

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, MARCH 7, 2022 TIME: 5:00PM

Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:
https://us06web.zoom.us/webinar/register/WN_kNKAz7nLTrOM_Gr-D_7UsQ

5:00PM – ANTICIPATED NON-PUBLIC SESSIONS RELATING AND PURSUANT TO COLLECTIVE BARGAINING – RSA 91-A:2, III (a); CONSIDERATION OF LEGAL ADVICE – RSA 91-A:3, II (I)

AGENDA

- I. WORK SESSION – THERE IS NO WORK SESSION THIS EVENING
- II. PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting] – **N/A**
- III. CALL TO ORDER [7:00 p.m. or thereafter]
- IV. ROLL CALL
- V. INVOCATION
- VI. PLEDGE OF ALLEGIANCE

PROCLAMATION

1. *Women’s History Month

- VII. ACCEPTANCE OF MINUTES – FEBRUARY 7, 2022; FEBRUARY 10, 2022; AND FEBRUARY 22, 2022

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. *New Hampshire State Spelling Bee – Portsmouth Middle School 7th Grader, Aadhavan Veerendra

- IX. PUBLIC COMMENT SESSION (*This session shall not exceed 45 minutes*) – (*participation may be in person or via Zoom*)

X. PUBLIC HEARINGS AND VOTE ON ORDINANCE AND/OR RESOLUTIONS

Continued Public Hearing – Capital Improvement Plan (CIP) / Adoption of CIP:
(Continued Public Hearing that was held open per action of the City Council at the February 22, 2022 meeting) (**Sample motion – move to adopt the Capital Improvement Plan as presented**)

- A. *CAPITAL IMPROVEMENT PLAN (CIP) FY 2023-2028
 - PRESENTATION (*Presentation was held at the January 19, 2022 Work Session*)
 - CITY COUNCIL QUESTIONS
 - PUBLIC HEARING SPEAKERS
 - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

Public Hearing/Adoption of Resolutions:

- B. RESOLUTION PURSUANT TO RSA 72:39-b THE CITY HEREBY AMENDS THE ELDERLY EXEMPTION BASED ON ASSESSED VALUE FOR QUALIFIED TAXPAYERS, SUCH THAT THE EXEMPTION SHALL BE AVAILABLE ONLY WHEN THE QUALIFYING TAXPAYER(S) HAVE A NET INCOME OF NOT MORE THAN

OPTION 1

Proposed increase of Elderly Exemption by the Social Security cost-of-living increase

Single	\$46,124 increase of \$2,196
Married	\$63,108 increase of \$2,708

OPTION 2

Proposed increase of Elderly Exemption by the November to November consumer price index

Single	\$44,829 increase of \$ 901
Married	\$61,638 increase of \$1,238

OPTION 3

Proposed increase of Elderly Exemption

Do Nothing

The elderly exemption shall remain unchanged except as amended hereby.

- C. RESOLUTION PURSUANT TO RSA 72:39-b THE CITY HEREBY AMENDS THE DISABLED EXEMPTION BASED ON ASSESSED VALUE FOR QUALIFIED TAXPAYERS, SUCH THAT THE EXEMPTION SHALL BE AVAILABLE ONLY WHEN THE QUALIFYING TAXPAYERS(S) HAVE A NET INCOME OF NOT MORE THAN

OPTION 1

Proposed increase of Disabled Exemption by the Social Security cost-of-living increase

Single	\$46,124 increase of \$2,196
Married	\$63,108 increase of \$2,708

OPTION 2

Proposed increase of Disabled Exemption by the November to November consumer price index

Single	\$44,829 increase of \$ 901
Married	\$61,638 increase of \$1,238

OPTION 3

Proposed increase of Disabled Exemption

Do Nothing

The disabled exemption shall remain unchanged except as amended hereby.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager's Items Which Require Action:

1. Report Back on 77 Meredith Way Request to Restore Involuntarily Merged Lots

XII. CONSENT AGENDA

(Proper Motion for Adoption of Consent Agenda - move to adopt the Consent Agenda)

- A. Letter from Hershey Hirschkop, Seacoast Outright, requesting permission to hold the PRIDE Parade on Saturday, June 25, 2022 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Ilysse Sirmaian, Portsmouth Babe Ruth, requesting approval to place temporary signage at Leary Field during the 2022 baseball season ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- C. Letter from Chris Maden, Portsmouth Maritime Folk Festival, requesting permission to hold on Saturday, September 24, 2022 and Sunday, September 25, 2022 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence ***(Sample motion – move to accept and place on file)***
- B. Report Back from Economic Development Commission regarding the inclusion of funding for EV Charger Installation in Capital Improvement Plan ***(Sample motion – move to accept and place on file)***
- C. Cemetery Committee's Historical Cemeteries Restoration Project ***(Sample motion – move to refer to the City Manager to establish a date for a presentation by the Cemetery Committee at a future City Council meeting)***

XIV. MAYOR McEACHERN

1. *Appointments to be Voted:
 - Duncan MacCallum to the Cemetery Committee
 - Elaine Apatang-Butts to the Citywide Neighborhood Blue Ribbon Committee
 - Kathleen Boduch to the Citywide Neighborhood Blue Ribbon Committee
 - Lawrence Cataldo to the Citywide Neighborhood Blue Ribbon Committee

- William Gatchell to the Citywide Neighborhood Blue Ribbon Committee
- Lori Soloway to the Citywide Neighborhood Blue Ribbon Committee
- Peter Somssich to the Citywide Neighborhood Blue Ribbon Committee
- Anne Weidman as an Alternate to the Economic Development Commission
- Heinz Sauk-Schubert as an Alternate to the Historic District Commission
- Jeff Stern to the Library Board of Trustee
- Jason Brewster to the Peirce Island Committee
- Francesca Marconi Fernald to the Peirce Island Committee
- Chris Gallot to the Peirce Island Committee
- Steven Marison to the Peirce Island Committee
- Stephen Philp to the Peirce Island Committee
- Devan Quinn to the Peirce Island Committee
- John Simon to the Peirce Island Committee
- Richard Smith to the Peirce Island Committee
- Marc Stettner to the Peirce Island Committee
- William Townsend to the Peirce Island Committee
- Kathleen Bergeron to the Portsmouth Housing Authority
- Lauren Krans to the Recreation Board
- Phyllis Eldridge to the Zoning Board of Adjustment

XV. CITY COUNCIL MEMBERS

A. COUNCILOR DENTON & COUNCILOR LOMBARDI

1. Service-Connected Total Disability Tax Credit (***Sample motion – move to increase the Service-Connected Total Disability Tax Credit from \$3,000.00 to \$4,000.00 prior to April 1, 2022***)

B. COUNCILOR DENTON & COUNCILOR COOK

1. *Capital Improvement Plan – Electric Vehicle Charging Stations (***Sample motion – move that \$150,000.00 be added to the Capital Improvement Plan in FY24, FY25, FY26, FY27, and FY28 for a combination of Level 2 (120 / 208 volt single phase) and Level 3 (480 volt three phase) electric vehicle charging stations throughout Portsmouth, to include Parking Zone A***)

C. COUNCILOR MOREAU

1. Land Use Committee Update :
Goals and Objectives
 - A. Increase diversity of housing types and price points.
 - B. Remove regulatory barriers for housing diversification in neighborhoods (eg. Accessory Dwelling Units) – while considering context sensitive design and impacts to traffic, on street parking and other infrastructure impacts.
 - C. Restructure incentives to deliver greater public benefit in workforce housing construction.
 - D. Identify other regulatory updates where by-right density can be conditioned with performance standards.

- E. Identify and maximize partnerships, coalitions, and funding opportunities to deliver affordable housing.
- F. Establish 2 Working Groups within the Committee: Supported Market and Regulatory

Minutes of Committee Attached

D. COUNCILOR BAGLEY

- 1. *Comprehensive COVID Bounce-Back Plan (***Sample motion – move for a report back from City staff on developing a comprehensive COVID Bounce-Back Plan similar to the previous COVID task forces***)

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Grant Award from the Drinking Water and Groundwater Trust Fund - \$111,500.00 (***Sample motion – move to approve and accept the grant for the City of Portsmouth to accept up to \$111,500.00 from the Drinking Water and Groundwater Trust Fund as presented***)

XVII. CITY MANAGER’S INFORMATIONAL ITEMS

- 1. Further Update from the Inspection Department

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

XIX. ADJOURNMENT [at 10:30 p.m. or earlier]

**Indicates verbal report*

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

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, FEBRUARY 7, 2022

PORTSMOUTH, NH
TIME: 7:00PM

III. CALL TO ORDER

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

IV. ROLL CALL

PRESENT: Mayor McEachern, Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley, Lombardi, Blalock and Cook

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer.

VI. PLEDGE OF ALLEGINANCE

Mayor McEachern led in the Pledge of Allegiance to the Flag.

VII. ACCEPTANCE OF MINUTES – DECEMBER 20, 2021; JANUARY 3, 2022; JANUARY 13, 2022 AND JANUARY 24, 2022

Assistant Mayor Kelley moved to accept and approve the minutes of the December 20, 2021, January 3, 2022, January 13, 2022 and January 24, 2022 as presented. Seconded by Councilor Moreau and voted.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

PROCLAMATION

1. Recognition of Black History Month

Mayor McEachern read the Proclamation declaring the month of February, 2022 in Portsmouth, New Hampshire as Black History Month and urged all citizens to improve our record of equity and inclusion and be welcoming of diversity throughout our community.

VIII. PUBLIC COMMENT SESSION

Rick Becksted said he was met with some challenges during his term as former Mayor and would like to see this Council follow the same rules and regulations the previous Council was held to.

Kevin Dwyer spoke in support of outdoor dining for the 2022 season. He said outdoor dining saved his business during the pandemic and feels a more long range plan is needed.

Esther Kennedy addressed several topics, Cemetery Committee appointments, and small store fronts and how it relates to outdoor dining, the reopening of all contracts and face masks in the schools.

Carly Gullante spoke regarding the health directive for face masks and how Portsmouth wants to keep masks in place until April 1st when the state is no longer in a State of Emergency.

Sean Maloney asked the City Council to repeal the face mask mandate. He said individuals should be able to decide if they want to wear a mask or not.

Robin Rousseau (via zoom) asked the Council to extend the pilot for the Neighborhood Parking Program. She also spoke regarding the Parking and Traffic Safety Committee and how it is made up of mostly staff and how that should be changed to residents serving.

Shelley Saunders (via zoom) urged the City Council to eliminate the mask mandate because it is not working and it is time to move forward.

Sam Kenny, North Hampton, spoke opposed to the mask mandate and that it should be an individual health choice.

XI. PUBLIC HEARING – CAPITAL IMPROVEMENT PLAN (CIP)

A. CAPITAL IMPROVEMENT PLAN (CIP) FY 2023-2028

- **PRESENTATION** (*Presentation was held at the January 19, 2022 Work Session*)
- **CITY COUNCIL QUESTIONS**

Councilor Bagley spoke regarding the Elwyn Park Sidewalk Project and asked if there is a reason not to move that forward. City Manager Conard said if the project was moved forward it would mean a \$1.5 million bond in FY24. She said it is important to note that some residents want sidewalks while others do not. Councilor Bagley asked if it is a financial issue or a matter of manpower. City Manager Conard said the consultant would need to work with the City on this matter. She said she feels further public input is needed. Public Works Director Rice said it would be challenging for staff to do the project. He said City Manager Conard is correct, there's not consensus for the installation of sidewalks.

Councilor Cook asked if there is a plan for a work session regarding the police facility. Mayor McEachern said there is, but it has not been scheduled and perhaps that could take place prior to the March 7th City Council meeting.

Councilor Blalock inquired regarding the Skateboard Park funding. City Manager Conard said the previous Council voted to add \$2.2 million and the Planning Board had already noticed the \$200,000.00 for the park, which leaves options available to the Council.

- **PUBLIC HEARING SPEAKERS**

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

Sean Cybert spoke in support of the Elwyn Park sidewalks and said it is a safety issue for children and safe routes to schools.

Petra Huda referenced various projects and requested additional information ranging from the Police Department Facility items, City Hall HVAC improvements, Pease Wastewater Treatment Facility to the absence of funding for the High Hanover Parking Garage.

Esther Kennedy requested that \$150,000.00 be added to the plan for a study of the cemeteries in the city. She questioned why there is no funding regarding turf fields. She also questioned the funding for the waterline going across the bay.

Dave Cosgrove spoke in support of the funding for the Skateboard Park and asked for clarification as to when the project would be implemented.

Petra Huda addressed the City Council a second time regarding the outdoor pool funding and what aquatic upgrades involves.

Amy Mae Court spoke in support of the Skateboard Park project and the sidewalks for Elwyn Park.

Rick Becksted spoke in support of sidewalks and its funding. He made reference to the need of sidewalks on Echo Avenue.

With no further speakers, Mayor McEachern asked if the Council had additional questions.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Denton asked if funding for the Skateboard Park in the CIP impacts the project. City Manager Conard advised the Council that the consultant is looking to final design in FY23, which does not impact the timing of the project. Councilor Cook asked if there is additional costs from the CIP to budget. City Manager Conard said staff is recommending design, which is in the CIP. Councilor Bagley said there are two buckets of monies available for the Skateboard Park and asked if they're both available to us.

Councilor Bagley said that Parking & Traffic Safety Committee will look at the Woodbury Avenue intersection. He addressed moving forward the funding for sidewalks in Elwyn Park.

Councilor Lombardi said the issue of traffic calming for Aldrich Road keeps coming up and inquired as to the data we collected on the installation of the speed bump. City Manager Conard said the staff is collecting data. Public Works Director Rice said he would provide that data to the Parking & Traffic Safety Committee.

Councilor Blalock asked about the plan for a new pool house. City Manager Conard said the costs for aquatic solutions has funding in for next year. Public Works Director Rice said the review of aquatic solutions show that the "guts" of the pool need to be replace. He spoke to the significant cost related to the solutions.

Councilor Cook asked why improvements for the bike/pedestrian projects have funding in FY24 and not FY23. City Manager Conard said Public Works Director Rice would report back on this matter.

Mayor McEachern said we need further discussions relative to the new Police Facility. He said it is a large topic and would to add a work session at the February 22nd City Council meeting or the March 7th meeting. He said the public hearing will remain open until the February 22nd City Council meeting.

Public Hearing – Second Reading of Ordinance:

- B. Public Hearing/Second Reading of Ordinance amending Chapter 3, Article XI, Section 3.1101 – 3.1104 – Face Coverings During the COVID-19 Pandemic

Councilor Denton moved to pass second reading and hold third and final reading at the February 22, 2022 City Council meeting. Seconded by Councilor Bagley.

Councilor Cook requested an amendment to the ordinance to include the redline version of the ordinance dated January 28, 2022 contained in the Council packet. She addressed the areas that will change regarding transmission rates, the decision to make a health directive and the time frame for the effective date of the ordinance. Councilor Denton accepted this as a friendly amendment.

Councilor Bagley suggested creating a buffer for transmission rates.

Councilor Cook stated enforcement would be at the discretion of the Health Officer.

Councilor Moreau requested an update on numbers. Health Officer McNamara came forward and provided updated numbers for Portsmouth and Rockingham County.

Councilor Denton said the April 1st date was chosen largely due to outdoor dining. He spoke in support of language for a trigger to activate a mandate.

Councilor Moreau asked if we put this question on for third reading what if the numbers go to 8% or below. City Attorney Sullivan said the ordinance becomes effective upon adoption. Mayor McEachern said if the numbers were at 7.99% there would be no mandate. City Attorney Sullivan confirmed Mayor McEachern's statement. City Manager Conard said the Health Officer reviews the trends before moving the needle.

Mayor McEachern spoke to CDC numbers and that the Health Officer will make a judgment on the need for a health directive based upon the numbers.

Councilor Bagley said he wants to ensure we rely on the Health Officer's judgment and not the letter of the law.

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

Rick Becksted said he would like to see the percentage be 10% or greater for a mandate to be put into place. He said the school system is at 10% or greater and it is not a mandate. He further stated that 10% would be better received across the board.

Robin Rousseau (via zoom) said there is no law on face masks currently. She stated that we don't need to take people's rights away.

Carly Gullante said that people don't need to follow a mask mandate. She stated that her research shows that only 85% of tests that are positive are accurate. She further stated that the City Council is going on opinion and not law when it comes to the mask mandate.

Dick Bagley said that there are two sides to the issue and the city needs to take a step back. He said New Hampshire is in a different condition from others. He stated that the school system can do what it wants when it comes to putting a mandate in place. He further stated what makes sense is to drop the mandate and let the Health Officer make the recommendation for mask use.

Bill Downey (via zoom) said at the end of the day you are tasked with a leadership decision. He said there are a number of reasons why the numbers are high and encouraged the Council to keep on the path. He stated we have a Health Officer that feels we need to stay the course.

Sam Kenney asked what data the City Council has that shows that masks are lowering the rates and do you feel as a Council you have the right to make these regulations. He stated there is not enough information to have a mask mandate in place.

Dick Bagley spoke for a second time and said the question becomes critical and the CDC is a federal regulation. He stated the idea that you need a study is wrong, that is why we have the CDC and the FDA has done a great job.

Rick Becksted spoke for a second time stating that having the data is problematic. He said using a percentage works and creating a level playing field makes everyone aware.

Robin Rousseau (via zoom) spoke for a second time stating we have had to become experts.

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

Councilor Denton asked if the ordinance could be amended at third reading. City Attorney Sullivan stated yes with a suspension of the rules and a two-thirds vote.

Councilor Denton moved as a friendly amendment to Section 3.1104 to add at the end of the Public Health Directives: *Any health directive issued by the Health Department that is more restrictive than this ordinance, be brought as an amendment to this ordinance for first reading within 10 days of that health directive being issued. That health directive would remain in effect until the amended ordinance is defeated at second reading, defeated at third reading, or successfully passes third reading.*

Councilor Moreau stated that the schools were using 8% not 10% and we are aligning with the schools.

Mayor McEachern passed the gavel to Assistant Mayor Kelley. He said it is a difficult process and is political by the act of us doing something makes it political. He said when anyone votes to do anything it is not out of desire to control but to serve at the best of his ability. He said it is difficult to hear that our Health Officer might not be capable of making a decision for a mask mandate. He stated he agrees in placing a percentage, and it may not be perfect. Mayor McEachern said he would like to see numbers at third reading before adoption. He stated the Council needs to make a decision and he will make his decision as a best effort to protect the city.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

On a unanimous roll call vote 9-0, motion passed as follows: to pass second reading and hold third and final reading at the February 22, 2022 City Council meeting and include the redline version of the ordinance dated January 28, 2022 contained in the Council packet. Amend Section 3.1104 to add at the end of the Public Health Directives: Any health directive issued by the Health Department that is more restrictive than this ordinance, be brought as an amendment to this ordinance for first reading within 10 days of that health directive being issued. That health directive would remain in effect until the amended ordinance is defeated at second reading, defeated at third reading, or successfully passes third reading.

PRESENTATION

1. Presentation by Mark Debowski, Consulting Engineer Project Manager for NHDOT Rail Trail Project

Mark addressed the seacoast rail project that is currently in design that goes through Hampton, North Hampton, Greenland, Rye and Portsmouth and will improve the condition of the existing railroad corridor to accommodate bicycles and pedestrians. He addressed the proposed improvements and spoke to the environmental concerns such as soil contamination, historic resources and the Section 106 process and wetlands. He said that this is a 9.6 mile corridor that has been split into two projects. He stated the northern 7.9 mile segment of trail, is estimated at \$5.1 million and the southern 1.7 mile segment of trail, is estimated at \$2 million. Mark reported that northern segment will be constructed 2023-2024 with the southern 1.7 mile segment in 2024.

Mike Griffin, Director of NHDOT spoke briefly regarding the project.

Mayor McEachern said we are excited with the project and thanked Mark and Mike for the presentation.

At 9:30 p.m., Mayor McEachern declared a brief recess. At 9:37 p.m., Mayor McEachern called the meeting back to order.

XII. MAYOR McEACHERN

1. Appointments to be Considered:
 - Genevieve Aichele to the Blue Ribbon Committee on Portsmouth Arts & Non-Profits
 - Jeffrey Barraclough to the Blue Ribbon Committee on Portsmouth Arts & Non-Profits

The City Council considered the appointments to be acted upon at the February 22, 2022 City Council meeting.

2. Appointments to be Voted:

- Jason Huett to the Cable Television and Communications Commission until April 1, 2024
- Chris Benecick to the Cemetery Committee until December 31, 2023
- Eva Boice to the Cemetery Committee until December 31, 2023
- Deirdre (Dee) Forte to the Cemetery Committee until December 31, 2023
- Michael Griffin to the Cemetery Committee until December 31, 2023
- Donald Margeson to the Cemetery Committee until December 31, 2023
- Sue Polidura to the Cemetery Committee until December 31, 2023
- Kerry Rubinstein to the Cemetery Committee until December 31, 2023
- Susan Sterry to the Cemetery Committee until December 31, 2023
- Steven Detrolio to the Sustainable Practices Blue Ribbon Committee
- Jay Lieberman to the Sustainable Practices Blue Ribbon Committee

Councilor Blalock moved the appointments as listed above. Seconded by Councilor Moreau and voted.

3. Appointment of Governance Committee

Mayor McEachern announced the appointments of Councilor Tabor, Councilor Lombardi and Councilor Cook to the Governance Committee.

Appointments to the Safe Water Advisory Committee

Mayor McEachern announced the appointments to the Safe Water Advisory Committee (SWAG) with terms through December 31, 2023 as follows:

- Councilors: Vincent Lombardi and Rich Blalock
- Community Members: Andrea Amico, Katrie Hillman, Rich DiPentima and one vacancy
- Portsmouth Fire Department: William McQuillen
- Portsmouth Water Department: Brian Goetz
- Portsmouth Health Department: Kim McNamara
- Portsmouth School Board: Hope Van Epps
- Environmental Scientist: Dr. Laurel Schaider
- NH State Representative: David Meuse
- NH State Senator: Rebecca Perkins Kwoka

4. Approval of City Council Rules and Orders

Assistant Mayor Kelley moved to approve the City Council Rules and Orders as amended in the Council packet. Seconded by Councilor Cook.

Councilor Denton moved to amend Rules 43B – Public Dialogue by amending this rule so that public dialogue occurs only at City Council work sessions and/or public dialogue sessions and/or other noticed public meetings occurring no more than quarterly. Seconded by Councilor Bagley.

Councilor Moreau said that this is a good idea and having these sessions in varied locations or perhaps with other city meetings as well.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said we could try to touch the five wards. He said he would like to offer some flexibility to be outside City Hall.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

Mayor McEachern said he would like to go out into neighborhoods and include more public engagement. He requested that the Governance Committee review rule 43B to allow further flexibility.

Motion to amend passed.

Main motion passed as amended.

Councilor Denton moved not to adopt the proposed changes in Rule 7 – Order of Business. Seconded by Councilor Tabor.

Councilor Denton explained why the Mayor and City Councilors would go before the staff, which was done because of the form of government. He said prior City Council's had them going last and under either version the rules could be suspended.

Councilor Bagley said he agrees with Councilor Denton on this matter. He feels it helps the public to have communication.

City Manager Conard explained her reasoning for having the rules change but ultimately it is a Council decision.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said it was a staff decision and a number of action items require lawyers and they bill hours which the Council met late in the evenings and would cost residents a great deal of expense.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

On a roll call vote 4-5, motion failed to pass. Councilors Tabor, Denton, Bagley and Lombardi voted in favor. Assistant Mayor Kelley, Councilors Moreau, Blalock, Cook and Mayor McEachern voted opposed.

Councilor Tabor moved to keep the original language for Rule 41 – Address by Public. Seconded by Assistant Mayor Kelley.

Councilor Tabor said there are occasions that this could speed the meeting along the way and we may want to hear from staff.

City Attorney Sullivan explained the City Council would suspend the rules to allow input from individuals.

Mayor McEachern said if someone was electing to speak, the Council would suspend the rules each time for that to happen. He suggested a friendly amendment to refer Rule 41 to the Governance Committee to come back with input.

Councilor Tabor and Assistant Mayor Kelley accepted the Mayor's suggestion as a friendly amendment.

Main motion passed as amended.

5. McIntyre

Mayor McEachern said a Non-Public Session was held and shared that our path forward does not include the reappointing of a McIntyre Subcommittee. He said the Charter is clear that the City Manager is the sole person to engage with legal representatives. He said he has full faith and confidence in the City Manager handling this matter to the best of her ability. He stated he would be calling a Special City Council meeting on Thursday, February 10, 2022 to consider a motion to rescind all actions of the City Council from the November 18, 2021 City Council meeting and we will have public input on that matter.

XIII. CITY COUNCIL MEMBERS

A. ASSISTANT MAYOR KELLEY

1. Adoption of Legislative Principles and Procedures for Testimony

Assistant Mayor Kelley moved to adopt the Principles for Legislative Positions and Procedures for Submission of Testimony. Seconded by Councilor Tabor.

Councilor Denton offered a friendly amendment to #17 – Affordable Housing – by the addition of language at the end of the sentence stating: *to oppose any policies that block efforts to create affordable housing.*

Assistant Mayor Kelley and Councilor Tabor accepted the friendly amendment.

Main motion passed as amended.

B. COUNCILOR DENTON

1. CIP – Electric Vehicle Charging Stations

Councilor Denton moved for reports back on funding options to include the Capital Improvement Plan, to begin the installation of Level 3 (480 volt) Electric Charging Stations in Parking Zone A in FY23 and to begin annual greenhouse gas emission inventories. Seconded by Councilor Cook.

Councilor Denton said voting on this motion is for a report back on the issue. He spoke to the need for additional charging stations in the city. He said it makes sense to install these stations when improvements are being made to areas.

Councilor Lombardi said level 3 charging stations present a problem in the downtown because there is not adequate electrical services. He suggested having 2 alternates as part of the report back.

Motion passed.

C. COUNCILOR MOREAU

1. Land Use Committee

Councilor Moreau moved the formation of a “Land Use Committee” to look at Diversifying Land Use Regulations within the City. The purpose is to review all current zoning and policies surrounding housing and development to encourage sustainable, diverse, and affordable development including expanded multi model transportation. With a report back to the City Council on recommended alterations to the zoning and existing policies along with any new zoning or policies to be considered important to furthering the City’s Goals. Furthermore, the committee shall consist of eight members of which two members from the City Council, two members from the Planning Board, two members from Planning Department staff, one member from Economic Development Commission and one member from Portsmouth Housing Authority as approved by the Mayor. Seconded by Assistant Mayor Kelley.

Councilor Moreau stated we need to look at how zoning is effected, how other communities are working, how we can get started. She said she would like to start scheduling the first meeting tomorrow.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said after COVID the city will become different with people working from home. He is pleased with members to be approved. He stated he would like to add Assistant Mayor Kelley as an additional Council representative.

Councilor Moreau and Assistant Mayor Kelley accepted the friendly amendment from Mayor McEachern.

Assistant Mayor Kelley returned to gavel to Mayor McEachern.

Councilor Tabor asked if there would be regular reports.

Councilor Moreau said she would make reports to the City Council and updates regularly. She said this might need to be a standing committee.

Main motion passed as amended.

D. COUNCILOR BAGLEY AND ASSISTANT MAYOR KELLEY

1. Outdoor Dining in 2022

Councilor Bagley moved to request a report back from the city staff on outdoor dining in 2022 and future years at the February 22, 2022 meeting. In particular suggestions for; fees, fee implementation process, insurance requirements, possible alternatives to Jersey barriers that may allow for more flexible use of space, accessibility, general appearance, dates of the season, as well as any other concerns or suggestions the city may have in regards to health and safety. In addition, a plan to engage with downtown residents, retail, office, and restaurant in the discussion and planning process in an ongoing manner. Seconded by Councilor Denton.

Councilor Bagley said he would like to encourage outdoor dining and how we could make 2022 outdoor dining 2.0.

Assistant Mayor Kelley said we need to encourage all downtown businesses to participate. She said outdoor dining creates a level of vibrancy.

Councilor Blalock said it is important to support all downtown businesses.

Mayor McEachern said he would like a report back at the February 22, 2022 City Council meeting.

Councilor Cook said the report back needs to encompass businesses throughout the city and not just in the downtown.

Motion passed.

XIV. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation to the Police Department
- Paul Gormley and Kimi Iguchi - \$2,500.00

Councilor Moreau moved to accept the donation to the Police Department as presented.

- B. Acceptance of Donation to the Police Department
- Libby Giordano & Make-A-Wish for Captain Michael Maloney - \$15.00 Moe's Italian Sandwiches Gift Card

Assistant Mayor Kelley moved to accept the donation to the Police Department as presented. Seconded by Councilor Cook and voted.

- C. Acceptance of Donation to the Portsmouth 400th
- Catherine Keenan - \$1,623.00

Assistant Mayor Kelley moved to accept the donation to the Portsmouth 400th as presented. Seconded by Councilor Moreau and voted.

XV. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Approval of Fire Department Memorandum of Agreement

City Manager Conard said the MOA will make Portsmouth more competitive with hiring firefighters for the department.

Councilor Moreau moved to approve the proposed Memorandum of Agreement with the Fire Department as presented. Seconded by Assistant Mayor Kelley.

Councilor Moreau said both the department and union are on the same page.

Motion passed.

2. Extension to Neighborhood Parking Pilot Program

City Manager Conard said this was in place for 2021 and we are looking to collect a full 6 months of data to provide a midpoint update to Parking & Traffic Safety Committee,

Councilor Tabor moved to approve a two-month administrative extension for the Islington Creek Neighborhood Parking Program, placing its effective end date as April 4, 2022, pending any additional factors. Seconded by Councilor Moreau.

Councilor Bagley said the program generates a great amount of interest in the city. He requested that the Parking & Traffic Safety Committee meeting on this matter be held in the evening.

Councilor Tabor requested the City Manager to report back on the measurements of the program successes and possibly creating a survey to residents of the neighborhood asking if the parking is easier, what worked and didn't work with the program, and would residents be willing to pay a fee for the program.

Councilor Moreau said some of the neighborhood supports the program and some do not.

Mayor McEachern said he wants to hear from Parking & Traffic Safety Committee and also have staff weigh in on the program.

Motion passed.

Councilor Moreau moved to suspend the rules in order to continue the meeting beyond 10:30 p.m. Seconded by Assistant Mayor Kelley and voted.

XVI. CONSENT AGENDA

- A. Letter from Stephen Infascelli, Eastern States 20 Mile Road Race, requesting permission to hold the 20 Mile Road Race on Sunday, March 27, 2022 at 11:00 a.m.

Assistant Mayor Kelley moved to adopt the Consent Agenda. Seconded by Councilor Moreau and voted.

XVII. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Email Correspondence

Assistant Mayor Kelley moved to accept and place on file. Seconded by Councilor Moreau and voted.

- B. Letters from various downtown businesses regarding outdoor dining and the use of parking spaces

Assistant Mayor Kelley moved to refer to the City Manager for a report back at the February 22, 2022 City Council meeting. Seconded by Councilor Cook and voted.

XVIII. CITY MANAGER'S INFORMATIONAL ITEMS

- 1. Report Back on Management of the Farmers' Market

City Manager Conard reported that the Seacoast Growers Association has changed management of the Farmers' Market and City Attorney Sullivan reviewed this matter and there are no issues moving forward with the new management team.

- 2. Memorandum Regarding Process for Charter Review

City Manager Conard said that City Attorney Sullivan has provided an outline of the Charter Review process for your reference.

3. Inspection Department Update

City Manager Conard said we have brought on a new Building Inspector which will assist in the back log of the department.

4. PFAS Testing Updates

City Manager Conard said updates on PFAS has been provided by Acting Deputy City Manager/Deputy City Attorney Woodland for your review.

Councilor Blalock said he would like to test soils to do a comparison.

Acting Deputy City Manager/Deputy City Attorney Woodland said that staff must adhere to the motion by the previous Council. She said that the contractor will be doing a summary of risk.

Councilor Cook said she is pleased with the report on the Inspection Department.

XX. ADJOURNMENT

At 10:35 p.m., Councilor Moreau moved to adjourn. Seconded by Assistant Mayor Kelley and voted.



KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

MINUTES
FEBRUARY 10, 2022
CITY COUNCIL SPECIAL MEETING
MCINTYRE

Mayor McEachern opened the meeting at 7:00 p.m.

Roll Call:

Present: Mayor McEachern, Assistant Mayor Kelley, Councilor Tabor, Councilor Denton, Councilor Moreau, Councilor Bagley, Councilor Lombardi, Councilor Blalock and Councilor Cook

Mayor McEachern opened the Public Comment stating that speakers will have 3 minutes and residents of Portsmouth will speak before others.

PUBLIC COMMENT:

Roy Helsel – spoke regarding the partnership with Redgate/Kane stating that they have been too dominant and are not willing to go along with what the City and residents want to do with the project.

Sue Polidura – spoke to wondering what is the motivation of tonight's meeting and that reversing this decision will only lead to more lawsuits from the 600+ people that signed the petition against their project. She further spoke to the will of the people being discarded as Mr. Kane is on record as being against the new plan.

Bill Binney, resident of Rye, NH – stated he is a developer and did not participate in the process originally because he felt it would be a deeply flawed process. He stated he has submitted a bid during the recent RFP process but has had no acknowledgement at all from the City of Portsmouth. He concluded by stating that this type of project is what he does and has done for many years so know he can handle whatever is involved.

Justin Richardson – spoke to his participation in the Portsmouth Listens process and his experience with large public/private partnerships. He requested that the City not go back to the previous agreement as the process was done backwards and should have had the participation and approval of the residents before selecting the developer so that they all had the same plan to bid on.

Rick Becksted – spoke to the previous Council rejecting the ground lease with Redgate/Kane and righting the wrongs that they felt had occurred throughout the process. Secondly, he stated that hearing that no one from the City had reached out to Mr. Binney acknowledging his bid submittal is disheartening just like the signed petition from 600+ residents that was ignored. He continued speaking regarding the work that the McIntyre Sub-Committee had done working together concluding that there was no illegal action taken by the previous City Council and the prior Council to them was the one who violated the laws and asked the Council to have some guts.

Petra Huda – stated she appreciates being able to speak unfiltered on this issue. She stated that 78 days ago the agreement was terminated and now it is being rescinded. She stated she has asked a lot of questions as to how this is justified and would like City Attorney Sullivan to cite his sources. She read a section from the Roberts Rules of Orders which she believes is in conflict with the action being taken by the Council. She concluded by summarizing her reasoning for taking the actions on November 18, 2021.

Doug Roberts – stated he is one of 13 plaintiffs in the lawsuit to invalidate the 11/18/21 vote. He explained the reasoning for filing the lawsuit is to emphasize the importance of good governance. He further cited from RSA's, Rules of Order, etc. which support the move to rescind the 11/18/21 vote. He stated this is not necessarily in support of Redgate/Kane and the option to terminate will still be available, but will be done through better governance.

Peter Whelan – stated he spent thousands of hours and 50 meetings on the McIntyre issue and explained that the actions taken by the City Council on 11/18/21 were legal. He further stated that City Attorney Sullivan was aware that the motion was going to be made at 2:00 p.m. that afternoon. He stated that the actions taken were so the “people’s plan” could go forward and to protect the citizens of Portsmouth from Redgate/Kane who acted in bad faith and negated the thousands of hours spent by the citizens. He stated when a relationship is toxic, it is time to move on. He concluded that the residents are watching this Council and they should not outsource the decision to the City Manager and should not reverse the decision.

Byron Matto – stated he supports the Council and the proposed motion to reverse the 11/18/21 vote and feels it is good governance. He stated the 11/18/21 agenda did not indicate there would be a vote and was advertised as a Non-Public Session with no public comment. He stated that this motion tonight is not meant to help Redgate/Kane but is about good governance.

Jeffrey Cooper – began by stating that he read the newspaper and felt the headline was misleading as it indicated “reuniting with Redgate/Kane” instead of rescinding the 11/18 vote and feels that was inappropriate. He supports rescinding the vote and now the question will be whether or not Redgate/Kane will work with the city to build what the people want or just go forward with his own project. He concluded by stating that we shouldn’t work with them if they aren’t willing to go with the new plan and we shouldn’t work with people who sue us.

Ken Goldman – stated that the issue is being confused tonight as it is supposed to be about rescinding a vote taken on 11/18/21 and not about the design of the project and that should be the focus.

Bill Downey – stated that the agenda does refer to the SoBow Square v. City of Portsmouth lawsuit so it is up for discussion. Secondly, he stated that there are 2 present Council members who were on the previous Council who participated in the 11/18/21 meeting and did not oppose continuing the meeting so he is confused. He stated he also agrees with Mr. Binney that he should have received some acknowledgement of his bid submission. He stated he understands that the contract does not allow the City to engage with any other developers, but it doesn’t prevent them from acknowledging the bidder. He concluded by stating that his group had previously worked with the late Attorney Paul McEachern and were advised that there would be no exposure to the city if they terminated after September 2021.

Esther Kennedy – stated that the Mayor and all of them have emails that indicate that the 11/18/2021 meeting was set appropriately by the city. She stated it had been nothing but threats of lawsuits for 2 years and was not abnormal for Mr. Kane. She stated they knew that the people’s plan needed to be built and in order to do the “Peoples’ Plan” they had to stop the contract. She stated that she had wanted the non-public minutes unsealed and she shared everything that she would have said at the Non-Public Session but she was met with resistance by other Councilors. She discussed the RFP that was sent out and responses received and should have been acknowledged. She stated the question before the Council tonight is what they are going to put in the contract with Mr. Kane and will it be the people’s plan.

Dick Bagley – stated that the focus of this meeting is whether or not the previous meeting was called appropriately or not and does not know why Councilors McEachern and Tabor did not call out that meeting as improper at that time and instead participated in the vote. He stated that we always talk about the Becksted 5 but never about the Blalock 8. He stated this is a sad day for the City because for reasons that they won't explain, just like the Webber case, they are hiding behind lawsuits.

Pat Bagley – stated she is confused as to why the previous vote was incorrect since our developer said that they wouldn't build what the people of Portsmouth wanted. She stated that this meeting is also a Special Meeting and there is a motion, so does that mean it is a predetermined vote. She concluded that the violation of trust will be with this Council if they rescind the 11/18/21 vote.

Chuck Raye – stated he is thankful that this Council is taking the step to rescind the previous vote so that they can proceed on the right track to get out of the lawsuit.

Paige Trace – stated that she is wondering if the Councilors have already made up their minds but hopes they are listening to the speakers. She continued that she was one of 9 Councilors who supposedly called an illegal meeting but the Mayor called that meeting the same as the Mayor called this one. She stated she showed up to the duly noticed meeting and if it was not, then the City Attorney could have said that it wasn't. She stated Councilor Whelan made a motion, which the Mayor said he could do, and she listened intently because it was the first time she had heard it, then she seconded it and it was voted. She stated that she can't tell the Council how to vote, but they work for all of the residents now. She concluded that the City Attorney and City Manager could have said it was illegal, but they didn't.

Mike Oakes – stated he feels this is a shame because Redgate/Kane is the wrong developer so the previous vote was good. He stated if Kane's go-to move is always a lawsuit, then they are the wrong partner, but if the City of Portsmouth doesn't end up with the property, it's probably the best thing.

Kate Hatem (via Zoom) – thanked the Council for trying to handle this issue with courtesy and rationality and for making responsible decisions.

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

Mayor McEachern explained that this meeting isn't to dig into the legality of the November 18, 2021 Special meeting and it is also not to reunite with Mr. Kane. He stated it was called based on the advice of Counsel that the best path forward is to rescind how the contract was terminated. He stated he appreciates the passionate thoughts regarding the McIntyre but that is not the purpose of this meeting.

Councilor Moreau moved that all actions taken by the City Council at its meeting on November 18, 2021, including but not limited to termination of the Development Agreement between Redgate/Kane, d/b/a/ SoBow Square LLC and the City, are hereby rescinded. Seconded by Assistant Mayor Kelley.

City Attorney Sullivan stated that the City is in an extremely complicated and high stakes situation with a lawsuit with Redgate/Kane involving millions of dollars. He stated the actions taken created complicated, interlocking developments with exposure of the City as well as a second case, which assists the Redgate/Kane case. He continued that this Council will be called upon to make a series of difficult decisions regarding these actions. He stated this first step is a baby step towards this but not a final result. He stated this Council had a lengthy non-public discussion with Attorney Connolly and himself which cannot be discussed because it is legal and confidential. He stated this is analogous of a chess game whereas you don't tell your opposition your next step, you take one at a time. He stated depending on what happens, then next step will be determined. He stated we have to trust the Council just like the

last Council that worked hard on the community plan and is a goal, but have to take the first step on the path. He concluded by stating there was a great deal of wisdom spoken tonight by the speakers and the Council is listening and to go forward they have to start somewhere.

Councilor Moreau stated that by voting on this motion tonight we are not dictating what will get built on the property, it is just a first step forward.

Councilor Tabor stated it is good to hear from everyone and it has helped him to reflect on his own opinions and to do his own gut-check. He stated the vote on 11/18/21 was a problem for people because it wasn't on the agenda in any way and wasn't good process. He stated the majority of the Council voted not to hear from legal counsel which wasn't good process either. He stated this vote will remove an impediment in the process. He reviewed the public process previously taken concluding that we never got to answer the question of whether the community plan is feasible and whether we can do it and he wants to be able to answer that question and get something built on-site.

Councilor Denton stated he wanted to highlight what Mr. Downey and Mr. Cooper discussed in that the contract which was terminated in November had a clause in it which gave the city a way out of that contract. He continued that by rescinding that vote, we still have a way out in that contract if we can't come to an agreement with Mr. Kane on something that resembles the people's plan which is what most people want.

Councilor Blalock stated he appreciates everyone being here because we all care about Portsmouth. He stated we are here to right some wrongs. He continued that he was here on the night of 11/18/21 but wasn't going to come because it was listed as a non-public session and no public comment. He stated it is not predetermined how he will be voting, but tonight is about moving forward.

Councilor Bagley stated he wasn't here on 11/18/21 as he was out of town and feels that it should have been better noticed, but that is not what he is concerned with at this time. He stated now as a city representative we are faced with significant legal situations and we need to listen to advice of Counsel both inside and outside. He stated he has not heard anything tonight to dissuade him from following the legal advice.

Councilor Lombardi stated there is a lot of talk of old Council, new Council but there have been hundreds of Councilors over the years and he is humbled to be a part of that. He stated he has listened to Counsel and he wants to see something good at the McIntyre and the people's ideas are better and this is the first step to get there.

Assistant Mayor Kelley stated that all citizens are represented by the City Council and all have opinions. She stated that this isn't to invalidate all of the past work or opinions but is a step forward. She stated we can't move forward if we are tied up in litigation.

Councilor Cook stated we are here to act on the advice of legal Counsel to move forward and feels that all of the Council are trying to act in the best interest of the city and this is that first step. She thanked everyone for their thoughts and stated she will always listen.

Mayor McEachern stated he appreciates everyone coming out tonight and appreciates the civility. He stated it is difficult for him to hear there is a lack of trust and clarified we are not representing one group or another. He stated he loves the city like everyone else does. He addressed comments made regarding his father, Paul McEachern, who also gave him advice which was "always listen to your attorney". He concluded by stating that he noticed this meeting not because of prior actions but because Legal Counsel advised to do so.

Motion passed on a 9-0 roll call vote.

ADJOURNMENT:

Councilor Moreau moved to adjourn at 8:15 p.m. Seconded by Councilor Denton and voted.

Respectfully submitted:

Valerie A. French
Deputy City Clerk

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: TUESDAY, FEBRUARY 22, 2022

PORTSMOUTH, NH
TIME: 7:00PM

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:10 p.m.

IV. ROLL CALL

PRESENT: Mayor McEachern, Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley, Lombardi, Blalock and Cook

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer.

VI. PLEDGE OF ALLEGINANCE

Mayor McEachern led in the Pledge of Allegiance to the Flag.

VII. ACCEPTANCE OF MINUTES – *There are no minutes on for acceptance this evening*

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. Portsmouth High School Girls Alpine Ski Team Division I State Champions

The Portsmouth High School Girls Alpine Ski Team received plaques from Coach Harrison and Mayor McEachern in recognition of their victory in becoming Division 1 State Champions.

IX. PUBLIC COMMENT SESSION

Jeff Goss, Clipper Tavern, spoke regarding outdoor dining and how some restaurants will be left out of the city's proposal because they do not want to divert traffic. He said that Clipper Tavern was the first to have outdoor dining and now they will be unable to participate due to the changes. He spoke to his staff relying on the income that comes from outdoor dining.

Bill St. Laurent spoke to the new proposed cargo facility at Pease and spoke to anticipated size of the facility. He requested that the City Council make themselves aware of what is being proposed.

Erik Anderson, PDA Representative, said he would like the City Council to be involved in the cargo facility development and engagement with surrounding communities. He spoke to the size of the project and how it will effect ground and aviation traffic in the City. He suggested that the City Council receive a presentation by PDA to hear about the proposal and be able to express concerns and questions relating to the project.

Gretchen Rath thanked City Manager Conard and staff for the outdoor dining proposal. She said she agrees with the fees and spoke to restaurants and retailers getting funding from the federal government. She also addressed the amount of funds the city lost in parking revenues. She said there were difficulties with deliveries being made to businesses and empty tables taking up valuable city space. She said she supports the proposal as presented to the Council.

Sue Polidura said there are many parking spaces and outdoor dining makes sense, but some restaurants take up valuable parking spaces. She said the proposal needs to be equitable and focus on all businesses in the city and their needs.

Kevin Dwyer spoke in support of outdoor dining and how much it helped with the success of his business.

Rick Becksted strongly urged the City Council not support and approve the DSA Parking Agreement. He said the agreement is not supportive of the City Council. He said this matter should be tabled and the Council should do what is in the best interest of the city.

Petra Huda asked what is the FY23 budget guidance given to the City Manager from the City Council. She said she would like the motion tabled on community power until a presentation is held on the contract. She said the agreement will commit funds without informing the taxpayers.

Bill Downey spoke regarding the rescinding vote taken regarding the McIntyre. He said the city needs a second opinion on this matter.

Alison Tanner said it is time that the city look at community power and the opportunities it would provide. She said the residents should have a say on lobbying for renewable options.

Cliff Lazenby spoke in support of the Coalition for community power and hopes that the city moves forward the agreement. He also spoke in support of the vote by the City Council on February 10th to rescind the vote of November 18, 2021 regarding McIntyre. He said there were lines crossed on how the meeting was conducted. He said the City Council should have received legal advice on the matter but the vote failed due to 5 Councilors being opposed to hearing from our legal counsel.

Robert Smith (via zoom) spoke in support of traffic calming for the Elwyn Park area. He said that he is not convinced however, that sidewalks are needed. He stated more discussion is needed and the exchanging of ideas on this matter.

Marie Bodi (via zoon) thanked Mayor McEachern, City Council and City Manager Conard on evaluating fees for outdoor dining. She addressed the extra expense for outdoor dining and that some owners believe it can be revenue neutral activity.

Hannah Corcoran (via zoom) spoke on behalf of the Goat and their support for outdoor dining. She said it was an important factor in assisting their business to stay open.

X. PUBLIC HEARINGS AND VOTE ON ORDINANCE AND/OR RESOLUTIONS

Continued Public Hearing – Capital Improvement Plan (CIP): *(Continued Public Hearing that was held open per action of the City Council at the February 7, 2022 meeting)*

A. CAPITAL IMPROVEMENT PLAN (CIP) FY 2023-2028

(Action on CIP will take place at the March 7, 2022 City Council meeting)

- **PRESENTATION**

Mayor McEachern stated the presentation was held at the January 19, 2022 Work Session.

- **CITY COUNCIL QUESTIONS**

There were no questions of the Council.

- **PUBLIC HEARING SPEAKERS**

Effie Malley spoke in support of the Climate Action Plan and said support from the city is needed. She said that the plan ties to the City's Master Plan and asked that the Council support and approve the funding.

Richard Brabazon spoke opposed to sidewalks being installed in Elwyn Park and addressed traffic calming measures that should be adopted before sidewalks, which is less expensive. He spoke to the lack of school signage. He said that many residents have invested a significant amount of money in their driveways and the installation of sidewalks would require the taking of a portion of these driveways, which will cause some cars to be parked in the streets versus their driveways. He asked that the Council consider more fiscally responsible alternatives.

Petra Huda said following budget meetings she will come forward with new information. She addressed the Police Department request for a new facility and the need for additional remediation of mold. She asked that such a tax burden not be placed on residents now. She also addressed funding for the City Hall HVAC system.

Christina Dubin spoke in support of the Climate Action Plan and said it interacts with the UNH plan.

Cliff Lazenby spoke on Elwyn Park improvements and the process the city engaged in to move the plan forward. He spoke to public meetings taking place in the neighborhood and how Dondero school improvements are imbalanced with other schools. He said the process needs to move ahead and the issue is more urgent now.

Rick Becksted spoke regarding moving the \$1.6 million in sidewalk funding to FY24. He said people on Peverly Hill Road have waited 20 years for sidewalks and the funding was just approved last year. He said the Council should not move forward without getting 100% approval from residents for the installation of sidewalks in Elwyn Park.

Esther Kennedy asked for more funding for the Cemetery Committee. She asked that the City Council look at the bonding in the city.

Alison Tanner spoke in support for the Climate Action Plan and moving forward as a city on this matter.

Bert Cohen spoke in support of the Climate Action Plan and said the City Council needs to take a forward position on this matter.

Robert Smith spoke in support of comments made by Richard Brabazon and Rick Becksted. He said that there are other items that the Council should be looking into. He also spoke in support of the comment by Mr. Becksted to have 100% agreement by residents to install the sidewalks in Elwyn Park before moving forward with the project.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Lombardi moved to continue the public hearing until the March 7, 2022 City Council meeting. Seconded by Assistant Mayor Kelley and voted.

- B. Third and Final Reading of Ordinance amending Chapter 3, Article XI, Section 3.1101 – 3.1105 – Face Coverings During the COVID-19 Pandemic

Councilor Tabor moved that third reading of the Face Coverings Ordinance be postponed indefinitely, not to be brought back before the City Council without one meeting prior notice. Seconded by Councilor Blalock.

City Manager Conard reported that the Health Officer could make a health directive to put the mask mandate back in place.

Councilor Bagley said we should move to table and rely on the guidance of our Health Officer.

Councilor Blalock said he does not want to confuse the public and send mixed messages regarding this matter.

Councilor Cook said she does not feel it is necessary for the City Council to vote on the health directive because we need to be able to respond quickly.

Mayor McEachern said by not passing this is not declaring victory, but we are moving to another phase of life with this. He said if in the future we need to bring the ordinance back it could be amended.

On a unanimous roll call vote 9-0, motion passed.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Request for Public Hearing Regarding Elderly and Disabled Exemptions

City Manager Conard said staff is requesting a public hearing be held regarding the elderly and disabled exemptions at the March 7, 2022 City Council meeting.

Councilor Tabor said back in 2020 the Council looked at the amounts to keep pace with the rise in property taxes. He said the intent was that the exemptions be at ½ of the value of the home. He requested to look into that matter again. Assessor Lentz suggested to wait until after the revaluation has been completed.

Councilor Cook asked about care providers of disabled persons and how is that issue addressed. Assessor Lentz said that the statute does not account for that type of exemption.

Mayor McEachern said he would like the Council and Assessor Lentz to review the asset and income levels for adjustments.

Councilor Blalock moved to schedule a public hearing at the March 7, 2022 City Council meeting. Seconded by Councilor Tabor and voted.

2. Report Back on Recommendations for Outdoor Dining

City Manager Conard said that recommendations have been made and are in front of the City Council for consideration. She said this was a team effort and the Chamber of Commerce provided input on this matter. She reviewed the 2022 Outdoor Dining – Transitional Programmatic Implementation:

- Use of City Sidewalks and Parking Spaces
- Use of City Streets – Travel way
- Use of Private Parking
- Timeline for Implementation
- Permanent Regulations Going Forward – Planning for 2023 – Standards for Use of Public Realm

Discussion followed regarding fees, occupancy at parking garage and the cost of passes.

Councilor Bagley spoke regarding turning loading zones into revenue generating spaces. Parking Director Fletcher spoke regarding the number of loading zones and the question surrounding revenue generation.

Councilor Cook asked how many restaurant are impacted by not allowing reversal of the travel lane. City Manager Conard said the Clipper Tavern, The Franklin and three other locations on Congress Street.

Assistant Mayor Kelley spoke regarding the placement and removal of barriers. Public Works Director Rice said it is about safety and making sure there is a solid barrier and sites are looked at on a case by case situation.

Mayor McEachern said there are bollards that are retractable that could be looked into for future years. He said he would like a report back from the Parking and Traffic Safety Committee regarding traffic mitigation for travel ways as a broader plan.

Police Chief Newport said the use of bollards could pose issues for the Fire Department.

Assistant Mayor Kelley said we should look at the Master Plan and renovations to Market Square, possibly removing parking on one side to make it more pedestrian friendly.

Councilor Tabor said outside dining makes the downtown vibrant and the question is do we want to make it permanent by reviewing long term solutions. He said if we took parking away for dining we would still have parking available in the garage.

