

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: MONDAY, JUNE 11, 2012 TIME: 6:00PM

## AGENDA

- 6:00PM – WORK SESSION REGARDING UPDATE ON WASTEWATER TREATMENT

I. CALL TO ORDER [7:00PM or thereafter]

II. ROLL CALL

III. INVOCATION

IV. PLEDGE OF ALLEGIANCE

V. ACCEPTANCE OF MINUTES – MAY 7, 2012

VI. PUBLIC COMMENT SESSION

VII. APPROVAL OF GRANTS/DONATIONS

A. \*Acceptance of Donation Re: NH Fish & Lobster Festival - \$500.00 (*Sample motion – move to accept the donation for the NH Fish & Lobster Festival, as presented*)

B. \*NH Community Planning Grant Application (*Sample motion – move to authorize the City Manager to apply for, accept and expend a \$50,000.00 grant from the New Hampshire Community Planning Grant Program for the purpose of developing local regulations that foster sustainable community development*)

VIII. CONSIDERATION OF RESOLUTIONS AND ORDINANCES

A. First Reading of Ordinance amending Chapter 10 – Zoning Ordinance, Article 11, Section 10.1115 - Off-Street Parking Provisions in the Downtown Overlay District

IX. CONSENT AGENDA

***A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA***

A. Request for Approval of Pole License to install/replace 1 pole located on Constitution Avenue (*Anticipated action – move to approve the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes*)

- B. Acceptance of Police Department Donations:
- Donation from Mr. & Mrs. Lamontagne for the Portsmouth Police Explorers - \$200.00
  - Donation from Ms. York for the Portsmouth Police Explorers - \$50.00
- (Anticipated action – move to approve and accept the donations to the Portsmouth Police Department, as listed)***
- C. \*Acceptance of Donations Re: Welcome Home, Iraq Veterans Parade
- Harold Whitehouse - \$25.00
  - The Nancy N. Clayburgh Rev Trust - \$25.00
  - Optima Bank & Trust - \$100.00
  - Daniel K. Poling Chapter 992 VVA - \$100.00
  - The Portsmouth Democratic City Committee - \$100.00
  - William A. and Cynthia M. Duncan - \$500.00
- (Anticipated action – move to accept the donations for the Welcome Home, Iraq Veterans Parade, as presented)***
- D. Letter from David Hallowell requesting permission to hold the 13<sup>th</sup> Annual Portsmouth Maritime Folk Festival on Saturday, September 29<sup>th</sup> and Sunday, September 30<sup>th</sup>
- (Anticipated action – move to refer to the City Manager with power)***
- E. Request for License from Andrea Rossetto, owner of Dolce Freddo Gelato for property located at 90 Fleet Street for a projecting sign on an existing bracket ***(Anticipated action – move to accept the recommendation of the Planning Director with the aforementioned stipulations and approve the request of Andrea Rossetto, owner of Dolce Freddo Gelato for 1 projecting sign at property located at 90 Fleet Street and, further, authorize the City Manager to execute License Agreements for this request)***

**Planning Director's Stipulations:**

- ***The licenses shall be approved by the Legal Department as to content and form;***
  - ***Any removal or relocation of the projecting signs, for any reason, will 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 signs, 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***
- F. Letter from Virginia Skevington, AIRWalk, requesting permission to hold the second annual fundraising walk on Saturday, October 20, 2012 ***(Anticipated action – move to refer to the City Manager with power)***

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

- A. Letter from Petra & Christopher Barstow requesting permission to replace front steps and retaining walls in front of their property located at 528 Dennett Street (***Sample motion – move to refer to the Planning Board for report back***)

**XI. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS**

**A. CITY MANAGER**

**Items Which Require Action Under Other Sections of the Agenda**

1. Consideration of First Reading of Proposed Resolution and Ordinance Amendments:
  - 1.1 First Reading of Proposed Amendments to Chapter 10 – Zoning Ordinance, Article 11, Section 10.1115 - Off-Street Parking Provisions in the Downtown Overlay District (***Action on this matter should take place under Section VIII of the Agenda***)

**City Manager's Items Which Require Action**

1. Request to Establish a Work Session Re: Connie Bean Center
2. Report Back Re: Request from Julie Bokart and Jeanne Carter, Fuel Training Studio, for permission to hold outdoor fitness classes on Peirce Island

**Informational Items**

1. Events Listing
2. 2011 Assessment Review
3. Reminder of Work Session Re: Parking Omnibus Proposal

**B. MAYOR SPEAR**

1. \*Committee for Evaluation of City Manager
2. \*Reports (*Postponed from the May 21<sup>st</sup> City Council meeting*)

**C. COUNCILOR NOVELLINE CLAYBURGH**

1. \*Report on Elderly Services (*Postponed from the May 21<sup>st</sup> City Council meeting*)

**D. COUNCILOR KENNEDY**

1. \*Report on Elderly Services – Verbal/Discussion (*Postponed from the May 21<sup>st</sup> City Council meeting*)

**E. COUNCILOR COVIELLO**

1. Bike Corrals – Letter from Peter Egelston of The Portsmouth Brewery (*Postponed from the May 21<sup>st</sup> City Council meeting*)

**F. COUNCILOR SMITH**

1. Parking and Traffic Safety Committee Action Sheet and Minutes of May 10, 2012 (***Sample motion – move to approve and accept the action sheet and minutes of the May 10, 2012 Parking and Traffic Safety meeting***)

**G. COUNCILOR THORSEN**

1. Historic District Commission Council Representative

**H. COUNCILOR COVIELLO AND COUNCILOR DWYER**

1. City Council Rule 23 – Committee Nominations (*Postponed from the May 21<sup>st</sup> City Council meeting*)

**XII. MISCELLANEOUS/UNFINISHED BUSINESS**

**XIII. ADJOURNMENT [AT 10:00PM OR EARLIER]**

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

*\*Indicates Verbal Report*

**INFORMATIONAL ITEMS**

1. Notification that the Zoning Board of Adjustment Minutes of March 20, 2012 and March 27, 2012 meetings are available on the City's website for your review
2. Notification that the Zoning Board of Adjustment Minutes of the April 17, 2012 meeting are available on the City's website for your review
3. Notification that the Planning Board Minutes of the February 16, 2012 meeting are available on the City's website for your review
4. Notification that the Planning Board Minutes of the March 22, 2012 meeting are available on the City's website for your review
5. Notification that the Planning Board Minutes of the April 19, 2012 meeting are available on the City's website for your review

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

## **CITY COUNCIL MEETING**

MUNICIPAL COMPLEX  
DATE: MONDAY, MAY 7, 2012

PORTSMOUTH, NH  
TIME: 7:00 PM [or thereafter]

At 6:00 p.m., an anticipated "Non-Meeting" with Counsel was held - RSA 91-A:2, I (b-c).

### **I. CALL TO ORDER [7:00PM or thereafter]**

Mayor Spear called the meeting to order at 7:15 p.m.

### **II. ROLL CALL**

Present: Mayor Spear, Assistant Mayor Lister, Councilors Coviello, Kennedy, Novelline Clayburgh, Lown, Dwyer, Smith and Thorsen

### **III. INVOCATION**

Mayor Spear asked everyone to join in a moment of Silent Prayer.

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

Councilor Thorsen led the Pledge of Allegiance to the Flag.

### **PROCLAMATIONS**

1. Bike/Walk to Work Day in Portsmouth

Councilor Lown read the Proclamation declaring Friday, May 18, 2012 as Bike/Walk to Work Day in the City of Portsmouth.

2. Police Week in Portsmouth & Peace Officers' Memorial Day

Councilor Smith read the Proclamation declaring May 13, 2012 – May 19, 2012 as Police Week in Portsmouth and further that all citizens of Portsmouth observe May 15, 2012, as Peace Officers' Memorial Day. Mayor Spear presented the Proclamation to Police Chief Ferland who accepted it with thanks and appreciation.

## **PRESENTATION**

1. \*Mayor's Blue Ribbon Committee on Sustainable Practices – Bert Cohen, Chair

Bert Cohen, Chair of the Mayor's Blue Ribbon Committee on Sustainable Practices provided a brief update on what the Committee has done and what they're continuing to do. He also announced that the 5<sup>th</sup> Annual Portsmouth Sustainability Day will be held on Saturday, May 12, 2012 from 7:00 a.m. to 1:30 p.m. at the Portsmouth High School Cafeteria.

## **V. ACCEPTANCE OF MINUTES – APRIL 2, 2012 AND APRIL 16, 2012**

Councilor Kennedy moved to approve and accept the minutes of the April 2, 2012 and April 16, 2012 City Council meetings. Seconded by Councilor Novelline Clayburgh and voted.

## **VI. PUBLIC COMMENT SESSION**

Frances Lebel requested that the City Council not accept the Planning Board's recommendation to deny their request to restore the lots to their premerger status. She said they do not intent to build on the lots and requested that the City Council make the lots back into one.

Peter Somssich said that the current parking study does not support the idea that we are currently in desperate need of more parking in the downtown area, and it does not suggest that building a downtown parking garage is the only answer to our future needs. He also outlined some suggestions for dealing in a sustainable and interactive way with our need for parking in the future.

## **VII. PUBLIC HEARINGS**

- A. ORDINANCE AMENDING CHAPTER 7, ARTICLE II, SECTION 7.229 OF THE TAXI ORDINANCE – GENERAL PROVISIONS BY A NEW SUB-SECTION E - ENTITLED COMPLIANCE WITH STATE AND FEDERAL LAW

Mayor Spear read the legal notice, declared the public hearing open and called for speakers.

Peter Bresciano, Taxi Commission Chair, urged the City Council to adopt the proposed amendment to the Taxi Ordinance. He stated that the City Council may see more amendments brought forward in the future to keep the ordinance updated.

With no further speakers, Mayor Spear declared the public hearing closed.

- B. ORDINANCE AMENDING CHAPTER 10, ARTICLE 4, SECTION 10.440 OF THE ZONING ORDINANCE – TABLE OF USES – RESIDENTIAL, MIXED RESIDENTIAL, BUSINESS AND INDUSTRIAL DISTRICTS BY CREATING PERFORMANCE STANDARDS APPLICABLE TO DRIVE-THROUGH FACILITIES AND; CHAPTER 10, ARTICLE 8, SECTION 10.836.20 OF THE ZONING ORDINANCE REGARDING ACCESSORY DRIVE-THROUGH USES BY CHANGING TYPE OF APPROVAL REQUIRED FROM A SPECIAL EXCEPTION TO A CONDITIONAL USE PERMIT

Mayor Spear read the legal notice, declared the public hearing open and called for speakers.

David Choate spoke in support of the Ordinance amendments and stated individuals should not have to go before the Board of Adjustment to install a drive-through.

Bill Sucot said he works with bank branches and their operations have changed significantly. He said there is more of a reliance on drive through with the increase in technologies. He requested the City Council to support the Ordinance.

With no further speakers, Mayor Spear declared the public hearing closed.

- C. ORDINANCE AMENDING CHAPTER 10, ARTICLE 15, SECTION 10.1530 – TERMS OF GENERAL APPLICABILITY RELATIVE TO THE DEFINITION OF MUSEUM REGARDING ACCESSORY USES THAT ARE INCIDENTAL AND SUBORDINATE TO THE PRIMARY NON-PROFIT MUSEUM USE

Mayor Spear read the legal notice, declared the public hearing open and called for speakers.

Brian Early asked if he could address the Council to make a statement even though the public comment session has been closed. The Council agreed to allow Mr. Early to speak.

Mr. Early asked that Rock Street Park be closed from 11:00 p.m. – 4:00 a.m.

## **VIII. APPROVAL OF GRANTS/DONATIONS**

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

## **IX. CONSIDERATION OF RESOLUTIONS AND ORDINANCES**

- A. Second reading of Proposed Amendment to Taxi Ordinance – Chapter 7, Article II, Section 7.229 – General Provisions by a new Sub-section E - entitled Compliance with State and Federal Law

**Councilor Coviello moved to pass second reading and hold third and final reading of the proposed Ordinance, as presented, at the May 21, 2012 City Council meeting. Seconded by Councilor Novelline Clayburgh and voted.**

- B. Second reading of Proposed Amendment to Chapter 10, Article 4, Section 10.440 of the Zoning Ordinance – Table of Uses – Residential, Mixed Residential, Business and Industrial Districts by creating Performance Standards applicable to Drive-through Facilities, and Chapter 10, Article 8, Section 10.836.20 of the Zoning Ordinance regarding Accessory Drive-through Uses by changing type of approval required from a Special Exception to a Conditional Use Permit

**Assistant Mayor Lister moved to pass second reading and hold third and final reading of the proposed Ordinance, as presented, at the May 21, 2012 City Council meeting. Seconded by Councilor Coviello.**

Councilor Novelline Clayburgh asked how close you can get to the property line. Planning Director Taintor responded that it would depend upon the district.

**Motion passed.**

- C. Second reading of Proposed Amendment to Zoning Ordinance, Chapter 10, Article 15, Section 10.1530 – Terms of General Applicability relative to the Definition of Museum regarding Accessory Uses that are Incidental and subordinate to the Primary Non-Profit Museum Use

**Councilor Kennedy moved to pass second reading and hold third and final reading of the proposed Ordinance, as presented, at the May 21, 2012 City Council meeting. Seconded by Councilor Novelline Clayburgh and voted.**

## **X. CONSENT AGENDA**

### ***A MOTION WOULD BE IN ORDER TO ADOPT THE CONSENT AGENDA***

- A. Letter from Mylene Hollick, March of Dimes, requesting permission to hold the 2012 Seacoast March for Babies on Sunday, May 20, 2012 from 9:00 am. – 1:00 p.m. ***(Anticipated action – move to refer to the City Manager with power)***
- B. Acceptance of Donation to the Fire Department from Patricia MacNeil - \$75.00 ***(Anticipated action – move to accept and approve the donation, as presented)***
- C. 2012 Omnibus Sidewalk Obstruction Renewals – Part III – See Attached Listing ***(Anticipated action – move to refer to the City Manager with power)***



- D. Request for Approval of Pole License to install/replace 1 pole located on Willard Avenue (***Anticipated action – move to approve the aforementioned Pole License Agreement as recommended by the Public Works Department with the approval conditioned upon amendment of the license to allow for the collection of any lawfully assessed real estate taxes***)
  
- E. Letter from Alyssa Aldrich, Big Brothers Big Sisters of the Greater Seacoast, requesting permission to hold the 3<sup>rd</sup> Annual Stiletto Race on Saturday, July 28, 2012 from 4:00 p.m. – 6:00 p.m. (rain date of Saturday, August 4, 2012) (***Anticipated action – move to refer to the City Manager with power***)

**Councilor Lown moved to adopt the Consent Agenda. Seconded by Councilor Novelline Clayburgh and voted.**

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

- A. Letter from Karina Quintans, Islington Creek Neighborhood Association, regarding Nighttime closure of Rock Street Park

**Councilor Novelline Clayburgh moved to accept and place the letter on file. Seconded by Councilor Coviello and voted.**

- B. Letter from Padi Anderson, 2012 Fishtival Steering Committee, requesting support from the City of Portsmouth in the amount of \$1,000.00

**Councilor Lown moved to accept and place the letter on file. Seconded by Assistant Mayor Lister.**

Councilor Kennedy advised the City Council that the Port Authority would give \$1,000.00 towards the event if the funds are matched by the City.

