

# CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH  
DATE: TUESDAY, FEBRUARY 22, 2022 TIME: 5:30PM

*Members of the public also have the option to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:*

[https://us06web.zoom.us/webinar/register/WN\\_VxWIs\\_nbQwGbUa2dwS81Tw](https://us06web.zoom.us/webinar/register/WN_VxWIs_nbQwGbUa2dwS81Tw)

5:30PM – ANITICIPATED NON-PUBLIC SESSION RELATING TO CLAIMS, LITIGATION AND ACQUISITION OF REAL PROPERTY PURSUANT TO RSA 91-A:3, II (d), (e), and (l)

## AGENDA

- I. **WORK SESSION – THERE IS NO WORK SESSION THIS EVENING**
- II. **PUBLIC DIALOGUE SESSION** [when applicable – every other regularly scheduled meeting] – **N/A**
- III. **CALL TO ORDER** [7:00 p.m. or thereafter]
- IV. **ROLL CALL**
- V. **INVOCATION**
- VI. **PLEDGE OF ALLEGIANCE**
- VII. **ACCEPTANCE OF MINUTES – *There are no minutes on for acceptance this evening***
- VIII. **RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS**
  1. \*Portsmouth High School Girls Alpine Ski Team Division I State Champions
- IX. **PUBLIC COMMENT SESSION** (*This session shall not exceed 45 minutes*) – (*participation may be in person or via Zoom*)
- X. **PUBLIC HEARINGS AND VOTE ON ORDINANCE AND/OR RESOLUTIONS**

**Continued Public Hearing – Capital Improvement Plan (CIP):** (*Continued Public Hearing that was held open per action of the City Council at the February 7, 2022 meeting*)

  - A. \*CAPITAL IMPROVEMENT PLAN (CIP) FY 2023-2028
    - **PRESENTATION** (*Presentation was held at the January 19, 2022 Work Session*)
    - **CITY COUNCIL QUESTIONS**
    - **PUBLIC HEARING SPEAKERS**
    - **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

*(Action on CIP will take place at the March 7, 2022 City Council meeting)*

### **Third and Final Reading of Ordinance:**

- B. Third and Final Reading of Ordinance amending Chapter 3, Article XI, Section 3.1101 – 3.1105 – Face Coverings During the COVID-19 Pandemic (***Sample motion – move that third reading of the Face Coverings Ordinance be postponed indefinitely, not to be brought back before the City Council without one meeting prior notice***)

## **XI. CITY MANAGER’S ITEMS WHICH REQUIRE ACTION**

### **A. CITY MANAGER CONARD**

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

- 1. Request for Public Hearing Regarding Elderly and Disabled Exemptions
- 2. \*Report Back on Recommendations for Outdoor Dining
- 3. Approval of Deer Street Associates Parking Agreement
- 4. License Request for 64 Vaughan Mall

## **XII. CONSENT AGENDA**

### ***(Proper Motion for Adoption of Consent Agenda - move to adopt the Consent Agenda)***

- A. Letter from Tina Sawtelle, The Music Hall, requesting permission to close Chestnut Street on Thursday, March 31, 2022 for Wentworth-Douglass Hospital’s rental fundraising event “The Seacoast Culinary Challenge” (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- B. Letter from Tina Sawtelle, The Music Hall, requesting permission to close Chestnut Street for outdoor events beginning May 27, 2022 through August 27, 2022, and further approval to serve alcohol on Chestnut Street under The Music Hall’s liquor license. All liquor service will cease by 9:30 p.m. (***Anticipated action – move to refer to the City Manager with Authority to Act***)
- C. Request the New Hampshire Regiment and Jim Poole, CDR/US Navy retired seeking permission to fire their rifles and 6 pound cannon (no ammunition will be loaded) on April 24, 2022 at the John Paul Jones House (***Anticipated action – move to refer to the City Manager with Authority to Act***)

## **XIII. PRESENTATIONS AND WRITTEN COMMUNICATIONS**

- A. Email Correspondence (***Sample motion – move to accept and place on file***)
- B. Letter from James Hewitt regarding the installation of EV stations
- C. Petition from residents of Elwyn Park opposed to the installation of sidewalks in neighborhood

- D. Resubmission of letter from Gretchen Rath, Portsmouth Fabric Company, requesting retailers to be invited to any meetings convened regarding downtown parking
- E. Resubmission of letters from various downtown businesses regarding outdoor dining and the use of parking spaces

