

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, MARCH 17, 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_pGObe9joQLaEm9y1m31dRw

6:00PM – ANTICIPATED NON-PUBLIC SESSIONS ARE BEING HELD IN CONFERENCE ROOM A
1. REGARDING RSA 91-A:3, II (c) (d) (I)

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

Portsmouth High School Student Government Day Participants

Heather Wheeler & Michelle Wheeler – Portsmouth High School Teachers



Sophie Cosgrove & Eli George, Mayor
Miles Borne & Olivia Crotto, Assistant Mayor
Jacob Mead, Councilor
Bailey Trudel, Councilor
Nathan Delaney, Councilor
Shaye McGrath, Councilor
Jackson Hooper, Councilor
Aadya Raja, Councilor
Lukas Dmytruk, Councilor
Chase Simpson & Tatum Hebert, City Manager
Hannah Williams, City Attorney
Simon Noel, City Clerk

*“When educating the minds of our youth, we must not forget to educate their hearts.”
Dalai Lama XIV*

VII. **ACCEPTANCE OF MINUTES – FEBRUARY 18, 2025** (*Sample motion – move to accept and approve the minutes of the February 18, 2025 City Council meeting*)

VIII. **RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS**

1. Public Art Review Committee (PARC) – 2024 Annual Report

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**

Third and Final Reading of Ordinances:

A. Third and Final 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 10.811.6 and 10.811.61, relating to Accessory Uses to Permitted Residential Uses of the Ordinance of the City of Portsmouth (*Sample motion – move to pass third and final of the ordinance as presented*)

B. Third and Final Reading of Ordinance amending 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 third and final 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. Easement and License for Public Deck Access Located at 99 Bow Street
2. Request for Public Hearing Regarding Fernald Easement Financing
3. Third Extension of Temporary Construction License for EightKph, LLC at 70 Maplewood Avenue
4. *Street Naming for Newberry Way
5. 2025 Seacoast Eat Local Farmers’ Market License
6. Amendment to Lease with the Players’ Ring

XII. CONSENT AGENDA

- A. Request from Ken Schmidt of Eiger Insurance Services to install a Projecting Sign at 28 Deer Street (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement for this request***)

Planning Director's Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of projecting 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. Request from John & Cari Karonis of Fair Winds Home, LLC to install a Projecting Sign at 19 Market Street (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning & Sustainability Director, and further, authorize the City Manager to execute the License Agreement for this request***)

Planning Director's Stipulations:

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of projecting 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***

- C. Letter from Jodie Tsekrekas, Cystic Fibrosis Foundation, requesting permission to hold the CF Cycle for Life on Saturday, July 12, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

- D. Letter from Russ Grazier, Portsmouth Music and Arts Center, requesting permission to have a small parade from Portsmouth's African Burying Ground to the Vaughn Mall on Friday, April 11, 2025 at Noon as part of Jazz Appreciation Month Celebrations (***Anticipated action – move to refer to the City Manager with Authority to Act***)

- E. Letter from Michelle Wall & Derrick Perreault, Red Bull Distribution Company, requesting permission to hold a charitable event “Wings for Life World Run” at Peirce Island on Sunday, May 4, 2025 at 7:00 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- F. Letter from Ken La Valley, AFSP Out of the Darkness, requesting permission to hold the Out of the Darkness Walk at Peirce Island on Saturday, September 20, 2025 at 9:00 a.m. ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- G. Letter from Curtis Hermann, New Hampshire Sons of the American Revolution, requesting permission to hold a ceremony unveiling markers at the gravesites of 5 Patriots on Saturday, September 13, 2025 *(This request reschedules the November 16, 2024 event previously approved)* ***(Anticipated action – move to refer to the City Manager with Authority to Act)***
- H. Letter from Jonathan Day, Portsmouth Halloween Parade, requesting permission to hold the 30th Portsmouth Halloween Parade on Friday, October 31st ***(Sample motion – move to refer to the City Manager with Authority to Act)***

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence ***(Sample motion – move to accept and place on file)***
- B. Request from Chris Adams for a License Agreement at 66 Coakley Road for the purposes of installing, maintaining and replacing a fence, and for ordinary yard maintenance ***(Sample motion – move to authorize the City Manager to negotiate and execute a revocable license to Chris Adams of City owned property adjacent to 66 Coakley Road for the purposes of installing, maintaining and replacing a fence, and for ordinary yard maintenance)***

XIV. MAYOR McEACHERN

- 1. Appointments to be Considered:
 - Appointment of Mandela Pruettt – Arts & Cultural Commission
 - Reappointment of Kara Anne Rodenhizer – Portsmouth Housing Authority
- 2. Resignation
 - Eva Boice – Cemetery Committee
- 3. Boards, Commissions and Committees 2024 Attendance Records

XV. CITY COUNCIL MEMBERS

A. COUNCILOR COOK

1. *Bird Flu Health Issues (*Sample motion – move to request a report back on any potential health issues posed by the bird flu in relation to geese or geese droppings located on Peirce Island or in Prescott Park*)

B. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the March 6, 2025 meeting (*Sample motion – move to accept and approve the action sheet and minutes of the March 6, 2025 Parking & Traffic Safety Committee meeting*)

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation to support the acquisition and installation of a memorial for Dinah Chase Whipple at North Cemetery from Appledore Marine Engineering LLC (The Webs Foundation) - \$1,000.00 (*Sample motion – move to accept the donation as presented*)

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. *Pease Development Authority Board Meeting 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, FEBRUARY 18, 2025

PORTSMOUTH, NH
TIME: 7:00PM

III. CALL TO ORDER

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

IV. ROLL CALL

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

ABSENT: Councilor Bagley

V. INVOCATION

Mayor McEachern requested a moment of silence in memory of Vernis Jackson who passed away on February 13, 2025.

Assistant Mayor Kelley spoke to the work that Vernis Jackson has done throughout the community and that she will continue to follow the mission of Vernis as she takes over as Chair of the African Burying Ground Committee.

VI. PLEDGE OF ALLEGIANCE

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

VII. ACCEPTANCE OF MINUTES

Assistant Mayor Kelley moved to accept and approve the minutes of the January 6, 2025 City Council meeting. Seconded by Councilor Lombardi and voted.

IX. PUBLIC COMMENT SESSION

Roy Helse asked why the valuation of commercial properties went down and the residential properties increased so much.

Esther Kennedy spoke regarding the land use review process for 35 Sherburne Road. She expressed her opposition to the Portsmouth Housing Authority not having to pay any monthly expenses while going through the land use boards. She inquired what the rent would be for the property when it has been developed.

Petra Huda spoke regarding the Sherburne property and that the City Council is here to represent the residents on this matter. She expressed frustration that the Housing Authority has no design plan for the development or Plan B in place if needed.

Jim Lee said that the city should create a Department of Government Efficiencies to look at City Hall and see if there are any efficiencies that could be established.

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

First Reading of Ordinance:

- A. First Reading of Ordinance amending Chapter 1, Administrative Code, Article IV – Commissions and Authorities, Section 1.413 – Sustainability Committee

Councilor Denton moved to pass first reading and schedule a public hearing and second reading for the March 3, 2025, City Council meeting. Seconded by Councilor Tabor.

Councilor Denton said the ordinance will clean up some of the language and change the number of student members which will help the committee meet quorum requirements. He also stated that the changes would allow for two chairs of the Committee.

Motion passed.

Public Hearing/Second Reading of Ordinance and Resolution:

- B. PUBLIC HEARING AND SECOND 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

Deputy City Attorney McCourt said the Governance Committee has recommended these amendments to the ordinance. He stated the first would make it clear that the City Council can update the fee schedule any time throughout the year and not just during the budget process.

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

Petra Huda said that this is not in compliance with Section 7.10 of the Charter. She asked why department heads and the City Manager would have responsibilities for changes. She urged the City Council to consider what they are doing when entering into settlement agreements for work force housing. She stated not conducting a public hearing regarding this change is circumventing the public process.

Esther Kennedy spoke regarding the Fee Committee and its history. She said these changes should remain under the control of the Fee Committee.

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

Councilor Cook said all changes were brought forward by our Legal Department, and we are looking at fees and not revenues.

Councilor Cook moved to pass second reading and hold third and final reading at the March 3, 2025, City Council meeting. Seconded by Councilor Blalock and voted. Councilor Denton voted opposed.

- C. PUBLIC HEARING AND ADOPTION of Resolution Authorizing Participation in the Clean Water State Revolving Fund (SRF) Loan Program of up to Twenty-Five Million One Hundred Twenty-Eight Thousand Dollars (\$25,128,000.00) for Costs Related to Pease Wastewater Treatment Facility Rehabilitation and Rescinding the amount of Twenty Million Dollars in Funds Authorized to be Borrowed for the same Purpose

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

City Engineer Fiedler said that the Resolution is a good opportunity and in the best interest of the City. He stated that the project is regulatory driven and requires infrastructure improvements. He advised the City Council that the State came to the City stating that funds were available to us and that this is a low interest loan.

Councilor Tabor asked if we are required to spend the entire amount. City Engineer Fiedler said we are not.

Councilor Lombardi moved to adopt the Resolution as presented. Seconded by Councilor Denton.

Petra Huda said that this is a great opportunity but is concerned with taking on more debt and how that will affect us long term.

City Manager Conard said the costs will be brought forward and borrowing for sewer does not affect the debt limit.

Esther Kennedy said she would like this to include the Peirce Island Plant. She asked what will happen at Pease with Lonza no longer needed use of larger amounts of water.

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

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

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Land Use Review Process for Project at 35 Sherburne Road

City Manager spoke to the content provided in the Council packet regarding this project.

Deputy City Attorney McCourt said this is being brought forward because the zoning ordinance is not clear what should be followed, and State law provides loose framework. He explained in detail how the process would be handled by the Site Review Technical Advisory Committee and the Planning Board with a recommendation back to the City Manager. He said that this process is consistent with the City Council vote on the development of the Sherburne Property.

Councilor Moreau moved to adopt the process for land use review of the project at City property located at 35 Sherburne Road as recommended by the Legal Department. Seconded by Assistant Mayor Kelley and voted.

XII. CONSENT AGENDA

- A. Request from Anna Saunders of Port Aesthetics, LLC to install a Projecting Sign at 175 Market Street Unit 103 (***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 Jenna Raizes, Portsmouth Little League, requesting permission to install temporary signage at the Plains and Hislop Fields for the 2025 baseball season (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- C. Letter from Heidi Carrington Heath, New Hampshire Outright, requesting permission to hold the 11th Portsmouth PRIDE Celebration on Saturday, June 21, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- D. Letter from Chris Maden, Portsmouth Maritime Folk Festival, requesting the following:
- Use of space in Prescott Park on Saturday, September 27th, 11:00 a.m. to 3:00 p.m., and Sunday, September 28th, 1:00 p.m. to 5:00 p.m.
 - Use of space in front of North Church
 - Motorcycle Parking Ban in Market Square on Sunday, September 28th during the festival performance times
- (***Anticipated action – move to refer to the City Manager with Authority to Act***)

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

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

A. Email Correspondence

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

B. Letter from Craig Welch, Executive Director, Portsmouth Housing Authority, requesting the City Council to waive all City permit fees for the Sherburne Property project

Councilor Blalock said he feels that this is a common request. Assistant Mayor Kelley said we have waived fees for non-profits in the past.

Councilor Tabor moved to waive the permit fees for the Sherburne Property project as requested by the City Council. Seconded by Councilor Denton.

Councilor Tabor said coming in with the lowest cost per unit could help this process more than the Court Street project.

Councilor Denton said he would like this vote to be unanimous.

Mayor McEachern agreed with Councilor Blalock and Assistant Mayor Kelley's comments.

Motion passed.

XV. CITY COUNCIL MEMBERS

A. COUNCILOR BLALOCK

1. Recreation Board Sub-Committee Report on Ice Rink Construction

Councilor Blalock said that a Sub-Committee was created to report on the possibilities of having an Ice Rink constructed in the city.

Councilor Blalock moved to suspend the rules in order to bring forward Amy-Mae Court and Scott Chaudoin to provide the Sub-Committee Report regarding Ice Rink Construction. Seconded by Councilor Denton and voted.

Ms. Court and Mr. Chaudoin spoke to the objective of the Sub-Committee, to look into the work done previously and put together an update/summary on an ice rink that can be reviewed by the Recreation Board and sent to the City Council. Ms. Court and Mr. Chaudoin both spoke about the four viable options that would need further investigation as follows:

- The City of Portsmouth could build its own indoor rink,
- The City of Portsmouth can give land to a sports complex developer. This option would require the filling in of wetlands at Community Campus,
- The City of Portsmouth can give land to a sports complex developer. This option the City would partner with the Pease Development Authority and the Air National Guard for the creation of a rink,
- A private developer builds an indoor ice rink

Ms. Court reported that the next steps would be the need to find a 5-acre piece of land to build 1 to 2 sheets of ice.

Mayor McEachern thanked Ms. Court and Mr. Chaudoin for their work and said that we will continue to look at this and it is probably unlikely that the Department of Defense would convert land for this project.

B. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of the February 6, 2025 meeting

Councilor Cook moved to approve and accept the action sheet and minutes of the February 6, 2025 Parking & Traffic Safety Committee meeting. Seconded by Councilor Denton.

Councilor Cook reported that the loading zone hours for Penhallow Street will change to 6:00 a.m. to 3:00 p.m., Mondays through Saturdays and 6:00 a.m. to 12:00 p.m. on Sundays. She also informed the Council that the Committee voted to eliminate a metered parking space at 487 State Street and add first two spaces on the south side of State Street west of Middle Street to Zone 1507. She also advised the Council that the Committee voted to renew approval of on-street parking and loading zone changes for the 2 Russell Street project contingent upon the execution of a Site Review Agreement. She stated that the changes are to take effect when parking spaces and loading zones are ready for public use and the ordinance will be amended through the annual omnibus.

Motion passed.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Approval of Grant for Cate Street Bridge Replacement Funding Agreement with NHDOT

Assistant Mayor Kelley moved to authorize the City Manager to enter into a grant agreement and any future schedule modifications with the New Hampshire Department of Transportation to take advantage of State and Federal funding opportunities for the replacement of the Cate Street Bridge. Seconded by Councilor Moreau and voted.

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Dismissal of McIntyre Lawsuit

City Manager Conard reported that last week the City received formal notification that the actions relating to the lawsuit between SOBOW and the City has been dismissed.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Taylor provided a brief update on the Housing Committee and said that the neighborhood had a lot of interests and emotions on this matter. He said that City Manager Conard decided to have the City Council make the decision on the development partner. He said that the Housing Committee recommends that the City Manager and City Attorney implement for the next City property the RFP process which could be good for the project. He informed the Council that the Housing Committee recommended POAH for the next project by an 11-1 vote.

Mayor McEachern urged residents to use the SMART 911 system when there is a snowstorm to receive all their information.

City Manager Conard reported that we are at 54% of the snow removal budget and that the recent load out of snow cost \$50,000.00.

XIX. ADJOURNMENT

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



KELLI L. BARNABY, MMC/CNHMC
CITY CLERK



Public Art Review Committee (PARC) – 2024 Annual Report

The PARC ordinance requires an annual report of proceeding and programs, including the following:

- *Potential resources in the Public Art Trust*
- *Identification of possible municipal capital projects that would benefit from inclusion of an artist in design, and*
- *Assessment of the opportunity for public art projects that advance economic development opportunities.*

Committee Membership. Chris Dwyer (chair), Nancy Pearson (secretary), Ellen Fineberg, Ernie Greenslade, Beth Hartnett, Jen Meister, Robin Lurie-Meyerkopf, Lennie Mullaney, Alyssa Murphy, Mara Witzling. City Council Liaison: Kate Cook City Hall Liaison: Sean Clancy

Foundational Work. Since its inception in Spring 2023, PARC has been active in establishing foundational work for the City’s role with public art. The committee reached full membership in February 2024 and has met at least once a month since its inception. During the initial phase, PARC has undertaken the work of setting a strong foundation for the committee’s work including the following:

- Established criteria for review of public art commissions, privately financed art subject to land use board review, gifts of art to the City, art proposed for public property, use of trust resources, and temporary art installations. Currently developing guidelines for the new Public Art and Education Trust (established by Portsmouth 400).
- Combined and updated policies, guidelines, and ordinances to streamline.
- Negotiated a process with the Planning Department to establish the role for PARC review in land use board reviews.
- Secured a \$25k recurring line item in the CIP for the public art trust.
- Developed structure and content for PARC web pages.
- Met with new Arts and Culture Commission to identify potential connections.
- Created an inventory (descriptions and photos) of the **73** public artworks in the City, now housed on the PARC web page — an expanding, work-in-progress.
- Coordinated with the African Burying Ground Blue Ribbon committee for the rehabilitation of artworks on the African Burying Ground.

Commissions

- PARC undertook its first percent-for-art commission with the Peirce Island project, engaging the public in developing themes to shape the project; developing an RFP and a list of approximately 100 contacts; vetting over 20 proposals; and selecting *Spiraling Serenity* by DiBari Associates. The project is slated for installation in Spring 2025.
- PARC is working with a middle school committee to commission artwork (from the percent-for-art program) which will be installed in late 2025.
- PARC worked in conjunction with Portsmouth400 to plan and oversee Terrence Parker's *Cod and the Mortal Sea*, an installation in the kiosk in Bohenko Gateway Park which was installed in October 2024.
- PARC has begun dialogue with representatives from the LGBTQ+ community about a public art project, initiated by the gift of \$10,000 from money raised for a PRIDE-themed artwork.

Reviews. In addition to projects under its control, PARC is also a reviewer of projects proposed to the City for which we apply the same criteria as for commissions. In all cases, PARC meets with the artist and/or proposer to understand the project, deliberates using its criteria, prepares a written summary review, and presents the review to the artist, City Council, and/or land use boards/City departments.

- At the request of the City Council, PARC reviewed the **Love Locks** that had accumulated on portions of the fence at Prescott Park along the Piscataqua River. While PARC found that Love Locks did not meet the criteria in the City's ordinance for public art, we made suggestions for re-siting the locks.
- PARC reviewed a proposed gift from **Carl Austin Hyatt**, a large format photograph of the salt piles, and recommended acceptance. The photograph will be placed in City Hall during early winter 2025.
- At the request of the City Manager, PARC reviewed a proposed artwork to be placed in Prescott Park to commemorate **Fairy House** tours and recommended a series of changes related to safety and durability. The proposers withdrew the project.
- PARC reviewed two proposed art works for **Newberry Way** being proposed by developers for renovated and new construction downtown. PARC recommended approval by the HDC along with a series of suggestions for strengthening the artworks.
- At the request of the Mayor, PARC reviewed an unsolicited proposal for a **Pollinators mural** on City-owned property for the 100-foot wall opposite the Foundry Garage. PARC responded positively to the concepts but identified a number of reservations associated with the locale.

Resources in the Public Art Trust. The trust currently includes resources for percent-for-art commissions: *Spiraling Serenity* (Peirce Island) \$140K obligated; middle school \$36K (not yet obligated); Hanover garage \$64K (not yet obligated). In addition, there is approximately \$38K with about \$12K dedicated to maintenance of public art works. PARC will strive to maintain at least a \$25K balance in the fund for maintenance.

Future Capital Projects. PARC thinks that several future and potential projects could benefit by inclusion of an artist in design. Those include: the Mechanic Street pump station; refurbishment of playgrounds, including the school sites and the South Mill Pond playground; Sherburne Housing Development; future new garage; CTE facility renovation; and Market Square master plan.

Advancing Economic Development. PARC believes that there are a few places that could benefit by different types of public art to bring greater interest to the spaces, creating identification for spaces. Those aspirational locations include: additional artwork to complete Bohenko Gateway Park; the rail trail, especially the main entry way; Langdon Park across from City Hall; entrance to Commerce Way.

That Chapter 10, ZONING ORDINANCE, be amended 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 Ordinances of the City of Portsmouth, all in order to bring the Zoning Ordinance into better alignment with the Building Code, and to increase governmental efficiency, to be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

Article 5 Dimensional and Intensity Standards

Section 10.510 General Requirements

10.515 Measurement Rules

10.515.13 Fences not over 4 feet in height shall be exempt from front yard requirements, and fences not over **8 6** feet in height shall be exempt from side and rear yard requirements.

~~10.515.14 — A mechanical system (i.e. HVAC, power generator, etc.) that is less than 36 inches above the ground level with a mounting pad not exceeding 10 square feet shall be exempt from yard requirements, but shall be set back at least 10 feet from a property line; and shall not be located closer to the street than the front of the principal structure.~~

Article 8 Supplemental Use Standards

Section 10.810 Residential and Institutional Residence of Care Uses

10.811 Accessory Uses to Permitted Residential Uses

10.811.60 Any **lot** containing one or two **dwelling units** is permitted to construct 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. Accessory structures permitted by this section shall not require any permit, and shall be generally exempt from all provisions of this ordinance except Article 10, Environmental Protection Standards, Section 10.516.30, Corner Lot Vision Obstruction, and Section 10.630 **Historic District**.

10.811.61 Swings and other playground equipment as well as above-ground prefabricated pools and hot tubs are permitted as accessory to single and two family **dwellings** and are generally exempt from all provisions of this ordinance except Article 10, Environmental Protection Standards and Section 10.516.30, Corner Lot Vision Obstruction.

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

MEMORANDUM

TO: Karen Conard, City Manager
CC: Peter Britz, Director of Planning and Sustainability
FROM: Peter Stith, Planning Manager
DATE: March 5, 2025
RE: Planning Board Recommendation on Zoning Amendments

At the February 20, 2025 meeting, the Planning Board considered the draft zoning amendments referred by the City Council.

The Planning Board voted to recommend removal of Section 10.515.14 relating to setbacks for mechanical systems and to not approve the other proposed amendments. Because of repetitive applications to the Board of Adjustment that are routinely approved for mechanical systems under Section 10.515.14, the Board agreed that this section should be removed from the Ordinance.

The Board felt the current regulations for fences should not be changed. The current building permit exemption for fences is 7 feet and under, therefore an 8-foot fence would require a building permit. The Board felt 8-foot fences in tight neighborhoods could block light and air for abutting properties. The Board discussed the importance of input from abutters through a public process if a property owner wanted a taller fence.

The Board's discussion around new Sections 10.811.60 and .61 included the same concerns about abutter input and preservation of light and air that setbacks provide. The Board discussed the importance of including accessory structures in the calculation of building coverage for drainage and open space. Setbacks provide buffers between adjacent properties and placing sheds on lot lines could create a similar effect of taller fences. If adopted, adjacent owners could place sheds essentially touching, which could create fire hazards currently not present with normal setbacks. In addition, a "playhouse" can easily become a tool shed, workshop or other similar structure, which could create an enforcement problem trying to keep track. The small lots on most of the City do not fit with this level of permissive building, especially since all that is actually required is a quick check-in with staff to determine compliance.

The information below was included in the staff memo for the Planning Board relating to existing code sections in the Zoning Ordinance that regulate accessory structures:

Section 10.570 (below) outlines requirements for accessory structures including prohibiting them from being located in a front yard or closer to the street than a principal structure. Proposed Sections 10.811.60 and 10.811.61 would allow accessory structures to be placed in the

front yard and in front of a principal structure.

Section 10.573 provides setback requirements for certain sized accessory structures based on square footage and height. Specifically, Section 10.573.10 requires a 5-foot setback for an accessory structure up to 100 square feet and less than 10 feet in height. If larger than 100 square feet or taller than 10 feet, the setback is based on the height of the structure or the required setback, whichever is less, as outlined in Section 10.573.20.

Section 10.574 requires accessory structures to be included in the building coverage calculation for a lot. The proposed amendments would remove this requirement for an accessory structure up to 120 square feet.

Section 10.570		Accessory Buildings, Structures and Uses
10.571	No accessory building, structure or use shall be located in any required front yard , or closer to a street than the principal building .	
10.572	In a Character, Business or Industrial district, all accessory buildings and structures shall conform to the side yard and rear yard requirements of the applicable zoning district.	
10.573	In a Residential or Mixed Residential district, an accessory building or structure may be located in a required side yard or rear yard subject to the following: 10.573.10 An accessory building or structure not more than 10 feet in height and not more than 100 square feet in area shall be set back at least 5 feet from any lot line . 10.573.20 An accessory building or structure more than 10 feet in height or more than 100 square feet in area shall be set back from any lot line at least the height of the building or the applicable yard requirement, whichever is less.	
10.574	All accessory buildings and structures shall be included in the computation of building coverage .	

