

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, FEBRUARY 5, 2024 TIME: 5:30PM

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_524VQ9LLSFCy4SojW4pAsQ

5:30PM – ANTICIPATED NON-PUBLIC SESSIONS ARE BEING HELD IN CONFERENCE ROOM A

1. INFORMATION TECHNOLOGY – HOMELAND SECURITY – RSA 91-A:3, II (i)
2. COLLECTIVE BARGAINING AGREEMENT IN ACCORDANCE WITH RSA 91-A:3 II (a)
3. CONSIDERATION OF LEGAL ADVICE IN ACCORDANCE WITH RSA 91-A:3, II (I)

AGENDA

- *Regular portion of City Council meeting to begin at 7:00 p.m.*

I. WORK SESSION

- 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. Black History Month

VII. ACCEPTANCE OF MINUTES – DECEMBER 18, 2023

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

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 ORDINANCES AND/OR RESOLUTIONS

Public Hearing – Capital Improvement Plan (CIP):

- A. CAPITAL IMPROVEMENT PLAN (CIP) FY 2025-2030
 - **PRESENTATION** *(Presentation was held at the January 17, 2024 Work Session)*
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

(Action on CIP will take place at the March 4, 2024 City Council meeting)

(Sample motion – move to continue this evening’s public hearing until the March 4, 2024 City Council meeting)

Public Hearing – Outdoor Dining Encumbrance Permit Ordinance

B. Public Hearing on proposed Ordinance amending Chapter 6 – License – Article XVII – Outdoor Dining Encumbrance Permit, Section 6.1701 – 6.1707

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

(Sample motion – move to pass second reading and hold third and final reading at the February 20, 2024 City Council meeting)

XI. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager’s Items Which Require Action:

1. *Request for Public Hearing on the Elderly & Disabled Exemptions
2. Two-Month Lease Extension of Existing Franchise Agreement with Comcast
3. Temporary Construction License for Peirce Block
4. Request for Public Hearing on ARPA Funding for Personal Protective Equipment Inventory
5. Adoption of Change to Hometown Program Loan Administration
6. Request for Public Necessity Hearing for Property Located on Maplewood Avenue
7. Report Back on Request to Remove Salter Street from Waterfront Business District
8. *Request to Establish Polling Hours for the Ward 1 State Representative Special Election on March 12, 2024

XII. CONSENT AGENDA

A. Request from Raphael Roman, Roman Law Group/Fleet Street Title & Closing, to install a Projecting Sign at 51 Islington Street, Unit 1A (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement for this request***)

Planning Director’s Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***

- **Any removal or relocation of projecting sign, for any reason, shall be done at to the City; and**
 - **Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works**
- B. Letter from Jodie Tsekrekas, Cystic Fibrosis Foundation, requesting permission to hold the CF Cycle for Life for 2024 on Saturday, July 13, 2024 **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- C. Letter from Rich Clyborne, Gundalow Company, requesting permission to conduct the Round Island Regatta on Saturday, July 20, 2024 at the Peirce Island Boat Ramp from 10:00 a.m. to 12:45 p.m. **(Anticipated action – move to refer to the City Manager with Authority to Act)**
- D. Letter from Ashley Healy, David Krempels Brain Injury Center, requesting permission to hold the 27th Annual Cisco Brewers Portsmouth Memorial Day 5K on Sunday, May 26, 2024 at 11:00 a.m. **(Anticipated action – move to refer to the City Manager with Authority to Act)**

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. *Presentation Regarding Revaluation Process – Rosann Lentz, Certified Assessor
- B. Letter from Warren Widener, Seacoast Lacrosse Club, requesting permission to exhibit temporary signage on the fences at the Portsmouth Recreation Athletic Field for the spring 2024 lacrosse season **(Sample motion – move to refer to the City Manager with Authority to Act)**
- C. Letter from Joe Caldarola regarding Community Based Power: Does Opting Up reduce CO2 emissions **(Sample motion – move to accept and place on file)**
- D. Memorandum from Public Art Review Committee (PARC) regarding Proposed Donation of Art Work from artist Carl Austin Hyatt **(Sample motion – move to accept and refer to the City Manager for placement)**
- E. Email Correspondence **(Sample motion – move to accept and place on file)**

XIV. MAYOR McEACHERN

1. Resignations:
- Elaine Apatang-Butts from the Citywide Neighborhood Committee
 - Kathleen Boduch from the Citywide Neighborhood Committee
 - Lori Soloway from the Citywide Neighborhood Committee
 - Paul Burke from the Public Art Review Committee
 - Robert White from the Public Art Review Committee

(Sample motion – move to accept the resignations with regret and a letter of thanks be sent for their service to the city)

2. *Appointments to be Voted:
 - Donald Brabant as a regular member of the Audit Committee
 - Jeff Abrams as a regular member of the Cable and Broadband Internet Commission
 - Gary Lowe as a regular member of the Cable and Broadband Internet Commission
 - Talia Sperduto as an alternate member of the Conservation Commission
 - Jody Record reappointment as an alternate member of the Zoning Board of Adjustment

(Sample motion – move to appoint Donald Brabant to the Audit Committee, Jeff Abrams and Gary Lowe to the Cable and Broadband Internet Commission, Talia Sperduto as an alternate to the Conservation Commission and reappoint Jody Record as an alternate to the Zoning Board of Adjustment)

3. Appointments to be Considered:
 - Appointment of Jessica Dickey as an Alternate to the Arts & Cultural Commission
 - Appointment of Andrew Samonas as a regular member of the Planning Board
 - Appointment of Ernie (Ernestine) Greenslade to the Public Art Review Committee
 - Appointment of Robin Lurie-Meyerkopf to the Public Art Review Committee
 - Appointment of Megan Corsetti to the Housing Blue Ribbon Committee
 - Appointment of Tracy Kozak to the Housing Blue Ribbon Committee
 - Appointment of Mary Loane to the Housing Blue Ribbon Committee
 - Appointment of Byron Matto as the School Board Representative to the Housing Blue Ribbon Committee
 - Appointment of Dagan Migirditch to the Housing Blue Ribbon Committee
 - Appointment of Jen Stebbins Thomas to the Housing Blue Ribbon Committee

4. Council Goals ***(Sample motion – move to accept the Council Goals as presented)***

5. *Board and Commission Assignments for City Council

XV. CITY COUNCIL MEMBERS

A. COUNCILOR TABOR, COUNCILOR COOK AND COUNCILOR DENTON

1. Green Building and Infrastructure Policy ***(Sample motion – move to request updates on the exploration on the feasibility of incorporating electrical infrastructure & conduit pathways for EV charging stations AND on the basic design and cost for solar array covered parking at the Portsmouth High School in accordance with the 2023 Green Building and Infrastructure Policy)***

B. COUNCILOR TABOR AND COUNCILOR LOMBARDI

1. *Council Budget Guidance for FY25 Budget ***(Sample motion – move that the Council adopt a range of 3.5% - 4.5% increase in total expenditures as guidance for the FY25 budget, with no additional headcount unless the positions are self-funded)***

As the elected body, it is the City Council's role to balance the staff needs with the taxpayer's ability to pay for them. If this target requires reductions in the current high level of services, the city manager and staff should advise the council during the all-day budget presentation, review and listening session.

C. COUNCILOR COOK

1. Reducing Single-Use Plastic Service-ware Waste (***Sample motion – move to send the draft Single-Use Food Service-ware Reduction Ordinance included in your packet to the Sustainability Committee and the Legal Department for simultaneous review and report back at the March 18th City Council meeting so that first reading can be scheduled***)
2. *Charter Amendments (***Sample motion – move to request the Governance Committee review potential charter amendments to address legal interpretation in the case of perceived or actual conflicts between charter and state law***)

D. COUNCILOR BAGLEY

1. **Action Item Needing Approval by City Council:**
 - Woodbury Avenue Speed Cushion Plan
2. Parking & Traffic Safety Committee Action Sheet and Minutes of the November 29, 2023 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the November 29, 2023 Parking & Traffic Safety Committee meeting***)
3. **Action Item Needing Approval by City Council:**
 - 2 Russell Street (***Sample motion – move to approve requested changes to on-street parking on Deer Street and Russell Street as presented on approved site plans for project with modifications as proposed by DPW, with the inclusion of bicycle signage at locations as approved by the DPW Traffic Engineer, and the continuation of sharrows on Russell Street to Market Street***)
 - Parking Principles (***Sample motion – move to approve proposed changes to City Parking Principles as recommended by DPW and Planning Department. Original 2012 Parking Principles and recommended revised Parking Principles attached for Council review and approval***)
4. Parking & Traffic Safety Committee Action Sheet and Minutes of the January 4, 2024 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the January 4, 2024 Parking & Traffic Safety Committee meeting***)
5. *Schedule first reading to consolidate all city owned surface parking into Zone A (***Sample motion – move to refer to the Legal Department to draft an ordinance for first reading at the City Council meeting in March***)

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Donation for the Police Department for EV Vehicle and Charging Station (***Sample motion – move to approve and accept the donation as presented***)

VII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Water Service Line Inventory
2. Report Back on Request for Signage in Prescott Park Fence and Dock for Water Taxi
3. *Solar Panel Work Session
4. MAC Metals Scrapyard Report Back

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**

**The Council Chambers
City Hall
Portsmouth, New Hampshire**

A Proclamation

Whereas: Dr. Carter G. Woodson created the week-long commemoration in 1926 that has become Black History Month, selecting February because it contained the birthdays of two major influences in Black life at the time: Abraham Lincoln (February 12) and Frederick Douglass (February 14); and

Whereas: February is now observed throughout the nation as Black History Month with special programs and events; and

Whereas: In Portsmouth, the stories of African and African-American residents are woven deep in the fabric of our City. From 1645 when the first enslaved Africans were brought here, to the experiences of the members of our community who were buried in the African Burying Ground in the 1700s and 1800s; to the celebration of the vibrant communities of today; and

Whereas: In 2020, the Portsmouth City Council passed a Resolution which declared Portsmouth to be a Racial Justice Municipality and then upheld that resolve when challenged in 2023 by proclaiming that hate has no place in our City; and

Whereas: We stand proudly with the Seacoast NAACP, the Seacoast African American Cultural Center, the Black Heritage Trail of New Hampshire, the New England BIPOC Festival and many others who celebrate the complex history of Africans and African-Americans in Portsmouth; and

Whereas: We are resolved to affirm the City's commitment by hosting events, providing helpful pathways to additional resources, alerting employees and board and commission members to training opportunities, and identifying ways to advance dialogues with stakeholders for racial justice.

Now, therefore, I, Deaglan McEachern, Mayor of the City of Portsmouth, on behalf of the members of the City Council and the citizens of Portsmouth, do hereby proclaim the month of February 2024 in Portsmouth, New Hampshire as

Black History Month

and urge all citizens to champion our commitment to racial equity and inclusion and to sustain the open door of diversity throughout our community.



Given with my hand and the
Seal of the City of Portsmouth,
on this 5th day of February 2024

Deaglan McEachern, Mayor of Portsmouth

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: DECEMBER 18, 2023

PORTSMOUTH, NH
TIME: 7:00PM

III. CALL TO ORDER

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

IV. ROLL CALL

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

ABSENT: Councilor Blalock

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer in memory of the recent passing of Daniel Plummer.

VI. PLEDGE OF ALLEGIANCE

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



PORTSMOUTH HIGH SCHOOL HOLIDAY ENSEMBLE PERFORMANCE



Portsmouth High School Holiday Ensemble performed four Holiday music selections; Deck the Halls, Little Drummer Boy, Carol of the Bells, and Jingle Bells for the City Council.

Mayor McEachern thanked Steve Cirillo and the Holiday Ensemble for their beautiful performance.

At 7:15 p.m., Mayor McEachern called a brief recess to allow the Holiday Ensemble to breakdown their instruments and leave the chambers. At 7:18 p.m., Mayor McEachern called the meeting back to order.

PROCLAMATION

1. Jessica's Law Awareness in Portsmouth

Mayor McEachern read the Proclamation declaring the next 30 days for Jessica's Law Awareness in Portsmouth and called upon our fellow citizens to take the extra minute to clear snow and ice from their cars for the protection of us all. Mark Syracuse of the Parking & Traffic Safety Committee accepted the Proclamation with thanks and appreciation.

VII. ACCEPTANCE OF MINUTES – SEPTEMBER 18, 2023; OCTOBER 2, 2023 AND OCTOBER 16, 2023

Councilor Tabor moved to approve and accept the minutes of September 18, 2023, October 2, 2023, and October 16, 2023 City Council meetings. Seconded by Assistant Mayor Kelley.

Councilor Lombardi moved to amend page 8, third paragraph to change the word “rule” to “role” of the September 18th minutes. Seconded by Councilor Bagley.

Main motion passed as amended.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. Recognition of the efforts of Portsmouth NH 400th LLC, and its Managing Director Valerie Rochon

Mayor McEachern presented Valerie Rochon with a framed picture of the Street.Life!400 Dinner that took place August 16th on Congress Street. Ms. Rochon accepted the gift with thanks and appreciation and said she could not have done this without the support and assistance of her team.

2. Report of the Achievements of the 2021-2023 Arts and Nonprofits Committee

Barbara Massar Co-Chair provided a detailed presentation outlining the achievements of the 2021-2023 Arts and Nonprofits Committee. She reviewed the various recommendations of the Committee that were accomplished and those that were not. She spoke about the new Cultural Plan for the City and the vehicle for implementation. She thanked Sean Clancy, Assistant City Manager of Economic Development, who has been an integral part of the Committee.

Councilor Moreau moved to suspend the rules in order to bring forward Item XIII. A. – Presentation regarding Portsmouth 2123 Time Capsule. Seconded by Assistant Mayor Kelley and voted.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Presentation regarding Portsmouth 2123 Time Capsule – James Splaine & Robert Lister

Jim Splaine and Bob Lister provided a detailed presentation of the Portsmouth 2123 Time Capsule. Jim encouraged people to participate by placing a letter in the time capsule which will be unveiled in 2123. Bob said that this will be a perfect end to the yearlong celebration of Portsmouth’s 400th anniversary. Jim stated that the time capsule will be on display at various locations throughout Portsmouth. He further stated that people have until December 31st at Noon to insert a letter or momentum into the capsule before it is sealed for the next one hundred years.

Councilor Tabor moved to suspend the rules to bring forward Item XIV. 3. – Holiday Lights Contest Winners. Seconded by Councilor Bagley and voted.

XIV. MAYOR McEACHERN

3. Holiday Lights Contest Winners

Mayor McEachern announced that an anonymous donor made a \$500.00 donation to Gather.

The winners:

- Most Creative: Kris Kraft at 760 State Street who receives a meal out with the Mayor, the Portsmouth NH 400th 101 Objects book and a City blanket;
- Most Traditional: Molly Wilson at 1360 South Street who receives a Fire Department tour and ride-along plus the PNH400 101 Objects book and City blanket;
- Kids' Choice: Matt & Nicole Beyer at 580 FW Hartford Drive who receives a Police Department tour and ride-along plus a PNH400 101 Objects book and City blanket

Honorable Mentions:

- Jana Goldstein at 170 FW Hartford Drive
- Brent Guillot at 32 Manning Street
- Brian McGuire at 21 Madison Street

Mayor McEachern announced each of the honorable mentions will receive a Portsmouth NH 400th mug, the PNH400 Time Travel comic book and a City blanket.

Councilor Tabor recognized Kathy Boduc and Lori Solloway of the Citywide Neighborhood Committee for their work with the Holiday Lights Contest.

Mayor McEachern said that at the January 16, 2024 City Council meeting all winners will be recognized.

IX. PUBLIC COMMENT SESSION

Gary Lowe spoke on solar energy panels not being the purview of the Historic District Commission (HDC) and finds the decision process flawed. He feels that the Building Inspectors should be part of the process to ensure the requirements are met for solar panels.

Dan Brown said he has lived here for 46 years. He has been a member of the Historic District Commission for the last 2-3 years. He said the area you propose for solar panel only represents 5% of the area. He said 4 applications have been approved by the HDC.

Francis Cormier spoke to the gift of giving and that it is a spiritual thing.

Anne Moody spoke on the HDC solar proposal and her support of solar in the city. She stated recently she decided to install solar in her home. She said it was an atheistic decision and would not be visible on the HDC side of her home. She spoke of the need for rules and regulations to point to and it feels like more of a judgement call.

Maria Sillari spoke to increase activities at the Jones Avenue Scrap Yard. She said the issue needs to be resolved. She stated that the zoning ordinance allows exceptions for city projects, and they are impacting residents in the area.

Donald Stickney said if the scrap yard was operated in a respectful way it would not impact the neighborhood the way it is. He said there is an unnatural noise coming from the area. He stated the non-conforming use was felt when the scrap yard was sold. Mr. Stickney said the extension of use and information has been provided to city staff on the impact of this matter.

Tom Kelley spoke to the amount of traffic and noise from the scrap metal yard is an unacceptable burden on the neighborhood and the quality of life of the area has diminished. He stated things are worse now and continue to be. He said the business should not have been grandfathered in without consultation with the neighborhood.

Craig Willever spoke regarding noise and environmental impacts to the neighborhood from the scrap metal yard. He stated the amount of traffic has increased and is affecting the safety of pedestrians and the neighborhood. He requested that the City Council act on these grievances.

Reagan Ruedig said she is speaking as a resident and not as a member of the HDC. She said the HDC solar applications have increased over the last several years. She said that there are guidelines in all aspects of HDC. She said the solar portion of the regulations is a fluid document that could be updated as technical changes are brought forward. She said taking direction away from the HDC feels too drastic. She said she would encourage us to have a conversation on improving the guidelines and better approach applications for solar panels.

Margot Doering, HDC member, said she supports the concerns of the HDC on solar panels. She said as the environment changes the values are meeting and converging on each other.

David Adams said the city has benefited greatly from the HDC. He said a complete set of rules are not part of the HDC and preservation of community and HDC are happening and colliding together. He feels like a conversation should take place on this matter.

Michael Govern spoke on the issue of Jones Avenue Scrap Yard and said their operations are dangerous and a detriment to the neighborhood. He questioned how it was a laydown site for the city. He stated it is unclear if enforcement of the yard is being done collectively. Mr. Govern asked for the City Council to hear the neighborhoods concerns and have dialogue to resolve the issues.

Josh Share said he lives 15 houses from the scrap metal operations and the noise is unreasonable and the operations are unsafe.

Brain Ratay says he goes down Jones Avenue and is appalled by what is happening in the area. He has almost been hit by trucks where there are always 3 or more trucks that come right at him, which make Jones Avenue unsafe.

Martin Ryan, HDC member – via Zoom, but is not speaking on behalf of the HDC. He said don't put the HDC in such an uneasy position and that there has been no oversight on this matter. He said public engagement on this matter is vital and the HDC should have input on this matter. He said HDC has approved solar panels, and some applications were denied.

Mr. Ryan said there needs to be a balanced approach and progress needs to be made and the Planning Department needs to have guidance on this.

Mayor McEachern welcomed the new members of the HDC here and said that this is not a dialogue session. He said he was surprised to find out the city could lay down construction equipment and materials at this site. He said the City Council will be taking this matter up early next year.

X. PUBLIC HEARING AND VOTE ON ORDINANCES AND/OR RESOLUTIONS

Public Hearings/Second Reading of Ordinance and Resolutions:

- A. Public Hearing/Second Reading of Ordinance amending Chapter 1, Article IV – Commission and Authorities – Public Art Review Committee

- **PRESENTATION**

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

- **CITY COUNCIL QUESTIONS**

Councilor Cook said there are two changes, one is to add a City Councilor as a non-voting member and there is a typographical error to correct.

Mayor McEachern said this is an important opportunity for the city.

- **PUBLIC HEARING SPEAKERS**

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

Councilor Cook moved to pass second reading and suspend the rules to take up third and final reading. Seconded by Councilor Moreau and voted.

Councilor Cook moved to pass third and final reading of the ordinance. Seconded by Councilor Moreau and voted,

- B. Public Hearing/Adoption of Resolution on a Supplemental Appropriation from Unassigned Fund Balance of \$450,000.00 for Outside Counsel Legal Fees

- **PRESENTATION**

City Manager Conard said that this resolution is a supplemental appropriation for outside legal fees.

- **CITY COUNCIL QUESTIONS**

There were no questions by the City Council.

- **PUBLIC HEARING SPEAKERS**

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

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Lombardi moved to adopt the Resolution as presented. Seconded by Assistant Mayor Kelley.

On a unanimous roll call vote 8-0, motion passed.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Temporary Construction License for 70 Maplewood Avenue

City Manager Conard said the owner is making improvements to the property. She stated the encumbrance permit expires January 10th and there will be no pass-through staging. She reported that the owners will post appropriate signage and the license has been reviewed and approved.

Councilor Moreau moved to authorize the City Manager to execute and accept the temporary construction license to encumber the sidewalks along Maplewood Avenue and Deer Street that abut 70 Maplewood Avenue as requested. Seconded by Councilor Bagley and voted.

2. Lease Extension for Community Campus Tenants

City Manager Conard reported that 3 tenants at the campus are seeking lease extensions.

Councilor Moreau moved to accept the Amendments to the Lease Agreement(s) with the Child Advocacy Center of Rockingham County, Inc., the Krempels Center and Seacoast Outright to extend the terms through June 30, 2024 as presented. Seconded by Councilor Bagley.

Councilor Cook asked if another tenant will be brought into the space that was vacated. She inquired about the space for the Lister Academy at the campus. City Manager Conard said the spaces are not always efficient and we are considering the best site in the building for the Lister Academy. She also indicated we are working with each tenant on their space needs.

Motion passed.

3. Revocable License for 320 Union Street

City Manager Conard said staff has worked together and support a revocable license. She said minor typographical errors will be corrected before execution of the document.

Councilor Moreau moved to authorize the City Manager to execute and deliver a Revocable License allowing the Owner of 320 Union Street to reface their existing retaining wall and construct a new retaining wall on City property. Seconded by Assistant Mayor Kelley and voted.

4. Polling Hours for 2024 Presidential Primary Election

City Manager Conard said this is a request from City Clerk Barnaby for setting the polling hours from 8:00 a.m. to 7:00 p.m. for the Presidential Primary Election.

Assistant Mayor Kelley moved to establish polling hours for the Presidential Primary Election on January 23, 2024 from 8:00 a.m. to 7:00 p.m. as presented by the City Clerk. Seconded by Councilor Lombardi and voted.

5. Drainage Easement for Property Located at 700 Peverly Hill Road

City Manager Conard said the Planning Board granted site approval for 700 Peverly Hill Road to Portsmouth Auto. She stated it will improve drainage in the area and having an easement gives the city rights but is not obligated.

Councilor Moreau moved to authorize the City Manager to accept and record a drainage easement from JMK Realty, LLC in substantially similar form to the easement provided in the agenda packet. Seconded by Assistant Mayor Kelley.

Councilor Moreau said it is important to gather easements for this type of process.

Motion passed.

6. Access Easement for 201 Kearsarge Way

City Manager Conard advised the Council that the Planning Board granted amended subdivision approval for a three-lot subdivision to Richard P. Fusegni for property located at 201 Kearsarge Way. She indicated that the Planning Board recommended the City accept an access easement over a portion only of a private driveway for public access and turnaround off Birth Street, a 40', dead-end public right of way.

Councilor Moreau to authorize the City Manager to accept and record an access easement from Richard P. Fusegni in substantially similar form to the easement contained in the agenda packet. Seconded by Assistant Mayor Kelley and voted.

