

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: MONDAY, JUNE 20, 2016 TIME: 6:00PM

AGENDA

- 6:00PM – WORK SESSION RE: MCINTYRE FEDERAL BUILDING PROPERTY

- I. CALL TO ORDER
- II. ROLL CALL
- III. INVOCATION
- IV. PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. Presentation to former Police Commissioners John Golumb and Gerald Howe
2. Presentation Re: Build Dio
3. Presentation Re: Historic District Commission Design Guidelines – Joe Almeida, Chair and Nick Cracknell, Principal Planner

V. ACCEPTANCE OF MINUTES – MAY 18, 2016

VI. PUBLIC COMMENT SESSION

VII. APPROVAL OF GRANTS/DONATIONS

1. *Acceptance of Community Development Block Grant Funds (***Sample motion – move to accept and expend a Community Development Block Grant (CDBG) in the amount of \$510,896 from the U.S. Department of Housing and Urban Development***)
2. Acceptance of Gift – Edward T. Mahoney’s Red Sox Collection (***Sample motion – move to approve and accept the gift***)

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- A. Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance – West End Zoning as follows: (***Tabled from May 16, 2016 City Council Meeting***)
 - (1) Delete the existing Article 5A – Character Districts in its entirety and insert in its place the new Article 5A – Character Districts dated 5/2/2016
 - (2) Amend Articles 4, 5, 11, 12 & 15 of the Zoning Ordinance as set forth in the document titled “Conforming Amendments to Zoning Ordinance” date 5/2/2016
 - (3) Amend the Zoning Map as set forth in the following maps dated May 2, 2016:
 - (A) Map 10.5A21A – Character Districts and Civic Districts;

- (B) Map 10.5A21B – Building Height Standards;
- (C) Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout & Uses

- (4) Amend the Zoning Map by changing the zoning designation of 52 parcels as set forth in the document titled “Proposed Additional West End Zoning Changes” dated 5/2/2016 and as shown on the map titled “Addition West End Zoning Changes – Second Reading – May 2, 2016

- B. Third and Final reading of proposed Ordinance to amend Chapter 10 – Zoning Ordinance – Article 4 – Zoning Districts and Use Regulations, Section 10.410 – Establishment and Purpose of Districts, Transportation Corridor – To provide for future transportation uses and related facilities as well as recreational trail use (**Sample motion – move to pass third and final reading on the proposed Ordinance**)

IX. CONSENT AGENDA

A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA

- A. Request to Install Projecting Sign:
 - Carolyn Ottney, owner of Ceo’s Gelato Bistro, for property located at 43 Pleasant Street (**Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning Director, and, further, authorize the City Manager to execute this License Agreement**)
- B. Letter from Peter Oldak, Jewell Towne Vineyards, requesting permission to have wine sampling at the Portsmouth Farmers’ Market starting August 6, 2016. (**Anticipated action – move to refer to the City Manager with power**)

X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS

- A. Letter from Chris Soucy, requesting change to Peirce Island Boat Launch pass policy (**Sample motion – move to refer to the Recreation Board for report back**)
- B. Letter from Businesses and Cultural Institutions of the Bridge District regarding Podium
- C. Letter from Jonathan Blakeslee, White Heron Tea, LLC, regarding Petition for a Permanent Crosswalk at Albany Street and Islington Street

XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

A. CITY MANAGER

City Manager’s Items Which Require Action:

1. Proposed Action on International Association of Fire Fighters, Local #1313 Tentative Agreement
2. Request for Public Hearing Re: Various Bonding Resolutions
3. Consideration of Appointments/Reappointments to Rockingham Planning Commission

4. Acceptance of Waterline Easement
5. Annual Omnibus Ordinance Change, Parking and Traffic

Informational items

1. Events Listing
2. Summary of Legislation
3. News Release Re: June 22, 2016 Public Input Forum on Prescott Park Master Plan
4. Market Square Day
5. Proposed National Register (NR) District Nomination – Informational Meeting
6. News Release Re: Standard & Poors Affirms City of Portsmouth’s AAA Bond Rating

B. MAYOR BLALOCK

1. Appointments to be Considered:
 - Reappointment of Joseph Almeida to the Historic District Commission
 - Appointment of Jim Lee to the Zoning Board of Adjustment as a regular member
 - Appointment of John Formella to the Zoning Board of Adjustment as an alternate member
2. Acceptance of Resignation – Jennifer Pyke, Portsmouth Housing Authority – resident representative (***Sample motion – move to accept the resignation with regret and to send a letter of thanks for her years of service***)

C. COUNCILOR LOWN

1. Parking & Traffic Safety Action Sheet and Minutes of the June 2, 2016 meeting (***Sample motion – move to approve and accept the action sheet and minutes of the June 2, 2016 Parking & Traffic Safety Committee meeting***)

D. COUNCILOR DENTON

1. *Atlantic Heights Dog Park (***Sample motion – move to have the City Manager report back on what would be required to reopen the Atlantic Heights Dog Park prior to the Peirce Island Dog Off-Leash Area temporarily closing for the Peirce Island Wastewater Treatment Plant upgrades***)

XII. MISCELLANEOUS/UNFINISHED BUSINESS

XIII. ADJOURNMENT

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

**Indicates Verbal Report*

INFORMATIONAL ITEMS

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

NOTICE TO THE PUBLIC WHO ARE HEARING IMPAIRED: Please contact Dianna Fogarty at 603-610-7270 one-week prior to the meeting for assistance.

McIntyre Discussion

McIntyre Federal Building Property. This evening's Work Session will review the City's efforts regarding the future disposition of the Federal McIntyre Property at 62 Daniel Street. Redevelopment of the 2.1 acre site represents one of the largest redevelopment opportunities in the downtown since the renovation of Market Square in the 1970s. Accordingly, we remain prepared to assist the Council in its consideration of the City's involvement in facilitating the relocation of the General Services Administration (GSA) within downtown Portsmouth and the redevelopment of this unique and valuable property.

Attached are 1) a chronology of GSA/City interaction; 2) the recent Request for Information released by the GSA in January; and 3) a draft Request for Proposals (RFP) the City may consider releasing, pending Council's direction. Various members of City staff will present the information covered by each attachment to help illustrate our progress on this issue over time, where we stand at present, and how future redevelopment may take shape.

Following this review, the Council is asked to consider a policy decision. Should the City:

- A. pursue a three-party, public-private partnership and be directly involved in the relocation of the GSA as well as the redevelopment of the Federal McIntyre Property?; or
- B. allow the GSA to contract directly with a private developer to determine its future location in the downtown as well as the redevelopment of the existing Federal McIntyre Property?

Option A envisions the City partnering with the GSA and a qualified developer who would acquire the development rights at the Federal McIntyre Property to rehabilitate the existing building and/or to construct new buildings and other improvements on the site. Such improvements would likely include new civic spaces such as squares, plazas, pedestrian alleyways or wide public sidewalks. Proposed land uses complementary to the downtown business district, including office spaces, would be encouraged. On-site shared and structured parking would be encouraged behind and beneath the buildings and/or the civic space areas.

In exchange for public ownership of the land at the Federal McIntyre Property, a City-owned parcel (e.g. Bridge Street Lot) would be redeveloped with a new federal facility under a long-term land lease agreement with the City. The new federal facility would be approximately 40,000 SF and would include a similar variety of new civic spaces (plazas, etc.) to the redeveloped McIntyre property.

CHRONOLOGY OF FEDERAL MCINTYRE BUILDING RELOCATION

2004-2016

2004:

- Jan Passage of Public Law 108-199 Sec. 408 regarding funds for relocation of federal building to Pease International Tradeport and conveyance of McIntyre Building to City of Portsmouth.
- Mar 1st Letter from Mayor Sirrell to Senator Gregg reaffirming City's intention to carry out acceptance and mixed-use redevelopment of federal McIntyre site.
- Oct President Bush's appropriates \$11,149,000 originally planned for renovations to the McIntyre Building and appropriates an additional \$13.7 million in funds for relocation of federal building to Pease International Tradeport. Total funding of \$24.8 million.
- Nov. GSA issues RFP for architects for building at Pease Tradeport. Includes proposed project schedule:
- | | |
|--------------------|----------------|
| Design Completion | June 2006 |
| Construction Award | August 2006 |
| Project Completion | September 2008 |

2005:

- March Planning Board approval sought to subdivide 30 acres at Pease International Tradeport for new federal building.
- Aug. 30th Meeting with GSA representatives regarding process and schedule of anticipated relocation.
- Sept. 6th Letter from City Manager to Senator Gregg's Chief of Staff for arranging August 30th meeting. Letter includes description of municipal planning process and commitment of CIP funding in the amount of \$200,000 for conceptual and site plan for the McIntyre parcel.
- Sept. 14th Meeting with Mayor, US Postal Service District Director, representatives of Senator Gregg's office and City staff to discuss keeping retail post office at McIntyre Building.

2006:

- Nov. 20th Pease Development Authority sells 11.57 acres at 234 Corporate Drive to federal government for \$1.48 million.
- Proposed project schedule:
- 2007 Start design process
 - 2008 Complete design and advertise construction
 - 2010 Construction complete

- 2007-2008** GSA architectural and construction design work for new building at Pease International Tradeport.
- 2009:**
- Jan 14th Senator Gregg sends response to Deputy City Manager’s request for status report on federal tenant relocation. Letter includes update from GSA indicating reduced project scope and accompanying reduction in project funding from \$24.8 million to \$20.8 million reflecting smaller building size.
- Updated project schedule:
Jan. 2009 Preliminary design 30% complete
Spring 2009 “Housing” plan finalization
No construction date provided
- 2010:**
- Feb 23rd Mayor Ferrini sends letters to Senator Shaheen’s State Director, Representative Shea-Porter’s District Manager, and Senator Gregg’s Project Director expressing concern about inability “to obtain a commitment from GSA regarding “when McIntyre might be transferred to the City’s control as planned.”
- Aug 3rd Meeting at Federal Building with GSA and Congressional delegation staff to discuss project and building design status. GSA Regional Manager indicates the project is delayed. The delay is due to changing space and tenant program needs which has necessitated a building redesign and additional federal authorizations.
- Revised project schedule:
Sept. 2010 Restart Building design process
July 2011 Initiate construction bidding process
Dec. 2011 Award contract
Spring 2012 Initiate construction
Spring 2014 Occupy new building
- 2011:**
- Mar. 17th City asks Homeland Security Division to reactivate agreement to use of “Bow Street Parking Lot” weekend. Request denied (4-28-11) for security reasons.
- Dec. 10th Email request from Portsmouth Deputy City Manager to Senator Shaheen’s office requesting “update of federal building design/construction schedule for new facility at Pease.” Representatives arrange conference call.
- Dec 16th Conference call between Congressional delegation staff, GSA representatives and City staff on status of project.
- Dec. 22nd Email from GSA Special Assistant to Regional Administrator to City Manager in response to timeline request for construction completion of McIntyre Building at Pease.
- GSA timeline response:
Design completion April 30, 2012
Construction award June 30, 2012

Occupy new building January 2014

2012:

- Sept 17th City contacts Senator Shaheen's office to request update on construction progress. Senator Shaheen's staff coordinates meeting for Sept 26th with GSA representatives, Congressional delegation staff and City staff.
- Sept. 26th Meeting at Federal Bldg with GSA and Congressional delegation staff for tour and discussion of construction schedule for new building at Pease and transfer of property to City of Portsmouth. GSA Regional Administrator explains delayed timeframe due to changing tenant space requirements, reduction in building size and need to comply with new federal regulations pertaining to construction of federal buildings.
- Revised project schedule:
- | | |
|------------------|---------------------------------------|
| Fall 2012 | Initiate construction bidding process |
| Late winter 2013 | Award contract |
| Spring 2013 | Initiate construction |
| Spring 2015 | Occupy new building |
- Nov. 7th City contacts Senator Shaheen's office to request update on construction progress. They contact GSA.
- Late Nov. GSA Regional Administrator calls City Manager and indicates project delayed again due to further reduction in program needs.

2013:

- March City calls Senator Shaheen's office to again request update on construction progress.
- April GSA Regional Administrator calls City Manager and indicates President's budget eliminates funding for relocation of federal building to Pease International Tradeport.
- April 16th Mayor sends letter to NH Congressional delegation expressing disappointment and requesting a discussion on the matter.
- April 23rd City submits a list of questions regarding the McIntyre relocation process to Senator Shaheen's office.
- May 7th City meets with GSA to discuss elimination of funding for relocation of federal building. City also receives response to questions from Senator Shaheen staff.
- July 16th City meets with GSA and staff of NH Senators Shaheen and Ayotte and Rep. Shea-Porter to discuss redevelopment potential of McIntyre site and participation in a federal Urban Development/Good Neighbor pilot project on enhancing relationship of communities and federal property holders.
- Aug 6th City Manager sends City Council update on interaction with GSA .

- Sept. 26th Conference call with members of the legislative delegation staff and city staff to discuss status of federal Urban Development/Good Neighbor pilot project.
- Fall With help of Congressional delegation, the language that would have rescinded the remaining funds in the federal building account and the authorization to move the federal McIntyre Building to Pease International Tradeport was struck from the President's budget.
- October GSA grants permission to City for weekend use of the McIntyre Parking Lot.
- Dec. 18th Conference call to discuss Urban Development/Good Neighbor Program relative to planned rehabilitation of the federal McIntyre Building.
- 2014:**
- Jan 6th Letter from GSA to Mayor requesting the City government and residents to engage in a dialogue about long-term utilization of McIntyre Building under the Urban Development/Good Neighbor Program national initiative.
- Jan 13th City Council authorizes City Manager to work with Mayor on letter to GSA requesting Work Session with GSA, City Council and Congressional Delegation on GSA proposal and status of transfer of McIntyre property to City.
- Jan 15th Response sent from Mayor to GSA suggesting Work Session with City Council and Congressional Delegation on February 18, 2014.
- February 18th City Council work session/teleconference on McIntyre property. Future work session established for March 31, 2014.
- February 25th Letter from Mayor Lister to Congressional Delegation requesting assistance from delegation in securing written explanation from GSA of why transfer of McIntyre property is not possible. CC to GSA/
- March 10th Letter from GSA Regional Administrator Zarnetske to Mayor Lister in response to his request.
- Letter from Congressional Delegation to GSA Administrator Tangherlini requesting written responses to additional questions posed by the delegation.
- March 31st Work Session between City Council, GSA regional representatives and Congressional Delegation staff.
- April 15th Letter from Mayor Lister requesting additional information on GSA's inability to comply with legislation for additional directing the transfer of the McIntyre Building to the City.

- May 8th After no response, second request to GSA for information requested in April 15th correspondence.
- May 16th Response from GSA Associate Administrator Lisa Austin acknowledging Mayor's request and reporting that GSA is "actively re-evaluating options" for tenant agencies in Portsmouth.
- June 5th Teleconference between GSA and City Council Working Group to discuss process for federal property disposition and opportunity for City to participate in process.
- July 11th Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
- July 14th City Council non-meeting on negotiations and property disposition.
- Aug. 22nd Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
- Oct. 31st City Council update memo.
- Nov. 14th Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
- Nov. 17th Working Group provides progress update at City Council meeting.
- Dec. 19th Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
- 2015:**
- Jan 30th Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
- Mar 13th Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
- April 3rd Teleconference between GSA and City Council Working Group. City Manager memo update to City Council on federal property disposition process.
- April 24th Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.

McIntyre Building Relocation
Chronology June 2016

June 5 th	Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
July 13 th	City Council non-meeting on negotiations and property disposition.
July 17 th	Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
Aug. 17 th	City Council non-meeting on negotiations and property disposition.
Sept. 18 th	Teleconference between GSA and City Council Working Group to continue discussion on process for federal property disposition and opportunity for City to participate in process.
Oct. 9 th	Teleconference between GSA and City Council Working Group to discuss Request for Information (RFI) and Industry Day in 2016.
Nov. 20 th	Teleconference between GSA and City Council Working Group to continue discussion on GSA Request for Information (RFI) and Industry Day.
Dec. 21 st	Working Group provides progress update at City Council meeting.
2016:	
Jan. 8 th	Teleconference between GSA and City Council Working Group to continue discussion Request for Information (RFI) and Industry Day.
Jan. 28 th	GSA issues Request for Information (RFI) to solicit redevelopment concepts for McIntyre property and for construction of new federal building downtown.
March 2 nd	City Manager updates City Council on upcoming Industry Day for Development Community.
March 5 th	Industry Day Forum at Hilton Garden Inn and tour of McIntyre site. GSA and City staff present to prospective developers on property disposition.
March 28 th	Deadline for responses to GSA Request for Information (RFI).
May 13 th	Teleconference between GSA and City Council Working Group.
May 16 th	City Council non-meeting on negotiations and property disposition.
June 20 th	City Council work session on property transfer options.

REQUEST FOR INFORMATION
Optimization of the Thomas J. McIntyre Federal Building
and Private-Sector Development Opportunity
80 Daniel Street
Portsmouth, New Hampshire

Responses Due: March 28, 2016



U.S. General Services Administration
Public Buildings Service
Real Property Utilization and Disposal
10 Causeway Street
Boston, MA 02222



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I. OVERVIEW

The U.S. General Services Administration (GSA) is considering new approaches to leverage existing assets and engage the private sector to strengthen its real property portfolio. GSA is referred to in this Request for Information (RFI) as the Government.

The property that is the subject of this RFI is the Thomas J. McIntyre Federal Building which is located at 80 Daniel Street in Portsmouth, New Hampshire and further described in Section II below (the Property). Through this RFI, the Government is exploring potential strategies that may foster the conveyance of the Property out of federal ownership, in exchange for consideration in the form of construction services or conveyance resulting in Federal ownership of a facility to house federal tenants, fee-for-fee, or other beneficial realty transaction within the City of Portsmouth's Central Business District (the Delineated Area).

The Government's key strategic objectives related to the optimization of the Property include:

- Meet the long-term space needs of federal agencies by reducing the Government's footprint and maximizing Federal ownership within the Delineated Area;
- Leverage the expertise of the real estate industry to unlock the equity in the Property;
- Maximize financial return to the government and taxpayers; and
- Promote new market-driven use(s) on the underdeveloped Property.

The new facility will require up to 40,000 gross square feet (GSF) and sufficient on- and off-street parking spaces as appropriate to house approximately 100-150 personnel (the New Facility).

The Government will provide greater detail on requirements for the New Facility prior to or as part of the issuance of any solicitation. The New Facility, however, will conform to the criteria and standards established in the *P-100 Facilities Standards for the Public Buildings Service*. These standards are available for download at <http://www.gsa.gov/portal/content/187611>. The New Facility will require appropriate security features.

The Government is issuing this RFI to obtain responses from real estate developers, construction entities, joint ventures, and other members of the development community (Respondents) who are potentially interested in acquiring the Property through an exchange transaction. The Government will use the information provided in response to this RFI for planning purposes and for making strategic decisions regarding the future use of the Property.

In considering various alternatives, the Government may exercise GSA's authorities to exchange the Property for cash, construction services or other real property, or any combination thereof.

The Government will not enter into a sale or exchange agreement as a result of this RFI. After review of the responses, the Government will determine if there is the breadth and depth of interest from Respondents to proceed with an open, competitive solicitation. If the Government determines through its review that an exchange transaction is not in its best interest, then the Government may explore other options for the Property.

The Government invites Respondents to submit ideas that could assist it in attaining its objectives. The Government will not reimburse Respondents for any expenses associated with responding to this RFI, though the Government sincerely appreciates Respondents' efforts and input. For additional information on the submission process, see Sections VI and VII of this RFI.

II. PROPERTY DESCRIPTION

The Property is located at Daniel Street in downtown Portsmouth's historic district as shown in Figure 1. It comprises approximately 2.1 acres of land, with 245 feet of frontage on the northwest side of Daniel Street, 378 feet on the northeast side of Penhallow Street, and 186 feet on the southeast side of Bow Street. Improvements include the McIntyre Building - a four-story (plus basement level) steel-frame masonry building containing approximately 107,000 square feet of gross building area with forty-four (44) indoor parking spaces and a two-tier outdoor parking lot with ninety-one (91) spaces. The Property is within a short walking distance to Portsmouth's commercial/retail center known as Market Square located at the intersection of Market and Daniel Street and Portsmouth's historic harbor and waterfront commercial areas.



Figure 1: Property Location

The following table contains general descriptions of the above-referenced building located on the Property, which was constructed in 1966:

Table 1: Building List

Building	Description
McIntyre Federal Building	<ul style="list-style-type: none"> ▪ 4-story building containing approximately 107,254 GSF ▪ Brick and masonry construction ▪ Uses include main lobby, offices, and conference room space. Post Office portion of building includes offices, retail space, and a 4-bay loading dock
Parking	<ul style="list-style-type: none"> ▪ 135 total spaces with access off of Bow Street including: ▪ 91 outdoor spaces ▪ 44 indoor spaces

Existing Conditions of Improvements

The Property has been well maintained, although the buildings and infrastructure are in need of modernization.

Site Access/Transportation

The Property is within Portsmouth's downtown historic district and within walking distance of many commercial, retail, and waterfront attractions.

Zoning/Entitlements

On April 21, 2014, the City of Portsmouth adopted a character-based zoning ordinance that includes the Property. According to the *City of Portsmouth Zoning Ordinance Article 5A – Character Districts*, the purpose of the Downtown Character District is to encourage development that is compatible with the established character of its surroundings and consistent with the City's goals for the preservation or enhancement of the area. This is accomplished by providing a range of standards for the elements of development and buildings that define a place. More information on the Downtown Character District can be found at: <http://planportsmouth.com/>

The new Character-Based Zoning consists of three levels of density and character including:

- 1) General Urban District – Limited (CD4-L)
- 2) General Urban District (CD4); and
- 3) Urban Center District (CD5).

As detailed in Figure 2 – City of Portsmouth Character Based Zoning Map, the portion of the Property along Bow Street is zoned CD5 while the portion of the property with frontage along Penhallow and Daniel Streets is zoned as CD4.



Figure 2: Character Based Zoning Map

The Government makes no representations with regard to the zoning information included in this RFI. Respondents should verify the present zoning and determine the permitted uses for any proposed future development. For more information on Zoning/Entitlements, respondents are encouraged to contact the City of Portsmouth Department of Planning, Principal Planner Nicholas Cracknell at 603.610.7216.

“AS-IS” Condition

- The Property will be conveyed “AS-IS” and “WHERE-IS” without representation, warranty, or guaranty as to quantity, quality, title, character, condition, size, or kind, or that the same is in proper condition or fit to be used for the Respondent’s intended purpose.
- Respondents must rely on their own independent research and conclusions for all development, financing, construction and operating costs.
- The deed to the Property will contain the standard notice and covenants required by Section 120(h)(3)(A) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (CERCLA) (42 U.S.C. §9620(h)(3)(A)) and the regulations at 40 CFR Part 373.

III. POSSIBLE TRANSACTION STRUCTURES

Under GSA authorities, GSA may convey real property through various means, including by sale, lease, or exchange for other real property that better meets the Government's needs, or exchange for in-kind consideration, such as the performance of construction services. The Government is interested in using these authorities to obtain, at a minimum, the New Facility in exchange for the Property, and contemplates execution of a transaction structure that realizes this goal. A cash equalization payment to the Government may be required as part of any future solicitation.

The following are examples of possible transaction structures. The Government may consider other transaction structures as well.

1. Exchange for Newly Constructed New Facility within the City of Portsmouth Central Business District

Under this approach, the Government would exchange the Property for the land as well as the design and construction of a New Facility in combination with a cash payment to equalize value if necessary.

- In exchange for the land, design, and construction of a New Facility within the Delineated Area, the Government would offer title to the Property.
- The Government would evaluate offers and execute the exchange agreement.
- The selected offeror would provide land and design and construction services; and
- The Government would convey Property to the offeror on a mutually agreed upon date following completion of the New Facility.

2. Exchange for Fee of a New Facility in the form of an existing building within the City of Portsmouth Central Business District

Under this approach, the Government would exchange the Property for fee ownership to a parcel within the Delineated Area that is improved with an existing building that meets the Government's space requirements in combination with a cash payment to equalize value if necessary.

- In exchange for the fee ownership of a parcel improved with an existing building that meets the requirements of the New Facility; the Government would offer title to the Property.
- The Government would evaluate offers and execute the exchange agreement.
- The selected offeror would convey fee to a replacement parcel; and
- The Government would convey the Property to the offeror on a mutually agreed upon date in exchange for the New Facility.

3. Exchange for New Facility on Property owned by the City of Portsmouth

Under this approach, the Government would exchange the Property for the design and construction of a New Facility on a property owned by the City of Portsmouth. As an example, the city has preliminarily identified the Bridge Street Property, shown in Figure 3, as a potential site for a New Facility. If necessary, any exchange property with the City may be required to be in combination with a cash payment to equalize value. In the case of the Bridge Street example, the Government would assign its option to purchase the Bridge Street

Parcel at fair market value, to the selected entity. The fair market value of the Bridge Street Parcel would be established in a future solicitation document. The selected entity would arrange for the closing on the Bridge Street Parcel with the City of Portsmouth. Once acquired, the selected entity would design and construct the New Facility on the Bridge Street Parcel. Upon completion, the fee ownership of the New Facility would then be exchanged for the Property.

- In exchange for the land, design, and construction of a New Facility, the Government would offer title to the Property.
- The Government would evaluate offers and execute the exchange agreement.
- The selected offeror would acquire a parcel owned by the City of Portsmouth and would provide design and construction services; and
- The Government would convey the Property to the offeror on a mutually agreed upon date following completion of the New Facility.

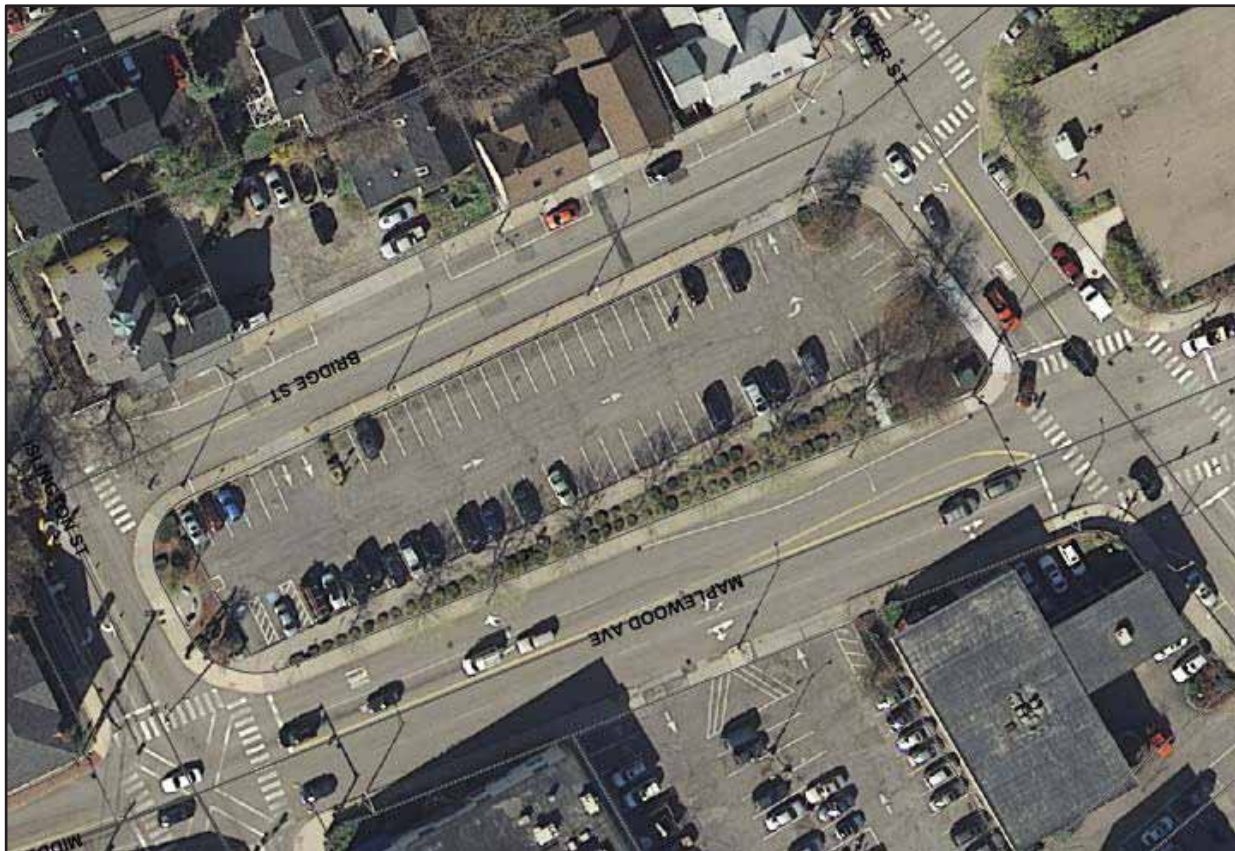


Figure 3 – Bridge Street Lot

The following graphic provides an overview of how the exchange process would work.

1 <u>Solicitation</u>	2 <u>Exchange Agreement</u>	3 <u>New Facility</u>	4 <u>Conveyance</u>
<ul style="list-style-type: none"> • Issue solicitation seeking proposals from entities interested in providing a New Facility through design and construction services or a fee-for-fee exchange. • Review proposals and select exchange partner 	<ul style="list-style-type: none"> • Execute exchange agreement with exchange partner which will identify exchange parcel and establish additional terms and conditions of the exchange. 	<ul style="list-style-type: none"> • Exchange partner provides New Facility as required under the terms of the exchange agreement 	<ul style="list-style-type: none"> • Government conveys the Property to exchange partner upon acceptance of the New Facility

IV. STATEMENT OF LIMITATIONS

1. The Government represents that this RFI, submissions from Respondents to this RFI and any relationship between the Government and Respondents arising from, connected, or related to this RFI, are subject to the specific limitations and representations expressed below, as well as the terms and conditions contained elsewhere in this RFI. By submitting a response to this RFI and without the need for any further documentation, the Respondents acknowledge and agree to the Government's rights and all other terms and conditions as set forth in the RFI, including the Statement of Limitations.
2. The Government reserves the right, in its sole discretion, without liability, to use any or all of the RFI responses in its planning efforts and to develop and operate the Property, in whole or in part, outside of the RFI process. The Government reserves the right to retain all the materials and information, and the ideas and suggestions therein, submitted in response to this RFI. All such material, information, ideas, and suggestions will become the property of the Government.
3. This RFI does not create an obligation on the part of the Government to enter into any agreement, nor to implement any of the actions contemplated herein, nor to serve as the basis for any claim whatsoever for reimbursement of any costs associated with the preparation of responses submitted to the RFI.
4. The submission of an RFI response is not required to participate in any potential future redevelopment process, nor does submission of a response preclude Respondents from participating in any future redevelopment of the Property.
5. To the best of the Government's knowledge, the information provided herein is accurate. However, the Government makes no representations or warranties whatsoever with respect to this RFI or the Property, including representations and warranties as to the accuracy of any information or assumptions contained in this RFI or otherwise furnished to Respondents by the Government, site and environmental conditions on the Property or the suitability of the Property, or any portion thereof, for any specific uses or development. Respondents should undertake appropriate investigation in preparation of submitting a response. A site inspection will be coordinated to give all Respondents the opportunity to examine existing conditions.

6. This RFI is issued solely for information and planning purposes and does not constitute a solicitation. A response to this notice is not an offer and cannot be accepted by the Government to form a binding contract.
7. The Government may request clarifying discussions with any or all of the Respondents on an individual or group basis. Submission of a response does not guarantee the opportunity to participate in the discussions.
8. No claims for brokers' fees will be paid by the Government.
9. Respondents submitting business information pursuant to this RFI should consult 41 C.F.R. part 105-60 and other implementing regulations concerning the release of such information to third parties under the Freedom of Information Act. All information submitted by Respondents that they consider confidential and not releasable to third parties outside of the Government, and its employees, agents, consultants, and representatives, must be clearly and conspicuously so marked.

V. ADDITIONAL INFORMATION

Pre-Submittal Briefing and Tour

The Government has scheduled a pre-submittal briefing and Property tour for interested parties on **March 5, 2016**– time and location to be determined. To sign up for the briefing and tour, go to www.gsa.gov/mcintyre

Project Inquiries

Questions regarding this RFI must be submitted by 5:00 p.m. Eastern Time on **Friday, March 11, 2016**, by email sent to john.dugan@gsa.gov.

Written questions must include the requestor's name, e-mail address, and the Respondent represented. Respondents also may ask questions during the pre-submittal conference. Regarding questions not received in a timely manner, the Government will decide, based on the amount of research needed to answer the question, whether an answer can be provided before the RFI due date.

A copy of all finalized questions and answers will be available at www.gsa.gov/mcintyre

VI. SUBMISSION OF RESPONSES

All interested parties should submit electronically a cover sheet, company description and the attached completed questionnaire with appropriate supporting information clearly marked "**Response to RFI – Thomas J. McIntyre Federal Building**" by 5:00 p.m. Eastern Time on **Tuesday, March 28, 2016** to john.dugan@gsa.gov.

The Government would like to thank you in advance for reviewing this RFI and assisting us in our efforts to plan for the potential repositioning of this Property.

Response Format

1. Cover Sheet, including:
 - Company Name and Address
 - Company Representative Name and Contact Information, including telephone and e-mail
 - Signature of Representative
2. Brief description of the company; size of company; years in business; and type of entity.
3. Response to RFI items in numerical order followed by any additional materials (see Section VII. Request for Information Questionnaire).

Oral Presentations

The Government may seek to engage in follow-up discussions with any or all of the Respondents. The Government will arrange with the Respondents for the time, date and location of the discussions. The submission of a response does not guarantee the opportunity to participate in the discussions.

VII. REQUEST FOR INFORMATION QUESTIONNAIRE

1. Taking into consideration federal construction and setback requirements (see Section I above), describe where you would propose locating the New Facility within the Delineated Area. Elaborate on why any specific location(s) would be optimal as compared to other locations.
2. Of the three examples of transaction structures discussed in Section III above, explain which of the three would be preferable and why.
3. Are there possible transaction structures that could more effectively accomplish the goal of obtaining a New Facility, other than the transaction structures described in Section III?
4. Describe your general financing strategy for the construction of the New Facility in light of the proposed transaction structure.
5. How would receiving title to the Property *after* completion of the New Facility impact the transaction? Would a different approach, aside from those described within this RFI, be more beneficial? If so, why?
6. How do the existing improvements on the Property factor into future development decisions?
7. How would you view the U.S. Postal Service interest in leasing back approximately 5,000 square feet at the Property post-conveyance and how would this impact the future development and/or value of the exchange?
8. Identify any concerns or risks with the proposed transaction structures (Section III) that would affect your potential interest in the Property. Are there any concerns about market risk, transaction timeline/phasing or any other key execution risks that could impede successful implementation of the proposed transaction structure?

9. What information would you need about the construction services that the Government seeks to receive as consideration for the exchange to prepare as part of your response to a solicitation?
10. Given the scope and scale of this development opportunity, what is an ideal length of time necessary to prepare a comprehensive and detailed response to any future solicitation that seeks to fulfill the strategic objectives stated in this RFI?
11. Given the special requirements associated with the City of Portsmouth's zoning overlay of the Property, identify any concerns related to the future development of the Property that may affect the viability of the proposed exchange transaction.
 - a. What concerns, if any, do you have regarding entitlement risk? At what point in the entitlement process would the entitlement risk be sufficiently mitigated?
 - b. Explain whether any dimensional (height, FAR, setbacks, open space, etc.), use, parking or other requirements affect the viability of the transaction structures identified in this RFI.
12. Under the Exchange for New Facility on Property owned by the City of Portsmouth scenario, do you foresee any challenges in completing a purchase with the City of Portsmouth for the identified parcel considering the conditions included with such a purchase (i.e., the length of the option period)?

**RFP #
REQUEST FOR
PROPOSALS**

**CITY OF PORTSMOUTH,
NEW HAMPSHIRE**

**DEVELOPMENT PARTNERSHIP WITH THE CITY OF PORTSMOUTH
FOR THE FEDERAL MCINTYRE PROPERTY**

Sealed Requests for Proposals, plainly marked “RFP ## Development Partnership with the City of Portsmouth for the Federal McIntyre Property” on the outside of the mailing envelope, addressed to the Finance/Purchasing Department, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801 will be accepted until **2:00 p.m. on _____, 2016.**

PROJECT SUMMARY: The City is interested in entering into a public/private partnership for reuse/redevelopment of the McIntyre Property as well as construction of a new facility to house federal tenants at the City’s Bridge St Parking Lot site. As part of this partnership effort, the City intends to retain ownership of the land at both sites and lease development and management rights to a partner entity. As such, the City is currently accepting proposals from prospective partners.

Specifications and Request for Proposal forms may be obtained by visiting the Finance/Purchasing Department section of the City of Portsmouth website at www.cityofportsmouth.com. Addenda to this proposal, if any, including written answers to questions, will be posted on the City of Portsmouth website under the project heading.

The City of Portsmouth reserves the right to reject any or all proposals, to waive technical or legal deficiencies, to accept any proposal and to negotiate such terms and conditions of any proposal that may be in the best interest of the City.

If you have any questions please contact the Finance/Purchasing Department at the following number: (603) 610-7227.

**RFP #
REQUEST FOR
PROPOSALS**

**CITY OF PORTSMOUTH,
NEW HAMPSHIRE**

**DEVELOPMENT PARTNERSHIP WITH THE CITY OF PORTSMOUTH
FOR THE FEDERAL MCINTYRE PROPERTY**

Sealed Requests for Proposals, plainly marked “RFP ## Development Partnership with the City of Portsmouth for the Federal McIntyre Property ” on the outside of the mailing envelope, addressed to the Finance/Purchasing Department, City Hall, 1 Junkins Avenue, Portsmouth, NH 03801 will be accepted until 2:00 p.m. on _____, 2016.

Mandatory Pre-Proposal Meeting

There will be a mandatory pre-proposal meeting on _____ at _____. All proposers will have an opportunity to ask questions at this meeting. No proposals will be accepted from firms who do not attend the mandatory pre-proposal meeting.

Background

One of the properties that is the subject of this Request for Proposals (RFP) is the Thomas J. McIntyre Federal Building which is located at 80 Daniel Street in Portsmouth, New Hampshire. Presently, the Government Services Administration (GSA) is exploring potential strategies for the conveyance of the property out of federal ownership, if an arrangement can be made to relocate federal tenants to an alternative site within the City of Portsmouth’s Downtown.

As part of the conveyance options, the GSA will consider options that include relocation to a city-owned parcel within the downtown in a like-kind exchange for participation in the redevelopment of the McIntyre Property.

The City has been in discussions with the GSA about future reuse/redevelopment of the McIntyre Federal Building, and has identified the Bridge St Public Parking Lot site as a future location to build the new federal facility. The Bridge Street Lot is located at the intersection of Maplewood Ave and Islington St.

In 2014, the City of Portsmouth adopted a character-based zoning ordinance that includes both of the properties. According to the City of Portsmouth Zoning Ordinance Article 5A – Character Districts, the purpose of the Downtown Character District is to encourage development that is compatible with the established character of its surroundings and consistent with the City’s goals for the preservation or enhancement of the area. This is accomplished by providing a range of standards for the elements of development and buildings that define a place. More information on the Downtown Character District can be found at: <http://planportsmouth.com/>

Project Summary

Pending a successful negotiation between the City and the Government Services Administration that results a transfer of development rights to the Federal McIntyre Property in exchange for the construction of a new facility at the Bridge St Public Parking Lot site, the City is interested in

entering into a public/private partnership for: 1) design and construction of a new facility on city-owned land to house federal tenants on the Bridge St Public Parking Lot site; and 2) design and construction for reuse / redevelopment of the McIntyre site. The City presently intends to retain ownership of the land at both locations and to enter ground leases or similar arrangements under which property development, management and potentially building ownership rights are held by its partner entity. As such, the City is currently accepting proposals from prospective partners.

Project Scope of Work

Both components of this project will be required to undertake development review and approval processes in collaboration with the City in order to provide opportunity for public input into the design and reuse of these two properties.

The development team will be required to develop and prepare all necessary local, state, and federal permit and land use applications and attend regulatory board meetings as needed.

The Bridge St Public Parking Lot occupies a 0.64 acre site bound by Maplewood Ave, Islington St, Hanover St, and Bridge St. It currently provides approximately 65 metered public parking spaces. It is located on the perimeter of the Downtown Core, across from the Discover Portsmouth Center, and within a 5-minute walk to Market Square.

New Facility on the Bridge St Lot



Conceptual Site Plan for a Federal Building – Bridge Street Lot

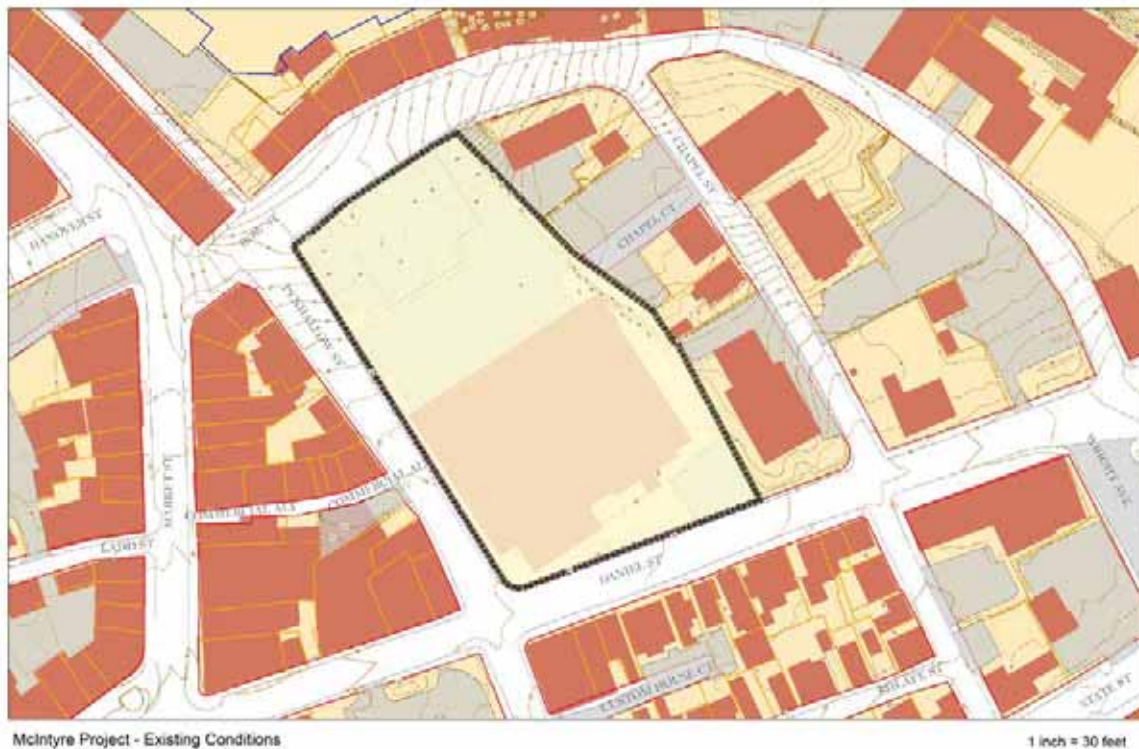
As the Bridge Street Lot will be owned by the City and used for government purposes, the development of this site will not be required to comply with all local zoning requirements and related land use regulations. However, the development will be required to receive a Certificate

of Approval from the Historic District Commission as well as Site Review approval from the Planning Board and may require review by the Parking & Traffic Safety Committee and Trees and Greenery Committee. The following conceptual plan shows a building and site plan that generally complies with the P-100 Standards required by the GSA.

The development team shall work with the City and GSA to identify and apply for any required State and Federal permits as applicable and any required documentation or additional studies. The GSA will provide greater detail on requirements for the New Facility once the conveyance method has been finalized, however, the minimum requirements are summarized in the GSA's Request for Information [which can be downloaded at <https://govtribe.com/project/request-for-information-mcintyre-federal-building>], dated January 28, 2016:

- The new facility will require up to 40,000 gross square feet (GSF) and sufficient on- and off-street parking spaces as appropriate to house approximately 100-150 personnel.
- The New Facility will conform to the criteria and standards established in the P-100 Facilities Standards for the Public Buildings Service. These standards are available for download at http://www.gsa.gov/portal/mediaId/225771/fileName/2015_P100_FacilitiesStandards.action.
- The New Facility will require appropriate security features as determined by the GSA.

McIntyre Property



Existing Conditions – Federal McIntyre Property, 80 Daniel Street, Portsmouth, NH

The McIntyre Property comprises approximately 2.1 acres of land, with 245 feet of frontage on the northwest side of Daniel Street, 378 feet on the northeast side of Penhallow Street, and 186

feet on the southeast side of Bow Street. The property includes the McIntyre Building - a four-story (plus basement level) steel-frame masonry building containing approximately 107,000 square feet of gross building area with forty-four (44) indoor parking spaces and a two-tier outdoor parking lot with ninety-one (91) spaces. The Property is within a short walking distance to Portsmouth's commercial/retail center known as Market Square located at the intersection of Market and Daniel Street and Portsmouth's historic harbor and waterfront commercial areas.

A. Zoning / Land Use Compliance and Permitting

1. The development or redevelopment of this property shall comply with the City's zoning ordinance and other related local permitting processes and regulations.
2. The development team shall work with the City and GSA to identify and apply for any required State and Federal permits as applicable and any required documentation or additional studies.

B. Urban Design

1. Redevelopment of the site should be consistent with the surrounding historic context in terms of height, volume and massing.
2. New buildings and alterations of existing buildings must comply with the Zoning Ordinance, including the Regulating Plan and the applicable standards and requirements for the CD5 and CD4 zoning districts as indicated on the Zoning Map.
3. New buildings and alterations of existing buildings should be consistent with the Design Guidelines for the Historic District as adopted by the Historic District Commission.

C. Economic Development

1. All street-facing facades should include ground-floor commercial activities to activate the street edge.
2. Redevelopment is encouraged to incorporate upper floor office uses to support downtown economic activity.
3. Possible inclusion of US Post Office site at this location should be considered.

D. Public Space and Landscaping

1. Redevelopment of the site should enhance the pedestrian environment, incorporating wide sidewalks along public streets and, where feasible, public pedestrian alleyways through the site.
2. Redevelopment of the site should incorporate active public outdoor spaces such as plazas, courtyards and pocket parks.
3. Landscaping should be provided within the site and on the perimeter of the site to break up impervious areas, soften architectural and structural materials, and provide stormwater management benefits where possible.

E. Transportation and Circulation

1. Redevelopment of the site should include sufficient off-street parking to serve the needs of the site and to support future redevelopment of surrounding underutilized property. To this end, incorporation of a multi-level parking structure with access from at least two streets is encouraged.
2. Redevelopment of the site should include bicycle parking and long-term storage facilities.

Land Lease

As part of this partnership effort, the City presently intends to retain ownership of the land at both locations and to enter ground leases or similar arrangements under which property development, management and potentially building ownership rights are held by its partner entity.

Project Schedule

The project schedule will be determined once the required federal process for conveyance of the McIntyre Property is complete.

City Role

The project will be overseen by a Project Steering Committee, the composition of which will be determined at the direction of the City Council.

A project manager identified by the City will be responsible for administering the project and overseeing the development team's work on this project. Representatives of the City's Department of Public Works and Planning Departments will review plans and other documentation prepared by the Developer.

The City will provide any available property and infrastructure information including:

- 2006 digitized vector data in ACAD/ESRI format - Data includes edge of pavement, parcels, building footprint, driveway cutouts, water, sewer, and drainage, etc.
- NH DOT Orthophotos from 2010.
- Property records.

Submission Requirements

- A) Team Description- provide a brief description of the development team including team members and areas of specialization, location of corporate headquarters, and potential satellite office proposed to handle this project.
- B) Project Team- Provide names and resumes of key professionals who would be assigned to the project. The project manager shall be clearly identified and a description of his/her relevant previous projects listed. A list of past relevant projects, which proposed project staff have played a central role in developing, shall be also provided.
- C) Scope of Services- Describe in narrative form the developer's proposed approach and technical plan for accomplishing the work listed herein. The Developer is encouraged to elaborate and improve on the tasks listed in the RFP; however, the Developer shall not delete any requested scope tasks unless explicitly noted. The Developer shall provide a conceptual timeline with proposed sequencing of tasks and estimated times for completion of tasks.

The Developer(s) shall state in succinct terms their understanding of what is required by this Request for Proposal. Describe in narrative or outline form the Developer's approach and technical plan for accomplishing the work of this RFP including the following:

- Describe the tasks to be used to accomplish this project
 - Describe the role of each member of the project team
- D) Relevant Experience-- Describe relevant experience in each of the following primary areas of focus:
- a. Mixed-Use Development
 - b. Urban Planning and Design within Historic Districts
 - c. Collaboration with GSA, other federal agencies
 - d. Public/private development projects

The Development team's experience shall be summarized in a matrix format. In addition, detailed project descriptions of no more than five reference projects containing the majority of the focus areas listed above shall be included. The project descriptions shall be current and limited to a maximum of one full page per project, along with client references and up-to-date contact information (name, title, organization, phone, cell and email).

Twelve paper (12) copies of the proposal must be submitted. Proposers are encouraged to avoid the use of synthetic report covers and partitions. Proposer shall include a single CD/DVD with an electronic PDF copy of their proposal.

Evaluation Criteria

Proposals will be evaluated initially according to the following:

1. Responsiveness to submission requirements
2. Qualifications of team members
3. Previous related work
4. Understanding of required project work and schedule

Selection Process

1. Upon review of all responsive proposals, the City may select, by vote of the City Council, up to three (3) proposers to interview.
2. Following interviews, the highest ranking proposer will be invited to submit documentation of financial ability to complete the project.
3. The City reserves the right to undertake such investigation as it deems necessary to evaluate the qualifications of the Development team and to evaluate its submittal. Proposers may be asked to submit releases as part of the investigation and review of qualifications. Failure to provide a release if requested will result in disqualification.
4. Once the City has completed review of the financial documentation, the selected proposer will be invited to negotiate a final contract with the City.
5. If the City is unable to reach agreement with the highest ranking proposer, the City will enter into negotiations with the next highest ranking proposer.

Contract Document

The City of Portsmouth reserves the right to reject any or all proposals, to waive technical or legal deficiencies, to accept any proposal, and to negotiate such terms and conditions of the final

contract as it may be in the best interest of the City.

When the contract is executed by both parties, the Developer will be instructed to commence providing the work outlined in the contract.

All concepts, designs, information and cost-savings ideas that may be generated during the selection process shall become the property of the City of Portsmouth.

All information, data, documents, photos, computer records, and other materials of any kind acquired or developed by the Developer pursuant to this project shall be shared with the City of Portsmouth.

Additional Information

Requests for additional information should be directed to _____.

TIMELINE FOR DEVELOPER SELECTION - FEDERAL MCINTYRE PROJECT								
Tasks	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Request for Proposals (RFP)								
Drafting of the RFP	█							
City Council Approval of RFP process and potential use of the Bridge St. Lot		█						
GSA Review and approval of the RFP		█						
City Council appointment of Project Steering Committee		█						
Developer Selection Process								
Issuance of the RFP			█					
City Council Review of the Proposals (incl. interviews) & Short List Selection				█				
City Council Review of the Proposals (incl. interviews) & Final Selection					█			
Developer Selection						█		
Contracting with Selected Developer							█	

May 25, 2016

Mr. Mayor and members of the City Council.

Today is an auspicious day. Thirty-three years ago as of this writing, Ronnie James Dio released his classic album Holy Diver, one of the most influential rock records ever recorded. Dio also happens to be Portsmouth-born, which is why I am writing you today.

Ronnie James Dio died on May 16th, 2010. His passing was marked this year by the meteor that exploded over Portsmouth, picked up by the Portsmouth Harbor webcam. I do not know if you are superstitious people, but I consider that a sign.

Over the past months, we have been gathering signatures on a petition to memorialize Dio here, in his birthplace with a statue in Prescott Park. So far this petition has garnered nearly 5000 signatures. The support for this project is overwhelming, befitting Dio's contributions to music. We would appreciate the opportunity to present this petition to the city council, along with a more thorough accounting of our plans regarding funding and construction. The support of our city's governing body is important to us.

As we are aiming to erect this statue on public land and consider it a piece of public art (and a future piece of history), we would like to request that the City Council refer this matter to Art-Speak.

I am available to answer any questions. Thank you for your consideration.

