

## PUBLIC DIALOGUE

MUNICIPAL COMPLEX  
DATE: MONDAY, JULY 9, 2018

PORTSMOUTH, NH  
TIME: 6:15PM

### Public Dialogue Session

PRESENT: Mayor Blalock, Assistant Mayor Lazenby, Councilors Roberts, Pearson, Dwyer, Denton, Raynolds and Becksted

The members of the public were asked to introduce themselves and begin discussing their concerns and/or questions related to their individual topics.

Martha Caverly expressed concern that there has not been any impact studies done on traffic for Islington Street.

Planning Director Walker said that Islington Street corridor included traffic analysis to look at the corridor now and what is expected in the future. She said that a further analysis would be done when a development is in front of the City. She stated that the Cate Street project would involve a traffic study. Ms. Caverly said she would like an individual study. Planning Director Walker said when the project comes before the Planning Board they can ask for additional studies. City Manager Bohenko said the City would approve the study.

Zelita Morgan asked how the 105 Bartlett Street project aligns with the environmental protection. Planning Director Walker said the zoning ordinance applies broadly throughout the City. We have Site Review regulations.

Councilor Raynolds asked Planning Director Walker to describe the wetlands buffer. Planning Director Walker explained that 25 feet is a no building zone. Said she there are additional protections for 100 feet. Ms. Morgan asked about Conditional Use Permits and how many have been granted in the last 5 years. Planning Director Walker said in general the Conservation Commission does not easily approve further disturbances to the wetland areas. She further stated no buildings would happen in the 50 foot buffer for 105 Bartlett Street.

Martha Caverly asked about regulations of noise. Planning Director Walker said that is in the zoning ordinance and the Planning Board made some adjustments on the kind of uses in the area.

Councilor Dwyer asked what the Planning Board expects to require for the 105 Bartlett Street project. Planning Director Walker said buffers to absorb noise of outdoor uses. She said they could limit hours of operations and control what happens.

Zelita Morgan asked what process is used for public input by Planning Board. Planning Director Walker spoke to the public input process. City Manager Bohenko said that is a question the Planning Board will process the information and use it in their decision process and the Planning Board pays attention to the input.

Assistant Mayor Lazenby said the public input and neighborhood input has been substantial and has had major weight.

Alan Schmidt said there would be a 200 foot wall for the building with a height of 65 feet in front of his home. Planning Director Walker said the model was requested at the Planning Board and it is a potential build out. Mr. Schmidt said before the zoning changes there should be an assessment done on the property values.

Mayor Blalock said we have a public hearing to weigh the zoning. He said the request will be weighing all factors. He said the public hearing will hear everything this evening.

City Manager Bohenko said that there will be three readings with the public hearing this evening. He stated the City Council may leave the public hearing open until the next meeting. Also, if the public hearing is left open, second reading would not take place this evening. City Manager Bohenko said once third reading is done then the developer would start the land use process and that is when a lot of the studies would be required.

Councilor Becksted asked if we could do an impact study on property values. Planning Director Walker said the City Council could do whatever they decide.

Councilor Roberts said he would see the way the plan evolves.

City Manager Bohenko said at the Planning Board many of these items can be done, such as impacts on traffic and environment.

Paige Trace asked Planning Director Walker if the development for 105 Bartlett Street is spot zoning.

Councilor Dwyer said the parcel has always been the discussion if OR was the right zoning next to residential. She said OR buildings is not what you want to see.

Mr. Schmidt said yes it is a 3 acre building.

Ms. Trace said there needs to be adjustments.

Planning Director Walker spoke to the process for which zoning can be changed. Ms. Trace asked if it is spot zoning. Planning Director Walker said no it is not spot zoning. Councilor Reynolds said don't use that term, it is a very specific definition.

Patricia Bagley would like to know the point of the public right-to-know request. Councilor Roberts said he asked for the information. It is the time spent on the request. He said nothing will change the policy.

City Manager Bohenko said it is the time the staff is spending on their hourly rate. He said the attorney spends time or hires in another attorney. Ms. Bagley asked why the Trustees of the Trust Fund Capital Reserve Funds Report was not on the website. City Manager Bohenko said a great deal of information is on the website. Councilor Dwyer said they are available annually.

Bonny Sennett said the people in the Feaster Building are having issues with residents that are drinking too much or using drugs. She said no one knows the truth of what is happening. She said the building that the Portsmouth Housing Authority is proposing for work force housing is too close to children. She said children should not be in an environment with drug users and alcoholics.

At 7:00 p.m., Mayor Blalock closed the Public Dialogue Session.

