

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, MARCH 3, 2025 TIME: 7:00PM

Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser

https://us06web.zoom.us/webinar/register/WN_yQXXNrATjWNNz3bA3Cvaw

AGENDA

- I. WORK SESSION
- II. PUBLIC DIALOGUE SESSION [when applicable – every other regularly scheduled meeting]
- III. CALL TO ORDER [7:00 p.m. or thereafter]
- IV. ROLL CALL
- V. INVOCATION

VI. PLEDGE OF ALLEGIANCE

MAYOR'S AWARD

1. Portsmouth High School Boys Alpine Ski Team Wins Second Straight Division I State Championship

VII. ACCEPTANCE OF MINUTES – JANUARY 21, 2025; AND FEBRUARY 3, 2025

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. *Unveiling of the Artwork Entitled "Salt Piles" by Carl Austin Hyatt

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 Hearings and Second Reading of Ordinances:

- A. PUBLIC HEARING AND SECOND READING of Ordinance amendment to Chapter 10 – Zoning Ordinance – Zoning Map, Article 4, Zoning District and Use Regulations, Section 10.421 – District Location and Boundaries, Section 10.421.10, be amended to remove 185 Orchard Street, Tax Map 152, Lot 2-1 from the Historic District Overlay ***(Sample motion – move to pass second reading and schedule a third and final reading at the March 17, 2025, City Council meeting)***
 - PRESENTATION
 - CITY COUNCIL QUESTIONS
 - PUBLIC HEARING SPEAKERS
 - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

- B. PUBLIC HEARING AND SECOND READING of Ordinance amendment to Chapter 1, Administrative Code, Article IV – Commissions and Authorities, Section 1.413 – Sustainability Committee (***Sample motion – move to pass second reading and schedule a third and final reading at the March 17, 2025, City Council meeting***)
- PRESENTATION
 - CITY COUNCIL QUESTIONS
 - PUBLIC HEARING SPEAKERS
 - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

Third and Final Reading of Ordinance:

- C. Third and Final Reading of Ordinance amendment to Chapter 1, Administrative Code, Article XVI – Adoption of Fees by Budget Resolution, Section 1.1601 – Purpose, Section 1.1602 – Procedure, Section 1.1603 – Exclusion, Section 1.1604 – Default, of the Ordinance of the City of Portsmouth (***Sample motion – move to pass third and final reading of the ordinance as presented***)

XI. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager’s Items Which Require Action:

1. Request to Restore Involuntarily Merged Lots at 25 Sims Avenue (***Sample motion – move to refer this request to the Planning Board and the City Assessor for a report back***)
2. License Extension for 50 South School Street (***Sample motion – move that the City Manager be authorized to execute and accept the License Extension to encumber a parking space in the parking lot that abuts the South School Street Park as requested***)

XII. CONSENT AGENDA

- A. Letter from Ashley Blackington, Portsmouth Girls Softball Association (PGSA), requesting permission to hang banners in the outfield and behind the backstop at the Tony Rahn fields on Pease from March to June (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- B. Letter from Stephen Infascelli, Marathon Sports, requesting permission to hold the Portsmouth 5K (formerly known as “Cisco Portsmouth 5K”) on Sunday, May 25, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

- C. Letter from Warren Widener, Seacoast Lacrosse Club, requesting permission to place temporary signage on the fences at the Portsmouth Recreation Athletic Field for the Spring 2025 lacrosse season (**Anticipated action – move to refer to the City Manager with Authority to Act**)
- D. Letter from Kate Moran, Leukemia & Lymphoma Society, requesting permission to hold the annual Light The Night (LTN) on Saturday, October 4, 2025 (**Anticipated action – move to refer to the City Manager with Authority to Act**)
- E. Letter from Phillip Boisvert, New Hampshire Water Pollution Control Association (NHWPCA), requesting permission to hold a 5K Race at Pease on Saturday, October 11, 2025 (**Anticipated action – move to refer to the City Manager with Authority to Act**)
- F. Letter from Rich Clyborne, Gundalow Company, requesting permission to conduct the 2025 Round Island Regatta on Saturday, August 9, 2025, at the Robert P. Sullivan Boat Launch at Peirce Island (**Anticipated action – move to refer to the City Manager with Authority to Act**)

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence (**Sample motion – move to accept and place on file**)

XIV. MAYOR McEACHERN

- 1. *Request from School Board to Establish a Work Session regarding the FY26 Budget

XV. CITY COUNCIL MEMBERS

A. COUNCILOR TABOR

- 1. Fee Committee Report (**Sample motion – move to eliminate the \$75.00 table fee and \$10.00 chair fee under the Sidewalk Obstruction ordinance Chapter 9, Article V, Section 504C effective immediately so long as the tables and chairs are open to general use, not just for patrons of the business seeking the permit**)
- 2. Housing Committee recommendation of a Payment in Lieu schedule as required in the Gateway Neighborhood Overlay District ordinance (**Sample motion – move to approve the Payment in Lieu fee table recommended by the Housing Committee as shown in the packet, subject to update next year and every two years after that by the Fee Schedule Study Committee or City Council. Proceeds paid will go to the city's Housing Trust Fund for the purpose of creating and preserving below market rate housing in Portsmouth**)

B. COUNCILOR MOREAU

1. *Planning Board Recommendation regarding Zoning Ordinance relating to Accessory Uses to Permitted Residential Uses

XVI. APPROVAL OF GRANTS/DONATIONS

(There are no items under this section of the agenda)

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Public Meeting for Bicycle and Pedestrian Plan
2. Delayed Opening - Customer Service Pilot Program
3. *2025 Outdoor Dining Update

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

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

**Indicates verbal report*

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

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: TUESDAY, JANUARY 21, 2025

PORTSMOUTH, NH
TIME: 7:00PM

Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Moreau and voted.

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, Cook (via Zoom for a portion of the meeting), Denton, Blalock, Bagley, Moreau, Lombardi

V. INVOCATION

Mayor McEachern asked everyone to join in a moment of silent prayer.

VI. PLEDGE OF ALLEGIANCE

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

PRESENTATION

1. Fiscal Year 2024 Audit Summary – Matt Hunt, CLG

Matt Hunt stated that the scope of the audit is to express an opinion on whether the financial statements are presented in accordance with GAAP. He provided a report on internal controls over financial reporting and compliance with laws, regulations, contracts, and grants. He indicated that the audit was positive, and the financial statements contain unmodified opinions. He stated that this is the best opinion that can be issued in a financial statement audit. Matt also expressed that no material misstatements were identified. Matt advised the City Council that there were no internal control findings, no compliance findings and no findings or issues. Phil Hwang presented long-term liabilities and indicated that long term debt increased slightly over the prior year. Matt concluded that significant issues discussed with management prior to engagement were all within the normal course of our professional relationship. He again stated that this was a very positive audit.

VII. ACCEPTANCE OF MINUTES – DECEMBER 2, 2024 AND DECEMBER 9, 2024

Councilor Moreau moved to accept and approve the minutes of the December 2, 2024, and December 9, 2024 City Council meetings. Seconded by Councilor Lombardi and voted.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

(There are no items under this section of the agenda this evening)

IX. PUBLIC COMMENT SESSION

Petra Huda said the Management Letter addressed some deficiencies and wanted to make sure that those have been taken care of. She said internal controls are important to make sure things are in place for accounts. She said when preparing the budget departments should start with actual numbers from last year when producing percentage increases.

Sue Sterry spoke on restoration projects at North Cemetery. She said that there are twenty-two patriot leaders in the North Cemetery. She spoke to the donation the city would be accepting for \$10,000.00 for the North Cemetery. She suggested a committee be appointed for the 250th Celebration for the Signing of the Declaration of Independence.

Assistant Mayor Kelley moved to suspend the rules to bring forward Item XV. A.1. – Guidance to the City Manager regarding the FY26 Budget. Seconded by Councilor Bagley.

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

XV. CITY COUNCIL MEMBERS

A. COUNCILOR TABOR

1. Guidance to the City Manager regarding the FY26 Budget

Councilor Tabor moved that the City Council adopt the following guidance for the City Manager for FY26 Budget:

- **Target 3.5% as the increase in total expenditure**
- **No increase in headcount unless the position is self-funding; and,**
- **If the target will result in a loss of the current level of services, provide details and explanation from affected departments to the City Council**

Seconded by Councilor Denton.

Councilor Tabor said more than ½ of the taxpayer have seen an increase of 10% in their taxes. He stated that this is important that we do not impact the increase any more than 3.5% and he is aware that it will take work to get to that number.

Councilor Bagley said the Cost-of-Living Adjustment (COLA) increase for Social Security is 2.5%. He said he would like to see the percentage to be 2.5% - 2.9%.

Councilor Blalock moved to amend for a target of 0% increase for the FY26 Budget. Seconded by Assistant Mayor Kelley for discussion purposes.

Councilor Blalock said it is the City Council's job to hold the line for a 0% increase. He said he understands COLA and step increases are part of the budget and trusts departments to look out for the taxpayers.

Councilor Cook said she agrees with Councilor Bagley that we need to pay attention to the Social Security number and depend on that number. She said the 2.5% Social Security number should be the limit. She said she is concerned with a 0% budget and what that would mean for the cutting of significant staff.

Councilor Bagley said he agrees with Councilor Cook statements and a 0% increase would be devastating to the budget.

Mayor McEachern said 2.9% would not be unreasonable. He stated we need to look at what decisions need to be made to get to the 0% and we would look at 0% based budget as an exercise.

Assistant Mayor Kelley said she would be supportive of a 2.9% increase. She said we need to switch that way we come forward with guidance and come forward earlier. She said guidance should go to the City Manager and Charter Commissions. She stated that the Council does not control the line items in the Charter Commissions budgets. She said she is trying to find a way to go forward and have a broader discussion with the Charter Commissions before guidance is presented to leadership.

Councilor Blalock said we are giving guidance this evening if 0% cannot be met we need to see the impact. He urged the Council guidance to be frugal.

Councilor Moreau said she would like to see something under 3%, 2.5% - 2.9%. She said clearly some things will need to go.

Mayor McEachern asked what the existing contracts would mean for step increases and COLA's and what percentage is that for the budget next year.

City Manager Conard said we could work with 24 actual numbers.

Deputy City Manager/Finance Administration Lunney said COLA is 2.84% and steps are between 1% - 5%. He said when an employee reaches the top of the step they would only have COLA's and steps impacts added to COLA would be between 4% - 4.5%.

Mayor McEachern said if we gave 0% as guidance the concern among residents would be what is lost. He said 2.9% is slightly above the rate of inflation.

Councilor Cook said she could not come in higher than the Social Security 2.5%. She suggested looking at positions that are close to retirement as well for savings.

Councilor Lombardi said that a 2.9% would be appropriate. He said we need to look at the number of positions unfilled over the last few years and if they need to be filled.

Councilor Tabor said he would not support 0% because we tried that in 2019/2020. He said wage increases to offset that would mean we would have less staff. He said we would probably freeze hiring. He said that if you cut and replace people then you lose services that residents are used to. He likes the mayor's idea of knowing where it will impact us. He said it may take time, but people will feel that loss in services. Councilor Tabor said let's challenge the department's heads but not set it as a target.

Mayor McEachern said the issue we are facing is impacting on competitive services. He said he would like to see a 2.5% and what 0% would look like.

On a roll call vote 3-6, motion to amend for a target of 0% increase for the FY26 Budget failed to pass. Councilors Denton, Blalock and Mayor McEachern voted in favor. Assistant Mayor Kelley, Councilors Tabor, Cook, Bagley, Moreau and Lombardi voted opposed.

Councilor Tabor moved to amend the original motion for a budget target of 2.9% as the increase in total expenditure and the City Manager provide details on what a 0% increase would mean for loss in services. Seconded by Councilor Denton.

Councilor Bagley said to come below 2.8% is unrealistic.

Councilor Denton said if the City Council does not pass the budget it would default to the City Manager's budget.

Councilor Cook said she would not support 2.9% and would like to see 2.5%.

Mayor McEachern said he supported the amendment because it is a guidance. He said the vote we make in June will be the most important vote.

On a roll call 8-1, voted to pass the main motion as modified. Assistant Mayor Kelley, Councilors Tabor, Denton, Blalock, Bagley, Moreau, Lombardi and Mayor McEachern voted in favor. Councilor Cook voted opposed.

Adopt the following guidance for the City Manager for FY26 Budget:

- *Target 2.9% as the increase in total expenditure*
- *No increase in headcount unless the position is self-funding; and,*
- *If the target will result in a loss of the current level of service, provide details and explanation for affected departments to the City Council*

Councilor Cook left the remainder of the meeting which she was attending via zoom.

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 – Zoning Map, Article 4, Zoning District and Use Regulations, Section 10.421 – District Location and Boundaries, Section 10.421.10, be amended to remove 185 Orchard Street, Tax Map 152, Lot 2-1 from the Historic District Overlay

Councilor Blalock moved that the City Council pass first reading and schedule a public hearing and second reading of the proposed Zoning Map amendment at the February 18, 2025, City Council meeting. Seconded by Councilor Bagley and voted.

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. City Appointment to Seacoast Commission on Long-Term Goals and Requirements for Drinking Water

City Manager Conard said we would be replacing Brian Goetz with Al Pratt.

Councilor Denton moved to appoint Albert Pratt, Water Resources Manager, as the City of Portsmouth's representative to the Seacoast Commission on Long-Term Goals and Requirements for Drinking Water. Seconded by Councilor Blalock and voted.

2. Parking Agreement for Strawberry Banke Museum

City Manager Conard said this agreement would be renewed.

Councilor Tabor moved that the City Manager be authorized to negotiate and enter into a Parking Agreement with Strawberry Banke in a form like the attachment in the City Council packet of January 21, 2025. Seconded by Councilor Moreau and voted.

3. Request for Public Hearing on Elderly Exemptions

City Manager Conard spoke to the Elderly Exemption to bring the conversation before the application deadline in April. She said the assessor will be here at the next meeting.

Assistant Mayor Kelley moved to schedule a public hearing on February 3, 2025, City Council meeting. Seconded by Councilor Denton and voted.

4. Request for Public Hearing on Disabled Exemptions

City Manager Conard said this would be similar but for the disabled exemption.

Councilor Lombardi moved to schedule a public hearing on February 3, 2025, City Council meeting. Seconded by Councilor Denton and voted.

5. Request for Public Hearing on the Drinking Water State Revolving Fund Loan

City Manager Conard said a presentation will be held at the next meeting on this matter. She said the city is being proactive for those with private connections.

Assistant Mayor Kelley moved to schedule a public hearing at the February 3, 2025, City council meeting to authorize the borrowing of up to \$3,500,000.00 from the New Hampshire Drinking Water State Revolving Fund to assist customers and galvanized service line replacements and fund service line inventory compliance efforts. Seconded by Councilor Moreau and voted.

XII. CONSENT AGENDA

Councilor Denton moved to adopt the Consent Agenda as presented. Seconded by Councilor Bagley and voted.

- A. Letter from Latrice Smith, National Multiple Sclerosis Society, requesting permission to hold the 2025 Walk for MS on Saturday, May 31, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- B. Letter from Jenna Raizes, Portsmouth Little League, requesting to add signage at three City fields: Central Field, Plains Field, and Hislop Field (***Anticipated action – move to refer to the City Manager with Authority to Act***)

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

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

XIV. MAYOR McEACHERN

- 1. Appointments to be Voted:
 - Reappointment of Jeff Stern to the Board of Library Trustees until October 1, 2027
 - Appointment of Bill Bowen as Regular member to the Planning Board until December 31, 2027
 - Reappointment of Anthony Coviello to the Planning Board until December 31, 2027
 - Appointment of Ryann Wolf to the Planning Board until December 31, 2027
 - Appointment of Frank Perier as an Alternate to the Planning Board until December 31, 2027
 - Appointment of Frederick Calcinari to the Sustainability Committee until January 1, 2027
 - Appointment of Rhianne Tallarico to the Sustainability Committee until January 1, 2027
 - Reappointment of Thomas Watson to the Trustees of the Trust Fund until January 1, 2028

Councilor Moreau moved to reappoint Jeff Stern to the Board of Library Trustees and Bill Bowen, Anthony Coviello, Ryann Wolf and Frank Peier (Alternate) to the Planning Board; Frederick Calcinari and Rhianne Tallarico appointment to the Sustainability Committee and reappointment of Thomas Watson to the Trustees of the Trust Funds. Seconded by Councilor Lombardi and voted.

XV. CITY COUNCIL MEMBERS

B. COUNCILOR COOK

1. Request for First Reading regarding Adoption of Fees Ordinance

Councilor Tabor moved to bring forward Adoption of Fees Ordinance for First Reading at the February 3, 2025 City Council meeting. Seconded by Councilor Moreau and voted.

C. COUNCILOR BLALOCK

1. Student Government Day

Councilor Blalock announced the dates for Student Government Day 2025:

- Saturday, February 1st at 9:00 a.m. – Student Senate meeting to promote participation
- Thursday, March 13th at 2:45 p.m. – Organizational Meeting with students at Portsmouth High School Library
- Monday, March 17th at 7:00 p.m. – Students will shadow City Council during regular meeting
- Tuesday, March 25th at 7:00 p.m. – Students will Shadow School Board during regular meeting
- Friday, March 28th – Student Government Day followed by mock City Council meeting

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Overwatch .Gov Grant Award - \$10,000.00

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

- B. Acceptance of Donation for the Restoration of Old North Cemetery from the David and Jacqueline Mahoney Fund - \$10,000.00

Councilor Denton moved to approve and accept the Donation as presented. Seconded by Councilor Tabor and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

Pease Development Authority Board Meeting Update – City Manager Conard reported that Port City Air will be making significant improvements to their hanger beginning July 1, 2025. She announced that Boston Med Flight is coming to the Tradeport and will be providing services to northern New England beginning March 1, 2025. She advised the City Council that Eversource is increasing their capacity and infrastructure at the Tradeport. In addition, she reported that the Air National Guard Tower is the 9th busiest tower in the world. In closing, she advised the City Council that the Portsmouth Commercial Fish Pier building is constructing a new 6,000 square foot building and that there will be no PDA meeting in February.