XII. CONSENT AGENDA

- A. Letter from Jennie Halstead, My Breast Cancer Support, requesting permission to hold the 15th Annual Celebrate Pink 5k Walk & Run on Sunday, September 22, 2024 (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- B. Letter from John Mortimer, Millennium Running, requesting permission to hold the St. Paddy's 5k/10k on Sunday, March 10, 2024 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

- C. Letter from Cullen Madden, Millennium Running, requesting permission to hold the Eastern States 20 Miler & Half Marathon on Sunday, March 17, 2024
(Anticipated action – move to refer to the City Manager with Authority to Act)
- D. Letter from John Mortimer, Millennium Running, requesting permission to hold the 2024 Restore New Castle 10k on Sunday, April 28, 2024 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- E. Letter from Rob Cimini, Greenleaf Rec Center Teens Program, requesting permission to hold the Greenleaf Rec Challenge on Saturday, May 11, 2024 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***

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

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- B. Email Correspondence

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

XIV. MAYOR McEACHERN

- 1. Resignation – Richard Adams from the Trees and Public Greenery Committee effective December 31, 2023

Assistant Mayor Kelley moved to accept with regret and requested a letter be sent thanking Mr. Adams for his service to the city. Seconded by Councilor Bagley.

Assistant Mayor Kelley said Mr. Adams brought a great deal of knowledge while serving on the Trees and Public Greenery Committee. She personally thanked Dick for his work on the Committee.

Motion passed.

- 2. *Appointments to be Voted:
 - Stephen Buzzell to the Cemetery Committee until December 18, 2025
 - Kelly DeCourcy to the Citizen Advisory Committee
 - Susan Durling to the Citizen Advisory Committee
 - Alice Carey to the Conservation Commission until April 1, 2026
 - Maria Peppas to the Library Board of Trustees until October 1, 2026
 - Tyler McLaughlin to the Library Board of Trustees until October 1, 2026
 - Rick Chellman to the Planning Board until December 31, 2026
 - Paul Giuliano to the Planning Board until December 31, 2026
 - Peter Weeks to the Trustees of the Trust Fund until January 1, 2027
 - Emma Stratton to the Arts & Cultural Commission
 - Courtney Perkins to the Arts & Cultural Commission

- Karen Rosania to the Arts & Cultural Commission
- Robin Albert Lehman to the Arts & Cultural Commission
- Linnea Grim to the Arts and Cultural Commission
- John Elias “Eli” Kaynor to the Arts and Cultural Commission
- Kenneth Goldman to the Arts and Cultural Commission
- Jason Goodrich to the Arts and Cultural Commission
- Genevieve Aichele to the Arts and Cultural Commission
- Jeffrey Cooper to the Arts and Cultural Commission
- Catherine Saarela to the Arts and Cultural Commission
- Theresa MacDowell to the Arts and Cultural Commission
- Lennie Mullaney to the Public Art Review Commission

Assistant Mayor Kelley voted to approve the appointments as outlined above. Seconded by Councilor Moreau and voted.

Councilor Cook thanked everyone that serves on the Arts and Cultural Commission and that they will continue to do an amazing job.

Motion passed.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR DENTON & COUNCILOR BLALOCK

1. HDC Solar Energy Panel Amendment

Councilor Denton said it is his and Councilor Blalock’s intention to hold First Reading on Tuesday, January 16, 2024, to amend Article IV: Commissions and Authorities, Section 1.403: Historic District Commission, C. Powers and Duties, by adding the following sentence at the end of paragraph 1: “The review of solar energy panels is not within the purview of the Historic District Commissioner’s powers and duties.”

Councilor Moreau said she would like to slow down and have a larger discussion and have the Historic District Commission and the Sustainability Committee to have a work session and come up with guidelines for this matter. She said we need more conversation on this matter.

Assistant Mayor Kelley said she agrees that a work session needs to be held on this matter.

Councilor Lombardi said this was presented as a change to the ordinance, normally changes are done in collaboration. He said the proposal was never presented to the HDC and this was found out about through the newspaper. He said guidelines need to be updated, the proposals for a blanket instrument. He said we need more discussion, and it would be a better statement if HDC and sustainability Committee work together on updating solar panel guidelines.

Councilor Bagley said he would support a motion that took away guidance from installation of their homes. He has concerns about slowing this down. He said it is a cumbersome process and it is difficult and challenging to have residents present information to land use.

Councilor Cook said she was struck by comments from HDC members, and we need to be careful about making decisions. She said we can have solar if guidelines are clear. She said the guidelines can be confusing to homeowners, it costs a lot of money for a homeowner to come to the HDC. She said she is concerned about this, and we need to improve our sustainable measures. She said it is reasonable to have a work session on this matter.

Mayor McEachern said the historic nature of the community is important. He said we need to look at this regularly and echo the intent to make this as easy as possible.

B. COUNCILOR COOK

1. Governance Committee Year-End Update

Councilor Cook asked the City Council to review her report outlined in the City Council packet.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation to the Fire Department from Brian & Suzanne Engelhardt - \$100.00 to be used at the department's discretion

Assistant Mayor Kelley moved to accept and approve the donation to the Fire Department in the amount of \$100.00 to be used at the department's discretion. Seconded by Councilor Moreau and voted.

- B. Acceptance of Donation to the Fire Department from Paul Gormley & Kimi Iguchi - \$2,500.00 to be used at the department's discretion

Assistant Mayor Kelley moved to accept and approve the donation to the Fire Department in the amount of \$2,500.00 to be used at the department's discretion. Seconded by Councilor Moreau and voted.

- C. Acceptance of Moose License Plate Conservation Grant - \$9,695.80

Councilor Moreau moved to accept and approve the Moose License Plate Conservation Grant as presented. Seconded by Councilor Lombardi and voted.

- D. Acceptance of Grant to Fire Department from the Department of Safety, Division of Fire Standards & Training and EMS - \$16,575.00

Assistant Mayor Kelley moved to accept and approve the grant as presented. Seconded by Councilor Moreau and voted.

VII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Report Back on the Demolition Ordinance

City Manager Conard recommended conducting a work session in the new year to amend the Demolition Ordinance.

2. Parking Signs for the McIntyre Lot

City Manager Conard reported to the City Council that the Traffic Engineer will work with all existing owners/managers of private lots that provide public parking to revise and improve their signage throughout the city.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Mayor McEachern announced that the Inauguration will be held on January 2, 2024 at 7:00 p.m. in the Eileen Dondero Foley Council Chambers.

XIX. ADJOURNMENT

At 9:40 p.m., Councilor Moreau 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 Monday, February 5, 2024 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on the Proposed CAPITAL IMPROVEMENT PLAN. The Complete Capital Improvement Plan is on file in the Office of the City Clerk during regular business hours and is also available on the city website.

CITY OF PORTSMOUTH, NH

Capital Plan Summary '25

Description

| | | |
|------|----------------------------------|-----------------|
| I. | VEHICLES AND EQUIPMENT | \$2,943,500.00 |
| II. | BUILDINGS AND INFRASTRUCTURE | \$52,360,000.00 |
| III. | INFORMATION SYSTEMS | \$1,254,038.00 |
| IV. | TRANSPORTATION SYSTEM MANAGEMENT | \$1,887,500.00 |
| V. | ENTERPRISE FUNDS | \$32,015,000.00 |
| VI. | COMBINED FUND PROJECTS | \$8,500,000.00 |
| | CAPITAL CONTINGENCY | \$100,000.00 |
| | | |
| | | |
| | GRAND TOTAL | \$99,060,038.00 |

*\$2,488,000.00 is proposed to be funded from FY25 General Fund Capital Outlay

KELLI L. BARNABY, MMC/CNHMC
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CITY OF PORTSMOUTH,
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GRAND TOTAL
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CITY CLERK

LEGAL NOTICE

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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 Monday, February 5, 2024 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on the proposed Ordinance amending Chapter 6 – License – Article XVII – Outdoor Dining Encumbrance Permit, Section 6.1701- 6.1707. The complete Ordinance is available for review in the Office of the City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY,
MMC/CNHMC
CITY CLERK

ORDINANCE

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 6, LICENSE, Article XVII – OUTDOOR DINING ENCUMBRANCE PERMIT, Sections 6.1701- 6.1707, of the Ordinances of the City of Portsmouth, be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

CHAPTER 6 LICENSE

ARTICLE XVII- OUTDOOR DINING ENCUMBRANCE PERMIT

Section 6.1701: STATEMENT OF PURPOSE

The City Council determines that it is a lawful purpose to temporarily encumber sidewalks, loading zones and parking spaces for outdoor dining through the City's issuance of an Outdoor Dining Encumbrance Permit, which will balance the shared use of the public realm by city residents, visitors, restaurant owners and other downtown businesses. The Council encourages outdoor dining under the conditions set forth in this ordinance because it enhances the economic vitality of the City, will ensure Americans with Disabilities Act ("ADA") accessibility and preserve access to downtown businesses while maintaining the safe flow of vehicular and pedestrian traffic. This permit does not limit or impact the availability of other permits and licenses.

Section 6.1702: TERM

Outdoor Dining Encumbrance Permits will be issued annually for a term beginning May 1st through the day after Indigenous Peoples' Day.

Section 6.1703: FEE

The Fee Schedule Study Committee shall establish the annual fee for Outdoor Dining Encumbrance Permits based on the Economic Development Commission's fee considerations for the first year of the effective date of the ordinance. For each successive year, the Outdoor Dining Encumbrance Permit fee shall be established in accordance with Chapter 1, Article XVI, relative to the adoption of fees by City Council budget resolution.

Section 6.1704: AUTHORIZED LOCATIONS FOR OUTDOOR DINING

Outdoor dining is permitted on city sidewalk(s), parking spaces and loading zones. Outdoor Dining is prohibited on all city streets, except on streets if traffic is less than 1,000 vehicles a day, and the design and location is approved by City Staff, including the Fire Department, for public safety.

Section 6.1705: PERMIT APPLICATION PROCESS

The City Manager or their designee will create online forms for the Outdoor Dining Encumbrance Permit. The Content of the Application shall include, but not be limited to, the following:

A. Applicant, Owner and Abutter Information, which shall include:

1. The name and contact information for the representative of the Applicant (food establishment entity ("Entity"));
2. City Tax Map and Lot and name of Owner of building where Entity is located; and
3. If any portion of the outdoor dining area is in front of an abutter's property, the City Tax Map and Lot of the abutting building(s), name of Owner and a statement of permission from first floor occupants of abutting building(s).

B. Plan: Every Application will include a Plan, created by Applicant with assistance from City Staff, with sufficient detail that shall include the following:

1. Location:

The Plan will show that the outdoor dining area is in a permitted location.

2. Existing Conditions:

The Plan shall include the existing conditions of the public infrastructure in the encumbered area, which includes but is not limited to, curb lines, light poles, signpost, bike racks, street trees, tree grates, manhole covers, meters, sidewalk curb cuts, fire hydrants, Fire Department connections and proximity in feet to crosswalks and intersections, if applicable. City Staff will work with Applicant to identify existing conditions on the Plan.

3. Layout and Compliance with Design Standards:

The Plan shall also show ingress and egress to the encumbered area and the layout of all objects in the encumbered area, including the dimensions and materials of tables and chairs, lighting and power sources, heaters, stands, A-frame signs, parklets, barriers and planters. The layout will comply with Design Standards recommended by the Economic Development Commission, which will

be reviewed and approved along with this ordinance, and as further amended by the City Council.

C. Compliance:

Prior to issuance of permit, Applicant will acknowledge receipt of and compliance with the Design Standards. Applicant shall also provide confirmation that it has the permission from the New Hampshire State Liquor Commission to serve alcohol in the outdoor dining encumbrance area, if applicable, and will comply with all state statutes, rules and regulations of the New Hampshire State Liquor Commission and all other City ordinances, rules and regulations.

Section 6.1706 DUTIES OF APPLICANT UPON ISSUANCE OF PERMIT

Every Applicant that is issued an Outdoor Dining Encumbrance Permit shall:

- A. Agree to permit the City to conduct all reasonable inspections of the outdoor dining encumbrance area;
- B. Comply with all applicable governing laws, Codes, City ordinances, state statutes, Design Standards and City rules, regulations and policies;
- C. Maintain and install all infrastructure in the encumbered area in a safe, clean and appropriate manner and take all action necessary to protect the public safety;
- D. Refrain from damaging the encumbered area and to restore it to its original condition upon termination of the permit;
- E. Refrain from operating outdoor dining after expiration of the permit or at any time during periods of revocation or suspension;
- F. Remove all Applicant's property from the encumbered area by the day after Indigenous Peoples' Day or within 24 hours after the encumbered area is no longer used for outdoor dining. If Applicant fails to remove its property from the encumbered area, the City will remove and store the property for 48 hours. The Applicant will be assessed a \$250 removal and storage fee. If the removal and storage fee is not paid or the property is not retrieved by the Applicant before the expiration of the 48-hour storage period, the Applicant will forfeit ownership of the property to the City; and
- G. Comply with all terms, conditions and other additional requirements set forth in the permit, including but not limited to an agreement to indemnify the City and to name the City as an additional insured in an amount prescribed in the permit and payment of permit fee.

Section 6.1707 DENIAL, SUSPENSION, REVOCATION AND PENALTIES

- A. Denial and Temporary Suspension:

The City may deny or temporarily suspend the Outdoor Dining Encumbrance Permit if it would interfere with special events or for any maintenance or construction which requires closure of streets, sidewalks, loading zones or parking spaces.

B. Suspension and Revocation:

The Outdoor Dining Encumbrance Permit will be suspended or revoked for breach of the terms and conditions of the permit and for failure to comply with this ordinance. The permit will be suspended 48 hours after receipt of written notice from the City. No 48 hours' notice is required if it is an emergency.

C. Penalties:

If the Applicant violates the provisions of this ordinance, it shall be subject to all penalties set forth in City Ordinance, Chapter 1, Article XIII and all other additional remedies permitted by law.

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

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

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

City of Portsmouth
Outdoor Dining Design Standards | Best Practices

The following represents best practices for the design of outdoor dining:

Objectives

- Regulate the safety and flow of pedestrian and vehicular traffic.
- Define a standard of visual appropriateness and streetscape conformity within historic downtown Portsmouth.
- Create outdoor dining spaces easily usable by people with disabilities.

Furniture

- Restaurants must provide sturdy tables and chairs suitable for outdoor use and capable of withstanding different weather conditions. Tables made of metal, finish grade wood and sturdy recycled materials are encouraged. Seating must be properly finished such that there is no rust, splintering or deterioration.
- Tables may not exceed 30" in height.
- Tables must accommodate people who use wheelchairs either by using movable seating, no less than a 19" deep tabletop overhang, or a space for a wheelchair.
- No advertisements or logos on umbrellas.

Barriers: Sidewalks

- Sturdy barriers such as freestanding sectional fencing, rope or chain are acceptable, not to exceed three feet (36") in height. Barriers may not be supplemented with plants or other materials that cause the height to exceed three feet (36"). No advertisements are allowed on barrier fencing. Stanchions with rope or chain are permitted for sidewalk use.
- Entry access to dining spaces to be no less than 44" wide.
- Materials not manufactured for fencing or pedestrian control, including but not limited to buckets, food containers, tires, tree stumps, pallets, etc. may not be used as components of barriers. Chain link fencing, plastic, vinyl, chicken wire or cyclone fencing are not permitted. Alternative materials may be used with City approval.

Barriers: Parking Spaces, Loading Zones and Travel Lanes

- Maximum barrier height of 3 feet (36").
- Planters may be used as part of or on top of barriers; combination barriers/plants/greenery are not to exceed 6' feet (72") in height above the street. Maximum total height not to exceed 3 feet (36") within 20 feet of an approach to a crosswalk .

- **City-provided jersey barriers will be used on the leading edge of dining areas and may also be used on other edges for safety, to be determined by City.**
- **Alternate barriers must have approval from the City.**

Platforms, Parklets

- **Platforms or parklets must be used in all on-street dining in both parking spaces, loading zones and travel lanes, unless the space is curbless.**
- **Platforms and parklets must be flush with the curb to create a seamless extension of the sidewalk.**
- **Platforms and parklets are limited to a maximum width of the on street parking space so as to not encroach upon any travel lanes, or not more than 10' in the case of diagonal parking spaces.**
- **Platforms and parklets will be built from durable materials such as wood or metal.**
- **Parklets may extend taller than 3 feet (36"), The space above 36" must be primarily transparent (see-through) to maintain visibility of street level activity. In no case should height exceed 6 feet (72").**



CITY OF PORTSMOUTH

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

Karen S. Conard
City Manager

Date: February 1, 2024

To: Honorable Mayor McEachern and City Council Members

From: Karen S. Conard, City Manager *KSC*

Re: City Manager's Comments on City Council Agenda of February 5, 2024

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

A. Public Hearing Regarding Capital Improvement Plan (CIP) FY2025-2030:

In accordance with Section 7.7 of the City Charter, the City Council is conducting a public hearing at this evening's City Council meeting regarding the [proposed Capital Improvement Plan for FY 2025 – FY 2030](#). In addition to this evening's public hearing, the City Council held a work session on January 17, 2024. At the work session, [a presentation of the proposed CIP](#) was made by City staff. [The proposed CIP and presentation are available on the City's website](#). 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.

Action on the CIP will take place at the March 4, 2024 City Council meeting.

I recommend that the City Council move to continue this evening's public hearing until the March 4, 2024 City Council meeting.

B. Public Hearing on Proposed Ordinance Amending Chapter 6 – License – Article XVII – Outdoor Dining Encumbrance Permit, Section 6.1701 – 6.1707:

[A proposed ordinance creating an Outdoor Dining Encumbrance Permit](#) is being presented at this evening's meeting. This re-drafted ordinance was reviewed and endorsed by the Economic Development Commission (EDC) at its January 5, 2024 meeting. In summary, the proposed ordinance creates an Outdoor Dining Encumbrance Permit that will be administered through the City's online permitting system. Outdoor dining will be permitted on sidewalks, in parking spaces, and in loading zones. It will be prohibited on streets, except on streets if traffic is less than 1,000 vehicles per day and the design and location is approved by City Staff, including the Fire Department, for public safety. If a dining area is proposed in front of an abutter, permission from the abutter is required.

Fees are to be established by the Fee Schedule Study Committee. Suspension or revocation of a permit may occur due to special events, construction projects, or emergencies. A penalty structure is also included to encourage compliance.

The Outdoor Dining Encumbrance Permit Ordinance, if adopted, should be accompanied by a City Council policy setting forth the [Outdoor Dining Design Standards/Best Practices \(“Design Standards”\)](#). These Design Standards were also reviewed and endorsed by the EDC at its January 5, 2024 meeting. The EDC recommended that the Design Standards not be included in the ordinance, and stand as a policy, to allow a faster process and more flexible approach to address changing conditions.

I recommend that the City Council move to pass second reading and schedule a third and final reading at the February 20, 2024 City Council meeting.

XI. City Manager’s Items Which Require Action:

1. Request for Public Hearing on the Elderly and Disabled Exemptions:

Annually, the City of Portsmouth reviews income and asset levels for both the Elderly and Disabled Exemptions and makes recommendations as to these levels pursuant to RSA 72:39-b and RSA 72.37-b.

Last year, the City Council adopted resolutions #3-2023 and #4-2023 which increased the income levels for qualifying elderly and disabled. The current elderly and disabled exemption income levels are \$50,137 for a single taxpayer and \$68,598 for married taxpayers; the current asset limit is \$500,000.

If qualified, for elderly taxpayers the exemption off the assessed value of the property is as follows:

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

If qualified, for disabled taxpayers the exemption off the assessed value of the property is \$235,000.

Option 1:

The 2024 increase for Social Security recipients is 3.2%.

If the City Council wishes to adjust the income level for both the elderly and disabled taxpayers by the Social Security cost-of-living increase, this would increase the limits as follows:

- Single \$51,741 (increase of \$1,604)
- Married \$70,793 (increase of \$2,195)

Option 2:

The November to November ten-year rolling average of the Boston-Cambridge-Newton, MA-NH consumer price index is 2.69%.

If the City Council wishes to adjust the income level for both the elderly and disabled taxpayers by this average, this would increase the limits as follows:

- Single \$51,486 (increase of \$1,349)
- Married \$70,443 (increase of \$1,845)

Option 3:

Do Nothing.

Statute does not require an annual adjustment in income, asset or exemption amounts. Existing levels can remain capped as they currently exist. Any adjustment if approved would be for assessments as of April 1, 2024 for Tax Year 2024 (FY25).

Below for your information is the estimated tax impact of the elderly and disabled exemptions for FY24 and a Town/City comparison indicating what other City and neighboring communities' income and assets limits are for the elderly exemption.

| Estimated Elderly & Disabled Exemption Impact | | | | |
|--|-------------------------|---|-------------------------|----------------------|
| Exemption Type | Exemption Amount | Number Currently Receiving Exemption | Value Loss | Revenue Loss |
| 65 through 74 | \$ 235,000.00 | 31 | \$ 7,285,000.00 | \$ 117,507.05 |
| 75 through 79 | \$ 285,000.00 | 38 | \$ 10,830,000.00 | \$ 174,687.90 |
| 80 and over | \$ 335,000.00 | 65 | \$ 21,775,000.00 | \$ 351,230.75 |
| Disabled | \$ 235,000.00 | 2 | \$ 470,000.00 | \$ 7,581.10 |
| Totals | | 136 | \$ 40,360,000.00 | \$ 651,006.80 |

Note: The current tax rate of \$16.13 would be decreased to a difference of approximately .10 cents on the current tax rate if the elderly and disabled exemptions were not granted.