---

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, JULY 9, 2018

PORTSMOUTH, NH  
TIME: 6:15 PM

### **I. CALL TO ORDER**

Mayor Blalock called the meeting to order at 7:05 p.m.

### **II. ROLL CALL**

PRESENT: Mayor Blalock, Assistant Mayor Lazenby, Councilors Roberts, Pearson, Dwyer, Denton, Perkins, Raynolds and Becksted

### **III. INVOCATION**

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

### **IV. PLEDGE OF ALLEGIANCE**

Councilor Becksted led in the Pledge of Allegiance to the Flag.

### **V. ACCEPTANCE OF MINUTES – JUNE 18, 2018**

**Councilor Dwyer moved to accept and approve the minutes of the June 18, 2018 City Council meeting. Seconded by Councilor Pearson and voted.**

### **VI. PUBLIC DIALOGUE SUMMARY**

Assistant Mayor Lazenby reported that the topics of the discussion were 105 Bartlett Street Rezoning, Zoning Change/Condition Use Permit, Right-to-Know – Report Trustees of the Trust Fund Capital Reserve Report and the Portsmouth Housing Authority – Feaster Apartments. The speakers were Martha Caverly, Zelita Morgan, Alan Schmidt, Paige Trace, Patricia Bagley and Bonny Sennett.

## VII. PUBLIC HEARINGS & VOTES ON ORDINANCES AND/OR RESOLUTIONS

- A. RESOLUTION AUTHORIZING A BOND ISSUE AND/OR NOTES OF UP TO THREE MILLION FOUR HUNDRED THOUSAND DOLLARS (\$3,400,000.00) FOR COSTS RELATED TO THE CONSTRUCTION OF MULTI-PURPOSE RECREATION FIELDS

- **PRESENTATION**

Mayor Blalock read the legal notice and asked for Recreation Director Wilson to speak on this project.

Recreation Director Wilson said the bonding is up to \$3,400,000.00 for the multi-purpose recreational fields. He said that additional fields are much needed and spoke to the 3 fields that are being proposed for the 50+ acres. He addressed the future layout and phases that will include multi-use fields. He said this will have one big field in front and two smaller fields in the back. He urged the City Council to support the Resolution and adopt it this evening.

- **CITY COUNCIL QUESTIONS**

Councilor Dwyer asked when the bids go out for the synthetic fields would it include alternate bids. City Manager Bohenko said yes it will. He said the project was brought to the Recreation Board and then back to the City Council at your request.

- **PUBLIC HEARING SPEAKERS**

Mayor Blalock declared the public hearing open and called for speakers.

Kory Sirmaian said he is here to tell the City Council that the Recreation Board unanimously supports this much needed recreation resource.

Jackie Cali-Pitts said she does not feel the fields should be done in phases, but should be done all at once. She stated that parking needs to be close to the fields and it is an essential part of the project.

Richard Blalock said there is a need for more fields in the City. He said he supports the bonding authorization.

Tom Kozikowski spoke as a resident, and said these are much needed fields and that this is a great project for the City. He said currently there are not enough fields in the City and they are all being used at all times.

With no further speakers, Mayor Blalock closed the public hearing.

- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

Councilor Dwyer asked what the total cost of the project would be. Recreation Director Wilson said to do the entire project it will cost \$10,000,000.00.

Councilor Raynolds spoke to the phases and asked if we will come back in 2-5 years to request more fields. City Manager Bohenko said that this is a stand-alone project and an engineer would design the entire project. He said we are paying premium prices for construction projects. He said that this project lends itself to a phase approach.

Councilor Becksted said it has been over 40 years since we have added to the fields in the City. He said he would like to see the City Council see this project through.

**Councilor Denton moved to adopt the Resolution, as presented. Seconded by Councilor Raynolds.**

Mayor Blalock passed the gavel to Assistant Mayor Lazenby.

Mayor Blalock said the number of fields have not changed in 40 years plus. He said getting started with the \$5,000,000.00 is important and he would like to see a philanthropist leave their mark with naming the field.

Assistant Mayor Lazenby returned the gavel to Mayor Blalock.

**On a unanimous roll call 9-0, voted to adopt the Resolution, as presented.**

Councilor Becksted advised the City Council he would be recusing himself from this matter and stepped down from the Dias.