Sincerely,
Brian Kelly
40 Whidden Street
Portsmouth NH
603-785-2782



CITY OF PORTSMOUTH

Community Development Department
(603) 610-7232

Planning Department
(603) 610-7216

INTEROFFICE MEMORANDUM

TO: JOHN P. BOHENKO, CITY MANAGER
FROM: NICHOLAS CRACKNELL, PRINCIPAL PLANNER
SUBJECT: DESIGN GUIDELINES FOR PORTSMOUTH'S HISTORIC DISTRICT
DATE: JUNE 20, 2016

At the June 20th City Council meeting, the Council will have a presentation from Principal Planner, Nicholas Cracknell, and Historic District Commission (HDC) Chairman, Joseph Almeida, who will provide a brief presentation of the *Design Guidelines* developed over the past year for the Historic District. They will also discuss current initiatives such as expansion of the 3D Massing Model as well as the planned update to the Survey of Historic Properties within the District.

Over the past year, the HDC has worked with Dominique Hawkins, an architect and historic preservation consultant from Preservation Design Partnership, Inc. to develop a set of detailed Design Guidelines (*Guidelines*) for Portsmouth's Historic District. Supported by generous funding provided through City Council in 2014, the HDC developed the *Guidelines* in an effort to improve the local review process at the HDC and to provide property owners within the Historic District with a helpful tool to manage changes and protect the City's unique architectural and historical resources.

The *Guidelines* provide background information, guidance and regulations to be followed by property owners, design professionals, contractors, the HDC, the Portsmouth Planning Department and other City officials with regard to historic resources. They are intended as a supplement to, rather than as a substitute for, consultation with qualified architects, contractors and the HDC members.

The *Guidelines* address alterations to historic buildings by largely drawing on the *Secretary of the Interior's Standards for the Treatment of Historic Properties* and more specifically, the *Guidelines for Rehabilitation*. They are intended to encourage the retention and repair of the existing historic building fabric. In the consideration of additions and new construction, the *Guidelines* provide a framework for review of appropriateness for the historic structure within its surrounding historic context rather than a judgement based primarily on good or bad taste.

Given the HDC will be using the *Guidelines* in their decision-making process, it is recommended that applicant's review the information in the *Guidelines* during the early stages of planning a project and speak with historic preservation professionals about their project. It is hoped that with familiarity of the material and recommendations listed in the *Guidelines* that property

owners and HDC members alike, can use the *Guidelines* to move their project forward more efficiently, saving both time and money.

The following twelve (12) *Guidelines* have been completed as part of this project:

1. Guidelines Introduction
2. Guidelines for Architectural Styles
3. Guidelines for Exterior Maintenance
4. Guidelines for Roofing
5. Guidelines for Exterior Woodwork
6. Guidelines for Porches and Decks
7. Guidelines for Masonry & Stucco
8. Guidelines for Windows and Doors
9. Guidelines for Site Elements and Streetscapes
10. Guidelines for Small Scale New Construction and Additions
11. Guidelines for Signs and Awning
12. Guidelines for Commercial Storefronts and Infill Development

Each section address historic materials and building topics and all sections comprise the *Portsmouth Historic Preservation Design Guidelines*. These *Guidelines* serve to cover the topics most typically addressed by the HDC. The City Ordinances, Chapter 1, Section 1.404(C)(6) provides as follows:

The Historic District Commission shall have the power to adopt by-laws, rules and regulations necessary for the conduct of business providing the same have been approved by the City Council. The Commission also shall prepare and issue guidelines to assist the applicants in determining the appropriateness of the applicant's proposal.

Accordingly, the proposed *Guidelines* have the unanimous support of the HDC. Furthermore, the HDC fully supports the zoning amendments recently submitted by the Planning Department that include an amendment to formally reference the *Guidelines* within the purpose and review criteria of the Historic District Ordinance. Further information, including an electronic copy of the *Guidelines*, is available at the Planning Department and on the City's web-site at www.planportsmouth.com/historicdistrictcommission.



CITY OF PORTSMOUTH

Historic District Commission

Guidelines Introduction



WHY IS HISTORIC PRESERVATION IMPORTANT IN PORTSMOUTH?

The City of Portsmouth recognizes that the character and quality of life enjoyed by its citizens depend in great measure upon the City's rich architectural heritage and the importance of the natural and designed landscapes in our community. This historical, cultural, archaeological, social and economic heritage is entrusted to each generation, enriched and passed on to future generations.

These *Guidelines* were developed in conjunction with the City of Portsmouth's Historic District Commission (HDC) and the Planning Department. Please review this information during the early stages of planning a project. Familiarity with this material can assist in moving a project quickly through the approval process, saving applicants both time and money.

In its review, the HDC considers a property's classification, recommending the greatest historic authenticity at focal buildings, with more flexibility at contributing structures, and the most at non-contributing properties. The HDC Staff in the Planning Department is available to provide informal informational meetings with potential applicants who are considering improvements to their properties.

Additional *Guidelines* addressing other historic building topics are available at City Hall and on the Commission's website at www.planportsmouth.com/historicdistrictcommission. For more information, to clarify whether a proposed project requires HDC review, or to obtain permit applications, please call the Planning Department at (603) 610-7216.

HISTORIC PRESERVATION IN PORTSMOUTH

To promote continued enrichment of our local heritage, the City of Portsmouth enacted the Historic District ordinance, (Article 6 - Overlay Districts) of the City's Zoning Ordinance, whose purpose is:

- *To preserve the architectural and historic resources of the City of Portsmouth; to foster its architectural and historic character and its sense of place; to conserve property values; to strengthen the local economy; and to promote the use of the District for education, pleasure and welfare of residents and visitors.*

Since 1965, the Portsmouth Historic District Commission (HDC) and City Planning Department have worked to support the preservation and enhancement of historical sites, buildings, landscapes and structures, and the surrounding environment within the Portsmouth Historic District. The principal mechanism they utilize for this effort is through a review process of exterior alterations to existing buildings and structures as well as the construction of new buildings and structures.

LANDSCAPE PRESERVATION

When contemplating changes to the landscape such as installing a fence or a project near a wetland resource area, please consider that your project may need review by multiple bodies. Recognizing the importance of the natural and cultural landscape as part of the defining characteristics of Portsmouth, the City established the Conservation Commission. The purpose of the Conservation Commission is to protect, promote and enhance the natural resources of the City. In conjunction with the HDC, the Conservation Commission protects the scenic and cultural heritage of our community.

PORTSMOUTH HISTORIC DISTRICT ¹

Description

The Portsmouth Historic District comprises the urban land area of the colonial port-capital of New Hampshire as it had evolved by the mid-nineteenth century. It contains approximately 1,200 buildings and structures as well as some seven tested or excavated archaeological sites. With the exception of several large, modern intrusions since the mid-twentieth century, the district is densely built either by original land division or through the process of later subdivision and infill. Bounded on the east by the Piscataqua River, the district follows an irregular pattern, extending along the principal land transportation routes radiating from the urban core. It encompasses *five* distinct, yet historically related components of the old town: the South End, the downtown, the North End (or Christian Shore), *the West End* and the Haymarket Square Middle Street areas. The South End is a tightly built residential area of wooden houses, ranging from the late 17th through the early 20th century, surrounding the South Mill Pond along streets interlacing the spine of South, Marcy and Pleasant Streets. The commercial core is largely brick, three story blocks and rows along streets radiating from Market Square and built during the 19th century after a series of fires. At Haymarket Square and adjoining Court, State and Middle Streets are a series of 3-story Federal mansions on large lots intermixed in later years with some of the most important mid-19th century Italianate and Mansard wooden and brick houses in Portsmouth. The North End and Christian Shore surrounding the North Mill Pond, are linked to the downtown by Maplewood Avenue. While the southern portion has been intruded by urban renewal, containing several major historic urban archaeological sites, the rest is a 2-story residential area below the Route 1 Bypass which includes the oldest house in New Hampshire and a cluster of Federal and Victorian buildings similar to the South End. *Added to the District in 2010, the West End is a 19th century Industrial area which also encompasses the Islington Street corridor and includes various residential and commercial architectural styles.* Together these five areas contain the majority of the architecturally and historically significant landmarks of the city, in their traditional settings of streetscapes, open parks and public spaces which create a sense of time and place. The historic district is also clearly distinct from the surrounding suburban development characteristic of the late 19th and 20th centuries, industrial sections, and modern commercial strips.

Significance

Portsmouth is the only colonial seaport in New Hampshire, being the capital of the Province until the American Revolution and the state's only major port throughout the 19th century. The Historic District encompasses the whole street plan of the city from its urban inception in the 1690's to its height as a shipbuilding and commercial center. Its early recognition for outstanding Colonial and Federal architecture helped to preserve the large number of individual landmark structures during the first half of the 20th century, but the attempts to alter its cohesive character, *especially during the urban*

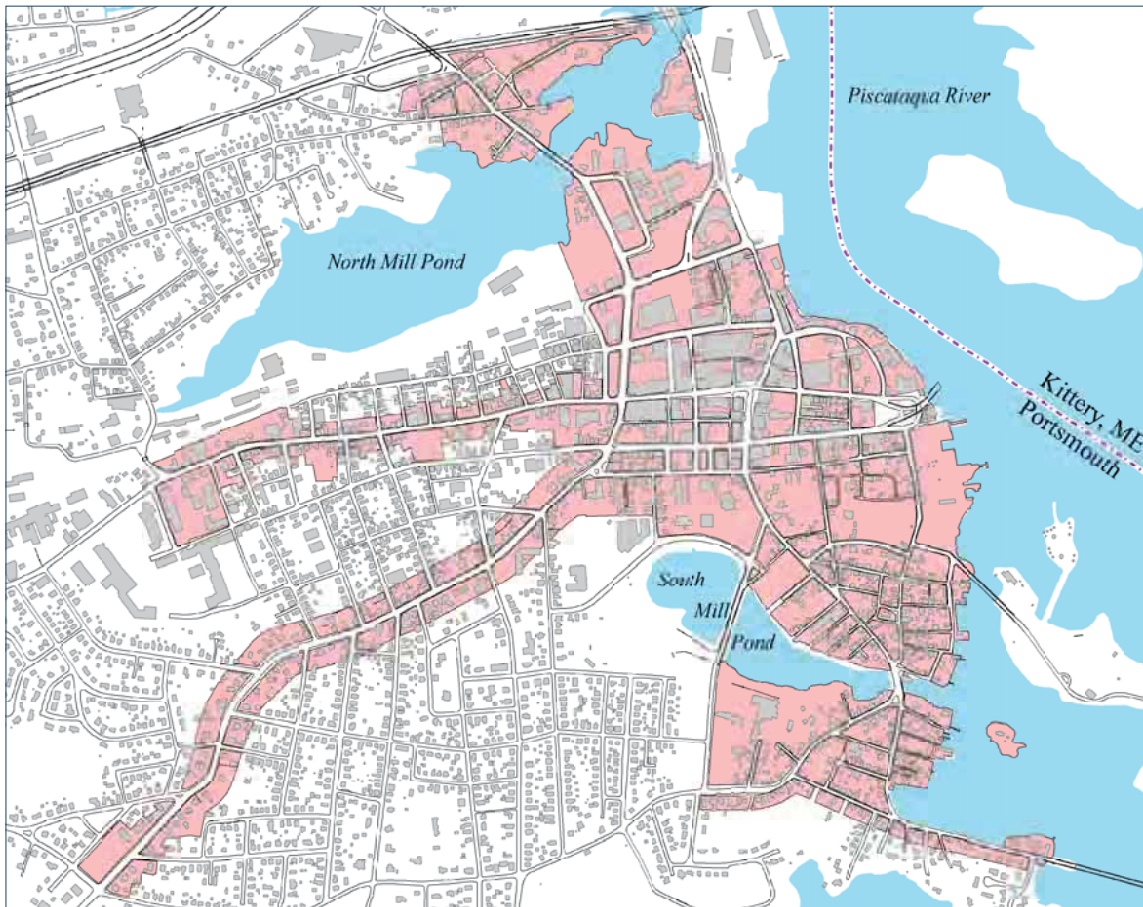
renewal period, have stimulated a broad recognition of the architectural, historical and archaeological importance of its unusually complete survival. The South End is an important maritime neighborhood which includes not only the Gov. John Langdon House, Strawberry Banke Historic District, and the South Meetinghouse already on the National Register, but several hundred colonial, federal and later 19th century domestic buildings which share a distinct character of height, scale, design and materials reflective of the historical development of the area. The downtown, likewise, reflects the rebuilding after its 19th century fires which formed a central core of Federal commercial buildings which established the three-story building height which continued until the 20th century. The use of local red bricks in the commercial core established its architectural character, which includes excellent examples of master builders and architects from the Federal through the Victorian period. Haymarket Square and Middle Street contain the city's most extensive collection of post-colonial domestic architecture, while the Christian Shore area reflects the middle class developments in housing of the same period. The latter also includes the earliest building in the State of New Hampshire, the Jackson House of c. 1664.

Significance - Architecture

By virtue of its size, the Portsmouth historic district includes the largest concentration of colonial and federal buildings of all socio-economic groups to have been built, and survive, in the State of New Hampshire. Focused around some 50 or more major public, commercial and residential buildings of larger scale, the city's oldest core retains excellent vernacular examples of a full evolution of 17th century, Georgian, Federal, Italianate, and later Victorian building styles. The Portsmouth Advocate's Survey of the Portsmouth Historic District in 1982 has identified and analyzed the full number and type of these structures with descriptions, location and ownership information as well as photographs and categories of significance. Where known, the forms list the locally prominent builders such as John Drew, Michael Whidden I, II, and III, Daniel Hart, James Nutter, and others as well as local architects like Ebenezer Clifford, Bradbury Johnson, William Tucker, Isaiah Wilson and William Ash. Later architects like Alexander Parris, Ammi B. Young, Gridley J.F. Bryant, Towle and Foster, Cram and Wentworth, Arthur Vinal, Dabney and Ball, and other Boston architects who worked in Portsmouth have been identified. Many of the prominent buildings by known master-builders or a professional architect rely for their historical and physical context on the less well documented buildings which create the streetscapes linking the individual parts as a cohesive whole. It is in this sense that the hundreds of contributing structures in the district are of primary architectural significance.

¹ Information in this section extracted from *An Architectural Survey of the Historic District of Portsmouth, New Hampshire - Application for Certification of the Portsmouth N. H. Historic District* as prepared by the Portsmouth Advocates Inc. for the City of Portsmouth, New Hampshire; June - September 1982. Woodward D. Openo, Survey Director.

Italicized text represents modifications for inclusion of West End.



The locally designated Portsmouth Historic District encompasses five distinct, but historically related components including the downtown, the South End, the North End, the West End and the Haymarket Square - Middle Street Areas. Strawberry Banke and the South Meetinghouse area are also listed on the National Register of Historic Places.

HISTORIC DESIGNATION & LISTING

Definitions

- **Historic Resource:** An individual building, structure, site, object or district that has been determined to have historical significance or associations and whose distinctive character conveys a unique architectural and cultural heritage.
- **Historic District:** A defined area that contains concentrations of historic resources. A district can include as few as one historic resource or hundreds of resources.

Portsmouth Historic District Classifications (1982)

- **Focal Buildings:** Buildings that are listed or eligible for listing on the National Register.
- **Contributing Buildings:** Buildings that rely on their location within a streetscape and land use pattern that links individual buildings into a cohesive historical and physical context.
- **Non-Contributing Buildings:** Buildings less than 50 years old that are of modern design, appreciably different scale, height or building materials.
- **Intrusive Buildings:** Buildings that are significantly out of scale or placement and/or use materials or a building design that is in strong contrast with the surrounding context, streetscape, and the contributing buildings.

Local Designation

Local designation of a historic property or district provides a tool for local communities to determine what is architecturally and historically important to their community and a mechanism for the regulation of proposed changes to those properties.

The National Register of Historic Places

The National Register of Historic Places is the United States government's official list of districts, sites, buildings, structures and objects identified as worthy of preservation. The National Register is administered by the National Park Service, a division of the Department of the Interior.

Listing in the National Register does not eliminate or restrict property rights of individual owners. Projects involving federal or state permits, licenses or funding are reviewed for their potential effects on significant historic properties, including those listed in the National Register. Having a property listed on the National Register could make its owners eligible for federal and state tax credits for expenses incurred rehabilitating an income-producing property. National Register information is available from the New Hampshire Division of Historical Resources. (Refer to *Preservation Organizations*, page 01-15.)



Local designation helps to maintain the character of Portsmouth's historic neighborhoods.

BENEFITS OF LOCAL DESIGNATION

The designation of local historic districts and landmarks has been found to:

- Increase neighborhood stability and property values
- Preserve the physical history of the area
- Promote an appreciation of the physical environment
- Foster community pride and self-image by creating a unique sense of place and local identity
- Increase the awareness and appreciation of local history
- Increase tourism
- Attract potential customers to businesses
- Create local construction jobs employing skilled tradesmen

SUSTAINABLE BENEFITS OF PRESERVATION

Historic buildings are intrinsically “green,” as reusing an existing building has substantially lower environmental impact than building a new one. Preservation and rehabilitation minimize the wasteful loss of materials while maintaining a distinctive sense of place. Sustainable benefits of preservation include:

- The historic building or structure already exists, and the energy required to fabricate the lumber, bricks, windows and doors was expended long ago
- New construction often includes demolition of an existing building (construction waste comprises approximately 25% to 30% of landfills), in addition to the fabrication of new construction materials creating additional waste, while the preservation of an existing building conserves landfill space
- The most appropriate materials for the majority of preservation projects are often historic materials rather than non-biodegradable manufactured products, such as vinyl and/or plastics

PRESERVATION ASSISTANCE PROGRAMS

There are federal and state incentive programs available for historic properties. The submission and review requirements are rigorous and it is highly recommended that applicants contact the applicable agency at the early planning stages of a potential project.

Federal Historic Preservation Tax Incentives

The Historic Preservation Tax Incentives Program rewards private investment in rehabilitating historic income-producing properties such as offices, rental housing and retail stores. The Program, established by the Tax Reform Act of 1986, is jointly administered by the U.S. Department of the Treasury and the U.S. Department of the Interior's National Park Service. Owner-occupied single-family residences are not eligible for the program. If eligible, up to 20 cents on every dollar spent on qualified rehabilitation work (including most architectural and engineering fees) would be available as a credit against federal income taxes. The 20% tax credit is available to buildings that are listed in the National Register of Historic Places, either individually or as a contributing building in a National Register historic district, or as a contributing building within a local historic district that has been certified by the Department of the Interior. To be eligible for the 20% tax credit, project work must be certified as meeting *The Secretary of the Interior's Standards for Rehabilitation*. (Refer to *The Secretary of the Interior's Standards for Rehabilitation*, page 01-10.)

Preservation Easement

Preservation easements are a tool often used to insure the preservation of the character defining features of a property for the public's benefit. The New Hampshire Division of Historical Resources maintains an easement program to protect historic resources. The extent of the protection of the property is dependent on the strength of the easement. Some easements protect just the façade of a building. Other easements protect the larger preservation values including but not limited to the exterior and interior architectural features, materials, landscape features, outbuildings, fences and archeological resources of a property.



Assistance programs, such as the Federal Historic Preservation Tax Incentives Program are available for designated commercial designated properties that undertake a certified rehabilitation project.

PRESERVATION REGULATORY REVIEW

To maintain the character of properties within the Historic District, most proposed exterior changes require review and the issuance of a Certificate of Approval from the HDC prior to commencing work, or if deemed to be an exempt activity or a minor application by Planning Staff, the approval process can be addressed administratively. The type of work requiring a Certificate of Approval includes:

- **Exterior Alteration** - Removal, modification and/or installation of materials or features from sites, buildings or structures
- **New Construction** - New building, structure or site feature and/or expansion of an existing building, structure or site feature
- **Demolition** - Complete or partial removal of a building, structure or site feature
- **Relocation** - Relocation of a building, structure or site feature

Certificate of Approval applications are reviewed by the HDC at their monthly (and occasionally bi-monthly as warranted by the number of application) meetings. During their reviews, the HDC references the criteria set forth in the Historic Preservation sections of the City's Ordinance. Review by the HDC ensures that any proposed changes will be compatible with the character and design of the individual property and/or Historic District.

The process of applying for a Certificate of Approval requires the project representative to provide sufficient information on the City's application form and to provide a narrative, drawings, sketches, photographs, a survey, proof of ownership, product brochures or samples for certain building features that will be modified, as well as potentially a 3-D massing model for more complex applications. The applicant is encouraged to consult with Planning Staff to ensure that all the information is included in the application.

Once the application has been determined to be complete, it will be placed on the HDC agenda. The applicant or a project representative should attend the HDC meeting for Work Sessions as well as Certificate of Approval reviews to answer any questions the HDC may have regarding the application, or the application could be tabled pending clarification and/or the submission of additional information as requested by the HDC.

APPROVALS REQUIRED FOR WORK

HDC review and approval is triggered by the application for a building permit. This includes the replacement of windows, doors and roofs as well as ground disturbance at potential archaeological sites. HDC approval is necessary but may not be sufficient for the granting of a building permit. Each property is subject to review for compliance with applicable zoning, building and safety codes. The property owner is responsible obtaining all necessary approvals prior to commencing with work.



The HDC reviews most proposed exterior changes at properties within the Portsmouth Historic District.

HISTORIC DISTRICT COMMISSION

The HDC has oversight of the City's preservation activities and regulatory review within the bounds of the Portsmouth Historic District. The HDC is comprised of seven members and two alternates, including:

- A City Councilor
- A Planning Board member
- Two District residents
- A District resident who either owns or works in a business within the Historic District

Although the HDC's primary responsibility is to conduct Work Sessions and to review applications for Certificates of Approval, the HDC also provides recommendations to the City Council regarding historic preservation activities in the City including the documentation of historically designated properties.

The HDC can take one of four actions following the review of an application:

- **Approval as Submitted** - The Certificate for Approval will be issued.
- **Approval with Conditions** - A Certificate for Approval will be issued pending review for compliance of required conditions.
- **Continued** - The applicant provides additional information or clarification as requested by the HDC
- **Denial** - It is determined that the project does not meet the requirements for the granting of a Certificate of Approval. The applicant can work with Planning Staff to bring the project into compliance with the ordinance using the *Guidelines* and resubmit to the HDC for re-review or appeal to the Board of Adjustment.

WORKING WITHOUT A CERTIFICATE FOR APPROVAL

The Planning Department will inspect all work for compliance with an approved Certificate of Approval. If any changes are proposed after the issuance of a Certificate of Approval, please contact the Planning Department at (603) 610-7216 for additional required reviews. Work completed without an approved Certificate of Approval is subject to possible fines, removal and restoration of the site, building or structure to its appearance prior to the violation.

TIMING FOR REVIEW

The City of Portsmouth makes every effort to quickly conduct required reviews. If an application is incomplete, if the HDC requests a change, or if all City deadlines are not met, the issuance of permits and approvals could take several months. In addition, complex applications requiring multiple reviews will typically require additional time, particularly if coordination with other City Departments is required.

All applications are first reviewed by Planning Staff for completeness and potential of a project's eligibility for an administrative approval, or whether it would be more appropriate for a Work Session review. If an application requires HDC review, Staff will place the application on the next available meeting's agenda. For most applications, the HDC acts within 45 days on a completed application.

Staff Review & Administrative Approval

Staff reviews are typically conducted for applications that are considered minor in the context of the designated property, and if applicable, the surrounding local Historic District. Applications that may be limited to Staff review include:

- Minor maintenance and in-kind repair, which are exempted from HDC purview after Staff review
- Exterior alterations at all properties within the bounds of the local Historic District that are considered insubstantial with limited visibility
- Minor changes to a previously approved Certificate for Approval

Staff reviews of complete applications are generally completed within 7 to 10 business days of filing and all administrative approvals must be ratified by the HDC at their next scheduled meeting.

HDC Review

Applications that propose alterations that are too substantial for Staff administrative approval are forwarded to the HDC for review. The HDC holds regular monthly meetings at City Hall the first Wednesday of each month and often the second Wednesday if there are a large number of applications. At its meetings, HDC conducts reviews applications for Certificates of Approval, Work Session applications, as well as addresses issues pertaining to the Historic District and preservation issues in the City. (Refer to *Work Session Review*, page 01-8.)

When reviewing Certificate of Approval applications, assuming that the application materials are complete and the HDC does not require any additional information, applicants should assume a minimum of 4 weeks between the submission deadline of the HDC application and the issuance of a HDC Certificate of Approval.

PLANNING FOR ALTERATIONS TO HISTORIC PROPERTIES

One of the key first steps in planning an alteration to a historic property is developing an understanding of what makes a property important. Historic properties typically derive their significance from their architectural character and/or their historical significance as related to an association with an important individual or event.

Once it is understood why a property is defined as significant, a determination can be made whether it has historic integrity, or the ability of a property to convey its significance. Some of the aspects considered when making a determination of integrity relate to its:

- Location
- Design
- Setting
- Materials
- Workmanship
- Feeling
- Association with the historic individual or event

Properties that retain integrity always possess several of these aspects.



Great care should be taken when proposing alterations to the City's focal buildings. The HDC recommends maintaining of as much of the historic materials as possible.

DESIGN OF ALTERATIONS

In balancing the desire for a change to a historic property with regard to the historic integrity, the HDC encourages property owners to retain as much historic building fabric as possible. As such, the following guide can be used, listed in preferential order:

1. Maintenance
2. Repair and In-Kind Replacement
3. Alterations and Renovations
4. Adaptive Reuse
5. Additions and New Constructions

If demolition is considered, property owners should refer to the Demolition review process (Refer to *Demolition Application Review*, page 01-7). Demolition of designated historic buildings is rarely appropriate.

DEMOLITION APPLICATION REVIEW

The demolition of historic properties is considered a drastic action. The loss of a historic building constitutes not only a loss of historic fabric and context; it can alter the character of the streetscape and surrounding buildings. Once resources or buildings that contribute to the heritage of the community are destroyed, they cannot be replaced.

Demolition could represent a lost educational resource for the community whether the building was an example of past construction techniques, or has associations with a significant individual or event in our history. As a result, demolition of historically or architecturally significant buildings and structures is rarely considered to be an appropriate option. In addition to meeting all City requirements, the proposed demolition of buildings or structures located within the Historic District are subject to HDC review.

To promote and maintain the historic character of the Historic District, the HDC will assess the historical and architectural integrity of the existing building or structure proposed for demolition. (Refer to *Planning for Alterations to Historic Properties*, page 01-6.) In addition, as part of its review of the proposed demolition, the HDC will also review the proposed development of the site to determine whether the recommended redevelopment is compatible with and enhances the character of the District.



Demolition is an irreversible action that alters the character of the property, the streetscape, and the area. The HDC strongly recommends against the demolition of buildings or features that are architecturally or historically significant to the history of Portsmouth.

PORTSMOUTH HISTORIC PRESERVATION DESIGN GUIDELINES

The *Portsmouth Historic Preservation Design Guidelines (Guidelines)* are intended as a tool to help manage change and protect the City's architectural and historical resources.

The *Guidelines* provide background information, guidance and regulations to be followed by property owners, design professionals, contractors, the HDC, the Portsmouth Planning Department and other City officials with regard to historic resources. They are intended as a supplement to, rather than as a substitute for, consultation with qualified architects, contractors and the HDC members.

The *Guidelines* addressing alterations to historic building fabric are based upon *The Secretary of the Interior's Standards for the Treatment of Historic Properties* and more specifically, the *Guidelines for Rehabilitation*. They are intended to encourage the retention and repair of existing historic building fabric. In the consideration of additions and new construction, the *Guidelines* provide a framework for review of appropriateness at the historic property and within the surrounding historic context rather than judgment on good or bad taste.

Because the HDC utilizes the *Guidelines* in their decision-making process, it is recommended that applicants review the information in the *Guidelines* sections during the early stages of planning a project and speak with historic preservation professionals about their project. Familiarity with this material can assist in moving a project forward quickly, saving both time and money.

The following *Guidelines* were completed as part of this project:

- *Guidelines Introduction*
- *Guidelines for Architectural Styles*
- *Guidelines for Exterior Maintenance*
- *Guidelines for Roofing*
- *Guidelines for Exterior Woodwork*
- *Guidelines for Porches & Stoops*
- *Guidelines for Masonry & Stucco*
- *Guidelines for Windows & Doors*
- *Guidelines for Site Elements & Streetscapes*
- *Guidelines for Small Scale New Construction & Additions*
- *Guidelines for Signs & Awnings*
- *Guidelines for Commercial Storefronts & Infill Development*

Each section addresses historic materials and building topics and all sections comprise the *Portsmouth Historic Preservation Design Guidelines*. Further information is available at the Planning Department and on the City's web site at www.planportsmouth.com/historicdistrictcommission. These *Guidelines* serve to cover the topics most typically addressed by the HDC. Any work under the jurisdiction of the HDC that is not specifically covered in these *Guidelines* is subject to HDC review and approval.

WORK SESSION REVIEW

Complex applications and applications for new construction or additions typically involve both large and small design decisions. To facilitate the design of new construction and additions in a manner that is compatible with a historic property and the surrounding Historic District, the HDC offers the opportunity for applicants to present their proposal at Work Sessions as designs are developed. These advisory sessions can be convened at any time during the design process, and continued to allow the development of design alternatives.

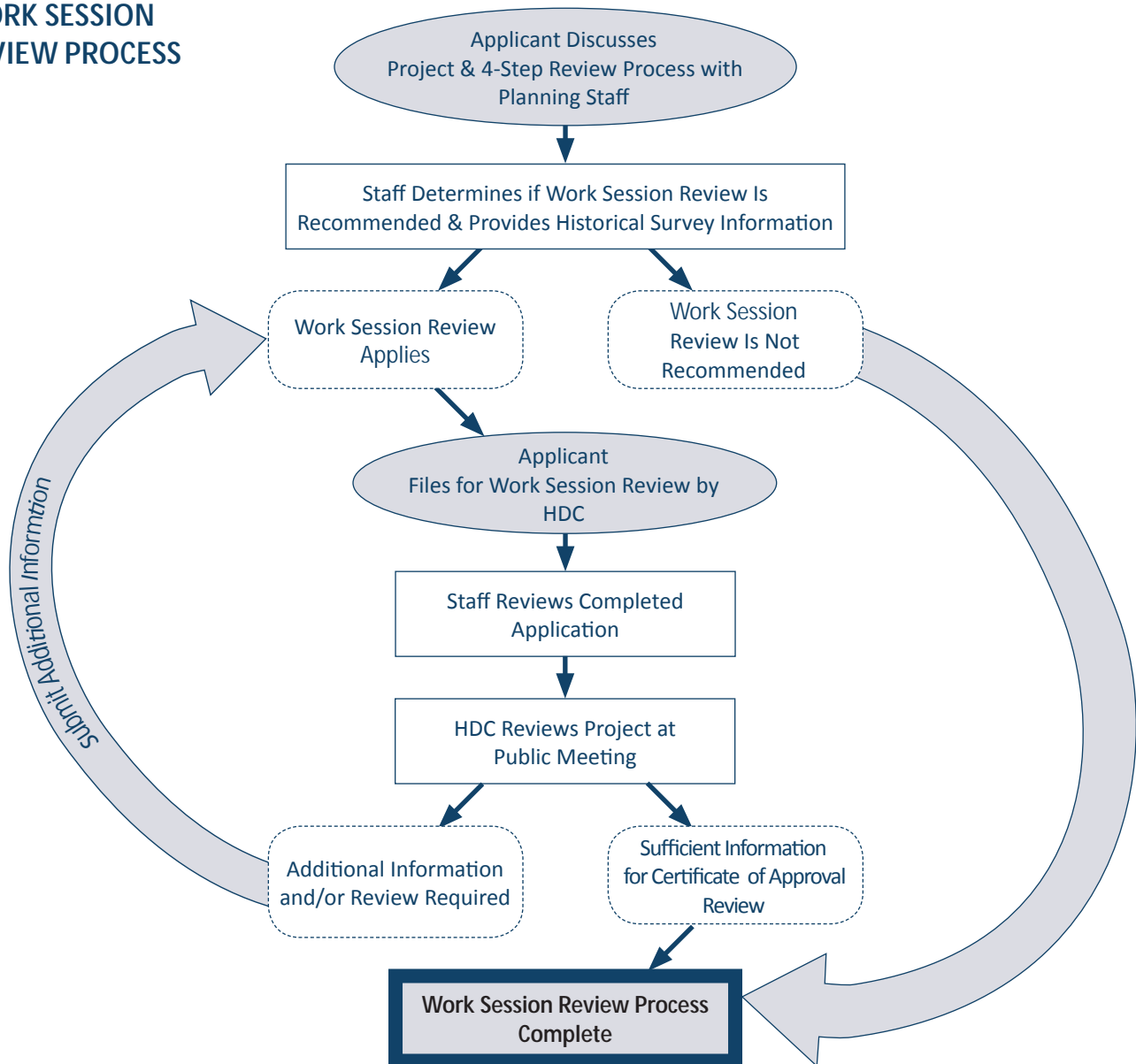
The purpose of the sessions is to HDC to comment on various design alternatives, issues and options in advance of submission of a Certificate of Approval application. It is intended that this process will save applicants both time and money in the development of a proposal that is approvable by the HDC prior to incurring the expense associated with the preparation of more detailed plans or construction documents.

WORK SESSION REVIEW PROCESS

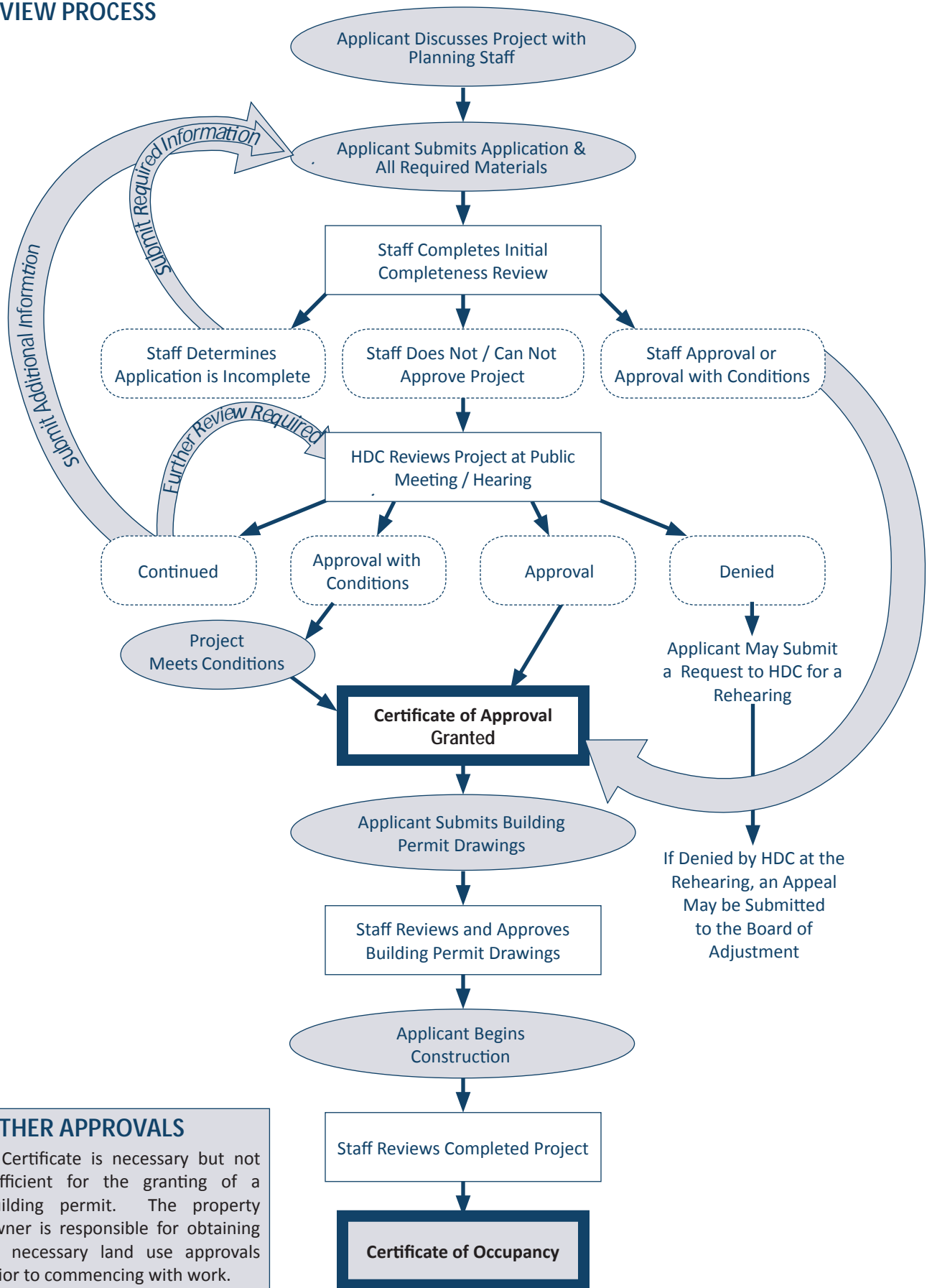
Although the number and timing of the Work Sessions will be dependent on the nature of the design development process of the project being considered, the following 4-step review process is offered as a suggested guide for consideration:

1. **Neighborhood Context** - Identify and utilize the existing neighborhood context information to guide, inform and identify the appropriate scale, massing, setbacks, style and other design elements.
2. **Massing** - Assess the appropriate height, scale, volume and massing relative to the surrounding context.
3. **Façade Treatment & Architectural Style** - Assess the appropriateness of the proposed architectural style and façade treatments.
4. **Elevation** - Assess the appropriateness of the proposed façade composition and materials.

Following the completion of the Work Session reviews, applications can be submitted to the HDC for a Certificate of Approval.



CERTIFICATE OF APPROVAL REVIEW PROCESS



OTHER APPROVALS

A Certificate is necessary but not sufficient for the granting of a building permit. The property owner is responsible for obtaining all necessary land use approvals prior to commencing with work.



Identification of key building features, such as the symmetrical façade, two-story projecting bays and projecting cornice can help identify where and to what extent alterations may be appropriate.

GUIDELINES FOR HDC DECISIONS FOR ALTERATIONS TO EXISTING BUILDINGS

When reviewing a proposed project for alteration to a historic building, the HDC's review is sometimes guided by principles contained in *The Secretary of the Interior's Standards for the Treatment of Historic Properties*, and more specifically, *The Standards for Rehabilitation*. *The Standards for Rehabilitation* provide property owners and tenants common-sense guidelines to allow sensitive contemporary uses for their sites while retaining their architectural and cultural heritage. In reviewing projects, the HDC encourages sensitive rehabilitation involving the least amount of intervention or change as identified in the following guidelines:

- **Identify, retain, and preserve** the overall form, materials, and details that are important in defining the architectural and historical character of the building and site.
- **Protect and maintain** historic materials and features. This involves protection from other work that may occur in proximity to the historic materials, and also protection through regular maintenance. A regular program of protection and maintenance usually involves the least degree of intervention, and can prevent or postpone extensive and costly work.
- **Repair** rather than replace deteriorated historic materials and features. Repairs maintain the building in its current condition while making it weather-resistant and structurally sound. Repairs should involve the least intervention possible, concentrating specifically on areas of deterioration. When repair is not possible, the HDC encourages replacement in-kind, reproducing by new construction the original feature exactly, including the original material, finish, detailing and texture.

- **Replace** missing or deteriorated historic materials and features in-kind when the extent of deterioration precludes repair. Similar to repair, the preferred approach is to replace the entire feature in-kind to match the original material, finish, detailing and texture. Since this is not always technically or financially feasible, substitute materials are sometimes acceptable when they convey the appearance and finish of the original feature.
- **Reconstruct** missing historical features if adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced. The addition of features from other historic buildings or addition of historical elements for which there is no documentation is not appropriate.
- **Alterations and additions** are sometimes needed to ensure the continued use of a building. An alteration involves returning a building to a useful condition while saving those parts that represent its historical, architectural or cultural significance. It is important that alterations do not radically alter, obscure or destroy character-defining spaces, materials, features or finishes. An addition is new construction at the exterior of an existing building and should be carefully considered. New additions should be differentiated but also be compatible in size, mass, form, fenestration, material, detailing and style with the historic building, and should be constructed at a less visible side or rear elevation, so that the character-defining features are not radically obscured, damaged or destroyed.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION¹

The *Standards for Rehabilitation* were developed in 1995 by the National Park Service of the U.S. Department of the Interior. They are the national standard to guide rehabilitation work on historic resources and are used as a general guidelines by the HDC when rendering their recommendations regarding the alterations of existing building features.

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural or architectural values.

¹ Weeks, Kay D., and Anne E. Grimmer. *The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*. Washington, D.C.: U.S. Department of the Interior, National Park Service, Cultural Resource Stewardship and Partnerships, Heritage Preservation Services, 1995. Referred to throughout these Guidelines as the *Standards for Rehabilitation*. Available at www.nps.gov.

MAINTENANCE IS PRESERVATION

Regular maintenance helps to preserve buildings and property, protect real estate values and investments, and keeps Portsmouth an attractive place to live, work and visit. Lack of regular upkeep can result in accelerated deterioration of building elements and features. In the case of historic buildings, these features often represent character defining elements that are difficult and costly to replace. Long-term lack of maintenance can impact a building's structure, resulting in expensive repairs.

It is prudent to regularly inspect properties to identify potential problems. If problems are detected early, minor maintenance may not only improve a property's overall appearance and value, but also can prevent or postpone extensive and costly future repairs. Regular maintenance can include a variety of tasks such as cleaning gutters and downspouts, and painting of exterior woodwork.

The HDC encourages:

- Prolonging the life of original materials on historic structures through regular maintenance as long as possible
- Avoiding replacement of original materials with newer materials
- Referencing the *Guidelines for Exterior Maintenance* and topic-specific sections for additional maintenance information



Regular repainting with proper preparation is one of the best ways to maintain exterior woodwork and siding.

COST VS. VALUE-ADDED

While some of the recommendations in these *Guidelines* do not represent the least expensive options, the HDC strongly believes that selecting a better quality option will be less costly in the long-term.

An immediate benefit is that using traditional materials and construction methods tends to be more historically appropriate and sustainable. Another benefit is that traditional materials generally have a longer life-cycle because they are appropriate for the local climate, requiring less frequent replacement. Additionally, traditional materials tend to reduce associated landfill waste and replacement costs, as well as potentially increasing a property's value associated with authentic, higher quality construction.



The roof surface, balustrade and cornice were damaged by heavy snow and were replaced to match the historic conditions. (Refer to photograph below.)

REPAIRS & REPLACEMENT

When it is no longer feasible to maintain a historic feature due to its condition, repairs or replacement in-kind may be necessary. Repairs maintain the building in its current condition while making it weather-resistant and structurally sound, concentrating specifically on areas of deterioration. When repair is not possible, the HDC encourages replacement in-kind. Similar to a regular maintenance program, these activities can prevent or postpone extensive and costly future repairs.

The HDC encourages (Listed in order of preference):

- Non-intrusive repairs, focused at deteriorated areas, stabilizing and protecting the building's important materials and features
- When repair is not possible, replacement in-kind to the greatest extent possible, reproducing by new construction the original feature exactly, matching the original material, size, scale, finish, profile, detailing and texture
- When replacement in-kind is not possible, the use of compatible materials and techniques that convey an appearance similar to the original historic features, and the use of materials similar in design, color, texture, finish and visual quality to the historic elements



The roof, balustrade and cornice were replaced using compatible materials, that convey an appearance that is similar to the historic condition prior to storm damage.

ALTERATIONS & RENOVATIONS

Alterations and renovations are sometimes needed to ensure the continued use of a building, but have the potential to alter the character of historic properties. When considering alterations or renovations, careful attention should be given to the original building and its relationship to the alteration or renovation.

The HDC encourages:

- Identification, retention and preservation of the character defining features of the historic building
- Minimal alteration to the original design, materials and features
- The use of design elements that are compatible with the historic building and setting
- The use of materials and techniques that are compatible to the historic building and setting
- Maintaining the appropriate historic contextual setting

This historic bank building has been converted into a restaurant. The adaptive reuse project allows an iconic building in the center of downtown to continue to have a useful function into the future with minimal exterior alterations.



ADAPTIVE REUSE

In adaptive reuse projects, alterations or renovations might be necessary to use a building for a different purpose from which it is currently or was originally designed, if permitted under the Portsmouth Zoning Ordinance. Similar to alterations or renovations, great care should be given to the original building and its relationship to the alteration or renovation. In addition, careful attention should be taken with required alterations such as the modification or addition of window and door openings to accommodate the new use.

Examples of Adaptive Reuse:

- Conversion of a house to multi-family residential or offices
- Conversion of industrial/commercial buildings into housing
- Conversion of institutional buildings into commercial space

Benefits of Adaptive Reuse:

- Retention of historic character and high quality historic materials and craftsmanship
- Promotes stability of ownership and occupancy of historic resources
- Potential cost savings versus new construction
- Maintains and utilizes the established neighborhood and existing infrastructure



The rear addition is designed to be sympathetic to the form, massing and scale of the historic house. It is smaller in size and includes similar fenestration patterns, materials, detailing and trim, making it highly compatible.

ADDITIONS

Additions to a building within a Historic District can dramatically alter the appearance of the individual property, the District and the surrounding landscapes. Exact reproduction of historic buildings is discouraged, while both traditional or contemporary design compatible to the context of the historic resources and their surroundings is encouraged. Because of the sensitivity of the area, the property owner should take great care when proposing an addition to a designated property.

The HDC encourages:

- Preservation of the cohesive ambiance of historic resources with compatible, sympathetic and contemporary construction
- Compatible siting, proportion, scale, form, materials, fenestration, roof configuration, details and finishes to the existing building
- Construction of additions at secondary elevations wherever possible, subordinate to the historic building, and compatible with the design of the property and neighborhood
- Construction of additions so that the historic building fabric is not radically changed, obscured, damaged or destroyed
- Referencing the *Guidelines for Small Scale New Construction & Additions*

RESEARCHING HISTORIC PROPERTIES

Property owners seeking information regarding the history of their property can consult with Portsmouth Public Library and the Portsmouth Athenaeum. In the archives, property owners can reference Historic Property Survey Forms, City Atlases, City Directories and potentially historic photographs. (Refer to *Preservation Organizations*, page 01-15.)



New construction, particularly large-scale commercial projects, can provide a substantial economic impact as well as a physical impact on the surrounding streetscape. Careful design of large-scale development projects, especially at the street level, is required to ensure compatibility within the context of the Portsmouth Historic District.

NEW CONSTRUCTION

More dramatically than additions, new construction within a Historic District can dramatically alter the appearance of the individual property, the District and the surrounding landscapes. All new construction should be compatible within the property's surrounding context. As a result, those areas that are highly cohesive with strong historical integrity, will likely be more limited than those areas with a variety of building types, scales, materials and designs such as those found in some of Portsmouth's commercial corridors.

When considering a new construction or development project, exact reproduction of historic buildings is discouraged, while both traditional design or contemporary design compatible to the context of the historic resources and their surroundings is encouraged. Because of the sensitivity of the area, the property owner should take great care when proposing new construction or a new development within a Historic District or to a designated Landmark.

The HDC encourages:

- Preservation of the cohesive ambiance of historic resources with compatible, sympathetic and contemporary construction
- Compatible siting, proportion, scale, form, materials, fenestration, roof configuration, details and finishes
- Referencing the *Guidelines for Small Scale New Construction & Additions*
- Referencing the *Guidelines for Commercial Storefronts & Infill Development*

ARCHAEOLOGY & EXCAVATION

Given the area's early settlement, there are numerous archaeological sites identified and protected throughout the City, and identified areas where there is the potential for archaeological discovery. Once an archaeological site has been disturbed by untrained lay persons, the ability to reveal the site through professional interpretation might be lost forever. As a result, archaeological sites are best preserved in-situ, or "in-place", until they can be professionally investigated. As stated in *"An Architectural Survey of the Historic District of Portsmouth, New Hampshire - Application for Certification of the Portsmouth N. H. Historic District"*:

Archaeology

The former Vaughan Street Urban Renewal Area has proven to be one of the best urban historic archaeology sites in the region. Testing in 1981 by professional archaeologists at Strawberry Banke led to controlled salvage of several important sites in 1982. While this work still continues, the artifactual evidence for understanding the material culture of this area from its development c. 1700 through the 19th century had proven to be of substantial importance. This material is part of ongoing investigation of sites throughout the city. A private dig in conjunction with the moving of the Fernald House in 1980 discovered the well and trash pit of the Revolutionary doctor, Hall Jackson. The ceramic material alone established new evidence of Portsmouth's material culture in the 18th century, including forms documented nowhere else in the United States to date. Within Strawberry Banke itself, public archaeology programs have tested several areas under professional direction in the past two years. This supplements the work of Daniel Ingersol in the 1960 's in a test of Puddle Dock and the excavations by Stephen Pendery which include the earliest excavated pottery kiln site in the area.

Since the publication of the *Architectural Survey* in 1982, additional archeological sites have been investigated, including the African Burying Ground on Court Street. The New Hampshire Division of Historical Resources is available to provide technical assistance for archaeological projects.



Not all archaeological remains are as clearly marked as this cemetery. Care should be taken to minimize disruption of remains during construction projects.

FREQUENTLY ASKED QUESTIONS

Q: Where should I begin the process?

A: It is often helpful to begin by understanding what makes your property historically or architecturally significant (see below.) Contact the City's Planning Department at (603) 610-7216 for a review of your property's significance. Obtain the *Guidelines* section applicable to your proposed project and consider whether the proposed changes are appropriate for the property. (Refer to page 5.)

Q: How can I find out about the history of my neighborhood or property?

A: The Portsmouth Public Library and the Portsmouth Athenaeum are the best resources for local history (refer to *Page 4*), including historic photographs, National Register Nominations and survey forms on historic buildings. Links to information on local history are also available on the City of Portsmouth's website. Additional information regarding historic properties is available from the New Hampshire Division of Historical Resources, and on its website. There are also numerous reference organizations and resources, a few of which are listed on pages 01-15 and 01-16.

Q: How do I make it more likely that my project is approved?

A: It is helpful to have an understanding of what makes your property architecturally or culturally significant when considering a project. This will allow you to make informed decisions about the proposed project with an understanding of some of the issues considered by the HDC. Each section of the *Guidelines* outlines what is and is not likely to be approved by the HDC. If considering a complex application, particularly those that include an addition or new construction, it is often helpful to engage in HDC Work Session reviews process prior to submission of a Certificate of Approval application. The Work Session process can provide feedback to guide an application towards a design that may be approved by the HDC prior to expending a lot of time and money in the development of detailed plans or Construction Documents.

Q: Is the review process expensive? Do I need to hire an outside professional?

A: The HDC charges a fee for a reviews and other City departments assess fees based on the nature of the project. Carefully review of the applicable *Guidelines* and the application requirements for an approval prior to hiring a design professional or contractor can assist in the early planning stages of your project. If not required by Code to receive a building permit, you are welcome to submit applications for work without the assistance of a design professional. However, for complex proposals or those that requires the submission of scaled drawings, consultation with a professional may be required and may expedite the review process. If you are retaining the services of a professional, it is helpful to work with architects, contractors and others familiar with the requirements of working with the HDC. Before submitting your application, confirm that it is complete with the Planning Department.

Q: I am planning a complex project. When is the best time to talk to the HDC?

A: If your project is complex or requires review from multiple land use Commissions and Boards, the best time to talk to the HDC is as early in the project as possible, before you invest significant time and money into the design process. This initial informal informational review can help move a project more quickly through the review process. Please contact the City's Planning Department at (603) 610-7216 for an appointment.

Q: Is there a way to expedite the review process?

A: It is important to thoroughly complete the application and submit all required materials to the HDC for review. It is recommended that you contact the City's Planning Department directly to understand what submission materials are required for your project; whether Commission review is required or Work Session review recommended; and the specific submission deadlines and meeting dates. Contact the City's Planning Department to determine what other reviews are required; if multiple reviews are necessary they can often be pursued simultaneously.

Q: Does my project require HDC review?

A: Proposed changes to any building, site or structure within the boundaries of the Portsmouth Historic District are required to receive an approval. This includes all work that might be considered ordinary maintenance and repair with the exception of repainting. Refer to applicable *Guidelines* sections for clarifications regarding Staff review. Most applications for maintenance and repair are reviewed at the Staff level within 7 to 10 days of a completed application filing.

Q: How do I apply for HDC review?

A: The specific submission requirements for HDC review will vary based upon whether the submission is for a Work Session or a Certificate of Approval. In most instances, the submission materials are typically similar to those required for a building permit review. For specific information regarding the submission requirements for your proposed project please refer to the applications available on the City of Portsmouth website at www.planportsmouth.com/historicdistrictcommission or contact the City's Planning Department at (603) 610-7216.

Q: Can I begin construction immediately after I get the HDC approval?

A: The HDC review is not necessarily sufficient for the granting of a building permit. Each project is also subject to review by all departments having jurisdiction over compliance with zoning, building and safety codes. HDC review is just one step in obtaining a building permit. You must complete all necessary reviews and obtain all necessary permits applicable to your project prior to proceeding with any work. However, you cannot receive a building permit without obtaining an approval from the HDC.

