



Portsmouth, NH City Council

Municipal Complex, 1 Junkins Avenue, Portsmouth, NH
in the Eileen Dondero Foley Council Chambers
Monday, August 3, 2026 at 7:00 pm

Register to participate via Zoom. A unique meeting ID and password are provided once you register. To register, click on the link below or copy and paste into your web browser:

https://us06web.zoom.us/webinar/register/WN_oJvFL9qVTTyFv7phcRE7YQ

Anticipated Non-Public Session

6:00 p.m. – Anticipated Non-Public Session is being held in Conference Room A in accordance with RSA 91-A:3, II (a) and (l)

Agenda

1. **Work Session (when applicable)**
2. **Public Dialogue Session (when applicable)**
3. **Call to Order (7:00 pm or thereafter)**
4. **Roll Call**
5. **Invocation**
6. **Pledge of Allegiance**
7. **Acceptance of Minutes**
 - A. July 13, 2026, Minutes of the City Council (*Sample motion – move to accept and approve the minutes of the July 13, 2026, City Council meeting*)
8. **Recognitions and Volunteer Committee Reports**
9. **Public Comment Session**

This session shall not exceed 45 minutes; participation may be in person or via Zoom
10. **Public Hearings and Vote On Ordinances and/or Resolutions**

A. Public Hearing and Adoption of Resolution #13-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Five Hundred Thousand Dollard (\$6,500,000) for costs related to

- School Facilities Capital Improvements
- Elementary Schools Upgrade
- Elementary Schools Playground Upgrade
- School Facilities – Pavement and Roofing

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**

(Sample motion – move to adopt Resolution #13-2026 as presented)

B. Public Hearing and Adoption of Resolution #14-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Four Hundred Eighty-Five Thousand Dollars (\$6,485,000) for costs related to

- Ambulance Replacement Program
- Municipal Building Audit – Implementation
- Citywide Facilities Capital Improvements
- Hampton Branch Rail Trail (NH Seacoast Greenway)
- Citywide Storm Drainage Improvements
- The Creek Neighborhood Reconstruction
- Vaughan Mall Restoration
- Police Facility and Municipal Complex Design

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**

(Sample motion – move to adopt Resolution #14-2026 as presented)

C. Public Hearing and Adoption of Resolution #15-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Hundred Thousand Dollars (\$600,000) for the costs related to the purchase of one fire apparatus

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**

(Sample motion – move to adopt Resolution #15-2026 as presented)

- D. Public Hearing and Adoption of Resolution #16-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan Program up to Four Million Nine Hundred Thousand Dollars (\$4,900,000) for costs related to

- Annual Water Line Replacement
 - Well Stations Improvements
 - Madbury Water Treatment Plan – Facility Repair and Improvements
 - Portsmouth and Collins Wells – Treatment
 - The Creek Neighborhood Reconstruction
 - Vaughan Mall Restoration
-
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**

(Sample motion – move to adopt Resolution #16-2026 as presented)

- E. Public Hearing and Adoption of Resolution #17-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan Program of up to Three Million One Hundred Thousand Dollars (\$3,100,000) for the costs related to:

- Wastewater Pumping Station Improvements
 - Peirce Island Wastewater Treatment Facility
 - Citywide Storm Drainage Improvements
 - Vaughan Mall Restoration
-
- **PRESENTATION**
 - **CITY COUNCIL QUESTIONS**
 - **PUBLIC HEARING SPEAKERS**

(Sample motion – move to adopt Resolution #17-2026 as presented)

- F. First Reading for Annual Omnibus Ordinance, Amending Chapter 7, Vehicles, Traffic and Parking ***(Sample motion – move to pass first reading of the Annual Omnibus Ordinance amending Chapter 7, VEHICLES, TRAFFIC and PARKING, Article III, TRAFFIC ORDINANCE, Section 7.326, Limited Parking – Fifteen Minutes, Section 7.330 A, No Parking, and Article VI, LOADING ZONES, Section 7.601, Limited Hours Loading Zones and schedule public hearing and second reading at the August 17, 2026, City Council meeting)***
- G. Public Hearing and Second Reading of Ordinance Amending Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for Use of Public Property, Relative to Section 6.111, fees

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

(Sample motion – move to pass second reading and schedule a third and final reading on August 17, 2026, on the amendment to Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for use of Public Property, Section 6.111, Fees, as presented)

- H. Public Hearing and Second Reading of Ordinance Amendment to Chapter 12, City of Portsmouth Building Code, Section 1201 through 1209, by deleting and replacing the entire Chapter

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

(Sample motion – move to pass second reading of the amendment to Chapter 12, City of Portsmouth Building Code, Sections 1201 through 1209, and schedule a third and final reading at the August 17, 2026, City Council meeting)

- I. Public Hearing and Second Reading of Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure

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

(Sample motion – move to set the parking fees for on-street and lot parking for FY2027: \$3 per hour for the first 3 hours and \$6 per hour thereafter pursuant to Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure, and no change to resident parking rates, or the current \$2 per hour RAPP non-resident rates)

11. City Manager's Items Which Require Action

There are no items under this Section.

12. Consent Agenda

- A. Granite State Wheeler's Annual Seacoast Country bicycle ride

- B. St. Paddy's 5k/10k by Millennium Running
 - C. Eastern States 20 Miler & Half Marathon by Millennium Running
- (Sample motion – move to adopt the Consent Agenda as presented)***

13. Presentations and Written Communications

- A. *Coakley Presentation
- B. PPMtv Funds Request
- C. Letter from Attorney Colby T. Gamester regarding 0 Elm Street ***(Sample motion – move to refer the letter from Attorney Gamester regarding 0 Elm Street to the Legal Department and to the Planning Board for a report back)***
- D. Email Correspondence ***(Sample motion – move to accept and place on file)***

14. Mayor McEachern

- A. Appointments to be Considered
 - Appointment of Wendi Alip to the Sustainability Committee
- B. *Appointments to be Voted ***(Sample motion – move to appoint the following as presented)***
 - Reappointment of Stephen Buzzell to the Cemetery Committee
- C. Resignation of Paul Mannle of the Zoning Board of Adjustment effective July 1, 2026
(Sample motion - move to accept with regret the resignation of Paul Mannle from the Zoning Board of Adjustment and send a letter of thanks to Paul for his service to the City)
- D. Resignation of Heather Krans of the Public Art Review Committee effective August 15, 2026
(Sample motion - move to accept with regret the resignation of Heather Krans from the Public Art Review Committee and send a letter thanking Heather for her service to the City)
- E. *Working Group on Service Delivery and Technology ***(Sample motion – move to establish a Working Group on Service Delivery and Technology)***

15. City Council Members

- A. Assistant Mayor Kelley and Councilor Tabor
 - Presentation and Update on Housing Action Plan
(Sample motion – move to refer to the August 20, 2026 Planning Board meeting for review and comment and schedule Public Information and Input Sessions on September 23, 2026, in the Levenson Room at the Portsmouth Public Library, and September 28, 2026, as part of the regular City Council Meeting)
- B. Councilor Cook

- Vaughan Mall Art

(Sample motion - move to accept the Vaughan Mall Re-Design Plan in substantially similar form as presented to the City Council, noting that any changes made on Vaughan Mall do not preclude later implementation of the 2017 plans for Vaughan Mall, Worth Lot, and Bridge Street Lot)

And

(Sample motion - move to support the recommendation of the Public Art Review Committee (see attached Report from PARC) for the concept of a donated "City of the Open Door" art piece in the Vaughan Mall)

C. Councilor Hopkins

- Parking & Traffic Safety Committee Action Sheet and Minutes of July 2, 2026
(Sample motion - move to approve and accept the action sheet and minutes of the July 2, 2026, Parking & Traffic Safety Committee meeting)

16. Approval of Grants/Donations

- A. New Hampshire Department of Health and Human Services, Opioid Abatement Program - City of Portsmouth in the amount of \$776,653 for an additional Police Department Social Worker, an additional School Department Social Worker, and housing funds for the Welfare Department
(Sample Motion - move to accept the New Hampshire Department of Health and Human Services, Opioid Abatement Program - City of Portsmouth in the amount of \$776,653 as presented)
- B. New Hampshire Highway Safety Grant - Police Commission, in the amount of \$24,100 to support six highway safety initiatives ***(Sample motion – move to accept the terms of the Highway Safety Grant as presented in the amount of \$24,100)***
- C. Ranger Chapter Daughters of the American Revolution – Historic Marker Donation and placement request ***(Sample motion - move to accept this historic marker and authorize the City Manager to coordinate installation based on Department of Public Works location recommendation near Stoodley's Tavern on Hancock Street)***
- D. Donation from Portsmouth Lodge of Elks No.97 in the amount of \$4,500 to cover fees associated with training American Red Cross lifeguards for the Portsmouth Indoor Pool
(Sample motion – that the City Council move to accept the Portsmouth Lodge of Elks No. 97 donation in the amount of \$4,500 as presented)

17. City Manager's Informational Items

- A. *Update on DPW Project Pages
- B. *Report Back on the Online Guide for Residents Navigating Land Use Boards and One-Page Guides

C. Status of Vaughan Mall Restoration Design

18. Miscellaneous Business Including Business Remaining Unfinished At Previous Meeting

19. Adjournment (At 10:30 pm or earlier)

*Indicates verbal report with no attachments

Sally A. Kellar

City Clerk

MEETING MINUTES AND ACTIONS OF THE PORTSMOUTH CITY COUNCIL
JULY 13, 2026, 7:00 PM
MUNICIPAL COMPLEX, 1 JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE

Mayor McEachern called the meeting to order at 7:11 pm

A Non-Public Session was held in Conference Room A in accordance with RSA 91-A:3, II (a), (d), (e), and (l)

Assistant Mayor Kelley moved to leave the non-public session and seal the minutes. Seconded by Councilor Moreau. Motion passed unanimously.

1. Roll Call

Present: Mayor McEachern, Assistant Mayor Kelley, Councilors Cook, Tabor, Moreau, Flynn and Hopkins

Absent: Councilors Blalock and Bagley

2. Pledge of Allegiance

Mayor McEachern led the Pledge of Allegiance

3. Acceptance of Minutes

Minutes and Actions of June 22, 2026, City Council Meeting

Assistant Mayor Kelley moved to accept and approve the minutes of the June 22, 2026, City Council meeting. Seconded by Councilor Cook. Motion passed unanimously.

4. Recognitions and Volunteer Committee Reports

A. Recognition – The Mayor recognized July as Parks and Recreation Month. This year's national theme, "The Power Of", celebrates how parks and recreation brings together community and reconnects us with nature while supporting health and well-being. Tim Bailey and Rich Duddy were in attendance.

5. Public Comment Session

There were four speakers.

Beth Margeson – Echoed the Mayor's sentiments towards Park and Recreation. Spoke to Mechanic Street Pump Station presentation and the need for more timely notices and materials prior to meetings. Requests better notice and adding materials to the City Website in a timelier fashion.

Roy Helsel – Spoke to stop signs. Hodgdon Way and Gate Street have a stop sign coming from the Route 1 direction, placed on the wrong side of the street. Roy expressed concerns about accidents and injuries.

Erik Anderson – Requested explanation of the bond regarding the fire apparatus.

Tyler Garzo - via zoom, discussed the informational item regarding Complete Streets Policy on page 58 of the meeting packet. Tyler asked if staff could identify how many such determinations have been brought forward to the City Council since 2013.

Councilor Cook moved to suspend the rules and bring forth Agenda Items 17.C, SchoolCare Litigation update, and 17.D, Banfield Litigation Resolution. Seconded by Councilor Hopkins. Motion passed unanimously.

City Attorney Morrell announced that the City filed a lawsuit against SchoolCare to challenge payment of the \$1.57 million assessment issued last Fall. The City requested the Court issue a preliminary injunction against SchoolCare which would order SchoolCare to continue to pay the School's claims during the pendency of the lawsuit. The City also requested that the court hold the money in escrow during the litigation process. The Court has granted the Preliminary injunction requested and ordered SchoolCare to continue to pay all claims for the length of the litigation. The City also asked that our lawsuit be stayed during the pendency of the lawsuit filed by Dover against SchoolCare earlier this year that also challenges the legality of the assessment. The Court has granted that request as well.

City Attorney Morrell announced that the Banfield Realty lawsuit has been settled. In 2023 the new property owner of 375 Banfield Road filed a lawsuit against the City of Portsmouth, seeking money damages alleging the city dumped toxic material onto the property in the late 1960's, causing environmental contamination on the property. The City has continually denied these allegations. The lawsuit has progressed through several stages, including a motion to dismiss, that was partially granted, and some discovery and depositions. The City recently filed a Motion for Summary Judgement on the matter. Before the scheduled hearing date on the motion, the plaintiff agreed to resolve this matter and dismiss all claims against the City. The Court has approved that agreement. The case has been dismissed with prejudice, meaning there can be no further action for the same cause, with no damages awarded, meaning at no cost to the City. The City Attorney emphasized that the settlement is not contingent upon and is in no way connected to the recent rezoning request filed by the owners of that property.

6. Public Hearings and Vote on Ordinances and/or Resolutions

A. Public Hearing and Second Reading of Ordinance Amending Chapter 7, Vehicles, Traffic and Parking, Article I - Parking Meters, Section 7.102, Parking Meter Rates, Relative to Fees

There were no speakers during the public hearing.

Councilor Tabor moved to pass second reading and schedule a third and final reading on August 3, 2026, on the amendment to Chapter 7, Vehicles, Traffic and Parking, Article I, Parking Meters, Section 7.102, Parking Meter Rates as presented. Seconded by Councilor Moreau. Motion passed unanimously.

Councilor Moreau moved to suspend the rules and bring forth the Third and final reading. Seconded by Councilor Cook. Motion passed unanimously.

Councilor Moreau moved to pass third and final reading as presented. Seconded by Councilor Cook. Motion passed unanimously.

Councilor Moreau moved to schedule a public hearing to enact the fees as recommended by staff at the August 3, 2026, City Council meeting. Seconded by Assistant Mayor Kelley. Motion passed unanimously.

B. First Reading of Ordinance Amending Chapter 6 - Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for use of Public Property, Relative to Section 6.111, fees

Councilor Moreau moved to pass first reading and schedule a public hearing and second reading at the August 3, 2026, City Council meeting regarding an ordinance amending Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for use of Public Property, Section 6.111, Fees, as presented. Seconded by Councilor Flynn. Motion passed unanimously.

C. First Reading Regarding Ordinance Amendment to Chapter 12, City of Portsmouth Building Code, Sections 1201 through 1209, by deleting and replacing the entire Chapter

Discussion - Councilor Cook inquired why the 1208 Green Building code was struck from the ordinance even though it is not required at the State level and if it could be kept or replaced outside of the Building Ordinance. City Attorney Morrell reiterated that the State Legislators have been updating the State Building codes and anything that differs needs to be approved by the State. These amendments would bring the City ordinance in line with the State Building code. City Manager Conard asked that the Inspection and Legal staff to collaborate with the State Building Code Board of Review and bring forward a City draft ordinance at their August 12, 2026, meeting. The City can then schedule a Third and Final reading. Once the new Building Code ordinance is in place, it can be established where to include the 1208 Green Building Code.

Councilor Hopkins moved to pass first reading of the amendment to Chapter 12, City of Portsmouth Building Code, Sections 1201 through 1209, and schedule a public hearing and second reading at the August 3, 2026, City Council meeting. Seconded by Assistant Mayor Kelley. Motion passed unanimously.

7. City Manager's Items Which Require Action

A. Request for First Reading for Annual Omnibus Ordinance, Amending Chapter 7, Vehicles, Traffic and Parking

City Manager Conard – This ordinance which amends Chapter 7 Vehicles, Traffic and Parking, is completed every year. The City takes the changes made over the last twelve-month period to the Parking and Traffic Safety Committee and brings them to fruition. The current ordinance authorizes the Parking and Traffic Safety Committee to recommend temporary parking and traffic regulations to the City Council for approval. The ones being brought forth at the next meeting are presented in the packet.

Councilor Cook moved to schedule first reading of the Annual Omnibus Ordinance Amending Chapter 7, VEHICLES, TRAFFIC and PARKING, Article III, TRAFFIC ORDINANCE, Section 7.326, Limited Parking – Fifteen Minutes, Section 7.330 A, No Parking, and Article VI, LOADING ZONES, Section 7.601, Limited Hours Loading Zones at the August 3, 2026, City Council meeting. Seconded by Councilor Tabor. Motion passed unanimously.

B. Fleet Street Section 1 Reconstruction Report Back

Presentation reported by Eric Eby, Traffic Engineer for the City of Portsmouth.

Discussion – Councilor Moreau inquired about the loading zone shown on the plan and Mr. Eby noted it would not be there in the future due to spacing. Councilor Cook asked how this change in parking may impact on tree coverage. Dave Desfosses, DPW, spoke to this. The shifting of parking would not affect the trees overall, and only certain spots would have trees. Councilor Cook asked if there was a preference for one or two-way traffic for Congress Street as this impacts traffic flow. Consensus is the City should maintain its pedestrian friendly downtown. General discussion ensued.

City Manager Conard recommended that the City Council move to approve the Parking and Traffic Safety Committee recommendation to change traffic flow on Fleet Street to one-way from Congress Street to Hanover Street and maintain on-street parking.

Mayor McEachern requested motion per the recommendation of the Parking and Traffic Safety Committee to schedule a first reading of the changes to Fleet Street, to change to one-way, inclusive of counter traffic bicycle lane, at the August 3, 2026, City Council meeting. Councilor Hopkins moved the motion. Seconded by Councilor Moreau. Motion passed unanimously.

C. Drain Line License for 134 Pleasant Street

May 21, 2026, the Planning Board voted to grant Double MC LLC, Site Plan Approval for the reuse and expansion of the existing structure, and the construction of a new structure for residential and commercial uses associated with improvements at the 134 Pleasant Street location. The Planning Board also granted a Conditional Use Permit for a proposed drain line to cross City-owned Parrott Avenue parking lot. License from the City is required and the Planning Board recommended that the City Council agree to grant this license only if the property owner is obliged to repair, remove, alter, or relocate the drainage infrastructure at its sole expense.

Councilor Flynn moved to authorize the City Manager to execute a Drain Line License granting Double MC LLC, a License to construct and maintain drainage infrastructure within the Parrott Avenue Parking Lot, substantially in the form of the Drain Line License contained in the agenda packet. Seconded by Councilor Hopkins. Motion passed unanimously.

D. Request for Public Hearings Regarding Various Bonding Resolutions for Projects to Begin in FY27

- FY27 School Projects - \$6,500,000
- FY27 Various City Projects - \$6,485,000
- FY27 Fire Apparatus - \$600,000
- FY27 Water Projects - \$4,900,000
- FY27 Sewer Projects - \$3,100,000

Assistant Mayor Kelley moved to authorize the City Manager to bring back for public hearings and adoption, the various proposed CIP projects to be bonded, as presented, for the August 3, 2026, City Council meeting. Seconded by Councilor Cook. Motion passed unanimously.

8. Consent Agenda

A. Pole License Requests - 63-0654, 63-0740, 63-0749, 63-0748 and 63-0776

B. Active City Encumbrances Report

Councilor Tabor moved to adopt the Consent Agenda as presented. Councilor Hopkins seconded. Motion passed unanimously.

9. Presentations and Written Communications

A. Email Correspondence

Councilor Moreau moved to accept and place on file. Seconded by Councilor Flynn. Motion passed unanimously.

10. Mayor McEachern

A. Appointments to be Considered

- Reappointment of Stephen Buzzell to the Cemetery Committee
- Appointment of John (Jack) Holzman to the Zoning Board of Adjustment

Mayor McEachern received an email of resignation from Paul Mannle. Paul has resigned from the Zoning Board of Adjustment effective July 1, 2026. The Mayor asked that the appointment of Jack Holzman to the Zoning Board of Adjustment be put on hold until the next meeting for consideration.

B. Appointments to be Voted

Appointment of Gary Dozier to the Police Commission effective August 1, 2026, until the next Municipal election (November 2027)

Councilor Hopkins moved to appoint Gary Dozier to the Police Commission as presented. Seconded by Assistant Mayor Kelley.. Motion passed unanimously.

C. Report Back on Sidewalk Encumbrance Permits

Mayor McEachern spoke to the impact on City businesses while having sidewalks blocked long term and if there are timelines. The Mayor would like a report back on feasibility of timing when the City Council is involved and when a permit is reissued for 30-day increments but is still 90 days before it comes before Council. He would like to know how to incentivize scaffolding going up rather than a lift on the sidewalk.

Councilor Cook moved to request a report back on City Encumbrances, sidewalks and permits. Seconded by Council Hopkins. Motion passed unanimously.

D. *Report Back on Rolling Stock as part of FY28 – FY33 CIP

Mayor McEachern requested a report back so we may gain a better understanding of how the Rolling Stock effects the CIP and discuss current practices and if they were to be updated what would need to be changed.

Councilor Tabor moved for a report back on Rolling Stock as described. Seconded by Councilor Hopkins and voted. Motion passed unanimously

E. Veteran Organization Committee

The goals of the Veterans Organization would be to help local Veterans within the City and create a designated committee to help with resources and fundraising. Applications will be opened to the community for the next City Council meeting.

Councilor Tabor moved to reestablish the Veteran Organization in the form that it was originally established. Seconded by Councilor Cook. Motion passed unanimously.

11. City Council Members

A. Assistant Mayor Kelley/Councilor Tabor

*Update on Housing Action Plan

The Housing Committee has completed working on the draft action plan with light revisions and the working draft is available on the City website. General discussion ensued.

B. Councilor Cook

- Vaughan Mall Design

General discussion ensued speaking to the design, public awareness, and maintainability.

Councilor Cook moved to request a report back on the Vaughan Mall Design before the August 3, 2026, City Council meeting. Seconded by Assistant Mayor Kelley. Motion passed unanimously.

- Establishment of a Heritage Commission

Discussion followed about historic homes, concerns with losing valuable heritage buildings and historical information. A Heritage Commission would help provide additional review processes and preservation of naturally occurring affordable housing, apply for grants and education around preservation.

Councilor Cook moved to request the Planning Board review the potential establishment of a Heritage Commission, and report back to the City Council by September 28, 2026, Seconded by Assistant Mayor Kelley. Motion passed unanimously.

C. Councilor Tabor

The Energy Advisory Committee recommended taking no action at this time regarding a potential pause to the Community Power Customer Refresh scheduled for September 2026. The discussion was prompted by a question from Councilor Bagley at the previous City Council meeting.

Councilor Tabor referenced a presentation asking the Council to consider pausing customer refreshes when Community Power rates would exceed Eversource's rates and questioned what rate difference would justify such a pause. Committee members noted that pausing the refresh would create two tiers of customers with no clear process for returning those who were excluded to the program. At present, the rate difference between CPCNH and Eversource is approximately 6% (about \$6.00).

The committee emphasized that CPCNH should clearly communicate rate comparisons and the opt-out process, so participation remains a consumer choice. Members also noted that if the Council wishes to pause the customer refresh, a formal motion would be required.

The discussion concluded with additional conversation comparing Eversource and CPCNH rates.

Assistant Mayor Kelley moved for the City Council to adopt a policy that if CPCNH rates are higher than Eversource rates then CPCNH would not conduct a customer refresh. Seconded by Councilor Hopkins.

The gavel was passed to Assistant Mayor Kelley.

Councilor Tabor moved to amend the current motion of withholding a refresh when the difference with Eversource is 10% higher. Councilor Flynn seconded the motion to amend. Motion failed on roll call vote 1-6. (Councilor Tabor voted in favor).

Councilor Hopkins moved to amend the current motion, to have no refresh if rates exceed Eversource rates by 5% or more. Councilor Tabor seconded. Motion passed on a roll call vote 4-3. (Mayor McEachern, Assistant Mayor Kelley and Council Moreau voted against).

Roll call vote on underlying motion as amended: for the City Council to adopt a policy that if CPCNH rates are 5% or higher than Eversource then CPCNH would not conduct a customer refresh. Motion passed 6-1. (Councilor Tabor voted against).

A short recess was taken at 9:25 pm.

D. Councilor Bagley

Request that the City Manager work with the Planning & Sustainability Department, Inspection Department, and the Chairs of the Zoning Board of Adjustment, Planning Board, and Historic District Commission to develop "one page" plain language guides for residents and property owners approaching a City land use board or the permitting process for the first time, and to return to the Council with a draft.

Assistant Mayor Kelley moved for a report back at the August 3, 2026, City Council meeting. Seconded by Councilor Hopkins. Motion passed unanimously.

E. Councilor Hopkins

Childcare on the Seacoast Report

Councilor Hopkins reviewed the Report with the Council and discussed 5 key recommendations:

- Free pre-inspections

- Plain language zoning guide
- Childcare-appropriate parking standards
- Name childcare in the FY28 CDBG process
- Welcome the new state laws

Councilor Hopkins moved to adopt the five (5) City Council recommendations from the Child Care Task Force as presented. Seconded by Assistant Mayor Kelley. Motion passed unanimously.

12. Approval of Grants/Donations

A. Senior Activity Center Donation

Assistant Mayor Kelley moved to accept a \$500 donation made to the Senior Activity Center towards our senior luncheon funds, from Portsmouth resident and Senior Activity Center member Karen Parnes. Seconded by Councilor Tabor. Motion passed unanimously.

B. *NH Settlement Funds for PFAS Drinking Water Treatment

Councilor Moreau moved to accept \$3,062,540 in New Hampshire PFAS settlement funds allocated by NHDES to the City for the Portsmouth Water Works system, as presented. Seconded by Councilor Flynn. Motion passed unanimously.

Councilor Moreau moved to accept \$1,563,527 in New Hampshire PFAS settlement funds allocated by NHDES to the City for the Pease Tradeport system, as presented. Seconded by Councilor Flynn. Motion passed unanimously.

13. City Manager's Informational Items

A. Report Back on Municipal Arts & Cultural Banner Program Policy

Report back on the establishment of an implementation tool to accompany policy 2025-02 for the Arts and Cultural Banner program. A pilot is proposed to understand the need and the interest. This will be a City program and these banners will not call into question that these are anything other than government speech so as not to create a public forum area. We will accept applications from January 1 to February 15. The banners will run from April through June and again July through September. A report back will be shared at the end of 2027.

B. *Report Back on Complete Streets Policy

City Manager Conard reviewed the information provided in the packet, reiterating the design guidelines, as part of the Complete Streets Policy, are intended as a reference to accommodate all users on city streets. The City has been adhering to this policy for nine years and will continue to do so.

C. SchoolCare Litigation Update (Agenda item 17.C taken out of order)

D. *Banfield Litigation Resolution (Agenda item 17.D taken out of order)

E. FY28 - FY33 CIP Submissions – The portal for citizen requests is now open on the CIP section of the Finance Department page. Members of the public, boards, commissions, and committees, can apply online up to and through Friday, September 18, 2026.

F. Establishment of Special Revenue Fund for Sister Cities – Christine Friese and Councilor Blalock, as part of the Sister Cities Committee, worked with the finance and legal departments to establish the creation of a special revenue fund, that can be used for specific purchases as mentioned in the packet. This Special Fund will be used to decide how to allocate monies for a Sister or Friend City they'd like to honor or general use by committees.

Mary Carey Foley will be the first donor in honor of her late mother, Eileen Foley, a true champion of the Sister Cities initiative.

14. Miscellaneous Business Including Business Remaining Unfinished at Previous Meeting

15. Adjournment

Assistant Mayor Kelley moved to adjourn the meeting at 10:07 pm. Seconded by Councilor Hopkin. Motion passed unanimously.

*Indicates verbal report with no attachments

Prepared by:

Approved by the City Council

Katelyn A. Griggs
Deputy City Clerk

Date: _____

The Portsmouth City Council meeting of July 13, 2026, can be viewed in its entirety on the City of Portsmouth YouTube Channel.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, on a Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Five Hundred Thousand Dollars (\$6,500,000) for the costs related to:

- School Facilities Capital Improvements
- Elementary Schools Upgrade
- Elementary Schools Playground Upgrade
- School Facilities – Pavement and Roofing

The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

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NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, on a Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Five Hundred Thousand Dollars (\$6,500,000) for the costs related to:
• School Facilities Capital Improvements
• Elementary Schools Upgrade
• Elementary Schools Playground Upgrade
• School Facilities – Pavement and Roofing
The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.
KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY CITY CLERK

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PORTSMOUTH, NH DEPUTY CITY CLERK

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

RESOLUTION # 13-2026

A Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Five Hundred Thousand Dollars (\$6,500,000) for costs related to:

- **School Facilities Capital Improvements**
- **Elementary Schools Upgrade**
- **Elementary Schools Playground Upgrade**
- **School Facilities – Pavement and Roofing**

BE IT RESOLVED:

THAT, the sum of up to **Six Million Five Hundred Thousand Dollars (\$6,500,000)** is appropriated for:

School Facilities Capital Improvements	\$ 700,000	20 yrs
Elementary Schools Upgrade	\$ 5,000,000	20 yrs
Elementary Schools Playground Upgrade	\$ 500,000	20 yrs
School Facilities - Pavement and Roofing	\$ 300,000	20 yrs
Total	\$ 6,500,000	

including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Six Million Five Hundred Thousand Dollars (\$6,500,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT, the discretion of fixing the dates, maturities, rates of interest, forms and other details of such bonds is hereby delegated to the City Treasurer with the approval of the City Manager;

THAT, the expected useful life of the projects is set forth above; and

THAT, this Resolution shall take effect upon its passage.

APPROVED BY:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY THE CITY COUNCIL:

SALLY A. KELLAR, CMC/CNHMC
CITY CLERK

BI-07-SC-15: School Facilities Capital Improvements

Department(s)	School Department
Project Location	District-wide
Project Justification	Capital maintenance
Project Website	N/A
Planning Documents/Studies	N/A

Project Description: The Portsmouth School Department is responsible for maintaining six (6) buildings and their associated grounds. These appropriations support a variety of improvement projects, including energy efficiency upgrades, infrastructure replacement, athletic complex improvements, interior and exterior renovations, and enhanced security systems.



Impact on the Operating Budget	Minimal (\$5,002 to \$50,000)
Personnel	N/A
Non-Personnel Line-Items	Air handling upgrade costs

Notes of Changes in Funding Plan from FY26-31 CIP:

Funding redistributed to match current facility costs and needs. FY27 monies reduced to \$700,000, FY30 monies reduced to \$1,000,000, and monies added to FY29 and FY32.

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$700,000	\$500,000	\$520,000	\$1,000,000		\$300,000	\$3,020,000
Other (% for art)	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$700,000	\$500,000	\$520,000	\$1,000,000	\$0	\$300,000	\$3,020,000

Evaluation Criteria & Prioritization**Priority: 0 (ongoing or programmatic)**

CORE FUNCTION	Responds to Federal or State Requirement	Y
	Addresses a Public Health or Safety Need	Y
	Alleviates Substandard Conditions or Deficiencies	
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	Y

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

BI-07-SC-15: School Facilities Capital Improvements

<u>Facility/School</u>	<u>Improvement Project</u>	<u>FY27</u>	<u>FY28</u>	<u>FY29</u>	<u>FY30</u>	<u>FY31</u>	<u>FY32</u>	<u>Totals</u>
District Wide	Security Upgrades - Doors & Hardware, Surveillance				\$300,000		\$200,000	\$500,000
District Wide	Life Safety, ADA Upgrades		\$100,000		\$200,000		\$100,000	\$400,000
District Wide	Siding Repairs, Mason Brick Repointing, , etc			\$245,000	\$200,000			\$445,000
Elementary School	Stone Wall Repairs/Rebuild, Sidewalk repairs (Little Harbour)	\$100,000						\$100,000
Middle School	Front Step Replacement/ Sidewalk Repairs	\$150,000	\$50,000					\$200,000
High School	Energy Efficiency/Mechanical Upgrades: Cooling coils, Mini-splits, etc	\$55,000		\$150,000				\$205,000
High School	Athletic Complex Upgrades (Irrigation, Infrastructure, track resurface, score boards, etc)	\$250,000		\$125,000	\$100,000			\$475,000
High School	Interior Upgrades - Painting / Wal Tile, Carpets, Stairwell Treads	\$145,000	\$150,000		\$200,000			\$495,000
High School	Interior Basketball Hoop Replacement/Gymnasium Floor Refinishing		\$200,000					\$200,000
Total District Wide City Capital Improvement		\$0	\$100,000	\$245,000	\$700,000	\$0	\$300,000	\$1,345,000
Total Elementary School Capital Improvement		\$100,000	\$0	\$0	\$0	\$0	\$0	\$100,000
Total Middle School Capital Improvement		\$150,000	\$50,000	\$0	\$0	\$0	\$0	\$200,000
Total High School Capital Improvement		\$450,000	\$350,000	\$275,000	\$300,000	\$0	\$0	\$1,375,000
TOTAL IMPROVEMENTS		\$700,000	\$500,000	\$520,000	\$1,000,000	\$0	\$300,000	\$3,020,000

BI-08-SC-16: Elementary Schools Upgrade

Department(s)	School Department
Project Location	Elementary Schools (Dondero School , Little Harbour , and New Franklin)
Project Justification	Capital maintenance
Project Website	N/A
Planning Documents/Studies	N/A

Project Description: This appropriation supports continued improvements to elementary school infrastructure. Comprehensive interior renovations at New Franklin are scheduled for FY2027 and FY2028, including accessibility upgrades, enhanced security at building entrances, asbestos removal, air-handling system improvements, and expanded storage capacity.

New Franklin School faces significant space challenges that have resulted in overcrowding and improvised learning areas. The facility often falls short of modern standards, especially in spaces critical to student success such as intervention services, special education, and flexible learning environments.

Impact on the Operating Budget	Minimal (\$5,002 to \$50,000)
Personnel	N/A
Non-Personnel Line-Items	Minimal increases from upgrades

Notes of Changes in Funding Plan from FY26-31 CIP:

Monies added to FY27 and FY28, funding reduced for FY29 to \$500,000. Monies added to FY29 for to meet the Percent for Art Policy.

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	99%	\$5,000,000	\$5,000,000	\$500,000				\$10,500,000
Other (% for art)	1%			\$105,000				\$105,000
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$5,000,000	\$5,000,000	\$605,000	\$0	\$0	\$0	\$10,605,000

**Evaluation Criteria & Prioritization****Priority: A (needed within 0 to 3 years)**

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	Y
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	Y
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance

Percent for Art	Y
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	Y

BI-26-SC-18: Elementary Schools Playground Upgrade

Department(s)	School Department
Project Location	Elementary Schools (Dondero School , Little Harbour , and New Franklin)
Project Justification	Infrastructure safety
Project Website	N/A
Planning Documents/Studies	N/A

Project Description: This appropriation is for the upgrading of the playgrounds at our Elementary Schools. Current school play spaces are aging, with Little Harbour and New Franklin's playgrounds now being 25 years old. The City is looking to address accessibility and equity concerns. Current regulations require the City to provide a resilient solid surface material to ensure accessibility for all students.

This was a new project for the FY26 CIP. City Council moved the bonding of \$500,000 in FY27 and FY29 up by 1 year each to FY26 and FY28

Impact on the Operating Budget	Moderate (\$50,001 to \$100,000)
Personnel	N/A
Non-Personnel Line-Items	Annual maintenance costs for all three playgrounds

Notes of Changes in Funding Plan from FY26-31 CIP:

Capital Outlay funding request changed for FY27 and FY28 based on actualized cost needs for those specific project steps.

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	10%	\$50,000	\$60,000					\$110,000
Federal/State	0%							\$0
Bond/Lease	90%	\$500,000	\$500,000					\$1,000,000
Other (% for art)	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$550,000	\$560,000	\$0	\$0	\$0	\$0	\$1,110,000



Evaluation Criteria & Prioritization

Priority: 0 (ongoing or programmatic)

CORE FUNCTION	Responds to Federal or State Requirement	Y
	Addresses a Public Health or Safety Need	Y
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	Y

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

BI-27-SC-19: School Facilities – Pavement and Roofing

Department(s)	School Department
Project Location	District-wide
Project Justification	Capital maintenance
Project Website	N/A
Planning Documents/Studies	N/A

Project Description: The Portsmouth School Department has maintenance responsibilities for six (6) buildings and the associated grounds. These appropriations are used for building and grounds improvement projects, including paving and roofing. The district maintains approximately 521,019 square feet of roofing and 903,109 square feet of pavement requiring ongoing repairs and replacement.



Impact on the Operating Budget	Minimal (\$5,002 to \$50,000)
Personnel	N/A
Non-Personnel Line-Items	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:
New project for FY27

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$300,000	\$600,000	\$600,000	\$600,000			\$2,100,000
Other (% for art)	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$300,000	\$600,000	\$600,000	\$600,000	\$0	\$0	\$2,100,000

Evaluation Criteria & Prioritization		
Priority: A (needed within 0 to 3 years)		
CORE FUNCTION	Responds to Federal or State Requirement	Y
	Addresses a Public Health or Safety Need	Y
	Alleviates Substandard Conditions or Deficiencies	
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	Y
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	Y

Policies Compliance	
Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	Y

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, on a Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Four Hundred Eighty-Five Thousand Dollars (\$6,485,000) for the costs related to:

- Ambulance Replacement Program
- Municipal Building Audit – Implementation
- Citywide Facilities Capital Improvements
- Hampton Branch Rail Trail (NH Seacoast Greenway)
- Citywide Storm Drainage Improvements
- The Creek Neighborhood Reconstruction
- Vaughan Mall Restoration
- Police Facility and Municipal Complex Design

The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

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- Ambulance Replacement Program
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- The Creek Neighborhood Reconstruction
- Vaughan Mall Restoration
- Police Facility and Municipal Complex Design

The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY
CITY CLERK

KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY CITY CLERK

CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-SIX
PORTSMOUTH, NEW HAMPSHIRE

RESOLUTION # 14 - 2026

A Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Four Hundred Eighty-Five Thousand Dollars (\$6,485,000) for costs related to:

- Ambulance Replacement Program
- Municipal Building Audit – Implementation
- Citywide Facilities Capital Improvements
- Hampton Branch Rail Trail (NH Seacoast Greenway)
- Citywide Storm Drainage Improvements
- The Creek Neighborhood Reconstruction
- Vaughan Mall Restoration
- Police Facility and Municipal Complex Design

BE IT RESOLVED:

THAT, the sum of up to Six Million Four Hundred Eighty-Five Thousand Dollars (\$6,485,000) is appropriated for:

Ambulance Replacement Program	\$	435,000	5 yrs
Municipal Building Audit - Implementation	\$	500,000	20 yrs
Citywide Facilities Capital Improvements	\$	550,000	20 yrs
Hampton Branch Rail Trail (NH Seacoast Greenway)	\$	300,000	20 yrs
Citywide Storm Drainage Improvements	\$	600,000	20 yrs
The Creek Neighborhood Reconstruction	\$	800,000	20 yrs
Vaughan Mall Restoration	\$	500,000	20 yrs
Police Facility and Municipal Complex Design	\$	2,800,000	20 yrs
Total	\$	6,485,000	

including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to Six Million Four Hundred Eighty-Five Thousand Dollars (\$6,485,000) through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT, the discretion of fixing the dates, maturities, rates of interest, forms and other details of such bonds is hereby delegated to the City Treasurer with the approval of the City Manager;

THAT, the expected useful life of the projects is set forth above; and

THAT, this Resolution shall take effect upon its passage.

APPROVED BY:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY THE CITY COUNCIL:

SALLY A. KELLAR, CMC/CNHMC
CITY CLERK



VE-07-FD-01: Ambulance Replacement Program

Department(s)	Fire Department
Project Location	Station 2 (2010 Lafayette Road) and Station 3 (127 International Drive)
Project Justification	Capital maintenance/rolling stock
Project Website	N/A
Planning Documents/Studies	Self-Assessment of FD Operations: April 2015

Project Description: This project continues the CIP Rolling Stock Replacement Program for the City's ambulances. The goal is to keep three ambulances in frontline service and one spare in reserve, with the reserve to be utilized for routine planned maintenance on frontline units, details, and special events. The City's 2017 Ambulance is scheduled for replacement in FY27. The City's 2019 Ambulance is scheduled for replacement in FY28. The City's 2024 Ambulance is scheduled for replacement in FY29. Funds for these vehicles include the purchase of the vehicle with a complete set-up including radio, lettering, striping, and equipment.

Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	N/A
Non-Personnel Line-Items	Lower maintenance costs

Notes of Changes in Funding Plan from FY26-31 CIP:

Funding moved forward to FY27, FY28, and FY29 due to ordering/manufacturing environment and needs

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$435,000	\$435,000	\$435,000				\$1,305,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$435,000	\$435,000	\$435,000	\$0	\$0	\$0	\$1,305,000



Evaluation Criteria & Prioritization

Priority: O (ongoing or programmatic)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	Y
	Alleviates Substandard Conditions or Deficiencies	
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	Y
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

BI-26-PL-28: Municipal Building Audit - Implementation

Department(s)	Planning and Sustainability Department
Project Location	Citywide
Project Justification	Sustainability
Project Website	N/A
Planning Documents/Studies	Climate Action Plan

Project Description: Consistent with the Climate Action Plan Priority Action BE-6, the City is working on an audit of all municipal facilities. This project seeks to follow-up on that study and implement findings from the City's audit with, where possible, prioritization of measures that reduce greenhouse gas emissions.



Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	Contract personnel only
Non-Personnel Line-Items	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$500,000	\$500,000					\$1,000,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$500,000	\$500,000	\$0	\$0	\$0	\$0	\$1,000,000

Evaluation Criteria & Prioritization**Priority: A (needed within 0 to 3 years)**

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	Y
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance	
Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	Y
Green Building Policy	

BI-01-PW-50: Citywide Facilities Capital Improvements

Department(s)	Public Works Department
Project Location	Citywide
Project Justification	Capital maintenance
Project Website	N/A
Planning Documents/Studies	Facility Condition Assessment 2015

Project Description: The Public Works Department is responsible for maintaining all General Fund municipal facilities. These City facilities serve multiple uses. Many facilities need to be updated due to age and usage. Deferred maintenance, and inflation have increased the cost of facilities maintenance. A backlog of projects is shown on the next page.



Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	N/A
Non-Personnel Line-Items	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:

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Evaluation Criteria & Prioritization		
Priority: 0 (ongoing or programmatic)		
CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	Y
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	Y
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$550,000	\$550,000	\$1,100,000	\$550,000	\$550,000	\$1,100,000	\$4,400,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$550,000	\$550,000	\$1,100,000	\$550,000	\$550,000	\$1,100,000	\$4,400,000

Policies Compliance	
Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

BI-01-PW-50: Citywide Facilities Capital Improvements

- Senior Center
- Library Bathroom replumbing
- City Hall Council Chamber renovations
- City Hall Window replacement
- City Hall Archive improvements
- City Hall Department renovations
- Infrastructure that supports City IT
- Connor's Cottage Basement / Drainage project
- Connor's Cottage Tunnel renovations
- Facilities Safety Inspection Action items
- HVAC Upgrades throughout the City
- Library Roof
- City Hall Boiler Building repairs
- Outdoor Pool Bathhouse Plumbing Fixtures
- Asbestos Abatement as encountered and necessary

The list above represents a backlog of projects. The amount of work completed depends on available funds and construction bid prices.



TSM-15-PL/NH-60: Hampton Branch Rail Trail (NH Seacoast Greenway)

Department(s)	Planning and Sustainability Department
Project Location	Former Hampton Branch Rail Line
Project Justification	Bicycle & Pedestrian transportation
Project Website	NH Seacoast Greenway in Portsmouth
Planning Documents/Studies	Bicycle and Pedestrian Plan 2014

Project Description: In 2019, the NH Department of Transportation acquired the rail corridor and has converted it to a gravel base multiuse trail extending from Portsmouth to Hampton officially opened September 4, 2024. The City's portion will include additional costs required to support construction of additional neighborhood connections to the trail as well as any amenities such as interpretive signs. Funds for FY27 will go towards completion of the Greenway portion of the trail along the North Mill Pond.



Impact on the Operating Budget	Minimal (\$5,002 to \$50,000)
Personnel	N/A
Department Budget	Additional maintenance needs

Notes of Changes in Funding Plan from FY26-31 CIP:

FY27 monies added, FY28 monies moved to FY30

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	80%	\$300,000			\$880,000			\$1,180,000
Other	0%							\$0
Revenues	0%							\$0
PPP	20%	\$300,000						\$300,000
Totals		\$600,000	\$0	\$0	\$880,000	\$0	\$0	\$1,480,000

Evaluation Criteria & Prioritization

A (needed within 0 to 3 years)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	Y
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	Y
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	Y

COM-15-PW-94: Citywide Storm Drainage Improvements

Department(s)	Public Works Department
Project Location	Citywide
Project Justification	Safety and Regulatory Compliance
Project Website	Portsmouthnh.gov/publicworks/stormwater
Planning Documents/Studies	See website

Project Description: Operation and maintenance of the City's storm sewer system is regulated by the United States Environmental Protection Agency (EPA) through a municipal separate storm sewer system (MS4) permit. The City owns and maintains storm drains, catch basins, stormwater treatment systems and outfalls. Many of these structures are failing and need upgrades. The drainage system is repaired and upgraded as part of specific capital projects, roadway reconstruction and prior to annual paving. In addition to pipe work, the existing stormwater ponds and swales need to be maintained.

Funding for this work will come from the Sewer Enterprise Fund and the General Fund. FY2027 request includes \$200,000 to establish and support implementation of a separate Stormwater Enterprise Fund.



Evaluation Criteria & Prioritization

A (needed within 0 to 3 years)

CORE FUNCTION	Responds to Federal or State Requirement	Y
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	N/A
Non-Personnel Line-Items	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:

Funding for this work will come from the Sewer Enterprise Fund and the General Fund. Fiscal Year 2027 request includes \$200,000 to establish and support implementation of a separate Stormwater Enterprise fund

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

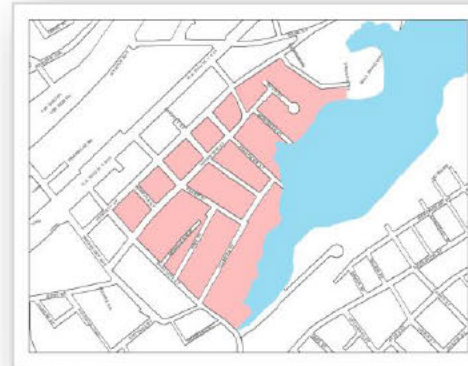
COM-15-PW-94: Citywide Storm Drainage Improvements

Project Funding			FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
General Fund	Capital Outlay	0%							\$0
	Federal/State	0%							\$0
	Bond/Lease (GF)	50%	\$600,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,100,000
	Other	0%							\$0
	Revenues	0%							
	PPP	0%							\$0
Water	Revenues	0%							\$0
	Bond/Lease (Water)	0%							\$0
	PPP	0%							\$0
Sewer	Revenues	0%							\$0
	Bond/Lease (Sewer)	50%	\$600,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,100,000
	PPP	0%							\$0
Total General Fund			55%	\$600,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,100,000
Total Water Fund			0%	\$0	\$0	\$0	\$0	\$0	\$0
Total Sewer Fund			45%	\$600,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,100,000
Totals				\$1,200,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$6,200,000

COM-22-PW-96: The Creek Neighborhood Reconstruction

Department(s)	Public Works Department
Project Location	Dennett Street to North Mill Pond to Bartlett Street
Project Justification	Addresses Substandard Infrastructure
Project Website	https://www.portsmouthnh.gov/publicworks/islington-creek
Planning Documents/Studies	N/A

Project Description: This project will address water, sewer, drainage, and streetscape improvements in the Creek Neighborhood. It will be implemented in phases similar to the McDonough Street area project completed in 2019. Phase one will include design and the development of the phased implementation plan.



Evaluation Criteria & Prioritization

A (needed within 0 to 3 years)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	Y

Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	Dependent on design
Department Budget	Moderate, depending on design

Notes of Changes in Funding Plan from FY26-31 CIP:

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Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

COM-22-PW-96: The Creek Neighborhood Reconstruction

Project Funding			FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
General Fund	Capital Outlay	0%							\$0
	Federal/State	0%							\$0
	Bond/Lease (GF)	37%	\$800,000		\$1,000,000		\$1,000,000		\$2,800,000
	Other	0%							\$0
	Revenues	0%							
	PPP	0%							\$0
Water	Revenues	0%							\$0
	Bond/Lease (Water)	37%	\$800,000		\$1,000,000		\$1,000,000		\$2,800,000
	PPP	0%							\$0
Sewer	Revenues	0%							\$0
	Bond/Lease (Sewer)	26%			\$1,000,000		\$1,000,000		\$2,000,000
	PPP	0%							\$0
Total General Fund		45%	\$800,000	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$2,800,000
Total Water Fund		27%	\$800,000	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$2,800,000
Total Sewer Fund		29%	\$0	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$2,000,000
Totals			\$1,600,000	\$0	\$3,000,000	\$0	\$3,000,000	\$0	\$7,600,000

COM-27-PW-101: Vaughan Mall Restoration

Department(s)	Department of Public Works
Project Location	Vaughan Mall
Project Justification	Restoration/improvements to Vaughan Mall surface features
Project Website	https://portsnh.co/fleetstreet
Planning Documents/Studies	N/A

Project Description: Monies will be used to restore/improve Vaughan Mall surface features after utility replacement and capacity expansion is completed. The City is progressing a landscape design to be completed after temporary paved stabilization is completed. This project includes improvements to walkways and surface treatments, curbing, plantings, art, lighting, and other aesthetic and functional improvements to better utilize the space for residents and visitors of Portsmouth.



Impact on the Operating Budget	Minimal (\$5,001 to \$50,000 per year cost)
Personnel	N/A
Department Budget	Minimal additional funding depending on final restoration scope

Notes of Changes in Funding Plan from FY26-31 CIP:

New project for FY27.

Evaluation Criteria & Prioritization

B (needed within 4 to 6 years)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	Y
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	Y
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance

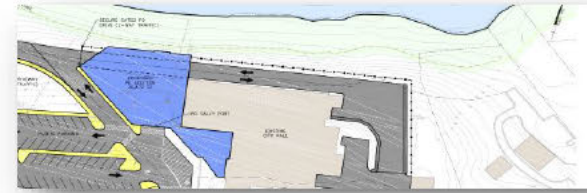
Percent for Art	Y
Cultural Plan	Y
Community Health Plan	
Complete Streets	Y
Climate Action Plan	
Green Building Policy	

COM-27-PW-101: Vaughan Mall Restoration

Project Funding			FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
General Fund	Capital Outlay	0%							\$0
	Federal/State	0%							\$0
	Bond/Lease (GF)	25%	\$500,000						\$500,000
	Other	0%							\$0
	Revenues	0%							
	PPP	25%	\$500,000						\$500,000
Water	Revenues	0%							\$0
	Bond/Lease (Water)	25%	\$500,000						\$500,000
	PPP	0%							\$0
Sewer	Revenues	0%							\$0
	Bond/Lease (Sewer)	25%	\$500,000						\$500,000
	PPP	0%							\$0
Total General Fund			59%	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000
Total Water Fund			10%	\$500,000	\$0	\$0	\$0	\$0	\$500,000
Total Sewer Fund			31%	\$500,000	\$0	\$0	\$0	\$0	\$500,000
Totals				\$2,000,000	\$0	\$0	\$0	\$0	\$2,000,000

BI-15-PD-10: New Police Department Facility

Department		Police Department
Project Location		To Be Determined
Priority		A (needed within 0 to 3 years)
Impact on Operating Budget		High (\$100,001 or more)
Operating Budget Impact Details	Personnel	2 Additional Custodial Staff
	Budget	Budget increases to run the new facility (electricity, heating, cooling of additional square footage)
Funding Policies	Percent for Art	Yes
	Green Building	Yes



Description: The results of the space needs study conducted in FY14 determined the current Police facility no longer meets the needs of the Department. This project would fund the design and construction of a new facility after a site selection study and conceptual design are complete.

As of November 2024, of the \$4.2 million in prior Fiscal Year Funding, \$1,400,000 was approved in the CIP to fund the preliminary designs once prospective sites were chosen, these monies have been authorized for bonding. The \$2,800,000 was allocated in FY23 to complete the pre-construction process but has not been authorized.

Note: The cost estimates provided are based on those provided in a prior study and the pricing is escalated to the FY24 estimated rates.

Studies Identified & Useful Website Links:

- [Portsmouth Community Policing Facility](#)
 - [Police Department Facility Study](#)
- [Portsmouth Police Department Homepage](#)
- [FY25-FY30 CIP \(Prior Year\) Project Sheet](#)

Notes of Changes in Funding Plan from FY25-30 CIP:

Project kept in the CIP from FY25 due to potential changes in project scope, Prior Year \$2.8 funding shown in FY26, as it has not been authorized. \$38,000,000 moved to FY27 to reflect projected timeline. Percent for Art funds added for FY27.

Evaluation Criteria		
CORE FUNCTION	Responds to Federal or State Requirement	Y
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	Y

		FY26	FY27	FY28	FY29	FY30	FY31	Totals 26-31	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	99%	\$2,800,000	\$38,000,000					\$40,800,000	\$1,400,000	\$42,200,000
Other (% for Art)	1%		\$300,000					\$300,000	\$0	\$300,000
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$2,800,000	\$38,300,000	\$0	\$0	\$0	\$0	\$41,100,000	\$1,400,000	\$42,500,000

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, on a Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Hundred Thousand Dollars (\$600,000) for the costs related to the purchase of one fire apparatus. The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY CITY CLERK

LEGAL NOTICE

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KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY
CITY CLERK

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

RESOLUTION # 15– 2026

A Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Hundred Thousand Dollars (\$600,000) for costs related to the purchase of one fire apparatus.

BE IT RESOLVED:

THAT, the sum of up to **Six Hundred Thousand Dollars (\$600,000)** is appropriated for the acquisition of one fire apparatus including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Six Hundred Thousand Dollars (\$600,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

THAT, the discretion of fixing the dates, maturities, rates of interest, forms and other details of such bonds is hereby delegated to the City Treasurer with the approval of the City Manager;

THAT, the expected useful life of the fire apparatus is determined to be at least ten (10) years; and

THAT, this Resolution shall take effect upon its passage.

APPROVED BY:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY THE CITY COUNCIL:

SALLY A. KELLAR, CMC/CNHMC
CITY CLERK



VE-25-FD-02: Vehicle Replacement – Marine #1

Department(s)	Fire Department
Project Location	Citywide
Project Justification	Capital maintenance/rolling stock
Project Website	N/A
Planning Documents/Studies	N/A

Project Description: This project is the replacement of Marine #1. The Coast Guard is looking at its staffing challenges and subsequently lifesaving missions and may require more assistance from local partners. This project would increase the safety of the operating platform for crews on the water. The Fire Department is working regionally to address potential coverage issues in the marine environment, and this project will address any shortfalls. Funding for FY27 has changed from \$250,000 to \$900,000 due to the change of style of desired boat to one with a safer, enclosed platform.



Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	N/A
Non-Personnel Line-Items	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$900,000						\$900,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$900,000	\$0	\$0	\$0	\$0	\$0	\$900,000

Evaluation Criteria & Prioritization

Priority: A (needed within 0 to 3 years)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	Y
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	Y
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	
	Improves Quality of or Provides Added Capacity to Existing Services	
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

LEGAL NOTICE

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- Annual Water Line Replacement
- Well Stations Improvements
- Madbury Water Treatment Plant – Facility Repair and Improvements
- Portsmouth and Collins Wells - Treatment
- The Creek Neighborhood Reconstruction
- Vaughan Mall Restoration

The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

LEGAL NOTICE
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- Annual Water Line

Replacement

- Well Stations Improvements
- Madbury Water Treatment Plant – Facility Repair and Improvements
- Portsmouth and Collins Wells - Treatment
- The Creek Neighborhood Reconstruction
- Vaughan Mall Restoration

The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY
CITY CLERK

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PORTSMOUTH, NH DEPUTY CITY CLERK

CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-SIX
PORTSMOUTH, NEW HAMPSHIRE

RESOLUTION # 16 – 2026

A Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan Program up to Four Million Nine Hundred Thousand Dollars (\$4,900,000) for costs related to:

- Annual Water Line Replacement
- Well Stations Improvements
- Madbury Water Treatment Plant – Facility Repair and Improvements
- Portsmouth and Collins Wells – Treatment
- The Creek Neighborhood Reconstruction
- Vaughan Mall Restoration

BE IT RESOLVED:

THAT, the sum of up to Four Million Nine Hundred Thousand Dollars (\$4,900,000) is appropriated for:

Annual Water Line Replacement	\$	1,500,000	30 yrs
Well Stations Improvements	\$	1,000,000	30 yrs
Madbury Water Treatment Plant - Facility Repair and Improvements	\$	500,000	30 yrs
Portsmouth and Collins Wells - Treatment	\$	600,000	30 yrs
The Creek Neighborhood Reconstruction	\$	800,000	30 yrs
Vaughan Mall Restoration	\$	500,000	30 yrs
Total	\$	4,900,000	

including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Four Million Nine Hundred Thousand Dollars (\$4,900,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Loan Fund;

THAT, the discretion of fixing the dates, maturities, rates of interest, forms and other details of such bonds is hereby delegated to the City Treasurer with the approval of the City Manager;

THAT, the expected useful life of the projects is set forth above; and

THAT, this Resolution shall take effect upon its passage.

APPROVED BY:

DEAGLAN MCEACHERN, MAYOR

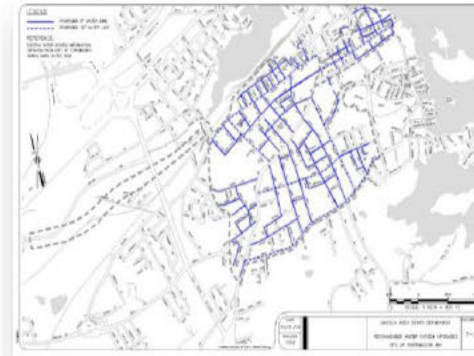
ADOPTED BY THE CITY COUNCIL:

SALLY A. KELLAR, CMC/CNHMC
CITY CLERK

EF-02-WD-80: Annual Water Line Replacement

Department(s)	Public Works Department – Water Division
Project Location	Citywide
Project Justification	Capital maintenance
Project Website	N/A
Planning Documents/Studies	Water System Master Plan 2013

Project Description: The water distribution system consists of more than 150 miles of pipe. Many of the older pipes are 50 to 100 years old, undersized and at the end of their design life. Pipes are replaced programmatically as part of water specific capital projects, roadway reconstruction, and prior to annual paving. This item will fund the purchase and installation of pipe, valves and associated materials used to replace those pipes. This project leverages funding for large full road reconstruction projects and individual pipe replacement projects.



Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	N/A
Department Budget	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:
Increased construction costs

Evaluation Criteria & Prioritization**O (ongoing or programmatic)**

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$9,000,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$9,000,000

Policies Compliance	
Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

EF-08-WD-81: Well Stations Improvements

Department(s)	Public Works Department – Water Division
Project Location	Citywide
Project Justification	Capital improvements
Project Website	N/A
Planning Documents/Studies	Water System Master Plan 2013

Project Description: This project involves upgrades to existing wells and pumping facilities. Improvements include upgrades to infrastructure, and pumping, treatment, and communications equipment, as well as management of site and protective areas, and upgrades associated with regulatory requirements.



Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	Maintenance of new facilities
Department Budget	General maintenance

Notes of Changes in Funding Plan from FY26-31 CIP:
Additional funds for aging equipment

Evaluation Criteria & Prioritization**O (ongoing or programmatic)**

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	Y
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$1,000,000		\$500,000		\$500,000		\$2,000,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$1,000,000	\$0	\$500,000	\$0	\$500,000	\$0	\$2,000,000

Policies Compliance	
Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	Y

EF-22-WD-85: Madbury Water Treatment Plant – Facility Repair and Improvements

Department(s)	Public Works Department – Water Division
Project Location	Madbury Water Treatment Plant
Project Justification	
Project Website	N/A
Planning Documents/Studies	N/A



Project Description: The City's surface water treatment facility located in Madbury began operation in 2011. Since that time, facility maintenance items have been covered by operational line-item budgets. After more than fourteen years of continuous operation, the facility is beginning to see wear that needs to be addressed with more than annual maintenance. These items include the replacement of the water treatment filter media, wash water basin repair, replacement of water pump drives, replacement of building siding, and the construction of a storage shed for equipment and spare parts.

Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	N/A
Department Budget	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:

Additional funds to replace aged equipment and wash water basin upgrade.

Evaluation Criteria & Prioritization**A (needed within 0 to 3 years)**

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$500,000	\$2,000,000		\$1,000,000			\$3,500,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$500,000	\$2,000,000	\$0	\$1,000,000	\$0	\$0	\$3,500,000

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	Y

EF-27-WD-87: Portsmouth and Collins Wells – Treatment

Department(s)	Public Works Department – Water Division
Project Location	Citywide
Project Justification	Regulatory Compliance
Project Website	N/A
Planning Documents/Studies	N/A

Project Description: This project involves the design a PFAS treatment facility for the Portsmouth Well and the Collins Well. Both of these wells have been impacted by the PFAS contamination at the former Pease Air Force Base. The US Air Force has not yet committed funds to the City for the treatment of these wells. The US EPA deadline for treatment is currently 2029; however, EPA has proposed revisions to the rule that will extend this deadline to 2031. The regulations finalized in 2024 set drinking water limits at levels below the PFAS levels currently measured in these wells. This facility will be designed to provide compliance with these new regulations. Funds will continue to be requested from the Air Force to reimburse the City's expenses for this project.

Impact on the Operating Budget	Minimal (\$5,001 to \$50,000 per year)
Personnel	Fractional FTE increase
Department Budget	Impact for media replacement, facility heating, and electricity. Air Force reimbursement anticipated.

Notes of Changes in Funding Plan from FY26-31 CIP:
New project to the FY27 CIP

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$600,000		\$13,000,000				\$13,600,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$600,000	\$0	\$13,000,000	\$0	\$0	\$0	\$13,600,000

**Evaluation Criteria & Prioritization****A (needed within 0 to 3 years)**

CORE FUNCTION	Responds to Federal or State Requirement	Y
	Addresses a Public Health or Safety Need	Y
	Alleviates Substandard Conditions or Deficiencies	
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

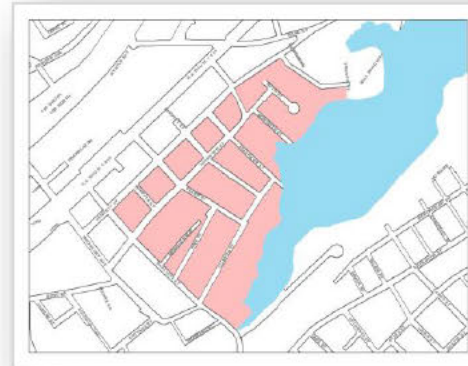
Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

COM-22-PW-96: The Creek Neighborhood Reconstruction

Department(s)	Public Works Department
Project Location	Dennett Street to North Mill Pond to Bartlett Street
Project Justification	Addresses Substandard Infrastructure
Project Website	https://www.portsmouthnh.gov/publicworks/islington-creek
Planning Documents/Studies	N/A

Project Description: This project will address water, sewer, drainage, and streetscape improvements in the Creek Neighborhood. It will be implemented in phases similar to the McDonough Street area project completed in 2019. Phase one will include design and the development of the phased implementation plan.



Evaluation Criteria & Prioritization

A (needed within 0 to 3 years)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	Y

Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	Dependent on design
Department Budget	Moderate, depending on design

Notes of Changes in Funding Plan from FY26-31 CIP:

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Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

COM-22-PW-96: The Creek Neighborhood Reconstruction

Project Funding			FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
General Fund	Capital Outlay	0%							\$0
	Federal/State	0%							\$0
	Bond/Lease (GF)	37%	\$800,000		\$1,000,000		\$1,000,000		\$2,800,000
	Other	0%							\$0
	Revenues	0%							
	PPP	0%							\$0
Water	Revenues	0%							\$0
	Bond/Lease (Water)	37%	\$800,000		\$1,000,000		\$1,000,000		\$2,800,000
	PPP	0%							\$0
Sewer	Revenues	0%							\$0
	Bond/Lease (Sewer)	26%			\$1,000,000		\$1,000,000		\$2,000,000
	PPP	0%							\$0
Total General Fund		45%	\$800,000	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$2,800,000
Total Water Fund		27%	\$800,000	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$2,800,000
Total Sewer Fund		29%	\$0	\$0	\$1,000,000	\$0	\$1,000,000	\$0	\$2,000,000
Totals			\$1,600,000	\$0	\$3,000,000	\$0	\$3,000,000	\$0	\$7,600,000

COM-27-PW-101: Vaughan Mall Restoration

Department(s)	Department of Public Works
Project Location	Vaughan Mall
Project Justification	Restoration/improvements to Vaughan Mall surface features
Project Website	https://portsnh.co/fleetstreet
Planning Documents/Studies	N/A

Project Description: Monies will be used to restore/improve Vaughan Mall surface features after utility replacement and capacity expansion is completed. The City is progressing a landscape design to be completed after temporary paved stabilization is completed. This project includes improvements to walkways and surface treatments, curbing, plantings, art, lighting, and other aesthetic and functional improvements to better utilize the space for residents and visitors of Portsmouth.



Impact on the Operating Budget	Minimal (\$5,001 to \$50,000 per year cost)
Personnel	N/A
Department Budget	Minimal additional funding depending on final restoration scope

Notes of Changes in Funding Plan from FY26-31 CIP:

New project for FY27.

Evaluation Criteria & Prioritization

B (needed within 4 to 6 years)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	Y
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	Y
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance

Percent for Art	Y
Cultural Plan	Y
Community Health Plan	
Complete Streets	Y
Climate Action Plan	
Green Building Policy	

COM-27-PW-101: Vaughan Mall Restoration

Project Funding			FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
General Fund	Capital Outlay	0%							\$0
	Federal/State	0%							\$0
	Bond/Lease (GF)	25%	\$500,000						\$500,000
	Other	0%							\$0
	Revenues	0%							
	PPP	25%	\$500,000						\$500,000
Water	Revenues	0%							\$0
	Bond/Lease (Water)	25%	\$500,000						\$500,000
	PPP	0%							\$0
Sewer	Revenues	0%							\$0
	Bond/Lease (Sewer)	25%	\$500,000						\$500,000
	PPP	0%							\$0
Total General Fund			59%	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000
Total Water Fund			10%	\$500,000	\$0	\$0	\$0	\$0	\$500,000
Total Sewer Fund			31%	\$500,000	\$0	\$0	\$0	\$0	\$500,000
Totals				\$2,000,000	\$0	\$0	\$0	\$0	\$2,000,000

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, on a Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan Program of up to Three Million One Hundred Thousand Dollars (\$3,100,000) for the costs related to:

- Wastewater Pumping Station Improvements
- Peirce Island Wastewater Treatment Facility
- Citywide Storm Drainage Improvements
- Vaughan Mall Restoration

The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY CITY CLERK

LEGAL NOTICE
NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, on a Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan Program of up to Three Million One Hundred Thousand Dollars (\$3,100,000) for the costs related to:
• Wastewater Pumping Station Improvements
• Peirce Island Wastewater Treatment Facility
• Citywide Storm Drainage Improvements
• Vaughan Mall Restoration
The complete proposed Resolution is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.
KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY CITY CLERK

CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-SIX
PORTSMOUTH, NEW HAMPSHIRE

RESOLUTION # 17– 2026

A Resolution authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan Program of up to Three Million One Hundred Thousand Dollars (\$3,100,000) for costs related to:

- Wastewater Pumping Station Improvements
- Peirce Island Wastewater Treatment Facility
- Citywide Storm Drainage Improvements
- Vaughan Mall Restoration

BE IT RESOLVED:

THAT, the sum of up to Three Million One Hundred Thousand Dollars (\$3,100,000) is appropriated for:

Wastewater Pumping Station Improvements	\$	500,000	30 yrs
Peirce Island Wastewater Treatment Facility	\$	1,500,000	30 yrs
Citywide Storm Drainage Improvements	\$	600,000	30 yrs
Vaughan Mall Restoration	\$	500,000	30 yrs
Total	\$	3,100,000	

including the payment of costs incidental or related thereto;

THAT, to meet this appropriation, the City Treasurer, with the approval of the City Manager, is authorized to borrow, on a competitive or negotiated basis, up to **Three Million One Hundred Thousand Dollars (\$3,100,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act and/or a loan program offered through the State of New Hampshire Department of Environmental Services, identified as the State Revolving Loan Fund;

THAT, the discretion of fixing the dates, maturities, rates of interest, forms and other details of such bonds is hereby delegated to the City Treasurer with the approval of the City Manager;

THAT, the expected useful life of the projects is set forth above; and

THAT, this Resolution shall take effect upon its passage.

APPROVED BY:

DEAGLAN MCEACHERN, MAYOR

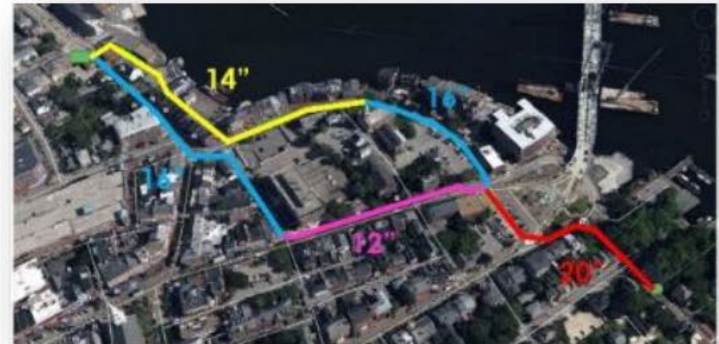
ADOPTED BY THE CITY COUNCIL:

SALLY A. KELLAR, CMC/CNHMC
CITY CLERK

EF-17-SD-90: Wastewater Pumping Station Improvements

Department(s)	Public Works Department – Sewer Division
Project Location	Citywide
Project Justification	Capital improvements
Project Website	N/A
Planning Documents/Studies	Wastewater Pump Station Master Plan 2019

Project Description: The City owns and operates twenty wastewater pumping stations. Pump Stations require recurring maintenance, and equipment upgrades to continue operations. This project plans for major rehabilitation of pumping stations and/or force mains that have not been included as separate projects in the CIP. The work will generally follow the recommendations detailed in the Wastewater Pumping Station Master Plan dated 2019.



Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	N/A
Department Budget	General maintenance

Notes of Changes in Funding Plan from FY26-31 CIP:
Funding for FY29 increased to \$750,000

Evaluation Criteria & Prioritization

O (ongoing or programmatic)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	Y
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$500,000		\$750,000		\$750,000		\$2,000,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$500,000	\$0	\$750,000	\$0	\$750,000	\$0	\$2,000,000

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	Y

EF-24-SD-93: Peirce Island Wastewater Treatment Facility

Department(s)	Public Works Department – Sewer Division
Project Location	113 Mechanic Street
Project Justification	Capital upgrade
Project Website	N/A
Planning Documents/Studies	Wastewater Pump Station Master Plan 2019 Lifespan Evaluation (ongoing)

Project Description: Funds will be used to upgrade the facility's chemical storage building. Chemical building improvements were previously value engineered from the treatment facility upgrade.



Impact on the Operating Budget	Moderate (\$50,001 to \$100,000)
Personnel	N/A
Department Budget	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:

Project Funding		FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
Capital Outlay (GF)	0%							\$0
Federal/State	0%							\$0
Bond/Lease	100%	\$1,500,000						\$1,500,000
Other	0%							\$0
Revenues	0%							\$0
PPP	0%							\$0
Totals		\$1,500,000	\$0	\$0	\$0	\$0	\$0	\$1,500,000

Evaluation Criteria & Prioritization

A (needed within 0 to 3 years)

CORE FUNCTION	Responds to Federal or State Requirement	Y
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	Y
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	
	Improves Quality of or Provides Added Capacity to Existing Services	
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

COM-15-PW-94: Citywide Storm Drainage Improvements

Department(s)	Public Works Department
Project Location	Citywide
Project Justification	Safety and Regulatory Compliance
Project Website	Portsmouthnh.gov/publicworks/stormwater
Planning Documents/Studies	See website

Project Description: Operation and maintenance of the City's storm sewer system is regulated by the United States Environmental Protection Agency (EPA) through a municipal separate storm sewer system (MS4) permit. The City owns and maintains storm drains, catch basins, stormwater treatment systems and outfalls. Many of these structures are failing and need upgrades. The drainage system is repaired and upgraded as part of specific capital projects, roadway reconstruction and prior to annual paving. In addition to pipe work, the existing stormwater ponds and swales need to be maintained.

Funding for this work will come from the Sewer Enterprise Fund and the General Fund. FY2027 request includes \$200,000 to establish and support implementation of a separate Stormwater Enterprise Fund.



Evaluation Criteria & Prioritization

A (needed within 0 to 3 years)

CORE FUNCTION	Responds to Federal or State Requirement	Y
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	
	Responds to a Citywide Goal or Submitted Resident Request	

Impact on the Operating Budget	Negligible (<\$5,001)
Personnel	N/A
Non-Personnel Line-Items	N/A

Notes of Changes in Funding Plan from FY26-31 CIP:

Funding for this work will come from the Sewer Enterprise Fund and the General Fund. Fiscal Year 2027 request includes \$200,000 to establish and support implementation of a separate Stormwater Enterprise fund

Policies Compliance

Percent for Art	
Cultural Plan	
Community Health Plan	
Complete Streets	
Climate Action Plan	
Green Building Policy	

COM-15-PW-94: Citywide Storm Drainage Improvements

Project Funding			FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
General Fund	Capital Outlay	0%							\$0
	Federal/State	0%							\$0
	Bond/Lease (GF)	50%	\$600,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,100,000
	Other	0%							\$0
	Revenues	0%							
	PPP	0%							\$0
Water	Revenues	0%							\$0
	Bond/Lease (Water)	0%							\$0
	PPP	0%							\$0
Sewer	Revenues	0%							\$0
	Bond/Lease (Sewer)	50%	\$600,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,100,000
	PPP	0%							\$0
Total General Fund			55%	\$600,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,100,000
Total Water Fund			0%	\$0	\$0	\$0	\$0	\$0	\$0
Total Sewer Fund			45%	\$600,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,100,000
Totals				\$1,200,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$6,200,000

COM-27-PW-101: Vaughan Mall Restoration

Department(s)	Department of Public Works
Project Location	Vaughan Mall
Project Justification	Restoration/improvements to Vaughan Mall surface features
Project Website	https://portsnh.co/fleetstreet
Planning Documents/Studies	N/A

Project Description: Monies will be used to restore/improve Vaughan Mall surface features after utility replacement and capacity expansion is completed. The City is progressing a landscape design to be completed after temporary paved stabilization is completed. This project includes improvements to walkways and surface treatments, curbing, plantings, art, lighting, and other aesthetic and functional improvements to better utilize the space for residents and visitors of Portsmouth.



Impact on the Operating Budget	Minimal (\$5,001 to \$50,000 per year cost)
Personnel	N/A
Department Budget	Minimal additional funding depending on final restoration scope

Notes of Changes in Funding Plan from FY26-31 CIP:

New project for FY27.

Evaluation Criteria & Prioritization

B (needed within 4 to 6 years)

CORE FUNCTION	Responds to Federal or State Requirement	
	Addresses a Public Health or Safety Need	
	Alleviates Substandard Conditions or Deficiencies	Y
FINANCIAL BENEFIT	Eligible for Matching Funds with Limited Availability	
	Timing or Location Coordinate with Synergistic Project	Y
	Reduces Long-Term Operating Costs	
COMMUNITY PLAN OR IMPROVEMENT	Identified in Planning Document or Study	Y
	Improves Quality of or Provides Added Capacity to Existing Services	Y
	Provides Incentive for Economic Development	Y
	Responds to a Citywide Goal or Submitted Resident Request	

Policies Compliance

Percent for Art	Y
Cultural Plan	Y
Community Health Plan	
Complete Streets	Y
Climate Action Plan	
Green Building Policy	

COM-27-PW-101: Vaughan Mall Restoration

Project Funding			FY27	FY28	FY29	FY30	FY31	FY32	Totals 27-32
General Fund	Capital Outlay	0%							\$0
	Federal/State	0%							\$0
	Bond/Lease (GF)	25%	\$500,000						\$500,000
	Other	0%							\$0
	Revenues	0%							
	PPP	25%	\$500,000						\$500,000
Water	Revenues	0%							\$0
	Bond/Lease (Water)	25%	\$500,000						\$500,000
	PPP	0%							\$0
Sewer	Revenues	0%							\$0
	Bond/Lease (Sewer)	25%	\$500,000						\$500,000
	PPP	0%							\$0
Total General Fund			59%	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000
Total Water Fund			10%	\$500,000	\$0	\$0	\$0	\$0	\$500,000
Total Sewer Fund			31%	\$500,000	\$0	\$0	\$0	\$0	\$500,000
Totals				\$2,000,000	\$0	\$0	\$0	\$0	\$2,000,000

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, VEHICLES, TRAFFIC and PARKING, Article III, TRAFFIC ORDINANCES, Section 7.326, Limited Parking - Fifteen Minutes and Section 7.330 A, No Parking; and Article VI, LOADING ZONES, Section 7.601, Limited Hours Loading Zones of the ordinances of the City of Portsmouth be amended as follows (deletions from existing language ~~striken~~; additions to existing language **bolded**; remaining language unchanged from existing):

[Explanatory note not part of ordinance. The following amendments to the parking ordinance were either implemented by the Parking and Traffic Safety Committee on a trial basis last year or are part of ongoing improvements to the parking ordinance and are forwarded to the City Council for approval. Each ordinance change is shown on diagrams attached hereto.]

A. Amend: Chapter 7, VEHICLES, TRAFFIC and PARKING, Article III – TRAFFIC ORDINANCE, Section 7.326: Limited Parking-Fifteen Minutes

Section 7.326: LIMITED PARKING – FIFTEEN MINUTES

- A. No person having control or custody of any vehicle shall cause the same to stop or park for longer than 15 minutes at any time between 9:00 a.m. and 8:00 p.m., Monday through Saturday, and between 12:00 p.m. and 8:00 p.m. Sunday, Holidays not included, on the following streets and locations:
4. Daniel Street:
- b. ~~southerly side, first three metered spaces running between 102 and 160 feet west of Penhallow Street~~ **northerly side, two spaces beginning 159 feet from the westerly curblin of Penhallow Street and continuing 38 feet in a westerly direction.**

B. Amend: Chapter 7, VEHICLES, TRAFFIC and PARKING, Article III – TRAFFIC ORDINANCE, Section 7.330, No Parking.

Section 7.330: NO PARKING

- A: Unless otherwise designated by ordinance, parking shall be prohibited at all times in the following described streets and locations:
84. Middle Street:
- i. **westerly side, beginning at the northerly curblin of Cass Street and running northerly for 47 feet.**

-
- C. Amend:** Chapter 7, VEHICLES, TRAFFIC and PARKING, Article VI – LOADING ZONES, Section 7.601: Limited Hours Loading Zones

Section 7.601: LIMITED HOURS LOADING ZONES

The following locations are established as "Limited Hours Loading Zones" during "Loading Zone Hours" which are defined as Mondays through Saturdays between the hours of 6:00 a.m. and 7:00 p.m. or as otherwise described below. During Loading Zone Hours only licensed commercial vehicles, vehicles marked for commercial purposes and unmarked noncommercial vehicles with Loading Zone Permits may utilize Limited Hours Loading Zones for up to 30 consecutive minutes if actively engaged in loading or unloading product, merchandise or equipment. At all other times these Loading Zones shall be open parking for all vehicles.

2. Brewster Street: easterly side, beginning 40 feet north of the northerly curblineline of Islington Street and running 40 feet in the northerly direction, between the hours of ~~7-6~~ AM and ~~3 PM~~ **11 AM**, Monday through ~~Friday~~ **Saturday**.