New Procurement Platform Update – City Manager Conard announced that the new on-line procurement platform has gone live.

Report Back on Sweetser Request – City Manager Conard advised the City Council that the recent Sweetser Request was not seeking reimbursement for services provided but a fundraiser request and the Welfare Director will work with them to see if they qualify for our Social Services Program.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Tabor announced that the city won the Housing Champion Award which included \$64,000.00 that will be used to audit and review all of our zoning to find ways we can create more housing. He advised the Council that there will be a public process component for the changes.

XIX. ADJOURNMENT

At 8:20 p.m., Councilor Moreau moved to adjourn the meeting. Seconded by Councilor Blalock and voted.

A handwritten signature in black ink that reads "Kelli L. Barnaby". The signature is written in a cursive, flowing style.

KELLI L. BARNABY, MMC/NHCMC
CITY CLERK

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, FEBRUARY 3, 2025

PORTSMOUTH, NH
TIME: 7:00PM

Assistant Mayor Kelley moved to close the Non-Public Session and seal the minutes. Seconded by Councilor Lombardi and voted.

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, Cook, Denton, Blalock, Bagley, Moreau, Lombardi

V. INVOCATION

Mayor McEachern sent heartfelt condolences to the Bourbon Family at the recent loss of their daughter Norah.

VI. PLEDGE OF ALLEGIANCE

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

PROCLAMATION

1. Black History Month (Not on agenda)

Mayor McEachern read the Proclamation declaring February as Black History Month in Portsmouth and urged all citizens to champion our commitment to racial equity and inclusion and to sustain the open door of diversity throughout our community.

VII. ACCEPTANCE OF MINUTES – DECEMBER 16, 2024

Councilor Moreau moved to accept and approve the minutes of the December 16, 2024, City Council meeting. Seconded by Councilor Lombardi and voted.

IX. PUBLIC COMMENT SESSION

There were no speakers this evening.

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

First Reading of Ordinance:

1. First Reading of Ordinance amending to Chapter 1, Administrative Code, Article XVI – Adoption of Fees by Budget Resolution, Section 1.1601 – Purpose, Section 1.1602 – Procedure, Section 1.1603 – Exclusion, Section 1.1604 – Default, of the Ordinances of the City of Portsmouth

Councilor Cook moved to pass first reading and schedule a public hearing and second reading for the February 18, 2025, City Council meeting. Seconded by Councilor Denton.

Councilor Cook said that this was a clean up to the Administrative Code and allows that fees may be changed throughout the year and not just during the adoption of the budget.

Motion passed.

Public Hearing/Second Reading of Ordinance:

- B. PUBLIC HEARING AND ADOPTION of Resolution Pursuant to RSA 72:39-b Regarding the Elderly Exemption on Assessed Value for Qualified Taxpayers
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

OPTION 1:

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

Single	\$55,350 (increase of \$1,350)
Married	\$72,563 (increase of \$1,770)
Asset Limit	\$500,000

OPTION 2:

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

Single	\$55,534 (increase of \$1,534)
Married	\$72,804 (increase of \$2,011)
Asset Limit	\$500,000

OPTION 3:

Proposed increase of Elderly Exemption

Do Nothing

The elderly exemption shall remain unchanged except as amended hereby.

City Manager Conard said that Assessor Lentz would provide a brief presentation regarding the City's annual review of Elderly and Disabled Exemptions.

Assessor Lentz spoke regarding the eligibility requirements and the two options available. She advised the City Council that she would recommend Option 2 for the Elderly Exemption, which is by the November to November consumer price index, which provides a little more for those to qualify for the exemption.

Mayor McEachern asked how many elderly people did not meet the qualifications last year. Assessing Director Lentz said there were eleven applicants that did not meet the qualifications due to asset limits.

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

Assistant Mayor Kelley moved to adopt Option #2 of the Elderly Exemption Resolution as presented. Seconded by Councilor Bagley.

Mayor McEachern requested information regarding the exemption be made available on the website. Assessing Director Lentz said that she will put notices at the Senior Center. Councilor Bagley suggested that a workshop be held by the Assessor's Department at the Library or the Senior Center.

Motion passed.

- C. PUBLIC HEARING AND ADOPTION of Resolution Pursuant to RSA 72:39-b Regarding the Disabled Exemption on Assessed Value for Qualified Taxpayers
 - **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

OPTION 1:

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

Single	\$55,350 (increase of \$1,350)
Married	\$72,563 (increase of \$1,770)
Asset Limit	\$500,000

OPTION 2:

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

Single	\$55,534 (increase of \$1,534)
Married	\$72,804 (increase of \$2,011)
Asset Limit	\$500,000

OPTION 3:

Proposed increase of Disabled Exemption

Do Nothing

The disabled exemption shall remain unchanged except as amended hereby.

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

Councilor Tabor moved to adopt Option #2 of the Disabled Exemption Resolution as presented. Seconded by Councilor Blalock and voted.

- D. PUBLIC HEARING AND ADOPTION of Resolution Authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or Participation in the State Revolving Fund (SRF) Loan of up to Three Million Five Hundred Thousand Dollars (\$3,500,000.00) to Assist Customers with Galvanized Service Line Replacements and Fund Service Line Inventory Compliance Efforts
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Water Resource Manager Pratt provided a brief presentation and reported that 29% will be the payment of the loan. He reported that 20% of service lines still need to be identified and the galvanized service lines would be replaced.

Councilor Denton moved to authorize participation in the Drinking Water State Revolving Fund (SRF) Loan Program of up to Three Million Five Hundred Thousand Dollars (\$3,500,000.00), with 71% principal forgiveness, for costs related to assisting customer with galvanized service line replacements and funding the City's service line inventory compliance efforts. Seconded by Councilor Cook.

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

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

- E. PUBLIC HEARING AND SECOND READING of Ordinance amendment to Chapter 10, Zoning Ordinance, by Striking Article 5, Measurement Rules, Section 10.515.14; by Amending Section 10.515.13; and by Adding new Sections 10.811.60 and 10.811.61, relating to Accessory Uses to Permitted Residential Uses of the Ordinance of the City of Portsmouth
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**
 - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

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

Deputy City Attorney McCourt reported at the October 7, 2024, City Council meeting, the City Council voted to refer to the Legal and Planning and Sustainability Departments a request to draft an ordinance which would exempt certain structures which do not require a building permit from zoning requirements. He said the ordinance limits review of structures accessory to one and two-family dwellings such as

sheds, playhouses, treehouses, playground equipment, and prefabricated above-ground pools and hot tubs. He stated under this proposal, up to one of these structures per dwelling unit would be exempt from zoning regulations such as setbacks and lot coverage and would only need approval pursuant to environmental protection standards, Historic District compliance with corner lot vision obstruction regulations. He added that this proposal includes increasing the height of fences exempt from side and rear yard setbacks from six feet to eight feet. He also stated the proposal contains the elimination of the regulation of certain HVAC equipment pursuant to Section 10.515.14.

Councilor Moreau moved to suspend the rules to take up Item XV. B. – Councilor Moreau – Update on Zoning Ordinance amendment relating to Accessory Uses to Permitted Residential Uses. Seconded by Councilor Tabor and voted.

Councilor Moreau announced that the Planning Board will be having their Public Hearing on February 20th regarding this ordinance.

Discussion followed regarding structures on properties and the effect this ordinance would have on them.

Councilor Moreau moved to amend Section 10.811.60 by the removal of the words “up to one” to read as follows: *Any lot containing one or two dwelling units is permitted to construction and maintain one-story detached accessory structure used as a tool or storage shed, playhouse, treehouse, or similar use per dwelling unit on the property, with a square footage not greater than 120 square feet. Voted to pass as amended second reading and hold third and final reading at the March 17, 2025, City Council meeting. Seconded by Councilor Cook.*

Mayor McEachern passed the gavel to Assistant Mayor Kelley.

Mayor McEachern said he is frustrated that we do not have an opinion by the Planning Board on this matter. He spoke to the processes residents have to go through appearing before boards regarding such matters.

Assistant Mayor Kelley returned the gavel to Mayor McEachern.

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

Councilor Blalock moved the motion as amended. Seconded by Councilor Moreau.

Councilor Moreau said she would bring a report back from the Planning Board at the March 3, 2025, City Council meeting.

Motion passed.

XI. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Acceptance of Parking Utilization Study and Recommendations

City Manager Conard said a public informational session was held on this study.

Councilor Bagley moved to ratify the results of the City of Portsmouth Parking Utilization Study and Recommendations. Seconded by Assistant Mayor Kelley.

Councilor Bagley stated that this study was held for over a year and the report is very detailed.

Councilor Cook encouraged residents to review the parking study.

Councilor Tabor said that this study is an excellent product of work. He stated that a third parking garage is outlined in this study. He suggested the creation of a shuttle for downtown.

Mayor McEachern thanked Parking Director Fletcher and his team for the work on this study with a desire to solve parking issues downtown.

Motion passed.

2. Acceptance of Several Easements for Property Located at 105 Bartlett Street

City Manager Conard reported on the easements and said that this is particularly important for the City of Portsmouth.

Assistant Mayor Kelley moved to authorize the City Manager to accept and record a community space easement, greenway easement, an access easement for water services, and an access easement from Bartlett Residential, LLC and accept an access easement from Iron Horse Properties, LLC in substantially similar form to the easement deed contained in the agenda packet. Seconded by Councilor Cook and voted.

3. Request for Public Hearing to Increase State Revolving Loan Fund Authorization for Pease Wastewater Treatment Facility Rehabilitation

City Manager Conard reported a public hearing to increase participation for State Revolving Fund Loan is being requested.

Councilor Lombardi moved to establish a public hearing at the February 18th City Council meeting to increase the FY25 Pease Wastewater Treatment Facility borrowing to \$25,128,000.00 as described. Seconded by Councilor Tabor.

Councilor Moreau asked what additional work would we will be able to get done and will that cause us any issues with our debt level.

City Engineer Fiedler explained that the State came to the City to say that funds were available as other communities could not complete their projects in accordance with the requirements, which have made the funds available.

Motion passed.

XII. CONSENT AGENDA

- A. Request from Mario LaPosta & Joseph Bisognano of Mamma Luca LLC to install two Projecting Signs at 111 State Street (***Anticipated action – move to approve the aforementioned Projecting Sign Licenses 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 signs, for any reason, shall be done at no cost to the City; and***
 - ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting 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***
- B. Letter from JerriAnne Boggis, Black Heritage Trail, requesting permission to hold Wade in the Water: A Drumbeat for Spiritual Renewal at the African Burying Ground Memorial Park on Wednesday, June 19, 2025 (***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 2025 Riverfest event on Saturday, July 12, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- D. Letter from Bryan Curley, Seacoast Veterans Count, requesting permission to hold the Pack & Boots 5K Road Race on Friday, July 4, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

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

Councilor Cook expressed concern regarding the Seacoast Veterans Count Pack & Boots Road Race taking place at the same time as the Naturalization Ceremonies and would like City Manager Conard to handle the concerns.

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

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

- B. Letter from Mindy Moore, IAPP, requesting permission to host a VIP event on Wednesday, June 25, 2025 – Thursday, June 26, 2025, at several locations in downtown Portsmouth

Councilor Moreau moved to refer to the City Manager with Authority to Act. Seconded by Councilor Lombardi and voted.

XIV. MAYOR McEACHERN

1. Ethics Committee Drawing by Lot

Mayor McEachern asked City Clerk Barnaby to proceed with the drawing by lot for the Councilor who will be serving on the Ethics Committee.

City Clerk Barnaby had City Attorney Morrell draw the name that would be serving on the Ethics Committee. City Clerk Barnaby announced that Councilor Moreau was selected to serve on the Ethics Committee.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR DENTON

1. Sustainability Ordinance

Councilor Denton moved to schedule first reading to amend Chapter 1, Article IV, Section 1.413 – Sustainability Committee as outlined at the February 18, 2025, City Council meeting. Seconded by Councilor Cook.

Councilor Denton recognized Bert Cohen for his time serving as Chair of the Sustainability Committee. He announced that the new Chair is Effie Malley and Jessica Blasko will serve as Vice Chair. He also informed the Council that the eco-members from the High School would be reduced from two to one with one vote.

Motion passed.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donations for Artwork Entitled “Salt Piles” by Carl Austin Hyatt - \$10,000.00

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

Councilor Cook announced the list of donors and thanked them each for their donations.

Councilor Moreau moved to suspend the rules to allow Chris Dwyer to come forward and speak on this matter. Seconded by Councilor Cook and voted.

Chris Dwyer said that this is an iconic piece and would like to provide another exhibit for display at City Hall.

Main motion passed.

- B. Acceptance of Grant for the Police Department from the NH Department of Safety to purchase night vision equipment - \$11,076.00

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

- C. Acceptance of ARPA Funded Grant Amendment for Rehabilitation Contract 1 Project

Assistant Mayor Kelley moved to authorize the City Manager to enter into Amendment No. 2 of the ARPA Grant Agreement CW-334106-05 with the State of New Hampshire Department of Environmental Services for modification of the anticipated project substantial completion date to the Sewer Rehabilitation Contract 1 Project by one year to a completion date of April 1, 2026. Seconded by Councilor Cook and voted.

- D. Acceptance of Great Bay Resource Protection Partnership Stewardship Grant - \$9,991.00

Councilor Blalock moved to authorize the City Manager to enter into a grant agreement to accept and expend funds in the amount of \$9,991.00 from the Great Bay Resource Protection Partnership to conduct the Buffer Revival: Enhancing Tidal Wetland Health and Community Awareness project. Seconded by Councilor Denton and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

- 1. Combined Motor Vehicle and ParkMobile Resident Discount Registration

City Manager Conard announced beginning February 3, 2025, the Tax Office will offer all residents registering their vehicles at the public counter the opportunity to apply for the City's Resident Parking Discount program available through ParkMobile.

Mayor McEachern said that creating this system was not easy and appreciated the work that went into the process.

Councilor Bagley said it opens the possibility for Neighborhood Parking opportunities.

2. Update on FlashVote Survey Regarding Library Services

City Manager Conard reported that the most recent FlashVote survey was relative to library services. She indicated that 422 respondents indicated their awareness of the library's digital learning resources and in-person classes and workshops and offered additional comments and suggestions. She stated that many respondents praised the library and its services, calling it "amazing," "beautiful," "wonderful." "great," "terrific," a "gem" and a "jewel."

3. Snow Operations and Solid Waste Staffing Impacts

City Manager Conard spoke to Department of Public Works responsibility for winter maintenance of over one hundred miles of roadway and 75 miles of sidewalk in addition to normal services such as trash and recycling collection. She stated during the winter season, understaffing and unpredictable weather conditions can stretch personnel resources to where the level of service provided by the City may be affected. She said winter weather complicates normal DPW operations and staff strive to meet resident expectations. However, the timeliness of completing these services may be impacted. City Manager Conard said the Department appreciates the disruption of unpredictable winter weather on our residents and will continue to provide services to the best of their ability given resources and staff provided and available.

4. Status of Federal Funding

Deputy City Manager | Finance & Administration Lunney provided a brief report on the status of Federal Funding. He spoke to the areas that could be affected by the loss in federal funding and said that he will continue to keep the Council updated on this matter.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Tabor provided an update on Community Power pricing.

Councilor Blalock said that he would be participating in the Polar Plunge.

XIX. ADJOURNMENT

At 8:50 p.m., Councilor Moreau moved to adjourn the meeting. Seconded by Councilor Blalock 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, March 3, 2025 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 10, Zoning Ordinance, Zoning Map, Article 4, Zoning District and Use Regulations, Section 10.421, District Location and Boundaries, Section 10.421.10, of the Ordinances of the City of Portsmouth be amended to remove 185 Orchard Street, Tax Map 152, Lot 2-1 from the Historic District Overlay. The complete Ordinance is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

KELLI L. BARNABY, MMC/CNHMC
PORTSMOUTH, NH CITY CLERK

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KELLI L. BARNABY,
MMC/CNHMC
PORTSMOUTH,
NH CITY CLERK

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 10, ZONING ORDINANCE, CITY OF PORTSMOUTH ZONING MAP, Article 4, Zoning District and Use Regulations, Section 10.421, District Location and Boundaries, Section 10.421.10, of the Ordinances of the City of Portsmouth be amended to remove 185 Orchard Street, Tax Map 152, Lot 2-1 from the Historic District Overlay as follows:

That the Zoning Map of the City of Portsmouth be amended to remove 185 Orchard Street, Tax Map 152, Lot 2-1 from the Historic District Overlay.

The City of Portsmouth Zoning Map will be amended and reissued by the Planning Board to incorporate this amendment pursuant to Chapter 10, Article 4, Zoning District and Use Regulations, Section 10.421, District Location and Boundaries, Section 10.421.10 of the Zoning Ordinance.

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.