Councilor Moreau said there might be justification for the new \$5,700.00 fee and perhaps we look at a step up year and also the broader spectrum for more turnover of parking.

Councilor Bagley said he proposed the Council come up with a fee that is equitable and staggered, and 2022 be a transitional year. He also suggested the season be from Memorial Day to Labor Day or maybe we look at a cutoff date of October 15th.

Discussion followed regarding questions relative to downtown construction and how that could directly affect some businesses.

City Manager Conard spoke to the creation of twenty 15-minute spaces in 2020 for takeout spots, which did revert back to regular 15 minute spaces. She said it is difficult to enforce 15-minutes spaces. Councilor Cook said she would like to look at 15-minute spaces be provided to retailers.

Councilor Blalock thanked City Manager Conard, Public Works Director Rice, the Fire and Police Departments for their efforts on this matter. He said our downtown is unique and residents adapted. He said he works downtown and this situation is very hard to treat everyone the same because of different locations. He said we do need to be careful of imposing fees on already struggling businesses.

Assistant Mayor Kelley said she would like the Parking and Traffic Safety Committee to look at 15-minute spots by increasing the time to 30 minutes for retailers.

Councilor Lombardi said we need to look at another form of transportation to bring people into our downtown. He said the city needs to look at a more usable form of public transportation for the City.

Councilor Bagley moved to adopt the city recommendations with fees being set at \$1,500.00 per space with 50% this year, all business that operated in 2020-2021 be allowed to operate, the season would commence June 1st and end on October 16th, and further that we inform those businesses that this will be the final year for their outdoor dining, as well as advising businesses that in 2023 the city would start from the ground up with outdoor dining. Seconded by Councilor Denton.

Councilor Denton moved as a friendly amendment that outdoor dining would be \$2.00 per square foot and that the minimum of \$2,000 would be lowered to \$600.00. Councilor Bagley accepted the friendly amendment.

Councilor Cook spoke to the importance of outdoor dining for many residents. She said we should operate as we did last year, it is extremely late to change things now and next year would be a transitional year.

Councilor Tabor suggested \$3,000.00 for outdoor dining as a goal and \$1,500.00 be charged next year.

City Manager Conard advised the Council that there is a policy adopted in 2012 making the outdoor dining fee \$2,000.00. She said there are currently 5 Area Service Agreements that fall under that policy and there is precedents back to 2019. City Attorney Sullivan said the City Council could change the policy now, if they chose.

Assistant Mayor Kelley said she owns a business downtown and asked the City Attorney if there is a conflict. City Attorney Sullivan said he reviewed the Code of Ethics and there is not a conflict because it does not affect Assistant Mayor Kelley differently than other people in the city.

At 9:40 p.m., Mayor McEachern declared a brief recess. At 9:50 p.m., Mayor McEachern called the meeting back to order.

City Attorney Sullivan stated that the City Council would like to start the process over and he advised that the Council would need to withdraw all pending motions.

Councilor Bagley moved to withdraw all pending motions before the Council. Seconded by Councilor Blalock and voted.

Councilor Bagley moved to adopt the City Manager recommendation on outdoor dining. Seconded by Councilor Blalock.

Councilor Bagley moved to amend the fee structure to be \$3,000.00 to be charged at a 50% rate of \$1,500.00 per parking space in 2022. Seconded by Councilor Denton.

On a roll call vote 7-2, motion passed. Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley, Lombardi and Mayor McEachern voted in favor. Councilors Blalock and Cook voted opposed.

Councilor Bagley moved that sidewalk spaces and travel ways be set at a rate of \$2.00 per square foot with a minimum of \$600.00 for areas that exist in the public realm for the year 2022. Seconded by Councilor Denton.

Assistant Mayor Kelley moved a friendly amendment that sidewalk spaces and travel ways be set at a rate of \$5.00 per square foot with a minimum of \$1,000.00 for areas that exist in the public realm for the year 2022. Councilor Bagley accepted the friendly amendment.

On a roll call vote 7-2, motion passed that the sidewalk spaces and travel ways be set at a rate of \$5.00 per square foot with a minimum of \$1,000.00 for areas that exist in the public realm for the year 2022. Assistant Mayor Kelley, Councilors Tabor, Denton, Moreau, Bagley, Lombardi and Mayor McEachern voted in favor. Councilors Blalock and Cook voted opposed.

Councilor Bagley moved to amend the time frame for outdoor dining end on October 16th for establishments that require jersey barriers. Seconded by Councilor Moreau.

Discussion relative to the motion followed.

On a roll call vote 2-7, motion failed to pass. Councilors Tabor and Bagley voted in favor. Assistant Mayor Kelley, Councilors Denton, Moreau, Lombardi, Blalock, Cook and Mayor McEachern voted opposed.

Councilor Bagley moved to amend under Proposed Changes for Traffic Circulation by striking the following language: *Any proposed use of the travel way must not impact traffic circulation downtown. Changes that results in a significant impact to the traffic patterns or that result in a change to the directional pattern of the street will not be considered.* Seconded by Assistant Mayor Kelley.

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said the travel patterns did impact some businesses and it is an issue of fairness, and he would not support changing one way streets again this year.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

On a roll call vote 6-3, motion passed. Assistant Mayor Kelley, Councilors Denton, Bagley, Lombardi, Blalock and Cook voted in favor. Councilor Tabor, Moreau and Mayor McEachern voted opposed.

Councilor Cook requested City Manager Conard report back on the number of businesses that chose not to apply for outdoor dining this year, and conduct a survey of those, asking if it was related to the fee structure.

On a unanimous roll call vote 9-0, passed main motion as amended.

4. Approval of Deer Street Associates Parking Agreement

City Manager Conard spoke regarding the Parking Agreement.

Councilor Denton moved to authorize the City Manager to execute a Parking Agreement with Deer Street Associates in a form substantially similar to the attached agreement contained in the City Council packet dated February 22, 2022. Seconded by Assistant Mayor Kelley.

Councilor Moreau said the Council is obligated to carry out the agreement.

Mayor McEachern asked City Attorney Sullivan to speak to the city's legal position on this matter. City Attorney Sullivan said that he and outside counsel recommend approval of the agreement.

Motion passed.

4. License Request for 64 Vaughan Mall

City Manager Conard said in 2021 approval was given for 64 Vaughan Street and spoke to the project and related license request to use 35 square feet of land and 14 parking spaces to work on the façade of building. She reported that the license is for 90 days with a total licensing fee of \$44,257.50. She advised the Council that the Legal and Planning Departments have reviewed and approved the form of the license.

Councilor Tabor moved to authorize the City Manager to execute and accept the temporary construction license for a term of March 5, 2022 to June 3, 2022 for the use of 35 square feet of land in the Vaughan Mall and fourteen (14) parking spaces in the Worth Lot as requested. Seconded by Councilor Moreau.

Assistant Mayor Kelley moved to suspend the rules in order to allow Shayne Forsley, General Manager of Hampshire Development Corporation to speak to the project. Seconded by Councilor Tabor and voted.

Mr. Forsley spoke to the project being targeted for completion in 15 months.

Motion passed.

XII. CONSENT AGENDA

- A. Letter from Tina Sawtelle, The Music Hall, requesting permission to close Chestnut Street on Thursday, March 31, 2022 for Wentworth-Douglass Hospital's rental fundraising event "The Seacoast Culinary Challenge" ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

- B. Letter from Tina Sawtelle, The Music Hall, requesting permission to close Chestnut Street for outdoor events beginning May 27, 2022 through August 27, 2022, and further approval to serve alcohol on Chestnut Street under The Music Hall's liquor license. All liquor service will cease by 9:30 p.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

- C. Request the New Hampshire Regiment and Jim Poole, CDR/US Navy retired seeking permission to fire their rifles and 6 pound cannon (no ammunition will be loaded) on April 24, 2022 at the John Paul Jones House ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

Councilor Moreau moved to adopt the Consent Agenda. Seconded by Councilor Tabor and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

Councilor Lombardi moved to accept and place on file. Seconded by Councilor Blalock and voted.

- B. Letter from James Hewitt regarding the installation of EV stations

Councilor Tabor moved to accept and place on file. Seconded by Assistant Mayor Kelley and voted.

- C. Petition from residents of Elwyn Park opposed to the installation of sidewalks in neighborhood

Councilor Blalock moved to accept and place on file. Seconded by Councilor Tabor and voted.

- D. Resubmission of letter from Gretchen Rath, Portsmouth Fabric Company, requesting retailers to be invited to any meetings convened regarding downtown parking

Councilor Tabor moved to accept and place on file. Seconded by Councilor Cook and voted.

- E. Resubmission of letters from various downtown businesses regarding outdoor dining and the use of parking spaces

Councilor Lombardi moved to accept and place on file. Seconded by Councilor Cook and voted.

XIV. MAYOR McEACHERN

1. Appointments to be Considered:
 - Duncan MacCallum to the Cemetery Committee
 - Elaine Apatang-Butts to the Citywide Neighborhood Blue Ribbon Committee
 - Kathleen Boduch to the Citywide Neighborhood Blue Ribbon Committee
 - Lawrence Cataldo to the Citywide Neighborhood Blue Ribbon Committee
 - William Gatchell to the Citywide Neighborhood Blue Ribbon Committee
 - Lori Soloway to the Citywide Neighborhood Blue Ribbon Committee
 - Peter Somssich to the Citywide Neighborhood Blue Ribbon Committee
 - Anne Weidman as an Alternate to the Economic Development Commission
 - Heinz Sauk-Schubert as an Alternate to the Historic District Commission
 - Jeff Stern to the Library Board of Trustee
 - Jason Brewster to the Peirce Island Committee
 - Francesca Marconi Fernald to the Peirce Island Committee
 - Chris Gallot to the Peirce Island Committee
 - Steven Marison to the Peirce Island Committee
 - Stephen Philp to the Peirce Island Committee
 - Devan Quinn to the Peirce Island Committee
 - John Simon to the Peirce Island Committee
 - Richard Smith to the Peirce Island Committee
 - Marc Stettner to the Peirce Island Committee
 - William Townsend to the Peirce Island Committee
 - Kathleen Bergeron to the Portsmouth Housing Authority
 - Lauren Krans to the Recreation Board
 - Phyllis Eldridge to the Zoning Board of Adjustment

The City Council considered the appointments outlined to be acted upon at the March 7, 2022 City Council meeting.

2. Appointments to be Voted:
 - Genevieve Aichele to the Blue Ribbon Committee on Portsmouth Arts & Non-Profits
 - Jeffrey Barraclough to the Blue Ribbon Committee on Portsmouth Arts & Non-Profits

Mayor McEachern announced that Mr. Barraclough has withdrawn his application for appointment.

Councilor Lombardi moved to appoint Genevieve Aichele to the Blue Ribbon Committee on Portsmouth Arts & Non-Profits. Seconded by Assistant Mayor Kelley and voted.

3. Resignation – Craig Jewett from the Portsmouth Housing Authority

Councilor Moreau moved to accept the resignation with regret and to send a letter to Mr. Jewett thanking him for his service to the City. Seconded by Councilor Blalock and voted.

4. Proposed City-wide Goals

Mayor McEachern reviewed the proposed City-wide Goals as outlined.

City Council Goals

- 1) *Invite and Honor Input from the Community and Encourage Increased Participation/Engagement of Youth*
- 2) *Identify and Promote Strategies for Local Business Retention and Preservation of Affordable Commercial Spaces*
- 3) *Leverage Local Resources and Partnerships to improve and Support Needs of Residents, Nonprofits, Arts and Culture Community*
- 4) *Proactively Pursue the Integration of Sustainability, Resilience, and Climate Change Mitigation Actions Throughout City Government and Community*
- 5) *Diversify and Enhance the Supply of Housing Choices*
- 6) *Continuously Enhance City Council Best Practices to Deliver a Trusted, Transparent and Responsive Process*
- 7) *Consistently communicate with Community Members and Stakeholders, Respecting Channels of Communication They Prefer and Keeping Them Informed*

General Government Organizational Goals

- 8) *Welcome and Support Diversity in the Workplace and Community*
- 9) *Maintain Financial Stability*
- 10) *Meet or Exceed State and Federal Legal/Regulatory Requirements Including Those for a Safe and Healthy Community and Environment*
- 11) *Deliver Services and Programs with Courtesy, Professionalism, and Efficiency*
- 12) *Maintain and Improve Infrastructure to Meet Needs of the Community*

School Board, Fire and Police Commission Goals

- 13) *Provide an Educational Environment that Affords Opportunity, Equity, Student Wellness and a Strong Sense of Community to Every Youth*
- 14) *Protect the Community Through Fire and Crime Cessation and Prevention for its Residents and Businesses*

Councilor Moreau moved to approve and accept the proposed City-wide Goals as presented. Seconded by Councilor Cook.

Councilor Moreau thanked staff for their work and making the goals of the Council decisive and comprehensive.

Motion passed.

Councilor Cook moved to suspend the rules in order to continue the meeting beyond 10:30 p.m. Seconded by Councilor Moreau and voted.

5. Families First / COAST Bus

Mayor McEachern requested a report back on the feasibility of locating a COAST bus stop closer to Families First on Greenleaf Woods Drive and how can we provide input to transportation and COAST in terms of bus stops and their general availability in the community.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR TABOR

1. Community Power Coalition of New Hampshire

Councilor Tabor moved that the City Manager is authorized to take any and all actions necessary within her judgment to cause the City of Portsmouth to become party to the Joint Powers Agreement of the Community Power Coalition of New Hampshire, as presented, which became effective on October 1, 2021. Seconded by Councilor Denton.

Councilor Tabor spoke to the unanimous support by the Energy Advisory Committee. He said we need to give residents a way to purchase cleaner power. He said a community plan will come back to the City Council once it has been developed. He requested to conduct a survey of the community to gauge their interests in a series of options available to them.

Councilor Cook said she would like to voice her full support for this and spoke to the exemplary work of the committee.

Councilor Blalock thanked Councilor Tabor on this matter and said he supports making this more of a net zero community.

Motion passed.

B. COUNCILOR DENTON

1. Proposed Outdoor Dining Fees

Councilor Denton moved that City staff work with the Fee Schedule Study Committee to develop fees for Food Service Establishments on City property that violate the composting requirements of the Distribution of Single-Use Disposables on city property ordinance. Seconded by Councilor Cook.

Councilor Denton spoke to the average monthly cost for a resident to dispose of single-use disposables. He would like to see restaurants to do more composting.

Councilor Blalock said he appreciates Councilor Denton bringing this matter forward. He said he is concerned with the addition of fees to the restaurants as we are still in the middle of a pandemic.

Assistant Mayor Kelley said she supports the motion. She said she would like to look at composting throughout the city.

Mayor McEachern said he would look at fees if we provided composting by the city. He said we need to offer this more broadly.

Motion passed.

C. COUNCILOR BAGLEY

1. Elwyn Park Traffic Calming and Pedestrian Improvements

Councilor Bagley moved TSM-17-PL-59: Elwyn Park Traffic Calming and Pedestrian Improvements from FY24 and FY25 in the CIP to FY23 as \$1,660,000.00 to be bonded. Seconded by Councilor Denton.

Councilor Bagley said he feels it is important to move this project forward but it doesn't mean that it will happen in FY24 or FY25. He stated there is 70% approval by the neighborhood.

Councilor Lombardi asked what is the status of the right-of-way and will we need to take part of resident's property to do this project.

Mayor McEachern said most home owners do not own all of their lawn.

Councilor Blalock said sidewalks will make it safer for children.

City Manager Conard said that this is a reprioritization of projects in the CIP.

Councilor Cook said Elwyn Park is difficult for walking because there are not sidewalks. She said the traffic is vibrant and could be dangerous. She said it is time the Council consider pedestrian walkability.

Councilor Moreau said she would like to ask City Manager Conard and Public Works Director Rice if we will have any issues with staying in our bonding requirements if this project moves forward.

City Manager Conard said she would need our Finance Director to report back. Public Works Director said staff is a challenge and there are two drainage areas that will have a larger impact on this project.

Assistant Mayor Kelley asked if it would be possible to schedule a site walk of the neighborhood to gather more general consensus.

Public Works Director Rice said there is time to look at this further and the Council could bring it forward for adjustment during the budget adoption process.

Mayor McEachern said we would split the costs in the CIP with the design and funding for the remainder of the work taking place in FY24. Public Works Director Rice said currently there is \$90,000.00 in FY24 monies that could be allocated.

Councilor Bagley rescinded his motion and Councilor Denton the second to the motion.

Mayor McEachern said we would schedule an on-site visit.

D. COUNCILOR LOMBARDI & COUNCILOR TABOR

1. Report Back regarding Proposed Cargo Facility at the Tradeport

Councilors Lombardi and Tabor advised that the planning process for a Cargo Facility is currently underway and the PDA is exploring the feasibility of this project. Councilor Lombardi said that there is no tenant currently being considered. Councilor Tabor said the PDA is looking to move quickly on this process and reported that Newington and Greenland are concerned with the traffic that such a facility would create.

Councilor Moreau said anything that happens at Pease comes to the Planning Board for review.

Councilor Lombardi said anything that comes into Pease is regulated by the FAA and falls under the PDA.

Mayor McEachern announced that the Council will be visiting Pease and meeting with the PDA.

E. COUNCILOR COOK

1. Cultural Plan for Portsmouth

Councilor Cook moved to approve of a new Cultural Plan for Portsmouth to be commenced in 2022, based on a scope of work outlined by the Portsmouth Arts & Nonprofits Committee, noting that the request for development of a Cultural Plan in 2022 was included in the Committee's 2021 Year End Report to the City Council on December 20, 2021, and request that the City Manager identify the appropriate funding source for said Cultural Plan. Seconded by Councilor Denton.

Councilor Cook spoke to the last Cultural Plan for Portsmouth being completed in 2002. She said part of the reason we have not adopted a new plan is we no longer have a standing Arts Committee but would develop a new plan.

Mayor McEachern said that this is a comprehensive document, which needs to be updated in the near future.

Motion passed.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Wellness Reward - \$2,000.00

Councilor Blalock moved to approve and accept the Wellness Reward as presented. Seconded by Assistant Mayor Kelley and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Report Back on EV Charging Stations

City Manager Conard said there is a report back contained in her memorandum to the City Council regarding level 2 and 3 charging stations.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

1. Citywide Neighborhood Committee Meeting Minutes of January 26, 2022

Councilor Blalock moved to accept and place on file. Seconded by Assistant Mayor Kelley and voted.

XIX. ADJOURNMENT

At 11:20 p.m., Councilor Blalock moved to adjourn. Seconded by Assistant Mayor Kelley and voted.



KELLI L. BARNABY, MMC/CNHMC
CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on March 7, 2022 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH regarding a Resolution Pursuant to RSA 72:39-b the City hereby amends the elderly exemption based on assessed value for qualified taxpayers, such that the exemption shall be available only when the qualifying taxpayers(s) have a net income of not more than

OPTION 1

Proposed increase of Elderly Exemption by the Social Security cost-of-living increase

Single	\$ 46,124 increase of \$2,196
Married	\$ 63,108 increase of \$2,708

OPTION 2

Proposed increase of Elderly Exemption by the November to November consumer price index

Single	\$ 44,829 increase of \$ 901
Married	\$ 61,638 increase of \$1,238

OPTION 3

Proposed increase of Elderly Exemption

Do Nothing

The elderly exemption shall remain unchanged except as amended hereby. The complete Resolution is available for review in the Office of the City Clerk during regular business hours and on the city website.

Kelli L. Barnaby, MMC/CNHMC
City Clerk

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Kelli L. Barnaby, MMC/CNHMC
City Clerk
February 27, 2022

Option 1

**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-TWO
PORTSMOUTH, NEW HAMPSHIRE**

ELDERLY EXEMPTION

RESOLUTION # - 2022

BE IT RESOLVED:

Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$46,124 for a single taxpayer or \$63,108 for married taxpayers, inclusive of social security payments.

The elderly exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

**ADOPTED BY THE CITY COUNCIL:
, 2022**

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

NOTE: This exemption becomes effective for the tax year April 1, 2022.

Option 2

**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-TWO
PORTSMOUTH, NEW HAMPSHIRE**

ELDERLY EXEMPTION

RESOLUTION # - 2022

BE IT RESOLVED:

Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$44,829 for a single taxpayer or \$61,638 for married taxpayers, inclusive of social security payments.

The elderly exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

**ADOPTED BY THE CITY COUNCIL:
, 2022**

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

NOTE: This exemption becomes effective for the tax year April 1, 2022.

Elderly Exemption Married Income Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Portsmouth	\$43,928	\$60,400	\$175,000	\$175,000	\$235,000	\$285,000	\$335,000
Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000
Stratham	\$36,000	\$60,000	\$200,000	\$200,000	\$125,000	\$145,000	\$165,000
Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
North Hampton	\$40,800	\$59,000	\$190,000	\$190,000	\$125,000	\$165,000	\$200,000
Hampton	\$38,000	\$58,000	\$250,000	\$250,000	\$140,000	\$168,000	\$221,000
Dover	\$42,000	\$57,000	\$169,800	\$169,800	\$115,000	\$162,000	\$207,000
Manchester	\$41,000	\$55,000	\$100,000	\$130,000	\$156,000	\$210,000	\$280,000
Concord	\$36,250	\$50,750	\$95,000	\$95,000	\$73,000	\$119,000	\$203,000
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
Rochester	\$35,000	\$50,000	\$100,000	\$100,000	\$75,000	\$100,000	\$125,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000

Elderly Exemption Single Income Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
Portsmouth	\$43,928	\$60,400	\$175,000	\$175,000	\$235,000	\$285,000	\$335,000
Dover	\$42,000	\$57,000	\$169,800	\$169,800	\$115,000	\$162,000	\$207,000
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Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
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Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000
Stratham	\$36,000	\$60,000	\$200,000	\$200,000	\$125,000	\$145,000	\$165,000
Rochester	\$35,000	\$50,000	\$100,000	\$100,000	\$75,000	\$100,000	\$125,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000

Elderly Exemption Asset Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Hampton	\$38,000	\$58,000	\$250,000	\$250,000	\$140,000	\$168,000	\$221,000
Stratham	\$36,000	\$60,000	\$200,000	\$200,000	\$125,000	\$145,000	\$165,000
Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
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Dover	\$42,000	\$57,000	\$169,800	\$169,800	\$115,000	\$162,000	\$207,000
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
Manchester	\$41,000	\$55,000	\$100,000	\$130,000	\$156,000	\$210,000	\$280,000
Rochester	\$35,000	\$50,000	\$100,000	\$100,000	\$75,000	\$100,000	\$125,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000
Concord	\$36,250	\$50,750	\$95,000	\$95,000	\$73,000	\$119,000	\$203,000
Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000

Elderly Exemption 65-74 Exemption Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Portsmouth	\$43,928	\$60,400	\$175,000	\$175,000	\$235,000	\$285,000	\$335,000
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
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Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
Rochester	\$35,000	\$50,000	\$100,000	\$100,000	\$75,000	\$100,000	\$125,000
Concord	\$36,250	\$50,750	\$95,000	\$95,000	\$73,000	\$119,000	\$203,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000
Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000

Elderly Exemption 75-79 Exemption Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Portsmouth	\$43,928	\$60,400	\$175,000	\$175,000	\$235,000	\$285,000	\$335,000
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
Manchester	\$41,000	\$55,000	\$100,000	\$130,000	\$156,000	\$210,000	\$280,000
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Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000
Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000

Elderly Exemption 80+ Exemption Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Portsmouth	\$43,928	\$60,400	\$175,000	\$175,000	\$235,000	\$285,000	\$335,000
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
Manchester	\$41,000	\$55,000	\$100,000	\$130,000	\$156,000	\$210,000	\$280,000
Hampton	\$38,000	\$58,000	\$250,000	\$250,000	\$140,000	\$168,000	\$221,000
Dover	\$42,000	\$57,000	\$169,800	\$169,800	\$115,000	\$162,000	\$207,000
Concord	\$36,250	\$50,750	\$95,000	\$95,000	\$73,000	\$119,000	\$203,000
North Hampton	\$40,800	\$59,000	\$190,000	\$190,000	\$125,000	\$165,000	\$200,000
Stratham	\$36,000	\$60,000	\$200,000	\$200,000	\$125,000	\$145,000	\$165,000
Rochester	\$35,000	\$50,000	\$100,000	\$100,000	\$75,000	\$100,000	\$125,000
Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on March 7, 2022 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH regarding a Resolution Pursuant to RSA 72:39-b the City hereby amends the disabled exemption based on assessed value for qualified taxpayers, such that the exemption shall be available only when the qualifying taxpayers(s) have a net income of not more than

OPTION 1

Proposed increase of Disabled Exemption by the Social Security cost-of-living increase

Single	\$ 46,124 increase of \$2,196
Married	\$ 63,108 increase of \$2,708

OPTION 2

Proposed increase of Disabled Exemption by the November to November consumer price index

Single	\$ 44,829 increase of \$ 901
Married	\$ 61,638 increase of \$1,238

OPTION 3

Proposed increase of Disabled Exemption

Do Nothing

The disabled exemption shall remain unchanged except as amended hereby. The complete Resolution is available for review in the Office of the City Clerk during regular business hours and on the city website.

Kelli L. Barnaby, MMC/CNHMC
City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on March 7, 2022 at 7:00 p.m., Eileen Dondero Foley Council Chambers, Municipal Complex, 1 Junkins Avenue, Portsmouth, NH regarding a Resolution Pursuant to RSA 72:39-b the City hereby amends the disabled exemption based on assessed value for qualified taxpayers, such that the exemption shall be available only when the qualifying taxpayers(s) have a net income of not more than

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Single	\$ 44,829	increase of \$ 901
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OPTION 3

Proposed increase of Disabled Exemption

Do Nothing

The disabled exemption shall remain unchanged except as amended hereby. The complete Resolution is available for review in the Office of the City Clerk during regular business hours and on the city website.

Kelli L. Barnaby, MMC/CNHMC
City Clerk
February 27, 2022

Option 1

**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-TWO
PORTSMOUTH, NEW HAMPSHIRE**

DISABLED EXEMPTION

RESOLUTION # - 2022

BE IT RESOLVED:

Pursuant to RSA 72:37-b the City hereby amends the disabled exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$46,124 for a single taxpayer or \$63,108 for married taxpayers, inclusive of social security payments.

The disabled exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

**ADOPTED BY THE CITY COUNCIL:
, 2022**

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

NOTE: This exemption becomes effective for the tax year April 1, 2022.

Option 2

**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-TWO
PORTSMOUTH, NEW HAMPSHIRE**

DISABLED EXEMPTION

RESOLUTION # - 2022

BE IT RESOLVED:

Pursuant to RSA 72:37-b the City hereby amends the disabled exemption from property tax, based on assessed value for qualified taxpayers, such that the exemptions shall be available only when the qualifying taxpayer(s) have a net income of not more than \$44,829 for a single taxpayer or \$61,638 for married taxpayers, inclusive of social security payments.

The disabled exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

**ADOPTED BY THE CITY COUNCIL:
, 2022**

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

NOTE: This exemption becomes effective for the tax year April 1, 2022.



CITY OF PORTSMOUTH

City Hall, One Junkins Avenue
Portsmouth, New Hampshire 03801
kconard@cityofportsmouth.com
(603) 610-7201

Karen S. Conard
City Manager

Date: March 3, 2022
To: Honorable Mayor Deaglan McEachern and City Council Members
From: Karen S. Conard, City Manager *KSC*
Re: City Manager's Comments on City Council Agenda of March 7, 2022

X. Public Hearings and Votes on Ordinances and/or Resolutions:

A. Continued Public Hearing – Capital Improvement Plan (CIP) FY2023-2028:

In accordance with Section 7.7 of the City Charter, the City Council is continuing the public hearing at this evening's City Council meeting regarding the [proposed Capital Improvement Plan for FY 2023 – FY 2028](#). In addition to this evening's public hearing, the City Council held a work session on January 19, 2022 and [the City shared the attached presentation](#). At the work session, a presentation of the proposed CIP was made by City staff. As you are aware, the City Council is required, in accordance with Section 7.8 of the City Charter, to adopt the Capital Plan subsequent to the public hearing and before the City Manager submits the budget to the City Council.

I recommend that the City Council move to adopt the Capital Improvement Plan as presented.

B. Public Hearing and Adoption of Resolution Pursuant to RSA 72:39-b Amending Elderly Real Estate Tax Exemption Income Limits:

Annually, the City of Portsmouth reviews the income and asset levels for the elderly exemptions and makes recommendations to these levels. The following recommendations were made at the February 22nd City Council meeting, which the City Council requested a public hearing to be held.

Option 1 (5.9%) – Increase by the 2022 Social Security COLA Adjustment:

- Single \$46,124 increase of \$2,196
- Married \$63,108 increase of \$2,708

Option 2 (2.05%) – Increase by the November to November ten-year rolling average of the Boston-Cambridge-Newton, MA-NH consumer price index:

- Single \$44,829 increase of \$901
- Married \$61,638 increase of \$1,238

Option 3 – Do nothing. Current income limits would not change; no move to adopt required:

- Single \$43,928
- Married \$60,400

I recommend that the City Council move to adopt Option 1 or Option 2 as presented. If Option 1 or Option 2 is not adopted, the elderly exemption shall remain unchanged except as amended hereby.

Additionally, the City is undergoing a Statistical Revaluation for Tax Year 2022. Increases to the current elderly and disabled exemption amounts will be recommended once the revaluation has been finalized and prior to the certification of values to the State of New Hampshire Department of Revenue Administration for Tax Year 2022. Any adjustment to the exemption amount will be applied to the FY2023/TY2022 tax bill which will be due December 2022 and June 2023.

Current Exemption Amount:

- Age 65 to 74 \$235,000
- Age 75-79 \$285,000
- Age 80 + \$335,000
- Disabled \$235,000

Current impact on the City’s revenue and tax rate is as follows:

- Revenue Loss \$498,770.55
- Impact on Tax Rate 8 Cents on the current tax rate.

Any adjustment if approved would be for the 2023 Fiscal Year, 2022 Tax Year. New applicants must submit an application and required documentation by April 15, 2022 in order to qualify.

C. Public Hearing and Adoption of Resolution Pursuant to RSA 72:39-b Amending Disabled Real Estate Tax Exemption Income Limits:

Annually, the City of Portsmouth reviews the income and asset levels for the disabled exemptions and makes recommendations to these levels. The following recommendations were made at the February 22nd City Council meeting, which the City Council requested a public hearing to be held.

Option 1 (5.9%) – Increase by the 2022 Social Security COLA Adjustment:

- Single \$46,124 increase of \$2,196
- Married \$63,108 increase of \$2,708

Option 2 (2.05%) – Increase by the November to November ten-year rolling average of the Boston-Cambridge-Newton, MA-NH consumer price index:

- Single \$44,829 increase of \$901
- Married \$61,638 increase of \$1,238

Option 3 – Do nothing. Current income limits would not change; no move to adopt required:

- Single \$ 43,928
- Married \$ 60,400

I recommend that the City Council move to adopt Option 1 or Option 2 as presented. If Option 1 or Option 2 is not adopted, the disabled exemption shall remain unchanged except as amended hereby.

Additionally, the City is undergoing a Statistical Revaluation for Tax Year 2022. Increases to the current elderly and disabled exemption amounts will be recommended once the revaluation has been finalized and prior to the certification of values to the State of New Hampshire Department of Revenue Administration for Tax Year 2022. Any adjustment to the exemption amount will be applied to the FY2023/TY2022 tax bill which will be due December 2022 and June 2023.

Current Exemption Amount:

- Age 65 to 74 \$235,000
- Age 75-79 \$285,000
- Age 80 + \$335,000
- Disabled \$235,000

Current impact on the City’s revenue and tax rate is as follows:

- Revenue Loss \$498,770.55
- Impact on Tax Rate 8 Cents on the current tax rate

Any adjustment if approved would be for the 2023 Fiscal Year, 2022 Tax Year. New applicants must submit an application and required documentation by April 15, 2022 in order to qualify.

XI. City Manager’s Items which Require Action:

1. Report Back on 77 Meredith Way Request to Restore Involuntarily Merged Lots:

At its meeting on November 15, 2021, the City Council considered a request from Attorneys R. Timothy Phoenix and Monica F. Kieser, on behalf of their client, property owners Jeff and Randi Collins, requesting the restoration of involuntarily merged lots at 77 Meredith Way Map 162 Lot 16 to their pre-merger status pursuant to NH RSA 674:39-aa. The Council voted to refer to the Planning Board and Assessor for report back.

RSA 674:39-aa requires the City Council to vote to restore “to their premerger status” any lots or parcels that were “involuntarily merged” by municipal action for zoning, assessing, or taxation purposes without the consent of the owner. Unlike all other lot divisions, there is no statutory role for the Planning Board in this process nor is there any requirement for the City to hold a public hearing. However, in Portsmouth the City Council has historically referred such requests to the Planning Board to conduct a public hearing.

The statute defines “voluntary merger” and “voluntarily merged” to include “any overt action or conduct that indicates an owner regarded said lots as merged such as, but not limited to, abandoning a lot line” (RSA 674:39-aa, I). It is therefore the City Council’s responsibility to determine whether a merger was voluntary (i.e., requested by a lot owner) or involuntary (implemented by the City without the owner’s consent). If the merger was involuntary, the Council must vote to restore the lots to their premerger status. Following such a vote, the City GIS and Assessing staff will update zoning and tax maps accordingly. It will then be up to the owner to take any further action to confirm the restoration to premerger status, such as recording a plan at the Registry of Deeds.

It is important to note that the granting of a request to restore lots to their premerger status does not mean that the resulting lots will be buildable or, if already developed, will conform to zoning. The statute states that “The restoration of the lots to their premerger status shall not be deemed to cure any non-conformity with existing land use ordinances” (RSA 674:39-aa, V). For example, the restored lots may not comply with current zoning requirements for lot area, frontage and depth, and the re-establishment of a lot line between any two pre-merger lots may introduce a new nonconformity with respect to maximum allowed building coverage or a minimum required side yard where a building already exists on one of the premerger lots. In such cases, the owner(s) of the applicable lot(s) would have to apply to the Zoning Board of Adjustment for the necessary variances to restore zoning compliance or to allow future development.

The City Assessor reviewed this request and has completed research of the City’s records for this property. [Three memos and responses, from Rosann Maurice-Lentz, City Assessor, were provided to the Planning Board](#) and are included into this packet for the Council along with [a response submitted by Attorneys Phoenix and Kieser on behalf of their client](#). The City Assessor is recommending denial of the request.

At the February 17, 2022 Planning Board meeting, the Planning Board considered the application for the Restoration of Involuntary Merged Lots for Property Located at 77 Meredith Way. As a result of their consideration, the Board voted to recommend that the Council follow the recommendation from the City Assessor and deny the request for restoration of involuntarily merged lots requested by the property owner. On February 21, 2022, [Jeff and Randi Collins submitted a second letter](#) responding to the recommendation of the Planning Board.

On February 28, 2022, Attorneys Phoenix and Kieser notified the City that they are no longer representing the property owners in this request.

On March 1, 2022, [the City Assessor provided an additional response](#) addressing the property owner’s letter dated February 21, 2022.

I recommend that the City Council vote to deny the request for restoration of involuntarily merged lots requested by the owner.

XVI. Approval of Grants/Donations:

A. Approval of Grant Award from the Drinking Water and Groundwater Trust Fund - \$111,500:

Attached please find a memorandum from Deputy Director of Public Works, Brian Goetz, regarding a grant from the Drinking Water and Groundwater Trust Fund.

I recommend that the City Council move to approve and accept the grant for the City of Portsmouth to accept up to \$111,500 from the Drinking Water and Groundwater Trust Fund as presented.

XVII. City Manager's Informational Items:

1. Further Update from the Inspection Department:

Attached please find a memorandum from the City's Chief Building Inspector, Shanti Wolph, providing a further update on the Inspection Department.

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

127 Parrott Avenue, P.O. Box 4480 | Portsmouth, NH, 03802-4480
Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

CM Action Item #1

October 20, 2021

Karen Conard, City Manager
City Council
City of Portsmouth
One Junkins Avenue
Portsmouth, NH 03801

RE: Restoration of Involuntary Merged lots
Jeff & Randi Collins
77 Meredith Way, Map 162, Lot 16

Dear Mayor Becksted and City Council Members:

On behalf of Jeff and Randi Collins, (“Collins”), we submit the following documents and commentary in support of Collins’ Application for Un-Merger of 3 lots located at 77 Meredith Way which were involuntarily merged by the City of Portsmouth:

I. EXHIBITS

- A. 10/7/2021 – Application for Restoration of Involuntarily Merged Lots.
- B. Authorization
- C. Existing Conditions Plan – TF Moran.
- D. Plan of Elm Place, 1856; Rockingham County Registry of Deeds Plan 008.
- E. Current & Historical Tax Cards.
- F. Current and Historical Tax Maps.
- G. Deed Chain.

II. HISTORY

The square-shaped lot acquired by Collins is currently improved with one single family home 11.5 feet from the southwest (left) lot line and a shed 4.9 ft. from the southwest (left lot line)(the “Property”). The rest of the lot is undeveloped. The lot as it exists today was originally comprised of three 50 ft. by 150 ft. parcels shown as Lots 55, 56, and 57 in an 1856 plan titled Plan of Elm Place and recorded at the Rockingham County Registry of Deeds (“RCRD”) as Plan 008 and developed with a home on lot 57 (**Exhibits C & D**). Examination of early Portsmouth tax maps from 1927, 1935, and 1956 depict the Property as two lots: one is 100 ft. by 150 ft. and the other is 50 ft. by 100 ft. (**Exhibit D**). Only the 1935 map assigns lot numbers, depicting the

DANIEL C. HOEFLE

R. PETER TAYLOR

MONICA F. KIESER

AMANDA M. FREDERICK

R. TIMOTHY PHOENIX

KIMBERLY J.H. MEMMESHEIMER

SAMUEL HARKINSON

OF COUNSEL:

LAWRENCE B. GORMLEY

KEVIN M. BAUM

JACOB J.B. MARVELLEY

SAMUEL R. REID

STEPHEN H. ROBERTS

GREGORY D. ROBBINS

DUNCAN A. EDGAR

JOHN AHLGREN

Property as lots 45 and 46. A later tax map from 1979 depicts the Property as one lot. Similarly, the earliest tax card available (1950) describes only the 100 ft. by 150 ft. lot containing the existing 32 ft. wide home, the next two tax cards (1972 and 1983-86) describe a primary site and secondary site on the same card, before transitioning to a description of one single site by 1994. **(Exhibit E)**.

III. REQUEST TO UNMERGE

Pursuant to RSA 674:39-aa, lots involuntarily merged by the municipality before September 18, 2010 shall, upon request of the owner, be restored to their pre-merger status provided that the request is submitted before December 31, 2021 and no previous owner:

- a.) voluntarily merged their lot pursuant to the process in RSA 674:39-a, or
- b) “any overt action or conduct that indicates that an owner regarded said lots as merged such as, but not limited to, abandoning a lot line.”

“The municipality shall have the burden of proof to show that any previous owner voluntarily merged his or her lots.” RSA 674:39-aa, II(b).

An examination of the deed chain back to 1898 demonstrates that the Property was described as a single square parcel of land measuring 150 ft. on each side **(Exhibit G)** without reference to the recorded Plan of Elm Place. **(Exhibit D)**. The mere description of the Property as one parcel alone is not enough to for a municipality to demonstrate an overt act of merger. Roberts v. Windham, 165 N.H. 236 (2013). Evaluation of an owner’s claim of involuntary merger considers several factors including the legal description of the land and the “meaning and intending to convey” clause of the deed, but also the physical characteristics of the lot, including building placement, and the conduct of the owners. Id. As the Existing Conditions Plan demonstrate here, the only developed area of the lot is the existing home on the first (Lot 57) of the three lots on the 1856 Plan. A review by the undersigned of the assessor records indicates that the rest of the Property remained undeveloped. **(Exhibit E)**. Early tax maps and tax cards depict the Property as two separate lots, with the tax cards in conflict regarding the size of the developed portion. Building records available only include repairs of the existing home, not construction of additional structures on the undeveloped portion of the parcel. Accordingly, there is no indication that the Parcels were merged by use, occupation, or any overt action or conduct indicating that any owner in the chain of title regarded the lots as merged. RSA 674: 39-a. In addition, review of Assessor Records and the chain of title from 1898 through the present reveal

that no voluntary lot merger was submitted or recorded. Accordingly, no voluntary lot merger by document exists.

RSA 674:30-aa, first enacted in 2011 and revised in 2016, requires the Council to approve unmerger. Based upon the foregoing information and evidence, the Property originally shown as three lots in 1956 and shown in the 1927, 1935 and 1956 tax maps as two lots were involuntarily merged into the single lot depicted on the current tax map and tax card. Accordingly, Collins has met the requirements for unmerger. We respectfully request that the Council grant the Unmerger Application and restore the Property to its pre-merger status as required by RSA 674:39aa (II).

Respectfully submitted,

Jeff & Randi Collins

By:  _____

R. Timothy Phoenix
Monica F. Kieser

Encl.

cc: Jeff & Randi Collins
Peter Britz, Acting Planning Director
Rosann Maurice-Lentz
Robert P. Sullivan, City Attorney

APPLICATION FOR RESTORATION OF INVOLUNTARILY MERGED LOTS

EXHIBIT A

PURSUANT TO RSA 674:39-aa

Name of Property Owner(s): Jeffrey and Randi Collins

Mailing Address: 77 Meredith Way Portsmouth, NH 03801

Telephone Number: c/o Counsel Tim Phoenix 436.0666

Email Address: c/o Counsel tphoenix@hpgrlaw.com

Street Location of Parcels Affected by the Requested Restoration:

77 Meredith Way

Properties Requested to be Restored (attach additional sheet if needed):

Parcel 1.

Current Deed Reference: Book 6274 Page 1666 Date Recorded _____

Tax Map _____ Lot Number _____

Parcel 2.

Current Deed Reference: Book _____ Page _____ Date Recorded _____

Tax Map _____ Lot Number _____

Parcel 3.

Current Deed Reference: Book _____ Page _____ Date Recorded _____

Tax Map _____ Lot Number _____

Please state when you believe the involuntary merger took place:

Please see attached letter.

Signature(s) of Property Owner(s):

Signature: [Handwritten Signature] Name: JEFFREY COLLINS Date: 10/5/21

Signature: [Handwritten Signature] Name: RANDI COLLINS Date: 10/8/21

Monica Kieser

From: Jeff Collins <jeffreycollins@yahoo.com>
Sent: Friday, October 8, 2021 5:33 AM
To: Monica Kieser; Tim Phoenix
Cc: Randi Collins
Subject: Authorization

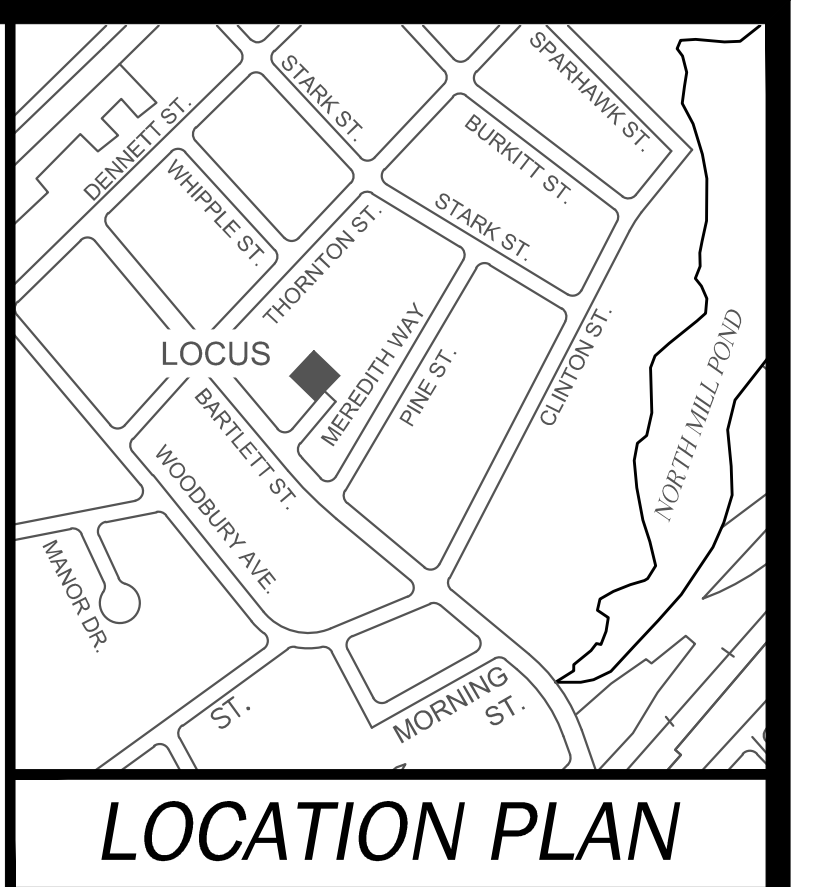
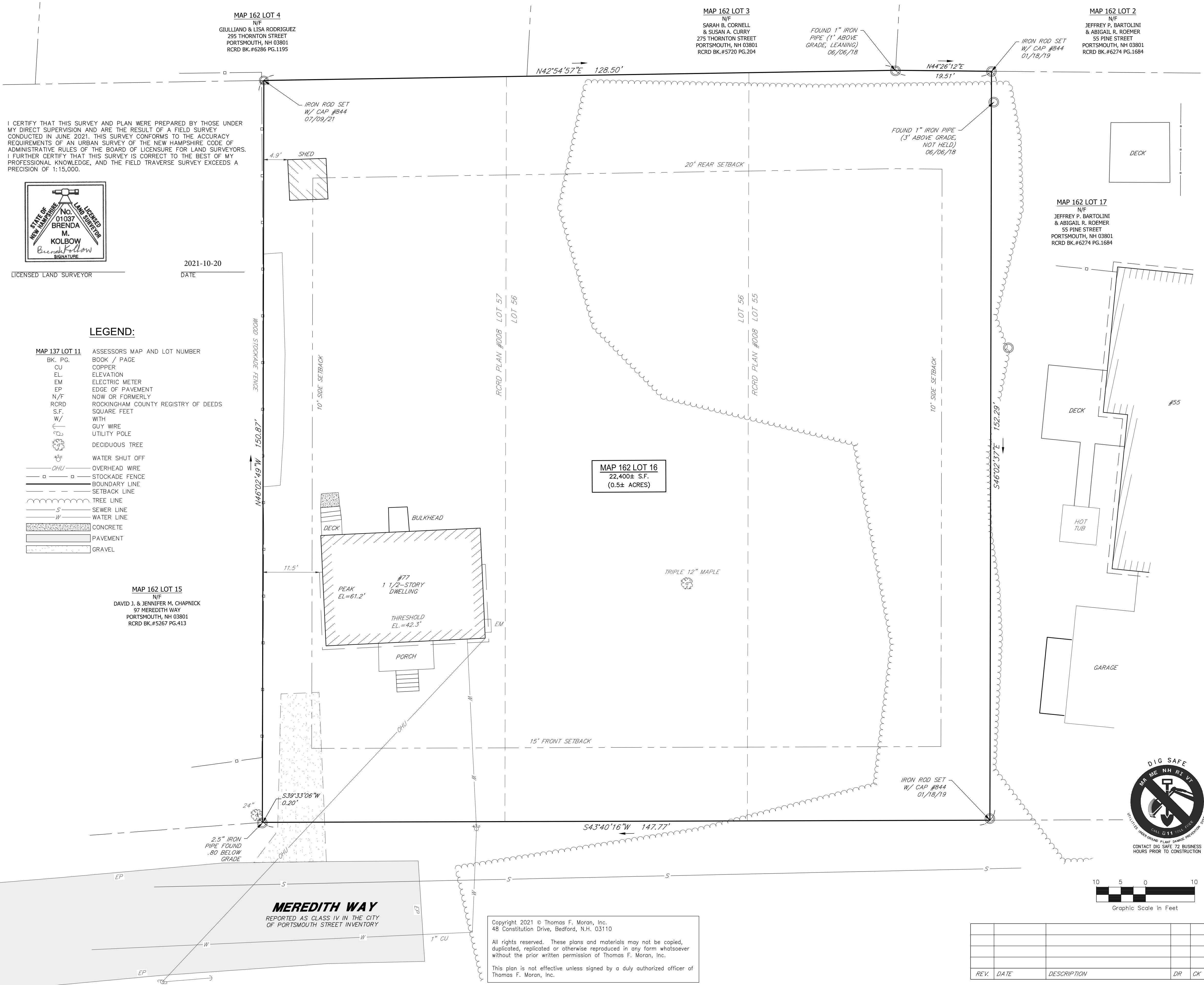
To whom it may concern,

We authorize Hoefle, Phoenix, Gormley & Roberts, PLLC to execute all applications before the City of Portsmouth Council and Land Use Boards and to take any and all actions necessary throughout the application and permitting process related to our property at 77 Meredith Way (Tax Map 162, 16) including but not limited to attendance and presentation at public hearings.

Jeff and Randi Collins

Jeff Collins
c. 774.278.8676
w. 603.435.3900 x100

Oct 20, 2021 - 9:38am
 F:\MSC Projects\47442-77 Meredith Way - Portsmouth\47442-00 - Collins - 77 Meredith Way\Collins\Survey\Drawings\47442-00 Survey.dwg



- NOTES:**
- THE PARCEL IS LOCATED IN THE GENERAL RESIDENCE A (GRA) ZONING DISTRICT.
 - THE PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 162 AS LOT 16.
 - THE PARCEL IS LOCATED IN ZONE X AS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM (NFIP), FLOOD INSURANCE RATE MAP (FIRM) ROCKINGHAM COUNTY, NEW HAMPSHIRE, PANEL 259 OF 681, MAP NUMBER 33015C0259F, MAP REVISED JANUARY 29, 2021.
 - | | |
|--------------------------------------|------------------|
| MINIMUM LOT DIMENSIONS: | REQUIRED: |
| LOT AREA: | 7,500 S.F. |
| LOT AREA PER DWELLING UNIT: | 7,500 S.F. |
| CONTINUOUS STREET FRONTAGE: | 100' |
| DEPTH: | 70' |
| MINIMUM YARD DIMENSIONS: | |
| FRONT: | 15' |
| SIDE: | 10' |
| REAR: | 20' |
| MAXIMUM STRUCTURE DIMENSIONS: | |
| STRUCTURE HEIGHT: | |
| SLOPED ROOF: | 35' |
| FLAT ROOF: | 30' |
| ROOF APPURTENANCE HEIGHT: | 8' |
| BUILDING COVERAGE: | 25% |
| MINIMUM OPEN SPACE: | 30% |
 - OWNER OF RECORD:
 MAP 162 LOT 16:
 RANDI & JEFF COLLINS
 77 MEREDITH WAY
 PORTSMOUTH, NH 03801
 RCRD BK.#6274 PG.#1666
 - PARCEL AREA:
 MAP 162 LOT 16:
 22,400± S.F.
 (0.5± ACRES)
 - THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH THE CURRENT LEGAL DESCRIPTIONS. IT IS NOT AN ATTEMPT TO DEFINE THE EXTENT OF OWNERSHIP OR DEFINE THE LIMITS OF TITLE.
 - THE PURPOSE OF THIS PLAN IS TO SHOW THE BOUNDARY LINES, TOPOGRAPHY AND CURRENT SITE FEATURES OF MAP 162 LOT 16.
 - FIELD SURVEY COMPLETED BY TCE JUNE 2021 USING A TOPCON DS103 AND A TOPCON FC-5000 DATA COLLECTOR.
 - HORIZONTAL DATUM IS NAD83 (2011) PER STATIC GPS OBSERVATIONS. THE VERTICAL DATUM IS NAVD88 PER STATIC GPS OBSERVATIONS. THE CONTOUR INTERVAL IS 2 FEET.
 - EASEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR IDENTIFIED ARE THOSE WHICH WERE FOUND DURING RESEARCH PERFORMED AT THE ROCKINGHAM COUNTY REGISTRY OF DEEDS. OTHER RIGHTS, EASEMENTS, OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCEL(S) WOULD DETERMINE.
 - THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. TFMORAN, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UNDERGROUND UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE.

EXHIBIT C

- PLAN REFERENCES:**
- "PLAN OF ELM PLACE, SITUATED IN PORTSMOUTH, N.H." DATED 1856. RCRD PLAN #008.
 - "LOT LINE REVISION, PINE STREET, PORTSMOUTH, NEW HAMPSHIRE, FOR JOYCE M. MAYO & CITY OF PORTSMOUTH" PREPARED BY DURGIN, VERRA AND ASSOCIATES, INC., DATED 6/9/93 WITH REVISION 1 DATED 10/4/93. RCRD PLAN #0-22643.

