be provided by this Charter, or in the absence of a Charter provision, by the City Council. The Commissioners shall then recommend the agreed upon settlement to the City Council for final approval or denial. Should it be denied, the Commission would then be required to enter into further discussion with the recognized bargaining units until such time as a settlement is reached and ultimately ratified by the City Council. The chairperson of the Commission, or his/her designees, shall report at least semi-annually to the City Council on the state of the Police Department and its operation. Such reports shall include a summary of the Department's budget, workforce, equipment, promotions, retirements and other related matters. The Commission, in its discretion, may allow the police chief to submit a letter to the Council as part of any such report. (AMENDED BY REFERENDUM VOTE NOVEMBER 6, 2001). (ADOPTED BY REFERENDUM VOTE NOVEMBER 5, 1991)~~

ARTICLE VI - CHARTER DEPARTMENTS

~~SECTION 6.2 – POLICE DEPARTMENT (POLICE COMMISSION)~~

~~Deleted and Replaced with Amendment E by Referendum Vote November 5, 1991.~~

Article III – OFFICERS AND EMPLOYEES

SECTION 3.16 – CIVILIAN REVIEW BOARD

The City Council is hereby authorized to create by ordinance a Civilian Police Review Board to investigate complaints by members of the public concerning misconduct by police officers. The ordinance adopted under the authority of this provision shall describe the membership and composition of the Board, method for selecting such members, the authority of the Board and the procedures to be followed by the Board.

If authorized by referendum vote at the municipal election scheduled for November 7, 2017, this amendment to become effective on January 1, 2018.

POWERS

~~_____The Fire Commission shall appoint such permanent Firefighters, Lieutenants, Captains, Deputy Chiefs, a Fire Chief and any call firefighters as they may deem necessary, subject to the approval of the City Council. The Commission shall have authority to consider and act upon any complaint and/or employee grievance(s) brought to it through such procedures, as it shall establish. Where the Commission determines there to be sufficient cause, the Commission may, after a hearing consistent with the requirement of due process, discipline or remove any Firefighter or Officer against whom such a complaint has been brought. Appeals from such decisions shall be heard pursuant to such grievance procedures as shall be established by the Commissioners with the respective contracts (work agreements) through which such persons were employed.~~

~~_____The Commission shall assume all administrative responsibilities, which would otherwise be vested in the City Manager under this Charter relating to the administration of the Fire Department. Such power to include, but not be limited to, the following:~~

~~_____A. Determine the number, location and type of facilities and installations, subject to the approval of the City Council;~~

~~_____B. To determine the size of the work force and increase or decrease it's size, subject to the approval of the City Council.~~

~~(Adopted by Referendum Vote November 3, 1987)~~

If authorized by referendum vote at the municipal election scheduled for November 7, 2017, this amendment to become effective on January 1, 2018.


**CITY OF PORTSMOUTH
LEGAL DEPARTMENT
MEMORANDUM**

DATE: April 24, 2017

TO: JOHN P. BOHENKO, CITY MANAGER

FROM: KELLI L. BARNABY, CITY CLERK
ROBERT P. SULLIVAN, CITY ATTORNEY

RE: CHARTER AMENDMENT TIMELINE

KLB


This memorandum will respond to your request for a timeline indicating the actions and steps necessary for the process of a Charter Amendment to be initiated by the City Council (as opposed to citizen petition) in order to meet the election date of November 7, 2017 for the required referendum vote.

The answer to this question is provided by RSA 49-B:5 which in turn references RSA 49-B:4-a for the review and approval process required by the Secretary of State, Attorney General and the Commissioner of the Department of Revenue Administration. Briefly, the process is as follows:

1. The City Council votes to hold a public hearing on a specific Charter Amendment RSA 49-B:5 I.
2. The notice of that public hearing is published in a newspaper having general circulation in the City at least seven (7) days prior to the hearing. The notice must contain the actual text of the proposed amendment and a brief explanation. RSA 49-B:5 I.
3. Subsequent to the public hearing if the Council votes to proceed the City Clerk is required to file a report regarding the proposed Charter Amendment with the Secretary of State, the Attorney General and the Commissioner of the Department of Revenue Administration. Those entities then have fourteen (14) days to notify the City Clerk in writing of receipt of the report. RSA 49-B:4-a (d).
4. Those entities then have forty-five (45) days after the receipt of report to review and approve the proposed amendment and give notice to the City Clerk of that determination. Failure to specify objections to the Charter Amendment within that forty-five (45) day period, "shall constitute approval" by those entities. RSA 49-B:4-a(d).
5. The City Councilors may then order the proposed amendment to be placed on the ballot at the next regular municipal election. RSA 49-B:5 I (b).

Based on the foregoing the minimal timeline appears to be as follows:

a.	City Council vote to hold a public hearing	Seven (7) day notice required plus two (2) days to place advertisement in newspaper	9 days
b.	Notice to state agencies	Fourteen (14) days	14 days
c.	State Agency Response Time	Forty-five (45) days	<u>45</u> days 68 days

Given that the City Clerk must file her final ballot form for printing no later than September 14, 2017, then the first step in the foregoing process must take place prior to July 8, 2017. Given the current schedule of City Council meetings it would appear that the regular Council meeting date at which the Council must vote on a specific Charter Amendment in order to meet the foregoing timeline is June 19, 2017.

The foregoing assumes the minimum possible deadlines for achieving the various actions required by statute. It assumes, for example, that the City Clerk can get a notice of hearing published in two (2) days and not three (3). Thus, in order to allow sufficient time for every step to be taken and still have some time to accommodate procedural issues which might arise, it is recommended that the City Council actually take a vote on any proposed Charter Amendments at the Council meeting of June 5, 2017.

City of Portsmouth



Recycling & Solid Waste Program

Jacob Levenson
Solid Waste Sustainability Coordinator

City of Portsmouth
Department of Public Works
680 Peaverly Hill Road
Portsmouth, NH 03801
603-427-1530
www.cityofportsmouth.com



Recycling & Solid Waste

- Portsmouth's Recycling History
- Components of Portsmouth's Solid Waste Program
- Recycling Success
- Recycling Industry Trends
- Recycling FAQs



Portsmouth Recycling History



Scrap metal business on Puddle Lane in the 1950s



Why Do We Recycle in Portsmouth?

• Being an Eco-Municipality, Portsmouth follows four sustainability principles from *The Natural Step*:

- Reduce dependence upon fossil fuels and extracted underground metals and minerals
- Lessen the need for chemicals and other manufactured substances that can accumulate in nature
- Decrease activities that harm life-sustaining ecosystems
- Meet the hierarchy of present and future human needs fairly and efficiently



Why Do We Recycle in Portsmouth?

We recycle to preserve resources and reduce pollution
and our residents recognize it

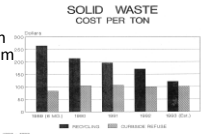
Answer Choice	Percentage	Count
Recycling saves energy	71.11%	116
Recycling reduces benefits	61.28%	97
Recycling preserves resources and prevents waste	58.18%	91
Recycling is good for the economy	51.21%	80
Recycling helps our climate problem	48.81%	76
Other (please specify)	8.98%	14
Total Responses: 132		

*March 2015 Recycling Survey



Portsmouth Recycling History

- December 1989 Portsmouth Recycling Committee is founded, Chartered by the Mayor
- 1990 The Portsmouth Rotary Club ran a volunteer recycling drop-off program
- October 1990 the Recycling Committee proposes Curbside Recycling Program to City Council
- April 1991 began curbside collection
- 1993 NH State Law bans leaf or yard waste from landfills
- 2010 collection of single stream recyclables

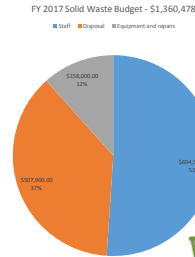


Recycling & Solid Waste Program Components



DPW Solid Waste & Recycling Program Components

- Staff & Equipment
 - 8 Trucks
 - 3 Compactors
 - 11 Staff
 - 20% of Highway Division Workforce



Recycling & Solid Waste Program Components

1. **Collection** of waste and recyclables by the DPW
 - Recycling Center drop off collection
 - Residential curbside collection of waste and recyclables
 - Downtown commercial curbside collection of waste and recyclables
2. **Transportation** of waste and recyclables by the DPW
3. **Processing and Disposal** of waste and recyclables by outside vendors



DPW Recycling Center Drop Off

- Portsmouth residents may bring their trash, recyclables, bulky waste and yard waste to the Recycling Center.
- Recycling Center hours of operation are
 - Tuesday, Wednesday, Thursday 7:45am-3:15pm
 - Saturday 8:00am-2:00pm
- Specialty items at Recycling Center
 - Antifreeze
 - Rechargeable Batteries
 - Clothing
 - Cooking Oil
 - Eyeglasses
 - Fluorescent light bulbs
 - Oil & oil filters
 - Empty propane tanks
 - Vegetable oil
 - Tires, \$5.00 per tire
 - Electronics \$10.00 per unit
 - Freon units (i.e. refrigerators, air conditioners) \$10.00 per unit



Curbside Collection

- Curbside collection includes
 - Mixed recycling
 - Solid waste
 - Yard waste and brush 4/1/15 – 12/1/15
 - Bulky waste items per scheduled appointment
- Every weekday curbside routes are picked up by the DPW
 - Rear loading packer trucks for solid waste and recyclables
 - Dump truck/rear loading packer follows curbside residential routes picking up yard waste and brush during the Spring, Summer and Fall seasons.
- Monday night pick up for downtown business district



Curbside Collection

5,244 residential household's trash, recycling and yard waste is collected weekly