PRESERVATION RESOURCES

City of Portsmouth History

- Brewster, Charles. *Rambles About Portsmouth*. 2 vols. Portsmouth, NH: 1859-1869.
- Brighton, Ray. *They Came to Fish*, 2 vols. Portsmouth, 1973.
- Grossman, Nancy W. *The Placenames of Portsmouth*. Portsmouth, 2005.

Architecture of Portsmouth, NH

- Bolster, W. Jeffrey (ed.). *Cross-Grained & Wily Waters: A Guide to the Piscataqua Maritime Region*. Portsmouth: Peter Randall Publisher, 2002.
- Candee, Richard M. *Atlantic Heights: A World War I Shipbuilder's Community*. Portsmouth: Portsmouth Marine Soc., 1985(reprint ed., paperback, Portsmouth Marine Soc., 2012)
- _____. *Building Portsmouth: The Neighborhoods and Architecture of New Hampshire's Oldest City*. Portsmouth: Portsmouth Advocates, 1992 (2nd rev. ed. 2006).
- _____. "Wooden Buildings in Early Maine and New Hampshire: A Technological and Cultural History, 1600-1720" Ph.D. diss., University of Pennsylvania, 1976. UMI/ProQuest # 76-22,664.
- _____. "'Old Portsmouth...Home of the Stocking Business': A Forgotten 19th Century Industry and Its Inventors," *Historical New Hampshire* 57 (Fall/Winter 2002): pp. 85-107.
- _____. "Social Conflict and Urban Rebuilding: The Portsmouth, New Hampshire, Brick Act of 1814," *Winterthur Portfolio*, 32:2/3 (Summer/ Autumn 1997): pp. 119-146.
- Cunningham, Valerie and Mark J. Sammons (eds.). *Black Portsmouth: Three Centuries of African-American Heritage*. Durham, NH: University of New Hampshire Press, 2004.
- Garvin, James L. "Academic Architecture and the Building Trades in the Piscataqua Region of New Hampshire and Maine." Ph.D. diss., Boston University, 1983. UMI #83-1977.
- _____. *A Building History of Northern New England*. Hanover: University Press of New England, 2001.
- _____. "Ebenezer Clifford, Architect and Inventor," *Old-Time New England* 65 (Winter-Spring): pp. 23-37.
- _____. *Historic Portsmouth: Early Photographs from the Collections of Strawberry Banke, Inc.* Somersworth, NH: New Hampshire Publishing Co., 1976; rev. ed by Susan Grigg, Strawberry Banke Museum, 1995 .
- _____. "Mail-Order House Plans and American Victorian Architecture," *Winterthur Portfolio* 16 (Winter 1981): pp. 309-334.
- Giffen, Sarah L. and Kevin D. Murphy, eds., "A Noble and Dignified Stream" – *The Piscataqua Region in the Colonial Revival, 1860-1930*. York Old York Historical Society, 1992.
- Gurney, C. S. *Portsmouth Historic and Picturesque*. Portsmouth, NH: 1902; reprint with index, Strawberry Banke, 1981.
- Howells, John Mead. *The Architectural Heritage of the Piscataqua*. Baltimore: Architectural Book Co., 1937; reprinted 1965.
- Openo, Woodard Dorr. "The Summer Colony at Little Harbor in Portsmouth, NH and its Relationship to the Colonial Revival Movement." Ph.D. diss., University of Michigan, 1989.

Pendery, Steven R. "Urban Process in Portsmouth, New Hampshire: an Archeological Perspective," in *New England Historical Archeology*. Dublin Seminar for New England Folklife Annual Proceedings 1977. Boston: Boston University, 1978.

Sturgis, R. Clipston. "Architecture," *The Portsmouth Book*. Boston: George Ellis [1899].

Historic Maps & Deeds

- Portsmouth Athenaeum (search for titles, photographic images or manuscript archives)
<http://www.portsmouthathenaeum.org/>
Special Collections, Portsmouth Public Library
- Sanborn Insurance Maps
<https://libarchive.dartmouth.edu/cdm/search/collection/sanborn/searchterm/Portsmouth/field/all/mode/all/conn/and/order/title>
- New Hampshire Deeds
<http://www.nhdeeds.com/rockingham/RoHome.html>

Reference

- Belle, John, John Ray Hoke, Jr., Stephen A. Kliment (eds.). *Traditional Building Details for Building Restoration, Renovation, and Rehabilitation*. New York: John Wiley & Sons, Inc., 1998.
- Bucher, Ward (ed.). *Dictionary of Building Preservation*. New York: John Wiley & Sons, 1996.
- Cusato, Marianne, et. al. *Get Your House Right; Architectural Elements to Use & Avoid*. New York: Sterling, 2007.
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- McAlester, Virginia and Lee. *A Field Guide to American Houses*. New York: Knopf, 2014.
- Mouzon, Stephen A. *Traditional Construction Patterns*. New York: McGraw-Hill, 2004.
- Poppeliers, John C. and S. Allen Chambers, Jr. *What Style is it? A Guide to American Architecture*, Revised Edition. New York: John Wiley & Sons, 2003.

Building & Landscape Preservation

- Bernhard, Sandy and Tom Ela. *The House Journal: A Resource to Evaluate and Document the History, Alterations, and Records of Your House and Property*. Washington, DC: The Preservation Press, 1993.
- Favretti, Rudy and Joy Favretti. *For Every House A Garden: A Guide for Reproducing Period Gardens*. Chester, CT: The Pequot Press, 1977.
- Moss, Roger W. ed. *Paint in America: The Colors of Historic Buildings*. New York: John Wiley & Sons, 1995.
- Poore, Patricia (ed.). *The Old-House Journal: Guide to Restoration*. New York: Dutton, 1992.
- Preservation Briefs*. Washington, DC: National Park Service, Technical Preservation Services.
www2.cr.nps.gov/tps/briefs/presbhom.htm
- Technical Preservation Services, National Park Service. *Respectful Rehabilitation: Answers to your Questions About Old Buildings*. Washington, DC: The Preservation Press, 1982.
- Weaver, Martin E. *Conserving Buildings: A Manual of Techniques and Materials*, Revised Edition. New York: John Wiley & Sons, 1997.

PRESERVATION ORGANIZATIONS

Local Organizations

City of Portsmouth Planning Department

City Hall; 1 Junkins Avenue, Portsmouth, NH 03801;
www.planportsmouth.com/historicdistrictcommission

Portsmouth Historical Society

10 Middle Street; Portsmouth, NH
(603) 436-8433; www.portsmouthhistory.org

Portsmouth Athenaeum

9 Market Square; Portsmouth, NH
(603) 431-2538; www.portsmouthathenaeum.org

Strawbery Banke Museum

14 Hancock Street; Portsmouth, NH
(603) 433-1100; <http://www.strawberybanke.org/>

State and Regional Organizations

New Hampshire Division of Historical Resources

19 Pillsbury Street; Concord, NH 03302
(603) 271-3483; preservation@dcr.nh.gov

New Hampshire Preservation Alliance

7 Eagle Square; Concord NH 03302
(603) 224-2281; www.nhpreservation.org

Historic New England

Otis House; 141 Cambridge Street; Boston, MA 02114
(617) 227-3956; www.historicnewengland.org

ACKNOWLEDGEMENTS

We would like to express our appreciation to the representatives of the following groups and individuals who helped make the *Guidelines* possible:

City of Portsmouth

Jack Blalock, Mayor (current)
Robert Lister, Mayor (2014 - 2015)
John P. Bohenko, City Manager

Portsmouth Historic Commission

Joseph Almeida, Chairman
William Gladhill, Vice-Chairman, Planning Board Rep.
Nancy Pearson, City Council Representative (current)
Esther Kennedy, City Council Representative (2012 - 2015)
Jon Wyckoff, Member
Reagan Ruedig, Member
Daniel Rawling, Member
Vincent Lombardi, Member
Richard Shea, Alternate
John Mayer, Alternate

Planning Department

Nicholas Cracknell, Principal Planner
Rick Taintor, Planning Director



The North Church of Portsmouth is a visual anchor to Market Square and its steeple is a focal point of the City's skyline.

SAFETY PRECAUTIONS

Repair and maintenance of a building can potentially be dangerous work. It is recommended that all manufacturers' recommendations be followed and appropriate safety precautions with ladders, tools, materials and processes be taken. Property owners should consult a professional for work that is unfamiliar or potentially unsafe. Work on older buildings can uncover hazardous materials such as asbestos, lead, radon and mold. Property owners should familiarize themselves with these materials and their building's conditions prior to beginning work. Property owners who are unfamiliar with how to properly handle or work around potentially hazardous materials are strongly encouraged to consult with a trained or certified contractor.

Information about common hazardous materials can be found on national and state organizations web sites:

Asbestos

US Environmental Protection Agency Hotline
(800) 368-5888 www.epa.gov/asbestos

Lead

National Lead Information Clearinghouse
(800) 424-LEAD www.epa.gov/lead

Radon

The National Safety Council's Radon Hotline
(800) SOS-RADON www.epa.gov/radon

Mold

Indoor Air Quality Information Clearinghouse:
(800) 483-4318 www.epa.gov/iaq/molds/index

CITY COUNCIL MEETING

MUNICIPAL COMPLEX
DATE: WEDNESDAY, MAY 18, 2016
(Reconvened from May 16, 2016 Meeting)

PORTSMOUTH, NH
TIME: 6:30 PM

I. CALL TO ORDER (6:30PM)

Mayor Blalock opened the meeting at 6:30 p.m.

II. ROLL CALL

Members Present: Mayor Blalock, Councilors Perkins, Dwyer, Lown, Pearson, Spear, Cyr and Denton

Members Absent: Assistant Mayor Splaine

XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

C. COUNCILOR DWYER

1. Prescott Park Master Plan Update

Councilor Dwyer began by announcing that there is now a dedicated page on the City of Portsmouth website with all of the information regarding the Prescott Park Master Plan process including upcoming events, documents, minutes, agendas, etc. There is also an opportunity to give feedback and sign up for e-mail updates. Next she reviewed the schedule of upcoming outreach opportunities as part of a robust community outreach process. She stated there will be several promotional events to inform the public of the Kick-off event being held Sunday, June 12th at Prescott Park. She further explained the proposed schedule of the kick-off event which will provide opportunity for presentations by the consultants, on-site walks, discussion and feedback. She stated there will be an ongoing outreach for feedback from different users at different times and the Neighborhood committee and neighborhood groups who don't live near the park will be involved as well. Next she discussed the Blue Ribbon Committee's activities including reviewing the legal framework for Prescott Park as outlined in the document provided in the council packet. She stated that it shows that a lot of what happens with the Park has been from city ordinances or policy and not specific to the Will and particularly regarding commercialization, it is only specific to no intoxicating liquors, but everything else was put in place through the Trustees of the Trust Funds. She continued that sorting out what has happened historically has shown that although the Trustees of the Trust Funds are not trustees of the park, but of the funds, City Councils have deferred to them, so it is clear that we will need to have clarity of governance and the consultants are looking at other governance models.

Councilor Spear stated that his feeling is that because the City does not have a Parks and Recreation Department, that is why they have had the responsibility of the Park operations and that it may be time to look at our parks more broadly.

City Manager Bohenko stated the Council can amend the Administrative Code ordinance.

Mayor Blalock stated we will learn more as we go forward in the process with the consultants. He stated that the Trust Funds do pay for maintenance of the Park, but the City is also putting money in as well so that all needs to be clarified.

City Manager Bohenko stated that this is now included in our budget document as an appendix and we are looking to set it up almost like an Enterprise Fund to track revenues and expenditures and be able to use this information to help set fees.

Councilor Dwyer stated the consultants are showing how function and physical conditions are so intertwined and is why the Kick-off event is being held in the Park so that people can visualize what could be as well as see the current actual condition of the Park.

Councilor Lown asked if the Attorney General has rendered an opinion regarding the 1954 deed and whether the Arts Festival is an allowable use within the parameters of the restrictions. City Attorney Sullivan stated the Attorney General's office has reviewed this on numerous occasions and concluded that it is an allowable use as it is within the broad restriction of the property remaining a park. Councilor Lown asked if that means it can continue to get bigger since it is not restricted.

City Attorney Sullivan stated that the Charitable Trust Unit feels their role is to stand in the shoes of the Prescott Sisters and answer the question through their eyes if something is allowable or not and there is not doubt that the Prescott Parks Arts Festival is allowed.

Mayor Blalock announced 2 more members to the recently formed Deer Street Parking Garage committee; Deputy City Manager Nancy Colbert Puff and Councilor Nancy Pearson.

D. COUNCILOR SPEAR

1. Report Back Re: Affordable Housing at Parrott Avenue Parking Lot

Councilor Spear stated that in January the Council vote 8-1 to have the City Manager report back on an affordable housing concept on Parrott Avenue. He stated that since that time, a new committee on Affordable Housing has been formed and he feels that it would make sense to put this on the back burner until that committee has brought forward guidelines. He stated he will not offer a motion at this time but would like to revisit this at a later time.

Mayor Blalock explained that the committee is charged with finding a way to create affordable housing, not necessarily low-income, and it is not meant to be site-specific.

Councilor Perkins stated she agrees that it is appropriate to hold off until the committee looks at the city in a broad way and to see where we can make the most impact with little.

Councilor Dwyer stated that the reaction to this has been of confusion because of the various terms of housing that are out there, micro, work-force, affordable, etc. and would like to find a way to put this on the website so that people can find the definitions in one place.

Discussion ensued regarding the need to clarify and define housing terminology as well as imagery to illustrate examples.

Councilor Denton discussed sustainability and solar power stating he would like to see this pursued as part of the Deer Street Parking Garage project but understands that they are not allowed in the Historic District, so would like to find another way to utilize it. He also stated that he would like to comment on a statement made at the public comment session on Monday, May 16th, stating that as a public official they know they will have to accept criticism but doesn't feel that half of the population should be disparaged as was done with a comment about renters.

Mayor Blalock stated to reiterate, there is no plan for this property and it is on the back burner and a long way away.

E. COUNCILOR CYR

1. Clarification of May 2nd vote on Maplewood Avenue Zone Change

Councilor Cyr stated that after the vote on May 2nd, there was still confusion in the neighborhood as to what was actually done. He then read the motion as adopted: "**Voted** to accept the Planning Board's recommendation to **not** rezone the parcels as business and to refer back to the Planning Board to examine other options for rezoning". He stated it is now back at the Planning Board, but the neighbors feel that it has been back and forth many times already. He stated he would like to get feedback to help facilitate the conversation.

City Manager Bohenko stated that the Planning Director has indicated they would set a public hearing on this matter and decide if we should bring in the neighbors before that for a more detailed discussion. Planning Director Taintor stated they are looking at June 16, 2016 for the public hearing.

Councilor Dwyer asked what the public hearing will be about as people don't know the ins and outs of zoning and suggested that some other boards be involved as well so everyone is on the same page.

City Manager Bohenko stated that it should be called a public input session instead and will get together with the Planning Director and Deputy City Manager regarding content.

F. COUNCILOR DENTON

1. Veterans of Foreign Wars Post 168

Councilor Denton moved to direct the City Manager to report back if City property exists for a potential future location for the Veterans of Foreign Wars Post 168, seconded by Councilor Pearson.

Councilor Denton explained that he is the liaison to the Veterans Organizations and the VFW approached him regarding potential property for future relocation.

Mayor Blalock asked Councilor Denton to clarify for the public why they are relocating.

Councilor Denton stated they currently are located on Deer Street and have a parking problem when they rent out the facility and people are not rebooking because of this and they are losing revenue. He stated they are just looking to see what their options are.

Councilor Lown stated they were given the site by the City at no charge and asked if there are any restrictions. Councilor Denton stated they have an agreement like other groups that lease city property and have invested in capital improvements to the property.

Councilor Dwyer clarified that it is an asset that they own and can sell it.

Councilor Denton stated they could not get enough to buy another facility.

Motion passed.

XIII. MISCELLANEOUS/UNFINISHED BUSINESS

- Discussion on West End Zoning

Deputy City Manager Colbert Puff and Planning Director Taintor answered questions from the Council. It was determined that more time was needed and Councilors were asked to submit questions to staff and a work session will be held prior to June 20th if needed.

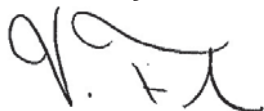
Councilor Spear requested that the Mayor consider convening Non-public meetings in Conference Room A with a public roll call instead of the Council Chambers. He stated it would save time as well as not requiring a producer to have to be here for that additional time when they are not broadcasting.

The Mayor stated that this can be discussed at another time as Assistant Mayor Splaine is not in attendance and it was his motion that brought the current process about.

Councilor Spear stated it is not an amendment to the Council Rules of Order and is at the discrepancy of the Mayor.

XIV. ADJOURNMENT

Councilor Cyr moved to adjourn at 7:50 p.m. Seconded by Councilor Perkins and passed unanimously.



Valerie A. French
Deputy City Clerk

RE: Edward T. Mahoney's Red Sox Collection

Edward T. (Ed) Mahoney was born in Manchester, NH on June 3, 1927 and soon thereafter developed a love of baseball in general, and for the Boston Red Sox in particular. Because Ed Mahoney contracted polio as a young boy, he was unable to play the game he loved, but his devotion to the Boston Red Sox continued to grow.

As a young man Ed accepted employment as an advertising salesman for the Portsmouth Herald. Ed relocated to Portsmouth, where he met and wed his beloved wife Mary in 1960. Ed continued his boyhood practice of keeping newspaper clippings of memorable Red Sox victories and the exploits of the great Red Sox slugger Ted Williams.

Ed Mahoney frequently attended Red Sox home games and helped friends and acquaintances purchase Red Sox tickets. This friendly practice grew into a business - Ed Mahoney was one of the first free-lance ticket agents in Portsmouth.

Ed Mahoney's Red Sox collection grew over the years, until it reached the size you see on the wall today. Ed and his bride Mary Mahoney decided to give his Boston Red Sox photo and autograph collection to the City of Portsmouth, so it could be enjoyed by the next generation of loyal Red Sox fans, who never had the privilege to watch Ted Williams and the other legendary Red Sox players in action.

Ed Mahoney died at age 83 on September 25, 2010; his beloved wife Mary died on March 6, 2016. Both of them enjoyed and were proud of the Red Sox collection you see today.

MAHONEY RED SOX COLLECTION

1. 16" x 19" Ted Williams photo (holding a child)
2. 16½" x 19½" Babe Ruth photo (unsigned) ("My Sixteenth Home Run")
3. 19½" x 16½" photo young Ted Williams
4. 17½" x 10½" "Finally" World Champ 10/4/2004 Boston Globe plaque
5. 22½" x 16¾" Richard Gagne print - 6 Boston Red Sox team members
6. 14" x 12" First pitch photo 10/23/04 World Series
7. 26½" x 8½" Two desk photos, Jimmy Fox and Ted Williams
8. Box misc 11 framed photos:
 - Babe Ruth
 - Joe Cronin
 - 1934 Boston Red Sox Team Photo
 - Undated Red Sox Team Photo
 - Mel Hardy
 - Dick Radetz
 - 1935 Boston Red Sox Team Photo
 - Ted Williams & Joe DiMaggio Photos
 - Jimmy Fox (in catcher's mask)
 - Van Mango
9. 23½" x 14½" Boston Globe 10/29/07 "The Best" 2007 World Champs plaque
10. 21½" x 17" Ted Williams & Babe Ruth framed photo
11. 20" x 24" Ted Williams homer photo and 12/3/50 testimonial program
12. 21" x 25" Ted Williams homer photo
13. 30" x 22" Ted Williams "Triple Crown" winner, 1942 & 1947; Upper Deck Baseball Card numbered collection poster
14. 40" x 28" 1967 Boston Red Sox player cards (framed)
15. 7" x 5½" framed photo Ted Williams

West End Character-Based Zoning – Amendments for Consideration

June 20, 2016

Item	Issue	Amendments to May 2 Revised Draft	Staff Comment
A	Setback from Aldrich Street neighborhood	A1 Amend Map 10.5A21B – Building Height Standards (draft dated May 2, 2016) as shown in Exhibit 1, pulling the southeast boundary of the West End Incentive District back to 200 feet from the boundaries of Map 154 Lots 1, 1A and 2 abutting parcels on Aldrich Road, and 100 feet from the boundary of Map 146 Lot 27 abutting parcels on Aldrich Road and Chevrolet Avenue.	Support.

Exhibit 1: Setback from Aldrich Street Neighborhood

As Shown on Proposed Map 10.5A21B (5/2/2016 Draft)



As Modified by Amendment A1



Item	Issue	Amendments to May 2 Revised Draft	Staff Comment
B	Reduce maximum building heights along Islington Street	B1 Amend Map 10.5A21B – Building Height Standards (draft dated May 2, 2016) as shown in Exhibit 2, changing the height requirement area for three parcels on the southeast side of Islington Street (Map 155 Lots 2, 3 and 13) from 2-4 stories/50' (brown) to 2-3 stories (short 4th)/45' (orange).	Support.

Exhibit 2: Building Heights Along Islington Street

As Shown on Proposed Map 10.5A21B (5/2/2016 Draft)



As Modified by Amendment B1



Item	Issue	Amendments to May 2 Revised Draft	Staff Comment
C	Minimum upper floor height	<p>C1 In Figure 10.5A41.10A (page 5A-8), delete the row titled “Minimum upper story height”.</p> <p>C2 In Figure 10.5A41.10B (page 5A-12), delete the row titled “Minimum upper story height”.</p> <p>C3 In Figure 10.5A41.10C (page 5A-16), change the words “Minimum upper story height” to “Minimum second story height”.</p> <p>C4 In Figure 10.5A41.10D (page 5A-20), change the words “Minimum upper story height” to “Minimum second story height”.</p>	Support.
D	Building footprints in downtown (CD4 and CD5)	<p>D1 In Figure 10.5A41.10C (page 5A-16), in the row titled “Maximum building footprint” replace “15,000 sf” with “10,000 sf”.</p> <p>D2 In Figure 10.5A41.10D (page 5A-20), in the row titled “Maximum building footprint” replace “20,000 sf” with “15,000 sf”.</p>	Oppose (i.e., support the proposed footprints as shown in the May 2 draft ordinance).

Item	Issue	Amendments to May 2 Revised Draft	Staff Comment
E	Building footprint for building with ground floor or underground parking	<p>E1 Delete proposed Section 10.5A43.43 (page 5A-28) and replace with existing Section 10.5A43.43.</p> <p style="text-align: center;">OR</p> <p>E2 Amend proposed Section 10.5A43.43 as follows:</p> <p>(a) Revise the introductory sentence to read as follows: For a building that contains ground floor parking, a parking garage or underground parking levels, and that is not subject to Section 10.5A43.42, the Planning Board may grant a conditional use permit to allow a building footprint of up to 30,000 sq. ft. in the CD4 or CD4-W districts, and up to 40,000 sq. ft. in the CD5 district, if all of the following criteria are met:</p> <p>(b) In subparagraph (d), last sentence, insert the words “by the Planning Board” after the words “shall be determined”, so that the sentence reads as follows: The size, location and type of the community space shall be determined by the Planning Board based on the size and location of the development, and the proposed and adjacent uses.</p>	<p>E1: Oppose. E2: Support.</p> <p><u>Note:</u> If the changes in item D above are not enacted and the maximum building footprint in the CD5 district remains at 20,000 sq. ft. as currently proposed, option E1 will be meaningless.</p>

Item	Issue	Amendments to May 2 Revised Draft	Staff Comment
F	Residential uses in CD4-W district	<p>F1 In Section 10.5A30 (page 5A-14), delete Section 10.5A32.</p> <p>F2 In Figure 10.5A41.10B (page 5A-13),</p> <p>(a) Under “Building Types”, in the row for Apartment building, change “not permitted” to “permitted”</p> <p>(b) Under “Building & Lot Use”, delete “Residential uses are not permitted on the ground floor (see Section 10.5A32) except for rowhouse units.”</p> <p>F3 In Figure 10.5A43.60 (page 5A-30), add “CD4-W” to the list of permitted districts for Apartment Building.</p>	Neutral.
G	Façade modulation	<p>G1 In Section 10.5A43.22 (page 5A-26), insert the words “In the Historic District,” at the beginning of the sentence.</p>	Support.
H	Community space dimensions	<p>H1 Amend Figure 10.5A46.10 – Community Spaces (pages 5A-34 and 5A-35), as follows:</p> <p>(a) For “Pedestrian Alley”, insert “The minimum width shall be 15 feet.”</p> <p>(b) For “Pocket Park”, insert “The minimum size shall be 500 sq. ft.”</p> <p>(c) For “Playground”, insert “The minimum size shall be 500 sq. ft.”</p>	Support.
I	Use of lawn vs. ground cover in squares	<p>I1 In Figure 10.5A46.10 (page 5A-35), in the definition of “Square”, change “lawn” to “ground cover”.</p>	Neutral.

Item	Issue	Amendments to May 2 Revised Draft	Staff Comment
J	Public benefits determined by Planning Board	<p>J1 In Section 10.5A47, first paragraph, second sentence (Page 5A-36), replace “certain specified development standards may be modified” with “the Planning Board may grant a conditional use permit to modify certain specified development standards” so that the sentence reads as follows:</p> <p style="padding-left: 40px;">In such areas, the Planning Board may grant a conditional use permit to modify certain specified development standards as set forth in Section 10.5A47.10 below, if the development provides community space or workforce housing in accordance with Section 10.5A47.20, as applicable.”</p>	Support.
K	Conversion of a civic use to a new civic use	<p>K1 In Section 10.5A52.20 (page 5A-38), strike the words “provided that no exterior changes are made to the existing structure.”</p>	Support.
L	Term of workforce housing restriction	<p>L1 In the Conforming Amendments documents, 5/2/2016 draft, item P (page 8 of 8), insert the words “but not less than 30 years” at the end of the last sentence, so that the sentence reads as follows:</p> <p style="padding-left: 40px;">All workforce housing units shall include a restrictive covenant that ensures affordability as specified in RSA 674:58,IV, for the maximum allowable term but not less than 30 years.</p>	Support.

Item	Issue	Amendments to May 2 Revised Draft	Staff Comment
M	Definition of building footprint	<p>M1 In the Conforming Amendments document, 5/2/2016 draft, item P (page 8 of 8), insert the word “only” after the word “separated” , so that the sentence reads as follows:</p> <p>The total area, at or above 18 inches in elevation as measured from the outside walls at the grade plane, or a detached building, or of two or more buildings separated only by fire walls, common walls or property lines.</p>	Neutral.

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance be amended as follows:

- (1) Delete the existing Article 5A – Character Districts in its entirety and insert in its place the new Article 5A – Character Districts dated 5/2/16.
- (2) Amend Articles 4, 5 11, 12 & 15 of the Zoning Ordinance as set forth in the document titled “Conforming Amendments to Zoning Ordinance” dated 5/2/2016.
- (3) Amend the Zoning Map as set forth in the following maps dated May 2, 2016:
 - (a) Map 10.5A21A – Character Districts and Civic Districts;
 - (b) Map 10.5A21B – Building Height Standards;
 - (c) Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout & Uses.
- (4) Amend the Zoning Map by changing the zoning designation of 52 parcels as set forth in the document titled “Proposed Additional West End Zoning Changes” dated 5/2/2016 and as shown on the map titled “Additional West End Zoning Changes – Second Reading – May 2, 2016”.

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:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

Article 5A Character-Based Zoning

- Section 10.5A10** General
- Section 10.5A20** Regulating Plan
- Section 10.5A30** Character District Use Standards
- Section 10.5A40** Character District Development Standards
- Section 10.5A50** Civic Districts
- Section 10.5A60** Definitions

Section 10.5A10 General

10.5A11 Purpose and Intent

The purpose of Article 5A is to encourage development that is compatible with the established character of its surroundings and consistent with the City's goals for the preservation or enhancement of the area. This is accomplished by providing a range of standards for the elements of development and buildings that define a place.

10.5A12 Applicability

- 10.5A12.10 Article 5A shall apply to the Character districts and Civic districts as shown on the Regulating Plan.
- 10.5A12.20 Municipal districts are shown on the Regulating Plan for reference but are governed by other sections of the Zoning Ordinance (specifically, Sections 10.460 and 10.560) and not by Article 5A.

10.5A13 Compliance with Regulating Plan

- 10.5A13.10 In the Character districts and Civic districts, all lots, buildings, structures, uses, and development shall comply with the requirements of Article 5A, as well as with all other provisions of this Zoning Ordinance that are not superseded by Article 5A.
- 10.5A13.20 No development, subdivision, re-subdivision or construction of or on any building, lot or parcel of land shall occur except pursuant to the Regulating Plan and in compliance with all standards and requirements for the district.

10.5A14 Relationship to Other Provisions of the Zoning Ordinance

- 10.5A14.10 The provisions of Article 5A shall take precedence over all other provisions of the Zoning Ordinance that are in conflict with Article 5A.
- 10.5A14.20 All provisions of the Zoning Ordinance that are not specifically modified or superseded by Article 5A, or that are not in conflict with Article 5A, shall apply to lots, buildings and uses in the Character districts and Civic districts.

10.5A15 Relationship to Other Regulations, Codes and Ordinances

- 10.5A15.10 Any proposed subdivision of land shall comply with the Subdivision Rules and Regulations, in addition to the requirements of Article 5A.
- 10.5A15.20 Any development that requires Site Plan Review under the Site Plan Review Regulations shall comply with such Regulations, in addition to the requirements of Article 5A.
- 10.5A15.30 The provisions of Article 5A do not modify or supersede any provision of the Building Code, other City ordinances or regulations, or State laws relating to the development of land.

10.5A16 Figures

- 10.5A16.10 The standards and definitions in the following figures are an integral part of Article 5A:
 - Figure 10.5A41.10A – Development Standards: Character District 4– Limited (CD4-L1/CD4-L2)
 - Figure 10.5A41.10B – Development Standards: Character District 4– West End (CD4-W)
 - Figure 10.5A41.10C – Development Standards: Character District 4 (CD4)
 - Figure 10.5A41.10D – Development Standards: Character District 5 (CD5)
 - Figure 10.5A43.10 – Façade Types
 - Figure 10.5A43.60 – Building Types
 - Figure 10.5A46.10 – Community Spaces
- 10.5A16.20 The diagrams, photographs and illustrations contained in the above figures are provided only to provide reference to certain regulating elements and indicate general character within the various districts and shall have regulatory force and effect only to that extent.

10.5A17 Definitions

Terms used throughout Article 5A may be defined in the figures (Façade Types, Building Types, and Community Spaces), in Section 10.5A60, in Article 15 or elsewhere in the Zoning Ordinance. Terms not so defined shall be accorded their commonly accepted meanings. In the event of any conflict between the definitions in Article 5A, those in Article 15, other sections of the Zoning Ordinance, the Subdivision Rules and Regulations, or any other local land use ordinances, rules or regulations, those of Article 5A shall take precedence unless the context clearly indicates otherwise.

Section 10.5A20 Regulating Plan

10.5A21 General

10.5A21.10 Contents of Regulating Plan

The Regulating Plan is the Zoning Map for the Character districts and Civic districts. The Regulating Plan consists of the following maps:

- Map 10.5A21A – Character Districts and Civic Districts
- Map 10.5A21B – Building Height Standards
- Map 10.5A21C – Special Requirements for Façade Types, Front Lot Line Buildout, and Uses

10.5A21.20 Building Height Standards

10.5A21.21 Assignments for specific building heights require a building to have no more than the designated maximum number of stories or the maximum height in feet (whichever is lower) and no less than the designated minimum number of stories.

10.5A21.22 When a lot is assigned to more than one building height standard the lot shall be apportioned as follows:

- (a) A building height standard designated along the front lot line or street shall apply to the portion of the lot that is 50 feet or less from such lot line or street.
- (b) A building height standard designated along a water body shall apply to the portion of the lot that is 100 feet or less from the mean high water line.
- (c) More than 50 feet from a front lot line or street and more than 100 feet from a water body, the building height may increase to the highest building height standard designated for the lot.
- (d) Where a lot has less depth from the front lot line, street or water body than the required minimum distances stated above, the lowest

building height standard for the lot shall be applied to the required linear distance from the lot line, street or water body.

10.5A21.30 Special Requirements for Façade Types, Front Lot Line Buildout, and Uses

The following standards shall apply when so designated by the Regulating Plan:

- (a) Specific façade type requirements apply to designated properties at the sidewalk level. Where a permitted building type conflicts with a required façade type, the façade type shall supersede.
- (b) For waterfront lots on Ceres Street, the maximum front lot line buildout shall be 50%, and buildings shall have a wood-sided appearance.
- (c) Specific use requirements apply to designated properties along the waterfront area (see Sections 10.5A34-35).

10.5A22 Regulating Plan Amendment

10.5A22.10 General

The Regulating Plan may be amended in accordance with the provisions of Section 10.150 (Changes and Amendments), subject to the further provisions of Section 10.5A22.20.

10.5A22.20 Application Requirements

An application for a Regulating Plan amendment initiated by or on behalf of the owner of property shall be accompanied by a site plan for such property that complies with the requirements for a request for Design Review under the Site Plan Review Regulations.

Section 10.5A30 Character District Use Standards

- 10.5A31 Buildings, structures and land within a Character district shall comply with the use regulations set forth for the applicable district in Section 10.440, except as specified below:
- 10.5A32 In Character District 4–West End (CD4-W), residential uses are not permitted on the ground floor except for Rowhouse units.
- 10.5A33 A lot within the Downtown Overlay District shall comply with the requirements of Section 10.642 Ground Floor Uses.
- 10.5A34 In addition to the uses permitted in the underlying Character districts, lots in the Waterfront Use Overlay as shown on Map 10.5A21C shall also permit uses 9.60, 12.20, 12.22 and 12.40 as set forth in Section 10.440 (Table of Uses).

- 10.5A35 In addition to the uses permitted in Character District 4, waterfront lots on Ceres Street as shown on Map 10.5A21C shall also permit the uses permitted in the Waterfront Industrial district as set forth in Section 10.440.

Section 10.5A40 Character District Development Standards

10.5A41 Development Standards

Development, structures and lots within Character districts shall comply with the applicable general description and standards set forth in Figures 10.5A41.10A-D (Development Standards) and elsewhere in Article 5A.

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**FIGURE 10.5A41.10A DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4—LIMITED (CD4-L1/CD4-L2)**

These districts consist of medium density areas with a mix of medium to large houses. Upper floor uses are almost entirely residential. Ground floors include some commercial office uses; areas zoned CD4-L2 also allow some restaurant and retail uses on the ground floor. There are shallow front yards and shallow to medium side yards, with variable private landscaping, and on-site accessory parking. Streets have sidewalks and street trees, and define medium to large blocks.



**FIGURE 10.5A41.10A DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4—LIMITED (CD4-L1/CD4-L2)**



BUILDING PLACEMENT – PRINCIPAL BUILDING

Maximum principal front yard	15 ft	A
Maximum secondary front yard	12 ft	B
Side yard	5 ft min. to 20 ft max.	C
Minimum rear yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	D
Front lot line buildout	60% min. to 80% max.	E

BUILDING AND LOT OCCUPATION

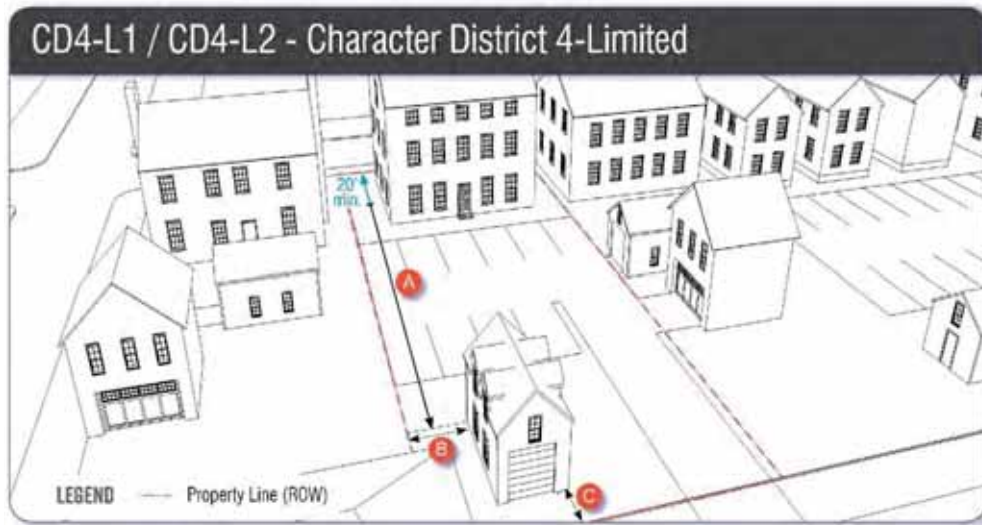
Maximum building block length	80 ft	E
Maximum façade modulation length	50 ft (see Section 10.5A43.20)	
Maximum entrance spacing	NR	
Maximum building coverage	60%	
Maximum building footprint	2,500 sf	
Minimum lot area	3,000 sf	

Minimum lot area per dwelling unit	3,000 sf
Minimum open space	25%
Maximum ground floor GFA per use	NR

BUILDING FORM – PRINCIPAL BUILDING

Building height	See Map 10.5A21.B & Section 10.5A43.30	F
Maximum finished floor surface of ground floor above sidewalk grade	36"	
Minimum ground story height	11 ft	
Minimum upper story height	10 ft	
Façade glazing:		
Shopfront façade	70% min.	
Other façade types	20% min. to 40% max.	
Roof type	flat, gable, hip, gambrel, mansard	
Roof pitch, if any		
Gable	6:12 min. to 12:12 max	
Hip	3:12 min.	
Mansard/gambrel	6:12 min. to 30:12 max.	

**FIGURE 10.5A41.10A DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4—LIMITED (CD4-L1/CD4-L2)**



BUILDING PLACEMENT – OUTBUILDING

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	3 ft	B
Minimum rear yard	3 ft	C

BUILDING TYPES

See Figure 10.5A43.60 for building type definitions

House	permitted*
Duplex	permitted*
Rowhouse	permitted*
Apartment building	permitted*
Live/work building	permitted**
Small commercial building	CD4-L1: not permitted CD4-L2: permitted
Large commercial building	not permitted

*Not permitted in the Downtown Overlay District
 **Residential uses are not permitted on the ground floor in the Downtown Overlay District

BUILDING & LOT USE

See Sections 10.5A30 and 10.440

FAÇADE TYPES

See Figure 10.5A43.10 for façade type definitions
 Except where required façade types are indicated on Map 10.5A21C, the below standards apply:

Porch	permitted
Stoop	permitted*
Step	only permitted where indicated on Map 10.5A21C
Shopfront	CD4-L1: only permitted where indicated on Map 10.5A21C CD4-L2: permitted
Officefront	only permitted where indicated on Map 10.5A21C
Forecourt	permitted*
Recessed-entry	permitted

*Not permitted in the Downtown Overlay District

PARKING

See Section 10.5A44.30

COMMUNITY SPACE

See Section 10.5A46

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**FIGURE 10.5A41.10B DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4—WEST END (CD4-W)**

This district consists of a medium-to-high density area with a mix of building types and residential, retail, and other commercial uses. There are shallow or no front yards and medium to no side yards, with variable private landscaping and on-site accessory parking. Streets have sidewalks and street trees or other pedestrian amenities, and define medium blocks.



**FIGURE 10.5A41.10B DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4—WEST END (CD4-W)**



BUILDING PLACEMENT – PRINCIPAL BUILDING*

Maximum principal front yard	10 ft	A
Maximum secondary front yard	15 ft	B
Side yard	NR	C
Minimum rear yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	D
Minimum front lot line buildout	50%	

* Except for items listed under Section 10.5A42.12

BUILDING AND LOT OCCUPATION

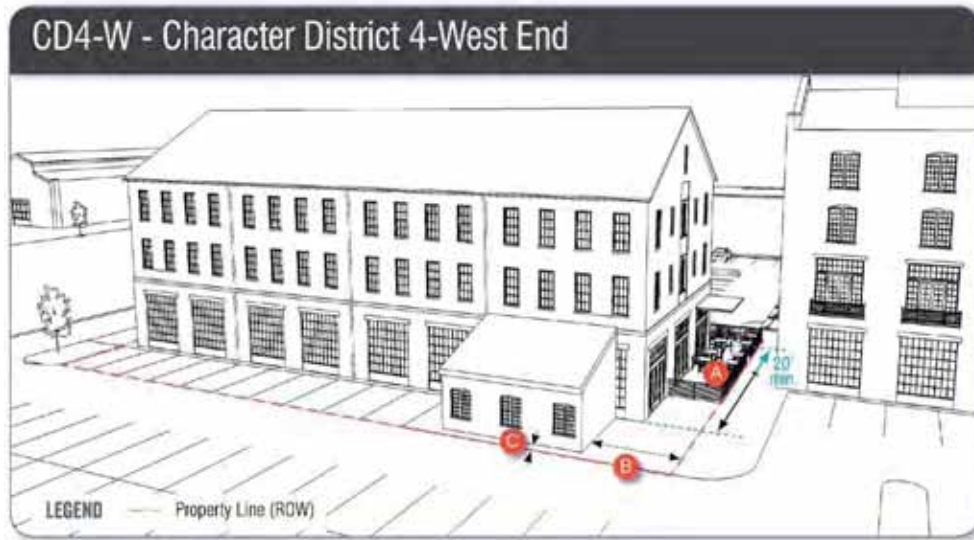
Maximum building block length	200 ft	E
Maximum façade modulation length	80 ft (see Section 10.5A43.20)	
Maximum entrance spacing	50 ft	
Maximum building coverage	60%	
Maximum building footprint	15,000 sf (or as allowed by Section 10.5A43.40)	

Minimum lot area	5,000 sf
Minimum lot area per dwelling unit	2,500 sf
Minimum open space	15%
Maximum ground floor GFA per use	15,000 sf

BUILDING FORM – PRINCIPAL BUILDING

Building height	See Map 10.5A21.B & Section 10.5A43.30	F
Maximum finished floor surface of ground floor above sidewalk grade	36"	
Minimum ground story height	12 ft	
Minimum upper story height	10 ft	
Façade glazing: Shopfront façade Other façade types	70% min. 20% min. to 50% max.	
Roof type	flat, gable, hip, gambrel, mansard	
Roof pitch, if any		
Gable	6:12 min. to 12:12 max	
Hip	3:12 min.	
Mansard/gambrel	6:12 min. to 30:12 max.	

**FIGURE 10.5A41.10B DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4—WEST END (CD4-W)**



BUILDING PLACEMENT – OUTBUILDING

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	0 ft	B
Minimum rear yard	3 ft	C

BUILDING TYPES

See Figure 10.5A43.60 for building type definitions	
House	not permitted
Duplex	not permitted
Rowhouse	permitted
Apartment building	not permitted
Live/work building	permitted*
Small commercial building	permitted
Large commercial building	permitted

*Residential uses are not permitted on the ground floor

BUILDING & LOT USE

See Sections 10.5A30 and 10.440	
Residential uses are not permitted on the ground floor (see Section 10.5A32) except for rowhouse units.	

FAÇADE TYPES

See Figure 10.5A43.10 for façade type definitions
Except where required façade types are indicated on Map 10.5A21C, the below standards apply:

Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted

PARKING

See Section 10.5A44.30

COMMUNITY SPACE

See Section 10.5A46

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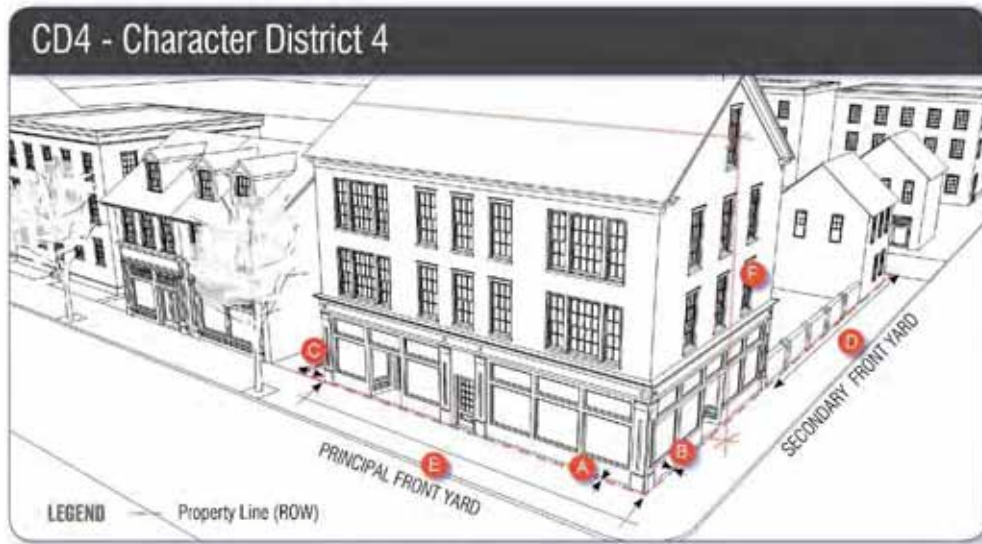
**FIGURE 10.5A41.10C DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4 (CD4)**

This district consists of a medium-to-high density transitional area with a mix of building types and residential, retail, and other commercial uses. There are shallow or no front yards and medium to no side yards, with variable private landscaping. Streets have sidewalks and street trees or other pedestrian amenities, and define small to medium blocks.



FIGURE 10.5A41.10C DEVELOPMENT STANDARDS

Character District 4 (CD4)



BUILDING PLACEMENT – PRINCIPAL BUILDING*

Maximum principal front yard	10 ft	A
Maximum secondary front yard	15 ft	B
Side yard	NR	C
Minimum rear yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	D
Front lot line buildout		
On Ceres Street	50% max. (See Map 10.5A21C)	
Everywhere else	50% min.	

* Except for items listed under Section 10.5A42.12

BUILDING AND LOT OCCUPATION

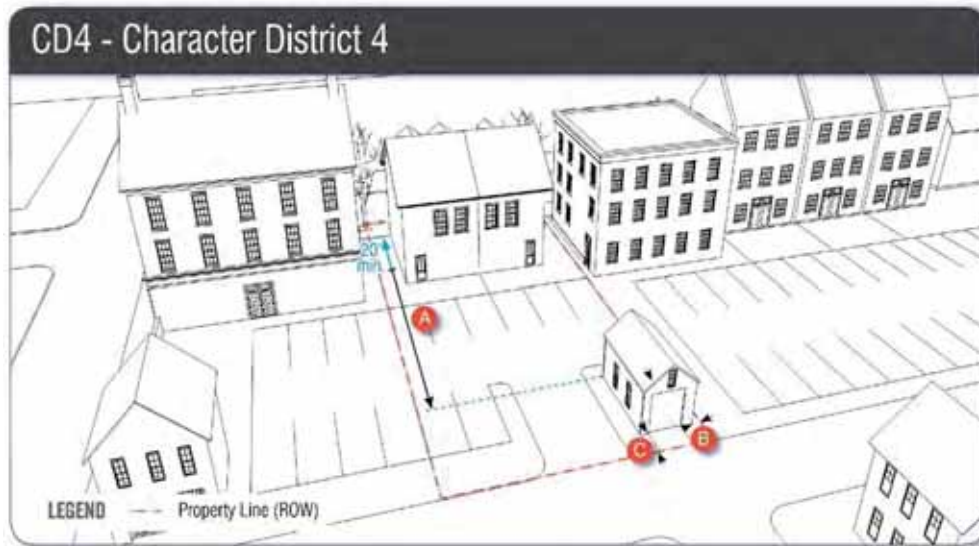
Maximum building block length	200 ft	E
Maximum façade modulation length	80 ft (see Section 10.5A43.20)	
Maximum entrance spacing	50 ft	
Maximum building coverage	90%	
Maximum building footprint	15,000 sf (or as allowed by Section 10.5A43.40)	

Minimum lot area	NR
Minimum lot area per dwelling unit	NR
Minimum open space	10%
Maximum ground floor GFA per use	15,000 sf

BUILDING FORM – PRINCIPAL BUILDING

Building height	See Map 10.5A21.B & Section 10.5A43.30	F
Maximum finished floor surface of ground floor above sidewalk grade	36"	
Minimum ground story height	12 ft	
Minimum upper story height	10 ft	
Façade glazing:		
Shopfront façade	70% min.	
Other façade types	20% min. to 50% max.	
Roof type	flat, gable, hip, gambrel, mansard	
Roof pitch, if any		
Gable	6:12 min. to 12:12 max	
Hip	3:12 min.	
Mansard/gambrel	6:12 min. to 30:12 max.	

**FIGURE 10.5A41.10C DEVELOPMENT STANDARDS
CHARACTER DISTRICT 4 (CD4)**



BUILDING PLACEMENT – OUTBUILDING

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	0 ft	B
Minimum rear yard	3 ft	C

BUILDING TYPES

See Figure 10.5A43.60 for building type definitions

House	not permitted
Duplex	not permitted
Rowhouse	permitted*
Apartment building	permitted*
Live/work building	permitted**
Small commercial building	permitted
Large commercial building	permitted

*Not permitted in the Downtown Overlay District
 **Residential uses are not permitted on the ground floor in the Downtown Overlay District

BUILDING & LOT USE

See Sections 10.5A30 and 10.440

FAÇADE TYPES

See Figure 10.5A43.10 for façade type definitions
 Except where required façade types are indicated on Map 10.5A21C, the below standards apply:

Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted

PARKING

See Section 10.5A44.30

COMMUNITY SPACE

See Section 10.5A46

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**FIGURE 10.5A41.10D DEVELOPMENT STANDARDS
CHARACTER DISTRICT 5 (CD5)**

This district consists of a high density center with a mix of building types and residential, retail and other commercial uses. There are no front yards or side yards, and limited landscaping and public parking facilities. Streets have sidewalks and trees or other pedestrian amenities, and define small to medium blocks.



FIGURE 10.5A41.10D DEVELOPMENT STANDARDS

Character District 5 (CD5)



BUILDING PLACEMENT – PRINCIPAL BUILDING*

Maximum principal front yard	5 ft	A
Maximum secondary front yard	5 ft	B
Side yard	NR	C
Minimum rear yard	Greater of 5 ft from rear lot line or 10 ft from center line of alley	D
Minimum front lot line buildout	80%	

* Except for items listed under Section 10.5A42.12

BUILDING AND LOT OCCUPATION

Maximum building block length	225 ft	E
Maximum façade modulation length	100 ft (see Section 10.5A43.20)	
Maximum entrance spacing	50 ft	
Maximum building coverage	95%	
Maximum building footprint	20,000 sf (or as allowed by Section 10.5A43.40)	

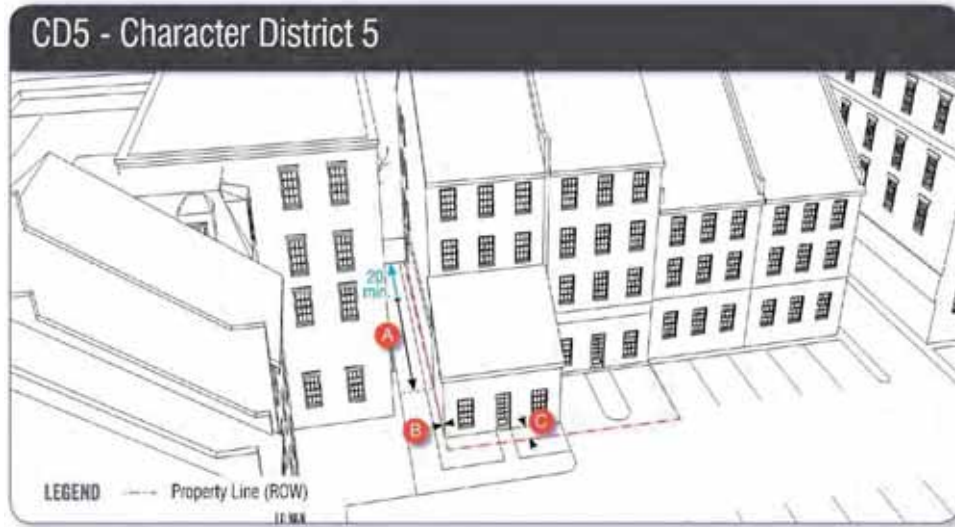
Minimum lot area	NR
Minimum lot area per dwelling unit	NR
Minimum open space	5%
Maximum ground floor GFA per use	15,000 sf

BUILDING FORM – PRINCIPAL BUILDING

Building height	See Map 10.5A21.B & Section 10.5A43.30	F
Maximum finished floor surface of ground floor above sidewalk grade	36"	
Minimum ground story height	12 ft	
Minimum upper story height	10 ft	
Façade glazing:		
Shopfront façade	70% min.	
Other façade types	20% min. to 50% max.	
Roof type	flat, gable, hip, gambrel, mansard	
Roof pitch, if any		
Gable	6:12 min. to 12:12 max	
Hip	3:12 min.	
Mansard/gambrel	6:12 min. to 30:12 max.	

