

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, MAY 5, 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_jocoyplbTTaj1tCoojsH3g

**6:15PM – ANTICIPATED NON-PUBLIC SESSIONS ARE BEING HELD IN CONFERENCE ROOM A
IN ACCORDANCE WITH RSA 91-A:3 II (a) & RSA 91-A:3 II (d)**

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
- VII. ACCEPTANCE OF MINUTES – APRIL 21, 2025
- VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS
 1. Crossing Guards Appreciation Day
- IX. PUBLIC COMMENT SESSION *(This session shall not exceed 45 minutes) – (participation may be in person or via Zoom)*
- X. PUBLIC HEARINGS AND VOTE ON ORDINANCES AND/OR RESOLUTIONS

Public Hearing and Second Reading of Ordinance:

- A. PUBLIC HEARING AND SECOND READING of Ordinance Amendment to Chapter 10, Zoning Ordinance, Article 4, Zoning Districts and Regulations by Adding Coliving as a New Use; Article 8, Supplemental Use Standards, be Amended by Adding Section 10.815 – Coliving; and Article 15, Definitions ***(Sample motion – move to pass second reading and hold third and final reading at the May 19, 2025 City Council meeting)***
 - PRESENTATION
 - CITY COUNCIL QUESTIONS
 - PUBLIC HEARING SPEAKERS
 - ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager's Items Which Require Action:

1. Osprey Landing Gas Line Relocation
2. Second Extension of Temporary Construction License for 2 Congress Street, the North Church of Portsmouth
3. Report Back on Hanover/Hill Street Zoning

XII. CONSENT AGENDA

- A. Request from Bradley Chartier of Heritage Home Service 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 sign, 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 sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***
- B. Letter from Michael Hudson, St. John's Lodge, requesting permission to hold the annual St. John's Sunday Parade on Sunday, June 22, 2025 (***Anticipated action – move to refer to the City Manager with Authority to Act***)

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. *Community Resource Network (CRN) Website Introduction and Presentation – Susan Turner & Kim McNamara
- B. US Route 1 Corridor Improvement Project – David Smith & David McNamara
- C. Email Correspondence (***Sample motion – move to accept and place on file***)

XIV. MAYOR McEACHERN

1. *Appointments to be Voted:
 - Appointment of Heather Loney to the Arts & Cultural Commission
 - Appointment of Cassandra Lund to the Arts & Cultural Commission
 - Reappointment of Peter Splaine to the Cemetery Committee
 - Appointment of Oliver Chag as an Alternate to the Conservation Commission
 - Reappointment of Scott Chaudoin to the Recreation Board
 - Reappointment of Kory Sirmaian to the Recreation Board
 - Appointment of Ian Hanley to the Trees & Public Greenery Committee
 - Reappointment of Jeffrey Mattson to the Zoning Board of Adjustment
2. Resignation of Susan Sterry from the Historic Cemetery Committee and African Burying Ground Blue Ribbon Committee

XV. CITY COUNCIL MEMBERS

A. COUNCILOR DENTON

1. *Electric Vehicle Charging Stations (***Sample motion – move for a report back on the development of an electrification plan under BI-20-PW-46: Level 2 (120/208 Volt Single Phase) & Level 3 (480 Volt Three Phase) Electric Vehicle (EV) Charging Stations***)

B. COUNCILOR BLALOCK

1. Portsmouth Recreation Department Impact Fees: Non-Profit Organizations (***Sample motion – move to approve as presented***)

C. COUNCILOR MOREAU, COUNCILOR BLALOCK, COUNCILOR BAGLEY

1. Neighborhood Zoning Changes

XVI. APPROVAL OF GRANTS/DONATIONS

- A. *Donations in Memory of Skatepark Committee Member Chris Rice (***Sample motion – move to authorize the City Manager to accept donations in any amount in memory of Chris Rice for use in sponsoring in-need families to participate in skateboarding programs through the Recreation Department***)

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. *FY26 Budget
2. *Report Back on Steps that New Businesses Can Take to Open and Potential Options to Streamline Process
3. *Cellular Service Survey

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

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

**Indicates verbal report with no attachments*

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

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: MONDAY, APRIL 21, 2025

PORTSMOUTH, NH
TIME: 7:00PM

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

III. CALL TO ORDER

Mayor McEachern called the meeting to order at 7:04 p.m.

IV. ROLL CALL

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

ABSENT: Councilor Cook

V. INVOCATION

Mayor McEachern asked for a moment of silent prayer.

VI. PLEDGE OF ALLEGIANCE

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

PROCLAMATION

1. Sexual Assault Awareness Month

Mayor McEachern requested Assistant Mayor Kelley to read the Proclamation on Sexual Assault Awareness Month.

Assistant Mayor Kelley stated she is humbled by the mayor allowing her to read the Proclamation. She stated that as a survivor of sexual assault she asked the mayor to read the proclamation stressing its importance to the community by sharing a personal statement.

She addressed the community by identifying that no one is immune to this type of violence, and reminding survivors that they're not at fault, and the only one to blame is the perpetrator.

Assistant Mayor Kelley provided statistics to the community, stating that 41% of sexual assaults are reported before the age of 18. Further disclosing that 83% of sexual assaults occur before the age of 25; in New Hampshire, the New Hampshire Violence Against Women Survey found that 22% of women and 4.9% of men have been sexually assaulted. She further disclosed the breakdown of these statistics being approximately 112,000 New Hampshire women and 24,000 New Hampshire men who have been victims of sexual assault. Assistant Mayor Kelley continued by saying the New Hampshire Violence Against Men survey 1 in 20 New Hampshire men report being sexually assaulted 68% of these assaulted occurred before the victim's 18th birthday. She stated this is not a silent problem but an epidemic within our community.

Assistant Mayor Kelley read the proclamation calling on our citizens to come together and reaffirm our commitment to ending sexual assault and supporting survivors.

Ryan Grogan and Steve Gahan from the Portsmouth Prosecution and Victim Witness Advocacy team accepted the proclamation from Mayor McEachern and City Council members with thanks and appreciation.

VII. ACCEPTANCE OF MINUTES – MARCH 3, 2025; MARCH 17, 2025; AND APRIL 7, 2025

Councilor Moreau moved to accept and approve the minutes of March 3, 2025; March 17, 2025; and April 7, 2025 City Council meetings. Seconded by Councilor Tabor and voted

Councilor Lombardi abstained from April 7, 2025, minutes because he was absent from the meeting.

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

1. The Portsmouth Special Olympics Basketball Team won the BRONZE medal in triple overtime!

Mayor McEachern congratulated the members of the Portsmouth Special Olympics by giving the following remarks:

Congratulations to the members of the Portsmouth Special Olympics Basketball team who won the Bronze Medal at the State Championship games on April 12, 2025, at Plymouth State University.

Facing a tough Fall Mountain team and a tournament challenged by a snowstorm, the members of a combined Clippers and Buccaneers team played into a tie and overtime. After the first overtime, the game was still tied, requiring free throws to determine the winner. Lindsay Veilleux with three free throws, brought the team to victory.

The Portsmouth Special Olympics program serves 52 athletes, ages 2 to 30+ plus 21 volunteers from Portsmouth and 8 surrounding towns: Greenland, Hampton, Hampton Falls, North Hampton, New Castle, Newington, Rye, Rye Beach, and Portsmouth.

The Program is part of the Special Olympics New Hampshire which offers health, wellness, athlete leadership and school-based initiatives, in addition to training and competition opportunities in 17 sports, to 3,024 athletes across the state. All completely free of charge.

Mayor McEachern said as you know, he is a great believer from my own experience in all the benefits team sports provide. The Special Olympics culture rewards participants across a wide range of abilities by stressing inclusion, insight and understanding among its members, along with athletic excellence, determination, health and personal achievement.

On behalf of the City Council and the people of Portsmouth I celebrate your accomplishment!

Mayor McEachern with the assistance of City Clerk Barnaby handed out City of Portsmouth t-shirts to the coaches and teammates congratulating them on their victory.

Councilor Bagley moved to suspend the rules to allow Theodore Porter and other 5th Graders of New Franklin School to address the City Council with a proposal of establishing a Crossing Guard Appreciation Day in the City of Portsmouth. Seconded by Councilor Denton and voted.

Theodore Porter thanked the City Council for their time this evening, stating he is here with the support of his peers from across the school district to propose the City Council make the 2nd Tuesday in the month of May, Crossing Guard Appreciation Day.

Theodore stated he wants to recognize how much crossing guards do to ensure the safe arrival and departure of students, stating that crossing guards deserve special acknowledgements for all they do; especially when standing outside all morning and afternoon even in bad weather.

Theodore presented the City Council with a petition signed by 354 students, and majority of 5th graders, kids from Portsmouth Middle School, and Portsmouth High School.

Owen Beer spoke in support of his good friend Theodore Porter proposing a Crossing Guard Appreciation Day. He stated our community is so lucky that we have nice, friendly and caring crossing guards.

Councilor Bagley moved to authorize Mayor McEachern to proclaim the 2nd Tuesday in May, Crossing Guard Appreciation Day. Seconded by Assistant Mayor Kelley and voted.

Mayor McEachern asked for additional City Council questions.

Councilor Blalock thanked the fifth graders for getting all the signatures, organizing and speaking in public stating that the effort is impressive.

Assistant Mayor Kelley stated the efforts do not go unnoticed, adding that it is awesome they not only obtained signatures from New Franklin School but also Portsmouth Middle School, and High School. She stressed the importance of consensus when trying to appreciate people.

Councilor Tabor stated how he hopes the crossing guards realize what wonderful support they have and how the hundreds of names they acquired shows how much they're cared about.

Mayor McEachern reminded everyone, especially the fifth graders that although this may be their first time in City Hall, hopefully it won't be their last, stating that all on the Dais has a boss and it's the citizens of Portsmouth and expressed his hope that the fifth graders have learned a little about engaging with other folks as the path they chose doesn't always result in an invitation to City Hall. Mayor McEachern additionally stated that there's a lot of things the governing body tries to fix because they're broken but coming to City Hall to take time out of their day to express their gratitude for people keeping the Children of Portsmouth safe, acknowledging his own daughters and the faith Crossing Guards provide to our community.

Motion passed.

IX. PUBLIC COMMENT SESSION

Sarah Cornell spoke on the topic of Protecting Immigrant Neighbors. She called upon the City Council, Police Department and citizens of Portsmouth to refuse cooperation with Ice. Ms. Cornell referenced Bill 511 actively under deliberation with the New Hampshire Senate Judiciary requiring all New Hampshire Municipalities to cooperate with ICE. She spoke further, stating Bill 71 and Bill 62 would deem this request illegal. She additionally spoke to the alternative ways for police cooperation and expressed her opinion of abolishing ICE, and the importance of the community recommitting to the right of due process and equal protection under the law.

Kendra Ford spoke on the topic of Protecting Immigrant Neighbors but first spoke on the appreciation of the meeting thus far acknowledging the celebration of our community and watching our youth learn how to properly engage in our democratic process. She spoke to being a Unitarian Universalist minister and working for 350 New Hampshire which is a grassroots climate organization. Ms. Ford stated she has thus far spent her life ensuring things go right for people, and asking the City Council and Police Department to resist cooperation with ICE. She spoke about recent seizures that have taken place.

Michelle Wirth spoke on the topic of Railroad Crossing and although the City loves its tourism and the services it provides that true engine that drives our economy is commerce speaking to our active port and the cargo trains. Ms. Wirth lives behind the Foundry Garage and acknowledged some of her neighbors have come before the City Council to complain about the trains. She expressed her growing concern about the new development on the corner of Maplewood Avenue and Deer Street and the request for Railroad Crossing arms to be installed to add an extra layer of security to our community.

Nicole LaPierre spoke on the topic of Zoning but first expressed her support for the speakers before participating in democracy. She spoke to the Planning Board meeting held on April 17, 2025, where the board voted to table the proposed zoning amendment to the Islington Creek Neighborhood. Ms. LaPierre expressed how the Planning Board voted after 10:00 p.m. on a Thursday night, refusing public comment and claiming the issue would be addressed during the city's master plan process. She spoke to city officials who have publicly acknowledged the oversight to the neighborhood's legitimate interest.

Sue Polidura spoke on the topic of Portsmouth. She reminded the City Council that a few months ago she spoke in favor of enacting a Blue-Ribbon Committee regarding the commemoration for the State of New Hampshire's celebration.

Elizabeth Bratter spoke on the topic of Rezoning and requested the City Council put a rezoning of The Hill and Hanover Street on the next meeting's agenda. Ms. Bratter stated in 2018 the city made a land trade and expressed the neighbor was sold out. She spoke to the significance of conforming and non-conforming lots within the Islington Creek Neighborhood.

Robin Hustlage spoke to the rezoning and last week's Planning Board meeting. She spoke to having come before the City Council on August 5, 2024, where she requested the rezoning of Islington Creek and a transitional zone.

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

(There are no Ordinances and/or Resolutions on this agenda this evening)

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

1. Cemetery Committee Upcoming Memorial Event

City Manager Conard advised the City Council that descendants of Dinah Chase Whipple have been working with representatives of the Cemetery Committee, Black Heritage Trail and the City to schedule an appropriate time for the celebration and installation next to her husband Prince Whipple in the North Cemetery. The event will take place on Friday, June 13, 2025, at 1:00 p.m. at North Cemetery.

Assistant Mayor Kelley spoke to the excitement of this event as the committees were able to locate direct descendants of Dinah Chase Whipple. She spoke to the historical context of Ms. Whipple stating she was an enslaved woman here in Portsmouth and was freed and married her husband, Prince Whipple. Assistant Mayor Kelley spoke to the speaker line up: Sam Tombarelli from Portsmouth High School, Mrs. Roylene Edwards, and Laurel Yansy. She spoke about the significance of honoring a past time, although not some of our proudest moments that we're able to honor Dinah Chase Whipple and our Black Heritage.

Assistant Mayor Kelley moved to refer to the City Manager with Authority to Act. Seconded by Councilor Denton and voted.

2. 179 Pleasant Street Sewer Easement Reformation

City Manager Conard stated the city owns a sewer line easement constructed back in 1964 crossing Pleasant Street in front of 179 Pleasant Street. She advised the City Council that recently the property owners at Mel View Pond, LLC sought to construct a pool and patio area when it was discovered that the existing easement and agreement on the property contained multiple outdated clauses which unduly restrict use of the property and have the potential to cause undue expense to the City and therefore is seeking the City Council's approval.

Councilor Blalock moved to authorize the City Manager to release the Agreement and Easement from Charles and Elizabeth Thayer, dated September 10, 1964, and to accept a reformed sewer line easement from Mill Pond View LLC in a form approved by the Legal Department. Seconded by Councilor Moreau and voted.

XII. CONSENT AGENDA

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

- A. Letter from Mike Effenberger, Seacoast Jazz Society, requesting permission to hold Jazz In The Streets for the dates listed below at three locations: the Vaughan Mall stage, the open area by the tugboats, and Market Square in front of the North Church:
- Saturday, July 5, 2025 – 12:30 p.m. to 2:00 p.m.
 - Saturday, July 12, 2025 – 12:30 p.m. to 2:00 p.m.
 - Saturday, July 26, 2025 – 12:30 p.m. to 2:00 p.m.
 - Saturday, August 2, 2025 – 12:30 p.m. to 2:00 p.m.
 - Saturday, August 16, 2025 – 12:30 p.m. to 2:00 p.m.
- (Anticipated action - move to refer to the City Manager with Authority to Act)***
- B. Letter from Michelle James, Yoga in Action, requesting permission to hold their annual series, “Yoga in the Park” for a free, one-hour class in Prescott Park each Tuesday at Noon for the months of June, July and August ***(Anticipated action - move to refer to the City Manager with Authority to Act)***

XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS

- A. Email Correspondence

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

- B. Letter from Attorney Alec McEachern regarding Request of Black Oak Realty, LLC that City Request Transfer of Portion of Frenchman’s Lane from the State of New Hampshire

Councilor Denton moved to request reports back from Planning Board, Planning Department, Department of Public Works and Legal Department at a future City Council meeting. Seconded by Councilor Lombardi and voted.

XIV. MAYOR McEACHERN

1. Appointments to be Considered:
- Appointment of Heather Loney to the Arts & Cultural Commission
 - Appointment of Cassandra Lund to the Arts & Cultural Commission
 - Reappointment of Peter Splaine to the Cemetery Committee
 - Appointment of Oliver Chag as an Alternate to the Conservation Commission
 - Reappointment of Scott Chaudoin to the Recreation Board
 - Reappointment of Kory Sirmaian to the Recreation Board
 - Appointment of Ian Hanley to the Trees & Public Greenery Committee
 - Reappointment of Jeffrey Mattson to the Zoning Board of Adjustment

The City Council considered the appointments which will be acted upon at the next City Council meeting.

2. Appointments to be Voted:
 - Appointment of Logan Roy – Alternate to the Planning Board

Councilor Tabor moved to appoint Logan Roy as an Alternate to the Planning Board. Seconded by Councilor Moreau and voted.

3. Resignation letter from Everett Eaton from the Economic Development Commission

Councilor Lombardi spoke to serving on the Economic Development Commission with Everett Eaton and was an invaluable member of our community serving for 20 years and is deserving for this retirement.

Mayor McEachern stated that Mr. Eaton has served on the Economic Development Commission for 25 years and stated his stewardship on the EDC will be missed.

Councilor Lombardi moved to accept with regret the resignation of Everett Eaton. Seconded by Assistant Mayor Kelley and voted.

XV. CITY COUNCIL MEMBERS

A. ASSISTANT MAYOR KELLEY

1. Trees and Greenery Report Out – Arbor Day, April 25th

Assistant Mayor Kelley announced that the proclamation for Arbor Day which be read on Friday, April 25, 2025, at 9:30 a.m. at the Loughlin Tree Farm off of Thaxter Road. Assistant Mayor Kelley spoke about the recent retirement of Peter Loughlin from the Tree's and Public Greenery Committee where he served as chair since its inception for 22 years. Additionally, spoke to the City Council having donated a piece of granite which will be transitioned into a bench on the family tree farm. She extended the public invitation to the community. She announced that the City of Portsmouth has been nominated as a Tree USA City and thanked Public Works Director Peter Rice and the arborist team.

Councilor Lombardi spoke about the beauty of the Loughlin Family Tree Farm, and how the Loughlin family has given the community a park to enjoy.

Mayor McEachern spoke of his daughter Tiernan having a preschool friend during the Covid Pandemic whose parents came to him to share their amazing experience with the Loughlin Family Tree Farm opening their property to the neighborhood children to run around and enjoy. He shared his excitement of hearing we still maintain the Tree City title.

B. ASSISTANT MAYOR KELLEY/COUNCILOR BLALOCK/COUNCILOR BAGLEY

1. City Manager Evaluation

Councilor Blalock announced the successful results of City Manager Conard's Evaluation and spoke to her accomplishments the City Council has witnessed since her last evaluation.

C. COUNCILOR BAGLEY

1. Parking & Traffic Safety Committee Action Sheet and Minutes of April 3, 2025, meeting

Councilor Bagley moved to accept and approve the action sheet and minutes of the April 3, 2025, Parking & Traffic Safety Committee meeting. Seconded by Councilor Denton and voted.

XVI. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation for the Senior Activity Center by the Portsmouth Garden Club - \$300.00

City Manager Conard congratulated Director Todd Henley and the Recreation Department team for receiving the Outstanding 2025 Aquatics Program Award.

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

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. Update Regarding ACLU Lawsuit

City Manager Conard called upon City Attorney Morrell to give a brief update regarding the ACLU Lawsuit advising that the City of Portsmouth will not be joining but will continue to monitor the lawsuits progress.