#### XIV. MAYOR McEACHERN

- 1. Appointments to be Considered:
  - Duncan MacCallum to the Cemetery Committee
  - Elaine Apatang-Butts to the Citywide Neighborhood Blue Ribbon Committee
  - Kathleen Boduch to the Citywide Neighborhood Blue Ribbon Committee
  - Lawrence Cataldo to the Citywide Neighborhood Blue Ribbon Committee
  - William Gatchell to the Citywide Neighborhood Blue Ribbon Committee
  - Lori Soloway to the Citywide Neighborhood Blue Ribbon Committee
  - Peter Somssich to the Citywide Neighborhood Blue Ribbon Committee
  - Anne Weidman as an Alternate to the Economic Development Commission
  - Heinz Sauk-Schubert as an Alternate to the Historic District Commission
  - Jeff Stern to the Library Board of Trustee
  - Jason Brewster to the Peirce Island Committee
  - Francesca Marconi Fernald to the Peirce Island Committee
  - Chris Gallot to the Peirce Island Committee
  - Steven Marison to the Peirce Island Committee
  - Stephen Philp to the Peirce Island Committee
  - Devan Quinn to the Peirce Island Committee
  - John Simon to the Peirce Island Committee
  - Richard Smith to the Peirce Island Committee
  - Marc Stettner to the Peirce Island Committee
  - William Townsend to the Peirce Island Committee
  - Kathleen Bergeron to the Portsmouth Housing Authority
  - Lauren Krans to the Recreation Board
  - Phyllis Eldridge to the Zoning Board of Adjustment
- 2. \*Appointments to be Voted:
  - Genevieve Aichele to the Blue Ribbon Committee on Portsmouth Arts & Non-Profits
  - Jeffrey Barraclough to the Blue Ribbon Committee on Portsmouth Arts & Non-Profits
- 3. Resignation – Craig Jewett from the Portsmouth Housing Authority (***Sample motion – move to accept the resignation with regret and to send a letter to Mr. Jewett thanking him for his service to the City***)
- 4. Proposed City-wide Goals
- 5. Families First / COAST Bus

## **XV. CITY COUNCIL MEMBERS**

### **A. COUNCILOR TABOR**

1. Community Power Coalition of New Hampshire (***Sample motion – move that the City Manager is authorized to take any and all actions necessary within her judgment to cause the City of Portsmouth to become party to the Joint Powers Agreement of the Community Power Coalition of New Hampshire, as presented, which became effective on October 1, 2021***)

### **B. COUNCILOR DENTON**

1. Proposed Outdoor Dining Fees (***Sample motion – move to amend by halving the City’s proposed outdoor dining fees and to have City staff work with the Fee Schedule Study Committee to develop equivalent fees for Food Service Establishments on City property that violate the composting requirements of the Distribution of Single-Use Disposables on City property ordinance***)

### **C. COUNCILOR BAGLEY**

1. \*Elwyn Park Traffic Calming and Pedestrian Improvements (***Sample motion – move TSM-17-PL-59: Elwyn Park Traffic Calming and Pedestrian Improvements from FY24 and FY25 in the CIP to FY23 as \$1,660,000.00 to be bonded***)

### **D. COUNCILOR LOMBARDI & COUNCILOR TABOR**

1. \*Report Back regarding Proposed Cargo Facility at the Tradeport

### **E. COUNCILOR COOK**

1. \*Cultural Plan for Portsmouth (***Sample motion – move to approve of a new Cultural Plan for Portsmouth to be commenced in 2022, based on a scope of work outlined by the Portsmouth Arts & Nonprofits Committee, noting that the request for development of a Cultural Plan in 2022 was included in the Committee’s 2021 Year End Report to the City Council on December 20, 2021, and request that the City Manager identify the appropriate funding source for said Cultural Plan***)

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

- A. \*Acceptance of Wellness Reward - \$2,000.00 (***Sample motion – move to approve and accept the Wellness Reward as presented***)

## **XVII. CITY MANAGER’S INFORMATIONAL ITEMS**

1. Report Back on EV Charging Stations

## **XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING**

1. Citywide Neighborhood Committee Meeting Minutes of January 26, 2022



**XIX. ADJOURNMENT [at 10:30 p.m. or earlier]**

*\*Indicates verbal report*

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

ORDINANCE# \_\_-2022

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 3, Article XI, **FACE COVERINGS DURING THE COVID-19 PANDEMIC**, of the Ordinances of the City of Portsmouth be amended as follows (deletions from existing language **stricken**; additions to existing language **bolded**; remaining language unchanged from existing):

That the Ordinances of the City of Portsmouth are hereby amended by the addition of a new Ordinance titled FACE COVERINGS DURING THE COVID-19 PANDEMIC:

WHEREAS, the Nation, the State, and the City are engaged in an effort to protect the public health in light of the COVID-19 virus pandemic; and

WHEREAS, the Portsmouth City Council has issued a policy statement on Pandemic Response by Resolution adopted on July 13, 2020; and

WHEREAS, the Portsmouth City Council has determined that the wearing of face coverings during the time of the pandemic is one means of reducing the spread of COVID-19;

