

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, APRIL 15, 2019 TIME: 6:15 PM

- 6:15PM – NON PUBLIC SESSION IN ACCORDANCE WITH RSA 91-A:2, I (a) REGARDING STRATEGY OR NEGOTIATIONS WITH RESPECT TO COLLECTIVE BARGAINING - AFSCME LOCAL 1386
- 6:45PM – PORTSMOUTH CITY COUNCIL PHOTOGRAPH

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

PRESENTATIONS

- 1. Arbor Day – Growth Award – Corin Hallowell, Arborist & Charles Baxter, Arborist
- 2. McIntyre Presentation Introduction of David Eaton from Colliers International

V. ACCEPTANCE OF MINUTES – APRIL 1, 2019

VI. PUBLIC COMMENT SESSION

VII. VOTES ON ORDINANCES AND/OR RESOLUTIONS

- A. First reading of Ordinance amending Chapter 10 – Zoning Map 10.5A21A by changing the property with the address of 15 Middle Street from Civic District to Character District 4 and amending Zoning Map 10.5A21B by changing the height requirement area for the property street frontages on Porter Street and Maplewood Avenue to 2-3 stories (40')

VIII. APPROVAL OF GRANTS/DONATIONS

- A. *Acceptance of Donation from Poco Diablo, Inc., Restaurant – John Golumb & Marlisa Geroulo for Light Forms art installation on Ceres Street by Pandora - \$2,250.00
- B. *Acceptance of Wellness Award – Health Trust Wellness Program - \$2,000.00

IX. CONSENT AGENDA

(ANTICIPATED ACTION - MOVE TO ADOPT CONSENT AGENDA)

- A. Request for License to Install Projecting Sign for Joe Faro/Tuscan Brands owner of Tuscan Market for property located at 14 Market Square ***(Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request)***

Planning Director's Stipulations

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

- B. Request for License to Install Projecting Sign for Scott Rafferty owner of Open Concepts Realty for property located at 371 Islington Street, Unit A (***Anticipated action - move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and further, authorize the City Manager to execute the License Agreement for this request***)

Planning Director's Stipulations

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

- C. Letter from Cole Gove, Seacoast Growers Association requesting permission to include Squamscott Vineyard & Winery, LLC in the 2019 Portsmouth Farmers' Market for the sale and tasting of their product (***Anticipated action – move to refer to the City Manager with power***)

- D. Petition and Underground Utility License for 100 Pinehurst Road - Request to install 3 conduits in 1 four (4) foot wide trench from the utility pole, 48 feet across Pinehurst Road to their property (***Anticipated actions – move to refer to the City Manager with power***)

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Email Correspondence (***Sample motion – move to accept and place on file***)
- B. Petition from The Clip Joint Barbershop against making the downtown a Pedestrian Zone
- C. Letter from Russell Prescott, Executive Councilor, District 3, sharing information regarding the Executive Council (***Sample motion – move to accept and place on file***)

- D. Letter from Attorney Paul McEachern regarding Petition to rezone the Federal Building property on Daniel Street
- E. Letter and Petition for Rezoning of 200 Chase Drive (CC Church)

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager's Items Which Require Action:

- 1. Renewal of Boarding House Permits
 - 278 Cabot Street
 - 350-352 Hanover Street
- 2. Purchase and Sale Agreement for Property Identified as Map 232, Lot 8 Off of Lois Street
- 3. Request for First Reading to amend Chapter 6, Article II, Section 6.202C – Billiards and Bowling
- 4. Request for License – Property Located at 35 Congress Street
- 5. Extension of Connect Community Church License Agreement with Public Parking
- 6. Request to move the October 21, 2019 City Council meeting to October 28, 2019

City Manager's Informational Items:

- 1. Presentation Re: Per and Polyfluoroalkyl Substances (PFAS) in the Pease Public Water System Update – Captain Gary D. Perlman & Dr. Gregory V. Ulirsch
- 2. Household Hazardous Waste Day
- 3. EDC Report Back to City Council on Review of Land Use/Inspections Process
- 4. Report Back Re: Downtown Street Closures