TAX MAP 162 LOT 16
EXISTING CONDITIONS PLAN
COLLINS
77 MEREDITH WAY
PORTSMOUTH, NEW HAMPSHIRE
COUNTY OF ROCKINGHAM
 OWNED BY
RANDI & JEFF COLLINS

SCALE: 1" = 10' (22x34)
1" = 20' (11x17)

JULY 9, 2021

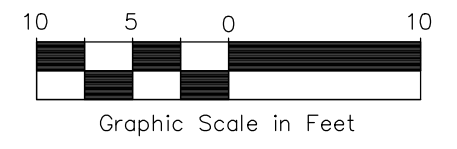
Seacoast Division
TFM
 Civil Engineers
 Structural Engineers
 Traffic Engineers
 Land Surveyors
 Landscape Architects
 Scientists

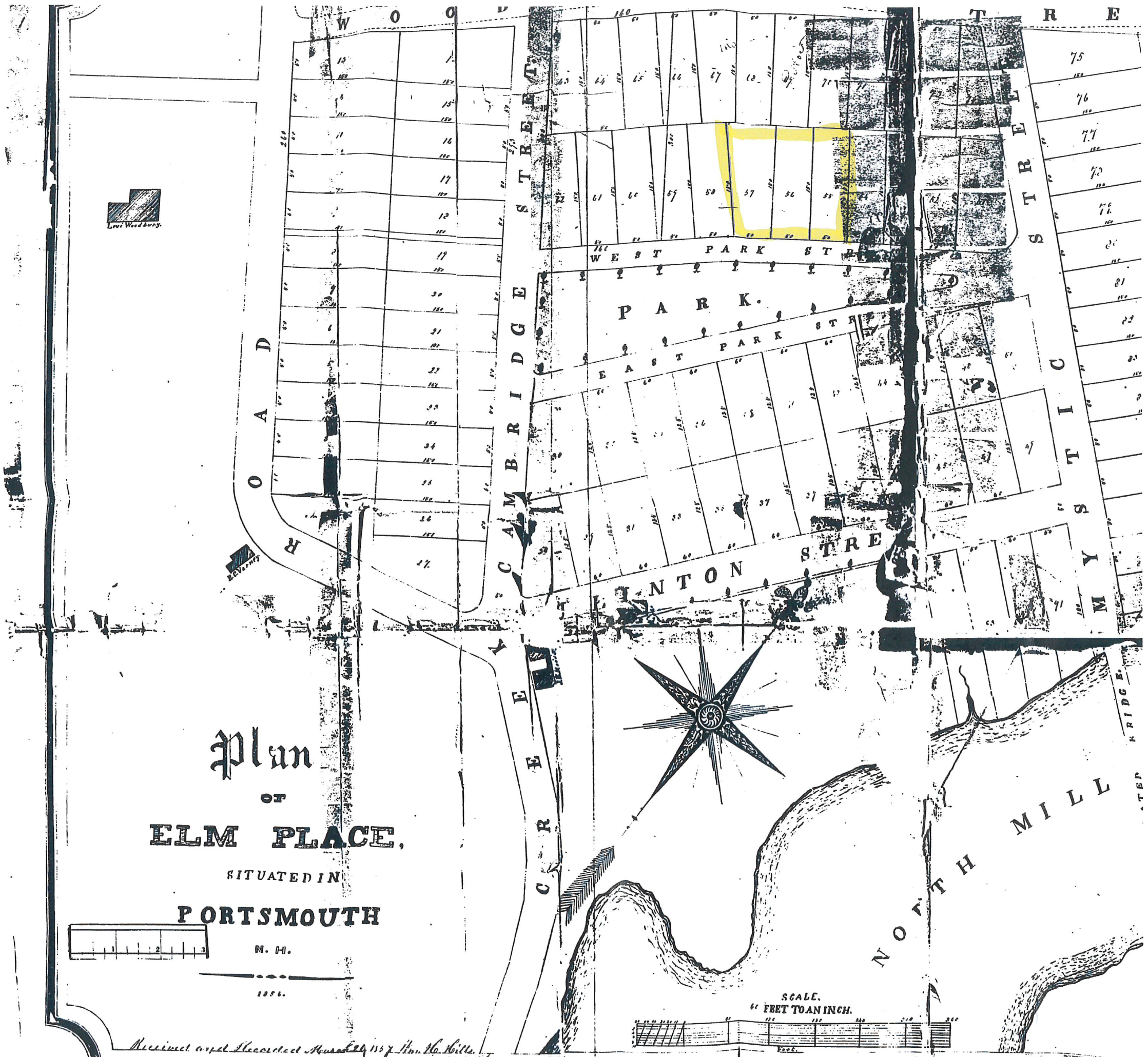
170 Commerce Way, Suite 102
 Portsmouth, NH 03801
 Phone (603) 431-2222
 Fax (603) 431-0910
 www.tfmoran.com

F 47442-00
 DR CK
 FB CADFILE
 S-1

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 This plan is not effective unless signed by a duly authorized officer of Thomas F. Moran, Inc.

REV.	DATE	DESCRIPTION	DR	CK





Plan
 OF
 ELM PLACE,
 SITUATED IN
 PORTSMOUTH

N. H.

1876.

SCALE.
 66 FEET TO AN INCH.

Received and Recorded March 24 1877 Hon. W. H. Hill

CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT			
DUFOUR KAREN L	1 Level	0 All Public	1 Paved	8 2+ Off-St PKG		Description	Code	Assessed	Assessed
						RESIDENTL RES LAND	1010 1010	138,900 290,600	138,900 290,600
77 MEREDITH WAY	SUPPLEMENTAL DATA								
	Alt Prcl ID	0162-0016-0000-0000	CONDO C						
	OLDACTN	59180	INLAW Y/						
	PHOTO		LOT SPLIT						
	WARD		2015 Reva						
	PREC.		Ex/Cr Appll						
	1/2 HSE								
	GIS ID	35046	Assoc Pld#						
					2229	PORTSMOUTH, NH			

VISION

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)					
DUFOUR KAREN L	2916	2173	03-23-1992		I	0		Year	Code	Assessed	Year	Code	Assessed
								2020	1010	138,900	2019	1010	138,900
									1010	290,600		1010	290,600
							Total			429,500			429,500

EXEMPTIONS		Amount	Code	Description	Number	Amount	Comm Int	APPRAISED VALUE SUMMARY		
Year								Appraised Bldg. Value (Card)		138,900
								Appraised Xt (B) Value (Bldg)		0
								Appraised Ob (B) Value (Bldg)		0
								Appraised Land Value (Bldg)		290,600
								Special Land Value		0
								Total Appraised Parcel Value		429,500
								Valuation Method		C

ASSESSING NEIGHBORHOOD		Nbrhd Name	Tracing	Batch
Nbrhd	131	B		
APPT LETTER SENT 1/4/13				
NOTES				

BUILDING PERMIT RECORD		Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpose/Result
Permit Id							07-13-2017		PM		FR	Field Review Stat Update
							03-06-2015		DG		FR	Field Review Stat Update
							01-17-2013		JM		10	Meas/LtrSnt Letter Sent
							10-07-2000		ET	1		Entry + Sign
							09-13-2000		ET	0		No one home
							09-06-2000		ET	0		No one home

LAND LINE VALUATION SECTION		ST	S.I. Adj.	S.I. Adj.	Notes- Adj	Special Pricing	Adj Unit P	Land Value
B	Use Code	1010	1.700	0		1.0000	12.75	290,600
	Description	SINGLE FAM M						
	Zone	GRA						
	Frontage							
	Depth							
	Land Units	22,787 SF						
	Unit Price	7.5						
	Size Ad	1.0000						
	Site	1						
	Cond.	1.00						
	ST Idx	131						

VISIT / CHANGE HISTORY		Date	Id	Type	Is	Cd	Purpose/Result
		07-13-2017		PM		FR	Field Review Stat Update
		03-06-2015		DG		FR	Field Review Stat Update
		01-17-2013		JM		10	Meas/LtrSnt Letter Sent
		10-07-2000		ET	1		Entry + Sign
		09-13-2000		ET	0		No one home
		09-06-2000		ET	0		No one home

EXHIBIT E

CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style: 06	01	Conventional Residential			
Model: 01	C+	C+			
Grade: C+	1.75				
Stories: 1					
Occupancy: 1					
Exterior Wall 1: 25		Vinyl Siding			
Exterior Wall 2: 03		Gable/Hip			
Roof Structure: 03		Asph/F Gls/Cmp			
Roof Cover: 03		Plastered			
Interior Wall 1: 12		Hardwood			
Interior Wall 2: 12		Hardwood			
Interior Flr 1: 02		Oil			
Interior Flr 2: 02		Warm Air			
Heat Fuel: 01		None			
Heat Type: 02		2 Bedrooms			
AC Type: 02					
Total Bedrooms: 1					
Total Bathrms: 0					
Total Half Baths: 0					
Total Xtra Fixts: 0					
Total Rooms: 6					
Bath Style: 1		Avg Quality			
Kitchen Style: 1		Avg Quality			
Kitchen Gr: 0					
WB Fireplaces: 0					
Extra Openings: 0					
Metal Fireplace: 0					
Extra Openings: 0					
Brnt Garage: 0					

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	LB	Units	Unit Price	Yr Bilt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION

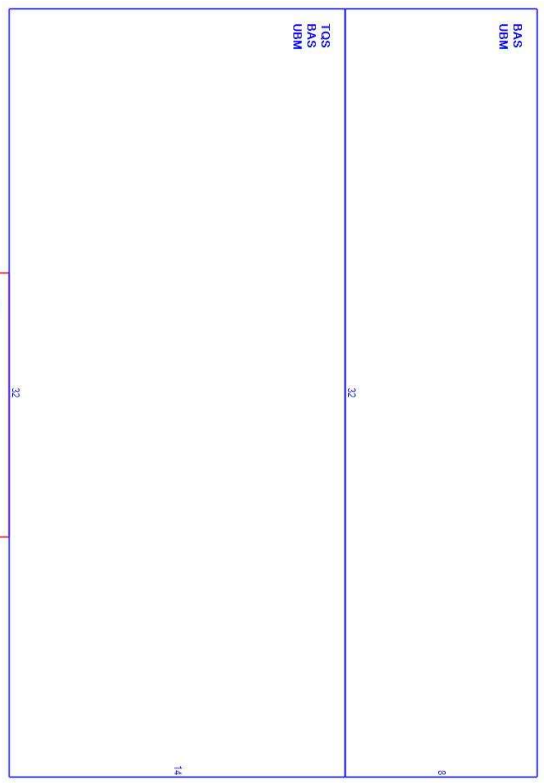
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	704	704	704	178,999	126,007
FOP	Porch, Open	0	66	13	35,25	2,327
TQS	Three Quarter Story	0	448	336	134,24	60,139
UBM	Basement, Unfinished	0	704	141	35,85	25,237
Ttl Gross Liv / Lease Area		1,040	1,922	1,194		213,710

MIXED USE

Code	Description	Percentage
1010	SINGLE FAM MDL-01	100
		0
		0

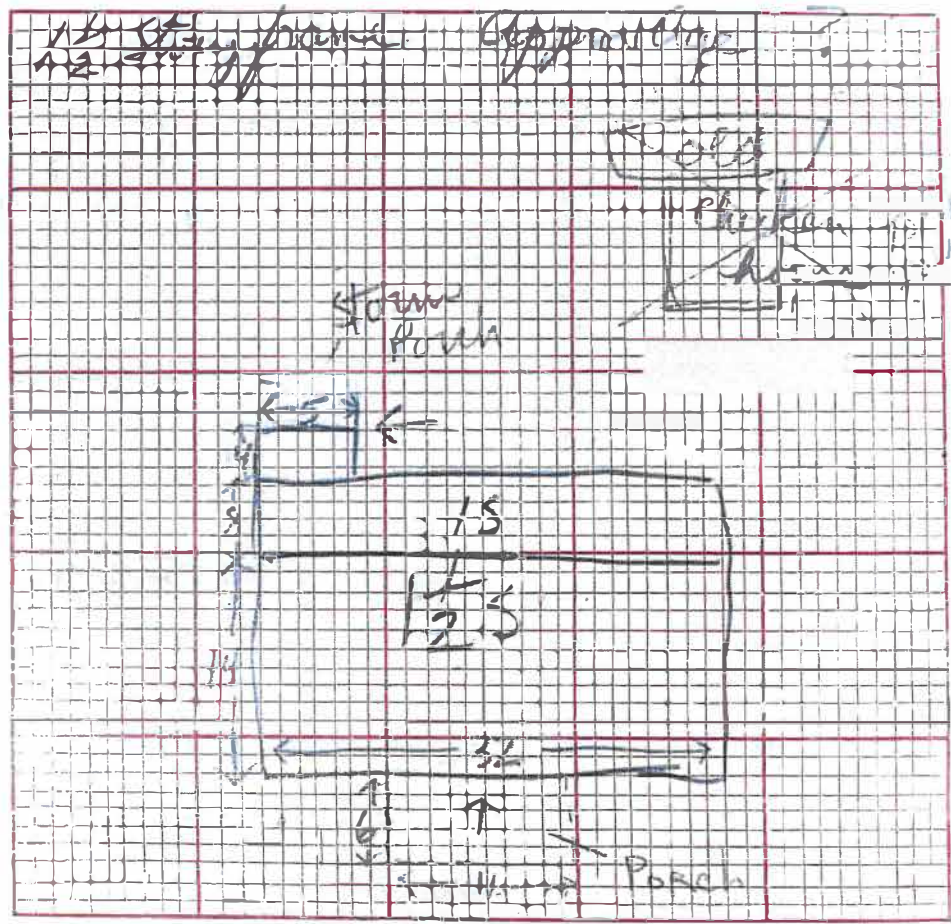
COST / MARKET VALUATION

Adj. Base Rate	178,999
Building Value New	213,710
Year Built	1870
Effective Year Built	1984
Depreciation Code	AV
Remodel Rating	
Year Remodeled	
Depreciation %	35
Functional Obsol	
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	65
RCNLD	138,900
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	



RECORD OF BUILDINGS

CONSTRUCTION				NOTES—SPECIAL EQUIPMENT			
OCCUPANCY		FLOORS		COMPUTATIONS			
SINGLE FAMILY	<input checked="" type="checkbox"/>	B	1 2 3	UNIT	1981		
TWO FAMILY	<input checked="" type="checkbox"/>	CEMENT	<input checked="" type="checkbox"/>	1ST SF @			
APARTMENT	<input type="checkbox"/>	EARTH	<input checked="" type="checkbox"/>	2ND SF @			
STORE	<input type="checkbox"/>	PINE	<input checked="" type="checkbox"/>	SF @			
THEATRE	<input type="checkbox"/>	HARDWOOD	<input type="checkbox"/>				
HOTEL	<input type="checkbox"/>	ATTIC FL & STRS.					
OFFICES	<input type="checkbox"/>	INTERIOR FINISH					
WAREHOUSE	<input type="checkbox"/>	B 1 2 3					
COMM GARAGE	<input type="checkbox"/>	PINE					
GAS STATION	<input type="checkbox"/>	HARDWOOD	<input checked="" type="checkbox"/>	ADDITIONS			
FOUNDATION		CONCRETE	<input checked="" type="checkbox"/>	BASEMENT			
		CONCRETE BLOCK	<input checked="" type="checkbox"/>	WALLS			
		BRICK OR STONE	<input checked="" type="checkbox"/>	ROOF			
		PIERS	<input checked="" type="checkbox"/>	FLOORS			
		CELLAR AREA FULL	<input checked="" type="checkbox"/>	ATTIC			
		NO CELLAR	<input type="checkbox"/>	FINISH			
EXTERIOR WALLS		RECREAT ROOM	<input type="checkbox"/>	FIREPLACE			
		CLAPBOARDS	<input type="checkbox"/>	HEATING			
		WIDE SIDING	<input type="checkbox"/>	PIPELESS FURNACE			
		BOP SIDING	<input type="checkbox"/>	HOT AIR FURNACE			
		NO SHEATHING	<input type="checkbox"/>	FORCED AIR FURN			
		WOOD SHINGLES	<input type="checkbox"/>	STEAM			
		ASBES SHINGLES	<input checked="" type="checkbox"/>	HOT WAT. OR VAPOR			
		STUCCO ON FRAME	<input type="checkbox"/>	NO HEATING	<input checked="" type="checkbox"/>		
		STUCCO ON TILE	<input type="checkbox"/>	GAS BURNER	<input checked="" type="checkbox"/>		
		BRICK VENEER	<input type="checkbox"/>	OIL BURNER	<input type="checkbox"/>		
		BRICK ON TILE	<input type="checkbox"/>	STOKER	<input type="checkbox"/>		
		SOLID BRICK	<input type="checkbox"/>	PLUMBING			
		STONE VENEER	<input type="checkbox"/>	TILING			
		CONC OR CIND BL.	<input type="checkbox"/>	TOTAL			
		TERRA COTTA	<input type="checkbox"/>	FACTOR			
		VITROLITE	<input type="checkbox"/>	REPL VAL.			
		PLATE GLASS	<input type="checkbox"/>				
		INSULATION	<input type="checkbox"/>				
		WEATHERSTRIP	<input type="checkbox"/>				
ROOFING		BATHROOM	<input checked="" type="checkbox"/>				
		TOILET ROOM	<input type="checkbox"/>				
		WATER CLOSET	<input type="checkbox"/>				
		KITCHEN SINK	<input type="checkbox"/>				
		STD. WAT. HEAT	<input type="checkbox"/>				
		AUTO WAT. HEAT	<input type="checkbox"/>				
		ELECT WAT. SYST.	<input type="checkbox"/>				
		LAUNDRY TUBS	<input type="checkbox"/>				
		NO PLUMBING	<input type="checkbox"/>				
		TILING	<input type="checkbox"/>				
		BATH FL & WCOT.	<input type="checkbox"/>				
		TOILET FL. & WCOT.	<input type="checkbox"/>				
		LIGHTING	<input checked="" type="checkbox"/>				
		ELECTRIC	<input type="checkbox"/>				
		NO LIGHTING	<input type="checkbox"/>				
		NO. OF ROOMS					
		BSMT					
		1ST	4				
		2ND	2				
		3RD					



SUMMARY OF BUILDINGS

OCCUPANCY	TYPE	GRADE	AGE	DATE REMOD	COND	REPL. VAL.	PHYS. DEPR.	PHYS VALUE	FUNCT DEPR	SOUND VALU	
						4m	50%	2000	10%	1800	
						19	TOTAL VALUE BUILDINGS				
						19	TOTAL VALUE BUILDINGS				

... OF BUILDINGS QUALITY OF CONSTRUCTION: A—EXCELLENT; B—GOOD; C—AVERAGE; D—CHEAP; E—VERY CHEAP

PROPERTY OWNER		PROPERTY LOCATION		SIDE	LOCATION CODE		PLAN LOT	
JAKIMCZYK/HELEN & JOHN F		77 PINE ST		N	/ / / /		089 045 /	
83 CAMDEN STREET 83 CAMDEN ST LYNN MA 01905		CITY OF PORTSMOUTH N.H. JOHN B. PETTY CAE, ASSESSOR		TYPE	PROJECT	CONTROL NO		CARD
				RESID	31001	1413089004500		1 OF 1

REMARKS-1
RENT \$75 PER MONTH
NO UTILITIES
Permit # 746
S.D.I.N.C.
COST 2800

RECORD OF TRANSFER	DATE	BOOK	PAGE	AMOUNT	MORTGAGE
1 ZABROCKI/KOSTANTY	72672	2157	32		
2					
3					
4					
5					
6					
7					

LAND DEPRECIATION CODES
1-EXCESS FRONTAGE

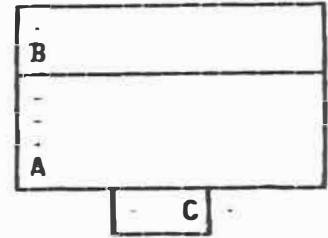
LEGAL

LAND FACTORS		LAND IMPROVEMENTS			SUMMARY	
TOPOGRAPHY-1 LEVEL	LOCATION DRAINAGE	FAIR + GOOD			19 72	APPRAISED
IMPROVEMENTS-1 C WATER	ZONING				LAND	4900
-2 SEWER	NEIGHBORHOOD	03			BLDGS	10045
-3 ELEC	SOIL-1	STATIC SANDY LOAM			TOTAL	14945
	-2		VALUE	EQ	ASSESSMENT	
STREET/RD-2 S IMP						19 ASSESSED
						LAND
						BLDGS
						TOTAL
						10000
						14900

ACREAGE COMPUTATION									SUMMARY	
TYPE	ACRES	PRICE	TOTAL	DEPR	VALUE	EQ	ASSESSMENT			
1 H-LOT 48 A	.230	10000	4800	10	4320	100	4300	19	LAND	
2 REAR 2	.290	2000	580		580	100	600	BLDGS		
3								TOTAL		
4								19	LAND	
5								BLDGS		
6								TOTAL		
	.520		ACREAGE TOTAL		4900	100	4900	19	LAND	
								BLDGS		
								TOTAL		

LOT COMPUTATION													SUMMARY	
FRONT	REAR	FRONTAGE	DEPTH	STREET PRICE	DEPTH %	ADJ FR PR	TOTAL	DEPRECIATION	CORNER	VALUE	EQ	ASSESSMENT		
1													19	LAND
2													BLDGS	
3													TOTAL	
4													19	LAND
													BLDGS	
													TOTAL	
LOT TOTAL													19	LAND
LAND TOTAL										4900	100	4900	BLDGS	
													TOTAL	

CONTROL NO.		STRUCTURE VALUE	
		STRUCTURAL ELEMENTS	PRICE
141 3089004500		BASE. A FOUNDATION. 1/2 BRICK WALLS 448SF	12770
OUT BUILDINGS		1/2 STONE WALLS EXT WALLS. SHGLE ASBESTOS INSULATION. NONE	
ITEM	1 2 3 4 5 6	ROOF. GABLE ASPH SHG BASEMENT. FULL CONCRETE FLOOR	-240
PIER FOUND		FLOORS. 1 PINE 2 PINE	
WALL FOUND		INT FIN. 1 PLASTR 2 PLASTR	
SKIDS		ROOMS. LAYOUT G COND F 1-4 2-2	
SGLE SDG		ATTIC. NONE	780
DBL SDG		HEAT. 1 W AIR-CD 2 W AIR-CD	
SHING WALLS		PLUMBING. BATH 1 SINK 1	
CONC BLOCK		TILE. NONE	
BRICK		DORMERS. NONE	3930
STONE		SEG. B U-BSMT, ADD 256SF	383
FLOOR		C OPEN-PORCH 66SF	
INT FINISH			
PLUMB			
ELEC			
SIZE			
AREA			
		SUB TOTAL	17623
		FACTOR	-881



SCALE = 20 FT./IN.

A 14-32-14-32					
SEC	TYPE	STOR	CONS	CLASS	DIMENSIONS
B	04	1.0	FRAM	3	8-32-8-32
C	30	1.0	FRAM	3	6-11-6-11

OCCUPANCY	CONSTRUCTION	CLASS	AGE	REMOD	COND	REPLACEMENT VALUE	PHYS DEPR	PHYSICAL VALUE	FUNC DEPR	ACTUAL VALUE	EQ	ASSESSMENT	SALE PRICE	DATE MO/YR
DWLG 1 FAM	1.5S FR B	3	1900	NO	F	16742	40	10045		10045	100	10000		
													LISTED DATE	LISTER
													12/03/71	3416
													SIGNATURE	REVIEW
													X SIGNED	2735
BUILDING TOTAL											10045	100	10000	08/20/72

MEREDITH way
77 FINE ST

PROPERTY ASSESSMENT RECORD

ZONING GR CLASS R ROUTING NO 17

622 LOT 016 CARD 01 OF 01 (OLD M/L# CES 045)

PROPERTY USE CODE 01

ASSESSMENT RECORD

RECORD OF OWNERSHIP

NBHD ID 101

NAME	MAILING ADDRESS	BOOK-PAGE	DATE	AMOUNT	
JAKIMCZYK PELEN & JOHN F	83 CAMDEN ST LYNN MA 01905	2157/0032	07/72		1985 LAND 10500 BLDGS. 25100 TOTAL 35600
Philbrick Richard S & Harriet Doleac Charles B	217 Broad St Little Harbor Road #14 PO 418	2562/157 2580/2091	9/5/85 1/3/86	61,000 88000	1986 LAND 10900 BLDGS. 29000 TOTAL 39900
Dufour Karen L	77 Meredith Way	2916/2173	3-23-92	87,500	1992 LAND BLDGS. TOTAL
					1993 LAND BLDGS. TOTAL
					1994 LAND BLDGS. TOTAL
					1995 LAND BLDGS. TOTAL
					1996 LAND BLDGS. TOTAL
					1997 LAND BLDGS. TOTAL
					1998 LAND BLDGS. TOTAL
					1999 LAND BLDGS. TOTAL
					2000 LAND BLDGS. TOTAL

LAND VALUE COMPUTATIONS AND SUMMARY

SQ. FT. DESC.	CODE	SIZE	RATE	INFLUENCE FACTOR	LAND VALUE
1 PRIMARY SITE	1	7500	1.20		9000
2 SECONDARY SITE	2	15287	.10		1530
3 UNDEVELOPED					
4 RESIDUAL					
5 WATERFRONT	T	22787			10500

city water + sewer MEMORANDA

E > I vinyl siding
loose floorboards, ect;
poor construction

and/2
1st /3
B/O

#1323 - Sep 10, 1985 - Replacement of existing bath
& kitchen self & 10 pcc

CATEGORY CODES	NUMBER OF ACRES	RATE
1 PRIMARY SITE		
2 SECONDARY SITE		
3 UNDEVELOPED		
4 TILLABLE		
5 PASTURE		
6 WOODLAND		
7 WASTELAND		
8 HOMESITE		
9 FRONTAGE - ROAD		
10 FRONTAGE - WATER		
11 REAR		
12 ACREAGE - DEPR.		
TOTAL ACREAGE		

SALES DATA

DATE		TYPE		SALE PRICE	SOURCE				VALIDITY	
MO.	YR.	1 LAND	2 L & B		1 BUYER	3 FEE	2 SELLER	4 AGENT	1 YES	2 NO
		1	2		1	2	3	4	1	2
		1	2		1	2	3	4	1	2
		1	2		1	2	3	4	1	2

RECORD OF OWNERSHIP				NBHD ID	ASSESSMENT RECORD	
NAME	MAILING ADDRESS	BOOK-PAGE	DATE	AMOUNT	1983	1984
JAKIMCZYK HELEN & JOHN F	83 CAMDEN ST	2157/0032	07/72		LAND 10500	BLDGS. 25100
					TOTAL 35600	
Philbrick Richard S & Harriet	217 Broad St	2562/157	9/5/85	61,000	LAND 10900	BLDGS. 29000
Doleac Charles B	Little Harbor Road #106 Po 418	2580/2091	1/3/86	88000	TOTAL 39900	
Dufour Karen L	77 Meredith Way	2916/2173	3-23-92	87,500	LAND	BLDGS.
					TOTAL	
					LAND	BLDGS.
					TOTAL	
					LAND	BLDGS.
					TOTAL	
					LAND	BLDGS.
					TOTAL	

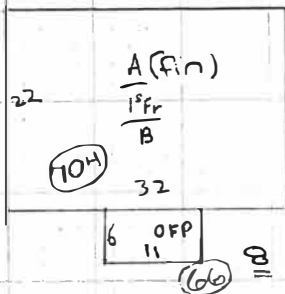
LAND VALUE COMPUTATIONS AND SUMMARY					
SQ. FT. DESC.	CODE	SIZE	RATE	INFLUENCE FACTOR	LAND VALUE
1 PRIMARY SITE	1	7500	1.20		9000
2 SECONDARY SITE	2	15287	.10		1530
3 UNDEVELOPED					
4 RESIDUAL					
5 WATERFRONT					
	T	22787			10500
CATEGORY CODES		NUMBER OF ACRES	RATE		
1 PRIMARY SITE					
2 SECONDARY SITE					
3 UNDEVELOPED					
4 TILLABLE					
5 PASTURE					
6 WOODLAND					
7 WASTELAND					
8 HOMESITE					
9 FRONTAGE - ROAD					
10 FRONTAGE - WATER					
11 REAR					
12 ACREAGE - DEPR.					
TOTAL ACREAGE					

city water + sewer MEMORANDA
 E > I vinyl siding
 loose floorboards, ect;
 poor construction
 and/a
 1st / 3
 B / 0
 #1323 - Sep 10, 1985 - Replacement of existing bath
 + kitchen self 10,000

SALES DATA											
DATE		TYPE		SALE PRICE				SOURCE		VALIDITY	
MO.	YR.	1 LAND	2 L & B					1 BUYER	3 FEE	1 YES	2 NO
				2 SELLER	4 AGENT						
		1	2					1	2	3	4
		1	2					1	2	3	4
		1	2					1	2	3	4

INSPECTION
 WITNESSED BY: *[Signature]*

OCCUPANCY				INTERIOR FINISH				COMMERCIAL COMPUTATIONS				OCCUPANCY				
1 VAC. LOT	2 DWELLING	3 OTHER		B	1	2	3	EXTERIOR WALL CODES				SINGLE FAMILY	STORES			
								1 BRICK	3 GLASS	5 STUCCO	7 STONE	9 CONCRETE		MULTI FAMILY		
STORY HEIGHT				WOOD PANELING				2 FRAME				4 BLOCK	6 TILE	8 METAL	0 ENAM. STL.	APARTMENTS
1.0	1.5	2.0	2.5	3.0	FIBERBOARD				EXTERIOR WALLS				White			
					UNFINISHED				EFF. PERIMETER							
BASEMENT				LIVING ACCOMMODATIONS				PERIM.-AREA RATIO %								
1 NONE	2 CRAWL	3 PART	4 FULL	NO. OF UNITS	TOTAL ROOMS	BED ROOMS	FAMILY ROOMS	NO. OF UNITS								
HEATING				OTHER FEATURES				AVG. UNIT SIZE								
1 NONE	2 BASE	3 AIR CON		PART MASONRY WALLS				BASEMENT SIZE								
WARM AIR - F OR G				FIREPLACE				SCHEDULE								
HOT WATER/STEAM				BASEMENT REC. ROOM				HT:								
ELECTRIC				FIN. BASEMENT LIVING AREA				BASEMENT								
FLOOR/WALL FURNACE				BASEMENT GARAGE				FIRST								
UNIT HEATERS				MODERNIZED KITCHEN				SECOND								
PLUMBING				REMODELING DATA				BASE PRICE								
PLUMBING POINTS				YEAR				B. P. A.								
STANDARD				KITCHEN				SUBTOTAL								
BATHROOM				PLUMBING				LIGHTING								
HALF BATH				ERECTED				HTG./AIR CON.								
SINK/LAVATORY				AGE				SPRINKLER								
WATER CLOSET/URINAL				CDU RATING				PARTITIONS								
NO PLUMBING				DWELLING COMPUTATIONS				INTERIOR FINISH								
ATTIC				L.C. STORY				SF/CF PRICE								
1 NONE	2 UNFIN	3 PT. FIN		AREA CUBE				SUBTOTAL								
FULL FIN				M				SPECIAL FEATURES*								
5 FULL FIN/WH				C				ADDITIONS								
ROOF				TOTAL				TOTAL BASE								
SHINGLE-ASP/ASB./WOOD				O.F. POINTS				GRADE FACTOR								
SLATE/TILE/METAL				[]				REPLACEMENT COST								
CUMP. ON WOOD FRAME				TOTAL				FUNCTIONAL DEPRECIATIONS FACTORS								
COMP. ON STEEL FRAME				+ 5,500				SURPLUS CAP								
WALLS				ADDNS. & PCHS.				BLIGHTED AREA								
FRAME SIDING/ALUM./VINYL/STUCCO				+ 800				ENCROACHMENTS								
SHINGLE-ASP/ASB./WOOD				TOTAL				OBSOLESCENCE								
CONCRETE BLOCK				38,650				ECONOMIC								
BRICK VENEER/STONE				GRADE				TOTAL SPECIAL FEATURES*								
PLATE GLASS FRONT				[4] 4,100				SUMMARY OF OTHER BUILDINGS								
FLOORS				TOTAL				TYPE								
CONCRETE				38,650				NO.								
WOOD				C & D FACT. %				CONSTRUCTION								
TILE				[]				SIZE								
CARPET				REPL. COST				RATE								
WD./STL. FRAME				38,650				GRADE								
REINF. CONC.				38,650				ERECTED								
				DEPR. 35% X 6 = .95				CDU								
				TRUE VALUE				REPLACEMENT COST								
				25,100				DEPR								
				29,000				TRUE VALUE								
								TOTAL SPECIAL FEATURES*								
								TOTAL VALUE ALL BUILDINGS				25,100				



GRADE DENOTES QUALITY OF CONSTRUCTION: A-EXCELLENT; B-GOOD; C-AVERAGE; D-CHEAP; E-VERY CHEAP
 CDU FACTOR REFERS TO THE CONDITION, DESIRABILITY, AND USEFULNESS OF THE BUILDING

TLA 1056

U&2 MAP 16 BLOCK

RES

0 LOT 1 of 1 CARD

PORTSMOUTH, NH BUILDING DESCRIPTION

\$ 94,000
11/08/94
6:56 PM

No.	Alt No.	Name	Way
77		MEREDITH	WY

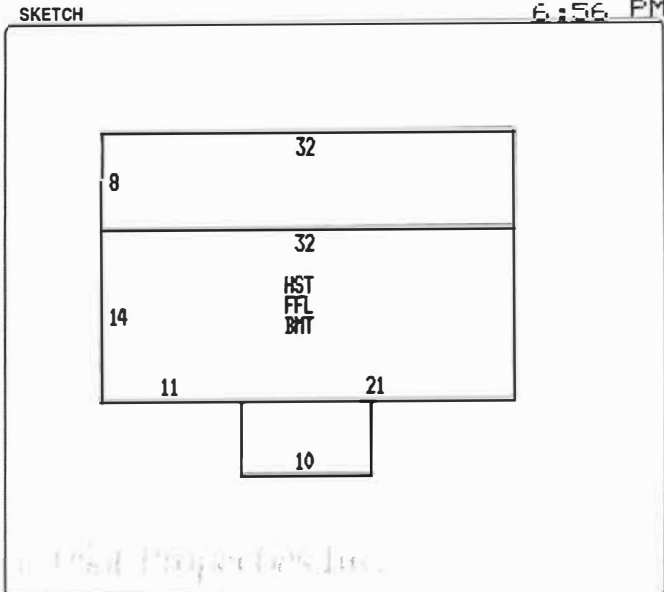
Asses'd	Building Value	Yard Items	Land Area (Ac)	Asses'd Land Val	Total Assessed
101	57,100	0	0.52	36,900	94,000
93	29,000	0	0.00	10,500	39,500

FY	%	Building Value	Yard Items	Land Area (Ac)	Asses'd Land Val	Total Assessed
93	1	29,000	0	0.00	10,500	39,500

Mo	Yr	Number	Description	Amount

Grantor	Legal Reference	Mo / Dy / Yr	Sale Price	v Adj Sale / Desc	Alt Code
	2916-2173	03/23/92	87,500	N CONVIENC	

Item	Code	Description
Type	15	OLD STYLE
Story Ht	1H	1+HALF STR
(Liv) Units	1	
Foundn	3	BRICKSTONE
Frame	1	WOOD
Wd Prime	4	VINYL
Sec		
Struct	1	GABLE
Cover	1	ASPHALT
Av H/W/F	STD	STANDARD
Prime	2	PLASTER
Sec		
Parit	T	TYPICAL
Prime	4	CARPET
Sec		
Electric	2	GOOD
Insulation	2	TYPICAL
Fuel	1	OIL
Type	1	FORCED H/A
Kit Rating	A	Bath Rating A
Int vs Ext	S	Grade C
Yr Built	1870	E.Yr.Blt
Alt Class		% Alt Class



OWNERSHIP AND MAILING INFORMATION
Owner 1 DUFOR KAREN L
Owner 2
Street 77 MEREDITH WAY
City PORTSMOUTH
State NH Zip 03801

NARRATIVE DESCRIPTION
THIS CARD HAS 0.52 ACRES OF LAND MAINLY CLASSIFIED AS RESIDENTIAL WITH A(N) OLD STYLE BUILDING BUILT ABOUT 1870, HAVING PRIMARILY VINYL EXTERIOR, AND ASPHALT ROOF COVER, WITH 1 BATHS, 0 HALF BATHS, 1 UNITS, 5 ROOMS, 2 BEDRM

Item	Code	%	Item	%	Descr
Zoning	GR	100	Utilities		
Districts			Topo		
			Street		
			Traffic		

Use Code	Descr	No. Of Units	Unit Price	Market Value	Assessed Value
101	ONE FAM	22,787	1.80	36,900	36,900

Item	# / % #
Baths	1
1/2 Baths	0
Other Fix.	0
Kitchens	1
Fireplaces	0
W.S. Flues	0
Bsm't Gar	0
Heat Sys	1
Solar HW	N
Cent Vac	N
% Heated	100
% AC	0
% Spr	0
% Co Wall	0

SKETCH INSTRUCTIONS
(FFL, BMT, L32, D8, R32, (HST, FFL, BMT, L32, D14, R11, (OFF, D6XR10), R21, U14), U8).

Code	Area (S.F.)	Rate (Av Unit)	Undepr. Value
BMT	704.0	16.72	11,771
FFL	704.0	66.87	47,076
HST	224.0	66.87	14,979
OFF	60.0	24.00	1,440

No	Units	Res	Units	Br	Floor
1	5	2			

LAST REVISION 05/12/94 6:48P

1-692	Total	75,266
928	Fin Area	928

Sub Area	Area	Unit	Type	No	Ten
TGA	1	916			

Calculation	Value
Basic/SF	47.00
Size Adj	1.42284
Const Adj	1.00000
Acid/SF	66.87
Plumbing	4,000
Fireplaces	0
WS Flues	0
Bsm't Gar	0
Heating	0
Cent Vac	0
Air Cond	0
Sprink	0
Kitchen	3,500
Av Total	82,766
GradeFact	1,000
Neigh Infl	1,000
Adj Total	82,766
Deprec	25,657
Depr Total	57,109
SpecFeat	0
Final Total	57,109
Fin Area	928

code	Description	YS	Size or Units	Qual	cond	yr blt	Unit Price	TMB	% Dep	Sound Value	class	attach

COMMENTS
SUMP PUMP

Date	code	Result	By
03/08/94	2	MEASURED	210
04/18/94	14	INSPECTED	209

Rating	Map	Block	Lot	Typ	Mo	Yr	Sale Price	Adj

Multiple Regression (M)	Comparable Sales (C)	Income Approach (I)	Market Adj. Coef <>

PROPERTY LOCATION			
No.	Alt. No.	Name	Way
77		MEREDITH	WY

OWNERSHIP AND MAILING INFORMATION			
Owner 1: CAROL MAREN L			
Owner 2:			
Street: 77 MEREDITH WAY			
City: PORTSMOUTH			
State: NH		Zip: 03801	
		OwnOcc Y	

NARRATIVE DESCRIPTION
 THIS LAND HAS 0.52 ACRES OF LAND MAINLY CLASSIFIED AS RESIDENTIAL WITH A(N) OLD STYLE BUILDING BUILT ABOUT 1870, HAVING PRIMARILY VINYL EXTERIOR, AND ASPHALT ROOF COVER, WITH 1 BATHS, 0 HALF BATHS, 1 UNITS, 5 ROOMS, 2 BEDRM

PROPERTY FACTORS			
Item Code	%	Item	Descr
Zoning	65	100	Utilities
Districts			Topo
			Street
			Traffic

LAND SECTION																
Use Code	Descr	No. Of Units	Unit Price	High	High Info	Infl 1	Descr	Infl 2	Descr	Infl 3	Descr	Market Value	Alt Class	%	Special Land % or SIAC	Assessed Value
101	ONE FAM	22,787	1.80	EA	100	A-10	ACCESS					36,900				36,900
Total Acres		0.525		Total Square Feet		22,787		Total		36,900		Total		36,900		

SPECIAL FEATURES AND YARD ITEMS											
code	Description	Y/S	Size or Units	qual	cond	yr Blt	Unit Price	TMB	% Dep	Sound Value	class
Total Yard Items		Total Special Features									

ASSESSMENT SUMMARY						
Use Code	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed	
101	51,400	0	0.52	36,900	88,300	
Total	51,400	0	0.52	36,900	88,300	
Total Parcel	51,400	0	0.52	36,900	88,300	
From	Total Assmnt Per S.F. Finished Area/Card 95.15 / Parcel 95.15					

PREVIOUS ASSESSMENT(S)						
FY	%	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed
93	1	29,000	0	0.00	10,500	39,500
94	1	57,100	0	0.52	36,900	94,000
94	1	57,100	0	0.52	36,900	94,000

PRIOR (OTHER) IDENTIFICATION				
59180				
BUILDING PERMITS				
Mo	Yr	Number	Description	Amount

OTHER ASSESSMENTS						
code	Descr / No	Amount	Com. Int			

SALES INFORMATION											
Grantor	Legal Reference	Mo / Dy / Yr	SALE code	Sale Price	v	Adj Sale / Descr	alt code				
	2916-2173	03/23/92	F	87,500	N	CONVIENC					

INCOME APPROACH (Sp. Land Credit)											
code	Description	FI	Qu	Leased Area	No Ten	Rent/SF or Mo	Economic Income	Reported Income	Rptd Heat/Utility	Rptd Management	Rptd Insurance
O/Ride		Gross Income		Overall Rate		Lease Type		Rptd Repairs/Maint		Rptd Total	
		Vacancy/D.L.		Indexed Value		Rate Adj					
		Expenses		Surplus or		Expense Adj					
		Reserves		Deficiency (+/-)		Vacancy Adj					
		Net Income		Final Value		Value/SF					

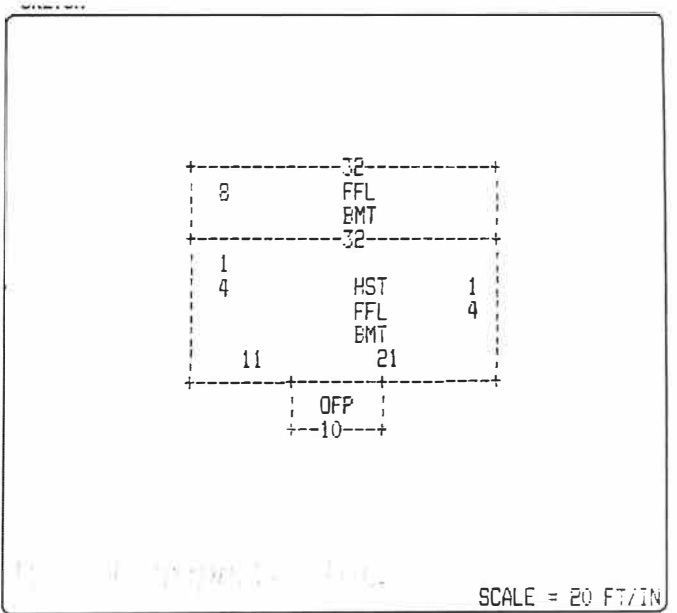
BUILDING DESCRIPTION		
Item	Code	Description
Type	15	OLD STYLE
Story Ht	1H	1+HALF STR
(Liv) Units	1	
Foundn	3	BRICKSTONE
Frame	1	WOOD
Ext Wall	Prime 4	VINYL
Sec		
Roof	Struct 1	GABLE
Cover	1	ASPHALT
Av Huff	STD	STANDARD
Int Wall	Prime 2	PLASTER
Sec		
Partit	1	TYPICAL
Floors	Prime 4	CARPET
Sec		
Electric	2	GOOD
Insulation	2	TYPICAL
Fuel	1	OIL
Heat	Type 1	FORCED H/A
Kit Rating	A	Bath Rating A
Int vs Ext	S	Grade C
Yr Built	1870	E.Yr.Blt
Alt Class		% Alt Class

DEPRECIATION	
Condition	A Depreciation 31%
Func OBS	L LAYOUT 10%
Econ OBS	%
Special	%
Total Depreciation	37.9%

OTHER FEAT	
Item	# / % #
Baths	1
1/2 Baths	0
Oth.Fxd.	0
Kitchens	1
Fireplaces	0
W.S.Flues	0
Bsmt Gar	0
Heat Sys	1
Solar HW	0
Cent Vac	N
% Heated	100
% AC	0
% Spr	0
% Co Wall	0

COMMENTS	
SUMP PUMP	

COMPARABLE SALES									
Rating	Map	Block	Lot	Typ	Mo	Yr	Sale Price	Adj	
Wl. Av. SIF		Av. Rating		Indicated Value					



SKETCH INSTRUCTIONS
 (FFL, BMT, L32, D8, R32, (HST, FFL BMT, L32, D14, R11, (OFF, D6XR10) R21, U14), U8).

RES BREAKDOWN			
No	Units	FINISHED	BRUNK
1			

INSPECTION INFO			
Date	code	Result	By
03/05/94	2	MEASURED	210
04/18/94	14	INSPECTED	209

ALT. APPROACH									
Multiple Regression (M)									
Comparable Sales (C)									
Income Approach (I)									
Market Adj. Cost <>		88,300							

SUB AREA SUMMARY			
Code	Area (S.F.)	Rate (Av Qual)	Undepr. Value
BMT	704.0	18.72	11,771
FFL	704.0	66.87	47,076
HST	224.0	66.87	14,979
OFF	60.0	24.00	1,440

Gross Area	1,692	Total	70,266
Size Adj Area	928	Fin Area	928

SUB AREA DETAIL			
Sub Area	% Light	Alt Type	No Ten
CALCULATIONS			
Undepr. Value	70,266		
Basic/SF	47.00		
Size Adj	1.42284		
Const Adj	1.00000		
Adj/SF	66.87		
Plumbing	9,000		
Fireplaces	0		
W.S.Flues	0		
Bsmt Gar	0		
Heating	0		
Cent Vac	0		
Air Cond	0		
Sprink	0		
Kitchen	3,500		
Av Total	88,300		
GradeFact	1.0000		
Neigh Infl	1.0000		
Adj Total	88,300		
Deprec	31,032		
Depr Total	57,268		
SpecFeat	0		
Final Total	57,268		
Fin Area	928		
Value/SF	61.71		

U62
MAP

16
BLOCK

0
LOT
1 of 1
CARD

RES

PORTSMOUTH, NH

\$ 88,300
08/21/95
10:33 PM

PROPERTY LOCATION

No.	All No.	Name	Way
77		MEREDITH	WY

OWNERSHIP AND MAILING INFORMATION

Owner 1: LUFOR, KAREN L

Owner 2:

Street: 77 MEREDITH WAY

City: PORTSMOUTH

State: NH Zip: 03801 OwnOcc: Y

ASSESSMENT SUMMARY

Ass	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed
101	51,400	0	0.52	36,900	88,300
1994	51,400	0	0.52	36,900	88,300
2000	51,400	0	0.52	36,900	88,300
From			Total Assmnt Per S.F. Finished Area/Card	95.15 / Parcel	95.15

PREVIOUS ASSESSMENT(S)

FY	%	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed
93	1	29,000	0	0.00	10,500	39,500
94	1	57,100	0	0.52	36,900	94,000
94	1	57,100	0	0.52	36,900	94,000

PRIOR (OTHER) IDENTIFICATION: 59180

BUILDING PERMITS

Mo	Yr	Number	Description	Amount

OTHER ASSESSMENTS

code	Descr / No	Amount	Com. Int

SALES INFORMATION

Grantor	Legal Reference	Mo / Dy / Yr	Sale Price	v	Adj Sale / Desc
	2916-2173	03/23/92	87,500	N	CONVIENC

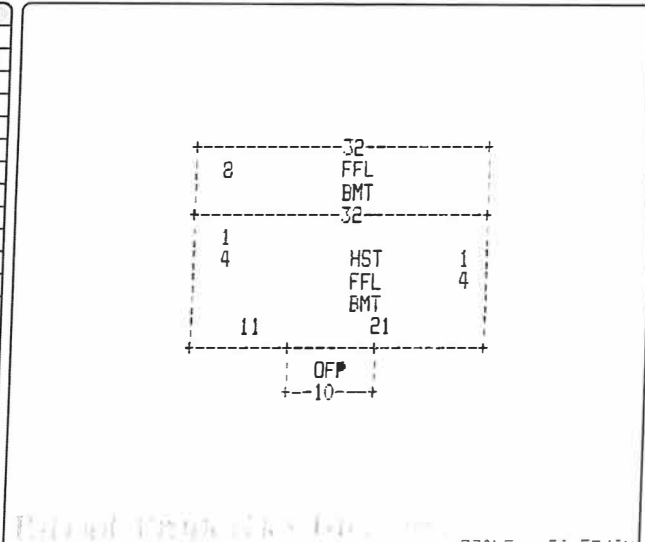
BUILDING DESCRIPTION

Item	Code	Description
Type	15	OLD STYLE
Story Ht	1H	1-HALF STR
(Lv) Units	1	
Foundn	3	BRICKSTONE
Frame	1	WOOD
Ext Prime	4	VINYL
Ext Sec		
Struct	1	GABLE
Cover	1	ASPHALT
Av Ht/Ft	STD	STANDARD
Int Prime	2	PLASTER
Int Sec		
Parlt	1	TYPICAL
Prime	4	CARPET
Sec		
Electric	2	GOOD
Insulation	2	TYPICAL
Fuel	1	OIL
Type	1	FORCED H/A
Kit Rating	A	Bath Rating A
Int vs Ext	5	Grade C
Yr Built	1870	E.Yr.Blt
All Class		% All Class

DEPRECIATION

Condition	Rate	Depreciation
A	31%	
Func OBS L	LAYOUT	10%
Econ OBS		%
Special		%
Total Depreciation		37.9%

SKETCH



NARRATIVE DESCRIPTION

THIS CARD HAS 0.52 ACRES OF LAND MAINLY CLASSIFIED AS RESIDENTIAL WITH A(N) OLD STYLE BUILDING BUILT ABOUT 1870, HAVING PRIMARILY VINYL EXTERIOR, AND ASPHALT ROOF COVER, WITH 1 BATHS, 0 HALF BATHS, 1 UNITS, 5 ROOMS, 2 BEDRM

PROPERTY FACTORS

Item	Code	%	Item	Descr
Zoning	GR	100	Utilities	
Districts			Topo	
			Street	
			Traffic	

LAND SECTION

Use Code	Descrip	No. Of Units	Unit Price	High	High	Infl 1	Descrip	Infl 2	Descrip	Infl 3	Descrip	Market Value	All Class	%	Special Land % or SIAC	Assessed Value
101	ONE FAM	22,787	1.80	EA	100	A-10	ACCESS					36,900				36,900
Total Acres		0.523		Total Square Feet		22,787		Total		36,900		Total		36,900		

SPECIAL FEATURES AND YARD ITEMS

code	Description	YS	Size or Units	qual	cond	yr blt	Unit Price	TMB	% Dep	Sound Value	class	attach
Total Yard Items		Total Special Features										

INCOME APPROACH (Sp. Land Credit)

Type Sp	Description	FI	OU	Leased Area	No Ten	Revs/SF or Mo	Economic Income	Reported Income	
Overall Rate		Lease Type		Rate Adj		Expense Adj		Vacancy Adj	
Gross Income		Overall Rate		Lease Type		Rate Adj		Expense Adj	
Vacancy/D.L.		Indicd Vale		Lease Type		Rate Adj		Expense Adj	
Expenses		Surplus or		Lease Type		Rate Adj		Expense Adj	
Reserves		Deficiency (+/-)		Lease Type		Rate Adj		Expense Adj	
Net Income		Final Value		Lease Type		Rate Adj		Expense Adj	

OTHER FEAT

Item	#	%	#
Baths	1		
1/2 Baths	0		
Oil. Fix.	0		
Kitchens	1		
Fireplaces	0		
W.S. Flues	0		
Bsmt Gar	0		
Heat Sys	1		
Solar HW	0		
Cent Vac	0		
% Heated	100		
% AC	0		
% Spr	0		
% Co Wall	0		

COMMENTS

DAMP PUMP

RES BREAKDOWN

No Units	AMS/Unit	BR/Unit	FR/Unit
1	0	0	0

LAST REVISION

07/18/95 10:33P

SUB AREA DETAIL

Sub Area	% Ugs	All Type	No Ten

INSPECTION INFO

Date	code	Result	By
03/08/94	2	MEASURED	210
04/18/94	14	INSPECTED	209

COMPARABLE SALES

Rating	Map	Block	Lot	Typ	Mo	Yr	Sale Price	Aq
Wl. Av. S/SF		Av. Rating		Indicated Value				

ALT. APPROACH

Multiple Regression (M)	Comparable Sales (C)	Income Approach (I)
Market Adj. Cost <>		
29,700		

SUB AREA SUMMARY

Code	Area (S.F.)	Rate (Av Quad)	Undepr. Value
BMT	704.0	16.72	11,771
FFL	704.0	66.87	47,076
HST	224.0	66.87	14,979
OFF	60.0	24.00	1,440

SKETCH INSTRUCTIONS

(FFL, BMT, L32, D14, R11, (OFF, D6XR10) R21, U14), U8).