2. 2025 Outstanding Aquatics Program Award for the Recreation Department

City Manager Conard congratulated Director Todd Henley and the Recreation Department team for receiving the Outstanding 2025 Aquatics Program Award.

Mayor McEachern stated he was dropping his daughter off at swimming lessons and was excited to see the award and had taken a picture.

3. Recap of Sustainability Fair

City Manager Conard spoke to the success of this year's Sustainability Fair.

4. Pease Development Authority Board Meeting Update

City Manager Conard Updated the City Council regarding last week's PDA meeting which resulted in the convening of the PDA Planning Board regarding Thermo Fisher Scientific request for a two-lot subdivision and site plan approval to construct an aircraft hangar. She spoke to a meeting with PDA auditor Barry Dunn to discuss the pre-audit presentation and engagement letter. The City Manager advised that the golf course is officially open for the season. Lastly, informing the City Council that Pease Airport has seen an increase in normal activity due to not only troop flights but leisure travel.

5. Update on the Study of a Jones Avenue Landfill Solar Array and the Wind Energy Feasibility Study

City Manager Conard called upon Public Works Director Peter Rice to give an update regarding Jones Avenue Landfill. Director Rice spoke to the possibility of installing solar array and the Wind Energy Feasibility Study.

6. Serve with Liberty Mutual Community Project

City Manager Conard advised that Liberty Mutual volunteers will be participating in painting projects at North and Union Cemeteries under the supervision of the Department of Public Works on Friday, May 9, 2025, from 9:00 a.m. to 12:00 p.m.

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

Councilor Moreau wanted to mention to the community that the Rockingham Planning Commission is working on an update to the region master plan and they have an online survey and the information was released to the press for all who wish to participate.

Councilor Blalock wanted to mention to the community that 2025 marks the 40th anniversary of the Sister City Agreement between Portsmouth and Nichinan, Japan and this Thursday, April 24, 2025, 25 Portsmouth High School students and 7 teachers are departing for Nichinan, Japan and will be carrying greetings from Mayor McEachern, the Mayor's Blue Ribbon Sister Cities Committee and the Japan American Society of New Hampshire and wished them safe travels.

XIX. ADJOURNMENT

At 8:26 p.m., Councilor Moreau moved to adjourn the meeting. Seconded by Councilor Bagley and voted.

June Philbrook

JUNE PHILBROOK
DEPUTY CITY CLERK

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, May 5, 2025 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH, on the proposed Ordinance Amendment to Chapter 10, Zoning Ordinance, Article 4 Zoning Districts and Regulations by Adding Coliving as a New Use; Article 8, Supplemental Use Standards, be Amended by Adding Section 10.815 – Coliving; and Article 15 Definitions. The complete Ordinance is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

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

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, May 5, 2025 at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Coun-

cil Chambers, Portsmouth, NH, on the proposed Ordinance Amendment to Chapter 10, Zoning Ordinance, Article 4 Zoning Districts and Regulations by Adding Coliving as a New Use; Article 8, Supplemental Use Standards, be Amended by Adding Section 10.815 – Coliving; and Article 15 Definitions. The complete Ordinance is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

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

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 10, ZONING ORDINANCE, Article 4 Zoning Districts and Regulations, by adding coliving as a new use; Article 8, Supplemental Use Standards, be amended by adding Section 10.815 – Coliving; and Article 15 Definitions, to be amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

Article 4 Zoning Districts and Regulations

Use	R	SRA SRB	GRA GRB	GRC (A)	GA/ MH	MRO CD4- L1	CD4- L2	MRB	CD5 CD4	GB	G1	G2	B CD4- W	WB	OR	I	WI	Supplemental Regulations
1.60 Conversion of a building existing on January 1, 1980, with less than the required minimum lot area per dwelling unit specified in Article 5																		10.640 (Downtown Overlay District) 10.812 (Conversion of Existing Dwelling to Multifamily Dwelling)
1.61 To 2 dwelling units	N	N	S	S	N	P	P	P	S	N	N	N	N	N	N	N	N	
1.62 To 3 or 4 dwelling units	N	N	S	S	N	P	P	P	S	N	N	N	N	N	N	N	N	
1.63 To 5 to 8 dwelling units	N	N	N	S	N	S	S	S	S	N	N	N	N	N	N	N	N	
1.64 To more than 8 dwelling units	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
1.70 Live/work unit	N	N	N	N	N	P	P	P	P	N	P	P	P	N	N	N	N	
1.71 Coliving	N	N	N	N	N	N	N	N	CU	N	CU	CU	CU	N	N	N	N	10.815 Coliving
1.80 Manufactured housing park	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N	10.816 (Manufactured Housing Park Dimensional Standards)
1.90 Planned unit development (PUD)																		10.720 (Planned Unit Developments)
1.91 Open space PUD	CU	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
1.92 Residential density incentive PUD	N	N	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	

Article 8 – Supplemental Use Standards

10.815 Coliving

10.815.10 Purpose and Eligibility

In order to provide additional affordable and innovative living options within the City, and to allow the adaptive reuse of some existing buildings, **Coliving** is hereby defined and created as a special use to be allowed in the downtown, subject to the provisions and requirements of this Section.

10.815.20 Standards and Requirements

10.815.21 Coliving Units shall not be rented for less than 30 days continuous occupancy.

10.815.22 Coliving Units shall be for not more than two-person (double) occupancy.

- 10.815.23 **Coliving Units** may include private sanitation facilities but shall not include permanent cooking facilities.
- 10.815.24 **Coliving Units** shall be at least 100 square feet of **Gross Living Area** (GLA) for single occupancy and 120 square feet of GLA for double occupancy. GLA for **Coliving Units** shall be measured in the same manner as for **Accessory Dwelling Units**.
- 10.815.25 **Coliving Facilities** shall include at least one full-time manager on site at all times for every 40 residents.
- 10.815.26 **Coliving Facilities** shall not exceed: 80 residents per building; or 40 residents/floor.
- 10.815.27 Ownership of a **Coliving Facility** shall include all of the **Coliving Units** within that **Coliving Facility**.
- 10.815.28 **Coliving Units** may be rented or leased by the owner of a **Coliving Facility** but the ownership of **Coliving Units** shall not be severed from the **Coliving Facility** of which they are a part.
- 10.815.29 **Coliving Common Areas** shall comprise at least 1,200 square feet of gross floor area plus 20 square feet per **Coliving Unit**.

10.815.30 Parking Requirements

- 10.815.31 Motor vehicle parking shall be required for **Coliving Facilities** as follows:
1. If any part of the **Coliving Facility** is located within 600 feet (approximately a 2.5-minute walk) of a public parking garage, No parking required.
 2. If no part of the **Coliving Facility** is located within 600 feet (approximately a 2.5-minute walk) of a public parking garage, off-street parking is required at the rate of 1 space per every 4 **Coliving Units**.

10.815.40 Review and Approval Process

- 10.815.41 In granting a conditional use permit for a **Coliving Facility**, the Planning Board may modify a specific standard set forth in Sections 10.815.20 and 10.815.30, provided that the Board finds such modification will promote design flexibility and overall project quality.

10.815.50 Permitting System for Coliving Facilities

10.815.51 Permit Requirement

No Coliving Facility shall operate in the City without a valid permit issued by the City Clerk's office. Permits will only be issued for lawfully existing **Coliving Facilities** that comply with the standards and requirements outlined in this Section 10.815, as well as all other applicable laws, ordinances, and regulations.

Receipt of a permit under this section shall be a condition precedent to issuance of a Certificate of Occupancy for any **Coliving Facility**. This shall be a requirement whether or not it is made an express condition of approval by the Planning Board in granting a CUP for a **Coliving Facility**.

10.815.52 Permit Administration

The permitting system for a **Coliving Facility** shall be administered by the City Clerk's office. The City Clerk shall maintain records of all issued permits and ensure compliance with all necessary conditions outlined in this Section.

10.815.53 Application Process

An application for a **Coliving Facility** permit shall be submitted to the City Clerk's office shall include the following:

- A. A copy of the validly issued CUP for the **Coliving Facility**, accompanied by an affidavit certifying compliance with any conditions contained within the CUP.
- B. Contact information for the full-time manager or managers who are located on site at all times, including verification that the minimum number of on-site managers is met.
- C. Proof that exterior signage in compliance with Section 10.815.55.
- D. Affidavit certifying compliance with all applicable health, safety, zoning, and building codes.
- E. Any necessary inspection reports confirming compliance with City regulations.
- F. An annual inspection report by the property manager(s) indicating continuing compliance with the Conditional Use Permit (CUP) and the requirements of this Section.

The City Clerk shall not issue a permit or renew any permit for a **Coliving Facility** unless the City Clerk has received certification from the Director of Planning and Sustainability, or their designee, certifying that application in question complies with the provisions of Article 10.815 and the conditions, if

any, of the CUP. The Code Official may make such investigation as necessary to confirm the property is in compliance with this section.

10.815.54 Issuance of Permit

The City Clerk may issue the permit only upon confirmation that the **Coliving Facility** complies with all applicable City regulations, and after any necessary inspections or investigations by the City.

10.815.55 Signage and Property Management Contact

A permanent sign must be posted on the Coliving Facility that includes the name and contact information of the property management responsible for the facility. This contact must be available on a 24-hour, 7-day a week basis for the duration of the facility's operation. This contact information must be on file with the City Clerk and updated within 7 days of any change. Signage required by this section shall be in a form acceptable to the Director of Planning and Sustainability and shall be exempt from the requirements of Article 12.

10.815.60 Enforcement and Penalties

10.815.61 General Enforcement

Violations of this Section may be enforced by the City in accordance with the provisions contained in Article 2 of this Ordinance. This authority shall be in addition to any other authority provided by law, including but not limited to authority contained within the Building Code, Fire Code, and Life Safety Code.

10.815.62 Inspection Requirements

Coliving Facilities shall be inspected in accordance with local Fire and Housing Codes and subject to fees as outlined in Chapter 1 of the City Code. These inspections shall occur regularly to ensure that the facility is compliant with all applicable safety standards.

10.815.70 Relationship to Other Provisions of this Zoning Ordinance

In the event of a conflict with any other provisions of the Zoning Ordinance, the provisions of this Section shall take precedence; otherwise, all other applicable provisions shall apply.

Article 15 - Definitions

Boarding house

A residential structure, other than a bed and breakfast, in which rooms are rented, leased or otherwise made available for compensation to more than two but not more than 10 individuals, and where such rooms do not contain separate cooking or bathroom facilities. **There must be posted at all times at the front entrance of the facility a sign indication 24 hour, seven days a week, valid and effective contact information for the management of the facility.**

Coliving

A use that combines private resident **Coliving Units** used primarily for living and sleeping with shared resident **Coliving Common Areas** that provide common areas for resident's other daily needs as described herein.

Coliving Common Area

Those shared portions of a **Coliving Facility** containing permanent provisions for resident's living, eating, cooking, sanitation, bathing, laundry, recreation, resident meetings and wellness.

Coliving Facility

A building or portion thereof containing the combination of **Coliving Units** and **Coliving Common Areas** for more than 10 individuals.

Coliving Unit

A private living and sleeping area for not more than 2 people in a **Coliving Facility**.

Gross living area (GLA)

The total area of finished residential space in an accessory dwelling unit **or a Coliving Unit**, including all conditioned living space, but excluding unconditioned space such as decks, porches, garages, or other such spaces that have not been converted into living space. GLA is calculated by measuring the interior perimeter of the accessory dwelling unit **or the Coliving Unit**.

Family

~~An individual living alone, or any of the following groups living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities: (a) Two or more individuals related by blood, marriage, civil union, adoption or guardianship; (b) Two or three individuals not related by blood, marriage, civil union, adoption or guardianship, along with one or more dependents related to any of them by blood, marriage, civil union, adoption or guardianship.~~

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



Feedback from Portsmouth Business Community on Coliving Zoning Amendments

Ben VanCamp, Chief Collaborator & President

March 20, 2025

Background

At the request of Councilor Beth Moreau and Planning and Zoning Board Chair, Rick Chellman, the Chamber Collaborative polled its membership regarding the topic of coliving in downtown Portsmouth, NH.

The questions were provided by Councilor Moreau. Respondents were given a week to respond. The Chamber received a 6% response rate to the survey for a total of 41 respondents, 22 (53%) of those were confirmed to be downtown Portsmouth businesses. Five respondents did not share a business name.

Summary

The feedback provided through this survey indicated that the business community was in favor of coliving being introduced to the downtown zoning in Portsmouth. While the question of parking requirements saw softer numbers it was still clear parking should not be an impediment to this style of housing.

Detailed Results

Question #1 - Are you familiar with the concept of coliving?

40 of the 41 (98%) respondents confirmed they were familiar with coliving.

Question #2 - The City of Portsmouth Planning Board is currently working adding coliving to the downtown zoning in a way to promote a more affordable way to obtain living arrangements for some people, do you agree this is a desirable way to create more affordable housing options for the downtown?

- Overall, 78% (32/9) of respondents shared coliving was a desirable way to create more affordable housing options for the downtown
- Downtown businesses, 77% (17/5) of respondents shared coliving was a desirable way to create more affordable housing options for the downtown

- Other businesses, 86% (12/2) of respondents shared coliving was desirable way to create more affordable housing options for the downtown

Question #3 - Do you agree or disagree that coliving units would be an added benefit to Portsmouth's downtown culture?

- Overall - 76% (31/10) agreed that coliving would be an added benefit to the downtown culture.
- Downtown businesses – 77% (17/5) agreed that coliving would be an added benefit to the downtown culture.
- Other businesses - 79% (11/3) agreed that coliving would be an added benefit to the downtown culture.
- Supportive comments provided from downtown businesses:
 - Coliving is a great way to be in community with others. It is not only about shared expenses but also shared domestic work. Artists and young people are often drawn to this lifestyle, both demographics are sorely needed downtown.
 - Anything we can do to provide more affordable housing options for workers is a benefit to our community. (eight similar comments to this were received)
 - Co-living is a concept that has always existed (renting a room, having roommates), but does not fit into modern zoning. A minimal parking component should be required (on or off site).
 - Making life easier for people to live in Portsmouth will add vibrancy to downtown. *(two similar comments were received)*
 - Co-living is perfect for people who are younger or older because both ends of the spectrum are more likely to benefit from the community and social interactions coliving offers. It's also ideal for people who want to be in a location where there are both jobs and entertainment - offering affordable housing options that are all about the location. *(two similar comments were received)*
 - The housing shortage affects all residents. The Portsmouth Women's City Club has provided affordable housing to women for over 100 years, so is in favor of all sensible options for allowing more people to live safely and affordably in this city.
 - I strongly believe that we need a 3-month minimum rental in the ordinance, otherwise we have a boarding house.
- Oppositional comments received from downtown businesses:

- I don't think New England residents want this kind of housing. Sharing bathrooms and living spaces with a dozen other people. No woman would want this atmosphere.
- Co-living gives a college dorm room feel to living. It feels more like a short-term hostel than a way to live. Those that will be looking for affordable housing will be those out of college and not looking to live like that. I think it is a cop out way to bring affordable living to Portsmouth.
- I am not confident unless this is going to benefit the downtown businesses that this adds any value. If they are a downtown business employee, then this might make sense. It also will increase parking needs, so they need to include this in the proposal. I would be in support of it with those two stipulations
- Lots of potential problems from shared portions of living spaces. Development of these coliving spaces will compete/suppress the development of more traditional affordable self-contained units, which seem preferable to me.

Question #4 – If coliving units were within a short walk from public parking garage, would you agree that no parking requirement is appropriate?

- Overall, 68% (27/13) agreed that no parking requirement is appropriate
- Downtown businesses – 64% (14/8) agreed that no parking requirement is appropriate
- Other businesses – 85% (11/2) agreed that no parking requirement is appropriate

Contact information:

Ben VanCamp

Ben@portsmouthcollaborative.org

603.610.5516



Karen S. Conard
City Manager

CITY OF PORTSMOUTH

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

Date: May 1, 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 May 5, 2025

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

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

Over the past year, the Planning Board has been working on zoning amendments for coliving, holding three work sessions (September 26, 2024, October 24, 2024 and February 27, 2025). Coliving is an innovative housing type that would add housing diversity in Portsmouth. The specific recommendations that the Planning Board agreed upon, [which are included in the recommended ordinance](#), are described below.

A coliving unit must be rented for a minimum of 30 days; it is not a short term or transient use. As drafted, coliving facilities would be allowed through a Conditional Use Permit (CUP) in the CD4 and CD5 districts. A coliving facility would contain coliving units (a private living and sleeping area for not more than two people) and coliving common areas (shared space for cooking, sanitation, laundry and living). A single coliving facility can accommodate up to 10 individuals in one facility. Coliving facilities shall not exceed 40 residents per floor, are limited to 80 residents per building, and require a full-time on-site manager for every 40 residents.

There would be no parking requirement for a coliving facility that is located 600 feet or less from a public parking garage. If a coliving facility is located more than 600 feet from a public parking garage, off-street parking is required at the rate of 1 parking space per 4 coliving units.

At the March 20, 2025 Planning Board meeting, the Board considered [these proposed zoning amendments related to coliving](#). The Planning Board voted to recommend the City Council hold first reading on draft zoning amendments related to coliving, which took place on April 7, 2025.

In advance of their March 20th meeting, the Planning Board solicited comments from the Chamber of Commerce through [a questionnaire on coliving](#). [The Planning Board voted to include this as part of the referral to City Council](#).

I recommend that the City Council move to pass second reading and schedule a third and final reading at the May 19, 2025 City Council meeting.

XI. City Manager's Items Which Require Action:

1. Osprey Landing Gas Line Relocation:

In 2024, the City of Portsmouth approved the subdivision of land owned as one parcel with multiple structures by Bantry Bay Association for the development of eight new, single-family house lots to be developed by Chinburg Development (Chinburg).

[Lot 1](#), as approved, which is situated closest to the northwest side of the stair tower for the pedestrian bridge over Market Street, has an existing natural gas line running through the parcel. This gas line was installed as part of the original infrastructure of Osprey Landing/Wentworth Acres as the natural gas feed for the entire development and was installed at the time under a blanket easement approved by the original developer. Because the presence of this line conflicts with the ability to site a home on the approved lot, the City and Chinburg have requested that Unitil abandon the line and relocate it to the existing right of way for Portsmouth Boulevard.

The request of the City Council is to grant Unitil a license for this new line so that they can subsequently abandon the existing main feed and relinquish their easement on Lot 1. Chinburg Development is funding this effort, and no City funding is required. The natural gas line will be installed under an existing pedestrian cross country path that exists currently and Chinburg has agreed to formalize and improve the path as a stone dust trail after construction of the gas line.

All proposed work will be in the City's existing right of way for Portsmouth Boulevard.

I recommend that the City Council move to grant the License to Unitil Gas for relocation of the existing natural gas line for Osprey Landing from the private parcel now owned by Chinburg Development, LLC into the right of way for Portsmouth Boulevard.

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

The North Church of Portsmouth ("Owner") is making improvements to the historic North Church at 2 Congress Street, shown on the City of Portsmouth's Assessor's Map as Tax Map 107, Lot 83 ("Property"). The Owner is making improvements which include improving ADA accessibility and the safety and functionality of the historic North Church.

In order to make these improvements, Milestone Construction, LLC (“Licensee”) has been granted a License and an Extension of that License to use 1,624 square feet of the sidewalk area in front of the North Church for a laydown area to make these improvements. This area is one of the City’s Public Forum Areas and it may not be used as such during the term of this License.