B. MAYOR BLALOCK

- 1. Appointment to be Considered:
 - Reappointment of Robert Capone to the Cable Television & Communications Commission
- 2. *Appointment to be Voted:
 - Appointment of Carrie Mayo to the Blue Ribbon Committee on Sustainable Practices
- 3. *Establish Sub-committee of the City Council Re: McIntyre Project
 - Councilor Doug Roberts
 - Councilor Chris Dwyer
 - Councilor Rebecca Perkins

C. COUNCILOR ROBERTS

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the April 4, 2019 meeting (***Sample motion – move to accept and approve the action sheet and minutes of the April 4, 2019 Parking & Traffic Safety Committee meeting.***)
2. *Vaughan Mall

D. COUNCILOR DENTON

1. Proposed Rule Change – Rule 7 Order of Business

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT

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


** Indicates verbal report*

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: April 11, 2019

To: Honorable Mayor Jack Blalock and City Council Members

From: John P. Bohenko, City Manager 

Re: City Manager's Comments on April 15, 2019 City Council Agenda

Presentations

1. **Arbor Day Growth Award** The Arbor Day Foundation recently awarded Portsmouth's Parks and Greenery Department, led by arborists Corin Hallowell and Charles Baxter, with its Tree City USA designation as well as its Tree Growth Award. Portsmouth and Nashua were the only communities in New Hampshire to receive a Tree Growth Award. (Attached is information regarding the Arbor Day Foundation.)
2. **McIntyre Presentation - Introduction of David Eaton from Colliers International** On Monday night, the City Council will be introduced to David Eaton, Managing Director of Financial Services for Colliers International, who the City has engaged to assist the City on the McIntyre Project. David will briefly describe his experience and qualifications (attached is his profile), his role and scope of work, and inform the Council on the status of his work. He will also be available to answer any general questions Councilors may have at this juncture.

Public Hearings & Votes on Ordinances &/or Resolutions

1. **First Reading – 15 Middle Street Re-Zoning:**

On February 4, 2019, Attorney Phoenix submitted a letter to the City Council on behalf of his client, James McSharry, requesting that this property be re-zoned from CIVIC to Character District 4 (CD-4). At the February 19, 2019 City Council meeting, the Council voted to refer this request to the Planning Board for a recommendation.

Since the Character District Zoning was adopted in April 2014, this property has been zoned Civic District. Portsmouth has six main Character Districts in the Zoning Ordinance. Except for the Civic District, all the Districts pertain to private properties and uses in the Downtown, North End, and West End. In contrast, Civic Districts contain properties that are designated to preserve the existing buildings and uses which are open to and primarily serve the general public (i.e. religious facilities, historical societies and other non-profit establishments). Properties in the Civic District are owned by a non-profit entity (other than the City) and are generally open to the general public and dedicated to the arts, culture,

education, religion, or other public uses. Properties in the Civic District may be converted to other civic uses permitted under the ordinance, however new structures, alterations or expansions of the existing structures that propose non-civic uses require a change to the Zoning Map (or Regulating Plan) as set forth in Section 10.5A22 of the Zoning Ordinance.

At the April 1st City Council meeting, there was question about whether the Civic District is one and the same as the Municipal District. Civic District is different from Municipal District (although these have a similar purpose statement in the Zoning Ordinance). The primary distinction between these two is that Municipal District properties are owned by the City, whereas Civic District properties are owned by not-for-profit entities other than the City.

Being a religious use for more than a century, the structure at 15 Middle Street was designated as a civic use upon adoption of the Character District Zoning in 2014. Since that time, the current property owner (the Salvation Army) has marketed the property for other uses and recently signed a purchase and sale agreement to convert the use of the building to a non-civic use -- hotel. Thus, the conversion of the use requires a change to the [Zoning Map \(attached\)](#) as well as land use approvals from the Historic District Commission and the Planning Board.