In general, the Planning Department does not regulate swings or playground equipment, above ground temporary pools or even tree houses¹ and historically would consider these to fall under Section 10.811.50 and treat them as structures customarily associated with a residential use. Hot tubs have been treated as accessory structures and typically adhere to the 5-foot setback requirement under 10.573.10.

¹ There was a recent instance where a large treehouse was constructed and enforcement action was taken, however it was a substantial structure with footings. The structure was reduced in height and size and was allowed to remain.

10.811.50 Other **accessory uses** and **accessory structures**, may be permitted if the **Code Official** determines that such **uses** or **structures** are customarily associated with and subordinate to a principal **permitted use**.

Allowing a 120 square foot shed anywhere on a lot without having to abide by setbacks, building coverage could create a situation where four properties connect and each lot has a 120 square foot shed on the corner of the lot with no space between the structures. Alternatively, sheds could be placed in the front yard on the front lot line, which would detract from the character of many neighborhoods throughout Portsmouth.

Planning Board Recommendation:

Recommend the City Council remove Section 10.515.14 as proposed and to not recommend approval of the other proposed amendments.

Existing Historic District Boundary:



Proposed Historic District Boundary:





Karen S. Conard
City Manager

CITY OF PORTSMOUTH

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

Date: March 13, 2025

To: Honorable Mayor McEachern and City Council Members

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

Re: City Manager's Comments on City Council Agenda of March 17, 2025

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

- A. **Third and Final 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 10.811.6 and 10.811.61, relating to Accessory Uses to Permitted Residential Uses of the Ordinance of the City of Portsmouth:**

Attached please find a memorandum detailing the Planning Board's consideration of the proposed ordinance.

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

- B. **Third and Final 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.

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. Easement and License for Public Deck Access Located at 99 Bow Street:

At its regularly scheduled meeting on March 21, 2024, the Planning Board granted Site Plan approval to Martingale LLC (Martingale), permitting the expansion of the existing deck to include expanded seating for the business as well as public access to the Piscataqua River. The Planning Board conditioned approval on Martingale conveying an easement to the City for public access through the building to the public deck, and that public access “run with the land.”

[Attached is a Quitclaim Deed of Easement and License for Public Access](#) from Martingale to the City which conforms with the Planning Board condition. The deck is over the Piscataqua River, and therefore the underlying fee interest is held by the State of New Hampshire. Martingale has a permit from the State to construct the deck and therefore can only convey to the City a license for public access over the Piscataqua River. Martingale will convey the City an easement providing public access, sufficient to meet ADA requirements, through the existing building. [The easement and license areas are depicted on the attached easement plan.](#)

If modifications are ever made to the building, Martingale has the obligation to continue to provide public access sufficient to comply with ADA requirements, subject to reasonable modifications if agreed to by the City.

The Legal and Planning Departments have reviewed [the attached License and Easement Deed](#), and recommend the City accept this document in its present form.

I recommend that the City Council authorize the City Manager to accept and approve a Quitclaim Deed of Easement and License for Public Access in substantially similar form to the Deed from Martingale, LLC contained in the agenda packet.

2. Request for Public Hearing Regarding Fernald Easement Financing:

On July 10, 2023, the City Council authorized a supplemental appropriation from the Water fund’s unrestricted net position, a grant from the NH Drinking Water and Groundwater Trust Fund (NHDWGTF), and a grant from the NHDES Local Source Water Protection Program (LSWPP) for the purchase of a conservation easement on the Fernald Property to protect the Bellamy Reservoir water quality.

The easement is on a 44.6-acre parcel abutting the Bellamy Reservoir near the surface water intake structure that supplies the Portsmouth water treatment facility. This easement is extremely valuable for the protection of the water quality and has support from state, federal, and local agencies and organizations.

In 2024, a grant for \$714,000 was awarded for this project from Senator Shaheen’s Congressionally Directed Spending funds. This grant along with \$739,000 from the NHDWGTF, and \$25,000 from the LSWPP is anticipated to cover the entire cost of the easement.

Due to the timing of the disbursement of these grant funds and the uncertainty of the Congressionally Directed Spending grant, [City staff staff recommend obtaining bonding authorization up to \\$1,478,000](#) from the City Council to borrow for this expenditure, if necessary, up to the purchase cost.

I recommend that the City Council move to schedule a public hearing during the April 7, 2025 City Council meeting to consider bonding of up to \$1,478,000 to allow for the purchase of the Fernald Easement prior to or in lieu of the disbursement of grant funds.

3. Third Extension of Temporary Construction License for EightKPH, LLC at 70 Maplewood Avenue:

EightKph, LLC, (“Owner”) is making improvements to property it owns at 70 Maplewood Avenue, shown on the City of Portsmouth’s Assessor’s Map as Tax Map 125, Lot 17-3 (“Property”). The Owner is constructing a 4-story mixed-use building with a penthouse, commercial space and 14 residential units. In order to construct the foundation, install conduit under the sidewalk and maintain safe buffer zones for the public, the Owner sought a license to encumber the sidewalks that abut the Property along Maplewood Avenue and Deer Street. The City Council granted the Owner’s license request on December 18, 2023 for 180 days (1/11/24 – 7/8/24), the first extension on June 17, 2024 for 150 days (7/9/24 – 12/5/24), and the second extension on November 18, 2024 for 117 days (12/6/24 – 4/1/2025).

The Owner's second extension expires on April 1, 2025. The Owner has requested a third license extension for 60 days (April 2, 2025 through May 31, 2025) for reasons [outlined in the Owner's March 10, 2025 letter included in the packet](#). The extension is needed in order to complete the subsurface work on the sidewalks once the asphalt plants reopen. In addition, the freezing temperatures have delayed washing and caulking the brick and completing the balcony railings and trim. The License Area is the same as the original request and is depicted in the area outlined in [the Exhibit attached to the Third License Extension](#).

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 1,722 square feet of sidewalk for a fee of \$86.10 per day x 60 days for a total License Fee of \$5,166.

Not only have the Legal, Planning and Public Works Departments reviewed and approved the form of [the attached License extension](#), but it should also be noted that the Owner has actively participated in weekly meetings and cooperated with staff and abutting construction projects managers throughout the term of the license and all extensions.

If the City Council agrees to grant the Third License Extension to encumber the sidewalks along Maplewood Avenue and Deer Street for property located at 70 Maplewood Avenue, an appropriate motion would be:

I recommend that the City Council move to authorize the City Manager to execute and accept the Third License Extension to encumber the sidewalks along Maplewood Avenue and Deer Street that abut 70 Maplewood Avenue as requested.

4. **Street Naming for Newberry Way:**

Haven Court in the City of Portsmouth has been transferred to One Market Square, LLC. The principal, Mark McNabb, has requested the name of the street from High Street to Fleet Street be changed from Haven Court to Newberry Way. The new street name is in acknowledgement of the JJ Newberry Department store which existed in the building along this corridor. While this is a private street, the City has easements for public access, installation of underground utilities, and maintenance of the High Hanover Garage over the entirety of Haven Court from Fleet Street to High Street.



The Department of Public Works has reviewed the request of Newberry Way with the State e911 Police Dispatch and Fire Department, and they have no objection to the name. Additionally, there are no duplicate names in this zip code.

I recommend that the City Council move to authorize the use of Newberry Way as the private street name for the street between High Street and Fleet Street formerly named Haven Court.

5. **2025 Seacoast Eat Local Farmers’ Market License:**

Attached for the Council’s consideration is the Seacoast Eat Local (SEL) License Agreement with the City for the 2025 Farmers’ Market. This will be the 29th season of the Farmers’ Market’s operation in the City, and during that time the Market has become a highly anticipated and well-attended annual event for City residents. This year’s Agreement is in substantially similar form to the License Agreement from 2024.

I recommend that the City Council move to authorize the City Manager to execute the License Agreement as presented, allowing SEL to operate a Farmers’ Market at the Municipal Complex on Saturday mornings from May 3, 2025, through October 25, 2025, and that the City Manager is further authorized to negotiate and execute any amendment to the Agreement that she deems consistent with its purpose.

6. **Amendment to Lease with the Players’ Ring:**

On September 3, 2013 the City Council approved a ten-year lease with the Players’ Ring to lease property located at 105 Marcy Street, Portsmouth, New Hampshire (Tax Map 104, Lot 3) and the building formerly known of as the Heritage Museum (“Property”). On October 28, 2019, the City Council approved a 5-year Stewardship Agreement with the City, the Players’ Ring and the State’s Land and Community Heritage Investment Program (“LCHIP”) in order to receive grant money to fund improvements to some historic features of the Heritage Museum. The Council also voted to extend the lease term to January 3, 2025 in order to match the end date of the LCHIP Agreement. This vote was memorialized in Lease Amendment 1, which also permitted the Players’ Ring to sublease to a summer camp by Council vote of June 15, 2020.

The existing lease, like many other similar leases of City property to nonprofits, obligates the Players’ Ring to pay for and construct certain capital improvements in accordance with a strict schedule mutually devised and agreed upon by the City and the Players’ Ring. The capital improvements under the existing lease have been completed. The City and the Players’ Ring are presently negotiating the scope and nature of the next series of capital improvements that will be included in the schedule of a new lease. On December 16, 2024 the City Council approved extending the lease term through March 31, 2025 by approving Lease Amendment 2 to negotiate a new lease and create a new schedule of capital improvements for the “Property.”

The creation of this schedule is complicated due to the challenges associated with adjacent properties and infrastructure needs associated with implementation of Prescott Park’s Master Plan. The City and the Players’ Ring agree that another three-month extension is needed in order to create the schedule of capital improvements and seek Council’s approval of Lease Amendment 3 that would extend the term through June 30, 2025.

I recommend that the City Council move to authorize the City Manager to negotiate and enter into Lease Amendment 3 with the Players’ Ring in [a form similar to the attached](#).

XII. Consent Agenda:

A. **Projecting Sign Application at 28 Deer Street:**

Permission is being sought to install a [projecting sign at 28 Deer Street](#) that extends over the public right of way, as follows:

Sign dimensions: 24” x 36”

Sign area: 6 sq. ft.

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

- 1) *The license shall be approved by the Legal Department as to content and form;*
- 2) *Any removal or relocation of the sign(s), for any reason, shall be done at no cost to the City; and*
- 3) *Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the sign(s), 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. Projecting Sign Application at 19 Market Street:

Permission is being sought to install a [projecting sign at 19 Market Street](#) that extends over the public right of way, as follows:

Sign dimensions: 26” x 26”

Sign area: 4.69 sq. ft.

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

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

XVI. Approval of Grants/Donations:

A. Acceptance of Donation for North Cemetery Memorial - \$1,000:

[Attached please find a donation form in recognition of a donation from Appledore Marine Engineering \(acting through the Webs Foundation\) in the amount of \\$1,000 to support the acquisition and installation of a memorial for Dinah Chase Whipple at North Cemetery.](#)

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

XVII. City Manager's Informational Items:

1. **Pease Development Authority Board Meeting Update:**

I will provide a verbal update regarding the Pease Development Authority Board Meeting that occurred on March 11th.

RETURN TO:
City Attorney
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

This conveyance is exempt from the NH Real Estate Transfer Tax pursuant to RSA 78-B:2 I. This transfer is also exempt from the LCHIP surcharge pursuant to RSA 478:17-g II (a).

QUITCLAIM DEED OF EASEMENT AND LICENSE FOR PUBLIC ACCESS

KNOW ALL PERSONS BY THESE PRESENTS that **MARTINGALE, LLC**, a New Hampshire limited liability company, having an address of 10 Pleasant Street, Suite 300, Portsmouth, Rockingham County, New Hampshire 03801 (hereinafter the “Grantor”) for valuable consideration paid by the City of Portsmouth, New Hampshire, the receipt of which is hereby acknowledged by the Grantor, does hereby sell, grant, and convey unto the **CITY OF PORTSMOUTH**, a municipal corporation with principal business address of 1 Junkins Avenue, Portsmouth, Rockingham County, New Hampshire 03801 (hereinafter the “City”), with quitclaim covenants, perpetual Easements for Public Access to a Public Access Deck (as defined below) located over the Piscataqua River.

WHEREAS, Grantor is the owner of a certain parcel of land situated at 99 Bow Street, Portsmouth, Rockingham County, New Hampshire 03801 (Tax Map 106 as Lot 54), being land and buildings owned by the Grantor located conveyed to the Grantor by virtue of confirmatory quitclaim deed dated October 27, 2017, recorded at the Rockingham County Registry of Deeds at Book 5868, Page 2627 (hereinafter the “Premises”);

WHEREAS, Grantor will construct and install a new deck for the purposes of public use and access at the rear of the Premises located over the Piscataqua River, including all necessary attachments and fixtures thereto shown as the “public overlook deck” on the plans referenced herein (hereinafter the “Public Access Deck”) in accordance with the plans and specifications drawn by Ambit Engineering entitled, “Public Access Improvements Bow Street Portsmouth, NH, Sheet C2 – NHDES Permit Plan” as amended December 20, 2021, and “Martingale Wharf Deck Expansion, Sheets A8 and A9” dated April 7, 2022 as drawn by McHenry Architecture, submitted as Site Plan Application LU-24-21, as approved by the City’s Planning Board on March 21, 2024 (hereinafter the “Approved Site Plan”);

WHEREAS, Grantor and the City desire to provide permanent public access for the use and enjoyment of the Public Access Deck, upon Grantor’s completion of construction and installation thereof in strict accordance with the Approved Site Plan, and subject to the terms of this agreement; and

WHEREAS, in connection therewith, Grantor has agreed to grant to the City an easement over, across and through its building and over and across the Premises for the purpose of providing American with Disabilities Act (“ADA”) compliant access for the public to the Public Access Deck, herein including Paragraph 6 below, on the portion of the Premises as shown on the Plan (as hereinafter defined) as “Easement #1” containing 273 square feet (the “Easement Area”), on the plan entitled, “EASEMENT PLAN – 99 BOW STREET, PORTSMOUTH, NH, Tax Map 106, Lot 54, Prepared for Martingale, LLC, Land of: Martingale, LLC”, prepared by James Verra and Associates, dated October 9, 2024, recorded herewith and incorporated herein as attached Exhibit A (the “Plan”), subject to the terms and conditions of this Agreement.

WHEREAS, the Grantor grants to the City a License for the purpose of public access over and across the area shown on the Plan as “Easement #2” containing 597 square feet the License Area (as hereinafter defined), subject to the terms and conditions of this Agreement.

NOW THEREFORE, for consideration of one dollar (\$1.00) and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, and for the mutual covenants contained herein, the Grantor and the City hereby agree as follows:

1. The Grantor will construct and install the Public Access Deck in strict accordance with the Approved Site Plan. Any modification to the Public Access Deck within the Easement Area and License Area after completion of construction of the Public Access Deck and Premises in accordance with the Approved Site Plan, is subject to approval as a Site Plan Amendment, which may be approved by the Planning Board or the Planning Director, as defined by the City’s then-current Site Plan Regulations. Any modification to the terms and conditions of this easement and license agreement, or any modifications to the location of the Easement Area and License Area, may only be made by mutual consent of the Parties. If an amendment to the location of the Easement and License Area requires a building permit or site-plan amendment, it shall be made by the mutual assent of the Grantor and Planning Board; however, all other amendments to the location shall be made by the mutual assent of the Grantor and City Manager, such consent in both cases shall not be unreasonable delayed or conditioned. If either the Planning Board or City Manager does not act on a request for amendment to the location within ninety (90) days, it shall be deemed approved. Subsequent amendments to the location or relocation of the Easement Area or License Area shall not otherwise alter or amend the terms of this agreement.
2. Grantor grants to the City, its successors and assigns, the perpetual, non-exclusive right, and easement for the public to cross over and upon the Premises of the Grantor for the purposes of use and enjoyment of the Public Access Deck over the Piscataqua River through Easement # 1, subject to Paragraph 6 below.

The use and enjoyment of the Public Access Deck shall be limited to temporary use by the City and members of the public for viewing, sitting, congregating or

otherwise accessing the Public Access Deck; however, no permanent use or occupancy of the Public Access Deck or Easement # 1 is permitted, as well as no fishing, no docking boats, no docking or launching of any Class A boats, no open fires, no camping, no playing of music or any other amplified sound systems and no overnight stays are permitted on the Public Access Deck or upon the Grantors building and Premises.

3. Grantor grants to the City, its successors and assigns, the perpetual, non-exclusive right and license for the public to pass through its building, access the elevator, hallways, exits and entrances, as may be necessary, to provide accessible access through the Premises for the purposes of access to, use and enjoyment of the Public Access Deck, (as shown on the Plan over the Piscataqua River) as Easement # 2 (the "License Area"), subject to Paragraph 6 below.

The use and enjoyment of the right to pass through the building, use of the elevator, hallways, exits and entrances of the Premises shall be permitted from 9:00 a.m. to 9:00 p.m., 365 days per year, 7 days per week to the Easement Area and License Area. Upon emergencies, inclement weather, or other similar conditions beyond the control of the Grantor (hereinafter an "Emergency"), the Grantor is permitted to temporarily restrict access to the Easement Area and License Area and the Public Deck Area (hereinafter an "Emergency Closure"). The Grantor shall provide notice to the City of any emergency closure as soon as practicable, and shall provide prominent postings adjacent to the impacted areas to notify the public of any Emergency Closure. The duration of any Emergency Closure to the License Area shall be limited, to the extent possible, to the duration of the Emergency. Neither the Grantor nor the City shall cause any temporary or permanent obstructions of Easement Area and License Area.

4. The City and public shall have no right to alter, amend, change, or make excavations through, over or above the surface or subsurface of the Easement Area or License Area.
5. Grantor reserves the right, and the right to grant others the right, to use the Easement Area and License Area (including above the surface, over the surface, and subsurface thereof) for any legal purpose whatsoever, and the right to pass over the Easement Area and License Area, provided that such use shall not unreasonably interfere with the rights granted to the City and public herein.
6. Grantor reserves the right, and the right to grant others the right, to use the surface area of the Easement Area and License Area for means of egress and ingress to its Premises, cross over the Easement Area, License Area and Public Access Deck to access its Premises, the same as the public's access to abutting roadways, walkways, sidewalks, decks, and other similar improvements. Grantor shall be permitted to utilize the Easement Area, License Area and Public Access Deck, upon

completion of construction in accordance with the Approved Site Plan, subject to the terms and conditions, as approved by the City of Portsmouth Planning Board on March 21, 2024 and consistent with the use authorized by the New Hampshire Department of Environmental Services, Wetlands Bureau Permit #2021-02150, approved by the Governor and Council on November 29, 2023.

7. **Relocation of Easement Areas:**

A. Grantor and Grantee mutually agree to permit the Grantor to alter or amend the Buildings and/or the Premises, specifically with respect to the use and access of the public deck through Easement #1, if there is any change in use or reconstruction that may require temporary or permanent disruption, relocation or change in the use of Easement #1, subject to reasonable approval of the Planning Board (if it requires a building permit or change in use) or City Manager (if no building permit or use is required) and the Grantor. If either the Planning Board or City Manager does not act on a request for amendment within ninety (90) days, it shall be deemed approved.

B. Grantor and Grantee mutually agree to permit the Grantor to alter, amend, relocate, or reconstruct the License Area shown as Easement #2 throughout the Building and/or the Premises, in the event of a change in use, tenancy, or change in the International Building Codes, zoning ordinances, or laws necessitate such an amendment. If any such amendment requires a building permit or use change, said amendment of the relocation shall be mutually agreed between the Grantor and Planning Board or Planning Director. Any other such amendment(s) to the License Area, that does not require a building permit or change in use shall be mutually agreed between the Grantor and City Manager, and shall provide access to the public through and over the License Area shown as Easement #2. Therefore, the City shall not unreasonably withhold or delay permission for the Grantor to relocate access consistent with this paragraph. If either the Planning Board or City Manager does not act on a request for amendment within ninety (90) days, it shall be deemed approved.

8. Grantor shall indemnify and hold harmless the City against and from all expenses, liabilities, obligations, damages, penalties, claims, actions, and costs (including reasonable attorneys' fees) paid in connection with loss of life, bodily injury, damage to property or noncompliance with Laws:

- (i) caused by the exercise of the Grantor's rights or obligations hereunder by the Grantor or its agents, contractors, or employees, or
- (ii) caused by the Grantor's failure to perform any obligation under this Agreement, unless with respect to either subclause (i) or (ii) above, such expense, liability, obligation, damage, penalty, claim, action or cost is caused by the willful misconduct or negligent act or omission

of the City or any of its agents, contractors or employees, or invitees or by the City's failure to perform any of its obligations under this Agreement. In no event shall an Grantor be liable hereunder for any consequential, punitive, special, or speculative damages.

9. The rights, liabilities, agreements and obligations herein granted and set forth shall inure to the benefit of, and be binding upon the respective successors, assigns, representatives, transferees and mortgagees of the Grantor and the City, as applicable, and upon all other persons claiming by, through or under Grantor or the City, respectively.

Notwithstanding any provision herein to the contrary, in no event shall any partner, trustee, members of any governing boards, principal, officer, director, shareholder, member, manager, equity owner, employee or agent of Grantor or the City incur any personal liability for any of the liabilities or obligations of the parties hereunder, and no personal judgment shall be sought, levied, or enforced against any such party individually. No holder of a mortgage on the Premises or any portion thereof shall have any liability hereunder unless and until it takes title to the Premises and such liability shall be strictly limited to such holder's interest in the Premises.

10. This Agreement contains the entire agreement of the parties with respect to the Easement. This Agreement may be amended only in writing, signed by duly authorized representatives of the Grantor and City.
11. This Agreement is to become effective when recorded at the Rockingham County Registry of Deeds.
12. Whenever, by the terms of this instrument, notices may or are to be given either to Grantor or the City, such notices shall be deemed to have been given if in writing and either delivered by hand or by United States first class mail, or by certified or registered mail (return receipt requested), if intended for the Grantor to:

Martingale LLC
10 Pleasant Street, Suite 300
Portsmouth, NH 03801
ATTN: Mark A. McNabb, Manager

and if intended for the City to:

City of Portsmouth
City Hall
1 Junkins Avenue
Portsmouth, NH 03801
ATTN: Karen Conard, City Manager

or to such other address or addresses as may be specified by any of the parties to the other by like notice.

13. The foregoing grant of easement is made subject to all rights, easements, agreements, covenants, restrictions, and other matters of record, if any, as far as the same are now in force, applicable, and recorded with the Registry.
14. This Agreement shall be governed in accordance with the laws of the State of New Hampshire, without regard to principles of conflicts of laws. The parties hereby waive any right to trial by jury in connection with any action or proceeding arising hereunder. All actions arising under this Agreement shall be heard by a court of competent jurisdiction sitting in Rockingham County, New Hampshire. This Agreement may be executed in counterparts. All such counterparts shall be deemed to be originals and together shall constitute but one and the same instrument.

Signed this _____ day of _____, 2025.

GRANTOR:
MARTINGALE, LLC,

By: _____
Mark A. McNabb, its Manager
Duly Authorized

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this ___ day of _____, 2025, before me personally appeared the above-named Mark A. McNabb, Manager of Martingale, LLC known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged the same to be his free act and deed for the purposes contained therein on.