Transportation/Processing of Waste & Recyclables

- DPW is responsible for transporting all curbside collected waste and recyclables to the Turnkey Landfill 19 miles away in Rochester
- DPW contracts Waste Management for the disposal of our waste and the processing of our mixed recyclables
- Our yard waste, brush, wood, electronics, metal and other miscellaneous waste streams are processed by various vendors per best pricing and location



Portsmouth Recycling Success



Portsmouth Recycling Success

- How does the EPA calculate recycling rates?

$$\frac{\text{tons recycled} + \text{tons composted}}{\text{total tons of waste generated}}$$

- Recycling rate = diversion rate

– EPA reports: *“In 2013, Americans generated about 254 million tons of trash and recycled and composted about 87 million tons of this material, equivalent to a **34.3 percent recycling rate.**”*



Portsmouth Recycling Success

Portsmouth average 55% diversion rate over the last 5 years;
22% composting and 33% recycling



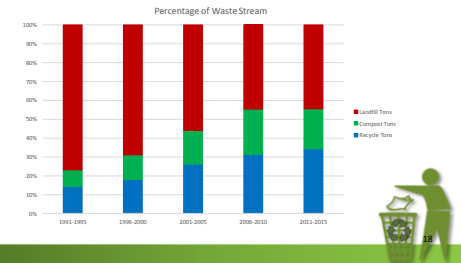
Portsmouth Recycling Success

The Countries Winning The Recycling Race



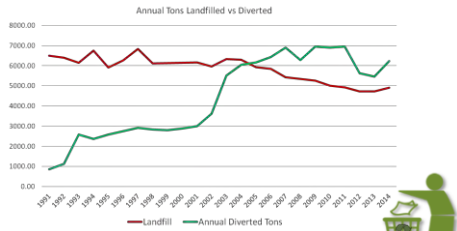
Portsmouth Recycling Success

Five year average diversion rate over time



Portsmouth Recycling Success

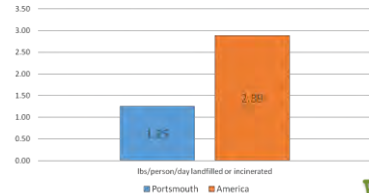
2005 was the first time we recovered more material than we landfilled



Portsmouth Recycling Success

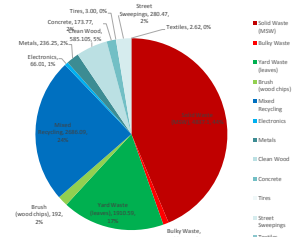
Portsmouth residents understand the importance of reducing and reusing materials in the most productive and sustainable way

lbs/person/day to landfill: Portsmouth Resident vs Average American

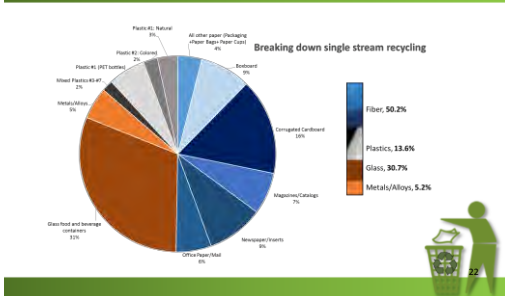


Portsmouth Recycling Success

2015 Waste Stream (tons, %)



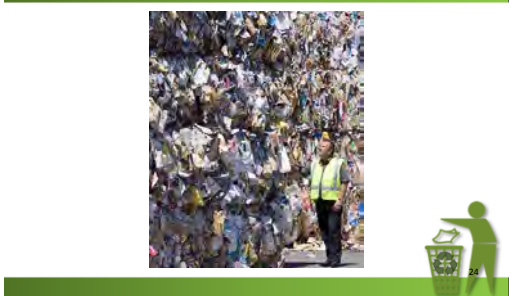
Portsmouth Recycling Success



Portsmouth Recovery Rate Analysis

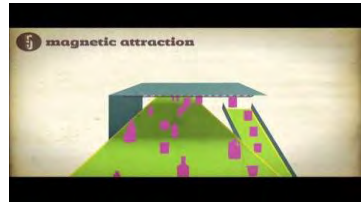
42%	Portsmouth's overall curbside recycling rate.
44.1%	The maximum achievable single stream curbside recycling rate.
95.8%	Portsmouth's Curbside Recovery Rate
6%	The proportion of recycling contaminants in the overall curbside municipal solid waste stream.
3%	Proportion of recoverable recyclables in the overall MSW curbside stream
4.7%	Proportion of overall MSW curbside stream that could have been recycled through source separation.
True recyclables	Predominant component materials: 50% Fibrous, 33% glass, 3% plastic, and 5% metal alloys.
Recoverable recyclables in trash	Predominant component materials: 40% fibrous, 23% textiles, 18.5% plastic.

Recycling Industry Trends



Where do Recyclables Go?

What is a MRF and how does it work?



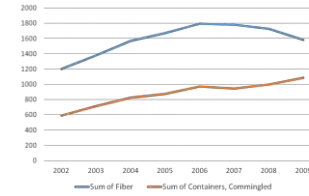
Recent Recycling Industry Trends

- Transportation and processing costs have increased while revenue has declined
 - The "Evolving Ton" is the changing characteristics of material in a ton of mixed recyclables due to shifting consumer and manufacturing trends
 - Less newspaper and more plastic containers
 - Paper (200-500 lbs per cubic yard)
 - Plastic containers and laminated films (50-75 lbs per cubic yard)



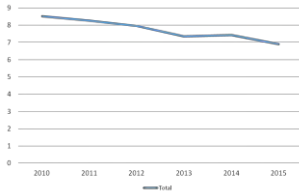
The Evolving Ton

Weight of paper vs rigid containers collected in Portsmouth dual stream recycling



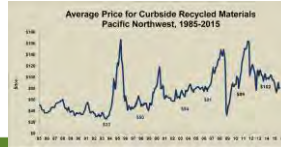
The Evolving Ton

- Average weight of mixed recyclables we fit in a 25 cubic yard packer truck
 - 8.5 tons per truck in 2010 = 322 loads per year
 - 6.9 tons per truck in 2015 = 398 loads per year
 - 19% decrease in density of mixed recyclables over past 5 years
 - \$6,750 increase in transportation cost because total annual weight has remained even



Decreased Revenue

- Global influences on the value of recycled material
 - Commodity markets are low
 - Low oil prices means less demand for the recycled plastics that have replaced paper in our recycle stream
 - Strong dollar hurts exports of recyclables
 - Weakening Chinese economy lowers demand

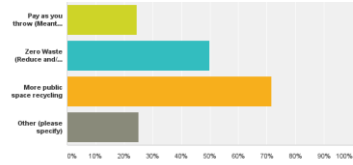


Future of Solid Waste in Portsmouth



Future of Solid Waste in Portsmouth

Which of the following practices do you think Portsmouth should explore/expand on?



*March 2015 Recycling Survey

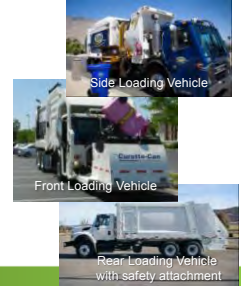


Standardized Recycling Signs



DPW Curbside Collection Future Initiatives

- Investigating alternative collection vehicle equipment
 - Improve worker safety
 - Increase operational efficiency
 - Unique City with various urban and suburban collection needs



Recycling Myth Busters



Recycling Myth Busters

- Are **plastic bottle caps/lids** recyclable in my curbside mixed recycling program?
 - **Yes.** After bottles are empty, plastic caps should be placed back on bottles



Recycling Myth Busters

- Are **plastic bags** recyclable in my curbside mixed recycling program?
 - **No.** Plastic bags get tangled in the MRF equipment, breaking or stopping machinery. Empty plastic bags should go back to a participating retail outlet or grocery store for recycling <http://www.plasticfilmrecycling.org/s01/s01dropoff.html>



Questions?



A Waste Composition Analysis of curbside recycling in Portsmouth, New Hampshire

Recycling Recovery Rate Analysis

Submitted to:

The Department of Public Works
and the City of Portsmouth

By:

Vidya Balasubramanyam
Sustainability Fellow
University of New Hampshire

August 12th, 2016



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Table of Contents

Acknowledgements	1
List of Tables	4
List of Figures	4
Executive Summary	5
Introduction	7
Scope	7
Project Goals	8
Portsmouth’s Recycling Program	8
Study Methodology	10
Sample size	10
Sorting Categories	10
The materials in the recyclable stream were sorted as follows:	11
The materials in the trash stream were sorted as follows:	12
Field Collection Logistics	13
• Stratified Sampling	13
• Random selection within each stratum	13
• Mapping	13
• Collection	13
• Set-out bias	13
• Alternatives	14
• Delivery	14
• Items used for sample collection:	14
Items Needed	14
Limitations	15
Data Review and Analysis	17
Pre-sort	17
Post-sort	18

The Recycling Stream.....	20
Trash stream.....	24
Key Takeaways	28
Curbside Recycling Rate	28
Curbside Recovery Rate	28
Contamination in the recycling stream.....	28
Potential for additional recovery	28
Conclusions	29
Recommendations – Outreach Strategies	29
• Bagged recycling.....	29
• Plastic bags	29
• Personal care products.....	29
• Mixed materials	29
• Materials less than 2” in any dimension	30
Opportunities to streamline and improve future studies.....	31
Appendix A: Metric Calculations and Definitions	33
Appendix B: Sample Data Sheet	34
References.....	37