This property abuts both the higher-density CD5 District along Congress Street – the heart of the downtown commercial district – and the medium-density CD4 District located along Porter Street. Due to the orientation, setback, and the fact that the primary entrance to the building is located along Porter Street, City Planning Department staff recommended re-zoning to CD4. Note that the permitted land uses are exactly the same for CD4 and CD5. The only discernible difference between the districts are the building placement characteristics and its occupation on the lot. Understanding the current reuse proposal is to make relatively minor alterations to the existing structure, the CD4 District will permit such changes without the need for additional zoning relief.

In addition to the base zoning districts, the Character District properties are also subject to separate requirements for building height standards. These are regulated by Zoning Maps 10.5A21B. These standards follow street frontages and not property lines (e.g. a property that fronts on more than one street may be subject to different height standards on each street). The height standards for each of the abutting street frontages are 2 to 3 stories or 40 feet maximum. Planning Department staff recommends amending the standards for this property to match the standards as listed above.

Properties in the Civic District are exempt from dimensional standards. A comparison of the primary dimensional standards for the CD4 and CD5 zoning districts is provided below:

Dimensional Standards	CD4	CD5
Principal front yard (max)	10 ft	5 ft
Secondary front yard (max)	15 ft	5 ft
Side yard	NR	NR
Rear yard (min)	5 ft	5 ft
Front lot line buildout (min)	50%	80%
Building block length (max)	200 ft	225 ft
Façade modulation length (max)	80 ft	100 ft
Entrance spacing (max)	50 ft	50 ft
Building coverage (max)	90%	95%
Building footprint (max)	15,000 sf	20,000 sf
Lot area (min)	NR	NR
Lot area per dwelling unit (min)	NR	NR
Open Space (min)	10%	5%
Ground floor gross floor area per use (max)	15,000 sf	15,000 sf
Building height (max)	see Map 10.5A21B	see Map 10.5A21B
Finished floor surface of ground floor above sidewalk grade (max)	36"	36"
Ground story height (min)	12 ft	12 ft
Second story height (min)	10 ft	10 ft
Façade glazing	70% min for shopfront façade	70% min for shopfront façade

Permitted uses in the Civic District are uses open to the general public and dedicated to arts, culture, education, religion, recreation, government, transit, gardening, horticulture, public gathering, assembly, or meeting. The primary land uses allowed in CD4 and CD5 are listed provided below.

Land Uses	CD4/CD5
Single family dwelling	P
Attached ADU	CU
Garden Cottage	CU
Two-family dwelling	P
Townhouse	P
Multifamily dwelling	P
Live/Work unit	P
Assisted Living Center	P
Residential Care Facility	P
Place of Assembly	S
School	P
Museum	P
Performance Facility	P/S (depending on size)
Club / fraternal organization	P
Indoor amusement facility	P
Health club, etc	P/S (depending on size)
Office	P
Financial institution	P
Group daycare	P
Personal and consumer services	P
Convenience stores	P
Retail sales	P
Restaurant / bar	P/S (depending on size)
Bed and breakfast	P
Inn	P
Hotel or motel	P
Conference center	P

I recommend the City Council vote to pass first reading and schedule second reading and a public hearing for the May 6, 2019 City Council meeting.

Approval of Grants/Donations

1. **Acceptance of Donation from Poco Diablo, Inc., Restaurant** - In the fall of 2018, the City entered into a lease with Pandora LaCasse Designs of Portland, Maine for a pilot project consisting of the installation of light forms in the tiered landscape areas at the entrance to Ceres Street. The lease runs from November 14, 2018 to April 30, 2019 and includes an option to purchase the light forms at the end of the lease with a credit of 50% of the paid rent to be applied toward the purchase price. The light forms add a creative dynamic to the busy pedestrian area at the corner of Ceres and Penhallow Streets and have been very well received by residents and visitors. The City has agreed to exercise the option to purchase the lights. Local residents and owners of Poco Diablo's Restaurant on Ceres Street, John Golumb and Marlisa Geroulo, have generously offered to contribute half of the purchase price of the light forms in two installments of \$2,250.

I recommend the City Council move to accept the first installment donation of \$2,250 from Poco Diablo's Restaurant for the purchase of light forms on Ceres Street from Pandora LaCasse Designs.