Notary Public / Justice of the Peace
Print Name:
My Commission Expires:

CITY OF PORTSMOUTH

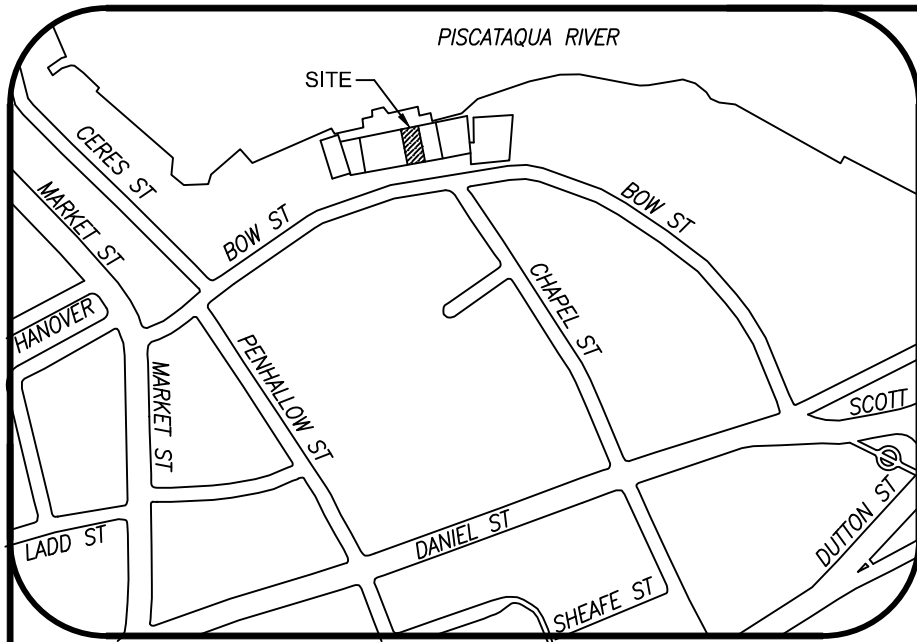
By: _____
Karen Conard, City Manager

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this ____ day of _____, 2025, before me personally appeared the above-named Karen Conard, duly authorized, City Manager of the City of Portsmouth, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged the same to be her free act and deed for the purposes contained therein on behalf of the City of Portsmouth.

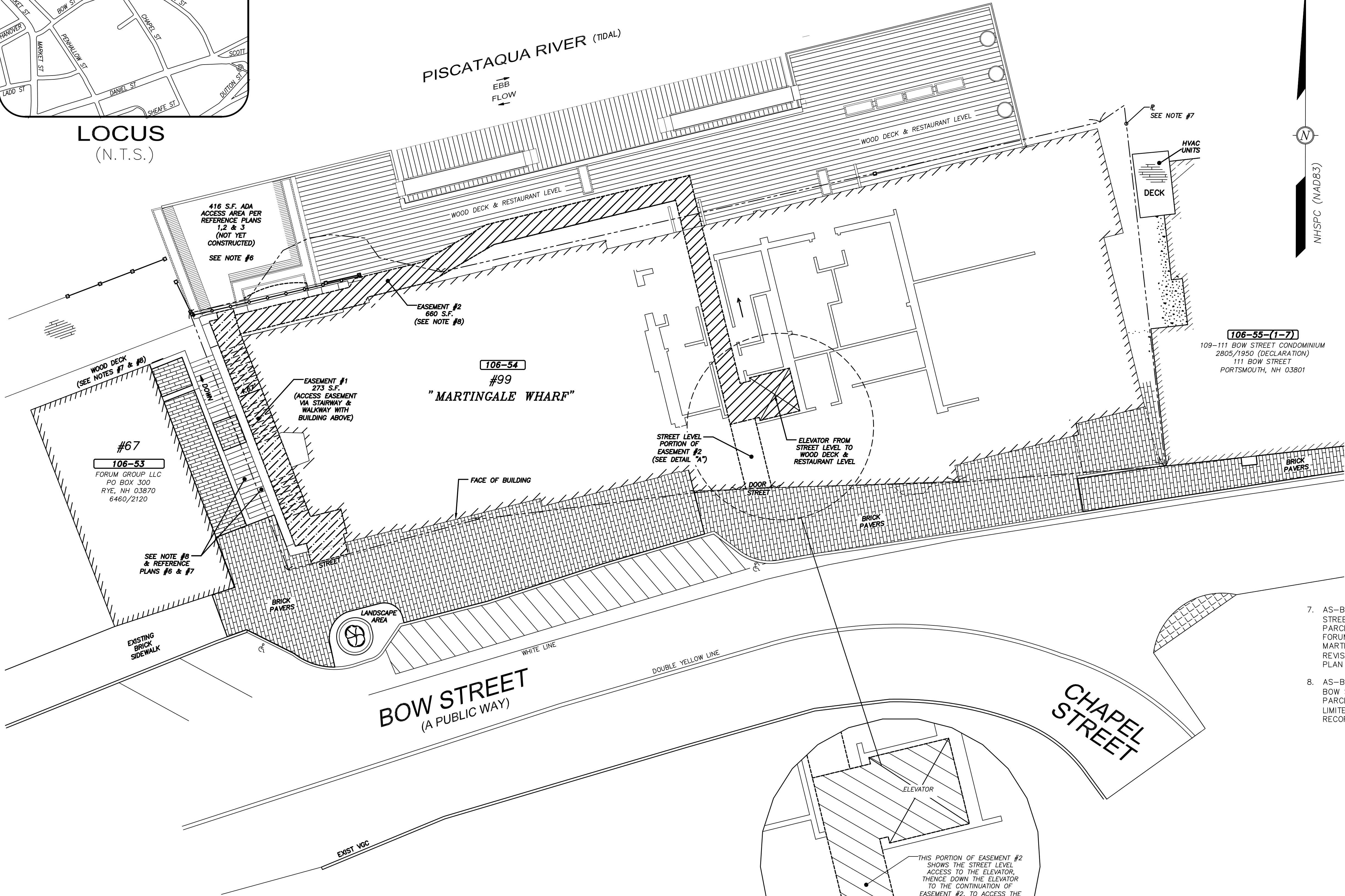
Notary Public / Justice of the Peace
Print Name:
My Commission Expires:

EXHIBIT A



LOCUS
(N.T.S.)

PISCATAQUA RIVER (TIDAL)
EBB FLOW

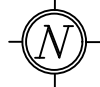


NOTES:

- OWNER OF RECORD: MARTINGALE, LLC
ADDRESS: 10 PLEASANT STREET, SUITE 300, PORTSMOUTH, NH 03801
DEED REFERENCE: BK: 5868 PG: 2627
TAX MAP 106 LOT 54
- ZONED: CD5 (CHARACTER DISTRICT 5)
- PLAN INTENT: TO SHOW A PEDESTRIAN ACCESS EASEMENT (EASEMENT #2) FROM THE STREET LEVEL AT BOW STREET TO THE EXISTING ELEVATOR DOWN TO THE LOWER DECK LEVEL LEADING TO A SECOND EASEMENT (EASEMENT #1) PROVIDING PEDESTRIAN ACCESS ALONG A STAIRWAY BACK TO THE STREET LEVEL AT BOW STREET.
- THE BOUNDARY LINE DEPICTED ON THIS PLAN IS SHOWN FOR INFORMATIONAL PURPOSES AND WAS TAKEN FROM REFERENCE PLAN #8 SHOWN ON THIS PLAN. THIS PLAN DOES NOT CONSTITUTE A BOUNDARY SURVEY.
- THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED UPON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES (IE CATCH BASINS, MANHOLES, WATER GATES ETC.) AND INFORMATION COMPILED FROM PLANS PROVIDED BY UTILITY COMPANIES AND GOVERNMENTAL AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, SAID AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE @ 1-888-DIG-SAFE.
- SEE APPROVED STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION (RSA 482-A), NHDES FILE NUMBER 2021-02150, SUBJECT PROPERTY: 99 BOW STREET, PORTSMOUTH, TAX MAP #106, LOT #54, DATED OCTOBER 27, 2022.
- 4 FOOT WIDE PEDESTRIAN EASEMENT IN FAVOR OF MARTINGALE WHARF, LP. 141 S.F., SEE REFERENCE PLANS 6 & 7.
- SEE EASEMENT AGREEMENT RCRD BK 5128 PG 1288 & CROSS EASEMENTS FOR ACCESS, USE, RESTRICTED USES, AND RELEASE DEED RCRD BK 5295 PG 138.
- SEE REFERENCE PLAN 8 FOR PARCEL BOUNDARY.

REFERENCE PLANS:

- MARTINGALE WHARF DECK EXPANSION, PUBLIC ACCESS PLAN TO MARTINGALE PUBLIC OVERLOOK, SHEET A1, DATED 5/29/2024 BY MCHENRY ARCHITECTURE ON FILE WITH THE CITY OF PORTSMOUTH PLANNING DEPARTMENT.
- MARTINGALE WHARF DECK EXPANSION, DECK EXPANSION PLAN, SHEET A8, DATED 4/7/2022, BY MCHENRY ARCHITECTURE ON FILE WITH THE CITY OF PORTSMOUTH PLANNING DEPARTMENT.
- MARTINGALE WHARF DECK EXPANSION, ENLARGEMENT PLANS, ELEVATIONS, AND DETAILS, SHEET A9, DATED 4/7/2022 BY MCHENRY ARCHITECTURE ON FILE WITH THE CITY OF PORTSMOUTH PLANNING DEPARTMENT.
- NHDES PERMIT PLAN, PUBLIC ACCESS IMPROVEMENTS, BOW STREET, PORTSMOUTH, NH, SHEET C2, REVISED TO 12/20/2021 BY AMBIT ENGINEERING ON FILE WITH THE CITY OF PORTSMOUTH PLANNING DEPARTMENT.
- EXISTING CONDITIONS PLAN, 67 & 99 BOW STREET, PORTSMOUTH, NH FORUM GROUP, LLC & MARTINGALE WHARF, LLC, PLAN 21889-B, REVISED TO 4/20/2010 BY JAMES VERRA AND ASSOCIATES, INC. NOT RECORDED.
- EASEMENT PLAT, 67 & 99 BOW STREET, PORTSMOUTH, NH, OWNERS: FORUM GROUP, LLC & BLUE STAR PROPERTIES, MARTINGALE WHARF LIMITED PARTNERSHIP, ASSESSOR'S PARCEL NO. 106-053 & 106-054, DATED 2/8/2011, RECORDED AS RCRD PLAN D-36712.
- AS-BUILT EASEMENT PLAT, 67 & 99 BOW STREET, PORTSMOUTH, NH, ASSESSOR'S PARCELS: 106-053 & 106-054, OWNERS: FORUM GROUP, LLC & BLUE STAR PROPERTIES, MARTINGALE WHARF LIMITED PARTNERSHIP, REVISED TO 12/27/2011, RECORDED AS RCRD PLAN D-37137
- AS-BUILT PLAN, MARINGALE WHARF - 99 BOW ST, PORTSMOUTH, NH ASSESSOR'S PARCEL: 106-54, FOR MARTINGALE WHARF LIMITED PARTNERSHIP, REVISED TO 3/5/2012, RECORDED AS RCRD PLAN D-37138



NHSPC (NAD83)

106-55-(1-7)
109-111 BOW STREET CONDOMINIUM
2805/1950 (DECLARATION)
111 BOW STREET
PORTSMOUTH, NH 03801

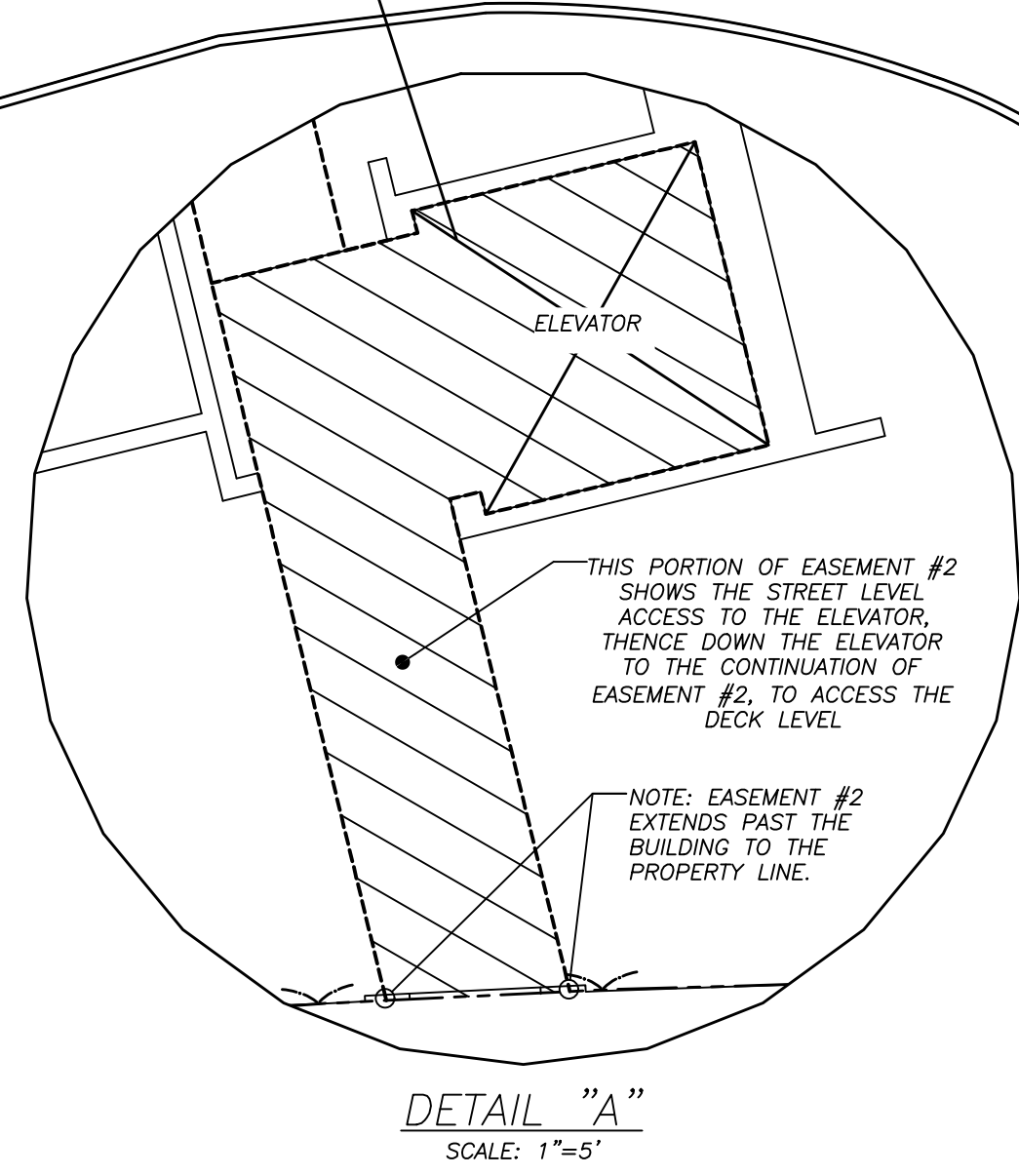
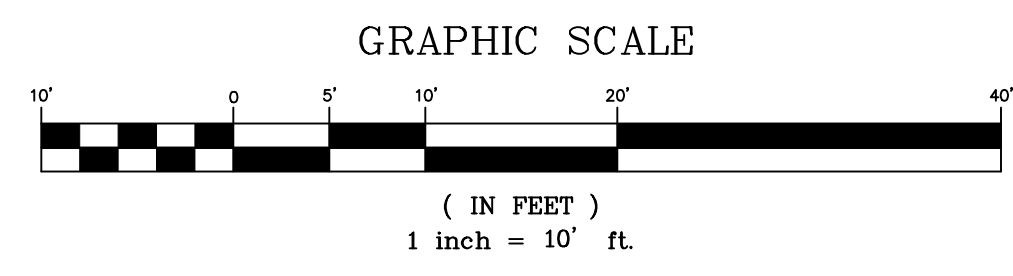
106-54
#99
"MARTINGALE WHARF"

#67
106-53
FORUM GROUP LLC
PO BOX 300
RYE, NH 03870
6460/2120

J:\2024 PROJECTS\24-2068 MARTINGALE MGNABB 99 BOW ST\24-2068 DWG\EASEMENT PLAN.dwg 2024-11-15

PURSUANT TO RSA 676:18,III AND RSA 672:14
I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

JAMES VERRA DATE



No.	DATE	REVISION DESCRIPTION	BY	APPR
1	10/24/24	IN-HOUSE REVIEW COMMENTS	REL	JV
2	10/24/24	IN-HOUSE REVIEW COMMENTS	REL	JV



EASEMENT PLAN
99 BOW STREET
PORTSMOUTH, NH
TAX MAP 106 LOT 54
PREPARED FOR: MARTINGALE, LLC
LAND OF: MARTINGALE, LLC

DATE: 10/09/2024	JOB NO. 24-2068
DRWN BY: SBO/RFM/REL	CHK'D BY: JVA
DWG NAME: EASEMENT PLAN.DWG	
SHEET: V1	

PRELIMINARY
SUBJECT TO CHANGE

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

RESOLUTION # XX – 2025

A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF THE CITY UNDER THE MUNICIPAL FINANCE ACT FOR THE PURCHASE OF A CONSERVATION EASEMENT ON THE FERNALD PROPERTY TO PROTECT THE BELLAMY RESERVOIR WATER QUALITY NOT TO EXCEED ONE MILLION FOUR HUNDRED SEVENTY-EIGHT THOUSAND DOLLARS (\$1,478,000).

RESOLVED:

THAT the sum of up to **One Million Four Hundred Seventy-Eight Thousand Dollars (\$1,478,000)** is appropriated for the purchase of a conservation easement on the Fernald property to protect the Bellamy Reservoir water quality; and

THAT to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow up to **One Million Four Hundred Seventy-Eight Thousand Dollars (\$1,478,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act; and

THAT such borrowing is to be net of the effect of any funds realized for the same purpose by the City from the NH Drinking Water and Groundwater Trust Fund (estimated \$739,000), the NH Department of Environmental Services Local Source Water Protection Program (estimated \$25,000), and Congressionally Directed Spending (estimated \$714,000); and

THAT the amount of such appropriation funded by the NH Drinking Water and Groundwater Trust Fund, the NH Department of Environmental Services Local Source Water Protection Program, and Congressionally Directed Spending shall be rescinded from this authorization; and

THAT this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY CITY COUNCIL

**KELLI BARNABY, CMC/CNHMC
CITY CLERK**

EightKph LLC
233 Vaughan Street, Unit #301
Portsmouth, New Hampshire 03801

Date: **March 10, 2025**

To: City of Portsmouth City Council

Re: 70 Maplewood, Portsmouth, NH, Sidewalk Encumbrance Permit

Mr. Mayor, City Councilors,

Thank you for your continued support. We are hereby requesting a 60-day extension of the current sidewalk license at 70 Maplewood Ave. The current sidewalk encumbrance license expires on April 1, 2024. This request would extend the license period from April 2, 2025 to May 31, 2025.

This request is being driven predominately by Winter conditions noting that the sidewalks along Maplewood remain frozen and covered with ice despite the warning weather. We also need the asphalt plant open to prep for the sidewalk subsurface work. Despite a few warm days here and there we are still seeing significant below freezing temperatures in the overnight hours.

Continued use of the sidewalk area will facilitate the use of Boom lifts for washing the brick work (when warm enough), caulking the brick control joints as well as the completion of balcony railings and trim. This will also allow us to fully complete the Commercial storefront windows and doors.

Several sidewalk improvements in the site plan include street lamps and the expansive 4' x 50' custom tree grate vaults (three of them) along Maplewood and Deer St. These cannot be completed until the brick façade has been washed and caulked. Continued use of the sidewalk area will allow for the sidewalk to be returned to service 100% complete after this particularly snowy and windy Winter season.

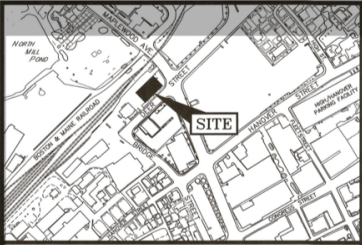
As noted in previous requests, we will advance the work along Maplewood Ave. and Deer St. reserving completion of the pocket park behind the building for last.

We are particularly pleased with the somewhat time-consuming sawtooth brick work on 70 Maplewood and hope that the building aesthetic meets with your approval. We believe the iron railing details yet to come will truly complete the building.

Thank you all for your consideration,



Thomas Balon Jr.
EightKph LLC, Manager



LOCATION MAP SCALE: 1" = 300'

PROPOSED SIGNAGE:
(W/YELLOW BACKGROUND)
LOADING ZONE
7AM-10AM
4PM-6PM

FENCE BARRIER LEGEND:
A SOLID CONCRETE BARRIERS WITH SOLID FENCE ABOVE AT ROAD EDGE
B MOVABLE FENCE/ACCESSIBLE FENCED AREA
C SOLID FENCE

TBM 4
CHEELED SQUARE
IN NE CORNER OF
TRANSFORMER PAD
EL=+11.77

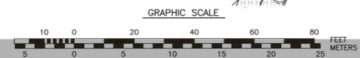
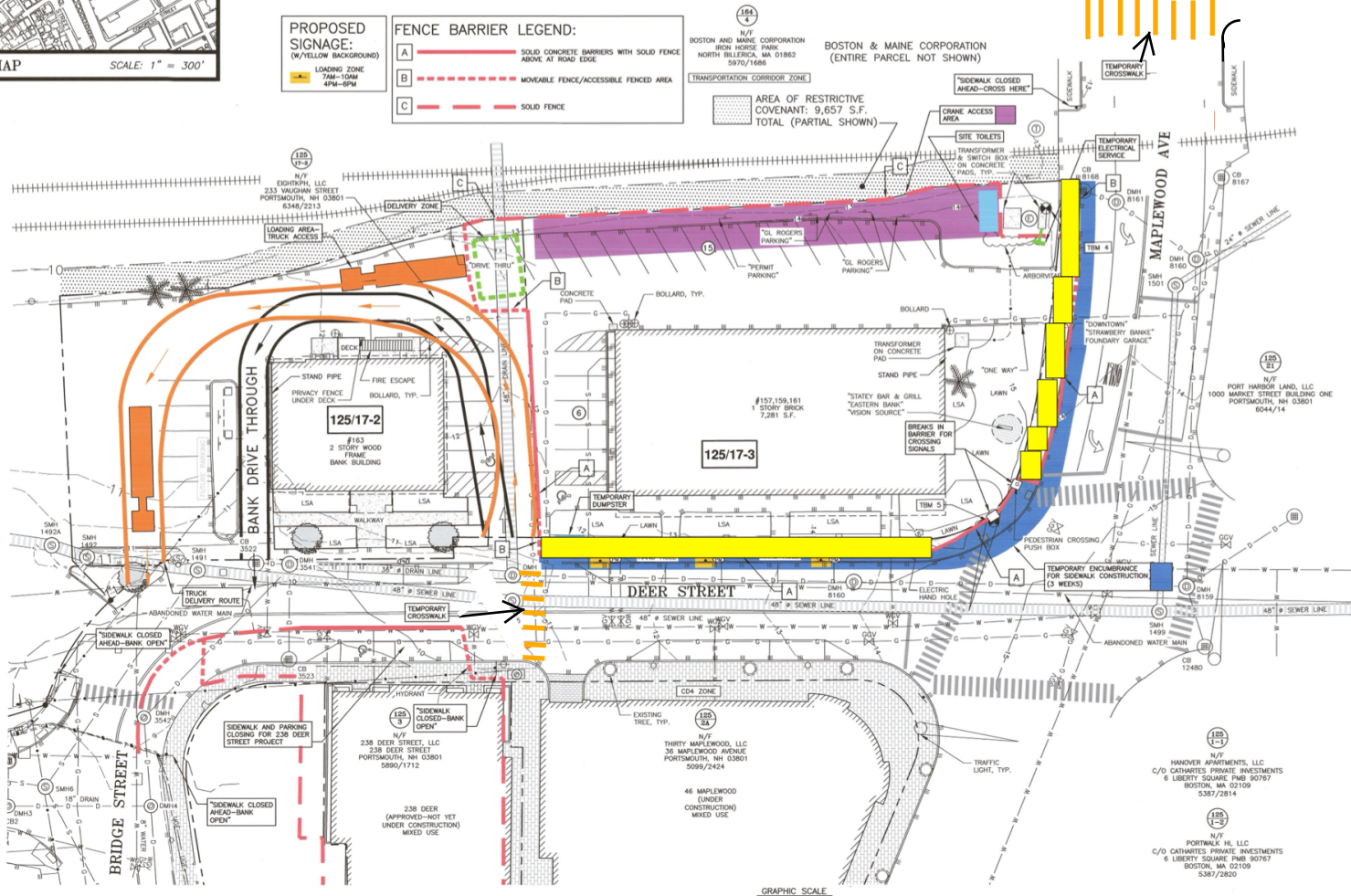
TBM 5
CHEELED SQUARE
IN NE QUADRANT
OF MAIN BASE
EL=+15.20

BOSTON AND MAINE CORPORATION
IRON HORSE PARK
NORTH BELLINGHAM, MA 01862
5970/1686

TRANSPORTATION CORRIDOR ZONE

AREA OF RESTRICTIVE COVENANT: 9,657 S.F. TOTAL (PARTIAL SHOWN)

BOSTON & MAINE CORPORATION
(ENTIRE PARCEL NOT SHOWN)



- NOTES:**
- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSORS MAP 125 AS LOT 17-3.
 - 2) OWNER OF RECORD: EIGHTKPH, LLC
233 VAUGHAN STREET
UNIT 301
PORTSMOUTH, NH 03801
6348/2213
 - 3) PARCEL IS LOCATED IN CHARACTER DISTRICT 5 ZONE, DOWNTOWN OVERLAY, NORTH END INCENTIVE OVERLAY & HISTORIC DISTRICTS.
 - 4) DIMENSIONAL REQUIREMENTS: SEE ZONING TABLE.
 - 5) LOT AREA: 22,667 S.F.
0.5204 ACRES
 - 6) PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 33015C0259F, EFFECTIVE JANUARY 29, 2021
 - 7) THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING SITE CONSTRUCTION ELEMENTS.
 - 8) WORKER PARKING WILL BE OFFSITE.