CALCULATIONS

Value/Unit	75,668
Basic/SF	47,000
Size Adj	1,422,294
Const Adj	1,000,000
Adj/SF	66,87
Plumbing	4,000
Fireplaces	0
WS Flues	0
Bsmt Gar	0
Heating	0
Cent Vac	0
Air Cond	0
Sprink	0
Kitchen	0
Av Total	66,870
Grade/Fact	1.0000
Neigh Infl	1.0000
Adj Total	66,870
Deprec	0
Depr Total	0
Spec/Fact	0
Final Total	66,870
Fin Area	668
Value/SF	66,870

CURRENT OWNER	TOPO	UTILITIES	STRT / ROAD	LOCATION	DESCRIPTION	CODE	ASSESSED	ASSESSED	ASSESSED
DUFOUR KAREN L	1 Level	0 All Public	1 Paved		RESIDENTL	1010	138,900	138,900	2229
77 MEREDITH WAY			8 2+ Off-St PKG		RES LAND	1010	290,600	290,600	PORTSMOUTH, NH
SUPPLEMENTAL DATA Alt Prcl ID 0162-0016-0000-0000 CONDO C OLDACGN 59180 INLAW Y/ PHOTO LOT SPLIT WARD 2015 Reva JIM PREC. Ex/ Cr Appli 1/2 HSE GIS ID 35046 Assoc Pld#									

RECORD OF OWNERSHIP	BK-VOL/PAGE	SALE DATE	QU	VI	SALE PRICE	VC	Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed
DUFOUR KAREN L	2916 2173	03-23-1992		I	0		2020	1010	138,900	2019	1010	138,900	2019	1010	138,900
PREVIOUS ASSESSMENTS (HISTORY) Total 429,500 429,500 429,500															

EXEMPTIONS	Amount	Code	Description	Number	Amount	Comm Int
OTHER ASSESSMENTS This signature acknowledges a visit by a Data Collector or Assessor						
APPRAISED VALUE SUMMARY Appraised Bldg. Value (Card) 138,900 Appraised Xf (B) Value (Bldg) 0 Appraised Ob (B) Value (Bldg) 0 Appraised Land Value (Bldg) 290,600 Special Land Value 0 Total Appraised Parcel Value 429,500 Valuation Method C						

ASSESSING NEIGHBORHOOD	Nbrhd	Nbrhd Name	Tracing	Batch
131	B			
NOTES APPT LETTER SENT 1/4/13				

BUILDING PERMIT RECORD	Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments
VISIT / CHANGE HISTORY Total Appraised Parcel Value 429,500									

LAND LINE VALUATION SECTION	Date	Id	Type	Is	Cd	Purpose/Result
Notes- Adj	07-13-2017	PM			FR	Field Review Stat Update
	03-06-2015	DG			FR	Field Review Stat Update
	01-17-2013	JM			10	Meas/Ltr Snt Letter Sent
	10-07-2000	ET		1		Entry + Sign
	09-13-2000	ET		0		No one home
	09-06-2000	ET		0	2	No one home

Use Code	Description	Zone	Frontage	Depth	Land Units	Unit Price	Size Adj	Site	Cond.	ST Idx	S.I. Adj.	Notes- Adj	Special Pricing	Adj Unit P	Land Value
1	1010 SINGLE FAM M	GRA			22,787 SF	7.5	1,0000	1	1,00	131	1,700		1,0000	12.75	290,600
Total Card Land Units 0.523 AC Parcel Total Land Area 0.5231 Total Land Value 290,600															



EXHIBIT E

CONSTRUCTION DETAIL

CONSTRUCTION DETAIL (CONTINUED)

Element	Cd	Description	Element	Cd	Description
Style: 06	01	Conventional Residential			
Model: 01	C+	C+			
Grade: C+	1.75				
Stories: 1					
Occupancy: 1					
Exterior Wall 1: 25		Vinyl Siding			
Exterior Wall 2: 03		Gable/Hip			
Roof Structure: 03		Asph/F Gls/Cmp			
Roof Cover: 03		Plastered			
Interior Wall 1: 12		Hardwood			
Interior Wall 2: 12		Hardwood			
Interior Flr 1: 02		Oil			
Interior Flr 2: 02		Warm Air			
Heat Fuel: 01		None			
Heat Type: 02		2 Bedrooms			
AC Type: 02					
Total Bedrooms: 1					
Total Bathrms: 0					
Total Half Baths: 0					
Total Xtra Fixts: 0					
Total Rooms: 6					
Bath Style: 1		Avg Quality			
Kitchen Style: 1		Avg Quality			
Kitchen Gr: 0					
WB Fireplaces: 0					
Extra Openings: 0					
Metal Fireplace: 0					
Extra Openings: 0					
Brnt Garage: 0					

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	LB	Units	Unit Price	Yr Bilt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value

BUILDING SUB-AREA SUMMARY SECTION

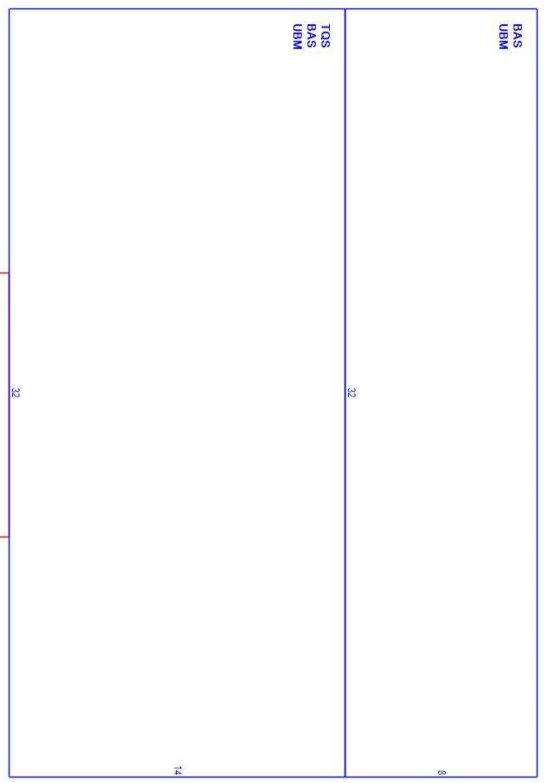
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	704	704	704	178,999	126,007
FOP	Porch, Open	0	66	13	35,25	2,327
TQS	Three Quarter Story	0	448	336	134,24	60,139
UBM	Basement, Unfinished	0	704	141	35,85	25,237
	Ttl Gross Liv / Lease Area	1,040	1,922	1,194		213,710

MIXED USE

Code	Description	Percentage
1010	SINGLE FAM MDL-01	100
		0
		0

COST / MARKET VALUATION

Adj. Base Rate	178.99
Building Value New	213,710
Year Built	1870
Effective Year Built	1984
Depreciation Code	AV
Remodel Rating	
Year Remodeled	
Depreciation %	35
Functional Obsol	
External Obsol	
Trend Factor	1
Condition	
Condition %	
Percent Good	65
RCNLD	138,900
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	



PROPERTY ASSESSMENT RECORD, - CITY OF PORTSMOUTH, N.H.

PLAN 87 LOT 45
 ADDRESS 77 Pine St
 DESCRIPTION 11-111-1
 100
 153 (15,234) 151
 100
 PINE ST

RECORD OF OWNERSHIP
 (198 month)
 KOSTANTY ZABROCKI

DATE OF TRANSFER
 SALE PRICE IF KNOWN
 1919

ASSESSMENT RECORD

1951	LAND	
1951	BLDGS	
1951	TOTAL	16
1950	LAND	
1951	BLDGS	
1951	TOTAL	2000
1957	LAND	
1951	BLDGS	
1951	TOTAL	2200
1950	LAND	1250
1951	BLDGS	1200
1951	TOTAL	2450
1950	LAND	2400
1951	BLDGS	2400
1951	TOTAL	4800
1951	LAND	3500
1951	BLDGS	1300
1951	TOTAL	5100

RURAL PROPERTY

PROPERTY FACTORS

TOPOGRAPHY	LEVEL	ROLLING	LEDGE
SOIL TYPE	LOAM	SAND	CLAY
LAND CLASS	GOOD	FAIR	POOR
DRAINAGE	GOOD	FAIR	POOR
WATER SUPPLY	GOOD	FAIR	POOR
FENCES	GOOD	FAIR	NONE
ELECTRICITY	YES	NO	
TELEPHONE	YES	NO	
ROAD	PAVED	IMPR.	DIRT
MARKS			

LAND VALUE COMPUTATIONS AND SUMMARY

CLASSIFICATION	NO OF ACRES	RATE	TOTAL
TILLABLE	Mr Michael Felony		
PASTURE	Mrs Rosabeth Felony		
WOODED	Mrs Ethel Robinson		
WASTE LAND			
TOTAL ACREAGE			
TOTAL VALUE LAND			
TOTAL VALUE BUILDINGS			
TOTAL VALUE LAND & BUILDINGS			

OWNERS PREVIOUS TO 1951

NAME	DATE	ASSESSMENT
Mrs Oakley	1910	
Isabella Marcy	1910	
Est. N. Jones	1908	

URBAN PROPERTY

PROPERTY FACTORS

TOPOGRAPHY	IMPROVEMENTS
VEL	✓ WATER
CH	✓ SEWER
W	✓ GAS (Partially)
LLING	✓ ELECTRICITY
AMPY	✓ ALL UTILITIES
	✓ GARBAGE DISPOSAL
STREET	TREND OF DISTRICT
ED	✓ IMPROVING
IMPROVED	✓ STATIC
WALK	✓ DECLINING

LAND VALUE COMPUTATIONS AND SUMMARY

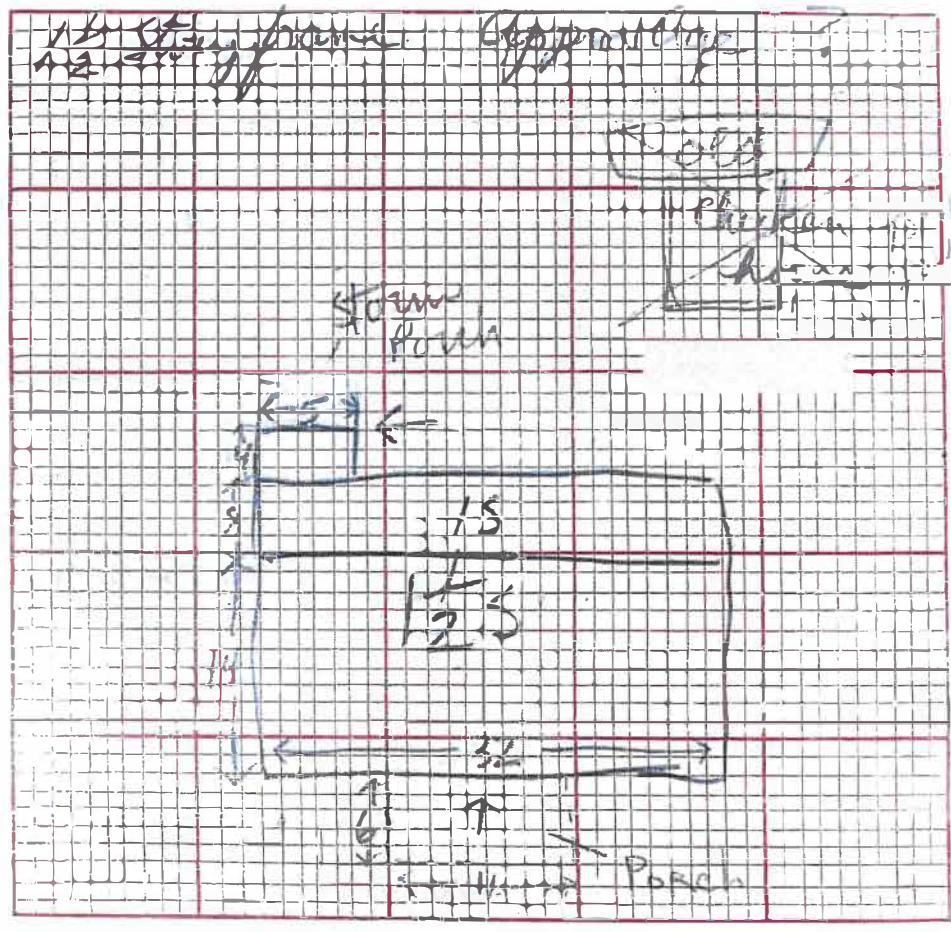
FRONTAGE	DEPTH	UNIT PRICE	DEPTH FACTOR	FRONT FT. PRICE	TOTAL
100	150	300			350
TOTAL VALUE LAND					300
TOTAL VALUE BUILDINGS					1800
TOTAL VALUE LAND & BUILDINGS					2100

ASSESSMENT RECORD

1951	LAND	
1951	BLDGS	
1951	TOTAL	
1951	LAND	
1951	BLDGS	
1951	TOTAL	
1951	LAND	
1951	BLDGS	
1951	TOTAL	
1951	LAND	
1951	BLDGS	
1951	TOTAL	

RECORD OF BUILDINGS

CONSTRUCTION				NOTES—SPECIAL EQUIPMENT																			
OCCUPANCY		FLOORS		COMPUTATIONS																			
SINGLE FAMILY	<input checked="" type="checkbox"/>	B	1 2 3	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>UNIT</td> <td colspan="3">1981</td> </tr> <tr> <td>1ST SF @</td> <td></td> <td></td> <td></td> </tr> <tr> <td>2ND SF @</td> <td></td> <td></td> <td></td> </tr> <tr> <td>SF @</td> <td></td> <td></td> <td></td> </tr> </table>				UNIT	1981			1ST SF @				2ND SF @				SF @			
UNIT	1981																						
1ST SF @																							
2ND SF @																							
SF @																							
TWO FAMILY	<input checked="" type="checkbox"/>	CEMENT	<input checked="" type="checkbox"/>																				
APARTMENT		EARTH																					
STORE		PINE	<input checked="" type="checkbox"/>																				
THEATRE		HARDWOOD																					
HOTEL		ATTIC FL & STRS.																					
OFFICES		INTERIOR FINISH																					
WAREHOUSE		B	1 2 3																				
COMM GARAGE		PINE																					
GAS STATION		HARDWOOD	<input checked="" type="checkbox"/>																				
FOUNDATION		CEMENT	<input checked="" type="checkbox"/>	ADDITIONS BASEMENT WALLS ROOF FLOORS ATTIC FINISH FIREPLACE HEATING PLUMBING TILING TOTAL FACTOR REPL VAL.																			
CONCRETE		HARDWOOD	<input checked="" type="checkbox"/>																				
CONCRETE BLOCK		PLASTER	<input checked="" type="checkbox"/>																				
BRICK OR STONE	<input checked="" type="checkbox"/>	UNFINISHED	<input checked="" type="checkbox"/>																				
PIERS		METAL CLG																					
CELLAR AREA FULL	<input checked="" type="checkbox"/>	RECREAT ROOM																					
1/5 3/4		FINISHED ATTIC																					
NO CELLAR		FIREPLACE																					
EXTERIOR WALLS		HEATING																					
CLAPBOARDS		PIPELESS FURNACE																					
WIDE SIDING		HOT AIR FURNACE																					
BOP SIDING		FORCED AIR FURN																					
NO SHEATHING		STEAM																					
WOOD SHINGLES		HOT WAT. OR VAPOR	<input checked="" type="checkbox"/>																				
ASBES SHINGLES	<input checked="" type="checkbox"/>	NO HEATING	<input checked="" type="checkbox"/>																				
STUCCO ON FRAME		OIL & Coal Stoves																					
STUCCO ON TILE		GAS BURNER	<input checked="" type="checkbox"/>																				
BRICK VENEER		OIL BURNER																					
BRICK ON TILE		STOKER																					
SOLID BRICK		PLUMBING																					
STONE VENEER		BATHROOM	<input checked="" type="checkbox"/>																				
CONC OR CIND BL.		TOILET ROOM																					
TERRA COTTA		WATER CLOSET	<input checked="" type="checkbox"/>																				
VITRCLITE		KITCHEN SINK																					
PLATE GLASS		STD. WAT. HEAT																					
INSULATION		AUTO WAT. HEAT																					
WEATHERSTRIP		ELECT WAT. SYST.																					
ROOFING		LAUNDRY TUBS																					
ASPH SHINGLES		NO PLUMBING																					
WOOD SHINGLES		TILING																					
ASBES SHINGLES		BATH FL & WCOT.																					
SLATE		TOILET FL. & WCOT.																					
LIGHTING		LIGHTING																					
ELECTRIC	<input checked="" type="checkbox"/>	NO LIGHTING																					
NO. OF ROOMS		NO. OF ROOMS																					
BSMT		2ND	2																				
1ST	4	3RD																					



SUMMARY OF BUILDINGS										
OCCUPANCY	TYPE	GRADE	AGE	DATE REMOD	COND	REPL. VAL.	PHYS. DEPR.	PHYS VALUE	FUNCT DEPR	SOUND VALU
						4m	50%	2000	10%	1800
					19	TOTAL VALUE BUILDINGS				
					19	TOTAL VALUE BUILDINGS				

PROPERTY OWNER		PROPERTY LOCATION		SIDE	LOCATION CODE		PLAN LOT	
JAKIMCZYK/HELEN & JOHN F		77 PINE ST		N	/ / / /		089 045 /	
83 CAMDEN STREET 83 CAMDEN ST LYNN MA 01905		CITY OF PORTSMOUTH N.H. JOHN B. PETTY CAE, ASSESSOR		TYPE	PROJECT	CONTROL NO		CARD
				RESD	31001	1413089004500		1 OF 1

REMARKS-1
RENT \$75 PER MONTH
NO UTILITIES

Permit # 746
S.D.I.N.C.
COST 2800

LAND DEPRECIATION CODES
1-EXCESS FRONTAGE

LEGAL

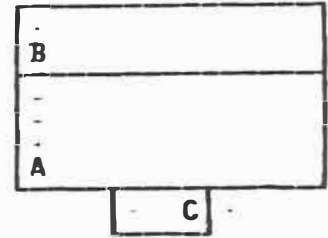
RECORD OF TRANSFER	DATE	BOOK	PAGE	AMOUNT	MORTGAGE
1 ZABROCKI/KOSTANTY	72672	2157	32		
2					
3					
4					
5					
6					
7					

LAND FACTORS			LAND IMPROVEMENTS			SUMMARY	
TOPOGRAPHY-1 LEVEL	LOCATION DRAINAGE	FAIR + GOOD				19 LAND	72 APPRAISED
IMPROVEMENTS-1 C WATER	ZONING	03				BLDGS	4900
-2 SEWER	NEIGHBORHOOD	STATIC				TOTAL	10045
-3 ELEC	SOIL-1	SANDY					
	-2	LOAM	VALUE	EQ	ASSESSMENT	19 LAND	ASSESSED
STREET/RD-2 S IMP						BLDGS	4900
						TOTAL	10000
							14900

ACREAGE COMPUTATION										SUMMARY	
TYPE	ACRES	PRICE	TOTAL	DEPR	VALUE	EQ	ASSESSMENT			19 LAND	BLDGS
1 H-LOT 48 A	.230	10000	4800	10	4320	100	4300			TOTAL	
2 REAR 2	.290	2000	580		580	100	600			19 LAND	BLDGS
3										TOTAL	
4										19 LAND	BLDGS
5										TOTAL	
6										19 LAND	BLDGS
		.520	ACREAGE TOTAL		4900	100	4900			TOTAL	

LOT COMPUTATION													SUMMARY					
FRONT	REAR	FRONTAGE	DEPTH	STREET PRICE	DEPTH %	ADJ FR PR	TOTAL	DEPRECIATION	CORNER	VALUE	EQ	ASSESSMENT			19 LAND	BLDGS		
1															TOTAL			
2															19 LAND	BLDGS		
3															TOTAL			
4															19 LAND	BLDGS		
										LOT TOTAL						TOTAL		
										LAND TOTAL		4900	100	4900				

CONTROL NO.		STRUCTURE VALUE	
		STRUCTURAL ELEMENTS	PRICE
141 3089004500		BASE. A FOUNDATION. 1/2 BRICK WALLS 448SF	12770
OUT BUILDINGS		1/2 STONE WALLS EXT WALLS. SHGLE ASBESTOS INSULATION. NONE	
ITEM	1 2 3 4 5 6	ROOF. GABLE ASPH SHG BASEMENT. FULL CONCRETE FLOOR	-240
PIER FOUND		FLOORS. 1 PINE 2 PINE	
WALL FOUND		INT FIN. 1 PLASTR 2 PLASTR	
SKIDS		ROOMS. LAYOUT G COND F 1-4 2-2	
SGLE SDG		ATTIC. NONE	780
DBL SDG		HEAT. 1 W AIR-CD 2 W AIR-CD	
SHING WALLS		PLUMBING. BATH 1 SINK 1	
CONC BLOCK		TILE. NONE	
BRICK		DORMERS. NONE	3930
STONE		SEG. B U-BSMT, ADD 256SF	383
FLOOR		C OPEN-PORCH 66SF	
INT FINISH			
PLUMB			
ELEC			
SIZE			
AREA			
		SUB TOTAL	17623
		FACTOR	-881



SCALE = 20 FT./IN.

A 14-32-14-32					
SEC	TYPE	STOR	CONS	CLASS	DIMENSIONS
B	04	1.0	FRAM	3	8-32-8-32
C	30	1.0	FRAM	3	6-11-6-11

OCCUPANCY	CONSTRUCTION	CLASS	AGE	REMOD	COND	REPLACEMENT VALUE	PHYS DEPR	PHYSICAL VALUE	FUNC DEPR	ACTUAL VALUE	EQ	ASSESSMENT	SALE PRICE	DATE MO/YR
DWLG 1 FAM	1.5S FR B	3	1900	NO	F	16742	40	10045		10045	100	10000		
													LISTED DATE	LISTER
													12/03/71	3416
													SIGNATURE	REVIEW
													X SIGNED	2735

MEREDITH way
77 FINE ST

PROPERTY ASSESSMENT RECORD

ZONING GR CLASS R

ROUTING NO 17

LEE LOT 016 CARD 01 OF 01 (OLD M/L# CES 045)

PROPERTY USE CODE 01

ASSESSMENT RECORD

RECORD OF OWNERSHIP

NBHD ID 101

NAME	MAILING ADDRESS	BOOK-PAGE	DATE	AMOUNT
JAKIMCZYK FELEN & JOHN F	83 CAMDEN ST LYNN MA 01905	2157/0032	07/72	
Philbrick Richard S & Harriet Doleac Charles B	217 Broad St Little Harbor Road #14 PO 418	2562/157 2580/2091	9/5/85 1/3/86	61,000 88000
Dufour Karen L	77 Meredith Way	2916/2173	3-23-92	87,500

1985	LAND	10500
	BLDGS.	25100
	TOTAL	35600
1986	LAND	10500
	BLDGS.	29000
	TOTAL	39500
1987	LAND	
	BLDGS.	
	TOTAL	
1988	LAND	
	BLDGS.	
	TOTAL	
1989	LAND	
	BLDGS.	
	TOTAL	
1990	LAND	
	BLDGS.	
	TOTAL	
1991	LAND	
	BLDGS.	
	TOTAL	
1992	LAND	
	BLDGS.	
	TOTAL	
1993	LAND	
	BLDGS.	
	TOTAL	
1994	LAND	
	BLDGS.	
	TOTAL	
1995	LAND	
	BLDGS.	
	TOTAL	

LAND VALUE COMPUTATIONS AND SUMMARY

SQ. FT. DESC.	CODE	SIZE	RATE	INFLUENCE FACTOR	LAND VALUE
1 PRIMARY SITE	1	7500	1.20		9000
2 SECONDARY SITE	2	15287	.10		1530
3 UNDEVELOPED					
4 RESIDUAL					
5 WATERFRONT					
	T	22787			10500

CATEGORY CODES	NUMBER OF ACRES	RATE
1 PRIMARY SITE		
2 SECONDARY SITE		
3 UNDEVELOPED		
4 TILLABLE		
5 PASTURE		
6 WOODLAND		
7 WASTELAND		
8 HOMESITE		
9 FRONTAGE-ROAD		
10 FRONTAGE-WATER		
11 REAR		
12 ACREAGE-DEPR.		
TOTAL ACREAGE		

city water + sewer MEMORANDA
 E > I vinyl siding
 loose floorboards, ect;
 poor construction
 and/a
 1st / 3
 B / 0
 #1323 - Sep 10, 1985 - Replacement of existing bath
 + kitchen self & 10,000

SALES DATA

DATE		TYPE	SALE PRICE	SOURCE				VALIDITY	
MO.	YR.	1 LAND 2 L & B		1 BUYER 2 SELLER	3 FEE 4 AGENT	1 YES 2 NO	1 YES 2 NO		
		1 2		1 2 3 4	1 2				
		1 2		1 2 3 4	1 2				
		1 2		1 2 3 4	1 2				

19	LAND	
	BLDGS.	
	TOTAL	
19	LAND	
	BLDGS.	
	TOTAL	
19	LAND	
	BLDGS.	
	TOTAL	
19	LAND	
	BLDGS.	
	TOTAL	
19	LAND	
	BLDGS.	
	TOTAL	
19	LAND	
	BLDGS.	
	TOTAL	

SECTION

RECORD OF OWNERSHIP				NBHD ID	ASSESSMENT RECORD	
NAME	MAILING ADDRESS	BOOK-PAGE	DATE	AMOUNT	1983	1984
JAKIMCZYK HELEN & JOHN F	83 CAMDEN ST	2157/0032	07/72		LAND 10500	BLDGS. 25100
					TOTAL 35600	
Philbrick Richard S & Harriet	217 Broad St	2562/157	9/5/85	61,000	LAND 10900	BLDGS. 29000
Doleac Charles B	Little Harbor Road #106 Po 418	2580/2091	1/3/86	88000	TOTAL 39900	
Dufour Karen L	77 Meredith Way	2916/2173	3-23-92	87,500	LAND	BLDGS.
					TOTAL	
					LAND	BLDGS.
					TOTAL	
					LAND	BLDGS.
					TOTAL	
					LAND	BLDGS.
					TOTAL	
					LAND	BLDGS.
					TOTAL	

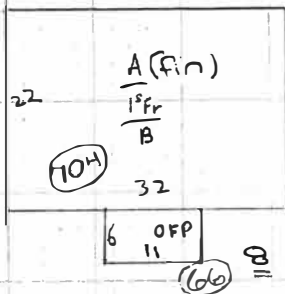
LAND VALUE COMPUTATIONS AND SUMMARY					
SQ. FT. DESC.	CODE	SIZE	RATE	INFLUENCE FACTOR	LAND VALUE
1 PRIMARY SITE	1	7500	1.20		9000
2 SECONDARY SITE	2	15287	.10		1530
3 UNDEVELOPED					
4 RESIDUAL					
5 WATERFRONT	T	22787			10500
CATEGORY CODES		NUMBER OF ACRES	RATE		
1 PRIMARY SITE					
2 SECONDARY SITE					
3 UNDEVELOPED					
4 TILLABLE					
5 PASTURE					
6 WOODLAND					
7 WASTELAND					
8 HOMESITE					
9 FRONTAGE - ROAD					
10 FRONTAGE - WATER					
11 REAR					
12 ACREAGE - DEPR.					
TOTAL ACREAGE					

city water + sewer MEMORANDA
 E > I vinyl siding
 loose floorboards, ect;
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 1st / 3
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 #1323 - Sep 10, 1985 - Replacement of existing bath
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SALES DATA									
DATE		TYPE	SALE PRICE	SOURCE				VALIDITY	
MO.	YR.	1 LAND 2 L & B		1 BUYER 2 SELLER	3 FEE 4 AGENT	1 YES 2 NO	1 YES 2 NO		
---	---	1 2	---	1 2 3 4	1 2	1 2	1 2	1 2	1 2
---	---	1 2	---	1 2 3 4	1 2	1 2	1 2	1 2	1 2
---	---	1 2	---	1 2 3 4	1 2	1 2	1 2	1 2	1 2

INSPECTION
 WITNESSED BY: *[Signature]*

OCCUPANCY				INTERIOR FINISH				COMMERCIAL COMPUTATIONS				OCCUPANCY				
1 VAC. LOT	2 DWELLING	3 OTHER		B	1	2	3	EXTERIOR WALL CODES				SINGLE FAMILY		STORES		
STORY HEIGHT				DRYWALL/PLASTER				1 BRICK 3 GLASS 5 STUCCO 7 STONE 9 CONCRETE				MULTI FAMILY		OFFICES		
1.0	1.5	2.0	2.5	3.0	WOOD PANELING				2 FRAME 4 BLOCK 6 TILE 8 METAL 0 ENAM. STL.				APARTMENTS			
BASEMENT				FIBERBOARD				EXTERIOR WALLS								
1 NONE	2 CRAWL	3 PART	4 FULL	UNFINISHED				EFF. PERIMETER								
HEATING				LIVING ACCOMMODATIONS				PERIM.-AREA RATIO %								
1 NONE	2 BASE	3 AIR CON		NO. OF UNITS				NO. OF UNITS								
WARM AIR - F OR G				TOTAL ROOMS 05				AVG. UNIT SIZE								
HOT WATER/STEAM				BED ROOMS 03				BASEMENT SIZE								
ELECTRIC				FAMILY ROOMS 02				SCHEDULE								
FLOOR/WALL/FURNACE				PART MASONRY WALLS				HT:								
UNIT HEATERS				FIREPLACE				BASEMENT								
PLUMBING				BASEMENT REC. ROOM				FIRST								
PLUMBING POINTS				FIN. BASEMENT LIVING AREA				SECOND								
STANDARD BATHROOM				BASEMENT GARAGE												
BATHROOM				MODERNIZED KITCHEN												
HALF BATH				BASE PRICE												
SINK/LAVATORY				B. P. A.												
WATER CLOSET/URINAL				REMODELING DATA				SUBTOTAL								
NO PLUMBING				YEAR				LIGHTING								
ATTIC				KITCHEN				HTG./AIR CON.								
1 NONE	2 UNFIN	3 PT. FIN		PLUMBING				SPRINKLER								
FULL FIN				ERECTED 1930				PARTITIONS								
ROOF				AGE				INTERIOR FINISH								
SHINGLE-ASP/ASB./WOOD				CDU RATING Fr/Au												
SLATE/TILE/METAL				DWELLING COMPUTATIONS												
CUMP. ON WOOD FRAME				1.0 STORY				SF/CF PRICE								
CUMP. ON STEEL FRAME				M				AREA CUBE								
WALLS				C				SUBTOTAL								
FRAME SIDING/ALUM./VINYL/STUCCO				0.704 S.F.				SPECIAL FEATURES*								
SHINGLE-ASP/ASB./WOOD				32,346				ADDITIONS								
CONCRETE BLOCK				BASEMENT				TOTAL BASE								
BRICK VENEER/STONE				HEATING				GRADE FACTOR								
PLATE GLASS FRONT				PLUMBING				REPLACEMENT COST								
FLOORS				ATTIC				FUNCTIONAL DEPRECIATIONS FACTORS								
B	1	2	3	ADDNS. & PCHS.				SURPLUS CAP								
				+ 800				BLIGHTED AREA								
				TOTAL				ENCROACHMENTS								
				38,650				COMM. LOCATION								
				O.F. POINTS				ECONOMIC								
				[]				TOTAL SPECIAL FEATURES*								
				TOTAL				SUMMARY OF OTHER BUILDINGS								
				38,650				TYPE								
				GRADE				NO.								
				[4]				CONSTRUCTION								
				TOTAL				SIZE								
				38,650				RATE								
				C & D FACT. %				GRADE								
				[]				ERECTED								
				REPL. COST				CDU								
				38,650				REPLACEMENT COST								
				DEPR. 35% X 6				DEPR								
				.95				TRUE VALUE								
				25,100				TOTAL VALUE ALL BUILDINGS								
				29,000				LISTED								
				DATE 12-25-81				DATE								
				TOTAL VALUE ALL BUILDINGS				TOTAL OF CARDS								
				25,100				THRU								



White

OWTE Friend

I & E R

GRADE DENOTES QUALITY OF CONSTRUCTION: A-EXCELLENT; B-GOOD; C-AVERAGE; D-CHEAP; E-VERY CHEAP
 CDU FACTOR REFERS TO THE CONDITION, DESIRABILITY, AND USEFULNESS OF THE BUILDING

PRC-0789

TLA 1056

U&2
MAP
PROPERTY LOCATION

16
BLOCK

0
LOT
ASSESSMENT SUMMARY

RES

PORTSMOUTH, NH
BUILDING DESCRIPTION

\$ 94,000
11/08/94
6:56 PM

No.	Alt No.	Name	Way
77		MEREDITH	WY

OWNERSHIP AND MAILING INFORMATION

Owner 1: DUFOUR KAREN L

Owner 2:

Street: 77 MEREDITH WAY

City: PORTSMOUTH

State: NH Zip: 03801

NARRATIVE DESCRIPTION

THIS CARD HAS 0.52 ACRES OF LAND MAINLY CLASSIFIED AS RESIDENTIAL WITH A(N) OLD STYLE BUILDING BUILT ABOUT 1870, HAVING PRIMARILY VINYL EXTERIOR, AND ASPHALT ROOF COVER, WITH 1 BATHS, 0 HALF BATHS, 1 UNITS, 5 ROOMS, 2 BEDRM

PROPERTY FACTORS

Item	Code	%	Item	%	Descr
Zoning	GR	100	Utilities		
Districts			Topo		
			Street		
			Traffic		

LAND SECTION

Use Code	Descr	No. Of Units	Unit Price	Weight	Infl 1	Descr	Infl 2	Descr	Infl 3	Descr	Market Value	All Class	%	Special Land % or S/AC	Assessed Value
101	ONE FAM	22,787	1.80	EA	100	A-10 ACCESS					36,900				36,900

Total Acres: 0.523 Total Square Feet: 22,787 Total: 36,900 Total: 36,900

SPECIAL FEATURES AND YARD ITEMS

code	Description	YS	Size or Units	Qual	cond	yr bld	Unit Price	TMB	% Dep	Sound Value	Class	attach

Asses'd	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed
101	57,100	0	0.52	36,900	94,000
	57,100	0	0.52	36,900	94,000
	57,100	0	0.52	36,900	94,000
From	Total Assmt Per S.F. Finished Area/Card 101.29/ Parcel 101.29				

PREVIOUS ASSESSMENT(S)

FY	%	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed
93	1	29,000	0	0.00	10,500	39,500

PRIOR (OTHER) IDENTIFICATION

59180				
-------	--	--	--	--

BUILDING PERMITS

Mo	Yr	Number	Description	Amount

OTHER ASSESSMENTS

code	Descr / No	Amount	Com. Int

SALES INFORMATION

Grantor	Legal Reference	Mo / Dy / Yr	Alt Code	Sale Price	v Adj Sale / Descr	Alt Code
	2916-2173	03/23/92	F	87,500	N CONVIENC	

Item	Code	Description
Type	15	OLD STYLE
Story Ht	1H	1+HALF STR
(Liv) Units	1	
Foundn	3	BRICKSTONE
Frame	1	WOOD
Wd Prime	4	VINYL
Sec		
Struct	1	GABLE
Cover	1	ASPHALT
Av H/W/F	STD	STANDARD
Prime	2	PLASTER
Sec		
Parit	T	TYPICAL
Prime	4	CARPET
Sec		
Electric	2	GOOD
Insulation	2	TYPICAL
Fuel	1	OIL
Type	1	FORCED H/A
Kit Rating	A	Bath Rating A
Int vs Ext	S	Grade C
Yr Built	1870	E.Yr.Blt
All Class		% Alt Class

DEPRECIATION

Condition	A	Depreciation	31%
Func OBS		%	
Econ OBS		%	
Special		%	
Total Depreciation			31.0%

OTHER FEAT

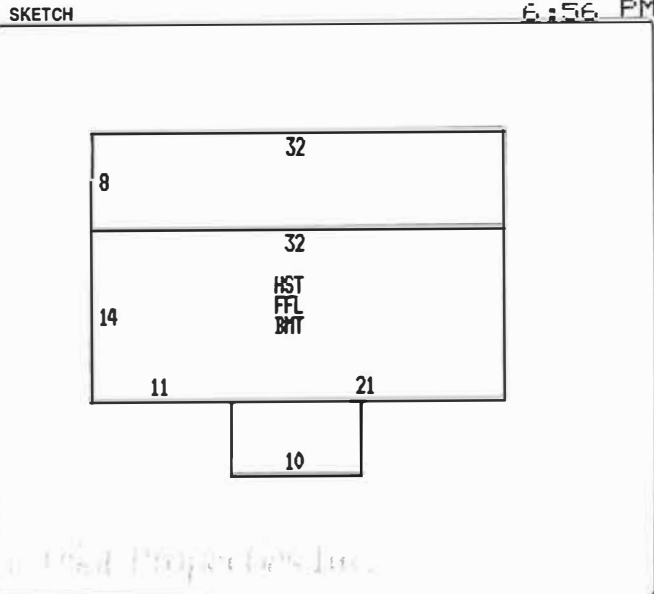
Item	# / % #
Baths	1
1/2 Baths	0
Other Fix.	0
Kitchens	1
Fireplaces	0
W.S. Flues	0
Bsmt Gar	0
Heat Sys	1
Solar HW	N
Cent Vac	N
% Heated	100
% AC	0
% Spr	0
% Co Wall	0

COMMENTS

SUMP PUMP

COMPARABLE SALES

Rating	Map	Block	Lot	Typ	Mo	Yr	Sale Price	Adj



SKETCH INSTRUCTIONS

(FFL, BMT, L32, D8, R32, (HST, FFL, BMT, L32, D14, R11, (OFF, D6XR10), R21, U14), U8).

SUB AREA SUMMARY

Code	Area (S.F.)	Rate (Av Quat)	Undepr. Value
BMT	704.0	16.72	11,771
FFL	704.0	66.87	47,076
HST	224.0	66.87	14,979
OFF	60.0	24.00	1,440

RES BREAKDOWN

No Units	RES Unit	BMT Unit	Floor
1	5	2	

LAST REVISION

05/12/94 6:48P

SUB AREA DETAIL

Sub Area	% Util	All Type	No Ten
TGA	1	916	

INSPECTION INFO

Date	code	Result	By
03/08/94	2	MEASURED	210
04/18/94	14	INSPECTED	209

ALT. APPROACH

Multiple Regression (M)	Comparable Sales (C)	Income Approach (I)	Market Adj. Coef <>

CALCULATIONS

Value
75,266
47,000
1.42284
1.00000
66.87
4,000
0
0
0
0
0
0
0
3,500
82,766
1,000
1,000
82,766
25,657
57,109
0
57,100
928

PROPERTY LOCATION			
No.	Alt. No.	Name	Way
77		MEREDITH	WY

OWNERSHIP AND MAILING INFORMATION			
Owner 1: CAROL MAREN L			
Owner 2:			
Street: 77 MEREDITH WAY			
City: PORTSMOUTH			
State: NH		Zip: 03801	
		OwnOcc: Y	

NARRATIVE DESCRIPTION
 THIS LAND HAS 0.52 ACRES OF LAND MAINLY CLASSIFIED AS RESIDENTIAL WITH A(N) OLD STYLE BUILDING BUILT ABOUT 1870, HAVING PRIMARILY VINYL EXTERIOR, AND ASPHALT ROOF COVER, WITH 1 BATHS, 0 HALF BATHS, 1 UNITS, 5 ROOMS, 2 BEDRM

PROPERTY FACTORS			
Item Code	%	Item	Descr
Zoning	65	100	Utilities
Districts			Topo
			Street
			Traffic

LAND SECTION																
Use Code	Descr	No. Of Units	Unit Price	High	High Info	Infl 1	Descr	Infl 2	Descr	Infl 3	Descr	Market Value	Alt Class	%	Special Land % or SIAC	Assessed Value
101	ONE FAM	22,787	1.80	EA	100	A-10	ACCESS					36,900				36,900
Total Acres		0.525		Total Square Feet		22,787		Total		36,900		Total		36,900		

SPECIAL FEATURES AND YARD ITEMS											
code	Description	Y/S	Size or Units	qual	cond	yr Blt	Unit Price	TMB	% Dep	Sound Value	class
Total Yard Items											
Total Special Features											

ASSESSMENT SUMMARY						
Use Code	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed	
101	51,400	0	0.52	36,900	88,300	
Total	51,400	0	0.52	36,900	88,300	
Total Parcel	51,400	0	0.52	36,900	88,300	
From	Total Assmnt Per S.F. Finished Area/Card					95.15 / Parcel

PREVIOUS ASSESSMENT(S)						
FY	%	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed
93	1	29,000	0	0.00	10,500	39,500
94	1	57,100	0	0.52	36,900	94,000
94	1	57,100	0	0.52	36,900	94,000

PRIOR (OTHER) IDENTIFICATION				
59180				
BUILDING PERMITS				
Mo	Yr	Number	Description	Amount

OTHER ASSESSMENTS						
code	Descr	No	Amount	Com. Int		

SALES INFORMATION											
Grantor	Legal Reference	Mo / Dy / Yr	SALE CODE	Sale Price	v	Adj Sale / Descr	adj code				
	2916-2173	03/23/92	F	87,500	N	CONVIENC					

INCOME APPROACH (Sp. Land Credit)											
code	Description	FI	Qu	Leased Area	No Ten	Rent/SF or Mo	Economic Income	Reported Income			
Gross Income		Overall Rate		Lease Type							
Vacancy/D.L.		Indexed Value		Rate Adj							
Expenses		Surplus or		Expense Adj							
Reserves		Deficiency (+/-)		Vacancy Adj							
Net Income		Final Value		Value/SF							

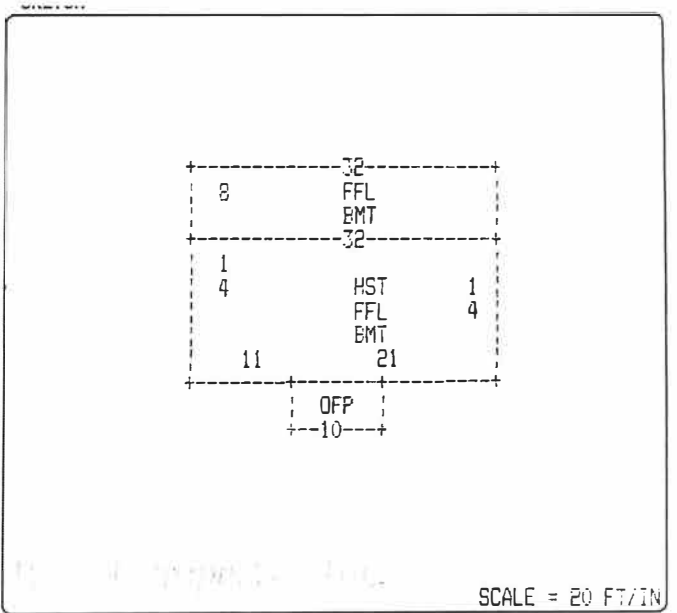
BUILDING DESCRIPTION		
Item	Code	Description
Type	15	OLD STYLE
Story Ht	1H	1+HALF STR
(Liv) Units	1	
Foundn	3	BRICKSTONE
Frame	1	WOOD
Ext Wall	Prime 4	VINYL
Sec		
Roof	Struct 1	GABLE
Cover	1	ASPHALT
Av Huff	STD	STANDARD
Int Wall	Prime 2	PLASTER
Sec		
Partit	1	TYPICAL
Floors	Prime 4	CARPET
Sec		
Electric	2	GOOD
Insulation	2	TYPICAL
Fuel	1	OIL
Heat Type	1	FORCED H/A
Kit Rating	A	Bath Rating A
Int vs Ext	S	Grade C
Yr Built	1870	E.Yr.Blt
Alt Class		% Alt Class

DEPRECIATION	
Condition A	Depreciation 31%
Func OBS L	LAYOUT 10%
Econ OBS	%
Special	%
Total Depreciation	37.9%

OTHER FEAT	
Item	# / % #
Baths	1
1/2 Baths	0
Oth.Fxd.	0
Kitchens	1
Fireplaces	0
W.S.Flues	0
Bsmt Gar	0
Heat Sys	1
Solar HW	0
Cent Vac	N
% Heated	100
% AC	0
% Spr	0
% Co Wall	0

RES BREAKDOWN	
No Units	1
CONDO	0
BRICK	0
ROCK	0

COMPARABLE SALES	
Rating	Map
Block	Lot
Typ	Mo
Yr	Sale Price
Adj	
Wl. Av. SIF	Av. Rating
Indicated Value	



SKETCH INSTRUCTIONS			
(FFL, BMT, L32, D8, R12, (HST, FFL BMT, L32, D14, R11, (OFF, D6XR10) R21, U14), U8).			

SUB AREA SUMMARY			
Code	Area (S.F.)	Rate (Av Qual)	Undepr. Value
BMT	704.0	18.72	11,771
FFL	704.0	66.87	47,076
HST	224.0	66.87	14,979
OFF	60.0	24.00	1,440

SUB AREA DETAIL			
Sub Area	% Light	Alt Type	% Type
			No Ten

INSPECTION INFO			
Date	code	Result	By
03/05/94	2	MEASURED	210
04/18/94	14	INSPECTED	209

ALT. APPROACH	
Multiple Regression (M)	88,300
Comparable Sales (C)	
Income Approach (I)	
Market Adj. Cost <>	

U62
MAP

16
BLOCK

0
LOT
1 of 1
CARD

RES

PORTSMOUTH, NH

\$ 88,300
08/21/95
10:33 PM

PROPERTY LOCATION

No.	All No.	Name	Way
77		MEREDITH	WY

OWNERSHIP AND MAILING INFORMATION

Owner 1: LUFOR, KAREN L

Owner 2:

Street: 77 MEREDITH WAY

City: PORTSMOUTH

State: NH Zip: 03801 OwnOcc: Y

ASSESSMENT SUMMARY

Ass	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed
101	51,400	0	0.52	36,900	88,300
1994	51,400	0	0.52	36,900	88,300
2000	51,400	0	0.52	36,900	88,300
From			Total Assmnt Per S.F. Finished Area/Card	95.15 / Parcel	95.15

PREVIOUS ASSESSMENT(S)

FY	%	Building Value	Yard Items	Land Area (AC)	Asses'd Land Val	Total Assessed
93	1	29,000	0	0.00	10,500	39,500
94	1	57,100	0	0.52	36,900	94,000
94	1	57,100	0	0.52	36,900	94,000

PRIOR (OTHER) IDENTIFICATION

59180		
-------	--	--

BUILDING PERMITS

Mo	Yr	Number	Description	Amount

OTHER ASSESSMENTS

code	Descr / No	Amount	Com. Int

SALES INFORMATION

Grantor	Legal Reference	Mo / Dy / Yr	Sale Price	v	Adj Sale / Desc
	2916-2173	03/23/92	87,500	N	CONVIENC

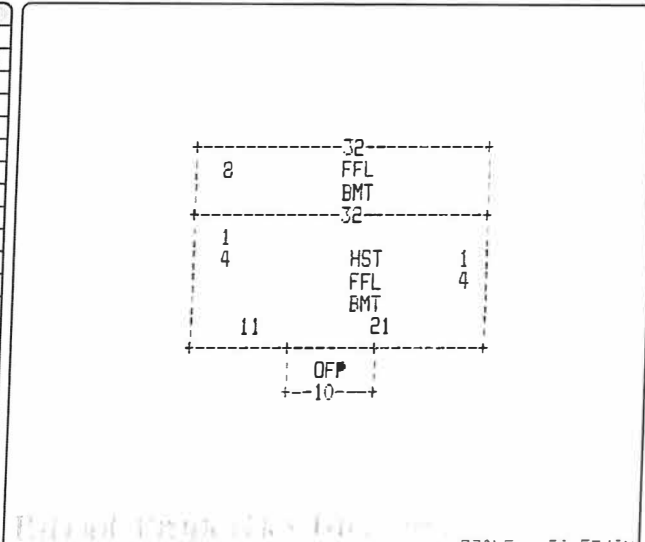
BUILDING DESCRIPTION

Item	Code	Description
Type	15	OLD STYLE
Story Ht	1H	1-HALF STR
(Lv) Units	1	
Foundn	3	BRICKSTONE
Frame	1	WOOD
Exe Prime	4	VINYL
Exe Sec		
Struct	1	GABLE
Cover	1	ASPHALT
Av Ht/Ft	STD	STANDARD
Int Prime	2	PLASTER
Int Sec		
Parlt	1	TYPICAL
Prime	4	CARPET
Sec		
Electric	2	GOOD
Insulation	2	TYPICAL
Fuel	1	OIL
Type	1	FORCED H/A
Kit Rating	A	Bath Rating A
Int vs Ext	S	Grade C
Yr Built	1870	E.Yr. Bilt
All Class		% All Class

DEPRECIATION

Condition	Rate	Depreciation
A	31%	
Func OBS L	LAYOUT	10%
Econ OBS		%
Special		%
Total Depreciation		37.9%

SKETCH



NARRATIVE DESCRIPTION

THIS CARD HAS 0.52 ACRES OF LAND MAINLY CLASSIFIED AS RESIDENTIAL WITH A(N) OLD STYLE BUILDING BUILT ABOUT 1970, HAVING PRIMARILY VINYL EXTERIOR, AND ASPHALT ROOF COVER, WITH 1 BATHS, 0 HALF BATHS, 1 UNITS, 5 ROOMS, 2 BEDRM

PROPERTY FACTORS

Item	Code	%	Item	Descr
Zoning	GR	100	Utilities	
Districts			Topo	
			Street	
			Traffic	

LAND SECTION

Use Code	Descrip	No. Of Units	Unit Typ	Land Typ	Descr	Unit Price	High	High Int	Infl 1	Descr	Infl 2	Descr	Infl 3	Descr	Market Value	All Class	%	Special Land % or SIAC	Assessed Value
101	ONE FAM	22,787	S	P	SITE	1.80	EA	100	A-10	ACCESS					36,900				36,900
Total Acres		0.523		Total Square Feet		22,787		Total		36,900		Total		36,900					

SPECIAL FEATURES AND YARD ITEMS

code	Description	YS	Size or Units	qual	cond	yr Bilt	Unit Price	TMB	% Dep	Sound Value	class	attach
Total Yard Items		Total Special Features										

INCOME APPROACH

Type Sp	Description	FI	OU	Leased Area	No Ten	Revs/SF or Mo	Economic Income	Reported Income	
Overall Rate		Lease Type		Rate Adj		Expense Adj		Vacancy Adj	
Gross Income		Overall Rate		Lease Type		Rate Adj		Expense Adj	
Vacancy/D.L.		Indicatd Vale		Lease Type		Rate Adj		Expense Adj	
Expenses		Surplus or		Lease Type		Rate Adj		Expense Adj	
Reserves		Deficiency (+/-)		Lease Type		Rate Adj		Expense Adj	
Net Income		Final Value		Lease Type		Rate Adj		Expense Adj	

OTHER FEAT

Item	#	%	#
Baths	1		
1/2 Baths	0		
Oil. Fix.	0		
Kitchens	1		
Fireplaces	0		
W.S. Flues	0		
Bsmt Gar	0		
Heat Sys	1		
Solar HW	N		
Cent Vac	N		
% Heated	100		
% AC	0		
% Spr	0		
% Co Wall	0		

RES BREAKDOWN

No Units	AMS/Unit	BR/Unit	FR/Unit
1	0	0	0

LAST REVISION

07/18/95 10:33P

SUB AREA DETAIL

Sub Area	% Ugs	All Typ	No Ten

CONDO DATA

Loc	Floor	View

COMMENTS

PUMP PUMP

INSPECTION INFO

Date	code	Result	By
03/08/94	2	MEASURED	210
04/18/94	14	INSPECTED	209

COMPARABLE SALES

Rating	Map	Block	Lot	Typ	Mo	Yr	Sale Price	Aq
Wl. Av. S/SF		Av. Rating		Indicated Value				

CALCULATIONS

Value	Underpin
Basic/SF	47,000
Size Adj	1,422.94
Const Adj	1,000.00
Adj/SF	58,557
Plumbing	4,000
Fireplaces	0
WS Flues	0
Bsmt Gar	0
Heating	0
Cent Vac	0
Air Cond	0
Sprink	0
Kitchen	0
Av Total	62,557
Grade/Fact	1,000
Neigh Infl	1,000
Adj Total	64,557
Deprec	0
Depr Total	0
Spec/Fact	0
Final Total	64,557
Fin Area	600
Value/SF	107.58

ALT. APPROACH

Multiple Regression (M)
Comparable Sales (C)
Income Approach (I)
Market Adj. Cost <>
29,700

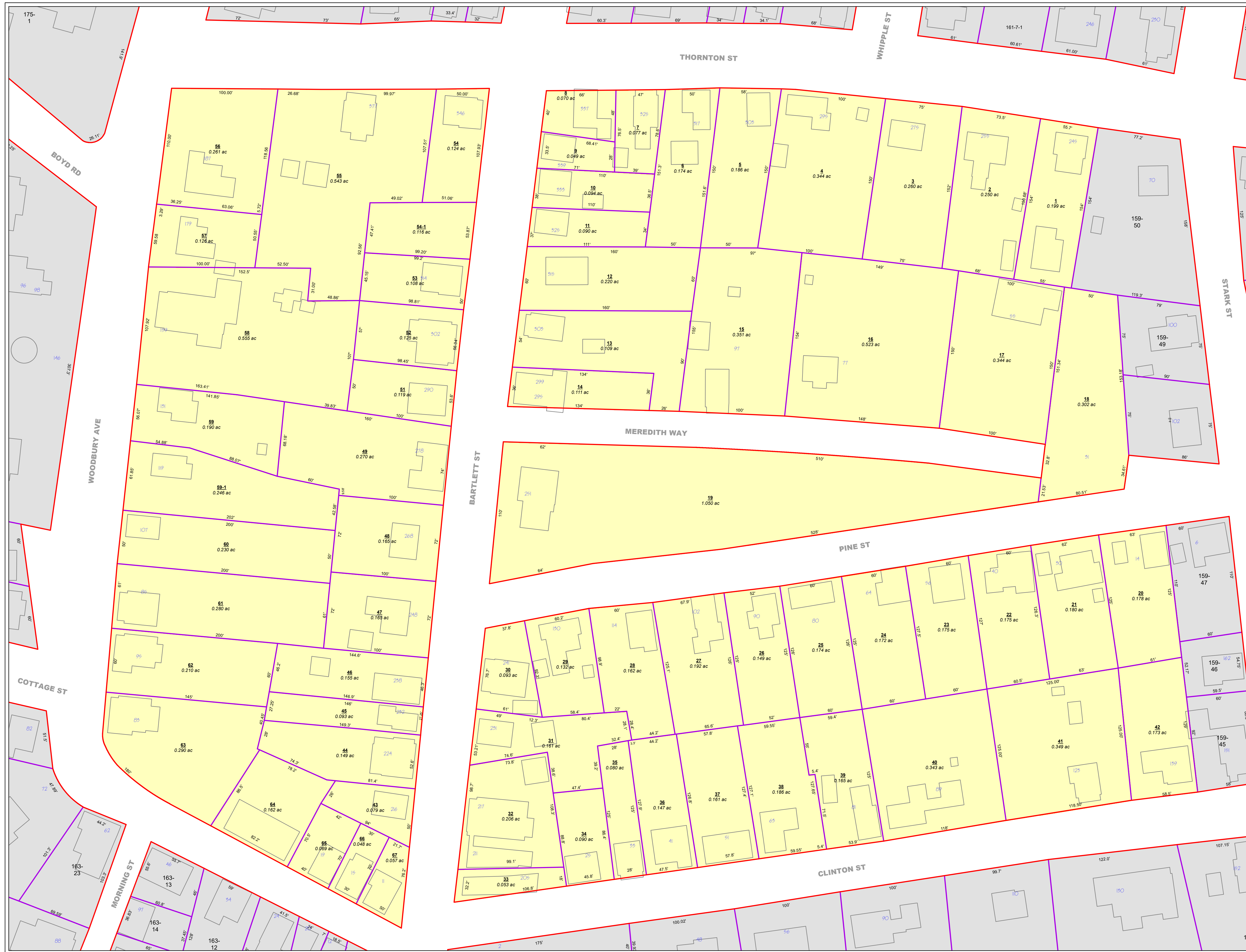
SKETCH INSTRUCTIONS

(FPL, BMT, L32, D14, R11, (OFF, D6XR10) R21, U14), U8).