2. **Acceptance of Wellness Grant from HealthTrust** Kelly Harper, Benefits Administrator, Eric Benson, representing the Police Department and Brian Wade II, representing the Fire Department attended a Wellness Coordinator training at HealthTrust in Concord, NH. As an award returning as Wellness Coordinators with HealthTrust, they each received money to use toward wellness initiatives in 2019. The total received was \$2,000.

This money will be used differently in each department, but some ideas of how the money will be spent is, raffles, fitness devices, hydration programs, healthy snacks, fitness equipment and other initiatives to promote wellness for all employees.

The goals of the HealthTrust Wellness Program, Slice of Life, is to reduce health risk factors and create a healthier lifestyle for our employees. To realize this goal, the City, through its wellness programs, will provide health and safety initiatives, as well as education to its employees in an effort to improve the quality of their lives.

I recommend the City Council move to accept the \$2,000 Wellness Grant from HealthTrust to be used toward wellness initiatives in 2019.

City Manager's Items Which Require Action:

1. **Renewal of Boarding House Permits** For City Council action are the Boarding House permit renewals for 278 Cabot Street and 350 – 352 Hanover Street. The existing permits are due to expire April 16, 2019.

On April 9, 2019, City building, fire, health and housing inspectors visited the two boarding houses pursuant to Portsmouth Ordinance Article VIII, Section 9.804. Deficiencies were noted in each location and corrective measures are required. The deficiencies included some items that can be quickly remedied, such as updating smoke detectors, and others that will require some months to complete, such as electrical upgrades.

The City staff recommends renewal of the boarding house permits subject to specific corrective measures and upgrades to be completed upon a schedule to be incorporated into the permit. Section 9.805 of the ordinance allows are permit to be suspended, revoked, or terminated if the conditions of the permit are not met.

I recommend the City Council vote to renew the Boarding House permits subject to specific corrective measures and upgrades to be completed upon a schedule to be incorporated into the permit, pursuant to Section 9.805 of the ordinance.

2. **Purchase and Sale Agreement for Property Identified as Map 232, Lot 8 Off of Lois Street** The City has entered into a purchase and sale agreement to acquire a 2.8 acre parcel located at the end of Lois Street subject to certain conditions including approval of the City Council. [See attached overview of the parcel to be acquired.](#)

This Lois Street property has value to the City in several regards. First, there are storm water management opportunities, both through the preservation of existing wetlands and the potential to construct storm water infrastructure at the end of Lois Street. Storm water flows from this watershed area, travelling to Sagamore Creek, which is an impaired water body under New Hampshire law. The property also has value to the City due to the potential to create a turnaround at the end of Lois Street for municipal vehicles (currently, municipal snow plows and trash hauling vehicles have to back up at the end of the road onto Middle Street). In addition, the City's public sewer line runs in and along the boundary of the property in the "paper street" portion of Lois Street.

The seller, Alden-Watson Properties, LLC, originally offered the property to the City for \$220,000. The City rejected this initial offer, but ultimately the parties were able to agree that the seller would accept \$60,000 cash and the City would recognize the difference in the offer price and cash sale price as a donative gift.

The City will be asking the Conservation Commission, at its next meeting, to authorize the expenditure of \$30,000 from Conservation Funds to assist with the acquisition of this parcel. The remaining \$30,000 would come from funds set aside for open space.

In addition, there is the possibility that this land may be used to satisfy wetland impact mitigation requirements arising as a result of the construction of recreational fields on the property behind the Department of Public Works. If so, this acquisition would avoid the City having to pay an in-lieu-of mitigation fee, or a portion of it. This property contains wetlands which have been delineated and serve important natural resource functions.

I recommend the City Council move to refer this potential acquisition of property located on Lois Street to the Conservation Commission for action and to the Planning Board for recommendation.