The Owner’s License Extension will expire on May 6, 2025. [The Owner has requested a Second License Extension for 41 days](#) (from May 7, 2025 through June 16, 2025) due to construction delays. This Second License Extension includes a substantially reduced License Area from 1,624 square feet (in original License and First Extension) to a smaller footprint of 650 square feet (Reduced License Area). This Reduced License Area is depicted in [Exhibit A attached](#).

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 is typically assessed ($\$0.05 \times 650 = \32.50 per day $\times 41$ days = \$1,332.50). However, at the September 23, 2024 meeting, the City Council granted the Owner’s request to waive fees associated with this project. The Owner’s request to encumber City property has extended beyond the terms originally requested by the Owner. If the Council extends the fee waiver request to this Second License Extension, there will be no License Fee associated with this request.

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

If the Council agrees to grant this Second License Extension to encumber the 650 square feet of sidewalk area that abuts 2 Congress Street, an appropriate motion would be:

Move that the City Manager be authorized to execute and accept a Second License Extension to encumber the sidewalk area along 2 Congress Street that abuts the North Church as requested.

3. **Report Back on Hanover/Hill Street Zoning:**

On August 4, 2024, the City Council voted to refer [the attached letter from the Islington Creek Neighborhood to the Planning Board](#) for review and a report back. [That report back from the Planning Board is attached](#) and includes their recommendation.

XII. Consent Agenda:

A. **Projecting Sign Application – 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.*

XIII. Presentations and Written Communications:

A. Community Resource Network (CRN) Website Introduction and Presentation:

Community Resource Network (CRN) Director Susan Turner and the Health Officer Kim McNamara will give a brief presentation regarding the newly launched CRN website.

B. US Route 1 Corridor Improvement Project:

NHDOT Project Manager David Smith and Stantec Project Manager David McNamara will present the most recent updates relative to the US Route 1 Corridor Improvement Project.

XVI. Approval of Grants/Donations:

A. Donations in Memory of Skatepark Committee Member Chris Rice:

Portsmouth community member and former Blue Ribbon Skatepark Committee member Chris Rice passed away on April 21st. Chris was instrumental in obtaining support for the new skatepark, as well as its design and construction. A former Portsmouth skate shop business owner, Chris was an advocate and mentor of many in the skating community. The Rice Family wishes to have those who are seeking to give gifts, send donations to the City's Recreation Department for sponsoring in-need youth to participate in skateboarding programs offered through the Department. Donations may include those over \$100, and the City's Council's gift policy requires donations over \$100 to be accepted by the City Council. Staff proposes that the City Manager have authority to accept all donations received for this purpose. Staff will report back with a full list of donations received at the June 23rd City Council meeting.

I recommend that the City Council move to authorize the City Manager to accept donations in any amount in memory of Chris Rice for use in sponsoring in-need families to participate in skateboarding programs through the Recreation Department.

XVII. City Manager's Informational Items:

1. FY26 Budget:

I will provide a verbal update on the release of the FY26 Budget. For reference, the schedule of upcoming FY26 Budget related work sessions and public meetings is outlined below:



FY 2026 CITY COUNCIL BUDGET MEETING SCHEDULE **Budget Work Sessions & Budget Public Hearings**

Monday, May 12, 2025	6:00 p.m.	<u>General Fund:</u> General Government, Fire, Police, School Department Work Sessions with Public Comment
Wednesday, May 14, 2025	6:00 p.m.	<u>Enterprise & Special Revenue Funds:</u> Water/Sewer, Parking, and Stormwater Department Work Sessions with Public Comment
Monday, May 19, 2025	7:00 p.m.	<u>Opening FY26 Budget Public Hearing:</u> Regular City Council meeting
Wednesday, May 28, 2025	6:00 p.m.	<u>Continuation of FY26 Budget Review:</u> Work Session with Public Comment
Monday, June 9, 2025	7:00 p.m.	<u>Continuation of Budget Public Hearing:</u> Regular City Council meeting and proposed Adoption of the FY26 Budget

2. Report Back on Steps that New Businesses Can Take to Open and Potential Options to Streamline Process:

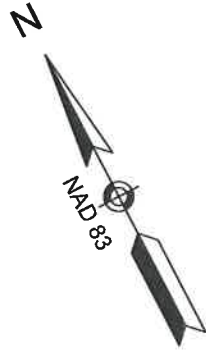
As requested at the April 7th City Council meeting, I will provide a verbal report back on this request.

3. Cellular Service Survey:

The City's Cable and Broadband Internet Commission will be gathering information through an online survey about residents' experiences with cellular service in our community.

Feedback through this survey will help the Commission better understand any service issues and work toward potential improvements. With such information, the Commission seeks to engage in a dialogue with representatives of the cellular service providers to: learn about what is being implemented to enhance cellular coverage and data speeds in the area; identify any specific actions or advocacy efforts the Commission could undertake to assist in addressing service concerns; and learn if the carriers have encountered any challenges or regulatory barriers within the City that have impeded efforts to improve cellular service.

FOR REGISTRY USE ONLY



APPROXIMATE LOCATION OF
PROPOSED GAS LINE TO
BE RELOCATED WITHIN THE
PUBLIC RIGHT OF WAY

PORTSMOUTH
BOULEVARD

LOT 217-2-1908
13,214 Sq.Ft.
0.303 Ac.±

BUILDING
UNDER
CONSTRUCTION

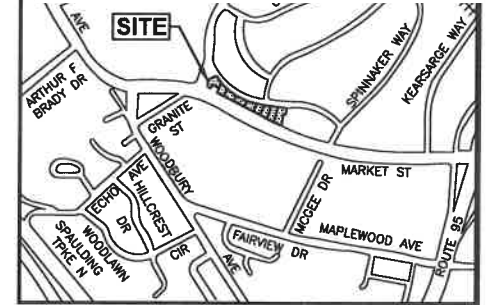
EXISTING 8" PLASTIC GAS
LINE TO BE RELOCATED TO
THE PUBLIC RIGHT OF WAY.
3' WIDE EASEMENT TO BE
EXTINGUISHED. SEE NOTE 1.

LOT 217-2-1907
8,141 Sq.Ft.
0.187 Ac.±

SHEARWATER DRIVE
(PUBLIC - 50' WIDE)

MARKET STREET
(PUBLIC - VARIABLE WIDTH)

CM Action Item #1



LOCATION MAP
(SCALE: 1"=1000')

NOTES:

- 1) THE INTENT OF THIS PLAN IS TO SHOW THE PROPOSED RELOCATION OF AN EXISTING GAS LINE CROSSING THE PROPERTY IDENTIFIED AS LOT 217-2-1908 AND THE PROPOSED RELOCATED ROUTE TO BE WITHIN AN EXISTING RIGHT OF WAY. THE PORTION OF THE EASEMENT ESTABLISHED IN ROCKINGHAM COUNTY REGISTRY OF DEEDS BOOK 1645 PAGE 296 AS IT RELATES TO LOT 217-2-1908, AND HELD BY GRANITE STATE GAS TRANSMISSION d/b/a UNTIL-INTERSTATE GAS TRANSMISSION, IS TO BE EXTINGUISHED BY AN EASEMENT RELEASE DEED TO BE RECORDED HEREWITH.
- 2) THIS PLAN IS THE RESULT OF AN ON-THE-GROUND FIELD SURVEY PERFORMED BY THIS OFFICE BETWEEN JUNE 2023 AND APRIL 2025.
- 3) BEARINGS SHOWN HEREON ARE BASED ON NAD83 PER GPS OBSERVATIONS PERFORMED BY THIS OFFICE ON JUNE 30, 2023.

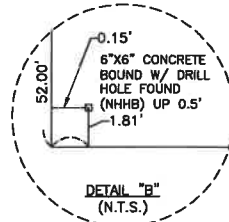
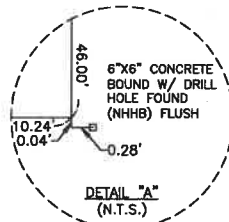
LEGEND

- PROPERTY LINE
- ABUTTER PROPERTY LINE
- EASEMENT LINE TO BE EXTINGUISHED
- GAS LINE TO BE RELOCATED
- RELOCATED GAS LINE

PLAN REFERENCES:

ROCKINGHAM COUNTY REGISTRY OF DEEDS

- 1) PLAN D-23202
- 2) PLAN D-26384
- 3) PLAN D-23854
- 4) PLAN D-44488
- 5) PLAN D-44489
- 6) PLAN D-44490
- 7) PLAN D-44846

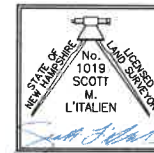


0 20 50 100
SCALE: 1"=20'

CERTIFICATION:

I CERTIFY THAT THIS SURVEY AND PLAN WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND THAT THIS PLAN IS THE RESULT OF AN ACTUAL SURVEY PERFORMED ON THE GROUND BETWEEN JUNE 2023 AND APRIL 2025 AND HAS AN ERROR OF CLOSURE OF NOT MORE THAN ONE PART IN TEN THOUSAND.

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.



SCOTT M. L'ITALIEN, LLS No. 1019


4/15/2025


DATE

PURSUANT TO RSA 676:18 IV, A COPY OF THIS SURVEY PLAT HAS BEEN FILED WITH THE TOWN PLANNING BOARD FOR INFORMATIONAL PURPOSES.


NO.	DESCRIPTION	BY	DATE
REVISIONS			
GAS LINE EASEMENT RELOCATION PLAN			
ASSESSORS MAP 217 BLOCK 2 LOT 1908 SHEARWATER DRIVE PORTSMOUTH, NEW HAMPSHIRE			
OWNED BY: CHINBURG DEVELOPMENT LLC 3 PENSTOCK WAY NEWMARKET, NH 03857 BOOK 6527 PAGE 2846			
EASEMENT OWNER: UNTIL 6 LIBERTY LANE WEST HAMPTON, NH 03842			
GPI Engineering Design Planning Construction Management 603.893.0720 GPINET.COM		Greenman-Pedersen, Inc. 44 Stiles Road Suite One Salem, NH 03079	
SCALE: 1"=20'	DATE: APRIL 15, 2025	DRAWING NO. 2200150.19_GAS ESMT.dwg	
DRAWN BY: AKC	CHECKED BY: SML	PROJECT NO. NEX-2400133.00	SHEET NO. 1 OF 1





 Valve

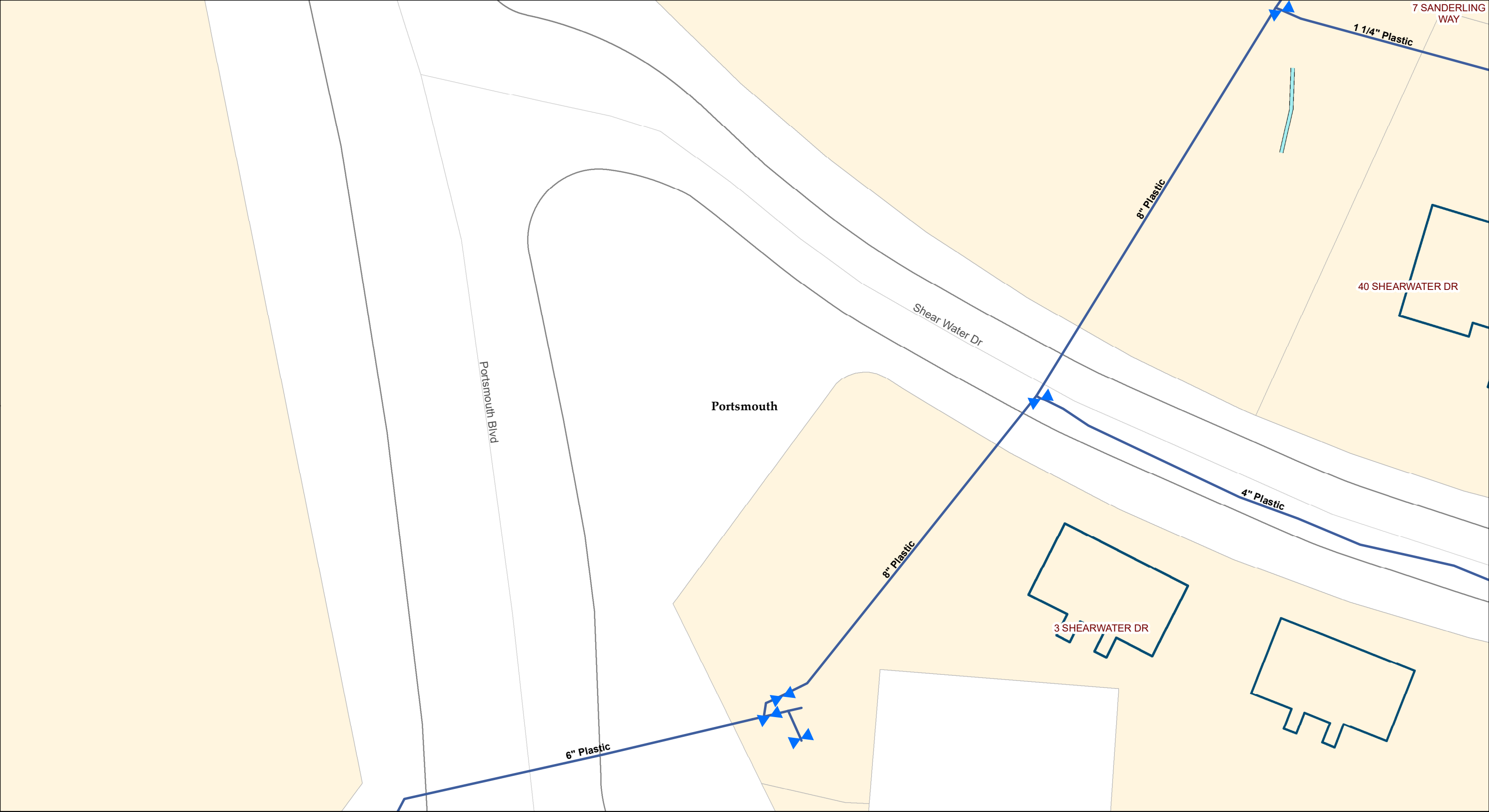
 Gas Main


Redline Map
Shearwater Dr
Portsmouth, NH


Drawn seaman	Date 3/17/2025	Scale 1 inch = 31 feet 
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Disclaimer:
Unitil has prepared these maps based on best available information. Facility locations are approximate and are not suitable for engineering, designing or field location puposes. The data provided are not warranted for accuracy or completeness. Field verification is advised for all data presented on this map.




 Valve


 Gas Main

Redline Map
Shearwater Dr
Portsmouth, NH

Drawn	Date	Scale
seaman	3/17/2025	1 inch = 31 feet 0 10 20 Feet



Disclaimer:
Unitil has prepared these maps based on best available information. Facility locations are approximate and are not suitable for engineering, designing or field location puposes. The data provided are not warranted for accuracy or completeness. Field verification is advised for all data presented on this map.



Christine Groleau
North Church of Portsmouth
2 Congress Street
Portsmouth, NH 03801

April 24, 2025

Portsmouth City Council
c/o Kelli Barnaby, City Clerk
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Dear Members of the City Council,

Thank you for your continued assistance and support of North Church as we complete our construction project. The extension of our current encumbrance through May 6 was much appreciated. We will, however, require an additional extension to complete our work. The extension is necessary because we have run into delays related to the electrical service entrance, procurement issues, and other delays inherent to the nature of construction.

While we recognize that the presence of parked vehicles on the encumbered area may have caused some confusion, we want to assure you that the encumbered space has been actively used for necessary purposes, including material laydown, a dumpster, and a portable toilet. We regret any misperceptions that may have arisen due to the vehicle parking. We only wish we had been made aware of the concern sooner so we could have addressed it promptly and avoided any hard feelings.

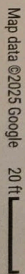
When alerted to this, we asked our construction team to reassess and significantly reduce the footprint of the encumbrance to only what is absolutely necessary. As mentioned, we will continue to require this reduced space after May 6 until June 16. The attached revised sketch reflects this reduced area for your review. We fully understand that this is a busy time for the downtown area, and we appreciate the importance of returning as much space as possible to public use.

Again, thank you for your help and understanding. We look forward to addressing any questions you might have at the City Council meeting on Monday, May 5.

With hope and gratitude,
Christine Groleau
North Church construction committee liaison

Cc: Jane Ferrini, Karen Conard

PROPOSED CONSTRUCTION FENCE



- PORTABLE TOILET
- DUMPSTER
- PROPOSED CONSTRUCTION FENCE - 650 SQ FT +/-
- URGENT CONSTRUCTION FENCE

SECOND LICENSE AGREEMENT EXTENSION
2 CONGRESS STREET
THE NORTH CHURCH OF PORTSMOUTH

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 Second License Agreement Extension for a revocable license to Milestone Construction, LLC ("Licensee") on behalf of the North Church of Portsmouth, with an address of 2 Congress Street, Portsmouth, NH, 03801 ("Owner") pursuant to the following terms and conditions:

1. **License Area:** The Owner owns the historic North Church of Portsmouth, property located in the City of Portsmouth, Rockingham County, State of New Hampshire, at 2 Congress Street, shown on the City of Portsmouth's Assessor's Map as Tax Map 107, Lot 83 ("Property").

The City authorizes Licensee to temporarily use 650 square feet of the sidewalk area that abuts the Property located at 2 Congress Street, more particularly described and outlined in Exhibit A attached. Please note that the license area requested in this Second Extension has been reduced from 1,624 square feet (in original License and First Extension) to 650 square feet ("Reduced License Area"). The Reduced License Area is located in one of the City's Public Forum Areas and may not be used as such during the term of this Second Extension.

2. **Use:** Licensee shall make use of the Reduced License Area for the purpose of facilitating the Licensee's improvements to the North Church of Portsmouth, which include improving ADA accessibility and the safety and functionality of the historic North Church. The original Licensee was for 125 days (December 12, 2024 through April 15, 2025). The City Council granted a 21 day Extension from April 16, 2025 through May 6, 2025. The improvements to the Property are not yet complete and Licensee is requested this Second Extension for use of the Reduced License Area for 41 days (from May 7, 2025 through June 16, 2025).
3. **Term:** The License for Reduced License Area shall be extended for approximately 41 days, from May 7, 2025 through June 16, 2025.

Licensee may terminate this Second License Extension 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. The Licensee shall contact the Director of Public Works for a determination that the Reduced License Area has been returned to safe and effective use. Failure to remove all vehicles, barriers, materials and equipment and to return the Reduced License Area to the City in the manner prescribed under this Second License Extension 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 Reduced License Area and again when it returns the Reduced License Area to the City's control and use.
5. **License Fees:** The Owner shall pay to the City a License Fee 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 Second License Extension of \$0.05 per square foot per day.

The Reduced License Area includes 650 square feet of sidewalk that abuts the Property at 2 Congress Street. The fee of \$0.05 per 650 square feet per day is \$32.50. The total fee of \$32.50 per day x 41 days is **\$1,332.50.**

However, on September 23, 2024, the City Council unanimously granted Owner's request to **waive fees** for this project. The City Council waived the fees for the original License and the Extension. The Owner's request to encumber City property has extended beyond the terms originally requested by the Owner. If the Council extends the fee waiver request to this Second License Extension, there will be no License Fee associated with this request.

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 Reduced 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 Reduced 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 Reduced License Area and take such other measures as may be necessary for pedestrian and vehicular safety during use of the Reduced License Area.
9. **Damage:** Licensee agrees to remedy any damage to the Reduced 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 Second License Extension 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
on _____.

Dated this _____ day of _____, 2025.