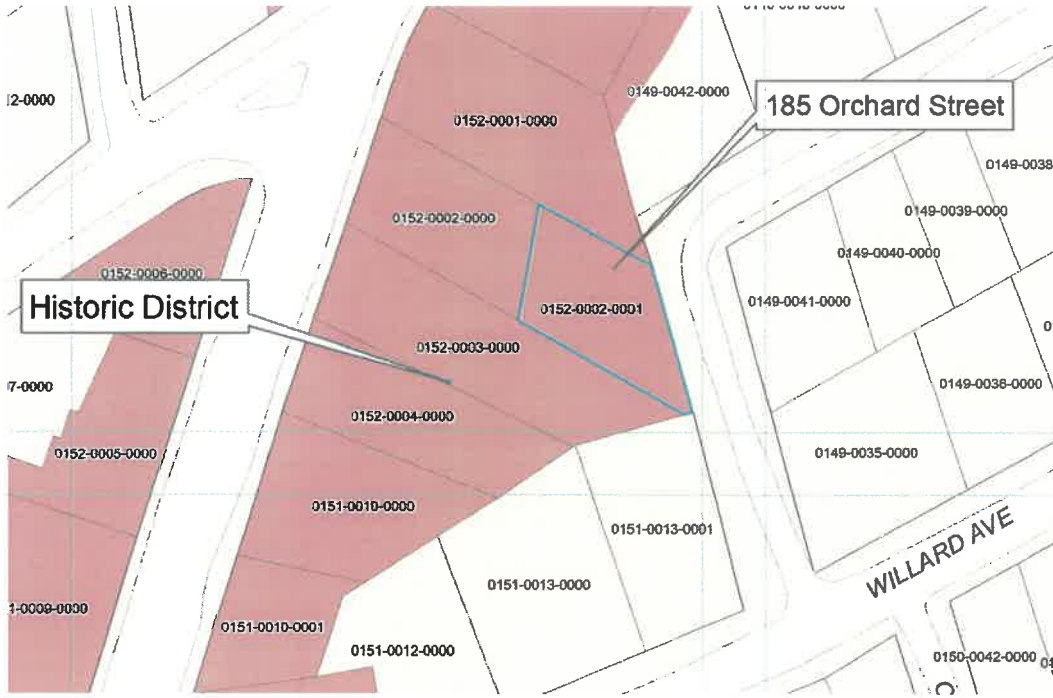
APPROVED:

Deaglan McEachern, Mayor

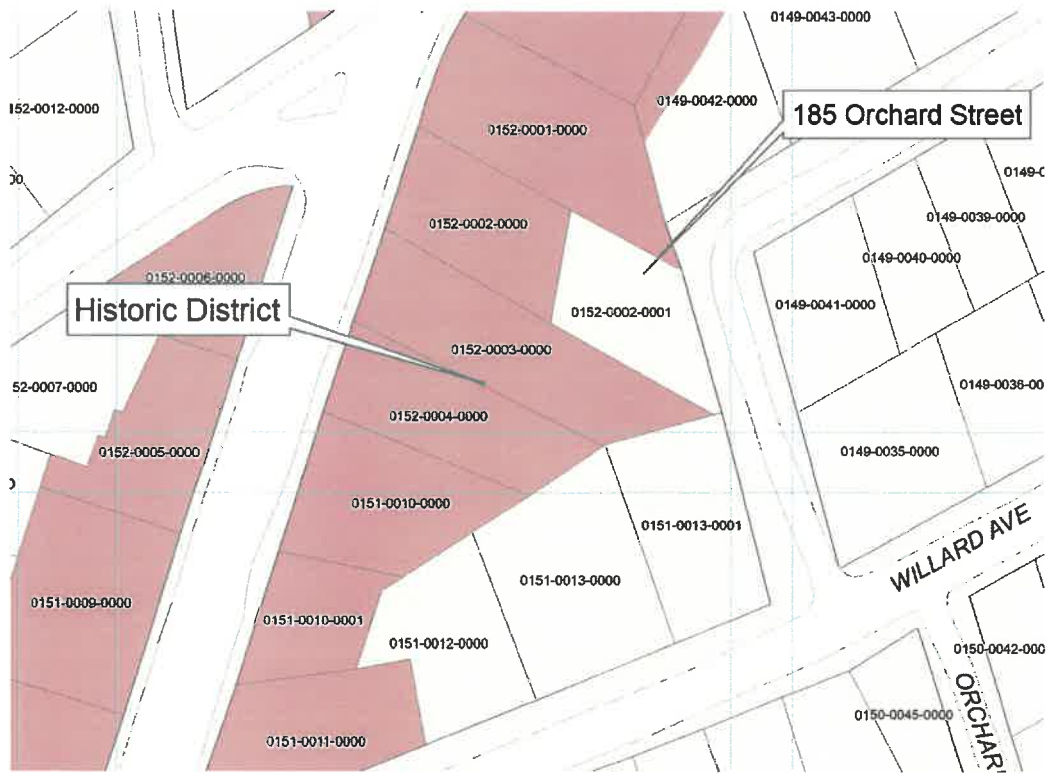
ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

Existing Historic District Boundary:



Proposed Historic District Boundary:



LEGAL NOTICE

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KELLI L. BARNABY, MMC/CNHMC
PORTSMOUTH, NH CITY CLERK

LEGAL NOTICE

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KELLI L. BARNABY,
MMC/CNHMC
PORTSMOUTH, NH CITY
CLERK

ORDINANCE#

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 1, ADMINISTRATIVE CODE, Article IV, COMMISSIONS AND AUTHORITIES, Section 1.413 - SUSTAINABILITY COMMITTEE, 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):

ARTICLE IV: COMMISSIONS AND AUTHORITIES

Section 1.413: SUSTAINABILITY COMMITTEE

1. A. Membership and Term: The Sustainability Committee will **initially** consist of a City Councilor to be designated by the Mayor, a School Board member to be designated by the School Board, one member of city staff to be designated by the City Manager, ~~two~~ **one** students to be designated by the Portsmouth School District, and ~~all the other interested community members on the Blue Ribbon Committee on Sustainable Practices. The City Councilor will serve for the duration of their two-year City Council term, the designated students from the Portsmouth School District will rotate, and the community members from the Blue Ribbon Committee on Sustainable Practices will be appointed to three-year terms. After attrition causes the number of former Blue Ribbon Committee on Sustainable Practices community members to fall under nine, the Mayor with the approval of the City Council can appoint new community members to three-year staggered terms on the Sustainability Committee. Afterwards, the Sustainability Committee will have~~ between seven and eleven community members that have a demonstrated experience in or passion for sustainability, mitigating climate change, and protecting our eco-system **to be appointed by the Mayor and voted on by the City Council to three-year terms. At the first meeting of the Committee in January of each year, the committee shall elect one or two Chairs.**

- B. Powers and Duties: The Sustainability Committee shall provide advice and guidance to the City Council, the City Manager, and City Boards with respect to:
 1. Implementation of the Climate Action Plan, achieving Portsmouth's Renewable Energy Policy, and additional recommendations on increasing energy efficiency, reducing greenhouse gas emissions, and taking measures to build resiliency against climate change.
 2. Increasing awareness of sustainable practices among residents, businesses, visitors, municipal staff, and other stakeholders to ensure that Portsmouth remains a leader as an Eco-municipality.
 3. Standing for environmental justice while protecting our eco-systems.
- C. Limitations: Nothing herein shall limit the power of the City Council or City Manager to take immediate action in the event of exigent circumstances. Nor shall anything herein limit ability of the Sustainability Committee Chair ~~or Co-Chairs~~ to appoint subcommittees or determine the format of how to best structure meetings.

~~D. Effective Date: This ordinance will take effect on January 1, 2024.~~

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.

ADOPTED BY COUNCIL:

APPROVED:

Kelli L. Barnaby, City Clerk

Deaglan McEachern, Mayor

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 1, ADMINISTRATIVE CODE, Article XVI – ADOPTION OF FEES BY BUDGET RESOLUTION, Section 1.1601 - PURPOSE, Section 1.1602 – PROCEDURE, Section 1.1603 – EXCLUSION, Section 1.1604 - DEFAULT, 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):

ARTICLE XVI: ADOPTION OF FEES ~~BY BUDGET RESOLUTION~~

~~Section 1.1601: PURPOSE~~

~~This ordinance is adopted for the purpose of creating a more efficient system for the City to adopt and adjust municipal fees.~~

Section 1.1602: PROCEDURE

~~To the extent permitted by law and notwithstanding any ordinance previously adopted to the contrary, all Municipal fees, whether not otherwise established by other ordinance or law otherwise shall be adopted by the City Council and may be amended by resolution during the annual budget adoption process or at such other times as the City Council may determine to be in the best interest of the City.~~

Section 1.1603: EXCLUSION

~~This ordinance does not apply to penalties, fines or civil forfeitures or to fees established in Chapter 7, Article II – Taxi Cabs. Municipal fees do not include penalties, charges or costs negotiated or imposed pursuant to an administrative order, compliance agreement, or other resolution pertaining to an enforcement activity.~~

Section 1.1604: AUTHORITY TO CHARGE FOR PROGRAMMING

Department heads responsible for programming activities such as classes, trainings and special events may, without the approval of the City Council, but subject to the City Manager's review and oversight, charge for participation in programmed activities.

Section 1.1604: DEFAULT

Any municipal fee which is not listed in the fee resolution adopted during the annual budget process, or any municipal fee which is determined to require a process other than adoption by annual budget resolution, shall remain at the level at which it was last validly adopted by the City.

~~It is further ordained that the City Clerk is hereby authorized to replace the fee provision in any appropriate ordinance, with a provision reading "Fees to be determined in accordance with Chapter 1, Article XVI or similar wording. Such ordinances include, but are not limited to the following: (See list attached to ordinance as adopted).~~

~~(Article XVI adopted in its entirety 3/18/2002)~~

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



Karen S. Conard
City Manager

CITY OF PORTSMOUTH

Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
kconard@portsmouthnh.gov
(603) 610-7201

Date: February 27, 2025

To: Honorable Mayor McEachern and City Council Members

From: Karen S. Conard, City Manager

Re: City Manager's Comments on City Council Agenda of March 3, 2025

X. Public Hearings and Vote on Ordinances And/or Resolutions:

A. Public Hearing and Second Reading of Ordinance Amendment to Chapter 10 – Zoning Ordinance – Zoning Map, Article 4, Zoning District and Use Regulations, Section 10.421 – District Location and Boundaries, Section 10.421.10, be amended to remove 185 Orchard Street, Tax Map 152, Lot 2-1 from the Historic District Overlay:

At the October 7, 2024 City Council meeting, the Council considered a letter from Jessica and Scott Rafferty, owners of property located at 185 Orchard Street, Tax Map 152 Lot 2-1 (“Property”), requesting that the Property be removed from the Historic District, which is an overlay district. The Council voted to refer the proposed zoning map amendment to remove the “Property” from the Historic District for reports back from both the Planning Board and Historic District Commission.

The “Property” was created recently through a subdivision of 15 Lafayette Road that was approved by the Planning Board on July 20, 2023. The original lot had frontage on Lafayette Road and Orchard Street and is located in the Historic District. The Historic District along Lafayette Road and Middle Street follows parcel boundary lines and includes the parcel fronting on those streets as shown in [the attached map](#). Now that the “Property” has been subdivided, the frontage is located on Orchard Street, where no other property falls within the Historic District. A zoning map amendment is necessary in order to change overlay by removing the “Property” from the Historic District. The existing and proposed change to the Historic District boundary is depicted in [the attached maps](#).

At the October 17, 2024 meeting, the Planning Board voted to recommend the City Council remove 185 Orchard Street from the Historic District.

At the January 8, 2025 meeting, the Historic District Commission voted to recommend removal of 185 Orchard Street from the Historic District.

At the January 21, 2025 City Council meeting, the City Council voted to pass first reading and schedule a public hearing and second reading.

I recommend that the City Council move to pass second reading and schedule a third and final reading at the March 17, 2025 City Council meeting.

B. Public Hearing and Second Reading of Ordinance Amending Chapter 1, Administrative Code, Article IV – Commissions and Authorities, Section 1.413 – Sustainability Committee:

Please find attached amendments for [Chapter 1, Administrative Code, Article IV – Commissions and Authorities, Section 1.413 – Sustainability Committee](#). These changes arise out of requested updates from the Sustainability Committee and will assist the Sustainability Committee in achieving quorum at their meetings.

I recommend that the City Council move to pass second reading and schedule a third and final reading at the March 17, 2025 City Council meeting.

C. Third and Final Reading of Ordinance Amending Chapter 1, Administrative Code, Article XVI – Adoption of Fees by Budget Resolution, Section 1.601 – Purpose, Section 1.1602 – Procedure, Section 1.1603 – Exclusion, Section 1.1604 – Default, of the Ordinances of the City of Portsmouth:

[Attached please find proposed amendments to Chapter 1](#) which have been reviewed and recommended by the Governance Committee for action.

I recommend that the City Council move to pass third and final reading of the ordinance as presented.

XI. City Manager’s Items Which Require Action:

1. Request to Restore Involuntarily Merged Lots at 25 Sims Avenue:

Applicant Michael Roylos has submitted an application/request to the City for Restoration of Involuntarily Merged Lots for the property located at [25 Sims Avenue, Portsmouth, New Hampshire](#); Map/Block/Lot number 0233-0071-0000, located in the Single Residence B (SRB) zoning district. The applicant has provided [preliminary documentary support for his request](#). Additional research will be required to verify the documentary record.

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

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

It is important to note that the granting of a request to restore lots to their premerger status does not mean that the resulting lots will be buildable or, if already developed, will conform to zoning. The statute states that “the restoration of the lots to their premerger status shall not be deemed to cure any non-conformity with existing land use ordinances.” (RSA 674:39-aa, V)

For example, the restored lots may not comply with current zoning requirements for lot area, frontage and depth, and the re-establishment of a lot line between any two pre-merger lots may introduce a new nonconformity with respect to maximum allowed building coverage or a minimum required side yard where a building already exists on one of the premerger lots. In such cases, the owner(s) of the applicable lot(s) would have to apply to the Zoning Board of Adjustment for the necessary variances to restore zoning compliance or to allow future development.

I recommend that the City Council move to refer this request to the Planning Board and the City Assessor for a report back.

2. License Extension for 50 South School Street:

DeGeorge Home Improvements, LLC (“Licensee”) is making improvements to property owned by Philip L. and Tamara A. Schwartz, located at 50 South School Street, Unit 3, Portsmouth, NH, shown on the City of Portsmouth Assessor’s Map as Tax Map 101, Lot 60 (“Property”). The Licensee is remodeling the “Property” and has requested to locate a dumpster in a parking space located across the street at the end of the parking lot that abuts the South School Street Playground. The Licensee has an existing License for use of the dumpster that expires on March 3, 2025. The License Area is 115 square feet and is depicted in [Exhibit A attached to the License](#). [The Licensee has requested an extension to continue to use the dumpster from March 4, 2025 through May 2, 2025](#), for a total of 60 days. Completion of the job was delayed due to late receipt of construction materials.

Encumbrances for longer than 30 days are subject to the City Council’s policy entitled “License Fee for Encumbrance of City Property.” Under this policy, a daily fee of \$0.05 per square foot of encumbered City property would be assessed for 115 square feet for a daily fee of \$5.75 x 60 days for a total license fee of \$345.

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

If the Council agrees to grant this License Extension to encumber a parking space in the parking lot that abuts the South School Street Park for construction associated with property located at 50 South School Street, an appropriate motion would be:

Move that the City Manager be authorized to execute and accept the License Extension to encumber a parking space in the parking lot that abuts the South School Street Park as requested.

XVII. City Manager’s Informational Items:

1. Public Meeting for Bicycle and Pedestrian Plan:

In 2014, the City completed the Portsmouth Bicycle and Pedestrian Plan as a comprehensive strategy to make bicycling and walking safe, comfortable, and convenient for people of all ages and abilities. The City has made great progress implementing the recommendations of the plan and building the City's network over the past 10 years, working toward the vision and commitment of the City to increase walking and bicycling. As the current state of practice has evolved, a comprehensive update to the plan is being conducted to document the status of implementation and to provide opportunities for the community to offer input into necessary updates for future improvements.

The 2024-2025 plan update will be a tool for coordinating City-wide projects, policies, and programs related to active transportation. The updated plan will be used to evaluate and measure progress towards implementing bicycle and pedestrian amenities and help to guide capital investments, while identifying additional funding options.

A public meeting is scheduled for March 10, 2025 at 6:30 p.m. in the City Council Chambers to review public engagement input received from the planning process and to review the draft plan recommendations. The plan will be finalized for adoption subsequent to this final public meeting and all interested parties are invited to attend. Meeting details and draft plan recommendations will be posted to [the project website](#).

2. Delayed Opening – Customer Service Pilot Program:

In an effort to provide uninterrupted time for meeting and training, we will delay the public opening of the City Clerk’s Office, the Tax Office and the Assessing Office from 8:00 a.m. until 10:00 a.m. on the following Wednesdays in March: 12th, 19th, and 26th. The City Clerk’s office, for example, has been trying to manage its workload following four elections in 2024 and short-staffing. The State Office of Vital Records delays its opening once a month on Wednesdays for similar work and technical updates. The Tax Office has been engaged in looking for additional opportunities to work more effectively with other departments, such as Parking and Water and Sewer billing, and is involved in the evaluation of the new financial

software solution. The City will provide notice of these delayed openings to the public through multiple channels.

3. **2025 Outdoor Dining Update:**

I will provide a verbal update on the status of the 2025 outdoor dining season.