Discussion followed as to whether this would set a precedent.

City Manager Bohenko stated that an account could be set up for where the funds go for the event.

**Motion passed.**

- C. Letter from Eric G. Mart and Kathryn A. McCallion requesting a rezoning of 1283 Woodbury Avenue

**Councilor Novelline Clayburgh moved to refer to the Planning Board for report back. Seconded by Assistant Mayor Lister and voted.**

## XII. REPORTS AND COMMUNICATIONS FROM CITY OFFICIALS

### A. CITY MANAGER

1. Request for Approval of Police Department Early Retirement Incentive

City Manager Bohenko briefly explained that this is an early retirement incentive for any police officer that has 25 years or more of service. He stated that a one time payment of \$12,000.00 would be provided to the individual. City Manager Bohenko further stated that this would add a savings in the Police Department budget in meeting the budget guideline.

**Councilor Smith moved to approve the request from the Portsmouth Police Commission to offer a retirement incentive to police officers, as presented. Seconded by Councilor Novelline Clayburgh and voted.**

2. Request to Establish Public Hearing Re: Use of Bond Premium

City Manager Bohenko stated that this is a request to establish a public hearing on two bonds from savings last year with a bond premium. He outlined the proposed projects that would benefit from the bond savings and that these bonds would reduce the tax rate by \$.12.

**Councilor Smith moved to authorize the City Manager to bring back for public hearing for public hearing at the May 21, 2012 City Council meeting the aforementioned two Bond Premium Resolutions. Seconded by Councilor Novelline Clayburgh and voted.**

3. Report Back Re: Proposed Closure of Rock Street Park between the hours of 11:00 p.m. and 5:00 a.m.

City Manager Bohenko spoke to the proposed closure of Rock Street Park between 11:00 p.m. and 5:00 a.m. as recommended by Police Chief Ferland.

Chief Ferland said he would have no problem with the request of the Islington Street Neighborhood for the closure of the park to be from 11:00 p.m. - 4:00 a.m.

**Councilor Novelline Clayburgh moved to authorize the City Manager to close Rock Street Park between the hours of 11:00 p.m. – 4:00 a.m. for a trial period of 1 year effective after the proper posting by the Department of Public Works. Seconded by Assistant Mayor Lister.**

Discussion followed among the City Council and Chief Ferland regarding the park closure and how the Police Department would handle any violations. Chief Ferland stated that this is the next natural step with the closure of the park.

**On a roll call 8-1, motion passed. Councilor Coviello voted opposed.**

4. Request from Paul R. Frohn, Jr., and Susan C. Frohn for Restoration of Involuntary Merged Lots Under RSA 674-39-aa

Planning Director Taintor spoke on this matter and the new law which puts the decision in the hands of the City Council which used to be in the hands of the Planning Board. He advised that City Council based on the information, he is recommending to deny the Lebel's request for restoration of the lots to their premerger status.

**Councilor Smith moved to accept the Planning Director's recommendation to approve the Frohns' request for restoration of the lots to their premerger status. Seconded by Councilor Novelline Clayburgh.**

Planning Director Taintor explained that this came out of the legislature and is not consistent with zoning practice and it does not remedy any zoning inconsistencies. He stated that if you look at the lots back before zoning they were subdivided into small lots and divided into 2 lots. He said then zoning laws were created.

City Attorney Sullivan reported that before there were Planning Boards a property owner could create subdivision with small lots which was recognized that these small lots were impossible to build homes on. He further stated that an early zoning ordinance specifically merged these lots together.

Councilor Thorsen stated that the burden of proof is on the City not the property owner.

Planning Director Taintor said that this was not a well written law or well conceived.

Councilor Coviello said this is a judgment by the City Council. He stated you have to determine if the property has shown signs where the owner has tried to separate the two lots.

Assistant Mayor Lister said he feels that the City Council is between a rock and a hard place with this law. He stated the decisions made tonight are precedent setting for the future.

Councilor Coviello stated that if this property was in an LLC this would not apply. Planning Director Taintor said that is correct.

Mayor Spear passed the gavel to Assistant Mayor Lister.

Mayor Spear asked what the next step would be if someone was denied. Planning Director Taintor announced that the owner could appeal the decision to the Board of Adjustment. If the request is granted the Board of Adjustment would need to decide to allow the building on a lot. If you denied the request, it would be to allow the building on a smaller lot as required.

Assistant Mayor Lister returned the gavel to Mayor Spear.

Councilor Kennedy stated that the Council needs to set criteria before deciding on these requests. Councilor Dwyer said Councilor Kennedy is saying perhaps the Council should hold a work session on these requests and how we make decisions on these requests with a criteria.

City Attorney Sullivan stated he and Director Taintor share in the Council's frustration on this matter. He said that the City Council could postpone taking action but the reason it is brought forward this evening is because the property owner wanted a decision on this matter.

Councilor Smith asked if the City Council has enabling action to set standards. City Attorney Sullivan said it is only what is in the statute. Councilor Lown said that the City Council would not be able to understand the statute because this is a poorly written law.

**Councilor Kennedy moved to postpone action on this request to conduct a Work Session to create criteria and research how other communities are handling these requests. Seconded by Councilor Dwyer.**

Further discussion occurred regarding this matter.

**On a roll call vote 2-7, motion failed to pass. Councilors Kennedy and Dwyer voted in favor. Assistant Mayor Lister, Councilors Coviello, Novelline Clayburgh, Lown, Smith, Thorsen and Mayor Spear voted in opposed.**

Mayor Spear passed the gavel to Assistant Mayor Lister.

**On a roll call vote 8-1, main motion passed to accept the Planning Director's recommendation to approve the Frohns' request for restoration of the lots to their premerger status. Assistant Mayor Lister, Councilors Coviello, Novelline Clayburgh, Lown, Dwyer, Smith, Thorsen and Mayor Spear voted in favor. Councilor Kennedy voted opposed.**

5. Request from Irene R. Lebel and Frances D. Lebel for Restoration of Involuntary Merged Lots Under RSA 674-39-aa

Planning Director Taintor said he based his decision on the orthophoto. He stated this disqualifies as a voluntary merger because at some point someone built the garage across the lot line and the driveway in order to restore the lot it would need to be divided. He further stated that this was done by a previous owner and not the current owners. Planning Director Taintor also added that the original deed has one metes and bounds description and for those response he interprets this to be a voluntary merger.

**Councilor Coviello moved to accept the Planning Director's recommendation to deny the Lebel's request for restoration of the lots to their premerger status to pass. Seconded by Councilor Novelline Clayburgh.**

Assistant Mayor Lister asked what the process for the Lebel's would be. Planning Director Taintor said that the Lebel's would not need to do anything but if someone wanted to build a house on the adjoining lot they would need to go to the Zoning Board of Adjustment.

Councilor Dwyer stated that there are little encroachments of properties throughout the City.

Councilor Smith stated he would vote against the motion.

Councilor Thorsen stated he deems this to be a voluntarily merger.

Councilor Kennedy stated it was a voluntary merger when the garage was built. She said the garage and driveway were built so they were voluntarily merged.

**On a roll call vote 4-5, motion failed. Assistant Mayor Lister, Councilors Coviello, Kennedy and Mayor Spear voted in favor. Councilors Novelline Clayburgh, Lown, Dwyer, Smith and Thorsen voted opposed.**

**Councilor Lown moved to approve the Lebel's request for restoration of the lots to their premerger status. Seconded by Councilor Dwyer.**

**On a roll call 7-2, voted to approve the Lebel's' request for restoration of the lots to their premerger status. Assistant Mayor Lister, Councilors Coviello, Novelline Clayburgh, Lown, Dwyer, Smith and Thorsen voted in favor. Councilor Kennedy and Mayor Spear voted opposed.**

At 9:40 p.m., Mayor Spear declared a brief recess. At 9:50 p.m., Mayor Spear called the meeting back to order.

6. Applications for Sidewalk Cafes Providing Alcohol Service
  - a) Popovers on the Square
  - b) The District
  - c) RiRa
  - d) State Street Saloon
  - e) Surf Restaurant

City Manager Bohenko said the City Council adopted the policy on this matter and then received 5 applications for the service of alcohol at cafes. He stated that each establishment will be voted on separately. He stated that Popovers is the same as the pilot program.

a) Popovers on the Square

**Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with Popovers on the Square for outdoor alcohol service on City land for the 2012 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk café providing alcohol service. Seconded by Councilor Lown.**

Councilor Coviello stated that he does not care for the layout. He further stated that management for Popovers told him this request was put forward more for the ownership of the tables and chairs and not for the serving of alcohol.

Councilor Kennedy stated that the City Council can make changes to the policy each year if necessary.

City Manager Bohenko said that the policy would be reviewed each year.

**Motion passed.**

b) The District

**Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with The District for outdoor alcohol service on City land for the 2012 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk café providing alcohol service. Seconded by Councilor Novelline Clayburgh and voted.**

c) RiRa

**Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with RiRa for outdoor alcohol service on City land for the 2012 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk café providing alcohol service. Seconded by Councilor Novelline Clayburgh.**

Councilor Kennedy said she is concern with the tables being too close to the bench. Public Works Director Parkinson advised Councilor Kennedy that the bench is approximately 3 feet from the back of the chairs to the tables.

**Motion passed. Councilor Kennedy voted opposed.**

d) State Street Saloon

**Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with State Street Saloon for outdoor alcohol service on City land for the 2012 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk café providing alcohol service. Seconded by Councilor Novelline Clayburgh.**

Councilor Coviello said he would vote opposed because it narrows the new sidewalk and he feels it makes the area too small. Councilor Thorsen said he agrees with Councilor Coviello that it makes the area feel small. Councilor Lown said that side of the sidewalk is less travelled.

**Motion passed. Councilor Coviello voted opposed.**

e) Surf Restaurant

**Councilor Smith moved to authorize the City Manager to enter into an Area Service Agreement with Surf Restaurant for outdoor alcohol service on City land for the 2012 season subject to City Council Policy No. 2012-02 regarding use of City property for sidewalk café providing alcohol service. Seconded by Councilor Novelline Clayburgh and voted.**

7. Report Back Re: Public Service of New Hampshire Easement at Prescott Park

City Manager Bohenko said that this was referred to the Planning Board for report back and they are recommending approval of the request.

**Councilor Lown moved to accept the recommendation of the Planning Board, as presented, and further, authorize the City Manager to execute the easement deed with PSNH. Seconded by Councilor Smith and voted.**

8. Report Back Re: Request of New Hampshire Department of Transportation for an Easement under the Scott Avenue Bridge in support of the Memorial Bridge Project

City Manager Bohenko reported that two permanent easements are needed for the Memorial Bridge project and the Planning Board is recommending approval to grant the easements as proposed.

**Councilor Smith moved to accept the recommendation of the Planning Board, as presented, and further, authorize the City Manager to negotiate and execute an easement deed with the State of New Hampshire. Seconded by Assistant Mayor Lister.**

Councilor Kennedy inquired if they were using sound improvements. City Manager Bohenko reported affirmatively.

**Motion passed.**

9. Report Back Re: Letter from Attorney Malcolm McNeill, representing Commerce Way, LLC, regarding Commerce Way Conditional Road Layout and Betterment Assessment

City Manager Bohenko spoke to the request of Commerce Way, LLC for a Conditional Road Layout and Betterment Assessment for Commerce Way.

**Councilor Smith moved to accept the Planning Board's recommendation for Commerce Way for the Conditional Road Layout in accordance with RSA 231.28 subject to the road improvements funded through the Betterment Assessment Process in accordance with RSA 231:29-33. Seconded by Councilor Lown and voted.**

10. Report Back Re: Letter from David Mikolaities, Lieutenant Colonel, NH Army National Guard, regarding the Acquisition of a Portion of the Right of Way along Market Street and Site Improvements for Access to the National Guard Readiness Center on 803 McGee Drive

City Manager Bohenko stated that the Planning Board has reviewed the request and is recommending approval.

**Councilor Smith moved to accept the Planning Board's recommendation, as presented, and further, authorize the City Manager to negotiate and execute an easement deed. Seconded by Councilor Lown and voted.**

Councilor Dwyer asked if the Army National Guard would go through the Planning Board for the project. City Manager Bohenko reported that they would be exempt but would work with the City on an advisory review. Planning Director Taintor advised the City Council that the Army National Guard has agreed to work with the City on the project.

11. Report Back Re: Request of Barbara Devanna and Robert Cohen for an Access Easement over 55 Pine Street for property at 55 Meredith Way (previously identified as 55 Pine Street)

City Manager Bohenko reported that the Planning Board has reviewed the request and is recommending approval.

**Councilor Kennedy moved to accept the Planning Board's recommendation, and further, authorize the City Manager to negotiate and execute any necessary documents. Seconded by Councilor Smith and voted.**



City Manager's Informational Items

3. Budget Work Session Agenda

City Manager Bohenko announced that the City Council will be meeting in a Work Session tomorrow evening on the Municipal Budget. He further stated that the City Council will be reconvening the Budget Public Hearing on Monday, May 14, 2012 at 7:00 p.m.

**B. MAYOR SPEAR**

1. Appointments to be Voted:
  - Reappointment of Kathleen Bergeron to Citywide Neighborhood Steering Committee
  - Reappointment of Ed DeValle to Recreation Board

**Councilor Coviello moved to reappoint Kathleen Bergeron to Citywide Neighborhood Steering Committee until April 1, 2015. Seconded by Assistant Mayor Lister and voted.**

**Councilor Coviello moved to reappoint Ed DeValle to Recreation Board until April 1, 2015. Seconded by Councilor Lown and voted.**

**C. COUNCILOR SMITH**

1. Parking and Traffic Safety Committee Action Sheet and Minutes of the April 12, 2012 meeting

**Councilor Smith moved to approve and accept the Action Sheet and Minutes of the April 12, 2012 Parking and Traffic Safety Committee meeting. Seconded by Councilor Novelline Clayburgh. Councilor Kennedy voted opposed.**

**D. COUNCILOR DWYER**

1. \*Middle School Update

Councilor Dwyer provided a brief update on the Middle School. She reported that the Alumni-Wentworth Field is open and stated that it would not be efficient to bus students from the Middle School to the Alumni-Wentworth Field for its occasional use by the Middle School. Councilor Dwyer further stated it was never the intent for the Middle School to use the field.