**SITE DEVELOPMENT
EIGHTKPH, LLC
70 MAPLEWOOD AVENUE
PORTSMOUTH, N.H.**

NO.	DESCRIPTION	DATE
2	SITE TOILET LOCATION, FENCING	8/21/23
1	FENCING/SIGNAGE	8/10/23
0	ISSUED FOR COMMENT	4/26/23

REVISIONS	

SCALE: 1" = 20' AUGUST 2022

EXISTING SITE CIMP PLAN **CM1**

THIRD LICENSE EXTENSION AGREEMENT
70 MAPLEWOOD AVENUE

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 Third License Extension to EIGHTKPH, LLC (hereinafter "Licensee" or "Owner") with a principal place of business at 233 Vaughan Street, Unit 301, Portsmouth, NH, pursuant to the following terms and conditions:

1. **License Area:** The Owner owns the property located in the City of Portsmouth, Rockingham County, State of New Hampshire, at 70 Maplewood Avenue, shown on the City of Portsmouth's Assessor's Map as Tax Map 125, Lot 17-3 ("Property"). For the Owner's title to the Property, see Rockingham County Registry of Deeds at Book 6348, Page 2213.

The City authorizes Licensee to temporarily use 1,722 square feet of sidewalk that abuts the Property along Maplewood Avenue and Deer Street more particularly described and highlighted in yellow in Exhibit A attached.

2. **Use:** Licensee shall make use of the License Area for the purpose of facilitating the Licensee's construction of a four-story building with commercial space, dwelling units and a penthouse.
3. **Term:** The License for License Area shall be for approximately 60 days, from **April 2, 2025 through May 31, 2025.**

Licensee may terminate this License prior to the end of the term by returning the 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 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 Owner shall pay to the City a 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 for the sidewalk encumbered by this License of \$0.05 per square foot per day.

License Fee Calculation: The total License Fee for the License is $\$0.05 \times 1,722 \text{ square feet} = \$86.10 \text{ per day} \times 60 \text{ days} = \mathbf{\$5,166}$. The License Fee shall be paid in full prior to the start of the term of the License.

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 Licensee the portion of the License Fee paid but not used.

6. **Indemnification:** Licensee agrees to indemnify and hold harmless the City of Portsmouth for any and all property damage, bodily injury or personal injury which arises as a result of its utilization of the 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. This shall include pedestrian signage and working with the City's Department of Public Works to temporarily stripe new crosswalks for pedestrians as highlighted in orange in Exhibit A.

Owner is required to apply for separate Flagging Permits that are outside the scope of this License when closing roads that abut the Property and shall advise abutters of all Flagging Permit applications in advance. Owner is also required to provide weekly updates to abutters regarding construction activity for the following week until the project is complete.

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 Agreement. The City may elect to accept reasonable reimbursement from the Licensee in lieu of Licensee's repairing the damage.

10. **Compliance with Other Laws:** This Agreement does not relieve Licensee from compliance with any other local, state or federal laws or regulations or conditions imposed by any local board. Failure to abide by any local, state or federal laws or regulations or any condition of a site plan may, at the City's discretion, result in revocation.

11. **Revocation:** The City may terminate this Agreement, or any provision contained in this agreement on 72 hours written notice if Licensee fails to meet the terms and conditions of this License or if the public interest requires such termination. No 72-hour written notification is required by the City if it is an emergency.

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

Dated this _____ day of _____, 2025.

City of Portsmouth

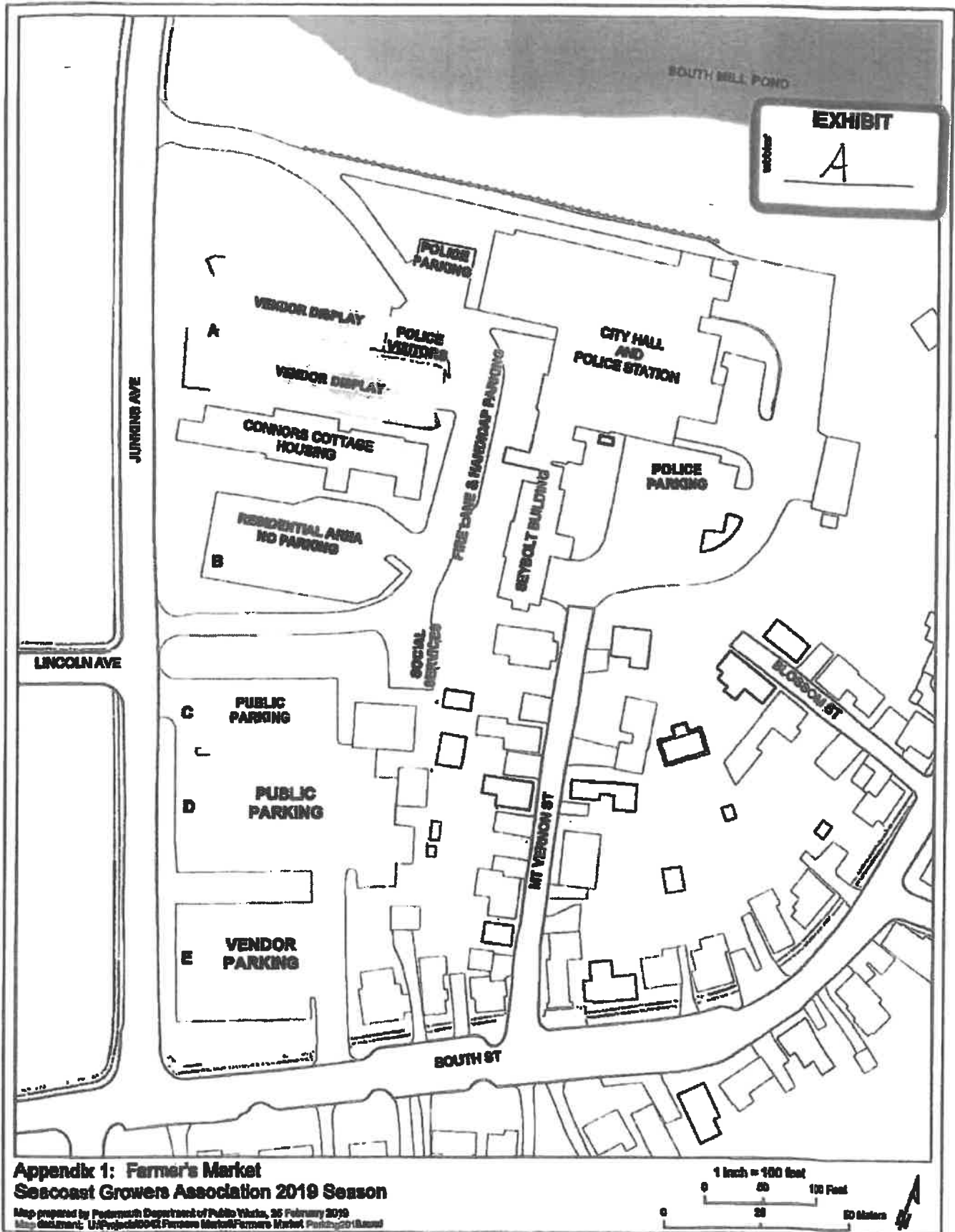
By: _____
 Karen S. Conard, City Manager

Pursuant to vote of the City Council
 of _____.

Dated this _____ day of _____, 2025.

EIGHTKPH, LLC

By: _____
 Thomas H. Balon, Jr., Manager



**ARTICLE IX: DISTRIBUTION OF SINGLE-USE DISPOSABLES ON CITY
PROPERTY (Adopted 10/07/2019; Effective 12/31/2020)**

3.901: PURPOSE

The City of Portsmouth recognizes that limiting the distribution of single-use disposables through source reduction is necessary to protect human health, to preserve the natural environment, and to conserve precious and dwindling natural resources through the proper and integrated management of solid waste.

3.902: DEFINITIONS

For the purpose of this Section, the following definitions apply:

Composting Facility: any solid waste compost facility certified to properly perform that function by the Director of Public Works of the City of Portsmouth.

Cost Pass-Through: the cost which must be collected by retailers from their Customers when providing a Single-Use Carryout Bag or a Single-Use Cup.

Customer: any Person obtaining goods from a Store.

Food Service Establishment: any restaurant, take-out food establishment, or any other business that is required to obtain a valid food service license from the Public Health Department of the City of Portsmouth. Food Service Establishments do not include Nonprofit Food Establishments.

Medical Facility: a business or nonprofit that has a primary purpose of providing medical services.

Nonprofit Charitable Reuser: a charitable organization or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than fifty percent (50%) of its revenues from the handling and sale of those donated goods or materials. To be considered a Nonprofit Charitable Reuser, the entity must meet the terms of section 501(c)(3) of the U.S. Internal Revenue Code (26 U.S.C. 501(c)(3)).

Nonprofit Food Establishment: a charitable entity that prepares or serves food directly to the Customer or otherwise provides food or meals for consumption by humans. The term includes central food banks, soup kitchens, and nonprofit food delivery services. To be considered a Nonprofit Food Establishment, the entity must meet the terms of section 501(c)(3) of the U.S. Internal Revenue Code (26 U.S.C. 501(c)(3)).

Operator: the person in control of, or having the responsibility for, the operation of a Store, which may include, but not be limited to, the owner of the Store.

Person: any natural person, firm, corporation, partnership, or other organization or group however organized.

Pharmacy: any Store where prescriptions, medications, controlled or over the counter drugs, personal care products or health supplement goods, or vitamins are sold.

Prepared Food: foods or beverages which are prepared on the premises by cooking, chopping, slicing, mixing, freezing, or squeezing, and which require no further preparation to be consumed. Prepared Food does not include any raw, uncooked meat product or fruits or vegetables which are chopped, squeezed, or mixed.

Produce Bag: any bag without handles used exclusively to carry produce, meats, or other food items to the point of sale inside a store or to prevent such food items from coming into direct contact with other purchased items. A Produce Bag is not a form of Single-Use Plastic Bag.

Retail Establishment: any commercial establishment that sells perishable and nonperishable goods including but not limited to, clothing, food, and personal items directly to the Customer and is located within or doing business within the City. Retail Establishments do not include Food Service Establishments, Nonprofit Charitable Reusers, or Pharmacies.

Reusable Plastic Bag: a sewn woven or non-woven nylon, polypropylene, polyethylene-terephthalata, or Tyvek bag capable of being used one hundred (100) times, is machine washable, and has stitched or woven handles that are not fused. A Reusable Plastic Bag is a form of Reusable Bag.

Reusable Bag: a bag capable of being used one hundred (100) times, is machine washable, and has stitched or woven handles that are not fused. Usable Bags include Reusable Plastic Bags.

Single-Use Carryout Bag: a bag made of plastic, paper, or other material that is provided by a Store to a Customer at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the Store. Single-Use Carryout Bags include Single-Use Plastic Bags and Single-Use Recycled Paper Bags. Single-Use Carryout Bags do not include Produce bags, Reusable Bags, or bags without handles provided to the Customer to hold prescription medication dispensed from a Pharmacy.

Single-Use Compostable Plastic Container: a container that is composed of one hundred percent (100%) Polylactic Acid and distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store. A Single-Use Compostable Plastic Container is a form of a Single-Use Plastic Container.

Single-Use Compostable Plastic Cup: a cup composed of one hundred percent (100%) Polylactic Acid and is distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store. A Single-Use Compostable Plastic Cup is a form of a Single-Use Plastic Cup.

Single-Use Compostable Plastic Straw: a disposable tube that is composed of one hundred percent (100%) Polylactic Acid and is distributed to transfer a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion. A Single-Use Compostable Plastic Straw is a form of a Single-Use Plastic Straw.

Single-Use Container: a container that is distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store.

Single-Use Cup: a cup that is distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store.

Single-Use Plastic Bag: a bag that is made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, and is provided at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the Store. A Single-Use Plastic Bag is a form of a Single-Use Carryout Bag.

Single-Use Plastic Container: a container that is made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, and is distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store. A Single-Use Plastic Container is a form of a Single-Use Container.

Single-Use Plastic Cup: a cup that is made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, and is distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store. A Single-Use Plastic Cup is a form of a Single-Use Cup.

Single-Use Polystyrene Container: a container composed of synthetic aromatic hydrocarbon polymers that is made from the monomer styrene and distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store. A Single-Use Polystyrene Container is a form of a Single-Use Container.

Single-Use Polystyrene Cup: a cup composed of synthetic aromatic hydrocarbon polymers that is made from the monomer styrene and distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store. A Single-Use Polystyrene Cup is a form of a Single-Use Cup.

Single-Use Plastic Straw: a disposable tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, that is distributed to transfer a beverage from a cup or container to the mouth of a person drinking the beverage. A Single-Use Plastic Straw is a form of a Single-Use Straw.

Single-Use Recycled Paper Bag: a paper bag provided at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting food or merchandise out of the establishment that contains no old growth fiber and a minimum of forty percent (40%) post-consumer recycled content; is one hundred percent (100%) recyclable; and has printed in a highly visible manner on the outside of the bag the word "Recyclable," the name and location of the manufacturer, and the percentage of post-consumer recycled content. The Single-Use Recycled Paper Bag is capable of composting, consistent with the timeline and specifications of the American Society of Testing and Material (ASTM) Standard Specification for Compostable Plastics D6400, as published in September 2004. A Single-Use Recycled Paper Bag is a form of a Single-Use Carryout Bag.

Single-Use Straw: a disposable tube that is distributed to transfer a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion. Single-Use Straws include a straw made from both plastic materials and non-plastic materials such as paper, pasta, sugar cane, wood, or bamboo.

Store: any Food Service Establishment, Pharmacy, or Retail Establishment located within the City. Stores do not include Medical Facilities.

3.903 CARRYOUT BAGS

A. Prohibited Carryout Bags:

- 1. No Store on City property shall provide a Single-Use Carryout Bag to a Customer, at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting food or merchandise out of the Store except as provided in this Section.**
- 2. No Person shall distribute a Single-Use Carryout Bag at any City facility, City-managed concession, City-sponsored event, or City-permitted event unless a Store on City property is also otherwise allowed to in this Section.**

B. Permitted Carryout Bags:

- 1. Stores on City property are allowed to distribute Single-Use Carryout Bags or Reusable Bags to Customers subject to the terms of this Section.**
- 2. All Stores may distribute their remaining 2020 Single-Use Plastic Bag inventory.**
- 3. Nothing in this Section prohibits Customers from using bags of any type that they bring to the Store themselves or from carrying away goods that are not placed in a bag, in lieu of using bags provided by the Store.**

C. Exemptions:

1. Stores on City property are allowed to distribute only Single-Use Recycled Paper Bags or Reusable Bags to Customers for the purpose of carrying away goods or other materials from the point of sale, subject to the terms of this Section.

2. Food Service Establishments on City property are allowed to distribute Single-Use Plastic Bags to Customers only for the purpose of safeguarding health and safety during the transportation of Prepared Foods, including take-out foods and liquids intended for consumption away from the food provider's premises, subject to the terms of this Section.

3. A Customer shall be charged a minimum of a ten cents (\$.10) Cost Pass-Through for each Single-Use Carryout Bag provided by the Store on City property. The sale of each bag shall be separately itemized on the sale receipt. The Cost Pass-Through will remain with the Operator of the Store.

4. A Store on City property may provide a Customer participating in *Special Supplement Nutrition Program for Women, Infants, and Children (WIC)* or *Supplemental Nutrition Assistance Program (SNAP)* with one (1) or more Single-Use Carryout Bag or Reusable Bags at no cost.

5. A Store on City property may provide a Customer with (1) Single-Use Recycled Paper Bag 6 inches across or less without handles at no cost.

3.904 DISPOSABLE CUPS

A. Prohibited Disposable Cups:

1. No Store on City property shall provide a Single-Use Plastic Cup to a Customer, at the check stand, cash register, point of sale, or any other location for the purpose of transporting a beverage that will be drank inside or outside of the Store except as provided in this Section.

2. No Store shall provide a Single-Use Polystyrene Cup to a Customer at the check stand, cash register, point of sale, or any other location for the purpose of transporting a beverage that will be drank inside or outside of the Store.

3. No Person shall distribute a Single-Use Plastic Cup or Single-Use Polystyrene Cup at any City facility, City-managed concession, City-sponsored event, or City-permitted event unless a Store on City property is also otherwise allowed to in this Section.

B. Permitted Disposable Cups:

1. Stores on City property are allowed to distribute Single-Use Cups to Customers for the purpose of transporting a beverage that will be drank inside or outside of the Store, subject to the terms of this Section.

2. A Customer shall be charged a minimum of a ten cents (\$.10) Cost Pass-Through for each Single-Use Cup provided by the Store on City property. The sale of each Single-Use Cup shall be separately itemized on the sale receipt. The Cost Pass-Through will remain with the Operator of the Store.

3. All Stores may distribute their remaining 2020 Single-Use Cup inventory.

4. Nothing in this Section prohibits Customers from using cups of any type that they would otherwise be allowed to bring to the Store themselves under the Ordinances of the City of Portsmouth in lieu of using cups provided by the Store.

C. Exemptions:

1. The only Single-Use Plastic Cups that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Cups if the Store on City property provides customers the option to dispose of the Single-Use Compostable Plastic Cups in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.

2. A Store may provide a Customer participating in the Special Supplement Nutrition Program for Women, Infants, and Children (WIC) or the Supplemental Nutrition Assistance Program (SNAP) with one (1) or more Single-Use Cup at no cost.

3.905 DISPOSABLE CONTAINERS

A. Prohibited Disposable Containers:

1. No Store on City property shall provide a Single-Use Plastic Container to a Customer, at the check stand, cash register, point of sale, or any other location for the purpose of transporting Prepared Food that will be consumed inside or outside of the Store except as provided in this Section.

2. No Store shall provide a Single-Use Polystyrene Container at the check stand, cash register, point of sale, or any other location for the purpose of transporting Prepared Food that will be eaten inside or outside of the Store.

3. No Person shall distribute a Single-Use Plastic Container or a Single-Use Polystyrene Container at any City facility, City-managed concession, City-sponsored event, or City-permitted event unless a Store on City property is also otherwise allowed to in this Section.

B. Permitted Disposable Containers:

1. Stores on City property are allowed to distribute Single-Use Containers to Customers for the purpose of transporting Prepared Food that will be eaten inside or outside of the Store, subject to the terms of this Section.

2. All Stores may distribute their remaining 2020 Single-Use Container inventory.

3. Nothing in this Section prohibits Customers from using containers of any type that they would otherwise be allowed to bring under the Ordinances of the City of Portsmouth to the Store themselves in lieu of using containers provided by the Store.

C. Exemptions:

1. The only Single-Use Plastic Containers that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Containers if the Store provides customers the option to dispose of the Single-Use Compostable Plastic Containers in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.

3.906 DISPOSABLE STRAWS

A. Prohibited Disposable Straws:

1. No Store on City property shall provide a Single-Use Plastic Straw to a customer for the purpose of transferring a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion inside or outside of the Store, except as provided in this Section.

2. No Person shall distribute a Single-Use Plastic Straw at any City facility, City-managed concession, City-sponsored event, or City-permitted event unless a Store on City property is also otherwise allowed to in this Section.

B. Permitted Disposable Straws:

1. Stores on City property are allowed to distribute Single-Use Straws to Customers for the purpose of transferring a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion inside or outside of the Store, subject to the terms of this Section.

2. All Stores may distribute their remaining 2020 Single-Use Straw inventory.

3. Nothing in this Section prohibits Customers from using straws of any type that they bring to the Store themselves in lieu of using containers provided by the Store.

C. Exemptions:

1. Stores on City property are only allowed to distribute Single-Use Straws at the explicit request of the customer for the purpose of transferring a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion inside or outside of the Store.

2. The only Single-Use Plastic Straws that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Straws if the Store provides customers the option to dispose of the Single-Use Compostable Plastic Straws in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.

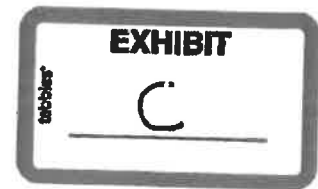
3.907 PENALTIES AND REMEDIES

In addition to any other penalty or remedy permissible by law for violation of this Section, the following shall apply:

1. If the City determines that a violation of this Section has occurred, a written warning that includes the potential penalties for future violations will be issued to the Operator.
2. Upon a second or subsequent infraction of this Section, the City is authorized to issue citations to persons, firms, or corporations violating this Section in accordance with the ordinances of the City of Portsmouth. The amount of the fee that will accompany the citation will be determined by the Fee Schedule Study Committee of the City of Portsmouth.
3. The City Attorney is authorized to file any appropriate legal proceedings, including but not limited to requests for injunctive relief, necessary to prevent violation of this Section.

SEVERABILITY

Any portion of this ordinance that is found to be void shall be unenforceable without invalidating the remainder of the ordinance.



Seacoast Eat Local Summer Farmers' Market Eligibility Criteria and Policy Guidelines 2025

Farmers, fisherman, food producers, and craftspeople are all welcome to submit applications for the Seacoast Eat Local (SEL) Summer Farmers' Markets. Priority is given to applicants operating out of Rockingham, Strafford, and York counties of New Hampshire and Maine. Review our [Business Definitions & Program Criteria](#) for more information on vendor eligibility.

Please review the following Eligibility Criteria and Participation Guidelines and policies to become a 2025 market vendor.

Eligibility Criteria:

1. **Vendor Selection Criteria:** SEL aims to create a diverse marketplace with high-quality, locally sourced products. We value engaged vendor partnerships and a vibrant market community. We are not bound to apply a particular set of selection criteria and reserve complete discretion to accept or refuse anyone as a market vendor using any number of factors when evaluating vendor applications. Vendor selection is at SEL's discretion and based on factors such as:

- Geographic proximity
- Engagement with the market community
- Product quality and variety
- Farming or production methods
- Display and packaging appeal
- Customer service
- Compliance with market rules
- Timely application submission
- Contribution to market balance
- Safe food production and handling
- Past market attendance
- Use of local ingredients in prepared foods
- Environmentally friendly packaging

Preference is given to products that align with SEL's mission, emphasizing direct producer-to-consumer values and seasonal availability. Prior participation does not guarantee acceptance or preferred spacing.