FIGURE 10.5A41.10D DEVELOPMENT STANDARDS

Character District 5 (CD5)



BUILDING PLACEMENT – OUTBUILDING

Minimum front yard	20 ft behind a façade of a principal building	A
Minimum side yard	0 ft	B
Minimum rear yard	3 ft	C

BUILDING TYPES

See Figure 10.5A43.60 for building type definitions

House	not permitted
Duplex	not permitted
Rowhouse	not permitted
Apartment building	not permitted
Live/work building	permitted*
Small commercial building	permitted
Large commercial building	permitted

*Residential uses are not permitted on the ground floor in the Downtown Overlay District

BUILDING & LOT USE

See Sections 10.5A30 and 10.440

FAÇADE TYPES

See Figure 10.5A43.10 for façade type definitions
 Except where required façade types are indicated on Map 10.5A21C, the below standards apply:

Porch	not permitted
Stoop	permitted
Step	permitted
Shopfront	permitted
Officefront	permitted
Forecourt	not permitted
Recessed-entry	permitted

PARKING

See Section 10.5A44.30

COMMUNITY SPACE

See Section 10.5A46

10.5A42 Building Placement

10.5A42.10 Yards

10.5A42.11 Yards shall be as required in Figures 10.5A41.10A-D (Development Standards).

10.5A42.12 Yards may be increased above the maximum permitted for truncated corners or other subtractive massing techniques, alleys, vehicular accessways, increased sidewalk width or community spaces.

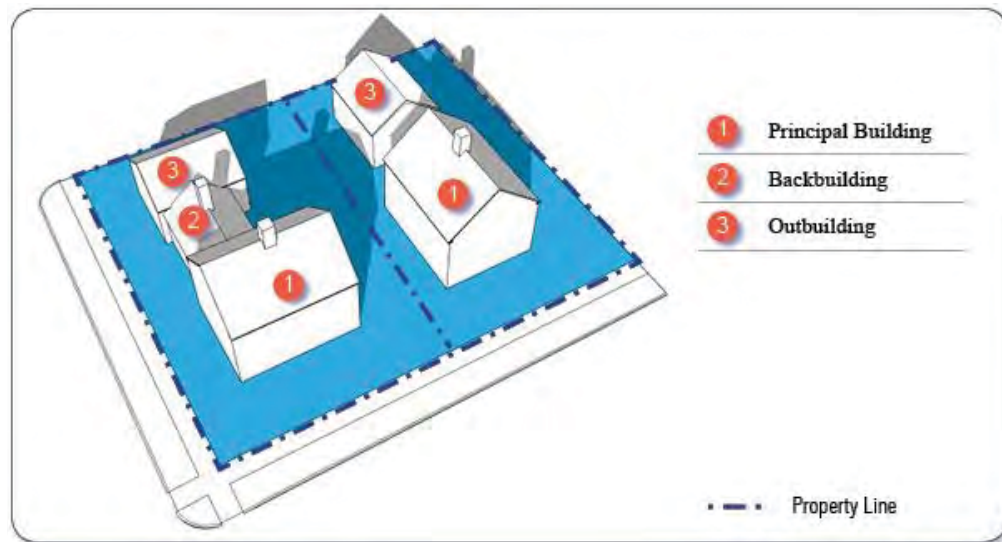
10.5A42.20 Façade Alignment

The façade facing the principal front yard shall be parallel to the front lot line. Where the front lot line is curved, the façade shall be parallel to a straight line connecting the points of intersection of the front lot line and the side lot lines.

10.5A42.30 Outbuildings and Backbuildings

A detached outbuilding, or an outbuilding attached to a principal building with a backbuilding, may be built on each lot to the rear of the principal building, as illustrated generally in Figure 10.5A42.10 (Principal Building/Backbuilding/Outbuilding).

FIGURE 10.5A42.10 PRINCIPAL BUILDING/BACKBUILDING/ OUTBUILDING



10.5A43 Building Form and Façades

10.5A43.10 Façade Types

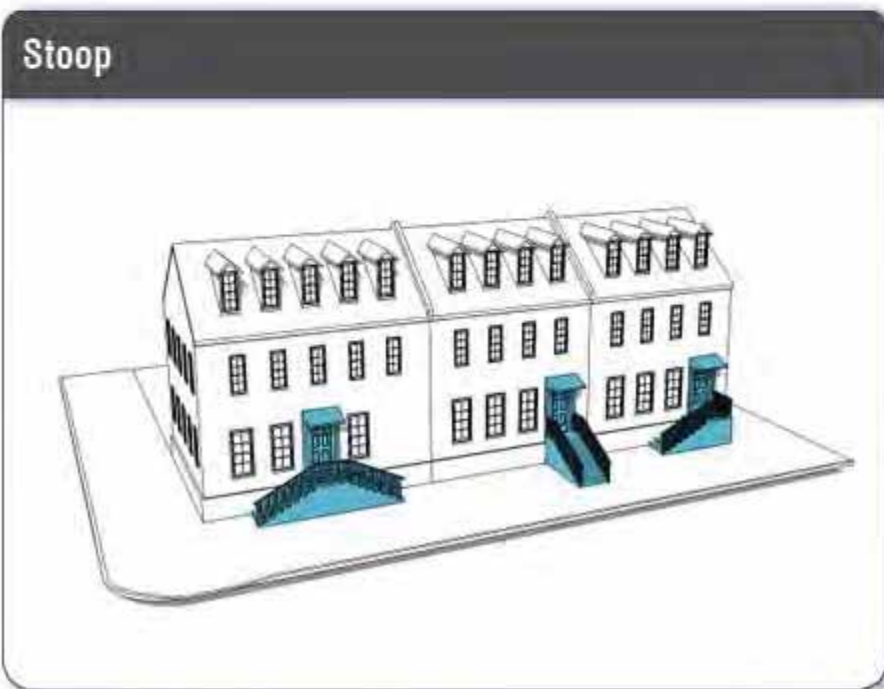
The façade facing the principal front yard shall conform to Figure 10.5A43.10 (Façade Types) and Figures 10.5A41.10A-D (Development Standards), and to any applicable façade type requirements indicated on the Regulating Plan. Permitted building form and façade types may be combined.

FIGURE 10.5A43.10 FAÇADE TYPES



The façade is set back from the front lot line with an attached porch or stoop permitted to encroach. This may be used with or without a fence to maintain street spatial definition.

Permitted districts:
CD4-L1, CD4-L2



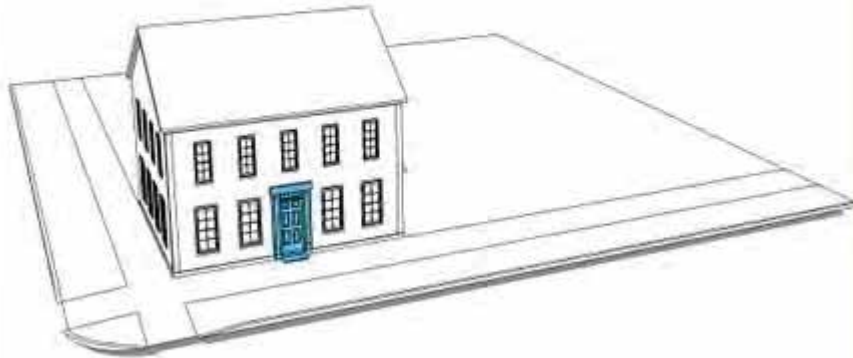
The façade is aligned close to the front lot line with the ground floor elevated from the sidewalk for privacy. The entrance has an exterior stair and landing.

This type is recommended for ground floor residential use.

Permitted districts:
CD5, CD4, CD4-W, CD4-L1, CD4-L2

FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)

Step



The façade is aligned close to the front lot line with the ground floor elevated from the sidewalk for privacy. The entrance has an exterior single step without a landing.

This type is recommended for ground floor residential, office or retail use.

Permitted districts:

CD5, CD4, CD4-W
Only permitted in CD4-L1 & CD4-L2 where indicated on Map 10.5A21C.

Shopfront



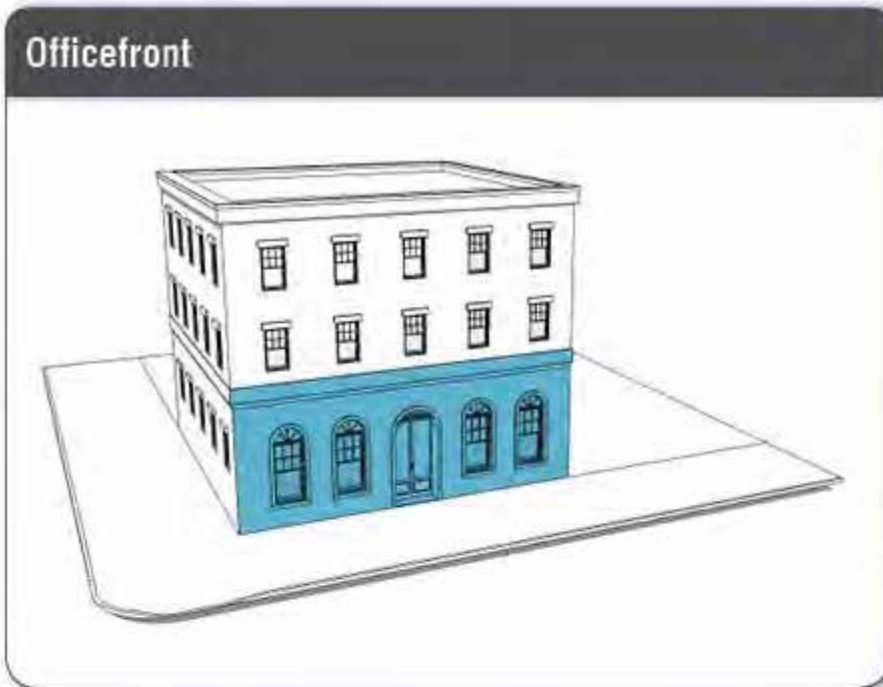
The façade is aligned close to the front lot line with the building entrance at sidewalk grade and with substantial glazing on the ground floor.

This type is conventional for retail, office or restaurant use.

Permitted districts:

CD5, CD4, CD4-W, CD4-L2
Only permitted in CD4-L1 where indicated on Map 10.5A21C.

FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)

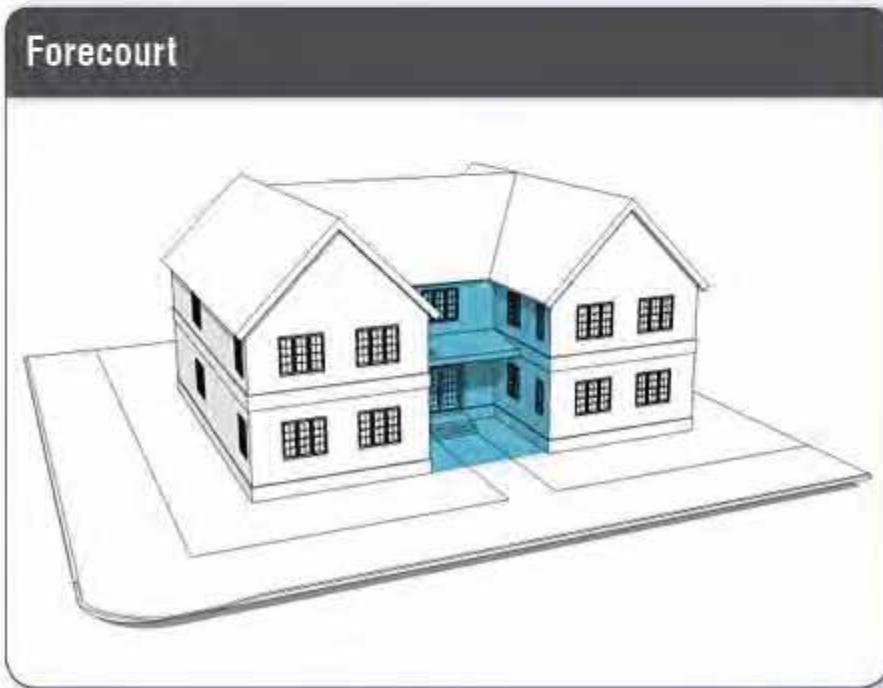


The façade is aligned close to the front lot line with the building entrance at or elevated above sidewalk grade. It may have substantial glazing on the sidewalk level.

This type is conventional for office use.

Permitted districts:

CD5, CD4, CD4-W
Only permitted in CD4-L1 & CD4-L2 where indicated on Map 10.5A21C.

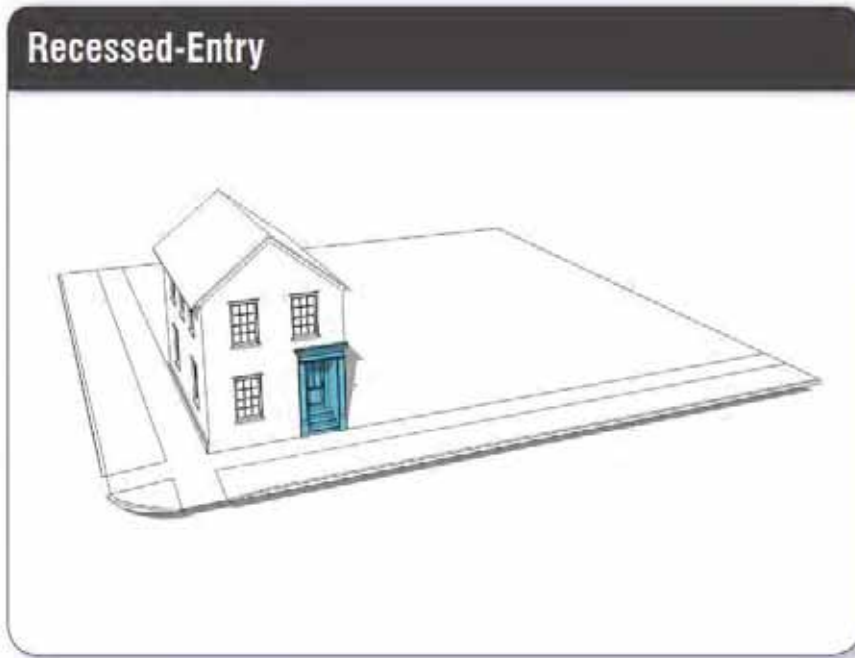


The two ends of the façade are close to the front lot line and the central portion is set back.

Permitted districts:

CD4-L1, CD4-L2
This façade type is not permitted in the Downtown Overlay District.

FIGURE 10.5A43.10 FAÇADE TYPES (CONTINUED)



The façade is aligned close to the front lot line and the primary building entrance is recessed within the façade.

This type is conventional for residential use.

Permitted districts:

CD4-L1, CD4-L2, CD4, CD4-W, CD5

10.5A43.20 Façade Modulation

10.5A43.21 Except as listed in 10.5A43.22, a façade shall be modulated by major breaks in the façade plane and/or changes in exterior materials or rooflines. No individual section of a façade shall be longer than the maximum façade modulation length listed in Figures 10.5A41.10A-D (Development Standards).

10.5A43.22 Façades that have a high degree of fenestration, traditional masonry detailing, and traditional window styling (including windows recessed in the openings and with multiple panes) shall be exempt from the façade modulation requirements listed in Figures 10.5A41.10A-D (Development Standards).

10.5A43.30 Building and Story Heights

10.5A43.31 Specific height requirement areas are designated on Map 10.5A21B. The maximum building height in each height requirement area shall be as follows:

Height Requirement Area	Minimum Height in Stories	Maximum Height in Stories	Maximum Height in Feet
1 story	1	1	20
2 stories	2	2	35
2 stories (short 3 rd)	2	2 + short 3 rd	35
2-3 stories	2	3	40
2-3 stories (short 4 th)	2	3 + short 4 th	45
2-4 stories	2	4	50
2-4 stories (short 5 th)	2	4 + short 5 th	60
2-5 stories	2	5	60

10.5A43.32 A roof appurtenance may exceed the maximum allowed building height as specified on Map 10.5A21B (Building Height Standards) by 10 feet, subject to the following:

- (a) All roof appurtenances and other features that exceed the allowed building height for the zoning district shall not exceed 33 percent of the total roof area of the structure and, except for elevators and stair towers, shall be set back at least 10 feet from any edge of the roof.
- (b) Solar energy panels shall not be subject to the 33 percent limitation provided that they are not visible from a point 20 feet above the edge of the street right-of-way on the opposite side of the street.
- (c) The area of roof appurtenances that comply with this section shall not be considered as part of the building’s gross floor area calculations.

10.5A43.33 A development that is not located in an incentive overlay district and that contains at least one acre of lot area shall be allowed an additional story in height (up to 10 feet) if at least 20% of the property is assigned and improved as a community space. Such community space shall count toward the required open space listed in Figures 10.5A41.10A-D (Development Standards). The size, location and type of the community space shall be based on the size and location of the development, and the proposed and adjacent uses.

10.5A43.40 Maximum Building Footprint

10.5A43.41 No building or structure footprint shall exceed the applicable maximum building footprint listed in Figures 10.5A41.10A-D (Development Standards) except as provided in Sections 10.5A43.42-44 below.

10.5A43.42 In the CD5 district, a detached liner building may have a building footprint of up to 30,000 sq. ft. if it meets all other development standards and is integrated into a parking structure through the provision of community space or shared access.

- 10.5A43.43 A building, not subject to Section 10.5A43.42, containing ground floor parking, a parking garage or underground parking levels may have a building footprint of up to 30,000 sq. ft. in the CD4 or CD4-W districts, and up to 40,000 sq. ft. in the CD5 district, if all of the following criteria are met:
- (a) No story above the ground floor parking shall be greater than 20,000 sq. ft. in the CD4 or CD4-W districts or 30,000 sq. ft. in the CD5 district.
 - (b) All ground floor parking areas shall be separated from any public or private street by a liner building.
 - (c) At least 50% of the gross floor area of the ground floor shall be dedicated to parking.
 - (d) At least 30% of the property shall be assigned and improved as community space. Such community space shall count toward the required open space listed under Figures 10.5A41.10A-D (Development Standards) and community space required under Section 10.5A47.20. The size, location and type of the community space shall be based on the size and location of the development, and the proposed and adjacent uses.
 - (e) The development shall comply with all applicable standards of the ordinance and the City's land use regulations.
- 10.5A43.44 The building footprint of a parking structure shall be no greater than 40,000 sq. ft., and the façade length shall be no greater than 300 feet.

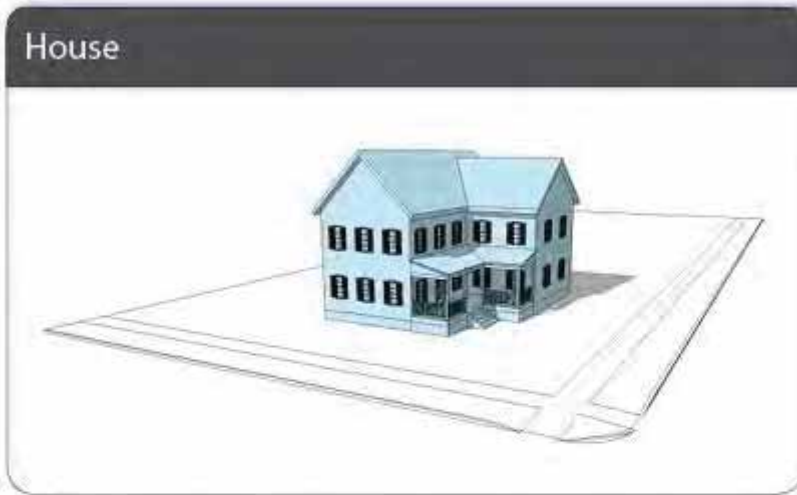
10.5A43.50 Streetscreens

Any streetscreen in a front yard shall be built on the same plane as the façade of the principal building and shall be between 3.5 and 4.0 feet in height.

10.5A43.60 Building Types

Buildings in each Character district shall be of one or more of the building types specified for such Character district in Figure 10.5A43.60 (Building Types).

FIGURE 10.5A43.60 BUILDING TYPES

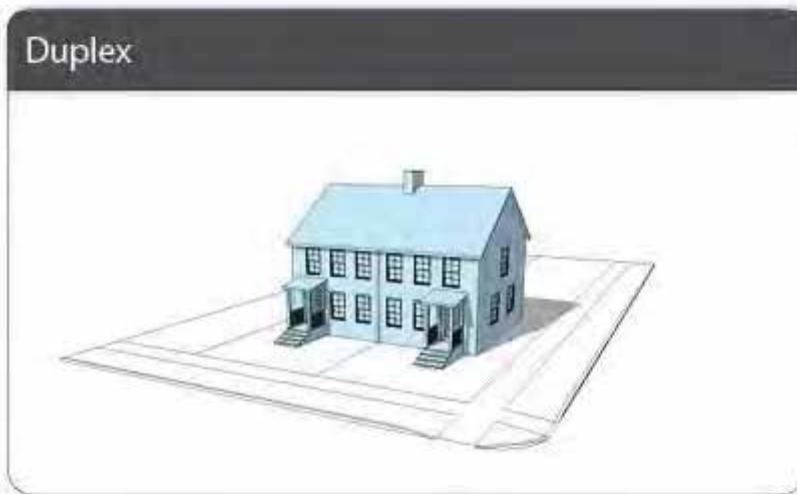


A residential building that has the appearance of a single-family dwelling, with yards on all sides.

Permitted districts:

CD4-L1, CD4-L2

This building type is not permitted in the Downtown Overlay District.



A residential building with two vertically-separated units with separate entrances. The building may have yards on all sides, or it may be divided along the party wall by a lot line where permitted by the standards of the Character district.

Permitted districts:

CD4-L1, CD4-L2

This building type is not permitted in the Downtown Overlay District.



A building that may occupy the full width of the lot and shares a party wall with one or more buildings of the same type, with a minimal front yard.

Permitted districts:

CD4, CD4-W, CD4-L1, CD4-L2

This building type is not permitted in the Downtown Overlay District.

FIGURE 10.5A43.60 BUILDING TYPES (CONTINUED)

Apartment Building



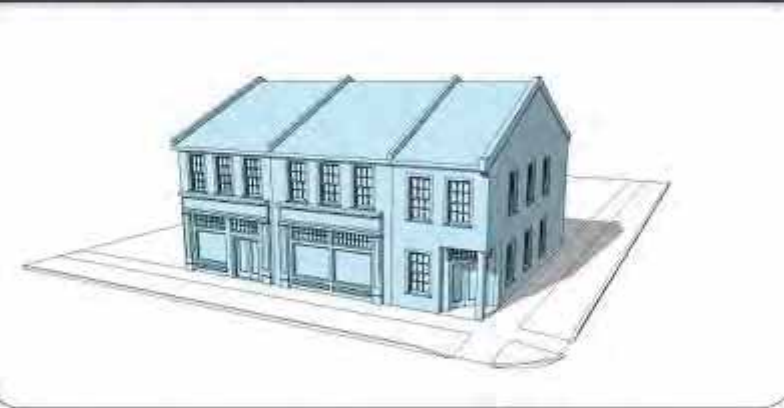
A building that has the appearance of a multifamily dwelling, with yards on all sides.

Permitted districts:

CD4, CD4-L1, CD4-L2

This building type is not permitted in the Downtown Overlay District.

Live / Work Building



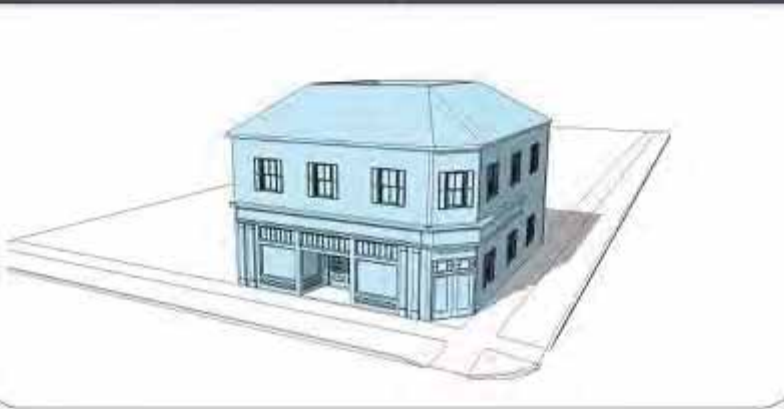
A building designed to accommodate a ground floor commercial use and a residential use above or beside.

Permitted districts:

CD5, CD4, CD4-W, CD4-L1, CD4-L2

Residential uses are not permitted on the ground floor in CD4-W or the Downtown Overlay District.

Small Commercial Building



A building with a shopfront or officefront façade type and minimal or no front yard, and that is no more than 3 stories in height.

Permitted districts:

CD5, CD4, CD4-W, CD4-L2

FIGURE 10.5A43.60 BUILDING TYPES (CONTINUED)



A building with a shopfront or officefront façade type and minimal or no front yard, and that is 4 or more stories in height.

Permitted districts:
CD5, CD4, CD4-W

10.5A44 Off-Street Parking and Loading Requirements

10.5A44.10 General

10.5A44.11 Except as otherwise provided in this Section, all buildings, structures and uses in the Character districts and Civic districts shall comply with the off-street parking requirements set forth in Section 10.1110.

10.5A44.12 Buildings, structures and uses in the Character districts and Civic districts that are also within the Downtown Overlay District shall comply with the additional standards in Section 10.643.

10.5A44.20 Number of Required Spaces

10.5A44.21 Uses in the Character districts and Civic districts that are not located in the Downtown Overlay District shall provide off-street parking in accordance with Section 10.1112.

10.5A44.22 Uses in the Character districts and Civic districts that are included in the Downtown Overlay District shall comply with the off-street parking requirements for the Downtown Overlay District in accordance with Section 10.1115.

10.5A44.23 Subject to approval by the Planning Board, any portion of the required off-street parking spaces may be dedicated to public use.

10.5A44.30 Parking, Loading, and Driveway Locations and Standards

10.5A44.31 All off-street parking spaces shall be located at least 20 feet behind any façade of a principal building, except when in an underground parking level. This restriction shall not apply to off-street parking for a single-family or two-family dwelling.

- 10.5A44.32 Parking lots and loading areas shall be screened from the street by a building or streetscreen except for any driveway.
- 10.5A44.33 Driveways at the street and within a required front yard shall be no wider than 24 feet.
- 10.5A44.34 All parking lots, garages, and parking structures shall include a pedestrian exit directly to a front lot line.
- 10.5A44.35 The above-ground portion of a parking structure or garage shall have a liner building at least the height of the ground floor along the entire width of any front yard except for driveways and pedestrian entrances.
- 10.5A44.36 A parking lot containing more than 75 parking spaces shall have least one internal pedestrian walkway at least 8 feet wide that is paved differently from the parking spaces with respect to texture, material, style, and/or color.

10.5A44.40 Parking Lot Landscaping

Parking lots that contain 10 or more spaces shall conform to the following:

- 10.5A44.41 Landscape islands:
 - (a) Parking lots shall contain one landscaped island for every 10 parking spaces.
 - (b) A parking lot with more than one landscaped island shall have such islands distributed throughout the parking lot.
 - (c) Each landscaped island shall be a minimum of 325 square feet.
- 10.5A44.42 Trees:
 - (a) Parking lots shall contain at least one tree for every 7 parking spaces.
 - (b) No parking space shall be more than 75 feet from a tree within the lot, as measured from the center of the tree to the nearest line demarcating the space.
 - (c) All trees shall be separated from paved surfaces by at least 3 feet.
- 10.5A44.43 All landscaping required pursuant to this Section 10.5A44.40 shall be located and designed in a manner to protect the vegetation from vehicular damage.

10.5A44.50 Loading Docks, Storage and Service Areas

Loading docks, storage and service areas shall not be permitted between the principal building and any front lot line.

10.5A45 Architectural Design Guidelines

In reviewing a proposed project within the Historic District under Section 10.630, the Historic District Commission shall review the application for compliance with the Architectural Design Guidelines. The initial Guidelines shall be those contained in the document titled “Interim Architectural Design Guidelines for the Character-Based Zoning Ordinance,” adopted by the Historic District Commission and dated November 18, 2013, which shall apply until superseded by new guidelines adopted by the Historic District Commission and approved by the City Council.

10.5A46 Community Spaces

10.5A46.10 Figure 10.5A46.10 (Community Spaces) describes the types of community spaces that may be provided as part of a development in accordance with Sections 10.5A42, 10.5A43 or 10.5A47.10.5A46.20.

10.5A46.20 A community space that is provided on site and otherwise qualifies as open space shall count towards the open space requirement for the development.

FIGURE 10.5A46.10 COMMUNITY SPACES



An area of natural, semi-natural, or planted space set aside for human enjoyment and recreation or for the protection of wildlife or natural habitats. A park may consist of grassy areas, trees and other natural or planted landscape features, and may also contain walking paths and trails, monuments, fountains, playground equipment, benches, picnic tables and similar amenities.



A linear community space that may follow natural corridors providing unstructured and limited amounts of structured recreation. A greenway may be spatially defined by landscaping rather than buildings. Its landscape shall consist of paths and trails, waterbodies, and trees, naturalistically disposed.



A paved/brick pedestrian connector between buildings. Pedestrian alleys provide shortcuts through long blocks and connect community spaces and parking areas with streets. Pedestrian alleys may be covered by a roof and/or lined by shopfronts.

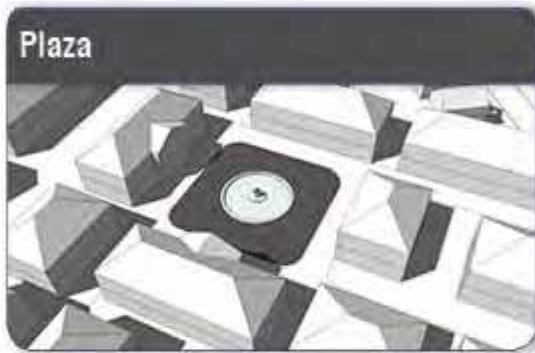


A wide pedestrian sidewalk located between the building façade and the public right of way. Wide pedestrian sidewalks provide space between the façade and the curbline for comfortable pedestrian movement, street trees and street furniture.

FIGURE 10.5A46.10 COMMUNITY SPACES (CONTINUED)



A community space available for unstructured recreation and community purposes. A square is spatially defined by buildings. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets. The minimum size shall be 1/8 acre.



A community space available for community purposes and commercial activities. A plaza should be spatially defined by buildings. Its landscape should consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/8 acre.



A community space available for informal activities in close proximity to neighborhood residences. A pocket park is spatially defined by buildings. Its landscape shall consist of paths, lawns and trees, formally disposed.



A community space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens. There shall be no minimum size.

10.5A47 Incentive Overlay Districts

The Incentive Overlay Districts are designated on Map 10.5A21B. In such areas, certain specified development standards may be modified as set forth in Section 10.5A47.10 below, if the development provides community space or workforce housing in accordance with Section 10.5A47.20, as applicable:

10.5A47.10 Incentives to Development Standards

DEVELOPMENT STANDARDS	INCENTIVES	
	North End Incentive Overlay District	West End Incentive Overlay District
Maximum building coverage	No Change	80%
Maximum building footprint	30,000 sf	30,000 sf
Minimum lot area	No Change	2,000 sf
Minimum lot area per dwelling unit	No Change	No minimum
Maximum building height	Plus 1 story up to 10 ft ¹	Plus 1 story up to 10 ft ^{1,2}
Minimum off-street parking	Residential: 1 space per dwelling unit 0.5 space per micro-unit	Residential: 1 space per dwelling unit 0.5 space per micro-unit Non-residential: 25% reduction from underlying standard

¹ In order to receive the building height incentive, the sidewalk width in front of any façade shall be at least 10 feet plus two feet for each story of building height above three stories. Any property area needed to comply with this requirement shall count as open space as listed in Figures 10.5A41.10A-D (Development Standards) as community space; even if less than 15 feet in width.

² For parcels over 80,000 sq. ft. in area that are located south of Islington Street, up to two stories or 20 feet may be added to the maximum building height provided both requirements listed under Section 10.5A47.22 (1) and (2) are met.

10.5A47.20 Requirements to Receive Incentives to the Development Standards

10.5A47.21 For a lot located adjacent to, or within 100 feet of, North Mill Pond, Hodgson Brook or the Piscataqua River, the development shall include a community space consisting of a continuous public greenway at least 20 feet in width that is parallel to the waterfront for the entire length of the rear or side lot line. The greenway shall include legal and physical access to abutting lots or public ways. When access is not available due to

current conditions on an abutting lot, provisions shall be made for future access in a location determined by the Planning Board.

10.5A47.22 For a lot that is more than 100 feet from North Mill Pond, Hodgson Brook or the Piscataqua River, the development shall include either a community space or workforce housing as specified below:

- (1) Community space option – All of the following criteria shall be met:
 - (a) The community space shall be a community space type that is permitted within the applicable Character district.
 - (b) The community space shall constitute at least 20% of the gross area of the lot and shall not have any dimension less than 15 feet.
 - (c) The community space shall adjoin the public sidewalk and shall be open on one or more sides to the sidewalk.
 - (d) The community space shall include trees and other landscaping to provide shade and reduce noise, and pedestrian amenities such as overlooks, benches, lighting and other street furniture.
 - (e) The community space shall be located on or adjacent to the same lot as the development, except as provided in (f) below.
 - (f) The Planning Board may grant a conditional use permit to allow a proposed community space to be located on a different lot than the development if it finds that all of the following criteria will be met:
 - (i) An appropriate community space cannot feasibly be provided on the same lot as the development.
 - (ii) The proposed community space is within the same Incentive Overlay District as the development.
 - (iii) The proposed community space is suited to the scale, density, uses and character of the surrounding properties.
- (2) Workforce housing option – One or more of the following criteria shall be met:
 - (a) At least 30% of the dwelling units within a building, but no less than three units, shall be workforce housing units for sale (affordable to a household with an income of no more than 100 percent of the area median income for a 4-person household). Such units shall be at least the average gross floor area of the proposed units in the building or 1,000 sq. ft., whichever is greater. The workforce housing units shall be distributed throughout the building wherever dwelling units are located; or
 - (b) At least 10% of the dwelling units within a building, or at least two units, shall be workforce housing units for rent (affordable to a household with an income of no more than 60 percent of the area median income for a 3-person household). Such units shall be at least the average gross floor area of the proposed units in the building or 800 sq. ft., whichever is

greater. The workforce housing units shall be distributed throughout the building wherever dwelling units are located.

Section 10.5A50 Civic Districts

10.5A51 Purpose

10.5A51.10 Civic districts are designated to preserve existing buildings and uses which are open to the general public and owned and operated by a not-for-profit organization or entity other than the City of Portsmouth.

10.5A52 Standards

10.5A52.10 Permitted uses in the Civic district are uses open to the general public and dedicated to arts, culture, education, religion, recreation, government, transit, gardening, horticulture, public gathering, assembly or meeting.

10.5A52.20 Structures may be converted to other civic uses permitted under 10.5A52.10 provided that no exterior changes are made to the existing structures.

10.5A52.30 When specified in the Site Plan Review Regulations, Site Plan approval is required for changes made to existing structures or the lot.

10.5A52.40 New structures, alterations and expansions of existing structures in the Civic district are exempt from the requirements of 10.5A42 and 10.5A43 provided that all uses remain civic.

10.5A52.50 Structures in the Civic district that are proposed for and/or converted to non-civic uses permitted under 10.5A30 shall require Regulating Plan amendment as set forth in Section 10.5A22.

Section 10.5A60 Definitions

This Section provides definitions for certain terms in Article 5A that are not otherwise defined in Article 5A or Article 15:

Backbuilding

A single-story structure connecting a principal building to an outbuilding. See Figure 10.5A42.10 (Principal Building/Backbuilding/Outbuilding).

Block

The aggregate of private lots, rear alleys and rear lanes, circumscribed by streets, paths or pedestrian alleys.

Community space

An area that is dedicated for public use with permanent deeded access to the City of Portsmouth and conforming to the types shown in Figure 10.5A46.10.

Entrance spacing

The distance between any two publicly accessible pedestrian entrances to a building along a façade.

Façade

The side of a building facing a front yard.

Façade glazing

The portion of a façade that consists of transparent windows and doors.

Front lot line buildout

The portion of the width of the required front yard that is occupied by a building.

Liner building

A building that is at least 20 feet deep measured from the façade and is specifically designed to mask a parking lot or a parking structure from the street. A liner building may be separated from a parking structure by community space if directly integrated with subsurface parking or vehicular access to a parking structure.

Outbuilding

A building, usually located toward the rear of the same lot as a principal building, and sometimes connected to the principal building by a backbuilding. See Figure 10.5A42.10 (Principal Building/Backbuilding/Outbuilding).

Path

A pedestrian way traversing a park, square or other open space, or otherwise separated from streets by landscaped areas, and ideally connecting directly with the urban sidewalk network.

Regulating Plan

The zoning map or set of maps that shows the Character districts, Municipal districts, Civic districts and any additional requirements of areas subject to, or potentially subject to, regulation by Article 5A.

Streetscreen

A freestanding wall or fence built on the same plane as a façade to mask a parking lot, structure or use from the street, provide privacy to a side yard, and/or strengthen the spatial definition of the public realm.

CHARACTER-BASED ZONING – 2016 REVISIONS
CONFORMING AMENDMENTS TO ZONING ORDINANCE

Planning Board Proposed Amendments – 5/2/16

Amend Chapter 10 – Zoning Ordinance as follows:
(deletions from existing language ~~stricken~~; additions to existing language **bolded**;
remaining language unchanged from existing)

- A. In Article 2, amend Section 10.234 – Procedures for Variances, Special Exceptions and Appeals from Decisions of the Code Official, as follows:

10.234.50 In any case in which the Board of Adjustment is required to give notice of a public hearing 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 ~~the Central Business A and Central Business B Districts~~ **Character Districts 4 and 5 (CD4 and CD5) and the Downtown Overlay District.**

- B. In Article 4, amend Section 10.410 – Establishment and Purpose of Districts, as follows:

District	Purpose
Character Districts	
Character District 4-L1 CD4-L1	To promote the development of walkable, mixed-use, human-scaled places by providing standards for building form and placement and related elements of development.
Character District 4-L2 CD4-L2	
Character District 4-W CD4-W	
Character District 4 CD4	
Character District 5 CD5	
Business Districts	
Central Business A CBA	To promote a wide range of business, retail, residential, cultural and other public and private uses, in and surrounding the City's historic commercial core, at intensities and patterns that promote pedestrian circulation and support public transit.
Central Business B CBB	

District	Purpose
Other Districts	
Civic District	To preserve existing buildings and uses that are open to the general public and owned and operated by a not-for-profit entity other than the City of Portsmouth.

C. In Article 4, amend Section 10.440 – Table of Uses – Residential, Mixed Residential and Industrial Districts, as follows:

1. Delete the column headed “CBA”.
2. In the header row, delete “CBB”, as follows:

CBB
CD5
CD4

3. In the column headed “CD4-L2”, change “N” to “S” for 7 specific uses, as follows:

Use	CD4-L2
3.70 Club, fraternal or service organization	N S
5.32 Retail bank	N S
7.20 Personal services	N S
7.30 Consumer services such as copy shop, bicycle repair, and pet grooming	N S
7.40 Trade, craft and general service establishments, such as shops for plumbers, electricians, painters, paper hangers, upholsterers, sign painters and printers	N S
8.70 Manufacture of goods sold at retail on the premises, such as crafts, coffee roasting and bakery goods	N S
10.30 Inn	N S

4. In the header row, insert “CD4-W” below “B”, as follows:

B
CD4-W

5. In the column headed “B/**CD4-W**”, change specific uses, as follows:

Use	B CD4-W
1.20 Townhouse	N P
3.51 Outdoor performance facility	
3.511 Occupancy up to 500 persons	S N
3.522 Occupancy more than 500	S N
8.40 Shopping center	P S
9.50 Restaurant, place of public assembly or function room	
9.51 Occupancy load less than 250	P S

6. Insert additional supplemental regulation for use 1.40 Multifamily dwelling, as follows:

Use	Supplemental Regulations
1.40 Multifamily dwelling	10.5A32 (Character district permitted uses)
1.41 3 or 4 dwelling units	10.640 (Downtown Overlay district)
1.42 5 to 8 dwelling units	10.730 (Gateway district)
1.43 More than 8 dwelling units	10.813 (Multifamily Dwellings in the Business District)

7. Amend uses 9.40 through 9.60 as follows:
- (a) Move the row for use 9.40 to before existing use 9.51 (i.e., as a new use 9.51), and amend as follows:
 - 9.51 ~~Restaurant with no accessory uses and with no nightclub or bar, place of public assembly or function room~~
Occupant load less than 50
 - (b) Amend existing use 9.51 (new 9.52) as follows:
 - 9.52 Occupant load **from 50 to** less than 250.
 - (c) Renumber uses 9.50 through 9.60 as 9.40 through 9.50.
- D. In Article 5, amend Section 10.516 – Exceptions to Yard Requirements, as follows:
- 10.516.30 Corner Lot Vision Obstruction
- On a corner lot, no structure, accessory structure, landscaping, or screening which obstructs visibility shall be erected or maintained between the heights of 2.5 feet and 10 feet above the edge of pavement grades within the area bounded by the sidelines of the intersecting street rights-of-way and a straight line joining points along said street sidelines 20 feet from the point of intersection of such sidelines or extensions thereof. This provision shall not apply in ~~the CBA and CBB districts~~ **Character Districts 4-W, 4 and 5 (CD4-W, CD4 and CD5) and the Downtown Overlay District.**
- E. In Article 5, Section 10.531 – Table of Dimensional Standards – Business and Industrial Districts, delete the columns headed “CBA” and “CBB”.
- F. In Article 5, delete Section 10.535 – Exceptions to Dimensional Standards in the Central Business Districts.

- G. In Article 5, Section 10.590 – Minimum Distance Between Nonresidential Uses and Residential or Mixed Residential Districts, make the following changes:
1. In Section 10.591, insert the words “Gateway District” after the words “General Business District”, and replace the words “property zoned residentially” with the words “a parcel in a Residential or Mixed Residential district or Character District 4-L1.”
 2. In Section 10.592.10, replace the words “Residential or Mixed Residential District” with the words “Residential or Mixed Residential district or Character District 4-L1” in both the introductory sentence and the table header row.
 3. In the footnote to Section 10.592.10, replace the words “the Central Business A (CBA) or Central Business B (CBB) district” with the words “Character District 4 or 5 (CD4 or CD5) or the Downtown Overlay District.”
 4. In Section 10.592.20, replace the words “Residential or Mixed Residential District” with the words “Residential or Mixed Residential district or Character District 4-L1” in both the introductory sentence and the table header row.
- H. Amend Article 6, Section 10.640 Downtown Overlay District, as follows:
- 10.641 Establishment and Purpose
- 10.641.10 The Downtown Overlay District (DOD) is an overlay district applied to portions of the ~~Central Business A and Central Business B districts~~ and the Character districts. All properties located in the DOD must satisfy the requirements of both the DOD and the underlying districts.
- 10.641.20 The purpose of the DOD is to promote the economic vitality of the ~~central business district~~ **downtown** by ensuring continuity of pedestrian-oriented business uses along streets.
- I. Delete Article 6, Section 10.643 Off-Street Parking Facilities
- J. In Article 8, Section 10.830 – Business Uses, delete Section 10.831 – Waterfront Industrial District Adjacent to Central Business District.

K. Amend Article 8, Section 10.860 Hours of Operation, as follows:

10.861 The following uses are limited to operation during the times specified:

Use No.*	Use	District with time limitations	From	To
3.51	Performance facility, indoor	CBA, CBB, CD5, CD4, CD4-W, GB, GW, B	8 AM	11 PM
3.52	Performance facility, outdoor	CBA, CBB, CD5, CD4, CD4-W, GB, GW, B	4 PM	11 PM
8.111 8.121	Convenience goods 1 & Convenience goods 2	MRB, CBA, CBB, CD5, CD4, CD4-W, CD4-L2, GB, GW, B	6 AM	11 PM

* Refer to Section 10.440, Table of Uses.

L. Amend Article 11, Section 10.1120 Off-Street Loading, as follows:

10.1121 General Requirements

10.1121.10 ~~In all Business (except Central Business A and B), Airport, and Industrial districts, All new structures, additions to existing structures, and changes and intensification of use in existing structures shall be provided with off-street loading areas in accordance with this Section, except in Character Districts 4-W, 4 and 5 (CD4-W, CD4 and CD5) and the Downtown Overlay District.~~

10.1121.20 ~~No loading areas shall be required in the Central Business A and Central Business B districts~~ **Character Districts 4-W, 4 and 5 (CD4-W, CD4 and CD5) and the Downtown Overlay District.**

M. Amend Article 12, Section 10.1230 Sign Districts, as follows:

10.1231 The City is hereby divided into sign districts for the purpose of establishing standards for the number, type, size, location and illumination of signs. These sign districts are overlay districts. A property shall be subject to the regulations of both the sign district and the underlying zoning district.

10.1232 Unless otherwise specified by ordinance, the sign districts shall correspond to underlying zoning districts as follows:

Sign Districts	Underlying Zoning Districts
Sign District 3	Central Business A Central Business B Character District 4-W Character District 4 Character District 5

N. Amend Article 15 Definitions, Section 10.1530 Terms of General Applicability, by inserting the following definitions in alphabetical order:

Garage

An area within a principal building or outbuilding that provides space for parking vehicles as an accessory use. Not synonymous with parking structure. (See also: parking lot, parking structure, underground parking level.)

Parking lot

A ground-level open area within a lot for parking vehicles as a principal use or accessory use. (See also: garage, parking structure, underground parking level.)

Parking structure

A structure containing multiple stories of parking as a principal use or accessory use. (See also: garage, parking lot, underground parking level.)

O. In Article 15, Section 10.1525 add the terms **Recessed entry** and **Entrance spacing** to the list of terms primarily used in Article 5A.

- P. Amend Article 15 Definitions, Section 10.1530 Terms of General Applicability, as follows:

Building footprint

The total area ~~of a building~~, at or above 18 inches in elevation as measured from the outside walls at the grade plane, **of a detached building, or of two or more buildings separated by fire walls, common walls or property lines.**

Story

That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters. For the purpose of determining the number of stories in a building, a story above grade plane shall count as a full story. An attic, **half story or penthouse** shall not be counted as a story, but a ~~half story or a short story~~ shall be counted as a story. (See also: building height, grade plane, half story, short story, and story above grade plane)

Workforce housing

~~Housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the area median income for a 4-person household; or rental housing which is affordable to a household with an income of no more than 60 percent of the area median income for a 3-person household. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing for the purposes of this definition.~~
A dwelling, or group of dwellings developed as a single project, containing workforce housing units, provided that a housing development that excludes minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing for the purposes of this Ordinance. All workforce housing units shall include a restrictive covenant that ensures affordability as specified in RSA 674:58,IV, for the maximum allowable term.

Character-Based Zoning – 2016 Revisions

Proposed Additional West End Zoning Changes

5/2/2016

(Parcels are listed by Assessors Map-Lot references)

From Character District 4-L1 (CD4-L1) to General Residence C (GRC)

126-27
126-28
126-31
126-32

From Mixed Residence Business (MRB) to General Residence C (GRC)

138-48	139-2	146-19
138-48-1	139-3	146-20
138-48-2	139-4	146-21
138-49	139-5	146-22
138-50	139-6	146-23
138-51		
138-52	144-40	147-22
138-54		147-23
138-55	145-14	147-24
138-56	145-19	147-25
138-57	145-20	147-26
138-58	145-21	147-27
138-59	145-29	147-28
	145-30	147-29
		147-30
		147-30A
		156-24
		156-35

From Business (B) to General Residence C (GRC)

157-10
157-11
157-12
157-13
157-14

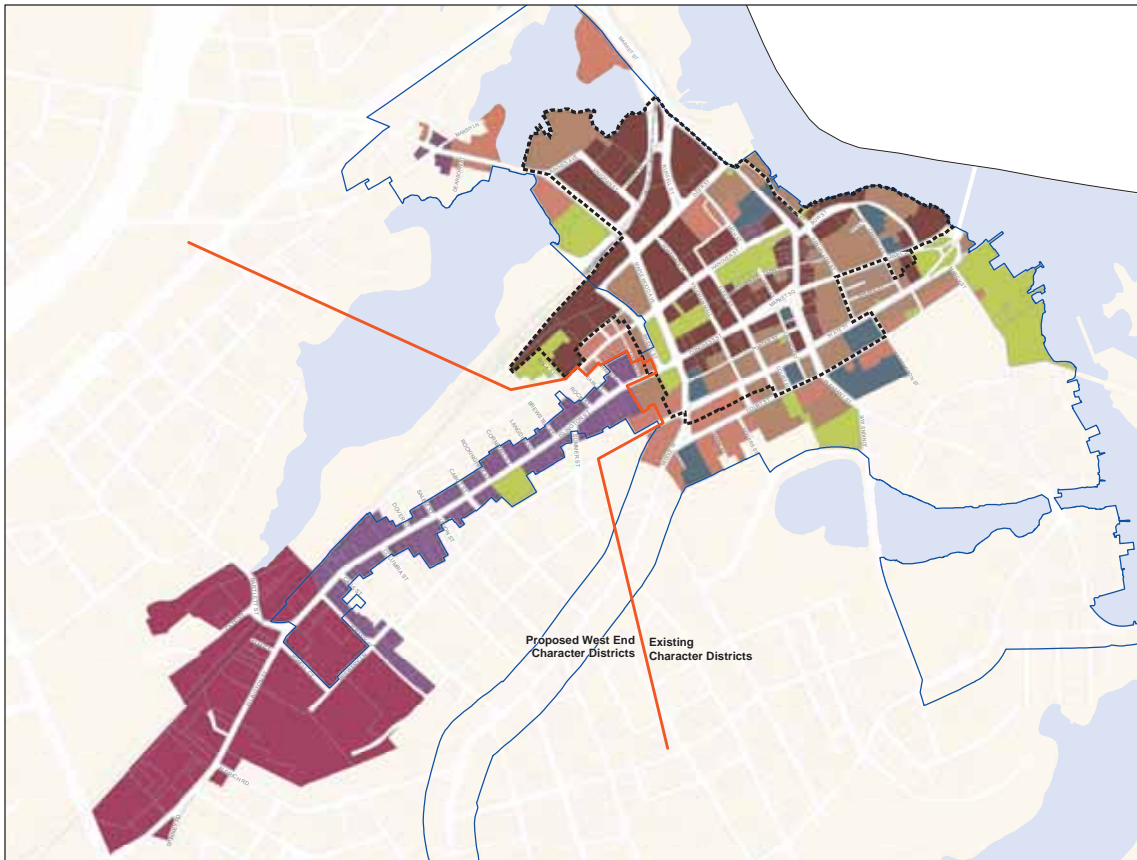
From Central Business B (CBB) to General Residence C (GRC)

138-34

Map 10.5A21A Character Districts and Civic Districts

Second Reading

May 2, 2016



Legend

- Downtown Overlay District
- Historic District
- Character Districts**
 - CD5 Character District 5
 - CD4 Character District 4
 - CD4-W Character District 4-W
 - CD4-L1 Character District 4-L1
 - CD4-L2 Character District 4-L2
- Civic District**
 - Civic District
- Municipal District**
 - Municipal District

0 250 500 1,000 1,500 2,000 Feet

Map 10.5A21B Building Height Standards

Second Reading

May 2, 2016



Legend

Height requirement area	Maximum building height*
1 Story	20'
2 Stories	35'
2 Stories (short 3rd*)	35'
2-3 Stories	40'
2-3 Stories (short 4th*)	45'
2-4 Stories	50'
2-4 Stories (short 5th*)	60'
2-5 Stories	60'

*Penthouse levels may exceed the building height by 2 feet.

1. A short story includes either: 1) use of a top story below the cornice line of a sloped roof that is at least 20% shorter in height than the story below; or 2) a story within a mansard roof with a pitch no greater than 30:12.

2. When a lot is assigned to more than one height requirement standard refer to the requirements listed in Section 10.5A21.22.

3. Attic space within either a gable, gambrel, Hip, or hip-top mansard roof or a penthouse level on a flat roof is not considered a story. Attic space is permitted above the top story provided the proposed building is no greater than the maximum building height.

North End Incentive Overlay District

West End Incentive Overlay District

The maximum building height within Incentive Overlay Districts may be increased pursuant to Section 10.5A47.