WHEREAS, the Health Officer of the City has issued a Public Health Directive dated January 7, 2022, which requires members of the public to wear proper face coverings for protection against the spread of COVID-19 during certain specified circumstances; and

WHEREAS, US Centers for Disease Control, the NH Bureau of Infectious Disease Control, and the City of Portsmouth Health Officer have determined that the wearing of face coverings during the time of the pandemic is an important means of reducing the spread of COVID-19;

NOW THEN, Portsmouth City Council hereby adopts the following ordinance regarding the wearing of face coverings in the City during the pandemic:

**FACE COVERINGS DURING THE COVID-19 PANDEMIC**

It is hereby adopted as a new Article XI to the Ordinances of the City, Chapter 3, PUBLIC HEALTH, a new provision which shall read as follows:

**CHAPTER 3**

**PUBLIC HEALTH**

**ARTICLE XI: FACE COVERINGS DURING THE COVID-19 PANDEMIC**

### **SECTION 3.1101: FACE COVERINGS REQUIRED**

All persons are hereby required to wear face coverings whenever they are in indoor places which are accessible to the public. Places accessible to the public expressly includes all places of employment and public transportation.

### **SECTION 3.1102: PERMISSIBLE FACE COVERINGS**

A required face covering pursuant to this ordinance shall be any product that covers the nose and mouth of the person wearing it. The face covering may be commercially manufactured or personally created. Face coverings identified as N95 and KN95 are more effective than cloth face coverings.

### **SECTION 3.1103: EXCEPTIONS**

The following persons are exempted or excepted from the requirements of this ordinance:

- A. Persons who have a medical or other condition which may pose a risk to the health of the individual wearing the face covering.
- B. Any child under age five (5).
- C. Any person who is actually engaged in the act of eating or drinking at a business establishment licensed by the City of Portsmouth for that purpose, although the face covering should be worn both prior and subsequent to the act of eating or drinking.

### **SECTION 3.1104 PUBLIC HEALTH DIRECTIVES**

Any person in the City at any time shall comply in all respects with any public health directive issued by the Health Department. Any health directive issued by the Health Department that is more restrictive than this ordinance, be brought as an amendment to this ordinance for first reading within 10 days of that health directive being issued. That health directive would remain in effect until the amended ordinance is defeated at second reading, defeated at third reading, or successfully passes third reading.

### **SECTION 3.1105 PENALTY**

In addition to any other penalty authorized by law, the penalty for a person violating this provision shall be the issuance of a civil citation pursuant to Ordinance Article XIII, MUNICIPAL ENFORCEMENT PROCEDURES<sup>1</sup>, except that under no circumstances shall the penalty for a violation of this ordinance exceed \$25.00.

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<sup>1</sup> Note: The penalty for a first offense under Article XIII is \$25.00, if paid within seven (7) days

**EFFECTIVE DATE**

This ordinance shall take effect immediately and shall terminate on for any period during which the transmission rate for Rockingham County, as determined by the State of New Hampshire, is below eight percent (8%) positivity and shall become effective on any date in which the said positivity rate is equal to eight percent (8%) or higher with enforcement discretion to be determined by the Health Department.

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

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

This ordinance shall take effect upon its passage.

**APPROVED**

By: \_\_\_\_\_  
Mayor Deaglan McEachern

**ADOPTED BY COUNCIL:**

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



## CITY OF PORTSMOUTH

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City Hall, One Junkins Avenue  
Portsmouth, New Hampshire 03801  
kconard@cityofportsmouth.com  
(603) 610-7201

Karen S. Conard  
City Manager

**Date:** February 17, 2022  
**To:** Honorable Mayor Deaglan McEachern and City Council Members  
**From:** Karen S. Conard, City Manager *KSC*  
**Re:** City Manager's Comments on City Council Agenda of February 22, 2022

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### ***X. Public Hearings and Votes on Ordinances and/or Resolutions:***

#### **A. Continued Public Hearing – Capital Improvement Plan (CIP) FY2023-2028:**

In accordance with Section 7.7 of the City Charter, the City Council is continuing the public hearing at this evening's City Council meeting regarding the [proposed Capital Improvement Plan for FY 2023 – FY 2028](#). In addition to this evening's public hearing, the City Council held a work session on January 19, 2022 and [the City shared the attached presentation](#). At the work session, a presentation of the proposed CIP was made by City staff. As you are aware, the City Council is required, in accordance with Section 7.8 of the City Charter, to adopt the Capital Plan subsequent to the public hearing and before the City Manager submits the budget to the City Council.

Adoption of the proposed CIP will take place at the March 7, 2022 City Council meeting.

#### **B. Third and Final Reading of Ordinance Amending Chapter 3, Article XI – Face Coverings During the COVID-19 Pandemic:**

[Attached please find a proposed ordinance](#) regarding Chapter 3, Article XI – Face Coverings During the COVID-19 Pandemic.