List of Tables

Table 1: Executive Summary: Main findings	6
Table 2: Sample Size.....	10
Table 3: Recycling Stream: Sorting Categories.....	11
Table 4: Contaminants in Recycling: Sorting Categories.....	12
Table 5: Municipal Solid Waste Sampled	17
Table 6: Composition of Municipal Solid Waste after sorting.....	19
Table 7: Composition of true recyclables in the recycling stream	21
Table 8: Composition of contaminants in the recycling stream	23
Table 9: Composition of recoverable recyclables in the recycling stream.....	26
Table 10: Recovery Rates by Material.....	27

List of Figures

Figure 1: 2014 Waste Stream.....	5
Figure 2: Five year average diversion rate over time	7
Figure 3: Digital Scale	14
Figure 4: Pre-Sort Curbside Municipal Solid Waste composition	17
Figure 5: Actual composition of curbside Municipal Solid Waste after sorting	18
Figure 6: Recycling Stream	20
Figure 7: Breaking down single stream recycling	21
Figure 8: Contaminants in single stream recycling	22
Figure 9: Contaminants in the recycling stream	22
Figure 10: The Trash Stream	24
Figure 11: Recyclables in Trash	24
Figure 12: Recoverable recyclables in the trash stream	25
Figure 13: Mixed materials.....	30
Figure 14: Materials less than 2" in any dimension.....	30

Executive Summary

Figure 1 describes the entirety of Portsmouth's waste stream, as of 2014. The goal of this study was to find out what lies within the 24% wedge in the curbside recycling section. Understanding the composition of curbside recycling in conjunction with curbside trash would then help the city develop outreach strategies in order to further improve Portsmouth's recycling recovery rate, which currently stands at a 55% average.

For this study, we collected 30 samples of residential curbside recycling and trash set-outs. Eight-hundred and sixty-six pounds of waste was sorted and analyzed over the span of a week in July 2016.

Figure
1

**Need for in-depth
analysis**

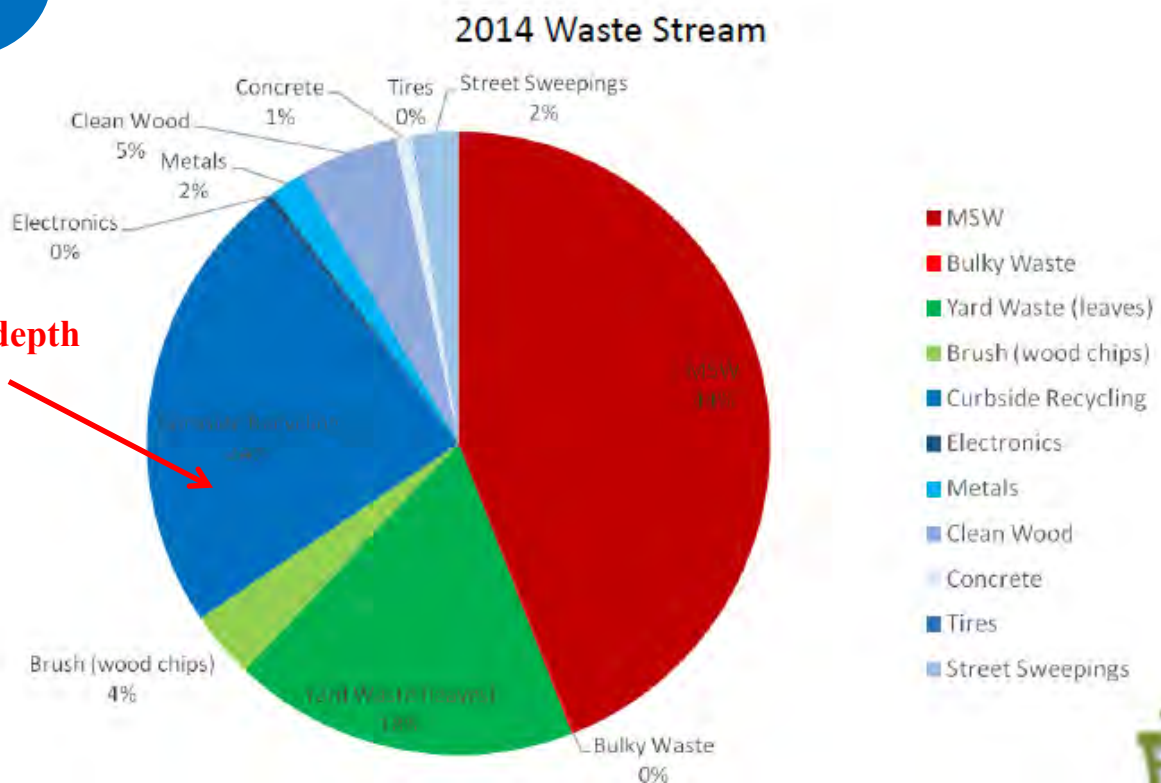


Figure 1: 2014 Waste Stream

The main findings that emerged from this study are as follows:

42%	Portsmouth's overall curbside recycling rate.
44.1%	The maximum achievable single stream curbside recycling rate.
95.8%	Portsmouth's Curbside Recovery Rate
6%	The proportion of recycling contaminants in the overall curbside municipal solid waste stream.
3%	Proportion of recoverable recyclables in the overall MSW curbside stream
4.7%	Proportion of overall MSW curbside stream that could have been recycled through source separation.
True recyclables	Predominant component materials: 50% Fibrous, 31% glass, 13% plastic, and 5% metal alloys.
Recoverable recyclables in trash	Predominant component materials: 40% fibrous, 23% textiles, 18.5% plastic

Table 1: Executive Summary: Main findings

Introduction

In 2014, the city of Portsmouth achieved an overall landfill diversion rate of 55%, with 33% of it being recycled and 22% of it being composted (Figure 2) [1]. Curbside recycling forms 24% of Portsmouth's Municipal Solid Waste stream [1]. However, there was still a need to audit the contents of curbside recycling in order to characterize and quantify the nature of materials within that stream, as well as identify and quantify contaminants in order to improve the recycling efficiency of Portsmouth.

Figure

2

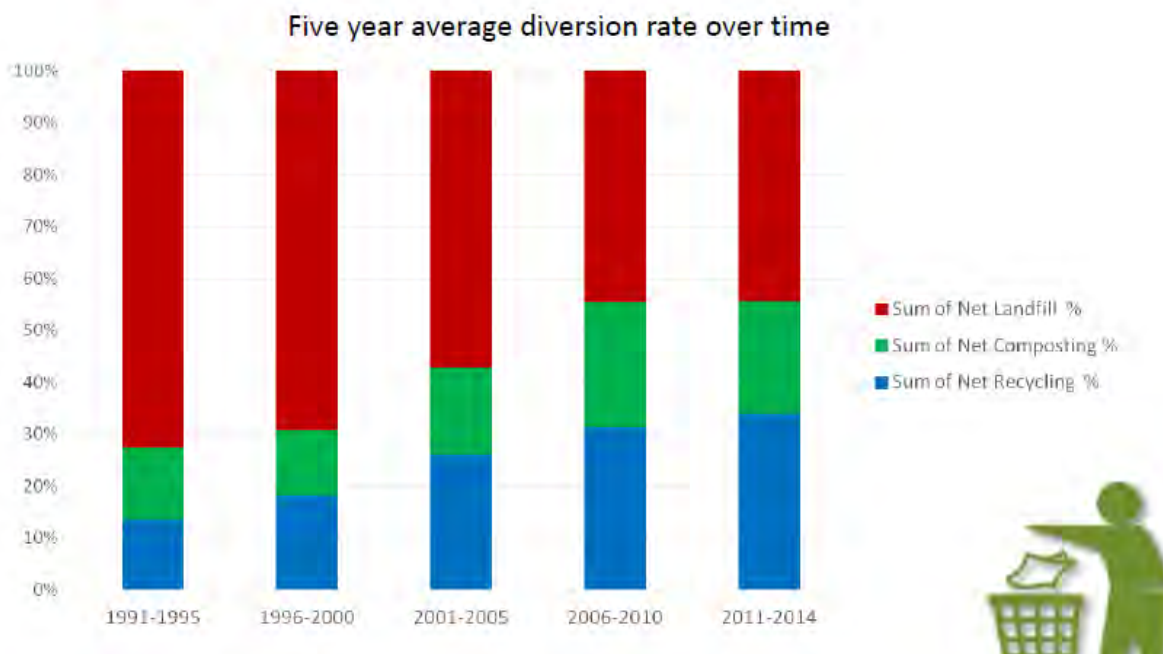


Figure 2: Five year average diversion rate over time

Scope

This study focuses on curbside recycling and curbside trash only. It does not include yard waste, bulky waste, household hazardous waste, construction and demolition waste, or the drop-off recycling program. The aim of this study is to characterize the contents of the curbside recycling stream, while also gaining an insight into the quantity and type of contaminants that are present in the recycling stream. This study also sampled the trash stream in order to detect the presence of recoverable recyclables and thus calculate the curbside recycling recovery rate.

Project Goals

- 1) To calculate the recycling rate and recovery rate¹ for the curbside recycling stream.
- 2) To calculate the rate of contamination in the recycling stream.
- 3) Identify opportunities for improvement through communications and outreach

Portsmouth's Recycling Program

The Department of Public Works makes it mandatory for Portsmouth's residents to recycle. The program in effect is single stream recycling, which means that all recyclables are processed as one common stream, and the non-recyclable materials are disposed of as trash, bulky waste, or household hazardous waste depending on the type of material. Some categories of recycling that are not eligible for single stream processing can be dropped off at the transfer station such as tires, eyeglasses, vegetable oil, cooking oil, and more. The Department of Public Works is implementing a pilot composting program where residents can now drop off their food waste compost.