**E. COUNCILOR COVIELLO AND COUNCILOR DWYER**

1. City Council Rule 23 – Committee Nomination

Councilor Coviello said that the appointment process has been difficult and we are trying to meet everyone's goals.

City Attorney Sullivan stated that it is not possible that every discussion on candidates is held in non-meeting with counsel. City Attorney Sullivan spoke regarding the differences between a non-meeting with counsel and a non-public session. He said the City Council cannot have a non-public session without notifying the person and then the person could request the discussion be held in public.

Councilor Coviello requested the deletion of "as a non-meeting with counsel" from line 3 of the proposed rule.

City Attorney Sullivan reported that the City Council could vote by a two-thirds vote this evening to suspend the rules to act upon the rule, otherwise this rule could be presented this evening with a vote at the next Council meeting.

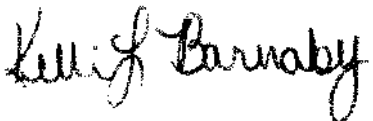
Councilor Dwyer indicated that this shall serve as notice to the City Council that action on this matter will take place at the May 21, 2012 City Council meeting.

**XIII. MISCELLANEOUS/UNFINISHED BUSINESS**

Councilor Coviello said that he would like to change a parking space into a location for the placement of a bicycle rack. Councilor Smith said that matter was referred to the Traffic & Safety Committee for an appropriate location but with the work on Bow Street, the Parking and Traffic Safety Committee is still trying to find a location.

**XIV. ADJOURNMENT [AT 10:00PM OR EARLIER]**

At 10:30 p.m., Councilor Smith moved to adjourn. Seconded by Councilor Novelline Clayburgh and voted.




Kelli L. Barnaby, CMC/CNHMC  
City Clerk

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# MEMORANDUM

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**TO:** John P. Bohenko, City Manager  
**FROM:** Rick Taintor, Planning Director   
**DATE:** May 15, 2012  
**RE:** Proposed Amendment to Zoning Ordinance, Section 10.1115 – Off-Street Parking Provisions in the Downtown Overlay District

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At its meeting on April 19, 2012, the Planning Board voted unanimously to recommend that the City Council enact the attached zoning amendment regarding off-street parking standards in the Downtown Overlay District. The recommended amendment would make the following changes to the Zoning Ordinance:

- Eliminate off-street parking requirements for all nonresidential uses.

Currently, parcels are required to provide 1 parking space per 100 sq. ft. of restaurant floor area and 1 space per 1,000 sq. ft. of all other upper-floor uses (there is no parking requirement for ground floor uses other than restaurants).

- Change the residential parking requirement to 1.5 parking spaces per dwelling unit.

The current requirement (enacted in 2009) is 1 parking space per 1,000 sq. ft. of floor area for all upper-floor uses (residential uses are not permitted on the ground floor of buildings in the Downtown Overlay District). However, some condominium units being constructed in the downtown are in excess of 2,500 sq. ft., which results in a parking requirement of more than 2 parking spaces per unit. This requirement is excessive, and therefore it is recommended to base the residential parking standard on the number of dwelling units rather than on the floor area of the building.

Note that the Zoning Ordinance exempts the first 4 parking spaces required in the Downtown Overlay District: thus, single-family and two-family uses would not be required to provide any off-street parking.

- Eliminate the option to make a payment in lieu of providing required off-street parking.

Property owners currently have the option to make a payment in lieu of providing off-street parking spaces. The current payment amount is \$2,200 per parking space not provided. The Planning Board recommends that residential development be required to provide parking on site. With the elimination of off-street parking requirements for nonresidential uses, there will be no need to maintain the current in-lieu payment system.

ORDINANCE #  
 THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 – Zoning Ordinance, Article 11, Section 10.1115 – Off-Street Parking Provisions in the Downtown Overlay District, are hereby amended as follows (deletions from existing language ~~stricken~~; additions to existing language **bolded**; remaining language unchanged from existing):

10.1115 Off-Street Parking Provisions in the Downtown Overlay District

10.1115.10 Purpose

10.1115.11 This Section 10.1115 establishes modified off-street parking standards for lots in the Downtown Overlay District in recognition of the availability of municipal on-street and off-street parking facilities, private shared parking facilities, and public transit, and the pedestrian-oriented pattern of lots and uses.

~~10.1115.12 This section also provides an option for developments to contribute to the cost of developing public parking facilities in lieu of providing a portion of the required off-street parking spaces.~~

10.1115.132 Except as specifically modified by this Section 10.1115, lots in the Downtown Overlay District shall comply with all other provisions of Section 10.1110.

10.1115.20 Number of Required Off-Street Parking Spaces

10.1115.21 The following requirements shall apply in the Downtown Overlay District in lieu of the requirements in Section 10.1112.30:

Use	Required Parking Spaces
Restaurant	1 space per 100 square feet GFA
Other ground floor uses	No requirement
Other upper floor uses (residential and nonresidential)	1 space per 1,000 square feet GFA
<b>Residential uses (dwellings)</b>	<b>1.5 space per dwelling unit</b>
<b>Nonresidential uses</b>	<b>No requirement</b>

10.1115.22 The requirements in Section 10.1115.21 shall be applied to all uses on a lot, and not to individual uses.

10.1115.23 For any lot, the number of off-street parking spaces that would be required by applying the ratios in Section 10.1115.21 shall be reduced by 4 spaces. (Therefore, any lot that would be required to

provide 4 or fewer off-street parking spaces shall not be required to provide any spaces.)

~~10.1115.30 — Optional Payment in Lieu of Providing Required Off-Street Parking Spaces~~

~~In the Downtown Overlay District, a property owner may elect to make a payment to the City's Parking Fund, as set forth in Section 10.1115.40, in lieu of providing a portion of the off-street parking spaces that would otherwise be required by this Ordinance.~~

~~10.1115.40 — Amount of Payment in Lieu~~

~~10.1115.41 — The payment in lieu of providing required off-street parking spaces shall be calculated by multiplying the number of required parking spaces not provided by the current fee per space as determined under Sections 10.1115.42 and 10.1115.43.~~

~~10.1115.42 — The fee per space as of January 1, 2010, shall be \$2,000.00.~~

~~10.1115.43 — The fee per space shall be adjusted annually effective on January 1 of each year. The adjustment shall be based on the annual change in the Civil Works Construction Cost Index System (CWCCIS), EM 1110-2-1304, CWBS Feature Code 19 — Buildings, Grounds & Utilities, published by the US Army Corps of Engineers for the most recent twelve-month period preceding the adjustment date, and shall be rounded to the nearest 100 dollars.~~

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*Annual change, Sep. 2009 — Sep. 2010 = 2.62%*  
*2011 adjustment = \$2,000 x 2.62% = \$52.40*  
*2011 payment per space = \$2,100.00 (rounded)*

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*Annual change, Sep. 2010 — Sep. 2011 = 4.96%*  
*2012 adjustment = \$2,100 x 4.96% = \$104.16*  
*2012 payment per space = \$2,200.00 (rounded)*

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~~10.1115.50 — Procedure and Administration~~

~~10.1115.51 — A payment in lieu of providing required off-street parking spaces shall be paid to the City prior to the issuance of a building permit or Change of Use Permit.~~

~~10.1115.52 — Payments in lieu of providing off-street parking spaces shall be deposited in a fund for off-street parking facilities within the Downtown Overlay District, under the control of the City Council.~~

~~10.1115.53 — Payments in lieu of providing off-street parking spaces shall be encumbered or otherwise legally bound within six years from the time the payment is received by the City. If not encumbered within that time period the payment shall be returned to the applicant together with any accrued interest.~~

~~10.1115.60~~ Application of Provisions

~~10.1115.61~~ The requirements of this Section 10.1115 shall not apply to any existing uses on a lot, but shall apply to any change or expansion of existing uses that results in an increase in the number of off-street parking spaces required for the lot by Section 10.1115.20, as of the date of application.

~~10.1115.62~~ If changes in the uses on a lot after the adoption of this Section 10.1115 result a lower parking requirement for the lot, that new requirement shall become the baseline for computing the change in off-street parking requirements resulting from any future proposed uses.

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

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

This ordinance shall take effect upon its passage.

APPROVED:

\_\_\_\_\_  
Eric Spear, Mayor

ADOPTED BY COUNCIL:

\_\_\_\_\_  
Kelli L. Barnaby, City Clerk

**InterOffice Memo**

**To:** John P. Bohenko, City Manager  
**From:** Tom Richter, Engineering Technician  
**Date:** May 14, 2012  
**Subject:** PSNH License Agreement 63-0537

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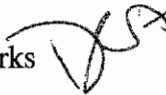
I have reviewed the pole location information provided by PSNH for Petition and Pole License 63-0537.

This request is to license one pole located on Constitution Avenue. The new pole will serve as a riser pole for an underground service to a new development across the street.

This pole poses no impact to existing city infrastructure. The Public Works Department recommends approval of this license.

Attached is a picture of the pole. Please call with any questions you may have.

cc: David Allen, P.E. Deputy Director of Public Works  
Kelli Barnaby, City Clerk





**Public Service  
of New Hampshire**

60 W. Pennacook Street, Manchester, NH 03101

Public Service Company of New Hampshire  
P.O. Box 330  
Manchester, NH 03105-0330  
(603) 669-4000

The Northeast Utilities System

April 23, 2012

Office of the City Clerk  
City of Portsmouth  
One Junkins Avenue  
Portsmouth, NH 03801

Dear City Clerk,

Public Service of New Hampshire is hereby requesting permission to install/replace poles located in the City of Portsmouth. Enclosed for your review is pole license petition 63-0537 for pole(s) located in the City of Portsmouth.

Upon approval, please have the license section signed by the proper authority. The copy labeled "**Portsmouth**" should be retained for your records.

Please return the remaining copies along with any invoices for payment to my attention at the address below.

If the petition is rejected, please return all copies of the license petitions with an explanation of rejection.

If you have any additional questions or require more information, please contact me at 603-634-2218.

Respectfully,

*Lisa-Marie Pinkes*

Lisa-Marie Pinkes  
Representative-A Records  
Public Service of New Hampshire  
60 West Pennacook Street PO Box 330  
Manchester, NH 03105-9989

Enclosure(s)



### PETITION AND POLE LICENSE

#### PETITION

Manchester, New Hampshire

April 19, 2012

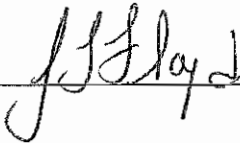
To the City Council of the City of Portsmouth New Hampshire.

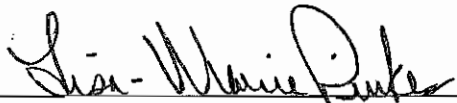
PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE, request a license to install and maintain underground conduits, cable and wires, and maintain poles and structures with wires, cables, conduits and devices thereon, together with such sustaining, strengthening and protecting fixtures as may be necessary along, and under the following public ways:

License one ( 1) pole(s), 313/14Y located on Constitution Avenue in the City of Portsmouth.

Northern New England Telephone Operations LLC  
d/b/a FairPoint Communications-NNE

PUBLIC SERVICE OF NEW HAMPSHIRE

BY: 

BY:   
Lisa-Marie Pinkes, PSNH CO Support/ Licensing

#### LICENSE

Upon the foregoing petition and it appearing that the public good so requires, it is hereby

#### ORDERED

This 19th day of April, 2012, that, PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE be and hereby are granted a license to erect and maintain poles and structures, with wires, cables, conduits and devices thereon, together with sustaining, strengthening and protecting fixtures, in the public ways covered by said petition. All of said wires, except such as are vertically attached to poles and structures, shall be placed in accordance with the National Electrical Safety Code in effect at the time of petition and/or license is granted.

The approximate location of the poles and structures shall be shown on plan marked "PUBLIC SERVICE OF NEW HAMPSHIRE and Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE No. 63-0537, dated 4/19/2012, attached hereto and made a part hereof.

City of Portsmouth, New Hampshire

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

BY: \_\_\_\_\_

Received and entered in the records of the City of Portsmouth, New Hampshire, Book \_\_\_\_\_, Page \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST: \_\_\_\_\_

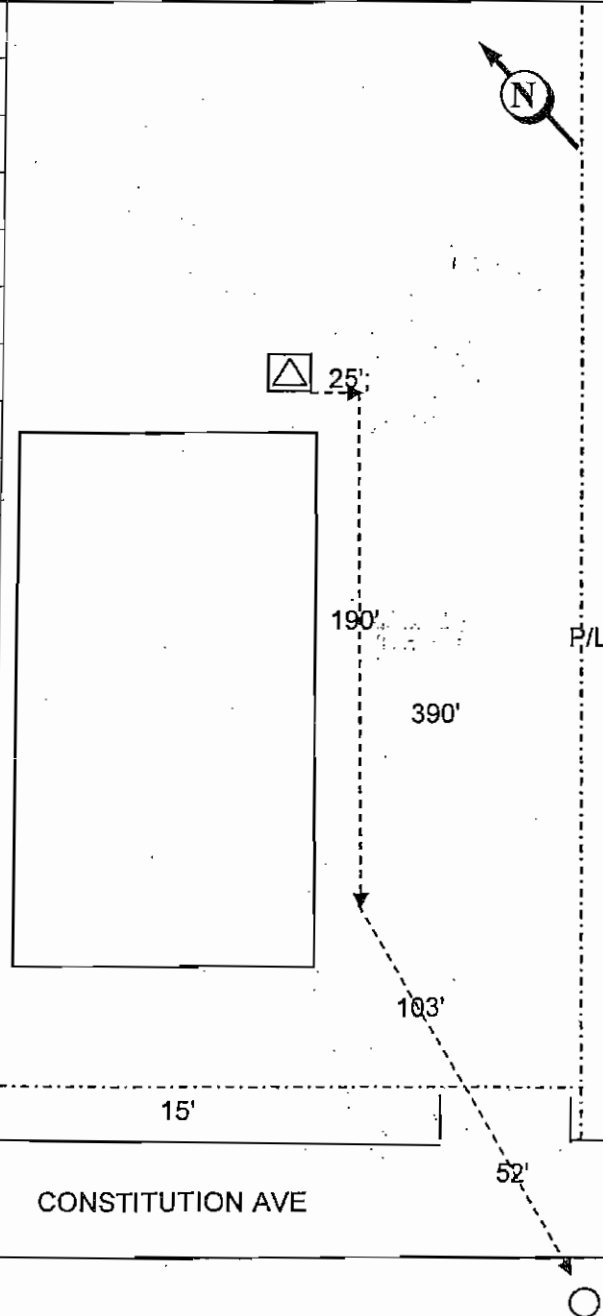
Town Clerk

# POLE LOCATION PLAN

PUBLIC SERVICE OF NEW HAMPSHIRE and  
Northern New England Telephone Operations LLC d/b/a FairPoint Communications-NNE