MILESTONE CONSTRUCTION, LLC

By: _____

h/jferrini/secondlicenseextension//2CongressNorthChurch

DRAFT

July 10, 2024

Dear Councilor,

We are residents of Islington Creek asking for your help with a matter of concern to our neighborhood involving 361 Hanover Street, formerly the site of Heinemann Publishing.

We and our neighbors are an eclectic but organized group, ranging from young families recently settled here, to longtime residents who were part of the City's first wave of historic preservation nearly half a century ago. It is also important for you to know who we are not: we are not anti-development, anti-housing or NIMBY naysayers. In a recent private meeting, a City staffer mischaracterized the concern we briefly outline below as just another manifestation of "old Portsmouth vs. new Portsmouth." That is inaccurate.

Instead, we are concerned about promises made and broken by City officials regarding the CD5 Character-based Zoning with the Downtown Overlay designation of 361 Hanover Street. CD5 is the densest designation available and permits, for example, development of a 500-person hotel or a nightclub in the center of our historic neighborhood comprised predominantly by 1-2 story single family homes.

For years, residents of our neighborhood worked with City staff to develop and advance a zoning amendment to align the 361 Hanover property with the City's asserted commitment to transitional character zoning. In January 2020, the Planning Board unanimously voted to hold a public hearing on our requested amendment to rezone 361 Hanover to a more appropriate transitional zoning of CD4-L1 or CD4-L2. When COVID delayed that meeting, City staff assured us that our amendment would be advanced when the moment was right. When City business resumed, the Planning Board stated on the record that our proposal was a top priority. We were persistent; City staff said we should be patient. So, we waited for the public meeting to appear on the Planning Board Meeting Agenda. When it didn't appear on the list after many months, we reached out to ask if it would be on the list soon. City staff told us to wait. We waited and waited.

Then, in April 2024, it was too late. At the April 26 Planning Board meeting, former City planner Nick Cracknell, acting on behalf of Hampshire Development Corp., presented a design plan for development of 361 Hanover. Mr. Cracknell began his presentation by acknowledging that the City got the zoning for that lot "wrong." He then described the proposed development, implying that it was the best our neighborhood can hope for given the CD5/Downtown zoning. The Planning Board accepted the application for design review in May 2024, vesting the zoning.

At that May 2024 Planning Board meeting, we questioned why our request to be heard on our zoning amendment proposal never happened, despite a unanimous vote by the Planning Board for a public meeting. A Planning Board member responded by suggesting that we sat on our right to petition the City Council for a zoning change.

We did not sit on our rights. We relied, to our detriment, on promises made to us by the City. Now, City staff tell us that they are sorry, but “there really isn’t anything more [they] can do regarding this failed zoning amendment.” To be clear: Our zoning amendment did not “fail” -- it never saw the light of day. We were placated and the proposal was buried. And now, our legitimate concerns about this have been mischaracterized as NIMBYism.

We need your help holding the City to its promise of an appropriate transition between historic neighborhoods like ours and the encroaching urban landscape. To that end, we seek your advocacy for our neighborhood, including but not limited to defending our interests in connection with various agreements the City may enter into with the developer such as potential license agreements, land swaps, or easements which could impact the public’s right to access public portions of this property.

Thank you,

Sean Caughran & Marcie Vaughan, 407 Hanover Street

Robin Husslage, 27 Rock Street

Karina Quintans, 51 McDonough Street

Nicole LaPierre, 44 Rock Street

MEMORANDUM

TO: Karen Conard, City Manager
FROM: Peter Stith, Planning Manager
DATE: April 30, 2025
RE: Planning Board Report Back Hanover/Hill Street Zoning

Background

The City Council voted on August 5, 2024 to refer the letter from the Islington Creek neighborhood to the Planning Board for a report back on possible zoning changes that were originally presented to the Planning Board in 2020. Below is the action from the City Council:

18. Letter from residents of Islington Creek regarding zoning of 361 Hanover Street – **Voted** to refer to the Planning Board for review and recommendation for the consideration of a zoning change.

Since the referral, the Planning Board has held 4 work sessions where this was discussed, September 26, 2024, October 24, 2024, February 27, 2025 and March 27, 2025. At the March 27th meeting, the Board reviewed options for rezoning several parcels along Hill, Hanover and Rock Street and changing the building height requirement along Bridge and Hill Street. In addition, the Board looked at modifying the boundary of the North End Incentive Overlay (NEIOD) and Downtown Overlay Districts (DOD). The Board placed the changes on their April 17, 2025 agenda for more discussion and a recommendation back to Council.

Staff provided the recommendation from January 2020 depicted in the map below where the front of 361 Hanover would change from CD5 to CD4-L1 and the back half and two other lots on Hill Street would change from CD5 to CD4. In addition, 66 Rock Street would change from CD5 to CD4. The main differences between CD4 and CD5 are the dimensional standards of the lot occupation by structures as provided in the table below. CD5 allows more coverage and a larger building footprint and less open space requirement where CD4 requires more open space, a slightly smaller footprint and less building coverage. There is no density (lot area per dwelling) requirement in CD4 or CD5 and the permitted uses in both districts are the same. CD4-L1 is less intense, with a max building footprint of 2,500 square feet, a density requirement of 3,000 square feet per dwelling and fewer permitted nonresidential uses. The Board considered and had general consensus on changing the zoning to CD4-W, which provides a step above CD4-L1, but not as intense as CD4 or CD5, as provided in the tables below. CD-W zoned parcels are only located in the west end and nowhere else in the City.

Dimensional Requirements

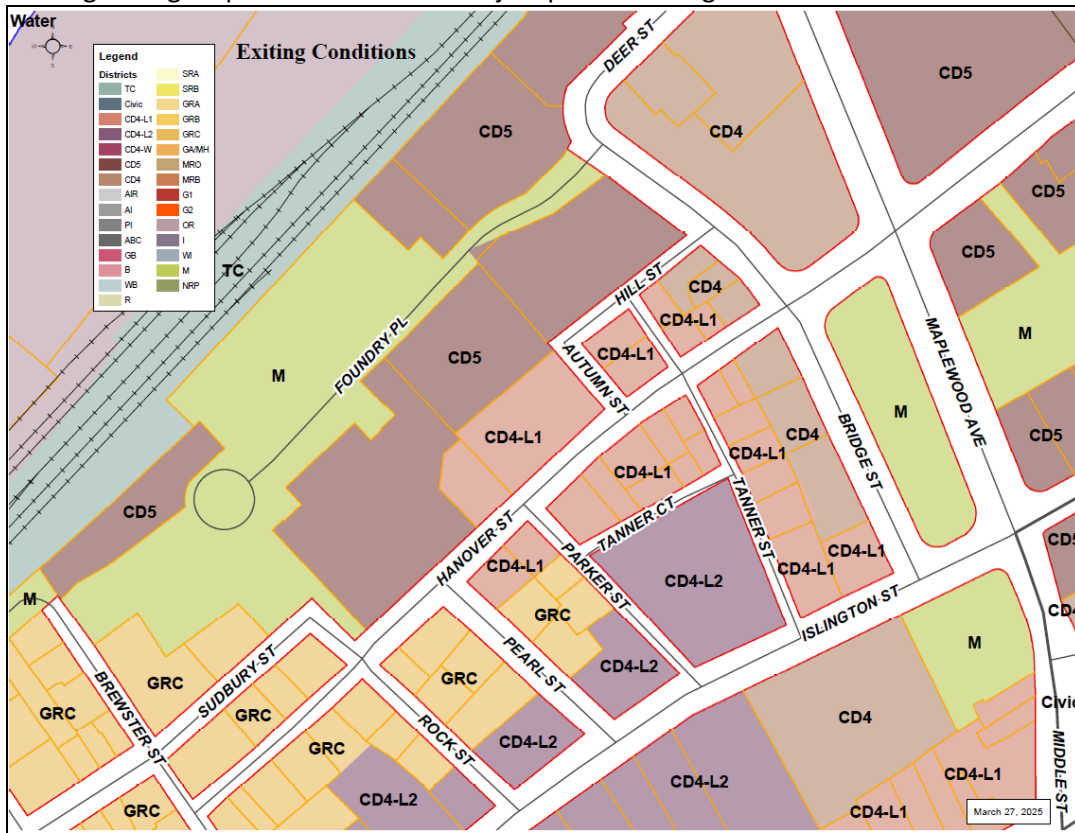
	CD5	CD4	CD4-L1	CD4-W
Yards (max.)	5'	5'-15'	5'-15'	10'-15'
Front Lot Line Buildout (min.)	80%	50%	60%-80%	50%
Building Coverage	95%	90%	60%	60%
Building Footprint	20,000 s.f.	15,000 s.f.	2,500 s.f.	15,000 s.f.
Building Block Length	225'	200'	80'	200'
Open Space (min.)	5%	10%	25%	15%
Lot area per dwelling unit	NR	NR	3,000 s.f.	2,500 s.f.

Use Categories

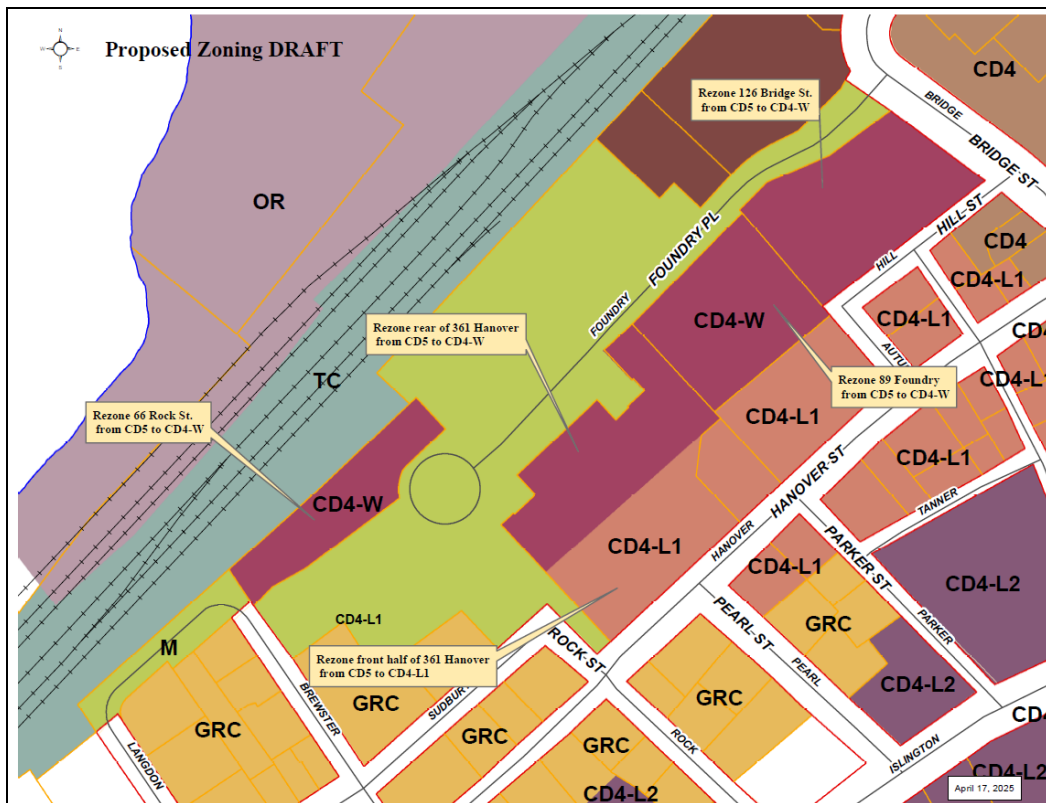
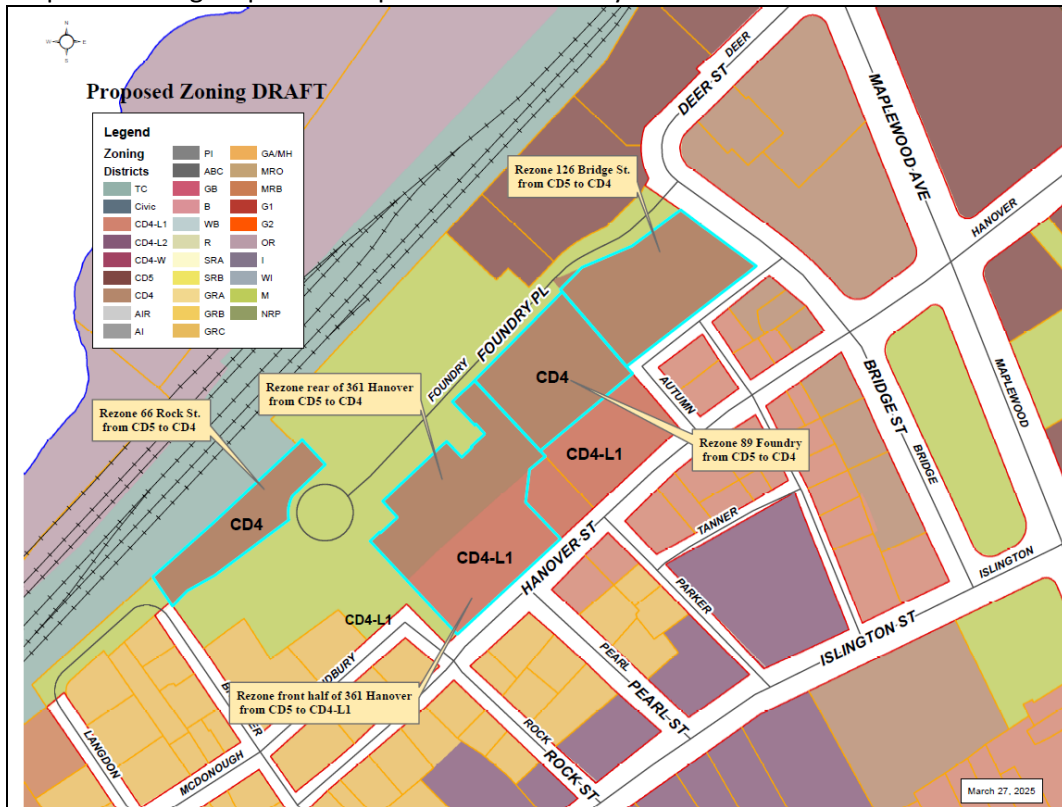
	CD5/CD4	CD4-L1	CD4-W
Residential (up to 8 units)	P	P	P
Residential (8+ units)	P	N	P
Assisted Living Center	P	N	P
Performance Facility	P/S	N	S/N
Cinema or other indoor amusement use	P	N	P
Health club/related use	P/S	S/N	P/S
Office	P	P	P
Retail bank	P	N	P
Outpatient clinic	P	S	P
Personal/consumer services	P	N	P
Laundry / dry cleaning	P/S	N	P
Retail	P	N	P/S
Eating/drinking places	P(500)/S(500+)	N	P(50)/S(250)

P = Permitted, S = Special Exception, N = Not Permitted. Numbers represent occupancy maximums.

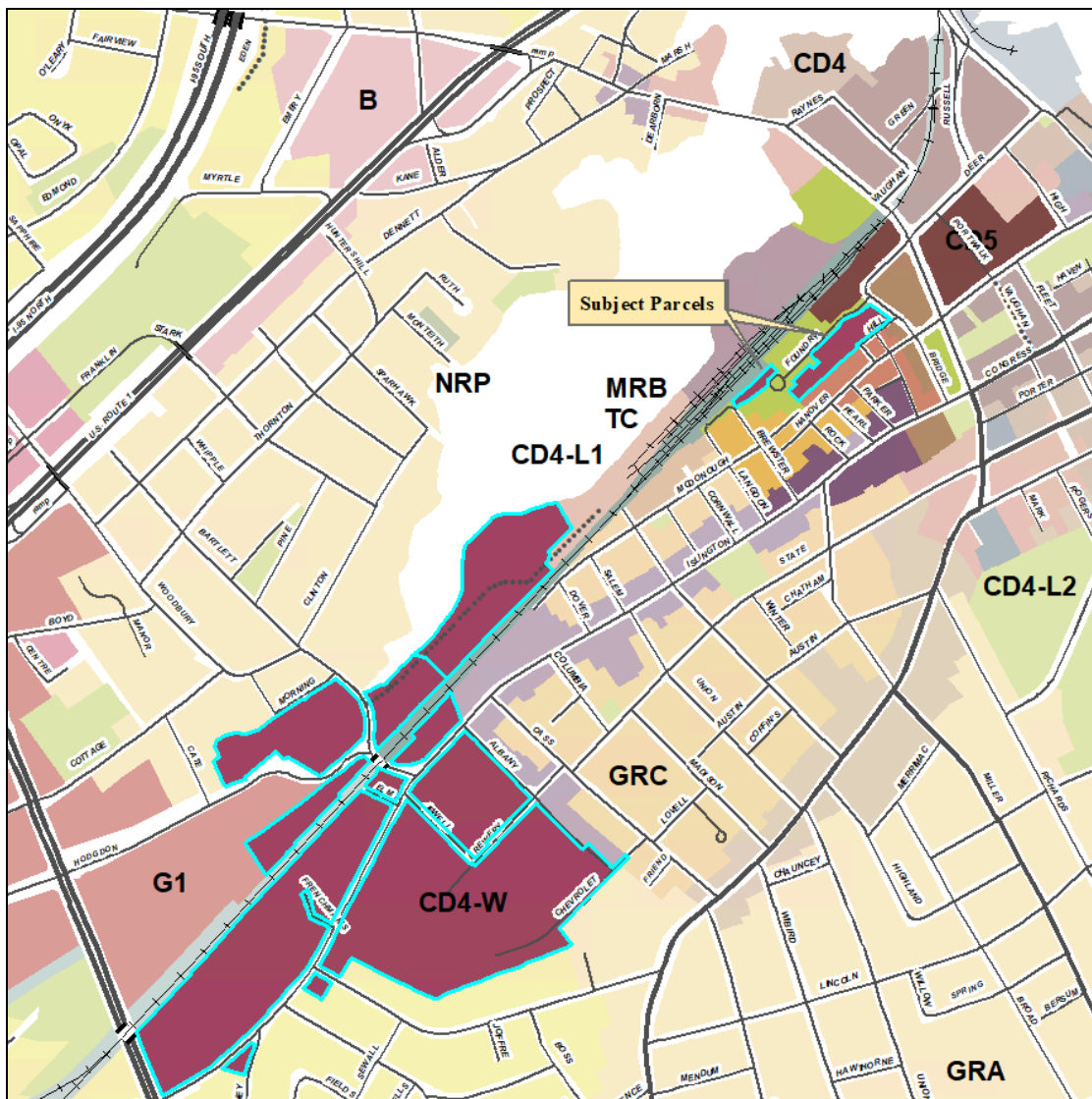
Existing zoning map below shows the subject parcels zoning CD5.



Proposed zoning map that was presented in January 2020 with the addition of 66 Rock Street.