| Elderly Exemption Comparison Single Income | | | | | | | |
|--|----------------|-----------------|----------------|-----------------|---------------------------|---------------------------|-------------------------|
| | Single Income: | Married Income: | Single Assets: | Married Assets: | Exemption 65-74 years old | Exemption 75-79 years old | Exemption 80+ years old |
| Nashua | \$54,000 | \$54,000 | \$162,000 | \$162,000 | \$256,000 | \$295,000 | \$363,000 |
| Portsmouth | \$50,137 | \$68,598 | \$500,000 | \$500,000 | \$235,000 | \$285,000 | \$335,000 |
| Dover | \$47,000 | \$64,000 | \$186,100 | \$186,100 | \$166,000 | \$234,000 | \$300,000 |
| Manchester | \$47,000 | \$63,000 | \$100,000 | \$130,000 | \$156,000 | \$210,000 | \$280,000 |
| North Hampton | \$40,800 | \$59,000 | \$190,000 | \$190,000 | \$125,000 | \$165,000 | \$200,000 |
| Rye | \$40,000 | \$59,900 | \$199,000 | \$199,000 | \$140,000 | \$170,000 | \$200,000 |
| New Castle | \$40,000 | \$55,000 | \$150,000 | \$150,000 | \$125,000 | \$175,000 | \$225,000 |
| Concord | \$39,000 | \$55,300 | \$100,000 | \$100,000 | \$80,000 | \$131,000 | \$223,000 |
| Rochester | \$38,500 | \$55,000 | \$120,000 | \$120,000 | \$90,000 | \$120,000 | \$150,000 |
| Hampton | \$38,000 | \$58,000 | \$250,000 | \$250,000 | \$140,000 | \$168,000 | \$221,000 |
| 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 |
| Somersworth | \$35,000 | \$50,000 | \$100,000 | \$100,000 | \$65,000 | \$80,000 | \$90,000 |

| Elderly Exemption Comparison Married Income | | | | | | | |
|---|----------------|-----------------|----------------|-----------------|---------------------------|---------------------------|-------------------------|
| | Single Income: | Married Income: | Single Assets: | Married Assets: | Exemption 65-74 years old | Exemption 75-79 years old | Exemption 80+ years old |
| Portsmouth | \$50,137 | \$68,598 | \$500,000 | \$500,000 | \$235,000 | \$285,000 | \$335,000 |
| Dover | \$47,000 | \$64,000 | \$186,100 | \$186,100 | \$166,000 | \$234,000 | \$300,000 |
| Manchester | \$47,000 | \$63,000 | \$100,000 | \$130,000 | \$156,000 | \$210,000 | \$280,000 |
| 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 | \$140,000 | \$170,000 | \$200,000 |
| 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 |
| Concord | \$39,000 | \$55,300 | \$100,000 | \$100,000 | \$80,000 | \$131,000 | \$223,000 |
| New Castle | \$40,000 | \$55,000 | \$150,000 | \$150,000 | \$125,000 | \$175,000 | \$225,000 |
| Rochester | \$38,500 | \$55,000 | \$120,000 | \$120,000 | \$90,000 | \$120,000 | \$150,000 |
| Nashua | \$54,000 | \$54,000 | \$162,000 | \$162,000 | \$256,000 | \$295,000 | \$363,000 |
| Somersworth | \$35,000 | \$50,000 | \$100,000 | \$100,000 | \$65,000 | \$80,000 | \$90,000 |

| Elderly Exemption Comparison Single Assets | | | | | | | |
|--|----------------|-----------------|----------------|-----------------|---------------------------|---------------------------|-------------------------|
| | Single Income: | Married Income: | Single Assets: | Married Assets: | Exemption 65-74 years old | Exemption 75-79 years old | Exemption 80+ years old |
| Portsmouth | \$50,137 | \$68,598 | \$500,000 | \$500,000 | \$235,000 | \$285,000 | \$335,000 |
| 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 | \$140,000 | \$170,000 | \$200,000 |
| North Hampton | \$40,800 | \$59,000 | \$190,000 | \$190,000 | \$125,000 | \$165,000 | \$200,000 |
| Dover | \$47,000 | \$64,000 | \$186,100 | \$186,100 | \$166,000 | \$234,000 | \$300,000 |
| Nashua | \$54,000 | \$54,000 | \$162,000 | \$162,000 | \$256,000 | \$295,000 | \$363,000 |
| New Castle | \$40,000 | \$55,000 | \$150,000 | \$150,000 | \$125,000 | \$175,000 | \$225,000 |
| Rochester | \$38,500 | \$55,000 | \$120,000 | \$120,000 | \$90,000 | \$120,000 | \$150,000 |
| Manchester | \$47,000 | \$63,000 | \$100,000 | \$130,000 | \$156,000 | \$210,000 | \$280,000 |
| Concord | \$39,000 | \$55,300 | \$100,000 | \$100,000 | \$80,000 | \$131,000 | \$223,000 |
| 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 Comparison Married Assets | | | | | | | |
|---|----------------|-----------------|----------------|-----------------|---------------------------|---------------------------|-------------------------|
| | Single Income: | Married Income: | Single Assets: | Married Assets: | Exemption 65-74 years old | Exemption 75-79 years old | Exemption 80+ years old |
| Portsmouth | \$50,137 | \$68,598 | \$500,000 | \$500,000 | \$235,000 | \$285,000 | \$335,000 |
| 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 | \$140,000 | \$170,000 | \$200,000 |
| North Hampton | \$40,800 | \$59,000 | \$190,000 | \$190,000 | \$125,000 | \$165,000 | \$200,000 |
| Dover | \$47,000 | \$64,000 | \$186,100 | \$186,100 | \$166,000 | \$234,000 | \$300,000 |
| Nashua | \$54,000 | \$54,000 | \$162,000 | \$162,000 | \$256,000 | \$295,000 | \$363,000 |
| New Castle | \$40,000 | \$55,000 | \$150,000 | \$150,000 | \$125,000 | \$175,000 | \$225,000 |
| Manchester | \$47,000 | \$63,000 | \$100,000 | \$130,000 | \$156,000 | \$210,000 | \$280,000 |
| Rochester | \$38,500 | \$55,000 | \$120,000 | \$120,000 | \$90,000 | \$120,000 | \$150,000 |
| Concord | \$39,000 | \$55,300 | \$100,000 | \$100,000 | \$80,000 | \$131,000 | \$223,000 |
| 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 Comparison Exemption Amount 65-74 Years Old | | | | | | | |
|---|----------------|-----------------|----------------|-----------------|---------------------------|---------------------------|-------------------------|
| | Single Income: | Married Income: | Single Assets: | Married Assets: | Exemption 65-74 years old | Exemption 75-79 years old | Exemption 80+ years old |
| Nashua | \$54,000 | \$54,000 | \$162,000 | \$162,000 | \$256,000 | \$295,000 | \$363,000 |
| Portsmouth | \$50,137 | \$68,598 | \$500,000 | \$500,000 | \$235,000 | \$285,000 | \$335,000 |
| Dover | \$47,000 | \$64,000 | \$186,100 | \$186,100 | \$166,000 | \$234,000 | \$300,000 |
| Manchester | \$47,000 | \$63,000 | \$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 |
| Rye | \$40,000 | \$59,900 | \$199,000 | \$199,000 | \$140,000 | \$170,000 | \$200,000 |
| Stratham | \$36,000 | \$60,000 | \$200,000 | \$200,000 | \$125,000 | \$145,000 | \$165,000 |
| North Hampton | \$40,800 | \$59,000 | \$190,000 | \$190,000 | \$125,000 | \$165,000 | \$200,000 |
| New Castle | \$40,000 | \$55,000 | \$150,000 | \$150,000 | \$125,000 | \$175,000 | \$225,000 |
| Rochester | \$38,500 | \$55,000 | \$120,000 | \$120,000 | \$90,000 | \$120,000 | \$150,000 |
| Concord | \$39,000 | \$55,300 | \$100,000 | \$100,000 | \$80,000 | \$131,000 | \$223,000 |
| 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 Comparison Exemption Amount 75-79 Years Old | | | | | | | |
|---|----------------|-----------------|----------------|-----------------|---------------------------|---------------------------|-------------------------|
| | Single Income: | Married Income: | Single Assets: | Married Assets: | Exemption 65-74 years old | Exemption 75-79 years old | Exemption 80+ years old |
| Nashua | \$54,000 | \$54,000 | \$162,000 | \$162,000 | \$256,000 | \$295,000 | \$363,000 |
| Portsmouth | \$50,137 | \$68,598 | \$500,000 | \$500,000 | \$235,000 | \$285,000 | \$335,000 |
| Dover | \$47,000 | \$64,000 | \$186,100 | \$186,100 | \$166,000 | \$234,000 | \$300,000 |
| Manchester | \$47,000 | \$63,000 | \$100,000 | \$130,000 | \$156,000 | \$210,000 | \$280,000 |
| New Castle | \$40,000 | \$55,000 | \$150,000 | \$150,000 | \$125,000 | \$175,000 | \$225,000 |
| Rye | \$40,000 | \$59,900 | \$199,000 | \$199,000 | \$140,000 | \$170,000 | \$200,000 |
| Hampton | \$38,000 | \$58,000 | \$250,000 | \$250,000 | \$140,000 | \$168,000 | \$221,000 |
| 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 |
| Concord | \$39,000 | \$55,300 | \$100,000 | \$100,000 | \$80,000 | \$131,000 | \$223,000 |
| Rochester | \$38,500 | \$55,000 | \$120,000 | \$120,000 | \$90,000 | \$120,000 | \$150,000 |
| 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 Comparison Exemption Amount 80+ Years Old | | | | | | | |
|---|----------------|-----------------|----------------|-----------------|---------------------------|---------------------------|-------------------------|
| | Single Income: | Married Income: | Single Assets: | Married Assets: | Exemption 65-74 years old | Exemption 75-79 years old | Exemption 80+ years old |
| Nashua | \$54,000 | \$54,000 | \$162,000 | \$162,000 | \$256,000 | \$295,000 | \$363,000 |
| Portsmouth | \$50,137 | \$68,598 | \$500,000 | \$500,000 | \$235,000 | \$285,000 | \$335,000 |
| Dover | \$47,000 | \$64,000 | \$186,100 | \$186,100 | \$166,000 | \$234,000 | \$300,000 |
| Manchester | \$47,000 | \$63,000 | \$100,000 | \$130,000 | \$156,000 | \$210,000 | \$280,000 |
| New Castle | \$40,000 | \$55,000 | \$150,000 | \$150,000 | \$125,000 | \$175,000 | \$225,000 |
| Concord | \$39,000 | \$55,300 | \$100,000 | \$100,000 | \$80,000 | \$131,000 | \$223,000 |
| Hampton | \$38,000 | \$58,000 | \$250,000 | \$250,000 | \$140,000 | \$168,000 | \$221,000 |
| Rye | \$40,000 | \$59,900 | \$199,000 | \$199,000 | \$140,000 | \$170,000 | \$200,000 |
| 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 | \$38,500 | \$55,000 | \$120,000 | \$120,000 | \$90,000 | \$120,000 | \$150,000 |
| 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 |

I recommend that the City Council move to schedule a public hearing at the February 20, 2024 City Council meeting regarding the consideration of the elderly and disabled exemptions.

2. Two-Month Lease Extension of Existing Franchise Agreement with Comcast:

Comcast is providing cable television services to the City of Portsmouth pursuant to a five-year franchise agreement set to expire February 29, 2024. A copy of the current franchise agreement can be found at <https://portsnh.co/broadband>. The City’s Cable and Internet Broadband Commission is in negotiations with Comcast to renew that franchise agreement and seeks additional time to complete negotiations and present a renewal of the franchise agreement to the City Council. As Councilors will recall, the Commission sought input from the City Council in non-public session in December of 2023 to inform the negotiations with Comcast.

At its meeting on January 22, 2024, the Commission voted to bring forward to the City Council a request for a two-month extension of the existing franchise agreement to provide additional time to complete negotiations and prepare required documents. It will also allow for the newly appointed Commission members to participate meaningfully. [The proposed two-month Extension Agreement is attached.](#)

By way of update, the Commission held a public hearing at its meeting on January 22, 2024. PPMTv’s Executive Director Chad Cordner and Board President Alexis Mason shared a video and provided an update on PPTTv’s relocation and new studio, current video offerings, staff and interns and connections in the community. That video can be found at: <https://www.youtube.com/watch?v=QQnMo0GcnyY>.

The full Cable Commission meeting is on the City’s YouTube channel, and the hearing at which PPMTv representatives appear begins halfway through that meeting.

Suzanne Woodland, Deputy City Manager/Regulatory Counsel will be available to answer questions.

I recommend that the City Council move to authorize the City Manager to finalize and execute the Extension Agreement as presented.

3. Temporary Construction License for Peirce Block:

On October 16, 2023, the City Council granted Careno Construction Company, LLC, (“Careno”) a license to perform work on the exterior of the Peirce Block which abuts Congress, High and Ladd Streets to replace mortar joints and to waterproof the exterior of the building shown (City of Portsmouth Assessor’s Map as Tax Map 117, Lot 17 [“Property”]). The encumbered area includes the 6 parking spaces abutting the property along High Street and the sidewalks and small portion of the roadway along High and Ladd. The License expired on January 30, 2024. Due to some unanticipated delays, the work was not completed by the License’s expiration date and [Careno is asking for an extension of its License](#) to complete the project through February 2024.

Licenses are subject to the “License Fee for Encumbrance of City Property” policy. Under this policy, there is a daily \$50 fee per parking space per day and \$0.05 per square foot of sidewalk a day. Careno is asking to [encumber three License Areas](#). License Area 1 is the 6 parking spaces along High Street for 3 days (February 6 through February 8, 2024) for a total license fee of \$900 (\$300 a day x 3 days). License Area 2 includes the sidewalk and a portion of the roadway that abuts the property along High Street (914.84 square feet of sidewalk and 38 square feet of roadway for a total of 952.84 square feet x \$.05 = \$ 47.64 per day x 3 days = \$142.92. License Area 3 includes the sidewalk and a portion of the roadway that abuts the property along Ladd Street. The request for this License Area is for 24 days (February 6 through February 29, 2024). The License Fee is 362.74 square feet of sidewalk and 52.08 square feet of roadway for a total of 414.82 square feet x \$.05 = \$ 20.74 per day x 24 days = \$497.78.

Note License Areas 2 and 3 do not have pass through staging.

The total License Fees for License Areas 1, 2 and 3 equal \$1,540.70.

Note that this is [a license extension](#) and the original License expired on January 30, 2024. There were 6 days after the License expired (January 31, 2024 through February 5, 2024) that the Licensee was granted an encumbrance permit that included payment for the 6 parking spaces for 6 days (\$1,800) but did not include the payment for the square footage for the sidewalks and portion of the roadway along High and Ladd (1,367.66 square feet x .05 per day = \$68.38 per day x 6 days = \$410.28. The Licensee has agreed to pay this fee along with the License Fees for License Areas 1, 2 and 3, for a grand total of \$1,950.98.

The Legal, Planning and Public Works Departments have reviewed and approved the form of [the attached License](#).

If the Council agrees to grant the temporary construction license extension to encumber the sidewalk and roadway along High and Ladd Streets and the 6 parking spaces along High Street that abut the Peirce Block, an appropriate motion would be:

Move that the City Manager be authorized to execute and accept a temporary construction license extension to encumber the sidewalk and roadway along High and Ladd Streets and 6 parking spaces on High Street that about the Peirce Block as requested.

4. **Request for Public Hearing on ARPA Funding for Personal Protective Equipment Inventory:**

Attached please find a memorandum regarding a request to schedule a public hearing regarding the use of ARPA funds for PPE inventory.

I recommend that the City Council move to schedule a public hearing at the February 20, 2024 City Council meeting regarding the use of ARPA funding for PPE inventory.

5. **Adoption of Change to Hometown Program Loan Administration:**

Attached is a Memorandum from Community Development Director Elise Annunziata regarding a proposed change to the City's Home Town loan program. This change is intended to help preserve affordable housing stock in Portsmouth and increase home ownership opportunities for eligible first-time homebuyers. This change has been recommended by the Portsmouth Housing Endowment Fund (PHEF) Advisory Board. Staff is available to answer questions.

I recommend that the City Council affirm this recommended change in the City's Home Town program administration as described in the memorandum and to allow disbursements from the Portsmouth Housing Endowment Fund Trust consistent with the program rules and requirements adopted by the Portsmouth Housing Endowment Fund Advisory Board.

6. **Request for Public Necessity Hearing for Property Located on Maplewood Avenue:**

The Fleet Street Area Reconstruction Project is part of the City's ongoing work to reduce combined sewer overflows, update infrastructure and improve stormwater treatment. To provide sufficient stormwater conveyance capacity, the City requires a new drain line and outfall to the North Mill Pond adjacent to Maplewood Avenue. This new drain would be installed in Maplewood Avenue and then cross over the railroad property owned by CSX Transportation, Inc. (CSX) and land owned by 90 Maplewood Avenue, LLC.

City staff have been in communication with representatives of both CSX and 90 Maplewood for over six months, sharing plans and surveys, and discussing easement requirements and related construction needs. Neither party has objected to the City's request for easement rights, but to date the City has not been able to secure the rights it needs in writing. Due to the requirements of the Clean Water Act and the City's obligations to continue to reduce its combined sewer overflows through ongoing projects, the City must advance this project.

Therefore, to protect the City's interests and ensure the City will obtain the legal interests necessary to complete this project, the Legal Department and Public Works Department recommend that the City commence eminent domain proceedings against both parcels.

The first step in the eminent domain process is to schedule a public necessity hearing. At this hearing, the City Council will view the site and then receive evidence regarding the necessity of the easements. Following acceptance of evidence, the City Council will vote as to whether necessity, as defined by law, exists for the proposed land acquisition.

The Legal Department requests that the City Council schedule a hearing to determine the public necessity to take by eminent domain drain line easements over 90 Maplewood Avenue, Tax Map/Lot 0125-0019, owned by 90 Maplewood LLC and over 0 Bartlett Street, Tax Map/Lot 0164-0004, owned by CSX Transportation, Inc ([drain line outlined in black on the attached map](#)).

The Legal Department believes it is important to take this first step of scheduling a hearing while it continues to negotiate with the parties for the needed easement rights.

I recommend that the City Council move to schedule a public necessity hearing to begin at 5:00 p.m. on March 25, 2024 in Eileen Dondero Foley City Council Chambers.

7. Report Back on Request to Remove Salter Street from Waterfront Business District:

The City Council, at its January 16, 2024 meeting, requested a report back from the Legal Department on [Marcia MacCormack’s letter requesting that the Council](#) “...eliminate the Waterfront Business designation from Salter Street.” In order to eliminate the Waterfront Business designation, the Council would need to amend the City’s Zoning Map through the ordinance amendment process.

By way of background, many streets in the South End that lead to the waterfront are zoned General Residence B but change to Waterfront Business near the water. [Please see section of the City’s Zoning Map attached](#). Salter Street has been zoned Waterfront Business since approximately 1965. Chapter 10, Article 4, Section 10.410 of the City’s Zoning Ordinance defines the purpose of each zoning district. The Waterfront Business District’s purpose is “[t]o accommodate and support business uses that depend on the ocean or the Piscataqua River for transport or resources.” The General Residence District’s purpose is “[t]o provide areas for single-family, two-family and multifamily dwellings, with appropriate accessory uses, at moderate to high densities ranging from approximately 5 to 12 dwelling units per acre, together with appropriate accessory uses and limited services.” Use and dimensional requirements differ in each district. As presently defined, residential uses are prohibited in the Waterfront Business District. Residential properties in the Waterfront Business District are either preexisting nonconforming uses or permitted through variances.

The City Council has voted to rezone parcels from Waterfront Business to Single Residence in the past. In two separate actions in 2010 and 2015, the Council voted to rezone parcels on Sagamore Grove from Waterfront Business to Single Residence B. One request was on behalf of several lot owners on Sagamore Grove and the other was a subdivision.

The decision to change a zoning district is ultimately a policy decision of the Council governed by the City Charter (4.5), City Council Rules (30) and City Council Policies (2014-01).

This policy decision is made in consideration of the Master Plan and is further informed by a report back from the Planning Board prior to first reading (Chapter 10, Article I, Section 10.152).

If the Council supports or would like more information regarding Marcia MacCormack’s request to rezone Salter Street from Waterfront Business to General Residence B (to match the surrounding residential zone), the Council should refer the matter to the Planning Board for a report back.

I recommend that the City Council move to refer Marcia MacCormack’s January 7, 2024 letter requesting Salter Street be rezoned from Waterfront Business to General Residence B to the Planning Board for its recommendation in a report back to City Council; or

8. **Request to Establish Polling Hours for the Ward 1 State Representative Special Election on March 12, 2024:**

In accordance with RSA 659:4, the City Council shall determine the polling hours for the election. I would request that the polling hours for the Special Election for Ward 1 State Representative on March 12, 2024, be set from 8:00 a.m. to 7:00 p.m.

I recommend that the City Council move to establish polling hours for the Ward 1 State Representative Special Election on March 12, 2024 from 8:00 a.m. to 7:00 p.m.

XII. Consent Agenda

A. **Projecting Sign Request – 51 Islington Street Unit 1A:**

Permission is being sought to install a projecting sign at [51 Islington Street Unit 1A](#) that extends over the public right of way, as follows:

Sign dimensions: 36” x 36”

Sign area: 9 sq. ft.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. *Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:*

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

XIII. Presentations and Written Communications:

A. Presentation Regarding Revaluation Process:

The City's Assessor, Rosann Lentz, will provide a presentation regarding the Revaluation Process at this evening's meeting.

XVI. Approval of Grants/Donations:

1. Donation for the Police Department for Electric Vehicle and Charging Station:

At the December 19, 2023 Police Commission meeting, an in-kind donation of a 2023 Ford F-150 Lighting electric vehicle and charging station was recommended for approval and acceptance. [Attached please find a donation form from the Police Department](#) regarding this donation from Portsmouth Ford. In addition, [a letter from Deputy City Manager Woodland](#) further clarifying the City's acceptance of this vehicle is attached.

I recommend that the City Council move to approve and accept the donation as presented.

XVII. City Manager's Informational Items:

1. Water Service Line Inventory:

[Attached please find a memorandum from the City's Water Department](#) regarding the inventory of water service lines.

2. Report Back on Request for Signage in Prescott Park Fence and Dock for Water Taxi:

At the request of the Council at their January 16th City Council meeting, [please find attached a report back on the request for signage in Prescott Park](#) for a commercial water taxi service.

3. Solar Panel Work Session:

At the request of the City Council, the Planning Board and Historic District Commission are convening a joint work session to discuss the installation of solar panels in the Historic District. The meeting will take place on February 21st at 6:00 p.m. in the Levenson Room of the Portsmouth Public Library.

4. MAC Metals Scrapyard Report Back:

[Please find attached a report back from Deputy City Attorney McCourt](#) on the MAC Metals Scrapyard.

**EXTENSION OF THE CABLE TELEVISION
FRANCHISE AGREEMENT
BETWEEN
THE CITY OF PORTSMOUTH, NEW HAMPSHIRE
AND
COMCAST OF MAINE/NEW HAMPSHIRE, Inc.**

In its statutory role as Franchising Authority, pursuant to the laws of the State of New Hampshire, the City of Portsmouth(the “City”) hereby extends the current Cable Television Franchise Agreement due to expire February 29, 2024 (the “Franchise Agreement”), granted to Comcast of Maine/New Hampshire, Inc. upon the same terms and conditions contained therein, for a period from 12:01 AM March 1, 2024 to April 30, 2024 (“Extension”), or until such time as the Franchise is renewed for a longer term, whichever occurs sooner.

This extension shall under no circumstances be construed or deemed to be a renewal of the Franchise Agreement under either state or federal law(s) or the terms of said Franchise Agreement. The City and Comcast reserve all of their lawful rights pursuant to all applicable state and federal (laws).

This extension is subject to the terms and conditions contained in the regulations of the FCC; the Cable communications Policy Act of 1984 (the “1984 Cable Act”); the Cable Television Consumer Protection and Competition Act of 1992 (the “1992 Cable Act”) and all City, State, and Federal statutes and by-laws of general application.

Nothing herein shall be construed in any manner whatsoever as a waiver, release or surrender of any rights that the City and/or Comcast may have under Section 626 and Section 635 of the 1984 Cable Act with respect to this Extension. The City expressly reserves all rights under applicable provisions of the 1984 Cable Act-including Section 626 and Section 635.

The Franchising Authority and Comcast agree to negotiate diligently and in good faith during this second extension period to finalize a long term agreement.

In Witness Whereof, this ___ day of _____, 2024, this Extension is hereby executed by the City Manager pursuant to vote of the Portsmouth City Council, as Franchising Authority, on _____, all terms and conditions are hereby agreed to by Comcast of Maine/New Hampshire.

City of Portsmouth

By: _____
Karen S. Conard
City Manager

Comcast of Maine/New Hampshire, Inc.

By: _____
Anthony M. Bowling
Regional Senior Vice President
Greater Boston Region

DRAFT



ATT: Mayor McEachern
1 Junkins Avenue
1/26/24

Peirce Block Building
Window Replacement & Repointing Project
High St & Ladd St.

Carena Construction has been hired to

- Set up staging and keep in place on High St & Ladd St sidewalks along the side of the Peirce block building
- Repoint brick mortar.
- Clean all brick.
- Seal all Brick.
- Replace windows & Patio Doors
- Re-caulk Entire Building

We have an encumbrance permit # (23-69). The work will go beyond the 30 day encumbrance period so we are requesting a license from the City Council from November 11 through January 30, 2024 on behalf of the Peirce Block Condominium Association

We would like to ask for a time extension on High and Ladd St due

- Many rain & wind days that we could not perform any work.
- Many weeks with weather in the single digits and we could not perform any work due to it being too cold for workers to work safely.
- Sickness I have had more men out due to colds, flu, the month-long cough that everyone got this year. Honestly the crew size is 6 and 3 show up each day.

We are asking for an extension on High St until 2/8, and an extension on Ladd St until 2/29

Steven Hogan
Carena Construction
PM
603 436 1006

270 West Road, Portsmouth, NH 03801
603-436-1006 * Fax: 436-6020 * E-mail: build@carenoconstruction.com

**LICENSE EXTENSION AGREEMENT
FOR PEIRCE BLOCK**

The City of Portsmouth (hereinafter "City"), a municipal corporation with a principal place of business of 1 Junkins Avenue, Portsmouth, New Hampshire 03801, for good and valuable consideration as set forth herein, hereby grants this Revocable License to Careno Construction, Company., LLC, on behalf of the Peirce Block Condominium Association (hereinafter "Licensee") with a principal place of business 270 West Road, Portsmouth, New Hampshire, 03801 pursuant to the following terms and conditions:

1. **Areas of License and Use:** The Licensee is performing work on land, with buildings and other improvements thereon, in the City of Portsmouth, Rockingham County, State of New Hampshire, located at the Peirce Block, property that abuts Congress, High and Ladd Street shown on the City of Portsmouth's Assessor's Map as Tax Map 117, Lot 17 ("Subject Property").

