

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, APRIL 7, 2025

PORTSMOUTH, NH  
TIME: 7:00PM

**Councilor Tabor moved to close the Non-Public Session and seal the minutes of the meeting. Seconded by Councilor Moreau and voted.**

### **III. CALL TO ORDER**

Mayor McEachern called the meeting to order at 7:07 p.m.

### **IV. ROLL CALL**

**PRESENT:** Mayor McEachern, Councilors Tabor, Cook, Denton, Blalock, Bagley and Moreau

**ABSENT:** Assistant Mayor Kelley and Councilor Lombardi

### **V. INVOCATION**

Mayor McEachern asked for a moment of silent prayer.

### **VI. PLEDGE OF ALLEGIANCE**

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

### **MAYOR'S AWARD**

#### **1. Recognition of Everett Eaton**

Mayor McEachern recognized Everett for his 25 years of service to the Economic Development Commission. He presented Everett with the gift of a door stop for keeping a lot of doors open over the years and guiding the city through many things.

#### **2. Recognition of Andrea Amico**

Mayor McEachern recognized Andrea for her leadership and work over the years regarding PFAS and the impact it has on communities.

### **VII. ACCEPTANCE OF MINUTES** *(There are no minutes on for acceptance this evening)*

### **VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS**

#### **1. Mary Loane – Mayor's Blue Ribbon Housing Committee**

Ms. Loane said the Committee was created to expand housing units in the city. She spoke to the committee about the process and the review of a number of lots. She indicated the overall quality of life was a large concern for them when reviewing lots. Ms. Loane said the Committee is recommending that the city investigate the lower lot of City Hall because of the opportunities available with that parcel. She urged the city to continue its path to bring more residents and housing to the city.

## **IX. PUBLIC COMMENT SESSION**

Gerald Duffy said the sidewalk between Pinehurst Road and Broad Street is in place due to the work of Everett Eaton. He said housing is about people and what they can afford. He said we have a variety of residents and by 2030 this city will be a different place. He stated many residents find it hard to make ends meet. He spoke about the demographics changing in the city and the different levels of income for families.

Isabella Romero said she is about to be priced out of the city, and she grew up here and moved away to attend college. She stated now she has a great job but still will be forced out of the city due to the lack of affordable housing.

## **X. PUBLIC HEARINGS AND VOTE ON ORDINANCES AND/OR RESOLUTIONS**

### **First Reading of Ordinance:**

- A. First Reading of Ordinance Amendment to Chapter 10, Zoning Ordinance, Article 4 Zoning Districts and Regulations by Adding Coliving as a New Use; Article 8, Supplemental Use Standards, be Amended by Adding Section 10.815 – Coliving; and Article 15 Definitions

**Councilor Moreau moved to pass first reading and hold a public hearing and hold a public hearing and second reading at the May 5, 2025, City Council meeting. Seconded by Councilor Tabor.**

**Councilor Moreau moved to suspend the rules to bring forward Item XV. E.1. – The Chamber Collaborative of Greater Portsmouth Feedback on Coliving Zoning Amendments. Seconded by Councilor Denton and voted.**

## **XV. CITY COUNCIL MEMBERS**

### **E. COUNCILOR MOREAU**

- 1. The Chamber Collaborative of Greater Portsmouth Feedback on Coliving Zoning Amendments

Councilor Moreau reviewed the feedback from the Portsmouth business community on Coliving Zoning Amendments. She reported that the survey indicated that the business community was in favor of coliving being introduced to downtown zoning. She stated the question of parking requirements are clear parking should not be an impediment to this style of housing. She also spoke regarding the fact that coliving units shall not be always rented for less than 30 days continuous occupancy and the need for at least one full-time manager on site for every 40 residents.

Councilor Bagley said this is an innovative approach to housing needs. He said turning car storage into homes. He said luxury condo's are here because of parking requirements. He said he would not support more parking and we need to be aware that coliving will be less expensive.

Councilor Blalock said he would like this included in the Gateway. He said making this a Conditional Use Permit would go against the affordable line.