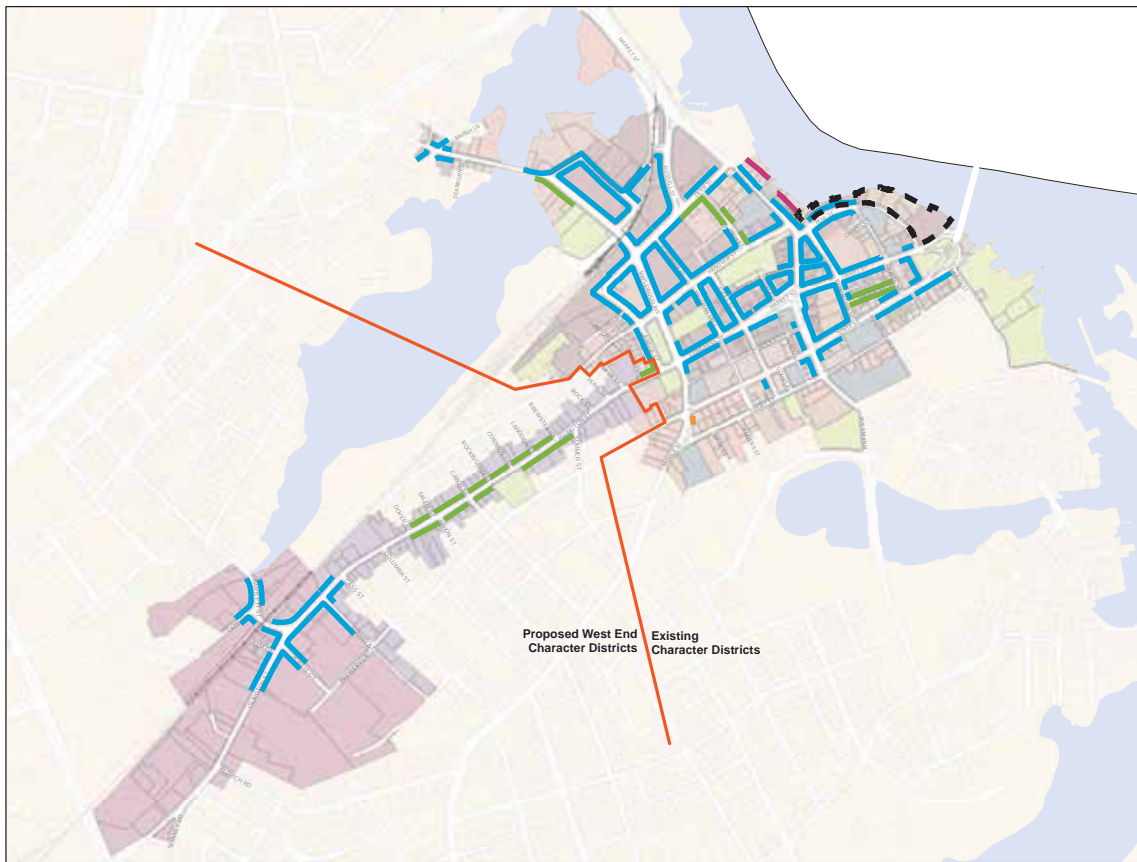
Between Maplewood Avenue and Russell Street, the boundary of the North End Incentive Overlay District is established at 100 feet from the mean high water line.



Map 10.5A21C Special Requirements for Façade Types, Front Lot Line Buildout, and Uses

Second Reading

May 2, 2016



Legend

Required Façade Types

- Shopfront façade type
- Step, stoop or recessed entry façade type
- Officefront façade type

Waterfront Lots

Waterfront Use Overlay
In addition to the uses permitted in the underlying Character districts, lots in the Waterfront Use Overlay shall also permit uses 9.60, 12.20, 12.22, and 12.40 as set forth in Section 10.440 (Table of Uses). (Section 10.5A34).

Waterfront lots on Ceres Street
For waterfront lots on Ceres Street, the maximum front lot line buildout shall be 50%, and buildings shall have a wood-sided appearance (Section 10.5A21.30).

In addition to the uses permitted in Character District 4, waterfront lots on Ceres Street shall also permit the uses permitted in the Waterfront Industrial district as set forth in Section 10.440 (Section 10.5A35).

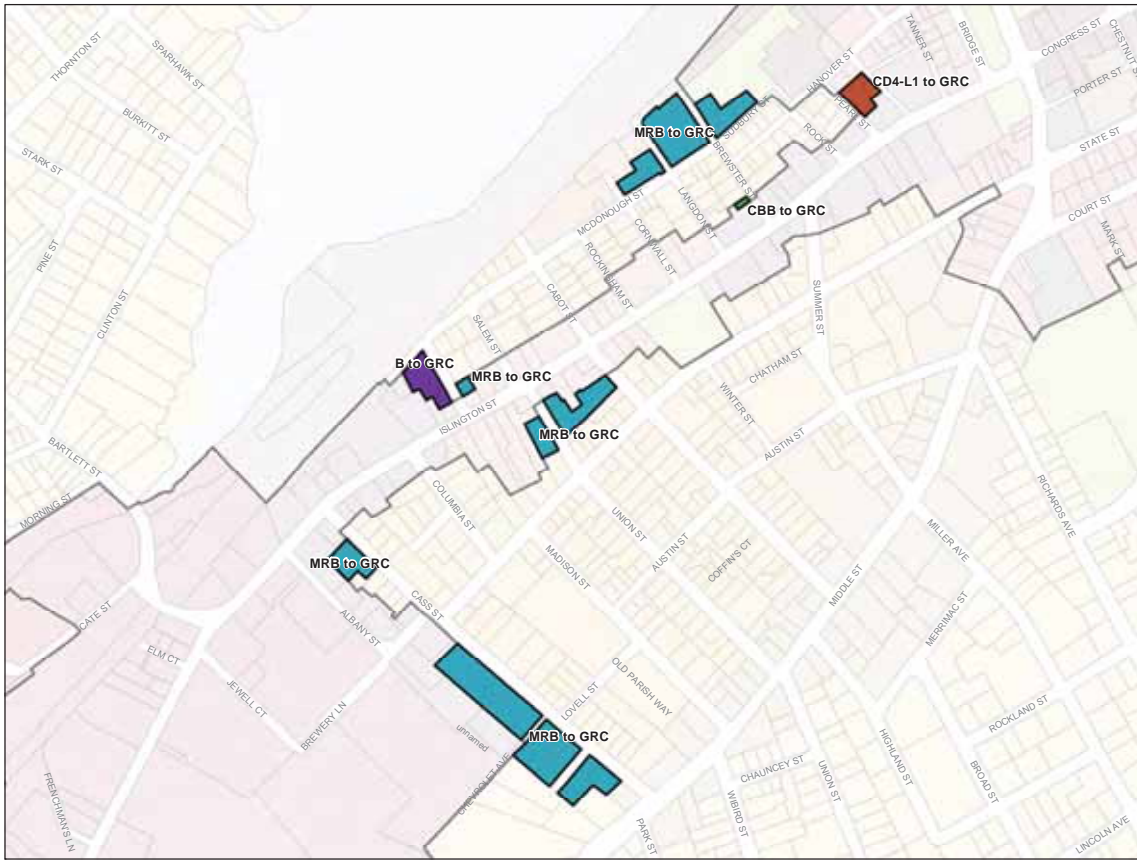
0 250 500 1,000 1,500 2,000 Feet

9

Additional West End Zoning Changes

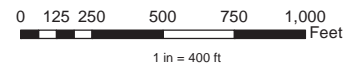
Second Reading

May 2, 2016



Legend

- Character districts area
- Additional West End Zoning Changes**
- Business to General Residence C
- Central Business B to General Residence C
- Character District 4-L1 to General Residence C
- Mixed Residential Business to General Residence C



9

MEMORANDUM

TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT.*
DATE: April 25, 2016
RE: Proposed Zoning Amendment – Transportation Corridor District

The Planning Department has proposed that the railroad rights-of-way within the City (excluding areas for sidings and spurs) be rezoned to a new Transportation Corridor District. The purposes of the proposed district are:

- to preserve these corridors for existing and future transportation uses and utility lines and facilities;
- to allow for the development of multi-use (bicycle/pedestrian) recreational trails along abandoned rail corridors; and
- to restrict any land uses that would conflict with these transportation and recreational uses from being established.

The proposed district is based on a Transportation Corridor Overlay District that was adopted by the Town of Hampton in 2012 and applied to the former Eastern Line rail corridor within that Town.

A key objective of the proposed zoning amendment is to preserve transportation rights-of-way for recreational trail use. The Eastern Line corridor (commonly referred to in Portsmouth as the Hampton Branch) extends the length of the New Hampshire Seacoast from Seabrook to Portsmouth. This corridor has been designated as the off-road route of the New Hampshire Seacoast Greenway, which is the New Hampshire portion of the East Coast Greenway, a nearly 3,000-mile “linear park” connecting cities from Key West, FL to Calais, ME. The City is working with the Rockingham Planning Commission and other Seacoast towns toward converting the New Hampshire corridor to a multi-use rail trail. This project is identified in the 2005 Master Plan, the 2014 Bicycle and Pedestrian Plan, and the draft 2016 Master Plan. In addition, over the past several years the City has designated funds in the CIP to support construction of the rail trail. By supporting this project, the proposed zoning amendment is consistent with and supports the City’s long-range planning policies.

The Planning Board held a public hearing on this proposed Zoning Ordinance amendment on April 21, 2016, and voted unanimously to recommend to the Council that it be adopted.

Attached are the proposed zoning amendment and a set of maps showing the parcels proposed to be included in the new Transportation Corridor District.

Transportation Corridor District

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance be amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

- A. In Article 4 – Zoning Districts and Use Regulations, Section 10.410 – Establishment and Purpose of Districts, insert the following:

District	Purpose
[...]	
Other Districts	
[...]	
Transportation Corridor	TC To provide for future transportation uses and related facilities as well as recreational trail use.

- B. In Article 4 – Zoning Districts and Use Regulations, insert a new Section 10.470 as follows:

Section 10.470 Uses Permitted in the Transportation Corridor District

Land in the Transportation Corridor District may be used for the following purposes:

- 10.471 Rail transport**
- 10.472 Municipal trail**
- 10.473 Rail-trail or rail-with-trail**
- 10.474 Underground utility lines, including but not limited to water, sewer, drainage, natural gas, electric and telecommunications**

C. In Article 15 – Definitions, Section 10.1530 – Terms of General Applicability, insert the following new terms and definitions in alphabetical order:

Municipal trail

A full public right-of-way of indefinite duration subject to public trail use restrictions, and classified as a Class A or Class B trail by the City Council pursuant to RSA Chapter 231-A.

Rail transport

The transportation by rail of goods or passengers, including such infrastructure and facilities as tracks, sidings, signals, shops and yards for maintenance and storage of rail machinery, loading platforms, and passenger and freight terminals.

Rail-trail

A multi-purpose public path (paved or natural) created within an abandoned rail corridor right-of-way.

Rail-with-trail

A shared-use path that is located on or directly next to an active railroad corridor.

D. Amend the Zoning Map by rezoning the following lots or parts thereof to the Transportation Corridor District:

- Assessors Map 165 Lot 14
- Assessors Map 234 Lot 2A
- Part of Assessors Map 164 Lot 4 (100-foot wide corridor, measured from the southeasterly property line)
- Assessors Map 125 Lot 20
- Assessors Map 124 Lot 13
- Assessors Map 119 Lot 3
- Part of Assessors Map 119 Lot 5 (50-foot wide corridor, measured from the southwesterly property line)
- Assessors Map 121 Lot 1

Said lots are shown on a series of nine maps titled “Proposed Transportation Corridor District”, dated March 17, 2016.

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:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

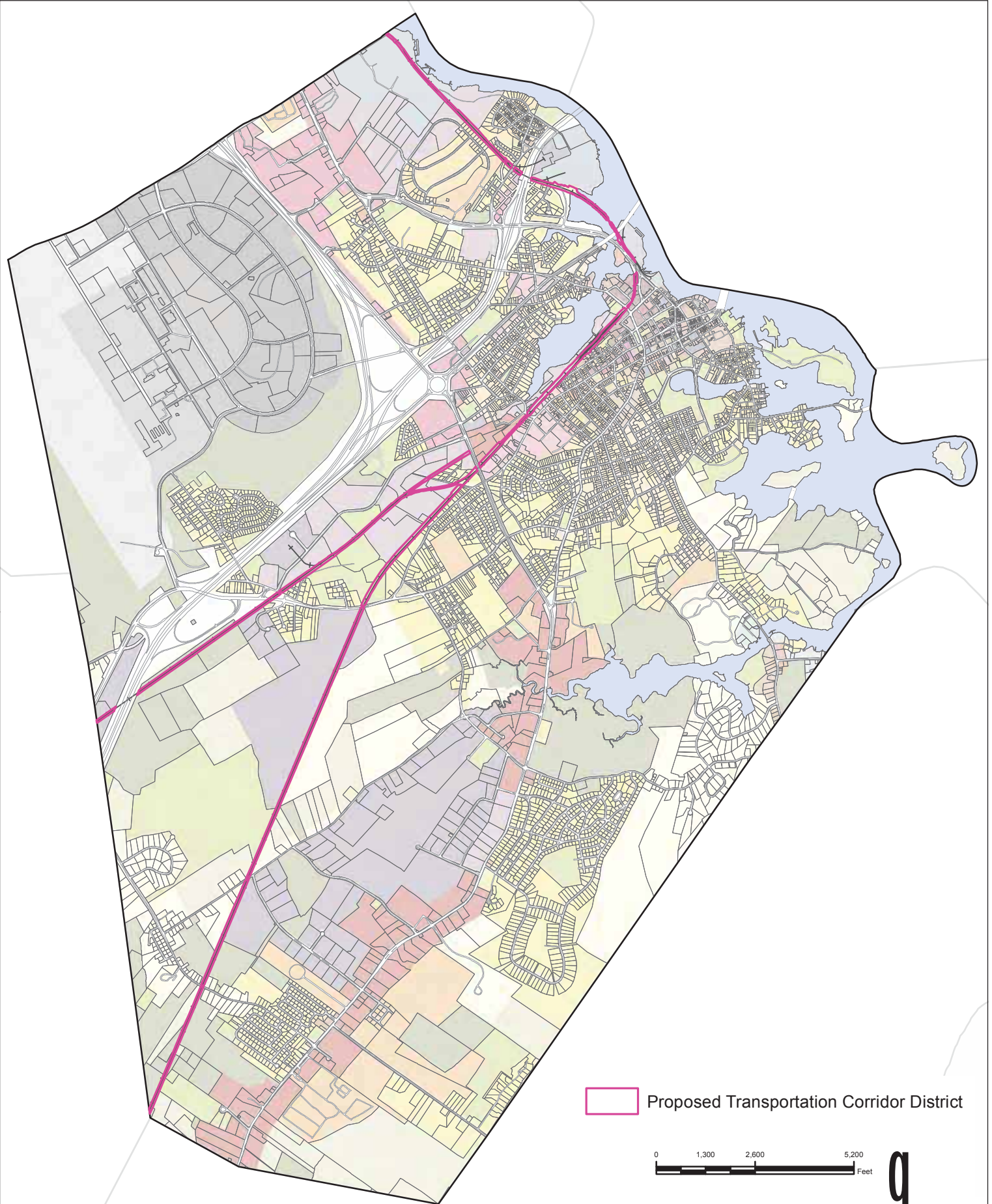
Kelli L. Barnaby, City Clerk

H:\Rick T\Land Use Regulations\Zoning\Zoning Ordinance Amendments\Amendments 2016 - Transportation Corridor District\Amend 2016 - transportation corridor - CC 160425.docx

Proposed Transportation Corridor District

March 17, 2016

Map 1 of 9



Proposed Transportation Corridor District

March 17, 2016

Map 2 of 9



Proposed Transportation Corridor District

March 17, 2016

Map 3 of 9



Proposed Transportation Corridor District

March 17, 2016

Map 4 of 9



Proposed Transportation Corridor District

March 17, 2016

Map 5 of 9



0125-0020-0000

Proposed Transportation Corridor District

0 100 200 400 Feet

9

Proposed Transportation Corridor District

March 17, 2016

Map 6 of 9



Proposed Transportation Corridor District

March 17, 2016

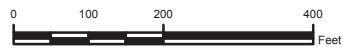
Map 7 of 9



0119-0003-0000



Proposed Transportation Corridor District

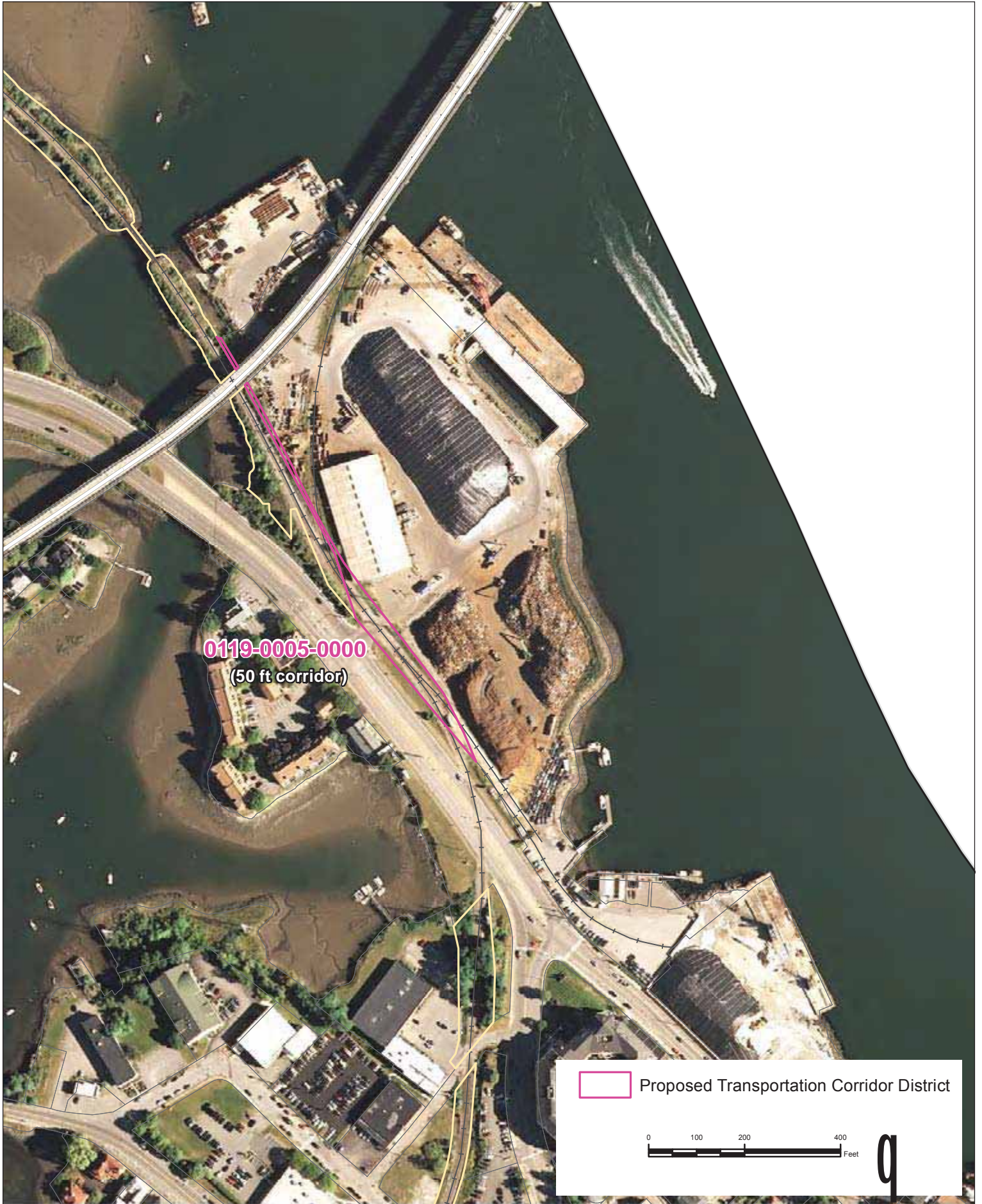


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Proposed Transportation Corridor District

March 17, 2016

Map 8 of 9



Proposed Transportation Corridor District

March 17, 2016

Map 9 of 9



MEMORANDUM

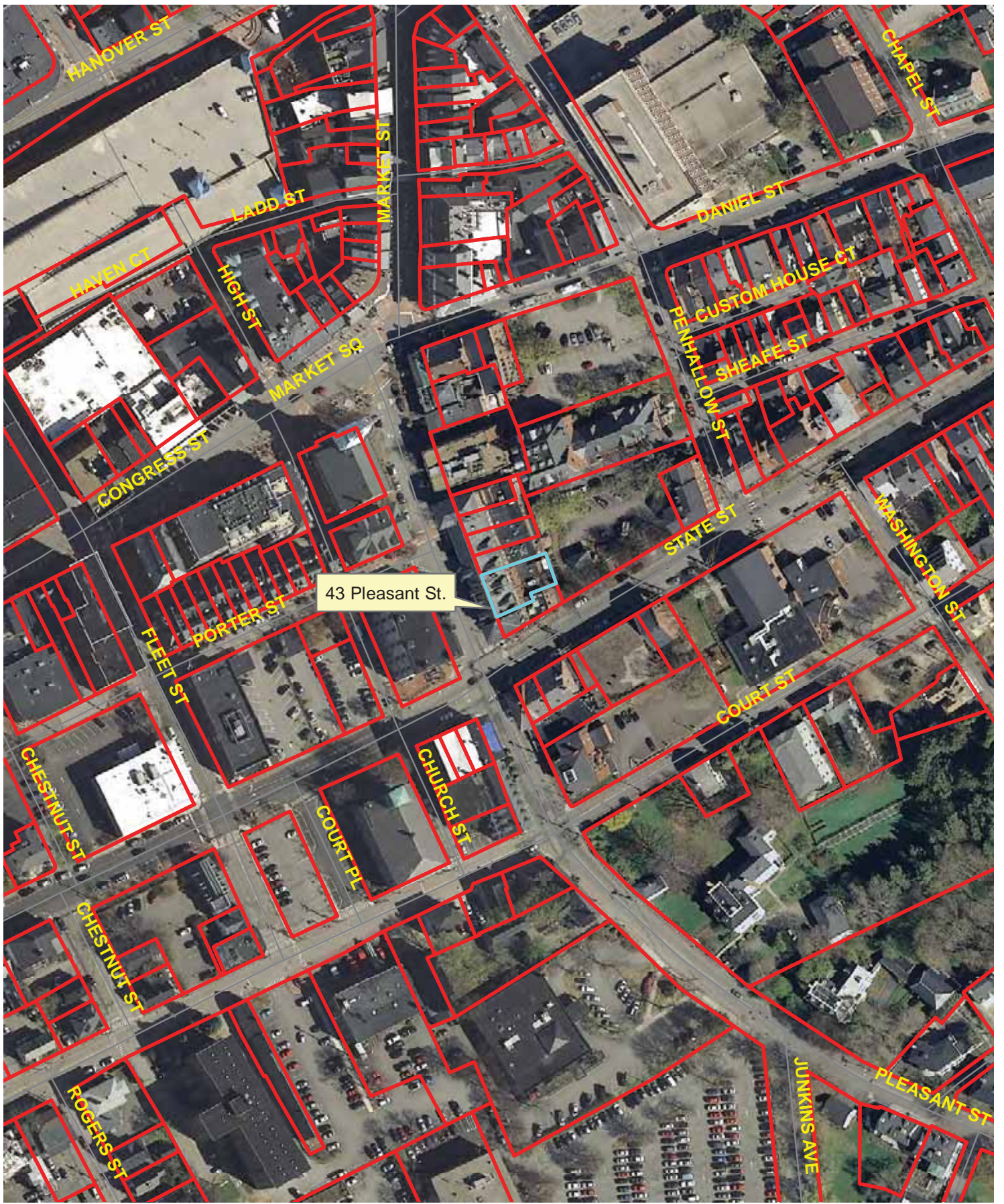
TO: John P. Bohenko, City Manager
FROM: Rick Taintor, Planning Director *RT.*
DATE: May 27, 2016
RE: City Council Referral – Projecting Sign
Address: 43 Pleasant Street
Business Name: Ceo's Gelato Bistro
Business Owner: Carolyn Ottney

Permission is being sought to install a projecting sign on an existing bracket, as follows:

Sign dimensions: 36" x 36"
Sign area: 9.0 sq. ft.
Height from sidewalk to bottom of sign: 9'

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

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



43 Pleasant St.



Request for Projecting Sign License 43 Pleasant Street

**43 Pleasant Street
CBD 5/Sign District 3**



There are no existing signs on the property.
The storefront is approximately 29.3 linear feet.
Each window is approximately 10' x 6'.
Existing exterior lighting will be used for external illumination.

Ceo's Gelato Bistro
43 Pleasant Street
1 Projecting Sign



**43 Pleasant Street
CBD 5/Sign District 3**



PROPOSED
Projecting Sign
Height: 9 ft

PROPOSED
Awning Height:
7 ft



Proposed Awning sign #13 is 84" x 6" on the awning valence

43 Pleasant Street
CBD 5/Sign District 3



Proposed Attached signs #1 and #2: One of each type per storefront window



Proposed Projecting Sign #11: A circle with a diameter of 36" hung from a black wrought iron bracket. External illumination will be provided by existing lighting.

Jewell Towne Vineyards
65 Jewell Street
South Hampton, NH 03827



June 6, 2016

City Manager
City Hall
One Junkins Avenue
Portsmouth, New Hampshire 03801

Dear Sir:

On June 3rd Governor Hassen signed SB 306 into law. This bill permits the domestic wineries to sample wine at Farmers' Markets. There is a 60 day waiting period before this law goes into effect. Jewell Towne Vineyards would like to sample and sell wine at the Portsmouth Farmers' Market starting August 6th and continuing through the summer at the regularly scheduled markets.

We are asking that you broaden our permission to sell our wine to include sampling wine at the Portsmouth Farmers' Market held at City Hall parking lot, on Saturdays, August 6 through November 5, 2016 from 8:00 am to 1:00 pm. If you approve our participation, we would appreciate it if you would send this approval to us and we will forward it to the Liquor Commission.

A copy of SB 306 and a pending press release are enclosed.

Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter D. Oldak".

Peter D. Oldak
Jewell Towne Vineyards

SB 306 - VERSION ADOPTED BY BOTH BODIES

02/18/2016 0263s

2016 SESSION

16-2827
03/08

SENATE BILL **306**

AN ACT enabling the sampling of beer or wine at farmers' markets.

SPONSORS: Sen. Feltes, Dist 15; Sen. Bradley, Dist 3; Sen. Soucy, Dist 18; Sen. Cataldo, Dist 6; Rep. Butler, Carr. 7; Rep. Potucek, Rock. 6; Rep. Hunt, Ches. 11; Rep. B. French, Merr. 6

COMMITTEE: Commerce

ANALYSIS

This bill allows the sampling of beer or wine at farmers' markets if authorized by the town or city.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struck through~~].
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.
02/18/2016 0263s 16-2827
03/08

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Sixteen

AN ACT enabling the sampling of beer or wine at farmers' markets.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Paragraph; Free Drinks; Farmers' Markets. Amend RSA 179:44 by inserting after paragraph II the following new paragraph:

II-a. Notwithstanding paragraph I, wine manufacturers, beverage manufacturers, nano breweries, and brew pubs, may provide samples for tasting to persons of legal drinking age at a farmers' market provided they have received written authorization by the town or city's governing body, which authorization shall remain effective until revoked in writing, and they have provided the commission with a copy of that authorization. Provision of samples shall be restricted to clearly defined areas approved by the commission. Samples shall be limited to one 4-ounce sample per label per person for any beer, specialty beer, or cider, and one 2-ounce sample per label per person for any wine.

2 Effective Date. This act shall take effect 60 days after its passage.

Beer and Wine Tasting Legal for Farmers Markets

Concord, NH: Beginning in August, beer and wine vendors at New Hampshire farmers' markets will be able to provide tastes of their wares to customers, thanks to a bill brought forward as a collaboration with long-time farmers' market organizer Joan O'Connor from Henniker, with her State Representative, Barbara French, and State Senator Dan Feltes. Senate Bill 306 was signed into law June 3 by Governor Maggie Hassan.

Joan O'Connor, a resident of Henniker, New Hampshire, has long been active on both agriculture and farmers' markets initiatives in New Hampshire. She founded the successful Concord Winter Farmers' Market and then established the successful Tilton Winter Farmers' Market four years ago, and has been active as a volunteer on a variety of issues affecting small farms and producers in the state. She currently serves as a board member for the Northeast Organic Farming Association of New Hampshire (NOFA-NH). Most recently, O'Connor strategized with her state representative and senator to bring forward this bill, which will allow beer and wine sampling at farmer's markets, joining several other states in the country offering market outreach to this growing sector of local wineries, small microbreweries and meaderies.

According to Joan O'Connor, making it possible for customers to taste samples of artisanally crafted beer and wine at markets will open up tremendous economic possibilities for these emerging small producers. "I've watched the wine and beer Vendors in their booths over the years at my markets as they explain their ingredients and production processes. They talk about their wineries, breweries and farms and hand out brochures. Actually tasting their products has been the missing piece that would have created countless sales for them," said O'Connor. "Most of my food vendors are sampling in the market and I would like to include the beer, wine and mead into the mix." After years of witnessing this need, O'Connor took matters into her own hands. She spoke with the Liquor Commission, the New Hampshire Department of Agriculture, The New Hampshire Winery Association, the New Hampshire Farmers' Market Association, the Granite State Brewers and New Hampshire Made and asked her State Representative, Barbara French to work with her to introduce a bill in the Legislature. "I knew it would make a huge difference if we could make it possible for these entrepreneurs to put their products in front of the public." O'Connor testified in front of House and Senate committees, following the bill along through the legislative process.

Joan O'Connor expressed appreciation for Senator Dan Feltes' support of this bill and his commitment to entrepreneurial small businesses in New Hampshire. According Senator Feltes, "SB306 is a bi-partisan bill that will help small business, help our farmers and help our wonderful farmers' markets. I am pleased Governor Hassan has signed it into law."

Dave Currier, founder of Henniker Brewing Company commented that "this change in the law will allow nano-breweries that usually self-distribute to promote and sample their beer products in the state. Joan has worked tirelessly on this project."

Good Evening Portsmouth City Council Members,




I am writing to petition a current policy. The policy states that, in order to receive a free season pass to access the Peirce Island boat launch, a person must be a Portsmouth resident. Non-residents have the option to pay \$20 per use or \$150 for a season pass to access the boat ramp. I request that the Council consider allowing Portsmouth Property owners the same access to the fee-free season pass as residents.

I own a condo in Portsmouth but live in Dover. The owner of the condo next to me pays roughly the same in taxes to the city as I do. A portion of each of our taxes goes to pay for the maintenance of the Peirce Island boat ramp and to staff it. As my neighbor lives in her condo, she is able to get a season access pass at no additional charge. I, however, have to pay an additional \$150.

On the surface, the current policy seemed to be unfair. The only reason I could think of for initiating this policy, is simply because, if all residents AND property owners were allowed a season pass, then perhaps, there would be an issue with overcrowding the boat launch parking lot. I found this not to be the case. I took my son fishing on Memorial Day weekend, arguably one of the busiest boating days in the area. We loaded the boat in at Peirce Island (I paid the \$20 fee). We left late morning and returned early in the afternoon. In both cases, the parking lot was less than half full. Parking is not the issue. For the record, my condo is one of 6 in the building. None of the condo owners, residents or renters have an annual pass to access the ramp.

I find the policy to be unfair. I feel as though I should receive taxation with equal representation. If two people pay the same rate to maintain a facility, they should both have equal access to the facility. Remember, the Revolutionary War was started because of taxation without representation. I don't want a war. I just want a boat ramp pass.

Thank you for your time and consideration,


Chris Soucy

Property address: 9 Prospect St. Unit 6 Portsmouth, NH 03820

Mailing Address: 173 Mt. Vernon St. Dover, NH 03820

(603) 969-8502 Chrissoucy07@gmail.com

Bridge District
Portsmouth, NH 03801
May 2016

To the City Manager:

The Bridge District is in the midst of a renaissance. Cultural institutions such as the Prescott Park Arts Festival and Strawberry Banke Museum provide quality programming that becomes more diverse and engaging with every season. The Tall Ship Festival and Fairy House Weekend bring thousands of guests to the city and have grown exponentially since their original institution. The beautiful waterfront, with its vibrant sense of community and connection to our city's heritage is an honor to preserve and promote.

Businesses approach our end of the city with a new enthusiasm as substantial and increasing amounts of foot traffic form the basis for such successful enterprises as the Pickwick's Mercantile shops, the historic Rosa Restaurant, and The Gundalow Company. Being in the Bridge District means acting as a welcoming party for the incredible number of guests who come to visit us from over the Memorial Bridge and from every corner of the city. We offer a vibrant cultural community that represents the ingenuity that sets Portsmouth apart. Our neighborhood was the first settlement and it is our desire to empower it to leave an exceptional first impression.

Portsmouth has so much to offer that it can sometimes be difficult to navigate, particularly for visitors entering the city through the Bridge District. We aim to create a superior guest experience that will inspire visitors to return and residents to take part. With all that the Bridge District has to offer, it is our goal to create a podium to promote the many points of interest in the South End and beyond. This space will be a point of sale for local theatres to sell their tickets, a point of distribution for walking maps of the city, and will be regularly staffed by a costumed attendant. This individual will be aware of menus for city restaurants, be updated on a daily basis with cultural events available in the city, and will act as a knowledgeable point of contact, prepared to assist visitors in preparing their daily agendas. The goal of this podium is to have a space that ultimately promotes the Bridge District and, as a result, we believe the entire City of the Open Door.

We are proud of our thriving neighborhood. We hope that the City Manager will grant us this opportunity to act as the efficient doorway from the sea that the Bridge District was always meant to be.

Sincerely,
The Businesses and Cultural Institutions of the Bridge District

WHITE HERON TEA LLC

601 ISLINGTON ST, UNIT 103
PORTSMOUTH, NH 03801

JUN 15 2016

City Clerk

6/15/16

Portsmouth City Council
City Hall
1 Junkins Ave
Portsmouth, NH 03801

Att: PETITION FOR A PERMANENT CROSSWALK @ ALBANY AND ISLINGTON STREET

On Thursday, June 2nd, 2016, PS21 in cooperation with the City of Portsmouth, installed an "Islington Street Lab" project between Albany and Bartlett Streets. The project included a temporary crosswalk at Albany and Islington, a bumpout to slow traffic in front of White Heron, temporary on street parking @ 621 Islington St and a traffic slowing measure at the corner of Bartlett St.

Of all components of the "Islington Lab" project, the most popular was the crosswalk at Albany Street. Traffic regularly exceeds the speed limit between Albany and Bartlett Streets on Islington. Without a crosswalk, cars have no reason to slow down, even with pedestrians standing at the edge of Islington looking for an opportunity to cross.

While there are crosswalks at Bartlett and Cass Streets, Bartlett is still a dangerous place to cross and Cass is seldom used. The West End has an increasing number of pedestrians, joggers, cyclists, dog walkers, and Moms with strollers looking for a place to cross Islington *between* Bartlett and Cass. While White Heron has contributed to pedestrian traffic, we also see many people walking to the dentist or to the gym, for yoga class, to Ricci Lumber or any number of West End destinations.

People who used the temporary crosswalk at Albany and Islington had big smiles on their faces when cars *actually stopped to let them cross*. Traffic slowed to something resembling the speed limit, which is also key to making the West End more pedestrian and bike friendly.

Since the "Islington Lab" project was taken down on June 6, there have been many, many people asking why the crosswalk was removed. I submit 250 signatures (see attached) in support of making a permanent crosswalk at Albany and Islington Street. I have also included photos of the temporary crosswalk in place.

Thank you for your time and consideration!



Jonathan Blakeslee

White Heron Tea, LLC

Owner, Managing Partner



JONATHAN BLAKESLEE

OWNER/NAVIGATOR

JONATHAN@WHITEHERONTEA.COM

OFF 877-501-6266

CELL 603-702-1581

WHITEHERONTEA.COM

ORGANIC TEA | ORGANIC COFFEE | ORGANIC CHAI | HANDCRAFTED



WHITE HERON TEA White Heron T.
Published by Jones
Page Liked · June

Good morning Portsmouth
Islington St is getting m

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Like Comment

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 Liz Lake I saw all y
Looking good!

Like · Reply · Messi

 Stacy Lonergan A
would have been he

Like · Reply · Mess

 Gail Knowles Wow
in your hands while

Like · Reply · Mess

WHITE HERON TEA
Write a comment...



WHITE HERON TEA & COFFEE COMMUNITY
 White Heron
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 Page Liked · Jun

Loving this photo from
 swing by the temporan
 Heron and check out ti
 additions to Portsmouth
 #whiteherontea #ports
 #pirtsmouthlove — at

Tag Photo Edit

Like Comment

12

WHITE HERON TEA & COFFEE COMMUNITY
 Write a comment...

PETITION TO KEEP THE CROSSWALK @ ALBANY AND ISLINGTON STREET

(IN FRONT OF WHITE HERON)

#	Printed Name	Signature	Comments
1	Jonathan Blakeslee	[Signature]	Please keep the crosswalk
2	Sajin Murphy	[Signature]	so much safer!!!
3	Pia Bickford	[Signature]	Safety please!
4	KIRSTEN BARTON	[Signature]	
5	Katherine Perrin	[Signature]	YAY! Dnm safe
6	Rosemary Finn	[Signature]	OKIE DOKIE people!
7	112 Turner	[Signature]	So Nice + Friendly!!
8	Maggie Sutherland	[Signature]	YAY!
9	Kurt Fratis	[Signature]	Absolutely need it!
10	Ken Thirskoge	[Signature]	Its good!
11	Laurie Hoey	[Signature]	CROSSWALKS!!! YES!
12	Kathleen O'Connell	[Signature]	
13	Jonathan Merwin	[Signature]	The cross walk saved my life!
14	NED SAVOIE	[Signature]	KEEP THE WHOLE THING!
15	Elise Leticia	[Signature]	LOVE THIS
16	Matt Hays	[Signature]	love it
17	SARAH BOHANAN	[Signature]	
18	Lorinda Schriber	[Signature]	Are you kidding!
19	Kickaro Co	[Signature]	Keep it
20	Noelle Becklin	[Signature]	YES
21	David Hills	[Signature]	Go for it!
22	Keith Wilkinson	[Signature]	About time
23	Kendra Ford	[Signature]	redecorating cities is good
24	Jennifer Seidler	[Signature]	Safety first!
25	Nancy Vauter	[Signature]	Keep it!
26	Brian Vauter	[Signature]	" "
27	Sarah Bana Ross	[Signature]	
28	Michael Bos	[Signature]	
29	JARA CURRY	[Signature]	SAFE CITY + BEAUTY
30	JARON CURRY	[Signature]	
31	Erin Clayton	[Signature]	
32	Ann Bliss	[Signature]	It's safe - lots of traffic
33	Kevin Quintans	[Signature]	
34	Evan Mullen	[Signature]	
35	Dan Nielsen	[Signature]	
36	Jackie Lucas	[Signature]	lets make the area more walkable!
37	Matt Jor	[Signature]	
38	Jen Yager	[Signature]	I can walk with my kids!
39	Jeff Bartolini	[Signature]	Make it even bigger!!!
40	Rachel Roemer	[Signature]	Huge fan - safe & prettier!!
41	Shea Cook	[Signature]	
42	Genevieve Amate	[Signature]	i'm happy!
43	Kerrie Attwood	[Signature]	Thank you! FINALLY
44	Jonnie Lee	[Signature]	
45	John Cole	[Signature]	awesome!
46	Amanda Cross	[Signature]	yay!
47	JOE POWLIN	[Signature]	
48	Kelly Gioe	[Signature]	yay!
49	Scott Gioe	[Signature]	
50	Holly Curtis	[Signature]	😊

PETITION TO KEEP THE CROSSWALK @ ALBANY AND ISLINGTON STREET

(IN FRONT OF WHITE HERON)

#	Printed Name	Signature	Comments
51	Dan Marchiboda	[Signature]	
52	Patti Janesy	[Signature]	Please!
53	Jill Tootell	[Signature]	Please!!!!
54	Stephanie Caswell	[Signature]	Please!!
55	John [unclear]	[Signature]	
56	Jess Nichols	[Signature]	
57	Sarah Curtin	[Signature]	
58	Greg [unclear]	[Signature]	NO!!
59	Sarah Harnum	[Signature]	yes slow down
60	Morgan Destrossas	[Signature]	
61	JESSE WARE	[Signature]	AWESOME
62	USA [unclear]	[Signature]	YES PLEASE
63	Meredith Boyle	[Signature]	yes!
64	MARY JARMON	[Signature]	
65	Brandon Lindert	[Signature]	
66	Cather Berton	[Signature]	
67	JOSY GRATTAN	[Signature]	Please MR. BOTTOM/LO
68	Elisa Parides	[Signature]	
69	SEBASTIAN	[Signature]	
70	[unclear]	[Signature]	KEEP IT!!
71	Jar Mitchell	[Signature]	
72	Blaine Curran	[Signature]	
73	Micum Davis	[Signature]	Helps slow traffic on Islington
74	Patrick Mayer	[Signature]	Great Community Help.
75	Ariel Schmitt	[Signature]	Safety!
76	Jodi Labonte	[Signature]	
77	WAYNE GAGNON	[Signature]	
78	Wm [unclear]	[Signature]	
79	Breegan Johnson	[Signature]	Please keep it!!! Safety 1st!
80	Catherine Peebles	[Signature]	Safety!
81	JANIS SEBASTIAN	[Signature]	Keep it!
82	Nancy Kasser	[Signature]	
83	Fred Katvic	[Signature]	Keep it please
84	ALEX VAN HORN	[Signature]	Safety 1st! keep it!!
85	Bill Garrison	[Signature]	1 Newwhite lines
86	Steven Greenwood	[Signature]	
87	Elisa Bowly	[Signature]	
88	Ben Lowers	[Signature]	
89	Krishy Lihlala	[Signature]	A MUST!!
90	Chris Myers	[Signature]	stuff yeah so
91	Janel Myers	[Signature]	No Dead People!!
92	Brittany Murphy	[Signature]	
93	ADRIENNE MARTINEZ	[Signature]	LOOKS AWESOME!
94	BRIT RAJES	[Signature]	AWESOME!
95	Kylie Taylor	[Signature]	it's great.
96	Matt Smith	[Signature]	
97	Robin Rickmeier	[Signature]	LOVE IT! Great addition to the
98	GINA HAVET	[Signature]	westend.
99	Sage Charache	[Signature]	
100	Joli Foucher	[Signature]	

PETITION TO KEEP THE CROSSWALK @ ALBANY AND ISLINGTON STREET

(IN FRONT OF WHITE HERON)

#	Printed Name	Signature	Comments
101	Eric Barrett	[Signature]	
102	Lauren Barrett	[Signature]	
103	Bob White	[Signature]	
104	Angela Haynes	[Signature]	
105	Andrea Ernst	[Signature]	Lane separated into ramps ^{at} ^{down} ^{street}
106	Judith Rubenstein	[Signature]	
107	STEVE ROSALVER	[Signature]	
108	Sam Hill	[Signature]	
109	Kathryn Orde	[Signature]	
110	Porter Palmey	[Signature]	
111	Nick Girard	[Signature]	
112	Kya Talley	[Signature]	Keep sidewalk/s, Remove patio thing
113	CHRISTIE WEST	[Signature]	
114	Jamie Byles	[Signature]	
115	Gina Abed	[Signature]	
116	Maryann Politis	[Signature]	
117	Charlotte Bassier	[Signature]	
118	EMILY CORBETT	[Signature]	
119	Cecilia Bailey	[Signature]	
120	Margot Petler	[Signature]	
121	PETER JANDERMANEK	[Signature]	
122	EFFIE MALLEY	[Signature]	Better traffic speed walking
123	Tom Morgan	[Signature]	
124	Patrick Healey	[Signature]	
125	Becky Verdell	[Signature]	Calm Traffic, Safe Crossing
126	Nancy Hill	[Signature]	
127	Barbara Dewell	[Signature]	
128	Andre Louise	[Signature]	I need to cross my bike for twice past week parking party Please.
129	Samuel Cook	[Signature]	
130	Cameron Gallant	[Signature]	I need to access Java safely! Use it all the time.
131	Kelly Moore	[Signature]	
132	Tommy Foster	[Signature]	
133	Liz Murphy	[Signature]	
134	Katrina Brown	[Signature]	safety first!
135	Liz Conly	[Signature]	
136	Tracey Melchior	[Signature]	
137	Danielle Mulligan	[Signature]	
138	Mies Barr	[Signature]	
	Kerry Nolte	[Signature]	
	Teri Hill	[Signature]	
	Linda Gee	[Signature]	
	Oprie Bee	[Signature]	
	Tracy	[Signature]	
	Pranah	[Signature]	plz!
	Misty Henderson	[Signature]	
	Blaine	[Signature]	PLEASE!! I don't want to die :s

PETITION TO KEEP THE CROSSWALK @ ALBANY AND ISLINGTON STREET

(IN FRONT OF WHITE HERON)

#	Printed Name	Signature	Comments
151	Christiana Clews	<i>Christiana Clews</i>	Totally necessary!!
152	Elizabeth Murray	<i>Elizabeth Murray</i>	YES!!
153	Alex Colan	<i>Alex Colan</i>	good idea
154	CHRIS WOOD	<i>Chris Wood</i>	MUST HAVE X WALK!
155	CHIP PATERSON	<i>Chip Paterson</i>	
156	Jill Miranda	<i>Jill Miranda</i>	
157	Andrew Sennott	<i>Andrew Sennott</i>	great idea!
158	NICK DIANA	<i>Nick Diana</i>	"
159	Wendy Brown	<i>Wendy Brown</i>	Awesome!
160	Kenny Madden	<i>Kenny Madden</i>	Necessary.
161	Casey Carson	<i>Casey Carson</i>	YES!
162	Whitney LePinte	<i>Whitney LePinte</i>	yes!
163	JOE FRUIT	<i>Joe Fruit</i>	100% yes!!
164	VERNA BROOKS	<i>Verna Brooks</i>	yes, YES!
165	PETER BROOKS	<i>Peter Brooks</i>	Need the crossing!
166	CLIFF WOOD	<i>Cliff Wood</i>	
167	Alex Nunn	<i>Alex Nunn</i>	
168	Gene Hooper	<i>Gene Hooper</i>	1000% YES!
169	Emily Bern	<i>Emily Bern</i>	YES YES!
170	Katie Mackinnon	<i>Katie Mackinnon</i>	yes!
171	Victoria Stables	<i>Victoria Stables</i>	Good Idea!
172	AMANDA McSHARRY	<i>Amanda McSharry</i>	YES!
173	Ann Marie Milone	<i>Ann Marie Milone</i>	yes
174	Gary Fickman	<i>Gary Fickman</i>	Safety first
175	Leslie Hogan	<i>Leslie Hogan</i>	"
176	Caley Nevin	<i>Caley Nevin</i>	keeps people safer!
177	Ilianna Paschalidis	<i>Ilianna Paschalidis</i>	Thank you
178	Samuel Jensen	<i>Samuel Jensen</i>	Yes!
179	Liza Oprandi	<i>Liza Oprandi</i>	Yess
180	Bella Oprandi	<i>Bella Oprandi</i>	YASSS!
181	Emily Christie	<i>Emily Christie</i>	Very good + traffic
182	JACQUELINE BRUHN	<i>Jacqueline Bruhn</i>	definitely
183	STEPHEN LICHTENSTEIN	<i>Stephen Lichtenstein</i>	100%
184	CATHERINE STEWART	<i>Catherine Stewart</i>	Totally necessary!!!
185	SARAH DUCLOS	<i>Sarah E. Duclos</i>	SAFETY SAFETY SAFETY
186	Jen Niemczyk	<i>Jen Niemczyk</i>	excellence!
187	Thomas McConrad	<i>Thomas McConrad</i>	Thank you
188	ROLF BREMER	<i>Rolf Bremer</i>	
189	Cathy Merwin	<i>Cathy Merwin</i>	we need it for safety
190	Bethany Tomshaw	<i>Bethany Tomshaw</i>	safety + walkability
191	DAVE COSGROVE	<i>Dave Cosgrove</i>	SAFETY FIRST!
192	Mark & Caren	<i>Mark & Caren</i>	Safety first.
193	Marks Baldassarre	<i>Marks Baldassarre</i>	yes!
194	JOHN MAXWELL	<i>John Maxwell</i>	DO IT! YES
195	Kelli Vossler	<i>Kelli Vossler</i>	
196	Laura Kennedy	<i>Laura Kennedy</i>	So much easier w/ stroller! Please!
197	Anne Lehman	<i>Anne Lehman</i>	
198	Wendy Cannella	<i>Wendy Cannella</i>	Yay for crosswalks!
199	Mark McKinney	<i>Mark McKinney</i>	
200	Nichole Marsh	<i>Nichole Marsh</i>	

PETITION TO KEEP THE CROSSWALK @ ALBANY AND ISLINGTON STREET

(IN FRONT OF WHITE HERON)


#	Printed Name	Signature	Comments
201	Jared Cosmo	[Signature]	
202	Allison Welch	[Signature]	important safety!
203	Kim Marino	[Signature]	a crosswalk here is a necessity
204	Sandy Rice	[Signature]	Safety!
205	Shan Zuidema	[Signature]	walkability - slow traffic
206	Maurice Ann	[Signature]	please!
207	Joli Foucher	[Signature]	yes!
208	Terril O'Connor	[Signature]	absolutely!
209	Prue Wagner	[Signature]	absolutely! safety!
210	Stacey Sargent	[Signature]	
211	Christie O'Leary	[Signature]	
212	Kate Dillego	[Signature]	Safety!
213	Kate Buraski	[Signature]	Safety!
214	MARUM MORGAN	[Signature]	Slows traffic
215	Ryan Costa	[Signature]	
216	Michael Rodriguez Toront	[Signature]	
217	Richard W. W.	[Signature]	
218	Kathleen Larney	[Signature]	
219	Lyne Tucci	[Signature]	Safety
220	Dei McGee	[Signature]	
221	MARY MCGRAW	[Signature]	
222	Nathan Therrin	[Signature]	
223	ALEX SHAFER	[Signature]	PLEASE PLEASE LOVE SIDEWALKS!
224	Samantha Finigan	[Signature]	PLEASE!!
225	Christine Munnroe	[Signature]	
226	Marylou M. Elwa. W.	[Signature]	NEEDED!
227	Hanna Strong	[Signature]	
228	Kim Weir	[Signature]	IS THIS SERIOUS - NO BARRIER!
229	CHRISTY PASOVANIC	[Signature]	
230	Mary Hope	[Signature]	DUH.
231	Mea Murphy	[Signature]	safety
232	meg skea	[Signature]	safety
233	Am Harcourt	[Signature]	safety and look otherwise
234	Maria Albertson	[Signature]	
235	Jordan Garetz	[Signature]	
236	Michelle Rowan	[Signature]	
237	ERIC STITES	[Signature]	
238	Meredith Jackson	[Signature]	LOVE it!
239	Tault Taylor	[Signature]	Like it!
240	Catherine Plouffe	[Signature]	For safety sake!
241	Laurie Westbrock	[Signature]	oh, love the idea
242	Julee Katzman	[Signature]	
243	Ellen Cohn	[Signature]	Very needed for safety
244	Jean FONTAINE	[Signature]	PLEASE KEEP!
245	Mary Oakes	[Signature]	Loved it! Cars need to slow there!
246	Justin A. Gates	[Signature]	face coffee bribes
247	William Lyons	[Signature]	or moment of LEASE
248	Brianna Mash	[Signature]	So much safer!
249	STEVEN YAZINKA	[Signature]	
250	Byron Matto	[Signature]	Much safer!
	Diane Parsons	[Signature]	Yes!

**CITY OF PORTSMOUTH
PORTSMOUTH, NH 03801**

Office of the City Manager

Date: June 16, 2016

To: Honorable Mayor Jack Blalock and City Council Members

From: John P. Bohenko, City Manager 

Re: City Manager's Comments on June 20, 2016 City Council Agenda

Work Session:

6:00 p.m.

1. **McIntyre Federal Building Property.** This evening's Work Session will review the City's efforts regarding the future disposition of the Federal McIntyre Property at 62 Daniel Street. Redevelopment of the 2.1 acre site represents one of the largest redevelopment opportunities in the downtown since the renovation of Market Square in the 1970s. Accordingly, we remain prepared to assist the Council in its consideration of the City's involvement in facilitating the relocation of the General Services Administration (GSA) within downtown Portsmouth and the redevelopment of this unique and valuable property.

Attached are 1) a chronology of GSA/City interaction; 2) the recent Request for Information released by the GSA in January; and 3) a draft Request for Proposals (RFP) the City may consider releasing, pending Council's direction. Various members of City staff will present the information covered by each attachment to help illustrate our progress on this issue over time, where we stand at present, and how future redevelopment may take shape.

Following this review, the Council is asked to consider a policy decision. Should the City:

- A. pursue a three-party, public-private partnership and be directly involved in the relocation of the GSA as well as the redevelopment of the Federal McIntyre Property?; or

- B. allow the GSA to contract directly with a private developer to determine its future location in the downtown as well as the redevelopment of the existing Federal McIntyre Property?