The City authorizes Licensee to temporarily use the sidewalks and a small portion of the roadway that abuts the Subject Property along High and Ladd Street. There will be three separate License Areas:

License Area 1: The first is for the **6 parking spaces** along High Street.

License Area 2: The second includes the sidewalk and a portion of the roadway that abuts the Subject Property along High Street (914.84 square feet of sidewalk and 38 square feet of roadway for total square feet of (952.84).

License Area 3: The third includes the sidewalk and a portion of the roadway that abuts the Subject Property along Ladd Street (362.74 square feet of sidewalk and 52.08 square feet of roadway for a total of (414.82).

The specific location for each License Area is depicted in Exhibit A.

2. **Use:** Licensee shall make use of the License Areas for the purpose of replacing mortar joints and waterproofing the exterior of the Property.

3. **Term:** The license for both License Areas 1 and 2 shall be from February 6, 2024 through February 8, 2024, for a total of 3 days. The license term for License Area 3 shall be from February 6, 2024 through February 29, 2024, for a total of 24 days.

Licensee may terminate this License prior to the end of the term by returning the License Areas to safe and effective use by the public prior to the expiration of the term of this License. The Licensee shall contact the Director of Public Works for a determination that the License Areas have been temporarily returned to safe and effective use. Failure to remove all vehicles, barriers, materials and equipment and to return the License Areas to the City in the manner prescribed under this License at the end of the term may result in enforcement action by the City.

4. **Notice:** Licensee shall provide notice to the City's Director of Public Works when Licensee assumes control and use of the License Areas and again when it returns the License Areas to the City's control and use.
5. **License Fees:** Licenses are subject to the City license fees in accordance with City Council Policy No. 2018-02 entitled "License Fee for Encumbrance of City Property". A license is required when the licensed area has been encumbered beyond 30 days. The License Fee Policy provides that the Licensee will be charged a daily fee of \$0.05 per square foot of encumbered sidewalk and roadway, and \$50 per day for each parking space.

License Area 1 encumbers 6 parking spaces along High Street. The License Fee for each parking space is \$50 a day (6 x \$50 = \$300 per day x 3 days = **\$900**).

License Area 2 includes the sidewalk and a portion of the roadway that abuts the Subject Property along High Street for a total of 952.84 square feet x \$.05 = \$ 47.64 per day x 3 days = **\$142.92**.

License Area 3 includes the sidewalk and a portion of the roadway that abuts the Subject Property along Ladd Street for a total of 414.82 square feet x \$.05 = \$ 20.74 per day x 24 days = **\$497.76**.

Note License Areas 2 and 3 do not have pass through staging.

The total License Fees for License Areas 1, 2 and 3 equal **\$1,540.68**.

Note that this is a license extension and the original License expired on January 30, 2024. There were 6 days after the License

expired (January 31, 2024 through February 5, 2024) that the Licensee had an encumbrance permit that included payment for the 6 parking spaces for 6 days (\$1,800) but did not include the payment for the square footage for the sidewalks along High and Ladd (1,367.66 square feet x .05 per day = \$68.38 per day x 6 days = **\$410.28**. Licensee has agreed to pay this fee along with the License Fees for License Areas 1, 2 and 3.

Because it is in the City's interest that the Licensed Areas be returned to the public use as soon as possible, if the License Areas are returned to the City prior to the end of the License Term, the City will refund the Licensee the portion of the License Fee paid but not used.

6. **Indemnification:** Licensee agrees to indemnify and hold harmless the City of Portsmouth for any and all property damage, bodily injury or personal injury which arises as a result of its utilization of the Licensed Areas. This obligation survives termination or revocation of this Agreement.
7. **Insurance:** At all times the Licensee shall maintain insurance for bodily injury and property damage in the amount of at least \$1,000,000 per occurrence. Licensee will provide proof of insurance to the City during the term of this Agreement and the City will be named as an additional insured.
8. **Maintenance of Area:** During the term of this Agreement, Licensee shall maintain the License Areas in a safe, neat and orderly fashion and shall take such actions as are necessary to protect the public safety. The Licensee shall secure the perimeter of the License Areas and take such other measures as may be necessary for pedestrian and vehicular safety during use of the License Areas.
9. **Damage:** Licensee agrees to remedy any damage to the License Areas caused by the Licensee's activities. The work will be performed by Licensee to City specifications and survive the terms of this License Agreement. The City may elect to accept reasonable reimbursement from the Licensee in lieu of remedy.
10. **Compliance with Other Laws:** This Agreement does not relieve Licensee from compliance with any other local, state or federal laws or regulations or conditions imposed by any local board. Failure to abide by any local, state or federal laws or regulations or any condition of site plan and may at the City's discretion, result in revocation.
11. **Revocation:** The City may terminate this Agreement or any provision contained in this agreement on 72 hours written notice if Licensee fails to

meet the terms and conditions of this License or if the public interest requires such termination. No 72-hour written notification is required by the City if it is an emergency.

12. **Contractor and Subcontractor Parking:** Licensee understands and agrees that its contractors and subcontractors for the project shall not use on-street parking. Language will be inserted in Licensee's vendors and suppliers Purchase Orders and Trade Subcontracts that make the prohibition against parking on City streets mandatory. Contractors shall limit/ manage construction vehicles and deliveries to avoid disruption to businesses, particularly during the holiday season. Contractors may use loading zones for active loading and unloading of materials, equipment and tools.

Dated this _____ day of _____, 2024.

City of Portsmouth

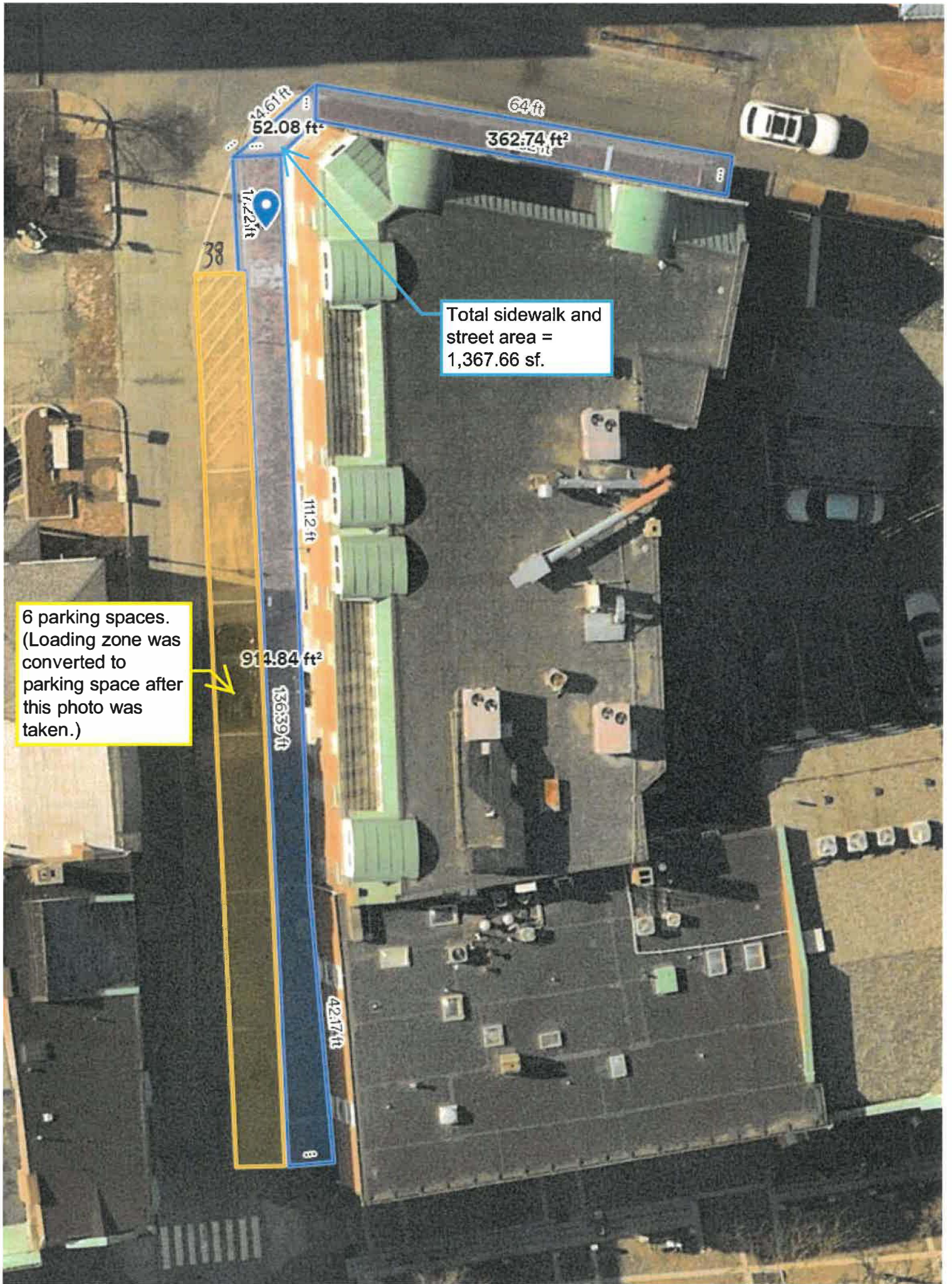
By: _____
Karen Conard
City Manager

Pursuant to vote of the City Council
of .

Dated this _____ day of _____, 2024.

Careno Construction Co., LLC

By: _____



14.61ft

52.08 ft

64ft

362.74 ft²

17.22ft

38

Total sidewalk and street area = 1,367.66 sf.

111.2 ft

6 parking spaces. (Loading zone was converted to parking space after this photo was taken.)

914.84 ft²

13639 ft

42.17ft

8

Memo

To: Karen Conard, City Manager
From: Kim McNamara, Health Officer *KM*
Date: January 25, 2024
Re: PPE Inventory



Since 2007, utilizing state and federal grants, the Health Department had stockpiled PPE and other inventory to be prepared for a respiratory pandemic (H1N1 (swine flu), H5N1 (bird flu), SARS, MERS (coronaviruses), and novel viruses (such as Covid-19). These local supplies were invaluable to the community during Covid when PPE was unavailable for purchase nationally. These supplies were distributed to protect local nursing homes, funeral directors, the local medical examiner technician, emergency services, general government, and many residents. Those supplies were depleted. The need for PPE and related supplies has continued, and the Health Department has taken full advantage of state supplies that had been made available to municipalities at no charge. Those state supplies are no longer available. To continue our efforts in Covid-19 prevention, and to be prepared for future waves of respiratory illnesses, this is a request to use \$34,574 from American Recovery Plan Act (ARPA) funds to restock our pandemic response supplies, in preparation for continued or future pandemics.

PPE List/Costs

| ITEM | AMOUNT | COST/ITEM | TOTAL |
|-------------------------------|-----------------------|------------------|-----------------|
| COVID Tests (N) | 3500-10 cases of 300 | \$3.85/test | \$13,475 |
| Hand Sanitizer (8oz) (M) | 100 single bottles | \$2.10 each | \$210 |
| Hand Sanitizer (18oz) (M) | 8 cases (cases of 12) | \$50.49/case | \$404 |
| Hand Sanitizer (4 oz) (M) | 100 single bottles | \$2.53 each | \$253 |
| Hand Sanitizer Ind Wipes (M) | 2000 (1 case of 2000) | \$164.52/case | \$165 |
| Lysol Wipe (tubs) (M) | 100 cannisters (80) | 6.56 each | \$656 |
| Lysol Wipes (packs) (N) | 15/80 count (30each) | \$14 & \$18/case | \$420/\$540 |
| N95 Masks (M) | 600 (30 boxes of 20) | \$16.74/box | \$503 |
| Protec Coverall/Iso Gowns (M) | 4 cases (25/case) | \$150/case | \$600 |
| Alcohol Prep Pads (N) | 300 boxes(200wipes) | \$3.60/box | \$1,100 |
| Emergency Cots (Westcot) | 10 (each) | \$395 each | \$4,000 |
| Emerg Personal Care Products | 250 (each) | \$10/pack | \$2,500 |
| Surgical Mask w/Eyeshield (M) | 100 (2 boxes of 50) | \$28.92/box | \$58 |
| Bedding Kits (M) | 250 (each) | \$28 each | \$7,000 |
| Plastic Storage Bins | 80 (each) | \$10 each | \$800 |
| Band-aids (N) | 100 (boxes of 100) | \$2.50/box | \$250 |
| Syringes (1ml 25 g) (M) | 20 boxes (boxes 100) | \$11.70/box | \$234 |
| KN95 Masks (N) | 1200 (each) | .75 each | \$900 |
| Surgical Masks (M) | 3000 (60 boxes of 50) | \$8.42/box | \$506 |
| Total | | | \$34,574 |

Source: McKesson and Nationwide Medical Supply

Prices current as of: 1.30.2024

M E M O R A N D U M

TO: Karen Conard City Manager
FROM: Elise Annunziata, Community Development Director
DATE: January 29, 2024
RE: First Time Homebuyer (“Home Town”) Program Guideline Changes

As has been reported and observed over the last few years, Portsmouth has become a challenging place for moderate and even middle-income first time homeowners to buy. Home prices are elevated, investors and high net worth income buyers are coming to the table with advantages such as all cash offers, shortened closing dates, and home inspections waiver; thus, making it very difficult for the average, single person or family to buy a home here.

In an effort to encourage more **robust participation** by eligible applicants in the City’s first time homebuyer program, called Home Town, the Portsmouth Housing Endowment Fund (PHEF) Advisory Board and Community Development Staff have, over several months, engaged in related program strategy discussions. In June 2023, I proposed exploring a strategy of a **forgivable balloon loan** to incentivize home sales to Home Town-eligible buyers. I have had several discussions with City Attorney Morrell, PHEF Ex Officio member Kathleen Dwyer, Deputy City Manager Woodland, and Assistant City Manager for Economic Development Sean Clancy regarding our ability and desire to offer this incentive under the PHEF Trust guidelines.

On January 17, 2024, the Portsmouth Housing Endowment Fund Advisory Board recommended the following change to the City’s first-time homebuyer program:

- **Offer and promote a balloon loan forgiveness incentive for Home Town Program homeowners who sell to qualified Home Town Program first time homebuyers**

With 31 current homeowners as Home Town beneficiaries and future new Home Town Program homeowners, we are hopeful that this incentive will, over time, result in:

- **Preservation of affordable housing stock** in Portsmouth
- **Increased home ownership opportunities** for first-time homebuyers earning up to 120% median family income

By way of background, the Home Town program is funded by the Portsmouth Housing Endowment Fund Trust (“Trust”). The original corpus of \$705,000 may not be expended, but the current amount available is \$2.63 Million. Consequently, there are sufficient funds currently in the Trust to adopt this loan forgiveness program. In addition, the forgiveness of a balloon loan (for a Home Town seller) will essentially be replaced with another balloon loan from a new Home Town buyer; thus, generally preserving the overall amount of outstanding funds utilized for homebuying assistance.

There is precedent for Home Town loan forgiveness in certain circumstances such as difficulty making loan payments, prevention of foreclosure, as well as grants with PHEF funds very early in the program's inception.

Because this is a notable change to the regular loan instrument options provided by the Trust and PHEF program rules, the Legal Department has recommended that the City Council be notified of and vote to affirm this recommended change in PHEF Home Town program administration and to allow disbursements from the Trust consistent with the program rules and requirements adopted by the Portsmouth Housing Endowment Fund Advisory Board.

Additional information on the City's Home Town program, including eligibility and program requirements, and the PHEF Advisory Board can be found here:

<https://www.cityofportsmouth.com/community/first-time-homebuyer-program-hometown>



Property Information

Property ID 0157-0002-0001
 Location BARTLETT ST
 Owner PORTSMOUTH LUMBER & HARDWARE LLC



**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 08/24/2023
Data updated 3/9/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

REC'D
1/8/24

January 7, 2024

Dear Mayor McEachren and City Council Members,

This letter is my appeal to eliminate the Waterfront Business designation from Salter Street.

Recently the property at the end of Salter Street underwent extensive reconstructions, enlargements, expansion of parking, changes in use and is now referred to as Point of View Condominium Association.

I've lived in my house next door to this property since 1972. There was nothing at the time to believe it was anything but a quiet residential area.

In 1974 my neighbor started boat building, boat repair, and setting lobster traps claiming the right to do so under the ordinance.

This business was unimaginably disruptive eventually, resulting in the City being involved in a lawsuit to stop it. However various variances were granted by the Board of Adjustment allowing it to continue with restrictions until 1988.

Salter Street is a narrow congested dead end. There are no businesses that currently exist in the Waterfront Business zone that would be appropriate down here.

Bait shops, restaurants, private yacht clubs, marinas and fish markets are all existing and legal uses but they all have access on roads that are not dead ended.

Salter Street may remain residential as it is today but I've learned from experience the unexpected is also possible. The ordinance is a potential harbinger for problems.

Please schedule this for discussion.

Thank you

Sincerely,



Marcia MacCormack

53 Salter Street



**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 08/24/2023
Data updated 3/9/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

1" = 166.84064491741188 ft

Map Theme Legends

Zoning

- Residential Districts**
 - R Rural
 - SRA Single Residence A
 - SRB Single Residence B
 - GRA General Residence A
 - GRB General Residence B
 - GRC General Residence C
 - GA/MH Garden Apartment/Mobile Home Park
- Mixed Residential Districts**
 - MRO Mixed Residential Office
 - MRB Mixed Residential Business
 - G1 Gateway Corridor
 - G2 Gateway Center
- Business Districts**
 - GB General Business
 - B Business
 - WB Waterfront Business
- Industrial Districts**
 - OR Office Research
 - I Industrial
 - WI Waterfront Industrial
- Airport Districts**
 - AIR Airport
 - AI Airport Industrial
 - PI Pease Industrial
 - ABC Airport Business Commercial
- Conservation Districts**
 - M Municipal
 - NRP Natural Resource Protection
- Character Districts**
 - CD5 Character District 5
 - CD4 Character District 4
 - CD4W Character District 4-W
 - CD4-L1 Character District 4-L1
 - CD4-L2 Character District 4-L2
- Civic District**
 - Civic District
- Municipal District**
 - Municipal District
- Overlay Districts**
 - OLOD Osprey Landing Overlay District
 - Downtown Overlay District
 - Historic District

City of Portsmouth

M E M O R A N D U M

TO: Karen Conard, City Manager

FROM: Peter Britz, Planning & Sustainability Director 

DATE: January 16, 2024

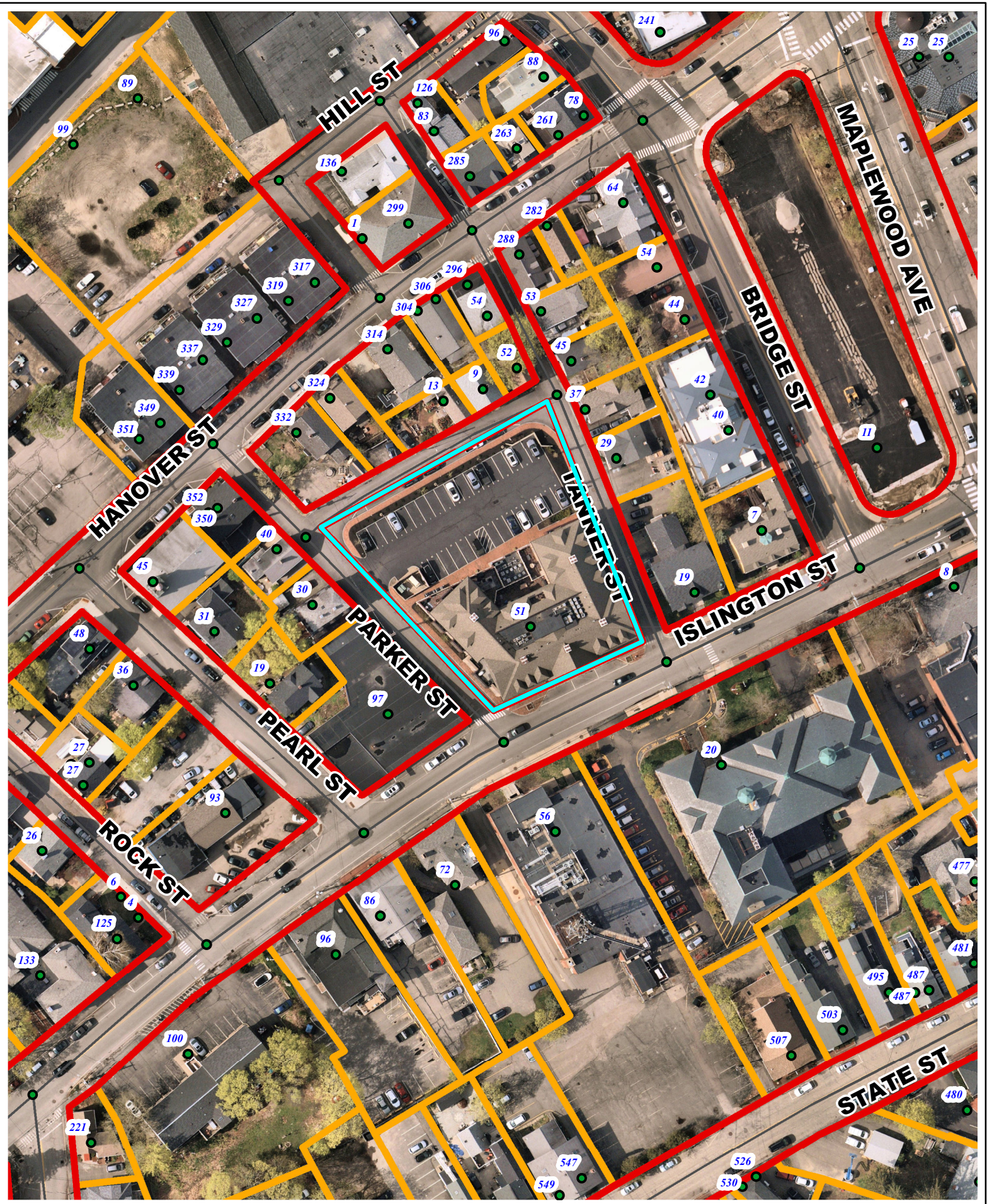
RE: City Council Referral – Projecting Sign
Address: 51 Islington Street Unit 1A
Business Name: Roman Law Group/Fleet Street Title & Closing
Business Owner: Raphael Roman

Permission is being sought to install a projecting sign that extends over the public right of way, as follows:

Sign dimensions: 36" x 36"
Sign area: 9 sq. ft.

The proposed sign complies with zoning requirements. If a license is granted by the City Council, no other municipal approvals are needed. Therefore, I recommend approval of a revocable municipal license, subject to the following conditions:

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



HILL ST

MAPLEWOOD AVE

BRIDGE ST

HANOVER ST

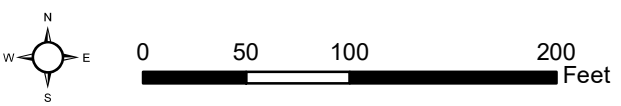
ISLINGTON ST

PARKER ST

PEARL ST

ROCK ST

STATE ST

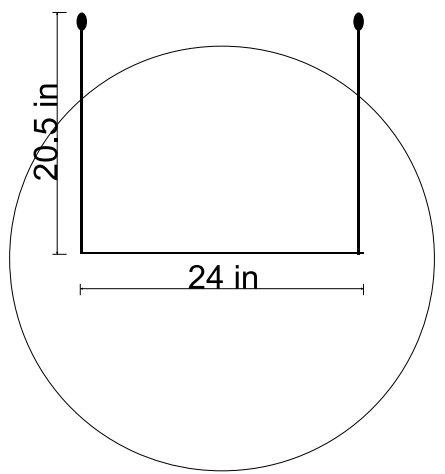
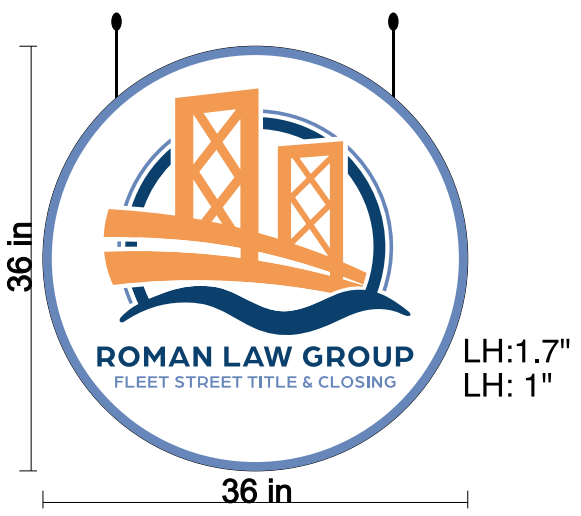


**Request for license
51 Islington Street Unit 1A**

CONCEPT PROOF
 This is a concept design only.
 Production proof will be provided when art is approved



Roman Law Group/Fleet Street Title & Closing - Projecting HDU sign



Internal Framing
 3/8" Rod
 Hooks @ 24" apart

PROJECTING SIGN:

QUANTITY: 1

SIZE: 36" Circle

MATERIAL: HDU - white background is hogged out; Frame, Text and Logo will remain raised

DOUBLE-SIDED

MOUNTING: Internal Framing Hooks @ 24" apart with internal framing



REVISION:
 All orders under \$250 include 1 revision only.
 All orders over \$250 include 2 revisions only.
 Additional revisions will be charged at \$25 per revision.