2. **Product Requirement:** Farmers, fisheries and flower farms must sell food items that they grow, raise, harvest, catch, or make. Prepared or value-added foods should use locally grown ingredients whenever possible, in addition to featuring a local item in at least 75% of their products, as noted on the program criteria. Farmers can also sell non-food agricultural products from their farm, such as wool.
3. **Special Product Approval:** Occasionally, we may approve the sale of products (both food and non-food) that don't fit the criteria in #1, provided they don't conflict with other vendors and add value to the market. With approval, a vendor may sell items in primary and secondary categories as long as they are reported within the application and approved. The secondary products can make up no more than 20% of their entire product selection at the opening of the market. *Example: A fruit and vegetable grower who self-identifies as a farmer on the application but also wishes to sell honey can have up to 20% of their product selection consist of honey.* Vendors may not sell shirts or other branded items made from off-site materials.
4. **Product Approval Process:** All products sold at the market must be listed on the vendor's application and approved by SEL. Vendor applications may be amended by calling or emailing no less than 72 hours prior to the market. All products are subject to approval, including new products vendors wish to sample at the markets. Products or samples that have not been approved by SEL will not be allowed to be sold, nor sampled at the market.
5. **Prepared Food Vendor Eligibility:** 75% or more of the products regularly available must feature local agricultural ingredients that are grown, produced, or harvested in New England. Ingredients that are not available locally must be produced sustainably. All beverages are also considered prepared foods. SEL reserves the right to request receipts to verify the use of local ingredients.
6. **Product Regulations:** Vendors must abide by all local, state, and federal food regulations, and acquire any necessary licensing or certification required for products sold in New Hampshire. It is each vendor's responsibility to ensure compliance with food safety, food labeling, food sampling, marketing, and other relevant regulations for their specific products. All products that are prepackaged must be packaged and labeled in accordance with state requirements.
7. **Meat Requirements:** 75% percent of the life of the animal, or a minimum of 4 months, must be spent on the farm. This covers the poultry who are shipped as day old chicks, since they'll be above 75% by slaughter day. For pigs, lambs, and goats sold when they're weaned, this is a reasonable amount of time to raise them on the farm to slaughter weight, and would ensure that they're on the farm for a full farming season. For cows bought as yearlings, again it requires that they spend those 4 months on a local farm, which would be far less than 75% of their lifespan, but still a substantial amount of time, and ensure they're fully incorporated into the practices of the farm they're sold by.

8. **Seafood Requirements:** All seafood must be harvested from the Gulf of Maine, off the New Hampshire coast, or Great Bay by a local fisherman. The fisherman or their representative must be present at each market.
9. **Plants:** All plants and flowers must be grown by the vendor and cannot be bought and resold.
10. **Co-op Stalls:** In special cases, multiple vendors can share a single "co-op stall" (up to 10 feet wide) for \$25 per day per vendor. Each vendor must submit a separate application and follow all guidelines. Co-op stalls are not available for prepared food vendors and cannot be combined into double stalls. Only one vendor is required to attend the market and can sell the other vendor's products on their behalf.

Participation Guidelines

1. **Liability Insurance:** All vendors must carry liability insurance (\$500,000 per incident and \$1,000,000 aggregate) listing Seacoast Eat Local as "additionally insured" at the following address: 4 Captain Smith Emerson Road Lee, NH 03861.
 - a. A city/town or market site holds the right to require to be additionally insured by vendors. Vendors will be notified of any municipal requirements. All licensure and insurance must be up-to-date prior to attending the first market and the vendor must maintain these requirements for the duration of their time as a vendor.
2. **Incentive Programs:** All vendors must participate in SEL's incentive programs, including **SNAP** (Supplemental Nutrition Assistance Program) and **Vouchers for Veterans**. Training will be provided before the season begins.
3. **No Political Campaigning:** Political campaigning is not permitted at the markets. Vendors should not engage in political activity at the markets, such as gathering signatures for petitions, representing a political party, or endorsing any candidate running for or currently serving in office.
4. **Market Promotion:** Outreach and community engagement of the farmers' markets is an important part of the vendor partnership. Vendors are expected to help promote each market they are attending through emails, social media, website or blog updates, and other channels. SEL does provide guidance on market promotion.
5. **Non-vending Organizations:** Nonprofits, non-vending businesses, and sponsors are not considered market vendors and will be required to complete a different process for attendance approval.

6. **Public Safety:** Vendors are responsible for following all public safety protocols put in place by the local government as well as SEL. SEL holds the right to issue an addendum to market policies in this instance.
7. **Sanitation:** Vendors must provide their own means to wash or sanitize their hands such as a mobile hand washing station or hand sanitizer with a minimum alcohol content of 60%.
8. **Required Signage:** All vendors must have signage that clearly indicates their business name and location. Prepared food vendors must display signage indicating which local ingredients are used and where they are sourced. Farms are encouraged to promote their farming and production practices on signage as well, such as Certified Organic, Small Batch, or Grass Fed.
9. **Pricing:** Prices for each product must be posted clearly before the start of the market. Vendors may not change posted prices during a market.
10. **Scales:** Vendors selling by weight must provide their own certified scales.
11. **Fundraising:** SEL may sell items like tote bags, shirts, and food products not available from market vendors. This is intended to be a way for SEL to raise funds to offset the cost of operating the market. Vendors cannot sell these items unless given specific permission.
11. **Site Visits:** SEL may request site visits at random during the season. Vendors must coordinate a time that works for both parties. Noncompliance can result in removal from the market.
12. **Compostable Materials:** Vendors using products like cups, straws, plates, or utensils are expected to use compostable options and follow all local regulations and requirements on compostable materials. PORTSMOUTH and EXETER: Both the City of Portsmouth and City of Exeter passed policies limiting the distribution of single use plastics at any event held on event property and vendors are required to comply with these policies. More information can be found [here](#) for Portsmouth, and [here](#) for Exeter.
13. **Weather Policy:** Markets will operate rain or shine. We know there are many dedicated customers willing to come in all conditions and we intend to offer these markets as a permanent fixture in their weekly shopping routine. SEL reserves the right to cancel markets in extreme weather conditions. Please refer to the full [Weather Policy](#).
14. **Attendance:** Notify the Market Coordinators (marketmanager@seacoasteatlocal.org) in advance if you cannot attend. If it is within 24 hours of a market, call a market coordinator to notify them of your absence. No-shows are not tolerated and may result in losing future market privileges. This is important to maintain the integrity of the markets. If you give less than 24 hours' notice, you are still responsible for paying the stall fee.

15. **Stall Fees:** Stall fees are invoiced bimonthly and are only refundable if at least 24 hours notice is given. Full stalls vary based on location. See "Market Fees" section below.
16. **Stall Sizes:** Standard booth spaces are 10 feet by 10 feet. In some circumstances, a booth may be deeper than 10 feet but shall not exceed 10 feet of frontage. A double booth consists of two adjacent 10 foot booths for a total of 20 feet of frontage.
17. **Electricity:** Access availability varies per market location and may have additional fees per market stall. Access is not guaranteed and must be confirmed with SEL Staff.
18. **Setup and Breakdown:** Vendors may arrive on site no earlier than two hours prior to market hours. Vendors who will not have a vehicle at their stall must have their vehicle removed 30 minutes prior to market hours. Once market starts, vendors must stay for the entire duration of and are not permitted to drive their vehicle through the market area until closing time.
19. **Clean-Up:** Leave your space as clean as you found it. Vendors are required to assist with end-of-day cleanup, including bringing their own trash barrels and carrying out their trash. No trash or debris will be left behind after a vendor leaves the site. If able to, it is encouraged to assist fellow vendors during market clean-up.

Facilities/Accommodations

- A bathroom or porta-potty will be accessible to all vendors at all market locations.
- Electricity will not be provided. Some exceptions may be made at an additional charge if available at a specific location (see fees below).
- All vendors must bring their own tent, a minimum of 25 lbs of weights per tent leg, tables, and display.
- **Parking:** Vendors will be able to park next to or behind their stall in Durham, Dover, and Exeter. Portsmouth parking depends on the booth (see stall fees section). Vendors with large vehicles may not be permitted to park next to their stall depending on the site. SEL reserves the right to require any vendor to move their vehicle for the duration of the market during market hours.
- Vendors must have their vehicles turned off during the market if parked in the general market operating area. No idling of vehicles is allowed before, during, or after market hours at each market location.

Market Fees

Application Fees: A non-refundable application fee of \$60.00 covers the cost to apply to all markets. This is the same fee regardless if the applicant is applying to one or all market locations. This fee will not be refunded if you are not accepted to any of the farmers' markets. Application fees must be paid in full and the application must be complete to be considered for a spot at any SEL farmers' market.

Stall Fees: Stall fee dollar amounts are per market day, per stall and are subject to variances as it relates to stall size (double stalls will be charged double the stall fee). If all expected stall fees are paid ahead of the season with a check, a 10% discount, up to \$100, will be applied to the entire summer season's bill.

- Durham: \$15.00/market day per stall
- Dover: \$15.00/market day per stall
- Exeter: \$20.00/market day per stall
- Portsmouth: \$20.00 for an inside booth without your vehicle and \$25.00 on the outside perimeter of the market with your vehicle.

*Stall fees are due at the end of every other month to be able to participate in markets the following month.

Relevant Paperwork that may be required with application:

- Food service license, homestead license, commercial kitchen license or equivalent
- Prepared Food Product Form
- Milk /Dairy license
- Organic Certification
- Liquor license and liquor commission paperwork

Policies for Specific Vendor Categories and Specific Market Locations:

Farmers/Fishermen

1. This category of vendor may grow on leased land as long as they are solely responsible for the food produced on said land.
2. Honey and maple syrup: Honey may be sold by the beekeeper from the hives the beekeeper maintains, or by the farm where the hives are located. If the honey is sold by the farm the honey must come exclusively from that farm and may not be mixed with other honey. Maple syrup may be sold by the sugar-maker from sap the sugar-maker boils or by the farm where the maple trees are located. If the syrup is sold by the farm the syrup must come exclusively from that farm and may not be boiled or mixed with sap from other locations.

Prepared Food Vendors and Producers

1. All prepared food vendors and producers, including alcohol vendors, are required to fill out a prepared product form for all products showcasing how ingredients are sourced. A prepared product form is required in order to obtain product approval. Prepared product forms are never shared and used solely to identify opportunities to source locally.
2. Baked goods, jams, jellies, condiments and other prepared foods may be sold if said products are made by the vendor.

3. PORTSMOUTH:

- a. Application: Prepared food vendors and producers must not only meet all application requirements, they must also meet all requirements of the Portsmouth Health Department including an application to the City of Portsmouth Health Department and at-market requirements. As a prepared food vendor or producer, you will be notified if you are approved to be a Portsmouth vendor at which point you will be invited to fill out your application to the City of Portsmouth Health Department.
- b. Per Portsmouth City regulations, prepared food vendors shall be limited to 20% of vendors at the Portsmouth Farmers' Market.
- c. Chicken: Per Portsmouth Health Department regulations, all chicken sold at the Portsmouth Farmers' Market is required to be processed at a USDA inspected facility, regardless of if a vendor qualifies for state exemptions.
- d. Value added products: Value added products such as dehydrated mushrooms, mushroom powders, mushroom teas, etc., ARE allowed to be sold at the Portsmouth Market but require an application, submission of any required paperwork, and payment of a state food permit. After receiving the permit, the Portsmouth Health Department will check in with the vendors' booth as they do with all vendors who have food permits.
- e. Extracts and tinctures: Per Portsmouth Health Department regulations, tinctures and extracts are NOT considered a value added product and are NOT allowed to be sold at the Portsmouth Farmers' Market.
- f. Foraged mushrooms: Foraged mushrooms ARE allowed to be sold at the Portsmouth Farmers' Market with a state permit as set out in RSA 143-A.

4. DOVER:

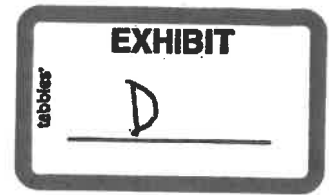
- a. Per the Dover Health Department, a class H license is required for all vendors selling any food or beverages, including fresh fruits, vegetables and alcohol. To obtain this license, vendors must fill out an application here, and pay the \$50 fee associated with the license in-person, and print their license prior to their first attendance at the Dover Market.

Non-food vendors

1. **Non-food vendors are solely responsible for ensuring the safety of their products. The manufacturer is also required to ensure the product does not contain any prohibited ingredients and it is properly labeled. Please note there are color additives that are approved for use in cosmetics and color additives (batches) that are subject to certification. The latter additives must be certified by the office of colors and cosmetics prior to being used in a cosmetic. Also keep in mind that if your product contains an active ingredient, or purports any claims it mitigates, treats or prevents a medical condition, it will be regulated by the FDA Center for Drugs Evaluation and Research.” from Food and Drug Administration’s (FDA) Food and Cosmetic Information Center (FCIC)/Technical Assistance Network (TAN)-Maine Federation of Farmers’ Markets. Non-food vendors are expected and encouraged to source locally whenever possible.**

Crafters

1. **Preference will be given to crafts made of natural and local materials. Items offered for sale should reflect fine craftsmanship, personal vision, and attention to detail. The items should be in keeping with the spirit of the farmers market.**
2. **Craft vendors can only sell locally made crafts that are solely produced by the vendor.**
3. **Crafts must be made within York County (Maine), or in Rockingham or Strafford Counties (New Hampshire).**
4. **Applications in both craft and fine art will be judged on the basis of design, technical skill, originality, diversity (in regards to other market vendors) and imagination.**
5. **All work must be handmade and the original design of the artist. Participants must exhibit the type and quality of work shown to the jury. Not acceptable items are embellished or made from commercially available kits, plans or patterns; imports; factory made or other assembled items.**
6. **Craft applications for membership will be juried in March. Items to be juried will be brought to a determined location (or virtual video meeting) and will be presented to the craft jury panel. There will be up to three additional jury dates per year for members introducing craft products during the season.**



VENDORS PERMITTED TO SELL OR SAMPLE ALCOHOL FOR 2025

Auspicious Brew

Throwback Brewery

Cathedral Ledge Distillery

Flag Hill Distillery

NOK VINO

Tamworth Distillery

FARMERS' MARKET TODAY



seacoasteatlocal.org

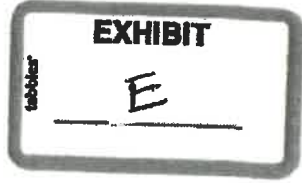


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Seacoast Eat Local - Weather Policy



Seacoast Eat Local (SEL) farmers' markets take place rain or shine. We have made a commitment to our customers to be open the days and hours we have published, and our vendors have worked many long hours and traveled distances to serve their customers. Our loyal customers reciprocate by coming prepared with their raincoats, umbrellas, boots, and gloves to shop and enjoy the market!

If thunderstorms, damaging winds, severe and consistent rain, or heavy and quickly accumulating snow occur prior to the opening of the market and there is reason to believe the threat will persist through most of the market hours, market opening may be delayed or canceled.

Outdoor markets: If severe or unsafe weather conditions develop after the market has opened, customers, vendors and volunteers are expected to move to a safe place until the weather has passed. In most cases the safest place will be in their vehicles. Once the weather has passed, a determination will be made about resuming normal market operations for the remainder of the market day. In cases of extreme heat exceeding 100 degrees, our staff will communicate with vendors and make a determination for how to proceed with the market that day.

Indoor markets: Our host venues are responsible for snow removal and ensuring safe access to the market space. If it is snowing and the market is open, staff at the venue will ensure parking is accessible and walkways are clear.

Notification: In all cases, if the market were to close or be delayed, a notification would be posted on our website and social media pages. Customers should check one of these sources before leaving for the market if there is inclement weather in the forecast. Vendors will be directly notified by email and phone if the market is canceled or delayed due to inclement weather.

Our goal is to make a determination by 9AM for afternoon markets and by 5PM the night before for morning markets. In some cases that will not be possible due to rapidly changing conditions. Venues reserve the right to cancel the market without consent from Seacoast Eat Local or its vendors. If 75% or more of the scheduled vendors cancel by the determination times noted above, the market will be canceled. A minimum of three scheduled vendors must be present for a market to occur. SEL reserves the right to cancel a market at any time, or any reason. If a market is canceled any vendor who still goes to the venue, sets up, and sells is doing so under their own discretion and is not covered by SEL permits, agreements, or any other protections.

Last updated: 9/30/22

LICENSE AGREEMENT

The City of Portsmouth, a municipal corporation with a principal place of business at 1 Junkins Avenue, Portsmouth, New Hampshire 03801 (hereinafter "City") and Seacoast Eat Local, Inc., a non-profit of individual vendors (hereinafter sometimes "Vendors" or "SEL") with a principal place of business and a mailing address at 4 Captain Smith Emerson Road, Lee, New Hampshire 03861, and hereby agree as follows:

1) Seacoast Eat Local ("SEL") is licensed by the Portsmouth City Council to operate a Farmers' Market on Saturday mornings between **May 3, 2025, through October 25, 2025**, pursuant to the conditions enumerated below.

2) Each individual Vendor of SEL, as well as SEL itself, jointly and severally agree to the following conditions relative to permission to use the designated locations by SEL as granted by the City.

A. LOCATION:

This Agreement addresses the **Upper Municipal Lot** at the Municipal Complex (the Lot), 1 Junkins Avenue, Portsmouth, New Hampshire, as shown in the attached **Exhibit A**.

B. SITE CONDITIONS:

1. The City Hall Municipal Lot will be reserved for use by SEL as shown in the attached **Exhibit A**. (The Market Area)
2. On each Friday before the Farmers' Market, the City will place signage in the City Hall Municipal Lot prohibiting parking and reserving handicapped parking in the Lot on the following Saturday from 6:00 a.m. to 1:00 p.m.
3. SEL is authorized to cover the existing handicapped parking signs in the Market Area and to utilize the spaces otherwise designated as handicapped spaces during the hours in which the Farmers' Market is authorized.
4. SEL shall immediately remove the coverings from the handicap parking space signs at the end of the authorized period.
5. There shall be no use by SEL of Lot B as shown in the attached **Exhibit A**.
6. Parking on grassy areas prohibited.
7. Market Area to be left in broom-clean condition one hour after closing.
8. The City shall place trash receptacles for use during the Farmers' Market in the type and number which it deems appropriate. The City shall remove and dispose of the trash from the receptacles at the close of each market.

9. All trash generated by the Farmers' Market shall be collected by SEL and placed in City trash receptacles upon closing of the Farmers' Market and the Market Area shall be maintained in a clean, neat condition at all times.
10. SEL shall provide for the collection and disposal of all compost generated by the Farmers' Market.
11. SEL shall implement any temporary marking of Vendor spaces which may be directed by the City.
12. SEL shall provide police coverage from 8:00 a.m. to 12:00 p.m. as may be directed by the Police Chief, at its own expense, to control traffic and monitor parking during the hours when the Farmers' Market is in operation.
13. SEL agrees to operate the Farmers' Market on a "CARRY IN – CARRY OUT" basis.
14. SEL agrees to operate the Farmers' Market under the Distribution of Single Use Disposables Ordinance, as shown on attached **Exhibit B**.
15. SEL shall reserve a stall at each market in a location agreeable to the City for City use as directed by the City Manager, including but not limited to municipal and Portsmouth Library utilization. The City will make its best efforts to inform any persons so directed of market policies, and to provide SEL in advance with the names and contact information of same.
16. SEL is permitted to hire musicians to perform during the Farmers' Market hours of operation. Unamplified music is preferred but amplification will be permitted provided sound levels are maintained at a limit of 90 dBA or lower.

C. HOURS AND TIME OF MARKET:

1. Hours of operation will be from 8:00 a.m. until 12:00 p.m.
2. Set up and breakdown time will be two hours before and one hour after operation hours.

D. SALE OF ITEMS:

1. Products which may be sold at the Farmers' Market shall follow the guidelines and definitions outlined within the SEL Summer Farmers' Market Policies (a copy of which is attached hereto as **Exhibit C**).
2. Prior to the commencement of the market season, SEL shall provide the City with a list of approved market Vendors.

3. After the commencement of the season, new food vendors may only be added to the Farmers' Market on two dates to be predetermined by the Health Officer.

E. HEALTH REQUIREMENTS:

The Health Officer will have the authority to issue warnings and provide reasonable notice to cure. The Health Officer will also have the authority to shut down the entire market if any single Vendor fails to comply with any Health Officer's directive to cure any situation creating a public health concern. The Health Officer shall make reasonable efforts to notify the Executive Director of Seacoast Eat Local or their assignee(s) at the time a warning or shutdown is issued. Specific health requirements include, but are not limited to the following:

1. Representatives of the Portsmouth Health Department will be on-site to check vendors in on three (3) separate days, the first will be on opening day, May 3, 2025, and the other two (2) days will be scheduled and noticed as needed.
 - a. Vendors must be checked in by the Portsmouth Health Department prior to transacting any business at the Farmers' Market. Vendors are only required to be checked in once.
2. Vendors shall be excepted from the general City requirement of obtaining a Hawkers & Peddlers License (\$250.00). The following license fee schedule payable to the City shall apply to Farmers' Market Vendors:
 - (a) Fruit and vegetable vendors at the Farmers' Market pay no fee.
 - (b) Non-produce/Non-food vendors at the Farmers' Market pay no fee.
 - (c) Prepared food vendors (anything other than non-prepared fruits and vegetables) and sellers of potentially hazardous agricultural products pay a seasonal fee of \$140.00 per season.
3. Non-recycled farm fresh eggs may be sold provided that they are stored at proper temperature (at or below forty-one (41) degrees Fahrenheit) during transport to and while displayed at the Farmers' Market.
4. Baked goods sold at the Farmers' Market must be individually or collectively wrapped while displayed and sold and baked in a licensed facility.
5. Any Vendor who sells Foods [Time/Temperature Controlled for Safety (TCS)] (which includes any perishable food or food product which consists in whole or in part of milk or any other ingredient capable of supporting rapid and progressive growth of infectious and toxigenic microorganisms including, but not limited to, cream fillings and pies, cakes and pastries, custard products, meringue-topped baked goods or butter-cream type fillings in bakery products, meats and poultry) shall take appropriate measures to ensure that such products are transported, stored, and

displayed in refrigerated or ice-cooled containers to maintain temperature of such products at 41 degrees Fahrenheit or below at all times to prevent spoilage or contamination. Any Vendor who sells cooked/hot TCS foods shall ensure that such products are cooked to required product temperatures as described in the Food Code or reheated to 165 degrees Fahrenheit for 15 seconds, and transported, stored and displayed in hot holding units at 135 degrees Fahrenheit or above at all times to prevent spoilage or contamination.

6. All animals are prohibited within the Farmers' Market with the exception of hearing ear dogs, guide dogs and service dogs as they are defined in RSA 167-D:1.
7. SEL may install up to two signs indicating that dogs are prohibited at the Farmers' Market. SEL will install and remove signs during the set up and breakdown period of each Farmers' Market event. SEL may store signs on site with the large barricades that are placed up against the Connors Cottage senior housing building.
8. The above items do not eliminate or supersede other areas of compliance set by ordinance or regulations or within the grant of authority by the Portsmouth City Council.
9. In addition to the foregoing, each Vendor of Seacoast Eat Local shall comply with all applicable Federal, State and Municipal laws, regulations and ordinances.
10. No vendor shall provide fruit or vegetables to be sampled onsite unless a three-bay sink is provided, to properly wash-rinse-sanitize all equipment and utensils used for sampling (knife, cutting board, colander, etc.). The colander is then used for washing fruits and vegetables to be sampled. A potable water source must be provided to wash fruits or vegetables prior to service.
11. On-site food preparation and equipment are limited to simple grilling, reheating/hot holding, dispensing and assembling of foods and beverages.
12. No combustion-powered electrical generators are to be used at the market.

F. OTHER CONDITIONS:

1. SEL shall maintain and provide the City with a current list of board members including appropriate contact information.
2. SEL agrees to indemnify and hold the City, its officials, employees, volunteers and agents of Portsmouth harmless for any and all claims of liability (including bodily injury or property damage) of any type or kind

arising out of SEL's operation or use of this License Agreement and the license area. This provision shall survive termination of this Agreement.

3. Additionally, Seacoast Eat Local shall maintain general liability insurance in the amount of Two Million Dollars (\$2,000,000.00) naming the City of Portsmouth as an additional insured in a form approved by the City. A certificate demonstrating this insurance shall be kept on file with the City Clerk of the City at all times relevant to the operation of SEL under this Agreement.
4. The City hereby approves the sale and tastings as allowed by the New Hampshire State Liquor commission of alcohol products at the Farmers' Market by SEL members. A list of SEL members permitted to sell, possess or provide sampling of alcohol is provided in **Exhibit D** which may be amended by the parties during the term of this Agreement.