Portsmouth has five collection days: Monday through Friday. The trash routes include residential curbside collection and downtown commercial curbside collection. DPW is responsible for the collection and transportation of trash, recycling and yard waste from these sources, while outside vendors are contracted for processing and disposal. Apartment buildings and multi-unit residences, however, contract a scheduled pick-up through a private firm.

With a population of 21,440 residents (2014 census), out of which 5,244 households are part of the curbside single stream recycling program, Portsmouth has a 55% landfill diversion rate, which is well above the American average of 34.3%. The average Portsmouth resident sends 1.25 pounds of waste per day to the landfill whereas the average American sends 2.89 pounds of waste per day to the landfill. Thus, it is evident that Portsmouth's recycling efforts are well above national levels [1]. This could be attributed, in part, to the fact that Portsmouth has been designated as an Eco-Municipality, which means that there is a commitment and desire to follow the four sustainability principles outlined by *The Natural Step* [2]:

¹ A recycling rate is the proportion of waste recycled within the overall waste stream. A recovery rate is the proportion of waste recycled among all the recyclables materials in the waste stream. For more details on how these are calculated, see [Appendix A](#).

- Reduce dependence upon fossil fuels and extracted underground metals and minerals;
- Reduce dependence on chemicals and other manufactured substances that can accumulate in nature;
- Reduce dependence on activities that harm life-sustaining eco-systems; and
- Meet the hierarchy of present and future human needs fairly and efficiently.

Study Methodology

Table
2

Sample size

<i>Municipal Solid Waste Sampling</i>	Minimum number of Households	Minimum weight in pounds
Recommended [3-6]	30	200
Our target	50	500
Actual achieved sample size	30	868.6

Table 2: Sample Size

Sorting Categories

The sorting categories were defined as per the City of Portsmouth’s waste management contract with Waste Management. These categories were developed on the basis of how Waste Management accepts and processes recyclable materials. Some allowances were made for categories to emerge by themselves on the basis of the MSW sampled.

Two levels of sorting took place. At the first level, curbside recycling was sorted into “true recycling”, “contaminants in recycling”, and “bagged recycling”. On the same level, trash was sorted into “true trash” and “recyclables in trash”.

At the second level of sorting, “true recycling” was sorted into 13 categories, “contaminants in recycling” was sorted into 14 categories, and “recyclables in trash” was sorted into 15 categories (Table 3 and Table 4).

A special case of contaminants is “**Bagged Recycling**” i.e., recyclable materials that were enclosed in a plastic bag. For this study, materials that met this definition were weighed separately to get an idea of the quantity of bagged recycling. However, after noting down these weights separately, the bag was opened, and its contents were included into the “True Recycling” category, unless there were other contaminants within, in which case those contaminants went into the “Contaminants in Recycling” category.

Table
3

The materials in the recyclable stream were sorted as follows:

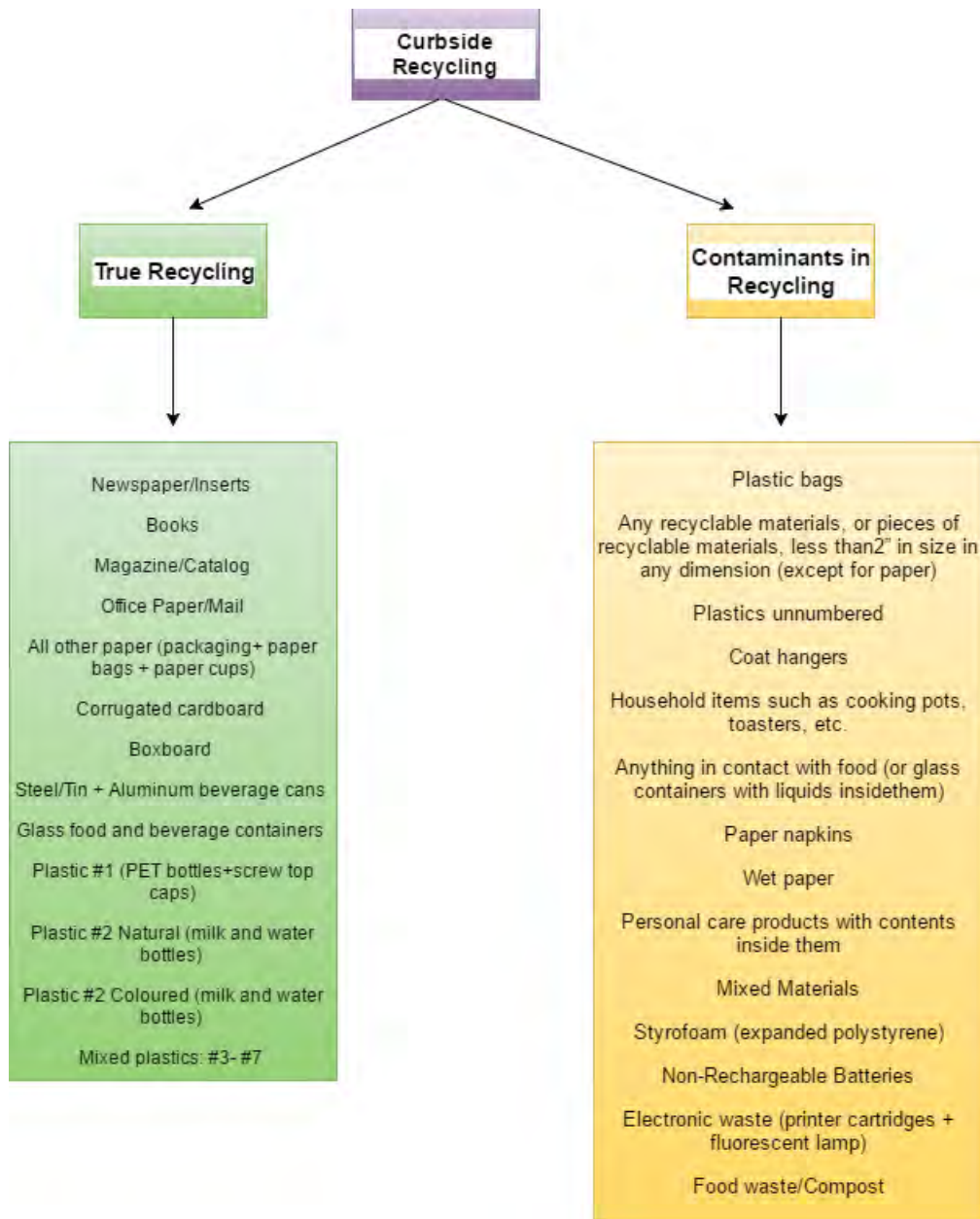


Table 3: Recycling Stream: Sorting Categories

Table
4

The materials in the trash stream were sorted as follows:



Table 4: Contaminants in Recycling: Sorting Categories

Field Collection Logistics

- **Stratified Sampling.** The sampling was stratified on the basis of routes. Each day, we randomly selected 10 households on the active route for that day.
- **Random selection within each stratum.** We used the attribute table of the GIS map which shows each household on the route. The attribute table was exported to Excel, the other inactive routes for the day were filtered out, and out of those, 10 routes were selected using the random number generator on Excel. Once each record was assigned a random number, the records were sorted in ascending order of random numbers. The top 10 records i.e., the 10 records with random numbers of the least value were the selected households for that day. **
- **Mapping.** Once the households were selected, the addresses were plotted on the respective day's recycling route map. These plotted addresses were helpful in determining the most efficient route to take. This also assisted in identifying the houses that would be targeted first by the trash/recycling trucks, so that we could get to those houses before the regular trucks got there.
- **Collection.** Each morning, we headed out to collect the trash and recycling for the selected households. We had big black trash bags to empty the contents of the recycling bin into. These black trash bags with recycling materials were marked off with masking tape in order to differentiate them from regular trash bags.
- **Set-out bias.** In order to avoid set-out bias, we made sure to collect trash and recycling only from households that set out both. However, this has its drawbacks, as will be explained later. The reason for collecting "complete" set-outs is to avoid the "set-out bias" described as *"in some situations the households sampled for waste may differ from the households sampled for recyclables. This is due, in part, to the fact that almost all the households on a given route will put out their trash weekly or*

** For this study, we sampled houses from Monday through Thursday, but skipped the Friday route because we had already exceeded the recommended sample size, and knew that further sampling would confuse and overwhelm the effort. In research terminology, this means that saturation was reached, which is a point at which additional data no longer yields new information.

bi-weekly depending on their pickup schedule. However, they may put out their recyclables only when their bins are full. As a result, some households may have had their trash sampled but not their recyclables, while others may have had their recyclables sampled but not their trash” [7]

- **Alternatives.** If a household had not set out its trash and recycling for the day, we picked the next household in the approaching direction. Allowances were made to choose the next most convenient household on the basis of pedestrian and motor vehicle traffic so as not to obstruct the usual flow of the neighborhood.
- If a neighborhood’s trash and recycling was already collected by Public Works, we headed to the next neighborhood and sampled the same number of households that was assigned to the previous neighborhood.
- **Delivery.** Finally, the collected trash and recycling were brought to the boiler room at City Hall for sorting and auditing.
- **Items used for sample collection:** Gloves, vest, big black trash bags for recycling, masking tape, scissors.