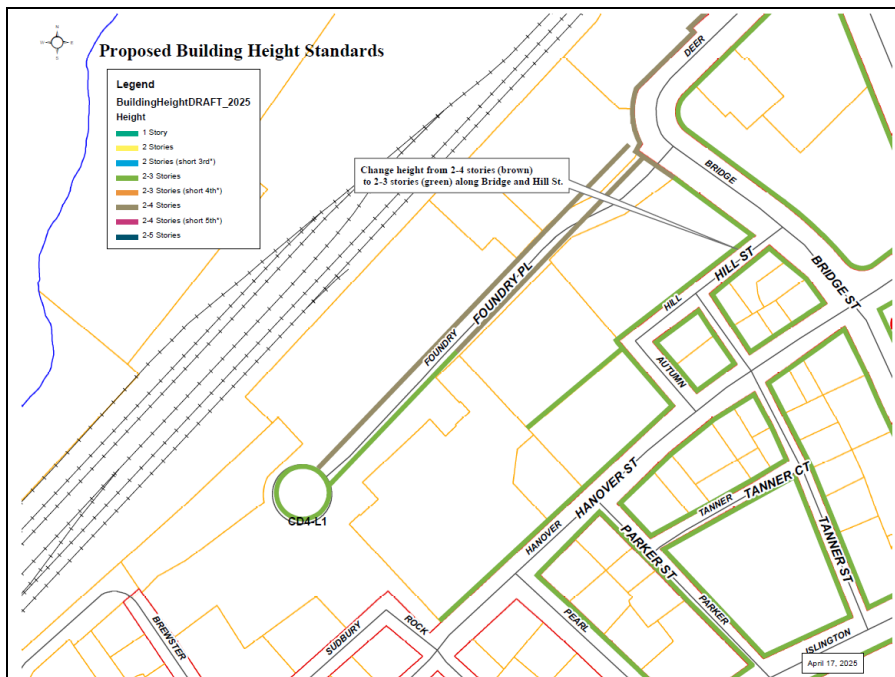
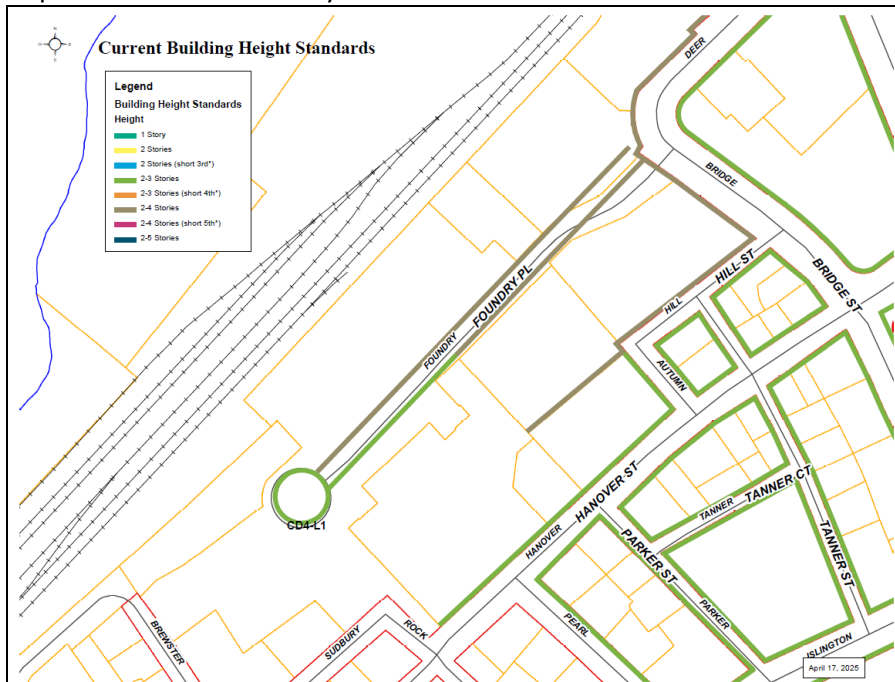


The map above represents the consensus the Board had at the March 27, 2025 work session and was presented at their April 17, 2025 meeting which changes the subject parcels to CD4-W with the exception of the front of 361 Hanover, which would change to CD4-L1. The only area zoned CD4-W is the West End. The map below shows the current CD4-W zone and includes the subject parcels on Hanover and Hill Street if they were changed to CD4-W. While staff can agree with some of the logic for choosing this district, downzoning some of these parcels will make them nonconforming. For example, 89 Foundry contains a building with a footprint of over 16,000 square foot and 55 apartments on a 22,538 square foot lot. The current zoning allows for this footprint and density. Changing to CD4-W, the building footprint, coverage, open space and lot area per dwelling would all be nonconforming. The project at 361 Hanover will also be nonconforming for lot area per dwelling and building footprint if downzoned to CD4-W. **Staff would recommend the original proposal that was presented in 2020 with the additional change to 66 Rock Street.**



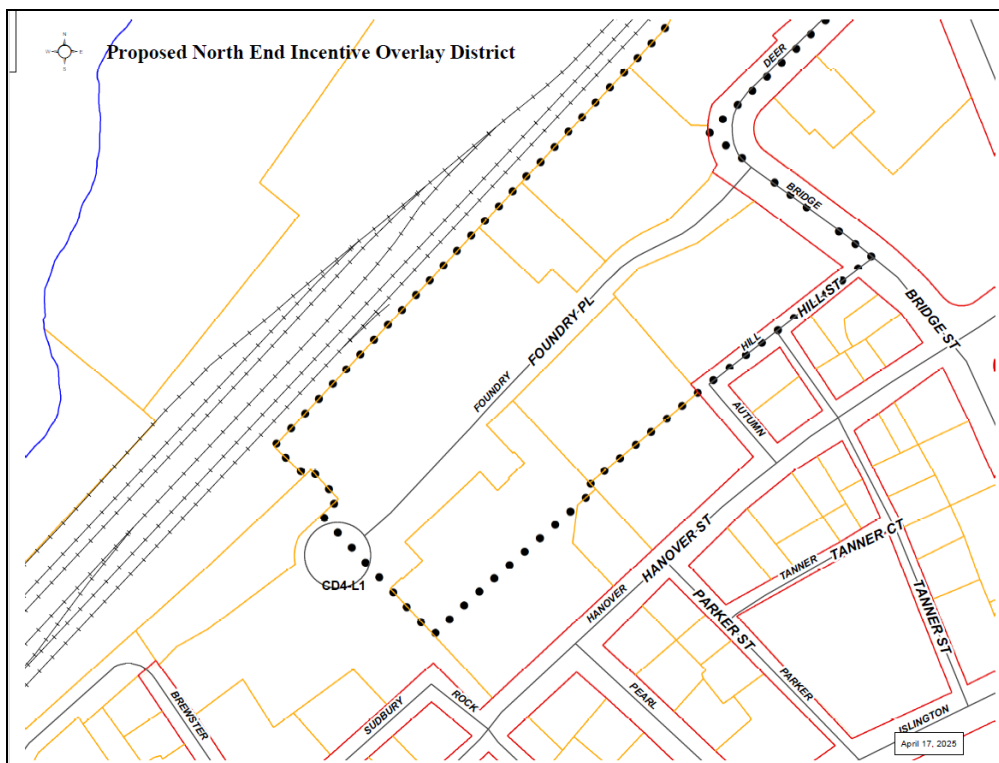
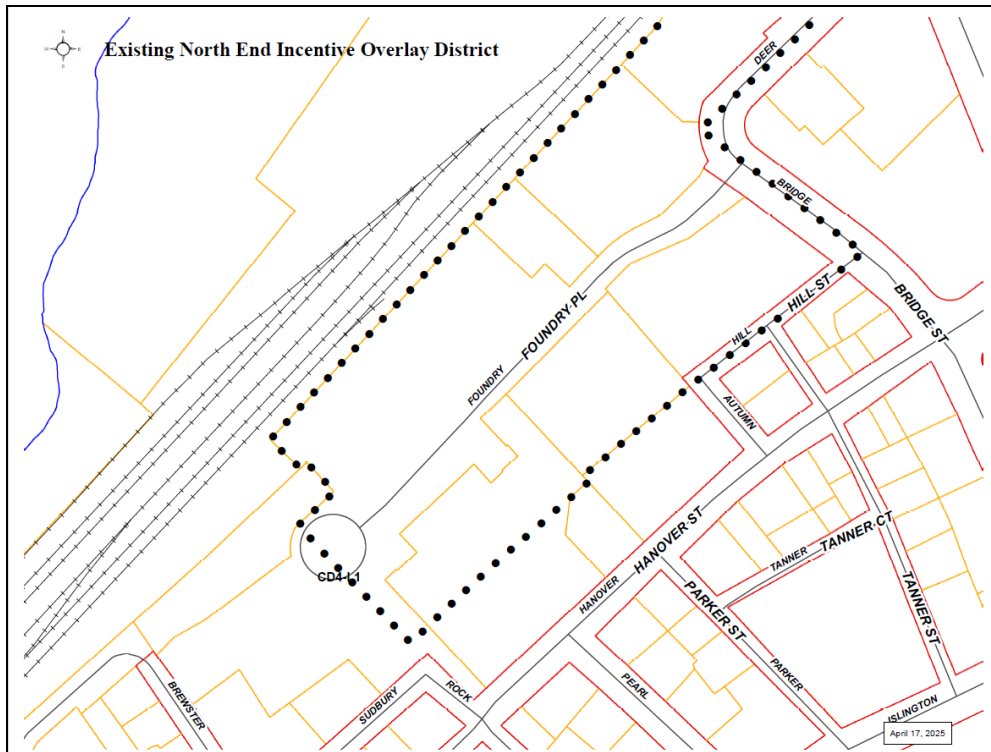
Building Height

The map below shows the current building height standards which allow 2-4 stories (50') along the south side of Bridge Street and down Hill Street. The Planning Board agreed at their March 27, 2025 work session to change the designation to 2-3 stories (40'), which is indicated by the green line. The properties that are located in the North End Incentive Overlay District would still be able to increase the building height by 10' or 1-story about the maximum, subject to the requirements of the overlay district.



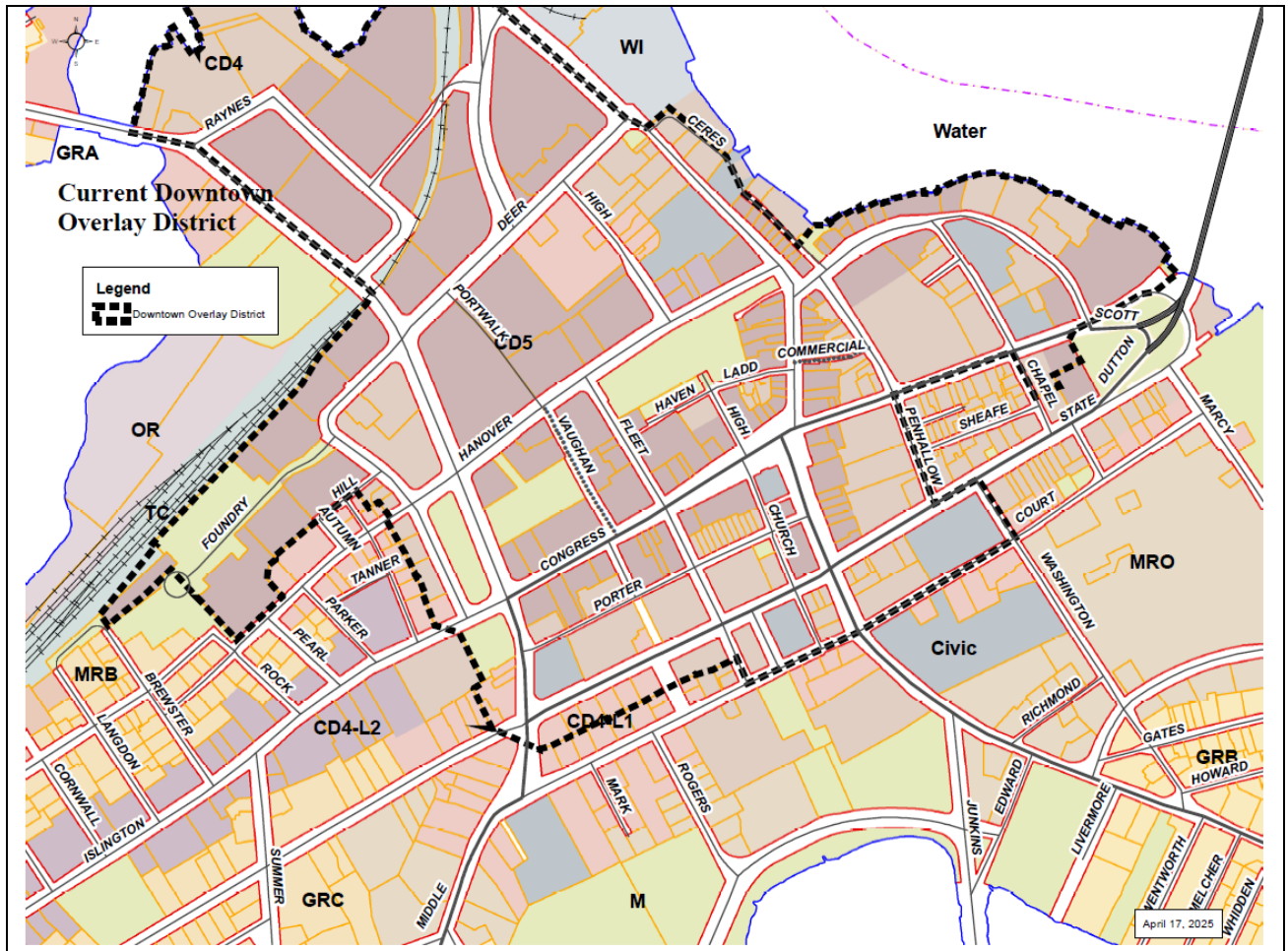
North End Incentive Overlay District (NEIOD)

Minor changes are proposed to the boundary of the NEIOD to better align with lot lines along 361 Hanover Street and 66 Rock Street.



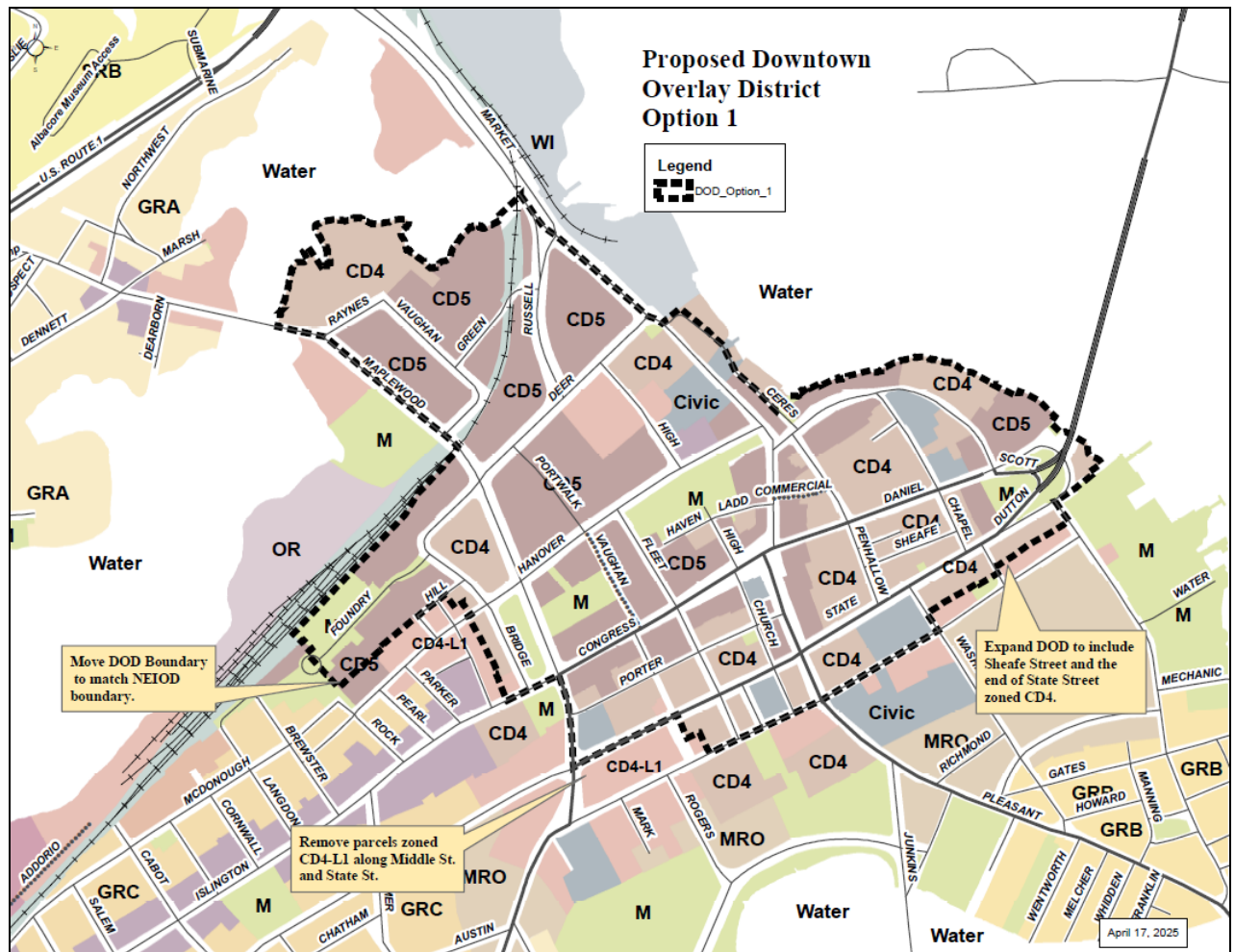
Downtown Overlay District

While the Board has been discussing zoning changes along Hill and Hanover Street, this included revising the boundary of the Downtown Overlay District (DOD) to follow the North End Incentive Overlay District. Below shows the current DOD boundary for reference when reviewing the two options that were discussed at the work session. The Board considered modifying the DOD boundary in other areas and below are 2 options the Board requested to see following the work session.



Option 1

Option 1 is outlined in the map below and moves the DOD boundary on 361 Hanover to match the North End Incentive boundary that bisects that parcel. Option 1 includes removing parcels zoned CD4-L1 along Middle Street and State Street and incorporating 2 parcels and a portion of a parcel on Court Street that are zoned CD4. The largest adjustment to the DOD includes moving the boundary to include Sheafe Street and the parcels fronting on State Street that are zoned CD4.



Option 2 is outlined in the map below and incorporates all of the changes outlined in The Option 1 map above with the addition of capturing the corner of Court Street and Pleasant Street including the Citizens Bank property.

Proposed Downtown Overlay District Option 2

Legend
 DOD Proposed

Callouts:

- Move DOD Boundary to match NEIOD boundary.
- Remove parcels zoned CD4-L1 along Middle St. and State St.
- Expand to include CD4 properties and the corner of Court and Pleasant and the Citizens Bank lot
- Expand DOD to include Sheafe Street and the end of State Street zoned CD4.

The map shows a grid of streets including U.S. ROUTE 1, NORTHWEST, MARSH, DEARBORN, PROSPECT, DENNETT, RAYNES, VAUGHAN, GREEN, RUSSELL, DEER, CERRIL, SCOTT, DUTTON, CHAPEL, SHEAFE, PENNINGTON, STATE, CHURCH, PORTER, CONGRESS, HILL, BRIDGE, PAPER, PEARL, ROCK, BREWSTER, LINDON, CORNWALL, ISLINGTON, CABOT, SALEM, AUDUBON, CHATHAM, AUSTIN, MARK, ROSE, JUNKINS, SUNNYSIDE, WESTWORTH, MEL CHIEF, WHIDDEN, RAWLIN, GATES, HOWARD, GRB, WANNING, MECHANIC, WATER, and CIVIC. Zoning districts are labeled as CD4, CD5, M, OR, GRC, GRA, and GRB. Water bodies are also indicated.


At the April 17th meeting, the Board voted to hold off on recommending any changes and to incorporate this into the Master Plan. The motion passed 8-1 with Councilor Moreau voting in opposition.

Recommendation:

I would recommend the City Council put the letter on file and addressed during the Master Plan process.