Annette Roylos

By Michael Roylos as Executor of Estate

25 Sims Avenue Portsmouth, NH 03801

1/14/2025

Portsmouth Planning Department City Hall -1 Junkins Avenue Portsmouth, NH 03801

RE: Request for Involuntary Merger Reversal - 25 Sims Avenue, Portsmouth, NH 03801

Dear Planning Board Members:

I am writing pursuant to NH RSA 674:39-aa to request the restoration of our previously and involuntarily merged lots to their premerger status as Executor of the property located at 25 Sims Avenue in Portsmouth, New Hampshire, identified as Tax Map 233, Lot 71.

These lots were involuntarily merged by municipal action without the consent of the previous owner. Based on our research and property records, this involuntary merger occurred after the 12/01/81 Property Assessment Record which is attached. The property originally comprised 3 separate lots as evidenced by the attached documentation.

In accordance with RSA 674:39-aa, we are submitting the following documentation to support this request:

1. Current deed showing our ownership
2. Chain of title documentation
3. Historical tax records showing the involuntary merger timeline
4. Original subdivision plans/surveys
5. Current plot plan showing existing conditions
6. Tax cards showing lot history

We affirm that:

- These lots were involuntarily merged prior to September 18, 2010
- No owner of the lots took any action to voluntarily merge these lots
- The merger was conducted by the municipality for tax/assessment purposes without owner consent

We understand that upon approval, we will need to record the restoration at the Rockingham County Registry of Deeds. Please contact us if any additional information is needed to process this request.

Thank you for your attention to this matter.

Sincerely,

Michael Roylos

Phone: 207-432-4492 Email: Mike@qrpucks.com

Attachments:

1. Certificate of Appointment for Michael Roylos
2. Death Certificate for Annette Roylos
3. Tax Map 233
4. 25 Sims Ave Current Tax Valuation
5. Historical Property Residential Record Cards 1973-2017 Showing merged properties
6. Historical Property Assessment Records of Lots 42,43,44
7. Historical Property Assessment Records of Lot 71 Showing 2 lots- 1981
8. Copy of 1918 Daniels Park Map showing lots 44,43,42
9. Copy of Deed conveying lots 42 & 43 on 5/17/1962
10. Copy of Deed conveying lot 44 on 5/15/1965

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT

10th Circuit - Probate Division - Brentwood
PO Box 789
Kingston NH 03848-0789

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<https://www.courts.nh.gov>

CERTIFICATE OF APPOINTMENT
(Letter of Appointment)

Case Name: Estate of Annette Roylos

Case Number: 318-2024-ET-00773

On June 27, 2024, the following person(s) was/were appointed to administer the estate of Annette Roylos. The named executor(s) accepted this responsibility.

Executor(s)

Michael R Roylos

18 Loraine Street
Portland ME 04103

Home: 2074324492

This document, when signed under seal, certifies that this appointment did occur as stated and remains in effect as dated below.

June 27, 2024

/s/ Kathleen E. Tripp
Clerk of Court
State of New Hampshire
Rockingham County



This electronic certification stamp meets the statutory requirement for certified or attested documents pursuant to Supplemental Rules of the Circuit Court of New Hampshire for Electronic Filing.

CERTIFICATION OF VITAL RECORD

State of New Hampshire

FILE # 2024004037

CERTIFICATE OF DEATH

FULL NAME OF DECEASED
DATE OF DEATH
TIME OF DEATH
DATE OF BIRTH
BIRTHPLACE
MOTHER'S/PARENT'S NAME
FATHER'S/PARENT'S NAME
PLACE OF DEATH
DOMESTIC STATUS
SPOUSE'S/PARTNER'S NAME PRIOR TO FIRST MARRIAGE/CIVIL UNION
SOCIAL SECURITY NUMBER
RESIDENCE
PLACE OF DISPOSITION
DATE OF DISPOSITION
MANNER OF DEATH
MARGINAL NOTES

ANNETTE ROYLOS
APPROX APRIL 04, 2024
UNKNOWN
JANUARY 27, 1925
PORTSMOUTH, NEW HAMPSHIRE
JENNY ROYLOS (STRATHIS)
CHRISTOS ROYLOS
PORTSMOUTH, NEW HAMPSHIRE
NEVER MARRIED/CIVIL UNION

AGE 99 YRS

SEX FEMALE

002-14-8347
PORTSMOUTH, NEW HAMPSHIRE
SAGAMORE CEMETERY, PORTSMOUTH, NEW HAMPSHIRE
APRIL 19, 2024
NATURAL

FILE DATE APRIL 14, 2024

2



4130688

I HEREBY CERTIFY THIS IS A TRUE COPY ISSUED FROM THE OFFICIAL RECORDS ON FILE AT THIS OFFICE AND SHALL BE RECEIVED AS EVIDENCE WITH THE SAME EFFECT AS THE ORIGINAL.

ATTEST:

Kevin J. Barnaby

STATE/LOCAL REGISTRAR:

Kristin M. Kenniston
Kristin M. Kenniston, State Registrar

DATE ISSUED: April 15, 2024

STATE/CITY/TOWN OF:

PORTSMOUTH

This copy not valid without official vital record watermark, holographic seals, and displaying seal and signature of Registrar. It shall be unlawful for anyone to reproduce this certificate other than local or State Registrar.

VS-SP1



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



233-2009
 RA-1 MAP

Division 1918
 David's Park

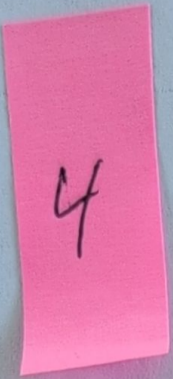
CURRENT USE: 12.79 ac
 NOT IN CURRENT USE: 1.000 ac
 TOTAL: 13.79 ac

3

41-3

2550
 1000
 DANA
 21 A
 Route
 River
 205

25 SIMS AVE



Location 25 SIMS AVE

Mblu 0233/ 0071/ 0000/ /

Acct# 30437

Owner ROYLOS SOPHIE C

PBN

Assessment \$652,900

Appraisal \$652,900

PID 30437

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2024	\$279,800	\$373,100	\$652,900

Assessment			
Valuation Year	Improvements	Land	Total
2024	\$279,800	\$373,100	\$652,900

Owner of Record

Owner ROYLOS SOPHIE C
Co-Owner ROYLOS ANNETTE
Address 18 LORAIN ST
PORTLAND, ME 04103

Sale Price \$0
Certificate
Book & Page 1589/0296
Sale Date 06/30/1961

Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
ROYLOS SOPHIE C	\$0		1589/0296	06/30/1961

Building Information

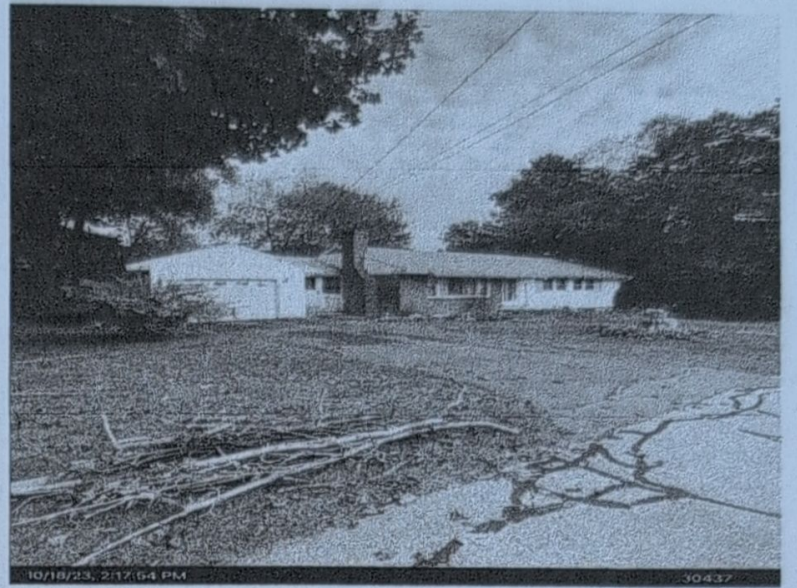
Building 1 : Section 1

Year Built: 1962
Living Area: 1,336
Replacement Cost: \$388,635
Building Percent Good: 72

Replacement Cost

Less Depreciation: \$279,800

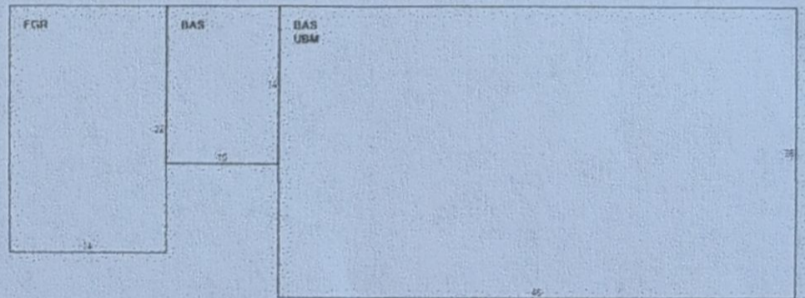
Building Photo



(https://images.vgsi.com/photos2/PortsmouthNHPhotos/\0042\30437_304)

Building Attributes	
Field	Description
Style:	Ranch
Model	Residential
Grade:	C+
Stories:	1
Occupancy	1
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	Brick/Masonry
Roof Structure:	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	1
Total Xtra Fixtrs:	0
Total Rooms:	7
Bath Style:	Avg Quality
Kitchen Style:	Avg Quality
Kitchen Gr	
WB Fireplaces	1
Extra Openings	0
Metal Fireplaces	0
Extra Openings 2	0
Bsmt Garage	

Building Layout



(ParcelSketch.ashx?pid=30437&bid=30437)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,336	1,336
FGR	Garage, Attached	308	0
UBM	Basement, Unfinished	1,196	0
		2,840	1,336

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1010
 Description SINGLE FAM MDL-01
 Zone SRB
 Neighborhood 123
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0.34
 Frontage
 Depth
 Assessed Value \$373,100
 Appraised Value \$373,100

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$177,900	\$232,200	\$410,100
2022	\$177,900	\$232,200	\$410,100
2021	\$177,900	\$232,200	\$410,100

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$177,900	\$232,200	\$410,100
2022	\$177,900	\$232,200	\$410,100
2021	\$177,900	\$232,200	\$410,100

To have and to hold the said granted premises, with all the privileges and appurtenances,

thereunto belonging, to Sophie C. Roylos and Annette Roylos..... the said grantees,
as joint tenants, with right of survivorship, the survivor of them, and his or her heirs and assigns, to
their own use and behoof forever.

for ourselves

And we the said grantors/and for our heirs, executors and administrators, do hereby
covenant, grant and agree, to and with the said grantees, the survivor of them, and his or her heirs
and assigns, that until the delivery hereof we are the lawful owners of the said premises, we are
seized and possessed thereof in our own right in fee simple; and have full power and lawful authority
to grant and convey the same in manner aforesaid; that the said premises are free and clear from
all and every incumbrance whatsoever;

and that we and our heirs, executors and administrators, shall and will warrant and
defend the same to the said grantees, the survivor of them, and his or her heirs and assigns, against
the lawful claims and demands of any person or persons whomsoever.

Handwritten initials or signature

And ~~we~~ We, Frederick J. and Glenna A. Brown, being husband and wife ~~of the said~~

for the consideration aforesaid, do hereby release to the said grantees, ~~my~~ all our respective CURTESY and ~~rights of~~ **dower** in the before mentioned premises.

And we do each of us hereby release all rights of **homestead** secured to us, or either of us under and by virtue of any law of the State of New Hampshire and all other rights and interest therein.

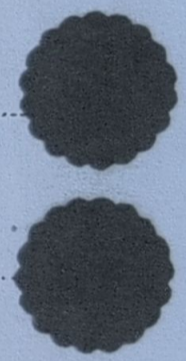
In witness whereof We have hereunto set our hands and seals, this sixteenth day of October in the year of our Lord 19 62.

Signed, sealed and delivered in presence of

Charles J. [Signature]

Frederick J. Brown

Glenna A. Brown



The State of

New Hampshire

Rockingham, NH

October 16th

A.D. 19 62

Personally appeared the above named Frederick J. Brown and Glenna A. Brown and acknowledged the foregoing to be their voluntary act and deed — Before me:

Charles J. [Signature]
Notary Public — Justice of the Peace

Rec'd & recorded Oct. 17, 10:40 A.M., 1962.

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

✓

PLAN	LOT	RECORD OF OWNERSHIP	DATE OF TRANSFER	SALE PRICE IF KNOWN	ASSESSMENT RECORD
58	44				1951 LAND
ADDRESS					1951 BLDGS.
DESCRIPTION					1951 TOTAL EXEMPT
L SIMS AVE 50					1955 LAND
5,000 100					1955 BLDGS.
					1955 TOTAL 150
					1958 LAND
					1958 BLDGS.
					1958 TOTAL 200
					1959 LAND 250
					1959 BLDGS.
					1959 TOTAL 250
		Sophie C. & Annette Roylos	1766/84	5/15/65	1.10-S
		Raymond L. & Virginia Miller	1459/195	2/20/58	1.10-S
		Henry J. Robbins	1369/425	9/23/55	151.00
		City of Portsmouth	917/405	6/4/36	

6

RURAL PROPERTY

PROPERTY FACTORS				LAND VALUE COMPUTATIONS AND SUMMARY				OWNERS PREVIOUS TO 1951		
TOPOGRAPHY	LEVEL	ROLLING	LEDGE	CLASSIFICATION	NO OF ACRES	RATE	TOTAL	NAME	DATES	ASSESSMENTS
SOIL TYPE	LOAM	SAND	CLAY	TILLABLE						
LAND CLASS	GOOD	FAIR	POOR	PASTURE						
DRAINAGE	GOOD	FAIR	POOR	WOODED						
WATER SUPPLY	GOOD	FAIR	POOR	WASTE LAND						
FENCES	GOOD	FAIR	NONE	TOTAL ACREAGE						
ELECTRICITY	YES	NO		TOTAL VALUE LAND						
TELEPHONE	YES	NO		TOTAL VALUE BUILDINGS						
ROAD	PAVED	IMPR.	DIRT	TOTAL VALUE LAND & BUILDINGS						
REMARKS								Arthur F Rand	1908	

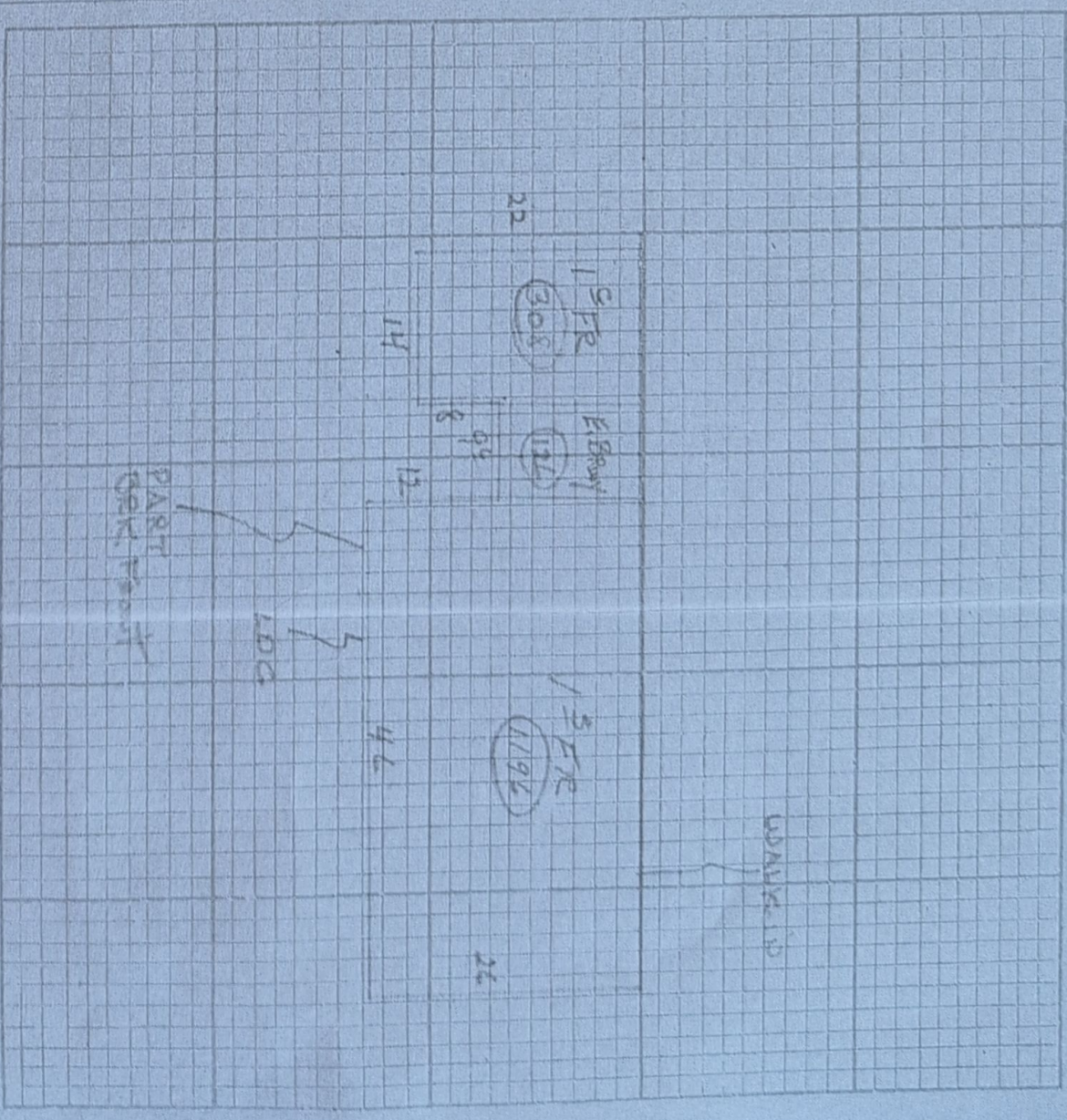
URBAN PROPERTY

PROPERTY FACTORS			LAND VALUE COMPUTATIONS AND SUMMARY					
TOPOGRAPHY	IMPROVEMENTS		FRONTAGE	DEPTH	UNIT PRICE	DEPTH FACTOR	FRONT FT. PRICE	TOTAL
LEVEL	WATER							
HIGH	SEWER							
LOW	GAS							
ROLLING	ELECTRICITY							
SWAMPY	ALL UTILITIES							
	GARBAGE DISPOSAL							
STREET	TREND OF DISTRICT							
PAVED	IMPROVING							
SEMI-IMPROVED	STATIC							
DIRT	DECLINING							
SIDEWALK								
								250