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

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

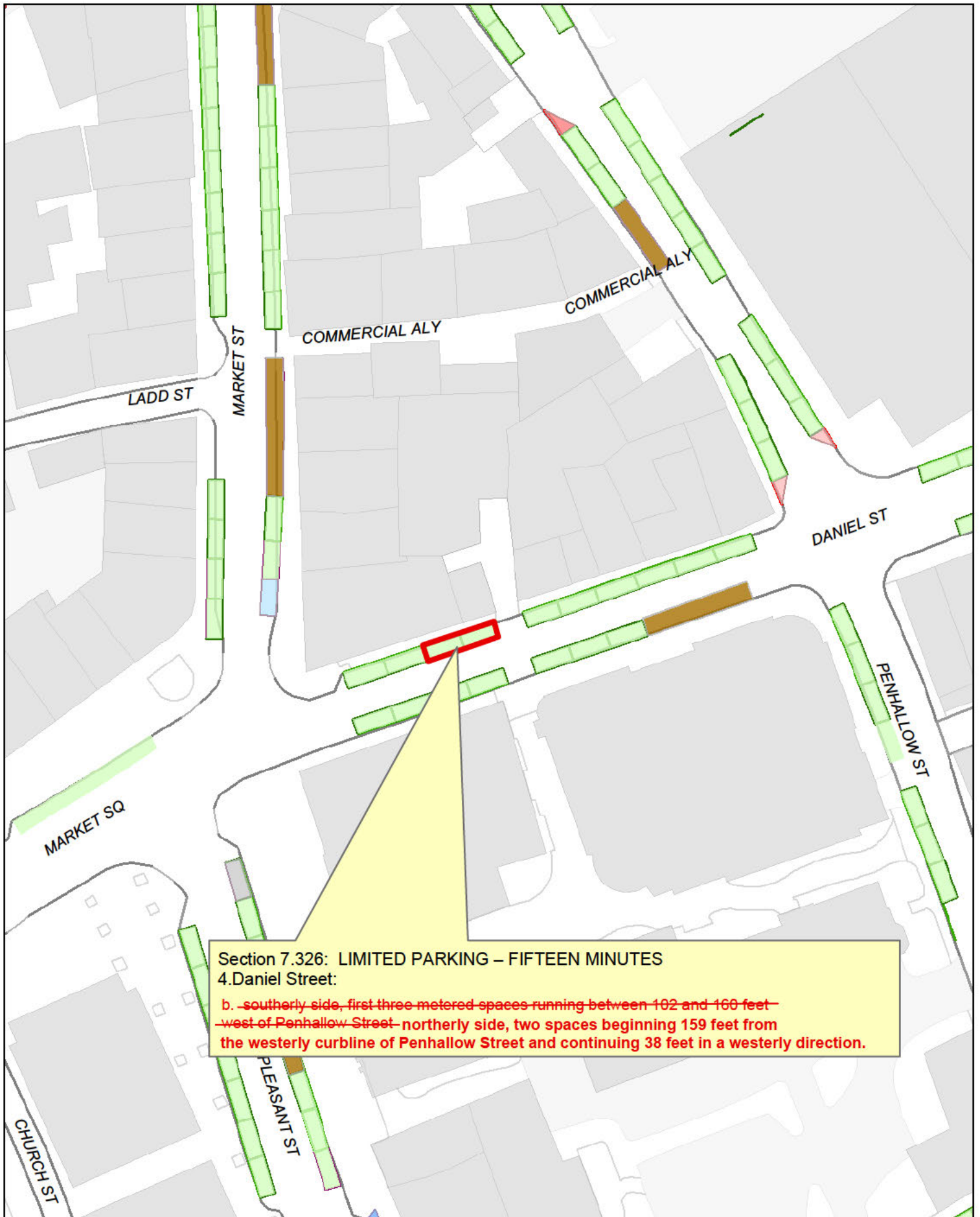
This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL

Sally Kellar, City Clerk

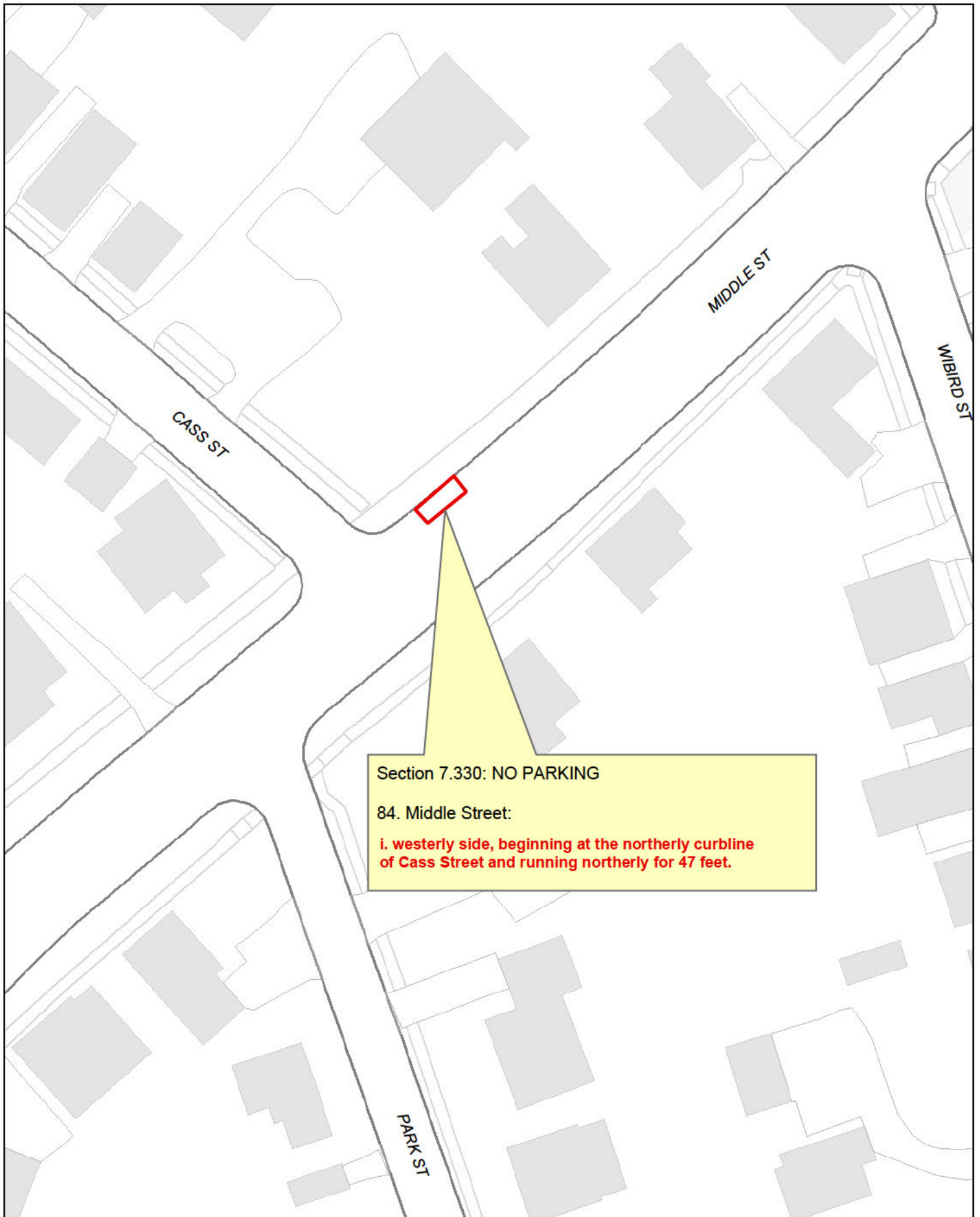


LIMITED PARKING – 15 MINUTES
Portsmouth, New Hampshire

Map prepared by Portsmouth Department of Public Works, 22 June 2026
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes\2026

0 20 40 80 Feet



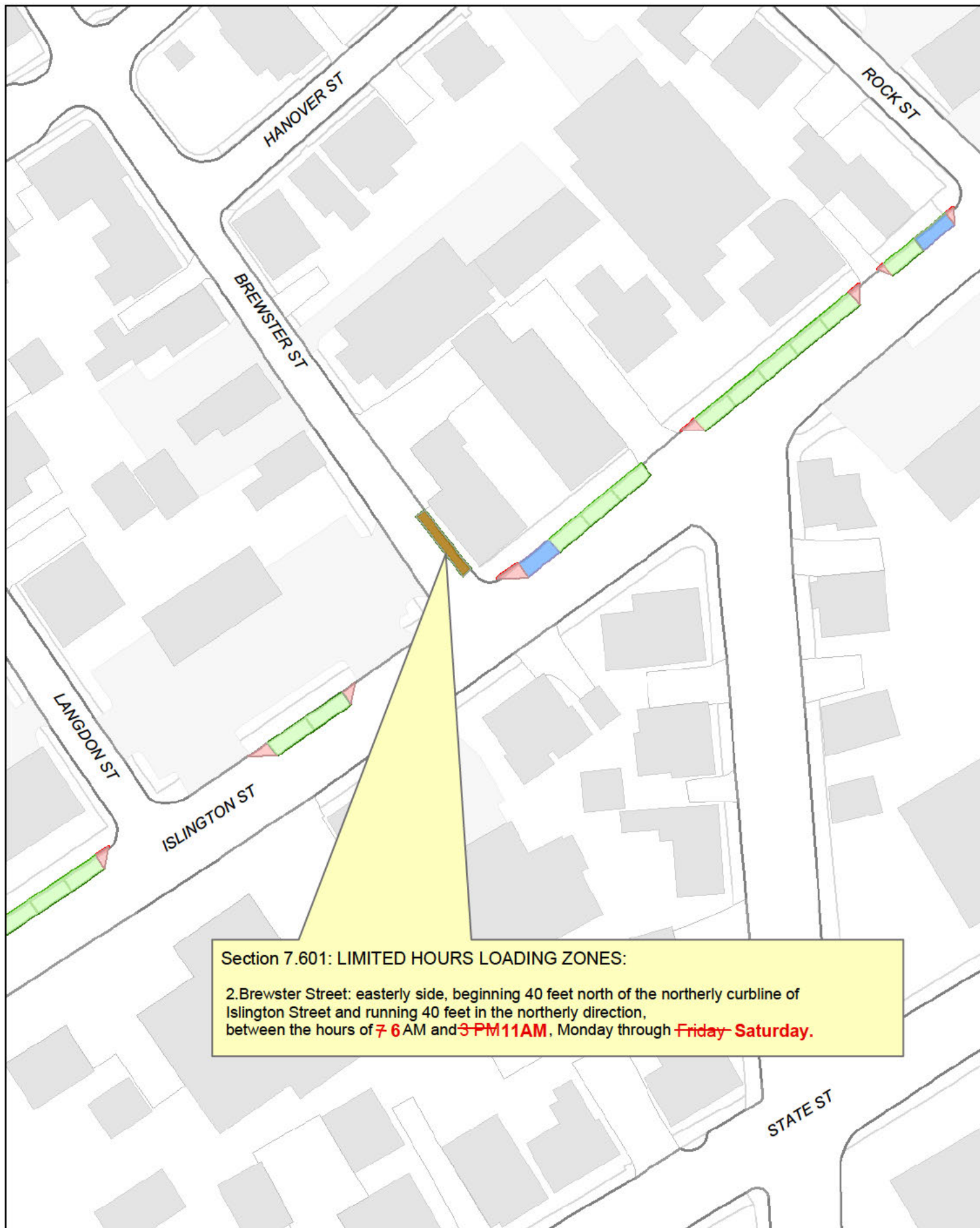


NO PARKING
Portsmouth, New Hampshire

Map prepared by Portsmouth Department of Public Works, 22 June 2026
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes\2026

0 15 30 60 Feet





LIMITED HOURS LOADING ZONES Portsmouth, New Hampshire

Map prepared by Portsmouth Department of Public Works, 22 June 2026
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes\2026

0 20 40 80 Feet



LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, on the proposed amendment to Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for Use of Public Property, by adding Section 6.111, Fees. The complete proposed Ordinance amendment is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

SALLY KELLAR
PORTSMOUTH, NH CITY CLERK

LEGAL NOTICE

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SALLY KELLAR
PORTSMOUTH, NH CITY CLERK

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 6, LICENSES AND ENCUMBRANCES, Article I: ENCUMBRANCE PERMITS AND LICENSES FOR USE OF PUBLIC PROPERTY, Section 6.111, FEES of the Ordinances of the City of Portsmouth be amended by adding this new section on fees as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**, remaining language unchanged from existing):

6.111 Fees

Fees for all encumbrance permits and licenses in this Article shall be determined in accordance with Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure.

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:

Sally A. Kellar, City Clerk

CITY OF PORTSMOUTH

CITY COUNCIL POLICY No. 2018-02

LICENSE FEE FOR ENCUMBRANCE OF CITY PROPERTY

Any party temporarily encumbering city property for purposes of construction beyond thirty working days shall apply to the City Council for a license and pay the following fees:

- A. Metered parking spaces consistent with the daily fees determined by the fee schedule.
- B. Any City land that includes unmetered parking spaces, travel ways, loading zones and sidewalks – \$0.05 per square foot per day
- C. Any other City land / right-of-way not included in the above categories shall be charged a flat fee of \$400 per each 400 square feet for the first 30 days. Each additional 30 day period the fee shall be \$200 per each 400 square feet. The aforementioned fee shall be in place until July 1, 2019 when the fee shall be listed on the City of Portsmouth's annual fee schedule.

The license fees set forth above will be doubled if the encumbrance period extends beyond its terms.

Any encumbrance that extends beyond thirty working days without an approved City Council license shall also be subject to the above fees.

The City Manager may waive the license fees for parking in unmetered spaces if the applicant can provide equivalent public parking in the immediate vicinity of the licensed area.

The Public Works Director shall administer the application of the License fees under this policy.

All applicable license fees shall be paid prior to the start of the term of the license. If the licensee ceases to encumber the property prior to the end of the term, the licensee may request a refund of any license fees for any unused days.

Any party that disputes the application of this policy to its request for a license may appeal to the City Manager.

Adopted by the Portsmouth City Council on: April 16, 2018

Amended by the Portsmouth City Council on: November 19, 2019

Ratified by the Portsmouth City Council on: January 8, 2020

Ratified by the Portsmouth City Council on: January 24, 2022.

Ratified by the Portsmouth City Council on: January 16, 2024.

City of Portsmouth
Fee Schedule
Public Works

Description	Fiscal Year Last Adjusted	FY 2025 Schedule	FY 2026 Schedule	* (Indicates change from current fee)	Suggested FY 2027 Schedule
Memorial Bridge Lighting Request	FY 23	\$75.00	\$75.00	Application/permit fee	\$75.00
(Available to Non-Profits only)					
Encumbrance Fees					
A. Short-term Encumbrances (Redefined during FY 27 in accordance with City policy)					
In accordance with Chapter 6, License and Encumbrances, Article 1: Encumbrance Permits and License for Use of Public Property					
1. Section 6.104A Encumbrance first 30-days	FY 19	\$50.00	\$50.00	*	\$150.00
2. Section 6.104B Encumbrance (31-60 days)		N/A	N/A	*	\$300.00
3. Encumbrance (61-90 days) fee determined on a case-by-case basis		N/A	N/A	Not less than	\$300.00
(Metered parking spaces have their own fee. Please see Parking Fees-Temporary Meter Parking Space Permit)					
B. Long-Term Encumbrance					
Licensed by City Council					
1. Any City land that includes unmetered parking spaces, travel ways, loading zones and sidewalks	FY 19	\$0.05	\$0.05	Per sq. ft. per day	\$0.10
(Metered parking spaces have their own fee. Please see Parking Fees-Temporary Meter Parking Space Permit)					
Memorial Bench Perpetual Care Fee	FY 27	N/A	N/A	*	\$250.00
Blasting Permit	FY 26	\$370.00	\$400.00		\$400.00
New Driveway Permit	FY 25	\$75.00	\$75.00		\$75.00

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, on the proposed amendment to Chapter 12, City of Portsmouth Building Code, Sections 1201 through 1209, by deleting and replacing the entire Chapter. The complete proposed Ordinance amendment is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

SALLY KELLAR
PORTSMOUTH, NH CITY CLERK

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SALLY KELLAR
PORTSMOUTH, NH CITY CLERK

New Hampshire State Building Code

Uniform Safety and Quality

- **Public Protection:** Guarantees minimum life-safety, fire prevention, and structural strength in every community
- **Disaster Resilience:** Helps buildings withstand predictable regional hazards such as heavy snow loads or high winds
- **Modern Technology:** Incorporates up-to-date engineering research and material standards evenly

Economic and Business Benefits

- **Cost Reduction:** Prevents the delays and expenses of navigating a patchwork of conflicting town-by-town rules
- **Fair Competition:** Creates a level playing field for contractors and builders working across municipal borders
- **Stable Insurance:** Lowers overall risk for property damage, keeping insurance premiums manageable for owners



Why Now?

HB 428

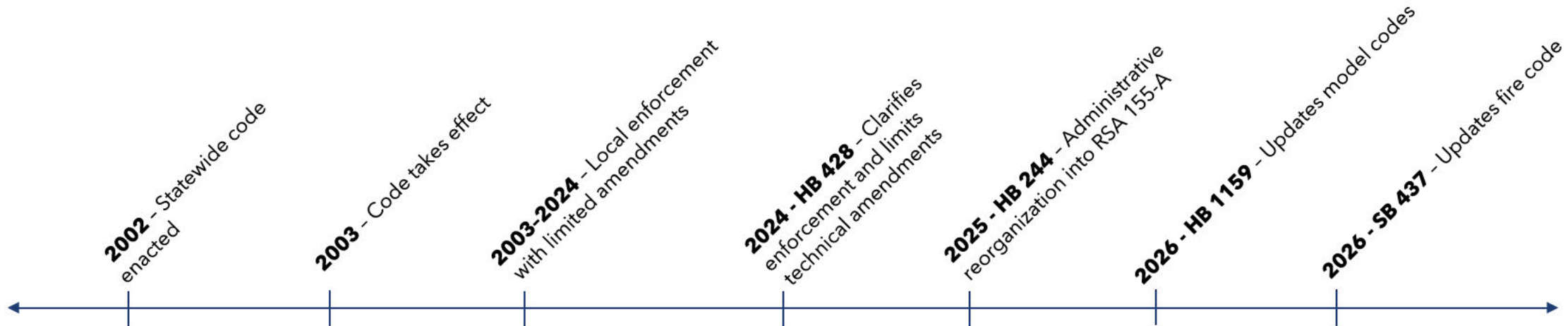
Limits local legislative bodies from enacting independent technical amendments to the State Building Code. Municipalities are largely restricted to administrative functions (fees and permit issuance).

HB 244

Statutory Relocation: Legislation moved building code enforcement and amendment procedures out of general planning/zoning laws and centralized them entirely under **RSA 155-A**.

HB 1159/SB 437

Model Code Adoption: Updated major international model codes (IBC, IRC, IEBC, IMC, IPC, ISPSC) to their 2024 editions and the State Fire Code to the 2024 NFPA 1 and NFPA 101 editions.



ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 12, CITY OF PORTSMOUTH BUILDING CODE, be amended by deleting Chapter 12 in its entirety and replacing it with **Article I, Administration and Enforcement, Sections 12.101 through 12.108** as set forth below as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

CHAPTER 12 BUILDING CODE

ARTICLE I ADMINISTRATION AND ENFORCEMENT

Section 12.101 AUTHORITY

This Chapter establishes a Local Enforcement Agency as defined in RSA 155-A:1, III, also known as a Code Compliance Agency pursuant to NH Administrative Amendment 103.1.

Section 12.102. BUILDING STANDARDS

The governing Building Code enforced by the City of Portsmouth is the State Building Code, as defined by RSA 155-A:1, IV, and local amendments contained herein for the City's administrative functions in administering the Building Code.

Section 12.103 CODE COMPLIANCE AGENCY

A. Chief Building Official

The Inspection Department of the City of Portsmouth is the Code Compliance Agency created pursuant NH Administrative Amendment 103.1, and the executive official in charge shall be known as the Chief Building Official. The Chief Building Official shall be appointed by the City Manager.

B. Duties

Duties of the Chief Building Official shall be as set forth in NH Administrative Amendment Section 104.

Section 12.104 CERTIFICATE OF OCCUPANCY

The Chief Building Official shall issue Certificates of Occupancy as set forth in NH Administrative Amendment Section 111.

Section 12.105 APPEALS

The Zoning Board of Adjustment shall act as the Building Code Board of Appeals and hear appeals pursuant to RSA 155-A:3. Appeals to the State Building Code Review Board are governed by 155-A:11-b.

Section 12.106 FEES

All fees associated with the Chapter will be adopted pursuant to City Ordinance Chapter One - Administrative Code, Article XVI, Adoption of Fees, Section 1.1601, Procedure.

Section 12.107 VIOLATIONS AND PENALTIES

Violations of this Chapter shall be subject to the penalties provided in RSA 155-A:8. Each day of a violation constitutes a separate offense.

Section 12.108 PROCEDURAL HISTORY

The Building Code of the City of Portsmouth was first enacted by the City Council in 1929, and has been amended as more fully set forth below:

<u>ADOPT</u>	<u>ORD #</u>	<u>YEAR</u>	<u>ARTICLE</u>	<u>SECTION</u>	<u>AMENDED</u>
2/18/57		1957		Chapter 12	Nat'l Bldg Code, 1955 Edition Adopted
8/1/68		1968		Chapter 12	Nat'l Bldg Code, 1967 Edition Adopted
3/5/79		1979		Chapter 12	BOCA Basic Nat'l Bldg Code, 1975 Edition with amendments
8/5/85		1985		Chapter 12	BOCA Basic Nat'l Bldg Code, 1985 Edition with 1985 BOCA Supplement and Amendments
7/9/90	20	1990			BOCA Basic Nat'l Bldg Code, 1990 Edition (replaces 1984 edition)
4/1/96	17	1996		114.3.1	Building Permit Fee Schedule
4/1/96	18	1996		2704.5	Electrical Permit Fees
5/5/97	17	1997			BOCA Nat'l Bldg Code, 1996 (replaces 1990 edition)

3/18/02	5	2002	112.31	Fees to be determined in accordance with Chapter 1, Article XVI or similar wording
3/18/02	5	2002	113.2.3	Fees to be determined in accordance with Chapter 1, Article XVI or similar wording
3/18/02	5	2002	116.6	Fees to be determined in accordance with Chapter 1, Article XVI or similar wording
3/18/02	5	2002	118.5	Fees to be determined in accordance with Chapter 1, Article XVI or similar wording
3/18/02	5	2002	2703.5	Fees to be determined in accordance with Chapter 1, Article XVI or similar wording
3/18/02	5	2002	2704.6	Fees to be determined in accordance with Chapter 1, Article XVI or similar wording
7/14/03	4	2003	Chapter 12	Amended Chapter 12 in its entirety and replaced with the 2000 International Building Code
10/4/04	10	2004	Chapter 12	Amend Chapter 12 by addition of a new sub-section R317 entitled Dwelling Unit Separation
10/19/09	11	2009	Chapter 12	Amend Chapter 12 Parts I in its entirety and replaced with 2006 International Building code
10/19/09	11	2009	Chapter 12	Amend Chapter 12 Part II in its entirety and replace with 2006 Residential Code
12/04/17	27	2017	Chapter 12	Amend Chapter 12 Parts I and II in entirety and replace with 2009 International Building Code

12/02/19	16	2019	Chapter 12	Update various sections in accordance with International Building Code 2015
12/14/22	9	2022	Chapter 12	Replaced in entirety

~~SECTION 1201~~

~~TITLE ADOPTION / STATUTORY AUTHORITY~~

~~**1201.1** The New Hampshire Building Code is hereby adopted, together with the local regulations and amendments contained within this Chapter and shall be known as the Building Code of the City of Portsmouth (“City Building Code”). (See RSA 155 A:1,IV; RSA 674:51, I; RSA 155 A:2,V and RSA 155 A:3, I, II).~~

~~SECTION 1202~~

~~SCOPE AND ADMINISTRATION~~

~~Portsmouth, New Hampshire is hereby created and the executive official thereof shall be known as the Chief Building Inspector. Other Building Officials include the assistant Building Inspectors, Electrical Inspectors and Plumbing/Mechanical Inspectors. The Chief Building Inspector and Building Officials are appointed by the City Manager based on qualifications established for each position by the City Manager. The Chief Building Inspector and Building Officials are authorized to receive, process and approve all building permits, issue building permits and certificates of occupancy, perform inspections necessary to assure compliance with the City Building Code, collect permit fees, maintain **1202.1 Building Official**. The Department of Building Inspection of the City of records of all applications and enforce all provisions of the City Building Code as more fully set forth below.~~

1202.2 Permits

~~**1202.2.1 Required.** New construction and general renovation work requires the issuance of a building permit. General renovation is defined as work which changes the overall size of a building or portions thereof or which involves the creation of rooms or spaces, which did not previously exist. Expansion of existing electrical, plumbing, mechanical or fire protection systems is also considered general renovation. Types of work, which may be so classified, are:~~

- ~~1. Additions of any size.~~
- ~~2. Enlarging existing structures, rooms or spaces.~~
- ~~3. Creating new rooms or spaces within a structure.~~
- ~~4. Structural changes or structural repairs.~~
- ~~5. Dormers.~~
- ~~6. Renovations to kitchens and bathrooms.~~
- ~~7. Demolition of all or part of a structure.~~
- ~~8. Changing exits or any components of the means of egress in any way.~~

- ~~9. New structures including sheds, gazebos, pools (above and below ground), decks, garages, carports, tents, awnings, etc.~~
- ~~10. Above or below grade flammable and combustible liquid tank removal or installation shall require separate mechanical and gas permitting.~~
- ~~11. Changes in Use or Occupancy.~~
- ~~12. Electrical work.~~
- ~~13. Plumbing or mechanical work.~~
- ~~14. Fire sprinkler or fire alarm systems~~
- ~~15. Roofing or re-roofing~~

~~NH Licensed trade persons shall secure permits for electrical, plumbing and fuel gas work when required under New Hampshire law.~~

~~**1202.2.2 Work exempt from permits.** Exemptions from permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the City Building Code or any laws or ordinances of this jurisdiction. Permits shall not be required for the following:~~

~~Building:~~

- ~~1. Ordinary repairs as defined in Section 1202.2.3 provided the total of such non-structural repairs do not exceed \$3,000 in construction value.~~
- ~~2. Any painting or wall papering; and tiling when not part of a kitchen or bath remodel.~~
- ~~3. Fences not over 6 (six) feet high not located on corner lots of an intersection or not in the Historic District.~~
- ~~5. Sidewalks, driveways or patios constructed on grade with earth products so long as there is no change in elevation and/or drainage configuration.~~
- ~~6. Prefabricated (including air inflated) swimming pools, accessory to a Group R-3 occupancy which are less than 18 inches deep, do not exceed 5,000 gallons and are entirely above grade.~~
- ~~7. Swings and other playground equipment accessory to dwellings and which are erected or assembled from a kit.~~
- ~~8. Moveable cases and counters (typical in retail occupancies).~~
- ~~9. Cabinets, countertops and similar finish work when total construction value does not exceed \$3,000, including labor and materials.~~

~~Electrical:~~

- ~~—1. Repairs and maintenance: Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles in single family dwellings, or in facilities employing full time maintenance personnel, provided the work is performed or supervised by a licensed electrician employed by the facility owner. (See NH RSA 319-G)~~

~~Gas:~~

- ~~—1. Portable heating appliances for one and two family occupancies.~~

Mechanical:

- ~~—1. Portable heating appliances for one and two family occupancies.~~

1202.2.3 Ordinary Repairs. ~~Application or notice to the building official is not required for ordinary repairs to structures. Ordinary repairs are defined as work which is associated with the normal maintenance of a property and which affects only the surface or finish characteristics of a structure. Types of work, which may be so classified, are:~~

- ~~1. Painting and wallpapering, no matter what the cost. (\$3,000 exception does not apply.)~~
- ~~2. Replacing or repairing flooring or carpeting in kind.~~
- ~~3. Replacing or repairing interior trim.~~
- ~~4. Repointing masonry unless located in the Historic District.~~

~~In general, for a work element to be considered a repair or replacement, the item, which is being repaired, must already exist. The above items are intended to represent individual replacement or repair work. When one or more of the above items are included in general renovations to structures, then all such items will be included in the construction cost and a permit is required.~~

~~Ordinary repairs do not include the cutting, removing or altering of any structural beam, joist, rafter or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements. Ordinary repairs also do not include additions to, alterations of, replacement or relocation of any fire protection system, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical equipment or other work affecting public health or general safety.~~

Exceptions: ~~(i.e. permit is required.)~~

- ~~1. Repairs or renovations made to the exterior facade of structures in the Historic District shall require a building permit application review by the Planning Department. When it is determined that Historic District Commission approval is required, then a building permit shall also be required.~~
- ~~2. When the total cost of ordinary repair work exceeds three thousand dollars (\$3,000). (i.e., a permit is required when repair value is more than \$3,000 including materials and labor. Homeowner/property owner labor value to be included.)~~

1202.2.4 Action on application. ~~Permits shall not be issued when there is found to be outstanding, non-inspected permit(s) already issued against a given property or when there are known non-conformances on the property. Only when outstanding permit(s) is (are) closed out and/or the non-conformances corrected, shall a new permit be issued.~~

Exception:

~~When permits are required to correct known non-conformances.~~

~~**1202.2.5 Time limitation of application.** An application for a permit shall be deemed to have been abandoned one year after the date of filing, unless such application has been diligently pursued or a permit has been issued, except that the building official may grant one (1) extension of time not exceeding twelve (12) months if there is reasonable cause and only when _ in writing prior to the application expiration date.~~

~~**1202.2.6 By whom application is made.** Application for a permit shall be made by the owner of the building or structure or by the authorized agent of either, or by the authorized contractor, registered design professional, employed by the owner, in connection with the proposed work. The full names and addresses of the owner, applicant and of the responsible officers, if the owner is a corporate body it shall be stated on the application. When the applicant is not the owner, it is assumed by the City that the owner is aware of the proposed work being applied for and that the applicant takes full responsibility for the information represented.~~

~~**1202.2.7 Expiration.** Every permit issued shall become invalid if the authorized work is not commenced within one year after issuance of the permit, or if the authorized work is suspended or abandoned for a period of one year after the time of commencing the work. The building official may grant one (1) extension of time not exceeding twelve (12) months if there is reasonable cause and only when requested in writing prior to the permit expiration date. Said extension will only be authorized when it does not conflict with any Federal, State or Local laws or ordinances. For a permit to be considered active, periodic inspections (no less than 6 months in between) must be requested and work progress documented by inspections. Work elements shall be items associated with the building permit scope of work.~~

~~**1202.2.8 Minimum progress required to keep permit extension active.** After an extension has been granted under 1202.2.7, work shall begin within the next twelve (12) month period and, shall have progressed such that a full foundation has been constructed and inspected in that same twelve (12) months. If the scope of work does not include a foundation, then within the same (first) twelve month period, framing shall be complete and inspected to a weather tight condition. When work involves a foundation, framing to a weather tight condition shall be complete and inspected within the next (second) twelve (12) month period. If the scope of work does not involve either a foundation or weather tight framing, work progress shall be at a final inspection stage within twenty-four (24) months from the date of granting the permit extension under 1202.2.7. Failure to achieve these milestones, shall cause the permit to become invalid.~~

~~**1202.2.9 Placement of permit.** The building permit field copy shall be posted in a window or other suitable location on site, such that said permit is visible from the primary city street. Where such posting is impracticable the building permit field copy shall be available on site for public viewing upon request. The building permit field copy may be removed once the certificate of occupancy has been issued or upon expiration of the building permit.~~

~~1202.2.10 Qualifications of persons doing trade work.~~

~~1202.2.10.1 Fuel Gas/Plumbing.~~ Pursuant to RSA 153:36, licensing requirements shall not apply to a homeowner from making fuel gas fitting and plumbing installations in or about a single family residence owned and occupied by him or her or to be occupied by him or her as his or her bona fide personal abode.

~~An affidavit from the property owner confirming the address is the bona fide personal abode of the property owner proposing to perform the electrical work shall be provided by the applicant prior to permit approval.~~

~~1202.2.10.2 Electrical.~~ Pursuant to RSA 319-G, licensing requirements shall not apply to a homeowner from making electrical installations in or about a single family residence owned and occupied by him or her or to be occupied by him or her as his or her bona fide personal abode.

~~An affidavit from the property owner confirming the address is the bona fide personal abode of the property owner proposing to perform the electrical work shall be provided by the applicant prior to permit approval.~~

~~1202.2.11 Submittal Documents~~

~~1202.2.11.1 Approval of construction documents.~~ The building official shall review and approve all submitted documents. The permit holder is responsible for complying with the comments and notes added during the permit review process. Approved plans and documents shall be maintained as part of the official permit construction documents.

~~1202.2.12 Phased approval.~~ A phased building permit shall not be issued until such time as the permit application is approved by the City Planning Department and all necessary bonds are posted.

~~1202.2.13 Fees~~

~~1202.2.13.1 Schedule of permit fees.~~ Fees shall be determined by budget resolution in accordance with Chapter 1, Article XVI of the Ordinances of the City of Portsmouth, NH.

~~1202.2.14 Work commencing before permit issuance.~~ Any person who is found to have demolished, constructed, altered, removed, or changed the use of a building or structure without the benefit of a building, electrical, plumbing, mechanical, or change in use permit shall, upon issuance of said permit(s), be assessed a fee as determined by the adoption of fees by budget resolution of the City Council in accordance with Chapter 1, Article XVI of the Ordinances of the City of Portsmouth, NH.

~~1202.2.15 Refunds.~~ The building official shall authorize the refunding of fees as follows:

- ~~1. The full amount of any fee paid hereunder which was erroneously paid or collected.~~
- ~~2. Not more than 50% of the permit fee paid when no work has been done under a permit issued in accordance with this Code.~~

~~The building official shall only authorize a fee refund when a written request is filed by the original permittee not later than one year after the date of fee payment. Refunds shall not be issued on permits that have expired under the conditions of this chapter.~~

~~**1202.2.16 City construction projects.** Fees shall not be assessed for work associated with projects undertaken by the City of Portsmouth. These projects may also include contract work done by private contracting firms hired directly by the City. This exemption shall not apply to projects done by the State Department of Public Works, Pease Development Authority, State Port Authority or the Portsmouth Housing Authority.~~

~~**1202.3 Inspections**~~

~~**1202.3.1 Inspection requests.** The permit holder shall allow a minimum of three work days (72 hours) from the time the building official is notified to the time the inspection is scheduled.~~

~~**1202.3.2 Re-inspection fee.** If, upon being called for any inspection, the work is not in compliance with this Code, written notice (including the specific code sections) will be provided clearly identifying the deficiencies. The permit holder shall be responsible for correcting the item(s) and for notifying the building official to re-inspect said deficiencies. When called to re-inspect, if these deficiencies have been corrected, no further action will be taken. However, if during the first re-inspection, the originally deficient work has not been corrected, there may be a re-inspection fee assessed as determined by the adoption of fees by budget resolution of the City Council in accordance with Chapter 1, Article XVI, which must be paid at the Inspection Office before a third inspection will be made. For each subsequent re-inspection of the same deficiency or deficiencies, the same procedure and fee shall be assessed.~~

~~During any inspection, the building official may find new item(s), not previously discovered, to be nonconforming. These item(s) will be noted on the building official's report, and will require re-inspections. Re-inspection fees will not be assessed for items newly found or for their first re-inspection. However, said fees shall be assessed for these items if a third inspection is required. The same procedures as outlined above shall govern. Failure to pay any re-inspection fees shall be just cause to revoke the permit under which the work was being done. Furthermore, no future permits will be issued to any person who owes the City of Portsmouth said re-inspection fees, until all outstanding fees are paid.~~

~~**1202.4 Certificate of Occupancy**~~

~~**1202.4.1 Use and occupancy.** A certificate of occupancy/completion shall be issued upon request, for completed work associated with a valid building permit.~~

~~**1202.4.2 Fee for Certificate of Use and Occupancy.** There shall be a fee assessed as determined by the adoption of fees by budget resolution of the City Council in accordance with Chapter 1, Article XVI, assessed to the holder of a permit for the issuance of a Certificate of Use and Occupancy when the following condition exists: When, during the final inspection phase, the building official is required to make a third inspection on a nonconforming item or items, a Certificate of Occupancy fee will be assessed for the third inspection, and each subsequent inspection for the same item(s). The fee will be paid prior to the building official performing the additional inspections. This procedure shall apply to building, electrical, plumbing, gas, mechanical, and fire inspections, independently.~~

~~**1202.5 Violations**~~

~~**1202.5.1 Violation penalties.** Any person who shall violate a provision of this Code or shall fail to comply with any of the requirements thereof or who shall erect, construct, alter or repair a building or structure in violation of an approved plan or directive of the building official, or of a permit or certificate issued under the provisions of this Code, shall be subject to the penalty provisions prescribed by RSA 155-A:8. Each day that the violation continues shall be deemed a separate offense.~~

~~**1202.6 Stop work order**~~

~~**1202.6.1 Unlawful continuance.** Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to the fines outlined in Section 1202.5.1 of this chapter.~~

~~**1202.7 Appeals**~~

~~**1202.7.1 Appeal process.** The City of Portsmouth Building Code Board of Appeals will hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the City Building Code. The appeal process is set forth in the Rules and Procedures adopted by the City's Building Code Board of Appeals which are incorporated by reference and adopted herein. See <https://www.cityofportsmouth.com/cityclerk/building-code-board-appeals>~~

SECTION 1203 COMMERCIAL AND RESIDENTIAL CONSTRUCTION

~~**1203.1 Special inspections and tests**~~

~~**1203.1.1 Cold-formed steel trusses.** Special inspections shall be required for all light gauge metal roof or floor truss installations. The special inspection shall verify and document the proper installation of all required bracing, both~~

~~temporary and permanent, and any special connection details required by either the design professional or the truss manufacturer.~~

~~**1203.1.2 Metal-plate-connected wood trusses.** Special inspections shall be required for all metal-plated wood roof or floor truss installations. The special inspection shall verify and document the proper installation of all required bracing, both temporary and permanent, and any special connection details required by either the design professional or the truss manufacturer.~~

~~**1203.2 Temporary Structures, as applicable**~~

~~**1203.2.1 General.** Pursuant to the approval by the City's Planning Department, the building official may issue a permit for temporary structures or uses. Such permit will be limited to the regulations set forth in the City's Zoning Ordinance and the City Building Code. Any temporary structure shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant one (1), 180-day extension for demonstrated cause.~~

~~**1203.3 Signs**~~

~~**1203.3.1 Zoning ordinance.** The City's Zoning Ordinance, Chapter 10, Article 12 of the City's Ordinances, regulates all signs, permanent signs, sign size, letter size and sign illumination. Refer to that ordinance for all sign criteria.~~

~~**1203.4 Historic Buildings**~~

~~**1203.4.1 Historic District.** The City of Portsmouth has delineated a special Zoning Overlay Historic District, which regulates all work done to the exterior facade of structures within said district. All such work requires a City Building Permit. Refer to the City Zoning Ordinance Chapter 10, Article 6 for specific details.~~

~~**1203.5 Design Criteria**~~

~~Ground snow load: 50 pounds per square foot (PSF)
Wind speed: 100 miles per hour (MPH)
Seismic Design Category: G
Weathering: Severe
Frost Line Depth: 4 feet to bottom of footing.
Termite: Slight to Moderate
Winter Design Temp.: (-) 3 degree days
Ice Barrier Underlayment Required: Yes
Flood Hazard: Flood Insurance Rate Map May 17, 2005
Air Freezing Index: 1000
Mean Annual Temperature: 47 degrees F~~

~~1203.6 Automatic fire sprinkler systems~~

~~1203.6.1 Design and installation.~~ Automatic residential fire sprinkler systems for townhouses shall be designed and installed in accordance with NFPA 13R or 13D as determined by the Authority Having Jurisdiction.

~~1203.7 Smoke alarms~~

~~1203.7.1 Power source.~~ Smoke alarms shall be supplied by a branch circuit that also supplies lighting loads serving habitable spaces. Smoke alarm circuit(s) shall be clearly labeled in the electric panel. The branch overcurrent protective device supplying the smoke alarms shall be clearly labeled "Smoke Alarms" in a manner that distinguishes it from other overcurrent protective devices.

SECTION 1204 PLUMBING

~~1204.1 Sewage disposal.~~ Private sewage disposal systems shall meet the requirements of City ordinances, State Law and RSA 485-A:29-44.

~~1204.1.1 Floor drains.~~ Floor drains shall be reviewed and approved by the City Engineer.

~~1204.2 General definitions.~~

~~Hot Water:~~ Water having a temperature range between 111 degrees F (43.9 degrees C) and 130 degrees F (54 degrees C).

~~Food service establishment.~~ Any fixed or mobile restaurant, temporary food service establishment, coffee shop, cafeteria, short order cafe, luncheonette, grill, tearoom, sandwich shop, soda fountain, tavern, bar, cocktail lounge, night club, industrial food service establishment, catering kitchen, commissary and any other eating or drinking establishment where food or beverages are prepared or served; whether private, public, profit or non-profit.

~~1204.3 Protection of pipes and plumbing system components.~~

~~1204.3.1 Freezing.~~ Water, soil and waste pipes shall not be installed outside of a building, in attics or crawl spaces, concealed in outside walls, or in any other place subject to freezing temperature unless adequate provisions are made to protect such pipes from freezing by insulation or heat or both. The Portsmouth Water/Sewer Ordinance requires building water service pipes to be 4 feet below grade, or adequately insulated to afford the same protection whenever a condition arises that the 4 feet cannot be attained.

~~**1204.3.2 Sewer depth.** Building sewers that connect to private sewage disposal systems shall conform to RSA 485-A relative to minimum depth below finish grade. Building drains that connect to public sewers shall be a minimum depth of 48 inches (1219 mm) below grade or be adequately insulated to afford the same protection whenever a condition arises that the 48 inches (1219 mm) cannot be attained.~~

~~**1204.4 Minimum water heater temperatures.** Tank type water heaters and indirect fired hot water storage tanks shall be maintained at a minimum temperature of 140 degrees F (60 degrees C) and shall be equipped with a temperature controlling device conforming to ASSE 1017 to limit the maximum "hot water temperature" to faucets as required by this code. 1204.2 restricts the upper end temperature of hot water to 130 degrees Fahrenheit.~~

~~**1204.5 Water Service.**~~

~~**1204.5.1 Size of water service pipe.** The water service pipe shall be sized to supply water to the structure in quantities and at the pressures required in the City Building Code. The minimum diameter of water service pipe shall be 1 inch.~~

~~**1204.5.2 Materials, joints and connections.** For water service pipe up to and including 3 inches (3") in diameter only type K copper or CT Pex shall be used. For water service pipe over 3 inches (3") in diameter only cement lined ductile iron shall be used.~~

~~**1204.6 Hot water supply systems.**~~

~~**1204.6.1 Child care and Group E water temperatures.** Water for hand washing sinks in child care and Group E occupancies shall be between 100 degrees F (37 degrees C) and 120 degrees F (49 degrees C).~~

~~**1204.7 Protection of potable water supply.**~~

~~**1204.7.1 Portsmouth Water Department backflow prevention criteria.** Backflow prevention at the water meter shall be accordance with 1204.7.1.1 through 1204.7.1.7.~~

~~**1204.7.1.1 Multiple tenant spaces.** All buildings that have more than three tenants or tenant spaces being served by one water service shall have two backflow preventers installed in parallel for uninterrupted service. When the building or tenant space does not have a known tenant, the water service to that building or tenant space shall have a reduced pressure zone backflow preventer installed on the building side of the water meter.~~

~~**1204.7.1.2 Dual check valve assemblies.** All new residential water services of less than or equal to 1 inch in size shall have at a minimum, a dual check valve backflow prevention assembly conforming to ASSE 1024. Said assembly shall be~~

~~installed on the water distribution side of the water meter, without a water meter bypass feature. Thermal expansion of water shall be addressed per the New Hampshire Building Code.~~

~~**1204.7.1.3 Existing water service.** When replacing or upgrading an existing water distribution piping system, a dual check valve backflow prevention assembly shall be installed on the water distribution side of the water meter, without a water meter bypass feature. Thermal expansion of water shall be addressed per the New Hampshire Building Code.~~

~~**1204.7.1.4 Double check valve assemblies.** All new residential water services greater than 1 inch in size shall have at a minimum, a double check valve assembly in accordance with the City of Portsmouth Backflow Prevention Ordinance listed in Chapter 16.~~

~~**1204.7.1.5 Bypass lines.** Bypass lines around required backflow preventers shall be protected with a backflow preventer of the same type in the bypass line. Refer to the City of Portsmouth Backflow Prevention Ordinance listed in Chapter 16 for additional backflow prevention requirements.~~

~~**1204.7.1.6 Auxiliary wells or water supplies.** Whenever an auxiliary well or water supply serves property that also has a domestic water service, the domestic water service shall have a reduced pressure principle backflow preventer installed on the water distribution side of the water meter in accordance with the City of Portsmouth Backflow Prevention Ordinance listed in Chapter 16:~~

~~Cross Connections. No Cross Connection shall be permitted between the public water supply and any other water supply, or between the public water supply and any plumbing fixture, device, or appliance capable of contaminating the public water supply unless the connection is protected at the metering point by a backflow prevention device as required by this ordinance. The connection shall be approved by the Utility and the New Hampshire Department of Environmental Services, and shall satisfy in all respects the laws of the State of New Hampshire.~~

~~**1204.7.1.7 Connection to lawn irrigation systems.** The potable water supply to lawn irrigation systems shall be protected against backflow by a pressure type vacuum breaker or a reduced pressure principle backflow preventer. Where chemicals are introduced into the system, the potable water supply shall be protected against backflow by a reduced pressure principle backflow preventer.~~

~~**1204.8 Sanitary drainage.**~~

~~1204.8.1 Sewer required.~~ Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer where available or an approved private disposal system. A building is considered available to a public sewer when said building is within 150 feet of a public sewer line. When a private subsurface disposal system is provided, a site plan shall document its location on the lot. Subsurface systems shall meet the requirements of RSA 485-A:29-44. A backwater valve shall be added to existing structures undergoing remodels or adding/finishing basement levels.

~~1204.9 Vent connections and grades.~~

~~1204.9.1 Vent for future fixtures.~~ Within a habitable or occupiable space at the lowest level of a structure where plumbing fixtures are not installed, there shall be made available an accessible vent connection, not less than 2" inch diameter, which is properly connected to the vent system to provide for future venting.

~~1204.10 Interceptors and Separators.~~

~~1204.10.1 Approval.~~ All interceptors and separators shall be of the type and capacity approved by the City Engineer. Each interceptor and each separator shall be designed and installed in accordance with the manufacturer's instructions and the requirements of this section based on the anticipated conditions of use. When exceptions are granted under the conditions of 1204.10.2, the applicant shall obtain in writing, approval from the City Engineer for said exceptions. Waste exempted from treatment by the City Engineer, shall not be discharged into separators or interceptors.