- B. PART 1.A. – ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE – PETITION FOR RE-ZONING OF 105 BARTLETT STREET: (PROPOSED CHARACTER DISTRICT 4-W)
- AMENDMENTS TO ARTICLE 4, SECTION 10.440 TABLE OF USES;
  - AMENDMENT TO THE CHARACTER-BASED ZONING BUILDING PLACEMENT SECTION 10.5A42;
  - AMENDMENTS TO THE CHARACTER-BASED ZONING INCENTIVE OVERLAY DISTRICT SECTION 10.5A46;
  - AMENDMENTS TO THE CHARACTER-BASED ZONING REGULATION PLAN MAPS (MAPS 10.5A21A) TO CHANGE TAX MAP 157, LOTS 1 AND 2 FROM OFFICE RESEARCH (OR) TO CHARACTER DISTRICT 4 WEST END (CD4-W) AND A PORTION OF TAX MAP 164 LOT 4 FROM OR AND TRANSPORTATION CORRIDOR (TC) TO CD4-W AND CHARACTER DISTRICT 4 LIMITED 2 (CD4-L2); MAPS (MAPS 10.5A21B) TO EXTEND THE WEST END OVERLAY DISTRICT AND ADD NEW BUILDING HEIGHT STANDARDS FOR TAX MAP 157 LOTS 1 AND 2 AND A PORTION OF TAX MAP 164 LOT 4;
  - AMENDMENT TO ARTICLE 15 DEFINITIONS SECTION 10.1530

- **PRESENTATION**

Planning Director Walker said 105 Bartlett Street consists of a number of lots with most zoned CD4W. She said it is extended from Bartlett Street to Langdon Street and most of the property is owned by the railroad. She spoke to the current zoned CD4W West End transportation uses and must be transportation related with the rest of the site being OR. She spoke to the zoning along Islington Street. She stated for anything to happen on the property owned by the railroad it is unlikely it will change. She said street access will require a long driveway or a street to be built. Planning Director Walker said there is a sewer line and an easement and new buildings in 20 feet of the line. She said there is also a 50 foot wetland buffer from the edge of the mill pond. She addressed the 45 foot maximum height restrictions along Bartlett Street with a chance for an additional 10 feet or 55 feet. She spoke to the incentive for the overlay district for the west end would be extended to allow for additional density. Planning Director Walker advised the City Council that the project would have a multi-use path. She said in other areas along Islington Street are 40 feet of additional foot print. She said GRC allows an additional 8 feet if you build a multi-use path with interior parking. She said all of this is very preliminary at this time. She spoke to the existing heights in the neighborhood, the original request was to rezone the entire parcel and extend the overlay district across. She stated the Planning Board made amendments and a public hearing was held.

She said Part 1A is the building having a block length over 200 feet extension. She spoke regarding the developer could go up to a bonus of 30,000 feet and explained the three different height areas which are 45 feet, 40 feet and 35 feet. She stated it is to start with more density development and the density is the height area that would increase 10 feet indoor performances facilities.

Part 1 A Amendments:

- Limitations of Indoor Performance Facilities
- Regulations for outdoor cafes
- Preservation of public view corridors along the North Mill Pond

Incentive Overlay Standards

- Reduce minimum ground story height to 9'
- Remove residential parking incentive
- Clarify requirements for North Mill pond multi-use path
- Revise definition of building block length

- **CITY COUNCIL QUESTIONS**

Councilor Roberts said everything he has seen is 12 feet. Planning Director Walker said this is to apply to all CD-4 the 9 feet is to provide ground floor parking. Councilor Roberts said there is no requirement for retail on first floor. Planning Director Walker said correct. She said CD4W is a mixed use. She said CDL2 is mixed residential. Currently there are no requirements for a liner building in the incentive residential and the parking requirement has been removed and a redefine building block length.

**PART 1.B. – ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE PETITION FOR RE-ZONING OF 105 BARTLETT STREET (PROPOSED CHARACTER DISTRICT 4-L2)**

- AMENDMENTS TO THE CHARACTER-BASED ZONING INCENTIVE OVERLY DISTRICT SECTIN 10.5A46;
- AMENDMENTS TO THE CHARACTER-BASED ZONING REGULATION PLAN MAPS (MAPS 10.5A21A) TO CHANGE A PORTION OF TAX MAP 164 LOT 4 OR AND TRANSPORTATION CORRIDOR (TC) TO CD4-L2; AND
- AMENDMENTS TO THE CHARACTER-BASED ZONING REGULATION PLAN MAPS (MAPS 10.5A21B) TO EXTEND THE WEST END OVERLAY DISTRICT AND ALL NEW BUILDING HEIGHT STANDARDS FOR A PORTION OF TAX MAP 164 LOT 4

Existing	Proposed	
• Front Yard	70'	10' to 15'
• Side Yard	50'	0' to 20' (15' along railroad tracks)
• Rear Yard	50"	5' (15' along railroad tracks)
• Height	45' within 200' of the North Mill Pond 60' if 200' or more from the North Mill Pond	30' to 55' (with density incentives)