Items Needed

- Data sheets
- Digital scale (Figure 3)
- Notebook and pencils
- Camera to take pictures of sorted waste
- Recycling bins (~30 in number)
- Cheat sheet with sorting categories and an explanation of what materials to include in which categories.
- Gloves.
- Hand sanitizer.
- Labels for labelling the bins for each category.
- Extra trash bags to dispose of the post-sorted waste.
- “DO NOT DISPOSE” signs to carry over waste to the next day.
- DPW shirt, vest.
- Water for hydration.
- Masking tape
- Scissors

Figure

3

Digital scale



Limitations

- 1) While this study was designed to avoid the set-out bias, it had the contrary effect of being likely to have yielded an inaccurate picture of recyclables in trash. Since we only sampled households that set out both recyclables and trash, the percentage of recyclables in trash was found to be lower than would have been if we sampled households that would have set out trash only (because these households would be less likely to recycle).
- 2) This procedure needs to be carried out at least once more during a different season in order to paint a cohesive picture of curbside recycling [3]. This study serves as the baseline for further data collection and analysis.
- 3) The scale that we used could only detect weights of 0.2 lbs. or above. As such, some of the materials that weighed less than 0.2 lbs. were still recorded as 0.2 lbs. If the true weight of a material was 23.3 lbs., the digital scale automatically rounded up the weight to 23.4 lbs.
- 4) The weight of each recycling bin varied slightly. To accommodate for these variations, the weight of each bin was recorded, and the average weight of all the bins was used as the tare weight.
- 5) Identifying recyclables in trash was a subjective procedure because it was tricky to determine whether the recyclable was contaminated after being in the trash (in which case, it would be a recoverable recyclable) or whether the resident threw the recyclable into the trash stream because it was contaminated (in which case, it would have been the correct choice). One way to differentiate between the two cases was to check which surface was contaminated. If it was the outside surface, it was classified as a recoverable recyclable. If it was the inside surface, it was considered as belonging to the trash stream. This, however, led to insufficient data to calculate recovery rates for materials like glass. (see: "[Recovery Rate by Material](#)", and "[Opportunities to improve and streamline future studies](#)" section)
- 6) Balancing weight vs. volume: This study recorded the waste by weight. However, because of the "evolving ton"², weights are not necessarily the best representation of quantity [5]. To overcome this, most of the sorted waste was photographed so that we could spot contaminants and other

² This refers to the changing waste stream, where there is now a need to process more volume and less weight. This is due to the decline of newspapers in the recycling stream, and the increase of plastic-based substances. Higher volumes lead to higher processing costs. This also means that these materials are of lower value, which reduces overall revenue, and further drives up recycling costs.

categories of waste that deserves attention. These would otherwise have not been represented adequately through quantitative information.

Data Review and Analysis

Pre-sort

A total of 868.8 pounds of curbside municipal solid waste was collected, sorted, and analyzed. Nearly half of this material was from the trash totes, while the other half was from the recycling bins.

Table 5 shows the total weights of all the trash samples and recycling samples collected.

Figure 4 shows the percentage of materials in each of the two streams, which also serves as an indicator for residents' perceptions of what belongs in each stream.

Table 5
Municipal Solid Waste sampled

Type of Samples	Weight (lbs.)
Trash samples	445.1
Recycling samples	423.5
Total MSW sampled	868.6

Table 5: Municipal Solid Waste Sampled

Figure 4

Pre-Sort Curbside MSW composition

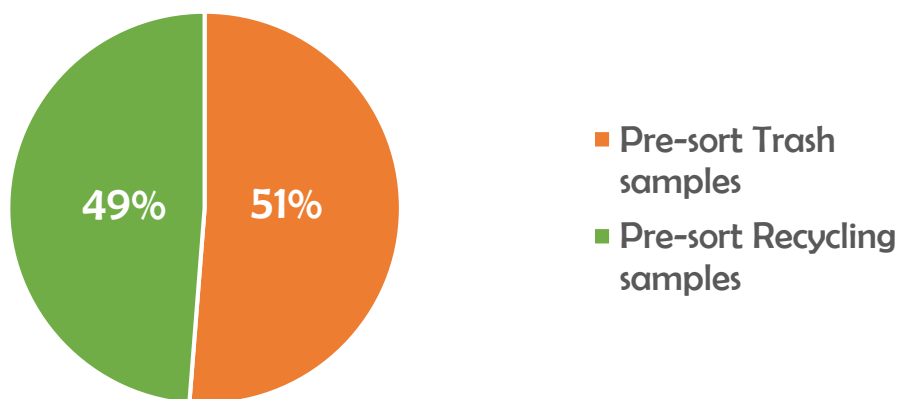


Figure 4: Pre-Sort Curbside Municipal Solid Waste composition

Post-sort

After sorting through the samples, the proportions represented in Figure 4 changed. This is because the recycling stream contained some contaminants, and the trash stream contained some recoverable recyclable materials.

Figure 5 depicts a breakdown of what was really in each stream after it was audited. This is a representation of the composition of true trash, true recycling, recyclables in trash, and contaminants in recycling, and their percentage composition within the overall curbside MSW stream.

While there were few recyclables in trash, there was a larger proportion of contaminants in recycling.

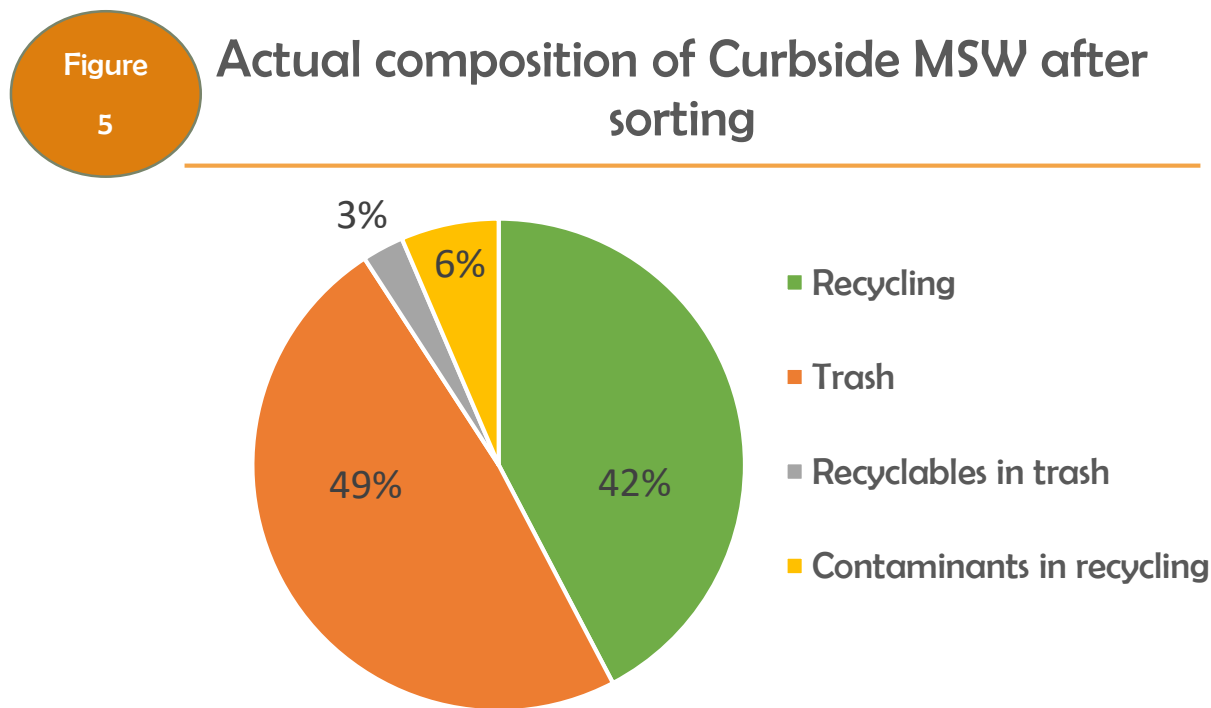


Figure 5: Actual composition of curbside Municipal Solid Waste after sorting

While the trash stream did have more recyclable materials, most of them were too contaminated to be considered as recoverable recyclables. Thus, those were regarded as true trash, and only the recyclables in the trash stream that were not contaminated and that had the potential to be processed by a facility were counted as recoverable recyclables.

Table 6 represents the weights of each of these categories as they were recorded after the sorting process.

Table
6

Composition of Municipal Solid Waste after sorting

Post-sort category	Weight (lbs.)
Recycling	367.6
Trash	421.3
Recyclables in trash	23.8
Contaminants in recycling	55.9
Total Municipal Solid Waste	868.6

Table 6: Composition of Municipal Solid Waste after sorting

The Recycling Stream

Looking at the recycling stream which constitutes 423.5 lbs of the 868.6 lb sample, about 13% of this stream contained contaminants, as shown by Figure 6.

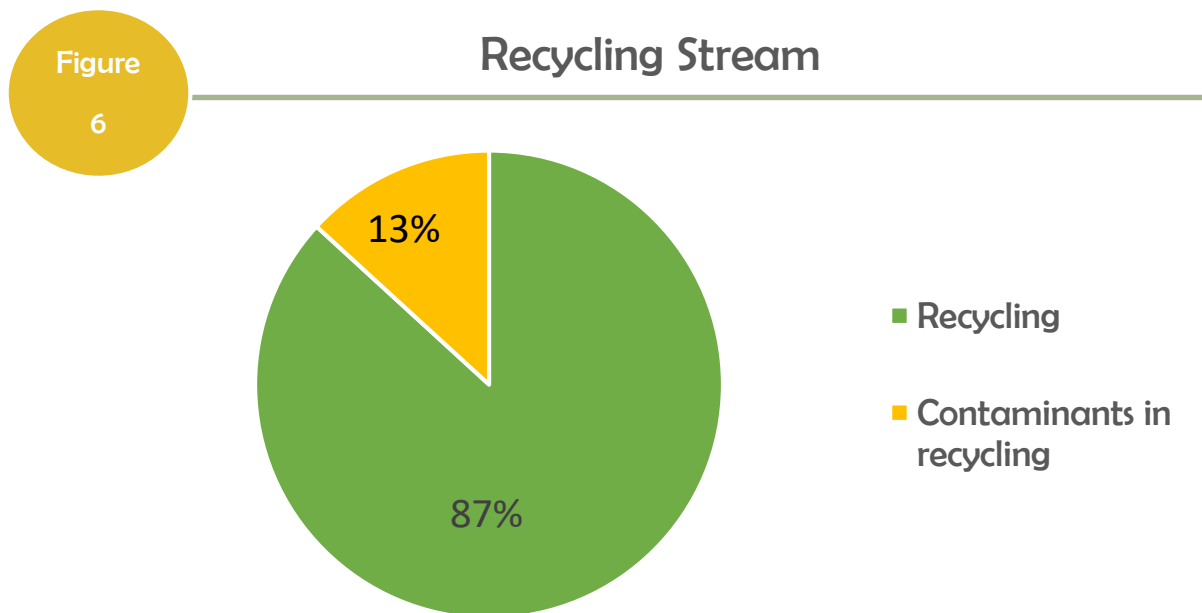


Figure 6: Recycling Stream

True Recyclables

Among the true recyclables within the recycling stream, fibrous recyclables emerged as the most recycled material (Figure 7). Fibrous recyclables include paper, corrugated cardboard, boxboard, newspapers, magazines, office paper/mail, and other types of paper.