DATE	04/19/2012	LICENSE NO.	63-0537
MUNICIPALITY:	Portsmouth	STATE HWY. DIV. NO.	6
STREET / ROAD:	Constitution Avenue	STATE LICENSE NO.	
PSNH OFFICE:	Portsmouth	WORK REQUEST#	1823234
PSNH ENGINEER:	Sonny Lemire	WORK FINANCIAL #	9P120653
TELCO ENGINEER:	Joe Considine	TELCO PROJECT #	

Pole Numbers		Pole Sz-CI	Eq BH	INSTALL		REMOVE		REF	100% LTS	J/O	100% TEL	Span	DIST. FROM	Remarks	DOC REQ
LTS	TEL			POLE	PB										
313 1YT1														INSTALL NEW PAD XFMR 300 KVA-120/208	E
313 14Y		45'2	Y											INSTALL NEW POLE BUILD 3 PH RISER	M



ADDENDUM PER RSA 231:163

- 1) All licensee(s) and any other entity using and/or occupying property of the City pursuant to a license, lease or other agreement shall provide for the payment of properly assessed real and personal property taxes by the party using or occupying said property no later than the due date.
- 2) All licensee(s) and any other entity using and/or occupying property of the City shall provide for the payment of properly assessed real and personal property taxes on structures or improvements added by the licensee(s) or any other entity using or occupying property of the city; and
- 3) Failure of the licensee(s) and any other entity using and/or occupying property of the City to pay duly assessed personal and real taxes when due shall be cause to terminate said agreement by the lessor.

The changes to the licenses, leases and other agreements set forth in the preceding paragraphs shall remain in effect until changed in accordance with the requirements of RSA 231:163.

**Approved by City Council:**



05/04/2012

PORTSMOUTH POLICE DEPARTMENT

MEMORANDUM

RECEIVED

JUN -4 2012

CITY MANAGER  
PORTSMOUTH, NH

DATE: 24 MAY, 2012  
TO: JOHN P. BOHENKO, CITY MANAGER  
FROM: JOHN F. GOLUMB, CHAIRMAN, PORTSMOUTH POLICE COMMISSION  
DAVID J. FERLAND, CHIEF OF POLICE  
RE: DONATIONS

At the May 23<sup>rd</sup> monthly Police Commission meeting, the Board of Police Commissioners approved and accepted the following donation:

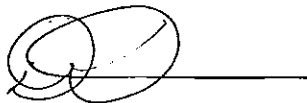
1. Donation in the amount of \$200 from Mr. and Mrs. Lamontagne in support of the Portsmouth Police Explorers.
2. Donation in the amount of \$50 in support of the Portsmouth Police Explorers from Ms. York.

We submit the information to you pursuant to City Policy Memorandum #94-36, for the City Council's consideration and approval at their next meeting.

Respectfully submitted,

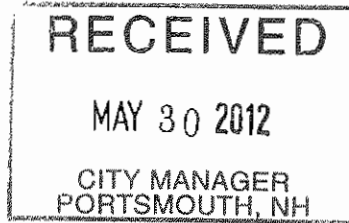


John F. Golumb, Chairman  
Board of Police Commissioners



David J. Ferland, Chief of Police

cc: Board of Police Commissioners  
Finance Director Judie Belanger  
Admin. Captain Frank Warchol  
Budget Coordinator Tammie Perez



May 27, 2012

Mayor Eric Spear  
and City Council Members  
City of Portsmouth  
1 Junkins Ave,  
Portsmouth, NH 03801

Cc: John P. Bohenko, City Manager

Re: Requesting permission for 13<sup>th</sup> Annual Portsmouth Maritime Folk Festival

On behalf of the Portsmouth Maritime Folk Festival (PMFF), a New Hampshire Non Profit Corporation, I am requesting permission to hold the 14<sup>th</sup> Annual Portsmouth Maritime Folk Festival on September 29<sup>th</sup> and 30<sup>th</sup>, 2012.

This event celebrates Portsmouth's maritime history and seafaring traditions, with presentations and performances that are free and open to the public. We have our own arrangements with city historical venues (Moffatt-Ladd House, Warner House, The Athenaeum, and others) and local pubs and business (RiRa, The Rusty Hammer, The Works, and others);

Weather permitting, we perform shanty singing outside, in Market Square and some other areas around town, on the sidewalks, with respect for public access and safety. People seem to like the festive and historic nature of the singing, and it raises awareness for the special indoor events over the course of the weekend.

We do not require any street closing or police details. We would like to request one favor, though. Every year we are challenged by the sound and the busy-ness of motorcycles revving and parking in front of Breaking New Grounds and RiRa. We would appreciate these parking spaces being closed for all day Sunday, September 30<sup>th</sup>.

- 3 spaces in front of Breaking New Grounds and RiRa Pub.
- 2 Spaces in front of the Bank of America
- On the other side of the street, on the Pleasant Street side of the church, to the corner of Me and Ollie's, 7 spaces (but not including the Horse and Carriage parking spot)

## Schedule

### **Saturday, September 29<sup>th</sup>:**

10 AM Shanty singers call the festival to a start in the public sidewalk area facing 22Market Square. This is outside the RiRa Pub which enthusiastically welcomes our presence and provides ample space for performers without hindering pedestrian traffic.

11AM - 2PM Singing and lectures at historic sites, pubs, and restaurants. This year we have been invited to provide some singing entertainment to the Fishtival, a separate event that will seek permission to run the same weekend.

### **Sunday, September 30<sup>th</sup>:**

1 - 4:30 PM Cameo concerts, sing-arounds, and shanty performance at The Works, the Rusty Hammer, the Portsmouth Athenaeum, Oppenheimer, and outside the RiRa Pub in Market Square.

5:00 PM Festival Close. The performers gather back in front of RiRa at 22 Market Square, with the same provisions with the pub and pedestrian traffic considerations as the day before.

We'd like to use the same 4 wooden 'A-frame' signs that we were allowed to use last year. These are about 24 inches wide by about 60 inches tall, displaying the event schedule near each key venue around the city. We try to keep these largely on the grass areas off any sidewalks, on each venue's private property as much as possible. Pedestrians would not be inconvenienced or put at risk.

It should be further noted that all of the performers and volunteer staff for this event are experienced professionals having been part of this festival in the past, and numerous similar events. We work with everyone to provide clear guidance on their being good stewards for the maritime festivities and good neighbors to the city.

We sincerely hope that our plans meet with the approval of the City, We'd love be able to invite the Mayor, City Council Members, and the City Manager join us for in a weekend of maritime history, tradition and song.

I will be happy to provide other information or answer any questions.


Thank you for your time and consideration,

David Hallowell  
437 Marcy St.  
603-433-9355

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# MEMORANDUM

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**TO:** John P. Bohenko, City Manager  
**FROM:** Rick Taintor, Planning Director   
**DATE:** May 25, 2012  
**RE:** City Council Referral – Projecting Sign  
Address: 90 Fleet Street  
Business Name: Dolce Freddo Gelato  
Business Owner: Andrea Rossetto

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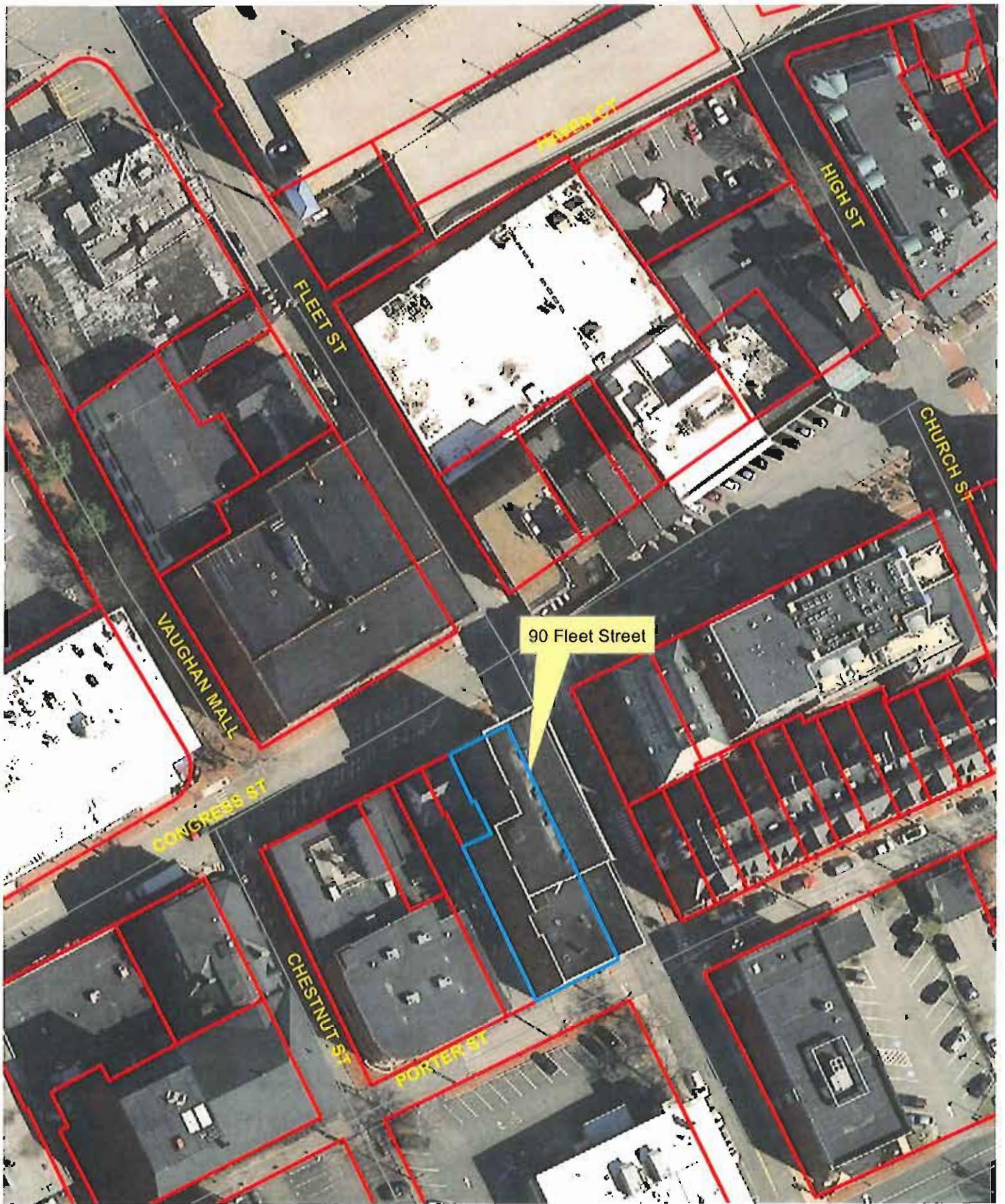
Permission is being sought to install a projecting sign on an existing bracket, as follows:

Sign dimensions: 23" x 48"  
Sign area: 7.7 sq. ft.  
Height from sidewalk to bottom of sign: 11'0"  
Maximum protrusion from building: 29 in.

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.





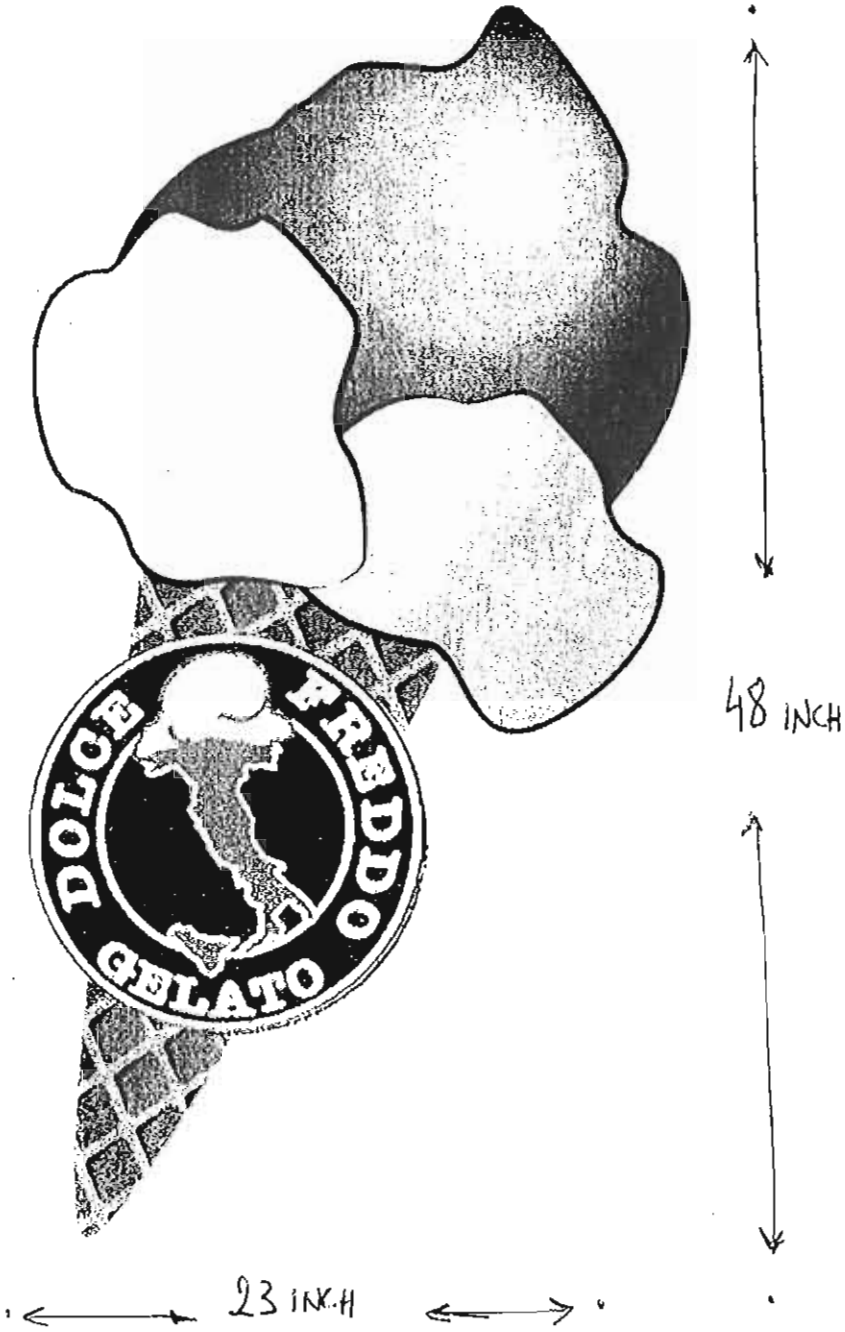
90 Fleet Street



# Request for Projecting Sign License 90 Fleet Street

Dolce Freddo Gelato, Inc  
90B Fleet Street  
1 Projecting Sign





DOLCE FREDDO GELATO  
90B FLEET ST.