~~1204.10.2 Food service grease interceptors required.~~ New and remodeled food service establishments shall install a 1000 gallon in ground grease interceptor located outside the building envelope in addition to all required grease interceptors at fixtures inside the building. The grease interceptor shall receive drainage from fixtures and equipment with grease laden waste.

~~Exception 1:~~ When adequate in ground space is not available outside on the lot, a grease interceptor approved by the City Engineer and sized in accordance with the State Building Code shall be installed inside.

~~Exception 2:~~ When the Health officer and City Engineer do not feel the type of food service establishment warrants such protection.

~~Exception 3:~~ If the drain line connecting a grease laden fixture(s) to the in-ground interceptor exceeds 50 liner feet, then said fixture or fixtures, shall also be protected with a grease removal device as listed in the New Hampshire Building Code.

~~1204.10.3 Oil separators required.~~ The City Engineer shall approve all oil separator designs.

~~**1204.10.4 Access and maintenance of interceptors and separators.** All interceptors and separators shall be located to provide easy access for cleaning and inspection. Interceptors shall not be located in a pit below a slab on grade. Interceptors and separators shall be inspected, cleaned and repaired regularly as needed by the building owner at their expense. The building owner shall be responsible for the proper removal and disposal by appropriate means of the captured materials and shall maintain records of the dates and means of disposal. Said records shall be subject to periodic review by the City Engineer, City Health Officer or Building Official. Only licensed waste disposal companies shall perform removal and disposal operations of the collected materials.~~

~~**1204.11 Exterior showers.**~~

~~**1204.11.1 Exterior showers.** Exterior showers require a roof and an enclosure that is approved by the Building Official.~~

~~**1204.11.2 Rinse stations.** Exterior rinse stations do not require a roof and shall not include a drain that discharges into the City sewer. The discharge of grey water while using a rinse station is strictly prohibited. Greywater refers to laundry, dish, and bath/shower water; Greywater has adverse effects on aquatic life and public health by negatively impacting drinking water supplies, recreational activities, and wildlife.~~

SECTION 1205 MECHANICAL

~~**1205.1 Equipment and appliance location.**~~

~~**1205.1.1 Equipment noise.** Refer to the City of Portsmouth Zoning Ordinance, Chapter 10, Article 13 for the limitations of excessive noise from mechanical equipment operations. Noise from mechanical equipment shall not exceed the levels so stated.~~

~~**1205.6 Exhaust system.**~~

~~**1205.6.1 Mechanical equipment and terminations in the Historic District.** Mechanical equipment and equipment terminations shall comply with the City of Portsmouth Zoning Ordinance with respect to the allowable size of equipment and termination devices, without having to receive Historic District Commission approval.~~

~~**1205.7 Commercial kitchen hoods. 1205.7.1 Reserved.**~~

~~**1205.8 Chimneys and vents.**~~

~~**1205.8.1 Masonry chimneys.** Masonry chimneys shall be constructed in accordance with the New Hampshire Building Code and New Hampshire Fire Code (NFPA 211, the Standard for Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances).~~

~~1205.9 Masonry fireplaces.~~

~~1205.9.1 General.~~ Masonry fireplaces shall be constructed in accordance with the New Hampshire Building Code and the New Hampshire Fire Code (NFPA 211, the Standard for Chimneys, Fireplaces, Vents, and Solid Fuel Burning Appliances).

SECTION 1206 FUEL GAS

~~1206.1 Installation of piping.~~

~~1206.1.1 Reserved.~~

~~1206.2 Type of venting systems to be used.~~

~~1206.2.1 Through-the-wall vent termination.~~ Through-the-wall vents for mechanical draft-vented appliances shall terminate a minimum of 5 ft from property lines.

SECTION 1207 ELECTRICAL

~~1207.1 Definitions~~

~~1207.1.1 Townhouse.~~ A single family dwelling unit constructed in a group of three or more attached units in which each unit demising wall extends from foundation to roof and with a yard or public way on not less than two sides. The fire-rated wall from the concrete basement floor or slab shall be unbroken to the underside of the roof sheathing without any electrical through penetration.

~~1207.1.2 Enclosed interior exit stairway (stair tower).~~ Interior exit stairways not located in townhouses and one and two family dwellings serving as an exit component shall be enclosed and fire-rated and lead directly to the exterior of the building. The stairway shall not be used other than for means of egress (i.e. storage, seating, etc.).

~~1207.2 NM/NMC (Romex)~~

~~1207.2.1 Uses permitted.~~ Type NM and Type NMC cables shall be allowed in one and two family dwellings and townhouses, their attached or detached garages, and their storage buildings except as prohibited by NFPA 70.

~~1207.2.2 Uses not permitted.~~ Type NM and Type NMC cables shall not be exposed within a dropped or suspended ceiling cavity in other than one and two family and townhouses

~~1207.3 SER/SE (service entrance cable) 1207.3.1 Uses permitted.~~

~~1207.3.1.1 Service-Entrance conductors.~~ Service entrance cable shall be permitted to be used as service entrance conductors in townhouses and one and two family dwellings and shall be installed in accordance with NFPA 70

~~1207.3.1.2 Use of uninsulated conductor.~~ Type SE service entrance cable shall be permitted for use where the insulated conductors are used for circuit wiring and the uninsulated conductor is used only for equipment grounding purposes in townhouses and one and two family dwellings.

~~1207.3.2 Uses not permitted.~~

~~1207.3.2.1 Service-entrance cable (SE).~~ Service entrance cable shall not be used in any type of building or structure other than townhouses and one and two family dwellings.

~~1207.4 GFCI protection~~

~~1207.4.1 Dwelling units.~~ All 125 volt through 250 volt outlets and receptacles installed in the locations specified in NFPA 70 and supplied by single phase branch circuits rated 150 volts or less to ground shall have ground fault circuit interrupter protection for personnel.

~~1207.4.2 Other than dwelling units.~~ All 125 volt through 250 volt outlets and receptacles supplied by single phase branch circuits rated 150 volts or less to ground, 50 amperes or less, and all receptacles supplied by three phase branch circuits rated 150 volts or less to ground, 100 amperes or less, installed in the locations specified in NFPA 70 shall have ground fault circuit interrupter protection for personnel.

~~1207.4.3 General.~~ The following appliances rated 120 thru 250 volts and 60 amperes or less, single or 3-phase, shall be provided with class-A GFCI protection for personnel. Multiple class-A GFCI protective devices shall be permitted but shall not be required:

- ~~1. Automotive vacuum machines~~
- ~~2. Drinking water coolers and bottle fill stations~~
- ~~3. Cord and plug connected high pressure spray washing machines~~
- ~~4. Tire inflation machines~~
- ~~5. Vending machines~~
- ~~6. Sump pumps~~
- ~~7. Dishwashers~~
- ~~8. Ranges, ovens, and grills~~
- ~~9. Electric dryers~~
- ~~10. Mixers in commercial kitchens~~
- ~~11. Any cooking appliance in commercial kitchens~~
- ~~12. Hotplates, crock pots~~

~~1207.5 Arc fault protection.~~ Reserved ~~1207.6 Identification of electrical systems.~~

~~1207.6.1 Emergency system.~~ Emergency circuits shall be permanently marked in yellow so they will be readily identified as a component of an emergency circuit or system by the following methods:

- ~~1. All boxes and enclosures (including transfer switches, generators, and power panels) for emergency circuits shall be permanently marked in yellow as a component of an emergency circuit or system.~~
- ~~2. Where boxes or enclosures are not encountered, exposed cable or raceway systems shall be permanently marked in yellow to be identified as a component of an emergency circuit or system, at intervals not to exceed (10 ft).~~
- ~~3. Receptacles supplied from the emergency system shall have a distinctive color or marking on the receptacle cover plates or the receptacles identified in yellow.~~

Note: If a system for an existing building has a different color for the system than this section, then existing color shall be continued in the building

~~1207.6.2 Boxes, enclosures, raceways.~~ In a building or at a structure where a critical operations power system and any other type of power system are present, all boxes and enclosures (including transfer switches, generators, and power panels) for critical operations power system circuits shall be permanently marked in blue so they will be readily identified as a component of the critical operations power system. All raceways must be permanently marked every 10' in blue so will be readily identified as a component of a critical operation power system.

~~1207.6.3 Receptacles.~~ In a building in which critical operations power systems (COPS) are present with other types of power systems described in other sections in this article, the cover plates for the receptacles or the receptacles themselves supplied from the COPS shall have a distinctive blue color or marking so as to be readily identifiable. Non-locking type, 125-volt, 15- and 20-ampere receptacles supplied from the COPS shall have an illuminated face or an indicator light to indicate that there is power to the receptacle

~~1207.6.4 Life safety and critical.~~ The life safety branch and critical branch [of the essential electrical system] shall be kept independent of all other wiring and equipment. Raceways, cables, or enclosures of the life safety branch must be identified in yellow and critical branch shall be readily identified in orange as a component of the essential electrical system (EES). Boxes and enclosures (including transfer switches, generators, and power panels) shall be field or factory marked and identified as a component of the EES. Raceways and cables shall be field or factory marked as a component of the EES at intervals not to exceed (10 ft).

~~1207.6.5 Photovoltaic.~~ Unless located and arranged so the purpose is evident, the following wiring methods and enclosures that contain PV system AC and DC circuit

conductors shall be marked with the wording PHOTOVOLTAIC POWER SOURCE or SOLAR PV DC CIRCUIT, or SOLAR PV AC CIRCUITS by means of permanently affixed labels or other approved permanent marking:

1. Exposed raceways, cable trays, and other wiring methods
2. Covers or enclosures of pull boxes and junction boxes
3. Conduit bodies in which any of the available conduit openings are unused

The labels or markings shall be visible after installation. All letters shall be capitalized and shall be a minimum height of 9.5 mm ($\frac{3}{8}$ in.) in white on a red background. Labels shall appear on every section of the wiring system that is separated by enclosures, walls, partitions, ceilings, or floors. Spacing between labels or markings, or between a label and a marking, shall not be more than 3 m (10 ft). Labels required by this section shall be suitable for the environment where they are installed.

1207.7 Definitions specific to 1207.6 thru 1207.6.4

1. Critical Branch.

A system of feeders and branch circuits identified in orange supplying power for task illumination, fixed equipment, select receptacles, and select power circuits serving areas and functions related to patient care that are automatically connected to alternate power sources by one or more transfer switches during interruption of the normal power source.

2. Equipment Branch.

A system of feeders and branch circuits identified in green arranged for delayed, automatic, or manual connection to the alternate power source and that serves primarily 3-phase power equipment.

3. Essential Electrical System.

A system comprised of alternate sources of power and all connected distribution systems and ancillary equipment, designed to ensure continuity of electrical power to designated areas and functions of a health care facility during disruption of normal power sources, and also to minimize disruption within the internal wiring system.

4. Life Safety Branch.

A system of feeders and branch circuits identified in yellow supplying power for lighting, receptacles, and equipment essential for life safety that is automatically connected to alternate power sources by one or more transfer switches during interruption of the normal power source.

1207.8 Generators.

1207.8.1 Location.

1. Generator shall not be installed within 5' of any building or structure without manufacturer's approval and as specified in the New Hampshire Fire Code.
2. Generator exhaust shall not be located within 5' of any building or structure.

~~3. Generator shall be located at least 10' from openings in walls. This section recognizes the potential danger of deadly carbon monoxide gas entering the structure and injuring the occupants. Building openings could be, but are not limited to, the following:~~

- ~~1. Basement doors & bulkhead openings~~
- ~~2. Basement windows~~
- ~~3. Exit doors or sliding glass openings~~
- ~~4. Operable windows~~
- ~~5. Dryer vents~~
- ~~6. Kitchen appliance vents~~
- ~~7. Mechanical exhaust vents for heating or hot water appliances~~
- ~~8. Air intake openings or screens~~

~~1207.9 Electrical system disconnecting means.~~

~~1207.9.1 Remote emergency shutdown.~~ Generators with greater than 8 KW rating, other than cord connected portable generators shall be provided with a remote emergency stop switch to shut down the prime mover. The remote emergency stop switch shall be located outside the equipment room or generator enclosure, an additional remote emergency shutdown device shall be installed next to the service disconnect, said device shall also meet the requirements of the NFPA 70.

~~1207.9.2 Emergency shutdown for One- and Two-Family dwelling units.~~

For other than cord and plug connected portable generators, an emergency shutdown device shall be located outside the dwelling unit at a readily accessible location next to the service disconnect outside the dwelling, or next to the meter in existing dwelling where the service conductors enter the dwelling.

~~1207.9.3 Emergency disconnect – battery system.~~ For one family and two family dwellings, a disconnecting means or its remote control for a stationary battery system shall be located at a readily accessible location outside the building next to the service disconnecting means or meter for emergency use. The disconnect shall be labeled “EMERGENCY DISCONNECT FOR BATTERY SYSTEM”

~~1207.9.4 Rapid shutdown of PV systems on buildings.~~ PV system circuits installed on or in buildings shall include a rapid shutdown function to reduce shock hazard for firefighters in accordance with the NFPA 70. The rapid shutdown device shall be located at the service disconnect or meter location for a townhouse or one and two family dwelling.

~~1207.10 Device or equipment fill.~~ For each yoke or strap containing large devices such as GFCI's, dimmer switches, motion sensors, and large 2-gang devices capable of containing one or more devices or equipment, 4 times the volume allowance.

~~**1207.11 Marina protection.** Where more than three receptacles supply shore power to boats, a leakage current measurement device shall be available (a meter specially designed for measuring leakage currents), and be used to determine leakage current from each boat that will utilize shore power. An automatic measuring device shall be installed on the docks that will trip the GFPE device feeding the docks. This device shall be installed in the water to measure the current introduced by the boats, and will disconnect the feeders from the utility source. This automatic device must run through a shunt trip breaker or other means that will disconnect the feeders to the docks. This device must be protected by a class A GFCI for personal protection and shall not be installed on the shore power overcurrent device. The automatic measuring device must be protected from physical damage and be listed for its use. A visual strobe light and a horn shall be located on the device as this will warn personal that may be on the docks or in the water to the presence of electrical current. This device must be approved by the Building Official and installed in accordance with the manufacturers specifications.~~

~~**1207.12 NFPA adoption.** Pursuant to RSA 674:51 a, the City of Portsmouth, New Hampshire, hereby adopts the current final revised printed edition of the NFPA 70 / NEC, a Code promulgated by the International Code Conference.~~

SECTION 1208 GREEN BUILDING

~~**1208.1 Incentives.** This section is intended to incentivize and encourage the use of green building practices and materials.~~

- ~~1. Photovoltaic Reserved~~
- ~~2. Electric Vehicle Chargers Reserved~~
- ~~3. Mini-split Heat Pumps Reserved~~
- ~~4. Insulation Reserved~~
- ~~5. Water conservation including the use of reclaimed or recycled water Reserved~~

~~**1208.2 Allowance for future PV panels or EV charging station.**~~

~~**1208.2.1 New Construction Reserved**~~

~~**1208.2.2 Existing Buildings Reserved**~~

SECTION 1209 SEPERABILITY

~~Should any section, clause, or provision of this City Building Code be declared by a court of competent jurisdiction to be invalid, such invalidity shall not affect other provisions or applications of the City Building Code which can be given effect without the invalid provision or application, and to this end the provisions of the City Building Code are declared to be severable.~~

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 effective date.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Sally A. Kellar, City Clerk

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on Monday, August 3, 2026, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, 1 Junkins Avenue, Portsmouth, NH, for the City Council to set parking fees consistent with staff recommendations for on-street and lot parking pursuant to Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure. The Staff Memorandum regarding recommended fees is available for review in the Office of the Portsmouth City Clerk and Portsmouth Public Library, during regular business hours.

KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY CITY CLERK

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KATELYN A. GRIGGS
PORTSMOUTH, NH DEPUTY
CITY CLERK

City of Portsmouth

Department of Public Works



MEMORANDUM

TO: Karen Conard – City of Portsmouth City Manager
Carl Weber – Deputy City Manager

FROM: Benjamin Fletcher – Director– Parking Division
Peter Rice – Director – Department of Public Works

DATE: 5.29.2026

SUBJECT: Response to Council Request for On-Street & Lot Pricing Analysis

On 5/4/2026, the City Council requested a report back and analysis of hourly parking rates for On-Street parking and City Lots given the anticipated rate increase at the Foundry and Hanover Garages. Below are the Parking Division's recommendations and key points for the Council to consider.

Resident Users – No Changes

The Division **recommends no change to the price structure currently enjoyed for On-Street and Parking Lot rates by residents** who have registered for the Resident Parking Program and receive a discount while using the ParkMobile App. Those rates are currently \$1.25 per hour for the first 3 hours, and \$2.25 per hour thereafter.

In the updated 2025 Parking Principles, **Statement #7** reads: "Parking policies and programs should recognize the differences in needs between long-term and short-term parkers and include incentives which encourage use of off-street public parking facilities for long-term parkers seeking less expensive accommodation and promote availability for short-term parkers seeking proximity for quick errands."

Portsmouth has three distinct parking inventories for transient (visitor) traffic:

1. On-Street & Lot Parking;
2. Hanover Garage; and
3. Foundry Garage

They are each priced differently to encourage different types of usage, with a holistic approach to the entire system.

On-Street & Lot Parking

This is the highest-demand inventory in the City's portfolio, and is priced to encourage higher turnover. Prior to 2020, the City enforced a three-hour time limit on all On Street & Lot inventory. The main complaint the Parking Division received was frustration from visitors who felt punished for overstaying their welcome after the three-hour limit. The City shifted from ticketing after three hours to a Stay & Pay pricing model in 2020. Under the Stay & Pay model, pricing for the first three hours remained at \$2 per hour, while hours

4 and beyond increased to \$5 per hour, allowing for extended stays at the increased rate. This methodology provides an economic incentive for motivated users to vacate the space, making it available for the next visitor. This incentive is in place to support local businesses by helping to ensure that space is available near downtown storefronts. **The average Length of Stay (LOS) for this inventory is 1.96 hours.**

Hanover Garage

The Hanover Garage is currently priced at a flat \$2 per hour, matching the first 3 hours for the On Street rate but it does not escalate at the 4th hour. This encourages shoppers and diners to access the Hanover Garage when seeking to stay for longer periods. **The average LOS at Hanover is 3.78 hours.**

Foundry Garage

The Foundry Garage is currently priced at a flat \$1 per hour. This encourages those visiting for the day or working downtown to utilize this inventory. **The average LOS at Foundry is 8.85 hours, largely driven by the Downtown Workforce Program. LOS for the non-workforce user group at Foundry is 5.99 hours.**

Park Once Philosophy

Pricing the system in this manner adheres to an Industry Standard practice called the Park Once Philosophy, which encourages drivers to park their vehicles once, then accomplish all subsequent errands via walking or alternative modes of transportation. This practice helps to reduce pollution and the City's carbon footprint, while simultaneously reducing congestion and making the City safer for pedestrians and cyclists. It also has the effect of increasing walk-in traffic for local businesses and longer stays at eating establishments.

Garage Pricing Changes for FY27

In March 2026, the Fee Schedule Study Committee voted to adjust the hourly parking rates at both garages, effective July 1, 2026 as follows:

- Hanover changing from \$2 per hour to \$3 per hour
- Foundry changing from \$1 per hour to \$2 per hour

Without making a change to the On-Street & Lot pricing, a 4-hour stay in Hanover (\$12) will be more expensive than a 4-hour stay in On-Street at \$11. This will naturally have the effect of increasing demand for the On-Street inventory, working against the current use profiles and the goals of the program.

Recommendation

For this reason, the Division recommends increasing the City's On-Street inventory from the current rate of \$2 for each of the first 3 hours and \$5 thereafter, to \$3 for the first 3 hours, and \$6 thereafter. This recommended increase in On-Street parking rates is consistent with the changes at both the Hanover and Foundry facilities, and will maintain the important behavioral relationship between the three inventories.

The Legal Department will be providing a separate report back on the method of adopting On-Street Parking Lot rates.

Revenue

Calculating actual usage from the past 365 days, this pricing change is estimated to generate roughly \$2M in additional revenue for the Parking Division. This calculation assumes the following:

- A 5% reduction in On-Street usage as consumers adjust to the change
- A 5% increase in garage usage for transient visitors
- Traffic volumes remain consistent year over year

History of Parking Pricing Adjustments

The City introduced the Resident Discount for registered residents using the Parkmobile app in February 2018. Additionally, the City introduced the Stay & Pay pricing model on August 17, 2020, and eliminated the B-Zone rate on April 15, 2024, synchronizing all On-Street & Lot Parking pricing to one zone.

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 10, ZONING ORDINANCE, be amended as follows:
Article 2- Administration and Enforcement, Section 10.234 –
Procedures for Variances, Special Exceptions and Appeals from
Decisions of the Code Official; Section 10.246 Expiration and
Abandonment of Approvals and Section 10.1017.70 Expiration and
Extension be amended as follows (deletions from existing language
~~stricken~~; additions to existing language **bolded**; remaining language
unchanged from existing):

10.234 Procedures for Variances, Special Exceptions and Appeals from
Decisions of the Code Official

10.234.50 In any case in which the **Board** of Adjustment is required to give notice of
a public hearing, ~~such notice shall be provided~~ in accordance with ~~the~~
~~provisions of State law, all persons owning property within 300 feet of~~
~~the property involved in the appeal or request shall be given notice in the~~
~~manner set forth by State law, provided that failure to give notice beyond~~
~~statutory requirement shall not give rise to any right of appeal or protest.~~
~~The requirements of this paragraph shall not apply in Character Districts 4~~
~~and 5 (CD4 and CD5) and the Downtown Overlay District.~~

Section 10.240 Conditional Use Permits

10.246 Expiration and Abandonment of Approvals

10.246.10 ~~Except as otherwise allowed in this section, A~~ a conditional use permit
shall expire unless a **building permit** is obtained within a period of one
year from the date granted, unless otherwise stated in the conditions of
approval. ~~The Board may, for good cause shown, extend such period by as~~
~~much as one year if such extension is requested and acted upon prior to the~~
~~expiration date. No other extensions may be requested.~~

~~Where a conditional use permit is approved in conjunction with a site plan,
the conditional use permit shall remain valid for the duration of the
associated site plan approval, including any extensions granted under the
Site Plan Review Regulations. Additional extensions beyond the initial
one-year extension may be granted only when concurrent with a Planning
Board extension of the associated site plan approval.~~

~~For any conditional use permit not approved in conjunction with a site plan
under Article 10, the Planning & Sustainability Director may, for good
cause shown, grant the first extension of up to one (1) year, provided the
request is submitted prior to the expiration date. Any subsequent extension~~

shall require approval following a public hearing by the Planning Board and shall not exceed one (1) additional year.

10.1017.70 Expiration and Extension

10.1017.71 A conditional use permit shall expire one year after the date of approval by the Planning Board unless a **building permit** is issued prior to that date.

10.1017.72 **Extensions of a Wetland Conditional Use Permit may be granted in accordance with Section 10.246.10.** ~~The Planning Board may grant a one-year extension of a conditional use permit if the applicant submits a written request to the Planning Board prior to the expiration date. Any other extension may be granted only after a new public hearing on the reconsideration of the application.~~

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:

Sally Kellar, City Clerk



Karen S. Conard
City Manager

CITY OF PORTSMOUTH

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

Date: July 31, 2026

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 August 3, 2026

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

A. Public Hearing and Adoption of Resolution #13-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Five Hundred Thousand Dollard (\$6,500,000) for costs related to:

- **School Facilities Capital Improvements**
- **Elementary Schools Upgrade**
- **Elementary Schools Playground Upgrade**
- **School Facilities – Pavement and Roofing**

This is a public hearing for the following projects:

- **School Facilities Capital Improvements - \$700,000**

The Portsmouth School Department has maintenance responsibilities for six (6) buildings and their associated grounds. These appropriations support a variety of improvement projects including energy efficiency upgrades, infrastructure replacement, athletic complex improvements, interior and exterior renovations, and enhanced security systems.

- **Elementary Schools Upgrade - \$5,000,000**

This appropriation supports continued improvements to elementary school infrastructure. Comprehensive interior renovations at New Franklin are scheduled for FY2027 and FY2028, including accessibility upgrades, enhanced security at building entrances, asbestos removal, air-handling system improvements, and expanded storage capacity. New Franklin School faces significant space challenges that have resulted in overcrowding and improvised learning areas. The facility often falls short of modern standards, especially in spaces critical to student success such as intervention services, special education, and flexible learning environments.

- **Elementary Schools Playground Upgrade - \$500,000**

This appropriation is for the upgrading of the playgrounds at our Elementary Schools. Current school play spaces are aging, with Little Harbour and New Franklin's playgrounds now being 25 years old. The City is looking to address accessibility and equity concerns. Current regulations require the City to provide a resilient solid surface material to ensure accessibility for all students.

- **School Facilities - Pavement and Roofing - \$300,000**

These appropriations are used for building and grounds improvement projects, including paving and roofing. The district maintains approximately 521,019 square feet of roofing and 903,109 square feet of pavement requiring ongoing repairs and replacement.

I recommend that the City Council move to adopt #13-2026 Resolution as presented.

B. Public Hearing and Adoption of Resolution #14-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Million Four Hundred Eighty-Five Thousand Dollars (\$6,485,000) for costs related to:

- **Ambulance Replacement Program**
- **Municipal Building Audit – Implementation**
- **Citywide Facilities Capital Improvements**
- **Hampton Branch Rail Trail (NH Seacoast Greenway)**
- **Citywide Storm Drainage Improvements**
- **The Creek Neighborhood Reconstruction**
- **Vaughan Mall Restoration**
- **Police Facility and Municipal Complex Design**

This is a public hearing for the following projects:

- **Ambulance Replacement Program - \$435,000**

This project continues the CIP Rolling Stock Replacement Program for the City's ambulances. The goal is to keep three ambulances in frontline service and one spare in reserve, with the reserve to be utilized for routine planned maintenance on frontline units, details, and special events. The City's 2017 Ambulance is scheduled for replacement in FY27. The City's 2019 Ambulance is scheduled for replacement in FY28. The City's 2024 Ambulance is scheduled for replacement in FY29. Funds for these vehicles include the purchase of the vehicle with a complete set-up including radio, lettering, striping, and equipment.

- **Municipal Building Audit – Implementation - \$500,000**

Consistent with the Climate Action Plan Priority Action BE-6, the City is working on an audit of all municipal facilities. This project seeks to follow-up on that study and

implement findings from the City's audit with, where possible, prioritization of measures that reduce greenhouse gas emissions.

- **Citywide Facilities Capital Improvements - \$550,000**

The Public Works Department is responsible for maintaining all General Fund municipal facilities. These City facilities serve multiple uses. Many facilities need to be updated due to age and usage. Deferred maintenance, and inflation have increased the cost of facilities maintenance. A backlog of projects is provided in the CIP.

- **Hampton Branch Rail Trail (NH Seacoast Greenway) - \$300,000**

In 2019, the NH Department of Transportation acquired the rail corridor and converted it to a gravel base multiuse trail extending from Portsmouth to Hampton which officially opened September 4, 2024. The City's portion will include additional costs required to support construction of additional neighborhood connections to the trail as well as any amenities such as interpretive signs. Funds for FY27 will go towards completion of the Greenway portion of the trail along the North Mill Pond.

- **Citywide Storm Drainage Improvements - \$600,000**

The City owns and maintains storm drains, catch basins, stormwater treatment systems, and outfalls. Many of these structures are failing and need upgrades. The drainage system is repaired and upgraded as part of specific capital projects, roadway reconstruction, and prior to annual paving. In addition to pipe work, the existing stormwater ponds and swales need to be maintained.

Funding for this work will come from the Sewer Enterprise Fund and the General Fund. The FY27 request includes \$200,000 to establish and support implementation of a separate Stormwater Enterprise Fund.

- **The Creek Neighborhood Reconstruction - \$800,000**

This project will address water, sewer, drainage, and streetscape improvements in the Creek Neighborhood. It will be implemented in phases similar to the McDonough Street area project completed in 2019. Phase one will include design and the development of the phased implementation plan.

- **Vaughan Mall Restoration - \$500,000**

Monies will be used to restore/improve Vaughan Mall surface features after utility replacement and capacity expansion are completed. The City is progressing a landscape design to be completed after temporary paved stabilization is completed. This project includes improvements to walkways and surface treatments, curbing, plantings, art, lighting, and other aesthetic and functional improvements to better utilize the space for residents and visitors of Portsmouth.

- **Police Facility and Municipal Complex Design - \$2,800,000**

This project was initially intended to address the measurable needs of the Police Department facility. This project has been expanded to include the Municipal Government areas of the City Hall complex to improve resident service and to address deferred maintenance. This \$2.8 million represents the remainder of the \$4.2 million identified in prior CIPs for the improvement design. These funds will support the design and planning of improvements to the Municipal Complex once the conceptual design is complete.

I recommend that the City Council move to adopt Resolution #14-2026 as presented.

C. **Public Hearing and Adoption of Resolution #15-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act of up to Six Hundred Thousand Dollars (\$600,000) for the costs related to the purchase of one fire apparatus:**

This is a public hearing for the following project:

- **Vehicle Replacement – Marine #1 - \$600,000**

This request is for the replacement of Marine #1. The Coast Guard is reviewing its staffing challenges and subsequently lifesaving missions, and may require more assistance from local partners. This project would increase the safety of the operating platform for crews on the water. The Fire Department is working regionally to address potential coverage issues in the marine environment, and this project will address any shortfalls. Funding for FY27 has been reduced from \$900,000 to \$600,000.

I recommend that the City Council move to adopt Resolution #15-2026 as presented.

D. **Public Hearing and Adoption of Resolution #16-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan Program up to Four Million Nine Hundred Thousand Dollars (\$4,900,000) for costs related to:**

- **Annual Water Line Replacement**
- **Well Stations Improvements**
- **Madbury Water Treatment Plan – Facility Repair and Improvements**
- **Portsmouth and Collins Wells – Treatment**
- **The Creek Neighborhood Reconstruction**
- **Vaughan Mall Restoration**

This is a public hearing for the following projects:

- **Annual Water Line Replacement - \$1,500,000**

The water distribution system consists of more than 150 miles of pipe. Many of the older pipes are 50 to 100 years old, undersized, and at the end of their design life. Pipes are replaced programmatically as part of water specific capital projects,

roadway reconstruction, and prior to annual paving. This item will fund the purchase and installation of pipe, valves, and associated materials used to replace those pipes. This project provides funding for large, full road reconstruction projects and individual pipe replacement projects.

- **Well Stations Improvements - \$1,000,000**

This project involves upgrades to existing wells and pumping facilities. Improvements include upgrades to infrastructure, and pumping, treatment, and communications equipment, as well as management of site and protective areas, and upgrades associated with regulatory requirements.

- **Madbury Water Treatment Plant – Facility Repair and Improvements - \$500,000**

The City's surface water treatment facility located in Madbury began operation in 2011. Since that time, facility maintenance items have been covered by operational line-item budgets. After more than 14 years of continuous operation, the facility is beginning to see wear that needs to be addressed with more than annual maintenance. These items include the replacement of the water treatment filter media, wash water basin repair, replacement of water pump drives, replacement of building siding, and the construction of a storage shed for equipment and spare parts.

- **Portsmouth and Collins Wells – Treatment - \$600,000**

This project involves the design of a PFAS treatment facility for the Portsmouth Well and the Collins Well. Both of these wells have been impacted by the PFAS contamination at the former Pease Air Force Base. The US Air Force has not yet committed funds to the City for the treatment of these wells. The US EPA deadline for treatment is currently 2029; however, EPA has proposed revisions to the rule that will extend this deadline to 2031. The regulations finalized in 2024 set drinking water limits at levels below the PFAS levels currently measured in these wells. This facility will be designed to provide compliance with these new regulations. Funds will continue to be requested from the Air Force to reimburse the City's expenses for this project.

- **The Creek Neighborhood Reconstruction - \$800,000**

This project will address water, sewer, drainage, and streetscape improvements in the Creek Neighborhood. It will be implemented in phases similar to the McDonough Street area project completed in 2019. Phase one will include design and the development of the phased implementation plan.

- **Vaughan Mall Restoration - \$500,000**

Monies will be used to restore/improve Vaughan Mall surface features after utility replacement and capacity expansion are completed. The City is progressing a

landscape design to be completed after temporary paved stabilization is completed. This project includes improvements to walkways and surface treatments, curbing, plantings, art, lighting, and other aesthetic and functional improvements to better utilize the space for residents and visitors of Portsmouth.

I recommend that the City Council move to adopt Resolution #16-2026 as presented.

E. **Public Hearing and Adoption of Resolution #17-2026 authorizing a Bond Issue and/or Notes of the City under the Municipal Finance Act and/or participation in the State Revolving Fund (SRF) Loan Program of up to Three Million One Hundred Thousand Dollars (\$3,100,000) for the costs related to:**

- **Wastewater Pumping Station Improvements**
- **Peirce Island Wastewater Treatment Facility**
- **Citywide Storm Drainage Improvements**
- **Vaughan Mall Restoration**

This is a public hearing for the following projects:

- **Wastewater Pumping Station Improvements - \$500,000**

The City owns and operates 20 wastewater pumping stations. Pump stations require recurring maintenance, and equipment upgrades to continue operations. This project plans for major rehabilitation of pumping stations and/or force mains that have not been included as separate projects in the CIP, with work to generally follow the recommendations detailed in the 2019 Wastewater Pumping Station Master Plan.

- **Peirce Island Wastewater Treatment Facility - \$1,500,000**

Funds will be used to upgrade the facility's chemical storage building. Chemical building improvements were previously value engineered from the treatment facility upgrade.

- **Citywide Storm Drainage Improvements - \$600,000**

The City owns and maintains storm drains, catch basins, stormwater treatment systems, and outfalls. Many of these structures are failing and need upgrades. The drainage system is repaired and upgraded as part of specific capital projects, roadway reconstruction, and prior to annual paving. In addition to pipe work, the existing stormwater ponds and swales need to be maintained.

Funding for this work will come from the Sewer Enterprise Fund and the General Fund. This request includes \$200,000 to establish and support implementation of a separate Stormwater Enterprise Fund.

- [Vaughan Mall Restoration - \\$500,000](#)

Monies will be used to restore/improve Vaughan Mall surface features after utility replacement and capacity expansion are completed. The City is progressing a landscape design to be completed after temporary paved stabilization is completed. This project includes improvements to walkways and surface treatments, curbing, plantings, art, lighting, and other aesthetic and functional improvements to better utilize the space for residents and visitors of Portsmouth.

I recommend that the City Council move to adopt Resolution #17-2026 as presented.

F. **First Reading for Annual Omnibus Ordinance, Amending Chapter 7, Vehicles, Traffic and Parking:**

[Attached please find the annual omnibus set of ordinances recommended by the Parking and Traffic Safety Committee to be presented to the City Council.](#) This year's omnibus changes are detailed on [the attached sheets](#), and address amendments to the parking ordinance regarding 15-minute parking, no parking, and limited hours loading zones.

By way of background, on March 29, 2000, the City Council adopted Ordinance #4-2000 under Chapter 7, Article I, Section 7.103 of the Vehicles, Traffic and Parking Ordinance. This ordinance was adopted in order to be more responsive to the changing parking needs of downtown. Before its adoption, it often took three readings of the City Council to simply change a parking space from a two-hour time restriction to a 15-minute one. This process would often take three to four months to complete.

The current ordinance authorizes the Parking and Traffic Safety Committee to recommend temporary parking and traffic regulations to the City Council for its approval in the form of its monthly meeting minutes. Once the Council approves these minutes, the temporary regulations are in effect for a period not to exceed one year. During that year the Council and the public have the benefit of seeing how a temporary regulation works before adopting it as a permanent change to the parking ordinance. These temporary regulations are presented at one time to the Council for its consideration.

If adopted, the following sections of the parking ordinance would be amended: Chapter 7, VEHICLES, TRAFFIC and PARKING, Article III, TRAFFIC ORDINANCES, Section 7.326, Limited Parking - Fifteen Minutes and Section 7.330 A, No Parking; and Article VI, LOADING ZONES, Section 7.601, Limited Hours Loading Zones.

The [attached amendments to Chapter 7 for the Council's consideration](#) summarize the temporary regulations implemented by the Parking and Traffic Safety Committee over the past twelve months.

I recommend that the City Council move to pass first reading of the Annual Omnibus Ordinance amending Chapter 7, VEHICLES, TRAFFIC and PARKING, Article III, TRAFFIC ORDINANCE, Section 7.326, Limited Parking – Fifteen Minutes, Section 7.330 A, No Parking, and Article VI, LOADING ZONES, Section 7.601, Limited Hours Loading Zones and schedule a public hearing and second reading at the August 17, 2026 City Council meeting.

G. Public Hearing and Second Reading of Ordinance Amending Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for Use of Public Property, Relative to Section 6.111, Fees:

The City Council recently adopted new fees for encumbrance permits and licenses through the adoption of the FY27 Fee Schedule through budget resolution on June 8, 2026. The FY27 Fee Schedule increases the charge per square foot for encumbering City property through licenses from \$.05 to \$.10 per square foot, increases fees for encumbrance permits from \$50 to \$150 and creates a new \$300 fee for encumbrance extensions.

[The attached amendment to the ordinance on Licenses and Encumbrances \(Chapter 6, Article I, Section 6.111\)](#) is a housekeeping measure that adds a reference to the fee adoption process in the Administrative Code (Chapter 1, Article XVI, Section 1.601) for the adoption of license and encumbrance permit fees.

The Council passed first reading on July 13, 2026 and has scheduled a public hearing and second reading at this evening's meeting. If the Council passes this ordinance, City Council Policy No. 2018-02, License Fee For Encumbrance of City Property, should be repealed because the recent changes to Chapter 6 and the adoption of the FY27 Fee Schedule make this Policy obsolete. Both the Policy and the portion of the FY27 Fee Schedule referenced are [attached for informational purposes](#).

I recommend that the City Council move to pass second reading and schedule a third and final reading for August 17, 2026 regarding an ordinance amending Chapter 6, Licenses and Encumbrances, Article I, Encumbrance Permits and Licenses for use of Public Property, Section 6.111, Fees, as presented.

H. Public Hearing and Second Reading of Ordinance Amendment to Chapter 12, City of Portsmouth Building Code, Section 1201 through 1209, by deleting and replacing the entire Chapter:

Over the last several years, the New Hampshire Legislature has passed laws limiting a municipality's ability to amend the State of New Hampshire's Building Code ("Building Code"), and most recently adopted several amendments to laws regarding the Building Code. Effective July 1, 2026, the Building Code will include the most recent version (2024) of many of the International Codes which collective make up the Building Code. A new amendment to RSA 155-A clarifies that local amendments for administrative functions in administering the Code are permissible, but local amendments to the technical requirements of the Code are prohibited.

Prior to July 1, 2026, the issuance of permits and the collection of fees were not considered amendments to the Building Code, however under the new law they are now considered local amendments

Local amendments to the Building Code require the prior approval of the State Building Code Review Board (“Board”). The law governing the Board’s process of review and approval of local amendments is unusual. The “proposed final ordinance” is the version of the ordinance that the Board reviews, and it is the version that has passed second reading. If the Council passes second reading this evening, the City will send the ordinance to the Board for its review and approval at its August 12, 2026 meeting, which will enable the City to schedule a third reading at the August 17, 2026 meeting. The ordinance cannot go into effect until after the Board grants its approval.

[The proposed amendment to Chapter 12](#) deletes the existing Chapter in its entirety and replaces it with several administrative local amendments in compliance with the new laws effective July 1, 2026.

I recommend that the City Council move to pass second reading of the amendment to Chapter 12, City of Portsmouth Building Code, Sections 1201 through 1209, and schedule a third and final reading at the August 17, 2026 City Council meeting.

I. Public Hearing and Second Reading of Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure:

[Attached please find a memorandum from the Parking Division regarding on-street and lot parking pricing.](#)

I recommend that the City Council move to set the parking fees for on-street and lot parking for FY2027: \$3 per hour for the first 3 hours and \$6 per hour thereafter pursuant to Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.601, Procedure, and no change to resident parking rates, or the current \$2 per hour RAPP non-resident rates.

11. City Manager’s Items Which Require Action:

There are no items under this Section.

13. Presentations and Written Communications:

A. Coakley Presentation:

City staff will provide a brief presentation on the Coakley Landfill to describe the City’s role in meeting the requirements of the Consent Decrees that settled the Federal litigation identifying the Coakley Landfill as a Superfund Site in the 1990s.

The Consent Decrees provide for oversight of the cleanup and monitoring of the site by the U.S. Environmental Protection Agency (EPA) and the New Hampshire Department of Environmental Services (NHDES).

This evening, staff are prepared to:

- Provide background and history of the site and its designation;
- Describe the composition of membership and operations of the Coakley Landfill Group (CLG);
- Give an update of the current site status and ongoing monitoring results; and
- Describe a new grant award in the amount of \$980,000 from NHDES and how the CLG intends to use the funds.

B. PPMtv Funds Request:

The City Council has received a [communication from Portsmouth Public Media Television, Inc. \(“PPMtv”\)](#) requesting that the City Council authorize the release of the remaining balance in the Cable Television Public Access Charitable Trust (Trust). The current amount in the Trust is \$8,638.87.

As a result of declining funds, PPMtv has streamlined its operations as described in its communication to the City Council dated July 21, 2026. Regulatory Counsel Suzanne Woodland has been speaking with PPMtv Board Members regarding the organization’s efforts, the operation of the Trust, and the likely continuing decline in Comcast franchise fees paid to the City which have historically funded the Trust. The Trust was established as part of the City Council’s support for the development of a public access channel. [A copy of the Trust instrument is attached.](#) PPMtv was organized after the creation of the Trust to fulfill the role of Access Corporation as that term is used in the Trust.

Under the City Council Policy adopted in 2009, the City records the first \$360,000 of annual cable franchise fee receipts in the General Fund, with amounts received above that baseline directed to the Trust. Franchise fee revenues have declined significantly over the last five years as cable subscriptions decrease, and it is unlikely that annual franchise fee receipts in FY27 and future years will exceed \$360,000. As a result, there is unlikely to be any further meaningful, if any, “pour over” of franchise fee revenue into the Trust.

Given the small balance remaining in the Trust and PPMtv’s volunteer staffing, I recommend that the City Council authorize me to exercise the City Manager’s authority under Paragraph Three (3) of the Trust to direct the Trustees of Trust Funds to release the remaining funds to PPMtv. This would allow the organization to use the funds for its current financial obligations and transition planning.

