

TO: JOHN P. BOHENKO, CITY MANAGER  
FROM: VALERIE A. FRENCH, DEPUTY CITY CLERK  
RE: ACTIONS TAKEN BY THE PORTSMOUTH CITY COUNCIL AT MEETING HELD ON MONDAY, AUGUST 20, 2018, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, MUNICIPAL COMPLEX, ONE JUNKINS AVENUE, PORTSMOUTH, NEW HAMPSHIRE  
PRESENT: MAYOR BLALOCK, ASSISTANT MAYOR LAZENBY, COUNCLORS ROBERTS, PEARSON, DWYER, DENTON, PERKINS, RAYNOLDS AND BECKSTED

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1. At 6:00 p.m. a Non Public Session was held in accordance with RSA 91-A:2, I (a) regarding Superintendent of Schools Stephen Zdravec Contract and Police Chief Robert Merner's Contract.
2. At 6:25 p.m. a Public Dialogue Session was held.
3. Presentation – Letter of Recognition by Mayor Blalock – Mayor Blalock presented Robert Carpenter with a framed letter of recognition for his service to our community and creative inventions that significantly impacted society as a whole. Mr. Carpenter accepted with thanks and appreciation.
4. Public Dialogue Summary – Councilor Roberts gave a summary of speakers and topics discussed at the Public Dialogue Session.
5. **Voted** to suspend the rules to bring forward City Manager Item XI.A.1. – Portsmouth Historical Society Portsmouth400 Grant Request
6. Portsmouth Historical Society Portsmouth400 Grant Request – **Voted** to approve a grant request by Portsmouth Historical Society – Portsmouth400 of up to \$25,000 for the first half of FY19 with the City contributing \$1.00 for every \$2.00 raised by PHS and the same for the second half of FY19 for a total of up to \$50,000.
7. First Reading of Ordinance amending Chapter 9, Article VIII – Boarding or Rooming Houses, Sections 9.801 – Section 9.805 – **Voted** to pass first reading and schedule a public hearing and second reading of the proposed amendment to the Boarding House Ordinance at the September 4, 2018 City Council meeting, as presented.
8. Establish a Public Hearing Re: Exemption for Solar Energy Systems – Voted to establish a public hearing Re: Exemption for Solar Energy Systems at the September 4, 2018 City Council meeting.
9. Public Hearing on Ordinance amending Chapter 7, Article IV, Section 7.402 regarding the Foundry Place Garage Designation – Held a public hearing with no speakers. **Voted** to pass second reading and schedule a third and final reading of the proposed ordinance at the September 4, 2018 City Council meeting, as presented. **Voted on an 8-1 roll call** to suspend the rules to take up Third and Final Reading. Councilor Becksted voted opposed. **Voted 8-1** to pass third and final reading as presented. Councilor Becksted voted opposed.

10. Third and Final Reading of Ordinance amending Chapter 10 – Zoning Ordinance –  
Petition for Rezoning, 105 Bartlett Street

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
- Amendments to the Character-Based Zoning Regulation Plan 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

**Voted 8-0** to pass third and final reading of the proposed amendments Part 1A, as presented. Councilor Becksted recused himself from the vote.

11. Third and Final Reading of Ordinance amendment Chapter 10 – Zoning Ordinance –  
Petition for Rezoning, 105 Bartlett Street

Part 1.B. – Ordinance amending Chapter 10 – Zoning Ordinance – Petition for Re-Zoning of 105 Bartlett Street (Proposed Character District 4-L1)

- Amendments 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 a Portion of Tax Map 164 Lot 4 OR and Transportation Corridor (TC) to CD4-L1; and
- Amendments to the Character-Based Zoning Regulation Plan Maps (Maps 10.5A21B) to Extend the West End Overlay District and Add New Building Height Standards for a Portion of Tax Map 164 Lot 4

**Voted 8-0** to pass third and final reading of the proposed amendments Part 1B, as presented. Councilor Becksted recused himself from the vote.

12. Third and Final Reading of Ordinance amendment Chapter 10 – Zoning Ordinance –  
Petition for Rezoning, 105 Bartlett Street

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

**Voted 8-0** to pass third and final reading of the proposed amendments Part 2, as presented. Councilor Becksted recused himself from the vote.