RECORD OF BUILDINGS

NOTES—SPECIAL EQUIPMENT

OCCUPANCY	CONSTRUCTION	FLOORS			UNIT	COMPUTATIONS	1951
		B	1	2			
SINGLE FAMILY	CEMENT EARTH	✓			1ST	S.F. @	
TWO FAMILY	PINE		✓		2ND	S.F. @	
APARTMENT	HARDWOOD		✓			S.F. @	
STORE	tile SK						
THEATRE	ATTIC FL. & STRS						
HOTEL							
OFFICES							
WAREHOUSE							
DOMM. GARAGE							
GAS STATION							
FOUNDATION		INTERIOR FINISH:					
CONCRETE	PINE	B	1	2	3		
CONCRETE BLOCK	HARDWOOD		✓				
BRICK OR STONE	PLASTER						
PIERS	UNFINISHED		✓				
CELLAR AREA FULL	METAL CLG.						
NO. CELLAR	RECREAT. ROOM						
	FINISHED ATTIC						
	FIREPLACE						
EXTERIOR WALLS		HEATING					
CARBOARDS	PIPELESS FURNACE						
WIDE SIDING	HOT AIR FURNACE						
DROP SIDING	FORCED AIR FURN.						
NO SHEATHING	STEAM						
WOOD SHINGLES	HOT WAT. OR WATER						
ASBES. SHINGLES	NO HEATING						
STUCCO ON FRAME							
BRICK VENEER	GAS BURNER						
BRICK ON TILE	OIL BURNER						
SOLID BRICK	STOVE						
STONE VENEER	PLUMBING						
CONC. OR CIND. BL.	BATHROOM						
	TOILET ROOM						
TERRA COTTA	WATER CLOSET						
VITROLITE	KITCHEN SINK						
PLATE GLASS	STD. WAT. HEAT						
INSULATION	AUTO. WAT. HEAT						
WEATHERSTRIP	ELECT. WAT. SYST.						
	LARDER TUBS						
	NO PLUMBING						
ROOFING		TILING					
ASPH. SHINGLES	BATH FL. & WCOT.						
WOOD SHINGLES	TOILET FL. & WCOT.						
SLATE	LIGHTING						
TILE	ELECTRIC						
METAL	NO LIGHTING						
COMPOSITION							
ROCK ROOFING	NO. OF ROOMS						
INSULATION	BSMT.	1ST.	2ND.	3RD.			



1 1/2 FR. ROW 11 1/2
 CHINA GARDEN Bldg

SUMMARY OF BUILDINGS

GRADE	AGE	DATE REMOD.	COND.	REPR. VAL.	PHYS. DEPR.	PHYS. VALUE	FUNCT. DEPR.	SOUND VALUE
	19							6500
TOTAL VALUE BUILDINGS				19				
TOTAL VALUE BUILDINGS				19				

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

PROPERTY OWNER		PROPERTY LOCATION		SIDE	LOCATION CODE		PLAN LOT	
ROYLOS/SOPHIE C ROYLOS/ANNETTE 25 SIMS AVE		25 SIMS AVE		E	/ / / /		058 043 / R33 071	
PORTSMOUTH NH 03801		CITY OF PORTSMOUTH N.H. JOHN B. PETTY CAE, ASSESSOR		TYPE	PROJECT	CONTROL NO		CARD
				RESD	31001	1907058004300		1 OF 1

REMARKS-1
ALSO INCLUDES LOTS 42 & 44

RECORD OF TRANSFER	DATE	BOOK	PAGE	AMOUNT	MORTGAGE
1 WOODS/BERNARD F	70661	1589	296		
2					
3					
4					
5					
6					
7					

LAND FACTORS			LAND IMPROVEMENTS			SUMMARY	
TOPOGRAPHY-1 LEVEL	LOCATION	GOOD				19 72	APPRAISED
IMPROVEMTS-1 C WATER	DRAINAGE	GOOD				LAND	5480
-2 SEWER	ZONING	02				BLDGS	22706
-3 ELEC	NEIGHBORHOOD	STATIC				TOTAL	28186
STREET/RD-1 IMPROVE	SOIL-1	SANDY	VALUE	EQ	ASSESSMENT	19	ASSESSED
	-2	LOAM				LAND	5500
						BLDGS	22700
						TOTAL	28200

ACREAGE COMPUTATION									
TYPE	ACRES	PRICE	TOTAL	DEPR	VALUE	EQ	ASSESSMENT		
1 H-LOT 54 A	.290	10000	5400		5400	100	5400	19	LAND
2 REAR 2	.040	2000	80		80	100	100	BLDGS	
3								TOTAL	
4									
5									
6									
		.330	ACREAGE TOTAL		5480	100	5500	19	LAND
								BLDGS	
								TOTAL	

LOT COMPUTATION																
FRONT	REAR	FRONTAGE	DEPTH	STREET PRICE	DEPTH %	ADJ FR PR	TOTAL	DEPRECIATION	CORNER	VALUE	EQ	ASSESSMENT				
1													19	LAND		
2													BLDGS			
3													TOTAL			
4																
										LOT TOTAL				19	LAND	
										LAND TOTAL		5480	100	5500	BLDGS	
															TOTAL	

RECORD OF BUILDINGS

CONSTRUCTION

OCCUPANCY	FLOORS		
	B	1	2
SINGLE FAMILY			
TWO FAMILY			
APARTMENT			
STORE			
THEATRE			
HOTEL			
OFFICES			
WAREHOUSE			
COMM. GARAGE			
GAS STATION			
INTERIOR FINISH			
	B	1	2
FOUNDATION			
CONCRETE			
CONCRETE BLOCK			
BRICK OR STONE			
PIERS			
CELLAR AREA FULL			
NO. CELLAR			
EXTERIOR WALLS			
CLAPBOARDS			
WIDE SIDING			
DROP SIDING			
NO SHEATHING			
WOOD SHINGLES			
ASBES. SHINGLES			
STUCCO ON FRAME			
STUCCO ON TILE			
BRICK VENEER			
BRICK ON TILE			
SOLID BRICK			
STONE VENEER			
CONC. OR CIND. BL.			
HEATING			
PIPELESS FURNACE			
HOT AIR FURNACE			
FORCED AIR FURN.			
STEAM			
HOT WAT. OR VAPOR			
NO HEATING			
PLUMBING			
GAS BURNER			
OIL BURNER			
STOKER			
BATHROOM			
TOILET ROOM			
WATER CLOSET			
KITCHEN SINK			
STD. WAT. HEAT.			
AUTO. WAT. HEAT.			
ELECT. WAT. SYST.			
LAUNDRY TUBS			
NO PLUMBING			

NOTES—SPECIAL EQUIPMENT

UNIT	COMPUTATIONS	
	1951	
1ST F.F.	①	
2ND S.F.	②	
S.F.	③	
ADDITIONS		
BASEMENT		
WALLS		
ROOF		
FLOORS		
ATTIC		
FINISH		
FIREPLACE		
HEATING		
PLUMBING		
TILING		
TOTAL		
REPL. VAL.		

SUMMARY OF BUILDINGS

OCCUPANCY	TYPE	GRADE	AGE	DATE REMOD.	COND.	REPL. VAL.	PHYS. DEPR.	PHYS. VALUE	FUNCT. DEPR.	SOUND VALUE
			19							
TOTAL VALUE BUILDINGS			19							
TOTAL VALUE BUILDINGS			19							

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

DANIELS PARK

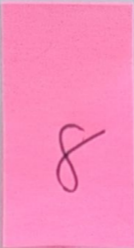
Portsmouth, N.H.

Belmont Realty Co.
Providence, R.I.

June 1918.

C.A. Thayer Engr.

Scale 60' = 1".

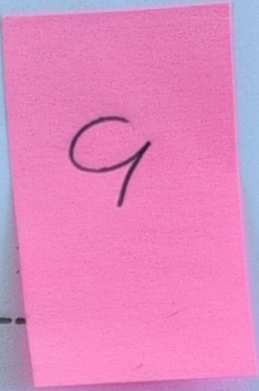


Plan # 0241



Know all men by these presents

that We, Frederick J. Brown and Glenna A. Brown both of Greenland, County of Rockingham, and State of New Hampshire,



for and in consideration of the sum of -----One Dollar-----

to ^{us} in hand, before the delivery hereof, well and truly paid by Sophie C. Roylos and Annette Roylos both of Portsmouth, County of Rockingham, and State of New Hampshire,

the receipt whereof ~~we~~ do hereby acknowledge, have given, granted, bargained, sold, and by these presents do give, grant, bargain, sell, alien, enfeoff, convey and confirm unto the said Sophie C. Roylos and Annette Roylos

as joint tenants, with right of survivorship, the survivor of them, and his or her heirs and assigns forever.

Being lots numbered 42 and 43, with the buildings thereon, on a plan of Daniels' Park made by C. A. Thayer, C. E., dated June, 1918 and recorded in Rockingham County Registry of Deeds, Book of Plans No. 1, Page 166, in which reference may be made for a more particular description.

Being the same premises which we acquired by Warranty Deed of Sophie C. Roylos and Annette Roylos, dated May 17, 1962, recorded in Rockingham County Registry of Deeds, Book 1627, Page 74.



Know all men by these presents

THAT, We, Raymond L. Miller and Virginia D. Miller both

of Portsmouth, Rockingham County, State of New Hampshire, for consideration paid, grant to Sophie C. Roylos and Annette Roylos both

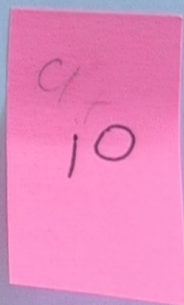
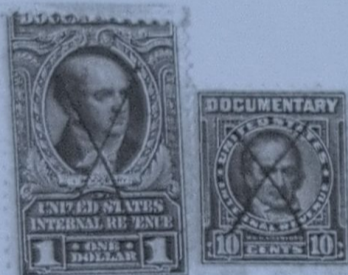
of Portsmouth, Rockingham County, State of New Hampshire, as joint tenants, with rights of survivorship/ and not as tenants in common, with WARRANTY COVENANTS,

A certain tract of land, situate on the northeasterly side of Simes Avenue in Portsmouth, County of Rockingham, and State of New Hampshire, more particularly bounded and described as follows:

Beginning at a point on the southwesterly side of Simes Avenue at the westerly corner of land now or formerly of Warren O. Teague, etal; thence in a general northwesterly direction by Simes Avenue, fifty (50) feet to land now or formerly of Bernard F. Woods; thence in a general northeasterly direction by land of Woods, one hundred (100) feet to a point at land now or formerly of Michael Zymaris, etal; thence turning and running in a general southeasterly direction by land of Michael Zymaris, fifty (50) feet, more or less, to a point at land now or formerly of said Teague; thence turning and running in a general southwesterly direction by land of said Teague, one hundred (100) feet, more or less, to the point of beginning.

Said tract of land is otherwise identified as Lot #14 on Plan 58 of the Portsmouth City Assessor's Plans.

Being the same premises which we acquired by Warranty Deed of Henry J. Robbins, dated February 17, 1958, recorded in Rockingham County Registry of Deeds, Book 1459, Page 195.



We, Raymond L. and Virginia D. Miller, being husband and wife, ~~wife~~ ~~and said Grantor~~ ~~and said Grantor~~ our respective ~~release to said Grantees~~ ~~rights of~~ ~~dower~~ ~~and homestead and other interest therein.~~ ~~curtesy~~

WITNESS our hands and seals this 15 day of May, 1965

Witness:

Carole J. Bryan (T.H.)

Raymond L. Miller
Virginia D. Miller



The State of New Hampshire

Rockingham, ss.

May 15 1965

Then personally appeared the above named Raymond L. Miller and Virginia D. Miller and acknowledged the foregoing instrument to be their voluntary act and deed, before me

REC'D & RECORDED MAY 17 1965 9:38 AM

Carole J. Bryan
Notary Public Justice of the Peace.



TO: CITY COUNCIL

FROM: Louis DeGeorge, DeGeorge Home Improvements

SUBJECT : 50 South School Street Unit #3, Portsmouth , MA

Permit/Licences

We are currently remodeling a Unit at 50 South School Unit #3, in Portsmouth, NH. We have a license for a dumpster at the above location that expires on March 3, 2025. We are requesting an extension of the license through May 2, 2025. We experienced a delay in receiving materials which caused us to not be able to finish the job by the initial date. Thank you for your help and consideration.

Thank you,

LOUIS DEGEORGE

DeGeorge Home Improvements LLC

Cell:617-901-1414

www.degeorgehomeimprovements.com

WE ARE A PROUD PARTNER WITH



DeGeorge Home Improvements is a registered business of

NEW HAMPSHIRE: Registered Office 84 W BROADWAY , STE 200 Derry NH 03038 .

Dumpster location



**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 09/26/2024

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

LICENSE EXTENSION
50 SOUTH SCHOOL STREET

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 License Extension to DeGeorge Home Improvements, LLC., ('Licensee') with a mailing address of P.O. Box 238, Unit 33, Georgetown MA, 01833-0338, on behalf of Owners Philip L. and Tamara A. Schwartz, 50 South School Street, Unit 3, Portsmouth, NH 03801 ("Owner") pursuant to the following terms and conditions:

1. **License Area:** The Owner owns a condominium located in the City of Portsmouth, Rockingham County, State of New Hampshire, located at 50 South School Street, Unit 3, Portsmouth, NH 03801 shown on the City of Portsmouth's Assessor's Map as Tax Map 101, Lot 60 ("Property"). For the Owner's title to the Property, see Rockingham County Registry of Deeds at Book 6504, Page 0447.

The City issued a License for Licensee to locate a dumpster across the street from the Property in a parking space that abuts the South School Street Park more particularly described in the attached Exhibit A.

2. **Use:** Licensee shall make use of the License Area for the purpose of locating a dumpster to facilitate the remodeling of the Property. The Licensee has an existing License for this dumpster that expires on March 3, 2025. Licensee is seeking this License Extension because receipt of the materials for the remodeling work were delayed and the job will not be completed by the termination date of the existing License.
3. **Term:** The License for the License Area shall be for 60 days beginning March 4, 2025 and ending May 2, 2025.

Licensee may terminate this License prior to the end of the term by returning License Area 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 Area has been temporarily returned to safe and effective use. Failure to remove all vehicles, barriers, materials and equipment and to return the License Area 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 Area and again when it returns the License Area to the City's control and use.
5. **License Fees:** The Licensee shall pay to the City License fees in accordance with City Council Policy No. 2018-02 entitled "License Fee for Encumbrance of City Property". The License Fee Policy provides that the Owner will be charged a daily fee of \$0.05 per square foot for use of a parking space in the parking lot of the South School Street Park.

The License Area includes 115 square feet. The fee of \$0.05 per 115 square feet per day is \$5.75. The total fee for 60 days is **\$345**.

The total License Fee for the License Area in the amount of **\$345** shall be paid in full to the City in advance of the commencement of the term of this Agreement.

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

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 License Area. 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 Area 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 Area and take such other measures as may be necessary for pedestrian and vehicular safety during use of the License Area.

Owner is required to apply for separate Flagging Permits that are outside the scope of this License when closing roads that abut the Property or its environs and shall advise abutters of all Flagging Permit applications in advance.

9. **Damage:** Licensee agrees to remedy any damage to the License Area 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 site plan conditions 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. Contractor may use loading zones for active loading and unloading of materials, equipment and tools.

Dated this _____ day of _____, 2025.

The City of Portsmouth

By: _____

Karen Conard
City Manager

Pursuant to vote of the City Council
of _____.

Dated this _____ day of _____, 2025.

DeGeorge Home Improvements, LLC

By: _____

February 13, 2025

Portsmouth Girls Softball Association
P.O. Box 8092
Portsmouth, NH 03802

Karen Conard
City Manager
1 Junkins Avenue
Portsmouth, NH 03801

Dear Karen,

I'm writing on behalf of the Portsmouth Girls Softball Association (PGSA) to request permission to hang banners for PGSA league sponsors in the outfield and behind the backstop for our 2025 season. The outfield banners will be printed on vinyl banners, approximately 3' high by 4-5' wide, by PGSA. The backstop banner will be 5' by 5'.

The season runs from March to June and, if allowed, the banners will be hung by PGSA at the beginning of the season and removed after our last home game in June.

PGSA is a 501(c)3, rec league program that utilizes sponsorship to purchase equipment for the 6U, 8U, 10U, 12U, and 14U teams, provide scholarships for athletes to assist with registration fees, and pay for umpires.

If you have any questions, I have provided my contact information below, or email PGSA at PGSAportsmouth@gmail.com. Thank you for your consideration.