**PART II. – ORDINANCE AMENDING CHAPTER 10 – ZONING ORDINANCE – PETITION FOR RE-ZONING OF 105 BARTLETT STREET (HOUSEKEEPING)**

- AMENDMENTS TO CHARACTER-BASED ZONING DEVELOPMENT STANDARDS SECTION 10.5A41;
- AMENDMENTS TO CHARACTER-BASED ZONING BUILDING FORM AND FACADES SECTION 10.5A43;
- AMENDMENTS TO CHARACTER-BASED ZONING COMMUNITY SPACES SECTION 10.5A45;
- AMENDMENT TO CHARACTER-BASED ZONING INCENTIVE OVERLAY DISTRICTS SECTION 10.5A46

**• PRESENTATION**

Planning Director Walker spoke to Part 1B – CD4-L2 the maximum is 80 feet with density bonus length to 100 feet. She said the height area requirement is 20 feet or 2 stories and 30 feet. She spoke to what is currently allowed for lot dimensions. She said this is only applicable to new lot buildings. She spoke to the building location, size density (applicable to any NEW buildings)

## **Development Approval Process**

### Zoning Amendment

- Planning Board Recommendation to City Council
- 3 Readings at City Council

### Subdivision Approval

- Technical Advisor Committee review
- Planning Board public hearing review

### Site Plan Review Approval

- Technical Advisory Committee review
- Planning Board public hearing
- May also involve third party

### Conditional Use Permit (Wetlands)

- Conservation Commission Review
- Planning Board public hearing

## **Scope of Planning Board Review**

### Zoning Amendment

- Consistency with Master Plan
- Consistency with General Purpose and intent of Zoning Ordinance

### Subdivision Approval

- Properly dispersed development
- Protection of natural drainage systems and flood areas
- Location and design of streets, open spaces
- Compliance with engineering standards
- Traffic circulation and parking
- Provisions for public safety

### Site Plan Review Approval

- Safe and orderly site development
- Sustainable design, ecological integrity
- Protection of natural resource systems, water quality
- Stormwater management
- Protect abutters from hazards, unsightliness, nuisances
- Adequacy of infrastructure
- Traffic and circulation
- Historic and cultural character

Planning Director Walker spoke to the public comments received to date (in brief):

- Height and mass of buildings
- Preservation of open space and views
- Limit to residential uses only
- Environmental concerns – flooding, soil contamination
- Traffic impacts
- Neighborhood access to Multi-Use Path

The developer Doug Pinciario spoke to the time line for the project. He addressed the Purchase and Sales Agreement to purchase the land. He spoke to the two public hearings held at the Planning Board level with Site Review and now the public hearing this evening on the Council level. He said they are here to listen and move the team efforts to get to third reading of the zoning change.

Councilor Dwyer asked if Planning Director Walker would present some amendments this evening. Planning Director Walker said her recommendations would be to come back with more amendments before second reading. She said one suggestion is to revise the height to lower it and extend the CD4-L2 use for rail road and utility line as the boundary. She also said looking at controls residential uses and change from CD4-L2 to CD-4W. Councilor Dwyer asked if the Planning Board considered lessening the foot prints and building blocks limits to a smaller block length. Planning Director Walker said initially it was to be a longer building, the shared corridors were in response to that as well.

Councilor Denton said he reached out to the City Manager and Planning Director Walker on mandating testing of the area. Planning Director Walker said the testing is likely to happen.



Councilor Pearson would like the 3D model updated.

Mayor Blalock said he would ask the City Council to keep the public hearing open to the August 6<sup>th</sup> City Council meeting.

Mayor Blalock opened the public hearing.

- **PUBLIC HEARING SPEAKERS**

Elizabeth Bratter said the rezoning request will affect all of her properties. She spoke to putting the residential area together with the Ricci property. She would like to see the split changed. She said as a City Council you decide what is best for the City and neighborhoods. She spoke to the 3D model from Clipper Traders not looking exact. Ms. Bratter said CD4W is high in density and structure. She said that the developer could potentially put up 120 condominiums. She said that the rail road will increase the number of trains which will affect the neighborhoods. She requested the City to do a noise study and asked to create zoning lines to protect this area of the City.

Liza Hewitt spoke to the coal waste on the property and its harmful effects on the environment. She spoke to the zoning changes that will effect several hundred residential sites. She expressed the need for remediating harmful waste and asked if the City could say that this land is safe to live, work and play on.