The second largest chunk of this stream was occupied by glass food and beverage containers, most of which were containers for alcoholic beverages.

Among the plastics, PET bottles or Plastic #1 had the highest composition by weight. Table 7 depicts the breakdown, by weight, of the true recyclables in the recycling stream.

Although we had included “Books” as one of the categories, there were no books in our sample, although there were several newspapers and magazines.

Figure

7

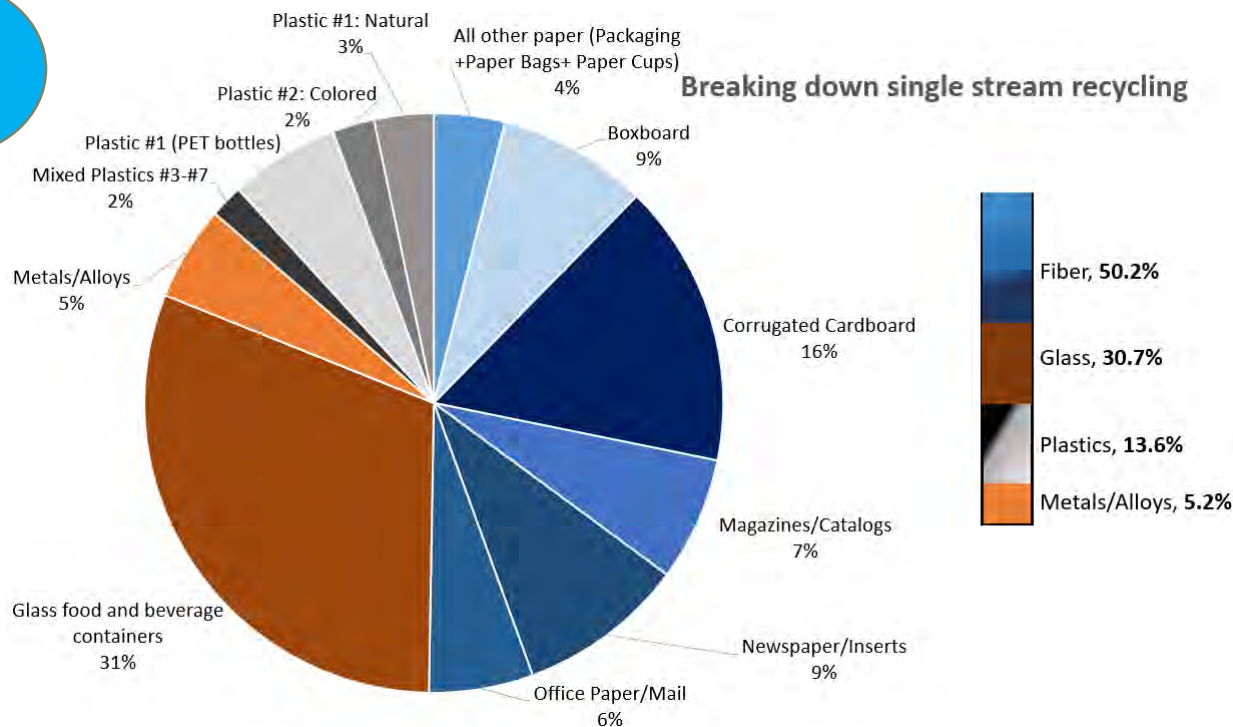


Figure 7: Breaking down single stream recycling

Table

7

Composition
of true
recyclables in
the recycling
stream

Recycling Category	Weights (lbs.)	Percentage
Fiber	184.8	50.27%
All other paper (packaging+ paper bags + paper cups)	14.6	3.97%
Books	0	0.00%
Boxboard	30.8	8.38%
Corrugated cardboard	58.2	15.83%
Magazine/Catalog	25.4	6.91%
Newspaper/Inserts	34.4	9.36%
Office Paper/Mail	21.4	5.82%
Glass	113.2	30.79%
Glass food and beverage containers	113.2	30.79%
Metals/Alloys	19.4	5.28%
Steel/Tin + Aluminum beverage cans	19.4	5.28%
Plastic	50.2	13.66%
Mixed plastics: #3- #7	6.8	1.85%
Plastic #1 (PET bottles+screw top caps)	22.6	6.15%
Plastic #2 Colored (milk and water bottles)	8.6	2.34%
Plastic #2 Natural (milk and water bottles)	12.2	3.32%
Grand Total	367.6	100.00%

Table 7: Composition of true recyclables in the recycling stream

Contaminants in Recycling

Figure 8

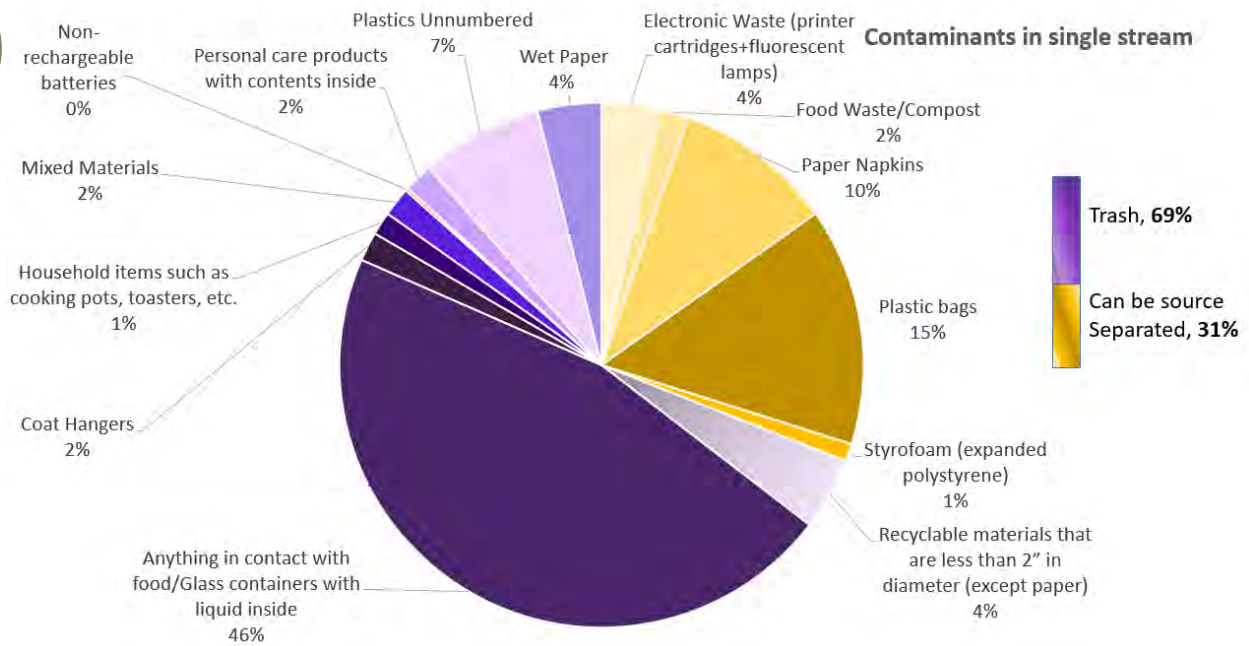


Figure 8: Contaminants in single stream recycling

Among all the contaminants in the recycling stream, we found that 31% of the contaminants can be source separated (Figure 8). These are considered contaminants because MRFs cannot recycle these mixed materials, however, there are other opportunities to source separate them. These include Styrofoam (which can be mailed to a Styrofoam recycling company), plastic bags (which can be dropped off at the grocery store), food and paper napkins (which can be composted), and electronic waste (which can be dropped off at Public Works).

The rest of the contaminants were not ones that can be source separated. Among these, the largest category by percentage was paper and glass containers stained with food. Unnumbered plastics formed the second largest category amongst the contaminants that do not have a potential for source separation.