Sincerely yours,



Ashley Blackington
PGSA Secretary & Donations Coordinator
ashley.blackington@gmail.com

RECEIVED
FEB 14 REC'D
CITY MANAGER
PORTSMOUTH, NH

Marathon® Sports

838 MOODY STREET
WALTHAM, MA., 02453
781.373.3000

Portsmouth City Council
1 Junkins Ave
Portsmouth, NH 03801

To whom it may concern,

Please accept this letter as a request to once again hold the Portsmouth 5K (formerly known as "Cisco Portsmouth 5K") scheduled for Sunday, May 25, 2025. This race has been around for a long time and we look forward to doing it again this year. I hope you will grant a permit, as you have done in each of the last years. We will work in concert with the City of Portsmouth Police Department and will contact them again about securing police detail for all intersections that the runners pass through. The race is expected to have 600-800 runners.

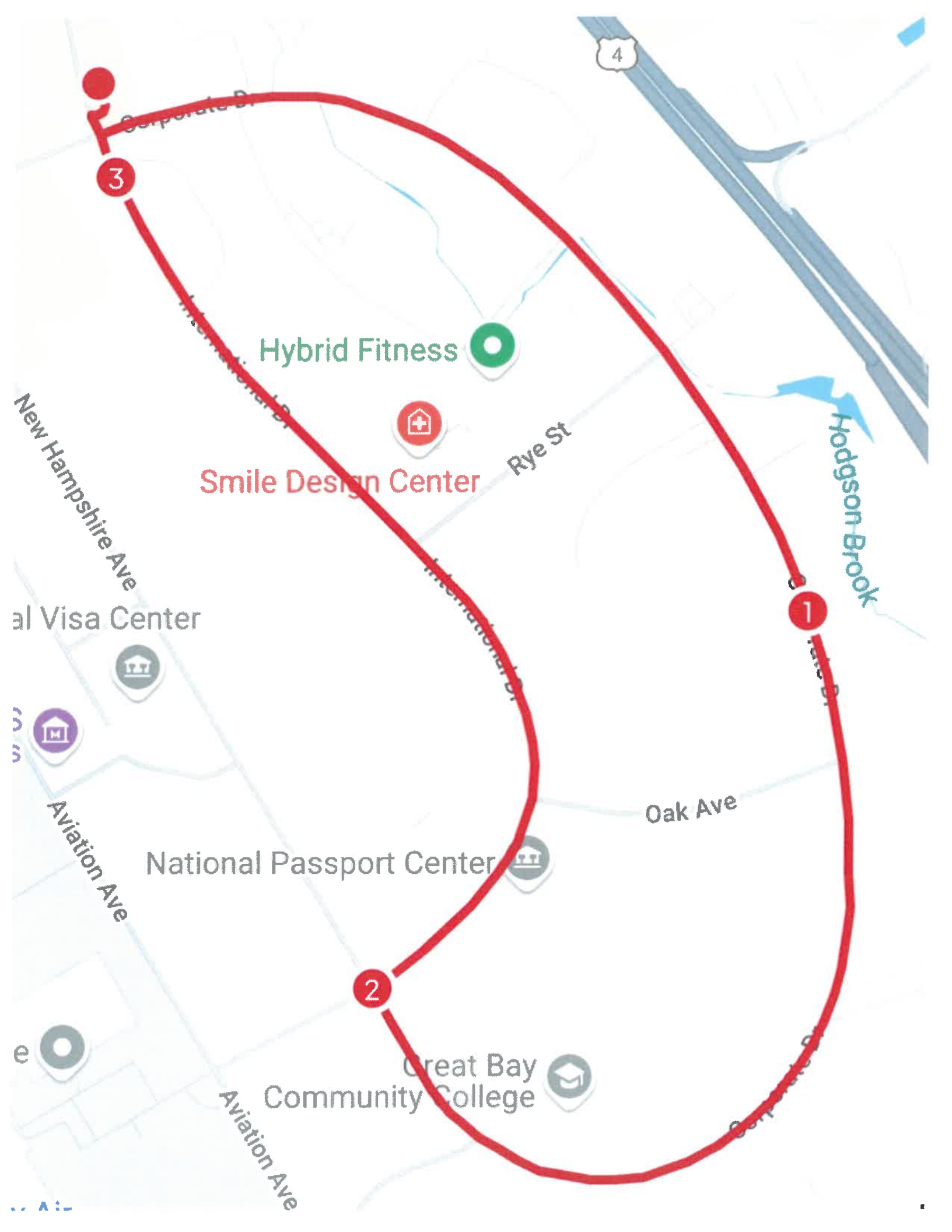
Thank you very much for your cooperation in this matter. I hope to hear from you soon.

Attached please find insurance (of which the City of Portsmouth is also named) along with a proposed route (similar to the upcoming St. Paddy's 5K course which Millennium Running is hosting at Paddy's).

Please keep me posted if you have any questions.

Thanks,

Stephen Infascelli
Marathon Sports
838 Moody Street
Waltham, MA.,
02453



4

3

Hybrid Fitness

Smile Design Center

1

Hodgson Brook

Oak Ave

National Passport Center

2

Great Bay
Community College

New Hampshire Ave

al Visa Center

Aviation Ave

Aviation Ave

... Air



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/10/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

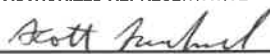
PRODUCER K&K Insurance Group, Inc. 1712 Magnavox Way Fort Wayne IN 46804	CONTACT NAME: Mass Merchandising Underwriting	
	PHONE (A/C, No, Ext): 800-426-2889	FAX (A/C, No): 260-459-5105
E-MAIL ADDRESS: info@sportsinsurance-kk.com		
PRODUCER CUSTOMER ID:		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED PORTSMOUTH 5K DBA: MARATHON SPORTS 110 KATHLEEN DRIVE PLYMOUTH, MA 02360 A Member of the Sports, Leisure & Entertainment RPG	INSURER A: AIG Specialty Insurance Company	
	INSURER B:	
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** W02913267 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			9YAPG0001334486501	05/25/2025 12:01 AM EDT	05/26/2025 12:01 AM	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea Occurrence) \$1,000,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$5,000,000 PRODUCTS - COMP/OP AGG \$1,000,000 PROFESSIONAL LIABILITY LEGAL LIAB TO PARTICIPANTS \$1,000,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY <input type="checkbox"/> NOT PROVIDED WHILE IN HAWAII						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION						EACH OCCURRENCE AGGREGATE
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/ EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A					<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT
A	MEDICAL PAYMENTS FOR PARTICIPANTS			9YAPG0001334486501	05/25/2025 12:01 AM EDT	05/26/2025 12:01 AM	PRIMARY MEDICAL EXCESS MEDICAL \$25,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Legal Liability to Participants (LLP) limit is a per occurrence limit.
 Event Name: PORTSMOUTH 5K Type of Event: Walk and Run Distance:5K
 Event Date (including ancillary events and set-up/tear-down): 5/25/2025 to 5/25/2025 Number of Participants: 600 Event Location: PADDY'S BAR & GRILLE

CERTIFICATE HOLDER Evidence of Coverage	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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Coverage is only extended to U.S. events and activities.

** NOTICE TO TEXAS INSUREDS: The Insurer for the purchasing group may not be subject to all the insurance laws and regulations of the State of Texas



Seacoast Lacrosse Club
PO Box 1540
Portsmouth, NH 03801
SeacoastLacrosse.org

February 24, 2025

RE: Temporary Signage at Portsmouth Recreation 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 2025 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 banners on the fences at the Athletic Field in the same manner that we did during the 2024 season. Last year's banners were a huge success with our sponsors and allowed us to raise over \$3,000 for our program. The banners this year would be advertisements for local businesses that have donated to the program, and contributions will be used to support the mission of Seacoast Lacrosse. We respectfully request permission to display the signs from approximately March 20, 2024 to June 30, 2024; roughly the beginning of practices to the end of the season. I've included photos of last year's banners below.



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 03801
(415) 283-5015

Warren.Widener@SeacoastLacrosse.org
SeacoastLacrosse.org

Kate Moran
Campaign Development Specialist
Leukemia & Lymphoma Society
70 Walnut Street, Suite 301
Wellesley, MA 02481
Kate.moran@lls.org
440-409-8334

02.07.2025

The Honorable Deaglan McEachern
Mayor of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor McEachern and Members of the City Council,

I hope this letter finds you well. I am writing on behalf of the Leukemia & Lymphoma Society (LLS) to formally request permission to host our annual Light The Night (LTN) event in Portsmouth, NH. In the past, we have hosted this event at Little Harbour Elementary School, but this year, we are excited to explore other possible venues, such as South Mill Pond Recreation Area, to create an inspiring and supportive environment for our community while advancing LLS's mission.

Event Details:

- **Event Name:** Light The Night
- **Date:** Saturday, October 4, 2025
- **Time:** 5:00 PM – 8:00 PM
- **Location:** South Mill Pond Recreation Area
- **Duration:** 3 hours

Participant Expectations:

We anticipate welcoming over 200 participants, including families, local businesses, and community leaders. Each participant will receive a battery-powered lantern to illuminate the evening in a symbolic display of hope and support.

Mission:

Our mission is to cure leukemia, lymphoma, Hodgkin's disease, and myeloma and improve the quality of life of patients and their families. Light The Night aims to:

- Raise awareness and critical funds for blood cancer research and patient services.
- Foster a sense of community and solidarity.
- Provide a platform for survivors, patients, and their families to share their stories and find support.

Event Activities:

- **Entertainment:** Music, a remembrance pavilion, sponsor tents, blood cancer resources, food vendors, and family-friendly activities.
- **Ceremony:** A moving program led by a community volunteer leader, featuring our honored hero and lantern holders. Lantern colors represent different experiences: white for survivors, gold in remembrance, and red for supporters. The event culminates in a collective lantern lighting and a short walk symbolizing our united fight against blood cancer.
- **Walk:** A peaceful, illuminated walk of approximately one mile through the park.

Logistics and Safety:

We are coordinating with local law enforcement and emergency services to ensure a safe and secure experience for all attendees. Trained volunteers will be stationed throughout the event space to guide and assist participants.

Request for Approval:

We respectfully request approval from the Mayor and City Council to host this impactful event at South Mill Pond Recreation Area on Saturday, October 4, 2025. This event will strengthen our community's commitment to supporting blood cancer patients and their families while fostering unity and hope.

Please feel free to contact me at 440-409-8334 or Kate.moran@lls.org with any questions or additional requirements.

Thank you for your time and consideration. We appreciate your support and look forward to bringing Light The Night to Portsmouth once again.

Warmest regards,

Kate Moran

Kate Moran
Campaign Development Specialist
Leukemia & Lymphoma Society

Phillip V. Boisvert
Second Director
New Hampshire Water Pollution Control Association
10 Tower Office Park
Woburn, MA 01801

February 21, 2025

City of Portsmouth, New Hampshire
Mayor McEachern and City Council

Subject: NHWPCA 5K Event

Dear Honorable Mayor and City Council,

On behalf of the New Hampshire Water Pollution Control Association (NHWPCA), I am writing to formally request access to Pease Development Authority property for the purpose of hosting our 5K event.

NHWPCA has been a dedicated collective of environmental and public health stewards for nearly 60 years, committed to protecting and improving water quality throughout New Hampshire. This first, of what hopes to become an annual 5K, brings together professionals, advocates, and community members to promote awareness of water pollution control while encouraging public engagement in environmental stewardship.

We kindly request permission to use the route outlined on the Pease Development Authority property on October 11th for this event. The race start time would be 9:00am with registration/bib pick up starting approximately 90 minutes before. The last runner/walker to be vacated before 11:00am. We will ensure compliance with all necessary safety, logistical, and city regulations, and we are happy to coordinate with the appropriate personnel to meet any requirements set forth by the Authority. The NHWPCA will be partnering with Millenium Running for registration of participants and time keeping purposes only.

<https://www.mapmyrun.com/routes/view/6427527313/>

Please let us know if there are any forms, permits, or additional information needed to facilitate this request. We appreciate your consideration and look forward to the opportunity to collaborate with Pease Development Authority for this meaningful event.

Thank you for your time and assistance. Please feel free to contact me at your convenience to discuss further details.

Sincerely,

Phillip V. Boisvert
Second Director
New Hampshire Water Pollution Control Association
10 Tower Office Park
Woburn, MA 01801
pvboisvert@portsmouthnh.gov
603-957-8977





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
Jeffrey Hughes
Jo Ann Klatskin
John Lamson
Jeff Musk
Jeff Nahas
Catharine Newick
George Samuels

20 February 2025

To Whom it May Concern,

We are requesting permission to conduct our 2025 Round Island Regatta event on Saturday 09 August at the Peirce Island Boat Ramp area from 10:00 AM to 3:00 PM. This event will be similar in scope to events held in previous years.

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.

Staff

Rich Clyborne
Executive Director

Amanda Komarek
Program Manager

Dani Bailey
Program Assistant

Matt Glenn
Captain

Andy Goodell
Operations Manager

Jo Maden
Event Coordinator

Michele Lechner
Accountant

Donata Luz
Development Coordinator

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

City Council Emails – February 13, 2025 – February 26, 2025

Submitted on Fri, 02/21/2025 - 08:20

Submitted by: Anonymous

Submitted values are:

First Name

William

Last Name

Davis

Email

billdavis13@yahoo.com

Address

339 Bartlett Street
Portsmouth, New Hampshire. 03801

Message

Members of the Portsmouth City Council,

As a resident of the Bartlett Street corridor, I am very appreciative of the sometimes laborious, but so far successful, progress in upgrading our street and its safety. The project has improved pedestrian navigability and helped moderate the irresponsible operation of some motorists; we look forward to increased safety benefits from the spring installation of the raised crosswalk adjacent to the playground at Pine Street as well as the raised intersection at Thornton Street. These initiatives are helping to balance the multiple roles that the Creek neighborhood serves to all of Portsmouth's citizens and visitors.

My thanks to the City's engineering staff, the contractor personnel and others involved in this project for their patience, persistence, and diligence in managing a complex set of variables over many years.

Thank you,

Bill Davis
339 Bartlett Street

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

Yes

Submitted on Fri, 02/21/2025 - 10:38

Submitted by: Anonymous

Submitted values are:

First Name

Gwen

Last Name

Guillet

Email

gwenguil@gmail.com

Address

130 Dennett St Unit 1
Portsmouth, New Hampshire. 03801

Message

Honorable Mayor and Members of the City Council,

As a retired resident of Portsmouth and a long-time member of this community, I am writing to express my strong support for the proposed school budget and my deep concern regarding the City Council's proposed decrease. While I understand the need for fiscal responsibility, I believe that cutting funding for our schools is a short-sighted decision that will have long-lasting negative consequences for our community.

I may no longer have children in the school system, but I understand that a strong public education system benefits everyone, regardless of age. Our schools are the heart of our community, shaping the future of our town and the lives of our young people. They provide not only academic instruction but also essential social and emotional development, preparing our children to become responsible and productive citizens.

I've witnessed firsthand the positive impact our schools have had on generations of students. I've seen the dedication of our teachers and staff, and I've seen the remarkable achievements of our students. The proposed budget, as I understand it, represents the necessary resources to maintain this level of excellence. Cutting these funds would jeopardize the quality of education our children receive and undermine the hard work of our educators.

I am particularly concerned about the potential impact of these cuts on special education and mental health/counseling services. These are not just line items in a budget; they represent real opportunities for our children to learn, grow, and thrive.

I urge the City Council to reconsider its position and restore the proposed funding for our schools. Investing in our children's education is not an expenditure; it is an investment in the future of our community. It is an investment that will pay dividends for generations to come. Please prioritize our

children's future and support the proposed school budget.

Sincerely,
Gwen Guillet

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

Yes

Submitted on Sun, 02/23/2025 - 20:35

Submitted by: Anonymous

Submitted values are:

First Name

Peter

Last Name

Somssich

Email

peter.somssich@gmail.com

Address

34 Swett Ave.

Portsmouth, New Hampshire. 03801

Message

I am in complete opposition to any cuts in the proposed Portsmouth School Budget which would result in serious reductions in the school staff.

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

Yes

Submitted on Wed, 02/26/2025 - 07:22

Submitted by: Anonymous

Submitted values are:

First Name

Scott

Last Name

Fales

Email

sfales@hotmail.com

Address

151 Aldrich Road
Portsmouth, New Hampshire. 03801

Message

Dear Portsmouth City Council Members,
I urge you to take immediate action to clear snow from crosswalks throughout our city. Unimpeded pedestrian access is crucial for the safety of all pedestrians. Snow-covered crosswalks force people into busy streets, increasing the risk of accidents. Prioritizing snow removal at crosswalks, is not just a convenience, but a necessity for public safety. I have generated several "Click Fix" requests to the DPW to no avail.

Sincerely,
Scott Fales
151 Aldrich Road

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

Yes

Submitted on Wed, 02/26/2025 - 16:45

Submitted by: Anonymous

Submitted values are:

First Name

Ryan

Last Name

Lewis

Email

RLEWIS@tuscanbrands.com

Address

14 MARKET SQ, TUSCAN MARKET, TUSCAN MARKET
PORTSMOUTH, New Hampshire. 03801

Message

I would like to know if there is a hearing scheduled regarding changes to the outdoor dining season for 2025. I would like to attend, and be afforded an opportunity for input if at all possible. My major concern is the curtailing of the season in recent years, with no apparent justification

Thank you

Ryan Lewis
General Manage
Napoletana Pizzeria and Bar

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

Yes

Fee Committee report to the Portsmouth City Council

Meeting of February 13, 2025

The Fee Committee met and approved 41 fee adjustments out of the more than 100 city fees. These fees comprise 2% of General Fund Revenue. By state law, fees can only be applied to cover the cost of providing the service charged.