3. **Request for First Reading to amend Chapter 6, Article II, Section 6.202C – Billiards and Bowling** [Attached is a written request from Bart Maderios of Bowl-A-Rama Family Fun Center.](#) Mr. Maderios notes that City Ordinance Chapter 6, Article II, **Billiards and Bowling** at Section 6.202 **Hours** reads in pertinent part:

C. Billiards and bowling shall be permitted on Sunday, but not before the hour of 1:00 p.m.

Mr. Maderios indicates in his letter that the foregoing provision is disappointing to his customers and inconsistent with the manner in which Bowl-A-Rama would like to operate. For example, its new restaurant, "Shenanigans", is intended to be open to serve brunch, but "it will be difficult to explain that the restaurant is open, but the remainder of the facility is closed." For this reason, Mr. Maderios is requesting that an ordinance amendment be drafted and brought before the Council to eliminate ordinance Section 6.202C ([see attached draft of updated Ordinance](#)). Insofar as the entire ordinance regulating billiards and bowling seems anachronistic, perhaps related back to a time when there were municipal problems caused by such business, there is no apparent objection to the requested ordinance amendment.

I recommend the City Council move to authorize the City Manager to bring back Ordinance Chapter 6, Article II, Section 6.202C for first reading at the May 6, 2019 City Council meeting, in accordance with the request made by Mr. Maderios of Bowl-A-Rama Family Fun Center.

4. **Request for License - Property Located at 35 Congress Street** Maintenance work is currently underway at 35 Congress Street pursuant to an encumbrance permit issued by the City to the Owner for 29-41 Congress Street, LLC. The maintenance work will extend beyond the 30 working days allowed under an encumbrance permit, thus the owner seeks a license to complete repairs.

The proposed license period is for 60 days. There are no license fees due, as the scaffolding being used is a walk-through type that will not close the sidewalk. The owner will need to pay for the intermittent use of the parking spaces in front of the building, as those spaces are needed from time-to-time for construction vehicles and/or a dumpster for construction materials. [The attached license and sketch of the area impacted is provided.](#)

The Planning and Legal Departments have reviewed and approved the proposed temporary construction license.

I recommend the City Council vote to authorize the City Manager to negotiate and enter into a temporary construction license with 29-41 Congress Street, LLC as submitted to facilitate construction activities at 35 Congress Street.

5. **Extension of Connect Community Church License Agreement for Public Parking** On May 6, 2015, the City entered into an agreement between the Connect Community Church (“CCC”) and the City to permit members of the public to park in 124 parking spaces in the CCC lot. The term of this Agreement has been extended by several Amendments. This Third Amendment extends the term through February 29, 2020 and gives the City Manager the authority to renegotiate the terms of future agreements without further action of the City Council. [Attached is the Third Agreement along with its Exhibits.](#)

The Legal Department has reviewed and approved the form of this Agreement.

I recommend the City Council move to authorize the City Manager to negotiate and enter into this Third Amendment to extend the term of the Agreement with the Connect Community Church (“CCC”) to allow the public to use 124 parking spaces in its parking lot. This Motion gives the City Manager the authority to renegotiate the terms of this Agreement in future years without further action of the City Council.

6. **Request to move the October 21, 2019 City Council meeting to October 28, 2019** The City Manager requests the City Council move the October 21, 2019 City Council meeting to October 28, 2019, due to both the Deputy City Manager, and the City Manager being out of town. After informing the Mayor of this request, he concurred that the request should be made of the City Council.

I recommend the City Council vote to change the October 21, 2019 City Council meeting to October 28, 2019.

Informational Items:

- 1. Presentation Re: Per and Polyfluoroalkyl Substances (PFAS) in the Pease Public Water System Update – Presented by Captain Gary D. Perlman, MPH, REHS/RS, DAAS Environmental Health Scientist, Eastern Branch, DCHI; and Gregory V. Ulirsch, MS, PhD, Branch Associate Director for Science, Eastern Branch, DCHI:** On Monday, April 1, 2019, the Agency for Toxic Substances and Disease Registry (ATSDR) released for public comment its health consultation report, “Per and Polyfluoroalkyl Substances (PFAS) in the Pease Public Water System”, in Portsmouth, Newington, and Greenland, New Hampshire. ATSDR will accept comments from the public until June 3, 2019.