MEMORANDUM

TO: Karen Conard, City Manager

FROM: Peter Britz, Planning & Sustainability Director 

DATE: April 14, 2025

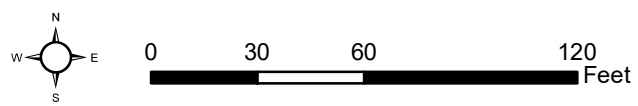
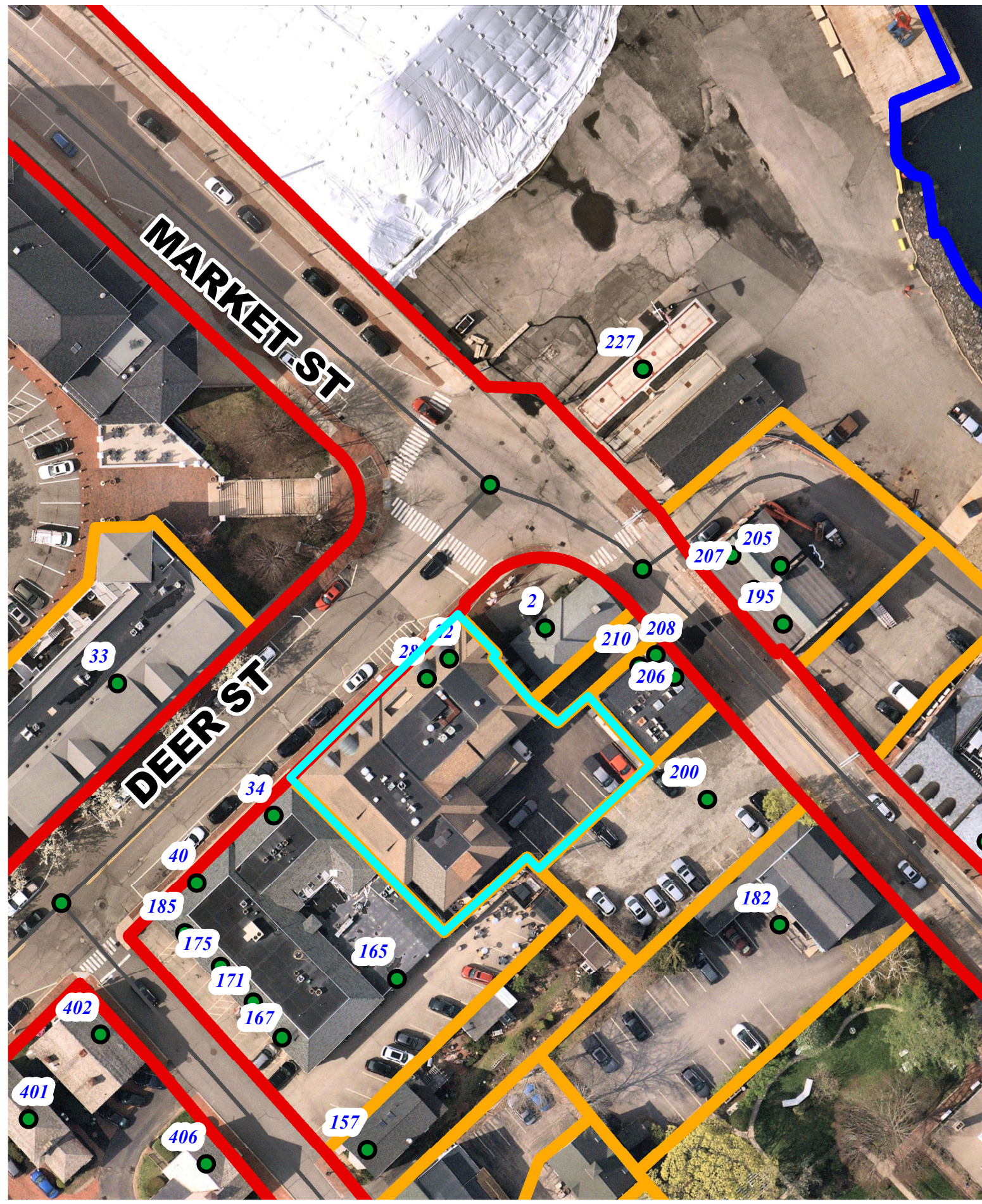
RE: City Council Referral – Projecting Signs
Address: 28 Deer Street
Business Name: Heritage Home Service
Business Owners: Bradley Chartier

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:

Heritage Home Service
Exterior Projecting Sign

ADDRESS:

28 Deer St
Portsmouth, NH 03801 United States

SALES PERSON:

Brendan Sullivan

DESIGNER:

SS

DATE:

02.28.2025

PG	ITEM	REV	DATE
1.0	A	1	3.11.25



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'



QTY 1
DOUBLE SIDED

VIF 1/2"
MOUNTING HOLES

COLOR SCHEDULE (CLIENT TO VERIFY)

C:0 M:88 Y:82 K:0

C:94 M:24 Y:0 K:85

WHITE

PROJECTING SIGN

QUANTITY: 1

SIZE: 36" x 24" (6 sq. ft.)

MATERIAL: 3/4" PVC

Double-sided

CONTENT:

Logo / Customer Provided Graphics

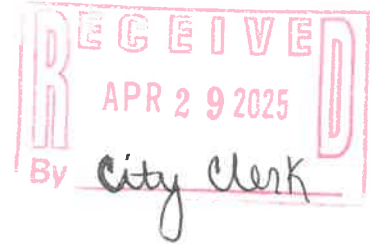
GRAPHIC/TEXT COLOR: Full color laminated print

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

Permit Acquisition + Town Fees
(Wall Mounted and Projecting)

INSTALLATION





Michael Hudson – Worshipful Master
St. John's Lodge No. 1 F. & A. M.
351 Middle Street – Portsmouth, NH 03801

April 28, 2025

Ms. Karen Conard
Portsmouth City Manager
1 Junkins Ave.
Portsmouth, NH 03801

Dear Ms. Conard:

I am requesting City approval to hold our annual St. John's Sunday Parade on Sunday June 22, 2025. This tradition has been carried out for over 100 years. We propose to assemble at the William Pitt Tavern at 416 Court Street. Commencing at 8:50 AM we will march to St. John's Church at 100 Chapel Street for church services at 9:30 AM. After the conclusion of services, approximately 10:30AM, we propose to march back to the William Pitt Tavern. We will have the usual insurance that is required and look forward to your response. I may be reached at the contact information listed below.

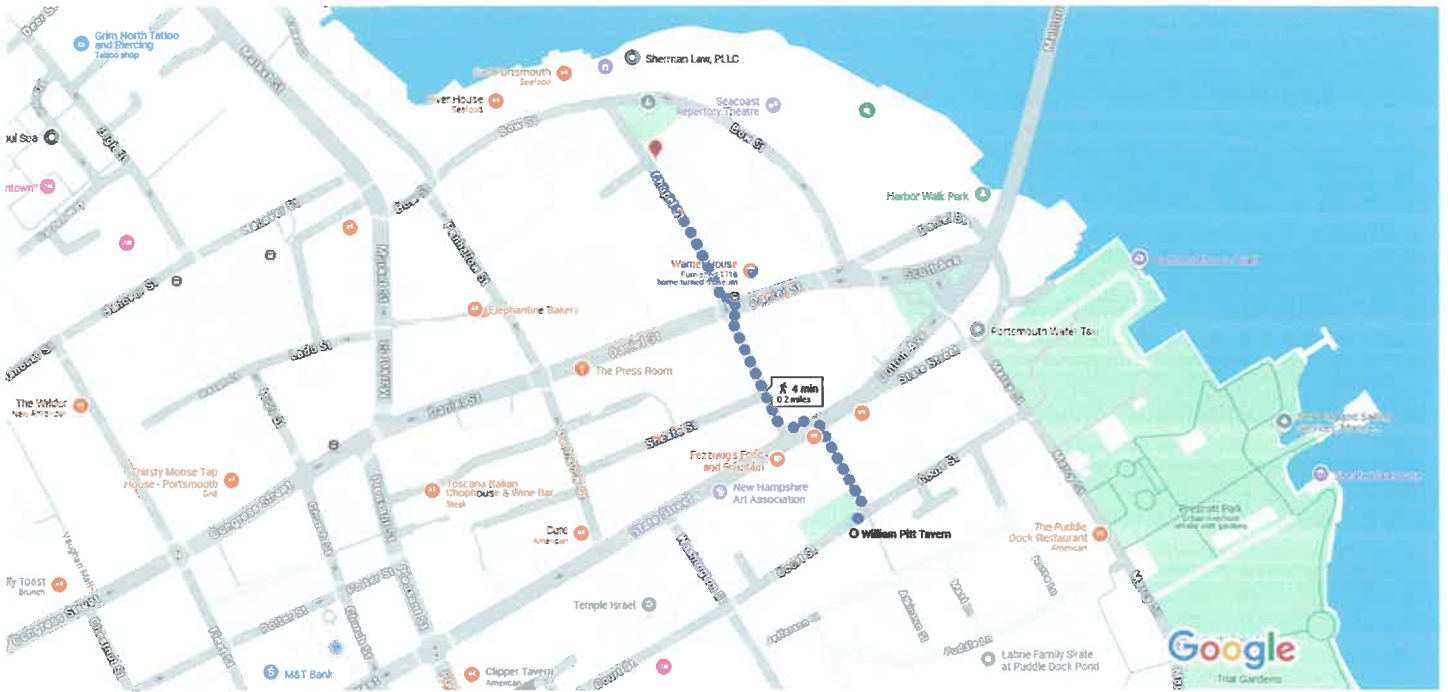
Sincerely,

Michael Hudson, Worshipful Master
St. John's Lodge No. 1 Portsmouth, NH
hudson.mike@gmail.com
207-317-0861



William Pitt Tavern, 416 Court St, Portsmouth, NH 03801 to St. John's Episcopal Church, 101 Chapel St, Portsmouth, NH 03801

Walk 0.2 mile, 4 min



Map data ©2025 Google 100 ft



via Chapel St

4 min

0.2 mile

Mostly flat



Portsmouth US Route 1 Improvements



Introductions and Agenda

Attendees

- David Smith – NHDOT Project Manager
- David McNamara – Stantec Project Manager

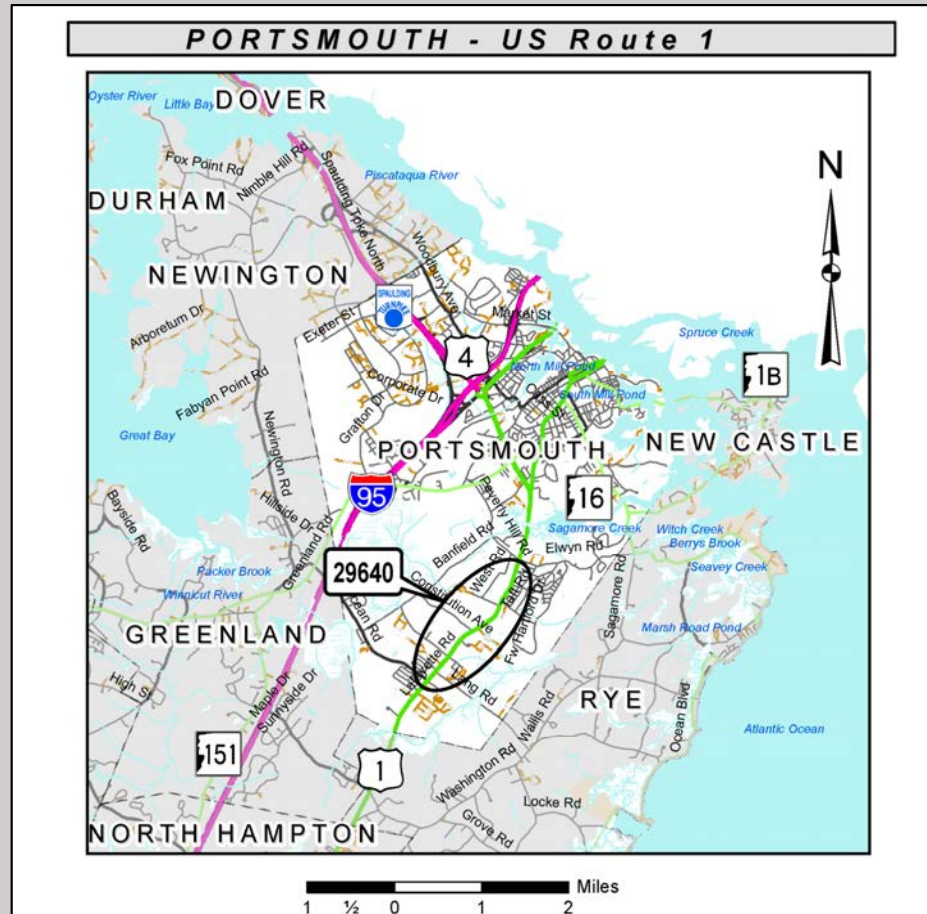
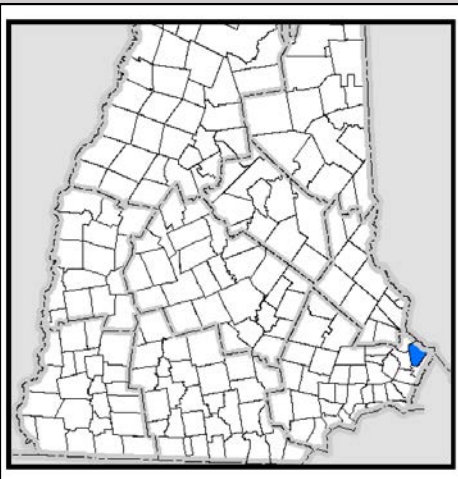
Agenda

- Roadway Alternatives Review
- Project Design Updates
- Next Steps and Schedule

Meeting Goal

- Obtain City Council guidance on alternatives

Location Map



LEGEND

- Streams
- Water Bodies
- US Routes
- State Routes
- Interstates
- Local Roads
- Town Boundary

Concept Designs

Roadway Concepts:

- No Build
- Alternative 1 – 1984/1989 Study – 5 Lane section, raised median, and left turn pockets
- Alternative 2 – 5 Lane section, no median, two way left turn lane
- **Alternative 3 – Targeted improvements corridor wide. Roundabouts at White Cedar Blvd and Springbrook Circle intersections**
- Alternative 3A - Targeted improvements corridor wide. Signals at White Cedar Blvd and Springbrook Circle intersections

Recommended Alternative Segment 1 – Alternative 3

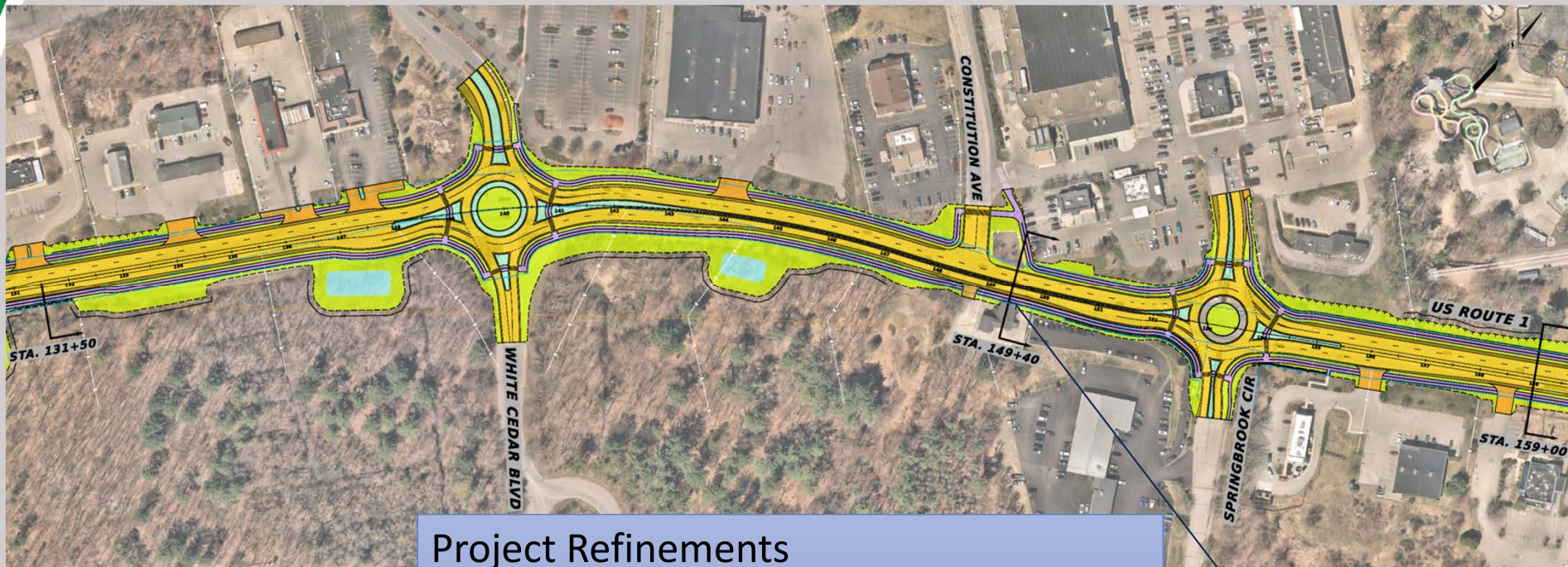


Project Refinements
- No changes this segment

LEGEND

- TRAVEL WAY OF PROPOSED ROADWAY
- SHOULDER OF PROPOSED ROADWAY
- PROPOSED RAISED TRAFFIC ISLANDS
- PROPOSED SIDEWALK
- PROPOSED ACCESS POINTS (DRIVES, ETC.)
- PROPOSED SLOPE WORK