Councilor Tabor said the Planning Board did a great job on this matter and this is innovative. He would like to expand this in the West End and Gateway. He suggested three months but would wait for what the market shows us.

Councilor Cook agreed on the West End and Gateway Zone. She spoke to eliminating parking requirements.

**Councilor Cook moved to add specific language surrounding the definition of family. Seconded by Councilor Moreau.**

Deputy City Attorney McCourt said it is legal language in Planning Board but it does not require a family in this ordinance.

Mayor McEachern asked if we could change this.

Councilor Cook said we could be in a situation where civil unions could be excluded from the definition of marriage.

Mayor McEachern said he does not know why we define family in the ordinance. He said there could be zoning laws requiring definitions for family.

Deputy City Attorney McCourt said there is no actual legal means for this in the ordinance.

*Councilor Cook withdrew the motion, and Councilor Moreau withdrew her second.*

**Councilor Cook moved to strike the definition of Family from Section 10.815.70 of the ordinance. Seconded by Councilor Denton.**

Councilor Denton said he would like the time to be unlimited to get rid of the 30 days from the ordinance.

Councilor Moreau said it allows more for a definition of boarding housing less than 10 people does not require on site management it is a different model, and the definition was modified for multiple coliving. She would support this being in the Gateway.

Mayor McEachern said parking should be handled by Parking & Traffic Safety. He said he would support the ordinance.

Councilor Bagley said he does not want to exclude anyone from the ordinance.

Mayor McEachern said he would not want to create BNB.

Councilor Tabor said if the ordinance is approved, the Gateway, he would like the Planning Board to look at mixed use to turn into Gateway.

Councilor Moreau said she would support the request of Councilor Tabor.

**Motion passed.**

**Councilor Moreau moved to add as a Conditional Use Permit G1, G2, CD4W. Seconded by Councilor Blalock and voted.**

C

Councilor Bagley said that parking should be looked at separately.

Councilor Cook would like to extend the distance from 600 square feet.

Mayor McEachern said he would like to separate parking out of the ordinance at this point.

Councilor Moreau said whether or not management needs to be on site if there are 60 to 80 residents.

Councilor Bagley would support removing the management requirement as long as they are in a 15-minute geographic area.

Councilor Tabor said he would like to go in the other direction.

Councilor Cook said she is not tied to management on site. She would like someone in the area to answer concerns. She stated sometimes it is better to have a service to respond to concerns.

**Councilor Moreau moved to amend Section 10.815.25 Coliving shall call for full-time management on site versus on call. Seconded by Councilor Bagley.**

Deputy City Attorney McCourt said the Planning Board calls on site, but he would like more guidance or opportunities to report back.

Mayor McEachern said keeping it simple would be better.

*Councilor Moreau withdrew her amendment to the motion.*

**Main motion passed first reading and to hold a public hearing and second reading at the May 5, 2025, City Council meeting as amended.**

**Councilor Bagley moved to suspend the rules to bring forward Item XIV. 4. – Report Back on feasibility of a citywide resident parking program and mechanism to limit parking permits for new development. Seconded by Councilor Cook and voted.**

#### **XIV. MAYOR McEACHERN**

4. Report back on feasibility of a citywide resident parking program and mechanism to limit parking permits for new development

**Mayor McEachern moved to request a report back on the feasibility of a citywide resident parking program and mechanism to limit parking permits for new development. Seconded by Councilor Bagley.**

Councilor Cook requested to review parking requirements as a whole.

Councilor Bagley said that this is a great idea. He said the Parking & Traffic Safety Committee has been working on this item for a year and we hope that this year we would have a parking program in place for the city.

Mayor McEachern said that this is hard, but we need to do this with a mechanism to move forward.

Councilor Tabor said that this permit gives a resident the right to hunt for a parking spot downtown. Mayor McEachern said that is correct.

Mayor McEachern said that this is to pre-eliminate the fear that more development would be taking parking because the developer did not have to provide parking. He said we would tie parking to the building and provide ample spaces for people and guest passes would also be provided.

Councilor Bagley said parking utilization looks at suggestions in zoning and could be implemented in it.