Further alcohol sales or possession is allowed as may be approved in writing by the City Manager.

There shall be no open containers or consumption of alcoholic beverages on municipal premises unless sampling has been approved by the State Liquor Commission for the specific vendor and is done in accordance with Commission rules and regulations. All alcoholic beverage sales must be conducted in strict accordance with state law and any rules adopted pursuant thereto by the State of New Hampshire Liquor Commission. This provision of the Agreement with SEL may be revoked immediately and without cause if that action is determined to be appropriate by the City.

5. For the purpose of operating the Farmers' Market on the property of the City of Portsmouth, it is understood that a Homestead License issued by the State of New Hampshire, a Home Food Processors License issued by the State of Maine, or a Residential/Wholesale Kitchen license issued by the State of Massachusetts are not recognized or confer any benefit to the Vendor.
6. SEL will display a banner (see **Exhibit E** attached hereto) at a location either to the left or the right of the 1 Junkins Avenue egress driveway as shown on the attached image of the proposed areas (**Exhibit F**) during times in which the Farmers' Market is in operation.
 - (a) SEL's banner to be used is 96" x 24" as shown on **Exhibit E**.
 - (b) SEL shall place the banner in one of the two locations to the right or left of the egress of 1 Junkins Avenue as shown on **Exhibit F**.
 - (c) SEL shall only place the banner from the hours of 7:00 AM to 1:00 PM on the day of the Farmers' Market during the 2025 season running from May 3, 2025, through October 25, 2025.
7. SEL will operate in accordance with its weather cancellation policy (see **Exhibit G** attached hereto).

8. This agreement may be terminated at the sole discretion of the City of Portsmouth in the event that:
- (a) SEL or any Vendor fails to abide by the terms of this agreement.
 - (b) It is determined that the City of Portsmouth has a paramount need for the area which would otherwise be utilized by SEL.
9. The City reserves the right to modify any provision in this agreement in the event that such modification is made necessary by any change in local, state or federal law.

CITY OF PORTSMOUTH

Dated: _____

By: _____
Karen S. Conard, City Manager

SEACOAST EAT LOCAL, INC.

Dated: _____

By: _____
Shawn Menard, Executive Director

LEASE AMENDMENT 3

WHEREAS, the **City of Portsmouth**, a municipal corporation organized and existing under the laws of the State of New Hampshire and having a usual place of business at 1 Junkins Avenue in Portsmouth, (the “City”), and the **Players’ Ring Company**, organized and existing under the laws of the State of New Hampshire and having a principal place of business at 99-105 Marcy Street, Portsmouth, New Hampshire, (“Players’ Ring”), are parties to a lease, executed on September 8, 2013;

WHEREAS, the existing lease obligates the Players’ Ring to pay for and construct certain capital improvements in accordance a schedule devised and mutually agreed upon by the parties;

WHEREAS, the capital improvements listed in the existing schedule have been completed and the City and the Players’ Ring are presently negotiating the scope and nature of the capital improvements to be included in the schedule for the new lease;

WHEREAS, on December 16, 2024, the City Council agreed to extend the lease for three months through March 31, 2025 in order to give the parties time to create a new schedule of capital improvements to incorporate into the new lease;

WHEREAS, the creation of this new schedule is complicated due to the challenges associated with adjacent properties and infrastructure needs associated with implementation of the Prescott Park’s Master Plan.

NOW, THEREFORE, the City and Players’ Ring agree as follows:

1. Paragraph 3 shall be amended to read as follows:

The term of this lease shall end June 30, 2025. Notwithstanding any other provision in this lease, this lease may be terminated by the Players’ Ring upon thirty (30) days written notice to the City.

All other terms of the lease not amended shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Lease Amendment 3 on _____, 2025.

WITNESS:

CITY OF PORTSMOUTH

Karen S. Conard
City Manager

Approved by vote of the City Council

on _____.

WITNESS


PLAYERS' RING COMPANY

Margherita Giacobbi,
Executive Director

I/ferrini/keases/playersring/amendment3

M E M O R A N D U M

TO: Karen Conard, City Manager

FROM: Peter Britz, Planning & Sustainability Director 

DATE: March 3, 2025

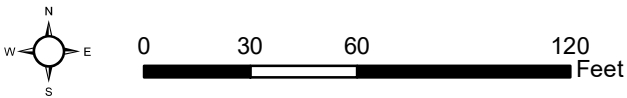
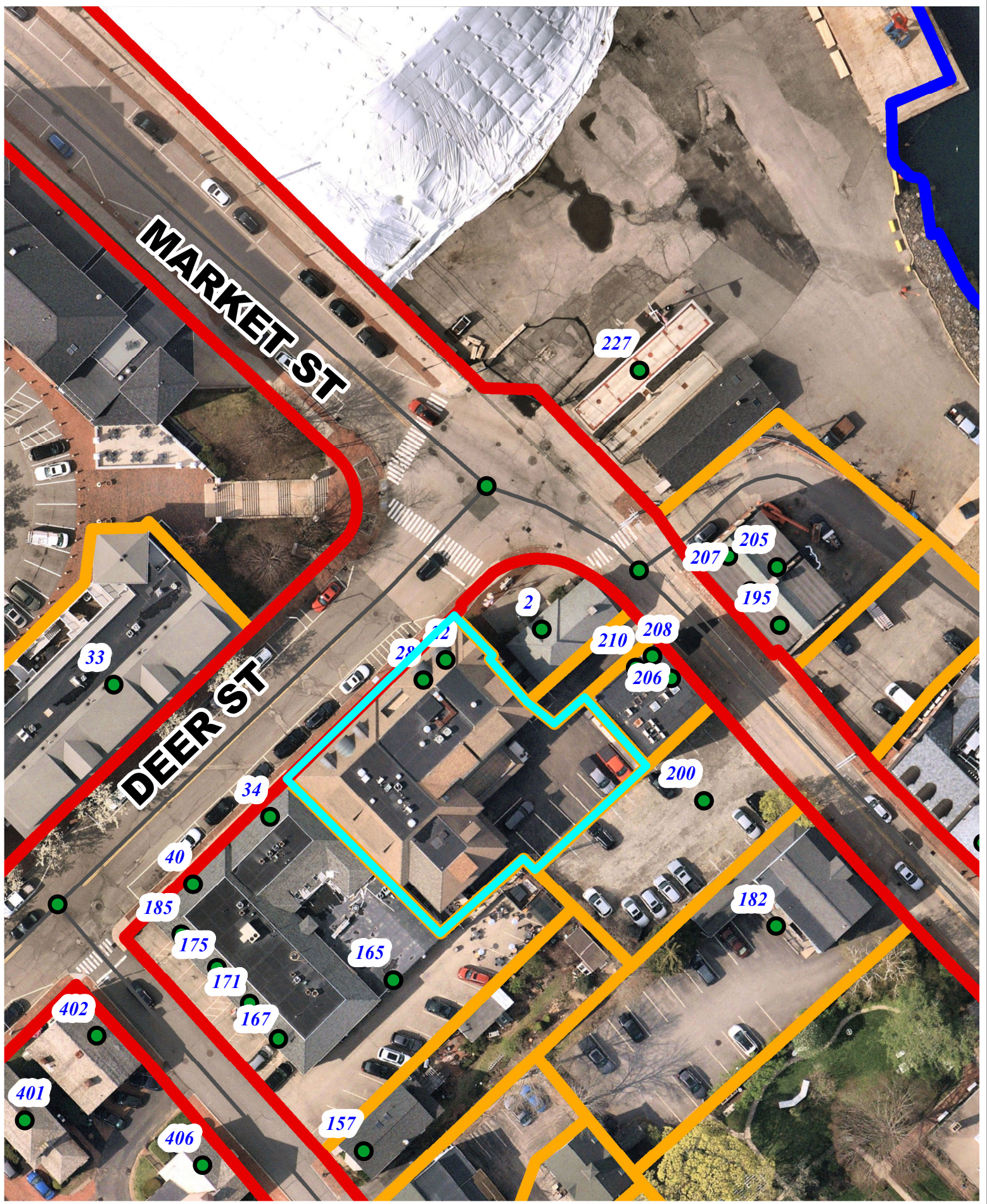
RE: City Council Referral – Projecting Signs
Address: 28 Deer Street
Business Name: Eiger Insurance Services
Business Owners: Ken Schmidt

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

Sign dimensions: 24" x 36"
Sign area: 6 sq. ft.

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

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



**Request for license
28 Deer Street**



NAME:
Eiger Insurance Services
Projecting Sign

ADDRESS:
28 Deer Street
Portsmouth, NH 03801 United States

SALES PERSON:
Brendan Sullivan

DESIGNER:
SS

DATE:
01.13.2025

CONTACT PRIOR TO ARRIVAL:
Ken Schmidt - 714.393.2543

PG	ITEM	REV	DATE
1.0	A PROJECTING SIGN		



PortsmouthSign.com
603-436-0047

REVISION:

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

PLEASE NOTE:

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

RETURN SIGNED TO: service@portsmouthsign.com

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

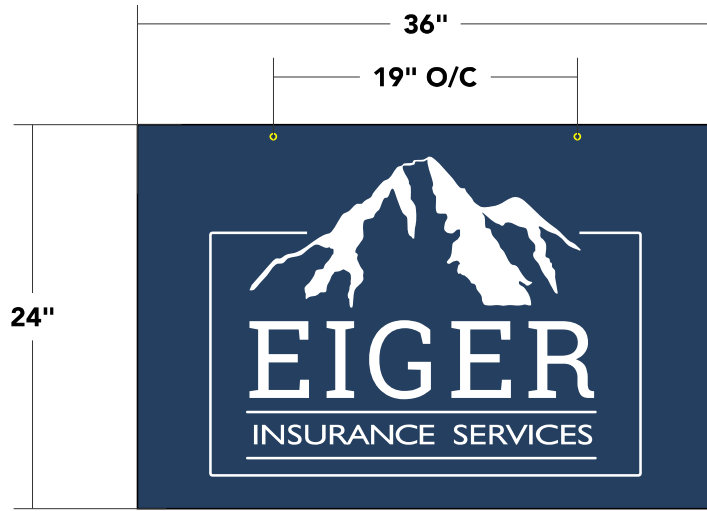
SIGNATURE: _____ Date: _____

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



A

SCALE: 1"=1'



**VIF REQUIRED
MOUNTING HOLE SIZE**

**QTY 1
DOUBLE SIDED**

PROJECTING SIGN (Left of Salt Salon)

SIZE (Width x Height x Depth): 36" x 24"

QUANTITY: 1

VINYL TYPE: print vinyl, laminated

SUBSTRATE: 3/4" PVC

DOUBLE SIDED

CONTENT:

Logo
Eiger Insurance Services Inc.

GRAPHIC/TEXT COLOR: blue/white

FABRICATION NEEDED:

SIGN MOUNTING: hanging from existing bracket
(hooks are 19" apart)

COLOR SCHEDULE (CLIENT TO VERIFY)

R:36 G:63 B:96

WHITE



INSTALLATION:

LOCATION DIRECTIONS: 28 DEER ST. PORTSMOUTH, NH

MOUNTING SURFACE:

INSTALL MAX. HEIGHT:

REPLACING EXISTING OR NEW: REPLACE EXISTING

EXISTING SIGN REMOVAL AND DISPOSAL: Y


SITE SURVEY NEEDED: COMPLETED

PERMITS NEEDED: Y

**CONTACT PRIOR TO ARRIVAL:
Ken Schmidt - 714.393.2543**

M E M O R A N D U M

TO: Karen Conard, City Manager

FROM: Peter Britz, Planning & Sustainability Director 

DATE: March 7, 2025

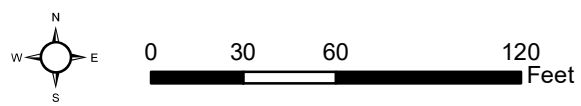
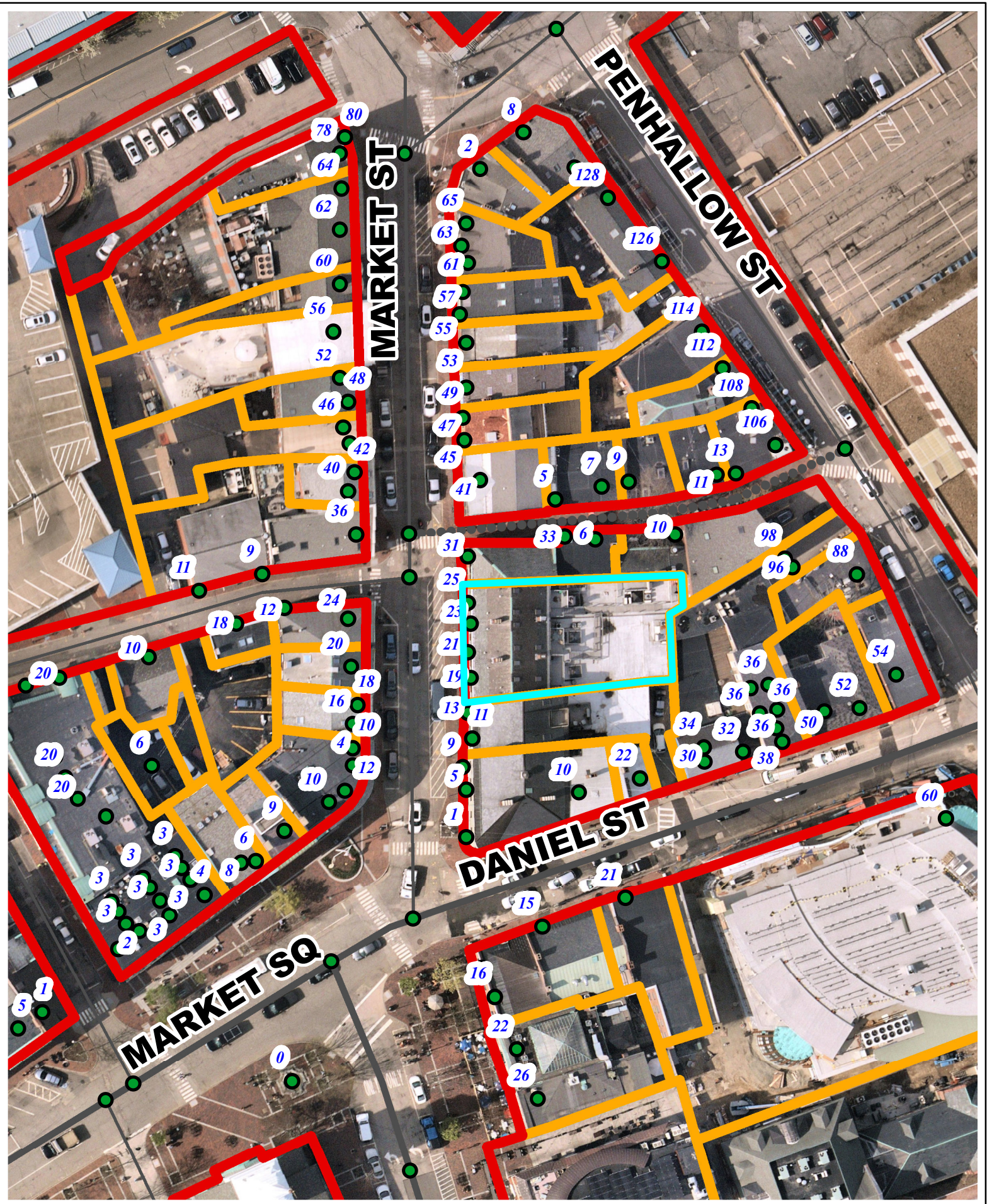
RE: City Council Referral – Projecting Signs
Address: 19 Market Street
Business Name: Fair Winds Home, LLC
Business Owners: John & Cari Karonis

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

Sign dimensions: 26" x 26"
Sign area: 4.69 sq. ft.

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

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



**Request for license
19 Market Street**



Cutting Artwork



Distance
from
bottom
of sign to
sidewalk
= 12' 9"



January 1, 2025

Karen Sawyer-Conard
City Manager
1 Junkins Avenue
Portsmouth, NH 03801

Dear Karen,

The Northern New England Chapter of the Cystic Fibrosis Foundation is once again planning the CF Cycle for Life for the 2025 summer season. This 35/65/100-mile one-day bicycle tour will travel the coastline and mainland of NH and ME, from Rye to Wells, and circle back to Kittery via North Berwick, South Berwick, and Eliot. There will be approximately 100 participants pedaling for a cure.

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

On Saturday, July 12, 2025, the cyclists will begin the tour at 7:30 a.m. from Tributary Brewery in Kittery, Maine. The cyclists will generally travel between 10-25 mph as they travel the route that brings them back to Kittery no later 4:00 p.m.

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

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

Sincerely,

A handwritten signature in black ink that reads "Jodie".

Jodie Tsekrekas
Development Director
E: jtsekrekas@cff.org

Karen Sawyer Conard, City Manager

Or designee (Please Print Name)

I Karen Sawyer-Conard, am authorized by the Town of Portsmouth and grant permission to the Cystic Fibrosis Foundation's 2025 CF Cycle for Life to use town roads and facilities for cyclists on July 12, 2025.

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



Portsmouth Music and Arts Center
 973 Islington Street
 Portsmouth, NH 03801
 603.431.4278
 www.PMACOnline.org

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 Chief Executive Officer

Katie Grazier
 Chief Operating Officer

Eli Kaynor
 Chief Development Officer

Michelle Shoemaker
 Director of Education

Melissa Schultz
 Director of Marketing

March 6, 2025

To City Manager Conard and the Portsmouth City Council,

The Portsmouth Music and Arts Center requests permission to have a small parade from Portsmouth's African Burying Ground to the Vaughn Mall on Friday, April 11 at noon as part of our Jazz Appreciation Month celebrations.

The New Orleans-style parade will cause minimal traffic interruption as it will involve only one group of approximately 60 student musicians leaving the African Burying Ground, crossing State Street at a crosswalk, moving to Chestnut Street, and past the front entrance of The Music Hall, crossing Congress Street at a crosswalk, and ending at the Vaughn Mall Stage.

The parade will be led by members of the Grammy Award-winning New Orleans Jazz Orchestra, which will be in town for five days, from April 7 to 11, working with the Portsmouth Middle and High School Bands and youth students at PMAC. These students will march in the parade alongside seven members of the New Orleans Jazz Orchestra. The parade will take approximately ten minutes, with most of the time at the African Burying Ground at the start, and at the Vaughn Mall at the end. Each of the street crossings will take under 90 seconds.

Volunteer chaperones will be present to help at street crossings, as will PMAC faculty and staff.

The program is free for all participants and schools and is being funded by PMAC with generous support from local donors. The New Orleans style parade is the culminating event of a week of work with the students.

We respectfully submit this request and are available to address questions or concerns.

Sincerely,

Russ Grazier, CEO



Red Bull Distribution Company
44 Industrial Park Rd· Dover, NH 03878
Tel.: 603-389-6035

Dear Portsmouth City Officials,

We, Redbull Distribution Company, are pleased to submit this proposal to host a charitable event as part of the “*Wings For Life World Run*” in Portsmouth on May 4th, 2025, at Pierce Island.

Event Details:

- **Date and Time:** May 4th, 2025, 7:00AM EST
- **Location:** Pierce Island, Portsmouth NH
- **Target Participators:** Employees at Redbull Distribution Company, and their families
- **Event Activity Highlight:** Walking route through the public access trails on Pierce Island

Objectives:

- Raise awareness for the active pursuit towards the discovery of a cure for spinal cord injury research.
- Raise money that goes directly towards research project funding- supported by the Wings for Life Foundation.
- Bring members of our team together along with their families for a sense of team-building, and community which will be united by a common goal.

Logistics and Operations:

- We will need to allow additional street parking, if possible, due to the inability to reserve spots in the public parking lot area. We are not expecting a participation number that will require DOT or police presence for traffic control. This is a small-scale event for our small-scale office.
- Our team is very respectful and responsible, and we will adhere to all cleanliness protocols in this shared public space.

Next Steps:

We are eager to discuss this proposal further and answer any additional inquiries you may have . Please contact the event coordinator, Michelle Wall, at 603-550-3304. Our goal is to have this reviewed at your next city board meeting.

Sincerely,
Michelle Wall
Office Administrator

Derrick Perreault

General Sales Manager Signature

02/28/2025

Date



March 6th, 2025

City of Portsmouth
Mayor's Office
1 Junkins Avenue
Portsmouth, NH 03801

Dear Honorable Mayor McEachern and City Council Members,

The Portsmouth chapter of the AFSP Out of the Darkness Walk has hosted a fundraising and educational walk since 2006 in Portsmouth. This event has grown to more than 600 walkers annually. We would like to continue the tradition and success of this program and are asking for permission to again host an in-person Out of the Darkness Community Walk in the City of Portsmouth.

The proposed date and time are as follows.

Date: September 20, 2025 (Saturday)

Registration Begins: 9:00am

Walk Duration: 10am – 1pm

We would like to again request use of Pierce Island as the event location and walk starting point again this year. We would like to request access to electricity (Extension cord) as in past years as well.

We would like to thank you for your consideration and look forward to your decision.

Respectfully,

A handwritten signature in black ink that reads "Ken La Valley". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Ken La Valley, Chair
OOTD Walk Committee
603-556-0823
66 Hunter Lane
Barrington, NH 03825



Sons of the American Revolution
New Hampshire SAR



27 February 2025

Mayor & Council Members
City of Portsmouth
1 Junkins Ave.
Portsmouth, NH 03801

Mayor and Council Members:

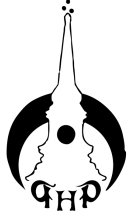
NHSAR is requesting to hold a ceremony to honor the service and sacrifices of Revolutionary War Veterans interred in the North Cemetery on Saturday, 13 September 2025. In addition to markers being unveiled at the gravesites of 5 Patriots who participated in the raid on Fort William and Mary, a moment of silence and a 3 volley musket salute will be conducted for all Rev War Veterans buried in the cemetery. We anticipate the entire event will last approximately 2 hours; set up 30 minutes, ceremony -1 hour, take down and clean up – 30 minutes.

This request is to reschedule the 16 Nov 2024 event previously approved by the City which had to be postponed due to a delay in the delivery of the granite markers.

Thank you for your consideration,

// signed //

Curtis W. Hermann
NHSAR 1st Vice President
Commander NHSAR Color Guard
603-305-1307
eventcommittee@nhsar.org



The Portsmouth Halloween Parade
36 Maplewood Avenue
Portsmouth, NH 03801
portsmouthhalloweenparade@gmail.com

March 1, 2024

To: City Council of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Honorable Mayor McEachern and City Councilors:

I am writing today to request permission to hold the 30th Portsmouth Halloween Parade, this year to take place on Friday, October 31st. We would like to once again step off from Peirce Island at 7:00 pm. We seek to stage and organize the Parade on the island beginning at 6:00 pm. We would like to utilize the boat launch, Four Tree Island parking lot, and the Outdoor Pool lots for marchers and their vehicles.

The parade route itself will remain the same (see attached map). We recognize that we have benefited greatly from the efforts of the Department of Public Works over the years, who provide barricades, large vehicles to harden to corners, and cleanup. We would ask that they assist us once again in these matters, in addition to closing down the affected streets beginning at 5:30 pm, or whatever time they deem fitting. The plan would be to reopen them no later than 8:30 pm.

We will of course carry the usual insurance that is required. Further, we would work with Police and Fire Departments who ensure a safe and entertaining parade, and to whom we are very grateful for all their planning and assistance. We look forward to your response. Thank you.