Recommended Alternative Segment 2 – Alternative 3



Project Refinements

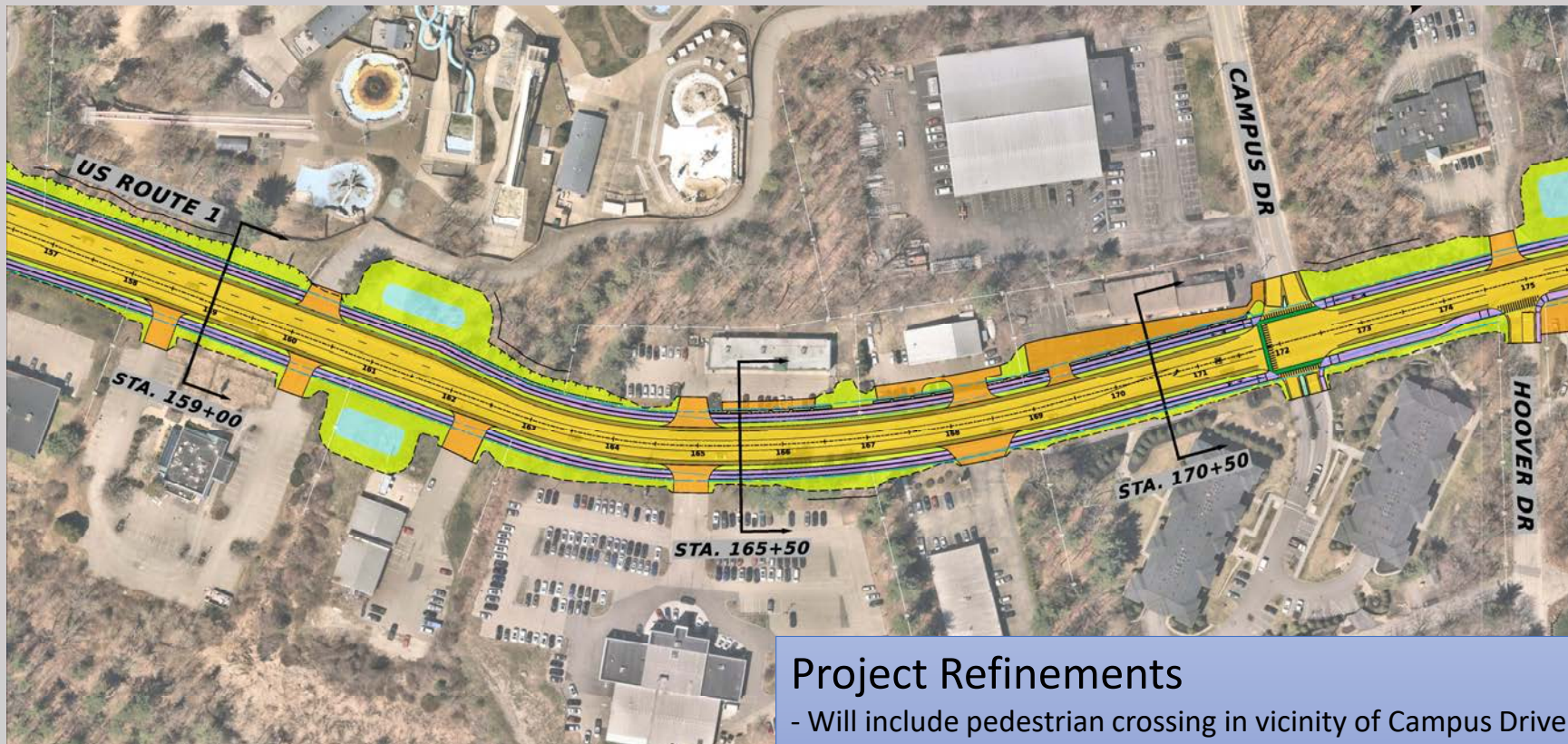
- Changed northbound lanes through roundabout to single lanes.
 - Maintains acceptable level of traffic operations
 - Increases ease of use by pedestrians
 - Reduces costs and impacts to Right of Way

Historic Resource

LEGEND

- TRAVEL WAY OF PROPOSED ROADWAY
- SHOULDER OF PROPOSED ROADWAY
- PROPOSED RAISED TRAFFIC ISLANDS
- PROPOSED SIDEWALK
- PROPOSED ACCESS POINTS (DRIVES, ETC.)
- PROPOSED SLOPE WORK

Recommended Alternative Segment 3 – Alternative 3



Project Refinements

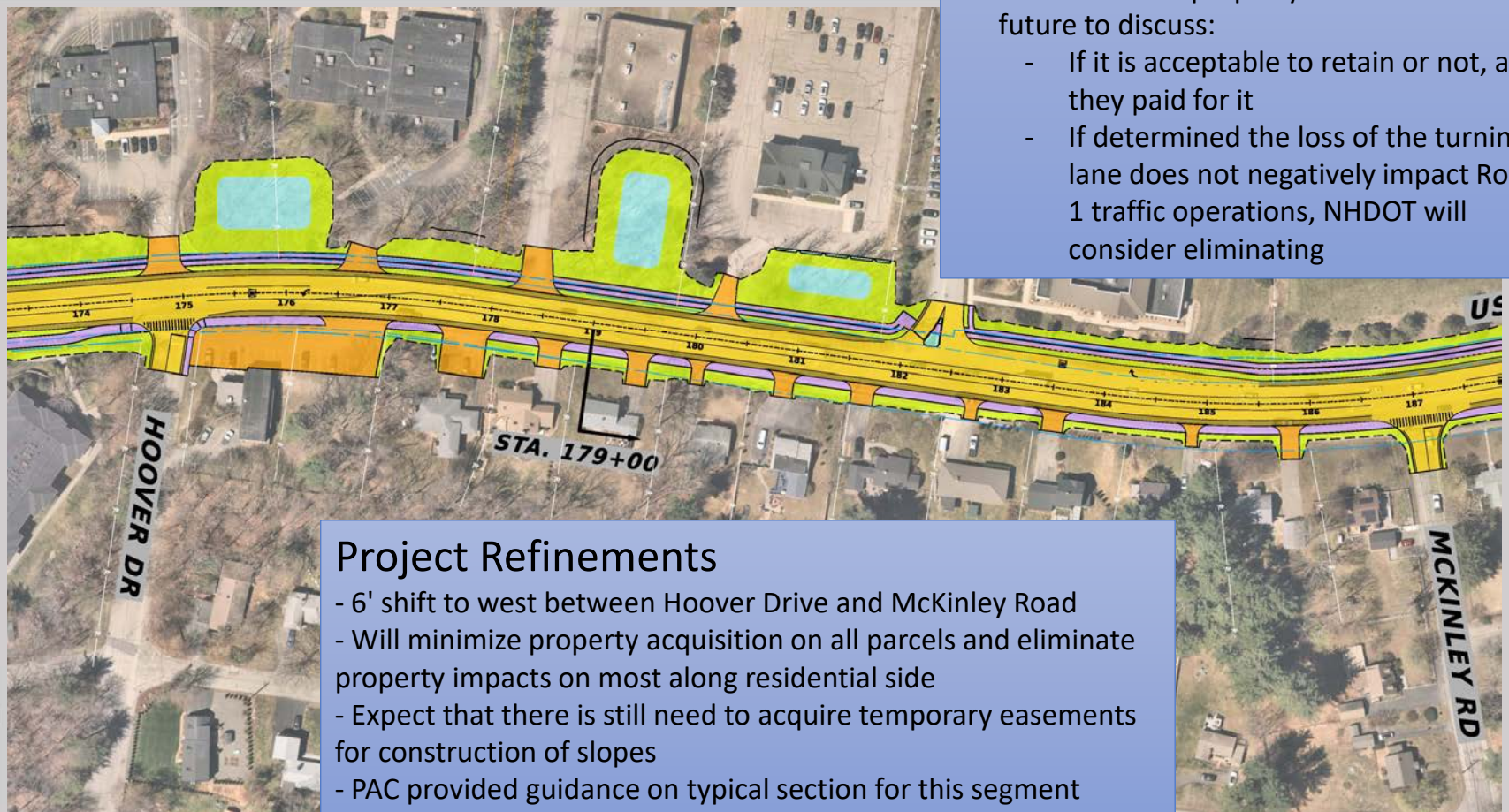
- Will include pedestrian crossing in vicinity of Campus Drive
- Will coordinate best crossing location with City
- No other updates this segment

Recommended Alternative Segment 4 – Alternative 3

Project Layout

Retain southbound right turn to Atlantic Orthopedic

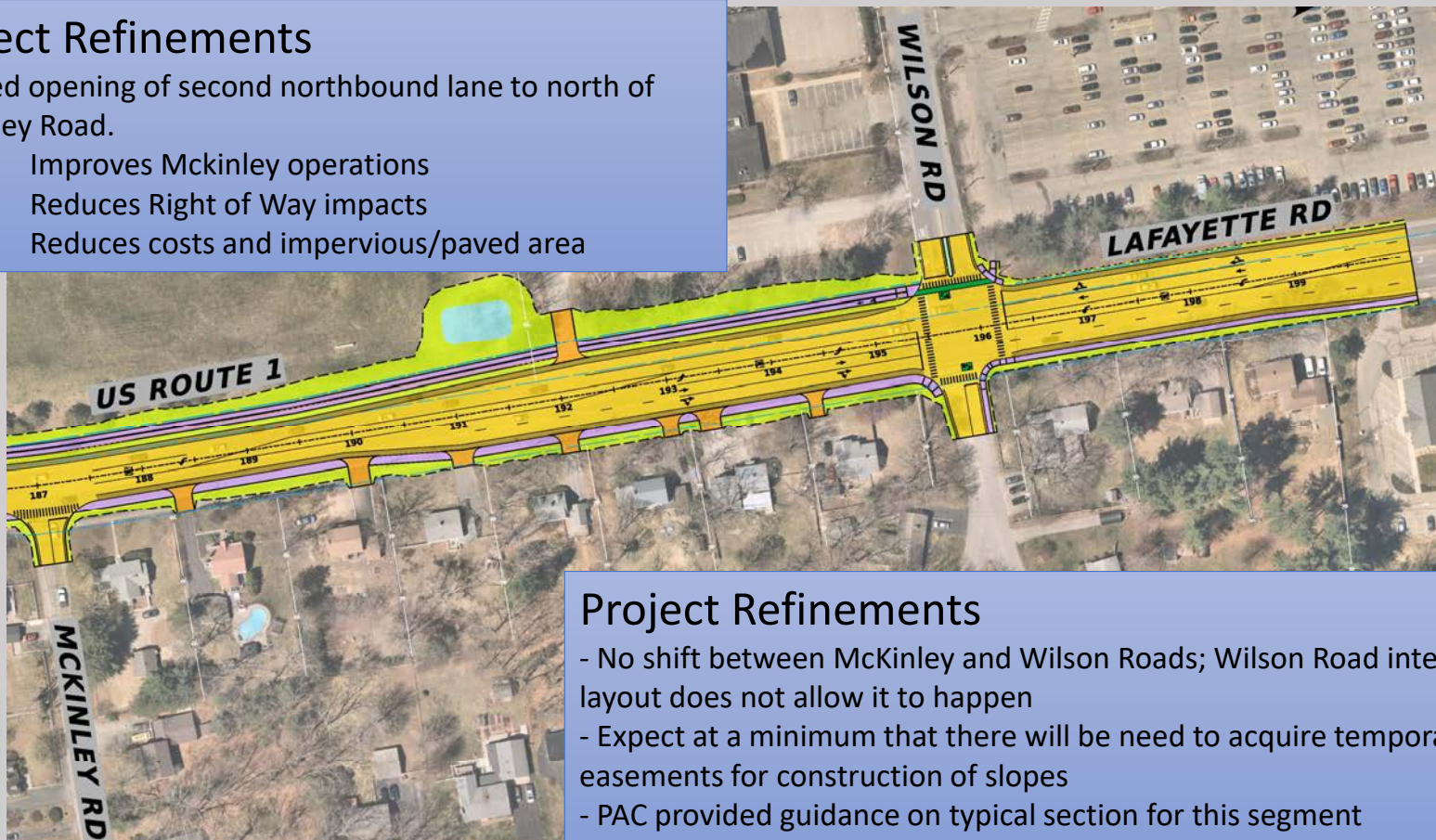
- Was a requirement for development of site
- Will meet with property owner in the future to discuss:
 - If it is acceptable to retain or not, as they paid for it
 - If determined the loss of the turning lane does not negatively impact Route 1 traffic operations, NHDOT will consider eliminating



Recommended Alternative Segment 4 – Alternative 3

Project Refinements

- Moved opening of second northbound lane to north of McKinley Road.
- Improves McKinley operations
- Reduces Right of Way impacts
- Reduces costs and impervious/paved area



LEGEND

- TRAVEL WAY OF PROPOSED ROADWAY
- SHOULDER OF PROPOSED ROADWAY
- PROPOSED RAISED TRAFFIC ISLANDS
- PROPOSED SIDEWALK
- PROPOSED ACCESS POINTS (DRIVES, ETC.)
- PROPOSED SLOPE WORK

New Hampshire
DOT
Department of Transportation

Project Refinements

- No shift between McKinley and Wilson Roads; Wilson Road intersection layout does not allow it to happen
- Expect at a minimum that there will be need to acquire temporary easements for construction of slopes
- PAC provided guidance on typical section for this segment

Project Development Process

Preliminary Design

- Data Collection ✓
- Engineering Analysis ✓
- Develop Alternatives ✓
- Identify Preferred Alternative
- Public Hearing – Targeting Fall 2025

We are Here

Final Design

- Final Engineering
 - Environmental Permitting
 - Acquisition of property rights
 - Construction
- 2025 – 2027
 - 2028 – 2030



Contact Information

- **David Smith, PE – NHDOT Project Manager**
 - 603-271-2165
 - David.S.Smith@dot.nh.gov
- **David McNamara, PE – Stantec Project Manager**
 - 603-263-4653
 - David.Mcnamara@stantec.com
- **Project Website**
 - [www.dot.nh.gov/projects-plans and programs/project-center/Portsmouth-29640](http://www.dot.nh.gov/projects-plans-and-programs/project-center/Portsmouth-29640)

City Council Emails – April 16, 2025 – April 30, 2025

Submitted on Wed, 04/23/2025 - 15:15

Submitted by: Anonymous

Submitted values are:

First Name

Robin

Last Name

Rousseau

Email

robinrousseau@aol.com

Address

90 Fleet Street Apt 4-2
Portsmouth, New Hampshire. 03801

Message

I just recently switched my internet service from Consolidated to T-Mobile. when I was informed that T-Mobile has a 5G tower across the street from me at 55 Congress Street. I was shocked that the City would allow a 5G cell phone tower in a heavy residential neighborhood. I call the FCC who tole me they only deal with the leasing of cell phone towers, not the placement. They tole me it was a local zoning issue.

I called Peter Blitz to discuss. He told me there were no zoning regs on the books for the placement of a cell phone tower--just the appearance of one needed to go through the HDC, He suggested I contact the City Council to see if we can address this issue. There are obvious safety issues with having a 5G cell phone tower so close to a residential area. He mentioned that Bedford, NH has addressed this in their zoning regs and perhaps we should have some language that is similar. There is an issue with dealing with existing cell phone towers and whether or not they need to be grandfathered in if a new reg is passed. I would think if safety issues were involved, they would not be grandfathered in and the communication companies would be given a certain amount of time to move them to an area maybe not within 500 feet of a residential neighborhood. We certainly have the commercial space in Portsmouth to accommodate the distance needed for safety.

I don't think many people know about the location of 5G cell phone towers in Portsmouth, but think it's time that we take that inventory and come up with a best practice zoning reg to address the safety issue. Peter Blitz told me he is researching the issue for you and will be ready to answer your questions and make recommendation.

Let's remove unsafe 5G cell phone towers from areas that are highly populated with residential housing, such as downtown that is becoming more residential than commercial.

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, 04/27/2025 - 10:57

Submitted by: Anonymous

Submitted values are:

First Name

Diana

Last Name

Frye

Email

dfryz@yahoo.com

Address

436 Jones Ave

Portsmouth, New Hampshire. 03801

Message

Thanks Councilors for your service guiding our city! .. especially fabulous job with Power!! Any idea how much money residents have saved since program rollout?

My questions today are:

1. When is there going to be equal and fair access to the Community Power rates for folks who are net-metering their solar power, and this locked into Eversource? It's not constitutionally fair that those who've invested in solar power can't access the rate break that citizens who haven't can.
2. Are there any city council sponsored laws like what Peterborough, NH has, "Peterborough approved an ordinance that prevents its police officers from enforcing federal immigration laws or asking people about their immigration status." If there isn't yet a law yet, let's work towards getting one.
3. Single-use plastic ban .. time to try again. If the whole state of Maine can do it, then why not Portsmouth! Please advise on how to get that rolling.
4. The old dump off of Jones Ave as a solar installation. What's the latest?
5. The city should have community garden map, just like it has a tree map, with information about where and how a citizen can request access to garden space. The Portsmouth Community Gardens are wonderful, and waitlisted, so there is a demand for it. Are there other places? If so, where are they and what's the process?
6. Consider having PDW review how and when they apply herbicides etc. and when they mow. The application by the spraying of toxins such as glycosphate etc. to kill non-native plants such as Japanese knotweed, especially near a watershed area like Sagamore Creek, seems ill-advised at best. Also, the mowing schedule could be reduced by half, merely by mowing only one half of the old dump and other selected areas at a time. They mow at least twice a summer. Mow half in the early summer and mow the other half in the late summer. The robust city mowers can handle it and if it's mowed at least once a year or even every other year there would not be a problem with woody

plant growth, and there would be savings in fuel and labor costs and healthier habitat for pollinators and humans.

Thanks for your hard work and for not just listening, but acting!

Sincerely,
~ Diana Frye
436 Jones Ave

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

Yes

Submitted on Tue, 04/29/2025 - 08:41

Submitted by: Anonymous

Submitted values are:

First Name

Mark

Last Name

DeLorenzo

Email

Delorenzoma@gmail.com

Address

349 Hanover St. Apt. 1
Portsmouth, New Hampshire. 03801

Message

Dear Mr. Mayor and members of the City Council,

I am writing in utter dismay over the recent decision by the Planning Board to punt on their responsibilities to rectify the wrong that has been done to our neighborhood for the past 7 years. I applaud Councilor Moreau's desire to rectify the great wrong that has been done to our neighborhood carelessly since 2019. The Planning Board should be deeply ashamed of the 180 degree turn they suddenly did after 4 work sessions with neighborhood input which finally began on September 26th (2024), October 24th (2024), February 27th (2025), and March 27th (2025) during which the re-zoning requests were discussed and reviewed. At those sessions the Planning Board noted and agreed multiple times that the current zoning of 361 Hanover St. is wrong and out of character. For them to now push it out to an unspecified later date after 7 years, and make it part of a future master plan... is unfathomable to say the least.

I beseech the City Council to direct them to once again take this up, and not delay acting on this necessary correction of bad zoning that harms our neighborhood. Seven years.

At 3:21:03, Vice Chair Anthony Coviello stated, "Listen, we're not the final say here, too, right? The Council can take action." Chairman Chellman interjected, "The Council can just do it."

So I ask you all, "Please do it." Please fix the error in our zoning which everyone recognizes exists.

Thank you for your consideration of my comments.

Sincerely,
Mark A. DeLorenzo
15 year resident of Islington Creek Neighborhood

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

Yes

Submitted on Tue, 04/29/2025 - 13:10

Submitted by: Anonymous

Submitted values are:

First Name

Scott

Last Name

Fales

Email

scottfales57@gmail.com

Address

151 Aldrich Road
Portsmouth, New Hampshire. 03801

Message

Dear Portsmouth City Council Members,

I am writing to express my strong support for a comprehensive smoking ban in downtown Portsmouth. This measure is crucial for the health and well-being of our residents and visitors. Secondhand smoke poses significant health risks, including lung cancer, heart disease, and respiratory problems. A smoking ban would protect everyone, including children and those with pre-existing conditions, from these dangers.

Beyond the health benefits, a smoke-free downtown area would enhance the overall experience for everyone. It would create a cleaner, more pleasant environment for outdoor dining, shopping, and enjoying our city's beautiful spaces. This can lead to increased foot traffic and support local businesses.

Many cities have already implemented similar bans with positive results. I urge you to consider the long-term benefits and take action to make Portsmouth a healthier, more enjoyable place for all.

Thank you for your time and consideration.

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

Yes

Submitted on Tue, 04/29/2025 - 21:53

Submitted by: Anonymous

Submitted values are:

First Name

Tyler

Last Name

Garzo

Email

tyler@walkpomo.org

Address

62 McKinley Rd
Portsmouth, New Hampshire. 03801

Message

Dear Mayor and Councilors,

On May 5 you will have the chance again to watch NHDOT parachute in from Concord to explain their \$20 million unfunded plan for two miles of Lafayette Road south of Market Basket.

The purpose of this project is the prioritization of more, bigger cars, moving faster, and ensuring nothing gets in their way. Bike sidepaths and pedestrian accessibility are a front for this boondoggle auto-centric project, which adds ~3,000' of new automobile lanes, 5' shoulders which are scientifically proven to increase speeding, and ~\$5 million in roundabouts to ensure continuous car flow.