Jane Begala, Planning Board member, spoke regarding the zoning and that balance should be considered. She addressed the density that this will add in the future to the area. She said she does not agree with the rezoning request and she was the only Planning Board member to vote opposed. She said many people came and spoke out against the project at the Planning Board. Ms. Begala said she is pleased that a 3D model has been created but feels we need to slow down the process. She said is this really the best use for the residents and that zoning a part of the land to NRP will keep with our own Master Plan. She stated NMP is considered part of the urban core. She spoke from the Master Plan which states we should make sure development enhances the area. She said we need to maintain public access and this project does not. Ms. Begala said the scale of the project is a concern and that the North Mill Pond will have the greatest impact and is highly vulnerable.

Jonathan Sandberg said he is an abutter and supports the project. He said the neighborhood wants to encourage more development, housing and density. He said it is not a pleasant area and there is a great deal of trash and debris. He spoke to the terrible problem with housing. He said the City has been working for years to develop the bike path and this project is the only way the path would happen. Mr. Sandberg said the neighborhood needs private developers to purchase the property.

Melissa Doer thanked the City Council for considering extending the public hearing. She spoke to the lasting impact that the neighborhood might have. She said there are significant concerns regarding environmental risks to the land. She asked how a decision can be made by the Council without assessing the health risk and having a study completed on the land. She said the North Mill Pond is a valuable resource and needs to be treated with great care. Ms. Doer said the City needs to identify and protect waterfront views keeping in mind what the property looks like. She also addressed density concerns of the area with the rezoning. She stated that homeowners will lose privacy with the change in height. She urged the Council to lower the height to 35 feet including all bonus incentives.

Ms. Schmidt said she would like know what effect the zoning change would have on the values for properties. She stated the developer is going to create a 200 foot long building next to her property. She said that this is a neighborhood of 2 to 2 ½ story buildings. She said the CD4W does not fit the neighborhood. She expressed concern on traffic impact and that she would like to see a comprehensive study on items on the land.

Tom Heany said his concern is with scale of the project and the major impact to the McDonough Street neighborhood. He expressed concern with access to the mill pond and the throughway to Islington Street and this development will cut off McDonough Street from the North Mill Pond. He said the City needs assurances from the rail road.

- **CITY COUNCIL QUESTIONS**

Assistant Mayor Lazenby asked if we would see potential amendments from the Planning Director and changes to 1A and 1B.

City Attorney Sullivan said all that has happened is to have a public hearing on 1A and the City Council could move to continue the public hearing and all remaining items until August 6, 2018 City Council meeting.

**Assistant Mayor Lazenby moved to continue the Public Hearing and all remaining items until the August 6, 2018 City Council meeting. Seconded by Councilor Pearson and voted.**

City Attorney Sullivan said amendments need to happen at second reading.

Councilor Dwyer said she would like to make suggestions.

At 8:55 p.m. Mayor Blalock declared a brief recess. At 9:05 p.m., Mayor Blalock called the meeting back to order.

Mayor Blalock announced that the public hearing of the rezoning is extended to the August 6, 2018 City Council meeting.

D. First reading of Ordinance amending Chapter 7 – Parking Omnibus

**Councilor Perkins moved to pass first reading and schedule a public hearing and second reading at the August 6, 2018 City Council meeting. Seconded by Roberts and voted.**

Councilor Denton said he would like to see some changes at second reading. He said we are creating a new electric vehicle charging station. He stated a first requirement is highly visible signage. He addressed his recommended changes which would allow the Fee Committee to charge a fee for vehicles parking in the spots.

Councilor Roberts said time expiring on meters requires a vehicle to move 500 feet, in Boston it must be moved to the next block. He would like that addressed at the next meeting.

Mayor Blalock passed the gavel to Assistant Mayor Blalock.

**Mayor Blalock moved to suspend the rules in order to take up Item XI. B.3. – Portsmouth Conference. Seconded by Councilor Pearson and voted.**

XI. B.3. Portsmouth Conference

Renee Plummer spoke to the Portsmouth Conference. She said we need to bring something positive to the State of New Hampshire. She said the conference is a start and will be held on October 18<sup>th</sup> – 19<sup>th</sup> at the Wentworth by the Sea. She said she is here to raise money and be part of this. She advised the City Council that the subject of the conference is Climate Change.

City Manager Bohenko said this has an economic development flare and would like to provide \$2,500.00 from UDAG to the conference and part of it would be having City Council attend the conference and to sponsor the program.

**Councilor Reynolds moved to contribute \$2,500.00 from UDAG Funds for the Portsmouth Conference. Seconded by Councilor Dwyer and voted. Assistant Mayor Lazenby abstained from the vote.**

Mayor Blalock passed the gavel to Assistant Mayor Lazenby.

**Mayor Blalock moved to suspend the rules in order to take up Miscellaneous/Unfinished Business to discuss possible amendments to be brought forward at the August 6, 2018 City Council meeting regarding 105 Bartlett Street Re-Zoning. Seconded by Councilor Denton and voted.**

Assistant Mayor Lazenby returned the gavel to Mayor Blalock.