Option A envisions the City partnering with the GSA and a qualified developer who would acquire the development rights at the Federal McIntyre Property to rehabilitate the existing building and/or to construct new buildings and other improvements on the site. Such improvements would likely include new civic spaces such as squares, plazas, pedestrian alleyways or wide public sidewalks. Proposed land uses complementary to the downtown business district, including office spaces, would be encouraged. On-site shared and structured parking would be encouraged behind and beneath the buildings and/or the civic space areas.

In exchange for public ownership of the land at the Federal McIntyre Property, a City-owned parcel (e.g. Bridge Street Lot) would be redeveloped with a new federal facility under a long-term land lease agreement with the City. The new federal facility would be approximately 40,000 SF and would include a similar variety of new civic spaces (plazas, etc.) to the redeveloped McIntyre property.

Presentations:

1. **Presentation to former Police Commissioners John Golumb and Gerald Howe.** On Monday evening, former Police Commissioners John Golumb and Gerald Howe will be recognized for their years of service to the City and its residents as members of the Police Commission.
2. **Presentation Re: Build Dio.** A presentation will be made on Monday evening regarding the [attached letter from Brian Kelly](#) regarding Build Dio.
3. **Presentation Re: Historic District Commission Design Guidelines.** Historic District Commission Chair Joseph Almeida and Principal Planner Nicholas Cracknell will present the Design Guidelines recently adopted by the Historic District Commission ([see attached](#)).

Acceptance of Grants and Donations:

1. **Acceptance of Community Development Block Grant Funds.** The U.S. Department of Housing and Urban Development has informed the City that a Community Development Block Grant (CDBG) in the amount of \$510,896 has been made available to Portsmouth for its Fiscal Year 2017. This amount represents an increase of \$5,734, or 1.1% from last year. These funds are used to carry out a variety of housing rehabilitation and accessibility projects and other CDBG-eligible community development and public improvements as well as assistance to public service agencies.

The Community Development Department, working in conjunction with the City's Citizens Advisory Committee, held a series of public hearings and meetings over the last several months to solicit input and prioritize projects with regard to the expenditure of these funds.

I recommend the City Council move to accept and expend a Community Development Block Grant (CDBG) in the amount of \$510,896 from the U.S. Department of Housing and Urban Development. Action on this matter should take place under Section VII of the Agenda.

2. **Acceptance of Gift – Edward T. Mahoney’s Red Sox Collection.** The City of Portsmouth has received a gift of the Edward T. Mahoney’s Red Sox Collection. The late Ed Mahoney and his beloved wife Mary enjoyed and were proud of their Red Sox collection ([see attached](#)). This gift to the City of Portsmouth has a value of \$1,000; it will be displayed at the Connie Bean Center.

I recommend the City Council move to approve and accept the gift. Action on this matter should take place under Section VII of the Agenda.

Items Which Require Action Under Other Sections of the Agenda:

1. **Second Reading of Proposed Ordinance.**

- 1.1 **Second Reading of Proposed Ordinance amending Chapter 10 – Zoning Ordinance – West End Zoning Amendment Ordinance (Tabled from May 16, 2016 City Council Meeting.** At the June 20th City Council meeting, the Council will continue the second reading of a proposed ordinance (dated 5/2/2016) extending character-based zoning to the West End and making various revisions to Article 5A and other sections of the Zoning Ordinance.

As a result of public comment at the May 16th City Council meeting, and discussion and comments by City Councilors at the June 6th City Council meeting and afterwards, the Planning Department has developed [the attached list](#) of 13 potential amendments to the proposed ordinance. These amendments address the following issues:

- A. Setback of West End Incentive Overlay District from abutting parcels fronting on Aldrich Road - *Recommended adoption by City staff.*
- B. Maximum allowed building height on Islington Street opposite Bartlett Street and Elm Court – *Recommended adoption by City staff.*
- C. Minimum required upper floor height – *Recommended adoption by City staff.*

- D. Maximum allowed building footprints in the downtown (CD4 and CD5 districts) – *Not recommended by City staff.*
- E. Increased allowed building footprints for a building containing ground floor parking or underground parking
 - E1 - Not recommended by City staff.*
 - E2 - Recommended adoption by City staff.*
- F. Restrictions on residential uses in the CD4-W district – *City staff is neutral.*
- G. Façade modulation exemption for buildings with traditional masonry detailing, windows, etc. – *Recommended adoption by City staff.*
- H. Dimensions of various types of community spaces – *Recommended adoption by City staff.*
- I. Use of lawn vs. ground cover in squares – *City staff is neutral.*
- J. Planning Board determination of public benefits for developments in Incentive Overlay Districts – *Recommended adoption by City staff.*
- K. Conversion of a civic use to a new civic use – *Recommended adoption by City staff.*
- L. Assurance of long-term applicability of a workforce housing restriction – *Recommended adoption by City staff.*
- M. Clarification of the definition of “building footprint” – *City staff is neutral.*

These 13 potential amendments are presented in a format (see attached) to allow for consideration and action by the City Council on each amendment prior to action on the main motion.

As noted in the attached document, the Planning Department supports most but not all of these potential amendments. At Monday’s meeting, City staff will be prepared to explain the amendments and respond to Councilors’ questions as necessary.

The City Council may move the following motions:

- 1) Move to vote on each amendment separately, and,*
- 2) Move to pass second reading as amended and schedule a third and final reading at the July 11, 2016 City Council meeting.*

Action on this matter should take place under Section IX of the Agenda.

2. **Third and Final Reading of Proposed Ordinance Amendments:**

2.1 **Third and Final Reading of Proposed Zoning Ordinance Amendment - Transportation Corridor District.** As a result of the June 6th City Council meeting, under Section VIII of the Agenda, I am bringing back for third and final reading the [attached proposed Zoning Ordinance Amendment](#) to establish a Transportation Corridor District. See [attached memorandum from Rick Taintor, Planning Director](#), regarding this matter. The Planning Board voted on April 21, 2016 to recommend that the City Council amend the Zoning Ordinance, as proposed.

The Planning Department has proposed that the railroad rights-of-way within the City (excluding areas for sidings and spurs) be rezoned to a new Transportation Corridor District. The purposes of the proposed district are:

- to preserve these corridors for existing and future transportation uses and utility lines and facilities;
- to allow for the development of multi-use (bicycle/pedestrian) recreational trails along abandoned rail corridors; and
- to restrict any land uses that would conflict with these transportation and recreational uses from being established.

Therefore, I recommend the City Council move to pass third and final reading on the proposed Ordinance, as presented. Action on this matter should take place under Section VIII of the Agenda.

Consent Agenda:

1. **Request for License to Install Projecting Sign.** Attached under Section IX of the [Agenda](#) is a request for a projecting sign license (see [attached memorandum from Rick Taintor, Planning Director](#)):

- Carolyn Ottney, owner of Ceo's Gelato Bistro, for property located at 43 Pleasant Street.

I recommend the City Council move to approve the aforementioned Projecting Sign License as recommended by the Planning Director and, further, authorize the City Manager to execute this License Agreement for this request. Action on this item should take place under Section IX of the Agenda.

City Manager's Items Which Require Action:

1. **Proposed Action on International Association of Fire Fighters, Local #1313 Tentative Agreement.** On Monday evening, the Fire Commission is requesting that the City Council vote on the Firefighters Association Portsmouth, NH Council #1313 contract. I have [attached a copy of City Negotiator Thomas Closson's letter](#) outlining the highlights of the Tentative Agreement [along with the cost analysis](#) to implement this contract.

A copy of the insertions and deletions showing the changes in the contract if approved can be found on <http://www.cityofportsmouth.com/HR/contracts-fire.htm>.

Please note that City Council action is required this evening regarding this matter.

2. **Request for Public Hearing Re: Various Bonding Resolutions.** The following comments are summaries for the [attached three \(3\) proposed Bond Authorization Resolutions](#) for projects identified in the FY17-22 Capital Improvement Plan (*respective element sheets are attached*). I am requesting that the City Council establish a public hearing on each of these proposed resolutions for the July 11, 2016 City Council Agenda.

The three (3) resolutions are:

GENERAL FUND

- 1) **Resolution for borrowing authorization of up to \$6,850,000 for FY17 Citywide Street, Sidewalk, and Facility Improvements.**

- **Chestnut Area Improvements - \$200,000:**
(Page II-36 of Appendix II of the Proposed Annual Budget Book 2016-2017)
This project is a collaborative effort between the City, The Music Hall, abutting property owners and businesses to beautify and improve Chestnut Street between Porter and Congress Street. The proposed plan includes new sidewalks and drainage improvements, new granite seating walls, flowering trees and shrubs. Changes to the street surface will improve wayfinding from Congress Street, The Music Hall, and the African Burying Ground, and it will meet the City's Master Plan goals of increasing the number of community gathering areas downtown.
- **Multi-Purpose Recreation Field (Former Stump Dump) - \$1,750,000:**
(Page II-40 of Appendix II of the Proposed Annual Budget Book 2016-2017)
The 2010 Recreation Needs Study recommended additional multi-use fields be added to the City's inventory. This project will fulfill a long-held vision for converting the former "stump-dump" facility on Greenland Road into a

regulation sized, multi-purpose, outdoor field with artificial turf. Lighting, associated parking and other amenities are included. This project will also provide parking and trail access for the Hampton Branch trail system as well as access to other passive recreational assets such as the Great Bog.

- **Outdoor Pool Upgrades - \$500,000:**
(Page II-41 of Appendix II of the Proposed Annual Budget Book 2016-2017)
This project includes the replacement of the pool gutter system and pool liner. The original pool was constructed in the 1930's and has been renovated a number of times. The existing liner is past the 15 year design life and the concrete gutter is starting to show signs of failure.
- **Citywide Facilities Capital Improvements - \$1,000,000:**
(Page II-44 of Appendix II of the Proposed Annual Budget Book 2016-2017)
The Public Works Department has the maintenance responsibilities for all municipal facilities. These facilities are wide ranging and serve multiple uses. Due to age and usage, many facilities are in need of updating in order to continue their availability to the general public and programs conducted within. Prioritization of projects will be based on each facilities evaluation, to be completed in FY17.
- **McDonough St Area Improvements - \$400,000:**
(Page II-71 of Appendix II of the Proposed Annual Budget Book 2016-2017)
This project is at the request of the Islington Creek Neighborhood Association to have new sidewalks and traffic calming measures installed throughout the McDonough Street Area. The main purpose of this project is to enhance safety for the residents and others who travel through this area on foot, by bicycle and motor vehicle. This area is a mixed use of residential, commercial and industrial uses located between Islington Street and North Mill Pond. The work will include water, sewer, storm drainage, paving, curbing and associated landscaping constructed in a phased approach.
- **Pease International Tradeport Roadway Rehabilitation - \$2,500,000:**
(Page II-74 & II-75 of Appendix II of the Proposed Annual Budget Book 2016-2017)
Per the Municipal Service Agreement between the City of Portsmouth and Pease Development Authority, the City shall provide Public Works Services in the Non-Airfield Area of the Pease International Tradeport. Public Works Services include maintaining and repairing roads, streets, bridges and sidewalks.
- **Banfield Road Improvements - \$500,000:**
(Page II-76 of Appendix II of the Proposed Annual Budget Book 2016-2017)
This project addresses a number of traffic safety related issues along the section of Banfield Road from Constitution to Ocean Road. These upgrades include

culvert replacement, guard rail installation, and traffic calming measures. In addition, the effort will evaluate pedestrian and bicycle needs and measures to incorporate “Complete Street” Design into the project.

WATER FUND

2) Resolution for borrowing authorization of up to \$2,250,000 related to Water Line Replacements, Water System Pressure and Storage Improvements.

- **Annual Water Line Replacement - \$1,500,000:**
(Page II-78 of Appendix II of the Proposed Annual Budget Book 2016-2017)
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 of pipe, valves and associated materials used to replace those pipes. Bond funds for large full road reconstruction projects.
- **Water System Pressure and Storage Improvements - \$750,000:**
(Page II-80 of Appendix II of the Proposed Annual Budget Book 2016-2017)
This project consists of improvement to water mains, pumps and storage to improve water flow and pressure in the water system. Work will be performed in portions of the water system as well as sections of the system which have been identified as needing upgrades as part of the water system hydraulic model and master plan update completed in 2013.

SEWER FUND

3) Resolution for borrowing authorization of up to \$3,400,000 for Costs related to Sewer Line Replacements, Pumping Station Upgrades and Goose Bay Drive Sewer Line

- **Annual Sewer Line Replacement - \$2,500,000:**
(Page II-85 of Appendix II of the Proposed Annual Budget Book 2016-2017)
The wastewater collection system consists of more than one-hundred (100) miles of pipe. Many of the older pipes are fifty (50) to one-hundred (100) years old, undersized and at the end of their design life. Pipes are replaced programmatically as part of sewer specific capital projects, roadway reconstruction and prior to annual paving. This item will fund the purchase of pipes and associated materials used to replace those pipes. Bond funds are for the large full road reconstruction type projects.

- **Pumping Station Upgrade - \$400,000:**
(Page II-86 of Appendix II of the Proposed Annual Budget Book 2016-2017)
The City owns and operates twenty (20) wastewater pumping stations. The projected life span of a pumping station is twenty (20) years. This project plans for the replacement or major rehabilitation of the pumping stations that have not been included as separate projects. The next pumping station to be addressed under this project is the Heritage Avenue pumping station.
- **Goose Bay Drive Sewer - \$500,000:**
(Page II-87 of Appendix II of the Proposed Annual Budget Book 2016-2017)
This project addresses replacement of an existing sewer that is in poor condition and at risk of failure. Replacement of this sewer line will prevent potential sewer system overflows due to failure and will provide additional capacity for an industry served by this section of sewer.

I recommend the City Council move to authorize the City Manager to bring back for public hearing and adoption the various proposed CIP projects to be bonded, as presented, for the July 11, 2016 City Council meeting. (Please note that Bonding Resolutions require a public hearing and adoption.)

3. **Consideration of Appointments/Reappointments to Rockingham Planning Commission.** Representation on a regional planning commission in New Hampshire is defined in RSA 36:46, Formation of Regional Planning Commissions, as follows:

III. Each municipality which shall become a member of a regional planning commission shall be entitled to 2 representatives on said commission. A municipality with a population of over 10,000 but less than 25,000 shall be entitled to have 3 representatives on said commission and a municipality with a population of over 25,000 shall be entitled to have 4 representatives on said commission. [...] Representatives to a regional planning commission shall be nominated by the planning board of each municipality from the residents thereof and shall be appointed by the municipal officers of each municipality. Representatives may be elected or appointed officials of the municipality or county. [...] The terms of office of members of a regional planning commission shall be for 4 years

Based on this statute and on its 1990 population of 25,925, Portsmouth was eligible to have four representatives on the Rockingham Planning Commission. Although the population dropped below 25,000 following the closure of Pease, the City's representation on the Commission has continued to be maintained at four commissioners.

On December 30, 2015, Mayor Blalock designated City Councilors Josh Denton and Rebecca Perkins to serve as representatives on the Commission, effective January 1, 2016. In order to comply with the statute cited above regarding nomination of representatives,

the Planning Board voted at its April meeting to confirm the current roster of representatives on the Commission.

John Ricci and David Moore have been serving as commissioners; however, their terms have expired. Therefore, the Planning Board also voted at its April meeting to recommend the reappointment of these two individuals as representatives on the Commission.

I recommend the City Council move to reappoint John Ricci and David Moore as representatives of the City on the Rockingham Planning Commission, effective July 1, 2016.

4. **Acceptance of Waterline Easement.** The [attached memorandum from Suzanne M. Woodland, Deputy City Attorney](#), describes a proposed acceptance of water line easements to serve two properties in a minor subdivision in the Town of Greenland. This request is on the agenda for the Planning Board meeting on June 16, 2016. Rick Taintor, Planning Director, will provide an oral report on the Planning Board's recommendation at the June 20, 2016 City Council meeting.

Subsequent to the Planning Director's oral report on Monday evening, action on this matter is required by the City Council.

5. **Annual Omnibus Ordinance Change, Parking and Traffic.** [Attached please find the annual omnibus set of ordinances](#) recommended by the Parking and Traffic Safety Committee to be presented to the City Council at its meeting of June 20, 2016. This year's omnibus changes are detailed on the attached sheets, and address changes to on-street parking spaces and update wording to reflect current conditions.

By way of background, On March 29, 2000, the City Council adopted Ordinance #4-2000 under Chapter 7, Article 1, 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 the 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 four to six months to complete.

The current ordinance authorizes the Parking Traffic and 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.

The attached amendments to Chapter 7, Vehicles, Traffic and Parking for the Council's consideration summarize the temporary parking regulations implemented by the Parking and Traffic Safety Committee between June 12, 2015 and June 2, 2016, as well as updates to reflect current conditions.

I recommend the City Council move to authorize the City Manager to bring back for first reading the attached proposed Ordinance, at the July 11, 2016 City Council meeting, as presented.

Informational Items:

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on June 6, 2016. In addition, this can be found on the City's website.
2. **Summary of Legislation.** Members of the Legislative Subcommittee meet with City staff and our local delegates to monitor bills that address issues of interest during each session of the Legislature. Subcommittee members include Mayor Blalock, Assistant Mayor Splaine, Councilor Dwyer and Councilor Spear. The City Manager and Assistant City Attorney Jane Ferrini attend the meetings but are not voting members of the Committee. The Legislative Subcommittee met twelve times in 2016 and our local delegates were invited to attend six of these twelve meetings.

[The Legislation Summary attached lists bills](#) of interest to the City. Those listed by the Chapter number (original bill number in parentheses) have been signed into law. All other bills listed by their original bill number have been passed by the Houses and Senate and have been enrolled awaiting the Governor's signature. If the Governor does not veto the bill, it will become law according to the effective date in the bill.

3. **News Release Re: June 22, 2016 Public Input Forum on Prescott Park Master Plan.** For your information, [attached is a news release](#) regarding the June 22, 2016 Public Input Forum on the Prescott Park Master Plan. This event will be held in the Eileen Dondero Foley Council Chamber at 6:30 p.m.
4. **Market Square Day.** Several municipal tents were present on Market Square Day to offer the community various information on projects, programs and public input opportunities.

The Planning Department had a booth dedicated to the 2025 Master Plan. Citizens spoke with Planning Staff and Master Plan consultants NBBJ about the future of Portsmouth, were given an informational flier and had access to the Draft Master Plan. Hundreds of residents participated in an interactive exercise where they used stickers to identify their top five goals from the Draft Master Plan. A 3D virtual reality headset drew crowds of all ages by demonstrating how a portion of Lafayette Road could transform over the next decade.

The Public Works department offered demonstrations and information on their Portsmouth Click N' Fix App, as well as materials on their Recycling Center, water services and sustainable practices. A consultant from Weston & Sampson was also present to discuss the upcoming Master Plan for Prescott Park, field commentary, encourage

public participation in public meetings and direct residents to additional public input opportunities and resources available on the City website.

The Library booth offered interactive games for children, in addition to general information on Library programs and events. Several staff members were present to help residents either renew or sign up for Library cards as well.

5. **Proposed National Register (NR) District Nomination – Informational Meeting.** For your information, [attached is a memorandum from Nancy Colbert Puff, Deputy City Manager](#), regarding the proposed National Register (NR) District Nomination – Informational Meeting on June 28, 2016 at the Seacoast Repertory Theatre on Bow Street.

6. **News Release Re: Standard & Poors Affirms City of Portsmouth’s AAA Bond Rating.** For your information, [attached is a news release](#) announcing that Standard & Poors has again affirmed the City's long-term bond rating of “AAA”, the highest obtainable rating. The City issued bonds on June 14, 2016 which were very favorable.

Due to this outstanding rating, the City reissued bonds that resulted in a savings of \$1.3 million over the remaining ten (10) years. In addition, the City issued bonds at an average interest rate of 1.87% which is the lowest rate the City has ever seen for this type of issue. In addition to the excellent rate, the City received a bond premium of \$2.4 million which may be used for other capital projects with an equal or longer useful life of the bond issue.



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To: City Manager Bohenko, Mayor Blalock and Members of the City Council
From: Tom Closson
Date: June 1, 2016
Re: Tentative Agreement – Portsmouth Firefighters Union

I am pleased to recommend for your consideration a tentative labor agreement with the Portsmouth Firefighters Union. This tentative agreement has been approved by both the Union and the Portsmouth Fire Commission. The terms of this tentative agreement are as follows:

1.) Duration

Through June 30, 2018. Only changes specifically identified as retroactive will have retroactive effect.

2.) Health Insurance

The parties' current health insurance arrangement will remain in place until July 1, 2016. For health insurance coverage effective July 1, 2016, the Union will move entirely to the MTB20 [AB20(07)] rx 10/20/45 plan, with the City paying 90% of the premium cost and the employee paying 10% of the premium cost.

3.) Wages

- 2.5% wage increase effective upon City Council approval.

- COLA (calculated according to current 10 year rolling CPI-U formula) effective on July 1, 2016 and July 1, 2017.

I recommend this tentative agreement. It accomplishes many of the goals set by the City Council, including movement to a more favorable health insurance plan; wages tied to the 10 year rolling CPI-U; and no retroactive payments. I recognize that this tentative agreement does not include any overtime concessions. Although our negotiating team tried to obtain such concessions, we did not succeed. Ultimately our negotiating team concluded that even without such concessions, this tentative agreement was still in the long-term best interests of the Fire Department and the City.

Sincerely,



Thomas Closson
City Negotiator

Fire Fighters FY15 & FY 16

COLA				2.50%				
Retirement	27.74%	27.74%		29.16%	2%			2%

FY14 Base year FY15 FY16 FY17 FY18 Total for 4 years

Current Agreement

Salaries	2,189,089.00	2,159,984.00	2,189,089.00	2,248,120.00	2,270,090.00	8,867,283.00
Stipends	177,593.00	174,787.00	156,335.00	157,563.00	157,737	646,422.00
Holidays	96,825.09	95,537.75	96,825.09	99,436.08	100,407.83	392,206.75
Sub Total	2,463,507.09	2,430,308.75	2,442,249.09	2,505,119.08	2,528,234.83	9,905,911.75
Medicare	31,741.79	31,319.77	31,741.79	32,597.74	32,916.31	128,575.60
Retirement	607,253.29	599,179.56	638,338.35	655,551.79	661,958.24	2,555,027.95
Sub Total	638,995.08	630,499.33	670,080.14	688,149.53	694,874.55	2,683,603.55

Cost of Current Cont	3,102,502.17	3,060,808.08	3,112,329.23	3,193,268.61	3,223,109.38	12,589,515.30
	3,102,502.17	(41,694.09)	51,521.15	9,827.06	61,348.21	3,89% From FY15-FY18
		-1.34%	1.68%	2.60%	0.93%	0.97% Avg % Change

Additional Cost Proposed from TA

COLA on base	-	-	2,104.89	102,289.00	47,447.58	151,841.47
Stipends'	-	-	150.32	7,090.34	3,154.74	10,395.40
Holidays	-	-	-	4,524.32	2,098.64	6,622.96
Sub Total	-	-	2,255.22	113,903.66	52,700.96	168,859.83
Medicare	-	-	32.70	1,651.60	764.16	2,448.47
Retirement	-	-	657.62	33,214.31	15,367.60	49,239.53
	-	-	690.32	34,865.91	16,131.76	51,688.00

Total Cost Rollout of Tentative Agreement	-	-	2,945.54	148,789.57	68,832.73	220,547.83
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2.22%	From FY15-FY18
0.55%	Avg % Change

WORKING AGREEMENT

BETWEEN

CITY OF PORTSMOUTH, NEW HAMPSHIRE

(The Portsmouth Board of Fire Commissioners)

AND

FIREFIGHTERS ASSOCIATION OF PORTSMOUTH, NEW HAMPSHIRE

LOCAL #1313

AFFILIATED WITH

INTERNATIONAL ASSOCIATION OF FIREFIGHTERS

July 1, 2014 through June 30, 2014~~2018~~

PREAMBLE

The City of Portsmouth, hereafter referred to as City and the Firefighters Association of Portsmouth, New Hampshire, Local #1313, affiliated with the International Association of Firefighters, hereinafter referred to as Union, in order to arrange and maintain fair and equitable labor rates and operating conditions, and to promote methods of fair and amicable means of adjustment of any and all disputes which may arise between the parties hereto, and to continuing the existing harmonious relationship between the City and its permanent employees of the Fire Department, and to promote the morale, equal rights, well-being and security of the employees covered by this Agreement, agrees as follows:

SECTION I. RECOGNITION

The City and the Board of Fire Commissioners recognizes the Union as the sole collective bargaining agent and sole exclusive representative of all permanent fire fighters of the Portsmouth Fire Department with the rank of private or Firefighter Engineer who are now or become during the term of this Agreement, members of the Union for the purpose of bargaining with respect to wages, hours of duty and working conditions, subject to conditions of probation. Discharge of probationary employees may be with or without cause and shall not be subject to the grievance procedure or to a PELRB charge for breach of contract.

SECTION II. MANAGEMENT RIGHTS

The City and the Fire Commission, as appropriate, hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it by the Laws of the Constitution of the State of New Hampshire and of the United States. Further, all rights which ordinarily vest in and are exercised by employers except such as specifically relinquished herein are reserved to and remain vested in the City.

- A. To manage its affairs efficiently and economically, including the determination of quantity and quality of services to be rendered, the control of materials, tools and equipment to be used and the discontinuance of any services, material or methods of operation;
- B. To introduce new equipment, methods, machinery or processes, change or eliminate existing equipment and institute technological changes, decide on materials, supplies, equipment and tools to be purchased;
- C. To determine the number, location and type of facilities and installations;
- D. To determine the size of the work force and increase or decrease its size;
- E. To hire, assign, and layoff employees to reduce the workweek or the workday or effect reductions in hours worked by combining layoffs and reductions in workweek or workday;
- F. To permit municipal employees not included in bargaining unit to be allowed to perform bargaining unit work in case of emergency only after all permanent fire fighters have been assigned;

- G. To direct the work force, assign work and determine the number of employees assigned to operations;
- H. To determine lunch, rest periods, and cleanup times, the starting and quitting time and the number of hours to be worked over forty-two;
- I. To establish a work schedule;
- J. To discipline and discharge employees for just cause;
- K. To adopt, revise and enforce working rules and carry out cost and general improvement programs;
- L. To transfer, assign and re-assign employees from one assignment, division or shift to another;
- M. To determine the qualifications and competency of employees to perform available work subject to the terms of this Agreement.

This article shall not give authority to the City or the Commission to vary terms of this Contract without mutual agreement to the parties hereto.

SECTION III. UNION SECURITY

The City and the Commission agrees that all employees as defined in Section I, may become members of the Union within thirty (30) days. The City and the Commission agree not to interfere with the decision to become a Union member, if he or she so desires. The Commission shall have the exclusive right to determine the selection of applicants for employment and shall be the sole judge of the requirements and qualification of such applicants.

SECTION IV. CHECK OFF

- A. **UNION DUES:** Upon written authorization by an employee, as defined in Section I., approved by the Union President, the City agrees to deduct from each employee the sum authorized per month for Union dues, to be collected from the first paycheck of each month only, and deliver the same to the Union Treasurer at his/her request, providing, however, that if any employee has no check coming to him, or the check is not large enough to satisfy the assignment, then and only in that event no collection will be made from the said employee for that month. In no case will the City attempt to collect fines or special assessments for the Union. The Union agrees in return for itself and its members that they will individually and collectively perform loyal and efficient work and service and will use their influence and best efforts to promote and advance the interest of the citizens of Portsmouth. The Union will indemnify and save the Department harmless against any liability which shall arise because of dues checked off under this Section.
- B. **NEW EMPLOYEES:** 1). All new employees shall have no seniority rights during their probationary period. All employees who have worked twelve (12) months and satisfactorily complete their probationary period shall be known as permanent employees. Seniority shall commence from the first day of employment as a probationary employee on a full time basis.

2.) Effective January 1, 1996, all new employees shall either possess the EMT-I or EMT-P certification within one year of their date of employment and maintain it throughout his/her career.

- C. **REHIRED EMPLOYEES:** Any rehired employee who has already served a probationary period shall not be required to serve another probationary period.
- D. **SENIORITY LISTS:** The Commission shall establish a seniority list and it shall be brought up to date on January 1st of each year and immediately posted thereafter on the Central Fire Station Bulletin Board for a period of no less than thirty (30) days and a copy of same shall be mailed to the Secretary of the Union. Any objection to the Seniority List as posted shall be reported to the Fire Chief within fourteen (14) days from the date such list is posted or it will stand approved.
- E. **SHIFT ASSIGNMENT:** It shall be the goal of the Commission and the Union to insure that all fire fighters are proficient in operating all fire equipment and apparatus in the Department. In order to insure continued proficiency, shift assignments shall be made by the Chief of the Department based upon:
 - 1 **SENIORITY:** A firefighter's normal work assignment shall be determined on the basis of seniority. The most senior employee on a shift shall select his/her preference for his/her job assignment and shall be assigned to said job provided he/she is qualified for the position consistent with the requirement for the department to maintain a level of proficiency of the department as set forth above. The Department Head shall be the sole judge of qualifications and ability provided that such judgment shall not be exercised arbitrarily or unreasonably. At the request of the Union, the Department Head shall provide written reasons for the denial of a senior employee's request to an assignment and the same shall be subject to the grievance procedure under this contract. For purposes of this Section, the ambulance shall not be considered as part of the firefighter apparatus. The least senior employee on a shift shall be assigned to ambulance duties unless a firefighter with a higher level of medical certification (EMT-I, EMT-P) is on duty. At least one EMT-I or EMT-P shall be assigned to an ambulance when possible.
- F. **PROMOTIONS:** The parties will follow the policies as outlined in Fire Department Policy #100-20 with respect to promotions.
- G. **PERSONNEL REDUCTION:** In case of personnel reduction in the Fire Department personnel, an employee with the least seniority shall be laid off first and employees with the most seniority shall be rehired first for a period of three (3) years after the lay-off. A laid-off employee must inform the Department of his/her current address and respond within ten (10) business days of the postmark of the recall notice.
- H. **SENIORITY:** Seniority shall also be the ruling factor in choice of vacation dates.

I. **APPOINTMENTS AND PROMOTIONS:** All appointments and promotions shall be made from the ranks, provided the member appointed or promoted is qualified for the positions

J. **PLATOON AND DUTY STATION CHANGES:**

1. The Chief of the Department may detail a firefighter from one station to another or from one platoon to another as part of a tour of duty when, in his/her judgment, it is in the best interest of the Department.
2. Compensation for such platoon change will be based on the total number of hours worked in each cycle. Any amount of time required over the total number of hours usually worked in a work cycle will be paid at time and one-half at that person's usual hourly rate of compensation. The work cycle is defined as that number of weeks in which a complete rotation of schedule is established.
3. **WORKING OUT OF CLASSIFICATION:** Whenever possible only those fire fighters whose names are on the Officers Eligibility List shall be designated to temporarily fill an officer assignment. The City agrees to accept the revised position classification for the position of firefighter.

SECTION V.

A. **SALARY SCHEDULE:**

~~July 1, 2008 — August 31, 2013~~

~~Start of
Probation period ————— \$ 36,562~~

~~End of
Probation 12 months ————— \$ 38,573~~

~~End of 24 months ————— \$ 40,694~~

~~After One additional
year 36 months ————— \$ 42,932~~

~~After One Additional
year 48 months ————— \$ 45,293~~

~~After 5 years
60 months ————— \$ 47,786~~

Effective September 1, 2013 employee's wages will be adjusted by the 10 year rolling COLA average of 2.24%

Start of Probation period	\$37,381
End of Probation 12 months	\$39,437
End of 24 months	\$41,606
After One additional Year 36 months	\$43,893
After One Additional Year 48 months	\$46,308
After 5 years 60 months	\$48,856

Effective February 18, 2014, the wage schedule will be reconfigured to include the following two categories: EMT Basic (base rate of compensation); EMT-Intermediate/Advanced EMT (3% above the base rate of compensation). This will eliminate the current EMT-I stipend. Paramedics will continue to receive an additional 5% stipend.

	FireFighter/EMT Basic	FireFighter/EMT Intermediate/Advanced EMT
Start of Probation period	\$37,381	\$38,502
End of Probation 12 months	\$39,437	\$40,620
End of 24 months	\$41,606	\$42,854
After One additional Year 36 months	\$43,893	\$45,210
After One Additional Year 48 months	\$46,308	\$47,697
After 5 years 60 months	\$48,856	\$50,322

Effective March 1, 2014, employee's wages will be adjusted by the 10 year rolling COLA average of 2.24%. Effective the date of City Council approval, employee's wages will be adjusted by 2.5%

	FireFighter/EMT Basic	FireFighter/—————EMT Intermediate/Advance EMT
Start of Probation period	\$38,21839,174	\$39,36540,349
End of Probation 12 months	\$40,32041,328	\$41,53042,568
End of 24 months	\$42,53843,601	\$43,81444,909
After One additional Year – 36 months	\$44,87645,998	\$46,22347,379
After One Additional Year – 48 months	\$47,34548,528	\$48,76549,984
After 5 years 60 months	\$49,95151,200	\$51,44952,736

Effective, July 1, 2016 employee's wages will be adjusted by the 10 year rolling COLA average of 2.00%.

	<u>FireFighter/EMT Basic</u>	<u>FireFighter/EMT Intermediate/Advance EMT</u>
<u>Start of Probation period</u>	\$39,957	\$41,156
<u>End of Probation 12 months</u>	\$42,155	\$43,420
<u>End of 24 months</u>	\$44,473	\$45,807
<u>After One additional Year – 36 months</u>	\$46,918	\$48,326
<u>After One Additional Year – 48 months</u>	\$49,499	\$50,984
<u>After 5 years 60 months</u>	\$52,224	\$53,790

COLA ADJUSTMENT

Effective ~~September-July 1, 2013~~ ~~and March 1, 2014~~, a COLA Adjustment percentage increase shall be computed which shall not be less than 2% nor more than 5%.

The COLA Adjustment percentage shall be determined by the annual increase in the CPI-U for the Boston-Brockton-Nashua—MA-NH-ME-CT all items index as computed by the Bureau of Labor Statistics of the U.S. Department of Labor for the most recent calendar year preceding the July 1 adjustment. BLS's calendar year for this index is November through November, it is not published on a December to December basis. The reference base is 1982-1984 equals 100 until BLS updates the reference base at which time the parties agree to adopt the official reference based as used by BLS.

Thus if the CPI-U for the Boston SMSA calendar year 2003 (Nov. 2002-Nov. 2003) is 1.5% the applicable COLA Adjustment on July, 2004 would be 2%; if it is 3.5% the applicable COLA Adjustment would be 3.5%; if it is 5.5% the applicable COLA Adjustment would be 5.0%.

Applicability After Contract Expires: It is clearly understood that in the event that the five year Working Agreement expires without a successor Working Agreement being settled prior to July 1, 2008~~18~~ that no further COLA Adjustments after July 1, 2007~~17~~ will be generated under the Working Agreement even if the Working Agreement has an evergreen clause. It is further agreed that continuation of COLA Adjustments are not to be deemed "status quo" as the term has been used by the PELRB in the event that a successor agreement has not been settled by July 1, 2008~~18~~.

B. **LONGEVITY BONUS:** In the December following five (5) years of municipal service, an employee shall become entitled to an annual longevity bonus. Effective July 1, 2003, bonus shall be paid in accordance with the following schedule

Longevity Step	Bonus July 1, 2008 16
0 through 4 years of service	\$ 0
5 years of completed service	\$111.33 \$116.37
6 years of completed service	\$144.73 \$151.28
7 years of completed service	\$178.12 \$186.19
8 years of completed service	\$211.52 \$221.10
9 years of completed service	\$244.92 \$256.02
10 years of completed service	\$278.32 \$300.54
11 years of completed service	\$311.72 \$325.84
12 years of completed service	\$345.11 \$360.75
13 years of completed service	\$378.51 \$395.92
14 years of completed service	\$411.91 \$430.57
15 years of completed service	\$445.31 \$465.48

16 years of completed service	\$478.71 <u>\$500.39</u>
17 years of completed service	\$512.11 <u>\$535.67</u>
18 years of completed service	\$545.50 <u>\$570.59</u>
19 years of completed service	\$578.90 <u>\$605.13</u>
20 years of completed service	\$612.30 <u>\$640.04</u>
21 years of completed service	\$667.96 <u>\$698.22</u>
22 years of completed service	\$779.29 <u>\$814.60</u>
23 years of completed service	\$890.62 <u>\$931.59</u>
24 years of completed service	\$1,001.95 <u>\$1,048.04</u>
25 years of completed service	\$1,113.27 <u>\$1,164.48</u>
26 years of completed service	\$1,224.60 effective December 2014 <u>1280.93</u>
27 years of completed service	\$1,335.93 effective December 2014 <u>1,397.38</u>
28 years of completed service	\$1,447.26 effective December 2014 <u>1512.83</u>
29 years of completed service	\$1,558.59 effective December 2014 <u>1630.29</u>
30 years of completed service	\$1,669.92 effective December 2014 <u>1745.57</u>

~~The next regularly scheduled longevity payment after February 18, 2014 will be increased consistent with the COLA wages referenced in Section V.~~

-The next regularly scheduled longevity payment after February 18, 2014 for eligible employees will include additional years added for years 26, 27, 28, 29 and 30. A "catch-up" payment will be made when the next longevity payment is due to put employees on their proper step on the schedule.

- C. **CLOTHING ALLOWANCE:** The City agrees to credit each firefighter with a clothing allowance of \$600.00 per year effective July 1, 2004 payable by July 15 of each year. This Section shall not be deemed to cede or waive any management rights regarding the Commissions authority to establish and implement uniform policies and regulations. In addition to the clothing allowance, each employee shall receive protective clothing for firefighting duties which require special clothing at the expense of the City. All special clothing will meet N.F.P.A. standards OSHA standards or standards as set by the Board of Fire Commissioners. It is understood that when standards are changed that new clothing may be phased in over time The City will provide one Class A uniform to new firefighters at the end of their probationary period of employment.
- D. **LODGING:** The City agrees to provide beds, bedding, linens, blankets, and towels for each firefighter from 10:00 p.m. to 7:00 a.m.

SECTION VI.

- A. **HOURS OF DUTY:** The present hours of duty will remain in force. The 42-hour (average) workweek shall consist of 14, ten (10) hour day shifts and 14, fourteen (14) hour night shifts over an eight (8) week cycle per schedule in effect. The starting times being 7:30 a.m. and 5:30 p.m. Chart of shifts and cycle attached (Appendix A).
- B. **EMERGENCIES:** All members of the Fire Department shall be subject to recall for emergencies at the discretion of the Chief of the Department or his assistant

and the members of Unions shall be paid the rate of pay equal to one and one-half (1 1/2) times their usual hourly rate for all hours worked under such emergency conditions. In the event that a firefighter covered by this Agreement works less than four (4) hours in response to such emergency, he/she shall be paid for four (4) hours at such overtime rate. Effective February 18, 2014, firefighters who work less than two (2) hours in response to emergencies, shall be paid for two (2) hours at such overtime rate. Call-back will not be compounded, pyramided or added to compensation for any purpose.

An employee who is recalled for non-emergency reasons after hours shall be paid a minimum of four (4) hours at one and one-half (1 1/2) times their rate of pay providing that if such employee's regular duty commences within for four (4) hour block, he/she will be paid at the overtime rate for only the time before regular duty. Once on regular duty, his/her normal rate of pay shall apply. Effective February 18, 2014 firefighters who work less than two (2) hours in response to non-emergencies, shall be paid for two (2) hours at such overtime rate. Call-back pay will not be compounded, pyramided or added to compensation for any purpose.

- C. **EXCHANGE OF DAYS OFF:** The Fire Chief may grant the request of any two members of the Department to exchange hours of duty of days off. All exchanges must take place within the calendar year. Applicable request forms will be completed, signed by the shift officer and approved by the Fire Chief prior to the exchange of hours of duty, whenever possible.

- D. **HOLIDAYS AND HOLIDAY PAY:** All employees covered by this Agreement shall be compensated for all holidays listed below at a rate of pay established by the annual base salary divided by 260.

New Year's Day
 Dr. Martin Luther King, Jr. Holiday
 Washington's Birthday
 Memorial Day
 Veteran's Day
 1/2 Day on Good Friday
 Independence Day
 Labor Day
 Columbus Day
 Thanksgiving Day
 Day after Thanksgiving
 Christmas Day
 1/2 Day the day preceding Christmas Day when Christmas Day comes between Tuesday through Friday.

SECTION VII.

A. **VACATIONS:** Through December 31, 2003, employees shall be entitled to earn and use vacation in accordance with the provisions of this paragraph. Effective January 1, 2004, any accrued but unused vacation days within applicable limits shall be converted to Earned Time days on a one to one basis and thereafter shall be governed by the Earned Time provisions of this Agreement.

During the first year in which a firefighter is entitled to a vacation, his/her vacation pay shall be computed to the nearest half-month period by multiplying the months worked by a factor of .833. The vacation shall be as follows:

LENGTH OF EMPLOYMENT

1-5 years inclusive	10 days (.833 days/month)
6 years inclusive	11 days (.917 days/month)
7 years inclusive	12 days (1 day/month)
8 years inclusive	13 days (1.083 days/month)
9 years inclusive	14 days (1.167days/month)
10 years inclusive	15 days (1.25 days/month)
11 years inclusive	16 days (1.33 days/month)
12 years inclusive	16 days (1.33 days/month)
13 years inclusive	17 days (1.417 days/month)
14 years inclusive	17 days (1.417 days/month)
15 years inclusive	18 days (1.5 days/month)
16 years inclusive	18 days (1.5 days/month)
17 years inclusive	19 days (1.583 days/month)
18 years inclusive	19 days (1.583 days/month)
19 years inclusive	20 days (1.667 days/month)
20 years inclusive	20 days (1.667 days/month)

All employees with more than twenty (20) years of service shall be able to schedule a vacation period without regard to the ten (10) working day restriction

and may have twenty (20) working days paid vacation which may be taken at any time during the calendar year.

All of the days which are not taken up during the firefighters vacation selection may be scheduled at any time throughout the year if wanted, as long as ample notice is given and the manning strength is sufficient.

Employees will be allowed to accumulate vacation leave to a maximum of 40 days as of January 1st of any calendar year.

At the beginning of each year, firefighters will schedule vacation at any time for that calendar year as long as six days notice is given and manning strength is sufficient. Applicable request forms will be completed, signed by the shift officer and approved by the Fire Chief prior to the use of annual leave.

Any deviation on notice procedure shall be only on written approval of the Chief for each occurrence.

Swap shifts will be allowed for these purposes if existing conditions will reduce manning below the minimum unless there is sufficient reason to deny the same.

B. **SICK LEAVE:** Through December 31, 2003, employees shall be entitled to earn and use sick leave in accordance with the provisions of this section. Effective January 1, 2004, any accrued but unused sick leave within applicable limits shall be converted to Disability Bank days on a one to one basis and thereafter shall be governed by the Earned Time provisions of this Agreement.

An employee may utilize his/her sick leave allowance for absences due to illness, injury or exposure to contagious diseases endangering the health of other employees when requested and documented by the attending physician, medical and dental appointments or to provide in home care to an ill or injured spouse or children living in the employee's home.

Sick leave without loss of pay shall be computed at the rate of 14 days per year (or 1.167 days per month) and may be accumulated without limitation. Firefighters hired after January 1, 1991 shall have sick leave accumulation limited to 150 days. Upon death of an employee while in the employment of the City, the City shall pay to his/her spouse or next of kin an amount equal to 100% of the value of his/her accumulated sick leave. Upon retirement from employment, upon voluntary termination of his/her employment, the City shall pay to the employee an amount equal to 90% of the value of his/her accumulated sick leave. To be entitled to payment as set forth above, the employee must give the City notice by April 1 prior to the fiscal year in which payment is to be made. If such notice is not given and an employee retires or voluntarily terminates employment, the employee will not be entitled to be paid for his or her accumulated sick leave until the first pay period of July following his or her retirement, or voluntary termination or seventy-five (75) days after his/her retirement whichever is later. If an employee retires under one of the following exceptions notice will be waived

and then the employee will be paid for his or her accumulated sick leave within seventy-five (75) days of his or her retirement.

Exceptions:

1. Disability retirement.
2. Retirement caused by serious illness or injury which otherwise does not qualify for disability retirement.
3. Retirement caused by a serious family illness where the employee is needed to attend to the family member in need.
4. Other circumstances which arise precipitously which make it impossible for the employee to meet the notice requirements of this section, only if the Fire Commission approves in advance the payment for accumulated sick leave without the required notice.

If an employee wants his or her accumulated sick leave to be paid out over more than one year, he or she may give up to three years of notice. However, it is understood that once payment begins the employee may not withdraw his or her notice of retirement or voluntary termination.

If sufficient funds remain in the Fire Department's overtime budget at the end of a fiscal year, firefighters hired before July 1, 1996, may cash in up to seven (7) accrued sick days at eight (8) hours straight time for each day.

Firefighters hired after January 1, 1996 shall receive no pay out at all for accumulated sick leave either for retirement or termination.

C. **EARNED TIME**. It is the intent of this policy to explain the provisions and conditions of the Earned Time Program. The program has been created to provide, as equitably as possible, paid time off, to be used at the employee's discretion, while protecting an allotment of time for disability, hospitalization or injury.

Earned time is a combination of vacation and personal absence days. A separate account per year is accumulated for disability time (seven days per year).

Earned Time is an alternative approach to the traditional manner of converting absences for vacation, sick leave, interim disability, maternity leave, by combining all these plans into one program. Instead of dividing benefits into a specific number of days for each benefit, Earned Time puts these days together into a single benefit. The exact amount of Earned Time accrued each year will depend on the years of service with the Portsmouth Fire Department.

Effective the date of this policy, employee's vacation time will be converted to earned time. Employee's sick time balance will be converted to the Disability Bank.

Effective on the date of this policy, employees will begin accruing earned time based on the following schedule:

<u>Years of Service</u>	<u>Vacation</u>	<u>Sick</u>	<u>Accrual Rate</u>	
			<u>Total Earned Time</u>	<u>Disability Bank</u>
1 - 5 yrs. incl.	10	7	17(1.417 days/month)	7
6 years incl.	11	7	18(1.5 days/month)	7
7 years incl.	12	7	19(1.583 days/month)	7
8 years incl.	13	7	20(1.667 days/month)	7
9 years incl.	14	7	21(1.75 days/month)	7
10 years incl.	15	7	22(1.833 days/month)	7
11 years incl.	16	7	23(1.917 days/month)	7
12 years incl.	16	7	23(1.917 days/month)	7
13 years incl.	17	7	24(2 days/month)	7
14 years incl.	17	7	24(2 days/month)	7
15 years incl.	18	7	25(2.083 days/month)	7
16 years incl.	18	7	25(2.083 days/month)	7
17 years incl.	19	7	26(2.167 days/month)	7
18 years incl.	19	7	26(2.167 days/month)	7
19 years incl.	20	7	27(2.25 days/month)	7
20 years incl.	21	7	28(2.333 days/month)	7
25 years incl.	22	7	29(2.416 days/month)	7

All absences from regularly scheduled work will be charged to an employee's Earned Time. Exceptions are:

1. Administrative Leave
2. Unpaid leaves of absence
3. After absence due to personal illness/injury for more than three consecutive working days an employee may use his/her Disability Bank, if available.
4. Emergency Leave
5. Military Leave
6. Worker's Compensation
7. Disciplinary Suspension

Applicable request forms will be completed, signed by the Shift Officer and approved by the Fire Chief prior to the use of earned time, whenever possible.

Earned Time begins accruing on the 15th of the month after the date of hire. Employees may use their earned time as soon as it earned once they have completed their probationary period.

Accumulated Earned Time may be used for personal illness or accident, immediate family illness or accident, or compelling personal reasons.

Earned Time must be taken in one-half or full shift increments.

All Earned Time payments are computed at the employee's current base rate.

Employees are responsible for the Earned Time balance reflected on their pay stubs. Any errors should be reported immediately.

At separation, any unused earned time days will be cashed out at full value.

Unused Earned Time Carryover

Employees are allowed to accumulate up to a maximum of 60 earned time days as of January 1st of any calendar year. Any days over the 60 day limit but no more than ten (10) in a year may be cashed out at fifty percent (50.0%) or deposited to the Disability Bank. Any days over the 60 day limit but no more than 10 in a year may be cashed out by an employee hired after January 1, 1996 at ninety percent (90.0%) or deposited to the Disability Bank.

Disability Bank

In addition to the original sick leave balance that was transferred to the Disability Bank at the time this program was implemented, days will accumulate at the rate of seven (7) days per year (or .583 per month).

The Disability Bank hours are to be used for extended illness, injury, disability related to pregnancy, or hospitalization only. Usage of the Disability Bank commences with the 4th consecutive day of absence from work due to illness or injury. A physician's report must accompany the request to use the Disability Bank Days. Periodic updates from the employee's physician may be required. In the event that an employee is hospitalized or has surgery (this includes day surgery procedures) for something other than a work-related problem, the Disability Bank may be used starting with the first day of hospitalization. Any disability related to pregnancy will be treated like any other medical condition.

An exception to the policy that requires the usage of three (3) Earned Time days before being permitted to access the Disability Bank when the disability is certified by a physician to be the same as for the original use or from the same cause as the original Disability Bank usage.

Disability days must be taken in one-half or full day shift increments.

Return to Work: Following a period of absence due to illness/injury, medical documentation supporting the employee's ability to perform the essential functions of the job is required prior to returning to work.

The use of the Disability Bank for extended illness or injury requires medical documentation and may indicate the need for use of the Family Medical Leave Act and the need to contact the Human Resource Department concerning long-term disability.

Employees hired prior to January 1, 1991 may accumulate Disability Bank days without limitation. Firefighters hired after January 1, 1991 shall have disability leave bank accumulation limited to 150 days. Upon death of an employee while in the employment of the City, the City shall pay to his/her spouse or next of kin an amount equal to 100% of the value of his/her accumulated disability bank. Upon retirement from employment, upon voluntary termination of his/her employment, the City shall pay to the employee an amount equal to 90% of the value of his/her accumulated disability bank. Firefighters hired after January 1, 1996 shall receive no pay out at all for accumulated disability bank either for retirement or termination.

Exhaustion of Earned Time/Disability Bank. An employee on an approved absence who has used all Earned Time and Disability Bank days will be placed on leave without pay. If the illness/injury qualifies for FMLA leave benefits will continue for the period of the Family Medial leave. Employees will not accrue earned time while they are on a leave without pay status.

D. **ACCIDENTAL INJURIES:** The City shall provide and maintain workers' compensation insurance coverage on each employee covered by this Agreement.

1. In case of accidental personal injury to any employee covered by this Agreement arising out of and/or in the course of his/her employment, the City shall adjust the employee's pay so that he/she nets the same amount as if he/she had actually worked. This shall be accomplished by either paying the difference to the employee, or if the workers' compensation benefit is more than the net pay, the City shall deduct the amount of the difference made until the employee is able to return to work, but in no event shall such payments by the City exceed 52 weeks.
2. If, during the incapacitation of any employee due to the injury arising out of the course of his/her employment, the employee shall be entitled to earned time in accordance with this Section VII, Paragraph A, then said employee shall be indemnified in pay or awarded earned time at a later date equal to the earned time lost because of said injury at the discretion of the Fire Chief.

E. **TEMPORARY ALTERNATIVE DUTY**

(1). In compliance with RSA 281-A:23-b, the Commission may provide temporary alternate duty assignments (light duty) for injured employees.

(2). Employees covered by this working agreement who have been on authorized leave due to illness or injury, may request a light duty assignment. The employee must provide management with a release from his or her physician utilizing the State forms outlining the duties that can and can not be performed. The employee will return to a light duty assignment within the Fire Department. Said assignments shall be in accordance with the following:

- a) Employees who request light duty in accordance with this section will have the same work schedule, subject to authorization from his/her physician and the availability of a light duty assignment. The Department will make a reasonable attempt to insure that the

employee's days off and hours of light duty will coincide, to the extent possible, with the firefighters selected shift. If a firefighter can not be assigned to his/her previously selected shift due to the lack of light duty work, the Department shall consider the firefighters individual circumstances in making a light duty assignment.

(3). Nothing in this agreement shall be construed as conflicting with the injured leave section of the contract.

(4). It shall be entirely optional for employees with non-work related injuries or illnesses to accept a light duty assignment. It is the sole discretion of the Fire Chief whether or not to offer a light duty assignment to firefighters who are injured off-duty. Employees who return to a light duty position due to an off duty injury will receive compensation for the hours worked. Employees with work related injuries shall have priority for light duty assignments.

(5). It is understood by the parties that light duty is not intended to be used as a means of punishment. The Fire Chief will not require a firefighter to report for light duty if there is no light duty work available.

(6). Light duty assignments shall not affect the shift assignments or shift bid possibilities, of other employees. Firefighters assigned to light duty shall be assigned to the same shift as their assignment before the injury, subject to the limitations in Paragraph 2 (a) above.