Figure 9

Contaminants in the recycling stream: L-R: Coat hangers, unnumbered plastics, greasy food, packaging



Table
8

Composition of contaminants in the recycling stream

Categories	Weights (lbs.)	Percentage Composition
Source Separated	17.3	30.95%
Electronic waste (printer cartridges + fluorescent lamp)	2	3.58%
Food waste/Compost	1	1.79%
Paper napkins	5.5	9.84%
Plastic bags	8.2	14.67%
Styrofoam (expanded polystyrene)	0.6	1.07%
Trash	38.6	69.05%
Any recyclable materials, or pieces of recyclable materials, less than 2" in size in any dimension (except for paper)	2.5	4.47%
Anything in contact with food (or glass containers with liquids inside them)	25.8	46.15%
Coat hangers	1	1.79%
Household items such as cooking pots, toasters, etc.	0.8	1.43%
Mixed Materials	1	1.79%
Non-Rechargeable Batteries	0.1	0.18%
Personal care products with contents inside them	1	1.79%
Plastics unnumbered	4.2	7.51%
Wet paper	2.2	3.94%
Grand Total	55.9	100.00%

Table 8: Composition of contaminants in the recycling stream

Trash stream

Looking at the trash stream which constitutes 445.1 lbs. out of 868.6 lbs. of curbside MSW, there is a potential for recovering 5% of its contents into the recycling stream (Figure 10).

Figure 10

Trash Stream

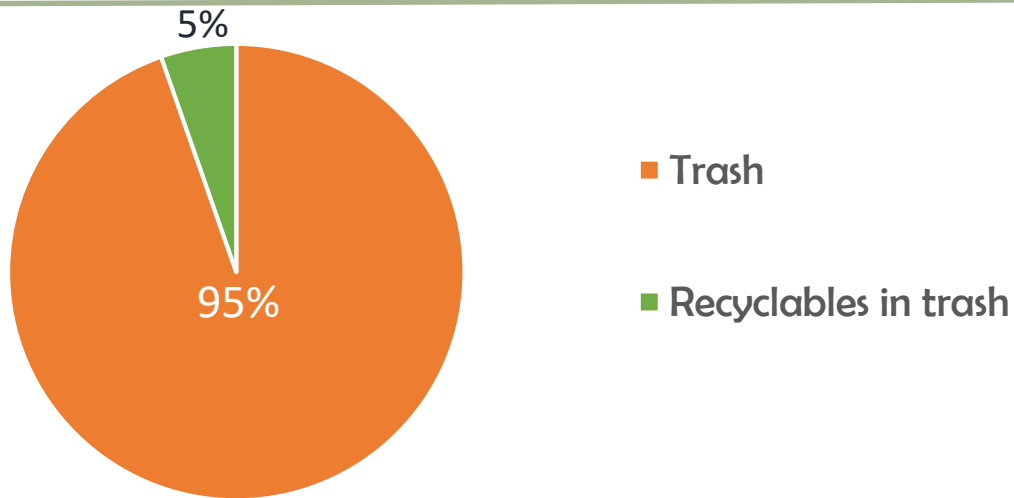


Figure 10: The Trash Stream

Recyclables in trash

Figure 11

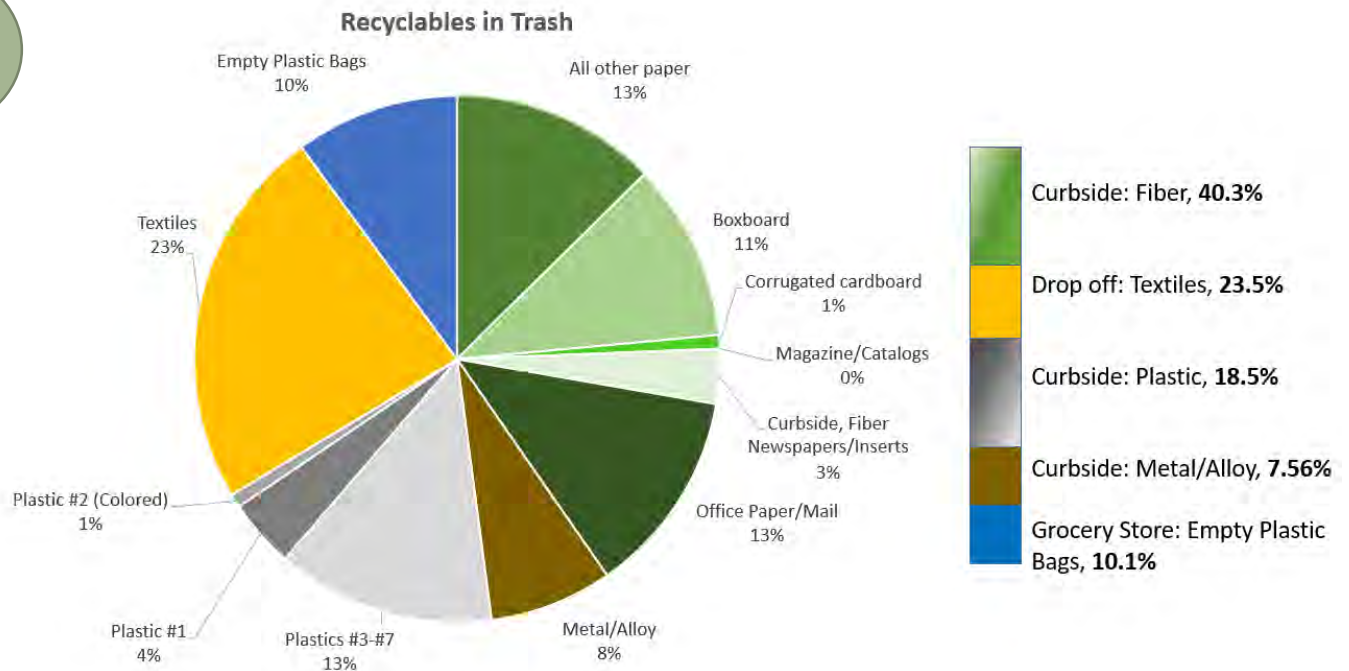


Figure 11: Recyclables in Trash

Since one of the goals of this study was to identify opportunities for improvement, we counted plastic bags and textiles as recoverable recyclables even though they are not part of the curbside recycling program. Empty plastic bags, though not recyclable by Public Works, can be recycled at the local grocery and department stores. Textiles can be dropped off at the clothing collection boxes around town including the recycling center at Public Works. Interestingly, textiles formed the second largest category of recoverable recyclables in the trash stream.

The composition of recoverables in the trash stream echo, in some ways, the composition of the true recyclables (Figure 11). Among the true recyclables, fiber formed the largest category by weight, and the same is seen in the recoverables from trash. One major difference is that there was virtually no glass present as a recoverable recyclable in the trash stream. There was, however, some glass in the trash stream, but it was too contaminated to meet the criteria to be a recoverable.

While plastic #1 dominated the plastics in the true recyclables, plastics #3-#7 dominate the plastics in the recoverables. This is an interesting find, and indicates that some people may still not be aware that plastics #3-#7 can, in fact, be recycled.

Figure
12

Recoverable recyclables in the trash stream: L-R: Office paper, boxboard, plastic



Figure 12: Recoverable recyclables in the trash stream

Table
9

Recoverable recyclables in the trash stream

Categories	Weight (lbs.)	Percentage Composition
Curbside, Fiber	9.6	40.34%
All other paper (paper bags+paper cups+paper plates)	3	12.61%
Books	0	0.00%
Boxboard	2.6	10.92%
Corrugated cardboard	0.2	0.84%
Magazine/Catalogs	0	0.00%
Newspapers/Inserts	0.8	3.36%
Office Paper/Mail	3	12.61%
Curbside, Glass	0	0.00%
Glass food and beverage containers	0	0.00%
Curbside, Metal/Alloy	1.8	7.56%
Aluminum beverage cans/Steel/Tin	1.8	7.56%
Curbside, Plastic	4.4	18.49%
Mixed plastics: #3- #7	3.2	13.45%
Plastic #1 (PET bottles+screw top caps)	1	4.20%
Plastic #2 Colored (milk and water bottles)	0.2	0.84%
Plastic #2 Natural (milk and water bottles)	0	0.00%
Drop-off (DPW)	5.6	23.53%
Textiles	5.6	23.53%
Drop-off (grocery store)	2.4	10.08%
Empty plastic bags	2.4	10.08%
Total	23.8	100.00%

Table 9: Composition of recoverable recyclables in the recycling stream

Recovery Rates by material

The following are individual recovery rates calculated for select materials. For glass, there was insufficient data to calculate its individual recovery rate. This is because a lot of the glass in the trash stream was too contaminated with food to be considered as a recoverable recyclable as defined by this study. However, that data would still be necessary to calculate the recovery rate for glass as a separate material.

Table
10

Material	Trash (lbs.)	Recycling (lbs.)	Total (lbs.)	Recovery Rate
Fiber (including drop-off textiles)	15.2	184.8	200	92%
Plastic	4.4	19.4	23.9	81%
Metals/Alloys	1.8	50.2	52	97%

Table 10: Recovery Rates by Material

Key Takeaways

Curbside Recycling Rate

The recycling rate is a measure of how much of the overall municipal curbside stream is recycled. The maximum achievable recycling rate is a measure of how much of the overall curbside MSW *could potentially* be recycled.

Portsmouth's curbside recycling rate currently stands at 42% out of a maximum achievable recycling rate of 44.1%.

Curbside Recovery Rate

The recovery rate is a measure of how much of all the recycling in the MSW stream was actually recovered as recycling.

Portsmouth's curbside recovery rate currently stands at 95.8%.

Contamination in the recycling stream

The recycling stream was contaminated by about 13%. Out of these, unclean food containers were the dominant contaminants. Recycling enclosed within plastic bags was also found in abundance, although for the purposes of this study, only the plastic bags themselves were labeled a contaminant while the recyclables inside weren't included in calculating the contamination rate.

Within the overall curbside MSW stream, the proportion of recycling contaminants was found to be 6%.

Potential for additional recovery

Further source separation can occur in order to decrease contamination rates and increase recovery rates. 31% of the recycling contaminants could be source separated, and 3% of the trash stream could be diverted from the landfill.