PLEASE NOTE:
 Designs are NOT actual size and color may vary depending on printer and/or monitor.

12/18/2023

RETURN SIGNED TO: service@portsmouthsign.com

I understand this design is the final production order and replaces all previous drawings, notes and verbal instructions to this job. Standard vinyl & paint colors will be unless otherwise specified. I have carefully reviewed this proof and verify that it contains all necessary specifications and represents my order. I authorize fabrication according to this approval.

SIGNATURE: _____ Date: _____

©COPYRIGHT 2023, BY PORTSMOUTH SIGN COMPANY. All designs and custom artwork remain the property of Portsmouth Sign Company until the order is complete and paid in full.

232140 - Roman Law Group Fleet Street Title & Closing - Projecting PVC sign.fs

Z:\ALL JOB FILES

Designer: Britt

MEMBER



portsmouthnh.com



10'6"





January 1, 2024

Mayor Deaglan McEachern
Town of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor McEachern and City Council,

The Northern New England Chapter of the Cystic Fibrosis Foundation is once again planning the CF Cycle for Life for the 2024 summer season. This 30/65/100-mile one-day bicycle tour will travel the coastline and mainland of NH and ME, from Rye to Wells, and circle back to Kittery via North Berwick, South Berwick, and Eliot. There will be approximately 200 participants pedaling for a cure.

Since its inception twenty-three years ago, the CF Cycle for Life has raised over \$1.5 million, helping to continue the battle against cystic fibrosis (CF), a genetic disease for which there is currently no cure. To accomplish this goal, I wanted to contact you today to inform you about our ride and ensure that we will have approval.

On Saturday, July 13, 2024, the cyclists will begin the tour at 7:30 a.m. from Tributary Brewery in Kittery, Maine. The cyclists will generally travel between 10-25 mph as they travel the route that brings them back to Kittery no later 4:00 p.m.

We will be contacting the town managers and police chiefs along the route to communicate our plans and to receive approval to cycle on the roads. Additionally, we will need to mark the route approximately every ½ mile. These marks are used to confirm cyclists are traveling in the correct direction. We have planned to mark the roads in your town during the week of July 8th. If you have any questions regarding the ride or if any additional permits are required, please contact me at (800) 757-0203.

I hope this letter provides the information you will need to review our request and answer your logistical questions about the CF Cycle for Life. If you have any questions or concerns, please do not hesitate to contact me at (800) 757-0203.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodie Tsekrekas".

Jodie Tsekrekas
Development Director
E: jtsekrekas@cff.org

Deaglan McEachern, Mayor

Or designee (Please Print Name)

I Mayor McEachern, am authorized by the Fort McClary and grant permission to the Cystic Fibrosis Foundation's 2024 CF Cycle for Life to use town roads and facilities for cyclists on July 13, 2024.

Cystic Fibrosis Foundation - Northern New England Chapter
20 Trafalgar Square, Suite 447, Nashua, NH 03063
603.598.8191 | 800.757.0203
E: northern-newengland@cff.org



Gundalow COMPANY

Protecting the Piscataqua region's
maritime heritage and environment
through education and action

Board of Directors

Jeffrey Binder
David Carlson
Janet Dinan
Peter Driscoll
Brendan Flavin
Kerry Houlihan
Jo Ann Klatskin
John Lamson
Dana Mills
Jeff Musk
Catharine Newick
Joan Rice
George Samuels

18 January 2024

To Whom it May Concern,

We are requesting permission to conduct our 2024 Riverfest event on Saturday 20 July 2024 from 10:00 AM to 5:00 PM at the Puddle Dock area of Strawberry Banke Museum. This event will include our Round Island Regatta to be held at the Peirce Island Boat Ramp from 10:00 Am to 12:45 PM.

Staff

Rich Clyborne
Executive Director

Michael Simoniello
Program Manager

Matt Glenn
Captain

Andy Goodell
Operations Manager

Jo Maden
Operations Assistant

Michele Lechner
Accountant

Donata Luz
Development Coordinator

Thank you in advance for your consideration in this matter. Please feel free to contact me at the number below or reach out via email: director@gundalow.org.

Sincerely,

A handwritten signature in black ink, appearing to be 'Rich Clyborne'.

Rich Clyborne
Executive Director

www.gundalow.org
info@gundalow.org
(603) 433-9505
60 Marcy St.
Portsmouth, NH 03801



January 9, 2024

Mayor Deaglan McEachern
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor McEachern/City Council,

Plans for the 27th Annual Cisco Brewers Portsmouth Memorial Day 5K are beginning to take shape and once again we look for your approval to hold the race. This year's race is scheduled for Sunday, May 26, 2024 at 11:00 a.m. All the logistics remain the same with the start and finish continuing to be at the Cisco Brewery on Pease International Tradeport. One hundred percent of the proceeds from the race will be donated to KBIC, based out of the Community Campus here in Portsmouth.

We look forward to your support once more, with almost 1000 runners last year as well as hundreds of supporters and volunteers, and we're very excited for a cautious, safe, and successful in-person event this year. Voted as one of New England's top 100 races by New England Runner Magazine, this race attracts runners and visitors from all over New England making it a wonderful asset to the entire Portsmouth community. Please consider granting us your permission to conduct this important event, while raising pertinent funds for an incredibly inspiring nonprofit organization. As always, we will work closely with the police department and the Pease Development Authority to ensure we are abiding by all necessary rules and regulations.

Thank you for your time and consideration.

With Gratitude,

Ashley Healy

Ashley Healy
Director of Development
David Krempels Brain Injury Center (KBIC)
ashley@KBICenter.org

cc: Karen Conard, City Manager



Seacoast Lacrosse Club
PO Box 1540
Portsmouth, NH 03802
SeacoastLacrosse.org

January 19, 2024

RE: Temporary Signage at the Athletic Field

Karen Conard
City Manager
City of Portsmouth
1 Junkins Ave
Portsmouth, NH 03801

Dear Ms. Conard,

Seacoast Lacrosse Club, Inc. (Seacoast Lacrosse) respectfully requests permission to exhibit temporary signage on the fences at the Portsmouth Recreation Athletic Field for the spring 2024 lacrosse season.

Seacoast Lacrosse is an independent, all volunteer, non-profit organization committed to providing a high-quality youth lacrosse program for players aged 6-15 years old who reside within the Portsmouth, NH High School Administrative Unit (SAU 50 & 52; Portsmouth, Greenland, Newington, Rye, New Castle). We are dedicated to the instruction of lacrosse, teamwork, sportsmanship, and competition in a safe and respectful environment, while promoting personal responsibility, and offering participants an opportunity to enjoy all that is best about youth sports. Seacoast Lacrosse is grateful for the City of Portsmouth's support. The Athletic Field at 100 Campus Drive in Portsmouth is an amazing facility used by thousands of local young athletes each year. We deeply appreciate use of the Athletic Field as our program's home turf.

Seacoast Lacrosse seeks authorization to affix and display signs on the fences at the Athletic Field similar to the signs that Portsmouth Little League exhibits at Plains Field. The signs that we seek permission to display would be banners that follow established guidelines and would likely be as similar to the Plains Field banners as possible. We would happily work with City staff to ensure that our signs are affixed in an appropriate manner and location, are made of acceptable materials, and conform to aesthetic requirements. The signs will be advertisements for local businesses that have donated to the program, and contributions will be used to support the mission of Seacoast Lacrosse. The contemplated locations for the signs would make them visible



from within the field as well as from the parking lot. Seacoast Lacrosse respectfully requests permission to display the signs from March 15, 2024 to June 30, 2024, the approximate beginning of practices to the end of the season, respectively.

In the past 25 years, Seacoast Lacrosse has grown from an experimental backyard activity to a program with over 300 participants per season that competes in local and statewide leagues. With the City's support, we have built a quality program that helps develop healthy and strong young people for our community and skilled athletes for our successful High School teams. Seacoast Lacrosse is committed to providing a safe and inclusive activity for local youth. The City's assistance in pursuing our mission and goals is much appreciated.

Please let us know if any additional information would assist your consideration of our request. We appreciate your time and attention.

Sincerely,

Warren Widener
President, Board Chair
Seacoast Lacrosse Club
PO Box 1540
Portsmouth, NH 03802
(415) 283-5015
Warren.Widener@SeacoastLacrosse.org
SeacoastLacrosse.org

1/24/24

City of Portsmouth
City Council
Attn: Deaglan McEachern, Mayor and Councilors
1 Junkins Avenue
Portsmouth, NH 03801

Re: Community Based Power: Does Opting Up reduce CO2 emissions?

Dear Mayor and Councilors,

Does Opting Up with Community Based Power to the Clean 100 power option reduce CO2 emissions? The Council is currently considering a proposal to exempt solar power from HDC jurisdiction. A statement was made at the last meeting that one can “opt-up” and achieve essentially the same benefits as installing solar power. We can evaluate this by evaluating the reductions in CO2 emissions.

The average residential customer will pay an extra \$28/month more for opting-up to Clean-100. Consumer Power uses those funds to purchase Renewable Energy Certificates (REC's), which provide a subsidy to clean power providers. One REC per megawatt. For example, for the solar power system on our house we receive \$216 per year in REC payments.

There are no published estimates of reductions of CO2 emissions from opting-up. I think we need to find a way to quantify CO2 emissions to the best of our ability. The following is an analysis using three different approaches: Present, Future by Incentives and Future by Funding.

Below are the outcomes of these analyses. The section following describes these approaches in detail.

SUMMARY OF ANALYSES

APPROACH #1: THE PRESENT: There is no reduction in CO2 emissions. The electricity used by the customer is not generated from 100% renewables. It is generated by the same mix of fuels supplied to the power grid. There is only one set of wires and one stream of electricity.

APPROACH #2: THE FUTURE: INCENTIVES: The incentive amounts to about 1% of the cost of the system per year, using my solar power system as an example. The effectiveness of the incentive is unclear due to the small size of the incentive.

APPROACH #3: THE FUTURE: PROPORTIONAL FUNDING: The REC's that are purchased with the extra funds paid by the customer can be credited with between 11.7% and 18.2% of the reduction of CO2 emissions resulting from direct investment in solar power.

SOME BACKGROUND INFORMATION

Opting-up to the Clean 100 power option adds \$28/month to the bill for an average residential customer. How are these extra funds used?

Attached is a copy of question 23 in the FAQ section from the Community Power of NH website. It answers the question directly. It explains that the extra funds are used to purchase REC's (Renewable Energy Certificates) from clean power generators.

The following is an excerpt from the attachment that explains this:

“To meet state law, and to verify the increased renewable content for customers who "opt-up" the Coalition purchases Renewable Energy Certificates (RECs).

New Hampshire's Renewable Portfolio Standard (RPS) requires all electricity providers to acquire specific percentages of RECs sourced from five different categories of renewable resources: Class I (new renewable resources), Class I thermal (useful thermal energy), Class II (new solar), Class III (existing biomass / methane), and Class IV (existing small hydroelectric).”

REC's are paid by the New England power pool to clean power producers to provide a subsidy for clean energy. For example, the solar power system on our house generates REC payments to us of \$216 per year.

APPROACH #1: THE PRESENT: Does Opting Up to the Clean 100 power option reduce CO2 emissions in the present?

When I first heard about this program, I had the impression that the electricity coming through the wires to a customer was somehow different than the power provided by choosing the default option or Eversource. I think this impression stemmed from the use of terms such as “Clean 100” and “100% Renewable Content” in the Consumer Power literature. Digging a little deeper it is clear that there is only one set of wires and only one stream of electricity flowing through those wires.

If a residential customer opts-up to clean 100 and pays the extra \$28 per month, does the mix of fuel sources that generated that electricity change? No. There is only one set of wires and one stream of electricity.

No matter whether it is purchased from Eversource or Community Power, and what power option is chosen, the electricity was generated by the same mix of power generation that is currently supplying the grid. The REC payments do not increase the percentage of clean power in the mix in any immediate way, so there is no present reduction of CO2 emissions.

APPROACH #2: THE FUTURE: INCENTIVES: Does Opting Up to the Clean 100 power option reduce CO2 emissions in the future by way of incentives?

The REC program provides a subsidy for clean power generation and therefore an incentive to those considering installing clean power systems. But it is unclear that it is large enough to be an effective motivator.

Every system is different, but the numbers from one system are helpful in framing the issues. Using the solar system on our house as an example, the system cost was \$22,971. Our savings on our 2023 power bill was \$2,477. The REC payments in 2023 were \$216. The REC subsidy amounts to about 1% of the installation cost per year and 9% of the savings on the power bill. Because the REC subsidy is so small, it played no part in our decision to install the system.

Do the REC subsidies cause clean energy producers to increase production or invest in additional systems? They seem to be too small to be effective. The effectiveness of the subsidy is unclear. So any reduction in CO2 emissions under this analysis approach is unclear.

APPROACH #3: THE FUTURE: PROPORTIONAL FUNDING: Does Opting Up to the Clean 100 power option reduce CO2 emissions in the future by way of Proportional Funding?

One can calculate the present value of a projected income stream. That present value can be used to analyze the proportional funding of a clean energy system. This approach results in a quantifiable reduction in CO2 emissions.

Again, using the solar system on our house as an example, we can calculate the present value of the projected subsidy of \$216 per year over an expected 20 year system life. The present value calculates to \$2,691, assuming a 5% inflation rate.

This can be characterized as a one-time subsidy for installing the clean power system. In the case of our system, \$2,691 amounts to 11.7% of the cost of the system. The REC payments can be credited with an 11.7% reduction of CO2 emissions. In the case of our system, 11.7% of 15,000 pounds, or a reduction in CO2 emissions of 1,755 pounds per year.

This number improves if the calculation is scaled up to the full amount of the customer's extra payment of \$28/month, which equals \$336 per year. Based on the ratio of the customer's REC payments of \$336 and our system's receipt of \$216 per month, the extra customer payments can be credited with an 18.2% reduction of CO2 emissions: 2,730 pounds per year.

In the future Community Power may use the extra \$28/month to directly purchase clean power instead of purchasing REC's. The amount of reduction of CO2 emissions under that scenario will depend on whether the directly purchased clean power is newly added to the grid or is already supplying the grid. It will also be necessarily limited by the ratio of the extra \$28 to the total bill of \$91, or about 30%

SUMMARY

The average residential customer will pay an extra \$28/month for opting-up to Clean-100. Consumer Power uses those funds to purchase REC's, which provide a subsidy to clean power providers. One REC per megawatt.

Three approaches have been employed to attempt to quantify the reductions in CO2 emissions.

APPROACH #1: THE PRESENT: There is no reduction in CO2 emissions. The electricity used by the customer is not generated from 100% renewables. It is generated by the same mix of fuels supplied to the power-grid

APPROACH #2: THE FUTURE: INCENTIVES: The incentive amounts to about 1% of the cost of the system per year. The effectiveness of the incentive is unclear due to its small size.

APPROACH #3: THE FUTURE: PROPORTIONAL FUNDING: The REC's that are purchased with the extra funds paid by the customer can be credited with between 11.7% and 18.2% of the reduction of CO2 emissions resulting from a direct investment in solar power.

I want to be clear that Community Power is an excellent step forward in the renewable energy transition. Opting up with community power is a great way to support/ fund existing clean energy generators. The benefits are NOT equal to solar power, but people who are unable to go solar (renters, condo owners, homeowners with shaded roofs, etc.) can still support the renewable energy industry by opting up.

This letter is offered to help the Council, Planning Board, and HDC have a conversation and make a decision on the solar power question. Thank you for your work on this issue.

Sincerely,

Joe Caldarola

CITY OF PORTSMOUTH, NH
Public Art Review Committee

January 11, 2024

Memorandum

To: Honorable Mayor and City Council

From: Public Art Review Committee (PARC)

Subject: Review of Proposed Donation of Art Work

PARC received the request to review a proposed donation from artist Carl Austin Hyatt. At its meeting on January 10, 2023, PARC applied its review criteria to the proposed donation, encompassing the criteria in City Council Policy 2022-02 for Public Art Referral and Acquisition.

PARC enthusiastically recommends that the City accept the donation.

Background. Portsmouth artist Carl Austin Hyatt has offered to donate a large format photograph from his series Portsmouth Harbor Salt Piles with the proviso that the work be displayed in a publicly accessible site. The work is titled “S 1”, archival ink pigment on watercolor paper, 50 by 60 inches, from an edition of six. The black/white image includes an innovative view of salt piles, a ship unloading salt, and the Sara Mildred Long bridge. The photograph is framed with plexiglass.

Review. PARC noted these particular items in its review:

- **The S1 artwork completely meets aesthetic considerations.** The work evokes the strong emotional connection that local people have with the salt piles and the river and offers an historically accurate but innovative view. The work is innovative in depicting an “ordinary aspect of work life” as a monumental landscape. S1 shows abstract forms that “talk to each other” in unusual ways, creating a cohesive composition.
- **The artwork is a unique contribution to the City’s current works of art.** S1 adds an artistic photograph to complement other photos that tend to be documentary in purpose, e.g., groups of individuals, events, and sites. Its scale and black and white format are also distinctive.
- **The artist has an exceptional background.** Carl Austin Hyatt’s photographs have been widely exhibited including in major national and regional museums, many of which include his work in their permanent collections. Those institutions include the Museum of Fine Arts, the Smithsonian, and the Currier, Addison, and

Ogunquit museums. He has been a NH State Council on the Arts fellowship winner, a MacDowell Colony fellow, and was awarded the Greater Piscataqua Arts Advancement Award.

- **There are limited costs involved in installing the work.** The work is framed already; a security hanging device may be necessary depending on the location. Little or no maintenance will be required.

Site Location and Display. PARC recommends City Hall entryway as the initial location for the art work, enabling viewers to see the work at a distance to best complement the power of the work in an area away from direct sunlight. As a work on paper, we recommend that the work might be displayed for periods of approximately 6 months before a “rest” period. We also believe that, depending on interest and availability, the work could be shown in rotation at other City facilities that attract different members of the public. An example of a relevant facility is the parking office of the Foundry Place garage and Department of Public Works.

We recognize that the City’s policy specifies that “the City reserves the right to relocate donated artwork from time to time; and to not display a donated piece of art” and would recommend that the provision be included in a letter of appreciation to the artist if the Council formally votes to accept the work.

CITY COUNCIL E-MAILS
Received: January 31
February 5, 2024 Council Meeting

Submitted on Wed, 01/31/2024 - 14:16

Full Name

charlie griffin

Email

charlesgriffinesq@gmail.com

Subject

City Hall Receptionist

Address

210 Hillside Drive

Portsmouth, New Hampshire. 03801

Message

Mayor McEachern and Members of the Council,

I had occasion to go to City Hall today for the first time in over a year and was astonished to see that the City Hall Receptionist no longer exists. I was told that position was eliminated over a year ago.

While I personally am familiar with the layout of City Hall, I can well imagine that people who are not would feel completely lost upon entering the building. While there are directory signs, one has to hunt a bit to find them and then look some distance to find the elevator. The absence of a real person to greet you or give you directions upon entering the building seems to undercut the motto that we are "The City of the Open Door."

As I walked down the corridor leading to the City Clerk's Office, I noticed that the walls are completely barren of the artwork that used to hang there. It may be that this is only a temporary situation while the walls are repainted. However, I would point out that looking at grey walls along a long corridor while heading to a city department appears very stark and uninviting.

As you enter into a new budget season, I would ask you to consider restoring the receptionist position. As we know, first impressions are important and having the receptionist as one enters City Hall makes a difference between creating a welcoming and caring atmosphere as opposed to a cold and uncaring one which I believe has resulted from the elimination of that position.

As always, I thank you for your consideration.

Charlie Griffin

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, 01/31/2024 - 13:08

Full Name

Maggie Fogarty

Email

mfogarty@afsc.org

Subject

Portsmouth City Councilors: SIGN ON REQUEST

Address

American Friends Service Committee, 4 Park Street, #304
Concord, New Hampshire. 03301

Message

Dear City Councilors,

I am writing to ask for your help to defeat an anti-immigrant bill, SB 563, which has a public hearing in the Senate Judiciary Committee tomorrow, February 1 at 1 PM.

The NH Immigrant Rights Network has written a letter on behalf of municipal officials/representatives throughout the state who understand that requiring local police to engage in federal immigration enforcement undermines our capacity to be a safe and welcoming community for all.

<https://docs.google.com/document/d/10kYwqmZzCglXIRm-8wb6HyklihpcCzo5/edit?usp=sharing&oid=102376786781799780039&rtpof=true&sd=true>

(Note that the signatures in this draft are from last year's letter.)

Portsmouth officials, including Portsmouth Police Chief Mark Newport, have expressed opposition to previous versions of this legislation and so we are turning to you again.

This letter was written by the NH Immigrant Rights Network to be submitted as testimony during tomorrow's public hearing. If you'd like to sign on, please be in touch today with Gilles Bissonnette at ACLU-NH (gilles@aclu-nh.org) or reply directly to me. Signatures received after today will still be added because we'll be sending this letter to the full Senate prior to the floor vote in a few weeks.

Thank you for your consideration of this request, especially on short notice during these busy times.

Peace,

Maggie Fogarty, NH Program Director
American Friends Service Committee
4 Park Street, #304
Concord, NH 03301
(603)224-2407 (office)
(603)988-7115 (cell)
afsc.org/nh

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

Kelli L. Barnaby

From: Elaine Apatang-Butts <apatang-butts@outlook.com>
Sent: Tuesday, January 16, 2024 1:08 PM
To: Kelli L. Barnaby
Subject: RE: Citywide Neighborhood Committee

Hi Kelli,

I dropped by the mayor's office last week but he wasn't around at the time. I wanted to let him know in person.

At this time, I have other commitments and responsibilities that make it challenging to continue serving or take on the role of co-chair again. I have reached out to some residents whom I think would be great members, but I'm not sure yet if any will have the time themselves. I'm awaiting their responses to confirm their availability (hope to hear back this week).

I'm truly grateful for the opportunity to have been part of the CNC and will be available to answer questions or provide guidance, although Peter and Larry will be handling things. Let me know if you have any question. Thank you.

Best wishes,
Elaine
978-204-5749

From: Kelli L. Barnaby <klbarnaby@cityofportsmouth.com>
Sent: Tuesday, January 16, 2024 11:14 AM
To: Elaine Apatang-Butts <apatang-butts@outlook.com>
Subject: Citywide Neighborhood Committee

Hi Elaine,

The Mayor will be re-establishing the Citywide Neighborhood Committee with the list of members and I wanted to ask if you will be continuing to serve. My Deputy City Clerk Valerie French thought that you might not be or you are not wishing to be co-chair again.