Sincerely,

Jonathan Day
Board of the Portsmouth Halloween Parade

cc/ Karen Conard, City Manager
Jessica Griffin, Assistant to the City Manager
Joanna Diemer, Administrative Assistant

PHP Route

Important Points



Staging Area



END at Prescott Park



Pause At Marcy & State



Pause in the Square



Pause at State & Pleasant

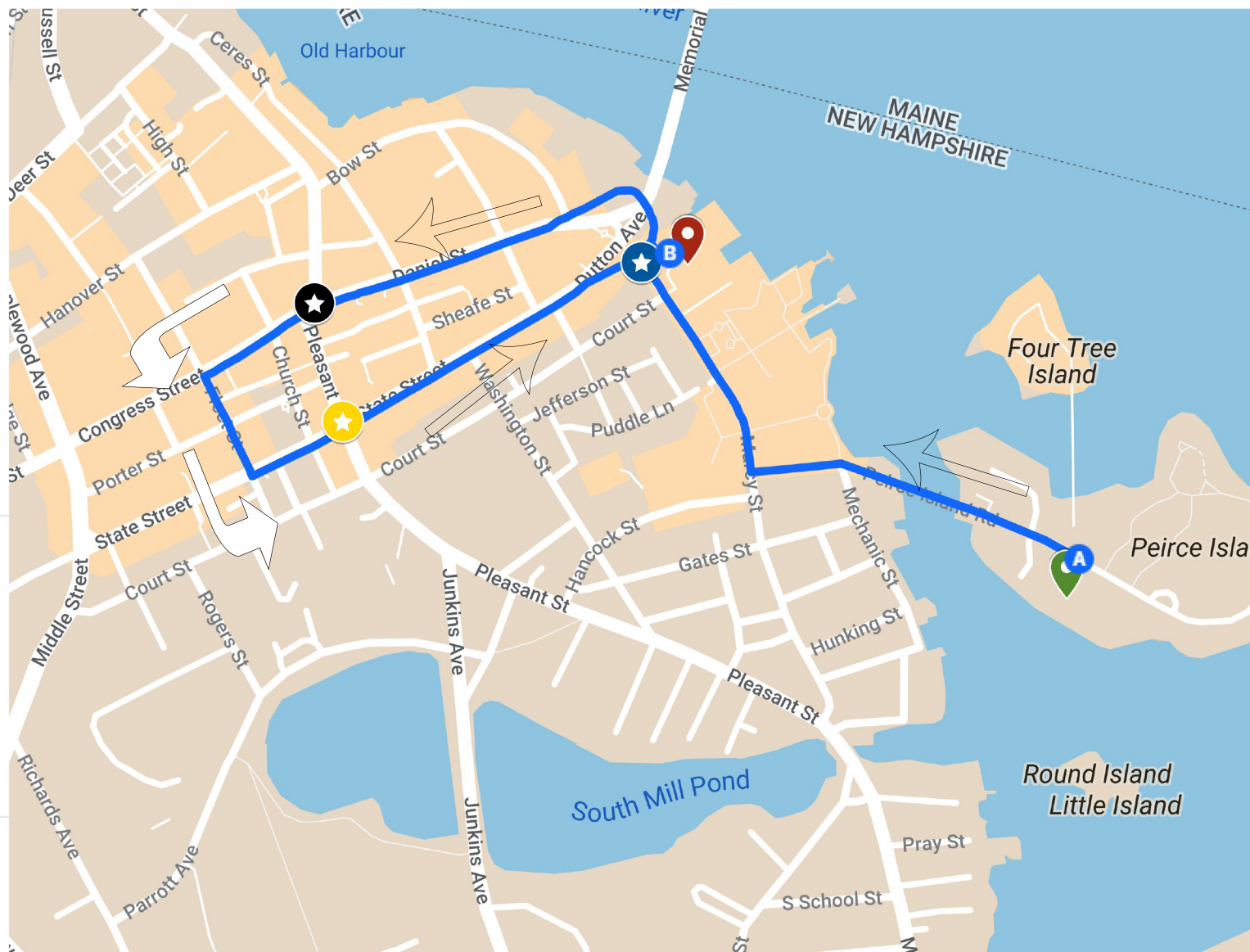
2023 PHP Parade Route



Peirce Island Rd, Portsmouth, NH 03801, USA



10 State Street, Portsmouth, NH 03801, USA



City Council Emails – February 27, 2025 – March 13, 2025

Submitted on Thu, 02/27/2025 - 11:02

Submitted by: Anonymous

Submitted values are:

First Name

Gerald

Last Name

Duffy

Email

gduffy44@gmail.com

Address

428 Pleasant St., Unit 3
Portsmouth, New Hampshire. 03801

Message

Dear Mayor and Councilors:

This evening (Feb 27) the Planning Board will discuss a proposed amendment that will allow a co-living project in downtown Portsmouth that will potentially house 82 service workers. This is good news and it's pretty cool that the Planning Board has been willing to fast-track this amendment. Advocates for affordable housing are also asking for general Council support too.

Many downtown workers (there are probably over 1,000 of them during the warmer months) are young. At their stage of life, a small space with shared facilities and the chance to live vehicle-free and close to work is appealing and adequate. It's also very good for our downtown itself and its vibrancy. We lost a similar project on Court Street several years ago because of a short-sighted ZBA decision. It would be tragic to repeat that kind of missed opportunity. Having the City Council generally support affordable housing initiatives, especially new and innovative approaches, is essential if you are to make a dent in the estimated shortfall of over 3,000 rental units.

Thanks in advance for your efforts to address housing, which accounts, own or rent, for by far the biggest chunk of household budgets and is easily the most important issue facing many of Portsmouth's residents today.

Regards,
Gerald Duffy

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, 03/02/2025 - 12:18

Submitted by: Anonymous

Submitted values are:

First Name

Jennifer

Last Name

Carsen

Email

jcarsen@gmail.com

Address

890 Woodbury Ave.

Portsmouth, New Hampshire. 03801

Message

I was heartbroken to see the story on Seacoast Online about the proposed teacher layoffs for the 2025-26 school year. Brennan Lynch has taught both of our children at Portsmouth Middle School, and she is a wonderful teacher--skilled, invested, and enthusiastic. She represents the very best of our teaching talent here in Portsmouth, and it would be a true injustice for her to lose her job. I'm sure other at-risk teachers, though they aren't specifically named in the article, are equally dedicated and talented.

More broadly, as Ms. Lynch points out, teacher cuts hurt the children in our town. Educating our youth is one of the most important jobs (one could argue THE most important job) of local government, and Portsmouth's strong schools are a source of strength and pride for our city. The bottom line is that we can't have great schools without being willing to invest in our teaching talent. I would respectfully urge the city council to reconsider the 2.9% budget increase so that we can retain Ms. Lynch and our other valuable teachers here in Portsmouth.

Sincerely,
Jennifer Carsen

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, 03/02/2025 - 14:55

Submitted by: Anonymous

Submitted values are:

First Name

Jennifer

Last Name

Branch

Email

jbranch@sau52.org

Address

19 September Dr
Greenland, New Hampshire. 03840

Message

Jennifer Branch
19 September Drive
Greenland, NH 03840
March 2, 2025
City Council Members
Portsmouth City Council
1 Junkins Ave
Portsmouth, NH 03801

Dear Members of the City Council,

I am writing as a Portsmouth teacher to express my deep concern regarding the school budget cap of 2.9% increase over FY 25, essentially a deep cut to our school budget. First let me say that I appreciate the attentiveness and desire for good stewardship when considering the FY 2026 budgets. However, I strongly believe that these cuts will have significant long-term costs to the city. Wise stewardship would require strategic budget revision that supports education, and as Governor Ayotte recently said, "Budget cuts should be made with a scalpel not a shovel."

Capping the FY 26 budget at 2.9% over FY 25 creates an arbitrary, "shovel-like," cut to services currently offered in Portsmouth Schools. Though the Social Security Administration's COLA for 2025 was 2.5%, the home valuation in Portsmouth rose 50-60%. The cost of eggs increased 28%, there was an 8% increase in healthcare services, and an 8.25% increase in electricity. If rising costs normalized above 2.9%, why do we create a blanket cap on education? School costs in utilities, contracted services, and supplies rise just like everywhere else in commerce. It would be prudent to scrutinize what the cost of education in Portsmouth requires in order to offer level servicing without undue current or future costs.

For instance, cutting the budget to a 2.9% cap will likely result in the loss of 15 staff positions. While the Superintendent has used a scalpel to reduce the proposed budget, there is no way to meet the council request without the loss of staff positions. Fifteen less staff directly translates to larger class sizes, fewer curriculum options, and fewer resources for students. Larger class sizes will directly affect student achievement, particularly harmful to the financially and ethnically

diverse population in Portsmouth. When students do not receive the support they need to succeed, they are more likely to fall behind, causing more money in staffing and programming to help them meet expectations in the future.

Along those same lines, cuts to school funding directly impact special education services. Students who used to receive early intervention in a well-funded system could develop more serious learning challenges requiring programming or staffing. We have federal obligations under IDEA to provide these costly services to identified students with disabilities each year, regardless of budgetary constraints. Just recently, Governor Ayotte demonstrated using a scalpel to adjust a budget with her proposed budget cutting costs in other areas, but supporting education with increased funding at the same time. She pledged an additional 50% funding to special education in the future, recognizing the skyrocketing costs required to give students the resources they need. In contrast, we would be doing the opposite by cutting the very staff that support our students. Finally, it is also important to remember that a well-regarded school system attracts families and businesses and investment. Companies are more likely to move to or expand in communities where the schools are strong and where there is a well-prepared workforce. By cutting funding for education now, we risk being known as the city who doesn't support education, its teachers or its school system. We cannot even conceptualize the extent of that cost on the future of the city. Rather than holding an arbitrary cap to school funding in FY 26, I urge the city council to partner with the school board for a better budget offering level services in the leanest measures, without reduction of staff. Be fiscally responsible AND ensure our students receive the education they deserve while also protecting our community in the long term. A commitment to our schools is a commitment to the future success of the city.

Thank you for your time and consideration.
Sincerely,

Jennifer Branch

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, 03/09/2025 - 16:04

Submitted by: Anonymous

Submitted values are:

First Name

Mary Lou

Last Name

McElwain

Email

ml259@comcast.net

Address

259 South Street
Portsmouth, New Hampshire. 03801

Message

I am assuming you all know the work that Andrea Amico has done on PFAS contamination, starting at Pease. An excellent article describing her accomplishments was in Portsmouth Herald last Sunday.

I am hoping/ requesting that the City Council acknowledges Andrea and her “team” at City Council meeting and gift her (with what the City usually does) for her outstanding contribution to community health.

Thank you. Mary Lou McElwain

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

Yes

CITY OF PORTSMOUTH

LEGAL DEPARTMENT

MEMORANDUM

DATE: MARCH 12, 2025

TO: KELLI BARNABY, CITY CLERK

FROM: TREVOR P. MCCOURT, DEPUTY CITY ATTORNEY

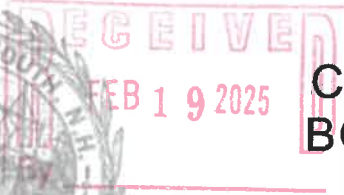
RE: AGENDA ITEM – LICENSE AGREEMENT REQUEST – CHRIS ADAMS
PROPERTY LOCATED AT 66 COAKLEY ROAD

Chris Adams owns a residential property located at 66 Coakley Road. The rear of his property abuts City owned land, upon which he has constructed a white vinyl fence. The City land is encumbered by an easement to Eversource, however Chris Adams has confirmed that the fence does not obstruct Eversource's maintenance activities. The fence currently encroaches on Tax Map 234, Lot 7-3.

Chris Adams requests to be granted a revocable license for his fence, and for the ability to utilize the yard space within the fence. He is not requested to install any other permanent structures.

Proposed Motion: Authorize the City Manager to negotiate and execute a revocable license to Chris Adams of City owned property adjacent to 66 Coakley Road for the purposes of installing, maintaining and replacing a fence, and for ordinary yard maintenance.

CC: Karen S. Conard, City Manager
Susan G. Morrell, City Attorney
Jessica Griffin, Assistant to City Manager



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Arts & Cultural Commission **Initial applicant**

Name: Mandela Pruett Telephone: 6037777220

Could you be contacted at work? YES NO If so, telephone# 6034314230

Street address: 160 Court St. Apt. 317 Portsmouth, NH 03801

Mailing address (if different): _____

Email address (for clerk's office communication): mandela@nhartassociation.org

How long have you been a resident of Portsmouth? 2 1/2 years

Occupational background:

I've worked at the NH Art Association since December 2022 and have grown from Intern to Gallery Assistant to now Assistant Director of Communications. Before this I worked at Market Square Jewelers for one year and other retail shops around downtown Portsmouth.

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

I organized and curated the NH Art Association's BIPOC Fest tent, where I brought together BIPOC artists and highlighted their work within the community. In addition, I helped connect the NHAA with local activists and arts professionals, expanding our network and strengthening partnerships. Through outreach efforts, I also helped promote the NHAA's DEIA initiatives, which led to increased attendance at our DEIA-focused art exhibition on racism in the U.S. These experiences have given me valuable skills in curation, community engagement, and advocacy, which I would bring to the Arts and Cultural Committee.

OVER

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

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

Reasons for wishing to serve: _____

~~When I moved to Portsmouth I instantly felt like I fit in. As a resident, I've discovered a strong sense of community and numerous opportunities to engage with local art something I hadn't experienced before. As an artist and advocate for diversity in the arts, I am passionate about fostering an inclusive and dynamic cultural scene that reflects the voices of all residents. I would love to become more connected and knowledgeable about what it takes to bring this committee's mission to life.~~

Please list any organizations, groups, or other committees you are involved in:
NH Art Associations DEIA Committee

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

1) Amanda Kidd-Kestler, 118 Front St. Exeter, NH, 603-413-2817
Name, address, telephone number

2) Richard Haynes, 778 Woodbury Ave Portsmouth, NH, 603-969-7773
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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

Signature: Mandela I. Pruett Date: 02/19/25

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

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

Mandela Pruett

Adaptable professional with a strong ability to quickly absorb information and make strategic decisions. Experienced in gallery operations, exhibition design, and problem-solving through innovative solutions. Committed to fostering inclusivity and engagement in the arts and the broader community.

160 Court Street
Portsmouth, NH 03801
(603) 777-7220
mdella2000@gmail.com

EXPERIENCE

New Hampshire Art Association (NHAA), Portsmouth, NH *Assistant Director of Communications*

January 2024 - PRESENT

- Co-instructor for "No Longer Brushed Aside," an 8-week DEIAB workshop offered by the NHAA, teaching alongside four of the NHAA's DEIA committee members. Guided artists in understanding and integrating DEIAB principles, focusing on racism and white privilege in the US, to enhance their artistic practice and community involvement.
- Authored all press releases and in-gallery signage for exhibitions, featured in notable New England publications such as *Seacoastonline*, *Fosters Daily Democrat*, *The Portsmouth Chamber*, and *The Lowell Sun* (Worcester).
- Curated and organized the NHAA's New England BIPOC Fest tent, coordinating the participation of BIPOC artists and curating a mini-exhibition. Engaged with over 100 attendees, sharing information about NHAA's mission of inclusion.

Gallery Assistant

December 2022 - January 2024

- Authored all press releases for satellite gallery exhibitions featured in *Seacoastonline*.
- Participated in exhibition design and art handling for new exhibitions.
- Provided support to the Executive Director with administrative tasks, event coordination, and day-to-day operations to ensure the smooth running of gallery activities.

Intern

November 2022 - December 2022

- Supported sales efforts and gained hands-on experience in the daily operations of the gallery under the Executive Director, including client relations and gallery management.
- Designed and executed window displays for the Holiday exhibition.

PROJECTS

Portsmouth Historical Society Exhibition Juror

December 2024- March 2025

1 or 3 Jurors for the *Contemporary Currents* Exhibition companion exhibit to *Winds of Change* a Cabot Lyford retrospective that focuses on the artist's themes of experimentation and advocacy.

NHAA DEIA Committee

2023 - Present

Collaborated with a group of diverse arts professionals to plan the No Longer Brushed Aside workshop. Contributed to discussions on diversity and inclusion strategies and documented key meeting insights to help shape organizational initiatives.

Racial Unity Team, Art & Poetry Challenge Juror

2023 and 2024

Served as a juror for the Racial Unity Team's annual Art & Poetry Contest for two consecutive years, evaluating submissions from all ages

Market Square Jewelers/Gems & Jewels, Portsmouth, NH *Sales Associate*

October 2021 - October 2022

- Assisted customers in finding specific pieces of jewelry while giving background on the importance and history of the vintage and antique qualities of each item.
- Designed window and jewelry case displays to tell a story with color and texture to match the overall theme of the store.
- Played a key role in the creation of the Gems and Jewels website through Shopify, providing pictures of each piece of jewelry along with descriptions.

EDUCATION

Great Bay Community College, Portsmouth, NH — *Fine Arts/Art History*

September 2023 - Present

Columbus State University, Columbus, GA — *Fine Arts (Incomplete)*

August 2018 - November 2019

based on yearly themes promoting racial unity and social awareness.

EXHIBITIONS

NHAA

2023 - Present

Fledgling: Artists Under 30
February 2023: Juried exhibition, no theme, Received 1 of 6 Jurors Awards.

NHAA Sheafe Warehouse Summer Gallery

2023 - 2024

No Longer Brushed Aside Exhibition, October 2024: featured artwork from a small group of artists exploring DEIA principles.

Buoy Gallery

2023

ArtPM 2023: No theme, featuring art from artists across the Seacoast.



CITY OF PORTSMOUTH, N.H.
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Portsmouth Housing Authority **Renewing applicant**

Name: Kara Anne Rodenhizer Telephone: (818) 859 3326

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

Street address: 79 Haven Road

Mailing address (if different): Same as above

Email address (for clerks communication): karodenhizer@gmail.com

How long have you been a resident of Portsmouth? 8.5 years (since May 2016)

Occupational background:

I currently serve as the Senior Director of Housing Initiatives at Granite United Way (GUW) and the Executive Director of the Home for All Coalition (HFA). At GUW, I lead strategic investments in affordable housing and homelessness initiatives, ensuring low-income households have access to stable housing and essential services. At HFA, I oversee a diverse, multi-sector coalition of over 90 partners dedicated to addressing homelessness and expanding affordable housing across the Greater Seacoast region of NH and Southern Maine. My prior experience includes academic research and instruction, non-profit consulting, and managing programs for organizations supporting survivors of domestic violence, justice-involved individuals, and youth with severe mental illness or dual diagnoses, where securing housing was a critical component of service delivery.

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

Reasons for wishing to continue serving:

I wish to continue serving as Vice Chair of the Portsmouth Housing Authority Board of Commissioners because I am deeply committed to advancing its mission of providing quality affordable housing for low- and moderate-income residents. My experience and background position me to add value in guiding strategic direction, supporting development projects, and fostering innovative solutions to address Portsmouth's growing housing needs. Continuing in this role aligns with my dedication to promoting equity and housing stability while strengthening our community.

6/27/2012



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

In addition to currently serving as the Vice Chair of the Portsmouth Housing Authority Board of Commissioners, my current board memberships include:

- Vice President of the NE Women's Affordable Housing Network
- Member of the Governing Council for Housing Action NH
- Board of Directors & member of the public policy committee for the Chamber Collaborative of Greater Portsmouth

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

1) Elissa Margolin, 110 Wibird St, (603) 828 - 5916

Name, address, telephone number

2) Kirsten Barton, 49 Ridges Court, (401) 662 - 9199

Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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

Signature  Date: 2/7/25

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: _____

Annual Number of Meetings: _____ Number of Meetings Absent: _____

Date of Original Appointment: _____

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

KARA ANNE E. RODENHIZER, PH.D.

CONTACT

- ☎ (818) 859 - 3326
- ✉ karodenhizer@gmail.com
- 📍 79 Haven Road Portsmouth, NH
- 🌐 <https://www.linkedin.com/in/kara-anne-rodenhizer/>

PROFILE SUMMARY

Experienced nonprofit leader with over a decade of expertise in developing and implementing community-driven solutions to address complex challenges, including homelessness, interpersonal violence, and affordable housing. Skilled in strategic partnerships, advocacy, fundraising, planning, and multi-sector coalition building. Committed to fostering collaboration, empowering communities, and driving meaningful change through innovative, policy-focused initiatives.

EDUCATION

UNIVERSITY OF NEW HAMPSHIRE

- Ph.D., Social Psychology (2018)
- M.A., Psychology (2015)

MARYMOUNT UNIVERSITY

- M.A., Forensic Psychology (2013)

UNIVERSITY OF CALIFORNIA, DAVIS

- B.A., Psychology (2010)
- Minors: Communications, Sociology of Law & Society

SKILLS

- Strategic Planning & Partnerships
- Community Engagement & Coalition Building
- Advocacy & Public Policy
- Donor Engagement & Major Gifts
- Grant Writing & Project Management
- Public Relations
- Program Development & Evaluation
- Board Development & Governance

RECOGNITION

- 2023 Seacoast's "10 to Watch Young Professionals" by Seacoast Online / Gannet Media

WORK EXPERIENCE

KR Consulting (Self-Employed) JANUARY 2017 - PRESENT Consultant

Strategic advisor and project manager for nonprofits and private foundations, specializing in advancing mission-driven initiatives through expertise in program development and evaluation, grant writing, donor cultivation and stewardship, LIHTC and supportive housing development, and capital campaign planning.

Granite United Way FEBRUARY 2023 - PRESENT Senior Director of Housing Initiatives

Entrepreneurial leader driving Granite United Way's (GUW) strategic investments in affordable housing, homelessness initiatives, and advocacy efforts to drive impactful change.

- **Leadership & Innovation:** Managed day-to-day operations of GUW's housing initiatives team, providing thought leadership and fostering innovative solutions for underserved unsheltered, and vulnerable populations.
- **Program Development & Expansion:**
 - Led efforts to scale the Affordable Housing Incentive Program (AHIP) and launch it as a statewide initiative.
 - Led the development of New Hampshire's first web-based housing platform, designed to connect previously homeless households with supportive services and below-market rental units, set to launch in May 2025.
- **Funding & Impact:** Secured over \$2.5M in state contracts, grants, and private donations, including:
 - \$1.3M state contract with NH CDFA to expand the Affordable Housing Incentive Program (334 individuals housed).
 - \$1.25M contract with NH DHHS to launch Mission Zero Landlord Incentive Program, supporting individuals with severe mental illnesses transitioning out of NH Hospital.
 - One of three 2023 TD Bank Housing for Everyone Award winners funded at the highest level (\$250,000) out of 500 applicants.

WORK EXPERIENCE CONTINUED

Home for All Coalition (Granite United Way)

MAY 2022 - PRESENT

Executive Director

Lead a diverse, multi-sector partnership of over 90 individuals and organizations dedicated to addressing homelessness and expanding the supply of affordable and deeply affordable housing across the Greater Seacoast region of NH and Southern Maine.

- **Strategic Leadership:** Directed strategic planning and organizational restructuring, launching two innovative initiatives, establishing four specialized workgroups, and forming a cohesive governing leadership team.
- **Organizational Development:** Formalized a fiscal sponsorship with Granite United Way and initiated efforts to secure NH nonprofit status.
- **Fundraising & Partnerships:** Secured the Coalition's first major gift and cultivated individual and corporate donor relationships to advance the mission. Build multi-sector partnerships and lead grassroots organizing efforts to promote deeply affordable housing opportunities and reduce homelessness across the Seacoast.
- **Policy Advocacy:** Direct legislative engagement and advocacy at local, state, and federal levels to advance policy priorities across the housing spectrum, from shelter services to permanent housing solutions.
- **Collaborative Innovation:**
 - Hosted NH's first Developer Roundtable in 2023, engaging 24 private and nonprofit developers to collaboratively identify and address barriers to affordable housing development.
 - Collaborated with NH Coalition to End Homelessness and Housing Action NH to collect updated data on the costs of providing overnight shelter, informing state officials, budget writers, and lawmakers on funding needs to sustain NH's homeless shelter system.

HAVEN

JANUARY - MAY 2022

Project Manager - Capital Campaign

Led early-stage planning and land acquisition efforts to secure property for HAVEN's co-located office and 13-unit emergency shelter.

- **Tactical Planning:** Developed and executed a strategic campaign plan, aligning project goals with programmatic needs during the land acquisition and quiet phase.
- **Stakeholder Engagement:** Directed stakeholder engagement, facilitating outreach to donors, community leaders, and prospective partners to build campaign momentum.
- **Campaign Strategy:** Collaborated with executive leadership to design fundraising strategies, craft compelling messaging, and prepare materials for early-stage donor outreach.
- **Case Development:** Co-authored the case for support and created campaign materials to effectively engage potential donors during the quiet phase.
- **Leadership Alignment:** Provided strategic guidance and support to the Executive Director and Board for key stakeholder meetings and early donor engagement.