**Motion passed.**

### **Public Hearing and Adoption of Resolution:**

- B. PUBLIC HEARING AND ADOPTION of Resolution Authorizing a Bond Issue and/or Notes of the City Under the Municipal Finance Act for the Purchase of a Conservation Easement on the Fernald Property to Protect the Bellamy Reservoir Water Quality Not to Exceed One Million Four Hundred Seventy-Eight Thousand Dollars (\$1,478,000.00)
- **PRESENTATION**
  - **CITY COUNCIL QUESTIONS**
  - **PUBLIC HEARING SPEAKERS**
  - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Water Resource Manager Pratt spoke regarding grant funds that we anticipate receiving but have not yet. He stated there would be no costs to the City with the grant funds, but we must purchase the property now and that is the reason for the Bonding Resolution.

Councilor Bagley said he supports this request because it is important to purchase as many properties as possible around the reservoir.

**Councilor Denton moved to authorize a Bond Issue and/or Notes of the City Under the Municipal Finance Act for the Purchase of a Conservation Easement on the Fernald Property to Protect the Bellamy Reservoir Water Quality Not to Exceed One Million Four Hundred Seventy-Eight Thousand Dollars \$1,478,000.00. Seconded by Councilor Blalock.**

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

Andrea Amico said she supports the motion and said that this is one of the most important water resources for the city. She said purchasing the property is pro-active and it is critically important that we purchase this property, and staff has worked diligently to protect our water resources.

Brian Goetz said this is important to the closeness of the reservoir. He said homes would change the character of the reservoir and said that this is a valuable piece of land and access to the reservoir. He said this goes beyond the price tag.

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

Councilor Blalock said that is a big impact on the city drinking water.

Councilor Cook thanked City Manager Conard and staff for protecting the area and our drinking water. She is concern about federal funds being secured but she feels it is important to support the Resolution.

Mayor McEachern said this is important and where Portsmouth gets its water.

**On a unanimous roll call 7-0, motion passed.**

## **XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION**

### **A. CITY MANAGER CONARD**

1. Report Back and Recommendation from the Planning Board Regarding 25 Sims Avenue

City Manager Conard said the Planning Board reviewed and the applicant initial request was denied because they wanted to merge all three lots, but the new request is to unmerge 1 lot.

**Councilor Cook moved to unmerge Lot 44. Seconded by Councilor Bagley and voted.**

2. Below Market Rate Housing Trust

City Manager Conard spoke to the new Below Market Rate Housing Trust. She reported that SoBow Square and the City are both contributing \$250,000.00 to this Trust. She stated as part of the review, the city consulted with the Charitable Trust Division of the Attorney General's Office who provided guidance on the appropriate way to handle the investment of public versus private money.

**Councilor Tabor moved to authorize the City Manager to execute the Below Market Rate Housing Trust as presented. Seconded by Councilor Moreau.**

Councilor Moreau said a great deal of time was put into this and she is pleased with the result.

**Motion passed.**

3. Friends of Lafayette House PILOT Agreement

City Manager Conard said Assessor Lentz recommended entering into the PILOT Agreement and the Legal Department worked to create the agreement.

**Councilor Blalock moved to authorize the City Manager to enter into a PILOT agreement with the Friends of Lafayette House in the amount of \$3,500.00. Seconded by Councilor Denton and voted.**

4. 2059 Lafayette Road Access Easement for Water Services

City Manager Conard said a new 8-unit building was constructed and as part of the site plan approval, the Planning Board recommended the City Council accept a Water Service Access Easement over the parcel.

**Councilor Bagley moved to authorize the City Manager to accept and record an Access Easement for Water Services in a substantially similar form to the deed contained in the agenda packet. Seconded by Councilor Cook and voted.**

5. Extension of Temporary Construction License for 2 Congress Street, the North Church of Portsmouth

City Manager Conard said the plan was to be completed by May 15<sup>th</sup> but due to construction delays we are asking for extension an of 60 days.

**Councilor Moreau moved to authorize the City Manager to execute and accept a License Agreement Extension to encumber the sidewalk area along 2 Congress Street that abuts the North Church. Seconded by Councilor Tabor.**

Councilor Moreau would like to make a requirement that the licenses end at 59 days due to Market Square Day.