Empowering Teenage Girls Through The Arts.

WWW.AIRNH.ORG



May 31, 2012

**Board of Directors**

Sarah Gnerre  
President

Glicka Kaplan  
Vice President

John Fitzpatrick  
Secretary/Treasurer

Darcy Horgan  
Past President

Kristin Forselius  
Founder

Elise Weeks

Dr. Kimberly Higney

**Staff**

Virginia Skevington  
Executive Director

Shannon Marshall  
Program Director

Briana Serafino  
AmeriCorps\* VISTA

Mr. John P. Bohenko  
City Manager,  
City of Portsmouth  
One Junkins Avenue  
Portsmouth, NH 03801

Dear Mr. Bohenko

Arts In Reach (AIR) respectfully requests permission to hold our second annual fundraising walk, AIRWalk, in Portsmouth, Saturday, October 20, 2012. Our walk which benefitted our year round performance and visual arts programming for teenage women was a huge success. This year we look forward to raising awareness and support for AIR.

Date: Saturday, October 20, 2012

Start Time: 9:00 a.m.

End Time: 11:00 a.m.

Start/End: 11 Jewell Court, Portsmouth, NH 03801 (approx. walk distance is 2.5 mi)

Route: Please see enclosure

AIR Contact: Virginia Skevington, Virginia@artsinreach.org, (603) 433-4278

The mission of AIR is to empower young women through mentoring and the arts. We serve more than 100 teens in the Greater Seacoast area, and provide afterschool and vacation programs and transportation to under-served teenagers and absolutely no costs. The purpose of the AIRWalk is to engage teens in fundraising efforts. Participants will walk, recruit friends and family to join, and secure pledges that will help AIR continue its mission.

Moreover, many of our teens, though they are from the Greater Seacoast area, do not have the opportunity to visit the historical and cultural landmark that is Portsmouth. This walk will be an enriching one for teens, as well as a way to promote healthy lifestyle choices which AIR works to instill in teens.

Sincerely Yours,

Virginia Skevington  
Executive Director

CC: Ann Sharpe

Arts In Reach (EIN: 02-0507428) is a 501(c)3 non-profit. All donations are tax-deductible as permissible by law. No goods or services were provided in exchange for this donation.

**Christopher L. Barstow  
Petra J. Barstow  
528 Dennett Street  
Portsmouth, NH 03801  
(603) 436-3282**

June 6, 2012

City of Portsmouth  
Honorable Mayor Spears  
Planning Department/  
Members Of The City Council

Honorable Mayor Spears and  
Members of the City Council:

A recent inquiry regarding replacement of the front steps and retaining walls in the front of our home located at 528 Dennett Street indicated that a tax survey of our property eliminates the front entrance and steps from our property lines. While we would argue that this issue has never been raised as a concern in the multiple times we have sought a permit for work on our premises we wish to comply with the requirements noted as necessary to complete the work requested and to bring our home status up to date for the option of potential sale in the future.

Attached is the required permit form, photo's of the existing steps, a survey map provided by the planning office and a sketch of proposed upgrade. As is noted in the permit request we will not be making any changes to size or design of the current entry. We will be upgrading the current steps and retaining wall with granite steps that will have life time longevity and will eliminate the need to for replacement in the future. Thank you for your consideration of this matter and we look forward to your response.

Sincerely

A handwritten signature in black ink, appearing to read 'Petra J. Barstow', written in a cursive style.

Petra & Christopher Barstow



# City of Portsmouth, NH

1 Junkins Ave, (603) 610-7243

www.cityofportsmouth.com

BOA \_\_\_\_\_  
SPR \_\_\_\_\_  
HDC \_\_\_\_\_  
CC \_\_\_\_\_  
OTHER \_\_\_\_\_

## Building Permit Application ADDITIONS / RENOVATIONS -- Commercial or Residential

*Office Use:* Cost of All Construction: \$ \_\_\_\_\_ Fee: \$ \_\_\_\_\_ Chk #: \_\_\_\_\_ Cash: \_\_\_\_\_  
 Zoning District: \_\_\_\_\_ HD: \_\_\_\_\_ DOD: \_\_\_\_\_ Map #: \_\_\_\_\_ Lot #: \_\_\_\_\_ Building Permit #: \_\_\_\_\_

*Print in Ink or Type. Complete all blanks or indicate "N/A" if not applicable.*

PROPERTY OWNER	
Name:	CHRISTOPHER & PETRA BARSTOW
Address:	528 DENNETT ST.
City:	PORTSMOUTH State: NH Zip: 03801
Phone:	603-436-3282 Cell Phone: 603-819-7529
E-mail:	cbarnh0221@comcast.net

PERMIT APPLICANT	
Name:	SAME
Address:	
City:	State: Zip:
Phone:	Cell Phone:
E-mail:	

Address of Construction: 528 DENNETT ST Unit #: \_\_\_\_\_  
 Contractor Name: SELF Phone: 436-3282

Brief Description of Existing Use(s):

Brief Description of Proposed Work: REPLACE EXISTING PRECAST CONCRETE FRONT STAIRS W/ GRANITE STAIRS (SAME DIMENSIONS). REPLACE EXISTING RAILROAD TIE WALL W/ BLOCK WALL.

*All of the information below shall be shown on site plans submitted with this application.*

Lot Area (sq. feet): \_\_\_\_\_

Existing Buildings / Structures				Proposed Buildings / Structures			
Building Components / Structures	Size* (length / width)	Area of Footprint (sq ft)	Height	Building Components / Structures	Size* (length / width)	Area of Footprint (sq ft)	Height
_____	X	_____	_____	_____	X	_____	_____
_____	X	_____	_____	_____	X	_____	_____
_____	X	_____	_____	_____	X	_____	_____
_____	X	_____	_____	_____	X	_____	_____
_____	X	_____	_____	_____	X	_____	_____
_____	X	_____	_____	_____	X	_____	_____
_____	X	_____	_____	_____	X	_____	_____
_____	X	_____	_____	_____	X	_____	_____
SUM =		_____	_____	SUM =		_____	_____
Total Non-Residential Gross Floor Area _____				Total <i>New</i> Non-Residential Gross Floor Area _____			
# of Residential Units _____				# of <i>New</i> Residential Units _____			
Total Paved Area (exclude building / structures) _____				Total <i>New</i> Paved area: _____			
Total Parking (# of spaces) _____				Total <i>New</i> Parking: _____			

\* If structures are irregular in size, write "irregular" and fill the foundation square foot area under "Area".

**ADDITIONS / RENOVATIONS (cont.)**

?? STAIRS END AT 6.5' OFF OF SIDEWALK. RETAINING WALL IS 2' OFF OF SIDEWALK.

Existing Conditions	Proposed Conditions
Setbacks (distance from closest point to lot line) Front ?? ft. Side 48' ft. Side 7' ft. Rear ___ ft.	Setbacks (distance from closest point to lot line) Front ___ ft. Side ___ ft. Side ___ ft. Rear ___ ft.
Distance from Wetlands (distance from closest point) Inland <sup>N/A</sup> ft. Coastal <sup>N/A</sup> ft.	Distance from Wetlands (distance from closest point) Inland <sup>N/A</sup> ft. Coastal <sup>N/A</sup> ft.

Expanded description of work: LOOKING TO REPLACE EXISTING PRECAST CONCRETE FRONT STAIRS W/ GRANITE STAIRS OF SAME DIMENSIONS (6' WIDE X 14' DEEP X 56" H).  
REPLACE EXISTING RAILROAD TIE RETAINING WALL W/ STONE WALL MADE FROM 3" BLOCKS. EXTEND EXISTING WALL ON RIGHT BY AN ADDITIONAL 8 FT.

**Exterior Signs**

Exterior signs require a separate permit – please complete the sign permit application form.

**Special Note for Food Service Establishments**

Food service occupancies require the review of several city departments. The Portsmouth web site contains submittal information for applicants wanting to establish new food service uses or doing modifications to existing food service uses. Such modifications may include kitchen or dining area work, or changes to the cook line equipment layout. It is vital, that supporting documents be submitted with this application explaining the scope of work or modifications to be undertaken. Usually such supporting information is in the form of accurately drawn plans or sketches and equipment cut sheets. Without detailed documentation, this application cannot be processed expeditiously. Refer to: [www.cityofportsmouth.com/inspection/permitappforms](http://www.cityofportsmouth.com/inspection/permitappforms) for the food service guidelines.

**Construction Information**

*A full set of construction plans must be submitted with this application. The plans must show a dimensioned layout of all rooms and spaces in enough detail to determine building code compliance with the proposed construction. The following is a list of specific items to be included with the plans and specifications. Some of this information may not be applicable.*

**Commercial**

**Residential**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> IBC plan review check sheet. (For all Types 1 and 2 Buildings)</li> <li><input type="checkbox"/> Drawings showing existing and new structures/additions.</li> <li><input type="checkbox"/> Life Safety Plan, showing all Occupancy Classifications, Occupant Loads and Means of Egress components.</li> <li><input type="checkbox"/> All interior and exterior stair details showing tread depth, riser height, and handrail and guardrails.</li> <li><input type="checkbox"/> Sections and details showing all construction materials.</li> <li><input type="checkbox"/> Fire rated assemblies with UL design numbers.</li> <li><input type="checkbox"/> Accessibility design details.</li> <li><input type="checkbox"/> Insulation amounts on all exterior walls, ceilings and roofs.</li> <li><input type="checkbox"/> Structural loads including: live, snow, wind and seismic.</li> <li><input type="checkbox"/> Foundation, floor, and framing plans of each story plus roof.</li> <li><input type="checkbox"/> Special Inspection Program documents.</li> <li><input type="checkbox"/> Any features unique to the project.</li> </ul> | <ul style="list-style-type: none"> <li><input type="checkbox"/> Foundation plan including anchor bolt / strap information</li> <li><input type="checkbox"/> Floor plan of each story (show attic access locations).</li> <li><input type="checkbox"/> Framing plan of each story including sizes and spacings of joists and beams.</li> <li><input type="checkbox"/> Roof framing plan including sizes and spacings of rafters and roofing materials.</li> <li><input type="checkbox"/> If cathedral ceiling design, provide supporting ridge details.</li> <li><input type="checkbox"/> Framing cross sections where applicable.</li> <li><input type="checkbox"/> Accessibility design details.</li> <li><input type="checkbox"/> Wall sections, showing all wall materials, including headers sizes.</li> <li><input type="checkbox"/> Bedroom window sizes and if "tilt-clean" style.</li> <li><input type="checkbox"/> Insulation amounts on all exterior walls and ceilings (including basement)</li> <li><input type="checkbox"/> All interior and exterior stair details showing tread depth, riser height, and handrail and guardrails.</li> <li><input type="checkbox"/> Location of hard wired smoke and carbon monoxide detectors.</li> </ul> |
|--|---|

ADDITIONS / RENOVATIONS (cont.)

Additional Construction Information

Provide information on various additional trades or features listed below:
Sewerage System: City Sewer? (Y) / N Subsurface? Y / N State Septic Permit Number
City Water? (Y) / N State Well Permit Number:
Plumbing Contractor: (Separate Permit/Plans Required) N/A
Mechanical Contractor: (Separate Permit/Plans Required) N/A
Electrical Contractor: (Separate Permit/Plans Required) N/A
Fire Sprinkler System?: Y / N (Separate Permit/Plans Required) N/A
Fire Alarm System?: Y / N (Separate Permit/Plans Required) N/A

Is this a RESIDENTIAL dwelling built before 1978? (Y) / N
Is this a COMMERCIAL structure built before 1978 that will be used for CHILD CARE OCCUPANCY? Y / (N)
If yes to either of the above, are you an EPA certified RRP contractor? Y / N

Note: Painting and remodeling in dwellings and commercial child care occupancies built before 1978 require all work to be in conformance with Federal EPA rules concerning lead paint. All contractors shall be certified as required by these rules.

National Flood Insurance Program Data: Flood Insurance Rate Map (FIRM) Community Number: 330139
Map Panel Number: 161-10 FIRM Zone \*: Base Flood Elevation (BFE): 9 feet (NGVD)
Elevation of lowest floor (including basement): feet (NGVD) Elevation Certificate Submitted (Y/N):

- \* If addition is NOT located in a Special Flood Hazard Area (SFHA) check here:
\* If addition IS located in a SFHA based on the FIRM, but a land survey shows the property is either outside the floodplain or the actual elevation of the lowest floor level is above the BFE, then a Letter of Map Amendment (LOMA) should be completed by the owner and/or design professional.

NOTE: If the building addition is within the SFHA, an Elevation Certificate and a Floodproofing Certificate are required to be completed by a licensed design professional.

Cost of All Construction: \$ 5,000 -

I certify that the information given is true and correct to the best of my knowledge. No change from the information in this application will be made without approval of the Building Inspector. Construction activities shall not commence until the Building Permit is issued.

I realize that when all necessary approvals have been acquired, a Building Permit may be granted by the Building Inspector to allow construction in conformance with this application and the plans/specifications submitted in support of said construction only.

I further acknowledge that the proposed structure shall not be occupied or otherwise utilized without the issuance of a Building Certificate of Occupancy and only after all necessary inspections have been requested and completed. I am also aware that the disposal of waste generated from this project is my responsibility and not part of the City's Trash/Recycling Program.