SUB AREA SUMMARY

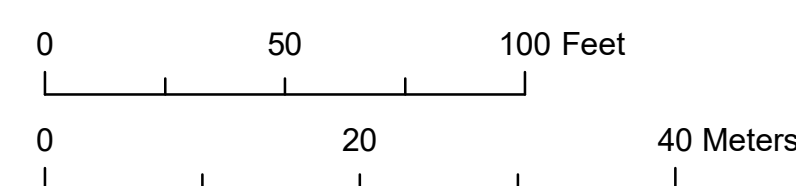
Code	Area (S.F.)	Rate (Av Quad)	Undepr. Value
BMT	704.0	16.72	11,771
FPL	704.0	66.87	47,076
HST	224.0	66.87	14,979
OFF	60.0	24.00	1,440

SCALE = 20 FT/IN

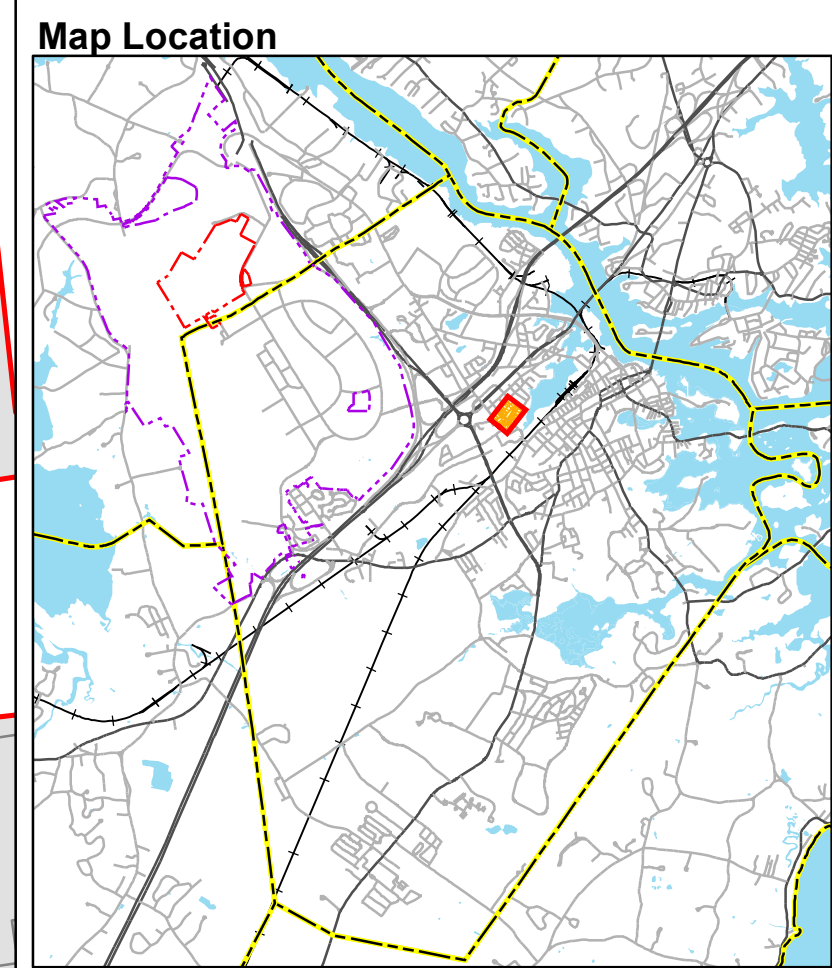
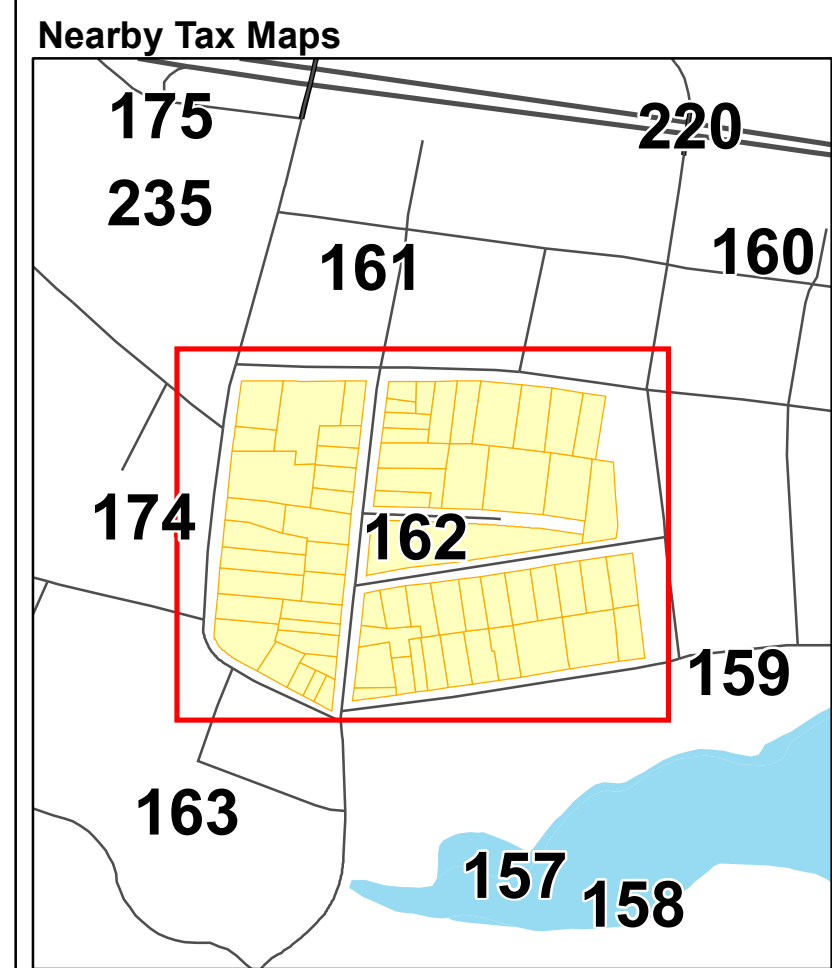


- Partial Legend**
 See the cover sheet for the complete legend.
- 7-5A** Lot or lot-unit number
 - 2.56 ac Parcel area in acres (ac) or square feet (sf)
 - 25 Address number
 - 233-137 Parcel number from a neighboring map
 - 68' Parcel line dimension
 - Street name
- Parcel/Parcel boundary
 - Parcel/ROW boundary
 - Water boundary
 - Structure (1994 data)
- Parcel covered by this map
 - Parcel from a neighboring map (see other map for current status)

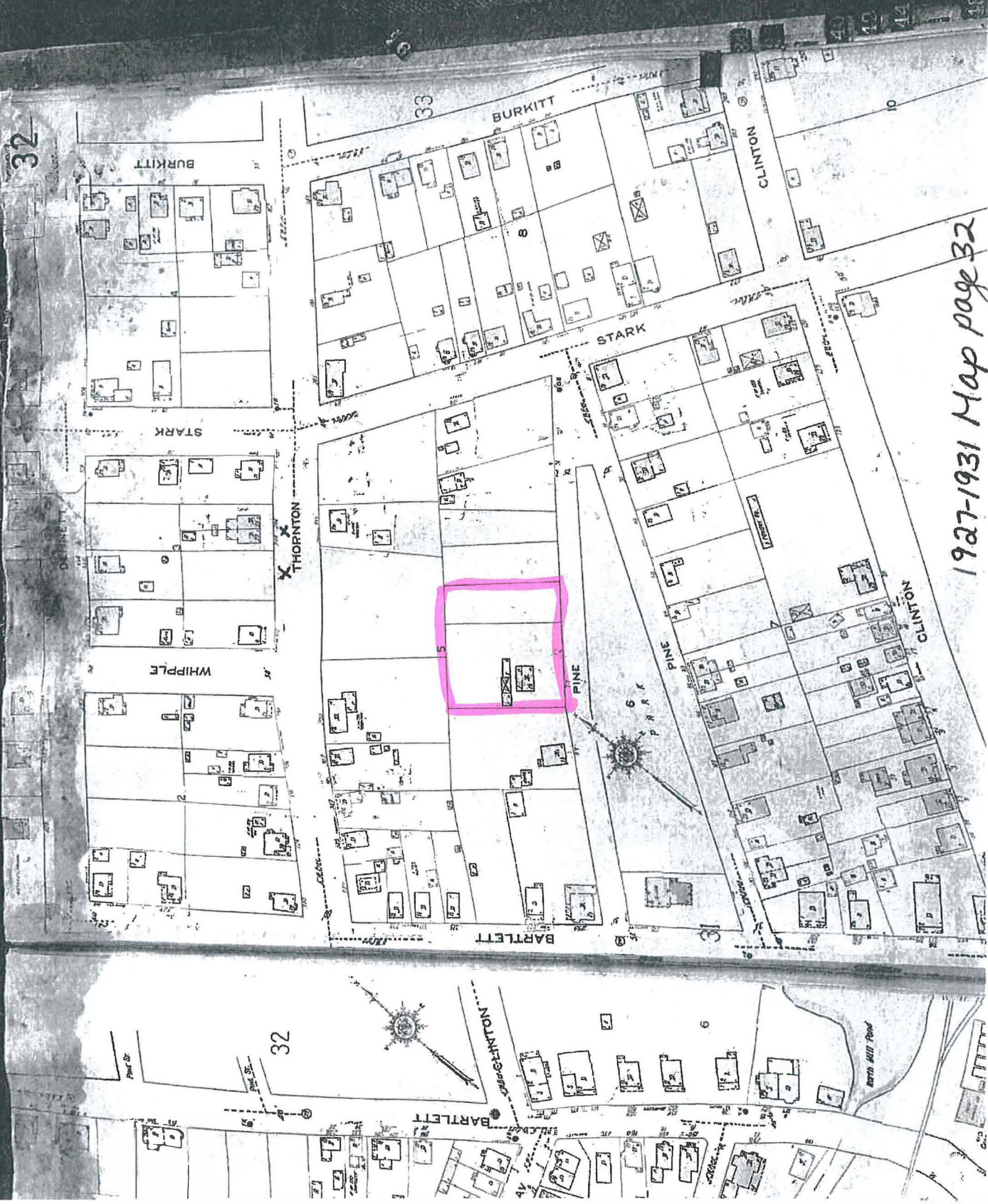
EXHIBIT F



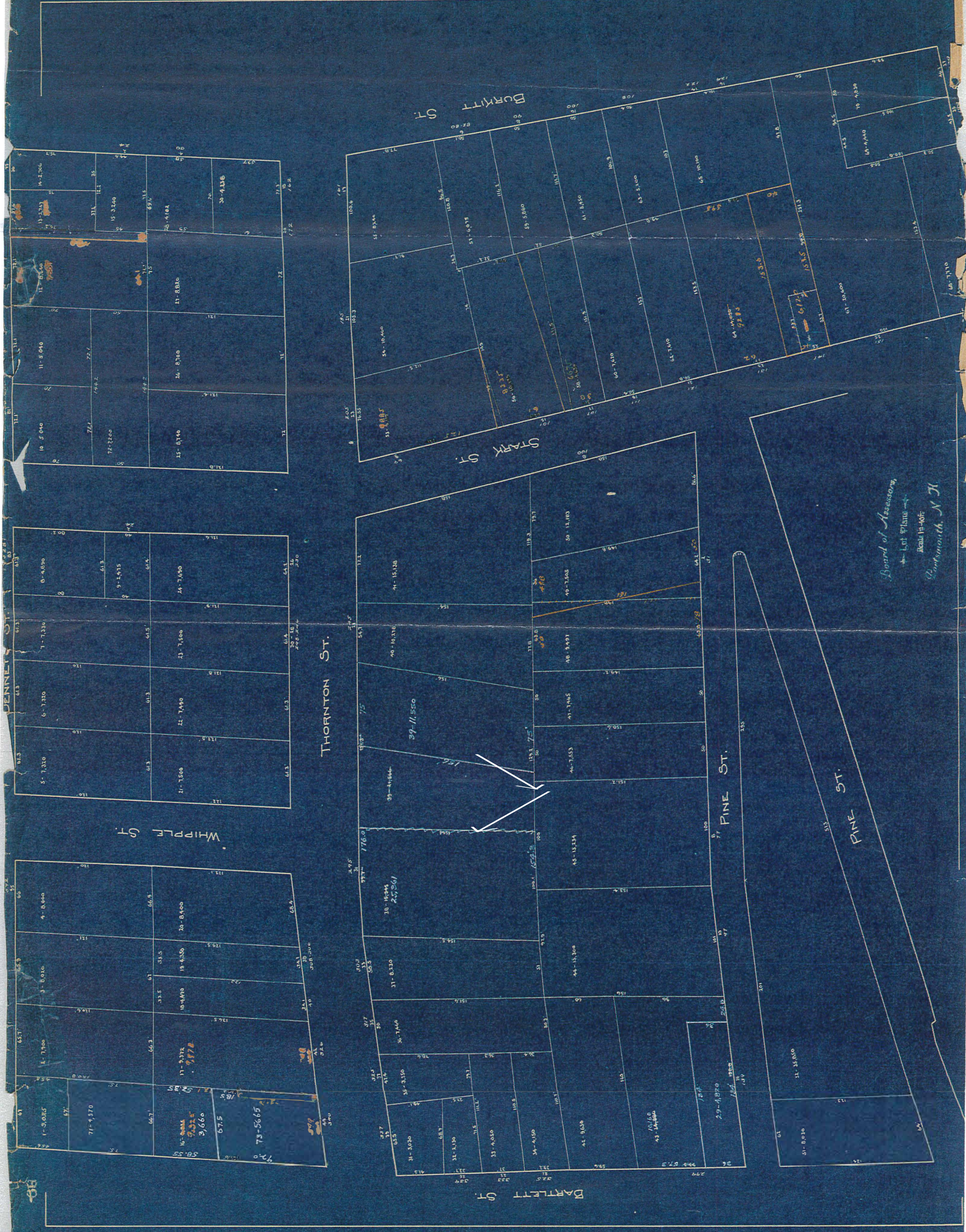
This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.



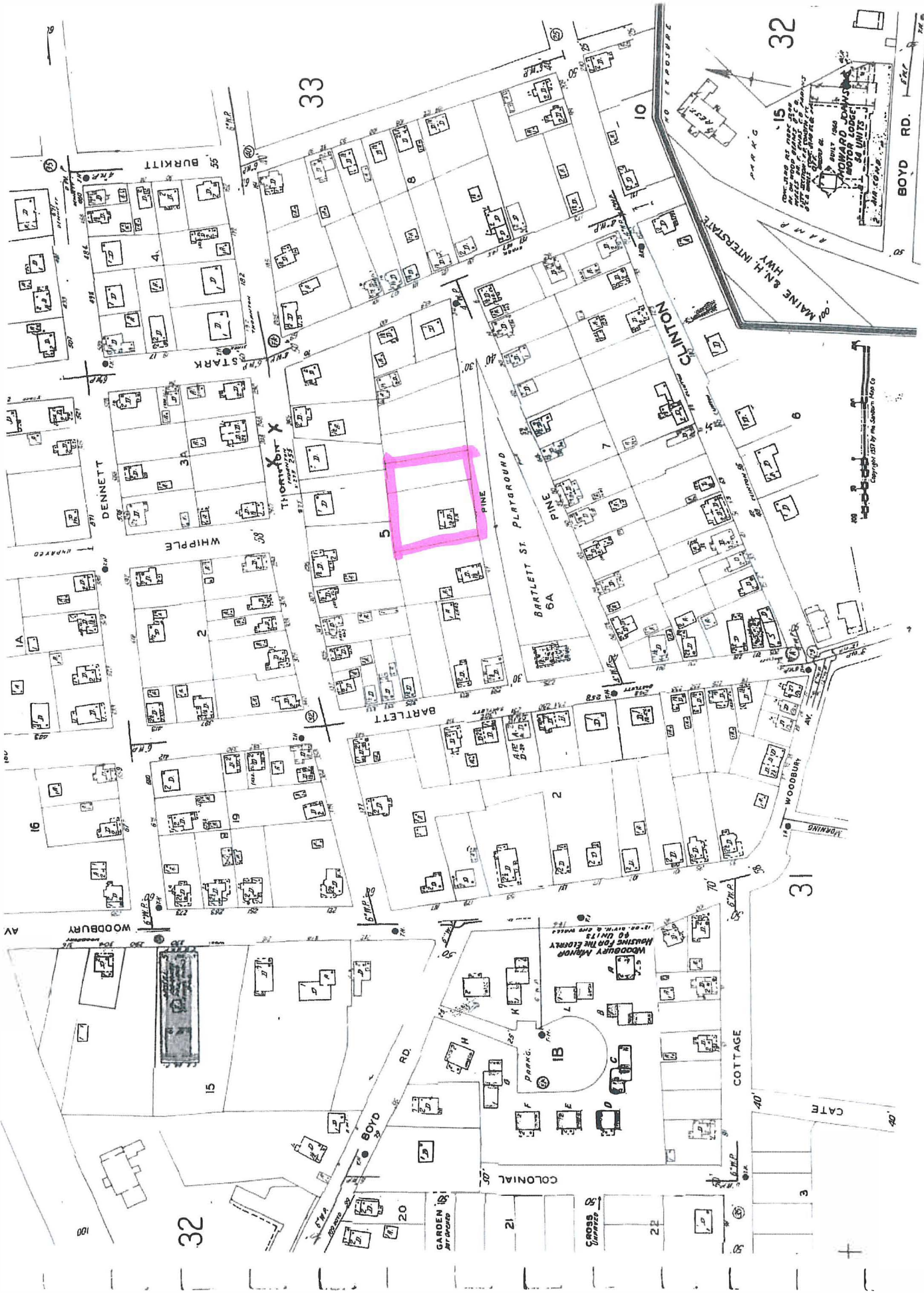
32



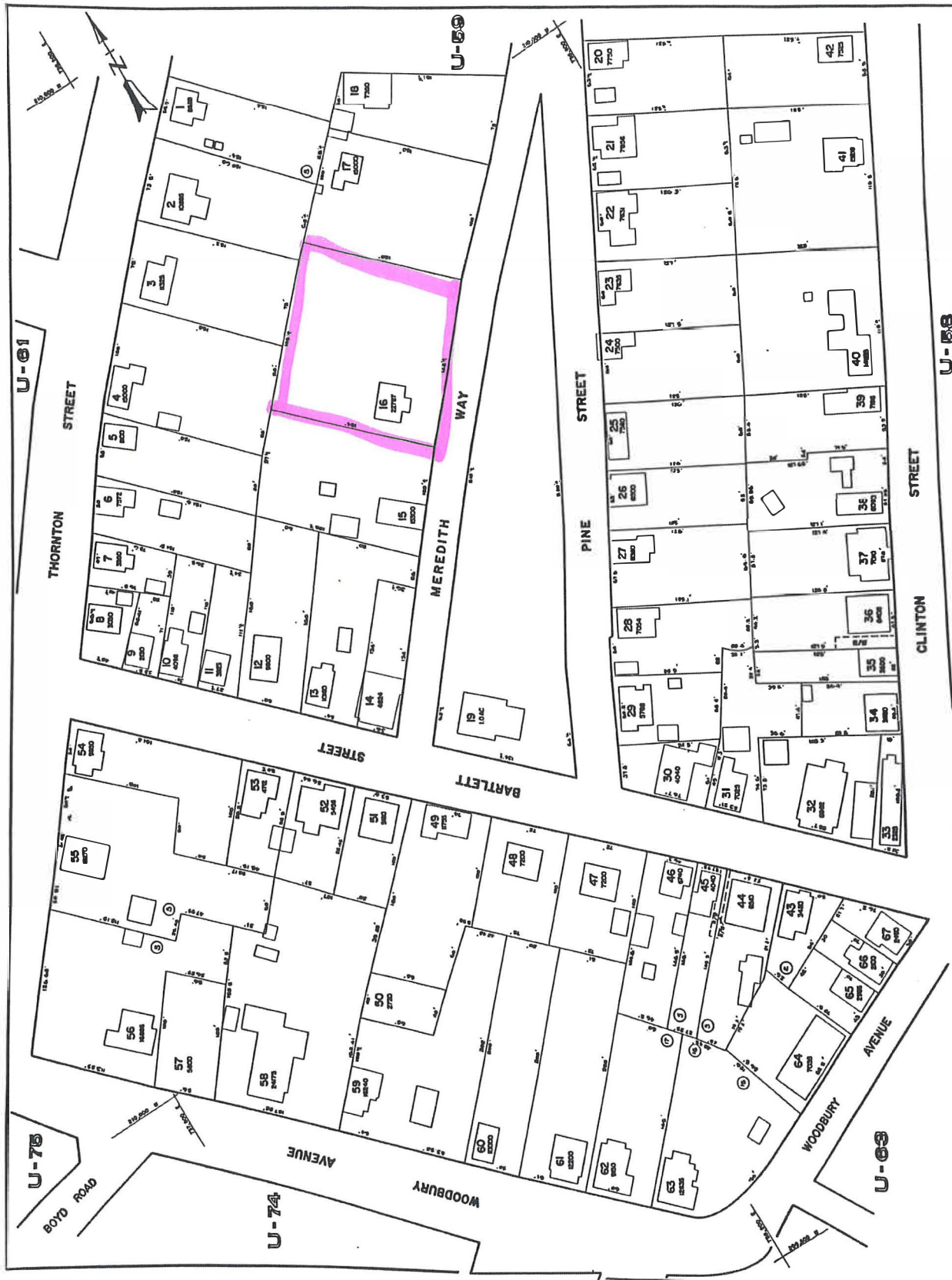
1927-1931 Map page 32



Board of Assessors
 Lot Pricing
 Dec 14-1012
 Portsmouth, N.H.



1956



SCALE IN FEET
 0 40 80

PROPERTY MAP
PORTSMOUTH
 NEW HAMPSHIRE

LEGEND
 ADJACENT SHEET NO. 12
 DEVELOPMENT LOT NO. 10
 CALLED OVERSIDE

PREPARED BY PHOTOGRAPHIC METHOD BY
 JOHN E. O'DONNELL & ASSOCIATES
 ALBANY, MAINE
 1979

U-62

Book: 6274 Page: 1666

E # 21029791 05/04/2021 03:15:39 PM
 Book 6274 Page 1666 Page 1 of 2
 Register of Deeds, Rockingham County



LCHIP	ROA561516	25.00
TRANSFER TAX	RO105780	8,850.00
RECORDING		14.00
SURCHARGE		2.00

RETURN TO:

Stewart Title Company - New Hampshire
 110 Corporate Drive, Suite 1
 Portsmouth, NH 03801

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT I/We Karen L. Dufour, a single person, of 77 Meredith Way, Portsmouth, NH 03801, for consideration paid, grant(s) to Randi Collins and Jeff Collins, a married couple, of 55 Pine Street, Portsmouth, NH 03801, as joint tenants, with WARRANTY COVENANTS, the following described premises:

A certain lot of land, together with the buildings thereon, situated in the City of Portsmouth, County of Rockingham and State of New Hampshire, being further bounded and described as follows:

Southerly by Pine Street;

Easterly by land now or formerly of Carroll Shershun;

Northerly by land now or formerly of Martin J. Early, Margaret Tebbetts, Douglas Arey and Carol Arey;
 and

Westerly by land now or formerly of Laurence Robbins and Bella Robbins.

Said property being further described by instrument recorded in the Rockingham County Registry of Deeds in Book 2916, Page 2173.

I/We the grantor(s) hereby release all rights of homestead and any other interests therein in and to the above described premises.

Reference is made to title vested in Karen L. Dufour by virtue of a Warranty Deed from Charles B. Doleac dated March 23, 1992 and recorded in the Rockingham County Registry of Deeds in Book 2916, Page 2173.

EXECUTED this 4th day of May, 2021.

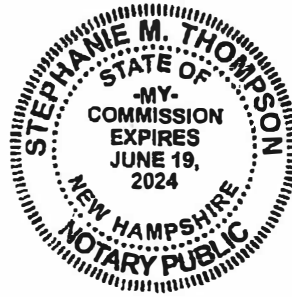


 Karen L. Dufour

State of New Hampshire
County of Rockingham

On this 4th day of May, 2021, personally appeared, before me, the above named Karen L. Dufour, known to me or satisfactorily proven to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed.

Stephanie M. Thompson
Justice of the Peace/Notary Public
Print Name: Stephanie M. Thompson
My commission expires: 6.19.2024



P2173
RK2916 P2173

KNOW ALL MEN BY THESE PRESENTS, That CHARLES B. DOLEAC, a married person, of Little Harbour Road, Portsmouth, New Hampshire,

for consideration paid, grants to KAREN L. DUFOUR, of 50 Snell Road, #4, Dover, New Hampshire,

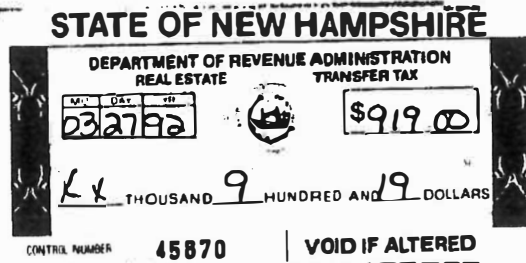
with ~~warranty covenants~~ to the said Karen L. Dufour, the following-described real estate:

A certain lot of land, together with the buildings thereon, situated in the City of Portsmouth, County of Rockingham and State of New Hampshire, being further bounded and described as follows:

Southerly by Pine Street;
Easterly by land now or formerly of Carroll Shershun;
Northerly by land now or formerly of Martin J. Early, Margaret Tebbets, Douglas Arey and Carol Arey; and
Westerly by land now or formerly of Laurence Robbins and Bella Robbins.

Being the same premises conveyed to Charles B. Doleac by Warranty Deed of Richard S. Philbrick and Harriet Philbrick, dated January 3, 1986 and recorded in the Rockingham County Registry of Deeds on January 3, 1986 at Book 2580, Page 2091.

0012117
Mar 27 2 40 PM '92
ROCKINGHAM COUNTY
REGISTRY OF DEEDS



THIS IS NOT HOMESTEAD PROPERTY.

Signed this 23 day of March, 1992

Charles B. Doleac
Charles B. Doleac

State of New Hampshire

ROCKINGHAM

ss.:

March 23, A. D. 1992

Personally appeared Charles B. Doleac,

known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

Before me, *Sandra W. Weston*
Justice of the Peace - Notary Public

KNOW ALL MEN BY THESE PRESENTS, That RICHARD S. PHILBRICK and HARRIET PHILBRICK, husband and wife, of 217 Broad Street, Portsmouth, County of Rockingham, and State of New Hampshire,

for consideration paid, grant to CHARLES B. DOLEAC, of Little Harbor Road, Portsmouth, County of Rockingham, and State of New Hampshire,

with warranty covenants to the said Charles B. Doleac, the following described real estate:

A certain lot of land together with the buildings thereon situated in Portsmouth, NH and being further bounded and described as follows:

Southerly by Pine Street; Easterly by land now or formerly of Carroll Shershun; Northerly by land now or formerly of Martin J. Early, Margaret Tebbets, Douglas Arey and Carol Arey; and Westerly by land now or formerly of Laurence Robbins and Bella Robbins.

Being the same premises conveyed to Richard S. Philbrick and Harriet Philbrick by deed of Helen Jakimczyk, dated September 5, 1985, and recorded in the Rockingham County Registry of Deeds in Book 2562, Page 157.

Rockingham County Registry of Deeds
JAN 3 2 56 PM '86
00401



We, being, ~~xxxxxx~~ said grantor, release to said grantee all rights of homestead and other interests therein.

Signed this 3rd day of January, 1986

Ellen M. Jones
Witness as to both

Richard S. Philbrick L.S.
Richard S. Philbrick
Harriet Philbrick L.S.
Harriet Philbrick
L.S.

State of New Hampshire

ROCKINGHAM ss.: January 3, A.D. 19 86

Personally appeared Richard S. Philbrick and Harriet Philbrick, known to me, or satisfactorily proven, to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained.

MARYANN E. TOWLE, Notary Public
My Commission Expires January 12, 1987

Before me, Maryann Towle
Justice of the Peace - Notary Public



KNOW ALL MEN BY THESE PRESENTS, that Helen Jakimczyk, of West Lynn, Massachusetts

2562 P0157

in consideration of

one dollar and other valuable consideration

paid by Richard S. Philbrick & Harriet Philbrick of Portsmouth 217 Broad Street, Portsmouth, N.H.

the receipt whereof I do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said Richard S. Philbrick and Harriet Philbrick their heirs and assigns forever, a certain lot or parcel of land

A certain lot of land together with the buildings thereon situated in Portsmouth, NH and being further bounded and described as follows:

Southerly by Pine Street; Easterly by land now or formerly of Carroll Shershun; Northerly by land now or formerly of Martin J. Early, Margaret Tebbets, Douglas Arey and Carol Arey; and Westerly by land now or formerly of Laurence Robbins and Bella Robbins.

Meaning and intending to convey and hereby conveying; the same parcel which was conveyed to the grantor herein by deed of Joseph Zabroski et al dated July 11, 1972 and recorded in the Rockingham County Registry of Deeds in Book 2157 Page 30. See also the Affidavit of the Grantor to be recorded herewith. The grantor is also conveying as the surviving joint tenant; John F. Jakimczyk having died on July 14, 1978 in West Lynn, Massachusetts.



To Have and to Hold the aforementioned and bargained premises with all the p[er]t[in]e[n]ces thereof to the said Richard S. Philbrick and Harriet Philbrick

their heirs and assigns, to them and their use and behoof forever.

And I do COVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the premises that they are free of all encumbrances

that I have good right to sell and convey the same to the said Grantees to hold as aforesaid, and that I and my heirs shall and will WARRANT and DEFEND the same to the said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, Harriet Jakimczyk, being an unmarried widow

do hereby set hand and seal this 5th day of September in the year of our Lord one thousand nine hundred and 85.

Signed, Sealed and Delivered in presence of:

Catherine J. Youngs

Helen Jakimczyk

State of New Hampshire

September 5, 1985

Personally appeared the above named Helen Jakimczyk and acknowledged the above instrument to be her free act and deed.

CATHERINE J. YOUNGS, Notary Public My Commission Expires October 28, 1986

Before me Catherine J. Youngs Notary Public

SEP 6 3 56 PM '85 Rockingham County Registry of Deeds

Know all Men by these Presents:

BK2157 PG032

14615

JUL 26 9 21 AM '72

REC'D ROCKINGHAM COUNTY
REGISTRY OF DEEDS

THAT I, Helen Jakimczyk, of West Lynn, County of Essex, State of Massachusetts, for consideration paid, grant to Helen Jakimczyk and John F. Jakimczyk, both of West Lynn, County of Essex, State of Massachusetts, with warranty covenants to the said Helen Jakimczyk and John F. Jakimczyk, as joint tenants with rights of survivorship, the

A certain lot of land with a building thereon situated in Portsmouth, County of Rockingham, State of New Hampshire, and bounded and described as follows:

Southerly by Pine Street; Easterly by land of Carroll Shershun; Northerly by land of Martin J. Early, Margaret Tebbets, and Douglas and Carol Arey; and Westerly by land of Laurence and Bella Robbins.

Being the same premises conveyed to the grantor by Deed dated July 11, 1972, to be recorded herewith.

(dower (curtsey and homestead and other interests therein. (wife (husband of said grantor, release to said grantee all right of

Witness my hand and seal this 25th day of July, 1972.

WITNESS:

Lawrence W. Guptill

Helen Jakimczyk



STATE OF NEW HAMPSHIRE

COUNTY OF ROCKINGHAM

On this the 25th day of July, 1972, before me, Lawrence W. Guptill, Jr. the undersigned officer, personally appeared Helen Jakimczyk known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal.

Lawrence W. Guptill

Consideration less than \$100.00.

Justice of the Peace.

BREK PG030

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Joseph Zabroski, of Chelsea in the County of Suffolk and the State of Massachusetts; Stella Carideo of Everett in the County of Middlesex and the State of Massachusetts; Mary Gronski of Saugus in the County of Essex and the State of Massachusetts; and John Zabroski of Lynn in the County of Essex in the State of Massachusetts

for consideration less then One Hundred (\$100.00) Dollars grant to Helen Jakimczyk of West Lynn, County of Essex in the State of Massachusetts,

WITH WARRANTY COVENANTS to the said Helen Jakimczyk.

A certain lot of land with a building thereon situated in said Portsmouth, and bounded and described as follows:

Southerly by Pine Street; Easterly by land of Carroll Shershun; Northerly by land of Martin J. Early, Margaret Tebbets, and Douglas and Carol Arey; and Westerly by land of Laurence and Bella Robbins.

Being the same premises being conveyed to Kostanty Zabrockij a/k/a Kostanty Zabrocki by Warranty Deed of Mary Coakley, dated October 28, 1919 and recorded in Rockingham County, Registry of Deeds in Book 734, Page 223.

We, Vinci Zabroski, Willis Gronski, Eleanor Zabroski (wife of said grantors, release to said grantee all rights husband) of (dower and homestead and other interests therein. curtsey)

Witness Our Hands and Seals this 11th day of July 1972.

WITNESS:

Jane Weinberg
Jane Weinberg
Jane Weinberg
John Cronin
John Cronin
Ken P. Buda
Ken P. Buda

Joseph K. Zabroski
Vinci Zabroski
Stella Carideo
Mary Gronski
Willis Gronski
John S. Zabroski
Eleanor M. Zabroski

STATE OF MASSACHUSETTS

COUNTY OF SUFFOLK

On this the TWELVTH day of July 1972, before me, NATHAN M. GOLDBERG the undersigned officer, personally appeared Joseph Zabroski and Vinci Zabroski known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal

Nathan M. Goldberg
Justice of the Peace
Notary Public

N.P.S.

My commission expires:
NOTARY PUBLIC
MY COMMISSION EXPIRES
JAN. 7. 1977

JUL 26 9 21 AM '72
REC'D ROCKINGHAM COUNTY
REGISTRY OF DEEDS

14614

BK2157 PG031

STATE OF MASSACHUSETTS

SUFFOLK
COUNTY OF ~~WEST~~

On this the ~~fourteenth~~ ^{fourteenth} day of July 1972, before me, Nathan M. Godbey the undersigned officer, personally appeared Stella Carideo (known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that they executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal

NOTARY PUBLIC
MY COMMISSION EXPIRES
JAN. 7, 1977
N.P.S.
My commission expires:

Nathan M. Godbey
Justice-of-the-Peace
Notary Public



STATE OF MASSACHUSETTS

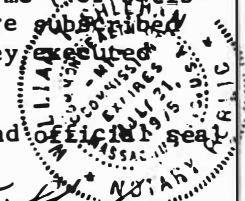
COUNTY OF ESSEX

On this the ~~twentieth~~ ^{twenty-first} day of July 1972, before me, William T. Sheehan, the undersigned officer, personally appeared Mary Gronski and Willis Gronski known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal

Subscribed and sworn to before me this twentieth ~~twentieth~~ day of July, 1972. William T. Sheehan (my term expires 7/31/75)
Notary Public

N.P.S.
My commission expires:



STATE OF MASSACHUSETTS

COUNTY OF ESSEX

On this the ~~eleventh~~ ^{eleventh} day of July 1972, before me, Wallace T. Bates the undersigned officer, personally appeared John Zabroski and Eleanor Zabroski known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal.

My commission expires:

Wallace T. Bates
Justice-of-the-Peace
Notary Public



THAT I, Mary Coakley of Portsmouth in the County of Rockingham and State of New Hampshire.

for and in consideration of the sum of One Dollar and other ^{consideration} valuable ^{to me} in hand, before the delivery hereof well and truly paid by ^{to} Constant Gabrockij ^{Coakley} ^{Gabrockij} of said Portsmouth

the receipt whereof I do hereby acknowledge, have given, granted, bargained and sold, and by these presents do give, grant, bargain, sell, alien, enfeoff, convey and confirm unto the said Constant Gabrockij his heirs and assigns forever, ^{del. to} ^{by mail,} C. H. Batebelle

A certain lot of land with the buildings thereon situated in said Portsmouth, and bounded and described as follows: southerly by Pine Street; easterly by land of Sophia Deaver and land of one Drouve; westerly by land of Harry J. Freeman, and westerly by land formerly of Charles H. Cressman now owned or occupied by one Gordon. Being the same premises conveyed to me by Isabelle J. Cressy, by her deed dated June 2, 1910, and recorded in Rockingham County Record Book 654 Page 212.

To have and to hold the said granted premises, with all the privileges and appurtenances to the same belonging, to ^{me} the said Constant Gabrockij and his heirs and assigns, to ^{me} and their only proper use and benefit forever. And I the said Mary Coakley and my heirs, executors and administrators, do hereby covenant, grant and agree, to and with the said Constant Gabrockij and his heirs and assigns, that until the delivery hereof I and the lawful owner of the said premises, and my seized and possessed thereof in my own right in fee simple; and have full power and lawful authority to grant and convey the same in manner aforesaid; that the said premises are free and clear from all and every incumbrance whatsoever; and that I and my heirs, executors and administrators, shall and will warrant and defend the same to the said Constant Gabrockij and his heirs and assigns, against the lawful claims and demands of any person or persons whomsoever.

And I, ^{relinquish} ^{my} ^{right} ^{of} ^{dower} ⁱⁿ ^{the} ^{above} ^{mentioned} ^{premises.} ^{wife} ^{of} ^{the} ^{said} ^{Mary} ^{Coakley} ^{and} ^{my} ^{heirs,} ^{executors} ^{and} ^{administrators,} do hereby release my right of dower in the above mentioned premises.

And we each of us do hereby release, discharge and waive all such rights of exemption from attachment and levy or sale on execution and such other rights whatsoever in said premises and to each and every part thereof, as our Family Homestead, as are reserved or secured to us, or either of us, by the Statute of the State of New Hampshire, passed July 4, 1851, entitled "An Act to exempt the Homestead of Families from attachment and levy or sale on execution," or by any other Statute or Statutes of said State.

In Witness whereof we have hereunto set our hands and seal, this twenty-eighth day of October in the year of our Lord one thousand nine hundred and ¹⁹19 A. D. 1919.

SIGNED SEALED AND DELIVERED IN PRESENCE OF US:
Helen W. Loring. ^{Wife} Mary Coakley. (20)
Michael Coakley. (20)

STATE OF NEW HAMPSHIRE, ROCKINGHAM CO. October 28 A. D. 1919.
Personally appeared the above named Mary Coakley and Michael Coakley and acknowledged the foregoing instrument to be their voluntary act and deed.
(C. P. Seal.) BEFORE ME. S. A. P. 10.11

... spare of supply of women in the county of Rock-
ingham and State of New Hampshire married woman

For and in Consideration of the sum of One dollar
Mapley to me in hand, before the delivery hereof, well and truly paid by Mary Croakley of the same Portsmouth
Croakley

the receipt whereof I do hereby acknowledge, have given, granted, bargained and sold, and by these presents do give, grant, bargain, sell,
alien, enfeoff, convey and confirm unto the said
heirs and assigns forever,

def. to
W. B. Linnell
my wife
Mary Croakley and her
A certain lot of land with the dwellinghouse thereon situate in
said Portsmouth upon the westerly side of what was formerly known as
West Park Street and now called Pine Street and being number 5 on said
Street Bounded as follows viz: Southernly by said Street about one hundred
and fifty (150) feet; Easternly by land of Sophia Sears and land of one
Dorcas one hundred and fifty (150) feet, Northernly by land of Mary J. Freeman
one hundred and fifty feet (150') and Westernly by land formerly of Charles H.
Mendum now owned or occupied by one Pearson one hundred and
fifty feet (150').
Being the same premises conveyed to me by Calvin Page Lupton by deed recorded
in Rockingham County Registry of Deeds.

To have and to hold the said granted premises, with all the privileges and appurtenances to the same belonging, to
her the said Croakley and their heirs and assigns, to her and their only proper use and benefit forever. And I the
said Croakley for myself and for my heirs, executors and administrators, do hereby covenant, grant, and agree to and with the said Croakley
and her heirs and assigns, that until the delivery hereof I am the
lawful owner of the said premises, and am seized and possessed thereof in my own right
in fee simple; and have full power and lawful authority to grant and convey the same in manner aforesaid; that the said premises are free
and clear from all and every incumbrance whatsoever; and that I and my heirs, executors and administrators,
shall and will warrant and defend the same to the said Croakley
and her heirs and assigns, against the lawful claims and demands of any person or persons whomsoever.

And I, Horace A. Mapley, husband of said Fabele J. Mapley
in consideration aforesaid, do hereby release my right of dower in the above mentioned premises.
And we and each of us do hereby release, discharge and waive all such rights of exemption from attachment and levy as ~~are granted to us by the laws of~~
whenever in said premises and in and every part thereof, as our Family Homestead, as are reserved or secured to us, or either of us, by the Statute of the State of
New Hampshire passed July 4, 1853, entitled "An Act to exempt the Homestead of Families from attachment and levy or sale on execution," or by any other Statute of
said State.

IN WITNESS WHEREOF, WE have hereunto set our hand and seal this Record
day of June in the year of our Lord one thousand nine hundred and 1910.

Signed, sealed and delivered in presence of us:
William L. Ferrard. Horace A. Mapley (Ld)
F. B. Linnell. Fabele J. Mapley (Ld)
Horace A. Mapley Jr. Charlotte M. Gladding (Ld)
STATE OF NEW HAMPSHIRE, Rockingham ss. June 25 A. D. 1910.

PERSONALLY appearing the above named Fabele J. and Horace A. Mapley and acknowledged
the foregoing instrument to be their voluntary act and deed. BEFORE ME,
T. C. Munnich

Received and Recorded, June 14 - 9:50 A.M. 1910. No 1110

Suffold, S.S.

May 9th A.D. 1908.

Personally appeared the above named Thomas J. Emery and acknowledged the foregoing instrument to be his voluntary act and deed - Before me

Geo. W. Estabrook

Justice of the Peace.

Received and Recorded Apr. 13, -4 P.M. 1910.

John W. A. Green Register

Deed
Page 2
Trust.
Maggie
Del. to
Mrs. H. L. Maggery
By mail.

Know All Men By These Presents,
That I, Calvin Page of Portsmouth in the County of Rock-
ingham and State of New Hampshire, as last trustee
under the last will and testament of Nathan Jones,
late of said Portsmouth, deceased, which will has been
duly proved and allowed by the Probate Court for said
County of Rockingham, for and in consideration of the
sum of one dollar to me paid by Isabel J. Maggery of said
Portsmouth, the receipt of which is hereby acknowledged,
and because in my best judgment it is proper to
make this conveyance, under and by virtue and in exe-
cution of the powers in said will contained, have bar-
gained and sold, and do hereby bargain, sell, release, and
convey to the said Isabel J. Maggery, her heirs and assigns
forever, a certain lot of land, with the dwelling house
thereon, situated in said Portsmouth upon the westerly
side of what was formerly known as West Park Street
and is now called Pine Street, and being No. 1, on said
street, bounded southerly by said street one hundred and
fifty (150) feet, Easterly by land of Sophia Searey and land
of one, Drowne, one hundred and fifty (150) feet, Northerly
by land of Harry J. Thum one hundred and fifty (150) feet
and Westerly by land formerly of Charles H. Meadum,
now owned or occupied by Mrs. Pearson, one hundred
and fifty (150) feet.

The premises intended to be conveyed are the same
described in the deed of Lydia W. White and others to the
said Nathan Jones, dated August 16, 1889, and recorded
in Registry of deeds for said County of Rockingham,
Book 576, Page 291.

To Have and to Hold the above granted premises to
the said Isabel J. Maggery and to her heirs and
assigns to her and theirs, sole use and benefit forever.

In Witness Whereof, I have hereunto set my hand and
real this thirteenth day of July, A. D. 1909.

Signed, sealed and delivered
in presence of:

to perform and observe the condition of this deed, rendering the surplus if any, to them or their heirs and assigns; and they hereby for themselves and their heirs and assigns, covenant with the grantees, their survivors, Successors and assigns, that, in case a sale shall be made under the foregoing power, they will, upon request, execute and deliver to the purchaser or purchasers a deed or deeds of release confirming the sale.

And it is agreed that the grantees, its successors, assigns, or any person or persons in their behalf, may purchase at any sale made as aforesaid, and that no other purchaser shall be answerable for the application of the purchase money; and that until default in the performance or observance of some one of the conditions of this deed, they and their heirs and assigns may hold and enjoy the granted premises and receive the rents and profits thereof.

In Witness Whereof, We the said Leonard H. Pillsbury and Evelyn S. Pillsbury have set our hands and seals this twenty-second day of August, in the year One thousand eight hundred and eighty-nine.

Signed and Sealed in presence of.

John Ballantine, to wit,
Charles W. Bell.

Leonard H. Pillsbury, ES
Evelyn S. Pillsbury, ES

Commonwealth of Massachusetts.

Essex, ss. August 22, 1889.

Then personally appeared the above named Leonard H. Pillsbury and Evelyn S. Pillsbury and acknowledged the foregoing instrument to be their free act and deed.

Before me,

Charles W. Bell,

Judge of the Peace.

Received and Recorded.
August 23, 1889.

Simon B. Hoyle
Register.

Know all men by these Presents, That Mrs. Lydia A. White of Boston in the County of Suffolk and Commonwealth of Massachusetts, and Ella F. Shafford of Gelford in the County of Bermap and State of New Hampshire.

For and in consideration of the sum of One dollar and other valuable considerations to us in hand before the delivery hereof, well and truly paid by Nathan Jones of Portsmouth in the County of Rockingham in said State of New Hamp-

White Etal
to
Jones.
Oct. 8. 1889.

unto the said grantee his heirs and assigns forever.

A certain parcel of land with the buildings thereon, situated in Portsmouth aforesaid, and bounded as follows: Beginning on West Park St. and running westerly by land formerly of Ephraim Pickering, One hundred and fifty feet; thence Easterly one hundred and fifty feet; thence Southerly by land formerly of Sophia J. Moran, One hundred and fifty feet; thence Westward by West Park St. to the point began at, One hundred and fifty feet.

Being the same premises formerly conveyed by Sarah L. Martin to Lydia W. White and Frank M. Shackford by her deed of July 10th, 1888, recorded in Rockingham Records, Book R 570, Folio 255.

To have and to hold the said granted premises, with all the privileges and appurtenances to the same belonging, to the said grantee and his heirs and assigns, to his and their only proper use and benefit forever. And we the said grantors and our heirs, executors, and administrators, do hereby covenant grant and agree to and with the said grantee and his heirs and assigns, that until the delivery thereof we are the lawful owners of the said premises and are seized and possessed thereof in our own right in fee simple, and have full power and lawful authority to grant and convey the same in manner aforesaid, that the said premises are free and clear from all and every incumbrance whatsoever, and that we and our heirs, executors and administrators, shall and will warrant and defend the same to the said grantee and his heirs and assigns against the lawful claims and demands of any person or persons whatsoever.

And I, Frank M. Shackford husband of the said Ella F. Shackford, and I, Henry White, husband of the said Lydia W. White, in consideration hereof, do hereby relinquish all of our rights in the before mentioned premises.

And we and each of us, do hereby release, discharge and waive all such rights of exemption from attachment and levy or sale on execution, and such other rights whatsoever in said premises, and in each and every part thereof as our family homestead, as are reserved or secured to us, or either of us, by the Statute of the State of New Hampshire, or any act in amendment thereof, or any other Statute of said State.

In Witness Whereof We have hereunto set our hands and Seals, this Sixteenth day of August, in the year of our Lord, 1889.

Signed sealed and delivered in presence of us:

J. C. Clark,
S. H. Smith,
J. W. Emery,
J. W. Emery

Ella F. Shackford,
Frank M. Shackford,
Lydia W. White,
Henry White.

ES
FS
LW
HW

State of New Hampshire.

Bellnap, ss. Aug. 16th, A. D. 1889.

Personally appeared the above named Ella F. Shackford and

That Sarah L. Martin of Portsmouth in the County of
Rockingham and State of New Hampshire

for and in consideration of the sum of *One dollar*

to ~~her~~ in hand before the delivery hereof, well and truly paid by *Lydia A. White of Boston in
the State of Massachusetts, and Frank M. Shaekford of
Laconia in the County of Belknap, and State of New Hampshire*
have remised, released and forever Quitclaimed, and by these presents do remise, release and forever quitclaim unto the said
Lydia A. White in Frank M. Shaekford - heirs and assigns forever.

Martin
to
White et al
Delivered to
M. Bufford.

All my right title and interest in and to a certain parcel of land
with the buildings thereon situated in said Portsmouth and bounded
as follows: beginning on West Park Street and running westerly by
land formerly of Ephraim Pickering one hundred and fifty feet;
thence Easterly one hundred and fifty feet, thence Southerly by land
formerly of Sophia J. Moran one hundred and fifty feet; thence
Westerly by West Park Street to the point began at. One hundred
and fifty feet.
Being the same premises conveyed to Joseph L. Martin by Lydia
A. White and others by deed Oct 21, 1878, and recorded in
Rockingham Records Liber 510 Folio 36

To HAVE and to HOLD the said premises, with all the privileges and appurtenances thereunto belonging, ~~to the said~~
White and Shaekford, their heirs and assigns forever; and
do hereby covenant with the said *White and Shaekford*
that I will warrant and defend the said premises to ~~them~~ the said *White and Shaekford*
and their heirs and assigns, against the lawful claims and demands of
any person or persons claiming by, from or under *me*.

And I, ~~wife of said~~ *Lydia A. White* for
the consideration aforesaid, do hereby release my right of dower in said premises.