The report concluded that workers at Pease International Tradeport and children attending the childcare centers were exposed to PFAS in contaminated drinking water at the Pease International Tradeport. Those exposures occurred from 1993 until the Haven Well was shut down in May, 2014. People exposed to drinking water from the Pease Tradeport Public Water System (PWS) during this period might be at increased risk for some harmful health effects. The cancer risk from past exposure to all PFAS in the Pease Tradeport is uncertain.

Attached is a copy of the factsheet associated with this consultation. The full report can be accessed at: <https://www.atsdr.cdc.gov/HAC/pha/pease/Pease-Tradeport-Public-Water-PFAS-HC-508.pdf>.

Conclusions

After reviewing the available information, considering all factors that may contribute to the health effects of PFAS exposures, ATSDR reached three conclusions. ATSDR’s conclusions are limited by several uncertainties relating to the human health risks from PFAS exposures. Because of these uncertainties, ATSDR used a conservative approach, including several lines of evidence (see Summary of Public Health Implications for details) to evaluate the public health implications of past PFAS exposure to the Pease Tradeport PWS.

Conclusion 1: Drinking water exposures from the Pease Tradeport PWS from 1993 to May, 2014, before the Haven Well was shut down, could have increased the risk for harmful health effects to Pease International Tradeport workers and children attending the childcare centers. Other sources of PFAS exposure (e.g., from food and consumer products) to users of the Pease Tradeport PWS could increase the risk of harmful effects beyond the risk from the drinking water exposures alone. The cancer risk from past exposure to all PFAS in the Pease Tradeport PWS is uncertain.

Conclusion 2: Consuming water containing low levels of PRAS from the Pease Tradeport PWS since June 2014 is not expected to cause harm to the public.

Conclusion 3: Based on available scientific information, ATSDR concludes that the health and nutritional benefits of breastfeeding outweigh the risks associated with PFAS in breast milk.

Next Steps

This draft report will have a public comment period until June 3, 2019. The public comment period provides the community and other stakeholders the opportunity to review the report and provide input.

On Monday, April 15, 2019, ATSDR staff will attend the Portsmouth City Council and Newington Select Board meetings to discuss the Health Consultation findings. On Tuesday, April 16, 2019, ATSDR will host Public Availability Sessions at the Great Bay Community College 4th Floor, Room 422, 320 Corporate Drive, Portsmouth. Community members or interested individuals can drop in at any time during the three available sessions to talk individually with ATSDR staff. The sessions will be at 8:00 a.m. – 11:00 a.m.; 12:00 (noon) – 4:00 p.m.; and 5:00 p.m. – 9:00 p.m.

Water System Updates

The two currently operating Pease Tradeport water supply wells continue to be treated by granular activated carbon (GAC) and construction is set to begin this month of the new resin/GAC water treatment system for all

three Pease wells. Water quality monitoring of the treatment system and wells continues and updates are posted periodically for both the Pease Tradeport and Portsmouth drinking water systems at:

<http://www.cityofportsmouth.com/publicworks/water/pease-tradeport-water-system>

<http://www.cityofportsmouth.com/publicworks/water/portsmouth-water-system-pfas-update>

2. **Household Hazardous Waste Day:** This year will mark the 23rd year in which Portsmouth has conducted the household hazardous waste collection event. Our spring event will take place from 8:00 am to noon on May 18, 2019, and a fall event will be scheduled for October 4, 2019. Nearby communities of Greenland and Newington will also participate in our collection event at no cost to the City. The collection location is at the Public Works Vehicle Maintenance Facility on 680 Peverly Hill Road.

According to the NH Department of Environmental Services, the average household throws 15.5 lbs. of hazardous material into the trash each year. Household hazardous materials are disposed of in other ways too. Certain products such as oil are frequently poured down storm drains and many products end up going down the sink drain to septic systems or sewers. The City sees the household hazardous waste collection as an outreach/education opportunity to help protect our environment.