Some highlights

- A \$150 fee to process ADU applications under the new streamlined process
- A monthly credit card option for the Indoor Pool and Spinnaker Point
- The committee rejected a doubling of fees to \$300 to remove a boot or impoundment of a vehicle for not paying violations. The committee felt this was excessive.

Café tables and chairs

The city's Sidewalk Obstruction ordinance under Chapter 9, Article V, Section 504C has charged \$75 for tables on the sidewalk and \$10 per chair. The City Council recently waived fees on such tables and chairs at The Hearth, creating inconsistency. The Governance Committee split on whether to follow this precedent. One side felt the fees were fair for all and should be charged to all; another side felt waiving fees encouraged sidewalk tables for more of the public to use and created a more vibrant downtown. This question will also recur as more downtown developments require public space. Proponents of waving the fee said this would encourage more seating on those spaces.

The Fee Committee weighed both sides. Revenue at risk is about \$8,500 per year according to staff. The Fee Committee voted to waive the fees for FY26, so long as such tables and chairs are open to use by anyone. A permit application is still required.

Because the permits for these tables and chairs go live on the city's online permit portal in April, the change can't wait for the fee schedule to be voted on in June when the budget is approved. After discussion, the Governance Committee recommended Council approval now. Hence a motion:

Sample motion: Move to eliminate the \$75 table fee and \$10 chair fee under the Sidewalk Obstruction ordinance Chapter 9, Article V, Section 504C so long as the tables and chairs are open to general use, not just patrons of the business seeking the permit.

- John Tabor, 2/25/25

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

Cc: City Manager Conard, Planning and Sustainability Director Peter Britz, City Attorney Susan Morrell

From: Councilor Tabor

2/25/25

Re: Motion to Approve Payment in Lieu Fees

Value Gap Calculations
Value Difference between Market Rate Units and Income-Controlled Units, By Target Area Median Income (AMI)

Unit	30% AMI	40% AMI	50% AMI	60% AMI	70% AMI	80% AMI	90% AMI	100% AMI	110% AMI	120% AMI	130% AMI	140% AMI	150% AMI
Studio	\$353,210	\$328,905	\$304,600	\$280,295	\$255,991	\$231,686	\$207,381	\$183,076	\$158,771	\$134,466	\$110,162	\$85,857	\$61,552
1BR	\$413,270	\$388,965	\$364,660	\$340,355	\$316,051	\$291,746	\$267,441	\$243,136	\$218,831	\$194,526	\$170,222	\$145,917	\$121,612
2BR	\$525,376	\$501,071	\$476,766	\$452,461	\$428,156	\$403,851	\$379,547	\$355,242	\$330,937	\$306,632	\$282,327	\$258,022	\$233,718
3BR	\$615,037	\$590,732	\$566,427	\$542,122	\$517,817	\$493,512	\$469,208	\$444,903	\$420,598	\$396,293	\$371,988	\$347,683	\$323,379

The Gateway Neighborhood Overlay District included a “Payment in Lieu” as one of three paths to a density bonus. Alternatively, a developer could include below-market rate units in his project per ordinance or transfer land to the city.

The city has never had a “payment in lieu” option in any of its ordinances, so it’s necessary to create a way to do this to fulfill the GNOD ordinance.

The fees a developer pays to get his density bonus would go to the city’s Housing Trust Fund. The Trust Fund’s mission is to leverage funds to preserve and expand below market housing. (A revised Housing Trust Fund document has been drafted and is coming to the council).

The Housing Committee discussed the various methods to determine a fee, researched use cases in Massachusetts and Maine, and recommended the Value Gap method, which calculates the difference between market and below market rates and applies a "capitalization rate" to convert that into a unit cost.

RKG, the city's consultant, calculated a table by studying rents and purchase prices in the city and determining a cap rate. The values need to be refreshed next year and every two years afterwards.

The Housing Committee voted to recommend approval of such a framework by the council in a unanimous vote February 13, and to also specify the fees go into the Housing Trust Fund. In addition to fulfilling the ordinance requirements, this mechanism creates a prototype/pilot of a new tool to fund below market rate housing in or out of the GNOD.

Sample motion: Move to approve the Payment in Lieu fee table recommended by the Housing Committee as shown in the packet, subject to update next year and every two years after that by the Fee Committee or City Council. Proceeds paid will go to the city’s Housing Trust Fund for the purpose of creating and preserving below market rate housing in Portsmouth.



Determining In-Lieu Fees in Inclusionary Zoning Policies

Considerations for Local Governments

Aaron Shroyer

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Inclusionary zoning policies are an increasingly popular tool for addressing affordable housing challenges, with many cities and counties adopting such policies since 2000 (Thaden and Wang 2017). But the structure and features of these policies vary. Research suggests that the features of inclusionary zoning matter and need to be tailored to local market conditions (Ramakrishnan, Treskon, and Greene 2019; Schuetz, Meltzer, and Been 2008).

Inclusionary zoning encourages or requires developers who are creating market-rate housing to set aside a percentage of the housing to be sold or rented at below-market rates. One common feature of inclusionary zoning policies is “in-lieu fees,” which developers can pay as an alternative to building on-site affordable units. (In-lieu fees are the most common name for this method of alternative compliance, but some jurisdictions might refer to this option as “buy-outs,” “opt-outs,” or “cash contributions.”) In-lieu fees are among the most hotly debated parts of inclusionary zoning, in part because little research exists on the variations in their structure and their advantages and disadvantages.

This brief has two goals. The first is to help local decisionmakers determine whether to include an in-lieu fee option in their inclusionary zoning ordinances. The second is to help local decisionmakers understand what variations of in-lieu fees exist and how to structure in-lieu fees. Based on a literature review and interviews with local government staff members, developers, nonprofit practitioners, and advocates, this brief first provides an overview of the goals of inclusionary zoning and the ways that in-lieu fees can advance or undermine those goals. It then discusses the methods that jurisdictions use to set in-lieu fees and details considerations for jurisdictions when they are setting in-lieu fees.

What Is Inclusionary Zoning?

As housing costs rise in markets across the country, local decisionmakers are looking for tools that create more affordable housing units. Inclusionary zoning enables the delivery of affordable housing in cities that have historically high housing costs or where costs are rapidly going up because of gentrification and property value increases. Andrew Trueblood, director of the Office of Planning in Washington, DC, has said that inclusionary zoning is “not the biggest program that produces affordable housing in the city, but it is the biggest program that produces affordable housing in high-cost areas.”¹

Under inclusionary zoning, developers are encouraged or required to set aside a share of the market-rate housing they’re creating to be sold or rented at below-market rates.² Inclusionary zoning leverages the private market to create housing units that are affordable to households with lower incomes while allowing development projects to produce a return on investment. For that reason, inclusionary zoning policies are more effective in areas where more development is occurring.³

Inclusionary zoning ordinances are popular with policymakers because they create affordable housing units with little to no public subsidy.⁴ A 2016 survey found that 886 jurisdictions in 25 states and the District of Columbia have inclusionary zoning programs, although nearly 90 percent of them were in New Jersey, Massachusetts, and California (Thaden and Wang 2017).

Inclusionary zoning often interacts with other tools that jurisdictions use to create affordable housing units. Some jurisdictions do not have affordability requirements for all new developments but instead require that developers create affordable units in exchange for additional density, requests to change the general land use plan, or receipt of public funding.⁵ For example, a jurisdiction might allow a developer to build at increased density in exchange for making a portion of those extra units affordable. This is often referred to as voluntary inclusionary zoning.

Goals and Characteristics of Inclusionary Zoning

This section provides an overview of inclusionary zoning before detailing how in-lieu fees relate to the goals of these policies.

Goals

Inclusionary zoning programs typically have three goals.

The first goal is to create more affordable housing units. By requiring that new developments include affordable units, inclusionary zoning policies create more affordable units than the market would have created otherwise. In some cases, jurisdictions allow developers to build the units in a different location from where the new market-rate units are being created or to buy out their obligation by paying “in-lieu” fees into a local affordable housing fund.

The second goal is to generate flexible revenue for affordable housing, primarily through in-lieu fees. Although revenue that is generated can go toward furthering the first goal of creating more units, jurisdictions often use revenue from inclusionary zoning to fund other high-priority housing needs.⁶ Interviewees said local resources for housing are increasingly scarce and susceptible to shifts in economic conditions and support from local elected officials. In-lieu fees create a dedicated, sustainable revenue source for local affordable housing trust funds. The uses of trust fund dollars vary by jurisdiction, but they can provide gap financing to produce or rehabilitate affordable housing units and fund other housing-related programs like rental assistance and capital improvements.⁷

The third goal is to create more mixed-income developments and increase affordable units in opportunity-rich neighborhoods. Recent research demonstrates the importance of place for upward economic mobility, underscoring the need for policies that address segregation (Chetty, Hendren, and Katz 2015; Turner and Gourevitch 2017). Many of the policy levers that enable households to gain access to opportunity-rich neighborhoods, such as housing vouchers and fair housing protections, rely on the federal government for funding and enforcement. Inclusionary zoning policies are one of the main levers that local governments have to create mixed-income developments without additional resources.

Characteristics

Inclusionary zoning policies can differ by jurisdiction but often share certain features. In most jurisdictions with inclusionary zoning, developments that exceed a certain square footage or number of units trigger affordability requirements. Inclusionary zoning can apply to both rental and for-sale development, as well as to both new construction and renovation. Inclusionary zoning policies often mandate that a percentage of units be affordable to households making a certain percentage of area median income (AMI). A majority of jurisdictions with inclusionary zoning require that 6 to 15 percent of a development's units be affordable (Thaden and Wang 2017). The income target typically ranges from 60 to 120 percent of AMI (Williams et al. 2016). Some jurisdictions' requirements have a sliding scale, meaning that developers can include more units affordable to a higher AMI or fewer units affordable to a lower AMI.⁸ However, inclusionary zoning rarely brings rents down to the levels needed by households with extremely low incomes, which make less than 30 percent of AMI (Brennan and Greene 2018). Inclusionary zoning policies also typically require that units be affordable long term, usually for 30 years or more (Jacobus 2015).

The affordable units often do not have to be in the same location as the market-rate units. Many jurisdictions provide the option to build the prescribed affordable units off-site. Developers either provide these off-site units directly by constructing them or indirectly by paying in-lieu fees to local housing trust funds. Off-site construction often occurs in neighborhoods where land costs are lower or where there is less opposition to new development. Off-site construction provides flexibility to developers and can increase the production of affordable housing units (Jacobus 2015).

Implementation of inclusionary zoning policies—especially those with in-lieu fee options—brings trade-offs, and some implementation options may not maximize inclusionary zoning goals. For example,

eliminating the option to pay in-lieu fees could lead to more units being created in hot markets while eliminating a key source of funding for local affordable housing programs. On the other hand, units that result from in-lieu fees are often in neighborhoods that have relatively few amenities or a concentration of affordable housing, which does not promote mixed-income developments (Jacobus 2015; Porter and Davison 2009).

The Role of In-Lieu Fees

According to the Urban Institute’s National Longitudinal Land Use Survey, approximately two-thirds of jurisdictions with inclusionary housing policies have in-lieu fees.⁹ In-lieu fees can apply to rental or for-sale developments. In-lieu fees are typically paid into a local affordable housing trust fund. How housing trust fund dollars are used often depends on local priorities, but they can go toward housing needs that inclusionary zoning would not otherwise meet. This includes building units that are not typically supplied by the market, such as those that are larger (“family-sized” units) and those for special needs populations (HR&A Advisors 2019) or households with extremely low incomes (Local Government Commission, Western Center on Law and Poverty, and California Rural Legal Assistance Foundation 2018). Revenue from in-lieu fees can vary from hundreds of thousands of dollars over a decade in smaller jurisdictions to tens of millions of dollars per decade in larger jurisdictions (Porter and Davison 2009).

Based on the goals of their inclusionary zoning policy, local decisionmakers must choose whether to allow in-lieu fees as a method of alternative compliance. If they opt to include in-lieu fees, they must set the in-lieu fees in such a way that furthers the goals of their inclusionary zoning policy. In the following section, we highlight the main arguments for and against in-lieu fees and discuss how jurisdictions calculate in-lieu fees.

Arguments for and against In-Lieu Fees

Although in-lieu fees are common features of inclusionary zoning policies, not all local advocates, practitioners, and decisionmakers are in favor of them (table 1). Proponents of in-lieu fees tout their importance as a flexible funding source, especially considering that federal funding for rental assistance has decreased in recent years. For example, the Town of Chapel Hill, North Carolina, uses its in-lieu fees for constructing or rehabilitating housing units; assisting residents with rent, mortgage, or utility payments; and providing local matches to federal affordable housing grants.¹⁰ Often, in-lieu fees are the major source of funding for local affordable housing trust funds. For example, in-lieu fees are the only source of revenue for the Chicago Low-Income Housing Trust Fund, which provides rental assistance to more than 2,000 households making under 30 percent of AMI.¹¹ In-lieu fees are also an important source of funding for affordable housing developers. And jurisdictions use the trust funds to leverage other funding sources, such as the Low-Income Housing Tax Credit (California Coalition for Rural Housing and the Non-Profit Housing Association of Northern California 2004). Some jurisdictions, including Arlington County, Virginia, report that in-lieu contributions have enabled them to build more units than would have resulted from on-site construction (Arlington County 2015).

In-lieu fees can also lead to a more streamlined development process. The option to pay in-lieu fees makes the development process faster and more predictable for developers. That is, developers can pay into a fund and proceed with construction instead of going through the potentially time-intensive community vetting process that is often associated with producing affordable units within market-rate projects (Porter and Davison 2009).

In-lieu fees can also promote discussion of local affordable housing policies. Based on interviews, staff in local housing and planning departments say that project-specific discussions around in-lieu fees allow them to have deliberate conversations with developers about affordable housing. As a result, developers better understand the jurisdiction’s affordable housing goals and how their projects relate to those goals. In addition, these staff get a better perspective on the factors that developers weigh when deciding whether to build affordable units on site or to pursue alternative compliance options.

TABLE 1
Advantages and Disadvantages of In-Lieu Fees

Advantages	Disadvantages
<ul style="list-style-type: none"> ▪ Create mechanism to fund housing units that inclusionary policies do not produce (e.g., units for households with extremely low incomes) or fund other local housing priorities ▪ Provide leverage for other funding sources ▪ Increase flexibility for developers, particularly for smaller developments ▪ Make development process more predictable ▪ Provide important source of funding for nonprofit developers 	<ul style="list-style-type: none"> ▪ May result in fewer on-site units and less mixed-income development ▪ Could lead to construction activity that reinforces patterns of segregation ▪ May result in on- or off-site units that are of lower quality

In-lieu fees also have their detractors, however. Critics see them as a loophole that allows developers to avoid contributing on-site units.¹² If in-lieu fees are set below the cost of on-site construction, for instance, developers will pay the fee instead of building new units. Although a low in-lieu fee might be the result of an obsolete formula or of developer influence in the legislative process, jurisdictions may have legitimate reasons to intentionally set a low fee. For example, if a jurisdiction’s goal is to create flexible revenue sources for affordable housing, it might set a low in-lieu fee that would help seed those funds.¹³ But in-lieu fees may undermine a jurisdiction’s inclusionary zoning policy if the primary goal is to create mixed-income developments. And the units that are eventually created from in-lieu fees might be of lower quality or built in lower-cost neighborhoods, which could reinforce historic patterns of segregation.

Calculating In-Lieu Fees

For jurisdictions with in-lieu fees, creating the in-lieu formula is the most important component of their policy. In theory, the in-lieu fee should be similar to the cost of producing a unit on site, but the in-lieu fee is typically lower than that (California Coalition for Rural Housing and the Non-Profit Housing Association of Northern California 2004). A formula that results in fees that are too high or too low can

distort the market, affect developers' decisions, and ultimately affect where and how much affordable housing is built. But in-lieu fee formulas are tricky to set. They must weigh numerous factors, including real estate market trends, construction financing, and the need for affordable housing at various income levels.

Three main methods are used to calculate in-lieu fees: the affordability gap method, the production cost method, and indexed fees based on project characteristics. These methods can apply to both rental and for-sale units. The section below highlights these methods.

Affordability Gap Method

In this approach, the in-lieu fee is the difference between the fair market price and what a low- or moderate-income household can afford (MAPC 2018). The gap is calculated per unit. For example, the calculation subtracts the maximum housing expense of an affordable unit from the market rent of an equivalent unit. To get the total amount, the per unit figure is multiplied by the number of affordable units that a developer would have been required to build. Some calculations also divide the difference by the current market capitalization rate, which measures the rate of return on total capital invested and is used to derive a present-day asset value (David Paul Rosen & Associates 2018).¹⁴

This method relies on the availability of local data. For example, jurisdictions often have access to data on market-rate sales or rental prices. Local jurisdictions also have data on affordable rents by AMI through local sources or the US Department of Housing and Urban Development.¹⁵ Where data are available, some jurisdictions adjust the fee based on the development's neighborhood or submarket (Porter and Davison 2009). Examples of jurisdictions that use this method include the City of Santa Fe, New Mexico, and the City of Santa Barbara, California.¹⁶

Production Cost Method

The affordability gap method represents the market-rate developer's perspective, while the production cost method represents the nonprofit developer's perspective.¹⁷ With the production cost method, the in-lieu fee is the difference between the cost of developing a comparable affordable unit and the income generated by an affordable unit. As with the affordability gap model, the per unit fee is multiplied by the total number of units required to determine the total cost of the in-lieu fee to the developer.