And we, the said *White and Shaekford* and each of us do hereby release discharge and waive all such
rights of exemption ~~from~~ attachment and levy or sale on execution
in consideration aforesaid, do hereby grant and release to said
White and Shaekford and such other rights (whenever in said premises, and in each and every part
of the right, title, interest, claim or demand which we, or either of us have in or to the above described premises, by virtue of an act of
the Legislature of the State of New Hampshire, entitled "An act to exempt the Homestead of Families from attachment and levy or sale
of the real estate of New Hampshire, passed July 4, 1854,

IN WITNESS WHEREOF I have hereunto set my hand and seal, this *twentieth* day of
July in the year of our Lord 1888 *one thousand eight hundred and eighty eight*

SIGNED, SEALED AND DELIVERED IN PRESENCE OF US:
Marcellus Bufford *Sarah L. Martin (S. L.)*
John J. Laskey

State of New Hampshire, Rockingham, ss. *July 10.* A. D. 1888

Personally appeared the above named *Sarah L. Martin*
and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: *Given the tenth day of July, 1888.*
Marcellus Bufford Justice of the Peace

That We Lydia Ann White, of Boston in the State of Massachusetts, and Mary Jane Shackford, of Lake Village, in the State of New Hampshire.

White & Co
to
Martin

for and in consideration of the sum of *one dollar*
to us in hand before the delivery hereof, well and truly paid by *Joseph L. Martin of Portsmouth, in the County of Rockingham and State of New Hampshire,*

Delivered to
M. Bufford
mail.

have remised, released and forever Quitclaimed, and by these presents do remise, release and forever quitclaim unto the said *Joseph L. Martin, and his* heirs and assigns forever.

A certain parcel of land with the buildings thereon situated in said Portsmouth, and bounded as follows, beginning on West Park Street and running northerly by land of Ephraim Pickering, one hundred and fifty feet, thence Easterly by land of Joseph L. Martin, and Phineas D. Hoyt, one hundred and fifty feet, thence Southerly by land of Sophie J. Moran, one hundred and fifty feet, thence Westerly by West Park Street, to the point begun at one hundred and fifty feet.

To HAVE and to HOLD the said premises, with all the privileges and appurtenances thereunto belonging, to the said *Joseph L. Martin, his* heirs and assigns forever; and we do hereby covenant with the said *Joseph L. Martin,*

that we will warrant and defend the said premises to *him* the said *Joseph L. Martin,* his heirs and assigns, against the lawful claims and demands of any person or persons claiming by, from or under us

And we the Husbands *of said* *grantors* for the consideration aforesaid, do hereby release my right of dower in said premises.

And we, the said *all and each of us* wife of said *Joseph L. Martin,* in consideration aforesaid, do hereby grant and release to said

all the right, title, interest, claim or demand which we, or either of us have in or to the above described premises, by virtue of an act of the Legislature of the State of New Hampshire, entitled "An act to exempt the Homestead of Families from attachment and levy or sale on execution," passed July 4, 1851.

IN WITNESS WHEREOF we have hereunto set our hands and seals, this *twenty first* day of *October,* in the year of Lord 18*78.*

SIGNED, SEALED AND DELIVERED IN PRESENCE OF US:
Mary A. Wallace, Emma White, Lydia A. White (L.S.)
S. C. Clark, } To Mr + Mrs. Henry White (L.S.)
E. H. Blaisdell, } Shackford, } Mary Jane Shackford (L.S.)
Belknap, } Nathaniel Shackford (L.S.)
State of New Hampshire, *Belknap*, ss. *October 24th* A. D. 18*78.*

Personally appeared the above named *Mary Jane Shackford and Nathaniel Shackford,* and acknowledged the foregoing instrument to be *their* voluntary act and deed.

Before me:
S. C. Clark,

Justice of the Peace.

Co of Massachusetts, County of Suffolk, October 31, 1878,
I, the undersigned, Clerk of said County, do hereby certify that the within and foregoing instrument is a true and correct copy of the original as the same appears in my records, and that the same was duly acknowledged and recorded in my office on the 24th day of October, 1878.

tenor of a certain note given by said Sarah Huntington, bearing date, even
herewith said last mentioned sum of three hundred and twenty dollars, with-
out interest thereon, then this deed and also said note shall be void otherwise
they shall remain in full force.

In witness whereof I the said Sarah Huntington have hereunto set
my hands and seal this Eleventh day of March in the year of our Lord
one thousand eight hundred and fifty three.

Executed and delivered
in presence of us
Parker Merrill
G. W. Huntington, } Sarah Huntington. (L.S.)

State of New Hampshire, Rockingham ss March 11. 1853. Then the
aforesaid Sarah Huntington personally acknowledged the afore written
instrument by her signs and sealed to be her deed.

Before me, Parker Merrill, Justice of the Peace.

Received and Recorded March 19, 1853.

J. Hamilton Shapley, Register.

White
to
White
Ocdia Effup.

Now all men by these presents, that I William White of Cover-
hill, in the County of Essex and Commonwealth of Massachusetts, yeoman
in consideration of one hundred and sixty seven dollars \$167.00 paid by Lydia
White, of Coverhill aforesaid, single woman, the receipt whereof I do hereby
acknowledge; have remise, released, and forever quit claimed, and do for my-
self and my heirs by these presents remise, release, and forever quit claim, unto
the said Lydia White, her heirs and assigns, all my right title & interest & claim
in & to a lot of lands situate in Salem in the County of Rockingham and State
of New Hampshire, containing about twenty six acres and 14 3/4 rods, Also all my
right & title to about one hundred acres of lands, being number fifteen, sixth
range, second division right of Reuben French, in Warren in the County of
Dorset, in said State, Also lot number twenty five, third division, right of
said French containing about seventy acres in Warren aforesaid. The said pieces
or lots being my part of my inheritance thereof, in the estate of my late sister,
Fanny Whittier.

To have and to hold the afore mentioned premises, with all the privileges
and appertinances thereunto belonging, to her the said Lydia White her
heirs and assigns to her & their use forever, so that neither I the said William
White, nor my heirs or any other person or persons, claiming from or under me,
or them, or in the name right, or stead of me, or them, shall or will, by any way
or means, have, claim, or demand, any right or title, to the aforesaid premises
or their appertinances, or to any part or parcel thereof, forever.

In witness whereof I the said William White, and I Priscilla White
wife of said William in token of relinquishment of dower have hereunto set
our hands and seals this ninth of February in the year of our Lord one thou-
sand eight hundred and twenty seven.

Signed, Sealed, and delivered
in presence of us
Moses Sumner } William White (L.S.)
Priscilla White (L.S.)

Family Stavers.
State of New Hampshire
Rockingham ss. July 13, 1909.

Then personally appeared etc above named Catharine Page, Trustee under the will of Nathan Jones, and acknowledged etc foregoing instrument to be his free act and deed.

Before me,

Howard C. Nelson
Justice of the Peace.

Received and Recorded April 19 - 3.40 P.M. 1910.

John W. A. Green Register

Know all men by these presents that I Catherine Beede wife of Alpheus Beede within named in consideration of one dollar to me paid by William S. Farrow within named do hereby release to said William S. Farrow all my right of dower in the within described premises. In witness whereof I have hereto set my hand and seal this 14 day of May A. D. 1891.

Signed sealed & delivered
in presence of

Catherine Beede (28)
Edwin A. Beede

Release
of Dower.
Beede
to
Farrow.

Ed. &
J. K. & B. J. Daulton
See B. - 493
P. - 275.

Received and Recorded April 2-10 A. M. 1910.

John W. A. Green Register

Know all Men by these Presents,
That we, John S. Smith of the County of Rockingham and State of New Hampshire, and Mary E. Smith of the same County wife of the said John S. Smith, in consideration of One Thousand dollars paid by George S. Webster of the same County the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said George S. Webster his heirs and assigns forever.

A certain piece or parcel of land situated in said County and bounded and described as follows, viz: On the north by land of Benjamin Hills on the west by land of Daniel C. Treble on the north by land of Samuel Wagon and Frederick Wagon on the east by land of the heirs of George Warden containing thirty acres more or less, being precisely the same premises conveyed to John S. Smith by Benjamin Apofford Mary his wife, Benjamin T. Apofford and Abbie S. his wife, by their deed of warranty dated

Mortgage.
Smith
to
Webster

Dec. 1
Call for

Release N. H. April 14th 1911.
The within mortgage having been for in full & hereby discharge the same George S. Webster.
Received and Recorded Apr. 25-1911. John W. A. Green



LCHIP	ROA561516	25.00
TRANSFER TAX	RO105780	8,850.00
RECORDING		14.00
SURCHARGE		2.00

RETURN TO:
Stewart Title Company - New Hampshire
110 Corporate Drive, Suite 1
Portsmouth, NH 03801

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT I/We Karen L. Dufour, a single person, of 77 Meredith Way, Portsmouth, NH 03801, for consideration paid, grant(s) to Randi Collins and Jeff Collins, a married couple, of 55 Pine Street, Portsmouth, NH 03801, as joint tenants, with WARRANTY COVENANTS, the following described premises:

A certain lot of land, together with the buildings thereon, situated in the City of Portsmouth, County of Rockingham and State of New Hampshire, being further bounded and described as follows:

Southerly by Pine Street;

Easterly by land now or formerly of Carroll Shershun;

Northerly by land now or formerly of Martin J. Early, Margaret Tebbetts, Douglas Arey and Carol Arey;
and

Westerly by land now or formerly of Laurence Robbins and Bella Robbins.

Said property being further described by instrument recorded in the Rockingham County Registry of Deeds in Book 2916, Page 2173.

I/We the grantor(s) hereby release all rights of homestead and any other interests therein in and to the above described premises.

Reference is made to title vested in Karen L. Dufour by virtue of a Warranty Deed from Charles B. Doleac dated March 23, 1992 and recorded in the Rockingham County Registry of Deeds in Book 2916, Page 2173.

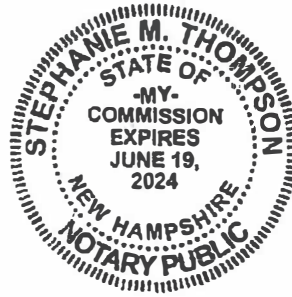
EXECUTED this 4th day of May, 2021.


Karen L. Dufour

State of New Hampshire
County of Rockingham

On this 4th day of May, 2021, personally appeared, before me, the above named Karen L. Dufour, known to me or satisfactorily proven to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their free act and deed.

Stephanie M. Thompson
Justice of the Peace/Notary Public
Print Name: Stephanie M. Thompson
My commission expires: 6.19.2024





CITY OF PORTSMOUTH

Assessors Office

Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
Tel: (603) 610-7249 – Fax: (603) 427-1579

To: Dexter Legg, Chair Planning Board
Cc: Karen S. Conard, City Manager
From: Rosann Lentz, City Assessor *Rosann Lentz*
Date: January 3, 2022
RE: City Council Referral- Request of Restoration of Involuntarily Merged Lots to pre-merger status at 77 Meredith Way

At its meeting on November 15, 2021, the City Council considered a request from R. Timothy Phoenix and Monic F. Keiser, on behalf of their client property owners Jeff and Rand Collins, requesting the restoration of involuntarily merged lots at 77 Meredith Way Map 162 Lot 16 to their pre-merger status pursuant to NH RSA 674:39-aa. The Council voted to refer to the Planning Board and Assessor for report back.

Description

Current assessment records identify the parcel as having .52 acres with a 2 bedroom 1 bath single family dwelling built around 1870 located on the parcel. Older assessment records dating back to the 50's identified the parcels as Tax Map 89 Lot 45.

History

Deeds: According to the deeds researched back to 1853 in the chain of title, this above property was described as one parcel of land. Deeds in the chain of title dated between June 14, 1919 through October 25, 1878 describe one parcel of land with metes and bounds not referencing a plan or identify separate lots in any meaning or intending to convey statement.

Property Assessment Records:

1950's assessment records indicate 15,000 sqft lot identified as Map 89 Lot 45. Later assessment records identify one lot with 22,500 sqft.

Court Decisions

Upon review of various New Hampshire court decisions concerning the denial of restorations of lots, the courts have held that the conveyance of multiple lots in a single deed does not, standing alone, support a voluntary merger Roberts v. Town of Windham, 165 N.H. 186,192 (2013).

Summary

The description of the parcel of land within the chain of title does not refer to the conveyance of multiple lots as discussed in the above court decision. These deeds describe a single parcel of land with a metes and bounds description and no reference to other lots or a subdivision within the conveyance. Taking the above into consideration the request for restoration does not meet the requirements of RSA 674:39-aa.



CITY OF PORTSMOUTH

Assessors Office

Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
Tel: (603) 610-7249 – Fax: (603) 427-1579

To: Dexter Legg, Chair Planning Board
Cc: Karen S. Conard, City Manager
From: Rosann Lentz, City Assessor *Rosann Lentz*
Date: January 19, 2022
RE: City Council Referral- Request of Restoration of Involuntarily Merged Lots to Pre-Merger Status at 77 Meredith Way – Additional Review

Please accept this memo as additional information and further explanation of my prior review on the request for the Restoration of Involuntarily Merged Lots on the above referenced property.

1. The original conveyance of the subject property going back to 1878 does not describe 3 lots within the “meaning and intending to convey” area of the deed nor does it reference a plan. In the Roberts v. Town of Windham appeal, lots within the current deed or prior deeds were identified individually or referred back to in a prior conveyance.
2. The location of the dwelling depicted on Exhibit C of the taxpayer’s request shows the dwelling falling at the end of Meredith Way. The two remaining lots do not front the paved/developed part of Meredith Way. Thus the redevelopment of West Park Street (Depicted in Exhibit D submitted by the Collins’s) to Meredith Way reasonably supports that 77 Meredith Way is as a single lot.
3. A meeting held with Attorney Sullivan supports my findings that 77 Meredith Way does not meet the requirements RSA 674:39-aa.

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

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Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgirlaw.com
January 20, 2022

Peter Britz and
Portsmouth Planning Board
City of Portsmouth
One Junkins Avenue
Portsmouth, NH 03801

RE: **Restoration of Involuntary Merged Lots RIML-21-5**
Jeff & Randi Collins
77 Meredith Way, Map 162, Lot 16

Dear Mr. Britz and Planning Board Members:

On behalf of Jeff and Randi Collins, (“Collins”), we submit the following response to City Assessor Lentz’s Memorandum with respect to Collins’ Application for Un-Merger of 3 lots located at 77 Meredith Way (the “Property”) which were involuntarily merged by the City of Portsmouth. Ms. Lentz’s sections are reproduced below followed by our response in **bold** text.

Description

Current Assessment Records identify the parcel as having .52 acres with a 2 bedroom 1 bath single family dwelling built around 1870 located on the parcel. Older assessment records dating back to the 50’s identified the parcels as Tax Map 89, Lot 45.

RESPONSE: Respectfully, the Assessor’s description is incomplete. These combined lots measure 150 ft. by 150 ft. We also obtained a tax card from the 1950s demonstrating the Property was identified as Map 89/Lot 45, but it contained an incomplete description. (Exhibit E to original submission). The 1950s tax card describes a lot that has 100 ft. of frontage and 150 ft. depth and omits another lot with frontage of 50 ft. and a depth of 150 ft. which would have been assigned a separate lot number. Tax Maps from 1927, 1935, and 1956 also depict the Property as two lots: one that is 100 ft. by 150 ft. and another that is 50 ft. by 150 ft. The 1935 Tax Map assigns lot number 45 to the larger lot and lot number 46 to the smaller lot. Later tax cards (1972 and 1983-86) describe a primary site and a secondary site on the same card associated with Map 89, Lot 45. Based on this information, it is clear that the City treated the Property as two separate lots, even when consolidated on one tax card.

DANIEL C. HOEFLE	R. PETER TAYLOR	MONICA F. KIESER	AMANDA M. FREDERICK
R. TIMOTHY PHOENIX	KIMBERLY J.H. MEMMESHEIMER	SAMUEL HARKINSON	OF COUNSEL:
LAWRENCE B. GORMLEY	KEVIN M. BAUM	JACOB J.B. MARVELLEY	SAMUEL R. REID
STEPHEN H. ROBERTS	GREGORY D. ROBBINS	DUNCAN A. EDGAR	JOHN AHLGREN

History

Deeds: According to the deeds researched back to 1853 in the chain of title, this above property was described as one parcel of land. Deeds in the chain of title dated between June 14, 1919 through October 25, 1878 describe one parcel of land with metes and bounds not referencing a plan or identify separate lots in any meaning and intending to convey statement.

RESPONSE: We have confirmed that the Assessor did not independently research the chain of title and relies solely on the Deed Chain provided as Exhibit G to our original submission dates, which dates back to 1878¹, not 1853. The Plan of Elm Place created in 1856 created the original three lots identified as Lots 55, 56, and 57. We agree that all deeds since 1878 describe the perimeter measuring 150 ft. by 150 ft. without reference to lots on a plan, but as discussed in our initial submission, the mere description of the Property as one parcel alone is not enough for a municipality to meet its burden of demonstrating an overt act of merger. Roberts v. Windham, 165 N.H. 236 (2013). Rather, the perimeter description was a matter of simplicity. This is underscored by the subsequent building constructed on the lot at one end of the combined lots, rather than a central location.

Property Assessment Records

1950's assessment records indicate [a] 15,000 s.f. lot identified as Map 89, Lot 45. Later assessment records identify one lot with 22, 500 s.f.

RESPONSE: As discussed *supra*, the 1950s assessment records identifying a 15,000 s.f. as Map 89, Lot 45 clearly missed another lot, identified on the 1935 Tax Map as Map 89, Lot 46, which contained 7,500 s.f. It is not accurate that later assessment records identify one lot with 22,500 s.f. The 1972 tax card describes an H-Lot (.23 acres) and a rear lot (.29 acres), while the 1983-86 cards describe a primary site (15,287 s.f.) and a secondary site (7,500 s.f.) on the same card associated with Map 89, Lot 45. Based on this information, it is clear that the City treated the Property as two separate lots, even if consolidated on one tax card.

Court Decisions

Upon review of various New Hampshire court decisions concerning the denial of restoration of lots, the courts have held that conveyance of multiple lots in a single deed does not, standing alone, support a voluntary merger Roberts v. Town of Windham, 165 N.H. 186, 192 (2013).

RESPONSE: The Assessor's statement that conveyances of multiple lots in a single deed is not the sole issue presented by these facts, nor the end of the inquiry under New

¹ Our letter misstates 1878 as 1898.

Hampshire law. The facts here involve an 1856 subdivision creating three lots, construction of a home centered on one of those lots, a subsequent conveyance of the three combined lots via a single metes and bounds description of the perimeter, and municipal records demonstrating the existence of two lots from 1927 to the early 1990s. New Hampshire Courts have determined that a deed description containing a metes and bounds description of a single parcel is not enough to for a municipality to meet its burden of demonstrating voluntary lot merger under RSA 674:39-aa, II. Roberts v. Town of Windham, 165 N.H. 186, 192 (2013). Instead, the courts consider several factors, including the legal description of the land and the “meaning and intending to convey” clause of the deed, but also the physical characteristics of the lot, including building placement, and the conduct of the owners. Id. Here the small home is sited on approximately one-third of the combined parcel leaving two-thirds of it vacant and the municipality treated the parcel as two lots – one with approximately 7500 s.f. (approximately 1/3) and the other with approximately 15,287 s.f. (approximately 2/3). The municipality has not produced any evidence that previous owners requested merger of the two lots shown on tax maps since 1927, nor has it demonstrated that any previous owner occupied the lot in a manner demonstrating an intent to merge the two lots shown in municipal records from 1927 until the early 1990s.

Summary

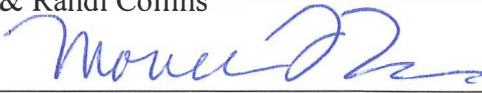
The description of the parcel of land within the chain of title does not refer to the conveyance of multiple lots as discussed in the above court decision. These deeds describe a single parcel of land with a metes and bounds description and no reference to other lots or a subdivision within the conveyance. Taking the above into consideration the request for restoration does not meet the requirements of RSA 674:39-aa.

RESPONSE: The court decisions section of Ms. Lentz’s memorandum sets forth the accurate holding of Roberts v. Windham, 165 N.H. 186 (2013) and its progeny: that the deed description is but one of several factors considered by a court in evaluating whether a previous owner merged lots. Despite correctly summarizing the holding of the case, the recommendation against unmerger is erroneously based solely on the previous deed descriptions of the Property, and no consideration of other factors, thus contravenes the holding of Roberts v. Windham. It is the municipality’s burden to demonstrate a previous owner merged these lots. RSA 674:39-aa, II(b). If the municipality cannot demonstrate

that the current or prior owners of the Property merged the lots, then the Council is required to restore the lots to their pre-merger status. Id. Based upon the foregoing information and evidence, the Property is originally shown as three lots in 1856 and as two lots on the 1927, 1935, and 1956. At a subsequent point, these lots were involuntarily merged into the single lot depicted on the current tax map and tax card. Accordingly, Collins has met the requirements for unmerger.

We respectfully request that the Council grant the Unmerger Application and restore the Property to its pre-merger status as two lots (approximately +/-7,500 s.f. lot with the home and a +/-15,287 s.f. vacant lot according to premerger tax cards; +/-7500 s.f. and +/-14,900 s.f. per current survey) as required by RSA 674:39aa (II).

Respectfully submitted,
Jeff & Randi Collins

By: 
R. Timothy Phoenix
Monica F. Kieser

cc: Jeff & Randi Collins
Karen Conard, City Manager
Rosann Maurice-Lentz
Robert P. Sullivan, City Attorney



CITY OF PORTSMOUTH

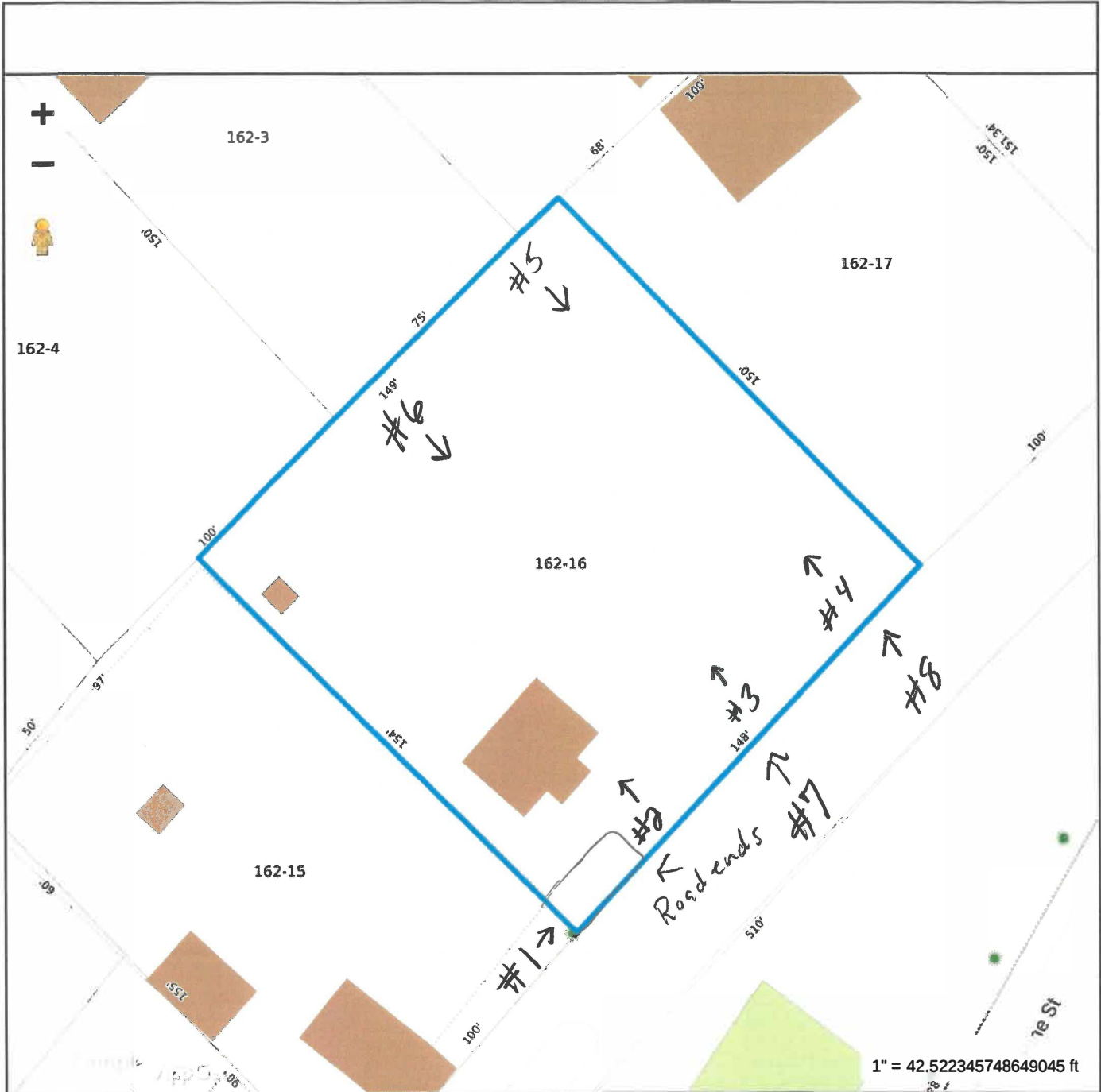
Assessors Office

Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
Tel: (603) 610-7249 – Fax: (603) 427-1579

To: City of Portsmouth Planning Board
Cc: Karen S. Conard, City Manager
From: Rosann Lentz, City Assessor, *Rosann Lentz*
Date: January 20, 2022
RE: City Council Referral- Request of Restoration of Involuntarily Merged Lots to pre-merger status at 135 Thaxter Road – RIML-21-2


In response to Monica F. Keiser letter dated January 20, 2022. RSA 674:39-aa II states “Lots or parcels that were involuntarily merged prior to September 18, 2010 by a city, town, county, village district, or any other municipality, shall at the request of the owner, **be restored to their premerger status** and all zoning and tax maps shall be updated **to identify the premerger boundaries** of said lots or parcels **as recorded at the appropriate registry of deeds**.” Ms. Keiser is requesting to unmerge based on tax billing and tax maps. This request differs from the subdivision provided to show the property’s pre-merger status.

Tax bills and tax maps are not legal representations of a property. Deeds, mortgages, and other land documents that are typically recorded at the registry of deeds identify the legal description of the boundaries of lots or parcels. If the City of Portsmouth Planning Board chooses to recommend the unmerging of 77 Meredith Way, it would be three lots not two.



Property Information

Property ID	0162-0016-0000
Location	77 MEREDITH WAY
Owner	COLLINS RANDI



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 4/1/2019
Data updated 7/17/2019

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

#1

01 21 2022





17

01 21 2022



#3

01 21 2022

#4

01 21 2022



#5

01 21 2022





#6

01 21 2022



01 21 2022



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#8

#9

01 21 2022

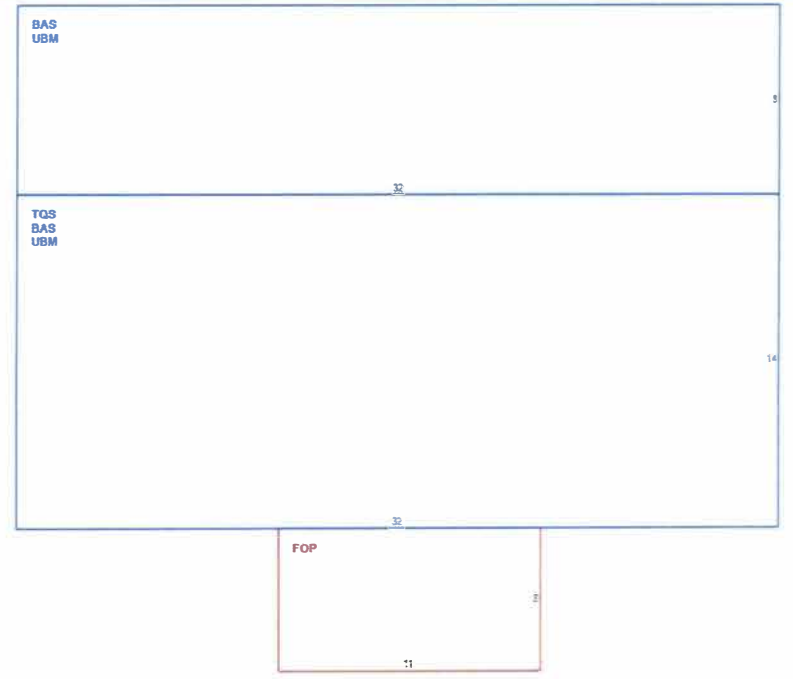


CURRENT OWNER		TOPO	UTILITIES	STRT / ROAD	LOCATION	CURRENT ASSESSMENT				2229 PORTSMOUTH, NH								
COLLINS RANDI COLLINS JEFF 77 MEREDITH WAY PORTSMOUTH NH 03801		1 Level	0 All Public	1 Paved 8 2+ Off-St PKG		Description	Code	Appraised	Assessed			VISION						
SUPPLEMENTAL DATA						RESIDNTL	1010	148,800	148,800									
Alt Prcl ID 0162-0016-0000-0000 OLDACTN 59180 PHOTO WARD PREC. 1/2 HSE GIS ID 35046						RES LAND	1010	290,600	290,600									
CONDO C INLAW Y/ LOT SPLIT 2015 Reva JM Ex/Cr Appli Assoc Pid#						RESIDNTL	1010	700	700									
						Total		440,100	440,100									
RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)										
COLLINS RANDI DUFOR KAREN L		6274 1666 2916 2173	05-04-2021 03-23-1992	U U	I I	590,000 0	24	Year	Code	Assessed	Year	Code	Assessed	V	Year	Code	Assessed	
								2021	1010 1010	138,900 290,600	2020	1010 1010	138,900 290,600		2019	1010 1010	138,900 290,600	
								Total		429,500	Total		429,500	Total		429,500		
EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor										
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int										
Total			0.00															
ASSESSING NEIGHBORHOOD								APPRAISED VALUE SUMMARY										
Nbhd	Nbhd Name		B	Tracing		Batch												
131																		
NOTES																		
VINYL SIDING																		
10/21SR: SOME UPDS PRESENT 90S KIT/BATH-AV QUAL CARP/LAM/VINYL FLRS LISTED WDK , SM SHED = NV OLDER WINDOWS & ROOF, NEWER																		
BUILDING PERMIT RECORD										VISIT / CHANGE HISTORY								
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments		Date	Id	Type	Is	Cd	Purpost/Result			
										10-08-2021	JW	02	5	SR	Sales Review			
										06-16-2021	LS			AD	Address Change			
										07-13-2017	PM			FR	Field Review Stat Update			
										03-06-2015	DG			FR	Field Review Stat Update			
										01-17-2013	JM			10	Measu/LtrSnt No Respons			
										10-07-2000	ET		1	1	Entry + Sign INACTIVE			
										09-13-2000	ET		0	2	No one home INACTIVE			
LAND LINE VALUATION SECTION																		
B	Use Code	Description	Zone	Frontage	Depth	Land Units	Unit Price	Size Ad	Site	Cond.	ST Idx	S.I. Adj.	Notes- Adj	Special Pricing	Adj Unit P	Land Value		
1	1010	SINGLE FAM M	GRA			22,787 SF	7.5	1.0000	1	1.00	131	1.700	0		1.0000	12.75	290,600	
Total Card Land Units						1	AC	Parcel Total Land Area						1	Total Land Value			290,600

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	06	Conventional			
Model	01	Residential			
Grade:	C+	C+			
Stories:	1.75				
Occupancy	1				
Exterior Wall 1	25	Vinyl Siding			
Exterior Wall 2					
Roof Structure:	03	Gable/Hip			
Roof Cover	03	Asph/F Gls/Cmp			
Interior Wall 1	03	Plastered			
Interior Wall 2					
Interior Flr 1	14	Carpet			
Interior Flr 2	20	Laminate Wood			
Heat Fuel	02	Oil			
Heat Type:	02	Warm Air			
AC Type:	01	None			
Total Bedrooms	02	2 Bedrooms			
Total Bthrms:	1				
Total Half Baths	0				
Total Xtra Fixtrs	0				
Total Rooms:	6				
Bath Style:	1	Avg Quality			
Kitchen Style:	1	Avg Quality			
Kitchen Gr					
WB Fireplaces	0				
Extra Openings	0				
Metal Fireplace	0				
Extra Openings	0				
Bsmt Garage					
			MIXED USE		
			Code	Description	Percentage
			1010	SINGLE FAM MDL-01	100
					0
					0
			COST / MARKET VALUATION		
			Adj. Base Rate		175.55
			Building Value New		209,605
			Year Built		1870
			Effective Year Built		1990
			Depreciation Code		GD
			Remodel Rating		
			Year Remodeled		
			Depreciation %		29
			Functional Obsol		
			External Obsol		
			Trend Factor		1
			Condition		
			Condition %		
			Percent Good		71
			RCNLD		148,800
			Dep % Ovr		
			Dep Ovr Comment		
			Misc Imp Ovr		
			Misc Imp Ovr Comment		
			Cost to Cure Ovr		
			Cost to Cure Ovr Comment		

OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)										
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
WDK	WOOD DECK	L	100	13.00		A	50	C	1.00	700

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	704	704	704	175.55	123,586
FOP	Porch, Open	0	66	13	34.58	2,282
TQS	Three Quarter Story	336	448	336	131.66	58,984
UBM	Basement, Unfinished	0	704	141	35.16	24,752
Ttl Gross Liv / Lease Area		1,040	1,922	1,194		209,604



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February 10, 2022

Peter Britz and
Portsmouth Planning Board
City of Portsmouth
One Junkins Avenue
Portsmouth, NH 03801

RE: **Restoration of Involuntary Merged Lots RIML-21-5**
Jeff & Randi Collins
77 Meredith Way, Map 162, Lot 16

Dear Mr. Britz and Planning Board Members:

On behalf of Jeff and Randi Collins, (“Collins”), we submit the following supplement to Collins’ Application for Un-Merger of lots comprising the parcel at 77 Meredith Way (the “Property”). This submission will respond to public comment submitted just before the January 27, 2022 Planning Board meeting and the last two submissions by City Assessor Lentz.

As an initial refresher, the Property is comprised of three 50 ft. by 150 ft. parcels shown as lots 55, 56, and 57 on an 1856 Plan of Elm Place; the existing home is on Lot 57. The Property is later shown on the 1927, 1935, and 1956 Tax Maps as two lots: Map 89/Lot 45 and Map 89/Lot 46. We incorporate our two previous submissions and offer the following additional information.

I. ADDITIONAL EXHIBITS

- H. Daily Precipitation Reports.
- I. Additional Deeds
- J. F.W. Beers Map of Portsmouth dated 1876
- K. Road Inventory and RCRD Plan

II. PUBLIC COMMENT

1. Karen Dufour (Former owner of 77 Meredith)

Ms. Dufour claims that she: treated the property as one lot; tried to place a document in the Property’s Building File restricting further development; and only sold the Property to Collins because they agreed not to subdivide the Property.

DANIEL C. HOEFLE	R. PETER TAYLOR	MONICA F. KIESER	AMANDA M. FREDERICK
R. TIMOTHY PHOENIX	KIMBERLY J.H. MEMMESHEIMER	SAMUEL HARKINSON	OF COUNSEL:
LAWRENCE B. GORMLEY	KEVIN M. BAUM	JACOB J.B. MARVELLEY	SAMUEL R. REID
STEPHEN H. ROBERTS	GREGORY D. ROBBINS	DUNCAN A. EDGAR	JOHN AHLGREN

Ms. Dufour purchased the Property in 1992. The 1992 Tax Card demonstrates the City taxed the Property on a single tax card, containing two “sites”, a primary site of 7,500 s.f. and a secondary site of 15,287 s.f. **Exhibit F**. We note that the 15,287 s.f. secondary site already reflects a merger of *two* of the original three lots that existed on the 1856 Plan yet there is no indication that either one of those two lots were developed or merged. As evidenced by the Assessor file and Ms. Dufour’s own letter, she had taken no steps to merge the Property and was not aware that it had been merged, yet by 1994 her Tax Card reflects another merger from two lots to a single lot now known as Map 162/Lot 16. While Ms. Dufour points to her conduct of planting a tree, this does not demonstrate an intent to abandon lot lines or merge the three lots, as it was planted in the middle of the second lot (formerly lot number 56). (**Exhibit C**).

Ms. Dufour also previously authorized an application for subdivision of the Property to create a second house lot, which undercuts her claim that she viewed the Property as a pristine lot to be left undisturbed. While Ms. Dufour withdrew the subdivision application, she declined to place a simple deed restriction on the Property which would have preserved it in perpetuity. Having sold the Property without such restriction, Ms. Dufour cannot prevent Collins from exercising their constitutional rights to possess, own, and develop real property. N.H. CONST. pt. I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks, 126 N.H. 64 (1985) at 68. “Property” in the constitutional sense has been interpreted to mean not the tangible property itself, *but rather the right to possess, use, enjoy and dispose of it*. Burrows v. City of Keene, 121 N.H. 590, 597 (1981). (emphasis added).

Collins did not plan to subdivide when they purchased the Property, but knew that the ancient home would require significant renovations. Over the past year they have learned that the existing home will not structurally support expansion so they will need to tear the old home down and build a modest replacement home in its place. Given skyrocketing construction costs resulting from pandemic-induced supply chain issues, it is natural that they would look to opportunities to defray costs. The Property in the GRA Zone has sufficient area to support a permitted, large two family home. However, Collins have no interest in living in a duplex or in being landlords. They believe two modest single family homes is more in-keeping with the surrounding area comprised of modest homes on the 50 ft. wide lots originally created in 1856. Unmerging is a necessary first step toward that goal. Given that Ms. Dufour did not explicitly merge the Property by document, develop the lot in a manner that abandoned lot lines, nor placed

a deed restriction preventing subdivision or unmerger, Collins should not be prevented from availing themselves of the same opportunities she had to develop the Property.

2. David Chapnick (97 Meredith Way)

Eva Marino (114 Pine Street)

Collins have discussed their plans with their abutting neighbor, David Chapnick and Pine Street Resident Eva Marino. With a better understanding of Collins' ultimate goal, Chapnick and Marino have advised Collins that they no longer object.

3. Sarah Cornell & Susan Curry (275 Thornton Street)

Kendra Ford (30 Pine Street)

Ms. Cornell and Ms. Curry are not opposed to the unmerger request but oppose any subsequent building on any unmerged lots because of drainage concerns in the area which they imply have been exacerbated by the redevelopment of 55 Pine Street (formerly 55 Meredith Way). Though neither Cornell nor Curry offer any professional qualifications nor offer any evidence beyond the water itself, they erroneously conclude that water resulting from seasonal melt collecting between their lot, Collins' lot, and 55 Pine Street forms a vernal pool. Ms. Ford shares the drainage concerns and claims that the creation of an additional home will increase traffic near the Park.

Having moved to the neighborhood in 2016, Cornell and Curry have no personal knowledge of the area before Collins' redevelopment efforts at 55 Pine Street. A formerly derelict property, the 55 Pine Street redevelopment dramatically improved neighborhood conditions and increased use of the neighboring park. Collins did not increase the grade of the property by two feet as it was already upon a knoll, but instead tapered the grade slightly from the completed foundation and did the same when constructing the garage and breezeway in 2019. Notably, based on the information Cornell and Curry obtained from their neighbors and relayed to the Board, shallow water was typically observed during spring thaws before any redevelopment occurred at 55 Pine Street. Cornell and Curry rely on two intense storm events in the last two years to demonstrate drainage concerns. However, both events resulted in significant rainfall/precipitation, one of which resulted in an historic deluge of rain in 24 hours (4.54 in.) and the City's decision to reschedule Halloween, while the other resulted in nearly 2 inches of rain in 24 hours after significant snow falls earlier in the month. **(Exhibit H)**.

Cornell, Curry and Ford overlook that the small house on the large lot can be razed and a permitted two-family home can be built within the building envelope subject to review by the Building Department. Ms. Ford's position also overlooks the reality that Meredith Way is and will remain a dead-end street so any additional residence will not negatively affect traffic patterns in the neighborhood. Ultimately, Collins believe that two modest homes with space between them, is better suited to the Creek neighborhood than a larger side-by-side duplex.

III. RESPONSE TO ASSESSOR'S MEMORANDA

We previously submitted a response dated January 20, 2022 to Ms. Lentz's initial Memorandum dated January 3, 2022. At the time, we were not aware she had completed additional Memoranda: a second dated January 19th and a third Memorandum dated January 20th. In addition, we understand a recent map and photos of the Property were submitted by the Assessor. Each of Ms. Lentz's points is reproduced below in single-space, followed by a double-spaced response in **bold**:

January 19th Memorandum

1. The original conveyance of the subject property going back to 1878 does not describe 3 lots within the "meaning and intending to convey" area of the deed nor does it reference a plan. In the Roberts v. Windham appeal, lots within the current or prior deeds were identified individually or referred back to in a prior conveyance.

RESPONSE: As with many old properties in the area, tracing a deed chain back to the 1800s is challenging. We do not dispute that the earliest deed (1878) we previously presented definitely describing the Property describes a 150 ft. by 150 ft. parcel. (Exhibit G, RCRD Book 0510/Page 0036). Nor do we dispute that in Roberts v. Windham, 165 N.H. 186 (2013) there was reference to multiple lots in the "meaning and intending to convey" clause of the relevant deed that referred to a 1913 plan. Ultimately, the Superior Court hearing Roberts' appeal considered other factors beyond the metes and bounds description of the Property and the "meaning and intending to convey" clause. Specifically, Roberts' predecessor in title had constructed multiple structures on the lots that came within inches of or straddled the lot lines shown on the 1913 Plan and this caused the Superior Court to deny Roberts' Petition to Unmerge. The New Hampshire Supreme Court upheld the decision to deny unmerger given the conduct of the owner and the physical characteristics of the lot. In its decision the Supreme Court makes clear that neither the legal description

nor the owner's acquiescence to taxation of a single parcel alone supports a finding of voluntary merger. Roberts v. Windham, 165 N.H. 186, 192 (2013). RSA 674:39-aa, II(b) places the burden of demonstrating a prior owner voluntarily merged the lots squarely upon the City's shoulders. Voluntary merger is defined as merger by application to the Planning Board, or "by overt action or conduct indicating the owner regarded said lots as merged, such as including but not limited to, abandoning a lot line." RSA 674:39-aa, I(c) Because several factors beyond the deed description must be considered, the absence of an explicit merger and lack of development on 2/3 of the parcel render the City unable to meet its burden. Thus, the City must grant Collins' Petition to Unmerge in accordance with RSA 674:39-aa, II.

Furthermore, we have done additional deed research, including enlisting a Title Abstractor to see if the history of conveyances can be taken back further than 1878. While a gap in the deed chain does appear to exist, it appears that Developers Alfred Haven & James Emery owned the land at the time of 1856 Plan. Developer Alfred Haven conveyed all his interest in land in New Hampshire to Emery and Parker in January 1862. Emery and Parker then conveyed a half interest in all the land back to Haven in December of the same year, including the following:

Also one half part in common and undivided, of land called land on Christian Shore, being lots numbered fifty-one to fifty-eight inclusive, sixty-six to seventy-one inclusive, seventy-three and seventy-four upon a plan of lots recorded in the Rockingham County Registry of Deeds Lib. 374, Folio 28...

Subsequently, James Emery conveyed the following to Benjamin Cheever in 1865:

One half in common and undivided of certain lots of land or so much thereof as have not heretofore been conveyed situated in Portsmouth, being 16 lots in all, and numbered from fifty-one to fifty-eight inclusive, sixty-six to seventy-one inclusive, seventy-three and seventy-four upon a plan of lots recorded in the Rockingham County Registry of Deeds Lib. 374, Folio 28...

Lib. 374, Folio 28 is the second half of the 1856 Plan of Elm Place. (Exhibit I). This reference of multiple lots in the deed chain in both 1862 and 1865, supports Collins' claim that no owner voluntarily merged these three parcels during that time frame. The F.W. Beers Co. Map of Portsmouth from 1876 also shows three lots. (Exhibit J).

2. The location of the dwelling depicted on Exhibit C of the taxpayer's request shows the dwelling falling at the end of Meredith Way. The remaining two lots do not front the paved/developed part of Meredith Way. Thus the redevelopment of West Park Street (Depicted in Exhibit D submitted by the Collins's to Meredith Way) reasonably supports that 77 Meredith Way is a single lot.

RESPONSE: The 1856 Plan of Lots depicted West Park Street, later renamed Pine Street running all the way to Mystic Avenue (now Stark Street). Collins' technical team reviewed the Road Inventory on file in the City Clerk's Office which demonstrates that Meredith Way is 440 feet long having been accepted in 1883; Recorded Plan RCRD 22643 also shows Meredith Way past the Property (Exhibit K). Each Tax Map also shows Meredith Way traveling past the Property. (Exhibit H). This is also demonstrated by map submitted by the Assessor on Friday January 21st. The Assessor provides no support for her claim that any prior owner declined access to the undeveloped two lots nor any support for the proposition that acquiescence to incomplete paving amounts to implicit merger and therefore has failed to demonstrate the owner merged the lots.

3. A Meeting held with Attorney Sullivan supports my findings that 77 Meredith Way does not meet the requirements of RSA 674:39-aa.

For the reasons discussed above, we respectfully disagree with Attorney Sullivan and Assessor Lentz.

January 20th Memorandum

In response to Monica F. Keiser [*sic*] letter dated January 20, 2022. RSA 674:39-aa II states "Lots or parcels that were involuntarily merged prior to September 18, 2010 by a city, town, county, village district, or any other municipality, shall at the request of the owner, be restored to their premerger status and all zoning and tax maps shall be updated to identify the premerger boundaries of said lots or parcels as recorded at the appropriate registry of deeds,". Ms. Keiser [*sic*] is requesting to unmerge based on tax billing and tax maps. This request differs from the subdivision provided to show the property's pre-merger status.

Tax bills and tax maps are not legal representations of a property. Deeds, mortgages, and other land documents that are typically recorded at the registry of deeds identify the legal description of the boundaries of lots or parcels. If the City of Portsmouth Planning Board chooses to recommend the unmerging of 77 Meredith Way, it would be three lots not two.

Collins' request includes the available tax cards for the Property which demonstrate that the City treated the Property as two lots for a significant period of time as the earliest Tax Map (1927) submitted shows two lots, as does the 1935 Tax identifying the lots as 45 and 46, and the 1956 Tax Map showing two lots. It is unclear what resulted in the Property

transforming from three lots in 1856 to two in 1927, but the City's history of treating Lot 45 and 46 separately for many years must be presented as part of the application as it supports Collins' claim that an involuntary merger occurred.

While the statutory directive to the City is that, upon request of the Owner, the lots be restored to their pre-merger status as shown on a recorded plan, this does not compel Collins to take an all-or-nothing approach as they seek only to unmerge lot 57. Assuming *arguendo* the request must be to unmerge all three lots, it is still appropriate to inform the Board that there is no desire to build on three lots. Collins intends a subsequent merger or lot line adjustment so the final result is two lots as indicated in our January 20th Response and two single family homes, not three. The reference to the earlier tax cards is not intended to give them legal effect, but merely to show that the City for many years regarded the Property as comprised of two lots which is what Collins ultimately intend.

For all the reasons stated in this submissions and the previous two submissions, we respectfully request that the Council grant the Unmerger Application and restore the Property to its pre-merger status.

Respectfully submitted,
Jeff & Randi Collins

By: 

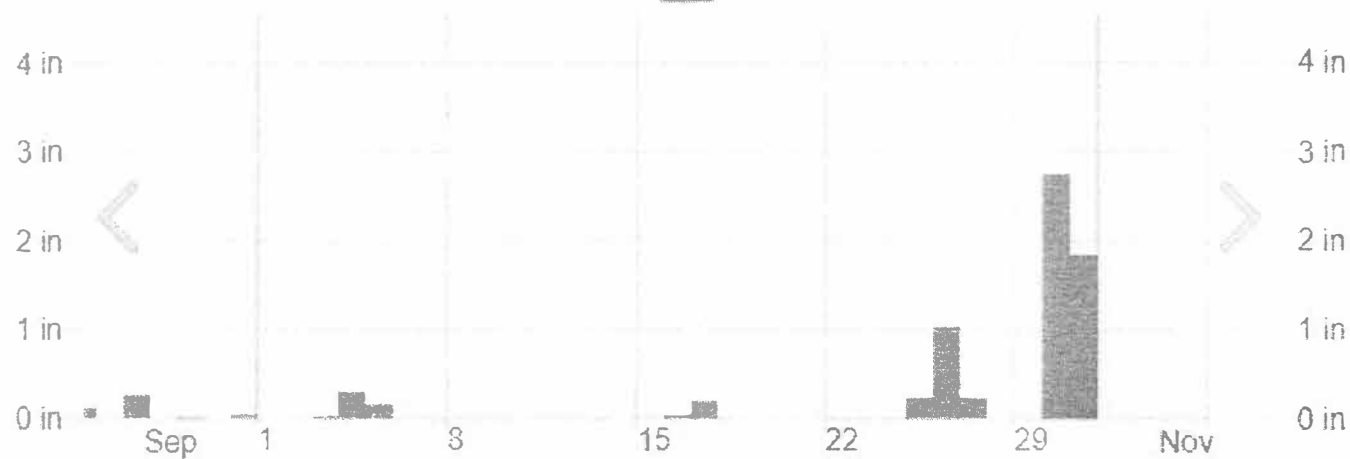
R. Timothy Phoenix
Monica F. Kieser

cc: Jeff & Randi Collins
Karen Conard, City Manager
Rosann Maurice-Lentz
Robert P. Sullivan, City Attorney

Daily Precipitation in October 2021 in Portsmouth

← Fall 2021 [Link](#) [Download](#) Compare Averages

History: J F M A M J J A S **Oct** N D 2020 2019 2018 2017

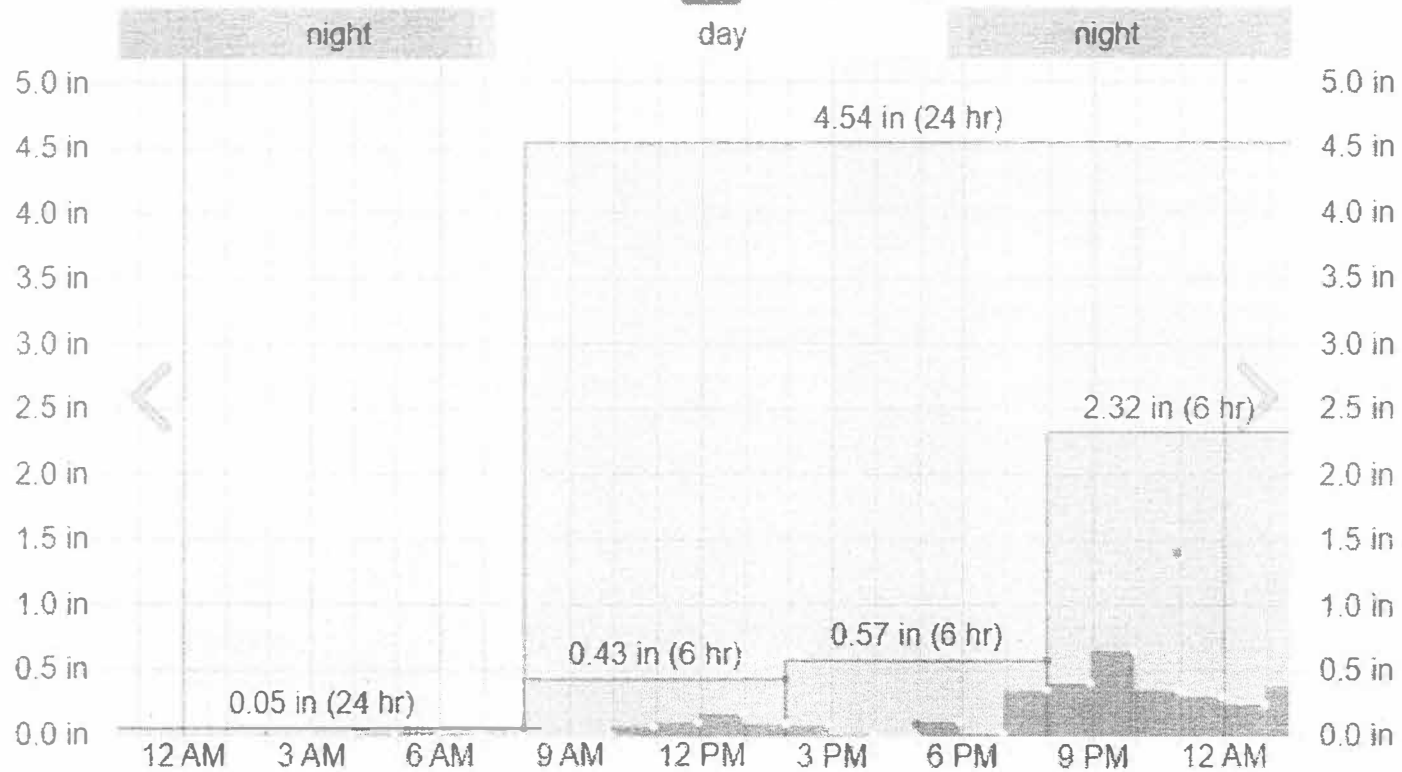


The daily measured quantity of liquid or liquid-equivalent precipitation.

