

SPECIAL CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: TUESDAY, MAY 4, 2021

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

Mayor Becksted recited that this is a Remote Meeting via Zoom Conference Call. Per NH RSA 91-A:2 III (b) the Chair has declared COVID-19 Outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2020-25 and Emergency Order #12, Section 3. Members location. All votes will be by roll call.

I. CALL TO ORDER

Mayor Becksted call the Special City Council meeting to order at 7:07 p.m.

II. ROLL CALL (Taken at 6:00 p.m. at opening of Work Session)

PRESENT: Mayor Becksted, Assistant Mayor Splaine, Councilors McEachern, Whelan, Lazenby, Kennedy, Huda, Tabor and Trace

III. PRESENTATION BY MCINTYRE SUBCOMMITTEE

Councilor Whelan gave a brief update of the McIntyre Subcommittee activities and introduced Russell Prescott and Mandy Reynolds of the Principle Group to present the power point report on the McIntyre Project Vision.

Councilor McEachern thanked Chairman Whelan and fellow subcommittee members Councilors Tabor and Trace as well as the Principle Group for all of the hard work to get to this point.

Councilor Kennedy also thanked everyone. She then cited the UNH survey regarding the McIntyre which had over 3400 responses and indicated that 38% wanted more public space and asked what percentage of the design was public space.

Mr. Prescott stated that 1.34 acres out of the 2.45 acres is public space.

Councilor Kennedy continued that 35% of those surveyed wanted the post office back and sees that the loading docks are included in the design, but not parking. She also expressed concern with the commercial uses illustrated in the design which duplicate services already offered in nearby downtown locations.

Councilor Huda also expressed a concern of losing 44 spaces out of the current 73 and where this will be replaced.

Mr. Prescott explained that the need for parking is fluid and is a management issue and pointed to the current COVID-19 allowances of using spaces for outdoor dining as an example. He stated the idea is to have connectivity to the parking garages and there is also underground parking included in the design. He reiterated that this is a conceptual design for uses of the retail spaces and parking can be addressed accordingly.

Councilor Huda stated that she feels that the plan is bringing in businesses that already exist and goes against what the UNH survey showed people wanting which is more green open space. She feels that the design is crowding into the streets and not opening up the area. She also asked about tractor trailers and delivery trucks being able to maneuver and back up at Penhallow Street.

Mr. Prescott stated the design was arrived at through the community input process and it is up to the city as to what goes in there. He stated that this is designed to provide flexibility.

Discussion ensued regarding the surveys that were conducted and the different preferences of 3,400 participants in the UNH Survey versus the 300 with Portsmouth Listens.

Discussion ensued regarding the current contract with Redgate/Kane and the significant changes being proposed by the Principle Group design and the potential impact of these changes to the taxpayer.

IV. PUBLIC COMMENT RE: MCINTYRE

Mayor Becksted opened public comment:

Sheriden Lloyd – stated she is disappointed with the definitions of the spaces stating that there are no large public green spaces or open sky with views and is more commercial than park.

ByronMatto – stated he feels the process was productive and that not everyone will be pleased and is concerned with potential litigation.

James Robinson – stated he participated in the process and feels this design is the best balance of use for the space.

Mary Jo Ganley – stated that the surveys were important and the Portsmouth Listens Group process as well. She stated that we already have Prescott Park and we don't want this site to be the same, but should have its' own identity.

Duncan MacCallum – stated he participated in the process but is disappointed with the plan being submitted as it is inconsistent with the character of the area. He stated that the Principle Group worked hard on this, but feels it was an impossible task as they do not know this city and feels they exceeded their authority. He concluded stating that the Post Office will not come back downtown without a full service loading dock.

Andrew Samonas – stated he likes the pedestrian-friendly aspect of the plan and feels that we shouldn't be focusing on the parking issues.

John Jachowicz – stated he misses having a view of the water from downtown other than from Prescott Park and likes the addition of a view to this plan.

Kate Cook – stated she participated in the process and feels the outcome is the preferred plan of most of them and that there are only a few outcomes possible on this site and this is somewhere in the middle.

Bill Hamilton, business owner, stated his opinions weren't considered as a non-resident but feels that Penhallow Street should not be included in the project and should not be closed off. He stated that any underground parking will go to the tenants of the building and also does not think there is enough green space included.

Christine Lyons – stated she is disappointed with the current plan as there is a lack of parking, traffic flow is impacted and there will be an impact on taxpayers.

Mike Casino – stated he feels the design concept is phenomenal and will serve the city well for the next 50 years. He stated that if Redgate/Kane has scaled back then the project would have started by now. He stated he hopes the concept will be approved knowing that there will still be some tweaks.