This project is an affront to Portsmouth's 2024 Climate Action Plan and Portsmouth's 2017 Complete Streets guide. NHDOT has ignored pleas from Councilor Cook, traffic engineer Eric Eby, Seacoast Area Bicycle Riders, Lafayette Road homeowners, Public Advisory Committee members, and planning department representatives to make basic modifications that would make route 1 slower and safer like tight shoulders and a single north and southbound lane. They are instead relying on 1950s engineering standards which have produced suburban sprawl, drive everywhere lifestyles, noise & air pollution, and climate change. This design looks nothing like any city-owned road in Portsmouth.

Yes, it would be nice to have a bike sidepath on Route 1, but this is a key moment to demand meaningful change: NHDOT is trying to buy us off with the stuff we like and hope we will tolerate the damage. The accounting will not come out well for our priorities. People will get hurt & die,

emissions will go up, induced demand will quickly congest the 3,000' of new lanes and roundabouts, and it will continue to be extremely unpleasant to do anything next to route 1.

Thank you,
Tyler Garzo

Glossary of NHDOT terms.

Alternatives: forcing the public to make a constrained choice rather than listening to what is needed.

Improvements: improvements for cars.

Acceptable: cars moving as fast as possible.

Refinements: responses to threat of litigation & angry citizens.

Degrade or impact: things that will slow cars down.

Enforcement and signage: NHDOT's response when a road is designed for speed and results in casualties.

The standards say: relying on unproven engineering guidelines as a liability shield.

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

Yes

From: Susan Sterry <sterry10@ymail.com>

Sent: Thursday, April 17, 2025 11:51 AM

Subject: Stepping Down

To: City Clerk of City of Portsmouth

As of today, I am officially stepping down from the following committees

Portsmouth Historic Cemetery Committee

African Burial Ground Blue Ribbon Committee

Susan Sterry

Impact Fees: Non Profit Organizations | Portsmouth Recreation Department

Philosophy:

The Portsmouth Recreation Department supports local non-profit recreation organizations through providing quality indoor and outdoor facilities for their programs and events. Providing facilities for these groups furthers the department's mission of providing a wide variety of recreational activities for the community. Through this facility support, the recreation department strengthens these locally grown organizations, which increases sustainability, community engagement and overall 'buy in' for local recreation.

Why Impact Fees

Portsmouth Recreation Department indoor and outdoor facilities are City owned, public assets. When outside organizations routinely use these facilities, their impact, or general "wear and tear", on the facility is increased. Private for-profit organizations are charged an hourly fee for this use to cover the incurred cost associated with their use. Non-profit organizations do not pay an hourly fee for use of department facilities. These Impact Fees are intended to assist with compensating for this amplified use of department facilities by non-profit organizations. The use of an Impact Fee instead of an hourly fee for non-profits aims to minimize costs for these groups in order to help decrease the cost of participation for individual community members in these activities/programs.

Impact Fees collected from these organizations will be managed and held by the Recreation Department. These funds will be used to maintain and upgrade facilities and related equipment, as well as cover costs directly incurred by use. Examples include but are not limited to turf/field maintenance, equipment repairs and lighting utilities. Specific allocations of these funds will be at the discretion of the Recreation Director.

Eligibility

In order to be considered for scheduled, routine use of Portsmouth Recreation Department facilities, organizations must meet the following criteria:

- Uphold a mission/purpose that aligns with the Portsmouth Recreation Department mission and all City of Portsmouth policies/ordinances.
- Be a registered non-profit organization.
- Provide a Certificate of Insurance (COI).

Process

The Recreation Department will invoice non-profit user groups annually at the start of their traditional program season. At this time, user groups will be notified to submit their proof of non-profit status and Certificate of Insurance. User groups may request a waiver or extension to their Impact Fee by submitting reasons for extenuating circumstances or financial hardship in writing to the Recreation Department. Such exceptions will be made at the discretion of the Recreation Director.

Criteria for Determining Impact:

The following criteria will assist in determining the level of impact:

- Frequency of use/Amount of hours used.
- Number of facilities used (field, gym, etc.)
- Associated utility costs such as lighting.
- Facility staffing and maintenance needs.
- Administrative time associated with the management of user schedules.

Impact Tiers

User Groups will be assigned to an Impact Tier based on the above criteria. Tier assignment will be determined at the discretion of recreation staff.

Tier One (Highest Impact): \$1,000

Examples:

- Port City Soccer Club
- Seacoast Lacrosse

Tier Two (Medium Impact): \$750

Examples:

- Portsmouth Youth Football & Cheer

Tier Three (Lowest Impact): \$500

Examples:

- Portsmouth Little League
- Portsmouth Girls Softball
- Portsmouth Travel Basketball
- Portsmouth Babe Ruth/Legion
- Portsmouth Co-Ed Softball
- Men's/Women's Softball

Hanover/Hill Street Area/Downtown Overlay District & North End Incentive Overlay District

Background

The City Council voted on August 5, 2024, to refer the letter from the Islington Creek neighborhood to the Planning Board for a report back on possible zoning changes that were originally presented to the Planning Board in 2020. The Planning Board held 4 work sessions where this was discussed, September 26, 2024, October 24, 2024, February 27, 2025, and March 27, 2025. At the March 27th meeting, the Board reviewed options for rezoning several parcels along Hill, Hanover and Rock Street and changing the building height requirement along Bridge and Hill Street. In addition, the Board looked at modifying the boundary of the North End Incentive Overlay (NEIOD) and Downtown Overlay Districts (DOD). Maps below outline the consensus from the work session.

Zoning Changes

The Board considered and had general consensus on changing the zoning to CD4-W, which provides a step above CD4- L1, but not as intense as CD4 or CD5, as provided in the tables below. CD-W zoned parcels are only located in the west end.

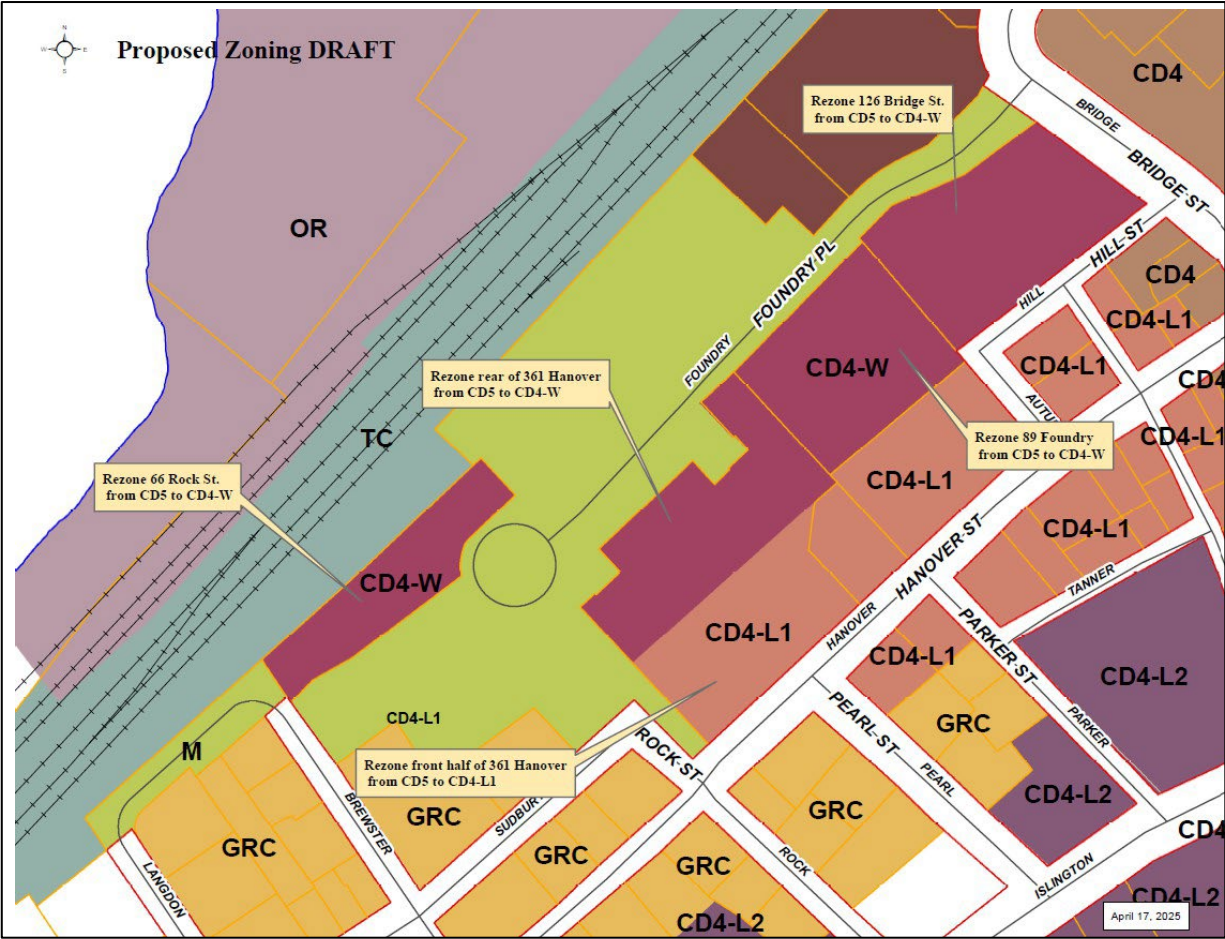
Dimensional Requirements

	CD5	CD4	CD4-L1	CD4-W
Yards (max.)	5'	5'-15'	5'-15'	10'-15'
Front Lot Line Buildout (min.)	80%	50%	60%-80%	50%
Building Coverage	95%	90%	60%	60%
Building Footprint	20,000 s.f.	15,000 s.f.	2,500 s.f.	15,000 s.f.
Building Block Length	225'	200'	80'	200'
Open Space (min.)	5%	10%	25%	15%
Lot area per dwelling unit	NR	NR	3,000 s.f.	2,500 s.f.

Use Categories

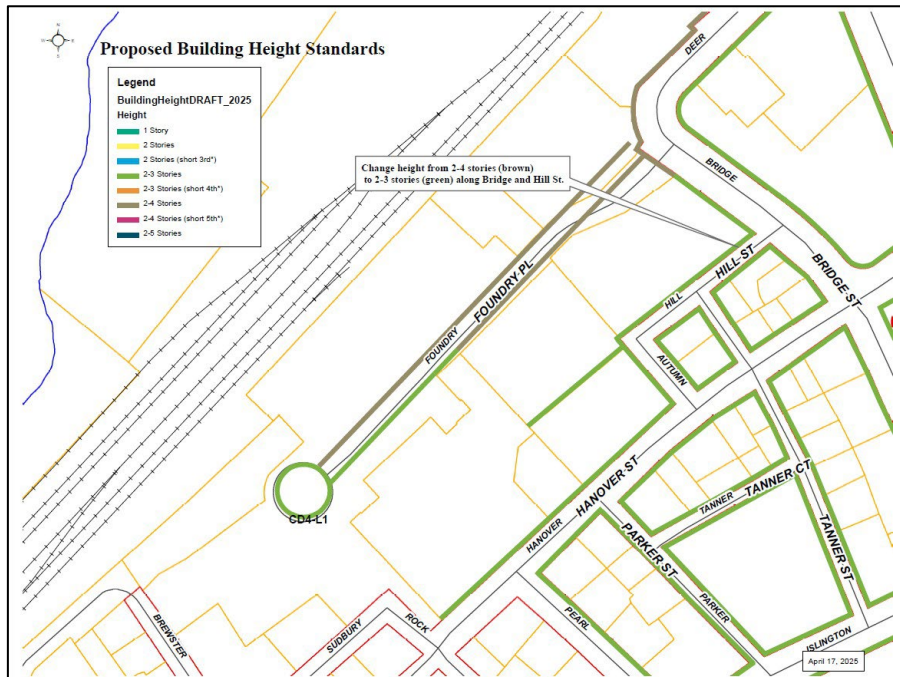
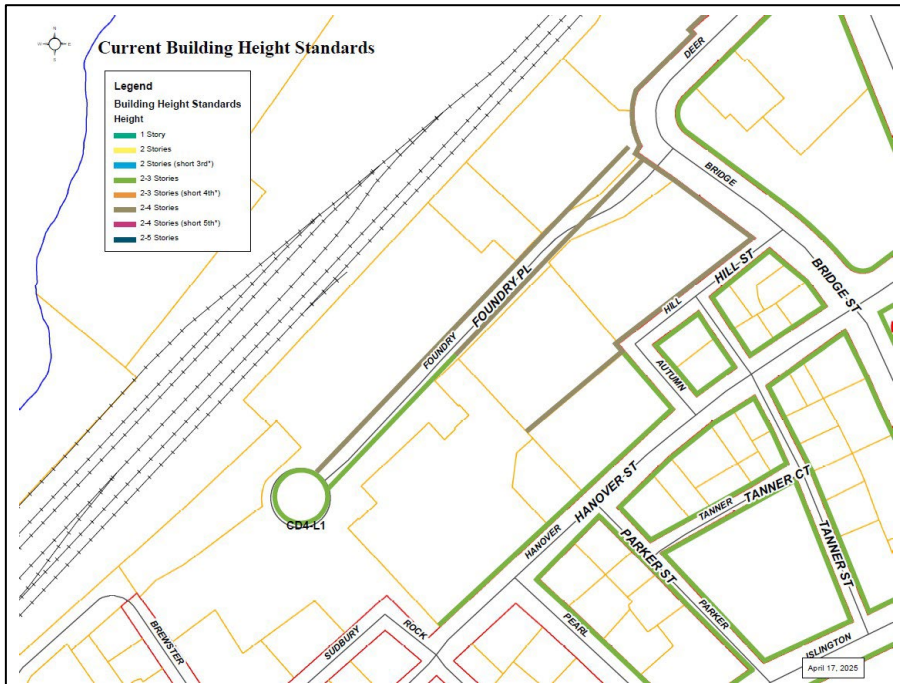
	CD5/CD4	CD4-L1	CD4-W
Residential (up to 8 units)	P	P	P
Residential (8+ units)	P	N	P
Assisted Living Center	P	N	P
Performance Facility	P/S	N	S/N
Cinema or other indoor amusement use	P	N	P
Health club/related use	P/S	S/N	P/S
Office	P	P	P
Retail bank	P	N	P
Outpatient clinic	P	S	P
Personal/consumer services	P	N	P
Laundry / dry cleaning	P/S	N	P
Retail	P	N	P/S
Eating/drinking places	P(500)/S(500+)	N	P(50)/S(250)

The map below represents the consensus the Planning Board had at the March 27, 2025, work session which changes the subject parcels to CD4-W with the exception of the front of 361 Hanover, which would change to CD4-L1. Downzoning some of these parcels will make them nonconforming.



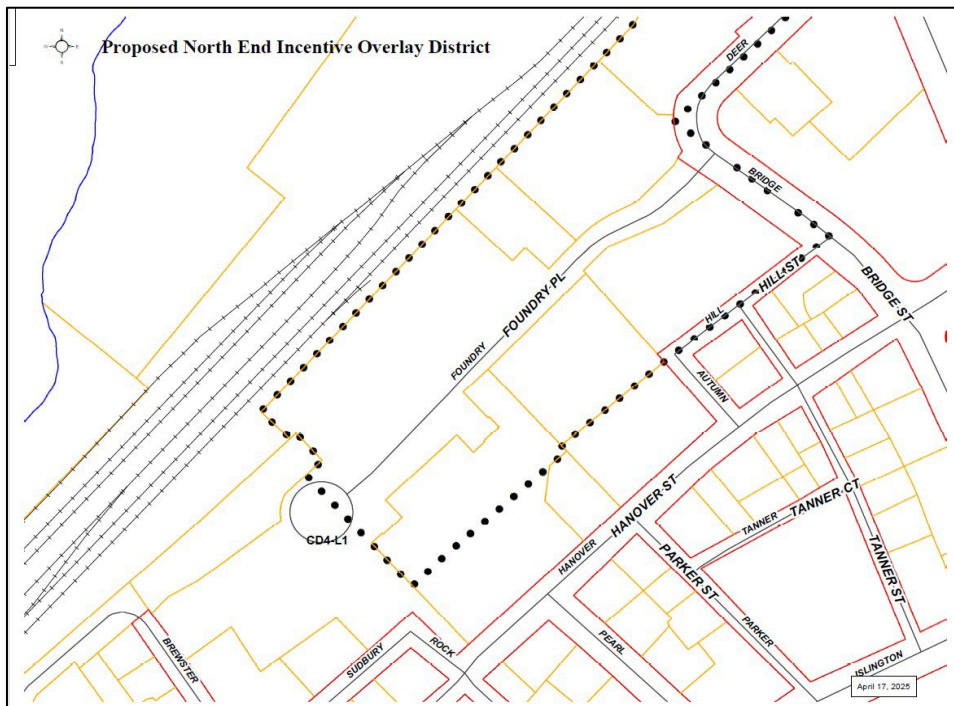
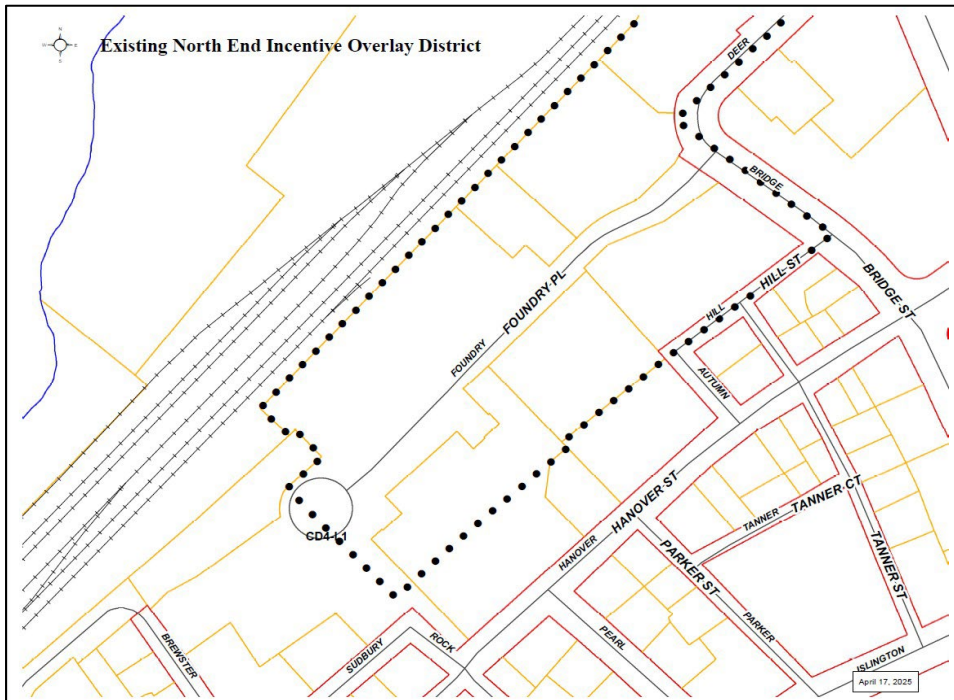
Building Height

The map below shows the current building height standards which allow 2-4 stories (50') along the south side of Bridge Street and down Hill Street. The Planning Board discussed at the March 27th work session, the Board had consensus of changing the designation to 2-3 stories (40'), which is indicated by the green line. The properties that are located in the North End Incentive Overlay District would still be able to increase the building height by 10' or 1-story about the maximum, subject to the requirements of the overlay district.



North End Incentive Overlay District (NEIOD)

Minor changes are proposed to the boundary of the NEIOD to better align with lot lines along 361 Hanover Street and 66 Rock Street.



Proposed Motion: Move to schedule first reading at the May 19, 2025 City Council meeting for proposed changes to the Zoning Map, Building Height Map and NEIOD.