HAVEN

JULY 2019 - DECEMBER 2021

Manager of Housing Programs

Interim Manager of Housing & Shelter Programs

Oversaw program development, community engagement, grant writing and project management, staff supervision, and supportive services for HAVEN's housing programs and emergency shelter for survivors of domestic and sexual violence. Key accomplishments include:

- **Grant Writing & Development:** Authored and secured state and federal funding to support and expand housing and shelter programs, including:
 - \$2M in Congressionally Designated Spending Request through U.S. Senator Jeanne Shaheen's office to acquire property for a 13-unit emergency shelter and office facility.
 - \$625K from the Office of Violence Against Women for a Transitional Housing program supporting survivors of domestic and sexual violence.
 - \$113K in COVID-19 relief funds from NH Housing & Finance Authority for structural modifications and increased operating costs for HAVEN's emergency shelter.
- **Supportive Housing Development:** Partnered with Dover Housing Authority to develop NH's first 6-unit permanent supportive housing project for survivors of interpersonal violence.
- **Training & Partnerships:** Facilitated training for staff, community partners, and stakeholders to improve collaboration and service delivery and built partnerships with landlords, housing authorities, and municipalities to expand access to affordable housing for survivors.

WORK EXPERIENCE CONTINUED

HAVEN

MAY 2018 - JUNE 2019

Shelter Manager

Oversaw day-to-day operations of HAVEN's emergency Domestic Violence Shelter, managing shelter programming and direct services to support survivors of domestic violence.

- **Team Leadership:** Supervised and mentored staff and interns through weekly one-on-one sessions, fostering high performance through clear expectations, positive reinforcement, and collaborative communication.
- **Program Development:** Designed and implemented client and child programming focused on safety, self-sufficiency, and personal growth, aligned with organizational priorities.
- **Community Partnerships:** Cultivated relationships with local nonprofits, transitional housing agencies, law enforcement, and employers to enhance collaborative efforts and expand resources for shelter residents.

Interpersonal Violence Research Lab (UNH)

JUNE 2013 - MAY 2018

Senior Lab Manager & Graduate Researcher

Involved in all phases of research, including study conceptualization and design, data collection and analysis, and dissemination of research findings in peer-reviewed journals and conferences. Highlights include:

- **Scholarly Contributions:** Authored 10 peer-reviewed journal articles, 2 encyclopedia entries (first author), an invited book chapter, and multiple technical research briefs.
- **Leadership & Presentations:** Chaired 2 symposia and delivered 24 presentations at national and international conferences. Mentored six students in preparing and delivering research presentations at conferences.
- **Grant & Project Oversight:** Co-authored grants funded by the CDC and NIH, managed 13 research studies, including a \$1M CDC-funded randomized control trial evaluating *Bringing In the Bystander* violence prevention programming (dissertation study), and supervised project teams.
- **Awards & Recognition:** Awarded the competitive UNH Dissertation Year Fellowship (\$22,000) and received recognition for a Master's thesis by the Society for Psychology of Women (APA Division 35).
- **Mentorship & Training:** Supervised and trained undergraduate research assistants in data collection, entry, and analysis; mentored students in developing and presenting research posters and theses.

University of New Hampshire

AUGUST 2015 - MAY 2017

Instructor

Served as instructor of record for undergraduate courses, including Abnormal Behavior (advanced), Introduction to Psychology, and Applied Social Psychology Independent Study. Designed syllabi, delivered lectures, and assessed student performance.

University of New Hampshire

AUGUST 2013 - MAY 2015

Teaching Assistant

Supported undergraduate courses in Abnormal Behavior and Counseling Psychology. Delivered guest lectures, facilitated APA writing workshops, proctored exams, and evaluated coursework.

National Council on Teacher Quality

MAY 2012 - JUNE 2013

Research Analyst

Collaborated with a team of 20 analysts to evaluate teacher preparation programs across the United States, contributing to a comprehensive review published in *US News & World Report* (2013).

Office of the Public Defender, Arlington Virginia

JANUARY 2013 - MAY 2013

Sentencing and Mitigation Specialist, Graduate Intern

Collaborated with attorneys to advocate for rehabilitative and restorative outcomes in criminal cases, emphasizing client-centered approaches and alternatives to pretrial detention and incarceration.

American Association of Suicidology

JANUARY 2012 - JUNE 2012

Graduate Research Assistant

Served as a graduate research assistant on the Rail Suicide Prevention Project examining suicides on railroads right of way, and the U.S. Marine Corps Suicide Prevention Project, identifying community approaches to preventing suicides and increasing suicide awareness within Marine Corps Installations Command.

*additional work experience, list of speaking engagements, and academic publications available upon request.

NON PROFIT BOARD MEMBERSHIP & LEADERSHIP

Portsmouth Chamber Collaborative

JUNE 2024 - PRESENT

Board of Directors

- Advance the Chamber's mission to strengthen the business community by advocating for diverse housing solutions across Portsmouth and the Seacoast region, including promoting policy changes, fostering public-private partnerships, and supporting innovative funding models to address workforce housing needs at all income levels.
- Assisted the Chamber in drafting policy priorities and a legislative agenda for the 2025 session to enhance business community vitality and support the current and future workforce.

NH Council on Housing Stability (NHCHS)

AUGUST 2024 - PRESENT

Member, Policy Framework Workgroup

- Helped develop the NH Council on Housing Stability's policy framework for its 2025-2028 strategic plan, establishing goals to ensure housing stability for all New Hampshire residents while guiding decision-making, identifying critical investments, and evaluating progress in addressing housing instability statewide.

Housing Action NH (HANH)

JANUARY 2024 - PRESENT

Governing Council Member

- Support efforts to build and sustain strong relationships with state and congressional delegations, leveraging expertise in strategic partnerships, coalition building, and resource development to advance HANH's legislative agenda, spanning shelter services to permanent housing solutions. Highlights include:
 - Collaborated with the former Executive Director to establish and convene the 2025 Homeless Funding Task Force, bringing together state and privately funded shelter providers to align advocacy efforts on priority legislation and secure adequate shelter funding in the upcoming biennium state budget.
 - Advanced HANH's 2024 advocacy efforts on SB 406, testifying on behalf of the organization to help secure a \$2.5 million off-budget appropriation for homeless service providers. This critical funding enabled state-funded shelters to sustain capacity during unprecedented demand and expiration of pandemic-era funding.

New England Women's Affordable Housing Network

NOVEMBER 2023 - PRESENT

Vice President, Board of Directors

- Assisted in drafting bylaws and articles of incorporation to secure 501(c)(3) nonprofit status and filed charitable solicitation registrations across all New England states, formalizing the organization's structure and positioning it to expand its capacity and impact.
- Founded the *LeadHERship Lounge Series*, a professional development and networking platform showcasing trailblazing women in the affordable housing industry.

Portsmouth Housing Authority (PHA)

MARCH 2020 - PRESENT

Vice Chair, Board of Commissioners

- Member of PHA's Development Team for the Sherburne School Project, providing guidance and oversight from pre-development stages until project completion.
- Support PHA in identifying opportunities to create permanently affordable housing and cultivate partnerships to address critical housing needs within the city.
- Lead and conduct the annual performance review of the Executive Director, ensuring accountability and alignment with organizational mission, vision, and goals.
- Collaborated with PHA to secure Low-Income Housing Tax Credit (LIHTC) investments and strengthen community relationships, advancing the Ruth Lewin Griffin Workforce Housing Development and achieving Portsmouth's largest expansion of permanent affordable housing in nearly 50 years.

Seacoast Youth Services (SYS)

JUNE 2019 - JUNE 2022

Board of Directors

- Chaired the SYS Programs Committee, spearheading the creation of the Katy McDermott Youth Grant Fund and driving strategic planning, program development, and evaluation to meet the evolving needs of the youth served.
- Developed expertise in operational and program management, as well as financial oversight, ensuring organizational sustainability and success.

March 7, 2025

Eva Boice
98 Court Street
Portsmouth, NH 03801

Dear Mayor McEachern & City Council,

Please accept my resignation from the Cemetery Committee. It has been a wonderful experience and I will miss everyone.

Thank you,

Eva Boice

2024 - Board and Commission Meeting Attendance Records

Arts & Cultural Commission (10 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Aichele, Gen	10	0	0	100%
Cook, Kate (Councilor)	10	0	0	100%
Cooper, Jeffrey	10	0	0	100%
Dickey, Jessica	10	0	0	100%
Goldman, Ken	9	1	0	90%
Goodrich, Jason	7	3	0	70%
Grim, Linnea	8	2	0	80%
Kaynor, Eli	10	0	0	100%
McDowell, Theresa	10	0	0	100%
Perkins, Courtney	7	3	0	70%
Rosania, Karen	10	0	0	100%
Saarela, Catherine	9	1	0	90%
Stratton, Emma	9	1	0	90%

Cable Commission (6 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Abrams, Jeff	5	1	0	83%
Capone, Robert	6	0	0	100%
Chicooree, Amrishi	4	2	0	66%
Lowe, Gary	6	0	0	100%
Rodriguez, Luis	6	0	0	100%

Cemetery Committee (8 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Boice, Eva	7	1	0	70%
Brooks, Celeste	7	1	0	70%
Buzzell, Stephen	5	3	0	66%
Forte, Deidre	7	1	0	70%
Griffin, Michael	8	0	0	100%
MacCallum, Duncan	4	4	0	50%
Polidura, Sue	8	0	0	100%
Splaine, Peter	8	0	0	100%
Sterry, Susan	8	0	0	100%

Citizens Advisory (6 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Barton, Kristen	5	1	0	83%
Decourcy, Kelly	5	1	0	83%
Durling, Susan	5	1	0	83%
Hartley, Annelise	6	0	0	100%
Meade, Hannah	5	1	0	83%

Citywide Neighborhood Committee (6 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Berling, Christian	5	1	0	83%
Blalock, Rich (Councilor)	3	2	0	15%
Gatchell, William	5	1	0	83%
Hale, Kenneth	5	1	0	83%
Ovecka, Colleen	6	0	0	100%
Somssich, Peter	5	1	0	83%

Conservation Commission (12 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Blasko, Jessica	9	3	0	75%
Carey, Alice (1st mtg in January)	10	2	0	80%
Collins, Samantha	9	3	0	75%
Gibb, Brian	12	0	0	100%
McMillan, Barbara	12	0	0	100%
Sheppard, Stewart	11	0	1	90%
(1st Mtg in February) Sperduto, Talia	10	1	0	90%
Vaccaro, Lynn	11	1	0	90%

Economic Development Commission (12 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Cohen, Philip	8	4	0	67%
Eaton, Everett	6	6	0	50%
Lachance, Sarah	12	0	0	100%
Lehoux, Jacob	7	5	0	58%
Marchewka, Robert	10	2	0	83%
Scumaci, Jen	9	3	0	75%
Ward, Andrew	10	2	0	83%
Watson, Thomas	12	0	0	100%
Weidman, Anne	12	0	0	100%
Howard, Anna	10	2	0	83%

Historic Distirct Commission (16 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Adams, David	14	2	0	88%
Brown, Daniel	15	1	0	94%
Doering, Margot	16	0	0	100%
Ruedig, Reagan	16	0	0	100%
Ryan, Martin	14	2	0	88%
Wyckoff, Jonathan	16	0	0	100%
Booz, Larry	14	2	0	88%

Housing Committee (16 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Anderson, Eric	14	2	0	87%
Corsetti, Megan	13	3	0	81%
Kelley, JoAnna, Assistant Mayor	14	2	0	87%
Kozak, Tracy	12	4	0	75%
Loane, Mary	15	1	0	93%
Matto, Byron	14	2	0	87%
Migirditch, Dagan	15	1	0	93%
Moreau, Beth, Councilor	16	0	0	100%
O'Leary, John	13	3	0	81%
Samonas, Andrew	3	3	0	50%
Tabor, John, Councilor	15	1	0	93%
Thomas, Jen Stebbins	14	2	0	87%

Library Brd. of Trustees (meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Delekta, Kelly	8	1	0	89%
deRuiter, Katinka	8	1	0	89%
Fabrega, Meganne	9	0	0	100%
filion, Marsha	8	1	0	89%
Mandelbaum, Jennifer	3	9	0	33%
McLaughlin, Tyler	8	1	0	89%
Peppas, Maria	9	0	0	100%
Stern, Jeff	8	1	0	89%

Parking & Traffic Safety (11 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Allen, David	11	1		92%
McElwain, Mary Lou	9	2		82%
Pesci, Stephen	11	0		100%
Syracusa, Mark	9	2		82%
Wygonik, Erica	10	1		91%

Planning Board (14 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Almeida, Joe	14	0	0	100%
Begala, Jane (resignation 3-21-2024)	4	1	0	N/A
Bowen, William	13	1	0	93%
Chellman, Rick	14	0	0	100%
Conard, Karen, City Manager	11	3	0	79%
Coviello, Anthony (Appointed 5-6-2024)	7	1	0	88%
Giuliano, Paul	12	2	0	86%
Hewitt, James	12	1	1	86%
Mahanna, Greg	9	5	0	64%
Moreau, Beth, Councilor	14	0	0	100%
Samonas, Andrew	12	2	0	86%

Portsmouth Energy Advisory Committee (10 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Blaisdell, Betsy	7	3	0	23%
Cameron, Tracey	6	4	0	15%
Charette, Kevin	8	2	0	40%
Cook, Kate, Councilor	6	4	0	15%
D'Antonio, Ben	7	3	0	23%
Lloyd, Herb	9	1	0	90%
Rooney, Tom	7	3	0	23%
Somssich, Peter	9	1	0	90%
Tabor, John, Councilor	10	0	0	100%

Portsmouth Housing Authority (11 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Bergeron, Kathleen	10	1	0	83%
Ferrini, Thomas	9	2	0	75%
Griffin, Michael	11	0	0	100%
Main, Daniel	11	0	0	100%
Pickering, Robin, Residential Rep,	11	0	0	100%
Rodenhizer, Kara Anne	8	3	0	67%

Portsmouth Housing Endowment Fund Advisory Board (1 meeting held) 2024

	Attended	Excused	Unexcused	Attendance %
Berg, Steven	1	0	0	100%
Lukacz, Christine	1	0	0	100%
Mountjoy, Jeffrey	1	0	0	100%
Poubeau, Anne	0	1	0	0%
Welch, Craig	1	0	0	100%

Public Art Review Committee (12 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Dwyer, Chris	11	1	0	91%
Fineberg, Ellen	12	0	0	100%
Greenslade, Ernie (Jolined in March)	8	2	0	80%
Hartnett, Beth	8	4	0	66%
Lurie-Myerkopf, Robin (Joined in February)	7	4	0	64%
Meister, Jen	11	1	0	91%
Mullaney, Lennie	10	2	0	83%
Murphy, Alyssa	7	5	0	58%
Pearson, Nancy	12	0	0	100%
Witzling, Mara	11	1	0	91%

Recreation Board (7 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Barrett, Elizabeth, School Board	4	3	0	13%
Blalock, Rich, Council Rep	6	1	0	60%
Bogardus, Robert (Resigned in May)	2	1	0	20%
Cali-Pitts, Jacqueline	7	0	0	100%
Chaudoin, Scott (Appointed in September)	3	0	0	100%
Court, Amy-Mae (Appointment in June)	4	0	0	100%
Diemer, Carl (Term expired in March)	2	0	0	100%
Duddy, Richard	7	0	0	100%
Krans, Lauren	7	0	0	100%
Lynch, Kathryn	5	2	0	25%
Sirmaian, Kory	5	2	0	25%

Safe Water Advisory Group (4 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Amico, Andrea	4	0	0	100%
Barrett, Elizabeth	2	2	0	50%
Blalock, Rich (Councilor)	4	0	0	100%
DiPentima, Rich	4	0	0	100%
Hewitt, James	3	1	0	30%
Hillman, Katrie	4	0	0	100%
Lombardi, Vince (Councilor)	4	0	0	100%
McNamara, Kim	2	2	0	100%
McQuillen, Bill (Fire Chief)	2	2	0	50%
Meuse, David (State Representative)	3	1	0	30%
Schaider, Laurel	1	3	0	33%

Sustainability Committee (12 meetings held) 2024	Attended	Excused	Unexcused	Attendance %
Blasko, Jessica	12	0	0	100%
Brooks, Torey	5	6	1	71%
Cohen, Bert	12	0	0	100%
Denton, Josh (Councilor)	9	3	0	30%
Lyons, William	11	1	0	90%
Malley, Effie	9	3	0	30%
Sullivan, Chas	3	2	7	33%
Spear, Colleen (Joined in December)	1	0	0	100%
Ward, Maxson (Joined in December)	0	0	1	0%

Trees & Public Greenery Committee (11 meetings held) 2024	Attended	Excused	Unexcused	Attendance %
Bagley, Patricia	11	0	0	100%
Chag, Deborah	11	0	0	100%
Dupere, A.J.	7	4	0	64%
Griffin, Michael	11	0	0	100%
Loughlin, Peter	11	0	0	100%
Souto, Dennis	10	1	0	83%

Trustees of Trust Fund (13 meetings held) 2024	Attended	Excused	Unexcused	Attendance %
Levenson, Dana	13	0	0	100%
Watson, Thomas	13	0	0	100%
Weeks, Peter	13	0	0	100%

Zoning Board of Adjustment (17 meetings held) 2024

	Attended	Excused	Unexcused	Attendance %
Eldridge, Phyllis	14	3	0	82%
Mannle, Paul	16	0	1	94%
Margeson, Beth	14	3	0	82%
Mattson, Jeffrey	15	2	0	88%
Nies, Thomas (Appointment in March)	14	1	0	93%
Record, Jody	13	4	0	76%
Rheaume, David	15	2	0	88%
Rossi, Thomas	15	2	0	88%

PARKING and TRAFFIC SAFETY COMMITTEE

ACTION SHEET

8:30 A.M. – March 6, 2025
City Hall Conference Room A

PRESENT: **Members:** Chairman Andrew Bagley, Public Works Director Peter Rice, Fire Chief William McQuillen, Deputy Police Chief Mike Maloney, Stephanie Casella Planning Department, Mark Syracuse, Erica Wygonik, Jane Mitchell-Pate, Mary Lou McElwain

City Staff: City Engineer Eric Eby, Parking Director Ben Fletcher, Parking Foreman Mike Casad, Administrative Assistant Jefferson Lane

ACTION ITEMS FOR CITY COUNCIL
<ul style="list-style-type: none">• None

- None

- **Roll Call**
- **Financial Report:** Voted to accept and place on file Financial Report dated January 31st, 2025.
- **Public Comment Session:** There were two speakers: Tyler Garzo of 62 McKinley Road spoke regarding the Capital Improvement Plan. He urged the committee to find ways to de-emphasize driving in future planning. Patrick Lavoie, owner of a barbershop at 295 Maplewood Avenue, introduced his case to create a driveway to the building close to the intersection of Maplewood Avenue and Marsh Lane [Jackson Hill Street].
- **295 Maplewood Avenue, driveway permit request, by resident.** Voted to recommend approval for construction of a driveway at the proposed location.
- **Bow Street, request to remove parking space to allow for monument for Royal Governor Benning Wentworth tomb, by Portsmouth Historical Society.** Voted to place the item on file.
- **Police monthly accident report:** Informational; no action required.
- **Outdoor dining season:** Informational; no action required.

Respectfully submitted by: Jefferson Lane

PARKING and TRAFFIC SAFETY COMMITTEE
PORTSMOUTH, NEW HAMPSHIRE

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

*Members of the public also had the opportunity to join the meeting via
Zoom*

8:30 AM

March 6th, 2025

MINUTES

I. CALL TO ORDER

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

II. ATTENDANCE

Members Present:

Chairman Andrew Bagley
Public Works Director Peter Rice
Fire Chief William McQuillen
Deputy Police Chief Mike Maloney
Stephanie Casella, Planning Department
Vice Chairwoman Erica Wygonik
Jane Mitchell-Pate
Mark Syracuse
Mary Lou McElwain

Members Absent:

Dave Allen (alternate)

City Staff Present:

Ben Fletcher, Parking Director
Mike Casad, Parking General Foreman
Jefferson Lane, DPW Administrative Assistant II
Eric Eby, City Engineer

III. FINANCIAL REPORT

[00:05:35] Public Works Director Peter Rice moved to accept the financial report dated January 31st, 2025, seconded by Mark Syracuse. The motion passed unanimously.

IV. PUBLIC COMMENT (15 MINUTES)

[00:06:01] There were two speakers: Tyler Garzo of 62 McKinley Road spoke regarding the Capital Improvement Plan, citing how 10% of the plan is car-specific. Garzo noted driving causes 60% of Portsmouth's greenhouse gas emissions, as well as how 10% of the population does not drive. He urged the committee to find ways to de-emphasize driving in future planning.

Patrick Lavoie, owner of a barbershop at 295 Maplewood Avenue, introduced his case to create a driveway to the building close to the intersection of Maplewood Avenue and Marsh Lane [Jackson Hill Street].

V. PRESENTATIONS

There were no presentations.

VI. NEW BUSINESS

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

There were no new items this month.

VII. OLD BUSINESS

A. [00:07:39] 295 Maplewood Avenue, driveway permit request, by resident. Vice Chairwoman Erica Wygonik motioned to place the item on file for discussion purposes, seconded by Mary Lou McElwain. There was discussion regarding the safety and logistics of a new driveway, primarily whether there's ample room without street interference, as well as maintaining the sight distance of Maplewood Avenue from the intersection with Marsh Lane [Jackson Hill Street]. Mary Lou McElwain introduced an amendment to the original motion, moving to recommend approval for construction of a driveway at the proposed location. This motion was seconded by Jane Mitchell-Pate. Peter Rice introduced a friendly amendment to the motion, citing consideration of greenery near the intersection as a visual cue for motorists, seconded by Erica Wygonik. Following discussion, Rice rescinded his friendly amendment. Chairman Bagley requested a roll call vote. The motion passed 7-2, with Fire Chief Bill McQuillen and Public Works Director Peter Rice voting against the motion.

B. [00:41:40] Bow Street, request to remove parking space to allow for monument for Royal Governor Benning Wentworth tomb, by Portsmouth Historical Society. Peter Rice moved to place the item on file, seconded by Erica Wygonik. The motion passed unanimously.

VIII. INFORMATIONAL

A. [00:46:43] Police monthly accident report

B. [00:49:53] Outdoor dining season

IX. MISCELLANEOUS

[00:50:10] Chairman Bagley circled back on the Broad Street traffic calming measures from February's meeting, citing that previously mentioned methods were out of the purview for PTS. Bagley sought input from Chief McQuillen and Deputy Chief Maloney on the idea of turning Broad Street into a dead end, and the impact that could have on emergency operations. Jane Mitchell-Pate inquired about parking access to doors on Bow Street belonging to St. John's Episcopal Church. Mary Lou McElwain asked for any updates regarding a committee item from 2024 regarding the installation of a stop sign on Marston Avenue at South Street. Jane Mitchell-Pate asked about the need for a site visit to Broad Street regarding traffic calming.

X. ADJOURNMENT

[00:55:20] Erica Wygonik moved to adjourn, seconded by Mary Lou McElwain. The motion

passed unanimously. Chairman Bagley adjourned the meeting at 9:20 AM.

Respectfully submitted,
Jefferson Lane
Administrative Assistant II, Department of Public Works

Gift and Donation Submission Form

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

Date:	February 25, 2025
Department/ Contact Person:	Suzanne Woodland, Deputy City Manager/Regulatory Counsel and Susan Sterry, Cemetery Committee Co-Chair
Donation Amount:	\$1,000

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

Yes, this donation will be restricted for the purpose described below.

Is there a particular purpose intended with this donation:

Yes, the purpose of this donation is to support the acquisition and installation of a memorial for Dinah Chase Whipple at North Cemetery.

Other Information/Special Conditions:

This donation will be bundled with additional donations already received for the acquisition of the memorial.

Donor Information

First & Last Name:	
Business Name:	Appledore Marine Engineering LLC acting through the (The Webs Foundation) Attn: Vanessa Swasey Office Manager
Address*:	
Phone*:	600 State Street, Suite E, Portsmouth NH
Email*:	

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