Within the overall curbside MSW stream, the potential for source separation was found to be 4.7%.

Conclusions

Recommendations – Outreach Strategies

- **Bagged recycling** formed 19% of the recycling stream, and 51% of the contaminants in recycling. This is a grey area, because the contents of the bags are recyclable but the plastic bag is not. Thus, conveying this information to residents and asking them to avoid putting their recyclables in bags could help improve the recycling rate.
- **Plastic bags** formed the third largest category of contaminants (15%). Although plastic bags cannot be recycled in the single stream recycling program, grocery stores accept plastic bags for recycling. Diverting plastic bags away from the recycling stream could reduce the rate of contamination, even though it is not quantitatively detectable because of its negligible weight.
- From field observations, we were able to gather that residents who had **covered bins** for recycling were less likely to bag their recycling than residents who had the regular open bins. Covered bins also provided protection to the recycling materials from wind and rain, thus making them easier to process.
- The second largest category of contaminants was **food-stained or greasy containers** (22.6%). The containers were either made of glass, fiber, or numbered plastic. While food-stained glass isn't as big an issue, food-stained fiber causes problems during processing because the fiber is made into a slurry with large quantities of water. This causes the oil on the surface of the fiber to leech out to the top of the slurry, making it difficult for the paper fibers to separate out [8]. Thus, an emphasis on cleaning containers with food/grease in them before disposing them into the recycling stream could improve the recycling rate.
- **Personal care products** with contents inside them formed 2% of the contaminants within the recycling stream. Educating residents to empty out these tubes or bottles before disposal could potentially reduce the occurrence of these contaminants.
- **Mixed materials** posed a conundrum. Some parts of the material were recyclable, while other parts were not. The only way to handle this is through source separation: taking the material apart, and placing the appropriate parts in their respective stream. Figure 13 is one such example.

Figure
13

Mixed
Materials Box



Figure 13: Mixed materials

- **Materials less than 2" in any dimension:** this includes shredded paper, broken glass, and other plastic odds and ends (Figure 14). Tiny bits of recycling are likely to fall through the screen at the Material Recovery Facility (MRF), and eventually end up in the landfill. Broken glass can be recycled, however, it poses a hazard to those who manually handle or sort through the waste, and could be avoided where possible.

Figure
14

Materials less
than 2" in any
dimension



Figure 14: Materials less than 2" in any dimension

Opportunities to streamline and improve future studies

- If time allows, perform a pilot run in order to ensure that your time of collection does not interfere with the regular trash and recycling collection. The pilot run will also help assess whether you have the right resources for collection, and will familiarize you with the sorting procedure.
- Aggregate the data from this study and subsequent studies in order to have a cohesive picture of curbside recycling. If the same study is conducted during a different season, the data from both studies would be an accurate representation of Portsmouth's curbside recycling.
- Set aside a special stratum for sampling households which only set out their trash (and not recycling). This would help clarify whether the percentage of recyclables in trash shown by this study is an accurate reflection of recyclables in trash even amongst those who do not actively recycle, while also avoiding the set-out bias (because this stratum will be analyzed separately as a satellite study, and the results from the two cases can be compared).
- This study used "Newspapers/Glossy Inserts" as a single category, and "Magazines" as a separate category. However, it would be useful if future studies looked at "Newsprint" and "Magazines/Glossy Inserts" to get a better idea of how much of the paper is colored vs. non-colored.
- This study did not separate office paper from office paper with wax liners, the latter being a contaminant. Future studies could separately identify office paper with wax liners and quantify those as a contaminant.
- If resources allow, a more sensitive digital scale would help improve the accuracy of the results.
- Check the weights of each of the bins before weighing. If possible, label each bin with their respective weights because not all bins are likely to have the same weight.
- Establish a procedure to identify recyclables in trash. For this study, the procedure was to check which surface was contaminated. If it was the outside surface, it was classified as a recoverable recyclable. If it was the inside surface, it was considered as belonging to the trash stream.

- It might also be useful to classify ALL the glass in the trash stream as recoverable recyclables (even if they were too contaminated) in order to generate data on how much of the glass can be recovered.
- Check weather and schedule a backup week in case the collected waste for the day is wet.
- Attempt representation of data by volume/density in addition to weight.
- Attempt to project an economic value, and create a metric for contaminants or trash or even recyclables in terms of kgCO₂eq. This would then yield information that says *“with every load of recyclables, there's X amount of carbon from those materials, and this could have saved x% CO₂ if there were no contaminants.”*[\[9\]](#)

Appendix A: Metric Calculations and Definitions

- 1) Curbside Recycling Rate [10] =
$$\frac{\text{Weight of waste recycled}}{\text{Total Municipal Solid Waste Generated}}$$
- 2) Rate of contamination in the recycling stream =
$$\frac{\text{Weight of contaminants}}{\text{Weight of recycling stream before sorting}}$$
- 3) Maximum Achievable Recycling Rate [10] =
$$\frac{\text{Weight of recyclables} + \text{Recyclables in trash}}{\text{Total Municipal Solid Waste Generated}}$$
- 4) Recyclable Recovery Potential [10] =
$$\frac{\text{Weight of curbside recoverable recyclables in the trash stream}}{\text{Weight of trash stream before sorting}}$$
- 5) Recovery Rate [10] =
$$\frac{\text{Weight of recycling}}{\text{Weight of recycling} + \text{Weight of recyclables in trash}}$$
- 6) True Recyclables: Refers to the recyclable materials that were correctly put into the recycling stream.
- 7) Contaminants: Refers to materials in the recycling stream that cannot be recycled.
- 8) True Trash: Refers to materials that were correctly put into the trash stream (i.e., materials that cannot be recycled)
- 9) Recoverable recyclables: Refers to materials in the trash stream that were eligible to be recycled.
- 10) Source separation: A self-explanatory term which involves sorting of waste into their appropriate categories by the user before disposal into their respective streams.

Appendix B: Sample Data Sheet

Portsmouth Recycling Recovery Rate Analysis		
Date	11th July 2016	
Day	Monday	
Route	1	
Time of Collection	8 AM - 9 AM	
Weather	Drizzly, cloudy	
State of Samples	Slightly damp	
Number of Samples	7	
Total Weight of Pre-sorted trash collected	96.4	
Total Weight of Pre-sorted Recyclables collected	117.6	
Total MSW Generated=Total MSW Recycled+Total MSW in trash		
Recycling recovery rate= Total MSW Recycled/Total MSW Generated * 100		
Maximum achievable recovery rate for the day= Tons recycled+ Recyclables in trash/ Total tons of waste generated		
Rate of contamination in the recycling stream= Weight of Contaminants * 100 /Total weight of Pre-Sort Recycling		
Pictures		

Waste Composition Analysis of Curbside Recycling
 Portsmouth, New Hampshire

Recyclables sorting categories	Weight in pounds (bin weight subtracted)	Weight of bin used for measuring= 3.6 lbs
Actual recyclables		
Newspaper/Inserts	8.4	
Magazine/Catalogs	6.6	
Books		
Office Paper/Mail	4.2	
All other paper	0.6	
Corrugated cardboard	35.2	
Boxboard	9	
Steel/Tin + Aluminum beverage cans	6.6	
Glass food and beverage containers	29.8	
Plastic #1 (PET bottles+screw top caps)	3.6	
Plastic #2 Natural (milk and water bottles)	1.6	
Plastic #2 Coloured (milk and water bottles)	1	
Mixed plastics: #3- #7	1.8	
Contaminants		
Bagged materials (even if containing Recyclables)	14.4	Subtract this amount from the total recycling because it gets counted twice since bags are also opened and sorted
Mirrors		
Light Bulbs		
Porcelain		
Plastic bags, expanded polystyrene		
Glass cookware/bakeware		
Flexible packaging and multi-laminated materials		
Excluded Materials		
Any recyclable materials, or pieces of recyclable materials, less than 2" in size in any dimension (except for paper)		
Microwave trays		
Window or auto glass	9.2	
Ceramics		
Plastics unnumbered		
Coat hangers		
Household items such as cooking pots, toasters, etc.		
Wet fiber+ Fiber containing, or that has been in contact with, food debris		
Materials: (a) that contain chemical or other properties deleterious, or capable of causing material damage, to any part of Company's property, its personnel or the public; and/or (b) that may materially impair the strength or the durability of the Company's structures or equipment.		
Specialty items meant for drop off		
Rechargeable Batteries		
Electronic waste		
Food waste/Compost		
Empty plastic bags (can go to grocery store)		
Antifreeze		
Clothing		
Cooking oil		
Vegetable oil		
Tires		
Eyeglasses		
Fluorescent light bulbs		
Oil & oil filters		
Propane tanks (empty)		
Freon waste		

Trash sorting categories	Weight in pounds
Actual trash	91.2
Non-organic trash	
Organic Trash	
Recyclables thrown in trash	5.2
Potential curbside	
Newspaper/Inserts	
Magazine/Catalogs	
Books	
Office Paper/Mail	
All other paper	
Corrugated cardboard	
Boxboard	
Steel/Tin	
Aluminium beverage cans	
Glass food and beverage containers	
Plastic #1 (PET bottles+screw top caps)	
Plastic #2 Natural (milk and water bottles)	
Plastic #2 Coloured (milk and water bottles)	
Mixed plastics: #3- #7	
Potential drop off	
Rechargeable Batteries	
Electronic waste	
Food waste/Compost	
Empty plastic bags (can go to grocery store)	
Antifreeze	
Clothing	
Cooking oil	
Vegetable oil	
Tires	
Eyeglasses	
Fluorescent light bulbs	
Oil & oil filters	
Propane tanks (empty)	
Freon waste	
Household Hazardous Waste	

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