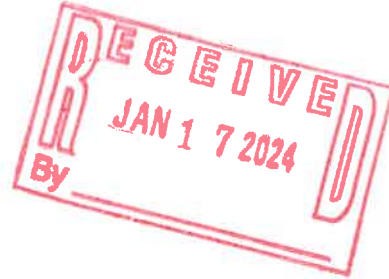
Could you please let me know.

Thank you,

Kelli L. Barnaby, MMC/CNHMC
City Clerk
City of Portsmouth, NH



34 Hunking Street
Portsmouth, NH 03801
January 17, 2024



Ms. Kelli Barnaby, City Clerk
1 Junkins Avenue
Portsmouth, NH 03801

Dear Kelli,

It is the intent of this letter to I submit my resignation as a participant in the Portsmouth Citywide Neighborhood Committee. Currently, I do not have adequate time to devote to this activity.

I apologize for my tardiness in submitting this note.

Sincerely,

A handwritten signature in blue ink that reads "Kathleen M. Boduch". The signature is written in a cursive style.

Kathleen M. Boduch

Kelli L. Barnaby

From: Lori Soloway <lorisoloway@gmail.com>
Sent: Tuesday, January 16, 2024 11:49 AM
To: Kelli L. Barnaby
Subject: Resignation from CNC

To the City Clerk's Office

Kelli Barnaby,

Please know that I am resigning from the Citywide Neighborhood Committee effective 1/16/24.

I have made arrangements with William Gatchell to take over the Ward Forums.

Thank you for the opportunity to have worked with the City of Portsmouth.

I love this city and will look for another committee that better meets my interests.

Thank you,
Lori Soloway
978-869-1850

Kelli L. Barnaby

From: Sean Clancy
Sent: Friday, January 26, 2024 7:14 AM
To: Kelli L. Barnaby
Cc: Valerie A. French
Subject: PARC Changes + Letter to CC
Attachments: Hyatt memo to Council final.docx

Hi Kelli,

We are scaring members off (😬).

For the website:

MEMBERS

~~Paul Burke~~

M. Christine Dwyer

Ellen Fineberg

Beth Hartnett

Jen Meister

Alyssa Murphy

Nancy Pearson

~~A. Robert Thoresen~~

~~Robert White~~

Mara Witzling

+ Lennie Mullaney

Also, attached is a letter that PARC would like submitted to City Council for the February 5th Meeting:

Thanks,

Sean

Sean Clancy
Assistant City Manager
Economic & Community Development
City of Portsmouth
(603) 610-7220
sclancy@cityofportsmouth.com

Kelli L. Barnaby

From: Sean Clancy
Sent: Wednesday, January 17, 2024 7:43 AM
To: Chris Dwyer
Cc: Councilor Kate Cook; Kelli L. Barnaby
Subject: FW: PARC Meetings?

Good Morning Chris et al,

Here is a resignation confirmation for PARC.

*Thanks,
Sean*

Sean Clancy
Assistant City Manager
Economic & Community Development
City of Portsmouth
(603) 610-7220
sclancy@cityofportsmouth.com

From: Robert White <rwhite@gpinet.com>
Sent: Tuesday, January 16, 2024 10:24 PM
To: Sean Clancy <sclancy@cityofportsmouth.com>
Subject: Re: PARC Meetings?

Hi Sean, thank you for the note.

"I have to be honest, while I kind of like the committee, It's not proving to be the best use of my time, and I am very discouraged with the city...
I am quite sure I offered a letter of **resignation in a previous email, and I would reiterate that now with respect.**"

Bob

Robert White
Senior Landscape Architect
GPI
802-345-5467. Cell
603-766-8251. Office
RWhite@ GPI.net

On Jan 16, 2024, at 5:12 PM, Sean Clancy <sclancy@cityofportsmouth.com> wrote:

Hi Bob,

I hope that you are doing well as well deal with our newly minted *Winter weather*. Are you going to be able to continue your membership on PARC?



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.
Please submit resume' along with this application.



Arts & Cultural Commission-applying as 2 & 3
Committee: as listed on the directions

Name: Jessica Dickey Telephone: 603-828-1277

Could you be contacted at work? YES NO If so, telephone# _____

Street address: 13 Denise St., Portsmouth

Mailing address (if different): _____

Email address (for clerk's office communication): jess@elevistadesignsllc.com

How long have you been a resident of Portsmouth? 23 years

Occupational background:

- Owner/Founder/Muralist, Elevista Designs LLC (Aug 2023-present)
- Director of People & Culture, Hearth Food Garden (Aug 2022-July 2023)
- Visual Arts Team Leader, Visual Arts Standards Rewrite Committee, NHDOE (2019)
- Co-owner of Buddhi Boutique, Ceres St, Portsmouth-a yoga lifestyle/apparel store (2011-2012)
- Adjunct Professor of Art Education, UNH (2014-2022)
- Founder/Director of a school aged summer art camp, Deerfield, NH (2010-2022)
- Public school Art Educator for 18 years Deerfield Community School, Deerfield NH (2006-2022), River Valley Charter School, Newburyport MA (2005-2006), Noble High School, North Berwick ME (1999-2000)
- B.A. in Studio Art (1993-1997), M. Ed in Secondary Education (1998-1999)

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

~~My combined experience as a long time resident of Portsmouth, a parent of children in our public schools, an art educator, an artist, and a small-business owner of an arts based company I believe would offer valuable perspective to the Arts & Culture commission. I've participated in the ARTPM challenge at Buoy Gallery (Kittery gallery, but a seacoast community art show) for most of the years it has been in existence. I also participated in the "Creative Professionals" focus group for the Arts & Cultural Plan in October. I had a lot of information to share with this group and would like to continue participating in discussions and decisions regarding arts & culture for Portsmouth.~~



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: _____

I value the richness of Arts & Culture in Portsmouth! I feel grateful to be able to live and work in a community that prioritizes arts & culture. When I went to the focus group for the arts & cultural plan in October, I felt energized by the conversation and was surprised that I had a lot of information to offer that others in my group were not aware of while simultaneously learning so much that I did not know from my fellow group members. My children are older now and I have time to devote to serving Portsmouth on a public committee.

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

I work with a coach from the NH Small Business Development Center. I have not participated in any local public groups in the past because I am a single mother with 2 kids. Now that they are older (15 and 18), I have time I can offer! Yay!

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

1) Jane D'Antonio, 175 Wibird St., Portsmouth, 617-515-2615

Name, address, telephone number

2) Kathy Scannell, 12 Denise St, Portsmouth, 603-817-7417

Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature:  Date: 11/8/2023

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

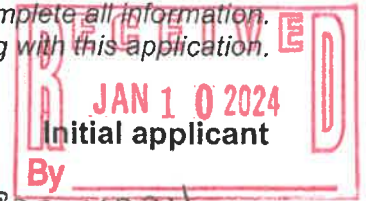
Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

Regular Member
APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.
Please submit resume' along with this application.



Committee: Planning Board

Name: Andrew Samonas Telephone: 603 988 7824

Could you be contacted at work? YES/NO If so, telephone # Yes *

Street address: 4160 Richards Ave

Mailing address (if different): *

Email address (for clerk's office communication): ANDREW@SAMONASGROUP.COM

How long have you been a resident of Portsmouth? 28 yrs

Occupational background:

Real Estate

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

1+ yr as alternate

1 yr on Conservation Commission

Master of Real Estate Development + URBAN Design

own/manage property

Develop Real Estate



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: _____

Master Planning, Development principles, City growth

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

Big Brothers, Big Sisters

1623 Foundation

Great Bay Stewards

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

1) Rick Gellman - 603 479 7195
Name, address, telephone number

2) Joanna Kelly - 603 767 1565
Name, address, telephone number

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5. Application will be kept on file for one year from date of receipt.

Signature: _____ Date: 1/10/23

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

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801

6/27/2012



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.
Please submit resume' along with this application.*



Committee: PARC Public Art Review

Initial applicant

Name: Ernie (Ernestine) Greenslade Telephone: 603 438 8915

Could you be contacted at work? YES NO If so, telephone# same

Street address: 20 T.J. Gamester Ave, Portsmouth

Mailing address (if different): _____

Email address (for clerk's office communication): egreenslade@comcast.net

How long have you been a resident of Portsmouth? 40 years

Occupational background:

I was the director of public relations for Northern Essex Community College in Haverhill, Ma, for 30-plus years before retiring in June of 2022.

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

See attached.

OVER

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: _____

See attached.

Please list any organizations, groups, or other committees you are involved in:
Chair, Portsmouth NH 400 Inc. Legacy Committee, Member, PNH400 management team

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

1) Ellen Fineberg, 75 Aldrich Rd, Portsmouth, 603 828-1327
Name, address, telephone number

2) Nancy Clayburgh, 405 FW Hartford Dr, Portsmouth, 603 475-3037
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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5. Application will be kept on file for one year from date of receipt.

Signature: _____ Date: _____

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

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801

Reasons for Wishing to Serve

I've always been interested in the arts in general and, more recently, in public art in particular. I am so thankful that Portsmouth has a thriving arts scene, which is one of the many reasons I love living here so much.

For the past year-plus, I've been chairing the PNH400 Legacy sub-committee. I've always appreciated public art and what it brings to a community and that appreciation has only grown through my experiences of the past year.

In the past, I've served on the board of the Prescott Park Arts Festival and as chair of the Portsmouth Library Board of Trustees. Since retiring over a year ago, I have more time to devote to my community, which is why serving on the board interests me at this time.

I love to travel and one of the first things I do when visiting a new city is research the public art. When a community invests in public art, it speaks volumes. I believe there's a direct correlation between this commitment and the quality of life for residents and the overall experience for visitors.

Please list experience you have in respect to this board/commission

For the past year, I've been chairing the Legacy Committee for Portsmouth NH's 400th anniversary celebration. As a committee, our goal was to secure a project that would last well beyond the celebration in 2023 and be a lasting tribute.

Working closely with city staff and after considering and vetting ideas from the Portsmouth community, we decided early on that our project would be to establish a maritime-themed sculpture garden in the city's Bohenko Gateway Park.

Before the end of the year, we plan to unveil the first project, a stunning 20-foot tall sculpture celebrating Portsmouth's maritime history. The piece features two 20-foot sails, modeled after the Piscataqua gundalow. The sails will include Chinese papercut designs highlighting 13 maritime themes that were developed through a community engagement process. Those themes range from a codfish to the Albacore submarine.

As chair, I drafted—with help from Suzanne Woodland—the request for proposals soliciting artists; oversaw the review process in collaboration with Barbara Massar, review team chair; and provided leadership in raising almost \$150,000 to fund the project.

It was a great deal of work and there was a steep learning curve, but I loved just about every minute of it and learned a lot about public art.

Since the PNH400 Legacy committee will be dissolving at the end of the celebration, I'd love to transfer what I've learned to membership on PARC.

I've already attended two PARC meetings to provide reports on our project and, most recently, to share our process and be a resource to PARC members who plan to embark on their own public art selection process for Peirce Island.

I believe there's synergy between what I've been doing for PNH400 and the mission of PARC, and I would welcome the opportunity to be a part of this moving forward.



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.
Please submit resume' along with this application.*



Committee: Public Art Review Committee

Name: Robin Lurie-Meyerkopf Telephone: 603-520-4780

Could you be contacted at work? YES NO If so, telephone# same as above

Street address: 53 Whidden St Portsmouth

Mailing address (if different): _____

Email address (for clerk's office communication): talkinrobin5@gmail.com

How long have you been a resident of Portsmouth? 15 years

Occupational background:

I have resided in Portsmouth since 2008. My degrees are in Education. My career has varied from teaching to working as an environmental science teacher to the field of learning disabilities. For years I was the Assoc. Dir. of a small nonprofit. Since 2016 I have been at the Portsmouth Historical Society. My job at the Society is facilities management, walking tour manager, assisting with rentals & events and education.

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

In my work at the Portsmouth Historical Society, which has amazing art exhibitions and programming, I am exposed to art on a regular basis. I worked with Cathy Sununu at the Museum of New Art which never got a chance to open in the west end. I am organized, hard working, and have volunteered on many boards in the city. I appreciate and study art and am surrounded by art and artists on a regular basis.

➡ OVER

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: _____
I just finished serving on one of the ad hoc art committees that led to the creation of _____
the new arts commission herre in Portsmouth. I now have the time to devote to this _____
committee. _____

Please list any organizations, groups, or other committees you are involved in:
Board member, secretary, Seacoast African American Cultural Center, Member
Prescott Park Redevelopment Task Force, past board member Soul Models and
Seacoast Repertory Theatre. _____

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

1) Nancy Pearson Lincoln Ave Portsmouth NH 603-512-3953
Name, address, telephone number

2) Emma Stratton Rye NH 781-254-7845
Name; address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Robin Lurie-Meyerkopf Date: 1-18-24

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

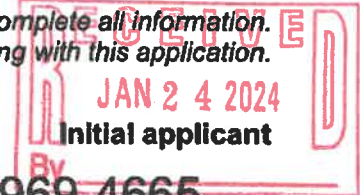
Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.
Please submit resume' along with this application.*



Committee: Housing Committee

Name: Megan Corsetti Telephone: 603-969-4665

Could you be contacted at work? YES NO If so, telephone# 603-969-4665

Street address: 177 Colonial Drive, Portsmouth, NH

Mailing address (if different): Same

Email address (for clerk's office communication): mcorsetti118@gmail.com

How long have you been a resident of Portsmouth? 33 years

Occupational background:
Registered Nurse, Healthcare Practice Management
Quality & Safety, Hospital Leadership

Please list experience you have in respect to this Board/Commission:
Engaged citizenship, attendance to Land Use & City Council Meetings, participation in
Portsmouth Listens: Housing Focused.

Completion of NH Housing Finance Authority First time Home buyer seminar,
Self-driven research through NHHA, Seacoast Workforce Housing Coalition, City of
Portsmouth Master Plan, City of Portsmouth Zoning Laws as currently written and more. :)

➡ OVER

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: _____
To collaborate with other residents to find sensible solutions to the City/State (Global) housing crisis, and to assist in developing a portion of the next City Master Plan.

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

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

1) Mary Carey Foley, 113 Bow St # 4A 603-498-2994
Name, address, telephone number

2) Nancy Clayburgh 405 FW Hartford Dr. 603-475-3037
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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5. Application will be kept on file for one year from date of receipt.

Signature: Meghan Corbett Date: 1/24/2024

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

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801

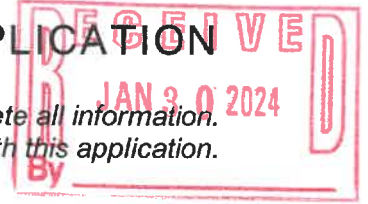
6/27/2012



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.
Please submit resume' along with this application.*



Committee: Housing Initial applicant

Name: Tracy Kozak Telephone: 603.731.5187

Could you be contacted at work? YES NO If so, telephone# 603.731.5187

Street address: 28 Walden St

Mailing address (if different): _____

Email address (for clerk's office communication): tracy.kozak@arcove.com

How long have you been a resident of Portsmouth? 30 years

Occupational background:

Architect

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

Architectural design of multifamily and single family housing; including both workforce
and market rate options. I am familiar with the Portsmouth Zoning ordinance, land
use boards, state regulations, builders, developers, and residents of Portsmouth.
Previous vice-chair (2007-2014) of the

Portsmouth HDC. I am president emeritus of the NH chapter of the American Institute
of Architects and currently chair the AIAh Committee on the Environment. I have
contributed to past Portsmouth Master Plan study circles, and as a consultant to the



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: _____

I believe it is important for a community to provide adequate and varied housing options for all who need housing. It is sad to see families and friends dispersed, local businesses close, and vibrant culture fade due to lack of housing. It is distressing to see some people struggle with the lack of housing options.

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

AIA NH - Committee on the Environment - Chair
Currier Museum of Art - Board of Directors

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

1) Eric Spear; 49 Mt Vernon St; Portsmouth (603) 502-1379
Name, address, telephone number

2) Tom Morgan, 508 Marcy St, 603-205-2329
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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5. Application will be kept on file for one year from date of receipt.

Signature: Tracy Kozak Date: 1.29.2024

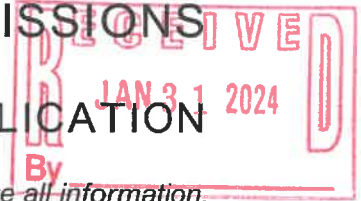
If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes _____ No X

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION



*Instructions: Please print or type and complete all information.
Please submit resume' along with this application.*

Committee: Housing **Initial applicant**

Name: Mary Loane Telephone: 207-752-0638

Could you be contacted at work? YES NO If so, telephone# _____

Street address: 478 Colonial Dr

Mailing address (if different): _____

Email address (for clerk's office communication): mary.loane@gmail.com

How long have you been a resident of Portsmouth? 4 years

Occupational background:

I have worked in the private sector, non-profits and at an international organization/ NGO. Most recently I was at the World Economic Forum, where I was a program manager for a multistakeholder coalition focused on advocating for sustainable and equitable transportation. Currently taking a break from a corporate environment and working downtown at a café.

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

Earned MA in Urban Studies from Fordham University, with research focused on the intersection of history, memory and place. Foundational curriculum included examination of housing/ neighborhoods. Education has carried through into my career where I've grown a generalist's perspective of sustainability and transportation.

Personal: I have lived in a number of different housing types: side-by-side duplex, small 'hobby' farm, small apartment in midrise building (500 sq ft), apartment in a row house, single family house in Pannaway Manor.

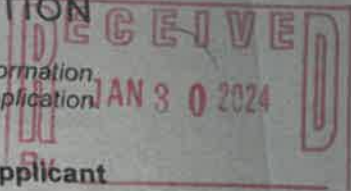




CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.
Please submit resume' along with this application.



Committee: Housing Committee

Initial applicant

Name: Byron Matto Telephone: 646-416-2265

Could you be contacted at work? YES NO If so, telephone# _____

Street address: 17 Fields Rd Portsmouth

Mailing address (if different): _____

Email address (for clerk's office communication): _____

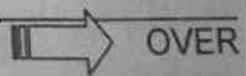
How long have you been a resident of Portsmouth? Since Feb 2012

Occupational background:

Software Engineering Manager with ~15 years of software development experience

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

Currently serving on the Portsmouth School Board assigned to the Policy and Redistricting Research Committees among others.



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: Deeply involved in the future
health of our community. The extreme pressure
in the current housing market is eroding the
fabric of our city. I am excited at the opportunity to
find ways our city can adapt to meet the needs
relative to the housing crisis.

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

Portsmouth School Board

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

1) Josh Cyr, 990 Maplewood Portsmouth, 603 265 1171
Name, address, telephone number

2) Drew DiPasquale, 80 Fields Rd Portsmouth, 570 578 4448
Name, address, telephone number

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Signature: _____

Date: 6/29/24

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

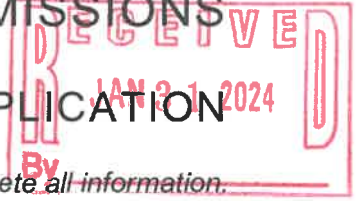
Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801

6/27/2012



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION



Instructions: Please print or type and complete all information.
Please submit resume' along with this application.

Committee: Housing Committee

Initial applicant

Name: Dagan Migirditch Telephone: 518-573-3287

Could you be contacted at work? YES NO If so, telephone# 518-573-3287

Street address: 70 Morning Street, Portsmouth, NH

Mailing address (if different): _____

Email address (for clerk's office communication): dagan@liarsbenchbeer.com

How long have you been a resident of Portsmouth? 16 years

Occupational background:

Current co-owner and founder of Liars Bench Beer Company. Started working as a busy boy in the Portsmouth hospitality industry in 2007. Rose the ranks from support staff to bartender to general manager (opened the Franklin Oyster House) and now owner.

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

I've been the beneficiary of non-subsidized affordable housing in the city and can serve as an example of it's effect not just on an individual resident but the community writ large. I've lived in various housing arrangements, mostly with housemates and neighbors of the demographic Portsmouth is losing in droves. I'm now a homeowner but many of my former roommates, friends and colleagues have left the city and not by choice. Now that I'm an employer, I represent the workforce currently being squeezed out of this city and can provide perspective as to how that squeeze will (not can, but will) have major negative consequences for Portsmouth's character and economy.

OVER

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

*I have spoken with Assistant Mayor Joanna Kelley about my conflicts. These were scheduled prior to the formation of this committee. I will attempt to call in to avoid missing the meetings entirely.
Reasons for wishing to serve: _____

See my response to the "Experience in respect to Commission." To elaborate,
I believe I represent the exact type of individual struggling to find not only affordable housing but even achievable housing. I can serve as both a representative of the hospitality industry, whose staffing struggles are well documented, but also as a canary in the coal mine. What I mean by this, is that I believe my business, Liars Bench, serves as a community hub. This is presumptuous, but it's a point of pride for us. Had I not had the good fortune to find housing consistently suited to my income, our brewery would not exist.

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

Currently involved with Portsmouth Listens on this exact subject. Although I am no longer a board member, I previously served on the boards of the Chamber of Commerce as well as the NH Brewers Association.

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

1) James McSharry, 58 Pleasant Point, Portsmouth, 603-498-6476
Name, address, telephone number

2) David Vargas, 142 Manson Ave, Kittery ME, 207-752-6908
Name, address, telephone number

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5. Application will be kept on file for one year from date of receipt.

Signature: Dagmar Migirditch Date: 1/31/2024

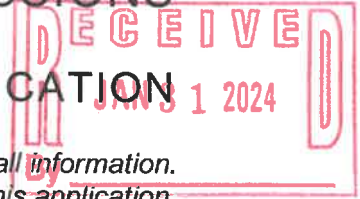
If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes No

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION



Instructions: Please print or type and complete all information.
Please submit resume' along with this application.

Committee: Housing Committee Initial applicant

Name: Jen Stebbins Thomas Telephone: 603-759-1958

Could you be contacted at work? YES NO If so, telephone# _____

Street address: 279 Wibird St, Portsmouth

Mailing address (if different): _____

Email address (for clerk's office communication): jenstebbins@xsshoteles.com

How long have you been a resident of Portsmouth? 5 years

Occupational background:

I am a commercial real estate developer and co-owner of PROCON Construction, New Hampshire's largest design-build general contractor.

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

I have extensive experience developing commercial real estate projects, including multi-family assets. I am engaged on a day-to-day basis with under-writing projects, developing budgets and projections, finding financing, and overseeing legal structures of development partnerships. I look forward to bringing a developer's perspective to this committee.

➡ OVER

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: _____

Like many people in Portsmouth, I care deeply about keeping our community inclusive and affordable for all. In my own work, I've witnessed companies trying to move to Portsmouth, but their first question is inevitably, "Where will my employees live?" We have some great opportunities to expand housing in Portsmouth, and I'm excited to be a part of that.

Please list any organizations, groups, or other committees you are involved in:
I serve on the board of Waypoint, NH's oldest child- and family-focused non-profit.