(7). The Fire Chief may require a firefighter to be examined by the Work Performance Center anytime after four weeks if the Chief has a concern that the firefighter is fit for regular duty. The firefighter may request a mutually acceptable neutral physician to render an opinion if he/she contests the Fire Department's ruling. The neutral physician shall be designated jointly by the City's physician and the employee's physician as soon as practicable under the circumstances. The two (2) physicians shall endeavor to designate a neutral physician capable of examining the employee within seven (7) calendar days of his/her designation as neutral physician. The costs of the neutral physician shall be borne by the City. If the report of the neutral physician supports the assignment of full duty, the employee shall forthwith report for appropriate duty. If the report does not support the assignment of full duty, the employee shall remain on light duty status. Each physician who administers an examination under this procedure shall be provided, by the City a detailed analysis of the physical requirements of the task(s) to which the employee shall be assigned if returned to limited duty, and shall be asked to make his/her determination of the fitness of the examined employee to perform limited duty based on the specific physical requirements of each limited duty task. Each physician who determines that an examined employee is capable of being assigned to limited duty shall be required to specify in his/her report which, if any, limited duty task(s) the examined employee is capable of performing, and the recommended number of hours per day and per week that the employee may be assigned to limited duty.

(8). Firefighters assigned to light duty are not eligible to work any overtime.

(9). An employee whose physician has approved him/her for a light duty assignment and who loses any workers compensation benefits for refusal to accept

temporary alternate duty offered by the Fire Department shall not be eligible for injured leave.

F. **HEALTH INSURANCE:**

1. ~~Effective July 1, 2004 the employee's cost will be seventeen percent (17%) of the premium and the City will pay eighty-three percent (83%). Effective July 1, 2005 the employee's cost will be eighteen percent (18%) of the premium and the City will pay eighty-two percent (82%). On July 1 of 2004, 2005, 2006, and 2007, the dollar amount of the increase in the health insurance premium paid by any employee shall not exceed the dollar increase generated by the COLA adjustment at Step 2 of the Fire Fighters' wage scale. If this agreement expires on June 30, 2008 without a successor agreement in place, the employees' contribution to the health insurance premium shall be the same percentage as applied during 2007-08. For example, if an employee contributed 18% or \$2000 to his/her health insurance premium in 2007-08 and this agreement expires on June 30, 2008 without a successor agreement in place, the employee's contribution starting on July 1, 2008 shall be 18% regardless of the dollar amount and regardless of any limitations relative to step 2 of the wage scale that were applicable during the term of this agreement.~~
2. Health Insurance: Should the parties agree in writing to establish a cafeteria style plan dealing in insurance issues during the course of this five (5) year agreement - such plan would only become effective if ratified by the Association, approved by the Fire Commission and approved by the City Council.

~~Each fire fighter shall have the option of choosing between Blue Cross/Blue Shield Comp 100 with a Managed Care rider, Blue Choice One, or Matthew Thorton. Firefighters covered under one of the three plans may choose to switch between plans prior to the start of each plan year which is July 1. Firefighters wishing to switch plans shall provide notice on appropriate forms for filing with the Trust by April 1 prior to the proposed effective date of the switch on July 1. The City may as its option provide equal and comparable coverage to Blue Cross/Blue Shield Comp 100 with a Managed Care rider, Blue Choice or Matthew Thorton plans. In lieu of the above, the City shall, at the discretion of said employee, pay an equivalent amount of money to whatever other hospitalization plan of insurance said employee indicated in writing. New employees will be eligible for health insurance under these provisions on the first of the month after the first day of work.~~

Effective March 1, 2014, the City will pay up to a maximum of 84.5% of the premium of the cost of a Matthew Thornton Plan. If an employee chooses to enroll in BlueChoice or Comp 100, the City will pay only 84.5% of the Matthew Thornton Premium towards the higher premium plans.

Effective sixty days after City Council approval or as soon as practical, the City will pay up to a maximum of 90% of the premium of the cost of the AB20 with a \$10/\$20/\$45

prescription plan. If an employee chooses to enroll in BlueChoice, the City will pay only 90% of the AB20 Premium towards the higher premium plans.

Local #1313 will serve on the City-wide committee to study health insurance options

SchoolCare will be added as a coverage option if the unit in its entirety, decides to make a change in coverage.

Effective as soon as practicable after City Council approval of this Agreement, the City shall offer to bargaining unit members health insurance for same-sex domestic partners. Eligibility for coverage under this provision shall be governed by the rules in place for employees of the University of New Hampshire as of November 1, 2003. (Appendix II).

- G. **EMERGENCY LEAVE:** In addition to sick leave, all persons covered by this Agreement shall be entitled to emergency leave up to three (3) calendar days, with pay, if needed, if death in the family. An additional two (2) days may be granted by the Chief or his designee at his discretion for a death in the immediate family. Immediate family shall be defined as follows: spouse, child (including adopted children and stepchildren), parent (including parent by adoption), brother, sister, grandparent, grandchild, aunt, uncle and only the following in-laws--the grandmother, grandfather, mother, father, brother or sister of the employee's current spouse.
- H. **MILITARY LEAVE:** Any employee covered by this Agreement who is called to active military service as a member of the Armed Forces of the United States, or who is engaged in activities in the reserve forces of the National Guard shall be granted a leave of absence to perform such military duties and the City shall pay to said employee the difference in salary between the pay which he/she receives from the United States and his/her base pay as a firefighter. Said employee shall not suffer any loss of leave time or other benefits because of said military duty. Such leave shall be considered "Military Leave". Said military leave shall not exceed fourteen (14) days per year.
- I. **INSURANCE DENTAL PLAN:** The City agrees to provide the single (employee), two-person or family membership in the Delta Dental Plan V.
- J. **LIFE INSURANCE:** Within sixty (60) days after this Agreement is approved, the City shall provide a group life insurance policy for eligible members of the bargaining unit in the amount of the employee's annual base salary, in accordance with the conditions set forth in the insurance policy.
- K. **LONG TERM DISABILITY:** Within sixty (60) days after this Agreement is approved, the City shall obtain disability Income Insurance for eligible members of the bargaining unit equal to 66 2/3% of the base monthly salary not to exceed five thousand dollars (\$5,000) per month. Said insurance shall be effective after the 61st day of disability. Said insurance shall continue as long as the member remains disabled or until age sixty-five and shall be coordinated with Social Security.

- L. **DEFERRED TAX SAVINGS PLAN:** Employees shall have the option to participate in the Professional Firefighters of NH Deferred Tax Savings Plan through payroll deduction.

SECTION VIII. DEFENSE OF LAW SUITS:

The City shall undertake to defend and pay any judgment issued against any employee covered by this Agreement arising out of an act or omission of the employee for personal injury, including death or damage to property while the employee was engaged in the performance of his/her duties as a firefighter.

SECTION IX. UNION BUSINESS:

- A. Officers of the Union and their representatives shall be entitled to leave with pay for official union business and conventions provided 48 hours notice is provided to the Chief. The leave will be limited to a total of seven (7) days per year and may be taken in whole or half day increments.
- B. The above listed Union leave is in addition to leave which is granted for fire fighters acting in official capacities in grievance hearings, arbitration hearings, negotiation sessions and state legislative business. It is understood that the number of fire fighters eligible to receive leave with pay during negotiations shall not exceed two.

SECTION X. GRIEVANCE PROCEDURE:

The purpose of the grievance procedure is to settle employee grievances on as early a basis as possible and as quickly as possible to maintain efficiency and employee morale. It is the responsibility of all parties to this contract to come to a quick and amicable solution to the employee grievances. If any difference arises between the Management and an employee or employees as to the application of any of the provisions of this Agreement or if there is any grievance by an employee or employees with respect thereto, notice must be given to the Fire Chief or his designee within two (2) days of the employee's knowledge of its occurrence and an earnest effort shall be made to adjust such difference, complaint, or grievance otherwise the grievance shall be waived by negotiations pursuant to the following procedures:

- A. First, an effort shall be made to resolve said differences by a meeting between the employee or employees, the Union Steward, and the Fire Chief or his designee;
- B. If such grievance is not resolved within two (2) calendar days thereafter, the employee or employees shall present his/her grievance to the Executive Board of the Union in writing within two (2) calendar days. The Executive Board of the Union shall then discuss the grievance in accordance with the Constitution and Bylaws of the Union and handle all grievances so presented to them within two (2) calendar days, and report their action to the subsequent meeting of the Union.
- C. In the event the Executive Board decides that the grievance is justified it shall notify the Chief of its decision in writing with a request to meet for the propose of resolving said grievance within two (2) calendar days. Said meeting shall take

place within seven (7) calendar days of receipt by the Chief of the written request of the Executive Board and an earnest effort will be made to resolve said grievance. The Chief shall, thereafter, render his decision in writing within five (5) days of said meeting.

- D. In the event the Executive Board does not accept the decision of the Fire Chief then it shall request a hearing within two (2) calendar days with the Board of Fire Commissioners in writing which shall take place within seven (7) calendar days of receipt by the Board of Fire Commissioners of said request. The parties shall meet in an effort to resolve said dispute and the Board of Fire Commissioners shall render this decision in writing within five (5) calendar days of said meeting
- E. Should the Board of Fire Commissioners decision be unsatisfactory to the Executive Board of the Union, then it shall submit the grievance to arbitration under the Voluntary Labor Arbitration Rules of the PELRB. The parties further agree to accept the arbitrators award as final and binding upon them. Cost of said arbitration shall be paid as follows: 50% by the losing party and 50% by the successful party to the complaint. To be timely under this section, the Union must request arbitration in writing both to the PELRB and the Commission within twenty-one (21) days of its receipt of the Commission's written decision. TIME LIMIT: A decision on the grievance shall be rendered within the time limit set forth or the grievance shall be deemed favorable to the grievant. Failure at any step of this procedure to appeal a grievance to the next step within the time limits shall be deemed to be acceptance of the decision rendered at that step.
- G. No arbitrator shall have the authority to alter or amend, add to or delete from this contract or any of its provisions. Appealability of arbitration awards under this contract shall be subject to RSA 542.

SECTION XI.

- A. **SAFETY AND HEALTH:** The City and the Union shall fully cooperate in matters of safety, health and sanitation affecting the employees. This shall include provision for proper working facilities, equipment tools, safety devices, protective clothing and other modern implements of firefighting so as to provide the City with an efficient and safety minded firefighting organization. If an employee has followed the procedures set forth in the New Hampshire Workers compensation Statute and has been advised under RSA 141-6 (regarding notification of Firefighters, etc. after exposure to infectious diseases) and the firefighter then becomes infected with said disease or disability within its normal incubation period, said disease or disability shall be considered a work related injury as defined by the New Hampshire Workers Compensation Statute whether or not the firefighter is still in the employ of the City unless there is clear and convincing evidence that the disease was contracted otherwise.
- B. **BUILDING MAINTENANCE AND OTHER DUTIES:** No employee shall be required to perform major structural alterations, repairs or renovations to existing facilities or vehicles, or to construct or assist in the construction of new facilities during his/her regular work cycle. The Union agrees that normal, routine housekeeping and maintenance is exempt under this Section.
- C. **PENSION AND RETIREMENT PLAN:** The members of the bargaining unit

shall be covered by the New Hampshire Permanent Fireman Retirement System and any amendments thereto and the City shall make such payments as may be required to provide such coverage for each employee. If any amendment requires approval, such amendment is not incorporated into this Agreement until voted by the City Council.

- D. **PROTECTION OF PROPERTY AND EQUIPMENT:** It shall be the responsibility of any employee having custody of any equipment and property to see to it that it is properly cared for, kept clean and returned to its place for storage.

SECTION XII.

- A. **WORKING RULES:** The Board of Fire Commissioners shall have the right to make such reasonable rules and regulations, not in conflict with this Agreement as it may from time to time deem best for the purposes of maintaining order, safety, and/or effective operation of the Fire Department, and to require compliance therewith by the employees after advance notice of the promulgation of any new or modified rule has been given to the Union and by posting the same on the bulletin boards for both the Central and Sub-stations. Union reserves the right to question the reasonableness of such rules or regulations through grievance and arbitration procedure up to three (3) week days after posting.

Infractions of the rules and regulations established by the City and/or the Commission as appropriate, may constitute just cause for disciplinary action, and willful violations may constitute just cause for discharge. Union will not encourage violation of any rules by its representatives or by the employees, and will assist the City and the Fire Commission in the enforcement of the rules. The Chief or his designee shall notify the Union of any claimed infraction of a rule or regulation within ten (10) working days after the department has knowledge of its occurrence, otherwise the infraction shall be waived. It is agreed that any employee may be discharged for reporting to work under the influence of intoxicating liquor while on the job, theft, or other offenses involving moral turpitude. Any employee discharged or disciplined shall be entitled to the provisions of the grievance procedure set forth herein and may be allowed a representative of his/her choosing. If it is determined or agreed at any step in the grievance procedure or decided by the arbitrator that any employee has been disciplined or discharged unjustly, the Fire Commission shall put them back on his/her job and pay the employee the amount he/she would have earned had he/she been working, without offset of outside earnings.

- B. **ABSENTEEISM:** Employees not expecting to work because of emergency or because of other justifiable causes, must notify the superior officer on duty as soon as such emergency or other just cause is known to the employee.

SECTION XIII. TRAINING

It is the goal of the department and the Union to insure that the personnel covered by this Agreement are properly trained to operate the fire equipment and apparatus of this Department. In this regard, it shall be the duty of the Department to maintain a regular training schedule covering all phases of the suggested voluntary standards for firefighting published by the New Hampshire Fire Standards and Training Commission or other

curriculum approved by the Fire Chief.

The Department and the Union agree that once a proper training program has been initiated and conducted that the parties will implement the suggested voluntary standards for firefighters.

- A. Certification and degree stipends: Each firefighter who has earned and maintains the certifications or degree set forth below shall be entitled to an annual stipend based on the highest certification or degree achieved and maintained. The stipends are not cumulative.

Associate's Degree	2%
Associates Degree With Fire Protection Certificate	3.5%
Bachelors Degree Either Arts or Science	3.75%
Bachelor Degree with Fire Protected Certification or Business Administration	4.0%
EMT-I	3.0% of base pay Delete February 18, 2014
EMT-Paramedic	8.0% of base pay Change to 5% effective February 18, 2014.

- B. The following annual stipends will be paid. Certification must be obtained and written notification provided to the Fire Chief at least six (6) months prior to the beginning of the fiscal year in which the stipend will be paid.

Specialty Team	Stipend
Boat Operator (28' & over)	2.0%
Hazardous Materials Technician (START or PFD)	2.0%
Shipboard Firefighter Technician	2.0%

- C. It shall be the sole responsibility of the department to provide all training necessary for re-certification at the EMT-I or EMT-P level of certification at no cost to the firefighter. A thirty (30) day notice will be given for scheduled training. Should a firefighter miss a class for any reason, other than approved Worker's Compensation, extended sick leave with doctor's note, or funeral leave, he/she must make it up on his/her own time. All training necessary to obtain and maintain certification in the areas listed in Paragraph B above shall be the sole responsibility of the firefighter. The City will not reimburse firefighters for the cost or expenses of the training or compensate firefighters for time spent in obtaining or maintaining such certification.

¹This stipend is also available to employees who obtain EMT-B certification and who did not possess it as of 7/1/98. The stipend is payable after 7/1/98, but no employee shall receive stipends for both EMT-B and EMT-I. Effective 7/1/03, employees who currently receive a stipend for an EMT-B certification shall continue to receive said stipend. Otherwise, this stipend is only available to employees holding an EMT-I certification. No employee shall receive both the EMT-I and EMT-P stipends.

- D. Engineers. Firefighter Engineers, in addition to their normal firefighter duties, shall be responsible for having knowledge of fireground operations and procedures, and perform the position of an officer in charge within the incident command structure in the absence of a senior fire officer. Firefighter Engineers shall also oversee the restocking and returning to service of all apparatus after an incident. A Firefighter will become eligible to receive the Engineer's stipend based on Department Policy which shall require fourteen (14) years of full-time service as a Fire Fighter in the Portsmouth Fire Department and certifications acceptable to the Chief as Driver/Operator — All Vehicles, Driver/Operator — Pumps, and Driver/Operator — Aerial Devices. The stipend shall be 3.5% of base pay.

SECTION XIV. EQUAL EMPLOYMENT OPPORTUNITY

The Fire Commission agrees that all personnel actions and employment practices will be based solely on merit and fitness in a manner that will demonstrate equal employment opportunity to all persons without regard to race, sex, color, religion or national origin, qualified handicapped or Viet Nam era veterans. It is agreed between the parties that in the policies and practices of the Union that there shall be no discrimination against any employee because of race, sex, marital status, sexual orientation, color, religion, national origin, disability, age or veterans status.

Each party agrees to advise the other of equal employment opportunity problems of which they are aware. The Commission and the Union will jointly seek solutions to such problems through personnel management procedures and programs provided in this Agreement and in the Department Regulations.

SECTION XV.

- A. The signing of this Agreement by the authorized representatives of the Union and the City shall constitute the effective date of this Agreement.
- B. This Agreement will remain effective until July 1, 2014~~8~~ or until superseded by a new Agreement.
- C. Should neither party to this Agreement initiate negotiations as required by State Law, this Agreement will be considered to have been automatically renewed for another year.

SECTION XVI. DRUG AND ALCOHOL TESTING

All members will be subject to drug and alcohol testing as outlined in the policy attached as Appendix 1.

SIGNATURES

In Witness Whereof, the Parties have executed this Agreement at Portsmouth, New Hampshire, this ____ day of _____ 20146

IAFF Local #1313

The Portsmouth Board of Portsmouth, NH
of Fire Commissioners

Richard Gamester, Fire Commissioner

Russell Osgood, President
IAFF Local #1313

Michael Hughes Fire Commissioner

Brain Ryll, Vice President
IAFF Local #1313

Jennifer J .Mosher-Matthes,
Fire Commissioner

Steve Achilles, Fire Chief

Richard E. Molan, Attorney
For IAFF Local #1313

Thomas J Closson, City Negotiator

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APPENDIX I

AGREEMENT REGARDING PAYMENT OF SALARY
AND GRANTING OF LEAVE TO
ALLOW SUBSTANCE ABUSE REHABILITATION

THIS AGREEMENT is made on the date written below by the Portsmouth Fire Department and _____, member of the Fire Department.

WHEREAS, the member is employed by the City of Portsmouth Fire Department, an important public safety position, and as a condition of this employment the member shall obey the Rules and Regulations of the Department which requires the member to be alert and not under the influence of alcohol, drugs or controlled substances when on duty, not to possess or use controlled substances on Department premises, and not to engage in conduct which is violative of any criminal law, is unbecoming a member of the Department or tends to lower the service in the estimation of the public;

WHEREAS, the member has elected to undergo a rehabilitation program for substance abuse which will require him/her to be away from duty for up to thirty (30) days;

WHEREAS, the member requests that he/she be granted earned time and disability bank leave for up to thirty (30) days, (if all earned time and disability bank has been exhausted, the leave will be unpaid).

WHEREAS, the Department is committed to providing a safe substance free workplace and also is committed to assisting members of the Department who are working to overcome problems caused by substance abuse; and

WHEREAS, above all else, the Department is dedicated to providing fire protection service in a manner that enhances the safety of the public and the members of the Department.

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, and for the good and valuable consideration, the receipt of which is hereby acknowledged, the Department and the member AGREE as follows:

1. The member shall be granted leave from all assigned duties a period of up to thirty (30) days in order to undergo treatment for substance abuse.
2. The member is hereby ordered upon completion of this leave to attend meetings of the Employees Assistance Program (EAP) sponsored by the Portsmouth Fire Department and to follow the guidelines established by the coordinator of this program for a period of one year following the date

this AGREEMENT is signed. Attendance at such meetings shall be on the members own time.

3. If the member fails to follow the guidelines of the coordinator of the program, the coordinator shall notify the Fire Chief. The Fire Chief shall impose discipline upon the member if the Chief finds that the member has not followed the guidelines established by the EAP coordinator. If the coordinator notifies the Fire Chief a second time within twelve (12) months of the date of this AGREEMENT that the member has failed to abide by the guidelines of the EAP coordinator, the Fire Chief shall order charges to be preferred against the member for failure to abide by the terms of this AGREEMENT with the Department. The member specifically agrees that his/her failing to follow the orders of the Fire Chief to attend the EAP and to abide by the guidelines of the EAP coordinator shall constitute just cause for the imposition of discipline, suspension or discharge.
4. The member agrees to submit to a physical examination and/or substance testing to determine his/her fitness for duty upon order of the Fire Chief at any time within one year of the signing of this AGREEMENT. If the member appears unfit at the time of the examination, or if the substance testing indicates the presence of alcohol or a controlled substance, the member shall be considered to be unfit for duty. Charges shall be preferred against the member by the Fire Chief for violation of the Rules and Regulations of the Department and for violation of the guidelines of the coordinator of the EAP. The member acknowledges and agrees that his/her history with the Department and the circumstances which have preceded the signing of this AGREEMENT constitutes probable cause for requiring the member to submit to such physical examination and substances testing.
5. The member acknowledges that he/she has read this AGREEMENT and that he/she understands this AGREEMENT.

Signed as a sealed instrument on this _____ day of _____.

PORTSMOUTH FIRE DEPARTMENT:

MEMBER:

Witness

SUBSTANCE ABUSE TESTING

- I. The Parties recognize that illegal drug use and the abuse of alcohol by members of this Department pose serious threats to the public welfare and to the employees of the Department. It is the goal of this Policy to detect and to prevent substance abuse when ever possible and to assist in the rehabilitation of employees rather than to terminate the employment of members who are abusing drugs and alcohol. No member of the Portsmouth Fire Department will be discharged for problems caused by the use of illegal drugs or the abuse of alcohol without first having been offered the opportunity to discontinue use by treatment and enrollment in the Department Employee Assistance Program.

II. EDUCATION

The Department and Local #1313 will cooperate on an educational program that addresses all current related substance issues.

This educational program will be scheduled at reasonable intervals to ensure that not only are the goals of this rule met, but that all members are familiar with the issues, problems and current trends of thought concerning substance abuse.

III. TESTING FOR PRESENCE OF SUBSTANCES OF ABUSE

A. STANDARD FOR TESTING

The Fire Chief, or his designee, based upon reasonable suspicion, may require that a member submit to substances screening by urinalysis which shall be administered by a competent testing laboratory. Such testing laboratory to be a member of the National Institute for Drug Abuse.

"Reasonable suspicion" is a belief based on objective and articulable facts sufficient to lead a prudent member to suspect that an employee is using, is in possession or control of, or is under the influence of drugs or alcohol while on duty. For purposes of this policy, "possession" shall included concealing drugs or alcohol in any place accessible to the employee while on duty, including, but not limited to a locker, bag, or clothing.

Circumstances which may constitute a basis for reasonable suspicion include but are not limited to:

Examples:

1. Direct observation of drug/alcohol use while on duty;
2. Member found to be in possession of alcohol/drugs while on duty;

3. Spontaneous unusual, abnormal, erratic, or unacceptable behavior, or behavior which otherwise indicates that the member is under the influence of an intoxicating substance (e.g.) the presence of bloodshot eyes, glassy eyes, slurred speech, lack of coordination or other indications of intoxication or substance use.
4. Documented pattern of unusual, erratic or unacceptable behavior;
5. Extended or patterned sick leave use which indicates that the member is unable to work due to substance abuse;
6. A major on duty accident or injury in which safety precautions were violated or careless acts were preformed;
7. Reporting for work unfit to duty.

B. PROCEDURES FOR TESTING

All Department members initiating testing action on the basis of reasonable suspicion will be required to detail in writing the specific facts, symptoms or observations which formed the basis for their conclusion that reasonable suspicion existed to warrant testing of the member.

The initial report will be reviewed by the Fire Chief or chief officer on call who shall determine whether the request for testing is appropriate, and if so, shall order that the test be performed. The results of the test shall be provided by the laboratory only to the Fire Chief or chief officer on call, who shall provide a copy to the member and the Fire Commission.

A member who fails to undergo a test as ordered or to provide a test sample as directed by the testing laboratory will be subject to disciplinary action including possible termination.

Members returning from suspension will be tested if such is required by the Fire Chief in the order imposing the suspension.

Applicants seeking reinstatement to the Portsmouth Fire Department after resignation or termination will be subject to testing as condition of re-employment.

A drug/alcohol test shall be conducted as a component of pre-employment physical. The presence of illegal drugs shall constitute a basis for the applicant to be by-passed.

IV. COLLECTION AND TESTING PROCEDURES

THE City will follow drug and alcohol procedures contained in 49 CFR 40, entitled "Procedures for Transportation Workplace Drug Testing Programs" and 49 CFR 382 which includes preparation for testing specimen collection procedures, laboratory requirements, retention of samples and Medical Review Officer (MRO) qualifications and functions. Selection of a laboratory to implement the drug testing procedures described in this Policy shall be by mutual agreement of the parties, neither of whom shall unreasonably withhold their consent.

The collection site procedures shall provide for the collection of split sample urine specimens.

Chain of custody and quality control of samples shall follow at a minimum U.S. DOT Guidelines to assure the accuracy of collection and testing procedures. A quality control program for drug testing will be maintained including the submission of blind samples in accordance with U.S. DOT regulations to assure the accuracy of collection and testing procedures.

An employee shall, upon request, be provided a split sample at the time of testing.

If the initial test proves positive, the MRO will require a second confirmatory test. If the confirmatory test proves negative, a negative result will be reported to the employee first and then to the Fire Chief.

If the confirmatory test is positive, the MRO shall consider the test results and review the individual's medical history and/or any other relevant biomedical factors. The MRO shall interview the employee and discuss the test result at which time the employee will have the opportunity to present any relevant medical information that would provide legitimate medical explanation for a positive test result. If the MRO verifies a positive result, the MRO shall refer the employee's case to the Fire Chief, after notifying the employee of the result, for further action as provided under this policy.

If the MRO determines after the appropriate review that there is a legitimate medical explanation for the confirmed positive test result other than the authorized use of all unauthorized controlled substances, the MRO shall report this as a negative test result and so inform the employee regarding his finding which shall remain confidential.

The MRO may conclude that a particular drug test result is scientifically insufficient for further action. Under these circumstances, the MRO shall cancel the test result and record it as a negative result.

Should any questions arise as to the accuracy or validity of a positive drug test, the employee may request within 72 hours of the employee's having actual notice of the positive test result, a request that the MRO direct that the split sample be tested. If the re-analysis fails to reconfirm the positive results, the MRO shall cancel the test and report the cancellation as a negative test result both to the fire Chief and the employee.

V. CONFIDENTIALITY

The MRO shall not disclose to any third party, medical information provided by the employee to the MRO as part of the testing verification process. All records pertaining to this testing shall be required to be confidential.

Any employee who is tested under these provision shall, upon written request, have access to any records relating to their test and any records relating to the results of any relevant certification review or revocation of certification proceedings.

The City shall maintain confidentiality of all records and information it has in its possession with respect to drug testing and shall not disclose this information to any third party without the written consent of the employee.

VI. EMPLOYEE ASSISTANCE PROGRAM

The Portsmouth Fire Department maintains an Employee Assistance Program (EAP) which is available twenty-four hours a day, seven days a week. This program is for the benefit of all members. Voluntary participation, which is participation because a member believes he or she may benefit by attending meetings of the EAP, is confidential and is at the option of the member.

A. REHABILITATIVE ABSENCE

Members of the Department who will benefit from treatment on an inpatient basis in a rehabilitative substance abuse program may be entitled to be carried on an earned time or disability bank leave for a maximum of thirty (30) days provided the member agrees to and signs the substance abuse agreement included in the Appendix to this rule. If all earned time and disability bank leave have been exhausted, the leave shall be unpaid. The member will participate in the EAP program, as directed by the Program Coordinator, for a period of one year from the date of entrance into the rehabilitative substance abuse program.

If the member fails to follow the guidelines of the Coordinator of the program, the Coordinator shall notify the Fire Chief. The Fire Chief may impose a suspension of five (5) days upon the member if the Fire Chief finds that the member has not followed the guidelines established by the EAP.

If the Coordinator notifies the Fire Chief a second time within twelve (12) months of the date of leave that the member has failed to abide by the guidelines of the EAP Coordinator, the Fire Chief shall order charges to be preferred against the member for failure to abide by the agreement.

Members who received leave with pay to participate in a rehabilitative absence may be tested for the presence of drugs/alcohol at any time within one year of the leave. Charges will be preferred against the member if the test indicates the member reported for duty under the influence of drugs or alcohol.

If the member returns for rehabilitative treatment at any later time the member may utilize disability bank leave or earned time in order to receive compensation, otherwise the member will be carried with loss of pay.

B. MANDATORY PARTICIPATION

There may be occasions when the Fire Chief shall require that a member participate in the EAP program, such as, for example, when a member has received a paid leave for the purpose of entering an inpatient rehabilitative program or when a member has been ordered to participate due to a violation of the Rules and Regulations of the Department. In such circumstances, the requirements for mandatory participation in the Employee Assistance Program areas follows:

PHASE 1

- 1) The member must attend a minimum of three substance abuse meetings per week for the first three months;
- 2) Two visits per week to the EAP office for three months. If a member attends the substance abuse meeting that is held at EAP quarters, it will constitute one meeting per month.

PHASE 2

- 1) The member must attend a minimum of three substance abuse meetings per week for three months; and
- 2) One visit per week to the EAP office for three months.

PHASE 3

- 1) The member must attend a minimum of three substance abuse meetings per week for three months; and
- 2) One visit biweekly to the EAP office.

PHASE 4

- 1) The member must attend a minimum of three substance abuse meetings per week for three months; and
- 2) One visit per month to the EAP office.

Attendance at substance abuse or EAP meetings shall be on off-duty time when ever possible.

DRAFT

**CITY OF PORTSMOUTH
TWO THOUSAND SIXTEEN
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # – 2016

**A RESOLUTION AUTHORIZING A BOND ISSUE AND/OR
NOTES OF UP TO SIX MILLION EIGHT HUNDRED FIFTY
THOUSAND DOLLARS (\$6,850,000) FOR COSTS RELATED TO
FISCAL YEAR 2017 CITYWIDE STREET, SIDEWALK AND
FACILITY IMPROVEMENTS.**

BE IT RESOLVED:

THAT, the sum of **Six Million Eight Hundred Fifty Thousand Dollars (\$6,850,000)** is appropriated for Fiscal Year 2017 Citywide Street, Sidewalk and Facility Improvements;

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 Eight Hundred Fifty Thousand Dollars (\$6,850,000)** through the issuance of bonds and/or notes of the City under the Municipal Finance Act;

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

THAT That this Resolution shall take effect upon its passage.

APPROVED:

JACK BLALOCK, MAYOR

ADOPTED BY CITY COUNCIL

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

BI-CD-11: CHESTNUT STREET STREETScape IMPROVEMENTS

Department	Community Development Department
Project Location	Chestnut Street between Porter and Congress Streets
Project Type	Rehabilitation of an Existing Facility
Commence FY	2017
Ward	5
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Master Plan 2005 , Wayfinding Analysis 2014	Y
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	Y
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	Y

Description: This project is a collaborative effort between the City, The Music Hall, abutting property owners and businesses to beautify and improve Chestnut Street between Porter and Congress Streets. The proposed plan includes new sidewalks and drainage improvements, new granite seating walls, flowering trees and shrubs. Changes to the street surface will improve wayfinding from Congress Street, The Music Hall and the African Burying Ground, and it will meet the City's Master Plan goals of increasing the number of community gathering areas downtown.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	25%	\$200,000						\$200,000	\$0	\$200,000
UDAG	25%	\$200,000						\$200,000	\$0	\$200,000
Revenues	0%							\$0	\$0	\$0
PPP	50%	\$400,000						\$400,000	\$0	\$400,000
	Totals	\$800,000	\$0	\$0	\$0	\$0	\$0	\$800,000	\$0	\$800,000

CAPITAL IMPROVEMENT PLAN

FY 17-22

II-36

BI-CD-17: MULTI-PURPOSE RECREATIONAL FIELD (FORMER STUMP DUMP)

Department	Community Development Department
Project Location	Greenland Road at Islington Street
Project Type	Construction or Expansion of a public facility, street or utility
Commence FY	2016
Ward	3
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Minimal



Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Recreation Needs Study 2010	Y
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: The 2010 Recreation Needs Study recommended additional multi-use fields be added to the City's inventory. This project will fulfill a long-held vision for converting the former "stump-dump" facility on Greenland Road into a regulation-sized, multi-purpose, outdoor field with artificial turf. Lighting, associated parking and other amenities are included. This project will also provide parking and trail access for the Hampton Branch trail system as well as access to other passive recreational assets such as the Great Bog.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	88%	\$1,750,000						\$1,750,000	\$0	\$1,750,000
Daniel St trust	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	13%	\$250,000						\$250,000	\$0	\$250,000
	Totals	\$2,000,000	\$0	\$0	\$0	\$0	\$0	\$2,000,000	\$0	\$2,000,000

CAPITAL IMPROVEMENT PLAN

FY 17-22

II-40

BI-PW-19: OUTDOOR POOL UPGRADE

Department	Public Works
Project Location	Peirce Island
Project Type	Upgrade Existing Facility
Commence FY	2017
Ward	ALL
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible

Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	



Description: This project includes the replacement of the pool gutter system and pool liner. The original pool was constructed in the 1930's and has been renovated a number of times. The existing liner is past the 15 year design life and the concrete gutter is starting to show signs of failure.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$500,000					\$400,000	\$900,000	\$0	\$900,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$500,000	\$0	\$0	\$0	\$0	\$400,000	\$900,000	\$0	\$900,000

BI-PW-25: CITY-WIDE FACILITIES CAPITAL IMPROVEMENTS

Department	Public Works
Project Location	City-Wide
Project Type	Upgrade Existing Facilities
Commence FY	On-Going
Ward	ALL
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible

Evaluation Criteria	Satisfy
Identified in Planning Document or Study: Facilities Needs Evaluations (in development)	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	



Description: The Public Works Department has the maintenance responsibilities for all municipal facilities. These facilities are wide ranging and serve multiple uses. Due to age and usage, many facilities are in need of updating in order to continue their availability to the general public and programs conducted within. Prioritization of projects will be based on each facilities evaluation, to be completed in FY16.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	1%							\$0	\$50,000	\$50,000
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	98%	\$1,000,000			\$1,000,000			\$2,000,000	\$2,000,000	\$4,000,000
Other	0%							\$0	\$0	\$0
Revenues	1%							\$0	\$30,000	\$30,000
PPP	0%							\$0	\$0	\$0
	Totals	\$1,000,000	\$0	\$0	\$1,000,000	\$0	\$0	\$2,000,000	\$2,080,000	\$4,080,000

TSM-PW-32: MCDONOUGH STREET AREA IMPROVEMENT PROJECT

Department	Public Works
Project Location	McDonough Street
Project Type	Construction of a public street
Commence FY	2017
Ward	2
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible



Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: This project is at the request of the Islington Creek Neighborhood Association to have new sidewalks and traffic calming measures installed throughout the McDonough Street Area. The main purpose of this project is to enhance safety for the residents and others who travel through this area on foot, by bicycle and motor vehicle. This area is a mixed use of residential, commercial and industrial uses located between Islington Street and North Mill Pond. The work will include water, sewer, storm drainage, paving, curbing and associated landscaping constructed in a phased approach.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$400,000						\$400,000	\$2,000,000	\$2,400,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000	\$2,000,000	\$2,400,000

TSM-PW-36: PEASE INTERNATIONAL TRADEPORT ROADWAY REHABILITATION

Department	Public Works
Project Location	Pease International Tradeport
Project Type	Upgrade of Existing Facilities
Commence FY	On-Going
Ward	3
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible



Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: Per the Municipal Service Agreement between the City of Portsmouth and Pease Development Authority, the City shall provide Public Works Services in the Non-Airfield Area of the Pease International Tradeport. Public Works Services include maintaining and repairing roads, streets, bridges and sidewalks. On the following page are the Streets and Roads that are identified for improvements.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	100%	\$2,500,000			\$750,000		\$750,000	\$4,000,000	\$1,000,000	\$5,000,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$2,500,000	\$0	\$0	\$750,000	\$0	\$750,000	\$4,000,000	\$1,000,000	\$5,000,000

TSM-PW-36: ROADWAY: Pease International Tradeport Roadway Rehabilitation

PEASE INTERNATIONAL TRADEPORT

Street	Estimated Cost
Corporate Drive	\$2,500,000
Goose Bay Drive	\$550,000
Rochester Avenue	\$700,000
Aviation Drive	\$500,000
Arboretum Drive	\$1,250,000
Oak Avenue	\$70,000
International Drive	\$100,000
Total Estimated Cost	<hr/> \$5,670,000

TMS-PW-37: BANFIELD ROAD IMPROVEMENTS

Department	Public Works
Project Location	Banfield Road
Project Type	Upgrade of Existing Facilities
Commence FY	2017
Ward	3
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible

Evaluation Criteria	Satisfy
Identified in Planning Document or Study – Bicycle and Pedestrian Plan	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	



Description: This project addresses a number of traffic safety related issues along the section of Banfield Road from Constitution to Ocean Road. These upgrades include culvert replacement, guard rail installation, and traffic calming measures. In addition, the effort will evaluate pedestrian and bicycle needs and measures to incorporate [“Complete Street” Design](#) into the project.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	29%		\$150,000					\$150,000	\$50,000	\$200,000
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	71%	\$500,000						\$500,000	\$0	\$500,000
Other	0%							\$0	\$0	\$0
Revenues	0%							\$0	\$0	\$0
PPP	0%							\$0	\$0	\$0
	Totals	\$500,000	\$150,000	\$0	\$0	\$0	\$0	\$650,000	\$50,000	\$700,000

**CITY OF PORTSMOUTH
TWO THOUSAND SIXTEEN
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # -2016

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 OF UP TO TWO MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$2,250,000) RELATED TO WATER LINE REPLACEMENTS, WATER SYSTEM PRESSURE AND STORAGE IMPROVEMENTS.

RESOLVED:

THAT, the sum of up to **Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000)** is appropriated for Water Line Replacements, Water System Pressure and Storage Improvements;

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 **Two Million Two Hundred Fifty Thousand Dollars (\$2,250,000)** 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 Fund Loan, such borrowing to be effected by the issuance of bonds and/or notes of the City under the Municipal Finance Act in connection with the Water Line Replacements, Water System Pressure and Storage Improvements;

THAT the expected useful life of this project is determined to be at least twenty (20) years, and;

THAT this Resolution shall take effect upon its passage.

APPROVED:

JACK BLALOCK, MAYOR

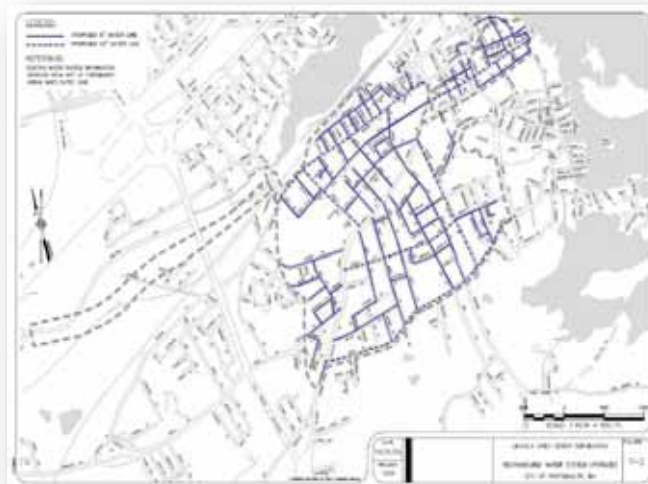
ADOPTED BY CITY COUNCIL

**KELLI BARNABY, MMC
CITY CLERK**

EF-WD-01: ANNUAL WATER LINE REPLACEMENT

Department	Public Works
Project Location	City-Wide
Project Type	Upgrade to Existing Facilities
Commence FY	On-Going
Ward	All
Priority	O (On-going)
Impact on Operating Budget	Negligible

Evaluation Criteria	Satisfy
Identified in Planning Document or Study – Water System Master Plan	Y
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	



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 of pipe, valves and associated materials used to replace those pipes. Bond funds for large full road reconstruction projects.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	22%	\$1,500,000	\$2,000,000					\$3,500,000	\$0	\$3,500,000
Other	0%							\$0	\$0	\$0
Revenues	78%	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,000,000	\$9,590,000	\$12,590,000
PPP	0%							\$0	\$0	\$0
	Totals	\$2,000,000	\$2,500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$6,500,000	\$9,590,000	\$16,090,000

EF-WD-03: WATER SYSTEM PRESSURE AND STORAGE IMPROVEMENTS

Department	Public Works
Project Location	City-Wide
Project Type	Upgrade of Existing Facilities
Commence FY	2017
Ward	ALL
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible

Evaluation Criteria	Satisfy
Identified in Planning Document or Study – 2013 Water System Master Plan	Y
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	



Description: This project consists of improvement to water mains, pumps and storage to improve water flow and pressure in the water system. Work will be performed in portions of the water system as well as sections of the system which have been identified as needing upgrades as part of the water system hydraulic model and master plan update completed in 2013.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	88%	\$750,000	\$500,000					\$1,250,000	\$1,000,000	\$2,250,000
Other	0%							\$0	\$0	\$0
Revenues	12%	\$250,000						\$250,000	\$50,000	\$300,000
PPP	0%							\$0	\$0	\$0
	Totals	\$1,000,000	\$500,000	\$0	\$0	\$0	\$0	\$1,500,000	\$1,050,000	\$2,550,000

**CITY OF PORTSMOUTH
TWO THOUSAND AND SIXTEEN
PORTSMOUTH, NEW HAMPSHIRE**

RESOLUTION # -2016

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 OF UP TO THREE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$3,400,000) FOR COSTS RELATED TO SEWER LINE REPLACEMENTS, PUMPING STATION UPGRADES AND GOOSE BAY DRIVE SEWER LINE.

RESOLVED:

THAT the sum of up to **Three Million Four Hundred Thousand Dollars (\$3,400,000)** is appropriated for Sewer Line Replacements, Pumping Station upgrades and Goose Bay Drive Sewer Line;

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 Four Hundred Thousand Dollars (\$3,400,000)** 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 Fund Loan, such borrowing to be effected by the issuance of bonds and/or notes of the City under the Municipal Finance Act in connection with Sewer Line Replacements, Pumping Station upgrades and Goose Bay Drive Sewer Line;

That the expected useful life of the project is determined to be at least twenty (20) years, and;

That this Resolution shall take effect upon its passage.

APPROVED:

JACK BLALOCK, MAYOR

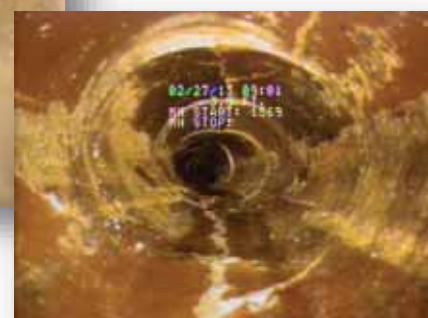
ADOPTED BY CITY COUNCIL

**KELLI BARNABY, MMC
CITY CLERK**

EF-SD-04: ANNUAL SEWER LINE REPLACEMENT

Department	Public Works
Project Location	City-Wide
Project Type	Upgrade of Existing Facilities
Commence FY	On Going
Ward	ALL
Priority	O (Ongoing or Programmatic)
Impact on Operating Budget	Negligible

Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	Y
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	



Description: The wastewater collection system consists of more than one-hundred (100) miles of pipe. Many of the older pipes are fifty (50) to one-hundred (100) years old, undersized and at the end of their design life. Pipes are replaced programmatically as part of sewer specific capital projects, roadway reconstruction and prior to annual paving. This item will fund the purchase of pipes and associated materials used to replace those pipes. Bond funds are for the large full road reconstruction type projects.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	43%	\$2,500,000	\$2,500,000					\$5,000,000	\$0	\$5,000,000
Other	0%							\$0	\$0	\$0
Revenues	57%	\$1,000,000	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	\$3,500,000	\$3,250,000	\$6,750,000
PPP	0%							\$0	\$0	\$0
	Totals	\$3,500,000	\$3,000,000	\$500,000	\$500,000	\$500,000	\$500,000	\$8,500,000	\$3,250,000	\$11,750,000

EF-SD-05: PUMPING STATION UPGRADE

Department	Public Works
Project Location	City-Wide
Project Type	Rehabilitation of Existing Facility
Commence FY	Ongoing
Ward	ALL
Priority	O (ongoing or programmatic)
Impact on Operating Budget	Negligible



Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	
Provides Added Capacity to Existing Services	
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	Y
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	

Description: The City owns and operates twenty (20) wastewater pumping stations. The projected life span of a pumping station is twenty (20) years. This project plans for the replacement or major rehabilitation of the pumping stations that have not been included as separate projects. The next pumping station to be addressed under this project is the Heritage Avenue pumping station.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	90%	\$400,000		\$400,000		\$400,000		\$1,200,000	\$3,500,000	\$4,700,000
Other	0%							\$0	\$0	\$0
Revenues	10%	\$250,000	\$100,000		\$100,000		\$100,000	\$550,000	\$0	\$550,000
PPP	0%							\$0	\$0	\$0
	Totals	\$650,000	\$100,000	\$400,000	\$100,000	\$400,000	\$100,000	\$1,750,000	\$3,500,000	\$5,250,000

EF-SD-07: GOOSE BAY DRIVE SEWER REPLACEMENT

Department	Public Works
Project Location	Goose Bay Drive
Project Type	Rehabilitation of Existing Facility
Commence FY	2017
Ward	3
Priority	A (needed within 0 to 3 years)
Impact on Operating Budget	Negligible

Evaluation Criteria	Satisfy
Identified in Planning Document or Study	
Improves Quality of Existing Services	
Provides Added Capacity to Serve Growth	Y
Addresses Public Health or Safety Need	
Reduces Long-Term Operating Costs	Y
Alleviates Substandard Conditions or Deficiencies	
Provides Incentive to Economic Development	
Responds to Federal or State Requirement	
Eligible for Matching Funds with Limited Availability	



Description: This project addresses replacement of an existing sewer that is in poor condition and at risk of failure. Replacement of this sewer line will prevent potential sewer system overflows due to failure and will provide additional capacity for an industry served by this section of sewer.

		FY17	FY18	FY19	FY20	FY21	FY22	Totals 17-22	6 PY's Funding	Totals
GF	0%							\$0	\$0	\$0
Fed/ State	0%							\$0	\$0	\$0
Bond/ Lease	74%	\$500,000						\$500,000	\$0	\$500,000
Other	7%	\$50,000						\$50,000	\$0	\$50,000
Revenues	19%							\$0	\$125,000	\$125,000
PPP	0%							\$0	\$0	\$0
	Totals	\$550,000	\$0	\$0	\$0	\$0	\$0	\$550,000	\$125,000	\$675,000

**CITY OF PORTSMOUTH
LEGAL DEPARTMENT
MEMORANDUM**

DATE: June 16, 2016

TO: RICK TAINTOR, PLANNING DIRECTOR

FROM: SUZANNE M. WOODLAND, DEPUTY CITY ATTORNEY

RE: WATERLINE EASEMENTS – ROUTE 33, GREENLAND

The City of Portsmouth currently provides retail water service to portions of Greenland including an area along Route 33. The City was requested to extend its water service to serve a new commercial subdivision approved by the Town of Greenland Planning Board (site of the new Tractor Supply store and Aroma Joe's).

The Department of Public Works recommends accepting water line easements to encompass a utility easement area as shown on a plan entitled "AMENDED EASEMENT PLAN, Tax Map R21, Lots 55A & 55B, Property of Thurken IV, LLC, NH Route 33 / March Farm Way, Greenland, New Hampshire, County of Rockingham" dated March 15, 2016, recorded in the Rockingham County Registry of Deeds. Copy attached. The Town of Greenland approved the commercial subdivision plan conditioned on the water line being installed to City specifications to serve the properties. The water line and associated infrastructure have been installed within the common driveway. Two easement deeds are required; the easement area extends over two parcels, one still held by the developer, Thurken IV, LLC, and the other now held by Sarnia Properties, LLC.