Regulatory Counsel Suzanne Woodland briefed the Cable and Broadband Internet Commission at its meeting of July 22, 2026 regarding PPMtv’s request of the City Council and the Commission concurs with release of the remaining Trust funds to PPMtv.

The Trust has had a balance of \$0 in the past. The Trust can be left inactive but available through at least the FY27 fiscal year to see if funds pour over from receipt of Comcast franchise fees. A decision can be made later next year as to whether it would be appropriate to terminate the Trust if it remains without a balance.

I recommend that the City Council move to authorize the City Manager to exercise her authority under Paragraph 3 of the Cable Television Public Access Charitable Trust to direct the Trustees of the Trust Funds to release the remaining funds to Portsmouth Public Media Television, Inc. for purposes consistent with the Trust.

16. Approval of Grants/Donations:

A. New Hampshire Department of Health and Human Services, Opioid Abatement Program - City of Portsmouth in the amount of \$776,653 for an additional Police Department Social Worker, an additional School Department Social Worker, and Housing Funds for the Welfare Department:

The City of Portsmouth has been awarded a \$776,653 grant from the New Hampshire Department of Health and Human Services' Opioid Abatement Program.

This two-year award is the result of a collaborative effort among the Police Department, School Department, and Welfare Department. The funding will support critical community services, including:

- An additional Police Department Social Worker;
- An additional School Department Social Worker; and
- Recovery-related housing assistance through the Welfare Department.

This grant would not have been possible without the dedication and advocacy of many individuals, including Assistant Mayor JoAnna Kelley, Police Commissioner Buzz Scherr, Executive Councilor Janet Stevens, Deputy Attorney General James Boffetti, Police Chief Mark Newport, Superintendent Zach McLaughlin, Welfare Director Jodi Carnes, Police Social Worker Brooke Murphy-Corcoran and School Social Worker Lisa Jacobus.

The collective efforts of this team, including presentations before the Opioid Abatement Commission in Concord, played a vital role in securing this funding for our community.

Thank you to everyone involved for their commitment to expanding support and recovery resources for Portsmouth residents.

I recommend that the City Council move to accept the New Hampshire Department of Health and Human Services, Opioid Abatement Program - City of Portsmouth in the amount of \$776,653 as presented.

B. New Hampshire Highway Safety Grant - Police Commission, in the amount of \$24,100 to support six highway safety initiatives:

Attached please find a memorandum from the Police Commission regarding a New Hampshire Highway Safety grant in the amount \$24,100 to support six highway safety initiatives.

I recommend that the City Council, in a majority vote, accept the terms of the Highway Safety Grant as presented in the amount of \$24,100.

C. **Ranger Chapter Daughters of the American Revolution (DAR) – Historic Marker Donation and Placement Request:**

Attached please find a memorandum from Assistant City Manager for Economic and Community Development Sean Clancy regarding a request from Ranger Chapter DAR Board Member Barbara Pamboukes to install a historic marker on Hancock Street.

I recommend that the City Council move to accept this historic marker and authorize the City Manager to coordinate installation based on Department of Public Works location recommendation near Stoodley's Tavern on Hancock Street.

D. **Donation from Portsmouth Lodge of Elks No. 97 in the Amount of \$4,500 to Cover Fees Associated with Training American Red Cross Lifeguards for the Portsmouth Indoor Pool:**

Attached please find a donation form from Portsmouth Lodge of Elks No. 97 in the amount of \$4,500 to cover fees associated with training American Red Cross lifeguards for the Portsmouth Indoor Pool.

I recommend that the City Council move to accept the Portsmouth Lodge of Elks No. 97 donation in the amount of \$4,500 as presented.

17. City Manager's Informational Items:

A. **Update on DPW Project Pages:**

The City is pleased to announce the launch of the [City's new Projects Dashboard](#), a central online resource designed to make it easier for residents to stay informed about current Public Works projects. Developed over the past several months through a collaborative effort between the City's Information Technology and Communications teams, with valuable support from Bowst, a local web development company, the dashboard provides a more accessible and user-friendly way to track project details, timelines, updates, presentation materials and progress. This new tool reflects the City's ongoing commitment to transparency, public engagement, and making important information easier for residents to find and understand.

B. **Report Back on the Online Guide for Residents Navigating Land Use Boards and One-Page Guides:**

City staff have created an online guide for residents and members of the public navigating land use boards. There is both an [interactive version](#) and a [PDF \(including all 5 one-page guides\)](#) which are both available in various locations on the City website.

C. **Status of Vaughan Mall Restoration Design:**

At its July 13th meeting, the City Council requested a report back on the status of the Vaughan Mall Restoration Design project. The project is currently in final design with construction pending funding authorization. As part of this effort, the City's design team held two public

input meetings including the most recent one on July 22nd and have met with stakeholders including the City's Public Arts Review Committee. Input from the outreach efforts and review of the 2017 Vaughan Worth Bridge Strategic Plan have contributed to the current design, which builds off the previous effort and does not preclude implementation of other aspects identified in the Strategic Plan.

The most recent status of the design effort was reviewed at the July 22nd public meeting and consisted of a presentation by DPW staff and Consultant staff which [is attached to this report](#) and available on [the City's project website](#).

The presentation included a review of the key goals of the project, functional uses of the Vaughan Mall space, and several sheets related to design layouts and renderings. The presentation focused on illustrating how the proposed layout would provide enhanced functional use of the mall while providing a flexible space for future community opportunities related to artists, residents, businesses, and visitors.

Generally, the feedback was positive regarding the proposed layout concept and the question-and-answer session revolved around additional community amenities that could be considered during the final design. Staff documented the feedback and will post questions and responses to the project web page listed above.

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Granite State Wheelers

Bicycling in New Hampshire since 1971

859 Central Avenue #206

Dover, NH 03820

603-898-5479 / office@gswheelers.org

City of Portsmouth
City Council
1, Jenkins Avenue
Portsmouth, NH 03801

June 30, 2026

Re: Permit request for the annual Granite State Wheelers' 'Seacoast Century' bicycle ride.

Dear Portsmouth City Council Members,

We would like to thank you very much for all your support of this event in recent years. Our 52nd edition of this annual event is scheduled for September 26, 2026.

We request your approval to ride through Portsmouth on the same route as in 2025, A route map is attached, as well as the Certificate of Insurance. Road closures are not required.

This is a scenic fun ride alongside our beautiful coastline and not a race. Riders will have 4 distance options and those who choose to ride 50, 62 or 100 miles will ride twice through Portsmouth. Once on the way north to Nubble Lighthouse and then riding back south to the Hampton Beach State Park, where we have our start and finish this year.

We will have some 800 riders, who will pass through your city throughout the day, starting at around 8 a.m. and the last riders should pass around 4p.m. on their way south. The riders will follow the rules and laws of the road and helmets are mandatory. We encourage also front and rear lights. By the time riders reach Portsmouth they will ride in small groups or even individually, and always single file. As in the past the event fees are to cover our expenses, as well as supporting bicycle safety and advocacy in New Hampshire.

We will work as always closely with all relevant departments as is needed. We will also request one or two police details, the same as last year.

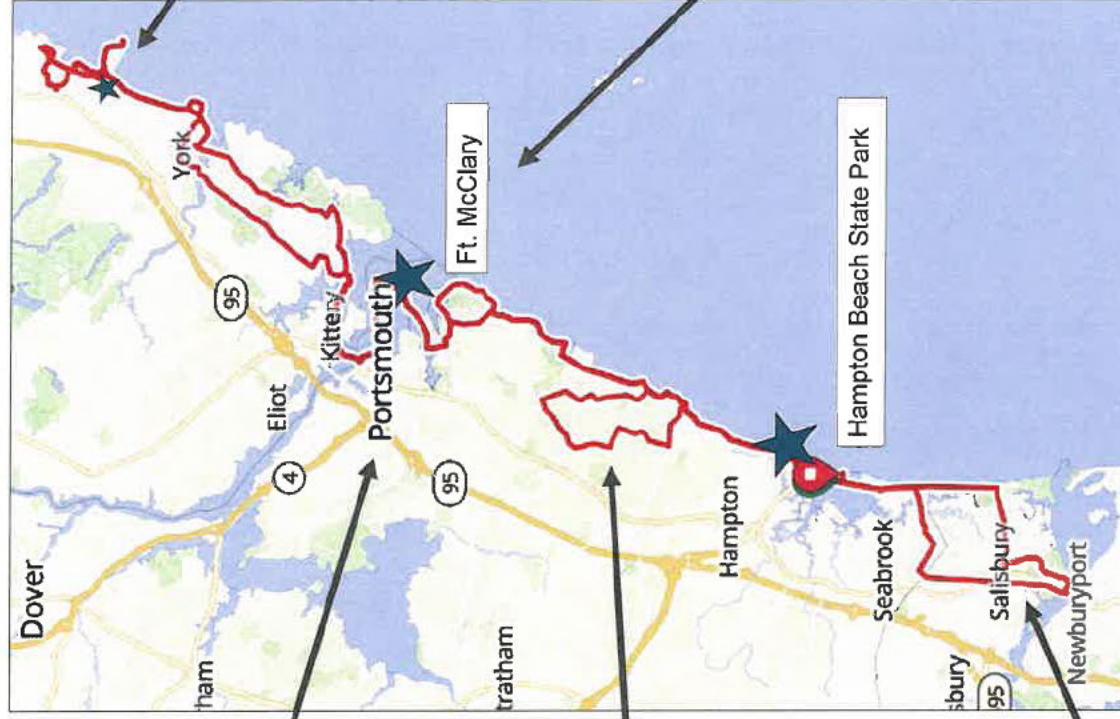
Sincerely,

Michael Claus – GSW President

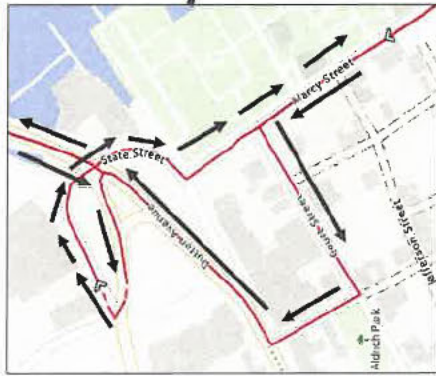
cc. Mayor Deaglan McEachern

cc. City Manager Karen Conard

GSW Seacoast Century - 100 Miles



Portsmouth – Bridge area



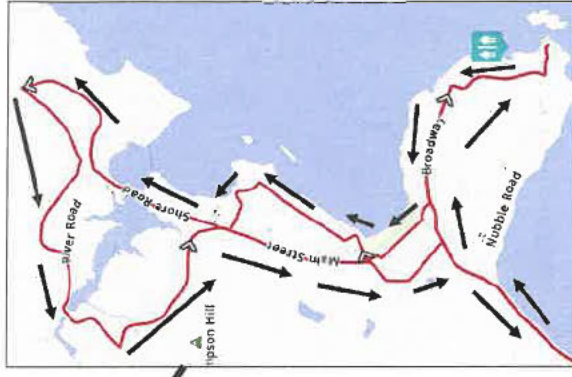
Century Return Loop



Salisbury Southern Loop



Nubble Lighthouse
York Maine



Ft. McClary Rest Stop



Distances in miles:

HBSP to Salisbury & back	= 16.7
HBSP to McClary	= 23.2
McClary to Nubble Light	= 11.8
Nubble back to McClary	= 16.5
McClary to HBSP	= 31.9

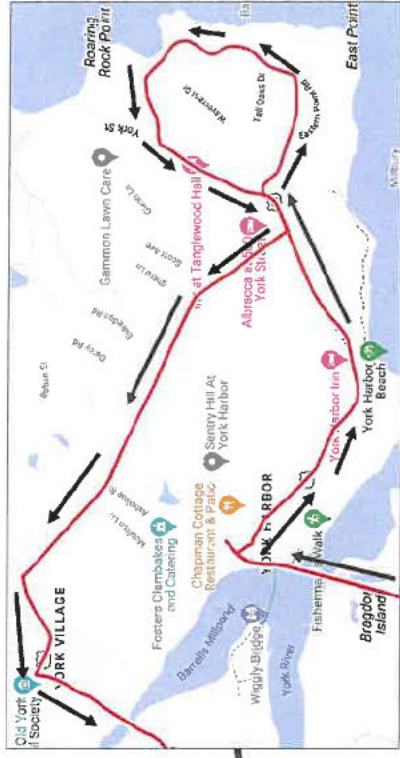


All Routes

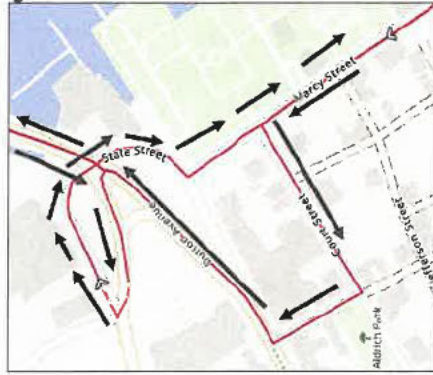


GSW Metric Century – 62.2 Miles

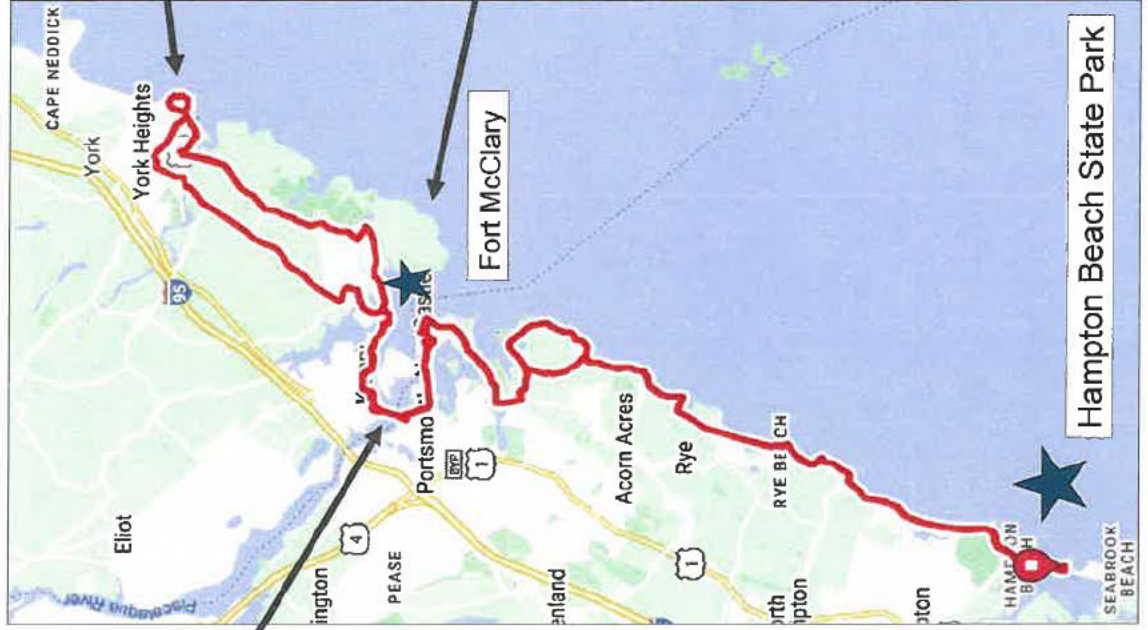
Metric Turn-around



Portsmouth – Bridge area



Fort McClary



Fort McClary Rest Stop



All Routes

Distances in miles:

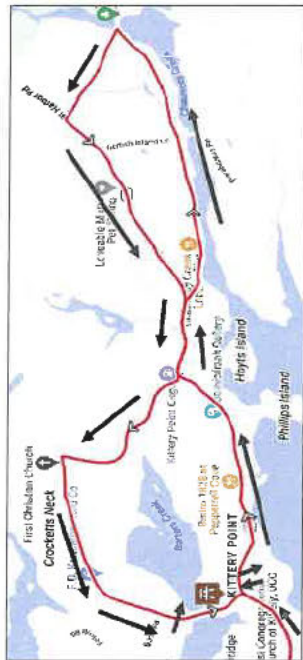
HBSP to McClary	= 23.2
McClary to Turn-around	= 9.7
McClary to HBSP	= 21.7
Total Distance	= 62.2



GSW Half Century – 50 Miles



Kittery Point Loop



Portsmouth – Bridge area



Ft. McClary

Ft. McClary Rest Stop



Hampton Beach State Park



All Routes

Distances in miles:

HBSP to McClary = 23.2

McClary to Kittery & back = 4.3

McClary to HBSP = 21.9

Total Distance = 49.4

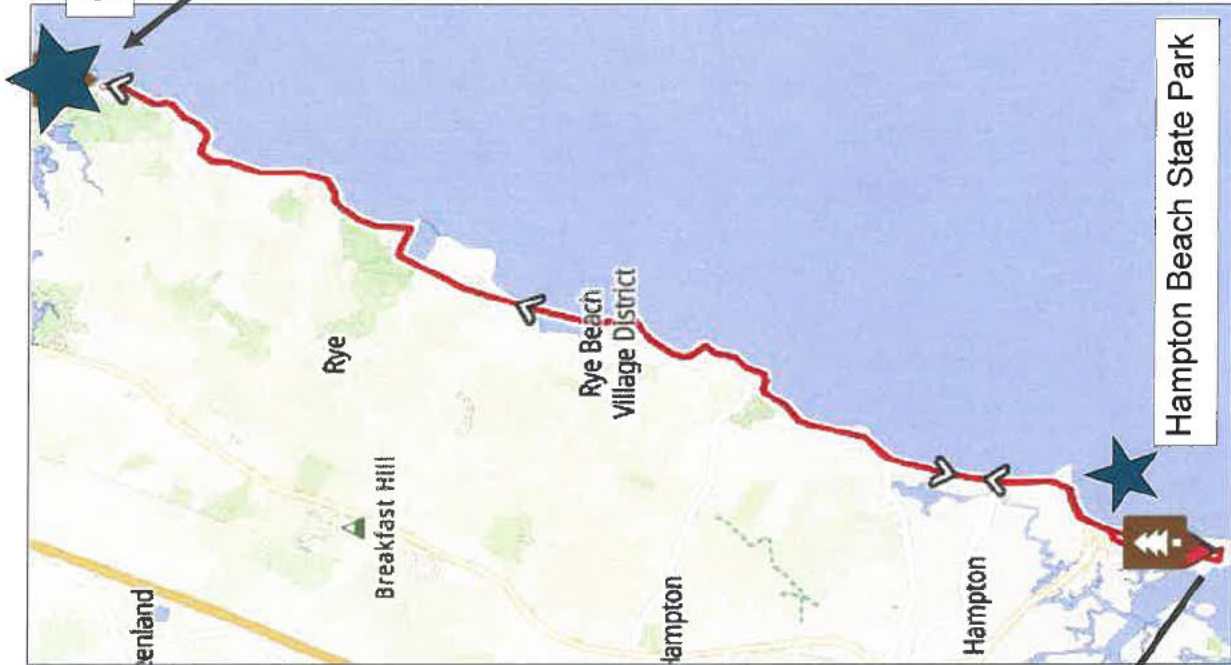


GSW Quarter Century 25.5 miles

Entering and Exiting HBSP



QR code for
all routes



Odiorne

Turn-around
before Odiorne State Park



Distances

HBSP to Odiorne = 12.5 miles
Odiorne to HBSP = 13.0 miles
Total distance = 25.5 miles



Millennium Running
138 Bedford Center Rd.
Bedford, NH 03110
Tel: 603-488-1186
www.millenniumrunning.com

July 20, 2026

Karen S. Conard, Town Manager
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

RE: Event Request - OS1st St. Paddy's 5k/10k

Dear Ms. Conard,

I am writing you, on behalf of Millennium Running with the permissions of the Pease Development Authority, for the City of Portsmouth's approval to host the 2027 OS1st St. Paddy's 5k/10k on Sunday, March 7 at 10:00 AM.

Just as we do for other events in the City of Portsmouth and in the State of NH, we will work in complete cooperation with our local municipal Police and Fire Departments and venue partners to ensure a safe event.

The OS1st St. Paddy's 5k/10k has a start and finish at Paddy's Grille and will be run entirely within the Pease Tradeport. All permissions have been granted by our venue partner's ownership and management group as well as the appropriate applications have been submitted to the City of Portsmouth.

The course map can be viewed at <https://connect.garmin.com/modern/course/327273208>

This event will be making charitable donations to our official charity, Girls on the Run NH, as well as numerous local high school organizations from Exeter, Winnacunnet, Oyster River, and Portsmouth High Schools. To date, Millennium has distributed over \$1.3 Million to local organizations from our signature events. We look forward to producing safe, first-class events for our running community while raising funds for our charitable partners.

Further information on the race can be found at <http://www.millenniumrunning.com/stpaddys> or by contacting me directly with any questions and/or concerns.

Thank you for your support of our event and the running community!

Thank you,

Mike Peabody, C.O.O.
Millennium Running

Attached:

- Turn-by-Turn Directions & Timeline

St. Paddy's 10k Turn-by-turn

Mileage	Instruction	First Runner	Last Runner
0	Start on International Drive in front of Paddys American Grille	10:00:00 AM	10:03:00 AM
0.58	Continue straight past Rye St	10:02:47 AM	10:13:37 AM
0.86	Continue straight past Oak Ave	10:04:07 AM	10:18:45 AM
1.1	Left onto Corporate Drive	10:05:16 AM	10:23:08 AM
1.94	Continue straight past Oak Ave	10:09:17 AM	10:38:31 AM
2.38	Left onto Rye St	10:12:29 AM	10:46:34 AM
2.4	U-Turn on Rye St	10:12:35 AM	10:46:56 AM
2.48	Left onto Corporate Drive	10:13:00 AM	10:48:24 AM
2.61	Continue straght past Goose Bay Dr (south entrance)	10:13:41 AM	10:50:47 AM
2.99	Continue straght past Goose Bay Dr (North entrance)	10:15:40 AM	10:57:44 AM
3.09	Left onto International Drive	10:16:12 AM	10:59:34 AM
3.6	Continue Straight past Rye St	10:18:52 AM	11:08:54 AM
3.9	Continue Straight past Oak Ave	10:20:27 AM	11:14:24 AM
4.13	Left onto Corporate Drive	10:21:39 AM	11:18:36 AM
4.95	Continue straight past Oak Ave	10:25:57 AM	11:33:37 AM
5.4	Left onto Rye St	10:28:18 AM	11:41:51 AM
5.5	U-Turn on Rye St	10:28:50 AM	11:43:41 AM
5.58	Left onto Corporate Drive	10:29:15 AM	11:45:09 AM
5.69	Continue straght past Goose Bay Dr (south entrance)	10:27:14 AM	11:47:10 AM
6.05	Continue straght past Goose Bay Dr (North entrance)	10:28:57 AM	11:53:45 AM
6.18	Right onto International Dr	10:32:24 AM	11:56:08 AM
6.2	Finish at Paddys Grille	10:32:30 AM	11:56:30 AM

GARMIN
COURSE MAP

DISTANCE: 3.1 MILES (5K)
6.2 MILES (10K)

DISTANCE MEASURED BY GARMIN® DEVICE

-  MILE MARKERS (5K)
-  MILE MARKERS (10K)
-  AID STATION
-  MEDICAL
-  POST-RACE FOOD





Millennium Running
138 Bedford Center Rd.
Bedford, NH 03110
Tel: 603-488-1186
www.millenniumrunning.com

July 20, 2026

Karen S. Conard, Town Manager
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

RE: Event Request - Eastern States 20 Miler & Half Marathon

Dear Ms. Conard,

I am writing you, on behalf of Millennium Running, for the City of Portsmouth's approval for the Eastern States 20 Miler & Half Marathon to be held in the City of Portsmouth on Saturday, March 27, 2027.

Just as we do for other events in the City of Portsmouth and in the State of NH, we will work in complete cooperation with our local municipal Police and Fire Departments and venue partners to ensure a safe event.

The Eastern States 20 Miler & Half Marathon has been a legacy event for the area for over 20 years. The event starts in Kittery, ME and runs predominately along Route 1A to the Town of Hampton, MA while winding through the Towns of Portsmouth, Rye, North Hampton, before ending in Hampton.

The course map can be viewed at <https://www.mapmyrun.com/routes/view/5460428053/>

This event will be making charitable donations to our official charity the Special Olympics NH, as well as numerous local high school organizations from Exeter, Winnacunnet, Oyster River, and Portsmouth High Schools. To date, Millennium has distributed over \$1.3 Million to local organizations from our signature events. We look forward to producing safe, first-class events for our running community while raising funds for our charitable partners.

Further information on the race can be found at <http://www.millenniumrunning.com/easternstates> or by contacting us directly (Permits@MillenniumRunning.com) with any questions and/or concerns.

Thank you,

Mike Peabody, COO
Millennium Running

Tuesday, July 21, 2026

Dear Members of the Portsmouth City Council,

On behalf of the Board of Directors of Portsmouth Public Media (PPMtv), I request the City Council's approval for PPMtv to withdraw the full balance of the cable franchise fee funds currently held in trust for the organization.

Approval of this request will allow PPMtv to meet its current financial obligations, reduce existing debt, and continue its transition toward a leaner, more financially sustainable operating model.

We appreciate your consideration of this request and welcome the opportunity to answer any questions the Council may have.

Respectfully,

Nevin D. Brown

Portsmouth Public Media Company | President

One Middle Street Suite 233 | Portsmouth, NH

Phone: (603) 422 2043 | email: Nevin.Brown@ppmtvnh.org

CABLE TELEVISION PUBLIC ACCESS CHARITABLE TRUST

The City of Portsmouth, a municipal corporation with a principal place of business of 1 Junkins Avenue, Portsmouth, County of Rockingham and State of New Hampshire (hereinafter "City") and its Trustees of Trust Funds, Charter Officers of the City with a principal place of business of Prescott Park, Shaw Building, Marcy Street, Portsmouth, County of Rockingham and State of New Hampshire (hereinafter "Trustees") hereby enter this agreement of Trust for the purposes and under the terms and conditions established herein.

1. RECITATION OF FACTS AND STATEMENT OF PURPOSE:

Beginning in 2005, the City's Cable Commission began the process of negotiating a renewal of the cable television franchise agreement with Comcast of Maine/New Hampshire Inc. As part of the renewal process, the Cable Commission conducted ascertainment hearings in September of 2005 as well as in April and August of 2006. During those hearings, the Portsmouth community expressed an interest in public access programming. The City already operates a government channel. The Cable Commission also conducted a survey through the auspices of the University of New Hampshire to evaluate Comcast's performance and to measure interest in public access. The survey results confirmed that there is interest in the Portsmouth community for public access programming.

In October of 2008, the City of Portsmouth and Comcast of Maine/New Hampshire Inc entered into a renewal of a cable television franchise agreement to cover a ten year term commencing November 1, 2008. Comcast agreed under this franchise agreement to provide a second PEG channel, that channel to become available on September 15, 2009. This channel could be used for either educational and/or public access programming depending on the wishes of the City. This second channel is in addition to the existing government channel and no changes are anticipated to the government channel. The City will also have the opportunity to initiate a third PEG channel on February 1, 2010.

The City's Cable Commission anticipates that a not-for-profit public access corporation, duly authorized by the City Council to operate a new public access channel, will be established (hereinafter the "Access Corporation"). The mission of the Access Corporation would be to make the sharing of local news, views, and information readily accessible to residents, and nonprofit and

business organizations of Portsmouth. The Access Corporation would, for example, air programs reflecting the interests of a broad range of individual residents, local business and nonprofit organizations; involve all members of the community – diverse ages, socio-economic status and technological abilities; employ multiple methods of producing and delivering content in order to simplify the ability of producers to create and viewers to access content; and embrace available and emerging technology for efficiency of operations.

In order to facilitate the development and operation of a channel dedicated to public access programming, the City Council of the City of Portsmouth has determined that it is appropriate to create a Charitable Trust to serve as a repository for funds dedicated to such a purpose.

Therefore, the City of Portsmouth and its Trustees of Trust Funds establish this Trust to serve as a repository of all funds directed to the Trust from any person or any entity and to establish the terms and conditions under which those funds shall be accumulated and expended for the purposes of public access.

2. **TRUST ASSETS:**

The Trustees of Trust Funds shall hold all funds from any source including without limitation those dedicated by the City Council, received from Comcast or other cable television provider, or contributed by individual or corporate donors, to be administered in accordance with this Trust agreement.

The Trustees shall hold, invest and reinvest the assets of the Trust, together with all additions thereto, either in savings or special notice accounts or in such investments as allowed by the laws of the State of New Hampshire, and may collectively invest such funds with other funds held by the Trustees for the sole purpose of obtaining a higher yield on the investments so collectively invested. The funds of this Trust shall be accounted for separately by the Trustees along with any interest earned on these funds.

3. **USE OF TRUST ASSETS:**

The assets and income held and produced by the Trust may be expended for the purpose of facilitating the development, broadcast and distribution of public access programming over cable television facilities, the internet and other mediums of broadcast that may be developed and for no other purpose except as expressly authorized herein.

The "development and broadcast of public access programming" shall expressly include without limitation efforts to develop and operate an Access Corporation as described in paragraph 1 above. Those efforts may include the acquisition by lease or purchase of equipment and studio space, as well as the

retention of employees or contractors for training, operation and the production of programming purposes.

To oversee the use of Trust assets, there shall be a three member Public Access Financial Advisory Committee established as follows:

- A. One member appointed by the Portsmouth City Council,
- B. One member appointed by the City Manager of the City of Portsmouth, and
- C. One member appointed by the Cable Commission, its successor, or like committee.

All members of the Public Access Financial Advisory Committee are to serve at the pleasure of the appointing authority; however, each appointment of a member shall specify a term no greater than three years.

Annually, no later than July 1st, the Public Access Financial Advisory Committee shall review and approve a budget prepared by the Access Corporation outlining expenditures from the Trust Funds for the ensuing fiscal year. Such a budget shall be adopted in consultation with relevant officials of the City of Portsmouth, the Cable Commission or its successor and the public at large.

The Trustees of Trust Funds shall disburse funds from the Trust only when provided with written certification by a City official authorized by the City Manager certifying that either:

- A. The disbursement is consistent with the annual budget previously approved by the majority of the three member Public Access Financial Advisory Committee for the purposes authorized by this Trust; or
- B. The disbursement is expressly authorized by the City Manager of the City of Portsmouth in writing for the purposes authorized by this Trust.

4. **TERMINATION:**

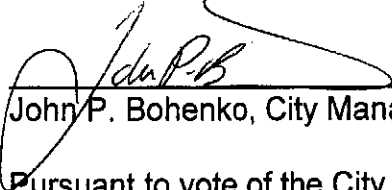
If an Access Corporation has not been established by January 1, 2019, the City Council may terminate this Trust and direct the funds as it deems to be in the best interest of the City, including to direct the funds to the general fund.

5. **OVERSIGHT AND ENFORCEMENT:**

The administration of this Trust and the expenditure of any funds therefrom shall be subject to the oversight of the Charitable Trust Unit of the Office of the Attorney General of the State of New Hampshire, which entity may enforce the terms and conditions of this trust by proceeding in equity or otherwise.

THE CITY OF PORTSMOUTH

Dated: 8-25-09


John P. Bohenko, City Manager

Pursuant to vote of the City Council on
August 3, 2009.

TRUSTEES OF TRUST FUNDS

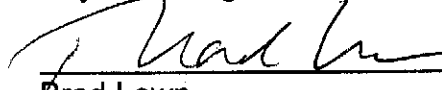
Dated: 8/20/2009


Lea Aeschliman

Dated: 8/25/09


Phyllis Eldridge

Dated: 8/20/09


Brad Lown

COLBY T. GAMESTER

Attorney At Law

154 Maplewood Avenue
Portsmouth, New Hampshire 03801

(603)-427-0000
colby@gamesterlaw.com

July 29, 2026

HAND DELIVERED & VIA EMAIL

Portsmouth City Council
Attn: Deaglan McEachern, Mayor
c/o Portsmouth City Clerk
1 Junkins Avenue
Portsmouth, NH 03801
cityclerk@portsmouthnh.gov

Re: 0 Elm Street (Tax Map 210, Lot 15)
Request pursuant to RSA 674:41, I(d)
Access via private drive

Dear Mayor McEachern and Members of the City Council:

I represent Stephanie Crepeau ("Client") who is currently under contract to purchase real property located at 0 Elm Street, also known as Lot 15 on City of Portsmouth Tax Map 210 (the "Property"). Enclosed herewith is a Landowner Letter of Authorization executed by the current owner of the Property, Andrew Wolcott.

Please accept this letter to the City Council requesting that it authorize the issuance of a building permit for the construction of a single-family home at and on the Property pursuant to RSA 674:41, I(d). We respectfully request that this letter and matter be placed on the City Council's agenda for its regularly scheduled meeting on August 3, 2026.

The Property is located at the corner of two (2) paper streets: Elm Street and Forrest Street. Elm Street has never been constructed. A portion of Forrest Street has been improved (initially as a gravel driveway and now paved), but upon information and reasonable belief this improvement was not performed by the City; rather, it was constructed, and has been maintained, by the owner(s) and predecessors-in-interest of the improved lot situated at 1 Forrest Street, the corner of Forrest Street and Cutts Avenue. Enclosed herewith as Exhibit A is an aerial tax map image showing where the Property is located, as well as depicting the existing private drive within the right-of-way of Forrest Street.

This neighborhood and subdivision of land was first created in 1902 with the recording of the Buckminster Plan at the Rockingham County Registry of Deeds as Plan 270. In 1919, the Buckminster Plan was revised and recorded at the Registry as Plan 245. In both plans, the Property is identified as the "subject lot." See Exhibits B and C enclosed herewith.

It is clear that the paper streets shown on those plans were dedicated to the City and the public at large as rights-of-way; however, only a portion of this subdivision was built out prior to the construction of the interstate highway system that severed the neighborhood.

For further reference regarding Forrest Street, also enclosed is a 1988 subdivision plan prepared for David Hodgdon (Plan D-18913) which depicts the extent of the then-existing gravel driveway within the Forrest Street right-of-way; as noted above that driveway is now paved. Enclosed herewith as Exhibit D is the Hodgdon Plan.

The Property is a preexisting nonconforming lot of record. Other surrounding property owners of single-family homes on Cutts Avenue own the majority land abutting the Property on the paper streets. The City itself owns two nearby lots, as well. The City Legal Department and this office have been investigating the current legal status of Elm Street and Forrest Street, which is often not straightforward in light of the various events over the years, as well as the applicable case law and the statutory framework that vary at times since 1902 which govern paper streets, their dedication, and any express or implied acceptance by the City thereof.

My Client desires to construct a single-family home on the Property. In order to do so, she will require variance relief from the Zoning Board of Adjustment, as well as conditional use permits from the Planning Board for development within the Highway Noise Overlay District and for potential wetland buffer impacts.

My Client has not yet authorized her surveyor and engineer to proceed with extensive field work and research because the associated cost is not insignificant, and the status of the paper streets has been our primary focus to date. Rather than pursuing a final determination of whether the City retains, or has released, rights in these paper streets, we believe the most efficient path forward (so that this proposal may proceed to the City's land use boards) is through the process set forth in RSA 674:41, I(d), which is enclosed herewith in its entirety as Exhibit E.

RSA 674:41, I(d) provides that a building permit may be issued for a lot accessed by a private road where:

- (1) the local governing body, after review and comment by the planning board, or after establishing that the private road identifies and complies with policy adopted by the governing body of the municipality, has voted to authorize the issuance of building permits for the erection of buildings on said private road or portion thereof;
- (2) the municipality neither assumes responsibility for maintenance of said private roads nor liability for any damages resulting from the use thereof; and
- (3) prior to the issuance of a building permit, the applicant produces evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot.

Preliminary discussions with the Department of Public Works indicate that the DPW is amenable to treating access as a shared private driveway (rather than a full City street) until such time as future surrounding development *may* warrant formalization of a public way. The City would not maintain or plow the driveway, and trash collection would occur on Cutts Avenue. Municipal sewer service would be available via a private sewer line pump discharging to the existing sewer main on Cutts Avenue. The Fire Department's requirements for emergency vehicle access can be met through standard asphalt driveway construction and while also ensuring appropriate ingress and egress.¹

Pursuant to RSA 674:41, I(d), the City Council must first refer this request to the Planning Board for review and comment before it may authorize the issuance of a building permit. We respectfully request that the City Council refer this matter to the Planning Board to be addressed at its next regularly scheduled meeting on August 20, 2026.

Should the City Council ultimately authorize the issuance of a building permit under RSA 674:41, I(d), such authorization would of course be conditioned upon the Property obtaining any and all necessary land-use approvals from the Zoning Board of Adjustment and the Planning Board.

I am available to discuss this matter with the Council, the Planning Board, or City staff at any time. If my presence is requested or needed at the Council's August 3rd meeting, then I will have to appear via zoom as I will be out of town the week of August 3rd.

Thank you for your time and consideration of this request.

Kindest Regards,



Colby T. Gamester, Esq.

Enclosures

Cc: file
Karen Conard, City Manager
Trevor McCourt, Esq., Legal Department
Peter Rice, Department of Public Works
Chief McQuillen, Fire Department
Peter Britz, Planning Department
Stephanie Crepeau
(all via email)

¹ My Client and I have done a fair amount of research and consultation with various City Departments regarding the Property and surrounding area. We understand that with more formal plans and proposals, these Departments would, if necessary, have the opportunity to provide further comment, conditions, and limitations, if necessary and applicable.

LANDOWNER LETTER OF AUTHORIZATION

I, the Undersigned, Andrew Wolcott, the record owner of real property located at off Elm Street, Portsmouth, New Hampshire 03801, identified on Portsmouth Tax Map 210 as Lot 15 (the "Property"), hereby authorize Gamester Law Office, and its attorneys and representatives, to file any document with the City of Portsmouth (the "City"), communicate and correspond with City staff and officials, and submit applications with and appear before the City Council and the City's land use boards all regarding the Property. This Letter of Authorization shall be valid until expressly revoked in writing.



Andrew Wolcott

7/28/26

Date

**Property Information**

Property ID 0210-0015-0000
Location ELM ST
Owner WOLCOTT ANDREW

**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

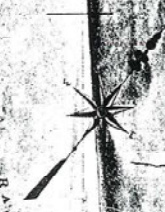
Geometry updated 03/06/2026

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

2 of 2
00270 00270

PLAN OF
BUCKMINSTER
PORTSMOUTH, N.H.
1902

Scale 1" = 100'

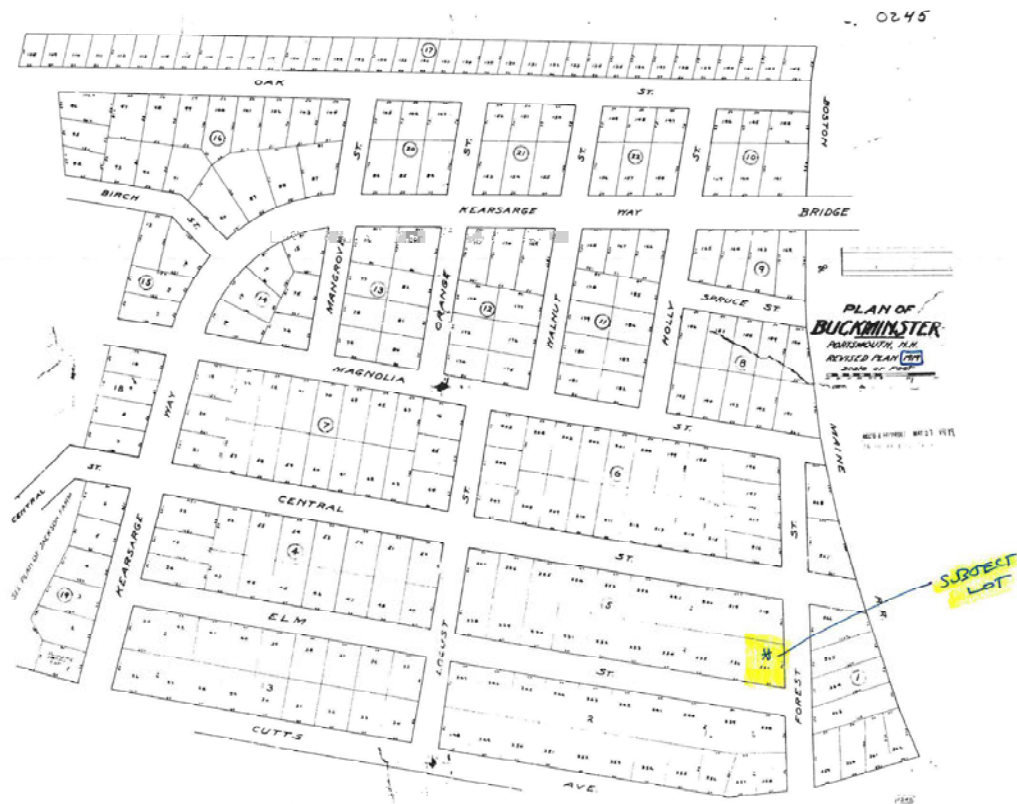


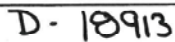
WHITE MOUNTAIN PAPER CO.

SUBJECT LOT



EXHIBIT C





TITLE LXIV PLANNING AND ZONING

CHAPTER 674 LOCAL LAND USE PLANNING AND REGULATORY POWERS

Regulation of Subdivision of Land

Section 674:41

674:41 Erection of Buildings on Streets; Appeals. –

I. From and after the time when a planning board shall expressly have been granted the authority to approve or disapprove plats by a municipality, as described in RSA 674:35, no building shall be erected on any lot within any part of the municipality nor shall a building permit be issued for the erection of a building unless the street giving access to the lot upon which such building is proposed to be placed:

- (a) Shall have been accepted or opened as, or shall otherwise have received the legal status of, a class V or better highway prior to that time; or
- (b) Corresponds in its location and lines with:
 - (1) A street shown on the official map; or
 - (2) A street on a subdivision plat approved by the planning board; or
 - (3) A street on a street plat made by and adopted by the planning board; or
 - (4) A street located and accepted by the local legislative body of the municipality, after submission to the planning board, and, in case of the planning board's disapproval, by the favorable vote required in RSA 674:40; or

[Paragraph I(c) effective until July 1, 2026; see also paragraph I(c) set out below.]

(c) Is a class VI highway, provided that:

- (1) The local governing body after review and comment by the planning board has voted to authorize the issuance of building permits for the erection of buildings on said class VI highway or a portion thereof; and
- (2) The municipality neither assumes responsibility for maintenance of said class VI highway nor liability for any damages resulting from the use thereof; and
- (3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds; or

[Paragraph I(c) effective July 1, 2026; see also paragraph I(c) set out above.]