Liquid-Equivalent Precipitation on Saturday, October 30, 2021 in Portsmouth

← Oct 2021 [Link](#) [Download](#) [Compare](#) [Averages](#)

History: J F M A M J J A S **Oct** N D 2020 2019 2018 2017

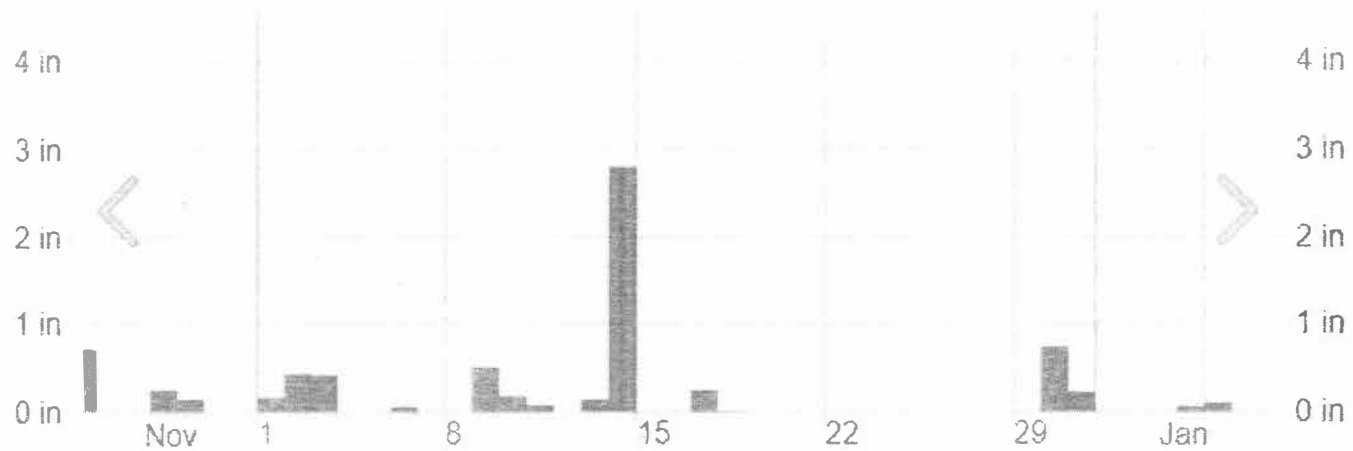


Reported liquid or liquid-equivalent precipitation over various reporting intervals.

Daily Precipitation in December 2019 in Portsmouth

← Winter 2019 [Link](#) [Download](#) [Compare](#) [Averages](#)

History: 2021 2020 J F M A M J J A S O N **Dec** 2018 2017

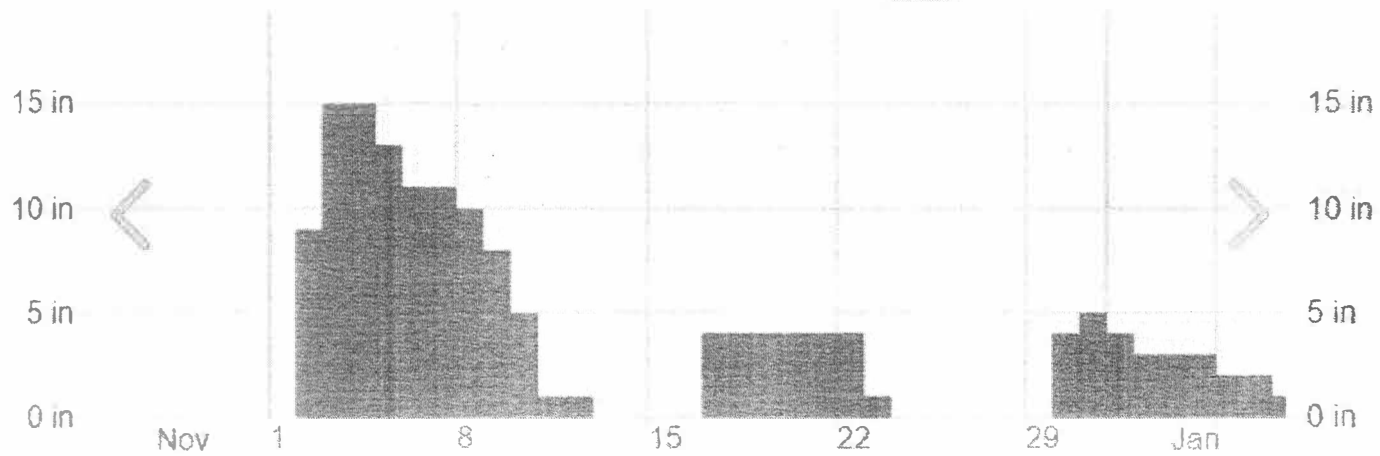


The daily measured quantity of liquid or liquid-equivalent precipitation.

Snow Depth in December 2019 in Portsmouth

← Winter 2019 [Link](#) [Download](#) [Compare](#) [Averages](#)

History: 2021 2020 J F M A M J J A S O N **Dec** 2018 2017



The daily measured snow depth, where available.

Climatological Data for GREENLAND, NH - October 2021

Date	Temperature				HDD	CDD	Precipitation	New Snow	Snow Depth
	Maximum	Minimum	Average	Departure					
2021-10-01	60	41	50.5	-5.2	14	0	0.14	0.0	0
2021-10-02	64	46	55.0	-0.2	10	0	0.00	0.0	0
2021-10-03	66	52	59.0	4.2	6	0	0.00	0.0	0
2021-10-04	60	54	57.0	2.6	8	0	0.08	0.0	0
2021-10-05	59	52	55.5	1.4	9	0	0.56	0.0	0
2021-10-06	63	47	55.0	1.3	10	0	0.00	0.0	0
2021-10-07	70	48	59.0	5.7	6	0	0.00	0.0	0
2021-10-08	73	48	60.5	7.6	4	0	0.00	0.0	0
2021-10-09	71	49	60.0	7.5	5	0	0.00	0.0	0
2021-10-10	63	48	55.5	3.4	9	0	0.00	0.0	0
2021-10-11	64	52	58.0	6.2	7	0	0.00	0.0	0
2021-10-12	70	48	59.0	7.6	6	0	0.00	0.0	0
2021-10-13	75	52	63.5	12.5	1	0	0.00	0.0	0
2021-10-14	76	51	63.5	12.8	1	0	0.00	0.0	0
2021-10-15	76	54	65.0	14.7	0	0	0.00	0.0	0
2021-10-16	65	59	62.0	12.0	3	0	0.02	0.0	0
2021-10-17	75	52	63.5	13.9	1	0	0.39	0.0	0
2021-10-18	63	46	54.5	5.2	10	0	0.00	0.0	0
2021-10-19	59	41	50.0	1.1	15	0	0.00	0.0	0
2021-10-20	61	40	50.5	1.9	14	0	0.00	0.0	0
2021-10-21	70	40	55.0	6.7	10	0	0.00	0.0	0
2021-10-22	74	50	62.0	14.1	3	0	0.00	0.0	0
2021-10-23	71	46	58.5	10.9	6	0	0.00	0.0	0
2021-10-24	56	36	46.0	-1.3	19	0	0.00	0.0	0
2021-10-25	57	38	47.5	0.6	17	0	0.04	0.0	0
2021-10-26	50	45	47.5	0.9	17	0	0.46	0.0	0
2021-10-27	55	47	51.0	4.7	14	0	1.40	0.0	0
2021-10-28	52	43	47.5	1.6	17	0	0.09	0.0	0
2021-10-29	52	34	43.0	-2.6	22	0	T	0.0	0
2021-10-30	52	37	44.5	-0.8	20	0	0.09	0.0	0
2021-10-31	57	52	54.5	9.5	10	0	6.06	0.0	0
Sum	1979	1448	-	-	294	0	9.33	0.0	-
Average	63.8	46.7	55.3	5.2	-	-	-	-	0.0
Normal	59.7	40.5	50.1	-	464	3	4.95	0.1	-

**Observations for each day cover the 24 hours ending
at the time given below (Local Standard Time).**

Max Temperature : 7am

Min Temperature : 7am

Precipitation : 7am

Snowfall : unknown

Snow Depth : 7am

Know all Men by these Presents,

THAT I James W. Emery of Cambridge in the County of Middlesex and State of Massachusetts, formerly of Portsmouth in the County of Rockingham and State of New Hampshire,

Map No #1

For and in consideration of the sum of one thousand dollars to me in hand, before the delivery hereof, well and truly paid by Benjamin Cheever of said Portsmouth

Benjamin Cheever of said Portsmouth

Emery to Cheever & granted

the receipt whereof I do hereby acknowledge, have given, granted, bargained, sold, and by these presents do give, grant, bargain, sell, alien, enfeoff, convey and confirm unto the said Cheever his

heirs and assigns forever,

One half part in common & undivided of certain lots of land, or so much thereof as have not been heretofore conveyed, situated in said Portsmouth, being sixteen lots in all, and numbered from fifty one to fifty eight inclusive, sixty six to seventy one inclusive, seventy three and seventy four upon a plan of lots of land recorded in Rockingham County Records Lib. 374, Feb. 28, together with one half part in common undivided of a strip of land about four feet wide more or less, bounded westerly by

Clinton Street, as named on said plan, southerly by the Robinson estate & of the same length as the Robinson estate; also one third part in common & undivided of a certain parcel of land situated in said Portsmouth bounded easterly by land of Alfred W. Haven, & George W. Haven, southerly by Johnson's road, westerly by the Cook road, and northerly by the North Mill pond, being the same premises conveyed by D. W. Bradwell to Alfred W. Haven & James W. Emery by his deed dated the twenty first day of October A. D. 1853, recorded in Rockingham County Records Lib. 356, Feb. 4, 1864, reference to the same being had for a more particular description of said premises, also one quarter part in common & undivided of all that part of a certain parcel of land situated in said Portsmouth, which was not taken by the Portsmouth & Concord Railroad for its use, the whole parcel being bounded northerly by the North Mill pond, easterly by land formerly belonging to John Haven father, southerly by land of the Eastern Railroad in New Hampshire, westerly by land of Charles Goodwin as described in a deed from Samuel Wells to Joseph M. Edmunds dated the fifteenth day of May A. D. 1847, recorded in Rockingham County Records Lib. 328, Feb. 24, reference to the same being had for a more particular description of the whole of said parcels of land, meaning hereby to convey only that portion of said land which was not taken by said Portsmouth & Concord Railroad for its use

Partments & conveyed Railroad for its use

To HAVE and to HOLD, the said granted premises, with all the privileges and appurtenances to the same belonging to the said Cheever his heirs and assigns, to the said James W. Emery for my self & my heirs, executors, and administrators, do hereby covenant, grant and agree to and with the said Cheever his heirs and assigns, that until the delivery hereof I am the lawful owner of the said premises and seized and possessed thereof in my own right in fee simple, and have full power and lawful authority to grant and convey the same in manner aforesaid: that the said premises are free and clear of all and every incumbrance whatsoever, and that I and my heirs, executors, and administrators, shall and will warrant and defend the same to the said Cheever his heirs and assigns, against the lawful claims and demands of any person or persons whomsoever.

And I Martha E. Emery wife of the said James W. Emery in consideration aforesaid do hereby relinquish my right of dower in the before mentioned premises, and also all my right or interest which I might otherwise have in said premises by virtue of the provisions of the act entitled "an act to exempt the homestead of families from attachment and levy or sale on execution," approved July 4, 1851, or any other homestead exemption therein,

IN WITNESS WHEREOF, we have hereunto set our hand & seal the eighteenth day of June in the year of our Lord one thousand eight hundred and sixty five, SIGNED, SEALED, AND DELIVERED IN PRESENCE OF Caroline Bell Emery, Manning Emery, James W. Emery, Martha E. Emery

STATE OF NEW HAMPSHIRE, Rockingham, ss. June 17, 1865. PERSONALLY appearing the above named James W. Emery acknowledged the foregoing instrument to be his free act and deed, before me, William H. Harkness Justice of the Peace. Amy C. Bestner Register.

Received and Recorded, July 3 1865.

Note:

28 Balance of Plan in Current Portsmouth Plan File
See PLAN ELM PLACE

#008

CITY LAND.

T R E E T.

S T R E E T.

M Y S T I C

J. M. EDMONDS' LAND.

S T R E E T.
L A N C D O N



apigns that I am lawfully seized in fee of the afore described premises; that they are free from all incumbrances; that I have good right to sell and convey the same to the said grantee in manner aforesaid; and that I and my heirs will warrant and defend the same premises to the said grantee and his heirs and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, I have hereunto set my hand and seal, this twenty eighth day of January in the Year of our Lord, One Thousand Eight hundred and fifty seven.

Signed, Sealed and Delivered in Presence of me-
William Anderson.

Henry Anderson. George Clark. (L.S.)

State of New Hampshire, Rockingham s.s. January 28, 1857.

Personally appearing, the above named George A. Clark acknowledged the above instrument to be his free act and deed. Before me.

William Anderson. Justice of the Peace

Received and Recorded Jan^y 28, 1857.

A. J. Fogg Register

I Robert Stevens of Nottingham in the County of Rockingham, and State of New Hampshire, hereby relinquish all my right, title, and interest in and unto the Morris Mill privilege so called situate in Nottingham, and lies on the River running through land deeded this sixteenth day of April, 1850. to one Benjamin H. Brown. to him the said Brown his heirs and assigns, to construct a saw mill and other buildings for such machinery as he or they may judge expedient to put into said buildings, also so much land on the Westly side of the River necessary for a Mill Yard, also to erect a dam of sufficient height to propel all such machinery together with the flowage so long as he or they shall keep a Saw mill or other machinery in running order, and no longer.

Stevens to Brown

In Witness Whereof, I have hereunto set my hand and seal this 16th day of April, 1850.

Signed Sealed & Delivered in presence of
Edmond Rand

Samuel S. Brown. Robert Stevens. (L.S.)

State of New Hampshire, Rockingham s.s. April 16, 1850.

Personally appearing the above named Robert Stevens, acknowledged the foregoing instrument to be his free act and deed. Before me.

Edmond Rand. Jus. Peace.

Received and Recorded Feby. 5th 1853.

A. J. Fogg Register

Know all Men by these Presents, That We, James W. Emery of Cambridge, in the County of Middlesex and commonwealth of Massachusetts, and Francis E. Parker, of Boston, in the County of Suffolk and commonwealth aforesaid, Esquires, as we are Trustees under an Indenture of two parts executed on the ninth day of January A. D. 1852. between Alfred W. Haven, of the first part, and we the said Emery and Parker, of the second part; in consideration of Eighteen hundred and ninety dollars to us paid by said Alfred W. Haven, of Portsmouth, in the County of Rockingham and State of New Hampshire, Esquire, the receipt whereof is hereby acknowledged, do by these presents convey, remise, release, and forever quitclaim unto the said Alfred W. Haven, and his heirs and assigns the following parcel of land situate in said Portsmouth, viz: One half part in common and undivided of all

Trustees, Emery & Parker to Alfred W. Haven S. B. Menden

the lots or parcels of land comprised in Field on Brighton street, near the Crocks, bounded Easterly by land now or late of the heirs of Barnet Akerman, and Westerly by land conveyed by said Haven to Herman Bernick, then bounded Easterly by said Bernicks land, and and Westerly by land of A. Greenough, then bounded Easterly by said Greenoughs land and Westerly by land of G. Chandler, then bounded Easterly by said Chandlers land, and Westerly by a small stream running into the North Mill Pond; Also five eighths parts, in common and undivided, of the following lots or parcels of land in Rock Pasture, viz, lots numbered thirteen, fourteen, fifteen, sixteen, twenty two, twenty three, twenty four, twenty five, sixty three, so much of sixty four as runs from sixty three to the line of the Concord & Portsmouth Rail Road, and that small part of Fifty three lying between land of Thomas Clapham and the Eastern Rail Road in New Hampshire, all according to Plan recorded in Rockingham County Records, Libs 324, Vol 116. Also one half part, in common and undivided, of lots of land on the southerly side of Marlborough street, numbered One, two, six, and of West half of lot, numbered three according to Plan recorded in said Records Lib, 337, Vol. 87; Also one quarter part, in common and undivided with heirs of John Haven, of one quarter of lot on Easterly side of Water street, formerly Marshall lot; Also one half part, in common and undivided, of a parcel of land on Tanner street or Parker street, formerly conveyed by said Haven to William Rutledge and by him reconveyed to said Haven, and now occupied by J. H. Wendell; Also one half part, in common and undivided, of land called land on Christian shore, being lots numbered Fifty one to Fifty eight inclusive, sixty six to Seventy one inclusive, Seventy three, and Seventy four, according to Plan recorded in said Records Lib 374, Vol 28. Being part of the real estate conveyed by deed of said Alfred W. Haven dated January 7th 1862, and recorded with Rockingham Deeds Lib 393, Vol. 418.

I, Haven and to Hold the above released premises, with all the privileges and appurtenances, to the same belonging to him the said Alfred W. Haven, and to his heirs and assigns forever.

In Witness Whereof, we the said James W. Emery and Francis E. Parker, Justices as aforesaid, have hereunto set our hands and seals this sixteenth day of December in the Year Eighteen Hundred and sixty two,

Signed sealed & delivered in presence of,
 John Lovell
 William C. Van Dorslip.
 James W. Emery, (L.S.)
 Francis E. Parker, (L.S.)
 Justices.

Commonwealth of Massachusetts, Suffolk Sd. Boston December 27th 1862.
 Then Personally appeared the above named James W. Emery and Francis E. Parker and acknowledged the above written instrument to be their free act and deed;

Before me, G. Washington Haven.

Justice of the Peace throughout the count^y.

Received and Recorded February 3^d 1863. At 7. A. Ck. 40, min A.M.
 A. J. Jogg Register

Justices
 Emery & Parker
 to
 Haven
 L.S. Marden

Know all Men by these Presents, that we Francis E. Parker of Boston in the County of Suffolk, and Commonwealth of Massachusetts, and James W. Emery of Cambridge, in the County of Middlesex in said Commonwealth, Justices under an Indenture of two Parts, dated January 7th A.D. 1862, in consideration of one dollar and other valuable considerations to us in hand, paid by Alfred W. Haven of Portsmouth in the County of Rockingham, and State of New Hampshire, the

the premises, and that he will not carry on therein any offensive trade or business nor make nor suffer to be made any alteration therein, but with the consent in writing of the Lessor, that he will keep the buildings on said premises insured to the amount of one thousand dollars, and the said insurance is to be held by said Lessee as his security, and assigned to him, and that the Lessor may enter to view and make improvement, and to expel the Lessee if he shall fail to pay the rent or taxes or perform the covenants aforesaid, or shall make or suffer any waste thereof, and that he will peaceably quit and deliver up the premises to the Lessor at the termination of this lease, in as good order and condition reasonable and careful usage thereof and unavoidable casualties excepted, as the same now are or may be put into by the said Lessor,

In testimony whereof the parties have herunto interchangeably set their hands and seals, this day and year first herein written,

In presence of
S. H. Goodall
Cyrus M. Drake

Josiah Mearns (S.S.)
Robert Seafarou (S.S.)

State of New Hampshire, Rockingham Co. January 7, 1862.

Personally appeared Robert L. Favour and acknowledged the foregoing instrument to be his free act and deed, Before me, Samuel H. Goodall,

Justice of the Peace.
S. J. Fogg Rgr.

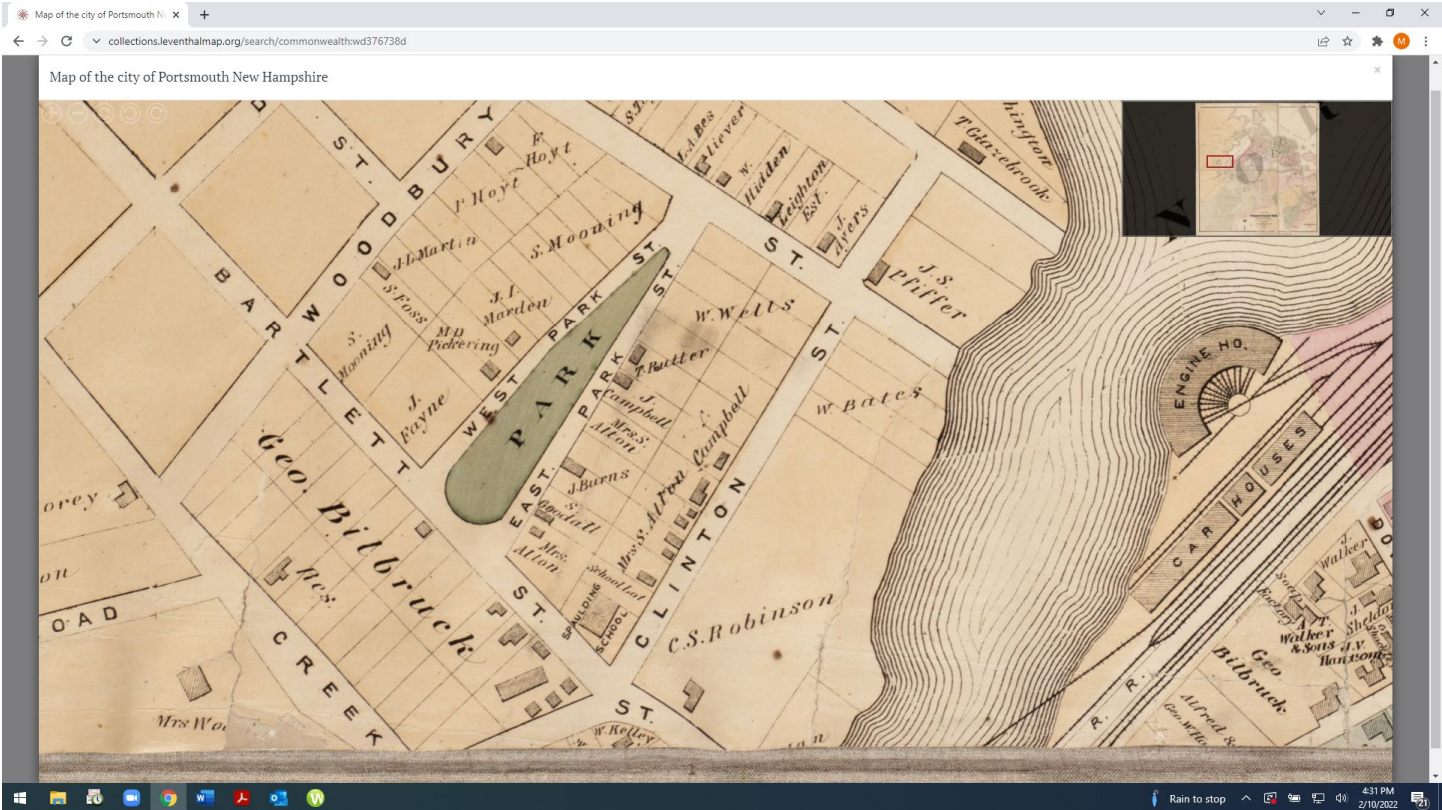
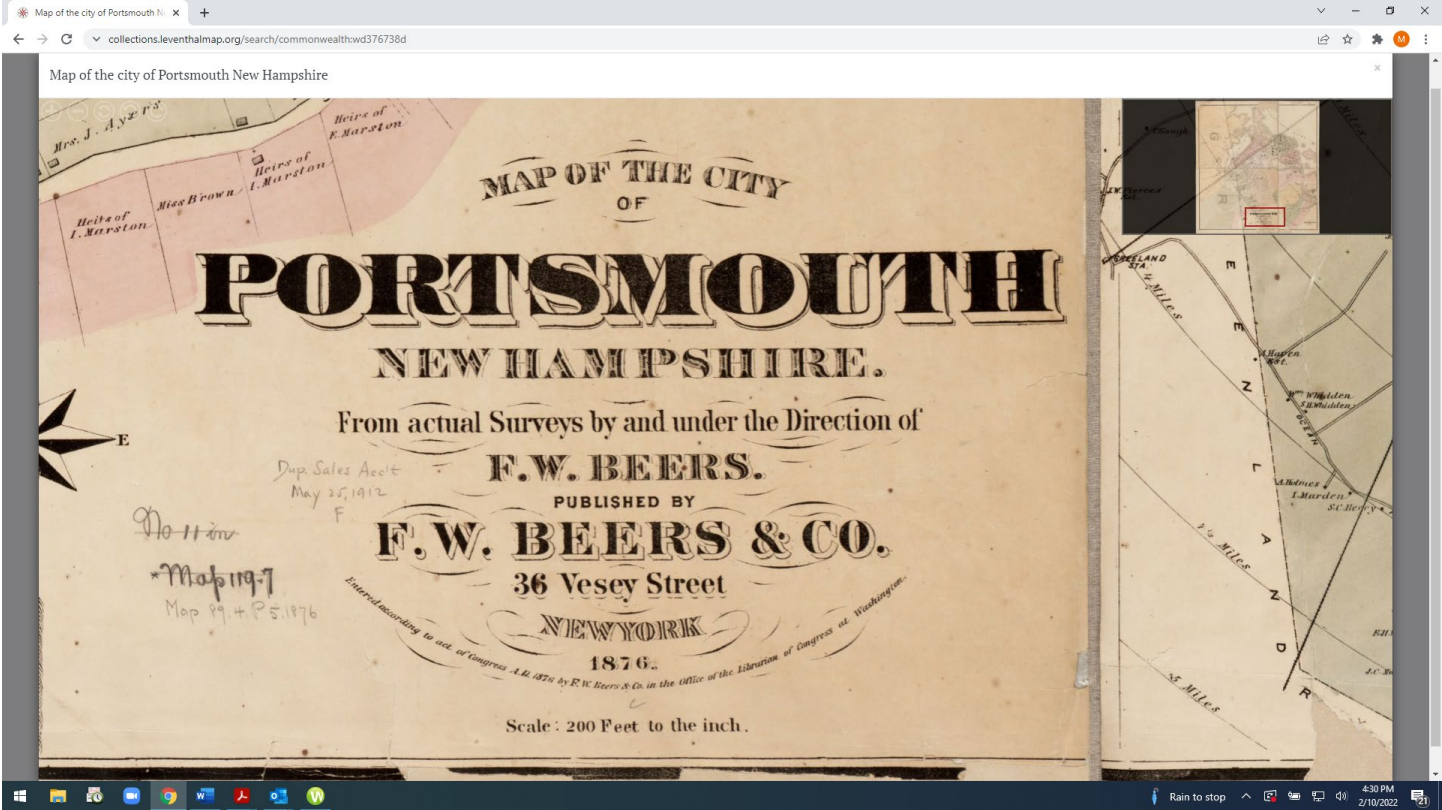
Received & Received January 7, 1862.

Know all men by these Presents -
That I, Alfred W. Haven, of Portsmouth in the County of Rockingham & State of New Hampshire Esquire, in consideration of ten Dollars to me paid by James W. Emery of Cambridge in the County of Merrimack & Commonwealth of Massachusetts & Francis C. Parker of Boston in the County of Suffolk & Commonwealth aforesaid Esquires the receipt whereof is hereby acknowledged, & of various good & valuable considerations to me moving from said Emery & Parker do by these Presents grant, release, & forever quitclaim, unto the said Emery & Parker and their assigns & to the survivor of them his heirs & assigns, all my right title & interest in and to any and all Land & real Estate lying or being in said State of New Hampshire -

I have and to hold the above granted and released premises to the said Emery and Parker, & their assigns, & to the survivor of them his heirs & assigns, but upon trust nevertheless, & for the uses intents & purposes declared in certain indenture of two parts executed this day by the said Haven of the first part & the said Emery & Parker of the second part - Witness our hands and seals this ninth day of January in the year eighteen hundred & sixty two -

Signed sealed & delivered in presence of
Robert Levi Alfred W. Haven (S.S.)
Robt J. Davis Jr

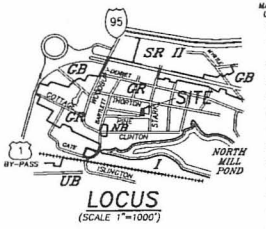
Commonwealth of Massachusetts Suffolk Co Boston July 9th 1862 -
Then Personally appeared the within named Alfred W. Haven & acknowledged the within written instrument by him signed to be his free act &



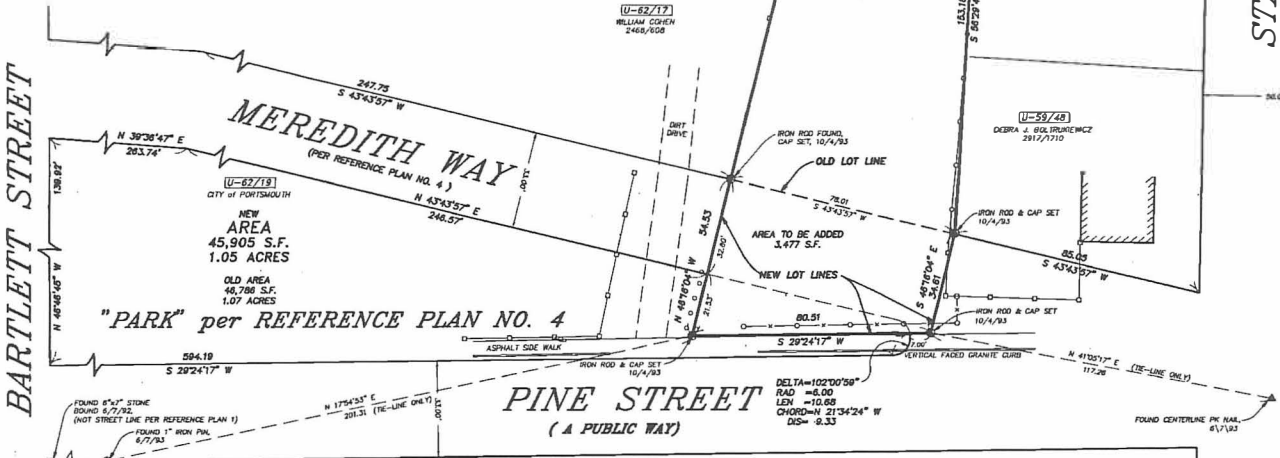
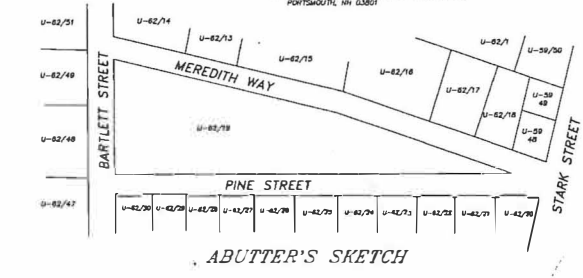
Street Inventory - City of Portsmouth, New Hampshire

Street Name	Tax Map#	Recorded Acceptance	Class	Length	Street Miles	No. of Lanes	Lane Feet	Lane Miles	St. Width	Area Feet	Area Yards	Curb	Sidewalk	Water	Sewer
Maple Street	R37	y 1950	4	1650.	0.3125	2.	3300.	0.625	20.	33000.	3666.667	no	no	yes	yes
Maplewood Avenue	R9	no	4	6380.	1.2083	2.	12760.	2.417	24.	153120.	17013.33	p	p	p	p
Marcy Street	U1	no	4	1830.	0.3466	2.	3660.	0.693	23.	42090.	4676.667	yes	yes	p	p
Mariette Drive	R93	y 1958	5	2865.	0.5426	2.	5730.	1.085	28.	80220.	8913.333	no	yes	yes	p
Marjorie Street	R32	y 1951	4	650.	0.1231	2.	1300.	0.246	26.	16900.	1877.778	no	no	no	yes
Mark Street	U16	no	4	240.	0.0455	2.	480.	0.091	17.	4080.	453.3333	yes	yes	p	yes
Market Street	U6	no	4	330.	0.0625	2.	660.	0.125	27.	8910.	990.	yes	yes	yes	p
Market Street Extension	R18	no	4	15500.	2.9356	4.	62000.	11.74	67.	1038500.	115388.9	yes	yes	p	yes
Marne Avenue	R22	yes	4	575.	0.1089	2.	1150.	0.218	18.	10350.	1150.	no	no	yes	p
Marston Avenue	U50	y 1913	4	520.	0.0985	2.	1040.	0.197	23.	11960.	1328.889	no	yes	p	yes
Martha Terrace	R83	yes	5	1320.	0.25	2.	2640.	0.5	37.	48840.	5426.667	no	yes	no	no
Mason Avenue	R60	y 1941-42	4	605.	0.1146	2.	1210.	0.229	26.	15730.	1747.778	yes	yes	no	yes
McClintock Avenue	R43	no	4	590.	0.1117	2.	1180.	0.223	22.	12980.	1442.222	no	no	p	p
McDonough Street	U44	y 1941-42	4	1455.	0.2756	2.	2910.	0.551	23.	33465.	3718.333	yes	yes	p	p
McGee Drive	R19	no	4	960.	0.1818	2.	1920.	0.364	14.	13440.	1493.333	no	no	p	no
McKinley Road	R68	y 1955	5	3481.	0.6593	2.	6962.	1.319	36.	125316.	13924.	no	no	p	yes
McNabb Court	U12	y 1952	4	295.	0.0559	2.	590.	0.112	15.	4425.	491.6667	no	no	p	p
Meadow Road	R36	y 1950	4	2050.	0.3883	2.	4100.	0.777	20.	41000.	4555.556	no	no	p	p
Mechanic Street	U3	yes	4	1390.	0.2633	2.	2780.	0.527	17.	23630.	2625.556	yes	yes	p	p
Meeting House Hill	U3	no	4	300.	0.0568	2.	600.	0.114	15.	4500.	500.	p	no	p	p
Melbourne Street	R33	no	4	1410.	0.267	2.	2820.	0.534	16.	22560.	2506.667	p	no	p	p
Melcher Street	U9	yes	4	325.	0.0616	2.	650.	0.123	19.	6175.	686.1111	no	no	p	p
Mendum Avenue	U46	y 1913	4	520.	0.0985	2.	1040.	0.197	25.	13000.	1444.444	no	yes	p	no
Meredith Way	U-62	y 1883-88	4	440.	0.0833	2.	880.	0.167	17.	7480.	831.1111	no	no	yes	yes
Merrimac Street	U29	no	4	620.	0.1174	2.	1240.	0.235	26.	16120.	1791.111	p	yes	p	p
Michael Succi Drive	R11	no	4	540.	0.1023	-0-	0.	0.	20.	10800.	1200.	no	no	no	no
Middle Road	R32	no	4	4475.	0.8475	2.	8950.	1.695	33.	147675.	16408.33	p	p	p	p
Middle Street	U36	no	4	3290.	0.6231	2.	6580.	1.246	30.	98700.	10966.67	yes	yes	p	p
Miller Avenue	U29	yes	4	2360.	0.447	2.	4720.	0.894	30.	70800.	7866.667	yes	yes	p	p
Mirona Road	R53	y 1971	5	2050.	0.3883	2.	4100.	0.777	46.	94300.	10477.78	p	no	no	p
Mirona Road Extension	R53	yes	5	450.	0.0852	2.	900.	0.17	46.	20700.	2300.	p	no	no	p
Moebus Terrace	R7	y 1960	4	386.	0.0731	2.	772.	0.146	26.	10036.	1115.111	no	no	no	no
Moffat Street	R43	no	P	700.	0.1326	2.	1400.	0.265	23.	16100.	1788.889	no	no	no	no
Monroe Street	U68	y 1936-38	4	905.	0.1714	2.	1810.	0.343	29.	26245.	2916.111	no	p	p	p
Monroe Street Extension	U68	Yes	4	225.	0.0426	2.	450.	0.085	28.	6300.	700.	Yes	No	Yes	Yes
Monteith Street	U43	no	4	180.	0.0341	2.	360.	0.068	17.	3060.	340.	no	no	p	no
Morning Street	U63	y 1868-73	4	600.	0.1136	2.	1200.	0.227	22.	13200.	1466.667	no	no	yes	yes
Mount Vernon Street	U11	y 1868-73	4	520.	0.0985	2.	1040.	0.197	19.	9880.	1097.778	no	no	p	yes
Myrtle Avenue	R20	no	4	2400.	0.4545	2.	4800.	0.909	23.	55200.	6133.333	no	no	p	p
New Castle Avenue	R5	yes	4	835.	0.1581	2.	1670.	0.316	23.	19205.	2133.889	p	yes	p	p
Nixon Park	R47	no	5	850.	0.161	2.	1700.	0.322	25.	21250.	2361.111	no	no	p	yes
North School Street	U41	no	4	230.	0.0436	1.	230.	0.044	12.	2760.	306.6667	p	no	no	p
Northwest Street	U22	yes	4	1270.	0.2405	2.	2540.	0.481	17.	21590.	2398.889	no	no	p	p
O'Leary's Place	R20	Yes	4	190.	0.036	2.	380.	0.072	29.	5510.	612.2222	Yes	No	Yes	Yes
Oak Street	R18	no	4	247.	0.0468	2.	494.	0.094	20.	4940.	548.8889	no	yes	p	no
Oakwood Drive	R25	Yes	5	790.	0.1496	2.	1580.	0.299	32.	25280.	2808.889	Yes	Yes	Yes	No
Ocean Road	R81	no	2	7615.	1.4422	2.	15230.	2.884	22.	167530.	18614.45	no	no	p	p
Onyx Lane	R20	no	4	290.	0.0549	2.	580.	0.11	17.	4930.	547.7778	no	no	no	p
Opal Avenue	R20	no	4	260.	0.0492	2.	520.	0.098	17.	4420.	491.1111	no	no	no	p
Orange Street	R18	no	4	211.	0.04	2.	422.	0.08	22.	4642.	515.7778	yes	yes	p	no
Orchard Court	U50	no	4	1185.	0.2244	2.	2370.	0.449	27.	31995.	3555.	p	yes	p	p

EXHIBIT K



- ABUTTERS LIST**
- MAP LOT U-62
- 01 GLENN A. MEADOWS, 245 THORNTON ST., PORTSMOUTH, NH 03801
 - 13 M. TOSI, 14 BARNETT, R. W. MORGAN, ROBERT TOSI, BRADDETT ROAD, PINE HILL, NH 03801
 - 14 MARILENE E. BOONE, 207 TAMPA AVE., CHERRY HILL, NH 03801
 - 15 RICHARD T. LYNNE, BRYANT, 97 PINE ST., PORTSMOUTH, NH 03801
 - 16 KAREN L. DUTOUR, 77 MEREDITH WAY, PORTSMOUTH, NH 03801
 - 17 WILLIAM COHEN, 55 PINE STREET, PORTSMOUTH, NH 03801
 - 18 ELLEN, SRI, & JOYCE M. MAYO, P. O. BOX 211, PORTSMOUTH, NH 03801
 - 19 ALLEN & THERESA SESSONS, 14 PINE ST., PORTSMOUTH, NH 03801
 - 21 RUSSEN GROTEAU, 30 PINE ST., PORTSMOUTH, NH 03801
 - 22 MANUEL C. & MARTYNI C. CHAVEZ, 40 PINE ST., PORTSMOUTH, NH 03801
 - 23 MARY K. LANGSCOTT, 56 PINE ST., PORTSMOUTH, NH 03801
 - 24 ALBERT M. & N. FRANCIS GAGNE, 84 PINE ST., PORTSMOUTH, NH 03801
 - 25 LEO A. FERLAND, JR., 30 PINE ST., PORTSMOUTH, NH 03801
 - 26 LINDA D. D'ORSATI, 90 PINE ST., PORTSMOUTH, NH 03801
 - 27 MARCE N. & CAROLIN R. FREHALEY, 102 PINE ST., PORTSMOUTH, NH 03801
 - 28 MADE M. & HELEN S. BURNETTE, 114 PINE ST., PORTSMOUTH, NH 03801
 - 29 RICHARD W. & HAZEL D. SHELTON, 241 BARTLETT ST., PORTSMOUTH, NH 03801
 - 30 SAME AS U-62/29
 - 31 MICHAEL E. & PATRICIA WERBAK, 248 BARTLETT ST., PORTSMOUTH, NH 03801
 - 32 JOSEPH W. & MARIE AGNES, 268 BARTLETT ST., PORTSMOUTH, NH 03801
- MAP LOT U-642
- 49 STEPHEN R. & GLENDA J. STEPHEN, 278 BARTLETT ST., PORTSMOUTH, NH 03801
 - 51 CAROL ANNAL, 138 WOODBURY AVENUE, PORTSMOUTH, NH 03801
- U-59
- 48 DEBRA J. BOJ, PRUCHEWICZ, 102 STARK ST., PORTSMOUTH, NH 03801
 - FRANCIS C. & WILHEM WARELL, 100 STARK ST., PORTSMOUTH, NH 03801
 - 30 ROBERT C. MARTEL, 85 PARK ST. #1, EXETER, NH 03833



- NOTES:**
- OWNER OF RECORD.....JOYCE M. MAYO
ADDRESS.....P.O. BOX 211, PORTSMOUTH, N.H., 03801
DEED REFERENCE.....2559/1530
TAX SHEET / LOT.....U-62/18
OWNER OF RECORD.....CITY OF PORTSMOUTH
ADDRESS.....P.O. BOX 628, PORTSMOUTH, N.H. 03801
DEED REFERENCE.....Pur. REFERENCE PLAN NO. 4
TAX SHEET / LOT.....U-62/19
 - ZONED:.....GENERAL RESIDENCE - GR FRONT YARD SETBACK.....20'
MINIMUM LOT AREA 10,000 S.F. SIDE YARD SETBACK.....10'
FRONTAGE.....100 REAR YARD SETBACK.....25'
 - THE RELATIVE ERROR OF CLOSURE WAS LESS THAN 1 FOOT IN 15,000 FEET.

- REFERENCE PLANS:**
- STREET PLAN OF SPARHAWK, BURKITT, STARK, CLINTON, AND PINE STREETS IN PORTSMOUTH, NEW HAMPSHIRE, JULY 1980, PLAN NO. 5874-SP, BY JOHN W. DURGIN ASSOCIATES, INC.
 - PLAN OF LAND PREPARED FOR EVON MAYO, PORTSMOUTH, N.H., DECEMBER 14, 1981, FILE M2139-02, BY THOMAS F. MORAN INC.
 - PLAN OF LAND PORTSMOUTH, N.H., SHOWING PROPERTIES OF DEVANNA AND MAYO, JANUARY 17, 1985, PLAN NO. 50107, BY JOHN W. DURGIN ASSOCIATES, INC.
 - PLAN OF ELM PLACE, SITUATED IN PORTSMOUTH, N.H., 1856, RECORD PLAN NO. 008

APPROVED FOR THE RECORD:
Arthur Powell 12/16/93
 CHAIRMAN PORTSMOUTH PLANNING BOARD DATE



REV. NO.	DATE	DESCRIPTION	MONUMENTS SET	DATE
1	12/24/93	LOT LINE REVISION PINE STREET		

**LOT LINE REVISION
PINE STREET**

PORTSMOUTH, NEW HAMPSHIRE

for
JOYCE M. MAYO & CITY of PORTSMOUTH

DURGIN, VERRA and ASSOCIATES, INC.

448 U.S. ROUTE 1 RTA-PASSE
PORTSMOUTH, N.H. 03801
(603)438-1557 (603)749-8410

PROJECT NO. 20320 DRAWN BY JPV
COPYRIGHT © 1993 BY DURGIN, VERRA and ASSOCIATES, INC.

DATE: 6/9/93
JOB NO: 20320
SCALE: 1" = 20'
DWG NAME: 320LLN
PLAN NO: 20320
SHEET: 1 OF 1

D-22643

D-22643



CITY OF PORTSMOUTH

Assessors

To: The Honorable Mayor Deglan McEachern, City Manager Karen Conard &
Planning Board Chair, Rich Chelman

Cc: Beverly Zandt, City Planner, Judie Belanger Finance Director

From: Rosann Lentz, City Assessor *Rosann Lentz*

Date: March 1, 2022

RE: Response to letter dated February 23, 2022 from Jeff and Rand Collins 77 Meredith Way

In response to Mr. & Mrs. Collins February 23, 2022, letter to The Honorable Mayor Deglan McEachern, City Manager Karen Conard and Planning Board Chair Rich Chelman, I would like to address their concerns and statements.

The review process for requesting an un-merger of an involuntary merged lot per RSA 675:39-aa entails various review and research. Initially, the review is started with information provided by the applicant, this information typically comes in the form of deeds, tax maps and/or plans. The initial review assures no deeds, plans or requests for mergers were missed. The review process also entails researching information from the Rockingham County Registry of Deeds, City archived information within the tax collection records, planning records, building inspection records and historical tax maps to see when and if there was any indication of merger. Once this research is complete, it is the assessor job compile the information, research any case law and present a recommendation the City Planning Board.

Upon review of the historical deeds at the Rockingham County Registry of Deeds and those provide by the Collin's attorney going back to the 1800's only one parcel was described. I requested a meeting with the City Attorney and Acting Planning Director to go over my findings before a recommendation was made. The City Attorney agreed that the lot description within the current deed and historical deeds described one lot and not multiple lots, he agreed this was a single lot conveyance and not multiple lots.

Case law reviews the conveyance of multiple lots in a single deed description and states that this "does not, standing alone, support a voluntary merger." In the case of 77 Meredith way, there was no mention of multiple lots in the deed conveyance.

At the Planning Board meeting held February 17, 2022, various questions were asked by Board members who reviewed information provided by the Collin's attorney and myself. It was noted in their review and questioned that deeds going back to the 1800's had gaps in the chain of title, the Collin's attorney agreed. The Collin's attorney also stated that the language of the deed describing the parcel was "reasonable" for the assessor to conclude that the parcel was one lot.

My recommendations to the Planning Board concerning unmerging lots is based on my understanding of RSA 674:39-aa and case law. The intent of the statute was to assure that current owners at the time it was enacted had the ability to restore their lots to their pre-merger status. At that time, a sunset clause was part of the statute and was extended twice and now has been removed. My only concern with this law and the removal of the sunset clause is that current owners are unaware of the added value to their property when approached to sell or put it on the open market. The law as written does not protect a property owners interest.



Seacoast Outright

P.O. Box 842 Portsmouth, NH 03802 - (603) 552-5824
www.SeacoastOutright.org - mail@SeacoastOutright.org

February 21, 2022

Honorable Mayor Deaglan McEachern
Portsmouth City Council
City Hall, 1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor McEachern and Council Members:

I am writing on behalf of Seacoast Outright, our Board of Directors, LGBTQ youth and allies, and residents of Portsmouth and surrounding towns, to thank the City for its ongoing support of our annual Portsmouth PRIDE Celebration. We are grateful for the efforts of the Council and staff to ensure a joyful (and safe) event each and every year.

While the past two years were difficult, we continued to find creative ways to have PRIDE, whether virtually, or as a movie night at Prescott Park, or a scaled-down version this past October. We are now looking forward to a return to our traditional Parade through the City streets and Rally at the Strawberry Banke Museum this coming June 25th.

This signature event welcomes thousands of folks to Portsmouth as a celebration of our community – adults, youth, families; offers a venue for our non-profit partners and local businesses to gather and offer their services and wares; and is also our primary fundraising event.

Included with our proposal is a map with the suggested route and an outline of our scheduled events. Each year we've gathered in Market Square and made our way down Court Street. We hope this year that we can maximize visibility and affirm our commitment to our LGBTQ community with a march down State Street as we say it Loud and Proud!

We look forward to answering your questions and meeting with the City to approve plans for our 8th annual Portsmouth PRIDE.

Thank you,

Hershey Hirschkop, Executive Director

E Executive Director: Hershey Hirschkop

Board of Directors: Joyce Kemp - Board Chair
Sarah Buckley – Secretary
Kelsey Boucher
Gonzalo Cedeño
Linda Fishbaugh

Christine Stilwell – Treasurer
Michael Haley
Lee Hoginski
Cora Long
Yasamin Safazadeh



Portsmouth PRIDE 2022 Event Proposal

We are requesting your approval to host Seacoast Outright's 8th annual Portsmouth PRIDE event on **Saturday, June 25th, 2022**.

Event Contacts

Host Organization: Seacoast Outright // seacoastoutright.org

Executive Director: Hershey Hirschkop (*she/her*) // hershey@seacoastoutright.org

PRIDE Event Coordinator: Jessica Goff (*she/her*) // jessica@seacoastoutright.org

Marketplace Co-Coordinator: Christine Stilwell (*she/her*) // christine.s@seacoastoutright.org

Event Overview

The annual Portsmouth PRIDE event has traditionally consisted of a short pedestrian **PRIDE March** to Strawberry Banke Museum, where the event continues with our Mainstage and Marketplace events.

As in 2021, we propose that participants gather for the march in Market Square (on Pleasant Street between State Street and Congress Street). This will require traffic to be blocked from 12 pm to around 12:45 pm or when the last marchers clear the square. This worked well in 2021. The Market Square staging location provided visibility for the event and brought thousands of visitors to the heart of downtown Portsmouth with minimal interference to regular traffic patterns. (See [proposed route maps](#).)

Seacoast Outright is also working with the Marcy Street Collaborative and other organizations/businesses in Portsmouth to coordinate a variety of Pride-related activities for both youth and adults throughout the month of June

2022 Portsmouth PRIDE Timeline

June 25th, 2022

12 pm – 12:30 pm : Marchers gather downtown (Market Square)

12:30 pm – 12:50 pm : PRIDE March (follows route from Market Square to Strawberry Banke Museum)

1 pm : PRIDE Marketplace opens (Strawberry Banke Museum)

1 pm – 4 pm : PRIDE Mainstage entertainment program (Strawberry Banke Museum)

4 pm : PRIDE Marketplace closes (Strawberry Banke Museum)

Event Details

The PRIDE March, Mainstage, and Marketplace are the three components of the Portsmouth PRIDE 2022 event.

PRIDE March (leaves from Market Square)

As usual, all members of our LGBTQ+ community and allies are invited to participate in a festive march. This year we are reaching out to a wide range of established community groups, including local organizations, churches, schools, workplaces, etc., to organize their own groups of marchers. We are also encouraging individuals to join the march.

Marchers will gather at the Market Square location starting at 12 pm. At 12:30 pm march organizers will lead the march participants through downtown Portsmouth to Strawberry Banke Museum (Marcy Street entrance to main event field). The final march route will be determined with city input. (See proposed route maps.)

PRIDE Mainstage (at Strawberry Banke Museum)

Shortly after the marchers arrive at Strawberry Banke, the Mainstage program will begin. The program begins with brief remarks from local elected leaders and activists and will be followed by a live entertainment showcase of local professional talent as attendees enjoy the adjacent Marketplace.

PRIDE Marketplace (at Strawberry Banke Museum)

The PRIDE Marketplace will be open at Strawberry Banke Museum from 1 pm to 4 pm. As in past years, the Marketplace will serve as a hub for community-oriented informational booths from nonprofits and other organizations, local artisans and vendors, including food trucks.

Seacoast Outright will host their own information booths as well as activities, such as crafts, games, and other family-friendly entertainment. Organizations, businesses, and other groups interested in setting up a PRIDE Marketplace booth should contact Christine Stilwell (christine.s@seacoastoutright.org) for an application.

Proposed March Routes

PRIDE March 2021 : Saturday, October 9 from 12 pm – 1 pm*

**approximate duration of march including time to gather marchers at start location*

Following are two possible routes for your consideration, listed in order of our preference. Both begins and ends at the same locations as our Portsmouth PRIDE 2021 March.

START: Market Square (on Pleasant Street between Congress Street and State Street)

We are requesting the march starting area be closed off to traffic from 12 pm – 12:45 pm.