Mayor Blalock noted that Councilor Becksted stepped down from the dais as he is recusing himself from this matter.

Councilor Dwyer spoke to the potential redrawing of the boundary line for CD4-L2 and not understanding how it would follow the rail road tracks and asked Planning Director Walker to point that out for the Council. Planning Director Walker said the thought to extend the boarder CD4-L2 between the rail road tracks and the utility area and to have a different height requirement in that area. Councilor Dwyer said 30 feet sounds high but what is really aggravating the scale is footprint and block area, she said especially in CD4. She said it would not create a super block. She also said regarding the buffer along the water, the proposed path would be different distances and is there value in creating a protection zone that demarcates the area along the water and help the Council to visualize what the buildings would be like with the properties. She further stated density is not the issue but the super block idea is. She stated hazardous mitigation connects in our zoning for doing the environmental studies. She said there should be a fence around the rail road tracks and wouldn't that be required. Planning Director Walker said the rail road would not be building the fence and may not be a specific requirement. If there are possibilities to allow access and what that would look like in a zoning amendment.

Assistant Mayor Lazenby would like the amendments to be made available ahead of time for the access area. City Manager Bohenko said the amendment would be attached to the current version and

part of his comments. He said there would be language to insert in for the amendments to be made.

Councilor Roberts is interested in the options for CD 4 L1 & 2. He said the height is not particularly an issue but 15,000 square feet would be a lot. He said the natural resource area is an option to review.

Councilor Reynolds said he is supportive of Councilor Dwyer's suggestions on changing the line the most problematic was the very close proximity of the residents that live north of McDonough Street between Dover and Cabot Streets. He said it significantly reduces the value in the project and there are significant public and fiscal benefit in the project in creating new property on the tax rolls and getting the through greenway path. He said another aspect is possibly reducing the lower end from L1 to L2 on Maplewood Avenue the very large building that exists and then the rail road track and then there are no residents in that proximity. He further stated he would be in support of some increased height in that particular area. He said the housing that will be created would be expensive housing. He said this is the place for density for work force housing units.

Councilor Perkins said she would like to think about the restrictions on outdoor café now. She said access to the waterfront and places on the waterfront are limited and would like to see this as a permitted use. She said having another neighborhood meeting could be helpful and changing this is responsive to the neighborhoods.

Councilor Roberts said we are rezoning from the Great Rhythm down and you could take B1, B3 and B4 and flip it. He said we are setting the precedent for impressive development a long ways. He said this rezoning is 1,500 feet and would be easy to create a large number of units in that space. He said we are not just dealing from the Great Rhythm outward is seems likely for changes to that section of road to be made in the future.

## VIII. APPROVAL OF GRANTS/DONATIONS

- A. Acceptance of Donation to the Coalition Legal Fund
- Town of Carroll - \$2,000.00

**Assistant Mayor Lazenby moved to approve and accept the donation, as listed, to be placed in the Coalition Legal Fund. Seconded by Councilor Perkins and voted.**

## IX. CONSENT AGENDA

- A. Request for License to Install Projecting Sign from Sabrina Velandry, owner of Sloop for property located at 92 Pleasant Street (Unit 1A) (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning director, and further, authorize the City Manager to execute the License Agreement for this request***)

**Planning Director's Stipulations:**

- ***The license shall be approved by the Legal Department as to content and form;***
- ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City' and***

- ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***

- B. Request for License to Install Projecting Sign from Paul Barry, owner of One Day in July for property located at 10 Market Square (***Anticipated action – move to approve the aforementioned Projecting Sign License as recommended by the Planning director, and further, authorize the City Manager to execute the License Agreement for this request***)

**Planning Director's Stipulations:**

- ***The license shall be approved by the Legal Department as to content and form;***
  - ***Any removal or relocation of projecting sign, for any reason, shall be done at no cost to the City' and***
  - ***Any disturbance of a sidewalk, street or other public infrastructure resulting from the installation, relocation or removal of the projecting sign, for any reason shall be restored at no cost to the City and shall be subject to review and acceptance by the Department of Public Works***
- C. Letter from Holly Tennent and Jylie Nevejans, Bottomline Technologies, requesting permission to hold a 5K Road Race on Sunday, September 23, 2018 at 10:00 a.m. (***Anticipated action – move to refer to the City Manager with power***)