(c) Is a class VI highway, provided that the applicant:

- (1) Signs a liability waiver acknowledging that the:
 - (A) Municipality shall not maintain the highway nor provide any services to any lot accessible by the highway;
 - (B) Municipality shall not accept any responsibility for losses or damages caused by a lack of services; and
 - (C) Responsibility for such services falls solely on the applicant; and
- (2) Prior to the issuance of a building permit, produces evidence that this waiver has been recorded in the county register of deeds; and
- (3) Prior to the issuance of a building permit, proves the lot and any buildings thereon are insurable; or
- (d) Is a private road, provided that:
 - (1) The local governing body, after review and comment by the planning board, or after establishing that the private road identifies and complies with policy adopted by the governing body of the municipality, has voted to authorize the issuance of building permits for the erection of buildings on said private road or portion thereof; and
 - (2) The municipality neither assumes responsibility for maintenance of said private roads nor liability for any damages resulting from the use thereof; and
 - (3) Prior to the issuance of a building permit, the applicant shall produce evidence that notice of the limits of municipal responsibility and liability has been recorded in the county registry of deeds for the lot for which the building permit is sought; or
- (e) Is an existing street constructed prior to the effective date of this subparagraph and is shown on a subdivision plat that was approved by the local governing body or zoning board of adjustment before the municipality authorized the planning board to approve or disapprove subdivision plats in accordance with RSA 674:35, if one or more buildings have been erected on other lots on the same street.

II. Whenever the enforcement of the provisions of this section would entail practical difficulty or unnecessary hardship, and when the circumstances of the case do not require the building, structure or part thereof to be related to existing or proposed streets, the applicant for such permit may appeal from the decision of the administrative officer having charge of the issuance of permits to the zoning board of adjustment in any municipality which has adopted zoning regulations in accordance with RSA 674, or, in municipalities in which no board of adjustment exists, to the local legislative body, or to a board of appeals, whichever is appropriate, in accordance with RSA 674:14 and 674:15, including the requirement for a public hearing. In a municipality which does not require building permits, direct application may be made to the zoning board of adjustment, or the local legislative body, or the board of appeals for permission to erect the building. In passing on such appeal or application, the board of adjustment, local legislative body, or board of appeals may make any reasonable exception and

shall have the power to authorize or issue a permit, subject to such conditions as it may impose, if the issuance of the permit or erection of the building would not tend to distort the official map or increase the difficulty of carrying out the master plan upon which it is based, and if erection of the building or issuance of the permit will not cause hardship to future purchasers or undue financial impact on the municipality. Any such decision made in this connection by a board of adjustment, local legislative body, or by a board of appeals pursuant to this section and RSA 674:14 and 674:15 shall be in writing, together with the reasons for the decision, and shall be subject to review in the manner described in RSA 677.

II-a. Municipalities may except any lot, including island lots for islands served exclusively by boats, from the requirements of paragraphs I and II by an affirmative vote of the local legislative body pursuant to RSA 675, first submitted to the planning board for its approval and:

(a) If approved by the board, approved by a majority of those present and voting at a regular or special meeting of the local legislative body; or

(b) If disapproved by the planning board, approved by not less than 2/3 of those present and voting at a regular or special meeting of the local legislative body.

III. This section shall supersede any less stringent local ordinance, code or regulation, and no existing lot or tract of land shall be exempted from the provisions of this section except in accordance with the procedures expressly set forth in this section. For purposes of paragraph I, "the street giving access to the lot" means a street or way abutting the lot and upon which the lot has frontage. It does not include a street from which the sole access to the lot is via a private easement or right-of-way, unless such easement or right-of-way also meets the criteria set forth in subparagraphs I(a), (b), (c), (d), or (e).

IV. In addition to the requirements for the erection of buildings in paragraph I and notwithstanding the exceptions provided in paragraph II, the planning board for a county in which there are located unincorporated towns or unorganized places shall require every building which is erected on leased land located within an unincorporated town or unorganized place to have a building permit. A building permit shall be required under this paragraph regardless of the proximity of the building to any street or highway. The county shall, by resolution, authorize the planning board to issue building permits under this paragraph.

Source. 1983, 447:1. 1988, 131:2, 3. 1989, 266:20. 1995, 291:10. 1998, 344:6. 2002, 270:1, 5. 2004, 154:1, 2. 2005, 226:1, 2, eff. Sept. 3, 2005. 2025, 175:1, eff. Sept. 13, 2025; 256:1, eff. July 1, 2026.

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Mon 7/13/2026 6:34 AM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Mon, 07/13/2026 - 06:34

Submitted by: Anonymous

Submitted values are:

First Name

Suzanne

Last Name

Barton

Email

[REDACTED]

Subject

An Invitation to Share Your Expertise on City & Town Parking Ordinance(s)

Address

114 Clark Rd, 114 Clark Rd
Rye, New Hampshire. 03870

Message

Monday, July 13, 2026

Dear Councilman:

I write to you wearing three hats. One hat is a healthcare provider, providing outreach support services to patients within Rockingham County. I often work with patients from Portsmouth. Second hat is a consumer of goods and services. Our family often goes to Portsmouth for goods and services; I jest that all of our disposable income goes to Portsmouth. Although we do have the choice to go to: Exeter, Hampton, Newmarket, etc. My third hat is one of a newly elected Select Board Member. Free and / or affordable parking spaces, as you know, is a highly emotional topic. You stated online that the city conducted a thorough study. Your lived experience would be highly valuable to share with the Town of Rye Select Board members.

Also--it may be nice to have someone, a neighbor if you will, advocate for the Portsmouth voters as to why they should have access to a state road and state beach. I welcome public comment from anyone who has interest in community partnerships.

Clearly, you know very little about me. You know very little about my advocacy work. My volunteer work included "A Safe Place," and "SASS," before they merged to become HAVEN. My spouse now retired volunteers for Gather. We have served the humans within the City of Portsmouth and our plan is to continue to serve those who voted you into your seat.

Back to the topic of parking: before the Rye parking ban went into effect, I have been an outspoken advocate for those who come to Rye to recreate at the beach. Why?? Because for over six years, whenever I join a beach cleanup, I meet people from Massachusetts, Maine, and out of town NH residents. Over the years, I have learned that our neighbors outside of the Rye property line, are as invested in the seaside community as some Rye residents are. That to me is humanity in action; we are one. We are in this together.

What else has that experience taught me? It reinforced the notion that we, "the citizens of the United States," are interdependent, and that it would be a more humane society if we citizens topped the "othering" of others.

I could go on and on, but I will end this email here. I cordially invite you to attend one of our Rye Select Board Meetings. We meet every second and fourth Monday of the month. July meets are this evening, and again on the 27th of July.

In the same spirit of interdependence, I would love the opportunity to speak at a Portsmouth City Council Meeting.

I wish you a lovely Monday and peaceful rest of the week.

Best regards,

Suzanne Barton

Rye resident--human first, advocate second, and board member third

 Mobile if you are interested in meeting for coffee or a beer some weekend afternoon.

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

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Mon 7/13/2026 12:51 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Mon, 07/13/2026 - 12:50

Submitted by: Anonymous

Submitted values are:

First Name

Kelly

Last Name

shaw

Email

[REDACTED]

Subject

375 BANFIELD ROAD JUNK YARD CONCERNS

Address

892 Banfield Road
PORTSMOUTH, New Hampshire. 03801

Message

Public Comment Statement: Opposition to the Rezoning of 375 Banfield Road

To: The Portsmouth City Council / The Portsmouth Planning Board

From: Kelly Shaw, 892 Banfield Road, Resident of Banfield Road Neighborhood

Date: July 13, 2026

Subject: Strong Opposition to City Council Referral: Rezoning of 375 Banfield Road (Industrial to Gateway Corridor G1)

Dear Mayor, Members of the City Council, and Members of the Planning Board,

My name is Kelly Shaw, and I live at 892 Banfield Road. I am here tonight to urgently request that you protect our neighborhood and vote NOT to recommend or approve the proposed zoning amendment for 375 Banfield Road from Industrial (I) to Gateway Corridor (G1).

The applicant's filing attempts to frame this high-density residential shift as a natural, "compatible transition" for an evolving corridor. The reality of this land's history, the dangerous proximity to our

local school, and the constrained capacity of our narrow road tell a completely different story. Furthermore, using a zoning change to allegedly settle a lawsuit is a dangerous subversion of sound land-use planning—it sets a damaging precedent for our city.

I urge you to consider five critical reasons to deny this rezoning request:

1. Unresolved Environmental Concerns vs. High-Density Housing

The applicant's letter completely glosses over the site's extensive history as a contaminated junkyard, which required state oversight and recent litigation. Just because legal settlements are reached does not mean this land is suddenly appropriate for high-density housing. Putting apartments and families on this footprint introduces unnecessary public safety risks.

Before the city even discusses a zoning change, the applicant must complete all remediation activities required by the New Hampshire Department of Environmental Services (NHDES). The City should not act until it receives an official letter from NHDES confirming that Health Risk Assessment studies at this former hazardous waste site prove the land is entirely safe for residential housing. Until then, the current Industrial zoning serves as a necessary buffer.

2. Rezoning Under Legal Pressure is Bad Policy (The Kane/McIntyre Precedent)

Rewriting our city's zoning map under the pressure of litigation is bad policy and bad planning. This lawsuit was just signed off by the courts on July 7, 2026, and the ink is barely dry before this massive zoning shift is being rushed through. This new rezoning request was put in writing on June 23, hand-stamped on June 24, and immediately fast-tracked to be included in tonight's City Council meeting on July 13 and the Planning Board meeting on July 16.

This Council previously allowed litigation leverage to dictate zoning outcomes at Commerce Way in relation to the McIntyre lawsuit and repeating that mistake here compromises the integrity of our master planning process. This is a clear case of spot zoning, being forced through on a condensed timeline for the benefit of a single property owner rather than the holistic welfare of the neighborhood.

3. Premature Before the Master Plan is Complete

Portsmouth is currently working on its Master Plan. Doesn't it make far more sense to wait until after the comprehensive Master Plan is complete before reviewing an isolated, high-impact spot zoning request like this? Rushing this through now bypasses the community-wide planning process.

4. Voting to Rezone Now Puts the Cart Before the Horse (The Traffic & Historical Precedent)

The applicant argues that this board shouldn't worry about traffic, drainage, utilities, or wetlands right now because those will be handled later during "Site Plan Review." But we already know today that Banfield Road lacks the capacity for this scale of development.

The city has an explicit precedent on this exact issue. Look back at the Board of Adjustment meeting on May 24, 2022, when Ricci Construction sought a use variance for high-density apartments at 225 Banfield Road. That proposal was heavily scrutinized and ultimately blocked because the city recognized the severe infrastructure risk of mixing heavy industrial operations with concentrated residential traffic. The record from that case showed that forcing commuter traffic onto a narrow right-of-way heavily burdened by industrial truck traffic is a public safety hazard.

Now, at 375 Banfield Road, the traffic constraints are even more severe because this site sits just a few hundred yards away from Saint Patrick Academy at 315 Banfield Road. City Transportation Engineer Eric Eby has explicitly emphasized that Banfield Road cannot handle vehicle queuing or backing up in the right-of-way, stating the corridor must maintain a "free flowing" state to protect public safety. Layering Gateway-level residential density directly next door will completely shatter any hope of free-flowing traffic. Forcing massive commuter and delivery shifts into this immediate bottleneck will create the exact dangerous gridlock that Mr. Eby warned against and that past city boards rightfully prevented.

5. Workforce Housing Should Not Shield Bad Planning

The application heavily relies on Portsmouth's critical need for workforce and affordable housing to

justify this change. While our neighborhood fully supports the city's broader goals for housing production, those units must be built on safe, appropriate parcels. Affordable housing should never be used as a regulatory pretext to fast-track the upzoning of a contaminated former junkyard into an abrupt, high-density intrusion next to an active school zone.

We ask you to look past the polished presentation, refuse to let a hyper-accelerated timeline dictate city planning, and protect the health, safety, and established character of the Banfield Road corridor.

(One of the last remaining rural corridors.). Please vote against this rezoning referral.

Thank you for your time and your service.

Sincerely,

Kelly Shaw

Banfield Road

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

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Thu 7/16/2026 1:24 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Thu, 07/16/2026 - 13:24

Submitted by: Anonymous

Submitted values are:

First Name

Patricia

Last Name

Bagley

Email

Subject

Fleet Street reconfiguration

Address

213 Pleasant St
Portsmouth, New Hampshire. 03801

Message

Your Honour and City Councilors:

At the most recent Council meeting, you voted to move forward to first reading the proposal to reconfigure Fleet Street between Congress and Hanover as one-way. You included in that vote a proposal for a striped bike lane which will go against the flow of traffic.

Why would our Traffic Engineer and Council propose biking against traffic flow especially in a busy urban core? My understanding is that it's illegal to bike against traffic. I wish this had been questioned.

<https://mm.nh.gov/files/uploads/dot/remote-docs/bicycle-safety-rules.pdf>

<https://www.bwanh.org/education/ohs-ped-bike-safety-brochure-2/>

It's possible that I'm misinterpreting the proposal since I know bicycle advocates would be all over the safety issue. I do recall, however, the insanity of parked cars down the middle of Middle Street. Also, Washington Street is still two-way between State and Court with parked cars using one of the lanes. And so I question.

Please advise. Thank you.

Patricia Bagley

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

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Mon 7/20/2026 5:02 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Mon, 07/20/2026 - 17:02

Submitted by: Anonymous

Submitted values are:

First Name

Jacob

Last Name

Lehoux

Email

Subject

Resident Parking Pilot Thoughts

Address

93 HIGH ST, APT 2
PORTSMOUTH, New Hampshire. 03801

Message

I would like to offer my thoughts and feedback on the RAPP. First off overall I have been very pleased with the program. As a resident who

lives downtown and does not have parking the RAPP has been incredible. I can come home from work late in the afternoon and always find parking. It has to be one of the best things this council has done to improve parking for residents.

Two things to note. I think the signage could have been better so people were aware of the change. Also I hope that parking stays free for residents in the future.

Thanks for your time.

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

Yes

{Empty}

*subject - Subject

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Sat 7/25/2026 7:52 AM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Sat, 07/25/2026 - 07:52

Submitted by: Anonymous

Submitted values are:

First Name

Christer

Last Name

Ericsson

Email

Subject

Parking

Address

99 Gates Street
Portsmouth, New Hampshire. 03801

Message

I would like to go on record of opposition to the recent parking pilot. It came as a surprise, which I realize was my fault for not following the council meetings. We own a house with off street parking so some may say this doesn't affect us. But it does. It is forcing us to use the street and preserve our driveway for use by our kids or friends when they visit, and the occasional tradesperson. Speaking with the contractors working on neighbors houses it became apparent that getting people to work on homes will be more difficult or at least more expensive with either \$18/day in parking or \$35 violation. I realize that people complain about parking and it makes your job challenging, but charging for parking on residential streets does not make our city feel welcoming and gives the appearance of everything for a buck.

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

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Mon 7/27/2026 4:43 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Mon, 07/27/2026 - 16:43

Submitted by: Anonymous

Submitted values are:

First Name

Eric

Last Name

Spurling

Email

Subject

Liability concerns at -Prescott Park docks

Address

55 Market st

Portsmouth , New Hampshire. 03801

Message

Dear City Manager and Members of the City Council,

I'm writing on behalf of my partner, Colby Connell, seasonal slip holder at the Municipal Marina, about the lack of secure access. With no way to secure the gate, unauthorized individuals boarded our boat, smoked drugs, and left a mess. Nothing was stolen or damaged, but it exposed a clear safety and liability risk. A simple fix exists at the Wentworth by the Sea Marina, key cards for slip holders and expiring codes for transients. I urge the city to adopt a similar secure access system to protect people and reduce liability. Thank you for your time. Sincerely, Eric Spurling, on behalf of Colby Connell.

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

No

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Mon 7/27/2026 5:31 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Mon, 07/27/2026 - 17:31

Submitted by: Anonymous

Submitted values are:

First Name

Laxminarayan

Last Name

Reddy

Email

Subject

Request sidewalk on Ocean Road

Address

100 Nathaniel Drive
Portsmouth , New Hampshire. 03801

Message

I would love to get to and walk along the walking trail that cuts across ocean road. I live on Nathaniel Drive and there is not a safe way to ge to the walking trail from my house.

Requesting the council members to consider to build a side walk from Rt. 1 intersection along ocean road to the walking trail.

Thank you,
Reddy

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

Yes

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Tue 7/28/2026 4:24 PM

To Councilor Kate Cook <councilor.cook@portsmouthnh.gov>

Cc City Council - Shr <ccemail@portsmouthnh.gov>

Submitted on Tue, 07/28/2026 - 16:24

Submitted by: Anonymous

Submitted values are:

Name

Susan Sterry

Email

Subject

Referral for art project

Message

Hi Kate: I am putting a proposal together for a Historic Mural for the I95 Bridge underpass on Woodbury Ave for NHDOT. I spoke to Amanda at NHAA and Emma Stratton hoping to get names of mural artist. Since you are on Public Arts, I thought you may have a few names. I am just starting this endeavor and will be learning as I go! Thanks Sue



Outlook

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Mon 7/27/2026 8:26 PM

To Councilor Kate Cook <councilor.cook@portsmouthnh.gov>

Cc City Council - Shr <ccemail@portsmouthnh.gov>

Submitted on Mon, 07/27/2026 - 20:26

Submitted by: Anonymous

Submitted values are:

Name

Tristan Kyle Law

Email

Subject

Griffin's 1/2 acre

Message

Dear Councilor Cook,

It truly made my day, week, and month to read that Griffin Farm may be spared from development. While I recognize the desperate local and national need for more housing, it makes it even more critical to let some places remain (relatively) untouched. Let people remember us for what wasn't built. Bravo to all involved! I hope it works out.

Thank you again for your work,

Tristan Law
55 Atkinson

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Tue 7/28/2026 9:43 AM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Tue, 07/28/2026 - 09:43

Submitted by: Anonymous

Submitted values are:

First Name

Michael

Last Name

Young

Email

Subject

COLORWALKS Fashion & Arts Initiative

Address

70 Constitution Ave, 416
Portsmouth, New Hampshire. 03801

Message

I would like to introduce my fashion & arts initiative - COLORWALKS. Please feel free to visit the website www.colorwalks.org. Support from any city council member would be invaluable as we begin rallying the community.

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

Yes

{Empty}

City Council Website Contact Form

From City of Portsmouth <webformsubmission@portsmouthnh.gov>

Date Wed 7/29/2026 1:31 PM

To Webform Submission <webformsubmission@portsmouthnh.gov>

Cc City Council Clerk - Shr <ccclerk@portsmouthnh.gov>; City Council - Shr <ccemail@portsmouthnh.gov>; Carl E. Weber <ceweber@portsmouthnh.gov>; Karen S. Conard <kconard@portsmouthnh.gov>; Nathan D. Lunney <ndlunney@portsmouthnh.gov>; Susan G. Morrell <sgmorrell@portsmouthnh.gov>

Submitted on Wed, 07/29/2026 - 13:31

Submitted by: Anonymous

Submitted values are:

First Name

Patrick

Last Name

Daley

Email

Subject

Municipal Building Committee

Address

74 Wibird Street
Portsmouth, New Hampshire. 03801

Message

To the Portsmouth City Council, July 29, 2026

While I support Portsmouth's Municipal Building Committee's tireless work to address the Police Department's needs and to improve the spatial and customer efficiency of City Hall offices, I have one serious reservation. In following YouTube recordings of the Committee's meetings and reading Jeff McMenemy's stories in the "Portsmouth Herald," I understand that a Sally Port would be added to the front of the existing police station and that it would occupy more than 3,700 square feet, though the exact dimensions are not yet clear. I was one of the first citizens to voice my objections to the "massing design" of the last attempt to address these building deficiencies. Subsequently, I have noted that Committee members have discussed lessons learned from the previous project proposal, specifically noting that "building massing and public perception" will remain important considerations as public outreach advances. When Mayor McEachern established the Committee, he made it clear

that building plans should be open to all options for improving the police station at the City Hall complex.

In McMenemy's July 19 news story, Mayor McEachern says that he hopes "'to get 80% of the city on board' with the project." If the Sally Port remains part of this plan, then count me as one of the 20%. This addition would directly impede the sight lines on the promontory overlooking the South Mill Pond. I contend that the Committee has not taken the obstruction posed by the Sally Port very seriously. In its March 18th meeting when a 2nd story to the Sally Port was still part of Plan B, the JSA designers argued that it would only be a small obstruction in a straight line view. The designers maintained that they could take a photo from within the Connor Cottage building and show the residents what would be obstructed and what would not. This purported "solution" to public dissatisfaction is not only wholly inadequate, but it disingenuously suggests that the oppositional public is limited to Connor Cottage residents. Perhaps Portsmouth needs a modern-day Dorothy Vaughan whose indefatigable efforts at preserving historic buildings solidified the city's identity as an historic destination.

Portsmouth has been in a transitional stage for most of the 21st century with the developments on the North End, the proposed developments on Congress Street and Parrot Avenue, and the impending changes at the McIntyre building. These private projects have had, or will have, to pass the muster of the Historic District Commission as well as the approval of public opinion. Connors Cottage is itself on the National Register of Historic Places and the cherry trees below the promontory were a gift from Nichinan, Japan, symbolizing the Russo-Japanese Peace Treaty of 1905. The panoramic view of downtown Portsmouth and the surrounding green spaces is truly awe-inspiring. The views from the promontory are open to visitors to the Farmer's Market, to senior citizens on the "Walk with a Doc" program, to Connor Cottage residents, to tourists (including the Japanese), to the growing number of walkers in Portsmouth as we strive to reduce greenhouse gas emissions, and most importantly, to future generations.

Finally, the City Council and the Municipal Building Committee have called for public comment on these plans. As Council person Kate Cook put it, we need to come up with a plan as conservative as possible to pass the City Council. I agree. We need to be conservative with our use of public land. I admire the City Council and the Committee members for their scrutiny of the city's finances. Their cost-benefit analyses are very important at a time when the state and federal government have made concerted efforts to shrink the size and reach of the government's largesse. We must not forget that some things are not subject to cost-benefit analysis. The views of our natural and built environment are invaluable so, as Mayor Eachern urged, we must keep all the building options open.

Patrick Daley
74 Wibird Street


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

Yes

{Empty}



Receipt Date:

City of Portsmouth, NH Boards, Committees, and Commissions

INITIAL APPLICATION

The application may be printed and hand-delivered, or electronically submitted to the Office of the City Clerk.

Initial Application

Committee: Sustainability Committee

Name: Wendi Alip

Telephone: 773-391-5638

If you do not receive the appointment you are requesting, would you be interested in serving on another board, committee or commission?

Yes ☐ No ☒

Have you contacted the Chair of the Board, Commission, or Committee to determine the time commitment involved? YES/NO ☒ ☐

Can you be contacted at work? YES/NO ☒ ☐ If so, telephone number:

Street address: 73 Sagamore Avenue, Portsmouth

Mailing address (if different):

Email address (for communication from the Office of the City Clerk, and distribution of training materials):

How long have you been a resident of Portsmouth? 8 years

Occupational background:

Visual marketing communications director in Cleveland // cultural ambassador and language instructor for
archaeological photographer near Aman Jordan // support staff for both Katz Graduate School of Business
and Bioengineering at the University of Pittsburgh // independent decorative painter and color consultant v
designers and architects in Chicago // independent contractor for trade show display design and build in Cl



City of Portsmouth, NH

Boards, Committees, and Commissions

INITIAL APPLICATION

The application may be printed and hand-delivered, or electronically submitted to the Office of the City Clerk.

Please list experience you have in respect to this Board, Committee, or Commission:

Started actively advocating for the environment in small ways beginning in the early 2000s. At the time, in the suburb where we were living, this was not common. // Autumn 2025: Great Bay Changemaker Program. This experience gave me the tools, resources, and confidence I needed to share the knowledge I have accumulated over the years. // Also, I have attended the last few Sustainability Committee meetings to ensure the role was

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

Reasons for wishing to serve: _____

Our beautiful little city is growing quite rapidly, and I want to work alongside others to help steer that growth to ensure we move forward thoughtfully, intentionally, and as sustainably as possible.

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

Currently serving as Selectman Ward 5. // Active in the community and will often step up to fill a gap, but generally work independently and outside of the spotlight.

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

1. _____
Name, address, telephone number
2. _____
Name, address, telephone number

By submitting this application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission/Committee; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Your application will be kept on file for one year from date of receipt.
6. IF APPOINTED, YOU WILL BE REQUIRED TO REVIEW AND ACKNOWLEDGE THE BOARD, COMMISSION AND COMMITTEE HANDBOOK FOR VOLUNTEERS AND TO PARTICIPATE IN ALL TRAININGS.
7. Sign the Oath of Office book preserved with the Office of the City Clerk

Signature: _____

Date: July 22 2026

----- Forwarded message -----

From: **Paul Mannle** <p_mannle@yahoo.com>

Date: Mon, Jul 13, 2026 at 8:15 AM

Subject: Resignation

To: <>

Deaglan,

I have resigned as a member of the BOA, effective July 1, as I have moved from Portsmouth.

Thank you for the opportunity to serve.

All the best,

Paul

From: Heather Krans <[REDACTED]>
Date: July 21, 2026 at 12:13:22 PM EDT
To: dmceachern@portsmouthnh.gov
Cc: Sean Clancy <sclancy@portsmouthnh.gov>, Chris Dwyer <Cdwyer@rmcres.com>
Subject: PARC

Dear Mayor McEachern,

Please accept this correspondence as my resignation from the Public Art Review Committee (PARC), effective **August 15, 2026**. I have so enjoyed my time on the committee, but I am moving outside the city and I understand that living in Portsmouth is a requirement for committee service. I sincerely hope that despite my short tenure on the committee I have been able to be of service. Thank you for the opportunity to serve the City of Portsmouth.

Sincerely,
Heather Krans

7 Portwalk Pl., Unit 1304
Portsmouth, NH, 03801
[REDACTED]

HOUSING ACTION PLAN

July 2026

DRAFT

The Housing Committee presented its recommendations to the City Council on July 13, 2026. The Council referred the matter to the Planning Board for further review. It is anticipated that the Planning Board will discuss the recommendations at its [August 20, 2026](#) meeting.



Ruth Lewin Griffin Place Below Market Rate Housing Complex

Purpose

Identify practical steps to increase housing options and improve affordability.

Approach

Coordinate zoning, redevelopment strategies, housing programs, and the Master Plan.

Outcome

Provide a clear roadmap with actions, responsible parties, and timeframes.

In This Plan

Over the past decade, the City of Portsmouth has taken a consistent and proactive approach to understanding and addressing local housing needs.

This effort has included a combination of planning studies, public engagement, zoning ordinance and map updates, and policy initiatives aimed at increasing housing opportunities, improving affordability, and supporting long-term community stability.

City Council direction

- Increase housing supply
- Reduce costs and simplify development
- Expand below market-rate housing options
- Coordinate with the Master Plan update

1

Update the Rules

2

Encourage Redevelopment

3

Broaden Housing Choices

4

Track Progress

A strong foundation for this work was established through a series of housing-related studies and reports. Beginning with the Housing Committee Final Report and City Council Housing Policy in 2016, the City has continued to build on its understanding of local housing conditions through ongoing research and analysis. This includes the "Places to Live" study circle dialogue in 2024, an Inclusionary Zoning Analysis completed the same year, and earlier efforts such as the Portsmouth Market Study (2022) and Housing Development Trends analysis (2020).



An image of Market Square in Portsmouth with the North Church and Congress Street

Housing has been the top priority of both the current City Council and the prior Council. The 2026–2027 City Council set a clear goal of increasing housing supply for all income levels, reducing costs, simplifying the development process, and expanding below market-rate housing options. This Council also directed the creation of this Housing Action Plan and a comprehensive update of the zoning ordinance.

This direction builds on the goals of the 2024–2025 City Council, which emphasized expanding housing choices, increasing below market-rate housing, and advancing zoning changes to support housing development. That Council also supported initiatives such as the Housing Navigator program, the Housing Blue Ribbon Committee, and the establishment of a Below Market Rate Housing Trust Fund.

Over the past two years, residents and community advocates devoted substantial time and expertise to housing in Portsmouth, offering comment and producing research, analytical tools, and a proposed framework of actions brought to the Council and the Housing Committee. That work informed the Council's February 2026 direction to create this Housing Action Plan, and much of it is reflected in the actions that follow. The City welcomes this kind of engagement — addressing Portsmouth's housing challenges will continue to require the knowledge, energy, and participation of community members.

Zoning Changes

Key point: The City has made a number of updates to its zoning ordinance to better accommodate housing development. Portsmouth maintains a zoning framework that is regularly reviewed and amended, with updates adopted as recently as 2025 and 2026. Recent amendments have directly addressed housing-related barriers, including updates to accessory dwelling unit (ADU) regulations to comply with state law, modifications to off-street parking requirements, and the introduction of new housing types such as co-living.

Earlier zoning initiatives during this period also helped establish the framework for more flexible land use. The adoption and expansion of the Gateway zoning districts and creation of the Gateway Neighborhood Overlay District have supported redevelopment and encouraged a broader range of housing types in appropriate locations. These efforts have established important groundwork for the current Housing Action Plan.

Housing Production Incentives

Key point: In addition to regulatory updates, the City has explored and advanced a range of policy approaches to support housing production. City Council and Housing Committee discussions have focused on strategies such as allowing conversion of single-family homes into multiple units, expanding mixed-use zoning, and reducing parking-related barriers. The City has also explored financial tools, including the continued use of the Housing Trust Fund and other funding or incentive programs to support housing development.

As a result of these combined efforts, Portsmouth has built a strong foundation for continued progress. The City has not only studied housing issues extensively, but has also taken concrete steps to update regulations, test new approaches, and support development in practice. This body of work directly informs the Housing Action Plan and the recommendations that follow, providing a more coordinated framework for moving forward together with the ongoing Master Plan update.

Master Plan Integration

Key point: This Housing Action Plan is intended to support and help implement the broader goals of the Master Plan. Many of the recommended actions, particularly those related to zoning and land use, will be advanced through the Master Plan update and subsequent changes to the City's zoning regulations. By linking these efforts, the City can ensure that its housing policies are coordinated, consistent, and grounded in a long-term vision for the community.

At its core, the plan makes it easier to create housing, with a specific focus on expanding below market-rate options. Key strategies include allowing more multi-family

housing, reducing requirements such as lot size and setbacks, and making it easier to convert large single-family homes into multiple units — supporting new housing in areas that are already developed, rather than relying solely on new growth areas.

The plan also emphasizes better use of underutilized properties, including redevelopment of older commercial and office buildings into housing, and a wider range of housing types, such as smaller homes, clustered housing, workforce housing, and live/work units, to serve residents at different stages of life and income levels. Financial tools and programs round out the plan, including the Housing Trust Fund, in-lieu payment options, and homebuyer assistance programs, along with a continued commitment to preserving existing below market-rate housing, expanding senior housing options, and complying with workforce housing requirements. Each action in the plan includes clear steps, a responsible party, and a timeframe, providing a roadmap the City can track over time.

Priority	Action	Description	Key Implementation Steps	Lead	Timeframe	Metrics	Milestone
1	Expand the use and geographic applicability of RSA 79-E tax relief incentives to encourage redevelopment and housing production in underutilized areas.	Expand tax relief incentives to support redevelopment and housing construction in underutilized areas.	City Council adoption of Housing Opportunity Zones Citywide	Planning/Assessor/City Council	0-9 mo	Projects	Program used
2	Conduct a comprehensive zoning review to identify barriers to housing development and prioritize necessary regulatory reforms.	Identify regulatory barriers and prioritize zoning reforms in line with the Master Plan. Create a more user-friendly document.	Review Zoning Ordinance; recommend changes	City Staff/Consultant/Planning Board/City Council	1-2 yr	Zoning amendments to remove barriers	Amended Zoning Ordinance
3	Amend zoning regulations to allow the conversion of commercial and office buildings into residential units.	Allow office/commercial to residential conversion to increase housing supply without new land consumption.	Review Zoning Ordinance; recommend changes, Zoning Ordinance amended	Planning Staff/Planning Board/City Council	0-6 mo	Amendments to allow conversions	Amended Zoning Ordinance
4	Expand zoning provisions to allow and encourage cottage housing and clustered small-lot residential development.	Identify zoning districts and neighborhoods suitable for small clustered housing options.	Review existing Zoning Districts and revisions to Zoning Ordinance	Planning/Planning Board/City Council	6-12 mo	Zoning district changes to permit small clustered housing	Amended Zoning Ordinance and Zoning Map
5	Establish an in-lieu fee program allowing developers to contribute financially toward affordable housing in place of on-site unit provision.	Allow a payment in-lieu of fee to the Housing Trust Fund.	Recommend changes to Zoning Ordinance, Zoning Ordinance amended	Planning/Planning Board/City Council	0-6 mo	Identify amendments to Zoning Ordinance and Fee Schedule	Payments received
6	Continue to waive fees for below market rate housing projects for nonprofit entities	Waive fees as requested for nonprofits for below market rate housing projects	Continue past practice of waiving fees	City Council	Ongoing	Below market rate housing projects by nonprofit entities	Requested Fees Waived
7	Rezone Office Research (OR) and General Business (GB) districts to allow mixed-use and residential development.	Identify parcels zoned GB or OR and propose new zoning district designations.	Identify parcels; Amend Zoning Map	Planning/Planning Board/City Council	0-6 mo	Revise zoning map	Projects proposed and constructed after map amendments
	Expand multi-family zoning.	Expand areas allowing multi-family housing to increase supply. Change single-family districts to allow multi-family housing.	Review Zoning Ordinance; recommend changes	City Staff/Consultant/Planning Board/City Council	1-2 yr	Zoning Ordinance and Zoning Map amendments	Amended Zoning Ordinance and Zoning Map
	Review dimensional zoning standards.	Reduce minimum lot sizes, frontage requirements, yards (setbacks), etc. to provide more housing opportunities	Review Zoning Ordinance; recommend changes	Planning/Consultant/Planning Board/City Council	1-2 yr	Conforming lots	Amended Zoning Ordinance
	Allow conversion of existing single-family homes into multiple dwelling units.	Allow large homes to be converted into multiple units.	Review Zoning Ordinance; recommend changes, amend Zoning Ordinance	Planning/Planning Board/City Council	1-2 yr	Units	Amended Zoning Ordinance
	Deploy and expand the City’s Housing Trust Fund to support affordable and workforce housing development.	Fund housing development through local resources.	Allocate funds; track	Planning/Finance/Housing Trustees	Ongoing	Units funded	Projects completed
	Develop and implement programs to assist homebuyers in accessing homeownership opportunities.	Support homebuyers to expand ownership access.	Launch program; partner lenders	City Council/Community Development/Housing Committee	1-3 yr	Programs created	Programs active
	Plan and designate outlying areas for new residential neighborhood development to accommodate long-term housing demand.	Plan new residential growth areas for future housing demand based on Master Plan.	Identify areas from Master Plan; recommend Zoning Map changes	Planning/Consultant/Planning Board/City Council	1-2 yr	Zoning Map amendments	Amended Zoning Map
	Simplify and update Form-Based Code provisions to improve usability and encourage more below market rate housing.	Simplify Form-Based Code.	Review and revise code; Recommend Zoning Ordinance changes	Planning/Consultant/Planning Board/City Council	1-2 yr	Zoning Ordinance amendments	More below market rate housing
	Adjust Building height requirements.	Increase height limits to add density where appropriate.	Amend zoning	Planning/City Council	1-2 yr	Units	Projects built
	Allow live/work units.	Allow flexible housing with workspace integration.	Review Zoning Ordinance; Recommend Zoning Ordinance changes	Planning/Planning Board/City Council	1-2 yr	Units	Increase in live/work units
	Preserve existing below market rate housing	Protect existing affordable housing from loss.	Inventory; Provide funding/opportunities to extend terms of existing below market rate housing	Planning/Housing Trust Fund/Trustees	Ongoing	Units	No loss
	Create more senior housing.	Expand housing for older residents. Comprehensive strategy for senior housing: independent living, assisted living, memory care, aging-in-place support.	Review Programs	Community Development/City Council	2-5 yr	Available Programs and Services	Increase in Senior housing and assistance
	Create/strengthen a workforce housing ordinance (RSA 674:58-61).	Adopt or strengthen local workforce housing ordinance consistent with NH RSA 674:58-61.	Review RSA against Zoning Ordinance	Planning/Legal/Planning Board/City Council	1 yr	Adopted amendments to be consistent with RSA	Amended Zoning Ordinance to be consistent with State law

Housing Action Plan

Portsmouth City Council

August 3, 2026



Housing Actions to Date

The Housing Action Plan builds upon years of housing research, public engagement, policy development, and implementation efforts.

- Housing Committee Final Report (2016)
- Housing Development Trends (2020)
- Portsmouth Market Study (2022)
- Housing Navigator Program
- Inclusionary Zoning Analysis (2024)
- Places to Live Dialogue (2024)
- Housing Blue Ribbon Committee
- Below Market Rate Housing Trust Fund

Why this Plan?

City Council Goals

- Increase housing supply
- Reduce housing costs
- Simplify the development process
- Expand below-market housing options



The plan connects City Council goals, community input, the Master Plan update, and future implementation actions.

Next Steps

1. Refer Housing Action Plan to Planning Board
2. Public Meeting – September 23
3. Public Meeting – September 28
4. City Council Adoption
5. Implement Plan

Housing Action Plan

Questions and Comments?

Portsmouth City Council

August 3, 2026

CITY OF PORTSMOUTH, NH
Public Art Review Committee

July 23, 2026

Memorandum

To: Members of the City Council

From: Public Art Review Committee (PARC)

Subject: Vaughn Mall Future Public Art

At the July 22, 2026 PARC meeting, the committee unanimously recommended that the Council designate a location in the soon-to-be refurbished Vaughn Mall for a community-led public art project. The project has been spearheaded by a small group from the local LGBTQ+ community which has worked with PARC and DPW representatives to identify a general location on Vaughn Mall near the Congress Street end of the Mall. Although the project has not yet been designed, PARC seeks assurance from the Council that this general location can be the site for the proposed work.

The idea for the proposed public art work was sparked by donations given for a “PRIDE crosswalk” following a series of racist/homophobic incidents targeting downtown locations. Through discussions with PARC, the originators of the initial fundraising agreed that rather than a ubiquitous and difficult-to-maintain painted crosswalk, it would be more appropriate to develop a Portsmouth-specific work. The developing concept is an artwork that would celebrate Portsmouth as the City of the Open Door, welcoming to all people no matter race/ethnicity, sexual orientation, age, gender, and so forth. The medium and format is not yet determined but will be decided through an RFP process. The work is intended as a permanent work.

In order to commence fundraising for the project, the LGBTQ+ group needs assurance from the Council that the location will be designated for the work. The group understands that further approval through PARC will be required and that coordination with DPW will be needed as the Vaughn Mall plan progresses.

PARKING and TRAFFIC SAFETY COMMITTEE

ACTION SHEET

9:00 A.M. – July 2, 2026
City Hall Conference Room A

PRESENT: **Members:** Committee Chair Annie Hopkins, Vice Committee Chair Erica Wygonik, Public Works Director Peter Rice, Fire Chief William McQuillen, Deputy Police Chief Mike Maloney, Stefanie Casella Planning Department, Mary Lou McElwain, Jane Mitchell-Pate, Alternate Barbara Sadick

City Staff: City Engineer Eric Eby, Parking Director Ben Fletcher, Project Manager Tyler Reese, Business Administrator Jefferson Lane

ACTION ITEMS FOR CITY COUNCIL
<u>Shearwater Drive, request to post speed limit at 25 MPH, by DPW. Voted to approve speed limit of 25 MPH on Shearwater Drive.</u>

1. **Roll Call**
2. **Financial Report:** Voted to accept the financial report dated May 31, 2026.
3. **Public Comment Session:** Tyler Garzo (Accidents versus crashes), Judy Miller (crosswalk markings near Hanover Street)
4. **Shearwater Drive, request to post speed limit at 25 MPH, by DPW. Voted to approve speed limit of 25 MPH on Shearwater Drive.**
5. **Maplewood Avenue, crosswalk at Dennett Street, report back on vehicle speed study and video monitoring of crosswalk, by DPW. Voted to place item on file.**
6. **Complete Streets Design Guidelines. Request to re-examine the Complete Street guidelines, by DPW. Voted to create working group with members of Bicycle/Pedestrian Blue Ribbon Committee and PTS Committee to evaluate and report back with recommendations at future meeting.**
7. **Police monthly collision report:** Informational; no action required.
8. **Construction projects update:** Informational; no action required.
9. **Discussion of Committee purpose and mission:** Voted to have Committee review language adjustments within the applicable City Ordinance section internally, review with Jane Ferrini from the Legal Department, and recommend any changes to Council.

Respectfully submitted by: Jefferson Lane

PARKING and TRAFFIC SAFETY COMMITTEE
PORTSMOUTH, NEW HAMPSHIRE

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

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

9:00 AM

July 2nd, 2026

MINUTES

1. CALL TO ORDER

Committee Chair Annie Hopkins called the meeting to order at 9:00 AM.

2. ATTENDANCE

Members Present:

Public Works Director Peter Rice
Fire Chief William McQuillen
Deputy Police Chief Mike Maloney
Committee Chair Annie Hopkins
Stefanie Casella, Planning Department
Erica Wygonik (arrived 9:24a)
Mary Lou McElwain
Jane Mitchell-Pate
Barbara Sadick (alternate)

Members Absent:

Mark Syracuse

City Staff Present:

Eric Eby, City Engineer
Ben Fletcher, Parking Director
Tyler Reese, Project Manager
Jefferson Lane, DPW Administrative Assistant

3. FINANCIAL REPORT

[00:05:22] Peter Rice moved to accept the financial report dated May 31st, 2026, seconded by Mary Lou McElwain. On a unanimous vote, the motion passed.

4. PUBLIC COMMENT (15 MINUTES)

[00:06:04] There were two speakers: Tyler Garzo, 62 McKinley Road, differentiated between accidents and crashes; Judy Miller, 77 Hanover Street, spoke regarding faded crosswalk paint in areas near Hanover Street, requesting re-painting by DPW.