13. Third and Final Reading of Ordinance amending Chapter 7 – Parking Omnibus – **Voted** to pass third and final reading on the proposed Parking Omnibus Ordinance, as presented)
14. Consent Agenda – **Voted** to adopt the Consent Agenda.
  - A. Letter from Melissa Walden, American Lung Association, requesting permission to hold the 10<sup>th</sup> annual American Lung Association Cycle the Seacoast Ride on Sunday, May 5, 2019 (**Anticipated action – move to refer to the City Manager with power**)
15. Email Correspondence – **Voted** to accept and place on file.
16. Letter from Attorney Justin Richardson regarding Planning Board Membership– **Voted** to accept and place on file.
17. Report Back Re: Osprey Landing Water Tank Release of Land – **Voted** to authorize the City Manager negotiate the transfer of the property to Spinnaker Point Condominium Association and to execute all necessary documents to effectuate that transfer.
18. Rockingham Avenue Subdivision Easements - **Voted** to authorize the City Manager negotiate, execute, deliver and record the deeds regarding the Rockingham Avenue Subdivision, as presented.
19. Islington Common LLC Water Access Easement - **Voted** that the City Manager be authorized to negotiate, execute, deliver and record the deeds regarding the Islington Commons property, as presented.
20. 15 Thornton Street Subdivision Easements – **Voted** to ratify the acceptance and recording of the easement deeds and plan related to the 15 Thornton Street Subdivision.
21. 299 Vaughan Street Temporary Construction Licenses – **Voted** that the City Manager be authorized to execute and accept the revised temporary construction license regarding 299 Vaughan Street as submitted.
22. Proposed Tax Exemptions for Wind-Power and Wood heating – **Voted** to bring back for public hearing two proposed Resolutions at the September 17, 2018 City Council meeting.

23. City Manager Informational Item #2- McIntyre Update – Deputy City Manager Colbert Puff gave a brief update of the McIntyre Project and stated that the Post Office will be holding a public hearing on September 19<sup>th</sup> at 7:00 p.m. in the City Council Chambers. She stated that she hopes to bring the revised designs to the City Council at the September 4<sup>th</sup> meeting.
24. City Manager Informational Item #3 – Berry’s Brook Update Re: PFAS – City Attorney Sullivan gave a brief update on the recent findings of potential causes of high PFAS levels at a particular location.
25. Adoption of Policy Re: Planning Board Residency Requirement – **Voted on a 5-4 roll call** to adopt the Policy Regarding Planning Board Residency Requirement. Assistant Mayor Lazenby, Councilors Roberts, Denton, Becksted and Mayor Blalock voted in favor. Councilors Pearson, Dwyer, Perkins and Reynolds voted opposed.
26. **Voted** to request the Legislative Delegation review the RSA’s related to ex officio to clarify residency.
27. Appointment to be Considered – The City Council considered the reappointment of Shari Donnermeyer to the Parking and Traffic Safety Committee which will be acted upon at the September 4, 2018 City Council meeting.
28. Appointments to be Voted – Voted to appoint and reappoint the following:
  - Ralph DiBernardo appointment as a Regular member to the Parking and Traffic Safety Committee
  - Stephen T. Pesci appointment as Alternate member to the Parking and Traffic Safety Committee
  - Mary Lou McElwain reappointment to the Parking and Traffic Safety Committee
  - Harold Whitehouse reappointment to the Parking and Traffic Safety Committee
  - J. Stephen McCarthy reappointment to the Building Code Board of Appeals
29. Parking and Traffic Safety Committee Action Sheet and Minutes of the August 2, 2018 meeting– **Voted** to accept and approve the action sheet and minutes of the August 2, 2018 Parking and Traffic Safety Committee meeting.
30. Councilor Dwyer Item #1– **Voted** to request to have Planning Director Juliet Walker make a presentation at the September 4<sup>th</sup> City Council meeting regarding a transitional zoning option in the Bartlett Street area.
31. Councilor Denton Item #1– Piscataqua Region Estuaries Partnership: Discussion: Would it be beneficial for the City Council to have a Work Session where the Piscataqua Region Estuaries Partnership (PREP) presents findings from, and answers questions regarding, their 2018 State of Our Estuaries Report? Council consensus was to recommend that a public informational meeting be held at the Levenson Room of the Portsmouth Public Library. Councilor Denton requested to be updated on upcoming Wastewater Treatment Facility issues.

32. Miscellaneous/Unfinished Business– Discussion was held regarding an upcoming Conference on Climate Change for which the City Council recently approved funding. Several Councilors expressed concern that the conference is conveying views on the issue that are not in conjunction with City of Portsmouth policies. City Manager will reach out to the organizer of the group for further information.
33. Miscellaneous/Unfinished Business – Councilor Becksted requested the Pease Development Authority be invited to give a presentation of the properties at Pease and what falls under the Airport District, etc.
34. Miscellaneous/Unfinished Business – Assistant Mayor Lazenby invited people to attend the upcoming Tricycle Races being held on Tuesday, September 18<sup>th</sup> at 2:30 p.m. on Pleasant Street with proceeds to benefit the Alzheimer’s Association.
35. Adjournment – At 9:12 p.m., **voted** to adjourn.

Respectfully submitted by:

Valerie A. French, CNHMC  
Deputy City Clerk