Signature of Applicant (Handwritten Signature)

Date 6-5-12

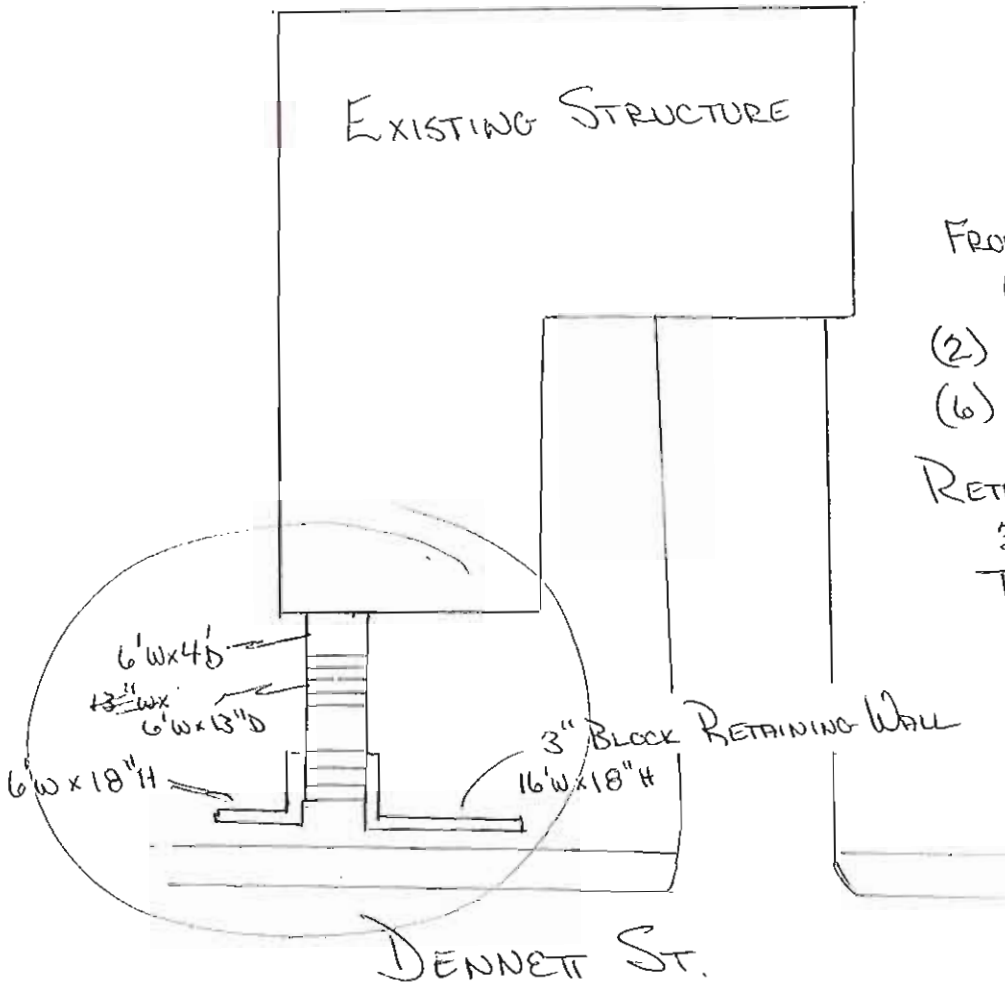
If Not Owner, State Relationship

Plans Submitted: Site \_\_\_ Floor \_\_\_ Framing \_\_\_ Electrical \_\_\_ Plumbing \_\_\_ Mechanical \_\_\_ Rolled \_\_\_ Other \_\_\_



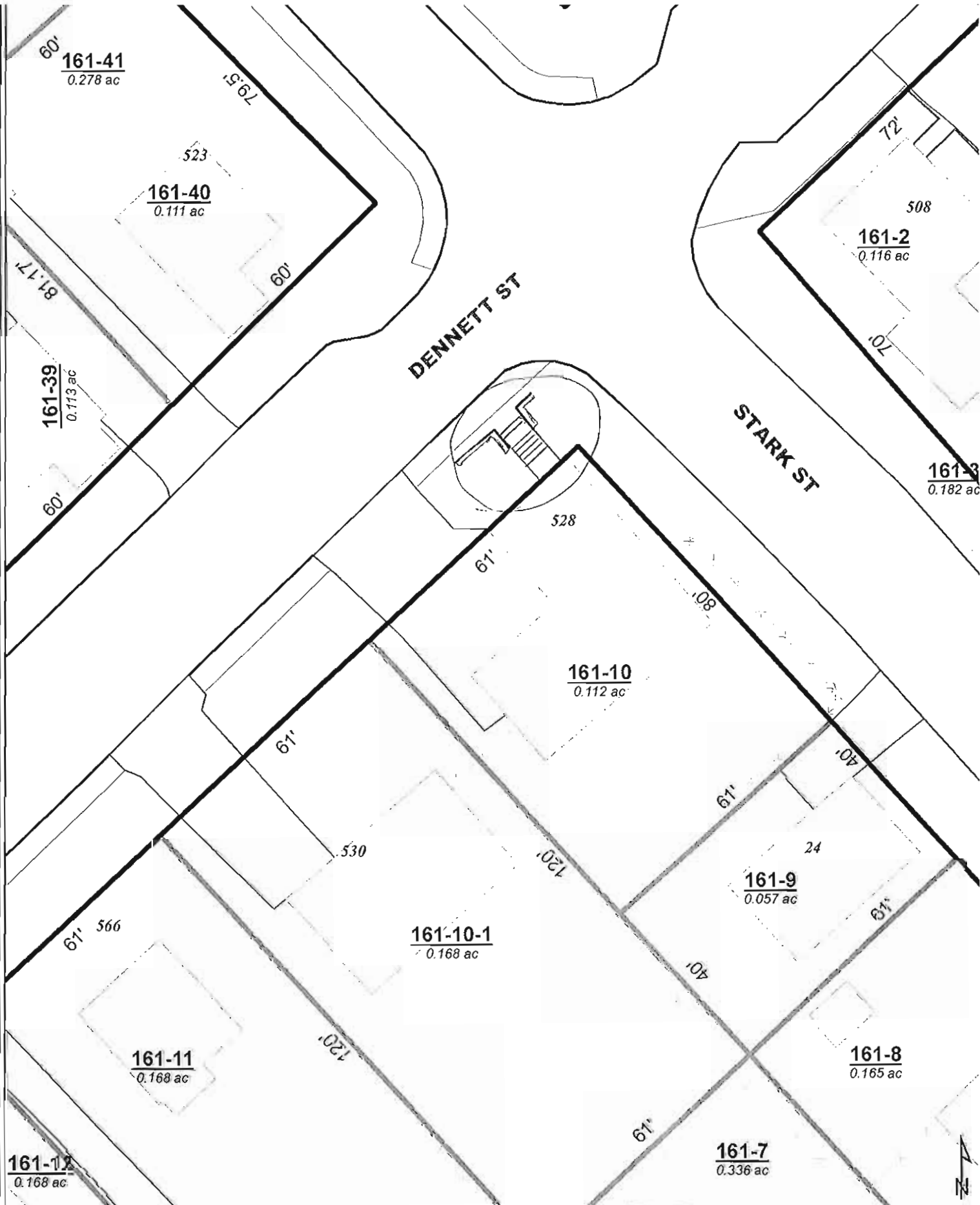
BARSTOW  
528 DENNETT ST., PORTSMOUTH.  
161-10

STARK STREET



FRONT ENTRY STAIRS:  
6' WIDE GRANITE (7" HIGH)  
(2) LANDINGS - 6' x 4'  
(6) STAIRS 6' x 13"

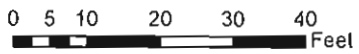
RETAINING WALL -  
3" BLOCK WALL.  
TOTAL OF 32 LINEAR FT.



### Property Sketch

This map shows only the approximate locations of property lines, wetlands, and other features.

**This is not a survey.** To determine actual property line and wetland locations, contact a surveyor.








**CITY OF PORTSMOUTH  
PORTSMOUTH, NH 03801**

**Office of the City Manager**

**Date:** June 7, 2012  
**To:** Honorable Mayor Eric Spear and City Council Members  
**From:** John P. Bohenko, City Manager   
**Re:** City Manager's Comments on June 11, 2012 City Council Agenda

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***Work Session:***

1. **Update on Wastewater Treatment.** As you will recall, on April 9, 2012, City Staff and consultants presented the 1st "City Council Briefing and Public Input session regarding wastewater facilities and programs". On Monday evening at 6:00 p.m., the second Wastewater Facilities and Programs Briefing will be given.

In keeping with the agenda established at the first meeting, the City Council and public will be updated on wastewater regulatory framework and issues; collection system/long-term control plan work; Mechanic Street Pump Station update; wastewater treatment piloting status and funding updates.

Exhibits and information presented at the meeting are included in the City Council notebooks that will be available.

***Acceptance of Grants/Donations:***

1. **Acceptance of Donation Re: NH Fish & Lobster Festival.** The City has received a donation in the amount of \$500.00 from Tighe&Bond to support the New Hampshire Fish and Lobster Festival. This will be half of the City's match to the \$1,000.00 funding support from the Division of Ports and Harbors.

*I would recommend the City Council move to accept the donation for the NH Fish & Lobster Festival, as presented. Action on this matter should take place under Section VII of the Agenda.*

2. **NH Community Planning Grant Application.** The City has the opportunity to apply for a NH Community Planning Grant (CPG), which provides competitive matching grants for communities to create local regulations that foster sustainable community

development. The CPG Program is funded by a grant from the U.S. Department of Housing and Development and is administered by the New Hampshire Housing Finance Authority. A community may apply for up to \$50,000 in grant funds for a two-year project, and must provide a local match of at least 25% in the form of cash plus in-kind services, with a maximum of \$12,500 in cash match required, which would come from capital funds that have already been appropriated for the Master Plan. The grant program requires that proposed regulations be submitted to the City Council prior to June 30, 2014, but funding is not contingent on such regulations actually being enacted. In order to submit a grant application to the Community Planning Grant Program, evidence of City Council authority to apply for, accept and expend program funding is required.

*I would recommend the City Council move to authorize the City Manager to apply for, accept and expend a \$50,000 grant from the New Hampshire Community Planning Grant Program for the purpose of developing local regulations that foster sustainable community development. Action on this matter should take place under Section VII of the Agenda.*

### ***Items Which Require Action Under Other Sections of the Agenda:***

#### **1. Consideration of First Reading of Proposed Resolution and Ordinance Amendments:**

**1.1 First Reading of Proposed Amendments to Chapter 10 - Zoning Ordinance, Article 11, Section 10.1115 - Off-Street Parking Provisions in the Downtown Overlay District.** At the May 21, 2012 City Council meeting, the City Council voted to accept the recommendation of the Planning Board regarding proposed amendments to the Zoning Ordinance for off-street parking provisions in the Downtown Overlay District and authorized the City Manager to bring back for first reading the attached **proposed Ordinance amendments**. Also, attached is a **memorandum from Rick Taintor, Planning Director**, outlining the proposed amendments to the Zoning Ordinance, Section 10.1115 – Off-Street Parking Provisions in the Downtown Overlay District. The recommended amendments would make the following changes to the Zoning Ordinance:

- Eliminate off-street parking requirements for all nonresidential uses.
- Change the residential parking requirement to 1.5 parking spaces per dwelling unit.
- Eliminate the option to make a payment in lieu of providing required off-street parking.

*I would recommend the City Council move to pass first reading of the proposed Ordinance amendments, as presented, and schedule second reading and public hearing for the June 25<sup>th</sup> City Council meeting. Action on this matter should take place under Section VIII of the Agenda.*

## ***Consent Agenda:***

1. **Acceptance of Police Department Donations.** Attached under Section IX of the Agenda is a memorandum, dated May 24, 2012, from John F. Golumb, Chairman of the Portsmouth Police Commissioners, and Police Chief David J. Ferland, requesting that the City Council approve the following donations:
  - a. A donation in the amount of \$200.00 from Mr. and Mrs. Lamontagne in support of the Portsmouth Police Explorers.
  - b. A donation in the amount of \$50.00 in support of the Portsmouth Police Explorers from Ms. York.

The Police Commission is submitting this information pursuant to City Policy Memorandum #94-36 for City Council approval and acceptance.

*I would recommend that the City Council move to approve and accept the donations to the Portsmouth Police Department, as listed. Action on this matter should take place under Section IX of the Agenda.*

2. **Acceptance of Donations Re: Welcome Home, Iraq Veterans Parade.** The City has received the following donations totaling \$850.00 to support the Welcome Home, Iraq Veterans Parade:

➤ Harold Whitehouse	\$ 25.00
➤ The Nancy N. Clayburgh Rev Trust	\$ 25.00
➤ Optima Bank & Trust	\$100.00
➤ Daniel K. Poling Chapter 992 VVA	\$100.00
➤ The Portsmouth Democratic City Committee	\$100.00
➤ William A. and Cynthia M. Duncan	\$500.00

*I would recommend the City Council move to accept the donations for the Welcome Home, Iraq Veterans Parade, as presented. Action on this matter should take place under Section IX of the Agenda.*

3. **Request for License to install a Projecting Sign.** Attached under Section IX of the Agenda is the following request for a projecting sign license (see memorandum from Rick Taintor, Planning Director):

- Andrea Rossetto, owner of Dolce Freddo Gelato for property located at 90 Fleet Street.

*I would 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 a License Agreement for this request. Action on this matter should take place under Section IX of the Agenda.*

## ***City Manager's Items Which Require Action:***

1. **Request to Establish a Work Session Re: Connie Bean Center.** As you may recall, the City Council voted at the June 6, 2011 meeting to dispose of the Connie Bean Center by sale or long-term lease. As you will also recall, the Council held a work session on disposal of the Connie Bean Center on March 12, 2012 to review building history and existing conditions; redevelopment challenges, opportunities and goals; and proposed schedule and next steps. I am requesting the City Council establish a work session for Monday, June 25, 2012 at 6:00 p.m., regarding this matter.

*I would recommend the City Council move to establish a work session for Monday, June 25, 2012 at 6:00 p.m., regarding the disposal of the Connie Bean Center.*

2. **Report Back Re: Request from Julie Bokar and Jeanne Carter, Fuel Training Studio, for permission to hold outdoor fitness classes on Peirce Island.** At the April 2, 2012 City Council meeting, the Council considered a request from Julie Bokar and Jeanne Carter of Fuel Training Studio to use Peirce Island for a 6:00 a.m. to 6:45 a.m. class on Tuesdays and Thursdays with participants paying a fee to participate in the Outdoor Boot Camp fitness classes. On April 2, 2012 the City Council voted to approve this request for a trial period of 6 weeks with a report back to the City Council. The classes began May 8<sup>th</sup> and are scheduled to conclude June 14<sup>th</sup>. The [attached e-mail correspondence of June 5, 2012 from Julie Bokar and Jeanne Carter](#) requests that they be allowed to continue their 6:00 a.m. to 6:45 a.m. fitness classes on Peirce Island on Tuesdays and Wednesdays from June 19, 2012 through July 26, 2012. Ideally, they would like to continue through the fall.