END: Strawbery Banke Museum main event field (Marcy Street entrance)

Route A: STATE STREET

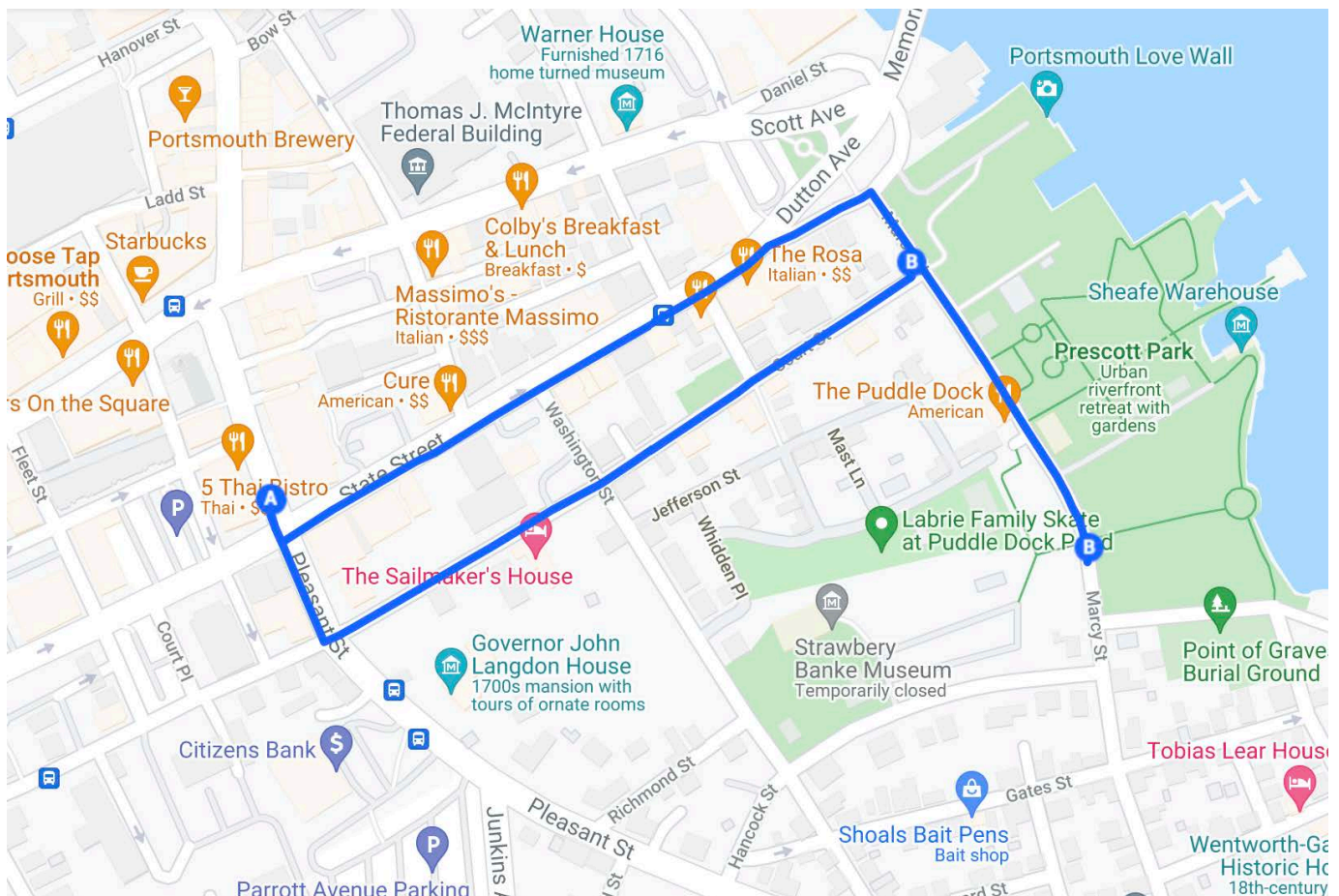
(State St. → Marcy St.)

This 0.4-mile route is our preferred march route. This route avoids affecting traffic on Middle St. while providing excellent visibility along the march route. It avoids passing in front of the fire station on Court St. It also provides the most room for marchers to physically distance as much as possible en route.

Route B: Court Street

(Pleasant St. → Court St. → Marcy St.)

This 0.4-mile route is the same route taken by the 2021 PRIDE marchers.



Portsmouth, New Hampshire

Babe Ruth Baseball

February 25, 2022

RECEIVED

FEB 28 2022

Karen Conard
City Manager
City of Portsmouth,
Portsmouth, NH 03801

CITY MANAGER
PORTSMOUTH, NH

Dear Ms. Conard:

Portsmouth Babe Ruth is respectfully requesting approval for temporary signage to be located at Leary Field during the 2022 baseball season.

We are requesting permission to affix signage in the form of banners to be attached to the fences surrounding the outfield and foul lines Leary Field as well as the outside of the concession stands following the established color guidelines. The signage represents advertising for local businesses that have donated to and support the league. We are requesting permission to affix the banners to the fences from May 1st through the end of October and our registration banner March 1st through May 1st. Signage provides the league with a continued revenue stream that helps us meet our goals each year.

The success of our program is indicative of the support we receive from organizations in our City. We are grateful for all the support we have received in the past and plan to continue to offer a safe and quality program that meets the needs of the community we serve. We appreciate the opportunity to show our supporters they are valued in our community.

I can be reached at isirmaian@gmail.com or 603-828-5578 for any questions. I look forward to hearing from you for confirmation of this request.

Sincerely,



Ilysse D. Sirmaian
Fundraising Coordinator
Portsmouth Babe Ruth

From: [Christopher R. Maden](#)
To: [Jessica S. Griffin](#)
Subject: 2022 Portsmouth Maritime Folk Festival
Date: Monday, February 28, 2022 6:25:52 PM

Hello again, and happy 2022.

The PMFF Board is planning a return to the streets of Portsmouth this fall, Saturday Sep. 24 and Sunday Sep. 25. We already have some exciting headline acts booked, and are looking forward to reigniting our musical community.

We would like to work with the City, as we have in the past, to highlight Portsmouth's history, culture, and excellent downtown.

Specifically, we request:

1) Use of the sidewalks Saturday morning for our "roving sailors" promotion. We do not intend to block any sidewalks or streets during this.

2) Use of part of the sidewalk in Market Square for performers, as in years past. This sound will not be amplified. In the past, this has been in front of Tuscan Market and the new barbecue place (formerly Rí Rá).

2a) We would like other musical acoustic events not to be permitted during the same weekend, so we're not competing with them.

2b) We would like a motorcycle parking ban on Sunday (Sep. 25), as in past years. We are happy to handle the logistics of moving barricades into place, if the City can provide them.

3) Parking passes for the High Hanover parking garage for some of our performers. This has been extremely helpful to our performers in the past few years, especially the performers with multiple instruments and some with limited mobility.

I'm happy to attend a City Council meeting to answer any questions, as well as to meet with appropriate City personnel. I regret that we had to cancel last year in the face of the rising delta-variant COVID-19 case numbers, but we are much more optimistic this year.

We are all looking forward to singing in the streets of Portsmouth once again!

Thank you,
Chris Maden
President, Portsmouth Maritime Folk Festival

Background: Portsmouth Maritime Folk Festival has occurred in Portsmouth every year since 2000. In 2020, we held a small online event in lieu of the festival; in 2021, we had a full multi-track festival with performers from around the country, but in an online-only format.

Our goal is to showcase New England's maritime heritage and the traditional songs associated with that heritage, and to showcase

Portsmouth's historic and vibrant community. The festival has always been free and open to the public, supported by local businesses and non-profit organizations.

PMFF was incorporated as a New Hampshire non-profit corporation in 2007.

We accept tax-deductible donations under our partnership with the Country Dance & Song Society, a 501(c)(3) non-profit corporation.

This year, we expect around 300 guests, ranging from Portsmouth locals to visitors from across the country. It is a rough estimate, though — if it is safe for us to gather in person, it will be the second maritime music festival in the US since our 2019 festival, and there will be pent-up demand; at the same time, there may still be reluctance to attend at the tail end of a pandemic. We will be following public health guidance as to safety, and while we are committed to making this happen, we will switch to a smaller event or an online event if necessary.

We are working with potential performers from around the eastern US as well as Scotland, and will be announcing the headliners before March 12.

CITY COUNCIL E-MAILS

Received: February 22, 2022 (after 4:30 p.m.) – March 3, 2022 (before 9:00 a.m.)

March 7, 2022 Council Meeting

Submitted on Mon, 02/21/2022 - 15:52

Full Name

Kelly Bronchuk

Email

kbronk214@hotmail.com

Subject

Elwyn park calming measures

Address

85 grant ave

Message

Good evening,

I just wish to say my whole family supports and is in favor of more crosswalks and sidewalks in elwyn park. I have two young children who love walking to Dondero every day. The lack of sidewalks or pedestrian lanes throughout most of elwyn park makes it super unsafe. We live right off elwyn road and I don't feel safe even putting a basketball hoop in my driveway for them to play because of all the traffic cutting through and speeding. All the roads that connect to elwyn rd and Lafayette rd have the same problems with speeding and cutting through. As much as I don't care for speed humps, I feel like having them on all the roads that connect to these major roads will stop a lot of the cutting through and speeding. Currently there is a two way stop in front of my house at the intersection of grant and Edgewood, maybe making it a 3 way stop would slow down a lot of speeding through. This end of the neighborhood is starting to welcome lots of new families with small children that I'm sure would love to walk to school safely. Please consider pushing up the date for implementing traffic calming in elwyn park.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Mon, 02/21/2022 - 16:50

Full Name

LouAnn Bronson

Email

4labronson@comcast.net

Subject

Outdoor dining

Address

4 Hughes Lane

Greenland, New Hampshire. 03840

Message

Please expand the outdoor dining options downtown. It has made Portsmouth a warm and inviting community.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Tue, 02/22/2022 - 17:01

Full Name

Nina Braun

Email

localanchor603@gmail.com

Subject

Outdoor Dining City Ordinance

Address

62 Market Street

Message

Local Anchor 603 aka Tulips

62 Market Street

February 22, 2021

Portsmouth City Manager Karen Conrad
Portsmouth City Council Members

Hello,

My name is Nina Braun Aldrich I am the recent, new owner of Tulips located at 62 Market St., between the Brewery and The Gaslight. The previous owner had operated the shop for almost 30 years in downtown Portsmouth. I took over in November 2020 at the height of COVID. Everything is new to me; I don't have another time to compare to. But what I did notice and come to appreciate in downtown Portsmouth was the vibrancy and enjoyment downtown dining brought to everyone. While I understand the hesitancy over losing parking right in front of establishments for the benefit of customers and the much-needed room for deliveries, I would like to believe there can and should be a solution regarding outdoor dining.

Perhaps it was needed more than ever because of the circumstances the pandemic brought on and the earning to see others and engage in an outdoor setting was necessary for everyone's well-being, but what I heard again and again from locals, visitors, friends etc... was that they hoped outdoor dining would stay and be the one, positive outcome of COVID.

I strongly believe that Portsmouth should come up with a solution to continue to offer the opportunity for restaurants to maintain an outdoor setting. As long as they are well maintained and don't become an eye-sore. Most outdoor dining spaces I witnessed around town I believe were an asset and well executed even with the jersey barriers.

While parking has always been an issue in Portsmouth, we are a small city, and a popular small city, we rely on locals as well as visitors to maintain our shops and restaurants. This past summer town was lively, people were able to be outside and enjoy a meal with friends, gather and relax in a vibrant and enjoyable setting. Allowing more people to enjoy an outdoor setting I think helped my customer base rather than hindered it due to the lack of parking right in front of my shop.

While we may not necessarily still "need" outdoor dining options I think keeping outdoor dining as an option is much more of a benefit for the good of all businesses in town over additional parking spaces especially on Market St. where there is a parking garage (I understand the renovations will take away spaces) around the corner. Like any city, walking to your destination is often necessary. Market St. is narrow, having two-sides for parking creates more of a barrier; a barrier of cars, I like the outdoor dining barriers instead.

Thank you,

Nina Braun Aldrich

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Tue, 02/22/2022 - 21:41

Full Name

Megan Bufagna

Email

mbufagna@gmail.com

Subject

Outdoor Seating

Address

8 Fernwood Dr

Newton, New Hampshire. 03858

Message

The goat Portsmouth should have outdoor seating. I am an employee of the GOAT in Portsmouth and I benefit from outdoor seating not only because of COVID-19 restrictions but also because of greater health benefits to the public and being comfortable to our restaurant. I greatly appreciate the extra six tables we get from the Portsmouth public and I think it will benefit the town as a whole to be safe for our public health and for pleasure thank you.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Wed, 02/23/2022 - 05:52

Full Name

Gianna Filaretos

Email

filaretos4213@gmail.com

Subject

Outdoor

Address

2 woodbury ave

Message

There are many restaurants with the opportunity to have outdoor dining and in the summer it is probably the most popular place to be sat, most customers wait an hour or two just to sit outside, they say our outdoor dining space is amazing and the best spot to be, we have live music as well, our place is pretty small on the inside and we have open windows and the outdoor dining is so welcomed, the goal is on the top of most popular places to go and to take away the extra spots for the people of Portsmouth to enjoy, would be unfair, it has impacted our business so much and everyone looks forward to it, it adds character to those visiting Portsmouth as well, so many people are told to go visit us and our place is such an attraction spot, it brings people to Portsmouth, our social media is 100% on top of it especially compared to other restaurants and the company is expanding everywhere and bringing people to our locations, getting rid of outdoor seating would be a shame to those visiting us and hearing the amazing place we got, and for those on the council who know that some people are still mask cautious, to get rid of outdoor dining would also be turning away those and making them feel unwelcome. Our restaurant should appeal to both those who want the bar scene and those who want to be outside anytime of the day due to COVID. To take away such a powerful impact and great addition would be just a tragedy

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Wed, 02/23/2022 - 07:35

Full Name

Kate Beland

Email

katembeland9@gmail.com

Subject

Keep outdoor dining

Address

373 Union St

Message

I can't even believe anyone would be against outdoor dining. I've lived here for 20 years & finally this was what was missing in making Portsmouth the best place to live & visit. The benefits are not only to the businesses and staff but it makes the town more walkable & who doesn't want to dine outside in the very little nice weather we have in NH? It also kept cars driving more appropriate speeds.....I work on Congress at and when we have outdoor dining, that is about the ONLY time a tourist car does NOT drive down Congress the wrong way...true story...otherwise it happens more often than you'd like to believe. Outdoor dining also spreads the crowds out with more opportunities to dine outside instead of just the seasonal decks. Also for the people who will argue less parking spaces...how many less spaces? I don't think it has that much effect & effect and people should be using the garages. I'd love to see the whole downtown completely closed to cars making it more walkable all around. Like a Faneuil Hall. Please keep outdoor dining as it was proven to be a game changer for the businesses all around.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Mon, 02/21/2022 - 16:52

Full Name

N. W. Barrett

Email

gallery@nwbarrett.com

Subject

Outdoor dining

Address

53 Market Street

Message

I have had a gallery in Portsmouth since 1985, first in Commercial Alley and then, since 1988, at 53 Market Street. It is clear to me that this city works best when all of its businesses are thriving. The COVID pandemic severely impacted all of us beginning in early 2020, and disruptions have continued to this day. Further, the shortage of parking has been a problem in the city for a number of years, and losing precious spaces to outdoor dining in 2020 and 2021 had a serious impact on all of us. Our customers frequently complained at the difficulty finding a place to park, or they had little time to shop since the only parking they could find was a 15-minute spot. Furthermore, my store has a back entrance on Penhallow Street that artists and craftspeople use when they are dropping off work, as well as customers when they are picking up large paintings or furniture. With the loss of parking on Penhallow, these artists and customers were greatly inconvenienced.

I appreciate that the city is now instituting a fee that restaurants must pay for the public space they are using. Regardless, allowing the restaurants to again push their businesses into areas intended for all of—taking over parking spaces, clogging the sidewalks, not to mention the unattractive jersey barriers—will again negatively impact the retail and service businesses in the city. The City Council cannot simply allow the restaurants to have all the space they want. Retail businesses will suffer, and that will not be good for any of us.

Thank you,

N. W. Barrett

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Thu, 02/24/2022 - 00:23

Full Name

Mairead Hodgkins

Email

mhodgkins98@gmail.com

Subject

Outdoor dining

Address

58 summer street

Message

We need outdoor dining! Not only does it make the town feel more cozy welcoming and fun but it brings more people who feel more comfortable in an outdoor setting.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Thu, 02/24/2022 - 07:55

Full Name

Owen Burns

Email

oanb88@gmail.com

Subject

Outdoor dining

Address

52 Wibird St

Message

Outdoor dining makes it easier to eat out in Portsmouth in the summer. After being inside for 4 months all New Englanders crave being outside. This allows for more options. Most restaurants put in effort to make seating and atmosphere look inviting. It brings people together and makes Portsmouth a much more friendly town. This in return makes it a place people want to live and visit. It benefits all retail and restaurants because it helps the overall experience of town.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Thu, 02/24/2022 - 14:09

Full Name

Elizabeth Vogeley

Email

liz.vogeley@gmail.com

Subject

Outdoor Seating

Address

726 Middle Street

Message

Please keep outdoor seating for the 2022 summer season. It has brought so much vibrance and love to our community and makes me so proud so live in this perfect little city.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Thu, 02/24/2022 - 18:59

Full Name

Nate Hoffman

Email

nathanhoffman74@icloud.com

Subject

Outdoor dining

Address

145 Brewery Lane #404

Message

Please keep outdoor dining. I believe this is a great thing for Portsmouth.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Thu, 02/24/2022 - 22:22

Full Name

desmond johnson

Email

oneluddite@yahoo.com

Subject

outdoor dining

Address

402 ledgeview dr

rochester , New Hampshire. 03839

Message

Please keep the outdoor dining as a permanent fixture in Portsmouth

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Fri, 02/25/2022 - 03:20

Full Name

Jennifer Rooney

Email

daisy@alecandjen.com

Subject

Outdoor dining please!

Address

113 Kings Highway North

Eliot, Maine. 03903

Message

To the Portsmouth city council

Please do all you can to continue to encourage and support outdoor dining in Portsmouth. Parking is much better in the lots and edges of the city space. Not needed right in the center except for 15 min spots and deliveries etc. I also support protecting right of way on sidewalks for folks with disabilities so I'm hopeful we can find a way to have dining outside but a clear path for wheelchairs. Move the parking though!!!! Thank you!

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Fri, 02/25/2022 - 17:01

Full Name

Valerie Rochon

Email

valerie@portsmouthcollaborative.org

Subject

Keep Outdoor Dining

Address

19 Duston Avenue
HAMPTON, New Hampshire. 03842

Message

Dear Mayor McEachern, Assistant Mayor Kelley, and City Councilors,

Please accept this as a message in support of outdoor dining in Portsmouth.

As many of you know, I served on the Citizen Response Task Force (CRTF) since its inception in May 2020, reconfigured as the Mayor's Blue Ribbon Task Force to Reopen Portsmouth 2021. One of our primary duties was to work with the City to determine not "if" but "how" to keep our restaurants alive, and therefore our downtown alive and vibrant during COVID, by moving dining out on the streets. Simply put, it worked, due in large part to the cooperation and immediate action of City Staff.

There are many silver linings to come from the COVID pandemic. Outdoor dining is one of the them.

I urge you to continue to work with City Staff to get to "yes" for all requests by our downtown restaurants for outdoor dining by tweaking policies and fee structures so all downtown businesses are given the opportunity to thrive, in a manner that is fair to the City coffers as well.

As Managing Director of Portsmouth NH 400th, Inc., welcoming, planning and implementing events and programs to celebrate Portsmouth's 400th anniversary in 2023, I can't imagine throwing this party without the vibrancy the dining in the streets brings to our downtown.

Thank you for your support. Valerie Rochon

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Fri, 02/25/2022 - 21:40

Full Name

Jene Sebastian

Email

makinganappearance@gmail.com

Subject

Outdoor Dining - Yes!!

Address

35 Caroline Ave
Ipswich, Massachusetts. 01938

Message

A City to visit, often. Wish I lived there. Spent dining time at Restaurants when my granddaughter lived in Portsmouth. Outdoor dining is a treat to share & enjoy. A special experience to treat friends & family.

Mother's Day was a special treat with 3 generations.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Mon, 02/28/2022 - 12:56

Full Name

Diana Carpinone

Email

d.carpinone@gmail.com

Subject

Athletic Field PFAS Testing

Address

16 Governor Sawyer Lane
Dover, New Hampshire. 03820

Message

Hello Mayor McEachern and Council,

A study was just brought to my attention that is relevant to the PFAS testing being done on samples of the new synthetic turf athletic field which I expect will be received shortly.

<https://pubs.acs.org/doi/pdf/10.1021/acs.est.1c06812>

It discusses the ways (and amounts) of PFAS that can discharge from textile surfaces after exposure to the elements.

Though the materials and conditions are not identical, the results from this research certainly support the concerns we all have regarding

The release of coating-type PFAS and their degradation products into the surrounding environment.

The engineering consultants are maintaining that the PFAS used in the field is "inert" "water insoluble" etc. but they also promised us a PFAS free field and failed to deliver such a product. The science continually does not support their claims. Please keep this in mind for when we receive the test results.

Thank you,

Diana Carpinone

Non Toxic Portsmouth

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

Submitted on Tue, 03/01/2022 - 19:23

Full Name

John Donohue

Email

jtdonohue@comcast.net

Subject

MASSIVE Development

Address

87 Ash St

Message

Enough is enough. It's already a huge challenge to park in town and/or get a reservation unless calling weeks in advance. Please ensure this project does NOT move forward. Thank you for protecting our city from over development.

Check out this article from Portsmouth Herald:

Massive North End Portsmouth mixed-use development to include 72 condos and 44 apartments

<https://www.seacoastonline.com/story/news/local/2022/03/01/portsmouth-nh-huge-north-end-development-condos-market-rate-apartments-mixed-use-downtown/6973237001/>

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes

MEMORANDUM

DATE: MARCH 1, 2022
TO: HONORABLE MAYOR MCEACHERN AND CITY COUNCIL MEMBERS
FROM: PORTSMOUTH ECONOMIC DEVELOPMENT COMMISSION
**RE: SUPPORT FOR INCLUSION OF FUNDING FOR EV CHARGER
INSTALLATION IN CAPITAL IMPROVEMENT PLAN**

The purpose of this memorandum is to express the Portsmouth Economic Development Commission's (EDC) support of including funding for installation of electric vehicle (EV) charging stations in the Capital Improvement Plan (CIP).

The EDC subcommittee on "smart city" initiatives has been researching and discussing EV charging stations in the context of electric vehicle production mandates, the automotive industry shift to EV's in the next decade and the city's goal to reduce greenhouse gas emissions. The Commission views electric vehicles as the wave of the future and believes the strategic deployment of EV charging stations in the City will serve as a tool for economic development and make Portsmouth attractive to new and expanding businesses. The Commission believes the City should position itself to be a leader in this arena and explore funding and strategic locations for installation of EV charging stations in preparation for future demand.

The EDC is aware of the challenges inherit in the electrical demand of EV chargers with respect to the city's aging downtown electrical infrastructure. For this reason, the subcommittee identified two areas for focus: 1) identification of potential city-owned surface parking lots (such as the Bridge Street Lot) as well as potential private surface lots for EV charger installation and, 2) education on the utility requirements for EV chargers for parties involved in new construction or in public infrastructure upgrades downtown.

With regard to the level of chargers, the EDC believes that the Level 3 rapid EV chargers will become the standard and the City should continue to explore locations and funding for their installation. However, the EDC also believes there are instances where the Level 2 chargers are adequate for residents and visitors spending more than 30 minutes in the downtown and who may work or wish to dine or shop while their electric vehicle charges. The installation of Level 2 and Level 3 chargers should not be viewed as mutually exclusive. Rather, the EDC believes that both levels should be deployed by the City and encouraged in the private sector as part of a strategic plan to ready the City for the future electrification of vehicles. For these reasons, the EDC encourages the funding of EV charging stations in the CIP.



2022

**City of Portsmouth, NH
Cemetery Committee's
Historical Cemeteries
Restoration Project**



Mission statement

**To restore, preserve and safeguard
Portsmouth's Historic Cemeteries
and their history for future
generations**

Union Cemetery

Maplewood Ave



Headstone 365 & Monuments 17

Union Cemetery was established in 1847, the gravestones of this cemetery contrast with those in neighboring North Cemetery, which is almost a century older. Nearly all the stones are white limestone or marble, with Victorian floral relief carving. Some monuments are sculptured, and individual family plots are fenced off with elaborate ironwork. These traits, and the parklike setting, were influenced by the earlier Mount Auburn Cemetery in Boston. This cemetery is the final resting place of some of Portsmouth's most notable figures from the mid-nineteenth century. Among them are clipper ship builders George Raynes and Frederick Fernald, as well as the grandparents of Portsmouth author Thomas Bailey Aldrich.

North Cemetery

Maplewood Ave



Headstones 1825 & Tombs 10

North Cemetery is the second oldest of Portsmouth's public burying grounds. It was established in 1753, when the town purchased the land from Col. John Hart, later a commander of a New Hampshire regiment during the French and Indian War. North Cemetery was placed on the National Register of Historic places in 1978. A number of prominent men are buried here including General William Whipple signer of the declaration of Independence and Governor John Langdon signer of the Constitution.

Point of Graves Mechanic St.



Headstones 153 & Tombs 8

Point of Graves is the oldest burying ground in Portsmouth and in all of NH dating back to 1620. The burying ground was surrounded by many masts of many sailing vessels that crowded nearby wharfs. In 1671 Captain John Pickering formally deeded this half acre of his land “where people have won’t to be buried, which land shall be impropriated forever for the use of a burying place, only the said Pickering and his heir forever shall have libertie to feed the same with neat (domestic) cattle.” Because of the grazing cattle stones dating before 1682 are missing and many others knocked askew including the stone marking the burial spot of Captain Pickering’s father.

Pleasant Street Cemetery

Pleasant St.

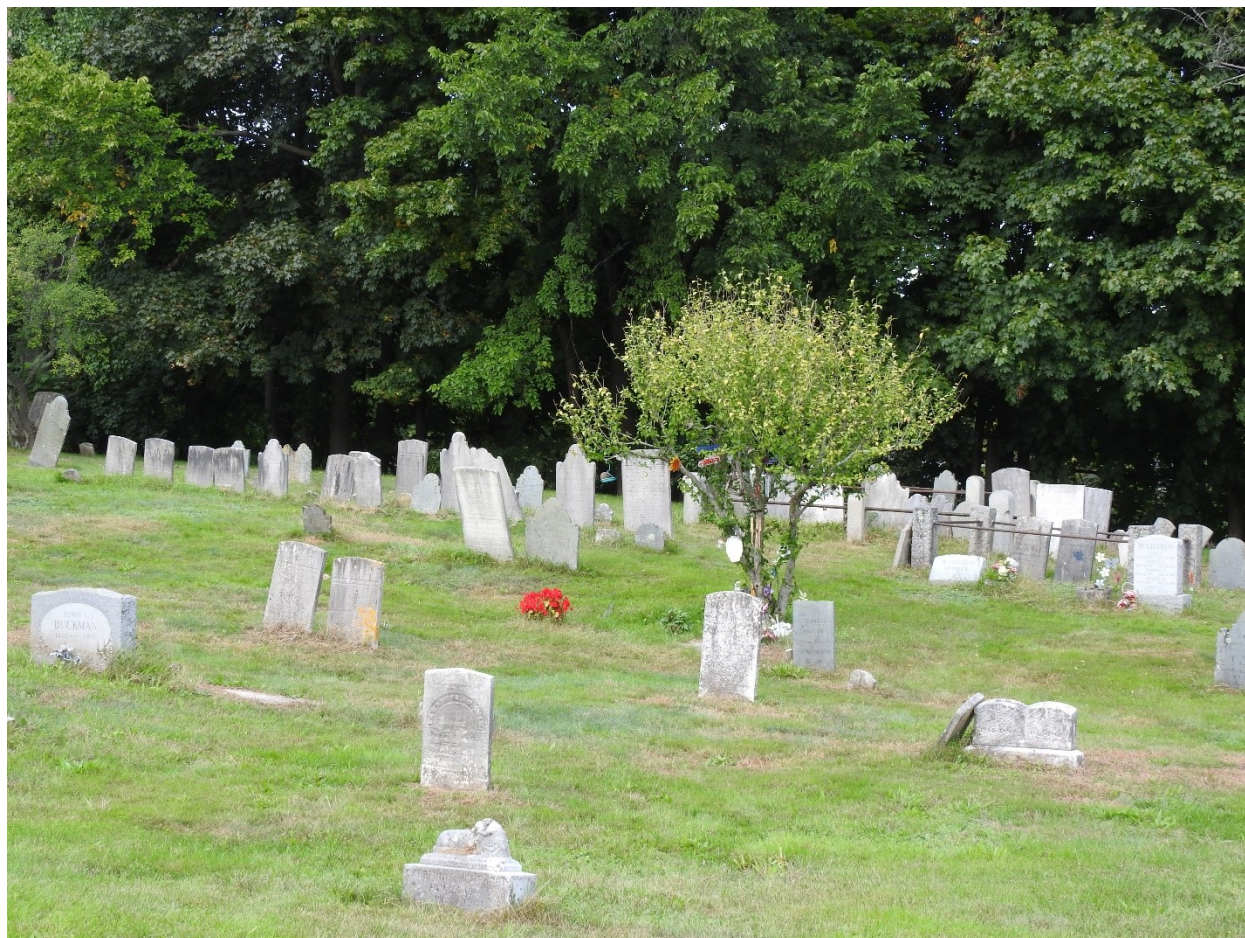


Headstones 69 & 3 Tombs

Pleasant Street Cemetery is the third oldest cemetery of our city's Colonial-era public burying grounds deeded to Portsmouth in 1754. Situated on a spot of land once called Pickering's Neck, it too was carved out of the original land holdings of Captain John Pickering. It is the final resting place of many members of Portsmouth's most prosperous families from the period 1770 to 1860, the town's golden age of mercantile and seafaring wealth, including members of the Manning, Wendell, and Salter families.

Cotton Cemetery

South St.



Headstones 466

Cotton Cemetery is one of five “South Street” cemeteries. This land was granted by “Goodman” William Cotton in 1671 although the agreement inferred it was used as a burial ground prior to that date. “The said land shall still remayne for a training field and to bury dead in.”

Elmwood Cemetery
South St.



Headstones 29

Elmwood Cemetery is the final addition to the “South Street” cemeteries established in 1900 and is located at the “end” of Cotton Cemetery

Project Focus Points

Hardscape:

- WALL
- TOMBS



**Overgrown Above Ground Unmarked Tomb
Pleasant Street Cemetery**

Project Focus Points



Sunken Stone Wall at Point of Graves

Project Focus Points

Headstones:

- upright
- broken/damaged
- cleaning



Cotton Cemetery Deteriorating Slate Headstones

Project Focus Points



Cotton Cemetery Tilting Headstones

Project Focus Points



Cotton Cemetery Broken Headstone

Project Focus Points

Monuments:

- **Repairs**



Union Cemetery Missing Monument Top

Project Focus Points

Lawn Maintenance:

- **Cost versus Preservation**
- **Grass clippings**
- **Weeding**
- **Proper Tools**



Elmwood Cemetery

**Grass Cuttings and Weed Whacking Causes Long Term
Damage to Stones**

Project Focus Points

Wrought Iron Fence Repairs:



Union Cemetery Missing Wrought Iron Fence Sections

Project Focus Points

Environmental Impacts:



Union Cemetery Impacted by Tidel North Mill Pond

Project Focus Points



Union Cemetery Deterioation of Retaining Stone Wall

Project Focus Points



**North Cemetery Headstone 18" from unprotected
embankment on water side**

Project Focus Points

Signage:

Historic Markers

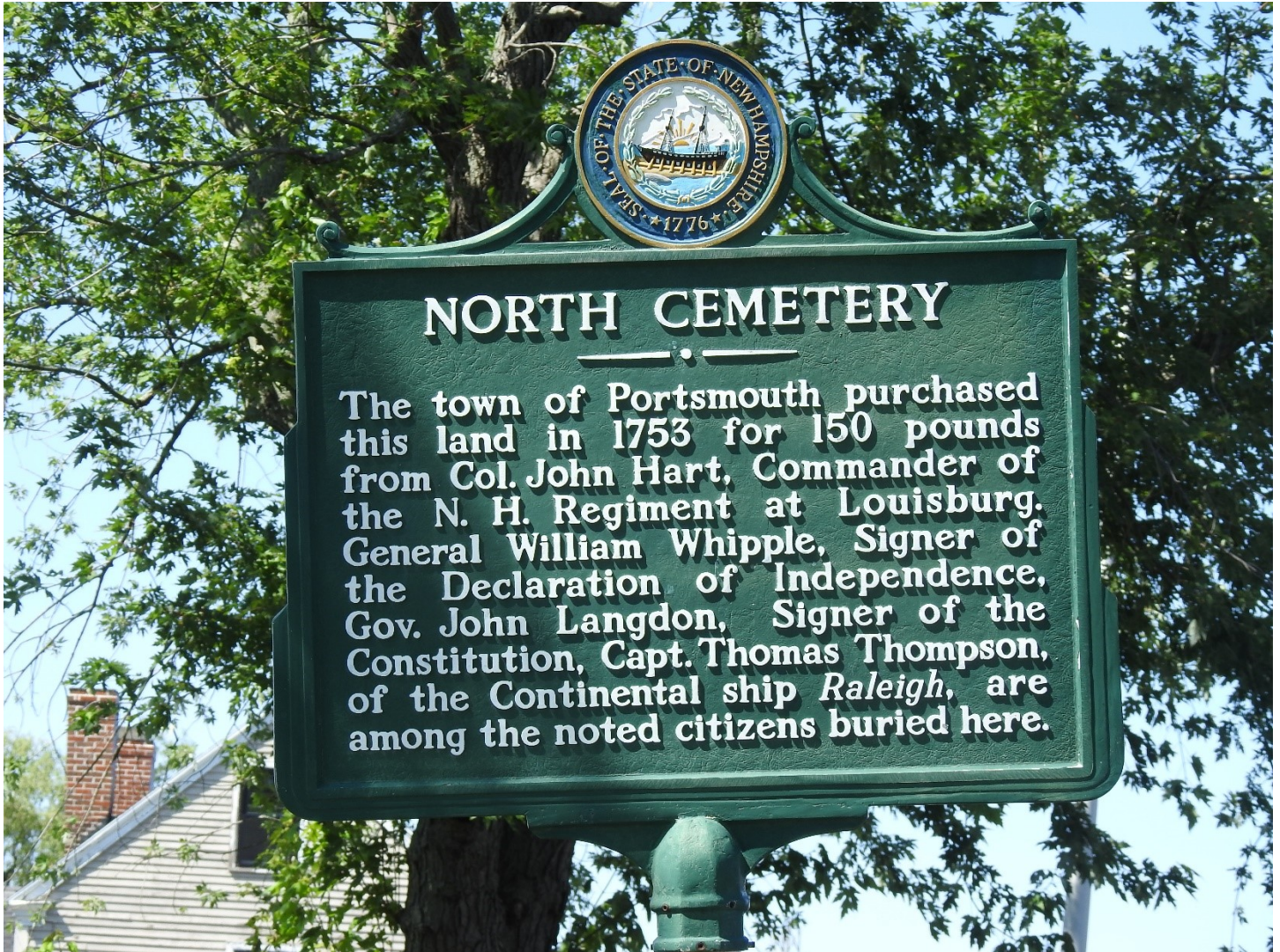
Cleaning

Markers for all cemeteries



Pleasant Street Cemetery History Marker

Project Focus Points



State of New Hampshire Historic Road Side Marker

Project Focus Points

Fund Raising:

- **Federal Grants**
- **State Grants**
- **Foundation Grants**
- **Adopt a Cemetery**
- **Sponsor a Grave – (Gold, Silver, Bronze)**
- **Research Other Communities funding**

Documenting Graveyards:

- **Greater Online presence**
- **Specific City of Portsmouth Site**
- **Research Notable Portsmouth Citizens**
- **Find A Grave and Billion Graves updates**

Networking:

- **Join Cemetery Associations**
- **Chamber Collaborative of Greater Portsmouth**
- **Local Fraternal Groups**
- **Portsmouth's 400th Committee**
- **Boys and Girl Scouts**
- **Portsmouth Rotary**
- **Portsmouth Historical Society**
- **Strawbery Banke**
- **Portsmouth Athenaeum**
- **New Hampshire Department of Historic Resources**
- **New Hampshire State Historical Society**
- **Kittery Historical & Naval Museum**

Project Focus Points

Marketing:

- **Radio**
- **Print**
- **Cemetery Tours**
- **Cemetery Reenactments**

**Generated January 26, 2022 by
City of Portsmouth NH Cemetery Committee**

**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY TWO
PORTSMOUTH, NEW HAMPSHIRE**

SERVICE-CONNECTED TOTAL DISABILITY TAX CREDIT

RESOLUTION #

BE IT RESOLVED:

THAT Pursuant to RSA 72:35, the City of Portsmouth hereby adopts an optional tax credit in the amount of \$4,000.00 as of April 1, 2022 on the taxes due on the residential property of any veteran who has been honorably discharged or honorably separated from military service and; who has a total and permanent service-connected disability; OR is a double amputee or paraplegic because of the service-connected injury; OR is the surviving spouse of a qualified veteran and has not remarried.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN McEACHERN, MAYOR

**ADOPTED BY THE CITY COUNCIL:
, 2022**

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

Minutes for the February 18, 2022

Land Use Committee Meeting

In attendance: Beth Moreau, City Councilor, Rich Blalock, City Councilor, Joanna Kelley, Assistant Mayor, Corey Clark, Vice Chair Planning Board, Rick Chellman, Chair Planning Board, Sarah Lachance, EDC Commissioner, Craig Welch, Executive Director Portsmouth Housing Authority, Beverly Zendt, Planning Director and Nick Cracknell, Principal Planner.

Beth Moreau opened the meeting and began with introductions of the committee members and then stated the purpose of the new Land Use Committee that was approved by the City Council on February 7th, 2022.

The purpose is to review all current zoning and policies surrounding housing and development to encourage sustainable, diverse, and affordable development including expanded multi-modal transportation. With a report back to the City Council on recommended alterations to the zoning and existing policies along with any new zoning or policies to be considered important to furthering the City's Goals.

Beverly Zendt went over some key terms and data the Committee will need to be looking at during the review process and as recommendations are gathered.

Affordable Housing

There isn't one definition of affordable housing, but in the US, most policymakers start from United States Department of Housing and Urban Development's (HUD) definition: housing that costs less than 30% of a household's income. Families who spend more than 30% of their income on housing are designated as **cost-burdened** – this includes utility costs, insurance costs, and all other housing related expenses. Clearly, the 30% rule, has some limitations – someone spending 30% of a total household income of \$40,000 will be more greatly impacted than someone spending 30% of a \$200,000 household income. The metric is often used in tandem with the Area Median Income (published by HUD) for a region and by determining whether a modest apartment is affordable to someone making the median income.

Workforce Housing

In New Hampshire, Workforce Housing is described defined in state statutes. RSA 674:58, IV defines the term “workforce housing” under two different categories: housing for sale and housing for rent. Housing for sale qualifies as “workforce housing” if it is “affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development.” Rentals, in contrast, qualify as “workforce housing” if they are “affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development.” <https://www.nhmunicipal.org/town-city-article/legal-qa-what-municipalities-need-know-about-%E2%80%9Cworkforce-housing%E2%80%9D>

In Portsmouth, (the Portsmouth-Rochester HUD Metro Fair Market Area), this translates to renters making up to \$53,570 and homeowners making up to \$99,200 (see more info about HUD Fair Market Rents in NH [here](#)).

In Portsmouth:

1. 7.3% of homeowners are cost burdened >30% to <=50%
2. 10.4% of renters are cost burdened >30% to <=50%
3. 4.9% of homeowners are severely cost burdened >50%
4. 7.1% of renters are severely cost-burdened >50%

2021 CHAS (Comprehensive Housing Affordability Strategy)

<https://www.huduser.gov/portal/datasets/cp.html>

Municipal Tools and Considerations

Housing affordability strategies vary by level of affordability. Workforce housing can be provided through the use of regulatory tools and incentives. More deeply affordable housing utilizes tools that provide supplemental funding to achieve greater levels of affordability.

Municipal Considerations for Affordable Housing:

Affordability must be underwritten: it lowers project revenues, construction and land major cost components of projects. There are limited opportunities to lower project costs that are available to municipalities – options include adjustments to utilities, permitting, and other fees.

Closing the Gap

There are tools that municipalities can use, that work with the market, to help close the gap that is created by introducing affordable units to a project – mostly through municipal regulations: Land use incentives, Flexible Design, Density Bonuses, By-Right Density, expedited review, and parking reductions.

Projects that reach even lower affordability levels can be eligible for other types of support. These include Fee waivers, public funding or land contributions, alternatives compliance funding (fee-in-lieu), and low-income housing tax credits.

Discussion among the Committee members:

Nick Cracknell then went over the areas that need to be looked at, over a period of time, and he also went into taking a look at what our current zoning has created and if that was intended or not intended. How do we tweak our zoning to get what the community wants in a finished product?

Rich Blalock wants to join the regulatory group, to assist in bringing in the historic district aspect to the group and as a Portsmouth native he understands the difficulty in staying in Portsmouth as an adult.

Joanna Kelley thinks she could be of help to the supported market group, as a downtown business owner and someone who has been through the aspects of trying to find affordable housing, and to assist to find ways to start to fund our housing trust fund.

Corey Clark will help with regulatory side of the group, as in serving as a planning board member he has seen some of the loop holes that don't actually give us the development that was considered when the zoning was written, such as green space that is not really green and no workforce housing. Also he wants to take a look at the wetland buffers and allowances within.

Rich Chellman mentioned there are a lot of interesting and interwoven topics, you can have affordable housing and quality design, rules need to be changed if we are not given what was envisioned. Also there is a need to look at transportation as well, a large piece of the discussion. He believes he will fit well in the regulatory group. Creating zoning that would allow small projects such as single-family homes be permitted with little need to have costly approvals. Wants to get more developer input as well regarding what they see from that side of the projects.

Sarah Lachance is interested in joining the supported market group, through economic development commission they have heard from businesses how difficult it is for businesses to find housing for their workers because having places for workers to live close to the business is an important factor in businesses deciding whether to move to the area or expand in the area. In addition, she is interested in transportation because it needs to be part of the solution. How can we work to have the businesses be part of the housing solution? Also how do we get the public involved to understand the recommendations and to support those changes?

Craig Welch, resident of Portsmouth as well, but as a local nonprofit developer, spoke of a strategy to build multi-family housing with federal tax credits. Being part of the supported market will be a great area for him to partake in, with his background. They are currently doing a Portsmouth housing needs assessment which shall be done in April and will be good data for this group to help guide our direction. He would also like to assist with feedback to the group about what it is like to be a nonprofit developer in Portsmouth, after his experience with the 64 Court Street property. We need to continue to keep the housing policy in mind as we look at our regulations and opportunities. We should also see if that policy needs any updates based on the council goals.

Membership of the working groups are below

Land Use Committee – Work Group Members:

Regulatory Work Group	Supported Market Work Group
Beth Moreau	Beth Moreau
Beverly Zendt	Beverly Zendt
Nick Cracknell	Joanna Kelley
Rich Blalock	Sarah Lachance
Corey Clark	Craig Welch
Rick Chellman	

Beth Moreau discussed next steps:

Supported Market Work Group: take a look at City owned property where we can promote development of affordable housing, also Housing Opportunity Zones - investigate how these could be used to promote more affordable housing throughout the city.

Current conditions – What do we have? How is it working? What are the barriers? Short term opportunities: What can be implemented immediately and what are long term opportunities? What will take more time to evaluate and to get input?

Regulatory Work Group: take a look at zoning adjustments, look at ways to increase workforce housing in private developments by strengthening incentives, look at ADU's and how can we improve this ordinance to create more housing (i.e. by right if meet criteria instead of needed a Planning Board approval), can we adjust zoning to streamline process when you are providing a certain amount of work force housing units, how can we promote through the zoning more micro units? Can smaller unit types be considered that are more affordable due to their size?

Current conditions – What do we have? How is it working? What are the barriers? Short term opportunities: What can be implemented immediately, long term opportunities: What will take more time to evaluate and to get input?

Public comment was taken from Liz Bratter, Beth Margeson, Ben Van Camp, Liza Hewitt, Jim Smalley, and Robert White.



PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH
680 Peverly Hill Road Portsmouth N.H. 03801
(603) 427-1530
cityofportsmouth.com



Think Blue!
Water | Wastewater | Stormwater

To: Karen Conard, City Manager
From: Brian Goetz, Deputy Director of Public Works
CC: Andrew Purgiel, Deputy Director of Finance
Kelli Barnaby, City Clerk
Date: February 24, 2022
Re: Drinking Water and Groundwater Trust Fund Grant – Council Authorization to Accept

On January 10, 2022, the NH Drinking Water and Groundwater Advisory Commission (Commission) to the Drinking Water and Groundwater Trust Fund (DWGTF) authorized to award grant funds to Portsmouth Water Works & Dover Water Department for the Portsmouth-Dover Emergency Interconnection project design. The funding awarded up to \$223,000 in grant funds to be split evenly between the two communities. Therefore, each respective City Council would need to authorize an amount of \$111,500. This project will design a potential emergency interconnection between the Portsmouth and Dover water systems.

BACKGROUND MATERIAL:

Staff of the City of Portsmouth have been communicating with counterparts at the City of Dover for approximately 4 years about the potential for an emergency water system interconnection. A consulting engineer has been engaged to perform an assessment and preliminary design of the infrastructure necessary to construct this interconnection. The issue has taken on priority due to the fact that the NH DOT is currently in design to construct a new pedestrian bridge to replace the existing General Sullivan Bridge. This would provide a critical means for connecting the two cities' water systems, as both Great Bay and the Piscataqua River create a significant geographic boundary.

Water system interconnections have been a priority focus of the legislatively-created Seacoast Commission on Drinking Water. Both Portsmouth and Dover have a representative that serve on the Commission. The Commission was created to study long-term water supply options, including strengthening water system resiliency and redundancy in response to emergency issues, drought, contamination, etc. In 2006, a report was completed, Seacoast NH Emergency Interconnection Study, which highlighted the importance of an emergency water system interconnection between the cities of Portsmouth and Dover.

An interconnection between the two water systems would be a project of regional significance. It would theoretically allow 4 communities north of the General Sullivan Bridge to connect to 8 communities located south of the bridge. The proposed interconnection completes the last "gap" thus linking all communities.



NEW HAMPSHIRE DRINKING WATER & GROUNDWATER TRUST FUND



January 18, 2022

Commission Members

- Senator Chuck Morse,**
Chair
- Senator Tom Sherman,**
Vice Chair
- Bruce Cohen,** NH State Representative
- Linda Gould,** NH State Representative
- Andrea Kenter, P.G.,**
Public Member
- Bernie Rousseau,** Public Member
- Bruce Breton,** Town Selectman
- Cynthia Harrington,** NH Economic Development
- Jason Gagnon,** NH Water Pollution Control Association
- Josh Elliott,** Governor's Designee
- Debra Paul,** Town with a Public Drinking Water System
- Marco Philippon,** NH Water Works Association
- Michelle Roberge,** Division of Public Health
- Rachel Miller,** NH State Treasury
- Representative Bill Boyd,**
Public Member
- Rick Russman,** State or Regional Land Trust Member
- Robert R. Scott,** NH Department of Environmental Services
- Rodney Bartlett,** Public Member
- Vacant,** NH Fish and Game Department
- Clerk - Vacant**

Brian Goetz
 (bfgoetz@cityofportsmouth.com)
 Deputy Director
 Portsmouth Water Works
 680 Peaverly Hill Road
 Portsmouth, NH 03801

John Storer
 (j.storer@dover.nh.gov)
 Community Services Director
 Dover Water Department
 271 Mast Road
 Dover, NH 03820

Subject: Portsmouth – Dover Emergency Interconnection

Dear Applicants,

On January 10, 2022, the NH Drinking Water and Groundwater Advisory Commission (Commission) to the Drinking Water and Groundwater Trust Fund (DWGTF) completed their review of the submitted special project joint application. The Commission authorized to award grant funds to Portsmouth Water Works & Dover Water Department for the following project:

<u>Project Description</u>	<u>Funding Award Amount</u>
Portsmouth – Dover Emergency Interconnection	Up to \$223,000 in grant funds

The next step to move forward with project funding is for you to obtain the authority to accept the funds and submit a [Drinking Water Infrastructure Project: Final Application](#). The required documents are listed on the [Final Application Checklist](#). **Final applications are due by June 1, 2022.**

Once the final application has been submitted, Portsmouth & Dover will enter into a grant agreement, which must be approved by the Governor and Executive Council. Additionally, non-construction project related work that has been completed may be eligible for reimbursement once the funding agreements are in place and approved by the Governor and Executive Council. Construction may not start without Governor and Executive Council approval and completion of the required Environmental Review.

We ask that you keep us informed of progress made toward seeking the authority to borrow. Should your project not move forward, please contact us as soon as possible. If you have any questions, please contact me at 603-271-8321 or at Erin.Holmes@des.nh.gov.

Sincerely,

Erin Holmes, P.E.
 DWG Trust Fund Administrator | MtBE Remediation Bureau

Cc: Michael Unger, S.E., Project Manager, NHDES DWGB

<https://www4.des.state.nh.us/nh-dwg-trust/>

P.O. Box 95 | 29 Hazen Drive | Concord, NH 03302-0095

Telephone: (603) 271-8321 Fax: (603) 271-7053 TDD Access: Relay NH (800) 735-2964



CM Info Item #1

MEMORANDUM

Date: February 28, 2022
To: Karen Conard, City Manager
Re: Inspections Department Update

This memorandum serves as a follow up to the February 2, 2022 Inspections Department update.

Since my arrival three months ago, the Inspections Department has completed 1,712 inspections which completely eliminates the backlog. Becoming current on inspections renders the policy allowing for third-party inspectors obsolete. This is helpful as third party inspectors can be a financial burden to the applicant.

It's important that we continue to evolve and adapt in order to provide a superior service to the City. Crucial to adapting is listening and implementing input from the citizens. These two requests were recently brought to my attention and as such will be implemented as policy moving forward.

1. Continuing to allow for alternative methods of inspections ie. video or pictures. These are examples of items that may be eligible for partial or full remote inspections at the discretion of the Inspectors:
 - Replacement mechanical equipment (furnaces, boilers, water heaters, air condition units)
 - Plumbing repairs, including electric water heater replacement
 - Electrical repairs and service upgrades
 - Electrical service reconnection
 - Minor, non-structural interior alterations/renovations
 - Minor rough Electrical, Plumbing and mechanical alterations/renovations
 - Permits/projects falling outside those listed above may be considered

Note: Based on the size and/or complexity of the project it may not be possible to conduct the inspection via the Remote Inspection Program. The inspector will schedule an in-person inspection for this project.

Please see the Remote Inspections Program document for additional information.

2. Allowing inspections to take place with the property owner or the property owner's agent in lieu of the respective trades being present. This policy change will allow for ease of scheduling and ultimately a more expedient process for project completion.

While current on inspection requests, the department continues to work through the backlog of permit applications and anticipate that we will be up-to-date within the next 60 days.

Respectfully,

Shanti Wolph

Remote Inspections Program

Building Safety/Inspector Guidelines

Purpose:

The purpose of the Remote (Virtual) Inspections Program is to supplement on-site in-person inspections for certain types of inspections. The program requires a permit holder to use an acceptable video meeting tool (**Zoom or Webex**) or a smart phone or tablet in order for the City's Inspectors to conduct the remote inspection.

Inspection process:

The inspection process is as follows:

- Permit holders will make a request for a remote inspection through our viewpoint permitting system at <https://portsmouthnh.viewpointcloud.com/>.
- Remote inspections are not available to permit holders who do not provide all requested information for a remote inspection through the viewpoint permitting system, including but not limited to email address and phone number.
- The inspection request will be forwarded to the appropriate inspector who will determine if the type of inspection requested is eligible for the Remote Inspection Program.
- The Inspector will contact the permit holder through the viewpoint permitting system to schedule the date, time and method for the remote inspection.
- On the date/time of the inspection, the Inspector will initiate the remote inspection.
- The Inspector will direct the permit holder to confirm the address and location of the inspection by means deemed appropriate by the Inspector.
- The Inspector will direct the permit holder to video the work that needs to be inspected. The permit holder must, to the best of their ability, video all aspects of the permitted work or work area as requested by the Inspector.
- Poor connectivity, poor lighting, poor video quality, inability of the Inspector to communicate with the permit holder or to see the scope of the work to be inspected or the failure to provide necessary inspection tools will result in the remote inspection being discontinued. The permit holder will need to resolve these issues during the remote inspection or arrange for an on-site, in person inspection prior to work continuing on the project.
- Upon conclusion of inspection, the client will be verbally advised of the results of inspection.
- The inspection results will be entered in our viewpoint permitting system.

Eligible Permits:

The following work and permits may be eligible for the Remote Inspections Program:

- Replacement mechanical equipment (furnaces, boilers, water heaters, air condition units)
- Plumbing repairs, including electric water heater replacement
- Electrical repairs and service upgrades
- Electrical service reconnection
- Minor, non-structural interior alterations/renovations
- Minor rough electrical, plumbing and mechanical alterations/renovations
- Permits/projects falling outside those listed above may be considered

Note: Based on the size and/or complexity of the project it may not be possible to conduct the inspection via the Remote Inspection Program. The inspector will schedule an in-person inspection for this project.

Note: A remote inspection may be used as a re-inspection to verify any corrections noted during an on-site in person inspection.

Set up video meeting capabilities:

Inspectors should download the **Zoom, Webex** or other pre-approved video meeting application on to their City PC, tablet or both. The department has a single account for Webex and the username and password will be provided by the department manager.

Inspectors are to download **Zoom or Webex** and create an account utilizing their City email. This will allow inspectors to initiate meeting dates/times as necessary. Inspectors are not to use personal accounts for conducting City business.

Prepare for the inspection:

Prior to scheduling the inspection, permit holders should verify through the Inspector that the necessary tools to conduct the inspection will be readily available. For example, carry a tape measure, level, GFCI tester, Thermometer, flashlight or step ladder (for close ups of ceiling), etc.

Inspection Results:

The Inspector will update our permitting system with inspection results after the Remote Inspection meeting is completed. The Inspector may assess an additional fee for re-inspections, if applicable.

Inspectors may provide the option for the client to send a correction video or photos in lieu of another inspection date/time.

These guidelines may be altered or revoked as needed without notice to address changing needs of the Inspection Department or the construction industry.

Effective: October, 2021