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

1) Eben Tormey, 15 Recreation Rd, Rye, 530-386-4511

Name, address, telephone number

2) Meg Luce, 31 Willow Lane, Portsmouth 603-343-6007

Name, address, telephone number

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Signature: Jennifer S Thomas Date: 1/31/2024

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

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801

CITY COUNCIL GOALS 2024 - 2025

1. Enhance the supply of housing choices, especially the supply of below-market rate housing options.
2. Integrate sustainability, resilience, and climate change mitigation actions throughout City government and community.
3. Invite and engage the entire community, especially those traditionally unreached, to increase participation and transparency in government.
4. Support the needs of residents, businesses, nonprofits, arts and cultural institutions by leveraging City and local resources.
5. Explore opportunities to support all modes of transportation options.

| | | |
|---|---|--------------|
| Last Reviewed: 8/18/2023 Effective: 10/1/2023 Primary Approver: City Manager  | City of PORTSMOUTH New Hampshire | Page: 1 of 3 |
| TITLE: Green Building and Infrastructure Policy City Policy | | |

CITY OF PORTSMOUTH

MUNICIPAL GREEN BUILDINGS & INFRASTRUCTURE POLICY

The goals of the City of Portsmouth, as expressed in its 2025 Master Plan, include a strong desire for the City to be more proactive in reducing Greenhouse Gas Emissions and move towards a ‘net zero’ carbon emissions goal to help mitigate the impact of climate change for future generations:

The City Manager adopts this Green Buildings and Infrastructure Policy to move Portsmouth towards managing and owning buildings and infrastructure with lower carbon and environmental impacts in operations and construction. The following are the required Sustainable Design Criteria (SDCs) for all city municipal projects not vested as of the accepted date of this proposal, and to be upheld under this policy. This document is set to be reviewed on a 5 year basis from the adoption date to meet current goals and standards.

| Criteria Name | Applications | Sustainable Design Criteria (SDC) |
|---------------|---|---|
| LEED | All new buildings & major remodels valued at over \$2 million | Achieve the equivalent of LEED Silver ¹ including maximizing credits in the Energy & Atmosphere: Optimize Energy Performance category and achieving at least one credit in each of the following credit categories: <ul style="list-style-type: none"> ● Sustainable Sites: Rainwater Management ● Materials & Resources: Building Life-cycle Impact |

¹ Alternative green building rating and certification paths such as Passive House and Living Building may be proposed as an alternative to the LEED standard. The intent and incorporation of the focus areas outlined above must still be considered and respected in the design and construction of the building.

| | | |
|-----------------------------|--|--|
| | | <p>Reduction</p> <ul style="list-style-type: none"> ● Energy & Atmosphere: Renewable Energy ● Location & transport: Electric Vehicles |
| Mechanical Systems | All projects that include new or upgraded HVAC, water heating or electrical systems costing over \$250,000 | <p>All new systems must:</p> <ul style="list-style-type: none"> ● be designed without the use of fossil fuels (with the exception of emergency backup systems) ● follow refrigeration requirements as defined in the LEED Energy and Atmosphere: Fundamental Refrigerant Management credit ● Ensure energy performance target is at least 20% more efficient than currently adopted ASHRAE standard ● Use the highest efficiency mechanical systems that are life cycle cost-effective (considering a 40 year payback period and a social carbon cost as defined by the DOE)² |
| Envelope & Glazing Upgrades | All projects that include envelope improvements or new windows/door costing over \$250,000 | All fenestrations and building envelope components must meet Prescriptive (R and U-value) or Total Building Performance Compliance as defined by most current International Energy Conservation Code. |
| Appliances & Water Fixtures | All projects replacing or installing new appliances or water fixtures | <p>All applicable appliances and water fixtures must:</p> <ul style="list-style-type: none"> ● meet WaterSense standards (or equivalent) ● meet Energystar standards (or equivalent) |
| Roofs | All projects that include new roofs or roof replacements valued at over \$250,000 | <ul style="list-style-type: none"> ● Provide an average solar reflectance equivalent to the current LEED Sustainable Sites: Heat Island Reduction requirements |
| Low Carbon Concrete | All projects using more than 10 cubic yards of concrete | <ul style="list-style-type: none"> ● Concrete used in building or site work must use low-carbon concrete mixes to achieve an average GWP minimum (by volume) of 10% better than current NRMCA Northeast Regional averages. |
| Paving | All paving or repaving projects for municipal parking lots over 5000 sq ft or 20 spots | <p>Parking lot design must:</p> <ul style="list-style-type: none"> ● explore feasibility for low impact design and development techniques ● provide infrastructure for parking bicycles, |

² Use 95th Percentile Discount Rate & Statistics: As of the date of this proposal (2023) equivalent to \$152 per ton of CO2 equivalent

| | | |
|-------------------|---|--|
| | | <p>scooters and alternative transportation methods</p> <ul style="list-style-type: none"> ● explore feasibility of incorporating electrical infrastructure & conduit pathways for EV charging stations ● explore and present basic design and cost for solar array covered parking |
| CIP Applicability | All projects in the Buildings and Infrastructure and Transportation Management sections of the Capital Improvement Plan | <ul style="list-style-type: none"> ● Designate clearly in the Evaluation Criteria for each project if it triggers any sustainable design criteria under this Municipal Green Buildings and Infrastructure Policy |
| Minimus projects | All projects not meeting the minimum criteria above | Sustainable design criteria above should still be explored and considered for projects of all sizes, as well as implementation of sustainable building practices in the spirit of this policy |

Undue Burden Clause

In the case that the above requirements are deemed not feasible due to historical, structural, or undue financial burden to city taxpayers staff will prepare a memo for the file documenting why certain measures were not taken and explain why the approach being followed was selected.

,

ARTICLE Xxxx: SINGLE-USE FOOD SERVICE-WARE REDUCTION

Section X.xxx: PRELIMINARY

This ordinance is adopted by the City of Portsmouth to allow customers to order food and beverages without receiving unnecessary and unrequested single-use plastic foodware. Under the law, single-use foodware can only be given to customers if they request it.

Section X.xxx DEFINITIONS

For the purpose of this ordinance, the following terms will be defined in the following manner:

- A. Consumer: a person purchasing food or beverages.
- B. Food Service Provider: any store, establishment, provider, government entity, non-profit vendor, or business, operating within the [Insert Name of City/County/State] that sells or provides food or beverages for human consumption to consumers directly or indirectly through a delivery or takeout service, regardless of whether such food is consumed on or off the premises. "Food service provider" includes, but is not limited to, restaurants, retail food establishments, caterers, cafeterias, stores, shops, retail sales outlets, grocery stores, delicatessens serving the public, mobile or temporary food providers, vehicles or carts, or roadside stands.
- C. Single-Use Food Serviceware: all types of items provided by food service providers in relation to the consumption and enjoyment of food or beverages, including, but not limited to, forks, spoons, knives, napkins, straws, stirrers, cocktail sticks, splash sticks, toothpicks, wet-wipes, cup lids, cup sleeves, beverage trays, and unfilled cups, plates, and take-out containers that are designed for single-use.
- D. Single-Use Condiment: relishes, spices, sauces, confections, or seasonings that require no additional preparation and that are usually used on a food item after preparation, including ketchup, mustard, mayonnaise, soy sauce, hot sauce, salsa, salt, pepper, sugar, and sugar substitutes or other similar items that are designed for single-use.
- E. Single-Use: a product that is designed to be used once and then discarded, and not designed for repeated use and sanitizing.
- F. Third-Party Food Delivery Platform: a business engaged in the service of online food ordering and/or delivery of food or beverages from a food service provider to a consumer.

Section X.xxx SINGLE-USE FOOD SERVICEWARE UPON REQUEST

- A. Only upon request by a customer, may a food service provider provide single-use food serveware or single-use condiment.
- B. Single-use food serveware and single-use condiments provided by food service providers for use by consumers shall not be bundled or packaged in a manner that prohibits a consumer from taking only the type of single-use food serveware or single-use condiment desired without also having to take a different type of single-use food serveware or single-use condiment.
- C. Nothing in this section shall be construed to prohibit a food service provider from selling or providing food or beverages that are pre-packaged by the manufacturer in single-use food serveware.

Section X.xxx REQUIREMENTS FOR THIRD-PARTY DELIVERY PLATFORMS

- A. A third-party food delivery platform shall provide consumers with the option to request single-use food serveware and single-use condiments from food service providers.
- B. A third-party food delivery platform shall customize its menu with a list of available single-use food serveware and single-use condiments, and only those single-use food serveware and single-use condiments selected by the consumer shall be provided by the food service provider or the third- party food delivery platform. If a consumer does not select any single-use food serveware or single-use condiments, no single-use food serveware or single-use condiments shall be provided by the food service provider or the third-party delivery platform.

Section X.xxx ENFORCEMENT AND COMPLIANCE

- A. The Health Department is authorized to promulgate rules and regulations for the implementation and enforcement of this act.
- B. The Health Department is authorized to take actions reasonable and necessary to enforce this article, including, but not limited to, receiving and responding to complaints, investigating violations, issuing fines, and entering the premise of any food service provider during business hours to monitor compliance.
- C. A food service provider and third-party food delivery platform shall be subject to fines outlined in the City ordinance, Chapter 1, Article XIII Municipal Enforcement Procedures, if they are deemed in violation of this ordinance.
- D. A food service provider or third-party deliver platform who receives a written notice of violation pursuant to this article may request an administrative review of the accuracy of the violation determination by filing a signed, written notice of

appeal with the Health Department, or his/her designee, no later than 30 days from the date the notice of violation was served. The appeal must include all facts supporting the appeal and any supporting documentation, including copies of all photos, statements, and other documents that the appellant wishes to be considered in connection with the appeal. The Health Department, or his/her designee, may sustain, rescind, or modify the notice of violation and/or administrative fine, as applicable.

Section X.xxx EDUCATION AND OUTREACH

- A. The Health Department is required to conduct education and outreach to consumers, food service providers, and third- party food delivery platforms regarding the requirements and purpose of this law.
- B. The education and outreach shall, at a minimum, include:
 - 1) Information regarding the environmental and public health harms associated with single-use foodware;
 - 2) The environmental, economic, and social benefits of reusable foodware;
 - 3) Information regarding the environmental and public health concerns associated with landfilling and incinerating waste;
 - 4) The requirements of this act; and
 - 5) How food service providers and third-party delivery platforms can comply with the requirements of this act and the penalties for non-compliance.
- C. The education and outreach conducted by the Health Department shall utilize multiple forms of media, including, but not limited to print and web-based media to produce information directly to consumers, food service providers, and third-party food delivery platforms, and shall be provided in multiple languages.

Section X.xxx SEVERABILITY

If any provision of this article is found to be unconstitutional or otherwise invalid by any court of competent jurisdiction, that invalidity shall not affect the remaining provisions of this article which can be implemented without the invalid provisions, and to this end, the provisions of this article are declared to be severable. The City of Portsmouth hereby declares that it would have adopted this article and each provision thereof irrespective of whether any one or more provisions are found invalid, unconstitutional, or otherwise unenforceable.

Section X.xxx PREEMPTION

Nothing in this act shall limit the ability of the City Council from passing more restricting laws, ordinances, or regulations, governing the use of single-use food serviceware or single-

use condiments, so long as those laws, ordinances, or regulations do not violate the provisions of this act.

Section X.xxx EFFECTIVE DATE

The provisions of this act shall take effect one year after enactment.

PARKING and TRAFFIC SAFETY COMMITTEE

ACTION SHEET

6:00 P.M. – November 29, 2023
City Council Chambers

PRESENT: **Members:** Chairman Andrew Bagley; Public Works Director Peter Rice; Erica Wygonik; Steve Pesci; Stefanie Casella, Planning Department; Deputy Police Chief Mike Maloney; Dave Allen; Fire Chief Bill McQuillen; Mark Syracuse

City Staff: City Engineer Eric Eby, Parking Director Ben Fletcher, Associate Engineer Tyler Reese

| ACTION ITEMS FOR CITY COUNCIL |
|--|
| <ul style="list-style-type: none">Woodbury Avenue, voted to approve revised speed cushion plan for Woodbury Avenue, with 6 speed cushions. |

- Woodbury Avenue, voted to approve revised speed cushion plan for Woodbury Avenue, with 6 speed cushions.

- **Roll Call**
- **Financial Report:** **Voted** to accept and place on file Financial Report dated October 31, 2023.
- **Presentation by New Hampshire DOT on I-95 Soundwall and Privacy Fence project update.**
- There were eleven speakers with questions and comments regarding the Soundwall and Privacy Fence project: Tony Coviello, Deirdre Wallace, Peter Somssich, Bill St. Laurent, Justin Richardson, Alice Wahl, Bob Lister, Mary Hahnen, Barbara Pamboukes, Steve Langevin, and Thomas Morley.
- **Presentation by Sebago Technics on Middle Street/Miller Avenue/Summer Street intersection improvements.**
- There were five speakers with questions and comments regarding the Middle Street/Miller Avenue/Summer Street intersection improvements: Allen McGee, Kris Tiano, Evan Mullen, Joe Freda, and Elizabeth Bratter.
- **Public Comment:** No speakers
- **Middle Street/Miller Avenue/Summer Street intersection, request for selection of preferred alternative for construction, by DPW:** **Voted** to postpone this vote until January and to remove option two.
- **Woodbury Avenue, request to approve revised speed cushion design plan, by DPW:** **Voted** to approve revised speed cushion plan for Woodbury Avenue, with 6 speed cushions.
- **Bartlett Street project update:** Informational; no action required.
- **Police monthly accident report:** Informational; no action required.
- **Revised Parking Principles update:** Informational; no action required.

Respectfully submitted by: Leila Birr

PARKING and TRAFFIC SAFETY COMMITTEE
PORTSMOUTH, NEW HAMPSHIRE

CITY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

Members of the public also had the option to join the meeting over Zoom.

6:00 PM

November 29, 2023

MINUTES

I. CALL TO ORDER

Chairman Andrew Bagley called the meeting to order at 6:00 PM.

II. ATTENDANCE

Members Present:

Chairman Andrew Bagley
Vice Chairman Steve Pesci
Public Works Director Peter Rice
Stefanie Casella, Planning Department
Deputy Police Chief Mike Maloney
Erica Wygonik
Dave Allen (Alternate)
Fire Chief William McQuillen
Mark Syracuse

Absent

Mary Lou McElwain

City Staff Present:

Parking Director Ben Fletcher
City Engineer – Parking, Transportation and Planning Eric Eby
Associate Engineer Tyler Reece

III. FINANCIAL REPORT

[00:01:55] Mark Syracuse moved to accept the financial report dated October 31, 2023, seconded by Peter Rice. Motion passed unanimously.

[00:02:28] Peter Rice made a motion to move the presentations before public comment, seconded by Erica Wygonik. Motion carried 9-0.

V. PRESENTATIONS

A. [00:02:46] I-95 Soundwall and Privacy Fence project update, by New Hampshire DOT

[00:35:25] There were eleven speakers with questions and comments regarding the Soundwall and Privacy Fence project: Tony Coviello, Deirdre Wallace, Peter Somssich, Bill St. Laurent, Justin Richardson, Alice Wahl, Bob Lister, Mary Hahnen, Barbara Pamboukes, Steve Langevin, and Thomas Morley.

B. [01:14:58] Middle Street/Miller Avenue/Summer Street intersection improvements, by Sebago Technics, Inc.

[01:49:31] There were five speakers with questions and comments regarding the Middle Street/Miller Avenue/Summer Street intersection improvements: Allen McGee, Kris Tiano, Evan Mullen, Joe Freda, and Elizabeth Bratter.

IV. PUBLIC COMMENT

No speakers

VI. NEW BUSINESS

(No public comment during Committee discussion without Committee approval.)

None

VII. OLD BUSINESS

A. [02:06:15] Middle Street/Miller Avenue/Summer Street intersection, request for selection of preferred alternative for construction, by DPW. Peter Rice moved to postpone this vote until January and to remove option two, seconded by Stefanie Casella. Motion passed 9-0.

B. [02:12:37] Woodbury Avenue, request to approve revised speed cushion design plan, by DPW. Peter Rice made a motion to approve the revised speed cushion plan for Woodbury Avenue, with 6 speed cushions. Seconded by Stefanie Casella. Motion passed 7-2, with Mark Syracuse and Bill McQuillen voting against the motion.

VIII. INFORMATIONAL

A. [02:26:19] Bartlett Street project update

B. [02:27:33] Monthly accident report from police

C. [02:29:22] Revised Parking Principles update

IX. MISCELLANEOUS

None

X. ADJOURNMENT

Chairman Bagley adjourned the meeting at 8:34 p.m.

Respectfully submitted,

Leila Birr
Administrative Assistant
Department of Public Works

PARKING and TRAFFIC SAFETY COMMITTEE

ACTION SHEET

8:30 A.M. – January 4, 2024
Conference Room A

PRESENT: **Members:** Chairman Andrew Bagley; Public Works Director Peter Rice; Erica Wygonik; Mary Lou McElwain; Steve Pesci; Stefanie Casella, Planning Department; Deputy Police Chief Mike Maloney; Dave Allen; Fire Chief Bill McQuillen; Mark Syracuse

City Staff: City Engineer Eric Eby, Parking Director Ben Fletcher, Associate Engineer Tyler Reese

ACTION ITEMS FOR CITY COUNCIL

- 2 Russell Street, voted to approve requested changes to on-street parking on Deer Street and Russell Street as presented on approved site plans for project with modifications as proposed by DPW, with the inclusion of bicycle signage at locations as approved by the DPW traffic engineer, and the continuation of sharrows on Russell Street to Market Street.
 - Parking Principles, voted to approve proposed changes to City Parking Principles as recommended by DPW and Planning Department. Original 2012 Parking Principles and recommended revised Parking Principles attached for Council review and approval.
- **Roll Call**
 - **Annual Selection of Chair:** Selection of chairman is postponed until the next meeting.
 - **Financial Report:** **Voted** to accept and place on file Financial Report dated November 30, 2023.
 - **Public Comment Session:** There were two speakers: Elizabeth Bratter, regarding parking, and Matthew Glenn regarding pedestrian and bicycle planning.
 - **2 Russell Street, request for approval of on-street parking changes and loading zones on Deer Street and Russell Street, by property owner:** **Voted** to approve requested changes to on-street parking on Deer Street and Russell Street as presented on approved site plans for project with modifications as proposed by DPW, with the inclusion of bicycle signage at locations as approved by the DPW traffic engineer, and the continuation of sharrows on Russell Street to Market Street.
 - **Middle Street/Miller Avenue/Summer Street intersection, request for selection of preferred alternative for construction, by DPW:** **Voted** to select the “hybrid” option for reconstruction of the intersection, with a solid white edge line rather than individually striped on-street parking spaces, and moving the bus stop to in front of the Margeson Apartments.
 - **Parking Principles, request to approve proposed changes to City Parking Principles, by DPW:** **Voted** to approve proposed changes to City Parking Principles as proposed by DPW and Planning Department.
 - **Chapter 7, Section 7-A.402, Bus Stops Designated, request to amend section to reflect current conditions, by DPW.** Peter Rice moved to table the vote until there is a report back from Engineering and consensus on Market Square.
 - **Police monthly accident report:** Informational; no action required.

Respectfully submitted by: Leila Birr

PARKING and TRAFFIC SAFETY COMMITTEE
PORTSMOUTH, NEW HAMPSHIRE

CONFERENCE ROOM A
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE

Members of the public also had the option to join the meeting over Zoom.

8:30 AM

January 4, 2024

MINUTES

I. CALL TO ORDER

Acting Chairman Andrew Bagley called the meeting to order at 8:30 AM.

Moment of Silence for Harold Whitehouse

II. ATTENDANCE

Members Present:

Acting Chairman Andrew Bagley
Vice Chairman Steve Pesci
Public Works Director Peter Rice
Stefanie Casella, Planning Department
Deputy Police Chief Mike Maloney
Erica Wygonik
Dave Allen (alternate)
Fire Chief William McQuillen
Mark Syracuse
Mary Lou McElwain

City Staff Present:

Parking Director Ben Fletcher
City Engineer – Parking, Transportation and Planning Eric Eby
Associate Engineer Tyler Reece

III. ANNUAL SELECTION OF CHAIR

[00:05:17] The selection of chairman is postponed until the next meeting. City Council has not yet had their first meeting of the year, where they will appoint the Parking and Traffic Safety Committee representative.

IV. FINANCIAL REPORT

[00:06:12] Mark Syracuse moved to accept the financial report dated November 30, 2023, seconded by Steve Pesci. Motion carried 9-0.

V. PUBLIC COMMENT

[00:06:44] There were two speakers: Elizabeth Bratter, regarding parking, and Matthew Glenn regarding pedestrian and bicycle planning.

VI. PRESENTATIONS

None

VII. NEW BUSINESS

(No public comment during Committee discussion without Committee approval.)

A. [00:16:07] 2 Russell Street, request for approval of on-street parking changes and loading zones on Deer Street and Russell Street, by property owner. Steve Pesci moved to approve requested changes to on-street parking on Deer Street and Russell Street as presented on approved site plans for project, with the modifications proposed by the DPW as presented, the inclusion of bike route signage at locations to be approved by the DPW traffic engineer, and the continuation of sharrows on Russell Street to Market Street. Seconded by Mark Syracuse. **On a unanimous vote, motion passed 9-0.**

VIII. OLD BUSINESS

A. [00:49:25] Middle Street/Miller Avenue/Summer Street intersection, request for selection of preferred alternative for construction, by DPW. Mark Syracuse made a motion to select the "hybrid" option for reconstruction of the intersection, with a white edge line rather than individual space lines to delineate on-street parking, and moving the bus stop to in front of the Margeson Apartments. Seconded by Mary Lou McElwain. **Motion carried 8-1**, with Erica Wygonik voting opposed.

B. [01:15:19] Parking Principles, request to approve proposed changes to City Parking Principles, by DPW and Planning Department. Peter Rice made a motion to approve proposed changes to City Parking Principles as proposed by DPW and Planning Department, seconded by Mary Lou McElwain. **Motion passed unanimously, 9-0.**

C. [01:18:10] Chapter 7, Section 7-A.402, Bus Stops Designated, request to amend section to reflect current conditions, by DPW. Peter Rice moved to table the vote until there is a report back from Engineering and consensus on Market Square, seconded by Mark Syracuse. **Motion carried 9-0.**

IX. INFORMATIONAL

A. [01:24:51] Police monthly accident report.

X. MISCELLANEOUS

[01:25:25] Mary Lou McElwain expressed concern regarding malfunctioning crosswalk lights at Middle Street and State Street. There has been an ongoing issue with malfunctioning equipment, including new equipment.

[01:28:31] Mark Syracuse read the Mayor's Jessica's Law Awareness Proclamation.

[01:31:46] Mary Lou McElwain reminded the Committee that she would like to see electric scooter and electric bicycle safety on an upcoming agenda.

[01:32:40] Erika Wygonik requested observation on safety of the intersection at the skate park.

[01:34:23] Snow notifications updates.

[01:37:17] Mary Lou McElwain requested a report on holiday parking, which Ben Fletcher is in the process of putting together.

XI. ADJOURNMENT

Mark Syracuse moved to adjourn, seconded by Mary Lou McElwain. Meeting adjourned at 10:03 a.m.

Respectfully submitted,

Leila Birr
Administrative Assistant
Department of Public Works

GUIDING PARKING PRINCIPLES FOR CENTRAL BUSINESS DISTRICTS

(Approved by the Portsmouth City Council on March 19, 2012)

Overall Principles: A balanced mix of retail/restaurant, office, and residential uses is key to downtown vitality.

A downtown parking supply that is convenient, viable and central to downtown destinations is key to the short-term and long-term health of the City's retail, restaurant and office economy.

1. Insuring an adequate supply of parking for retail/restaurant and office users in the downtown is primarily a City responsibility.
2. Parking for new downtown residential development is primarily a private responsibility with residents wanting convenient parking right where they live.
3. We need to plan for future reuse, redevelopment and full occupancy of buildings in the Central Business Districts. If it is too difficult, expensive or unpleasant to find parking, retail/restaurant/cultural destination customers may prefer to visit elsewhere and offices may prefer to locate elsewhere.
4. The City should strive to play a lead role in developing and managing parking facilities:
 - Parking management and supply decisions are interconnected and a comprehensive, unified approach to decision-making is needed.
 - The value of private parking facilities should be recognized as a resource. These resources are not part of the public parking supply under the City's long-term control and opportunities to manage private lots are limited.
5. Address peak parking demand needs in order to avoid perfect Friday/Saturday night storm when residents/customers can't find parking:
 - Manage parking at the garage (for example, flat rate pricing for special events).
 - Increase the supply of convenient parking.
6. Parking should support economic development including businesses (office, retail, restaurant) and visitors/customers.
7. The parking garage should be priced and managed so that it has high occupancy more frequently (improve utilization of what we've got).
8. The primary reason for parking revenues is to be able to provide an adequate supply of safe, convenient parking. Pricing structures should be simple and easy for customers to understand.
9. Parking management strategies should recognize that there is a difference between the needs of long-term parkers who may be more likely to use the garage or use parking immediately adjacent to downtown, and short-term parkers running a quick errand.
10. Price and manage more desirable on street parking spaces to favor users who are highly motivated to use them. Give customers and residents the option to stay and pay.