The Recreation, Police and Public Works Departments, as well as the Chair of the Peirce Island Committee, have indicated they have heard of no concerns during the first 5 weeks of the 6-week trial period. One Portsmouth resident who has been participating in the fitness classes has indicated she is very supportive of the classes being able to continue and that the instructors are very professional and appreciative of the opportunity to hold these fitness classes on the Island.

*I would recommend the City Council move to grant approval for this request for the period of June 19, 2012 through July 26, 2012.*

## ***Informational Items:***

1. **Events Listing.** For your information, [attached is a copy of the Events Listing](#) updated after the last City Council meeting on May 21, 2012. In addition, this now can be found on the City's website.



2. **2011 Assessment Review.** For your information, attached is a letter from Stephan Hamilton, Director of Property Appraisal Division, Department of Revenue Administration (DOR), regarding the 2011 Assessment Review. As you can see, DOR reported that the City has met all of the guidelines as recommended by the Assessing Standards Board. The City Assessor's Office is commended for their "attention to detail, thoroughness, periodic review, integrity and hard work, and further, stand out as an excellent example for other communities to follow".
  
3. **Reminder of Work Session Re: Parking Omnibus Proposal.** This is a reminder that a City Council Work Session is scheduled for Monday, June 18, 2012 at 6:30 p.m., regarding the parking omnibus proposal.

## Cindy Hayden

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**From:** Julie Bokat [jjbokat@comcast.net]  
**Sent:** Tuesday, June 05, 2012 3:59 PM  
**To:** Cindy Hayden; John P. Bohenko  
**Subject:** Re: 2nd session of fitness classes at Peirce Island.

> HI John and Cindy,  
>  
> We are now several weeks into our pilot fitness program at Peirce Island.  
> The class is going very well and many of the participants are  
> interested to know if we will be offering another session.  
>  
> We are interested in the possibility of another six week session. The 2nd session would be  
> June 19th- July 26th.  
> We would meet at the same time, Tuesdays and Wednesdays 6-6:45 am.  
> Ideally we would like to continue through the fall if this is a  
> possibility. We don't want to ask for too much too soon. If it means requesting session by  
> session that is fine.  
>  
> Thanks so for giving us the opportunity to test drive this program. We hope that we will be  
> able to continue.  
>  
> Julie and Jeanne  
>  
>  
>  
> Jeanne Carter/Julie Bokat  
> Fuel Training Studio  
> Personal Training, Group Classes  
> [jj@fueltrainingstudio.com](mailto:jj@fueltrainingstudio.com)  
> [www.fueltrainingstudio.com](http://www.fueltrainingstudio.com)  
> <http://www.facebook.com/fueltrainingstudio>  
> 617.694.5489  
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Run: 6/07/12  
8:28AM

## Event Listing by Date

Page: 1

Starting Date: 1/ 1/2012  
Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
1/ 1/2012 1/ 1/2012	ROAD RACE Stu Simon is the contact for this event - 436-2014. This event begins at 11:00 a.m.	Little Harbour School	Great Bay Services	4/ 4/2011
2/13/2012 2/13/2012	CONCERT Vernis Jackson is the contact for this event.	Chestnut Street	African Burying Ground Committ	12/19/2011
3/11/2012 3/11/2012	ROAD RACE Todd Hanson is the contact for this event. He can be reached at 436-2551. This event starts at 10:30 a.m.	Pease Tradeport	St. Paddy's 5 Miler	3/15/2012
3/25/2012 3/25/2012	ROAD RACE Donald Allison is the contact for this event. This event begins at Portsmouth High School to Route 1A South. The event begins at 11:00 a.m.	Portsmouth High School	Eastern States 20 Mile	1/17/2012
4/14/2012 4/14/2012	ROAD RACE Robert Sutherland, Jr. is the contact for this event. This event begins and ends at the Baptist Church on Miller Avenue. Race starts at 9:00 a.m.	Baptist Church - Miller Avenue	St. John's Lodge - Out of Hibe	2/ 6/2012
4/14/2012 4/14/2012	WALK Heidi R. Roy, Development Manager is the contact for this event. This event begins and ends at Little Harbour School, from 10:00 a.m. to 2:00 p.m.	Little Harbour School	National Multiple Sclerosis So	12/19/2011
4/15/2012 4/15/2012	ROAD RACE Olivia Kopri is the contact for this event. This event begins at approximately 11:00 a.m. This event starts and finishes at Martin's Point Health Care.	Pease Tradeport	Sexual Assault Support Service	2/ 6/2012
4/15/2012 4/15/2012	WALK Randy Eaton is the contact of this event. The event beings at City Hall and ends at Prescott Park, starting at 1:00 p.m.	City Hall	Walk for Faith	12/19/2011
5/ 6/2012 1/ 3/2012	BIKE TOUR Kathryn M. Libby is the contact for this event. This event begins at 7:00 a.m. and ends at approximately 4:00 p.m.	Little Harbour School	American Lung Association	12/19/2011
5/ 6/2012 5/ 6/2012	FESTIVAL Barbara Massar is the contact for this event. This event begins at Noon until 4:00 p.m.	Downtown Portsmouth	Pro Portsmouth - Children's Da	1/18/2012
5/ 6/2012 5/ 6/2012	WALK Barbara Kautz is the contact for this event (207-363-5833). This event begins at 10:00 a.m. and the walk starts at 2:00 p.m. and ends around 5:00 p.m.	Lower Parking Lot of City Hall	AIDS Response Seacoast	1/17/2012
5/12/2012 5/12/2012	ROAD RACE Kimberly McGlinchey and Deirdre Barrett are the ECO Club Advisors and they are the contacts for this event. The time of this event is 1:00 p.m. to 3:00 p.m.	Pease Tradeport	Portsmouth High School ECO Clu	2/21/2012

## Event Listing by Date

Starting Date: 1/ 1/2012  
Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
5/12/2012 5/12/2012	ROAD RACE Deborah Peretz is the contact for this event. This event begins at 9:00 a.m.	Strawberry Banke	Susan G. Komen for the Cure	10/ 3/2011
5/19/2012 5/20/2012	BIKE TOUR Kelly Sicard is the contact for this event. Tel. (603)669-2411 ex. 120	Pease International Tradeport	Breathe New Hampshire	3/ 5/2012
5/19/2012 5/19/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Greater Portsmouth Chamber of Commerce Road Race series. This event begins and ends at the YMCA on Peverly Hill Road.  **This event has been canceled.	YMCA - Peverly Hill Road	GPCC - YMCA - CANCELED	12/19/2011
5/20/2012 5/20/2012	MARCH Contact Mylene Hollick. Starting and Finishing at Little Harbour Elementary School from 9:00 a.m. to 1:00 p.m.	Little Harbour School	Seacoast March for Babies	5/ 7/2012
5/27/2012 5/27/2012	ROAD RACE Jeanine Sylvester is the contact for this event. This event begins at 11:00 a.m.	Redhook Ale Brewery	Runner's Alley	2/ 6/2012
6/ 9/2012 6/ 9/2012	FESTIVAL Barbara Massar is the contact for this event. This event begins at 9:00 a.m. to 4:00 p.m.	Downtown Portsmouth	Pro Portsmouth - Market Square	1/17/2012
6/ 9/2012 6/ 9/2012	ROAD RACE Barbara Massar is the contact for this event. This is the Market Square Day Road Race that starts at 9:00 a.m. in Market Square.	Starts in Market Square	Pro Portsmouth - Market Square	2/17/2012
6/23/2012 6/23/2012	FESTIVAL This is a Summer in the Street Music Series. It begins at 5:00 p.m. to 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - summer in the	1/17/2012
6/30/2012 6/30/2012	FESTIVAL Barbara Massar is the contact for this event. This is Summer in the Streets event beginning at 5:00 p.m. to 9:00 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/17/2012
7/ 7/2012 7/ 7/2012	FESTIVAL Barbara Massar is the contact for this event. This is a part of the Summer in the Streets series that begins at 5:00 p.m. and ends at 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/17/2012
7/ 7/2012 7/ 7/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race Series. It begins and ends at Little Harbour School at 9:00 a.m.	Little Harbour School	GPCC - Harbour Trail	12/19/2011
7/ 8/2012 7/ 8/2012	PARADE Contacts: Peter Somssich and Josh Denton Begins from City Hall lower lot area at 2:00 p.m. and proceed through downtown.	Begins at City Hall lower lot area and proceeds th	Welcome Home, Iraq Veterans Pa	3/19/2012

Run: 6/07/12  
8:28AM

## Event Listing by Date

Page: 3

Starting Date: 1/ 1/2012

Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
7/14/2012 7/14/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in Street Series. It begins at 5:00 to 9:30 p.m.	Downtown - Pleasant Street/State and Square	Pro Portsmouth - Summer in the	1/18/2012
7/14/2012 7/14/2012	FUND Contact: Mark Herrholz, Secretary, Portsmouth Professional Fire Fighters	Market Square	Portsmouth Professional Firefi Boot Drive for MDA 8:00 a.m. to 5:00 p.m.	5/21/2012
7/15/2012 7/15/2012	ROAD RACE Brenda M. Blonigen is the contact of this event. Her cell number is (603) 475-4080	Pease Tradeport - Great Bay Community College	The Minuteman Fund	3/ 5/2012
7/21/2012 7/21/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Streets begins at 5:00 p.m. to 9:30 p.m.	Downtown - Pleasant Street - between State Street	Pro Portsmouth - Summer in the	1/17/2012
7/28/2012 7/28/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Streets series that begins at 5:00 p.m. and ends at 9:30 p.m.	Downtown - Pleasant Street - between State Street	Pro Portsmouth - Summer in the	1/17/2012
7/28/2012 7/28/2012	RACE Contact Alyssa Aldrich Close Chestnut Street on Saturday, July 28, 2012 from 4:00 p.m. to 6:00 p.m. (Rain date of Saturday, August 4, 2012)	Chestnut Street	Big Brothers Big Sisters of th	5/ 7/2012
8/ 2/2012 8/ 2/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race series. It begins and ends at Peirce Island at 6:00 p.m.	Peirce Island	GPCC - Portsmouth Rotary Club	12/19/2011
8/ 4/2012 8/ 4/2012	FESTIVAL Barbara Massar is the contact for this event. This event is part of the Summer in the Street series which begins at 5:00 p.m. and ends at 9:30 p.m.	(Raindate)Downtown - Pleasant Street/State and Squ	Pro Portsmouth - Summer in the	1/17/2012
8/ 8/2012 8/ 8/2012	FESTIVAL Doug Bates is the contact for this event. This is the 2012 Greater Portsmouth Chamber of Commerce Annual Dinner "Celebrating Portsmouth Business".	Pleasant Street from State to Congress Street	Greater Portsmouth Chamber of	2/17/2012
8/11/2012 8/11/2012	BIKE TOUR Heidi R. Roy, Development Manager is the contact for this event. Her contact number: 623-3502. This is a use of roads from Strawberry Banke onto Marcy Street, onto Route 1B south to Odiorne State Park (Route 1A) for a rest stop.	Thru South End	National Multiple Sclerosis So	4/ 2/2012
8/18/2012 8/18/2012	FUND Contact: Mark Herrholz, Secretary, Portsmouth Professional Firefighters	Market Square	Portsmouth Professional Firefi Boot Drive for MDA 8:00 a.m. to 5:00 p.m.	5/21/2012
9/ 9/2012 9/ 9/2012	BIKE TOUR Susanne Delaney or Catherine Keenan are the contacts for this event. This event begins and ends at Market Square.	Downtown	Portsmouth Criterium	12/ 6/2011

## Event Listing by Date

Starting Date: 1/ 1/2012  
Ending Date: 12/31/2012

Start End	Type Description	Location	Requestor	Vote Date
9/15/2012 9/15/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race series - it begins at 9:00 a.m.	Little Harbour School	GPCC - BreastCancerStories.org	12/19/2011
9/15/2012 9/16/2012	TOUR Caroline Amport (686-4338) and Nancy Pollard are the contacts for this event. This event begins on Saturday, September 15th from 9:00 a.m. to 1:00 p.m. and Sunday, September 16th - 11:00 a.m. to 3:00 p.m.	South End	Friends of the South End	2/ 6/2012
9/29/2012 9/29/2012	ROAD RACE Karen Butz Webb is the contact for this event. This event begins and ends at Portsmouth High School. the course starts at Portsmouth High School, left onto South Street, right onto Middle Street, bear right to Court Street, right onto Marcy Street back to South and finishing at the PHS.	Portsmouth High School	Project Safety	2/21/2012
9/29/2012 9/29/2012	WALK Ken La Valley is the contact for this event - 603-862-4343. Registration for this event begins at 8:00 a.m. and the walk duration is 10:00 a.m. to Noon. The walk would begin and end on Peirce Island near the outdoor pool. Walkers would make a 2.6 mile loop starting from Peirce Island to March Street, continuing onto South Street, Miller Avenue, Middle Street, State Street and finishing at Peirce Island.	Peirce Island	American Foundation for Suicid	4/ 2/2012
10/13/2012 10/13/2012	ROAD RACE Doug Bates is the contact for this event. This event is the for the Community Child Care and it is part of the Road Race series. This event begins at 9:00 a.m.	Little Harbour School	GPCC - Community Child Care	12/19/2011
11/11/2012 11/11/2012	ROAD RACE Jay Diener, Co-Race Director is the contact for this event. This race begins and ends at Portsmouth High School.	Portsmouth High School	Seacoast Half Maranthon	3/20/2012
11/22/2012 11/22/2012	ROAD RACE Doug Bates is the contact for this event. This event is part of the Road Race Series. The event begins at 8:30 a.m.	Prescott Park	GPCC - Seacoast Rotary Club -	12/19/2011



# State of New Hampshire Department of Revenue Administration

109 Pleasant Street  
PO Box 487, Concord, NH 03302-0487  
Telephone (603) 230-5950  
www.nh.gov/revenue



Kevin A. Clougherty  
Commissioner

Margaret L. Fulton  
Assistant Commissioner

PROPERTY APPRAISAL DIVISION  
Stephan W. Hamilton  
Director

David M. Cornell  
Assistant Director

May 18, 2012



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

Re: 2011 Assessment Review

Honorable members of the Council

The New Hampshire Department of Revenue Administration has completed its review based on the six assessment areas specifically identified RSA 21-J:11-a and RSA 21-J:14-b I. (c).