This method relies on surveys of recent affordable housing projects with similar characteristics (e.g., land, construction, and other costs), so it helps to have nonprofit developers who are willing to share information on costs of construction and rents.¹⁸ For that reason, this method is better suited for jurisdictions with a robust nonprofit development community (MAPC 2018). Like the affordability gap method, it necessitates frequent updates to ensure that the fees are accurate. For example, the inclusionary zoning regulations in the Town of Chapel Hill, North Carolina, require the town council to annually establish the dollar amount of subsidy needed to make units affordable.¹⁹

Indexed Fees Based on Project Characteristics

Other jurisdictions set fees based on the density of the project, location of the project, or whether the project meets other local priorities. With these formulas, the in-lieu fee is the product of a square foot charge and the gross floor area. In contrast to other methods that set fees on a per unit basis, this method uses a per project calculation. Examples of jurisdictions that use this method are Arlington County, Virginia, and the City of San Diego. San Diego set its rate at \$10.82 per square foot for developments with more than 10 units, and that rate is multiplied by the gross floor area of a project.²⁰ Arlington County has a similar formula, but the rates vary based on the density of the project (denser projects trigger higher in-lieu fees).²¹

Regardless of the method, some jurisdictions vary in-lieu fees by neighborhood. Boston has three fee levels based on the average cost of housing in a neighborhood.²² In some jurisdictions, the in-lieu fee can be reduced if developers provide units to the public housing authority. The City of Chicago typically has a 10 percent requirement for on-site affordable units. If developers sell or lease at least 2.5 percent of the total on-site units (25 percent of required affordable units) to the Chicago Housing Authority, the in-lieu fees are reduced by \$25,000 per remaining required unit.²³

No research has been conducted on which method of calculating in-lieu fees is more effective, in part because outcome measures vary across local contexts. For example, jurisdictions can define effectiveness in terms of affordable units built or dollars raised for affordable housing. The affordability gap method is probably the most commonly used because it is easier to understand conceptually and relies on more readily available data.²⁴ The appendix provides basic examples of how to calculate in-lieu fees using each of the three methods. It also outlines how jurisdictions might compare their in-lieu formulas with those of their peers.

Regardless of which methods jurisdictions use, they should tie the fee to regional consumer price indexes or other measures of economic conditions. By doing so, jurisdictions can help ensure that their fee structure adjusts for local markets, is predictable for developers, and remains consistent with overarching policy goals.

Guidance for Jurisdictions Considering Inclusionary Zoning and In-Lieu Fees

Effective inclusionary zoning policies must consider local development patterns, affordability needs, political feasibility, and local development capacity (MAPC 2018). Successful policies also incorporate the perspectives of all parties: city staff members, nonprofits, advocacy groups, residents, and developers. Below are some specific suggestions for communities to consider when creating or revising inclusionary zoning policies.

ASSESS WHAT THE MARKET CAN BEAR

Inclusionary zoning changes the cost of private development by using market-rate development to subsidize below-market units. Market dynamics are driven by income generated through rents or sales, construction costs, and the availability and price of land (Williams et al. 2016). If the market is not

robust, reducing rents or income received could prevent projects from penciling out. Therefore, testing what level of affordability (i.e., both percentage of units and level of AMI affordability for each unit) is feasible for the market to support and in which neighborhoods is important. One way to do this is to analyze how on-site or in-lieu requirements would have affected the financial calculations of recent development projects in the jurisdiction. These analyses can compare what percentage of affordable units recent developments could have incorporated and at what percentage of AMI. The results can guide policymakers' decisions on how to set the requirements, whether to vary by neighborhood, and whether to allow a sliding scale between units and affordability (i.e., the option to provide more units at a lower per unit subsidy or fewer units at a higher per unit subsidy).

ADJUST THE FEE TO ALIGN WITH LOCAL POLICY PRIORITIES

When setting an in-lieu fee, jurisdictions should consider whether their top priority is to build more affordable housing generally, create flexible funding for affordable housing, or create mixed-income developments.²⁵ The conventional wisdom is that in-lieu fees set below the cost to construct units on site will reduce the number of developers who will build on-site units. Jurisdictions should weigh the relative costs of compliance for developers and how the different costs would influence developers' consideration of the available options. If building more affordable units or creating mixed-income developments is the most important policy goal, jurisdictions might want to set a higher in-lieu fee to prevent developers from buying out their obligations.

CREATE AN EVIDENCE-BASED, INCLUSIVE, AND TRANSPARENT PROCESS TO BUILD CONSENSUS AND SECURE BUY-IN

In some places, the political process can dilute policies by making them more favorable to developers or other local interests. To counteract this, government staff members and elected officials should collaborate with community members to shape inclusionary zoning policies. By doing so either through a task force or similar efforts, jurisdictions can ground their decisions in available evidence, local feasibility studies, and resident and stakeholder buy-in.

CONSIDER POLITICAL CONTEXT

Local political contexts necessarily affect inclusionary zoning policies. Jurisdictions can only go as far as their councils and state legislatures let them. Nine states have preempted local governments from enacting inclusionary zoning policies.²⁶ Cities in states considering preemption might enact less stringent policies to avoid backlash that could prompt the state to remove the local authority to enact inclusionary zoning policies.

REFLECT THE AVAILABILITY OF KEY RESOURCES

Jurisdictions with other locally controlled and available financing sources can leverage in-lieu fees to produce affordable units. The ability to create such leverage depends on the capacity of local government staff members, as well as nonprofit and private partners such as community development financial institutions, who can identify opportunities and deploy other resources (Jacobus 2015). In addition, jurisdictions without much available land might prefer on-site units because they have relatively few opportunities to use in-lieu fees to build elsewhere.²⁷

ALIGN INCLUSIONARY ZONING WITH OTHER ZONING OR POLICY CHANGES

Some jurisdictions have created inclusionary zoning policies as they rezoned neighborhoods. The logic behind this is that higher densities enable the production of more affordable units. As a result, inclusionary zoning captures the increased land values created by rezoning and ensures that the benefits accrue to a greater number of residents through the provision of affordable housing (Local Government Commission, Western Center on Law and Poverty, and California Rural Legal Assistance Foundation 2018).

Conclusion

Inclusionary zoning is one tool that local governments can use to increase the production of affordable housing units, especially in areas where they are not typically delivered. Based on discussions with local policymakers and a review of the available evidence, this brief probes one component of inclusionary zoning, alternative compliance via in-lieu fees. Jurisdictions face trade-offs when they allow developers to pay in-lieu fees instead of building on-site units. In-lieu fees, if they are not set at an appropriate level, can undermine jurisdictions' affordable housing goals. To avoid potential negative outcomes, jurisdictions looking to create new inclusionary zoning policies and revise existing policies should carefully weigh factors like local market and political contexts, as well as feedback from nonprofit developers and residents.

Appendix. Calculating In-Lieu Fees and Comparing across Jurisdictions

Below are basic examples of how to calculate in-lieu fees using each of the three methods explained earlier in this brief (table 2). The results should not be interpreted as a value statement on a preferred method. Rather, they show how the calculations compare given our assumptions. For this example, the following are assumed:

- The maximum housing expense affordable to a household making the area median income is \$1,500 per month.
- The project is a 100-unit rental development with an average unit size of 1,000 square feet.
- The jurisdiction policy is that 10 percent of rental units must be affordable to those making 50 percent of AMI.
- The capitalization rate is 5 percent.
- The cost to construct one unit of housing is \$250,000.
- Monthly operating expenses (e.g., owner-paid utilities, fire insurance, and trash removal) are \$5,000 per unit per year.

TABLE 2

Comparison of Sample Projects by Calculation Method

Affordability gap method	Production cost method	Indexed based on project characteristics (using San Diego rate)
<ul style="list-style-type: none"> ▪ Rent loss per unit per month: $\\$1,500 - \\$750 = \\$750$ ▪ Rent loss per year: $\\$750 \times 12 = \\$9,000$ ▪ Rent loss divided by capitalization rate: $\\$9,000 / 0.05 = \\$180,000$ ▪ In-lieu fee per unit = $\\$180,000$ 	<ul style="list-style-type: none"> ▪ Maximum housing expense per month: $\\$750$ ▪ Operating, administrative, and maintenance expenses: $\\$5,000$ (annually); $\\$417$ (monthly) ▪ Net operating income per month: $\\$750 - \\$417 = \\$333$ ▪ Net operating income per year: $\\$333 \times 12 = \\$3,996$ ▪ Capitalized value: $\\$3,996 / 0.05 = \\$79,920$ ▪ In-lieu fee per unit: $\\$250,000 - \\$79,920 = \\$170,080$ 	<ul style="list-style-type: none"> ▪ Total square footage: $100 \text{ units} \times 1,000 \text{ sq. ft.} = 100,000 \text{ sq. ft.}$ ▪ Square footage x fee rate: $100,000 \times \\$10.82 = \\$1,082,000$ ▪ In-lieu fee per unit: $\\$1,082,000 / 10 = \\$108,200$

In addition to calculating how in-lieu fees might differ depending on the formula selected, jurisdictions might find it useful to compare their in-lieu fees and formulas with those of other jurisdictions. To do this, a jurisdiction could first create a sample project (e.g., a 100-unit development that is 100 percent residential) and then calculate in-lieu fees based on publicly available information about other jurisdictions' formulas. This would enable jurisdictions to get a sense of how the amount of in-lieu fees that result from a given project compares with amounts in peer jurisdictions. However, it is important to keep in mind that the dollar figures would reflect the jurisdictions' basic formulas and no other factors, such as density bonuses, location considerations, and negotiated payments, that can influence in-lieu fees.

Notes

- 1 Ally Schweitzer, "Bowser Calls for More Affordable Units in New Housing Developments," WAMU, January 3, 2020, <https://wamu.org/story/20/01/03/bowser-calls-for-more-affordable-units-in-new-housing-developments/>.
- 2 "Inclusionary Zoning," Local Housing Solutions, accessed November 14, 2019, <https://www.localhousingolutions.org/act/housing-policy-library/inclusionary-zoning-overview/inclusionary-zoning/>.
- 3 "Inclusionary Zoning," Local Housing Solutions.
- 4 Benjamin Schneider, "CityLab University: Inclusionary Zoning," July 17, 2018, <https://www.citylab.com/equity/2018/07/citylab-university-inclusionary-zoning/565181/>.
- 5 Schneider, "CityLab University: Inclusionary Zoning."
- 6 "Setting the In-Lieu Fee," Inclusionary Housing, accessed November 14, 2019, <https://inclusionaryhousing.org/designing-a-policy/off-site-development/in-lieu-fees/setting-the-in-lieu-fee/>.
- 7 "Affordable Housing Opportunity Fund," City of Chicago, accessed February 5, 2020, <https://www.chicago.gov/city/en/depts/doh/provdrs/developers/svcs/ahof.html>.

- ⁸ “Inclusionary Zoning Policy,” City of Atlanta, accessed January 23, 2020, <https://www.atlantaga.gov/government/departments/city-planning/office-of-housing-community-development/inclusionary-zoning-policy>.
- ⁹ “National Longitudinal Land Use Survey,” Urban Institute Data Catalog, last modified February 23, 2020, <https://datacatalog.urban.org/dataset/national-longitudinal-land-use-survey-nllus>.
- ¹⁰ “A Resolution Modifying the Guidelines of the Affordable Housing Fund,” Town of Chapel Hill, North Carolina, September 29, 2014, <https://www.townofchapelhill.org/home/showdocument?id=28455>.
- ¹¹ “Rental Subsidy Program,” Chicago Low-Income Housing Trust Fund, accessed November 14, 2019, <http://www.clihtf.org/programs-and-initiatives/rental-subsidy-program/>.
- ¹² “In-Lieu Fees,” Inclusionary Housing, accessed November 14, 2019, <https://inclusionaryhousing.org/designing-a-policy/off-site-development/in-lieu-fees/>.
- ¹³ Daniel Lauber, “How to Make Inclusionary Zoning Actually Inclusive,” Wednesday Journal, February 5, 2020, <https://www.oakpark.com/News/Articles/2-5-2019/How-to-make-inclusionary-zoning-actually-inclusive/>.
- ¹⁴ See the technical appendix to Pamela Blumenthal, Reed Jordan, Amy Clark, Ethan Handelman, and Rebekah King, “The Cost of Affordable Housing: Does It Pencil Out?” July 2016, <https://apps.urban.org/features/cost-of-affordable-housing/>; and “Implementing Affordable Housing Provisions of Station Subarea Plans: Fee-in-Lieu,” City Council agenda item, Planning and Community Development Department, City of Shoreline, Washington, July 24, 2017, <http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport072417-9a.pdf>.
- ¹⁵ See “Income and Rent Limits,” Arlington County, accessed November 14, 2019, <https://housing.arlingtonva.us/income-rent-limits/>.
- ¹⁶ See “SFHP Administrative Procedures” on “Santa Fe Homes Program,” City of Santa Fe, accessed February 5, 2020, https://www.santafenm.gov/santa_fe_homes_program; and “Appendix D, Inclusionary Housing Ordinance,” *The City of Santa Barbara’s Affordable Housing Policies and Procedures*, April 1, 2018, <https://www.santabarbaraca.gov/civicax/filebank/blobdload.aspx?BlobID=170467>.
- ¹⁷ “Implementing Affordable Housing Provisions of Station Subarea Plans: Fee-in-Lieu,” City of Shoreline, Washington.
- ¹⁸ “Implementing Affordable Housing Provisions of Station Subarea Plans: Fee-in-Lieu,” City of Shoreline, Washington.
- ¹⁹ “An Ordinance Amending the Chapel Hill Land Use Management Ordinance to Establish Inclusionary Zoning Regulations for Residential Development,” Town of Chapel Hill, North Carolina, June 21, 2010, <https://www.townofchapelhill.org/home/showdocument?id=6988>.
- ²⁰ “Requirements for Inclusionary Affordable Housing,” Information Bulletin 532, City of San Diego Development Services Department, July 2018, <https://www.sandiego.gov/sites/default/files/dsdib532.pdf>.
- ²¹ “Land Use and Zoning Tools,” Arlington County, accessed November 14, 2019, <https://housing.arlingtonva.us/development/land-use-zoning-tools/>.
- ²² “Setting the In-Lieu Fee,” Inclusionary Housing.
- ²³ “2015 Affordable Requirements Ordinance Rules & Regulations,” City of Chicago Department of Planning and Development, updated May 1, 2017, https://www.chicago.gov/content/dam/city/depts/dcd/general/housing/ARO_Rules_5-1-17.pdf.
- ²⁴ “Implementing Affordable Housing Provisions of Station Subarea Plans: Fee-in-Lieu,” City of Shoreline, Washington.
- ²⁵ “Setting the In-Lieu Fee,” Inclusionary Housing.
- ²⁶ As of early 2019. See “State Preemption of Local Equitable Housing Policies,” Local Solutions Support Center, accessed January 23, 2020, <http://www.supportdemocracy.org/equitablehousing/>.
- ²⁷ “Setting the In-Lieu Fee,” Inclusionary Housing.

References

- Arlington County, Virginia. 2015. *Affordable Housing Implementation Framework*. Arlington, VA: Arlington County.
- Brennan, Maya, and Solomon Greene. 2018. "Why Isn't There Enough Affordable Housing for the Families Who Need It Most?" Washington, DC: Urban Institute.
- California Coalition for Rural Housing and the Non-Profit Housing Association of Northern California. 2004. "Inclusionary Housing in California: 30 Years of Innovation." *NHC Affordable Housing Policy Review* 3 (1): 9–31.
- Chetty, Raj, Nathaniel Hendren, and Lawrence F. Katz. 2015. "The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Project." *American Economic Review* 106 (4).
- David Paul Rosen & Associates. 2018. *Pasadena Affordable Housing In Lieu Fee Analysis*. Pasadena, CA: City of Pasadena.
- HR&A Advisors. 2019. *New Orleans Inclusionary Housing Study*. New Orleans: City of New Orleans.
- Jacobus, Rick. 2015. *Inclusionary Housing: Creating and Maintaining Equitable Communities*. Cambridge, MA: Lincoln Institute of Land Policy.
- Local Government Commission, Western Center on Law and Poverty, and California Rural Legal Assistance Foundation. 2018. *Meeting California's Housing Needs: Best Practices for Inclusionary Housing*. Sacramento, CA: Local Government Commission.
- MAPC (Metropolitan Area Planning Council). 2018. *Inclusionary Zoning + Payment in Lieu of Units Analysis*. Boston: MAPC.
- Porter, Douglas R., and Elizabeth B. Davison. 2009. "Evaluation of In-Lieu Fees and Offsite Construction as Incentives for Affordable Housing Production." *Cityscape* 11 (2): 27–60.
- Ramakrishnan, Kriti, Mark Treskon, and Solomon Greene. 2019. "Inclusionary Zoning: What Does the Research Tell Us about the Effectiveness of Local Action?" Washington, DC: Urban Institute.
- Schuetz, Jenny, Rachel Meltzer, and Vicki Been. 2008. "The Effects of Inclusionary Zoning on Local Housing Markets: Lessons from the San Francisco, Washington DC and Suburban Boston areas." New York: New York University, Furman Center for Real Estate and Urban Policy.
- Thaden, Emily, and Ruoniu Wang. 2017. "Inclusionary Housing in the United States: Prevalence, Impact, and Practices." Working Paper WP17ET1. Cambridge, MA: Lincoln Institute of Land Policy.
- Turner, Margery Austin, and Ruth Gourevitch. 2017. "How Neighborhoods Affect the Social and Economic Mobility of Their Residents." Washington, DC: Urban Institute.
- Williams, Stockton, Ian Carlton, Lorelei Juntunen, Emily Picha, and Mike Wilkerson. 2016. *The Economics of Inclusionary Development*. Washington, DC: Urban Land Institute.

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