11. Information on parking options should be easily accessible to parking users, including through technology options.
12. Parking planning should take a comprehensive, sustainable and big picture approach by taking a broad range of costs and benefits into account when making decisions.
13. All parking resources should place value on aesthetics, security, accessibility and user information.
14. Consider ways to incentivize use of “remote parking”.
15. Surface parking lots should be located at the periphery of the downtown and should not be allowed to create a “dead zone” barrier to comfortable pedestrian movement.
16. Parking management programs should take into consideration hospitality industry workers.
17. Incentives for residents should be provided at the parking garage, but shouldn’t compromise best practices.
18. Parking resources should be provided to support downtown activity (streets are for people as well as cars) and should therefore be designed and located in such a manner that recognizes the following:
 - Parking resources should enhance – not detract from – downtown vitality, walkability and the pedestrian experience;
 - Parking resources should accommodate pedestrians (bump-outs, plazas), bicycles (bike parking) and transit (space to pull over);
 - Parking structures should be incorporated into the commercial streetscape; and
 - The needs of an aging population should be taken into account when it comes to parking.
19. Parking strategies should be revenue neutral.
20. Parking management plans should recognize the short-term parking needs of retail and hospitality industry for loading zones.
21. Encourage public transit and other transportation modes, but recognize strong customer/resident preference for personal vehicle use as well as very limited regional public transit infrastructure.

Revised Principles as of 09/07/2023

Statement #1: The City of Portsmouth will ensure an adequate supply of public parking for both short-term and long-term parkers downtown associated with commercial land uses and institutions through the development of policy, programs, and infrastructure as needed.

Statement #2: Parking for long-term overnight uses such as downtown residences or hotels is primarily a private responsibility.

Statement #3: Parking management plans should consider impacts from future reuse, redevelopment, and full occupancy of buildings in the Downtown Districts (the urban core). When implementing these plans, the City should be guided by all of the principals of this document and take reasonable steps to ensure that a lack of parking is not a barrier to entry for new businesses, tenants, institutions, or developers seeking to locate in downtown Portsmouth.

Statement #4: The City should strive to play the lead role in developing and managing parking facilities in the urban core:

- Parking management and supply decisions should incorporate a holistic approach which considers impacts on the downtown parking, development, mobility, and walking environments as well as municipal development and fiscal policy in addition to addressing issues specific to a particular area or development.
- The value of private parking facilities should be recognized as a resource wherever possible and private parking property owners should be encouraged to make their facilities available to the general public where it benefits public interests. These resources are not part of the public parking supply under the City's long-term control and opportunities to manage private lots are limited.

Statement #5: The City should design policies and programs that address regular peak parking demand needs in order to avoid regular times when residents/customers cannot find parking. These programs and policies should include, but not be limited to:

- Managing peak parking demand to balance parking supply and demand across the downtown.
- As needed, increasing the supply of publicly available, convenient parking.
- Mitigating peak hour demand through the promotion of alternative modes of transportation.

Statement #6: Parking should support economic development of commercial land uses (including but not limited to office, retail, and restaurant) and accommodate institutional employees, customers, residential visitors, and tourists.

Statement #7: Parking policies and programs should recognize the differences in needs between long-term and short-term parkers and include incentives which encourage use of off-street public parking facilities for long-term parkers seeking less expensive accommodation and promote availability for short-term parkers seeking proximity for quick errands.

Statement #8: Any parking plan should recognize that the primary reason for collecting parking revenues is to provide city-wide benefits through an adequate supply of secure and attractive public parking assets;

a diverse transportation network; and vibrant and welcoming walking environment. Parking fee and fine structures should be transparent, logical, and easy to understand.

Statement #9: Information on parking and transportation options should be easily accessible to citizens, businesses, and visitors, using both traditional media and new technologies.

Statement #10: Parking planning, policy and program development should adopt a comprehensive approach that considers environmental and financial sustainability; the range of costs and benefits of all decisions; and places a premium on aesthetics, security, user information, accessibility to users of all abilities, and ease of navigation and use.

Statement #11: All public parking assets should be designed and maintained to be aesthetically pleasing and integrated to the surrounding streetscape, well-lit, clean, in good repair, accessible to users of all abilities, and easy to navigate and use.

Statement #12: Parking planning and policy development should promote the use of sustainable, multimodal transportation options whenever feasible. This includes remote parking as necessary and needed.

Statement #13: Parking management policy and programs should take into consideration the downtown workforce and the full range of needs for different kinds of workers.

Statement #14: Parking planning, policies, and programs should prioritize curb management techniques to address loading, commercial, and parking needs equitably, and incorporate “Complete Streets” principles which include but are not limited to:

- Enhancing downtown walkability and local aesthetics.
- Parking facility design which includes elements to support sustainable and multimodal transportation.
- The needs of individuals with ambulatory challenges.

Statement #15: The public parking system, and the policies or programs influencing its operation, should be self-supporting and able to cover operating costs and debt service obligations without subsidy from the City’s General Fund or other municipal sources.

Statement #16: Parking plans, programs, and policies should seek to encourage the use of public transit, walking, and bicycling, but recognize the limited infrastructure and preference for personal transportation options.



CITY OF PORTSMOUTH

Legal Department
Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire
(603) 431-2000

January 29, 2024

Chris Sawyer
General Manager
Portsmouth Ford
400 Spaulding Turnpike, NH-16
Portsmouth, NH 03801

RE: 2023 Ford F-150 Donation

Dear Chris:

This letter confirms our conversation of January 29, 2024, regarding Portsmouth Ford's donation of a 2023 Ford F-150. As we discussed, the donation is being made without restriction. Consequently, if or when the Police Department no longer has need of the vehicle, it can be repurposed to another department, sold or otherwise disposed of in accord with City of Portsmouth procedures. We also envision Fire Department, Department of Public Works or other employees might have occasion to use the vehicle from time-to-time.

As I mentioned, this donation will come forward for acceptance by the City Council on February 5, 2024.

Thank you for your interest in supporting the work of the City of Portsmouth.

Sincerely,

Suzanne M. Woodland *ms*
Deputy City Manager

cc: Chief Mark Newport

Gift and Donation Submission Form

Donations received by the City of Portsmouth must be accepted by the City Council. Please complete this form and submit it to the City Manager for inclusion on an upcoming agenda.

| | |
|--------------------------------|---|
| Date: | 1/8/24 |
| Department/ Contact Person: | Police Department – Chief Mark Newport |
| Donation Amount: | In-kind – 2023 Ford F-150 Lightning electric vehicle & corresponding charging station |

Are Funds to be directed to a particular department, program or fund? – If yes, please provide detail below:

General police department use.

Is there a particular purpose intended with this donation:

Chief Newport plans on utilizing this vehicle to deploy speed signs around the city and to haul PF trailers as needed. The chief may use his discretion to utilize the vehicle in any other way in which he deems appropriate, per department rules, regulations and standard operating procedures. The charging station is residential-grade and would be installed in the department garage for PD use only. The charging station is not like the charging stations in the lower lot... it is a power ‘hose’ that connects the electric vehicle to a power source within the garage.

Other Information/Special Conditions:

Per Portsmouth Ford, “this donation is unrestricted and can be used at your discretion to support the department’s most pressing needs.”

Donor Information

| | |
|--------------------|----------------------------------|
| First & Last Name: | Chris Sawyer, GM |
| Business Name: | Portsmouth Ford |
| Address*: | PO Box 971, Portsmouth, NH 03801 |

Gift and Donation Submission Form

Phone*:

603-427-3039

Email*:

csawyer@portford.com

Please note that gifts/donations to individual employees with a value of \$100 or more are not permitted. Information with an asterisk () indicates it will not be publicly distributed.*





PO BOX 971 PORTSMOUTH, NH 03802-0971

Portsmouth Police Department
3 Junkins Ave
Portsmouth, NH 03801
Attn: Chief Mark Newport

Dear Chief Newport,

We are writing to you today as we wish to donate a 2023 Ford F-150 Lightning 1FT6W1EV5PWG38870 to the Portsmouth Police Department. This donation is unrestricted and can be used at your discretion to support the department's most pressing needs.

We have always been impressed by the commitment and dedication of the Portsmouth Police Department to keeping our community safe. We believe that the Police play a vital role in our community, and we are grateful for the service that you and your officers provide.

We hope that this donation will help the department continue its important work.

Sincerely,

Chris Sawyer
General Manager
Portsmouth Ford
603-427-3039
csawyer@portford.com



CHRIS SAWYER

Direct 603.427.3039

E-mail: csawyer@portford.com

Fax: 603-427-3040

PO Box 971 Portsmouth, NH
03802-0971

DEALER 11D 545

VIN 1FT6W1EV5PWG38870

| | | | | |
|-------------------------------------|------------------------|----------|----------------|----------|
| F15Z 4X4 SUPERCREW - 145 | Suggested Retail Price | 46374 00 | Invoice Amount | 46374 00 |
| SPECIAL FLEET ACCOUNT CREDIT | | | | 1545 00- |
| 1034-802P08/18/22NH | | | | 100 00- |
| 2023 MODEL YEAR | | | | |
| UM AGATE BLACK METALLIC | | | | |
| VS MED DARK SLATE VINYL BUCKET | | | | |
| INCLUDED ON THIS VEHICLE | | | | |
| EQUIPMENT GROUP 110A | | | | |
| PRO SERIES | | | | |
| OPTIONAL EQUIPMENT/OTHER | | | | |
| .18" MACH BLACK HIGH GLOSS WHL | | | | |
| ZERO EMISSIONS VEHICLE | | | | |
| 99V DUAL EMOTOR-EXTND RANGE BATTERY | 10000 00 | | 10000 00 | |
| 44L SINGLE-SPEED TRANSMISSION | | | | |
| .275/65R18 BSW ALL-TERRAIN TIR | | | | |
| ELECTRIC DRIVE E-LOCK RR AXLE | | | | |
| 8550# GVWR PACKAGE | | | | |
| JOB #2 ORDER | | | | |
| 153 FRONT LICENSE PLATE BRACKET | NC | | NC | |
| 66A MOBILE POWER CORD (120V/240V) | 500 00 | | 500 00 | |
| 86V FORD CHARGE STATION PRO DELETE | 1295 00- | | 1295 00- | |
| TOTAL OPTIONS/OTHER | 9205 00 | | 9205 00 | |
| TOTAL VEHICLE & OPTIONS/OTHER | 56179 00 | | 54534 00 | |
| DESTINATION & DELIVERY | 1795 00 | | 1795 00 | |

TOTAL FOR VEHICLE 57974 00

FUEL CHARGE
SHIPPING WEIGHT 6361 LBS.

TOTAL 57974 00 56329 00

***** REINVOICED PRIOR TO PLANT RELEASE *****

P38046

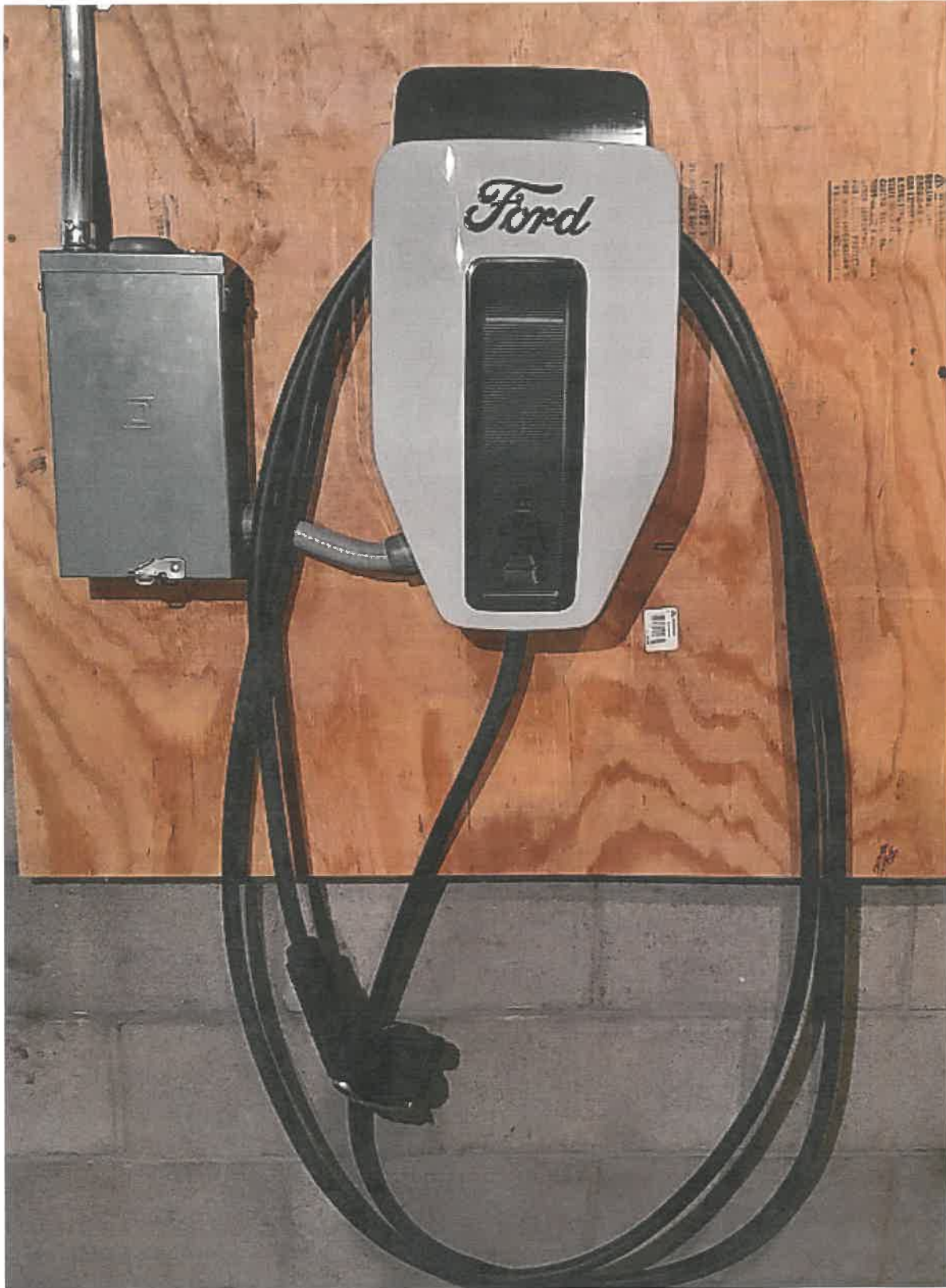
This invoice may not reflect the final cost of the vehicle in view of the possibility of future rebates, allowances, discounts and incentive awards from Ford Motor Company to the dealer.

| | | | | | | | |
|---|---------------|---|--------|--|--------------------------|--------------------------|---------------------------|
| Sold to Portsmouth Ford P.O. BOX 971 Portsmouth | | 11D545 NH 03802 | | Order Type 5B | Ramp Code CA8F | Batch ID PJ143 | Price Level 320 |
| Ship to (if other than above) | | Date Inv. Prepared | | Item Number | | Transit Days | |
| | | 09 14 23 | | 11-8046 | | 18 | |
| Invoice & Unit Identification NO. 1FT6W1EV5PWG38870 | | Final Assembly Point ROUGE ELECTRIC | | Finance Company and/or Bank Ford Motor Credit 000001 | | | |
| HB | Invoice Total | A & Z Plan | D Plan | X Plan | FPA | AA | |
| 4 | 56329.00 | | | | | | |

This invoice to be used for the billing of vehicles only

Dealer's copy

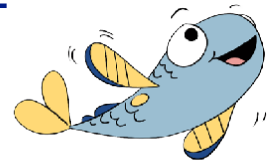
Example of Ford Charge Station Pro
*not an image of donation





PUBLIC WORKS DEPARTMENT

CITY OF PORTSMOUTH
680 Peverly Hill Road Portsmouth N.H. 03801
(603) 427-1530
cityofportsmouth.com



Think Blue!
Water | Wastewater | Stormwater

MEMORANDUM

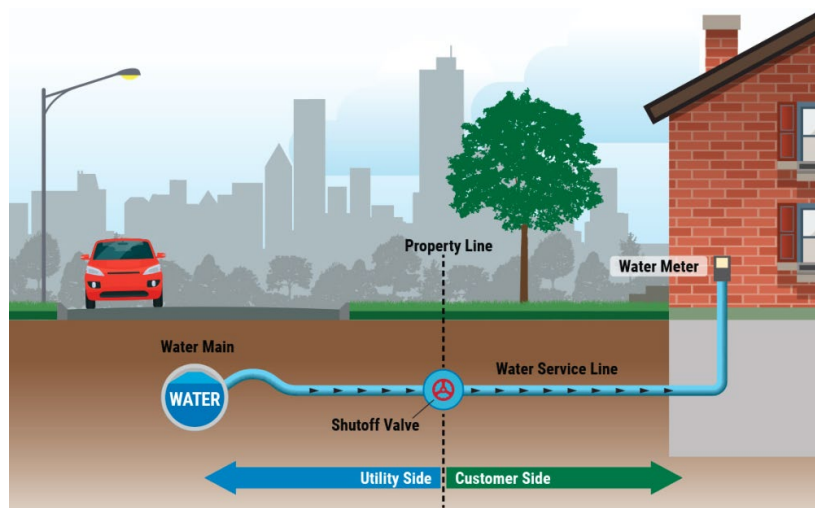
TO: KAREN CONARD, CITY MANAGER

FROM: ALBERT PRATT, WATER RESOURCE MANAGER
BRIAN GOETZ, DIRECTOR OF WATER RESOURCES

DATE: JANUARY 22, 2024

SUBJECT: WATER SERVICE LINE INVENTORY

The U.S. Environmental Protection Agency (USEPA) Revised Lead & Copper Rule (LCRR) requires all public water suppliers to inventory the type of material used in every water service line connected to their water system. Service lines are the water pipes that connect the city-owned water main to residential, commercial and industrial buildings as shown in the following graphic:



Typically, service lines are made of copper; however, some water systems in the U.S. historically installed lead pipes for service lines. There are no records or findings that indicate lead service lines were ever used in Portsmouth. However, lead connection pipes (also known as “goosenecks” or “jumpers”) that connect galvanized-steel service lines to the water main have been discovered in Portsmouth. There are records of the removal of these lead connectors from many galvanized service lines, but a primary goal of the service line inventory is to ensure all galvanized service lines are identified, so they and any remaining lead connectors can be removed.

The privately-owned portion of the customer’s service line can be identified with a visual inspection where it enters the building, prior to the water meter. The DPW-Water Division is planning to contact the 1,600 of our total 8,400 water customers with unknown service line material to request access to

perform this identification. Information will also be provided to property owners so they can identify and report service line materials if they would rather perform this inspection themselves.

Beginning in February, these customers will receive a letter that describes the inventory process, provides contact information to schedule the inspection, and contains a link to the city's website for customers who would like to perform the inspection themselves. At least one-week following the delivery of the letter, Water Division staff will visit door-to-door between 8:00 am and 3:30 pm to request access to perform these inspections. Door hang-tags with Water Division contact information will be left if no one responds. If necessary, visits during evening hours will be made to accommodate customers' schedules.

A draft press release will be provided for your approval prior to issuing the notification letters to customers. We welcome the opportunity to present this information to City Council if you so choose.

Link to the Service Line Inventory webpage:

<https://www.cityofportsmouth.com/publicworks/water/service-line-inventory>

CITY OF PORTSMOUTH**LEGAL DEPARTMENT****MEMORANDUM**

DATE: January 31, 2024

TO: KAREN S. CONARD, CITY MANAGER

FROM: JANE FERRINI, SENIOR ASSISTANT CITY ATTORNEY ^{JE}

RE: REPORT BACK ON REQUEST FOR SIGNAGE IN PRESCOTT PARK
FENCE AND DOCK FOR WATER TAXI

The City Council at its January 16, 2024 meeting requested a report back on a request from a private water taxi owner to post signs on a fence and at the docks at Prescott Park to advertise a commercial water taxi business. In order to evaluate this request, a review of City ordinances governing City parks and of the deed restrictions on Prescott Park property is necessary.

Commercial crafts are prohibited from using the piers, floats and docks at Prescott Park by City Ordinance which prohibits commercial crafts "...from any such docking locations" (Chapter 8, Article II, Parks, Section 8.202, E, 1). Commercial crafts are not defined in the ordinance but RSA 270-D, II defines a commercial vessel as "... any vessel carrying passengers for hire as a common carrier of passengers or property." Chapter 8 also prohibits vending and peddling in the park and signs in the park are prohibited by Section 8.207, C, which provides that "[n]o person in a park shall paste, glue, tack or otherwise post any sign, placard, advertisement or inscription whatever nor shall any person erect or cause to be erected any sign whatever on any public lands or highways or roads adjacent to a park." Therefore, under Chapter 8 as it is currently drafted, a water taxi, as a commercial craft for a commercial purpose, would be prohibited from using the Prescott Park docks, vending and posting any signs in Prescott Park.

The City has entered into license agreements with nonprofits whose use of Prescott Park expands its recreational scope and are in the public benefit. The current licensees include the Prescott Park Arts Festival, the Gundalow and the New Hampshire Art Association. The charitable deed restrictions limit the use of Prescott Park property to park and recreational purposes and are enforced by the New Hampshire Charitable Trust Unit of the Attorney General's Office. Any use of or license for running a

commercial water taxi from Prescott Park would need to be reviewed and approved by the Charitable Trust Unit.

It may be possible to designate a portion of the public docks located off the Prescott Park Off-Street Parking Area for public drop off and pick up only. See attached Exhibit. This would allow a commercial vessel (water taxi) to drop off and pick up at that location. This option would require amending Chapter 8 and review by the New Hampshire Charitable Trust Unit of the Attorney General's Office due to the charitable deed restrictions which limit the use of Prescott Park property to park and recreational purposes.

If the Council is interested in exploring the possibility of permitting a water taxi in Prescott Park or the vicinity, the Council should recommend that the City's Legal Department reach out to the Charitable Trust Unit to discuss the options described above.



**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 08/24/2023
Data updated 3/9/2022

Print map scale is approximate.
Critical layout or measurement activities should not be done using this resource.



CITY OF PORTSMOUTH

City Hall, 1 Junkins Avenue
Portsmouth, New Hampshire 03801
tmccourt@cityofportsmouth.com
(603) 610-7234

Trevor P. McCourt
Deputy City Attorney

Date: January 30, 2024
To: Karen S. Conard, City Manager
From: Trevor P. McCourt, Deputy City Attorney
Re: MAC Metals Scrapyard Report Back

At the December 18, 2023 and the January 15, 2024 City Council meetings I provided reports back regarding the MAC Metals Scrapyard on Jones Avenue. The purpose of this memorandum is to provide an update on the staff's continued zoning enforcement efforts at this location.

Zoning enforcement officer Jason Page has continued to monitor sound levels emanating from MAC Metals using a recently calibrated decibel reader. The results show that the general noise levels emanating from MAC Metals are in line with many properties in the neighborhood, including the South Street Cemetery. Sound at the property ranges from 65 – 75 decibels and does not exceed the sound emanating from an abutting parcel when the dumpsters are emptied, or an abutting parcel which is under construction.

The City has also received complaints from neighbors regarding the operation of the facility either outside of permitted hours or in a manner not permitted pursuant to its lawful, preexisting nonconforming status. Those concerns were detailed in a letter from myself to counsel for MAC Metals on the day they were received, and a response from counsel for MAC Metals was anticipated to be incorporated into this report back. As of the time of writing this memorandum, I have not received the response, therefore an update on enforcement efforts may be verbally available at the February 5, 2024 City Council meeting.

Regarding the use of the Jones Avenue Scrapyard as laydown for the City's Union Street Sewer Separation Project, City staff continues to work with MAC Construction to identify alternative laydown areas. The City has scheduled a meeting with representatives for MAC Construction to discuss laydown options for Thursday, February 1, 2024, therefore a verbal report back regarding this meeting will be provided.