They are:

- A. Level of assessments and uniformity of assessments are within acceptable ranges as recommended by the Assessing Standards Board by considering, where appropriate, an assessment-to-sales-ratio study conducted by the Department for the municipality;
- B. Assessment practices substantially comply with applicable statutes and rules;
- C. Exemption and credit procedures substantially comply with applicable statutes and rules;
- D. Assessments are based on reasonably accurate data;
- E. Assessments of various types of properties are reasonably proportional to other types of properties within the municipality; and,
- F. For all revaluations including full revaluations, partial revaluations, cyclical revaluations and statistical updates conducted on or after the April 1, 2006 assessment year by either an independent contractor or an in-house assessor, a report based on the most recent edition of the Uniform Standards of Professional Appraisal Practice (USPAP) Standard 6 shall be produced.

In accordance with RSA 21-J:11-a, II, the Department shall report its findings to the Assessing Standards Board and the municipality.

TDD Access: Relay NH 1-800-735-2964

Individuals who need auxiliary aids for effective communication in programs and services of the Department of Revenue Administration are invited to make their needs and preferences known to the Department.

We are pleased to report that you have met all of the above guidelines as recommended by the Assessing Standards Board (ASB). Your attention to detail, thoroughness, periodic review, integrity and hard work are commendable. You stand out as an excellent example for other communities to follow.

Congratulations and thank you for a job well done!

I would like to take this opportunity to remind you that pursuant to RSA 75:8-a Five-Year Valuation as well as Part 2 [Art.] 6. [Valuation and Taxation.] of the State Constitution, your next town-wide reappraisal must be completed no later than 2015

If you have any questions, feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Stephan W. Hamilton".

Stephan W. Hamilton, Director  
Property Appraisal Division

cc: Assessing Standards Board  
File





THE PORTSMOUTH BREWERY

56 MARKET STREET

PORTSMOUTH

NH 03801

USA

PH (603) 431-1115

FX (603) 431-3610

[www.portsmouthbrewery.com](http://www.portsmouthbrewery.com)

[info@portsmouthbrewery.com](mailto:info@portsmouthbrewery.com)

Monday, May 21, 2012

To Mayor Spear and members of the Portsmouth City Council  
Re: Installation of Bicycle Parking Facilities in Downtown Portsmouth

Good afternoon:

It is my understanding that the Council is considering the installation of bicycle racks in public locations in downtown Portsmouth. I am writing today to express my support for this project. As a downtown business owner occupying the same address for over twenty-one years, I have seen a dramatic increase in bicycle use, both among my employees and among the general population. However, the options for safe, secure places to park bicycles has not kept up with this increased use.

A few years ago, tired of having my building's back fire escape blocked by bikes locked to its rails, I spent \$400 on a small, heavy-duty bike rack and placed it in an unused space off the alley behind the Brewery, beside the municipal garage, where it has been used heavily ever since. My plan was to take the rack in during the winter months, but I quickly saw that it was being used year-round, so I left it there permanently. I'm sure most people assume it was put there by the city, since it sits on city property, but it was just my way of providing an amenity for the public that wasn't being offered otherwise, and my fire escape is no longer blocked.

The question has arisen as to whether the city should sacrifice a parking space for the placement of a "bike corral." To give up space that can accommodate a single automobile in order to accommodate a dozen or more bikes seems like pretty simple math to me, even when the lost revenue (\$3,600 a year at most, by my reckoning) is factored in. I do support this plan. In fact, I'd be happy to see one on Market Street right in front of the Brewery. (Speaking selfishly, I believe the novelty of it would attract more attention to my storefront, something I'm always happy to see.)

Alternately, placing a bike stall where parked cars now create problematic sight lines would serve a dual purpose, improving visibility and safety for pedestrians and cars alike. There are numerous locations downtown where this is true, but the intersection where Ladd Street enters into Market comes to my mind, since I use it daily. The visibility is terrible, due to parked cars blocking the view. Replacing a parked automobile with parked bikes there would improve the visibility at that intersection dramatically.

I am on record as supporting the construction of a new downtown parking garage, but I am also a strong advocate of encouraging the use of alternative forms of transportation. Creating more safe, secure parking spaces for bicycles downtown would be a high-profile way for the City to show that non-automotive forms of transportation are valued in our community and would encourage their increased use.

Regards,

Peter Egelston  
Proprietor  
The Portsmouth Brewery

# ACTION SHEET

## PARKING and TRAFFIC SAFETY COMMITTEE

Councilor Ken Smith, Chairman

To: City Council Meeting of June 11, 2012

Re: Parking and Traffic Safety Committee Meeting held May 10, 2012

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### ACTIONS:

- [1] Accepted and placed on file the minutes of the Parking and Traffic Safety Committee meeting held April 12, 2012.
- [2] **Financial Report – MOTION** made by Mr. Gray to accept the report, seconded by Mr. Cypher. **Motion passed.**
- [3] **Tanner Court** – Ordinance change request for on-street parking – **MOTION** made by Mr. Whitehouse to approve and forward to the City Council the ordinance change recommendation making Tanner Court open for parking on the southerly side and no parking on the northerly side, seconded by Mr. Gray. **Motion passed.**
- [4] **300 Rockland Street** – Application for Driveway Permit on Broad Street - **MOTION** made by Public Works Director Parkinson to approve the request with the provision that the applicant work with the Public Works Department to come up with a final plan to allow access, seconded by Deputy Chief Dubois. **Motion passed.**
- [5] **809 State Street** – Citizen request for “Drive Like your Kids Live Here” (*Tabled at April 2012 meeting*) - **MOTION** made by City Manager Bohenko to refer to the Public Works Department for a report back, with specifics regarding potential sign locations in relation to Federal, State and City laws and potential liability issues, seconded by Deputy Chief Dubois. **Motion passed.**
- [6] **Haven Road Ombudsman** – Report Back from Mr. Whitehouse and Mr. Cypher – No action needed.
- [7] **Mobile Vending Parking Spaces** – Informational Item – It was reported that there were no bid submissions for the mobile vending parking spaces this year.

**MINUTES**  
**PARKING AND TRAFFIC SAFETY COMMITTEE MEETING**

8:00 A.M. – Thursday, May 10, 2012  
City Hall – Eileen Dondero Foley Council Chambers

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**I. CALL TO ORDER:**

Chairman Ken Smith called the meeting to order at 8:00 a.m.

**II. ROLL CALL:**

**Members Present:**

Councilor Ken Smith, Chair  
John Bohenko, City Manager  
Steve Parkinson, Public Works Director  
Stephen Dubois, Deputy Police Chief  
Steve Achilles, Assistant Fire Chief  
Ron Cypher, Member  
Ted Gray, Member  
Harold Whitehouse, Member

**Staff Advisors Present:**

Jon Frederick, Parking & Transportation Director

**III. ACCEPTANCE OF THE MINUTES:**

**Public Works Director Parkinson moved to accept the minutes of the April 12, 2012 meeting as presented. Seconded by Mr. Gray and voted.**

**IV. FINANCIAL REPORT:**

Parking and Transportation Director Frederick stated that everything is on target at this time.

**Mr. Gray moved to accept the Financial Report and place on file. Seconded by Mr. Cypher and voted.**

**V. NEW BUSINESS:**

**A. Tanner Court** – Ordinance change request for on-street parking

Parking and Transportation Director Frederick explained that Tanner Court has been reconfigured to accommodate parking on the southerly side of the street for its entire length as a result of the redevelopment project at 51 Islington Street. He stated that due to the width of Tanner Court, no parking would be permitted on the northerly side of the street and an ordinance change is needed to reflect the current conditions.

**Mr. Whitehouse moved to approve and forward to the City Council the ordinance change recommendation making Tanner Court open for parking on the southerly side and no parking on the northerly side, seconded by Mr. Gray. Motion passed.**

**B. 300 Rockland Street – Application for Driveway Permit on Broad Street**

Public Works Director Parkinson explained that there was a site walk held with the homeowners in attendance where they reviewed a number of issues regarding their request and some possible solutions. He stated these include modifying parts of the existing concrete sidewalk to allow access to the driveway as well as creating a separation between the sidewalk and the parking area with some type of landscaping that is a physical barrier so cars aren't parking on the sidewalk or utilizing any portion of the sidewalk.

**Public Works Director Parkinson moved to approve the request with the provision that the applicant work with the Public Works Department to come up with a final plan to allow this access, seconded by Deputy Chief Dubois.**

Mr. Whitehouse asked if there are other areas in the City with similar situations and have they been approved for this type of request.

Public Works Director Parkinson stated that there have been no requests the same as this but there are other situations in the city as the streets and homes are in close proximity in some areas and people are looking for off-street parking in the winter.

**Motion passed.**

**VI. OLD BUSINESS:**

**A. 809 State Street – Citizen request for “Drive Like Your Kids Live Here” –  
*Tabled from April 12, 2012 meeting***

Kelly Weinstein, resident of 809 State Street – explained that she has started a grassroots neighborhood association that spans Cass Street to downtown, from Middle to Islington Street as she believes that this is one of the fastest growing family areas in Portsmouth with many toddlers and children walking to the two neighborhood parks. She stated that the students from St. Patrick's School also walk to the parks once a week. She stated that there is a great concern with the speed of cars traveling down Cass, State and Cabot Streets which has prompted her to contact the “Drive Like your Kids Live Here” organization for possible solutions. She referred to the examples of signs that were included in the committee packets and also distributed several pictures showing some of the areas of concern and feels that these signs could be a possible solution, whether it is with the City putting them up, or individual signs in peoples' yards.

**City Manager Bohenko moved to refer to the Public Works Department for a report back, with specifics regarding potential sign locations in relation to Federal, State and City laws and potential liability issues, seconded by Deputy Chief Dubois.**

City Manager Bohenko stated that this is a great initiative but doesn't want to see the area overwhelmed with signs which can sometimes have the opposite desired effect. He stated it makes sense to have these signs near parks, but we have to be careful not to create any liability issues or go against any Federal, State or City laws.

Public Works Director Parkinson stated that this issue should be dealt with through a city policy because other areas of the city may want to implement these signs if approved for one area.

**Motion passed.**

**B. Haven Road Ombudsman – Report back from Mr. Whitehouse and Mr. Cypher**

Mr. Whitehouse explained that he and Mr. Cypher each patrolled the Haven Road area in separate morning and afternoon shifts, and felt that it did make a difference. He stated that perhaps it was the bright yellow PTS jackets they were wearing, but feels that people listened to them when they explained the parking situation and they also had a handout they gave to people for their information. He concluded by stating that the neighbors were thankful that they were there.

Mr. Cypher agreed with Mr. Whitehouses' assessment and related an incident he dealt with at the end of their trial period right before vacation. He stated he also was informed by several parents that the Principal doesn't allow parents to get out and help their small children to the school which then makes the parents decide to park elsewhere to be able to walk them in. He stated he would like to request the Principal of Little Harbour School to review that policy.

Chairman Smith and City Manager Bohenko both thanked Mr. Whitehouse and Mr. Cypher for their service during the last couple of months.

**VII. INFORMATIONAL:**

**A. Mobile Vending from Parking Spaces – *No bid submissions this year***

Chairman Smith stated there were no bid submissions this year for mobile vending from the assigned parking spaces.

Chairman Smith then announced that this would be the last meeting for Parking and Transportation Director Jon Frederick who will be leaving the City of Portsmouth for a new opportunity in another community.

The Committee members thanked Mr. Frederick for his hard work .302and years of service and wished him well in his future endeavors.

**VII. ADJOURNMENT**

**Mr. Gray moved to adjourn at 8:20 a.m. Seconded and voted unanimously.**

June 6<sup>th</sup>, 2012

Hon. Mayor Eric Spear

City of Portsmouth  
1 Junkins Avenue  
Portsmouth, NH 03801

Dear Mayor,

**Resignation from the Historical District Commission**

As you may recall, City Councilor Esther Kennedy showed interest in joining the Historical District Commission, but her schedule prevented her from doing so until May of this year. Seeing no other councilor volunteer for the position, I did, with the understanding that I would step aside when Councilor Kennedy's schedule permitted her to fill that role.

With that in mind, I now tender my resignation from the Historical District Commission.

I will continue to fulfill my duties on the Commission until such time that a replacement is appointed and approved by you and the City Council.

Sincerely,

Jack Thorsen  
City Councilor  
City of Portsmouth

## **RULE 23 – COMMITTEE NOMINATIONS**

Rule 23:

The City Council shall meet as necessary to review applications for appointment to all city boards and committees. This 'selection meeting' should occur to review and critique all the available applications for an open position or a position up for renewal. At this meeting, the Mayor shall attempt to develop a consensus on an applicant to bring forward for a vote at a subsequent council meeting. The Mayor shall not be bound to bring forward any name. The council recommends that the Mayor does not bring a name forward for a vote that has not been considered at the most recent 'selection meeting'.

**Proposed Rule taken verbatim from Councilor Coviello**

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## MEMORANDUM

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**TO:** John Bohenko, City Manager  
**FROM:** Mary E. Koepenick, Planning Department *M.E.K.*  
**SUBJECT:** Board of Adjustment Minutes  
**DATE:** May 17, 2012

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The approved Minutes of the following Board of Adjustment meetings are now available for review on the City's website:

March 20, 2012

March 27, 2012



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## MEMORANDUM

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**TO:** John Bohenko, City Manager  
**FROM:** Mary E. Koepenick, Planning Department *M. E. Koepenick*  
**SUBJECT:** Board of Adjustment Minutes  
**DATE:** May 24, 2012

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The approved Minutes of the following Board of Adjustment meetings are now available for review on the City's website:

April 17, 2012

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## MEMORANDUM

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**TO:** John P. Bohenko, City Manager  
**FROM:** Jane Shouse, Planning Department *gms*  
**SUBJECT:** Planning Board Minutes  
**DATE:** May 18, 2012

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Please be advised that the approved minutes from the February 16, 2012 Planning Board meeting are now available on the City's website for your review.

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## MEMORANDUM

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**TO:** John P. Bohenko, City Manager  
**FROM:** Jane Shouse, Planning Department *JMS*  
**SUBJECT:** Planning Board Minutes  
**DATE:** May 18, 2012

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Please be advised that the approved minutes from the March 22, 2012 Planning Board meeting are now available on the City's website for your review.

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## MEMORANDUM

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**TO:** John P. Bohenko, City Manager  
**FROM:** Jane Shouse, Planning Department *JMS*  
**SUBJECT:** Planning Board Minutes  
**DATE:** May 18, 2012

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Please be advised that the approved minutes from the April 19, 2012 Planning Board meeting are now available on the City's website for your review.