**Councilor Pearson moved to adopt the Consent Agenda. Seconded by Councilor Perkins and voted.**

**X. PRESENTATION & CONSIDERATION OF WRITTEN COMMUNICATIONS & PETITIONS**

- A. Email Correspondence

**Councilor Reynolds moved to accept and place on file. Seconded by Councilor Roberts and voted.**

- B. Letter from Elizabeth Bratter Re: 105 Bartlett Rezoning

**Assistant Mayor Lazenby moved to accept and place on file. Seconded by Councilor Reynolds and voted.**

- C. Letter from James Penfold requesting permission to hold the Electric Vehicle Show in Portsmouth on Sunday, September 9, 2018 from Noon – 4:00 p.m. the City Hall lower parking lots

**Councilor Reynolds moved to refer to the City Manager with power. Seconded by Councilor Denton and voted.**

## XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

### A. CITY MANAGER

1. Portsmouth Historical Society – Proposed Extension of Lease for Discover Portsmouth Center (10-30 Middle Street)

City Manager Bohenko said that this is an extension of the lease for Discover Portsmouth Center.

Assistant City Manager Moore said this item was referred on June 4, 2018 to the Planning Board for a report back. He said that this is a significant lease extension and the Planning Board unanimously supported the recommendation to enter into a new lease for a 50 year term. He said the reality is for specific basic care for the building. He spoke to the City's preservation easement and to maintain the building for the exterior and interior. Assistant City Manager Moore said the staff has worked with the Portsmouth Historical Society since 2008 and we want to secure other financial support and further improve the building.

City Manager Bohenko said because of the 20 year preservation easements we did not have many interests. He said it is our hope that Portsmouth Historical Society with Discover Portsmouth would continue that with restrictions on inside and outside. He said we really could not do much other than what is being done now.

**Councilor Becksted moved to authorize the City Manager to enter into the 50-year lease with the Portsmouth Historical Society for the property at 10-30 Middle Street, as presented, and further, authorize the City Manager to execute the Lease. Seconded by Councilor Raynolds.**

Councilor Becksted said one concern is the windowsills are in need of some repair and maintenance.

Dan Hoefle, Portsmouth Historical Society said they have put \$1.2 - \$1.3 million into the building and we hope to start getting more financial stability. He stated he would look at the sills tomorrow and see what is needed.

Councilor Dwyer said the Discover Center is spectacular and would like us to work harder on making explicit what the value is. She said we are charging but not appropriately to Discover Center and we need to make that more explicit and recommended an addendum.

City Manager recommended an annual report on what upgrades have been done. He would like to make that an amendment to the agreement that Portsmouth Historical Society and Discover Portsmouth would make an annual report to the City Council on improvements to the building.

The City Council agreed to the recommended amendment which was added to the motion.

Councilor Raynolds would like quantified measures on the costs for the improvements.

**Motion passed as follows:**

**Councilor Becksted moved to authorize the City Manager to enter into the 50-year lease with the Portsmouth Historical Society for the property at 10-30 Middle Street, as presented, and further, authorize the City Manager to execute the Lease and request that an annual report be provided to the City Council from the Portsmouth Historical Society or Discover Portsmouth Center regarding improvements to the building. Seconded by Councilor Reynolds and voted.**

2. Request for Public Hearing's Re: Various Bonding Resolutions

City Manager Bohenko said he would like to bring back the public hearing and vote on the Resolutions at the August 6, 2018 City Council meeting. He said each one will be advertised separately.

**Assistant Mayor Lazenby moved 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 August 6, 2018 City Council meeting. Seconded by Councilor Pearson.**

Councilor Roberts said he would like to know if we will have a design on the Market Street project. City Manager Bohenko said there will be a presentation at the August 6, 2018 City Council meeting on each item separately.

**Motion passed.**

3. Polling Hours for September 11, 2018 State Primary Election

**Councilor Dwyer moved to set the polling hours from 8:00 a.m. to 7:00 p.m. for the State Primary Election on September 11, 2018. Seconded by Assistant Mayor Lazenby and voted.**

Councilor Denton requested that City Staff develop a plan to extend the polling hours for the general election in November.

City Clerk Barnaby spoke in support of the polling hours remaining 8:00 a.m. to 7:00 p.m. due to the lack of election officials to serve extended hours. She provided information relative to a survey she conducted today of 12 communities with a number of larger communities having extend polling hours who also have larger staffs to assist at the polls. She spoke to her efforts on recruiting more workers but served to be unsuccessful. She also addressed the opportunity for voters that work outside of the community having the ability to vote by absentee ballot.

Councilor Dwyer said she feels more recruiting needs to be done along with education for individuals on these positions are not volunteer positions but are paid. She said she would support expanding the polling hours and has wanted to see this done for some time.

City Manager Bohenko said he would like the opportunity to work with City Clerk Barnaby on this matter and look at increasing the pay scales for the election officials.