Councilor Cook said they are currently using the area for materials and would like to be sure that they need the area.

Deputy City Manager Woodland said they are bringing supplies in and are coming and going. She stated we can shorten the term of the license.

Councilor Cook encouraged the city to limit the time frame to 30 days versus the suggested length.

Councilor Moreau added the date of May 6<sup>th</sup> to the motion.

**Voted to pass the motion to authorize the City Manager to execute and accept a License Agreement Extension to encumber the sidewalk area along 2 Congress Street that abuts the North Church until May 6, 2025.**

**XII. CONSENT AGENDA**

The City Council requested to act on Item XII. B. separately from the Consent Agenda.

**Councilor Cook moved to adopt the Consent Agenda. Seconded by Councilor Denton and voted.**

- A. Letter from Brian Miller, New England Run for the Fallen, requesting permission to hold the 5<sup>th</sup> Annual Run on Sunday, August 17, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

- C. Letter from Bruce Hurley, Seacoast Half Marathon, requesting permission to hold the 20<sup>th</sup> Annual Seacoast Half Marathon on Sunday, October 26, 2025 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- D. Letter from Katie Ross, Pure Barre Portsmouth, requesting permission to hold a Silent Yoga Class at Prescott Park, on Friday, June 27, 2025, at 6:00 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- E. Letter from Tina Sawtelle, The Music Hall, requesting closure of Chestnut Street for the 2025 special events and festivals:
- TEDx Portsmouth – Friday, May 9<sup>th</sup>
  - Emerging Artist Benefit Concert – Sunday, May 11<sup>th</sup>
  - Writers on a New England Stage Festival – Sunday, September 7<sup>th</sup> & Wednesday, September 10<sup>th</sup>
  - Telluride by the Sea Film Festival – Friday, September 12<sup>th</sup> through Sunday, September 14<sup>th</sup>
  - New Hampshire Film Festival – Thursday, October 16<sup>th</sup> through Sunday, October 19<sup>th</sup>
  - Outdoor Holiday Winter Carnivals – Saturday, December 13<sup>th</sup> & Saturday, December 20<sup>th</sup>
- (Anticipated action – move to refer to the City Manager for development and execution of a License Agreement)***
- F. Letter from Michael Claus, Granite State Wheelers, requesting permission to hold the annual Granite State Wheelers' 'Seacoast Century' bicycle ride on Saturday, September 13, 2025 ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- B. Letter from Debra Smith, Friends of the South End, requesting permission to hold the Annual Fairy House Tour on Saturday, September 20, 2025, and Sunday, September 21, 2025, from 10:00 a.m. to 3:00 p.m.

**Councilor Blalock moved to refer to the City Manager with Authority to Act. Seconded by Councilor Denton and voted. Councilor Cook recused from voting on this item.**

### **XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS**

- A. Email Correspondence

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



#### **XIV. MAYOR McEACHERN**

1. Appointment to be Considered:
  - Appointment of Logan Roy – Alternate to the Planning Board

The City Council considered the appointment of Logan Roy as an Alternate to the Planning Board which will be acted upon at the April 21, 2025, City Council meeting.

2. Appointments to be Voted:
  - Appointment of Mandela Pruett – Arts & Cultural Commission
  - Reappointment of Kara Anne Rodenhizer – Portsmouth Housing Authority

**Councilor Cook moved to appoint Mandela Pruett to the Arts & Cultural Commission and the reappointment of Kara Anne Rodenhizer to the Portsmouth Housing Authority until April 1, 2030. Seconded by Councilor Blalock and voted.**

3. Report back on the following:
  - a) the steps that businesses (retail and restaurant) need to take to open a new business
  - b) options at the local level that might be implemented to streamline the process

Mayor McEachern said this should be referred to the Economic Development Commission. He would like to see what could be implemented to streamline the process.

**Councilor Blalock moved for a report back on this matter. Seconded by Councilor Bagley and voted.**

Councilor Blalock said this is important and helpful for potential new businesses.