5. PRESENTATIONS

There were no presentations

6. NEW BUSINESS

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

- A. [00:10:28] Shearwater Drive, request to post speed limit at 25 MPH, by DPW. Eric Eby spoke on the background of the matter, citing its absence from the City ordinance due to a name change years ago—the road then underwent residential development and signage was removed, prompting request from neighbors for re-posting of the speed limit. A speed study was conducted for the roadway, with 25 miles per hour determined as the appropriate speed limit. Following discussion, Bill McQuillen moved to approve speed limit of 25 MPH on Shearwater Drive, seconded by Mary Lou McElwain. On a unanimous vote, the motion passed.

7. OLD BUSINESS

- A. [00:13:35] Maplewood Avenue, crosswalk at Dennett Street, report back on vehicle speed study and video monitoring of crosswalk, by DPW. Eric Eby spoke on the results of the speed study and pedestrian video study conducted, determining that the observed speeds and number of pedestrians crossing do not warrant increased crossing signage or changes to current setup. Following discussion, Mary Lou McElwain moved to place the item on file, seconded by Jane Mitchell-Pate. On a unanimous vote, the motion passed.
- B. [00:19:01] Complete Streets Design Guidelines. Request to re-examine the Complete Street guidelines, by DPW. Peter Rice provided background to the intent of the item, this time with increased input from Police and Fire, keeping guidelines well-rounded. Following committee discussion, Peter Rice moved to create working group with members of Bicycle/Pedestrian Blue Ribbon Committee and PTS Committee to evaluate and report back with recommendations at future meeting, seconded by Jane Mitchell-Pate. On a unanimous vote, the motion passed.

8. INFORMATIONAL

- A. [00:24:37] Police monthly collision report
- B. [00:27:36] Construction projects update
- C. [00:30:33] Discussion of Committee purpose and mission. Peter Rice moved to have Committee review language adjustments within the applicable City Ordinance section internally, review with Jane Ferrini from the Legal Department, and recommend any changes to Council; seconded by Erica Wygonik. On a unanimous vote, the motion passed.

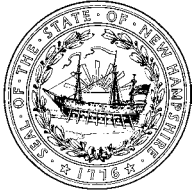
9. MISCELLANEOUS

- [00:51:50] Camper parking
- [00:52:44] Car-Free Commute Challenge
- [00:53:09] Resident Access Parking Program (RAPP) Pilot

10. ADJOURNMENT

[00:56:59] Erica Wygonik moved to adjourn, seconded by Barbara Sadick. On a unanimous vote, the motion passed. Chair Annie Hopkins adjourned the meeting at 9:53 AM.

Respectfully submitted,
Jefferson Lane – Business Administrator, Department of Public Works



STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION FOR BEHAVIORAL HEALTH

Lori A. Weaver
Commissioner

Katja S. Fox
Director

129 PLEASANT STREET, CONCORD, NH 03301
603-271-9544 1-800-852-3345 Ext. 9544
Fax: 603-271-4332 TDD Access: 1-800-735-2964 www.dhhs.nh.gov

June 29, 2026

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Health and Human Services, Division for Behavioral Health, on behalf of the Opioid Abatement Advisory Commission, to award a **Sole Source** grant agreement with City of Portsmouth (VC#177463-B001), Portsmouth, NH, in the amount of \$776,653 for the development and implementation of an opioid abatement program, with the option to renew for up to two (2) additional years, effective upon Governor and Council approval through June 30, 2028. 100% Other Funds (Opioid Abatement Trust Fund).

Funds are available in the following account for State Fiscal Year 2027 and are anticipated to be available in State Fiscal Year 2028, with the authority to adjust budget line items within the price limitation and encumbrances between state fiscal years through the Budget Office, if needed and justified.

05-95-92-920510-39500000 HEALTH AND SOCIAL SERVICES, HEALTH AND HUMAN SERVICES, DEPT. OF HHS: DIVISION FOR BEHAVIORAL HEALTH, BUREAU OF DRUG AND ALCOHOL SERVICES, OPIOID ABATEMENT TRUST FUNDS (100% OTHER FUNDS)

State Fiscal Year	Class / Account	Class Title	Job Number	Total Amount
2027	102-500731	Contracts for Prog Svc	92053950	\$379,864
2028	102-500731	Contracts for Prog Svc	92053950	\$396,789
			Total	\$776,653

EXPLANATION

The purpose of this request is to enter into a grant agreement with the Grantee to provide funding to the City of Portsmouth's Welfare Department to support emergency housing, rent, shelter and transportation for individuals impacted by opioid use disorder (OUD); provide funding for an additional civilian social worker embedded within the Police Department who will work with affected community members on underlying opioid misuse, mental health conditions, homelessness, and domestic violence; and provide funding for an additional social worker within the School Department who will provide early intervention, counseling, case management, and family outreach. On January 12, 2026, the Opioid Abatement Trust Fund Advisory Commission voted to award funds to the Grantee. This request is **Sole Source** because the Grantee was not

selected through a competitive solicitation process. The Grantee applied directly to the Commission for funds.

Approximately 340 individuals will be served annually.

The Department will monitor services by reviewing annual reports and conducting regular meetings with the Grantee.

As referenced in Section 4.4. of the attached agreement, the parties have the option to extend the agreement for up two (2) additional years, contingent upon satisfactory delivery of services, available funding, agreement of the parties and Governor and Council approval.

Should the Governor and Council not authorize this request the Department will not be able to carry out the funding decision of the Opioid Abatement Advisory Commission, and the Grantee will not be able to increase support for individuals and families impacted by OUD through the City of Portsmouth's Welfare Department, Police Department, and School Department.

Area served: Portsmouth.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lori A. Weaver".

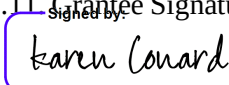
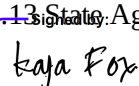
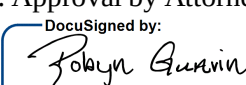
For:

Lori A. Weaver
Commissioner

Subject: Opioid Abatement Programs (SS-2027-DBH-03-OPIOI-01)**GRANT AGREEMENT**

The State of New Hampshire and the Grantee here mutually agree as follows:

GENERAL PROVISIONS**1. Identification and Definitions.**

1.1. State Agency Name New Hampshire Department of Health and Human Services		1.2. State Agency Address 129 Pleasant Street Concord, NH 03301-3857	
1.3. Grantee Name City of Portsmouth		1.4. Grantee Address Municipal Complex 1 Junkins Avenue Portsmouth, NH, 03801	
1.5 Grantee Phone # (603) 610-7201	1.6. Account Number TBD	1.7. Completion Date June 30, 2028	1.8. Grant Limitation \$776,653
1.9. Grant Officer for State Agency Robert W. Moore, Director		1.10. State Agency Telephone Number (603) 271-9631	
If Grantee is a municipality or village district: "By signing this form we certify that we have complied with any public meeting requirement for acceptance of this grant, including if applicable RSA 31:95-b."			
1.11. Grantee Signature 1  6/19/2026		1.12. Name & Title of Grantee Signor 1 Karen Conard City Manager	
Grantee Signature 2		Name & Title of Grantee Signor 2	
Grantee Signature 3		Name & Title of Grantee Signor 3	
1.13. State Agency Signature(s)  6/22/2026		1.14. Name & Title of State Agency Signor(s) Kaja Fox Director	
1.15. Approval by Attorney General (Form, Substance and Execution) (if G & C approval required) By:  Assistant Attorney General, On: 6/23/2026			
1.16. Approval by Governor and Council (if applicable) By: _____ On: _____			

2. SCOPE OF WORK: In exchange for grant funds provided by the State of New Hampshire, acting through the Agency identified in block 1.1 (hereinafter referred to as "the State"), the Grantee identified in block 1.3 (hereinafter referred to as "the Grantee"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT B (the scope of work being hereinafter referred to as "the Project").



3. **AREA COVERED.** Except as otherwise specifically provided for herein, the Grantee shall perform the Project in, and with respect to, the State of New Hampshire.
4. **EFFECTIVE DATE: COMPLETION OF PROJECT.**
- 4.1. This Agreement, and all obligations of the parties hereunder, shall become effective on the date on the date of approval of this Agreement by the Governor and Council of the State of New Hampshire if required (block 1.16), or upon signature by the State Agency as shown in block 1.14 ("the Effective Date").
- 4.2. Except as otherwise specifically provided herein, the Project, including all reports required by this Agreement, shall be completed in ITS entirety prior to the date in block 1.7 (hereinafter referred to as "the Completion Date").
5. **GRANT AMOUNT: LIMITATION ON AMOUNT: VOUCHERS: PAYMENT.**
- 5.1. The Grant Amount is identified and more particularly described in EXHIBIT C, attached hereto.
- 5.2. The manner of, and schedule of payment shall be as set forth in EXHIBIT C.
- 5.3. In accordance with the provisions set forth in EXHIBIT C, and in consideration of the satisfactory performance of the Project, as determined by the State, and as limited by subparagraph 5.5 of these general provisions, the State shall pay the Grantee the Grant Amount. The State shall withhold from the amount otherwise payable to the Grantee under this subparagraph 5.3 those sums required, or permitted, to be withheld pursuant to N.H. RSA 80:7 through 7-c.
- 5.4. The payment by the State of the Grant amount shall be the only, and the complete payment to the Grantee for all expenses, of whatever nature, incurred by the Grantee in the performance hereof, and shall be the only, and the complete, compensation to the Grantee for the Project. The State shall have no liabilities to the Grantee other than the Grant Amount.
- 5.5. Notwithstanding anything in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made, hereunder exceed the Grant limitation set forth in block 1.8 of these general provisions.
6. **COMPLIANCE BY GRANTEE WITH LAWS AND REGULATIONS.** In connection with the performance of the Project, the Grantee shall comply with all statutes, laws regulations, and orders of federal, state, county, or municipal authorities which shall impose any obligations or duty upon the Grantee, including the acquisition of any and all necessary permits and RSA 31-95-b.
7. **RECORDS and ACCOUNTS.**
- 7.1. Between the Effective Date and the date seven (7) years after the Completion Date, unless otherwise required by the grant terms or the Agency, the Grantee shall keep detailed accounts of all expenses incurred in connection with the Project, including, but not limited to, costs of administration, transportation, insurance, telephone calls, and clerical materials and services. Such accounts shall be supported by receipts, invoices, bills and other similar documents.
- 7.2. Between the Effective Date and the date seven (7) years after the Completion Date, unless otherwise required by the grant terms or the Agency pursuant to subparagraph 7.1, at any time during the Grantee's normal business hours, and as often as the State shall demand, the Grantee shall make available to the State all records pertaining to matters covered by this Agreement. The Grantee shall permit the State to audit, examine, and reproduce such records, and to make audits of all contracts, invoices, materials, payrolls, records of personnel, data (as that term is hereinafter defined), and other information relating to all matters covered by this Agreement. As used in this paragraph, "Grantee" includes all persons, natural or fictional, affiliated with, controlled by, or under common ownership with, the entity identified as the Grantee in block 1.3 of these provisions
8. **PERSONNEL.**
- 8.1. The Grantee shall, at its own expense, provide all personnel necessary to perform the Project. The Grantee warrants that all personnel engaged in the Project shall be qualified to perform such Project, and shall be properly licensed and authorized to perform such Project under all applicable laws.
- 8.2. The Grantee shall not hire, and it shall not permit any subcontractor, subgrantee, or other person, firm or corporation with whom it is engaged in a combined effort to perform the Project, to hire any person who has a contractual relationship with the State, or who is a State officer or employee, elected or appointed.
- 8.3. The Grant Officer shall be the representative of the State hereunder. In the event of any dispute hereunder, the interpretation of this Agreement by the Grant Officer, and his/her decision on any dispute, shall be final.
9. **DATA; RETENTION OF DATA; ACCESS.**
- 9.1. As used in this Agreement, the word "data" shall mean all information and things developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs, computer printouts, notes, letters, memoranda, paper, and documents, all whether finished or unfinished.
- 9.2. Between the Effective Date and the Completion Date the Grantee shall grant to the State, or any person designated by it, unrestricted access to all data for examination, duplication, publication, translation, sale, disposal, or for any other purpose whatsoever.
- 9.3. No data shall be subject to copyright in the United States or any other country by anyone other than the State.
- 9.4. On and after the Effective Date all data, and any property which has been received from the State or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason, whichever shall first occur.
- 9.5. The State, and anyone it shall designate, shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, all data.
10. **CONDITIONAL NATURE OR AGREEMENT.** Notwithstanding anything in this Agreement to the contrary, all obligations of the State hereunder, including, without limitation, the continuance of payments hereunder, are contingent upon the availability or continued appropriation of funds, and in no event shall the State be liable for any payments hereunder in excess of such available or appropriated funds. In the event of a reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this Agreement immediately upon giving the Grantee notice of such termination.
11. **EVENT OF DEFAULT: REMEDIES.**
- 11.1. Any one or more of the following acts or omissions of the Grantee shall constitute an event of default hereunder (hereinafter referred to as "Events of Default"):
- 11.1.1 Failure to perform the Project satisfactorily or on schedule; or
- 11.1.2 Failure to submit any report required hereunder; or
- 11.1.3 Failure to maintain, or permit access to, the records required hereunder; or
- 11.1.4 Failure to perform any of the other covenants and conditions of this Agreement.
- 11.2. Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:
- 11.2.1 Give the Grantee a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this Agreement, effective two (2) days after giving the Grantee notice of termination; and
- 11.2.2 Give the Grantee a written notice specifying the Event of Default and suspending all payments to be made under this Agreement and ordering that the portion of the Grant Amount which would otherwise accrue to the Grantee during the period from the date of such notice until such time as the State determines that the Grantee has cured the Event of Default shall never be paid to the Grantee; and
- 11.2.3 Set off against any other obligation the State may owe to the Grantee any damages the State suffers by reason of any Event of Default; and
- 11.2.4 Treat the agreement as breached and pursue any of its remedies at law or in equity, or both.
12. **TERMINATION.**
- 12.1. In the event of any early termination of this Agreement for any reason other than the completion of the Project, the Grantee shall deliver to the Grant Officer, not later than fifteen (15) days after the date of termination, a report (hereinafter referred to as the "Termination Report") describing in detail all Project Work performed, and the Grant Amount earned, to and including the date of termination.
- 12.2. In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall entitle the Grantee to receive that portion of the Grant amount earned to and including the date of termination.
- 12.3. In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall in no event relieve the Grantee from any and all liability for damages sustained or incurred by the State as a result of the Grantee's breach of its obligations hereunder.
- 12.4. Notwithstanding anything in this Agreement to the contrary, either the State or, except where notice default has been given to the Grantee hereunder, the Grantee, may terminate this Agreement without cause upon thirty (30) days written notice.
13. **CONFLICT OF INTEREST.** No officer, member of employee of the Grantee, and no representative, officer or employee of the State of New Hampshire or of the governing body of the locality or localities in which the Project is to be performed, who exercises any functions or responsibilities in the review or

- approval of the undertaking or carrying out of such Project, shall participate in any decision relating to this Agreement which affects his or her personal interest or the interest of any corporation, partnership, or association in which he or she is directly or indirectly interested, nor shall he or she have any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.
14. **GRANTEE'S RELATION TO THE STATE.** In the performance of this Agreement the Grantee, its employees, and any subcontractor or subgrantee of the Grantee are in all respects independent contractors, and are neither agents nor employees of the State. Neither the Grantee nor any of its officers, employees, agents, members, subcontractors or subgrantees, shall have authority to bind the State nor are they entitled to any of the benefits, workmen's compensation or emoluments provided by the State to its employees.
15. **ASSIGNMENT AND SUBCONTRACTS.** The Grantee shall not assign, or otherwise transfer any interest in this Agreement without the prior written consent of the State. None of the Project Work shall be subcontracted or subgranted by the Grantee other than as set forth in Exhibit B without the prior written consent of the State.
16. **INDEMNIFICATION.** The Grantee shall defend, indemnify and hold harmless the State, its officers and employees, from and against any and all losses suffered by the State, its officers and employees, and any and all claims, liabilities or penalties asserted against the State, its officers and employees, by or on behalf of any person, on account of, based on, resulting from, arising out of (or which may be claimed to arise out of) the acts or omissions of the Grantee or subcontractor, or subgrantee or other agent of the Grantee. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant shall survive the termination of this agreement.
17. **INSURANCE.**
- 17.1 The Grantee shall, at its own expense, obtain and maintain in force, or shall require any subcontractor, subgrantee or assignee performing Project work to obtain and maintain in force, both for the benefit of the State, the following insurance:
- 17.1.1 Statutory workers' compensation and employees liability insurance for all employees engaged in the performance of the Project, and
- 17.1.2 General liability insurance against all claims of bodily injuries, death or property damage, in amounts not less than \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury or death any one incident, and \$500,000 for property damage in any one incident; and
- 17.2. The policies described in subparagraph 17.1 of this paragraph shall be the standard form employed in the State of New Hampshire, issued by underwriters acceptable to the State, and authorized to do business in the State of New Hampshire. Grantee shall furnish to the State, certificates of insurance for all renewal(s) of insurance required under this Agreement no later than ten (10) days prior to the expiration date of each insurance policy.
18. **WAIVER OF BREACH.** No failure by the State to enforce any provisions hereof after any Event of Default shall be deemed a waiver of its rights with regard to that Event, or any subsequent Event. No express waiver of any Event of Default shall be deemed a waiver of any provisions hereof. No such failure of waiver shall be deemed a waiver of the right of the State to enforce each and all of the provisions hereof upon any further or other default on the part of the Grantee.
19. **NOTICE.** Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses first above given.
20. **AMENDMENT.** This Agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Council of the State of New Hampshire, if required or by the signing State Agency.
21. **CONSTRUCTION OF AGREEMENT AND TERMS.** This Agreement shall be construed in accordance with the law of the State of New Hampshire, and is binding upon and inures to the benefit of the parties and their respective successors and assignees. The captions and contents of the "subject" blank are used only as a matter of convenience, and are not to be considered a part of this Agreement or to be used in determining the intent of the parties hereto.
22. **THIRD PARTIES.** The parties hereto do not intend to benefit any third parties and this Agreement shall not be construed to confer any such benefit.
23. **ENTIRE AGREEMENT.** This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings relating hereto.
24. **SPECIAL PROVISIONS.** The additional or modifying provisions set forth in Exhibit A hereto are incorporated as part of this agreement.

**New Hampshire Department of Health and Human Services
Opioid Abatement Programs**

EXHIBIT A

Revisions to Standard Grant Agreement Provisions

1. Revisions to Form G-1, General Provisions

1.1. Paragraph 4, Effective Date: Completion of Project, is amended by adding subparagraphs 4.3 and 4.4 as follows:

4.3 If the Grantee commences the Services prior to the Effective Date, all Services performed by the Grantee prior to the Effective Date shall be performed at the sole risk of the Grantee, and in the event that this Agreement does not become effective, the State shall have no liability to the Grantee, including without limitation, any obligation to pay the Grantee for any costs incurred or Services performed.

4.4 The parties may extend the Agreement for up to two (2) additional years from the Completion Date, contingent upon satisfactory delivery of services, available funding, agreement of the parties, and approval of the Governor and Executive Council.

1.2. Paragraph 6, Compliance by Grantee with Laws and Regulations, is amended as follows:

6. In connection with the performance of the Project, the Grantee shall comply with all statutes, laws regulations, and orders of federal, state, county, or municipal authorities which shall impose any obligations or duty upon the Grantee, including but not limited to, RSA 151:21 Patients' Bill of Rights, civil rights and equal employment opportunity laws, the Governor's order on Respect and Civility in the Workplace, Executive Order 2020-01, acquisition of any and all necessary permits and RSA 31-95-b. In addition, if this Agreement is funded in any part by monies of the United States, the Contractor shall comply with all federal executive orders, rules, regulations and statutes, and with any rules, regulations and guidelines as the State or the United States issue to implement these regulations. The Contractor shall also comply with all applicable intellectual property laws.

1.3. Paragraph 11, Event of Default: Remedies, subparagraph 11.2.2, is amended as follows:

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EXHIBIT A

- 11.2.2 Give the Grantee a written notice specifying the Event of Default and suspending payments, in whole or in part, to be made under this Agreement, until the State determines the Event of Default is cured.
- 1.4 Paragraph 12, Termination, subparagraph 12.4 is amended as follows:
- 12.4 Notwithstanding anything in this Agreement to the contrary, the State may terminate this Agreement without cause upon thirty (30) days written notice to the Grantee.
- 1.5 Paragraph 15, Assignment and Subcontracts, is amended by adding subparagraph 15.1 as follows:
- 15.1. Subcontractors are subject to the same contractual conditions as the Grantee and the Grantee is responsible to ensure subcontractor compliance with those conditions. The Grantee shall have written agreements with all subcontractors, specifying the work to be performed, and if applicable, a Business Associate Agreement in accordance with the Health Insurance Portability and Accountability Act. Written agreements shall specify how corrective action shall be managed. The Grantee shall manage the subcontractor's performance on an ongoing basis and take corrective action as necessary. The Grantee shall annually provide the State with a list of all subcontractors provided for under this Agreement and notify the State of any inadequate subcontractor performance.

New Hampshire Department of Health and Human Services Opioid Abatement Programs

EXHIBIT B

Scope of Services

1. Statement of Work

- 1.1. The Grantee must provide the qualifying opioid abatement project as approved by the Opioid Abatement Trust Fund Advisory Commission (Commission), in accordance with New Hampshire Revised Statutes Annotated 126-A:83-86 and as described in this Agreement.
- 1.2. The Grantee must ensure services are available in the City of Portsmouth.
- 1.3. The Grantee must establish formalized agreements, as approved by the Department with the Doorway operated by Wentworth-Douglas Hospital and the Region 8 Community Mental Health Center (CMHC) operated by Seacoast Mental Health Center, Inc. to ensure services and supports are coordinated and not duplicated.
- 1.4. The Grantee must provide copies of formalized agreements to the Department within 20 business days of the date Governor and Executive Council approves the Agreement, and thereafter when new agreements are entered into or when information is requested by the Department. The Grantee must ensure formalized agreements:
 - 1.4.1. Ensure protection of PHI;
 - 1.4.2. Ensure Wentworth-Douglas Hospital and Seacoast Mental Health Center, Inc. receive information on the individual, outcomes, and events for continued follow-up;
 - 1.4.3. Include processes for sharing information about each individual receiving services, in accordance with applicable state and federal confidentiality laws and requirements, including, but not limited to 42 CFR Part 2, RSA 172:8-a, and RSA 318-B:12; and
 - 1.4.4. Allow for prompt follow-up care and supports, and includes:
 - 1.4.4.1. Demographics of the individual receiving care;
 - 1.4.4.2. Referrals made on behalf of the individual receiving care;
 - 1.4.4.3. Services rendered to the individual receiving care;
 - 1.4.4.4. Identification of resource providers involved in the individual's care;
 - 1.4.4.5. Any locations to which the individual was referred for respite care or housing; and
 - 1.4.4.6. Other services offered or provided to the individual.
- 1.5. The Grantee must coordinate services with local providers, including The Doorways, Community Mental Health Centers, New Hampshire Care Connections, the Portsmouth Housing Authority, and regional health

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New Hampshire Department of Health and Human Services Opioid Abatement Programs

EXHIBIT B

- networks, to ensure a continuum of care without duplicating existing services.
- 1.6. The Grantee must ensure services include County and Statewide referrals, when necessary and appropriate, with warm hand-offs between service providers.
 - 1.7. Welfare Department - Person-Centered Housing Stabilization and Transportation for Individuals Impacted by Opioid Use Disorder (OUD) Programs.
 - 1.7.1. The Grantee must expand access to housing for individuals with OUD, in support of recovery and access to care by:
 - 1.7.1.1. Supporting emergency housing and shelter costs;
 - 1.7.1.2. Supporting rental assistance to prevent homelessness and provide stability during recovery; and
 - 1.7.1.3. Supporting transportation services for individuals to attend treatment, work or medical appointments.
 - 1.7.2. The Grantee must provide short-term stabilization and case management to help individuals access treatment and recovery services by:
 - 1.7.2.1. Connecting individuals to treatment, recovery supports, and housing, through collaboration with The Doorway, Portsmouth Housing Authority, and Regional Public Health Networks, in collaboration with the Portsmouth Police Outreach Social Worker.
 - 1.8. Police Department – Portsmouth CARES: Compassionate Access to Recovery, Engagement, and Support Programs.
 - 1.8.1. The Grantee must recruit and hire one (1) full-time equivalent (FTE) Licensed Clinical Social Worker (LCSW) to be embedded within the Police Department and coordinate crisis response with the Police Department. The LCSW must:
 - 1.8.1.1. Provide direct support to individuals and families through case management;
 - 1.8.1.2. Make referrals to appropriate services ensuring connection is established with referral provider;
 - 1.8.1.3. Conduct outreach throughout the Portsmouth community in locations where people affected by substance use, homelessness, and mental health challenges are most likely to be found;
 - 1.8.1.4. Provide crisis intervention;
 - 1.8.1.5. Deescalate crisis situations;

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- 1.8.1.6. Stabilize individuals after crisis situation resolves;
- 1.8.1.7. Provide warm hand off to treatment and services;
- 1.8.1.8. Provide follow-up care for individuals with OUD;
- 1.8.1.9. Enhance the community's ability to respond to behavioral health crises by building an outreach team consisting a minimum of three (3) community partners that provide OUD treatment services, recovery services, or peer supports. The LCSW must:
 - 1.8.1.9.1. Establish geographical target areas and routine scheduled outreach engagement services with the outreach team;
 - 1.8.1.9.2. Develop a training plan for community members regarding issues related to OUD and available services; and
 - 1.8.1.9.3. Develop a training plan for employees of the police department detailing how to identify signs of OUD and how to engage individuals impacted by substance misuse; and
- 1.8.1.10. Reduce reliance on emergency services.
- 1.9. School District – Portsmouth CARES in Schools: Comprehensive Access to Resilience, Engagement, and Support Program.
 - 1.9.1. The Grantee must recruit and hire one (1) FTE LCSW to be embedded within the School District. The LCSW must:
 - 1.9.1.1. Serve students and families affected by OUD.
 - 1.9.1.2. Strengthen prevention, early intervention, and family support services through direct counseling, case management, and linkage to treatment services.
 - 1.9.1.3. Conduct quarterly check-ins with the Police Outreach Social Worker, listed in Section 1.6.1 above, to collaborate on the continuum of care for mutual individuals and families served.
 - 1.9.1.4. Implement Department approved evidence-based prevention curricula in grades K-12.
 - 1.9.1.5. Conduct training for school staff in trauma-informed practices, Youth Mental Health First Aid, and ACEs awareness.

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**New Hampshire Department of Health and Human Services
Opioid Abatement Programs**

EXHIBIT B

- 1.9.1.6. Host regular family engagement workshops to provide parents and caregivers tools and resources for supporting their children.
- 1.10. The Grantee must participate in meetings with the Department on a quarterly basis, or as otherwise requested by the Department.
- 1.11. The Grantee must participate in on-site reviews conducted by the Department on an annual basis, or as otherwise requested by the Department.
- 1.12. The Grantee must facilitate reviews of its files conducted by the Department on an annual basis, or as otherwise requested by the Department.
- 1.13. The Grantee must comply with all applicable federal and state confidentiality, privacy, and information-security laws and regulations, including the Health Insurance Portability and Accountability Act of 1996 and 42 C.F.R. Part 2, to the extent applicable.
- 1.14. Confidential Data
 - 1.14.1. If the Project in the resulting Grant Agreement involves the collection, exchange, or storage of any confidential data, the Grantee must meet all information security and privacy requirements as set by the Department and in accordance with Exhibit D: DHHS Information Security Requirements.
 - 1.14.2. The Grantee must promote and maintain an awareness of the importance of securing the Department's information among their End Users. End Users must not be permitted to handle, access, view, store or discuss Confidential Data until an attestation is executed by the individual End User and received by the Selected Applicant certifying that the individual End User associated with fulfilling the obligations of the Grant Agreement is, based on criteria provided herein, eligible to participate in work associated with the Grant Agreement.
 - 1.14.3. The Grantee must ensure any staff and/or volunteers involved in delivering services through the Grant Agreement sign an attestation agreeing to access, view, store, and discuss Confidential Data in accordance with federal and state laws and regulations, and Exhibit D: DHHS Information Security Requirements. The Grantee must ensure said individuals have a justifiable business need to access confidential data. The Grantee must provide attestations upon Department request.
 - 1.14.4. Upon request, the Grantee must allow and assist the Department in conducting a Privacy Impact Assessment (PIA) of its system(s)/application(s)/web portal(s)/website(s) or Department system(s)/application(s)/web portal(s)/ website(s) hosted by the

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**New Hampshire Department of Health and Human Services
Opioid Abatement Programs**

EXHIBIT B

Grantee if Personally Identifiable Information (PII) is collected, used, accessed, shared, or stored. To conduct the PIA, the Grantee must provide the Department access to applicable systems and documentation sufficient to allow the Department to assess, at minimum, the following:

- 1.14.4.1. How PII is gathered and stored;
- 1.14.4.2. Who will have access to PII;
- 1.14.4.3. How PII will be used in the system;
- 1.14.4.4. How individual consent will be achieved and revoked; and
- 1.14.4.5. Privacy practices.

1.14.5. The Department may conduct follow-up PIAs in the event of:

- 1.14.5.1. Significant process changes; and/or
- 1.14.5.2. New technologies impacting the collection, processing or storage of PII.

1.15. Reporting

1.15.1. The Grantee must submit an annual report by August 1st of each year, in a format as required by the Commission, to the Department for distribution to the Commission. The annual reports must include at a minimum:

- 1.15.1.1. The name, mailing address, and physical address of the Grantee;
- 1.15.1.2. The time period covered by the report;
- 1.15.1.3. The date the report was prepared;
- 1.15.1.4. A detailed account of funding spent on approved uses;
- 1.15.1.5. The number of individuals served;
- 1.15.1.6. Aggregated and de-identified demographic information for individuals served. Information in the annual report must ensure that no individual can be directly or indirectly identified by the data submitted or the content of the annual report; and
- 1.15.1.7. An analysis of the impact(s), successes and challenges of the project(s), program(s), and/or service(s) funded.

1.15.2. The Grantee may be required to provide other key data and metrics to the Department for distribution to the Commission with content identified by the Commission, and in a format as required by the Commission..

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**New Hampshire Department of Health and Human Services
Opioid Abatement Programs**

EXHIBIT B

2. Exhibits Incorporated

- 2.1. The Grantee must manage all confidential data related to this Agreement in accordance with the terms of Exhibit D, DHHS Information Security Requirements.

3. Additional Terms

3.1. Impacts Resulting from Court Orders or Legislative Changes

- 3.1.1. The Grantee agrees that, to the extent future state or federal legislation or court orders may have an impact on the Services described herein, the State has the right to modify Service priorities and expenditure requirements under this Agreement so as to achieve compliance therewith.

3.2. Federal Civil Rights Laws Compliance: Culturally and Linguistically Appropriate Programs and Services

- 3.2.1. The Grantee must submit, within ten (10) days of the Agreement Effective Date, a detailed description of the communication access and language assistance services to be provided to ensure meaningful access to programs and/or services to individuals with limited English proficiency; individuals who are deaf or have hearing loss; individuals who are blind or have low vision; and individuals who have speech challenges.

3.3. Credits and Copyright Ownership

- 3.3.1. All documents, notices, press releases, research reports and other materials prepared during or resulting from the performance of the services of the Agreement must include the following statement, "The preparation of this (report, document etc.) was financed under an Contract with the State of New Hampshire, Department of Health and Human Services, with funds provided in part by the State of New Hampshire and/or such other funding sources as were available or required, e.g., the United States Department of Health and Human Services."
- 3.3.2. All materials produced or purchased under the Agreement must have prior approval from the Department before printing, production, distribution or use.
- 3.3.3. The Department must retain copyright ownership for any and all original materials produced, including, but not limited to:
- 3.3.3.1. Brochures.
- 3.3.3.2. Resource directories.

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New Hampshire Department of Health and Human Services Opioid Abatement Programs

EXHIBIT B

3.3.3.3. Protocols or guidelines.

3.3.3.4. Posters.

3.3.3.5. Reports.

3.3.4. The Grantee must not reproduce any materials produced under the Agreement without prior written approval from the Department.

4. Records

4.1. The Grantee must keep records that include, but are not limited to:

4.1.1. Books, records, documents and other electronic or physical data evidencing and reflecting all costs and other expenses incurred by the Grantee in the performance of the Contract, and all income received or collected by the Grantee.

4.1.2. All records must be maintained in accordance with accounting procedures and practices, which sufficiently and properly reflect all such costs and expenses, and which are acceptable to the Department, and to include, without limitation, all ledgers, books, records, and original evidence of costs such as purchase requisitions and orders, vouchers, requisitions for materials, inventories, valuations of in-kind contributions, labor time cards, payrolls, and other records requested or required by the Department.

4.1.3. Statistical, enrollment, attendance or visit records for each recipient of services, which records must include all records of application and eligibility (including all forms required to determine eligibility for each such recipient), records regarding the provision of services and all invoices submitted to the Department to obtain payment for such services.

4.2. During the term of this Agreement and the period for retention hereunder, the Department, the United States Department of Health and Human Services, and any of their designated representatives must have access to all reports and records maintained pursuant to the Agreement for purposes of audit, examination, excerpts and transcripts.

4.3. If, upon review of the Final Expenditure Report the Department must disallow any expenses claimed by the Grantee as costs hereunder, the Department retains the right, at its discretion, to deduct the amount of such expenses as are disallowed or to recover such sums from the Grantee.

**New Hampshire Department of Health and Human Services
Opioid Abatement Programs**

EXHIBIT C

Payment Terms

1. This Agreement is funded by:
 - 1.1. 100% Other funds (Opioid Abatement Trust Fund).
2. For the purposes of this Agreement the Department has identified:
 - 2.1. The Grantee as a Subrecipient, in accordance with 2 CFR 200.331.
3. Payment shall be on a cost reimbursement basis for actual expenditures incurred in the fulfillment of this Agreement, and shall be in accordance with the approved line items, as specified in Exhibits C-1, Budget through Exhibit C-2, Budget.
4. The Grantee shall submit an invoice with supporting documentation to the Department no later than the fifteenth (15th) working day of the month following the month in which the services were provided. The Grantee shall ensure each invoice:
 - 4.1. Includes the Grantee's Vendor Number issued upon registering with New Hampshire Department of Administrative Services.
 - 4.2. Is submitted in a form that is provided by or otherwise acceptable to the Department.
 - 4.3. Identifies and requests payment for allowable costs incurred in the previous month.
 - 4.4. Includes supporting documentation of allowable costs, labeled by budgeted line item, with each invoice that may include, but are not limited to, time sheets, payroll records, receipts for purchases, and proof of expenditures, as applicable.
 - 4.5. Is completed, dated and returned to the Department with the supporting documentation for allowable costs to initiate payment.
 - 4.6. Is assigned an electronic signature, includes supporting documentation, and is emailed to InvoicesForContracts@dhhs.nh.gov or mailed to:

Financial Manager
Department of Health and Human Services
129 Pleasant Street
Concord, NH 03301
5. The Department shall make payment to the Grantee within thirty (30) days of receipt of each invoice and supporting documentation for authorized expenses, subsequent to approval of the submitted invoice.
6. The final invoice and supporting documentation for authorized expenses shall be due to the Department no later than forty (40) days after the grant completion date specified in Form G-1, General Provisions, Block 1.7 Completion Date.

**New Hampshire Department of Health and Human Services
Opioid Abatement Programs**

EXHIBIT C

7. Notwithstanding Paragraph 20 of the Form G-1, General Provisions; changes limited to adjusting amounts within the Grant Limitation and adjusting encumbrances between State Fiscal Years and budget class lines through the Budget Office may be made by written agreement of both parties, without obtaining approval of the Governor and Executive Council, if needed and justified.
8. Audits
 - 8.1. The Grantee must email an annual audit to dhhs.act@dhhs.nh.gov if any of the following conditions exist:
 - 8.1.1. Condition A - The Grantee expended \$750,000 or more in federal funds received as a subrecipient pursuant to 2 CFR Part 200, during the most recently completed fiscal year.
 - 8.1.2. Condition B - The Grantee is subject to audit pursuant to the requirements of NH RSA 7:28, III-b, pertaining to charitable organizations receiving support of \$1,000,000 or more.
 - 8.1.3. Condition C - The Grantee is a public company and required by the U.S. Securities and Exchange Commission (SEC) regulations to submit an annual financial audit.
 - 8.2. If Condition A exists, the Grantee shall submit an annual single audit performed by an independent Certified Public Accountant (CPA) to dhhs.act@dhhs.nh.gov within 120 days after the close of the Grantee's fiscal year, conducted in accordance with the requirements of 2 CFR Part 200, Subpart F of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal awards.
 - 8.2.1. The Grantee shall submit a copy of any Single Audit findings and any associated corrective action plans. The Grantee shall submit quarterly progress reports on the status of implementation of the corrective action plan.
 - 8.3. If Condition B or Condition C exists, the Grantee shall submit an annual financial audit performed by an independent CPA within 120 days after the close of the Grantee's fiscal year.
 - 8.4. Any Grantee that receives an amount equal to or greater than \$250,000 from the Department during a single fiscal year, regardless of the funding source, may be required, at a minimum, to submit annual financial audits performed by an independent CPA if the Department's risk assessment determination indicates the Grantee is high-risk.
 - 8.5. In addition to, and not in any way in limitation of obligations of the Contract, it is understood and agreed by the Grantee that the Grantee shall be held liable for any state or federal audit exceptions and shall return to the Department all payments made under the Contract to

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**New Hampshire Department of Health and Human Services
Opioid Abatement Programs**

EXHIBIT C

which exception has been taken, or which have been disallowed because of such an exception.

New Hampshire Department of Health and Human Services			
Contractor Name: <i>City of Portsmouth</i>			
Budget Request for: <i>Opioid Abatement Programs</i>			
Budget Period: <i>7/1/26 - 60/30/27</i>			
Indirect Cost Rate (if applicable) <i>0.00%</i>			
Line Item	Welfare Department	Police Department	School Department
1. Salary & Wages	\$0	\$80,795	\$104,401
2. Fringe Benefits	\$0	\$51,205	\$64,863
3. Consultants	\$0	\$0	\$0
4. Equipment Indirect cost rate cannot be applied to equipment costs per 2 CFR 200.1 and Appendix IV to 2 CFR 200.	\$0	\$0	\$0
5(a) Supplies - Educational	\$0	\$0	\$5,000
5(b) Supplies - Lab	\$0	\$0	\$0
5(c) Supplies - Pharmacy	\$0	\$0	\$0
5(d) Supplies - Medical	\$0	\$0	\$0
5(e) Supplies - Office	\$0	\$0	\$0
6. Travel	\$0	\$0	\$0
7. Software	\$0	\$0	\$0
8. (a) Other - Marketing/Communications	\$0	\$0	\$0
8. (b) Other - Education and Training	\$0	\$0	\$0
8. (c) Other - Other (specify below)	\$0	\$0	\$0
Direct Assistance/Temporary housing	\$53,000	\$0	\$0
0	\$0	\$0	\$0
Program Supplies, Outreach & Transportation	\$0	\$9,375	\$9,375
Other - Client Transportation	\$1,850	\$0	#REF!
Other (please specify)	\$0	\$0	\$0
Other (please specify)	\$0	\$0	\$0
Other (please specify)	\$0	\$0	\$0
9. Subrecipient Contracts	\$0	\$0	\$0
Total Direct Costs	\$54,850	\$141,375	\$183,639
Subtotals	\$54,850	\$141,375	\$183,639
Total \$			379,864

New Hampshire Department of Health and Human Services			
Contractor Name: <i>City of Portsmouth</i>			
Budget Request for: <i>Opioid Abatement Programs</i>			
Budget Period: <i>7/1/27 - 6/30/28</i>			
Indirect Cost Rate (if applicable) <i>0.00%</i>			
Line Item	Welfare Department	Police Department	School Department
1. Salary & Wages	\$0	\$87,392	\$108,045
2. Fringe Benefits	\$0	\$55,008	\$67,135
3. Consultants	\$0	\$0	\$0
4. Equipment Indirect cost rate cannot be applied to equipment costs per 2 CFR 200.1 and Appendix IV to 2 CFR 200.	\$0	\$0	\$0
5(a) Supplies - Educational	\$0	\$0	\$5,000
5(b) Supplies - Lab	\$0	\$0	\$0
5(c) Supplies - Pharmacy	\$0	\$0	\$0
5(d) Supplies - Medical	\$0	\$0	\$0
5(e) Supplies - Office	\$0	\$0	\$0
6. Travel	\$0	\$0	\$0
7. Software	\$0	\$0	\$0
8(a) Other - Marketing/Communications	\$0	\$0	\$0
8(b) Other - Education and Training	\$0	\$0	\$0
8(c) Other - Other (specify below)	\$0	\$0	\$0
Direct Assistance/Temporary housing	\$53,000	\$0	\$0
0	\$0	\$0	\$0
Program Supplies, Outreach & Transportation	\$0	\$9,660	\$9,700
Other - Client Transportation	\$1,850	\$0	\$0
Other (please specify)	\$0	\$0	\$0
Other (please specify)	\$0	\$0	\$0
Other (please specify)	\$0	\$0	\$0
9. Subrecipient Contracts	\$0	\$0	\$0
Total Direct Costs	\$54,850	\$152,060	\$189,879
Subtotals	\$54,850	\$152,060	\$189,879
Total \$			396,789

Initial

Contractor Initials:
Date: 6/19/2026

New Hampshire Department of Health and Human Services

Exhibit D

DHHS Information Security Requirements

A. Definitions

The following terms may be reflected and have the described meaning in this document:

1. "Breach" means the loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations where persons other than authorized users and for an other than authorized purpose have access or potential access to personally identifiable information, whether physical or electronic. With regard to Protected Health Information, "Breach" shall have the same meaning as the term "Breach" in section 164.402 of Title 45, Code of Federal Regulations.
2. "Computer Security Incident" shall have the same meaning "Computer Security Incident" in section two (2) of NIST Publication 800-61, Computer Security Incident Handling Guide, National Institute of Standards and Technology, U.S. Department of Commerce.
3. "Confidential Information" or "Confidential Data" means all confidential information disclosed by one party to the other such as all medical, health, financial, public assistance benefits and personal information including without limitation, Substance Abuse Treatment Records, Case Records, Protected Health Information and Personally Identifiable Information.