REQUESTED ACTION: The Planning Board recommend to the City Council acceptance of water line easements from Thurken IV, LLC and Sarnia Properties, LLC to serve the minor commercial subdivision off of Route 33.

attachment

cc: Ray Pezzullo, Assistant City Engineer

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 7, VEHICLES, TRAFFIC and PARKING of the ordinances of the City of Portsmouth be amended as follows by deletions from existing language stricken and highlighted in **red**; additions to existing language bolded and highlighted in **red**, 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, 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:

30. Cutts Street: easterly side, between Maplewood Avenue and Leslie Drive.

75. McDonough Street: both sides, from the easterly curb line of Dover Street to a point 90 feet east of Dover Street.

122. Union Street: westerly side, from State Street to a point 45 feet north of State Street.

B. Amend: Chapter 7, Article IV – OFF-STREET PARKING AREAS

Section 7.402: AREAS ESTABLISHED, DESIGNATED, AND DESCRIBED

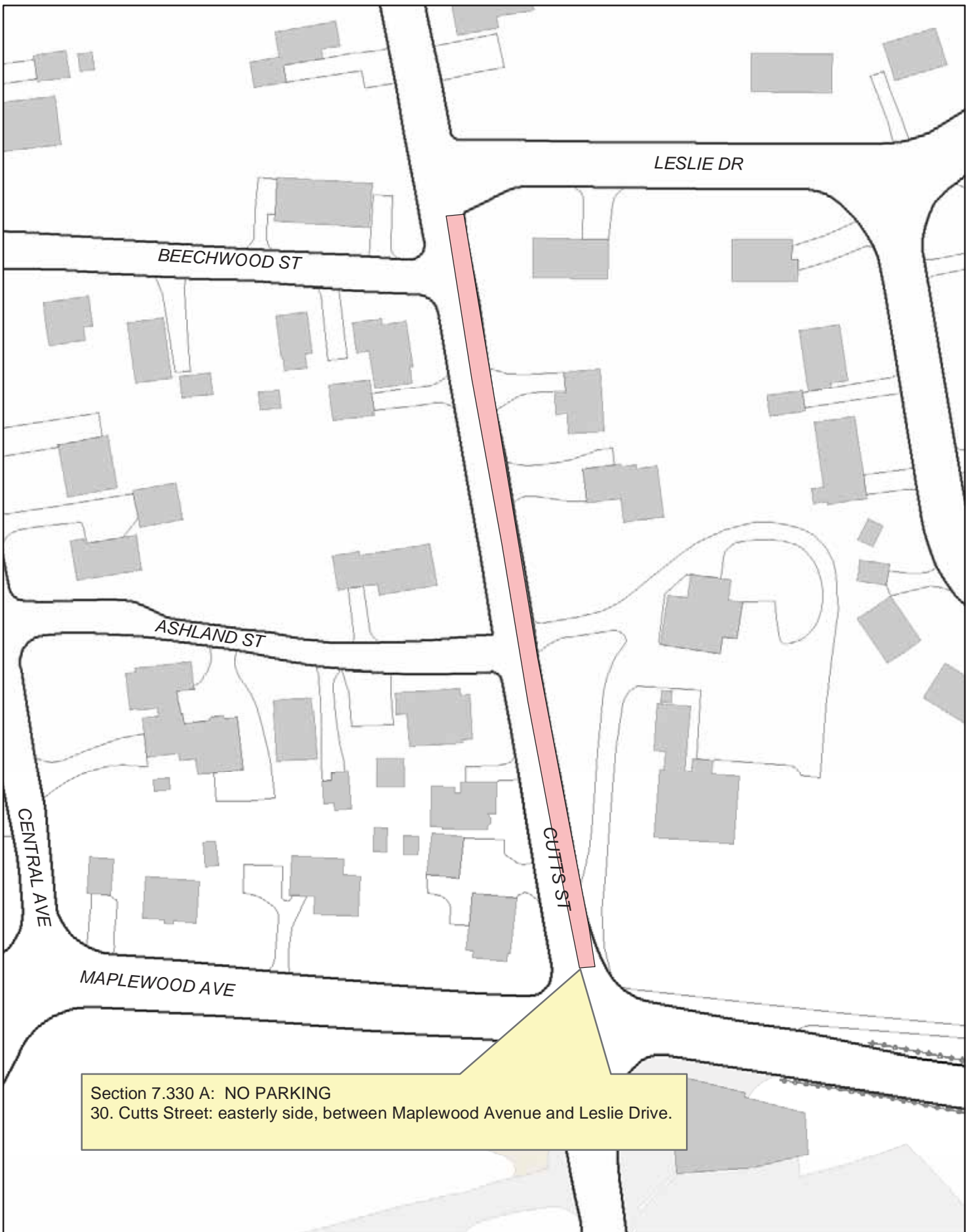
D. ~~Vaughn Street Off-Street Parking Area (Worth Lot)~~

The following area to be known as the ~~Vaughn Street Off-Street Parking Area~~ **Worth Lot** is hereby established for off-street parking of motor vehicles said area being more particularly bounded and described as follows:

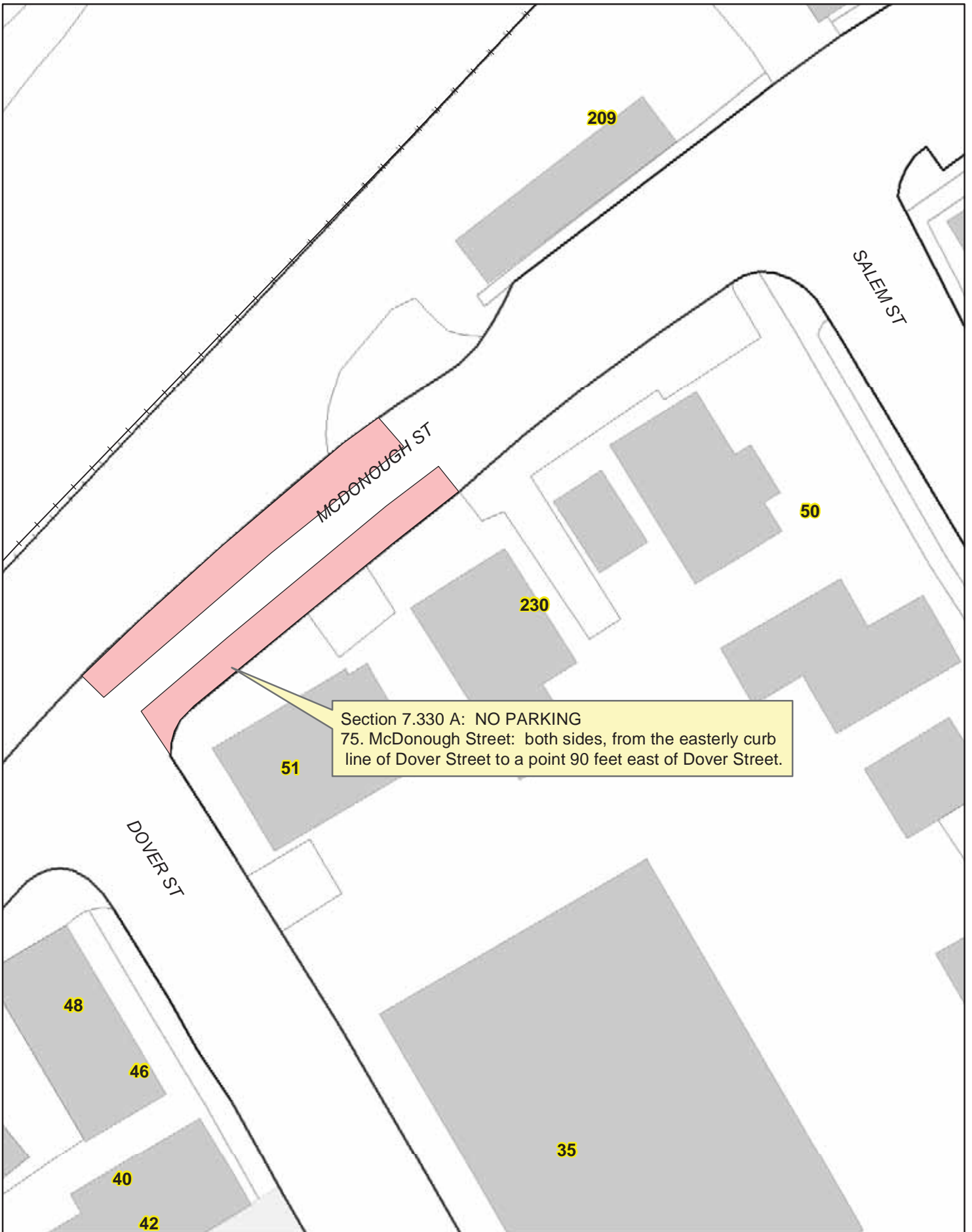
Beginning on the westerly sideline of Vaughan Street where said westerly sideline of said Vaughan Street intersects the northerly sideline of a certain right of way which extends from said Vaughan Street in a westerly direction to land now or former of the YMCA; thence running westerly by said right of way and the land of said YMCA a distance of 394.3 feet to a point; thence turning and running in a southerly direction 15 feet, more or less, to a point; thence turning and running by land now or formerly of Whitaker a distance of 75 feet, more or less, to the easterly sideline of Bridge Street; thence turning and running along said easterly sideline of said Bridge Street, a distance of 94.9 feet to the land now or formerly of Norman Munday; thence turning and running in an easterly direction along land of Munday, Knott, Roylos and Savramis a distance of 256 feet; thence turning and running in a northerly direction along land of Savramis a distance of 105.4 feet to the southerly sideline of Hanover Street; thence turning and running along said southerly sideline of said Hanover Street in an easterly direction a distance of 69.9 feet to land now or formerly of Rirado Realities, Inc.; thence turning and running in a southerly direction along land of said Rirado Realities, Inc. a distance of 118 feet to a point; thence turning and running in an easterly direction a distance of 141 feet to the westerly sideline of Vaughan Street; thence turning and running along said westerly sideline of said Vaughan Street in a southerly direction, a distance of 104.9 feet to the City of Portsmouth, NH Ordinances Page 40 Chapter 7 point of beginning. All of said area within the ~~Vaughan Street Off Street Parking~~ **Worth** Lot is hereby designated as parking meter zones.

All of said area in the ~~Vaughan Street Off Street Parking area~~ (Worth Lot) is designated as a parking meter zone. All off-street area within the ~~Vaughan Street Off Street parking area~~ **Worth Lot** is hereby designated as a ~~two~~ **three** hour parking zone except as follows:

1. To the extent that contractual obligations of the City of Portsmouth require otherwise.
 2. Two spaces in the northeastern corner of the lot shall be designated and marked "Fifteen Minute Parking Only".
 - ~~3. The first two spaces available in the southwestern corner of the lot shall be designated and marked "Fifteen Minute Parking Only".~~
-

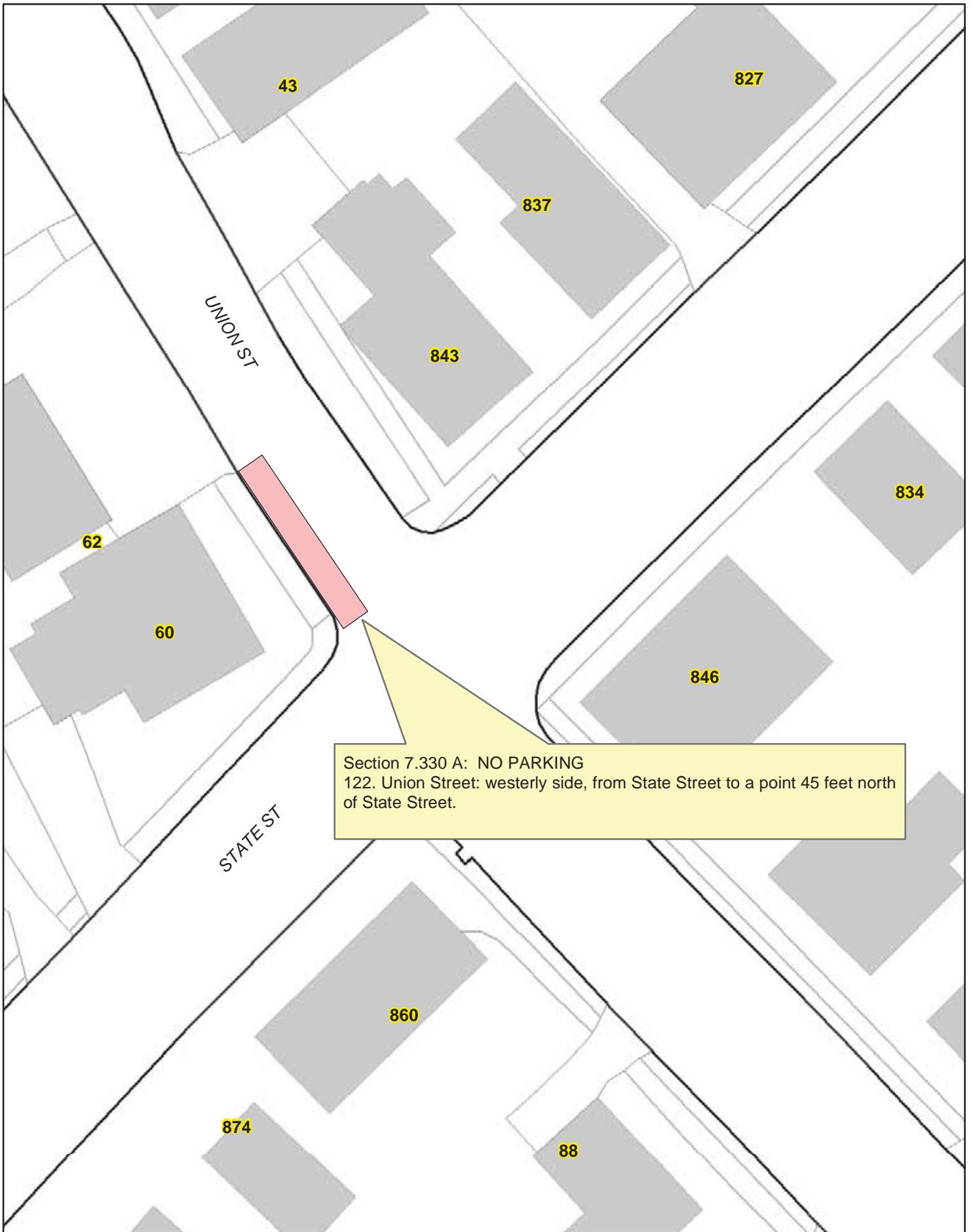


**Cutts Street No Parking
Portsmouth, New Hampshire**



**McDonough Street No Parking
Portsmouth, New Hampshire**

Map prepared by Portsmouth Department of Public Works, 9 June 2016
Map document: U:\Projects\0263 Parking Traffic & Safety\Traffic and Parking Ordinance Changes\2016



**Union Street No Parking
Portsmouth, New Hampshire**

Event Listing by Date

Starting Date: 6/ 6/2016

Ending Date: 4/30/2017

Start End	Type Description	Location	Requestor	Vote Date
6/ 8/2016 6/ 8/2016	MARCH Robert L. Sutherland, Jr. is the contact for this event. Contact #828-5246. This event starts at 9:00 a.m.	St. John's Lodge to St. John's Church	St. John's Lodge No. 1	6/ 6/2016
6/11/2016 6/11/2016	FESTIVAL Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m.	Market Square Day - 39th	Pro Portsmouth	8/ 3/2015
6/11/2016 6/11/2016	RACE Barbara Massar, Executive Director is the contact for this event. This is 5K Road Race that begins in Market Square.	Market Square Road Race	Pro Portsmouth	8/ 3/2015
6/18/2016 6/18/2016	MEMORIAL JerriAnne Boggis, Director Portsmouth Black Heritage Trail Discover Portsmouth Center is the contact. This event will be held from 11:00 a.m. to 3:00 p.m.	African Burying Ground	Portsmouth Black Heritage Trai	6/ 6/2016
6/18/2016 6/18/2016	RACE Nicole McShane is the contact for this event. Her contact number is 430-1140 ex. 2407 Raindate for this event is Sunday, June 19th.	Pleasant Street	Big Brother Big Sisters of New	10/19/2015
6/25/2016 6/25/2016	PRIDE Contact: Jess Dorr, Executive Director 603-552-5824, Portsmouth Pride Community Event with Six Walks into Market Square	Market Square	Seacoast Ouright	3/21/2016
6/26/2016 6/26/2016	MARCH St. John's Lodge March at 9:00 a.m. - March to St. John's Church - Route from the William Pitt Tavern on Court St. crossing State St. then up Chapel St to the Church. Contact: Robert Sutherland, Jr. 603-828-5246	March to St. John's Church, Chapel Street	St. John's Lodge	6/ 6/2016
7/ 2/2016 7/ 2/2016	MUSIC Barbara Massar, Executive Director is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/ 3/2015
7/ 2/2016 7/ 2/2016	MUSKET Alena Shellenbean, Manager, Special Events is the contact for this event. Tel. #(603) 828-2979	Strawbery Banke	Strawbery Banke	/ /
7/ 4/2016 7/ 4/2016	RACE David Hampson is the contact for this event. Telephone No. 334-3032 Race Start: 9:00 a.m. Registration: 7:30 a.m.	Strawbery Banke, Marcy Street	Easter Seals Veteran's Count	12/ 7/2015
7/ 9/2016 7/ 9/2016	FUND Jim O'Brien is the contact for this event. Tel. 603-380-5343	Market Square - Boot Drive	Portsmouth Professional Fire F	4/18/2016

Event Listing by Date

Starting Date: 6/ 6/2016

Ending Date: 4/30/2017

Start End	Type Description	Location	Requestor	Vote Date
7/16/2016 7/16/2016	BIKE TOUR Contact: Chris Vlanqas 1-800-757-0203 Event begins at 7:30 a.m. from Shapleigh Middle School in Kittery.	From Kittery, ME to Route 1B to Rye back to Kitter	Cystic Fibrosis Foundation	1/25/2016
7/16/2016 7/16/2016	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/ 3/2015
7/23/2016 7/23/2016	MUSIC Barbara Massar is the contact for this event. This event begins at 5:00 p.m. to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/ 3/2015
7/30/2016 7/30/2016	BOAT Molly Bolster is the contact for this event. This event begins at 9:00 a.m. to 3:00 p.m. Raindate: 7/31/16	Peirce Island	Round Island Regatta	3/14/2016
7/30/2016 7/30/2016	MUSIC Barbara Massar, Executive Director This event is from 5:00 to 9:30 p.m.	Pleasant Street - Summer in the Street Music Serie	Pro Portsmouth	8/ 3/2015
8/ 4/2016 8/ 4/2016	RACE Justin Finn is the contact for this event. Race Start: 6:00 p.m. Registration: 4:30 p.m.	Portsmouth High School Cross Country Track	Portsmouth Rotary Club	12/ 7/2015
8/20/2016 8/20/2016	FUND Jim O'Brien is the contact for this event. Tel. (603) 380-5343	Market Square - Boot Drive	Portsmouth Professional Fire F	4/18/2016
9/17/2016 9/17/2016	RACE Holly Tennent and Melissa Mikulski are the contacts for this event. mmikulski@bottomline.com 501-5335 htennent@bottomline.com 501-6653 This event begins at 9:00 a.m.	Pease Tradeport	Bottomline Technologies	4/ 4/2016
9/17/2016 9/17/2016	WALK Contact: Ken La Valley, Chair - Out of Darkness Walk on Saturday, September 17, 2016 Registration: 8:30 a.m. Walk Duration 10:00 a.m. - Noon Peirce Island - Begin and end. Proposed Walk route 2.3 miles	Peirce Island	American Foundation for Suicid	1/11/2016
9/18/2016 9/18/2016	RACE Wendy McCooole is the contact for this event. Telephone #603-759-5640 Race Start: 9:00 a.m. Registration: 7:30 a.m.	Portsmouth Middle School	Celebrate Pink	12/ 7/2015
9/24/2016 9/25/2016	BIKE TOUR Donna Hepp is the contact for this event. Tel. 414-258-3287	Through Portsmouth	Grante State Wheelmen	12/ 7/2015

Event Listing by Date

Starting Date: 6/ 6/2016

Ending Date: 4/30/2017

Start End	Type Description	Location	Requestor	Vote Date
9/24/2016 9/25/2016	FESTIVAL David Hallowell is the contact for this event. This is a 2-day event starting at 8:00 a.m. to 6:00 p.m.	Pleasant Street	Portsmouth Maritime Folk Festi	1/25/2016
9/24/2016 9/25/2016	TOUR Caroline Amport Piper is the contact for this event. Tel. (603) 686-4338 Location of this event is to be determined. This event begins each day at 11:00 a.m. to 3:00 p.m.	To Be Determined	Friends of the South End	12/ 7/2015
10/ 9/2016 10/ 9/2016	ROAD RACE Contacts: (Date changed to October 9, 2016 instead of October 8th) Ben Anderson - ben@prescottpark.org Angela Greene - angela@prescottpark.org Race Start: 10:00 a.m. Registration: 8:00 a.m.	Memorial Bridge Portsmouth	Memorial Bridge Road Race	12/ 7/2015
10/22/2016 10/22/2016	WALK Contact Susan von Hemert Annual Memorial Bridge Walk walking acorss Memorial Bridge to Prescott Park	Memorial Bridge Walk to Prescott Park	Seacoast Rotary	3/ 3/2016
11/13/2016 11/13/2016	ROAD RACE Jay Diener, Co-race Director is the contact for this event. He can be reached at (603) 758-1177 Runners start at 8:30 a.m.	Portsmouth, New Castle, Rye	Seacoast Half Marathon	4/18/2016
11/24/2016 11/24/2016	ROAD RACE Matt Junkin, Race Director is the contact for this event. This is the Thanksgiving Day Turkey Trot which begins at Peirce Island and ends at Strawberry Banke. Registration begins at 7:00 a.m. Race commences at 8:30 a.m.	Peirce Island is the start - Strawberry Banke is th	Seacoast Rotary Turkey Trot 5K	11/16/2015
12/11/2016 12/11/2016	ROAD RACE Thomas M. Bringle is the contact for this event. Tel. 603-724-6080 tbringle@arthritis.org. Registration begins at 9:00 a.m. Race start time: 10:00 a.m.	Little Harbour School	Arthritis Foundation - Jingle	1/25/2016
1/ 1/2017 1/ 1/2017	RACE Michael Rennebu is the contact for this event. Cell #603-969-9783 Race Start: 11:00 a.m. Registration: 9:00 a.m.	Portsmouth Middle School	Great Bay Services	12/ 7/2015

LEGISLATION SUMMARY

PLANNING

<u>PASSED/ENROLLED</u>	<u>DESCRIPTION</u>	<u>EFFECTIVE DATE</u>	<u>ACTION</u>
Chapter 6 (SB 146)	Accessory Dwelling	June 1, 2017	Ordinance Required
Chapter 81(HB1202)	Planning Board Applications	July 18, 2016	Advise Planning Board
	Amends date for filing applications for acceptance by Planning Board to 21 days before meeting (was 15).		
SB 411	Merged Lots	60 days after passage	Advise Planning Board
	Written consent from mortgage holder required as condition of approval for applications for voluntarily merged lots and sunset date for restoration of involuntarily merged lots amended to December 31, 2021 (was 2016).		
SB 482	Short Term Rentals	Upon passage	City Input on Health Safety Requested
	Committee created to study the effects on short term rentals and findings due in Report by November 1, 2016.		
HB 1590	Short Term Rentals	60 days after passage	
	All advertisements for short term rentals shall include meals and rooms license number. Note- Defines Short Term Rentals as “the rental of one or more rooms in a residential unit for occupancy for tourist or transient use for less than 185 consecutive days.”		
SB 364	Complete Streets	Upon passage	City input
	Committee created to study (with input from municipalities and DOT) the feasibility of federal funding for complete streets programs.		
HB 345	Agritourism	July 18, 2016	Advise Land Use Boards
	Any new establishment, re-establishment after abandonment, or significant expansion of farm stand, retail operation, or other use involving on-site transactions with the public, including agritourism, may be made subject to applicable special exception, building permit, or other local land use approval and may be regulated to prevent traffic		

and parking from adversely impacting adjacent property, streets and sidewalks, or public safety.

Agritourism is attracting visitors to farms to attend events that are accessory uses to primary farm operations, including eating a meal, overnight stays, enjoyment of farm environment, education or active involvement in the activity of the farm.

Chapter 25 (HB 1315) Adding mixed use June 24, 2016

Adds mixed use development to the definition of industrial facility under RSA 162-G:3, IV, regarding the acquisition, development and disposal of Industrial land and facilities.

TAX/ASSESSING

Chapter 37 (HB 1219) Tax Deeds July 2, 2016

Reduces penalties and extends deadlines for repurchase of tax deed by former owner.

Chapter 99 (SB 359) Charging Stations July 18, 2016

Municipalities may fund improvements in electric vehicle charging stations with funds from the municipal and transportation improvement fund.

Chapter 93 (HB 1655) Utility Trailer Registration January 1, 2017

Municipalities may register and charge fee for agricultural/industrial utility vehicles.

HB 430 Veterans' Credit 60 days after passage **Ordinance Local Option**

Local option which allows the extension of a property tax credit to veterans who were honorably discharged and who served in active service for 90 days.

HB 1198 Pole Valuation September 1, 2016

Assessing Standards Board to annually hold a public forum and determine a schedule of values of poles and conduits. Municipalities would use the adopted schedule to determine the tax burden of poles and conduits. Amends valuation formula, replacement cost.

PUBLIC WORKS

HB 2016 Bridge Aid Upon Passage

The project named Portsmouth, project number 40644, which consists of a railroad crossing upgrade, shall be relocated from Maplewood Avenue to Market Street.

HB 1428 SAG funding July 1, 2016

Funding approved for 106-13 Bartlett Area Sewer Improvements (\$168,944) and 106-14 Lincoln Area Sewer Separation (\$196,936) and funds police standards payable from general fund not police standards training fund.

MISC Provide map regarding sound barriers to Delegates and Legislative Subcommittee.

LEGAL

Chapter 29 (HB 1418) Right to Know Jan 1, 2017
Chapter 30 (HB 1419) Right to Know Jan. 1, 2017

Nonpublic Session Minutes shall include members, persons appearing before the public bodies, brief description of subject matter and final decisions, including the vote of each member unless voted in public session by 2/3 members pursuant to exceptions in RSA 91-A:3, III.

HB 285 Right to Know Upon passage

Adds correspondence with legal counsel to the law governing nonpublic sessions under right to know law.

HB 606 Right to Know Upon passage

No fee for inspection or delivery, without copying, of governmental records, whether in paper, electronic, or other form.

HB 1293 Charter Amendment August 8, 2016

Revises notice of hearing requirements and deadlines for publication, allows municipalities with biennial elections to put ballot on either next regular municipal election or at a special municipal election, reduces the number of voters on a written petition to amend, and revises petition affidavits.

HB 1697 Uber bill **Upon Passage** **Preempts City Ordinance re TNC only not Taxis Advise Transportation Committee**

CITY CLERK

HB 1395 Record Retention 60 days after passage

Record that must be retained for more than 10 years may be stored in PDF/A.

Chapter 190 (SB 509) Voter Challenge Affidavit August 2, 2016

Revises voter registration forms and voter identity verification process.

HR

Chapter 110 (HB 1352) Employer Reporting July 19, 2016

Employer may be fined for not complying with reporting requirements for retirees after reasonable notice and opportunity to cure.

SCHOOL DEPT

Chapter 117 (SB 152) Criminal Record Check July 19, 2016 **Advise Dept.**

Criminal record check for school employee and designated school volunteer will now include record review for misdemeanors and school may deny offer if person convicted of any crime, previous law said felony.

WELFARE

Chapter 13 (HB 1696) Medicaid Expansion Various dates

Premium Assistance program extended to 2018.

COALITION

Chapter 8 (SB 227) Calculating Adequate Education March 16, 2016 **Update Coalition**

Stabilization Grants won't be distributed to municipalities if education property tax revenue exceeds total cost of adequate education.

PORTSMOUTH



PRESS RELEASE

**FOR
IMMEDIATE
RELEASE**

June 15, 2016

Public Input Forum to be held Wednesday, June 22nd on Prescott Park Master Plan *Forum follows successful project kick-off*

PORTSMOUTH, NH – The Mayor’s Blue Ribbon Committee on the Prescott Park Master Plan will host another public input forum on Wednesday, June 22nd at 6:30 p.m. in the Eileen Dondero Foley Council Chambers.

This next public forum follows the successful project kick-off event held in Prescott Park on Sunday, June 12th, which was attended by approximately 140 members of the community. The Wednesday June 22nd meeting will feature a similar presentation given by Weston & Sampson at the kick-off event and provide additional opportunity for people to submit their ideas for the future of Prescott Park. In addition, an initial report-out on the feedback received at the kick-off events will be part of the presentation.

This public input forum is the second of several public input opportunities. It falls within the initial existing conditions and site analysis part of the Master Plan process. The event will be televised and available for replay on the City’s website.

Presentation materials from the June 12th kick-off event including a kick off survey form are available on the City’s Prescott Park Master Plan website, which can be reached via the City’s main page at www.cityofportsmouth.com. Community members are invited to print and submit kick-off survey forms or respond via the comment form on the Master Plan Project website. Residents seeking to receive updates and announcements about this Master Planning initiative can subscribe to the project mailing list at this same project website.

Following the June 22nd evening public forum, a “Park Presence” day will be held at Prescott Park between 11:00 a.m. and 1:00 p.m. on Saturday June 25th. At that time, representatives from Weston & Sampson will be available on the lawn behind the Players’ Ring Theater to review project goals, existing conditions information and to gather input and ideas from the public about the Park’s future. In case of rain, the conversations will move inside the Player’s Ring Theater.

Information about these events will be posted to the Blue Ribbon Committee’s project website:

<http://www.cityofportsmouth.com/PrescottParkMasterPlan.html>



CITY OF PORTSMOUTH

Community Development Department
(603) 610-7232

Planning Department
(603) 610-7216

INTEROFFICE MEMORANDUM

TO: JOHN P. BOHENKO, CITY MANAGER
FROM: NANCY COLBERT PUFF, DEPUTY CITY MANAGER
SUBJECT: PROPOSED NATIONAL REGISTER (NR) DISTRICT NOMINATION – INFORMATIONAL MEETING
DATE: JUNE 14, 2016

As a result of the Memorandum of Agreement executed in 2011 between the NH Division of the Federal Highway Administration (FWA), the NH Department of Transportation (DOT) and the State's Division of Historical Resources (DHR), a nomination has been prepared for the "Portsmouth Downtown Historic District," which lists 1,290 contributing buildings, sites, structures, and objects for inclusion on the National Register of Historic Places.¹ The nomination was item #4 (of 14) mitigation measures agreed to be taken in response to adverse impact incurred by the demolition of the original Memorial Bridge, pursuant to Section 106 of the National Historic Preservation Act.

Listing on the National Register affects property owners in a variety of ways. Listed properties are eligible to compete for certain grants, and can earn a 20% investment tax credit on construction that meets the criteria of the Secretary of the Interior Standards. In addition, listing invokes Section 106 review for changes to properties that involve Federal funding and/or require Federal permitting. Likewise, the State has an ancillary regulation, RSA Chapter 227C, Section 9, which also invokes review for State-assisted/permitted historic resources. Review determines if the proposed project may have an adverse impact on a listed property, and if so, consultation with the State Historic Preservation Officer (SHPO) is required.

The State is hosting a meeting on Tuesday, June 28th at 6:30 pm at the Seacoast Repertory Theater to discuss all aspects of National Register listing. They have mailed letters of invitation to all property owners within the proposed district.

Staff have carefully reviewed the nomination and are in communication with the SHPO regarding specific properties listed within the draft boundary. The proposed district boundary includes roughly 40% more properties than our existing local historic district, and encompasses 33 City-owned properties. City staff will be in attendance on June 28th.

Additional information on the proposed National Register District can be found on the City's web site: <http://www.planportsmouth.com/nationalregisternomination.html>

¹ 96 properties are already listed on the National Register.

CITY OF PORTSMOUTH



PRESS RELEASE

**FOR
IMMEDIATE
RELEASE**

June 15, 2016

Standard & Poors Affirms City of Portsmouth's AAA Bond Rating

PORTSMOUTH, NH – Standard & Poors (S&P) rating agency has again affirmed the City's long-term rating of "AAA," the highest obtainable rating. S&P weighs a host of financial, economic, debt and managerial information in order to assess a City's performance.

This high bond rating indicates lower perceived risk of default, and reflects the steps taken by the City to seek continuous improvements to maintain fiscal stability. According to City Manager John Bohenko, this rating validates the City policies that have saved the City a substantial amount of money over the years. "I am very pleased that we have been able to maintain the highest obtainable bond rating by S&P in light of various economic challenges. Our AAA rating reflects our commitment to financial stability through implementation of various stabilization policies and a strong fund balance."

In the rating report, S&P cites the City's very strong management, very strong financial policies, very strong budgetary flexibility and low overall net debt at less than 3% market value as key factors in their high rating. "We rate the city higher than the nation because we believe Portsmouth can maintain better credit characteristics than the nation in a stress scenario based on its predominantly locally derived revenue base," said S&P. The rating agency also noted that the City's "pledged revenue supporting debt service on bonds is at limited risk of negative sovereign intervention."

Due to outstanding bond ratings, the City continues to experience low interest rates when financing City capital projects. Finance Director Judie Belanger announced that the City received seven competitive bids from bond underwriters on Tuesday June 14, 2016, for a \$21.7 million 20-Year bond issue. Proceeds from the bond issuance will be used to finance Citywide street and sidewalk

improvements, Little Harbour Elementary school and other school facility improvements, the acquisition of a fire apparatus, water system pressure and storage improvements, and costs related to the Lafayette road pumping station upgrade and Fleet Street utility upgrades. Citigroup Global markets Inc. was the winning bidder on the bonds with an average interest rate of 1.87%. “In addition to the excellent bond rate, the City received a bond premium of \$2.39 million which may be used for other capital projects with an equal or longer useful life of the issue,” Belanger said.

At the same time, the City refinanced the balance of \$11.6 million from bonds totaling \$22.4 million issued in 2008 and 2009 for the construction of Fire Station 2 and the Madbury Treatment Plant upgrades. “This refinancing brought the remaining average interest rate down from 4.05% to 1.56% saving taxpayers more than \$1.3 million over the remaining 10-years of the bond issue,” Belanger announced.

“This is the third time the City has had an opportunity to refinance debt,” said Belanger. “In 2012, the City refinanced the remaining balance of the \$38 million bond for the construction of the High School and saved taxpayers over \$2.8 million in interest costs. In 2015, the City refinanced the balance of the \$6.9 million bond for the construction of the Public Library and saved \$365,000 in interest costs. Combined with this recent refinancing, this equates to a savings of over \$4.4 million in interest.”

“These interest rates are the lowest the City has ever seen,” said Bohenko. “The City Council’s ongoing support of our policies and long-term planning have been influential in obtaining a continued high bond rating resulting in significant cost savings.”



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

JUN - 3 2016

Committee: HISTORIC DISTRICT COMMISSION **Renewing applicant**

Name: JOSEPH ALMEIDA Telephone: 431-1943

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

Street address: 33 BLOSSOM ST

Mailing address (if different): _____

Email address (for clerk's office communication): ON FIVE

How long have you been a resident of Portsmouth? 26 YRS.

Occupational background:

ARCHITECT / DESIGN MANAGER

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

Reasons for wishing to continue serving: THIS IS OF
GREAT IMPORTANCE TO THE CITY.
AND I WOULD LIKE TO CONTINUE TO
BE PART OF IT.

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

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

1) CHRIS KOZAK, WALDRON ST PORTSMOUTH
Name, address, telephone number

2) DAVID WITHAM, WALKER BUNSALOW RD PORTS.
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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

Signature:  Date: _____

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 06/01/2019

Annual Number of Meetings: 25 Number of Meetings Absent: 2

Date of Original Appointment: 8/6/2007 - aH
12/19/2011 - Roy.

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

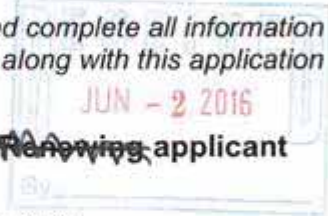
Current alternate seeking to fill regular member vacancy.



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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



Committee: Board of Zoning Adjustment

Name: Jim Lee Telephone: 603-501-3801

Could you be contacted at work? YES/NO - If so, telephone # YES - 603-501-3801

Street address: 520 Sagamore Avenue, Portsmouth, NH 03801

Mailing address (if different): Same

Email address (for clerk's office communication): Jim@JimLee.com

How long have you been a resident of Portsmouth? Since July, 2010

Occupational background:

I have been a real estate broker since 1980. I worked in Knoxville, Tennessee for 30 years before
moving to Portsmouth in 2010.

Prior to 1980 my family owned and operated two restaurants in the Knoxville, Tennessee area.

Prior to my restaurant career I served in the United States Air Force

Would you be able to commit to attending all meetings? YES/NO Yes I can

Reasons for wishing to continue serving: Although I'm a relatively new member to the
Board of Adjustment I have enjoyed my time there and feel I have made a contribution to the
board's work. I am a practicing real estate broker in Portsmouth and the NH Seacoast and believe
that experience allows me to bring an insightful perspective to the process.



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

Seacoast Board of Realtors (President 2013)

St. Andrews Lodge #56, Free & Accepted Masons

Portsmouth Elks Lodge #97

Pro Portsmouth volunteer

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

1) Jane Sawyer Leger, PO BOX 1459, Portsmouth NH 03902 603-436-9478

Name, address, telephone number

2) Debbie Duplessis, 100 Market Street, Suite 200, Portsmouth NH 03801 603-431-1111

Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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

Signature: Jim Lee dotloop verified
06/02/16 11:10AM EDT
CC7U-KAD1-MZRC-BV7G Date: June 2, 2016

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: _____

Annual Number of Meetings: ^{Not} available Number of Meetings Absent: Not available

Date of Original Appointment: 12-15-2015

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

JIM LEE

520 Sagamore Avenue, Portsmouth, NH 03801 • Home: 6035013801 • Cell: 6035013801 • jim@jimlee.com

1996 President, Knoxville Area Association of REALTORS • Board of Directors, National Association of REALTORS 2006-2008 • 1999 REALTOR of the year, Knoxville Area Association of REALTORS

Professional Summary

Award-winning, multi-million dollar producer and commissioned Real Estate Affiliate Broker versed in sales presentations, marketing and negotiations.

Skills

- Business consultant
- Marketing and promotions
- Investment property expert
- Active New Hampshire Real Estate License
- Active Maine Real Estate License
- Accredited Buyer Representative (ABR)
- Buyer contracts
- Home inspections
- Detail-oriented
- Excellent teamwork
- Works well independently
- Comparative market analysis
- Strong organizational skills
- Certified Residential Specialist (CRS)

Work History

Sales Associate, 07/2010 to Current
RE/MAX By The Bay – Portsmouth, NH

- Advertised client properties on websites, through social media and in real estate guides.
- Showed properties to potential buyers and other brokers at open houses and by appointment.
- Generated listings for sales and rental properties through cold calls and referrals.
- Represented buyers and sellers of developed and undeveloped properties.
- Coordinated appointments to show marketed properties.
- Accompanied buyers and sellers to their home inspections and appraisals.
- Negotiated, facilitated and managed real estate transactions.
- Continually stayed up-to-date on mortgage rates and related real estate news.

Affiliate Broker, 02/1980 to 07/2010

Realty Executives Associates – Knoxville, TN

- Guided clients from beginning to end of the home buying process in choosing the right property.
- Created virtual tours of homes listed, providing potential buyers with additional exposure to properties.
- Negotiated contracts on behalf of clients.
- Worked closely with clients to get the appropriate loans, inspections and credit reports.
- Developed and maintained relationships with clients through networking, postcards and cold calling.
- Generated listings for sales and rental properties through cold calls and referrals.

Education

High School Diploma: 1964
Central High School - Chattanooga, TN

Attended 2 years: Business Administration,
University of Tennessee - Knoxville, TN

Military Service

United States Air Force, honorably discharged September 1966



CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

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

Committee: Board of Adjustment

MAY 31 2016
Initial applicant

Name: John Formella Telephone: 850-375-1707

Could you be contacted at work? YES NO If so, telephone# 603-373-2010

Street address: 555 Sagamore Ave, Apt. #20 (until 6/30/16); 939 Maplewood Ave Unit 1
(after 6/30/16)

Mailing address (if different): Same as above

Email address (for clerk's office communication): jmformella@gmail.com

How long have you been a resident of Portsmouth? 3 years, 9 months

Occupational background:

I am an attorney at Pierce Atwood LLP, practicing primarily in the firm's Portsmouth
office. My primary practice areas are corporate law and environmental and land use
law. I have been practicing for 3 years and 9 months. I graduated with honors from George
Washington University Law School in May of 2012.

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

As mentioned above, I have been practicing environmental and land use law for going on
four years. Through the land use side of my practice, I have gained extensive experience
with state zoning statutes and local zoning ordinances, and I have appeared before zoning
boards multiple times.

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

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

Reasons for wishing to serve: I would love to serve on the Board of Adjustment for a couple reasons. First, I have a strong interest in land use that I have gained through practicing land use law, and I believe my experience makes me a good fit for the position. Second, I just bought a house in Portsmouth, and thus am committed to giving back to the City and doing what I can to help the City grow, prosper, and maintain its status as a place people want to move to.

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

(1.) The 603 Initiative - Board Member and Treasurer (2.) McGregor Memorial EMS (volunteer ambulance corps serving UNH, Durham, Lee and Madbury) - board member (3.) Catapult - Events Committee Member (4.) Portsmouth Republican City Committee - Chairman.

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

- 1) Patrick Collins, 820 Middle Rd., Portsmouth, 802-558-2282
Name, address, telephone number
- 2) Jeff Kiesel, 21 Wallis Rd., Portsmouth, 603-770-2763
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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

Signature:  Date: 5/31/16

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

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

Jennifer Pyke
8 Wedgewood Rd.
Portsmouth, NH 03801

received
6/6/16

May 31, 2016

Mayor Jack Blalock
City of Portsmouth
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Dear Mayor Blalock,

It is with deep regret that I am submitting my resignation from the Portsmouth Housing Authority Board of Commissioners. I have enjoyed being a part of the board and having a voice to help where I could. I feel truly thankful for the opportunity to work for Portsmouth Housing Authority now and look forward to my future endeavors.

I am happy to remain on the board until someone else is chosen to fill my position. Please don't hesitate to contact me if you have any questions.

Sincerely,

Jennifer Pyke

ACTION ITEMS

PARKING and TRAFFIC SAFETY COMMITTEE MEETING

8:00 A.M. – June 2, 2016

City Hall – Eileen Dondero Foley Council Chambers

MEMBERS PRESENT: Brad Lown, Chairman; Nancy Colbert-Puff, Deputy City Manager; Peter Rice, Public Works Director, James Heinz, Deputy Fire Chief; Frank Warchol, Police Captain; Ronald Cypher, Member; Harold Whitehouse, Member; Mary Lou McElwain, Alternate Member

ALSO PRESENT: Eric Eby, Parking and Transportation Engineer; Juliet Walker, Transportation Planner; Joey Giordano, Parking Manager; Terry Desmarais, City Engineer

MEMBERS ABSENT: Ted Gray, Member; Shari Donnermeyer, Member

Action Items that will require an ordinance change by City Council:

- Recommend the City Council pass an ordinance allowing mopeds to park on sidewalks if they have a City issued sticker or designated moped license plate, do not impede pedestrian traffic, and meet the state's legal description of a moped. (VIII.A.)
- Formalize the policy of requiring only one motorcycle to purchase a pay and display sticker when parking in a group, and that a separate ordinance be adopted to codify this practice. (VIII.A.)

Temporary Action Items requiring an ordinance during the annual omnibus:

none

1. Accepted and placed on file the minutes of the Parking and Traffic Safety Committee Meeting held on May 5, 2016.
2. Accepted and placed on file the Financial Report dated April 30, 2016.
3. Public Comment Session – One speaker: Marc Stettner
4. (VI.A.) – Chestnut Street Streetscape Improvements presented by Ben Auger, Trustee of The Music Hall.
5. (VI.B.) – Peirce Island Road Bridge deck repair project presented by Terry Desmarais, City Engineer. The project will restrict parking on Mechanic Street from Marcy Street to the Peirce Island Road Bridge for the duration of the project.

6. (VII.A.) **Action Item:** Valet parking license renewals, Atlantic Parking Services – 3 locations – **VOTED** to renew the valet parking licenses at 3 locations for another year.
7. (VII.B.) **Action Item:** Valet parking license renewal, The One Hundred Club – **VOTED** to renew the parking license for another year.
8. (VIII.A.) **Action Item:** Moped, motorcycle and scooter parking – **VOTED** to recommend the City Council pass an ordinance allowing mopeds to park on sidewalks if they have a City issued sticker or a designated moped license plate, do not impede pedestrian traffic, and meet the state's legal description of a moped.

VOTED to formalize the policy of requiring only one motorcycle to purchase a pay and display sticker when parking in a group and that a separate ordinance be adopted to codify this practice.
9. Public Comment Session – Two speakers: Marc Stettner and Pam Kayden-Babish
10. Informational –
 - 2016 Parking Utilization study data collection begins June 2nd
 - PS21 “Islington Street Lab” implementation update
 - Proposed Neighborhood Traffic Calming program
11. Adjournment – At 9:28 a.m., voted to adjourn.

Respectfully submitted by:
Amy Chastain
Secretary to the Committee

MEETING MINUTES

PARKING and TRAFFIC SAFETY COMMITTEE MEETING

8:00 A.M. – June 2, 2016
City Hall – Eileen Dondero Foley Council Chambers

I. CALL TO ORDER:

Chairman Lown called the meeting to order at 8:00 a.m.

II. ROLL CALL:

Members Present:

Chairman, Brad Lown
Deputy City Manager, Nancy Colbert Puff
Public Works Director, Peter Rice
Deputy Fire Chief, James Heinz
Police Captain, Frank Warchol
Member, Ronald Cypher
Member, Harold Whitehouse
Alternate Member, Mary Lou McElwain

Staff Advisors Present:

Parking Manager, Joey Giordano
Parking and Transportation Engineer, Eric Eby
Transportation Planner, Juliet Walker

Absent:

Member, Ted Gray
Member, Shari Donnermeyer

Ron Cypher complimented Public Works Director Rice on the Op-Ed article in today's Portsmouth Herald regarding the Water Country traffic study.

III. ACCEPTANCE OF THE MINUTES:

Harold Whitehouse motioned to accept the May 5, 2016, meeting minutes.
Ron Cypher seconded.

Motion passed 8-0.

IV. FINANCIAL REPORT:

Public Works Director Rice motioned to accept the April 30, 2016, financial report.

Mary Lou McElwain seconded.

Motion passed 8-0.

V. PUBLIC COMMENT:

Marc Stettner thanked the Committee for looking into his issue (action item VIII.A.). He recommended moving forward with staff recommendations and requested the Committee consider allocating specific spots for two-wheel vehicles, like other cities. He suggested implementing a pilot program. He requested that public comments be allowed after the motion on action item VIII.A.

VI. PRESENTATIONS:

A. Chestnut Street Streetscape Improvement project by The Music Hall – Juliet Walker, Transportation Planner, introduced the group. David Moore, Assistant City Manager, is the city liaison on the project. Ben Auger, Trustee and Chair of the Facilities Committee at The Music Hall, provided a project overview. The Music Hall, as a partner with the City, seeks to make the street more inviting. This would be accomplished by the following: a 50/50 partnership with the City for streetscape improvements; \$400,000 for street improvements funded by The Music Hall; \$400,000 from the City's Capital Improvement Plan (CIP) and The Urban Development Action Grant (UDAG) funds. The Music Hall will fund a "Wayfinding Arch" to connect the African Burying Ground and Vaughan Mall to the Northern Tier. Mr. Auger discussed problematic streetscape issues currently in the area. He also presented a proposed pedestrian connector from the African Burying Ground to The Music Hall as a separate project. The presentation is posted on the City's website under the June 2016 Current Calendar section.

The Committee comments included: school bus and patron drop off, pedestrian access, vehicular access on Chestnut, arch design, the Fire Department's concern that the arch design will inhibit the use of aerial devices to get to certain parts of the building, bike corrals, and paving details.

B. Peirce Island Road Bridge deck repair project – Terry Desmarais, City Engineer, presented to the Committee. Aaron Lachance, the city consultant and Project Manager/Senior Structural Engineer, from Hoyle, Tanner & Associates, was present. Mr. Desmarais provided the project background and scope of work. He stated the deck repair project would be in advance of the Peirce Island Wastewater Treatment Facility (WWTF) upgrade. Highlights from the presentation included: construction scheduled from late May through late September; the Mechanic Street force main located within the limits of the bridge has a small leak and needs repair; one-way alternating traffic on bridge during construction; 10-foot lane width restriction on the bridge; parking restrictions along Mechanic Street (11 spaces to be temporarily removed during construction); installing three (3) trailer mounted portable temporary traffic signals; and pedestrian access only restricted on limited basis for repairs on the pedestrian walkway. The presentation is posted on the City's website under the June 2016 Current Calendar section.

The Committee comments included: clarification on force main locations in the area, construction schedule, construction restrictions, pedestrian and bicycle access, the Tall Ships event, and coordination.

VII. NEW BUSINESS:

A. Valet parking license renewals, Atlantic Parking Services – 3 locations – Eric Eby stated this is the annual renewal of the valet parking licenses by Atlantic Parking Services at Bow Street, at the intersection of Pleasant and State Streets, and 96 State Street. He stated the terms and conditions are the same as last year and staff recommended granting the renewals of the valet parking licenses.

Harold Whitehouse motioned to approve the valet parking license renewals. Ron Cypher seconded. Mr. Whitehouse requested the canopy erected at Pleasant and State not encroach on the handicapped space, which is the first space on Pleasant. **Vote 8-0, to renew the valet parking licenses at 3 locations for another year.**

B. Valet parking license renewal, The One Hundred Club – Eric Eby stated this is the annual renewal of the valet parking license by The One Hundred Club. Public Works Director Rice motioned to approve the valet parking license renewal. Deputy City Manager, Nancy Colbert Puff, seconded.

Mary Lou McElwain stated last year City Manager Bohenko discussed the problem of cars double-parking and backing up traffic at the valet locations. She requested the issue be reviewed again this year. Public Works Director Rice stated Parking Manager Giordano and parking enforcement staff would be monitoring the situation. **Vote 8-0, to renew the valet parking license for another year.**

VIII. OLD BUSINESS:

A. Moped, motorcycle and scooter parking – Eric Eby stated staff and the Legal Department researched the issue of moped parking on sidewalks. He stated after researching State RSAs and current City ordinances and policies, motor vehicles are not allowed to park on sidewalks. mopeds and scooters are considered motor vehicles and, therefore, are not allowed to park on sidewalks. However, there is a State RSA (265:70) that permits individual cities to create local ordinances allowing exceptions to this statute.

Mr. Eby stated the City could create an ordinance allowing the current practice of moped parking on sidewalks to continue. He stated that staff recommended that an ordinance be adopted that allows mopeds to park on sidewalks (provided they do not impede the normal and reasonable movement of pedestrian or other traffic) if they display a sticker obtained from the City certifying that they comply with the state's legal description of a moped. The sticker would be obtained from the Parking Clerk's office.

Eric Eby also discussed another recommendation proposed by Marc Stettner. It is used in other cities, like Boston. This proposal would allow an on-street parking space to be restriped to allow 4 or 5 mopeds, scooters and/or motorcycles to use the single vehicle space. He stated this proposal would free up sidewalks for pedestrians.

Ron Cypher asked for clarification on the cubic centimeters (CCs) of vehicles allowed to park on sidewalks. Eric Eby clarified that mopeds 50 CCs and below would be allowed to park on sidewalks. He stated the definition of mopeds as defined by the State of New Hampshire would be used. He also stated the City would like to encourage the use of smaller, more efficient vehicles, such as mopeds and motorcycles, as they free up more parking for regular sized vehicles.

Mary Lou McElwain opposed moped sidewalk parking and expressed concern about enforcement. She would support designated moped parking in the municipal lots and the Prescott Park Parking Lot. Police Captain Warchol stated he would work with Parking Manager Giordano on enforcement.

Harold Whitehouse supported moped sidewalk parking.

Harold Whitehouse motioned to suspend the rules to allow for public comment. Ron Cypher seconded. **Vote 8-0, to suspend the rules.**

Marc Stettner stated current policy is that mopeds must be parked away from pedestrian walkways. He stated it is enforced and he has been ticketed. He expressed concern regarding parking mopeds on the outskirts of downtown and supported parking in highly visible areas. He expressed support for both recommendations.

Deputy Fire Chief Heinz expressed support for keeping sidewalks open for pedestrians and removing moped and scooter parking from sidewalks.

Mary Lou McElwain stated this is an issue that should involve the downtown business association. She has seen many mopeds coming into the downtown in the mornings and suspected they are downtown employees. She mentioned one business that objected to moped parking in front of the business. She reiterated opposition to mopeds parking on sidewalks.

Public Works Director Rice motioned to recommend the City Council pass an ordinance allowing mopeds to park on sidewalks if they have a City issued sticker or a designated moped license plate, do not impede pedestrian traffic, and meet the state's legal description of a moped. Deputy City Manager, Nancy Colbert Puff, seconded.

Harold Whitehouse asked about the sticker fee and stated he hoped it would be minimal. Public Works Director Rice stated the fee would need to be presented to the Fee Committee and then approved by the City Council. Mr. Rice stated it would probably be part of next year's budget cycle once all costs were identified.

Mary Lou McElwain stated the ordinance needed more information before the Committee voted on it. Chairman Lown stated this motion, if approved, is a recommendation to City Council and there would be opportunities for public input.

Vote 6-2, to recommend the City Council pass an ordinance allowing mopeds to park on sidewalks if they have a City issued sticker or designated moped license plate, do not impede pedestrian traffic, and meet the state's legal description of a moped. Deputy Fire Chief Heinz and Mary Lou McElwain voted opposed.

Chairman Lown stated the next issue is to formalize the policy of requiring only one motorcycle to purchase a pay and display sticker when parking in a group. Staff recommended that a separate ordinance be adopted to codify this practice. Public Works Director Rice motioned to approve for discussion purposes. Deputy City Manager, Nancy Colbert Puff, seconded.

Eric Eby stated that current policy dictates only one motorcycle in a group is required to have a pay and display sticker when parking together. There is an explanation of this policy at the pay kiosk.

Public Works Director Rice explained the current policy is satisfactory as an interim step. If the City desires to have designated spaces for motorcycles, staff would need to identify parking spaces for motorcycle parking, and the pay and display meters would need to display different rate options for motorcycles.

Harold Whitehouse opposed any changes regarding motorcycle parking.

Vote 8-0, to formalize the policy of requiring only one motorcycle to purchase a pay and display sticker when parking in a group, and that a separate ordinance be adopted to codify this practice.

Public Works Director Rice stated that staff would report back on potential spaces for moped and motorcycle designated parking.

IX. PUBLIC COMMENT:

Marc Stettner thanked the Committee for their votes on action item VIII.A. He expressed concern regarding mechanical issues and pedestrian access concerning the arch proposed by The Music Hall.

Pam Kayden-Babish expressed support for moped parking on sidewalks. She supported a sticker program. She expressed opposition to mopeds and motorcycles parking together in a designated space and parking in the outskirts of downtown.

X. INFORMATIONAL:

A. 2016 Parking Utilization study data collection begins June 2nd – Eric Eby provided an update on John Burke’s annual parking utilization study. Crews are collecting parking data now, in July and/or August, and in October.

B. PS21 “Islington Street Lab” implementation update – Eric Eby was present at the “Islington Street Lab” installation at 5:00 a.m. on June 2nd. He stated that a group of volunteers installed a crosswalk in front of White Heron and parking spaces in the right turn lane on Islington Street near the signal at Bartlett Street. He stated all in-street work was completed in the morning and additional off-street work would be completed by end of day. Pictures were presented to the Committee. Sunday, June 5th, is the last day for the installation. Eric Eby stated traffic would be monitored due to the temporary removal of the right turn lane onto Bartlett Street.

C. Proposed Neighborhood Traffic Calming program – Juliet Walker, Transportation Planner, presented a preliminary Neighborhood Traffic Calming program and process to the Committee. She stated the program is in response to citizens concerned about speeding and safety issues in their neighborhoods. Juliet Walker explained the two-phased process, types of non-infrastructure traffic calming measures, and types of physical neighborhood traffic calming measures. The presentation is posted on the City’s website under the June 2016 Current Calendar section.

Public Works Director Rice thanked Juliet Walker, Eric Eby, the Police and Fire Departments for their work on this program. He stated it is a critical step in communicating how the City deals with the impact of traffic and how staff can work with residents. He stated a final guidance document would be presented to the Committee.

Ron Cypher told a personal account of an incident regarding a new speed bump in a neighborhood. He stated opposition to them being installed in any neighborhoods. Juliet Walker acknowledged that they are not appropriate in all locations.

Harold Whitehouse asked staff for a report on any city or town that has passed an ordinance or ruling on pedestrians looking at electronic devices while crossing in a crosswalk in a central business district.

Mary Lou McElwain requested a monthly report on bicycle and pedestrian accidents.

Eric Eby reminded the Committee of the June 2nd public meeting on the Peverly Hill Road Improvement Project at the Library’s Levenson Room from 6:30 p.m. to 8:30 p.m.

XI. ADJOURNMENT – At 9:28 a.m., voted to adjourn.

Respectfully submitted by:
Amy Chastain
Secretary of the Committee