#### **XV. CITY COUNCIL MEMBERS**

##### **A. ASSISTANT MAYOR KELLEY & COUNCILOR TABOR**

1. Present on the Recommendations of the Housing Committee

Councilor Tabor reported on March 13<sup>th</sup> that the Housing Committee voted to look at 2 locations and the lower lot was one. He said we would need to create a pedestal to build upon with parking underneath. He spoke regarding the success of the 60-unit project located on Court Street.

**Councilor Tabor moved that the City Manager explore the feasibility of using the lower lot at City Hall to construct below-market rate housing and parking and report back to the Housing Committee and City Council. Seconded by Councilor Bagley.**

Councilor Bagley said he appreciates the work of the Housing Committee, but he wants to be respectful of staff time.

City Manager Conard said we can provide baseline existing conditions and report regarding the property itself.

Councilor Tabor said we made the decision; we want to keep the Police Department here at City Hall.

Councilor Denton said he would like to see this move forward.

Councilor Cook said this is an important discussion to start now. She said we need to know where we can start putting vehicles.

Councilor Bagley said we are in budget season currently and he feels like we should wait a year, and he would not support it currently, but in the future.

Mayor McEachern said it is important that the City Manager and staff understand the property and the work done on the property. He said this would fall in the confines to define that this is not additional work. He said we are going to partner with someone who would be on another path forward.

**Motion passed.**

2. Report back on the city investigating acquiring land from the condo association adjacent to 25 Granite Street to build more housing while retaining the existing ballfield

Councilor Tabor spoke to the land and map in the packet. He said the land adjoined at 25 Granite Street and thought it would not be much value in speaking with the Condominium Board.

City Manager Conard said currently there is no interest in selling the land for the current interest of the city.

Councilor Tabor requested this property to be removed from the list.

**B. ASSISTANT MAYOR KELLEY/COUNCILOR BLALOCK/COUNCILOR BAGLEY**

1. City Manager Evaluation

Councilor Blalock reported due to Assistant Mayor Kelley and Councilor Lombardi being absent from the meeting this evening the Council will provide the evaluation at the April 21, 2025, City Council meeting.

**C. COUNCILOR COOK & COUNCILOR BAGLEY**

1. \*Development of Affordable Housing

**Councilor Cook moved to request that the Mayor's Blue Ribbon Housing Committee report back to the Council by June 23, 2025 on zoning ordinances that currently impede the development of affordable housing in Portsmouth, both at market-rate affordability levels and at permanently below-market levels, including recommendations on the zoning changes that could yield the greatest results in creating more affordable housing in the shortest timeframe. Seconded by Councilor Bagley.**

Councilor Cook said it is important to think of the next steps for affordable housing. She said the Planning Board has been working hard on coliving and we need to look at additional things to building more affordable housing. She said Assistant Mayor Kelley said to Councilor Cook that June 23 would be an appropriate timeframe to report back.

Councilor Blalock said he supports the motion but would like to look at Borthwick Avenue.

Councilor Moreau asked if Councilor Cook wants to look at concepts only. Councilor Cook agreed.

Councilor Tabor said everyone needs to work together to get through this. He said the Housing Committee is being asked for a lot of work in a small window of time. He reported that he does not feel that the Housing Committee can, as a volunteer committee, propose zoning changes. He said we could get it and come back with what we feel our best changes for zoning might be. He said we should look at what is working in other communities.

**Motion passed.**

At 9:00 p.m., Mayor McEachern called for a brief recess. At 9:08 p.m., Mayor McEachern called the meeting back to order.

**D. COUNCILOR DENTON**

**1. Stormwater Enterprise Utility**

**Councilor Denton moved to request a report back on the Status of Portsmouth creating a Stormwater Enterprise Utility. Seconded by Councilor Moreau and voted.**

Councilor Denton said this may run into some legal challenges and the Sustainability Committee is coming forward with some changes for the Capital Improvement Plan.

Councilor Denton announced that the Sustainable Fair will be held on Friday, April 11, 2025, from 4:30 p.m. to 7:00 p.m. at the Connie Bean Center.