Confidential Information also includes any and all information owned or managed by the State of NH - created, received from or on behalf of the Department of Health and Human Services (DHHS) or accessed in the course of performing contracted services - of which collection, disclosure, protection, and disposition is governed by state or federal law or regulation. This information includes, but is not limited to Protected Health Information (PHI), Personal Information (PI), Personal Financial Information (PFI), Federal Tax Information (FTI), Social Security Numbers (SSN), Payment Card Industry (PCI), and or other sensitive and confidential information.

4. "End User" means any person or entity (e.g., contractor, contractor's employee, business associate, subcontractor, other downstream user, etc.) that receives DHHS data or derivative data in accordance with the terms of this Contract.
5. "HIPAA" means the Health Insurance Portability and Accountability Act of 1996 and the regulations promulgated thereunder.
6. "Incident" means an act that potentially violates an explicit or implied security policy, which includes attempts (either failed or successful) to gain unauthorized access to a system or its data, unwanted disruption or denial of service, the unauthorized use of a system for the processing or storage of data; and changes to system hardware, firmware, or software characteristics without the owner's knowledge, instruction, or consent. Incidents include the loss of data through theft or device misplacement, loss

Contractor Initials 

New Hampshire Department of Health and Human Services**Exhibit D****DHHS Information Security Requirements**

or misplacement of hardcopy documents, and misrouting of physical or electronic mail, all of which may have the potential to put the data at risk of unauthorized access, use, disclosure, modification or destruction.

7. "Open Wireless Network" means any network or segment of a network that is not designated by the State of New Hampshire's Department of Information Technology or delegate as a protected network (designed, tested, and approved, by means of the State, to transmit) will be considered an open network and not adequately secure for the transmission of unencrypted PI, PFI, PHI or confidential DHHS data.
8. "Personal Information" (or "PI") means information which can be used to distinguish or trace an individual's identity, such as their name, social security number, personal information as defined in New Hampshire RSA 359-C:19, biometric records, etc., alone, or when combined with other personal or identifying information which is linked or linkable to a specific individual, such as date and place of birth, mother's maiden name, etc.
9. "Privacy Rule" shall mean the Standards for Privacy of Individually Identifiable Health Information at 45 C.F.R. Parts 160 and 164, promulgated under HIPAA by the United States Department of Health and Human Services.
10. "Protected Health Information" (or "PHI") has the same meaning as provided in the definition of "Protected Health Information" in the HIPAA Privacy Rule at 45 C.F.R. § 160.103.
11. "Security Rule" shall mean the Security Standards for the Protection of Electronic Protected Health Information at 45 C.F.R. Part 164, Subpart C, and amendments thereto.
12. "Unsecured Protected Health Information" means Protected Health Information that is not secured by a technology standard that renders Protected Health Information unusable, unreadable, or indecipherable to unauthorized individuals and is developed or endorsed by a standards developing organization that is accredited by the American National Standards Institute.

I. RESPONSIBILITIES OF DHHS AND THE CONTRACTOR**A. Business Use and Disclosure of Confidential Information.**

1. The Contractor must not use, disclose, maintain or transmit Confidential Information except as reasonably necessary as outlined under this Contract. Further, Contractor, including but not limited to all its directors, officers, employees and agents, must not use, disclose, maintain or transmit PHI in any manner that would constitute a violation of the Privacy and Security Rule.

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New Hampshire Department of Health and Human Services

Exhibit D

DHHS Information Security Requirements

2. The Contractor must not disclose any Confidential Information in response to a request for disclosure on the basis that it is required by law, in response to a subpoena, etc., without first notifying DHHS so that DHHS has an opportunity to consent or object to the disclosure.
3. If DHHS notifies the Contractor that DHHS has agreed to be bound by additional restrictions over and above those uses or disclosures or security safeguards of PHI pursuant to the Privacy and Security Rule, the Contractor must be bound by such additional restrictions and must not disclose PHI in violation of such additional restrictions and must abide by any additional security safeguards.
4. The Contractor agrees that DHHS Data or derivative there from disclosed to an End User must only be used pursuant to the terms of this Contract.
5. The Contractor agrees DHHS Data obtained under this Contract may not be used for any other purposes that are not indicated in this Contract.
6. The Contractor agrees to grant access to the data to the authorized representatives of DHHS for the purpose of inspecting to confirm compliance with the terms of this Contract.

II. METHODS OF SECURE TRANSMISSION OF DATA

1. Application Encryption. If End User is transmitting DHHS data containing Confidential Data between applications, the Contractor attests the applications have been evaluated by an expert knowledgeable in cyber security and that said application's encryption capabilities ensure secure transmission via the internet.
2. Computer Disks and Portable Storage Devices. End User may not use computer disks or portable storage devices, such as a thumb drive, as a method of transmitting DHHS data.
3. Encrypted Email. End User may only employ email to transmit Confidential Data if email is encrypted and being sent to and being received by email addresses of persons authorized to receive such information.
4. Encrypted Web Site. If End User is employing the Web to transmit Confidential Data, the secure socket layers (SSL) must be used and the web site must be secure. SSL encrypts data transmitted via a Web site.
5. File Hosting Services, also known as File Sharing Sites. End User may not use file hosting services, such as Dropbox or Google Cloud Storage, to transmit Confidential Data.
6. Ground Mail Service. End User may only transmit Confidential Data via *certified* ground mail within the continental U.S. and when sent to a named individual.
7. Laptops and PDA. If End User is employing portable devices to transmit Confidential Data said devices must be encrypted and password-protected.

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New Hampshire Department of Health and Human Services**Exhibit D****DHHS Information Security Requirements**

8. Open Wireless Networks. End User may not transmit Confidential Data via an open wireless network. End User must employ a virtual private network (VPN) when remotely transmitting via an open wireless network.
9. Remote User Communication. If End User is employing remote communication to access or transmit Confidential Data, a virtual private network (VPN) must be installed on the End User's mobile device(s) or laptop from which information will be transmitted or accessed.
10. SSH File Transfer Protocol (SFTP), also known as Secure File Transfer Protocol. If End User is employing an SFTP to transmit Confidential Data, End User will structure the Folder and access privileges to prevent inappropriate disclosure of information. SFTP folders and sub-folders used for transmitting Confidential Data will be coded for 24-hour auto-deletion cycle (i.e. Confidential Data will be deleted every 24 hours).
11. Wireless Devices. If End User is transmitting Confidential Data via wireless devices, all data must be encrypted to prevent inappropriate disclosure of information.

III. RETENTION AND DISPOSITION OF IDENTIFIABLE RECORDS

The Contractor will only retain the data and any derivative of the data for the duration of this Contract. After such time, the Contractor will have 30 days to destroy the data and any derivative in whatever form it may exist, unless, otherwise required by law or permitted under this Contract. To this end, the parties must:

A. Retention

1. The Contractor agrees it will not store, transfer or process data collected in connection with the services rendered under this Contract outside of the United States. This physical location requirement shall also apply in the implementation of cloud computing, cloud service or cloud storage capabilities, and includes backup data and Disaster Recovery locations.
2. The Contractor agrees to ensure proper security monitoring capabilities are in place to detect potential security events that can impact State of NH systems and/or Department confidential information for contractor provided systems.
3. The Contractor agrees to provide security awareness and education for its End Users in support of protecting Department confidential information.
4. The Contractor agrees to retain all electronic and hard copies of Confidential Data in a secure location and identified in section IV. A.2
5. The Contractor agrees Confidential Data stored in a Cloud must be in a FedRAMP/HITECH compliant solution and comply with all applicable statutes and regulations regarding the privacy and security. All servers and devices must have currently-supported and hardened operating systems, the latest anti-viral, antihacker, anti-spam, anti-spyware, and anti-malware utilities. The environment, as a whole, must have aggressive intrusion-detection and firewall protection.

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New Hampshire Department of Health and Human Services

Exhibit D

DHHS Information Security Requirements

6. The Contractor agrees to and ensures its complete cooperation with the State's Chief Information Officer in the detection of any security vulnerability of the hosting infrastructure.

B. Disposition

1. If the Contractor will maintain any Confidential Information on its systems (or its sub-contractor systems), the Contractor will maintain a documented process for securely disposing of such data upon request or contract termination; and will obtain written certification for any State of New Hampshire data destroyed by the Contractor or any subcontractors as a part of ongoing, emergency, and or disaster recovery operations. When no longer in use, electronic media containing State of New Hampshire data shall be rendered unrecoverable via a secure wipe program in accordance with industry-accepted standards for secure deletion and media sanitization, or otherwise physically destroying the media (for example, degaussing) as described in NIST Special Publication 800-88, Rev 1, Guidelines for Media Sanitization, National Institute of Standards and Technology, U. S. Department of Commerce. The Contractor will document and certify in writing at time of the data destruction, and will provide written certification to the Department upon request. The written certification will include all details necessary to demonstrate data has been properly destroyed and validated. Where applicable, regulatory and professional standards for retention requirements will be jointly evaluated by the State and Contractor prior to destruction.
2. Unless otherwise specified, within thirty (30) days of the termination of this Contract, Contractor agrees to destroy all hard copies of Confidential Data using a secure method such as shredding.
3. Unless otherwise specified, within thirty (30) days of the termination of this Contract, Contractor agrees to completely destroy all electronic Confidential Data by means of data erasure, also known as secure data wiping.

IV. PROCEDURES FOR SECURITY

- A. Contractor agrees to safeguard the DHHS Data received under this Contract, and any derivative data or files, as follows:
 1. The Contractor will maintain proper security controls to protect Department confidential information collected, processed, managed, and/or stored in the delivery of contracted services.
 2. The Contractor will maintain policies and procedures to protect Department confidential information throughout the information lifecycle, where applicable, (from creation, transformation, use, storage and secure destruction) regardless of the media used to store the data (i.e., tape, disk, paper, etc.).

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New Hampshire Department of Health and Human Services

Exhibit D

DHHS Information Security Requirements

3. The Contractor will maintain appropriate authentication and access controls to contractor systems that collect, transmit, or store Department confidential information where applicable.
4. The Contractor will ensure proper security monitoring capabilities are in place to detect potential security events that can impact State of NH systems and/or Department confidential information for contractor provided systems.
5. The Contractor will provide regular security awareness and education for its End Users in support of protecting Department confidential information.
6. If the Contractor will be sub-contracting any core functions of the engagement supporting the services for State of New Hampshire, the Contractor will maintain a program of an internal process or processes that defines specific security expectations, and monitoring compliance to security requirements that at a minimum match those for the Contractor, including breach notification requirements.
7. The Contractor will work with the Department to sign and comply with all applicable State of New Hampshire and Department system access and authorization policies and procedures, systems access forms, and computer use agreements as part of obtaining and maintaining access to any Department system(s). Agreements will be completed and signed by the Contractor and any applicable sub-contractors prior to system access being authorized.
8. If the Department determines the Contractor is a Business Associate pursuant to 45 CFR 160.103, the Contractor will execute a HIPAA Business Associate Agreement (BAA) with the Department and is responsible for maintaining compliance with the agreement.
9. The Contractor will work with the Department at its request to complete a System Management Survey. The purpose of the survey is to enable the Department and Contractor to monitor for any changes in risks, threats, and vulnerabilities that may occur over the life of the Contractor engagement. The survey will be completed annually, or an alternate time frame at the Departments discretion with agreement by the Contractor, or the Department may request the survey be completed when the scope of the engagement between the Department and the Contractor changes.
10. The Contractor will not store, knowingly or unknowingly, any State of New Hampshire or Department data offshore or outside the boundaries of the United States unless prior express written consent is obtained from the Information Security Office leadership member within the Department.
11. Data Security Breach Liability. In the event of any security breach Contractor shall make efforts to investigate the causes of the breach, promptly take measures to prevent

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 Contractor Initials _____

New Hampshire Department of Health and Human Services

Exhibit D

DHHS Information Security Requirements

future breach and minimize any damage or loss resulting from the breach. The State shall recover from the Contractor all costs of response and recovery from

the breach, including but not limited to: credit monitoring services, mailing costs and costs associated with website and telephone call center services necessary due to the breach.

12. Contractor must, comply with all applicable statutes and regulations regarding the privacy and security of Confidential Information, and must in all other respects maintain the privacy and security of PI and PHI at a level and scope that is not less than the level and scope of requirements applicable to federal agencies, including, but not limited to, provisions of the Privacy Act of 1974 (5 U.S.C. § 552a), DHHS Privacy Act Regulations (45 C.F.R. §5b), HIPAA Privacy and Security Rules (45 C.F.R. Parts 160 and 164) that govern protections for individually identifiable health information and as applicable under State law.
13. Contractor agrees to establish and maintain appropriate administrative, technical, and physical safeguards to protect the confidentiality of the Confidential Data and to prevent unauthorized use or access to it. The safeguards must provide a level and scope of security that is not less than the level and scope of security requirements established by the State of New Hampshire, Department of Information Technology. Refer to Vendor Resources/Procurement at <https://www.nh.gov/doit/vendor/index.htm> for the Department of Information Technology policies, guidelines, standards, and procurement information relating to vendors.
14. Contractor agrees to maintain a documented breach notification and incident response process. The Contractor will notify the State's Privacy Officer and the State's Security Officer of any security breach immediately, at the email addresses provided in Section VI. This includes a confidential information breach, computer security incident, or suspected breach which affects or includes any State of New Hampshire systems that connect to the State of New Hampshire network.
15. Contractor must restrict access to the Confidential Data obtained under this Contract to only those authorized End Users who need such DHHS Data to perform their official duties in connection with purposes identified in this Contract.
16. The Contractor must ensure that all End Users:
 - a. comply with such safeguards as referenced in Section IV A. above, implemented to protect Confidential Information that is furnished by DHHS under this Contract from loss, theft or inadvertent disclosure.
 - b. safeguard this information at all times.
 - c. ensure that laptops and other electronic devices/media containing PHI, PI, or PFI are encrypted and password-protected.

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New Hampshire Department of Health and Human Services**Exhibit D****DHHS Information Security Requirements**

- d. send emails containing Confidential Information only if encrypted and being sent to and being received by email addresses of persons authorized to receive such information.
- e. limit disclosure of the Confidential Information to the extent permitted by law.
- f. Confidential Information received under this Contract and individually identifiable data derived from DHHS Data, must be stored in an area that is physically and technologically secure from access by unauthorized persons during duty hours as well as non-duty hours (e.g., door locks, card keys, biometric identifiers, etc.).
- g. only authorized End Users may transmit the Confidential Data, including any derivative files containing personally identifiable information, and in all cases, such data must be encrypted at all times when in transit, at rest, or when stored on portable media as required in section IV above.
- h. in all other instances Confidential Data must be maintained, used and disclosed using appropriate safeguards, as determined by a risk-based assessment of the circumstances involved.
- i. understand that their user credentials (user name and password) must not be shared with anyone. End Users will keep their credential information secure. This applies to credentials used to access the site directly or indirectly through a third party application.

Contractor is responsible for oversight and compliance of their End Users. DHHS reserves the right to conduct onsite inspections to monitor compliance with this Contract, including the privacy and security requirements provided in herein, HIPAA, and other applicable laws and Federal regulations until such time the Confidential Data is disposed of in accordance with this Contract.

V. LOSS REPORTING

The Contractor must notify the State's Privacy Officer and Security Officer of any Security Incidents and Breaches immediately, at the email addresses provided in Section VI.

The Contractor must further handle and report Incidents and Breaches involving PHI in accordance with the agency's documented Incident Handling and Breach Notification procedures and in accordance with 42 C.F.R. §§ 431.300 - 306. In addition to, and notwithstanding, Contractor's compliance with all applicable obligations and procedures, Contractor's procedures must also address how the Contractor will:

- 1. Identify Incidents;
- 2. Determine if personally identifiable information is involved in Incidents;
- 3. Report suspected or confirmed Incidents as required in this Exhibit or P-37;

Contractor Initials 

New Hampshire Department of Health and Human Services

Exhibit D

DHHS Information Security Requirements

4. Identify and convene a core response group to determine the risk level of Incidents and determine risk-based responses to Incidents; and
5. Determine whether Breach notification is required, and, if so, identify appropriate Breach notification methods, timing, source, and contents from among different options, and bear costs associated with the Breach notice as well as any mitigation measures.

Incidents and/or Breaches that implicate PI must be addressed and reported, as applicable, in accordance with NH RSA 359-C:20.

VI. PERSONS TO CONTACT

A. DHHS Privacy Officer:

DHHSPrivacyOfficer@dhhs.nh.gov B.

DHHS Security Officer:

DHHSInformationSecurityOffice@dhhs.nh.gov

Contractor Initials 

Date 6/19/2026

CERTIFICATE OF AUTHORITY

I, Sally Kellar, hereby certify that:
(Name of the Municipality Clerk/Municipality Official)

1. I am a duly elected Municipality Clerk/Municipality Official) of the City of Portsmouth
(Municipality Name)

2. I hereby certify that Karen S. Conard (may list more than one
(Authorized Signatory)

person) is authorized on behalf of this municipality to enter into the said contract with the State and to execute any and all documents, agreements, and other instruments; and any amendments, revisions, or modifications thereto, as he/she may deem necessary, desirable, or appropriate.

3. I hereby certify that this authority has not been amended or repealed and remains in full force and effect as of the date of the contract/contract amendment/agreement to which this certificate is attached. This authority was **valid thirty (30) days prior to and remains valid for thirty (30) days** from the date of this Certificate of Authority. I further certify that it is understood that the State of New Hampshire will rely on this certificate as evidence that the person(s) listed above currently occupy the position(s) indicated and that they have full authority to bind the municipality. To the extent that there are any limits on the authority of any listed individual to bind the municipality in contracts or other agreements with the State of New Hampshire, all such limitations are expressly stated herein.

Dated: 06/18/2026


Signature of Municipality Clerk/Municipality Official
Name:
Title:



CERTIFICATE OF COVERAGE

The New Hampshire Public Risk Management Exchange (Primex³) is organized under the New Hampshire Revised Statutes Annotated, Chapter 5-B, Pooled Risk Management Programs. In accordance with those statutes, its Trust Agreement and bylaws, Primex³ is authorized to provide pooled risk management programs established for the benefit of political subdivisions in the State of New Hampshire.

Each member of Primex³ is entitled to the categories of coverage set forth below. In addition, Primex³ may extend the same coverage to non-members. However, any coverage extended to a non-member is subject to all of the terms, conditions, exclusions, amendments, rules, policies and procedures that are applicable to the members of Primex³, including but not limited to the final and binding resolution of all claims and coverage disputes before the Primex³ Board of Trustees. The Additional Covered Party's per occurrence limit shall be deemed included in the Member's per occurrence limit, and therefore shall reduce the Member's limit of liability as set forth by the Coverage Documents and Declarations. The limit shown may have been reduced by claims paid on behalf of the member. General Liability coverage is limited to Coverage A (Personal Injury Liability) and Coverage B (Property Damage Liability) only. Coverage's C (Public Officials Errors and Omissions), D (Unfair Employment Practices), E (Employee Benefit Liability) and F (Educator's Legal Liability Claims-Made Coverage) are excluded from this provision of coverage.

The below named entity is a member in good standing of the New Hampshire Public Risk Management Exchange. The coverage provided may, however, be revised at any time by the actions of Primex³. As of the date this certificate is issued, the information set out below accurately reflects the categories of coverage established for the current coverage year.

This Certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend, or alter the coverage afforded by the coverage categories listed below.

Participating Member: City of Portsmouth One Junkins Avenue Portsmouth, NH 03801		Member Number: 275	Company Affording Coverage: NH Public Risk Management Exchange - Primex ³ PO Box 23 Hooksett, NH 03106-9716	
--	--	------------------------------	--	--

Type of Coverage	Effective Date (mm/dd/yyyy)	Expiration Date (mm/dd/yyyy)	Limits - NH Statutory Limits May Apply, If Not:	
☒ General Liability (Occurrence Form) Professional Liability (describe) ☐ Claims Made ☐ Occurrence	7/1/2025	7/1/2026	Each Occurrence	\$ 2,000,000
	7/1/2026	7/1/2027	General Aggregate	\$ 10,000,000
			Fire Damage (Any one fire)	
			Med Exp (Any one person)	
☒ Automobile Liability Deductible Comp and Coll: \$1,000 ☐ Any auto	7/1/2025 7/1/2026	7/1/2026 7/1/2027	Combined Single Limit (Each Accident)	\$2,000,000
			Aggregate	\$10,000,000
☒ Workers' Compensation & Employers' Liability	7/1/2025 7/1/2026	7/1/2026 7/1/2027	☒ Statutory	
			Each Accident	\$2,000,000
			Disease – Each Employee	\$2,000,000
			Disease – Policy Limit	
☒ Property (Special Risk includes Fire and Theft)	7/1/2025 7/1/2026	7/1/2026 7/1/2027	Blanket Limit, Replacement Cost (unless otherwise stated)	Deductible: \$1,000

Description: Proof of Primex Member coverage only.

CERTIFICATE HOLDER:	Additional Covered Party	Loss Payee	Primex ³ – NH Public Risk Management Exchange
State of NH Department of Health and Human Services 129 Pleasant Street Concord, NH 03301-3857			By: <i>Mary Beth Purcell</i>
			Date: 5/14/2026 mpurcell@nhprimex.org
			Please direct inquiries to: Primex³ Claims/Coverage Services 603-225-2841 phone 603-228-3833 fax

PORTSMOUTH POLICE COMMISSION

MEMORANDUM

DATE: JULY 14, 2026
TO: KAREN CONARD, CITY MANAGER
FROM: ALBERT "BUZZ" SCHERR, PORTSMOUTH POLICE COMMISSION CHAIR
MARK D. NEWPORT, CHIEF OF POLICE
RE: GRANT

At the Police Commission meeting on July 14, 2026, the Board of Police Commissioners approved and accepted the following grant:

- a. New Hampshire Highway Safety grant in the amount of \$24,100 to support six highway safety initiatives.

SPECIFIC GRANT REQUIREMENT: The grant will only be accepted if the following statement is documented in the City Council meeting minutes:

"The City Council, in a majority vote, accepted the terms of the Highway Safety Grant as presented in the amount of \$24,100."

We submit the information to you pursuant to City Policy Memorandum #94-36, for the City Council's consideration and approval at their August 3, 2026, meeting.

Respectfully submitted,



Jacqueline D. Burnett
Office of the Chief

copies: PD Business Office



City of Portsmouth

Economic & Community Development

MEMORANDUM

TO: Karen S. Conard, City Manager

FROM: Sean Clancy, Assistant City Manager for Economic & Community Development

DATE: July 6, 2026

SUBJECT: Ranger Chapter Daughter's of the American Revolution - Historic Marker donation and placement request

Summary of Request

We are now writing to obtain permission from the Portsmouth City Council to authorize a placement of an Historical Marker near the Stoodley Tavern on Hancock Street.

Ranger Chapter Daughter's of the American Revolution has been a partner in historic preservation, education and patriotism and has worked with many groups within the City Portsmouth and the Portsmouth Public Library.

DAR has partnered with local historians and authors to learn more about the story of Stoodley Tavern as a meeting place for local Patriots. History records that Stoodley's Tavern was the meeting place for Paul Revere and Samuel Cutts and the planning of the siege on the Fort William and Mary and the taking of stores of gunpowder and cannons on Dec 14 and 15th, 1774.

British Archives, File C05-939 AKA Wentworth Papers, is a Collection of Documents submitted to King George III in 1775 by New Hampshire Governor John Wentworth, which describe details of the assault and raid at Fort William and Mary on December 14th and 15th, 1774. A copy of the Archives has been imported, imploded and bound by Michael Geanoulis, Sr, New Castle NH 2025. He is the Author of the Poem "Shots not heard round the World". A copy of the Archives is available at the New Castle Historical Society.

An historic marker would be a most educational tool for visitors and local residents.

Ranger Chapter DAR is seeking permission from the City Council to authorize placement of a Historical Marker near the property of Stoodley Tavern.

Proposed Sign Text: Stoodley's Tavern 12 Dec 1775 Paul Revere alerted and organized local Patriots to seize gunpowder and cannons from Fort William and Mary.

Ranger DAR has contacted National DAR for creation of a commemorative marker from the William G Pomery Foundation. (Same company that created the Lafayette Marker that was recently placed on 33) Historian General has sent Ranger DAR an application to be completed to obtain a street sign at no charge to DAR. Ranger DAR will complete the application once we obtain approval for this project from the City of Portsmouth. We understand this becomes a donation to the City and defers to the City staff to determine the exact location of the sign placement.

Thank you for your time and partnership.

Barbara Cass Pamboukes

Ranger Chapter DAR Board Member

603-498-0662

casspamboukes@gmail.com

Installation and Maintenance Considerations

The proposed installation will require coordination with the Department of Public Works.

As in the case of previously donated historical markers, they become property of the City of Portsmouth and will require similar (sign) maintenance.

Conclusion

Based on staff, this process fits with existing historical marker requirements and installation procedures.

Sample Motion for City Council

Motion: Move to accept this historic marker and authorize the City Manager to coordinate installation based on Department of Public Works location recommendation near Stoodley's Tavern Hancock Street.

Gift and Donation Submission Form

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

Date:	July 23, 2026
Department/ Contact Person:	Recreation Department – Todd Henley
Donation Amount:	\$4,500

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

Is there a particular purpose intended with this donation:

To cover fees associated with training American Red Cross lifeguards for the Portsmouth Indoor Pool.

Other Information/Special Conditions:

--

Donor Information

First & Last Name:	
Business Name:	Portsmouth Lodge of Elks No. 97
Address*:	500 Jones Ave., Portsmouth, NH
Phone*:	
Email*:	

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



terra firma
landscape architecture



Underwood Engineers

Vaughan Mall Landscape Design – Public Information Meeting

July 22, 2026

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Elements Under Consideration

Schedule

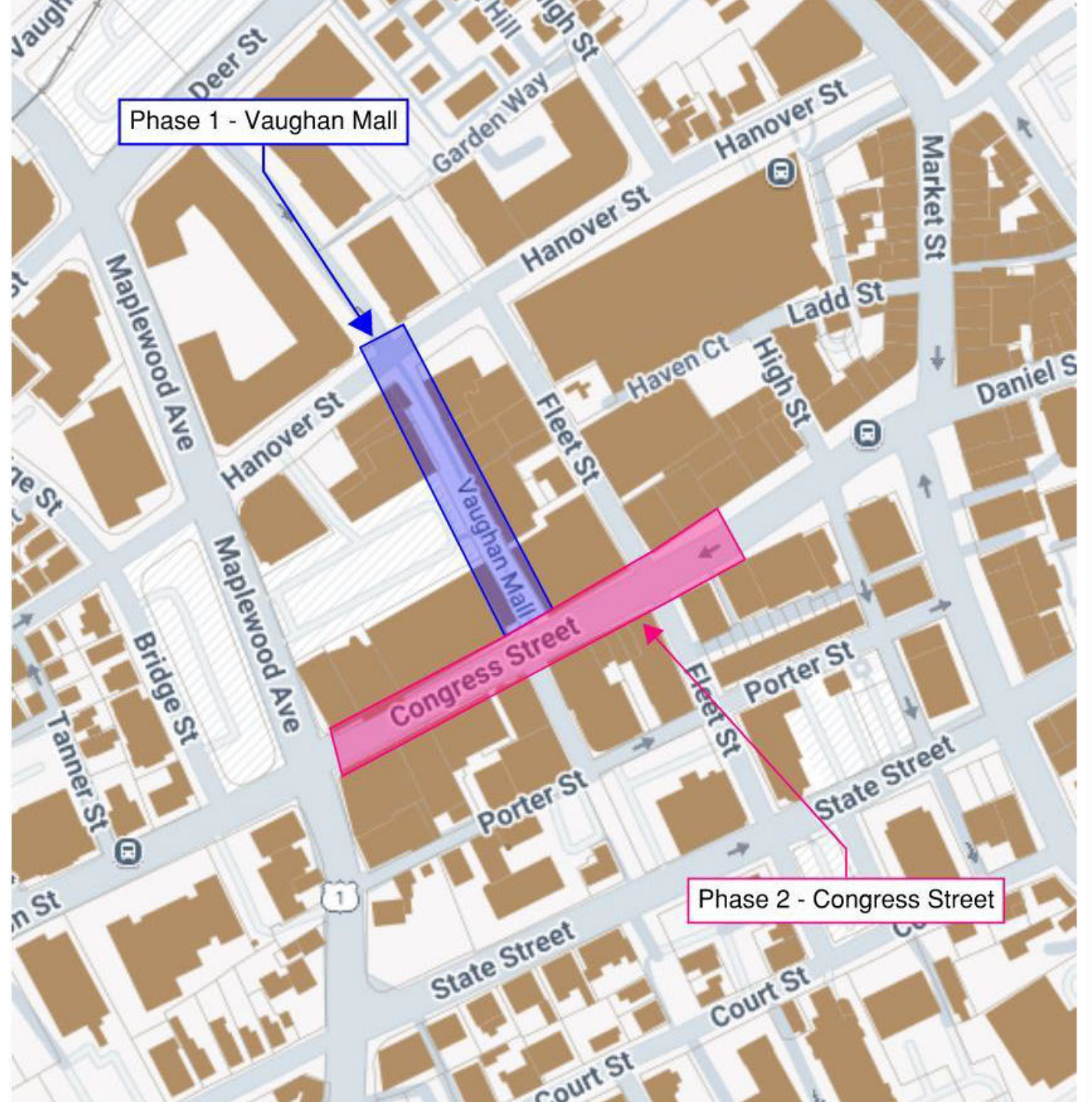
Landscape Restoration

Background

- Preliminary Engineering in the Fleet Street Area started in Spring 2019
- Project area divided into 3 phases to better manage funding and resources
- Water, Sewer, and Drainage utilities on Vaughan Mall were in critical condition and required replacing first
- Construction of utilities completed fall 2025

Limit of Work

- Vaughan Mall: Landscape Design Process
- Congress Street: To be completed this fall



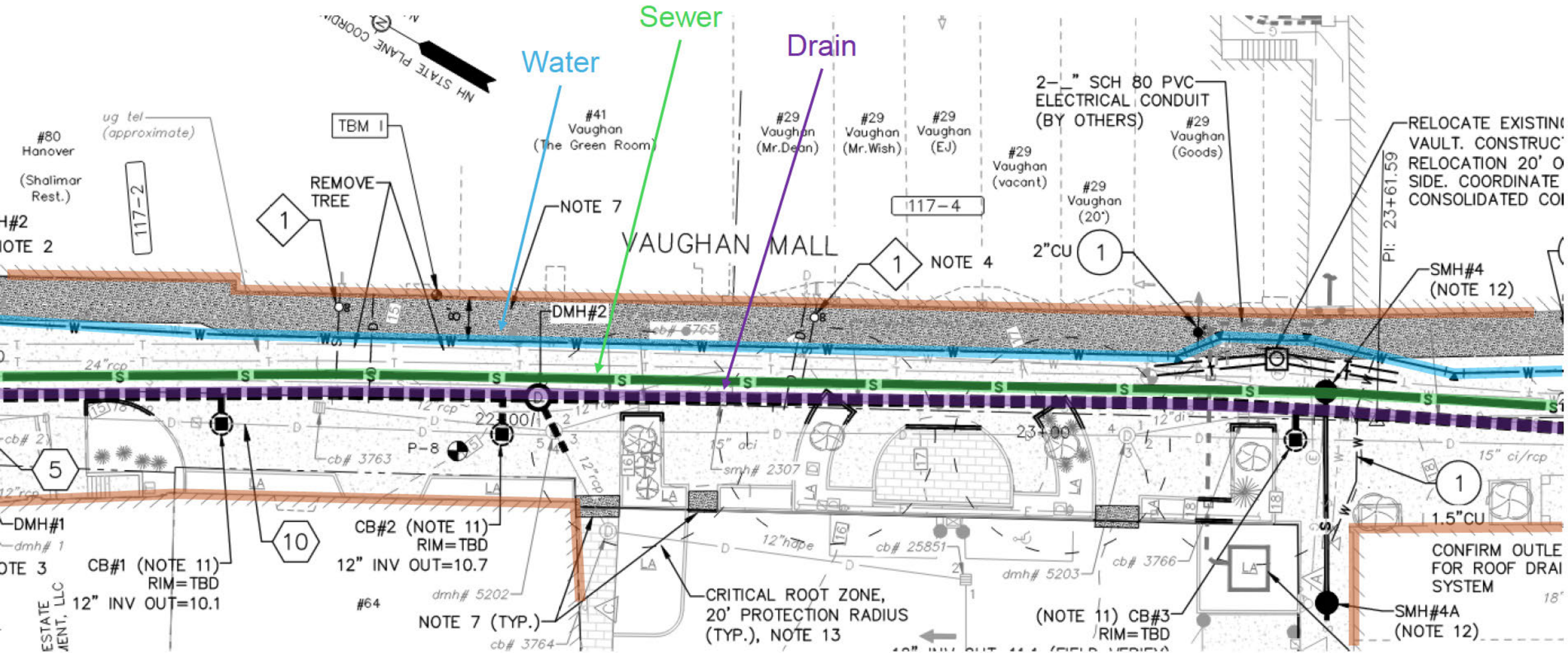
Section 02

Landscape Design Concepts

Key Goals

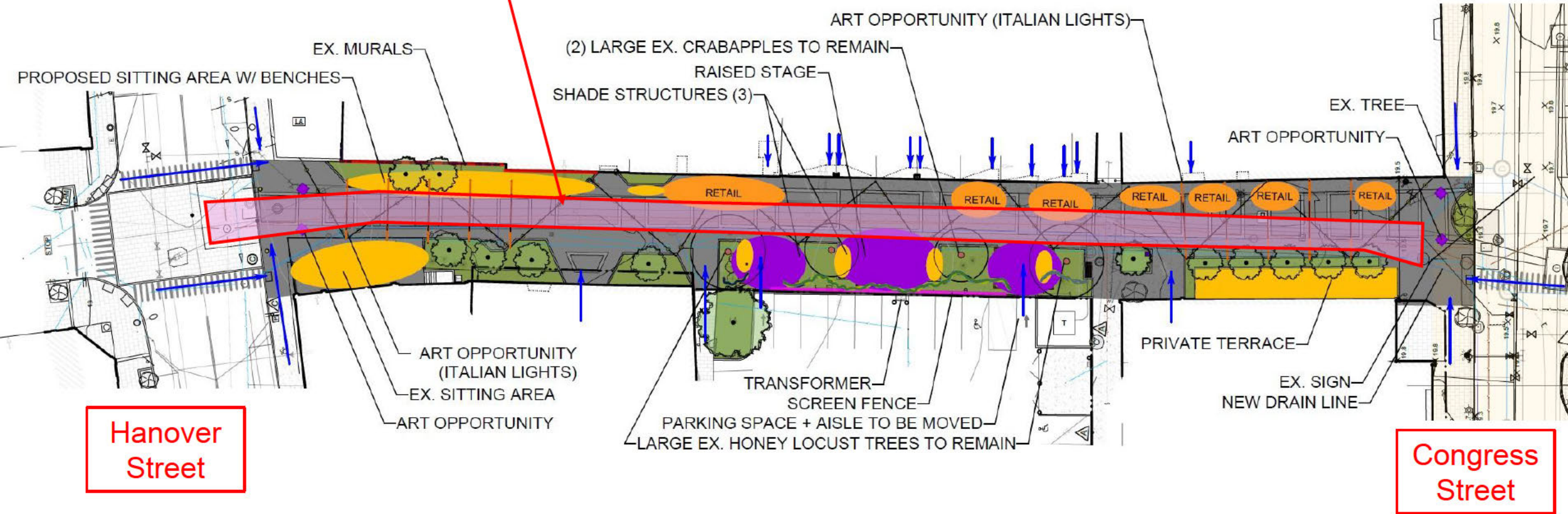
- Create a functional space with flexibility to change as the City changes
- Create a more inviting space for pedestrians
- Increase pedestrian accommodations such as lighting and shade structures
- Provide opportunities for multiple public art displays
- Create visual separation between pedestrian mall and parking lot

Design Constrictions – Buried Utilities

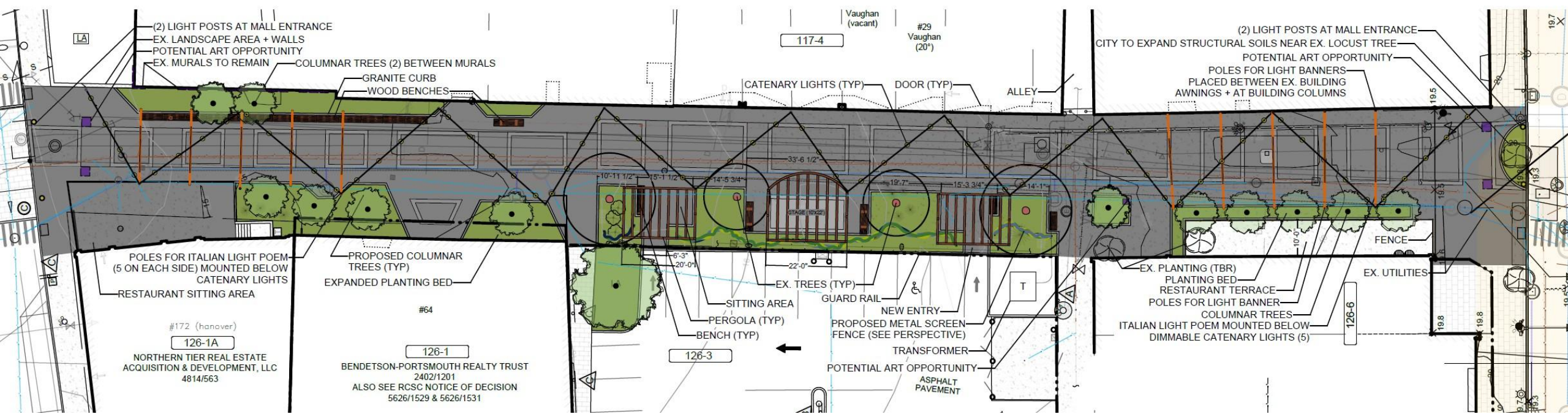


Functionality

Primary utility corridor
limits features on surface



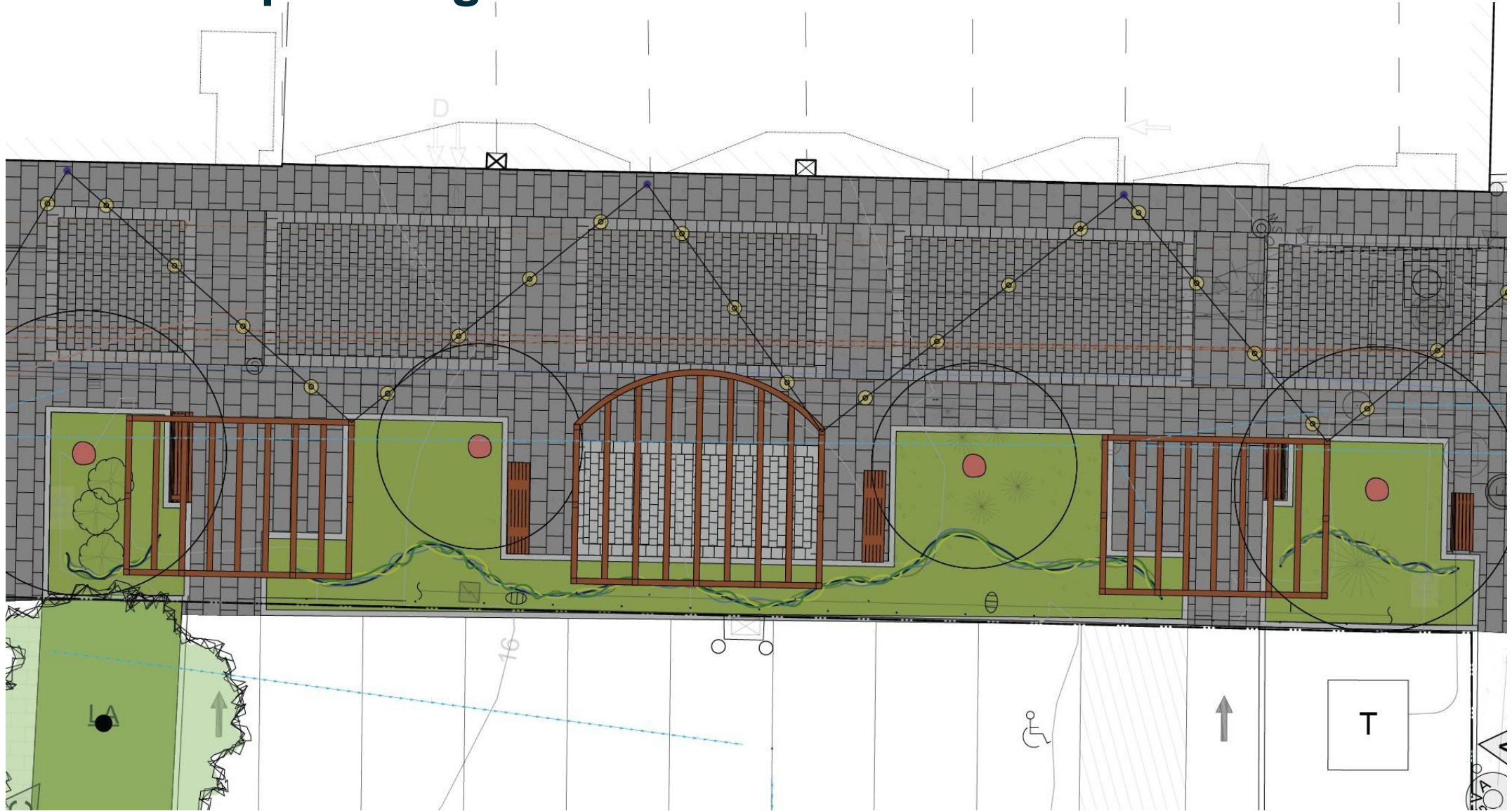
Layout Concept



Hanover
Street

Congress
Street

Layout Concept – Stage Area



Stage Area



Stage Area





Air is that light thing
that is around your head
and becomes clearer
when you laugh

L'aria l'è cla roba lizira
che sta dlònda la tu testa
e la dvénta piò cèra
quand che t'róid

Tonino Guerra



Section 03

Schedule

Schedule – Vaughan Mall

- Construction documents complete September 2026
- Bidding in October/November 2026
- Landscape renovation work in Spring 2027



terra firma
landscape architecture



Underwood Engineers

Questions and Input