Clare Kittredge - stated she doesn't like the design as she feels it is too big, too dense and there is not enough green space. She stated she doesn't feel that this is the will of the people and that the groups were steered and doesn't know where the Principle Group comes from. She concluded stating that she doesn't understand our "partner" threatening a lawsuit.

Diana Frye – stated she likes the plan but feels that mass should come down and there should be more green space. She also likes the idea of a balcony at the Old State House.

Andrew Bagley – thanked everyone for their work and is impressed with the concept. He stated he thinks that the "shed" could become iconic and a landmark destination.

Larry Booz – stated it is important that the Mayor and City Council have allowed the public to speak and participate in the process and he would like to see more green space. He stated that Bryant Park and others in Europe are 4 season parks and feels we can't make decisions in fear of litigation.

Justin Richardson – stated he participated in the groups and doesn't feel this is what the public wanted and that it is not balanced. He stated that 22 groups wanted open spaces and views. He discussed several failed city projects including the Parade Mall and the Foundry Garage. He stated we should follow the mandate of the 2019 election.

Karen Bouffard – spoke to the infrastructure stating that she agrees with Councilor Lazanby that this was already disallowed. She stated she also agrees with Councilor Huda that the mandate is for the McIntyre site only and not the surrounding streets. She stated it is premature to vote on this tonight.

Ron Ulrich – stated there was a petition with 600 registered voters which rejected the previous plan as well as the 2019 election. He stated the threat of lawsuits also alienated people. He stated people don't want big buildings and massing is still the issue on this plan. He stated that there should be more information gathered before there is a vote.

Heath Bingham – stated that during the Redgate/Kane process there was no public participation until the end. He stated this was a fresh start and urged the Council to move forward with the proposed concept.

Bill Downey – stated that he feels this process started out well but now he feels there is pushback to the Revisit McIntyre supporters. He stated that the Binnie plan was a response to the mass/density of the Redgate/Kane plan. He stated they are looking for balance and that everyone on the Council, with the exception of one, was with the Revisit McIntyre ideas, but we are not there yet as there needs to be more open space.

Seeing no one else wishing to speak, the Mayor closed Public Comment.

Mayor Becksted thanked everyone for their work on the preferred design concept. He stated that there may still need to be some tweaks and will keep an open mind.

Councilor Kennedy stated that there have been a lot of ideas brought forward this evening and is concerned that she received the packet right before the meeting. She wants clarification of what can be changed after the Council has voted on this, if voted tonight. She listed her various concerns with the concept.

Councilor McEachern clarified that the Council is not voting on the details, but on the concept. He stated we can't demand Redgate/Kane or the Park Service to go with it, but it will start the negotiation process and further clarified there is no intent to close any streets.

Councilor Whelan stated the subcommittee voted on the preferred concept to bring forward. He stated the ground lease still needs to be negotiated and it still needs to go the HDC, etc. He stated that voting this down or tabling it tonight will cause havoc.

Councilor Huda agrees with Councilor Kennedy that she didn't have time to review the information and feels it is unreasonable to expect a vote tonight.

Councilor Huda moved to pause for a week, seconded by Councilor Kennedy.

Councilor McEachern stated that if it is a question of whether or not the Park Service will support it, we will never find out if we don't move this forward.

Councilor Lazenby discussed the big picture aspect of the process that has already occurred and the negotiations with the post office who have now relocated. He stated we can't assume that the National Park Service will now approve building over the post office, when they already rejected it. He stated that there should be an agreement in writing with our current partners Redgate/Kane if we are really trying to collaborate with them.

Councilor Whelan stated the next step is to go to Redgate/Kane with our preferred design. He stated that regarding the Post Office, discussions are ongoing with government officials.

Councilor Tabor stated the subcommittee voted 4-0 in favor of bringing this concept forward and feels that the study circle process brought different people together to come to this consensus. He stated parking is an issue, but it isn't a Redgate/Kane issue.

Assistant Mayor Splaine stated he has done mostly listening on this issue over the last 1 ½ years and this motion is only for a pause to review the information, not to kill it. He stated that he opposes this concept for the same reason he opposed the Redgate/Kane plan because of the density and trying to squeeze too much into the space.

Councilor Trace stated we can't go to our partners in good faith to negotiate without the Councils support. She stated that parking can be handled later on.

Discussion ensued regarding the motion to pause the vote to allow time to review the information.

After several other suggested motions and more discussion, no votes were taken.

It was the consensus that this item would be added to the May 17, 2021 Regular City Council Agenda.

V. ADJOURNMENT

At 11:07 p.m., Councilor Huda moved to adjourn. Seconded by Councilor Kennedy.

Motion passed on a unanimous 9-0 roll call vote.

Valerie A. French,
Deputy City Clerk