Councilor Blalock said that this makes the community using the stormwater pay for their share and take it off our taxpayers.

Mayor McEachern said this is a great idea.

**XVI. APPROVAL OF GRANTS/DONATIONS**

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

**Councilor Cook moved to approve and accept the donation as presented. Seconded by Councilor Tabor and voted.**

- B. Acceptance of Donation for the Police Department from the Service Federal Credit Union - \$500.00

**Councilor Blalock moved to approve and accept the donation as presented. Seconded by Councilor Denton and voted.**

- C. Acceptance of Donation for the Police Department from Paul Gormley & Kimi Iguchi - \$1,000.00

**Councilor Tabor moved to approve and accept the donation as presented. Seconded by Councilor Bagley and voted.**

- D. Acceptance of Donation for the Police Department by Jason Page - \$300.00

**Councilor Moreau moved to approve and accept the donation as presented. Seconded by Councilor Blalock and voted.**

- E. Acceptance of Grant for Police Department from the US Department of Justice's Bureau of Justice Assistance - \$11,987.00

**Councilor Cook moved to approve and accept the donation as presented. Seconded by Councilor Moreau and voted.**

- F. Acceptance of Victim of Crime Award (VOCA) Grant - \$12,369.00

**Councilor Tabor moved to approve and accept the Victim of Crime Award Grant as presented. Seconded by Councilor Denton and voted.**

- G. Acceptance of Grant from the New Hampshire Department of Environmental Services - \$60,000.00

**Councilor Bagley moved to authorize the City Manager to enter into a Grant Agreement to accept up to \$60,000.00 from the State of New Hampshire Department of Environmental Services to assist with water service line inventory activities. Seconded by Councilor Blalock and voted.**

## **XVII. CITY MANAGER'S INFORMATIONAL ITEMS**

*Update on the Sherburne Property – City Manager Conard reported that she has signed the option to Ground Lease Agreement and it's accompanied Land Use Agreement with the Portsmouth Housing Authority, so they are cleared to formally submit and present to the Technical Advisory Committee and Planning Board later this Spring.*

*Master Plan Update – City Manager Conard reported that the City is under contract with Utile Design for the Master Plan Work. She stated that Utile is arranging an internal kick-off meeting in the next several weeks with City staff to begin the process of organizing the approach for involving the public to describe the purpose of the plan and begin the work of soliciting and collecting public input.*

Rail Trail Clean-Up Day – City Manager Conard announced that the New Hampshire Seacoast Greenway Alliance (NHSGA) will be hosting a Rail Trail Clean-up Day on May 3, 2025. She stated the intent of the clean-up day would be to have volunteers performing light trail maintenance and clean-up work along the length of the completed trail, from Portsmouth through North Hampton.

Household Hazardous Waste Collection Day – City Manager Conard announced that Household Hazardous Waste Collection Day will take place on Saturday, April 12, 2025.

Sustainability Fair – City Manager Conard reported the third annual Seacoast Sustainability Fair is on Friday, April 11<sup>th</sup> from 4:30 p.m. to 7:00 p.m. at the Connie Bean Center in Portsmouth. She stated that the fair is free and open to all and will include live music, free food, free pollinator-friendly saplings and shrubs, and a chance to see the Blue Ocean Society's 65-foot whale and a variety of other earth-friendly activities.

#### **XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING**

Councilor Blalock announced that Little League's Opening Day will be this Saturday, April 12, 2025. He also reported that the Easter Egg Hunt may be postponed due to the weather predicted for Saturday. If the Easter Egg Hunt is postponed it will be held next weekend.

City Manager Conard and Councilor Cook expressed they're thanks to the Police Department for doing an impressive job with the very large Rally held last weekend in Market Square.

Councilor Tabor spoke regarding the Housing Grant Award Study and said the city became a Housing Champion City and received a \$65,000.00 grant for a Study to look at removing zoning barriers to create more housing.

#### **XIX. ADJOURNMENT**

At 9:15 p.m., Councilor Moreau moved to adjourn the meeting. Seconded by Councilor Bagley and voted.



KELLI L. BARNABY, MMC/CNHMC  
CITY CLERK