The City has contracted with Clean Ventures, LLC to collect the hazardous waste material. Clean Ventures will be responsible for supplying appropriate hazardous waste containers, collecting waste from participating community residents, supplying qualified personnel, personal protective equipment, setting up and sorting hazardous materials within an area that is adequately controlled with spill contaminant provisions, and to provide documented transportation and disposal of hazardous waste.

3. **EDC Report Back to City Council on Review of Land Use/Inspections Process**

In 2018, the Portsmouth City Council asked the Economic Development Commission (EDC) to review the current land use permitting process and provide a report back with recommendations to streamline/improve the process. In response, the EDC established a three-member EDC subcommittee to work with the Deputy City Manager and the Planning Director to better understand the current process and recent changes instituted to improve the process, such as online permitting and building permit survey. Accordingly, the subcommittee reviewed metrics such as: typical application duration, number of projects that require Board of Adjustment approval, HDC application process, review of building permit survey results and trends for projects requiring two or more land use board approvals. Following this review, the subcommittee interviewed a group of experienced representatives of both large and small developments with the goal of gathering input on the City's land use and building permit experience and to solicit suggestions for improvements. [The report findings and recommendations are included in the attached report.](#)

4. **Report Back Re: Downtown Street Closures** The following is a report back on Councilors Raynolds and Pearson's proposed "Pedestrian Experiment" involving the opening of various downtown streets to non-vehicular traffic only. The initial proposal has evolved in response to various input; staff and the Councilors worked together to bring forward a program that preserves the spirit of the proposal, but changes many of its original details.

The revised proposal is to run an Open Streets program for two consecutive Sunday afternoons in the Fall, September 29th and October 6th, from noon to 5 p.m. These dates were intended to target an off-peak weekend day, when traffic volumes are lower and demand for parking is less. In addition, these Sundays appear to have no obvious conflicts with other scheduled events on the City's Community Calendar. Streets to be limited to non-vehicular traffic include:

- Daniel St. from Penhallow to Market Square; Market St. from Bow to Market Square; Congress St. from Market Square to High St.; and Pleasant St. from Porter St. to Market Square.
- Congress St. will be converted to accept two-way traffic from Fleet St. to High St.; and both High St. and Ladd St. will also be two-way. The portion of Porter from Pleasant St. to Church St. will reverse in direction. No changes to Bow are recommended.

[A map of the proposed area is attached.](#)

The Recreation Department and the Library are being consulted to help plan for and staff a variety of community activities to occur during these afternoons.

Concerns remain associated with this revised plan. These include, but are not limited to: increased traffic congestion (including areas beyond the City’s border); potentially delayed emergency response times; planning for adequate security; a reduction in public parking inventory (92 spaces); lack of adequate ADA parking allotment; decreased accessibility for ADA & Senior Transportation Services; and impacts to COAST public transit operations. In addition, the business community has not yet had a chance to fully understand the revised proposal and provide feedback. Additional communication with the North Church and all affected parties is recommended prior to finalizing any plans.

Careful planning and coordination to mitigate impacts will continue to be required.

Estimated Expense:

Departments have submitted the following estimated expenses:

Department	# Personnel/ day	Total for 2 days
Police	5	\$3,746
Fire	n/a	\$0
DPW*	3	\$924 - \$3,942
Recreation/Library	t.b.d.	t.b.d.
Sub-Total		\$4,670 - \$7,688
Plus Lost** Parking Revenue	92 spaces	\$3,044
Total***		\$7,714 - \$10,732

* Range is based upon types of security required (movable barricade vs. manned truck)

** Assumes a worst-case-scenario whereby revenue is not recaptured by an alternative paid, City parking location.

*** The cost for appropriate outreach and publicity is not factored into the above estimate.

In 2014, the City successfully piloted a Sunday afternoon (noon – 4:00 p.m.) [Open Street](#) event in the Lincoln Avenue area, and our knowledge from this and other events (parades, Market Square Day, etc.) will play a role in optimizing this trial for Market Square. Typically these events have an outside organizing group with plenty of volunteers or paid staff that put together the event and assist with all of the details.