**Motion passed.**

4. Lease Re: AIDS Response Seacoast

City Manager Bohenko spoke to relocating the office space to the further point of the building for privacy. He spoke to upgrades that have been made to that section of the building and will be continued to be made. He said that this is a new five-year term that we charge to recover our electricity costs. He recommended approval by the City Council.

**Councilor Pearson moved that this Lease Agreement be brought forward to the City Council for a vote at the August 6, 2018 City Council meeting. Seconded by Councilor Roberts and voted.**

5. City's Parking Lot Lease/Maintenance Agreement with the Portsmouth Housing Authority

City Manager Bohenko said that the City and Portsmouth Housing Authority would like to enter into an Agreement to formalize the right of the public and Fire Department to continue to park in designated spaces in the Lot and for the PHA to receive the net parking revenue generated from the public's use of the parking spaces in the Lot.

**Assistant Mayor Lazenby moved to authorize the City Manager to negotiate and enter into the Agreement with the Portsmouth Housing Authority as presented to allow the public and the Fire Department to park in designated parking spaces in the Court Street Parking Lot and for the net parking revenue generated from public parking to be paid to the PHA. Seconded by Councilor Dwyer.**

Councilor Becksted asked how long of a term would this be. Mayor Blalock said indefinite, the lease would be year to year and next year may be for a longer term. Councilor Becksted said we maintain the lot and recover our costs. City Manager Bohenko said that is correct.

**Motion passed.**

6. Osprey Landing Water Tank Property

City Manager Bohenko said the water tank has been decommissioned and the property is no longer needed for the water system, as other storage tanks have replaced the need for this one.

**Councilor Raynolds moved to refer the matter to the Planning Board for report back. Seconded by Councilor Dwyer and voted.**

7. Disposal of 1986 Rescue Truck

**Councilor Raynolds moved to authorize the City Manager to dispose of surplus vehicle using GovDeals. Seconded by Councilor Perkins and voted.**

City Manager Bohenko reviewed his informational items with the City Council.

Councilor Becksted inquired about monthly leases for the Foundry Garage for residents versus non-residents. City Manager Bohenko said the Fee Committee would look into the fees for residents versus non-residents.



Parking Manager Fletcher spoke to information regarding the parking passes being placed on the website and notices have been posted. City Manager Bohenko said we might want to take out an advertisement. He said we would get one month rent in advance for the first full month rent.

City Manager Bohenko said that the Legislative Subcommittee has information on the right-to-know law. He said we keep track of the bills. Councilor Dwyer said the bills never go anywhere. She said she has mixed feelings about having the department take time to document these requests and not further it with small requests. City Manager Bohenko said staff has a policy when in doubt, give it out. Councilor Becksted asked what the process would be to request an item. City Manager Bohenko explained the process followed for making right-to-know requests. He said people can come in to the City Manager's office and have the department pull the file and speak with the staff. He said we are very responsive.

## **B. MAYOR BLALOCK**

1. Appointment to be Voted:
  - John Formella as a Regular Member to the Zoning Board of Adjustment
  - Chase Hagaman as an Alternate Member to the Zoning Board of Adjustment

**Councilor Perkins moved to appoint John Formella as a regular member and Chase Hagaman as an alternate to the Zoning Board of Adjustment. Seconded by Assistant Mayor Lazenby and voted.**

2. Resignation of Thaddeus (Ted) Jankowksi from the Conservation Commission

**Councilor Raynolds moved to accept the resignation from Thaddeus (Ted) Jankowski from the Conservation Commission with regret. Seconded by Councilor Roberts and voted.**

## **C. COUNCILOR DWYER**

1. McIntyre Update

Councilor Dwyer said there is no news on the McIntyre and we are in a time when the National Park Services is looking at the urban design. She said they're trying to make the site as close as what it is. She said we are not going to do the public input process again as we have done that process. She said the Post Office is an issue we are working on. She said we are working with the Post Office and if they feel they cannot be disrupted we would help them find a site downtown.

Councilor Becksted asked what deadlines we are facing to make sure it does not go to market.

Deputy City Manager Colbert Puff said the GSA is on line with us and nothing has changed as far as they feel. She said the deadline of July 9<sup>th</sup> was to submit an application in time for next spring. She stated in the last three weeks we are running into the summer time schedule that has had to accommodate schedules. She said the Historic District Commission has two meetings this month. Deputy City Manager Colbert Puff said we will continue to provide regular updates.

**XIII. ADJOURNMENT**

**At 10:30 p.m., Councilor Becksted moved to adjourn. Seconded by Assistant Mayor Lazenby and voted.**

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

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