*I recommend that the City Council move that third reading of the Face Coverings Ordinance be postponed indefinitely, not to be brought back before the City Council without one meeting prior notice.*

## *XI. City Manager's Items which Require Action:*

### **1. Request for Public Hearing Regarding Elderly and Disabled Exemptions:**

Annually, the City of Portsmouth reviews income and asset levels for both the Elderly and Disabled Exemptions and makes recommendations as to these levels pursuant to RSA 72:39-b and RSA 72:37-b. [Attached please find a memorandum outlining three options](#) for the Council's consideration.

*I recommend that the City Council move to schedule a public hearing at the March 7, 2022 City Council meeting.*

### **2. Report Back on Recommendations for Outdoor Dining:**

At the February 7, 2022 City Council Meeting, Assistant Mayor Kelley and Councilor Bagley requested a report back with recommendations for outdoor dining during the 2022 season. As you know, the Council has received numerous emails from residents and interested persons on this matter. In addition, several businesses have expressed their concerns via letters to the Council (which have again been included in the Agenda packet under Written Communication).

Staff and I will participate in a Zoom meeting hosted by the Chamber Collaborative of Greater Portsmouth this Friday, February 18th. My report back with recommendations will incorporate comments from this timely meeting, and will be sent as an addendum to the Council packet on Friday afternoon.

### **3. Approval of Deer Street Associates Parking Agreement:**

In 2016, the City entered into a certain Post Closing Obligations Agreement (PCOA) with Deer Street Associates (DSA), which facilitated the City's acquisition of the land upon which the Foundry Garage now sits. The City had a duty under that agreement to deliver a Parking Agreement to DSA. [The Parking Agreement](#) would, in general terms, provide DSA with 68 parking passes in the garage, which DSA would pay for at a market rate.

Therefore, in order to satisfy the City's contractual responsibilities under the PCOA, the Legal Department recommends that the City Council authorize the City Manager to execute a Parking Agreement with DSA in a form substantially similar to that which is attached.

*I recommend that the City Council move to authorize the City Manager to execute a Parking Agreement with Deer Street Associates in a form substantially similar to the attached agreement.*

### **4. License Request for 64 Vaughan Mall:**

On August 19, 2021, the Planning Board granted site plan approval for renovation of the Margeson building and construction of an addition for property located at [64 Vaughan Street](#). The original site plan included retail and office space with underground parking, as well as sidewalks and improvements to the Worth Lot.

The property was conveyed to Novocure Inc. in December of 2021. Novocure Inc. will use the 42,000 square foot building for their corporate headquarters. The site plan was amended to exclude retail use of the premises.

The Construction Mitigation and Management Plan (CMMP), signed on November 16, 2021, identified temporary encumbrances for project-related work during the project's construction. Encumbrances for a duration longer than 30 consecutive working days require a license approved by the City Council. In addition, the license associated with this project is subject to the "License Fee for Encumbrance of City Property" policy.

The license is a request to use 35 square feet of land in the Vaughan Mall and fourteen (14) parking spaces in the Worth Lot for 90 days, from March 5, 2022 through June 3, 2022. The request for a License is to enable the Owner to set up scaffolding to work on the façade of the Margeson Building that abuts the Worth Lot (formerly known as the Whaling Wall).

The License Fee for the use of 35 square feet of city property in the Vaughan Mall is **\$157.50** (35 sq. ft X \$0.05 = \$1.75 x 90 days). The License Fee for the fourteen (14) parking spaces in the Worth Lot is **\$44,100** (\$35 per space x 14 = \$490 a day x 90 days). The total License Fee is **\$44,257.50**.

During the term of this License, the Owner will work with the Director of Public Works to create a pilot for the reconfiguration of the Worth Lot before finalizing the permanent improvements as set forth in a separate Development Agreement approved by the City Council on November 15, 2021.

The Legal and Planning Departments have reviewed and approved the form of the [attached License](#).

If the Council agrees to grant the temporary construction license for use of 35 square feet of land in the Vaughan Mall and the fourteen (14) parking spaces in the Worth Lot, an appropriate motion would be:

*Move that the City Manager be authorized to execute and accept the temporary construction license for the term of March 5, 2022 to June 3, 2022 for the use of 35 square feet of land in the Vaughan Mall and fourteen (14) parking spaces in the Worth Lot as requested.*

## ***XVI. Approval of Grants/Donations:***

### **A. Approval of Wellness Reward - \$2,000:**

In the month of January, department members from Human Resources, Department of Public Works, Fire and Police, attended training through HealthTrust as returning Wellness Coordinators. As a reward for being returning Wellness Coordinators, they each received \$500 for their departments to use towards wellness initiatives in 2022.



This money will be used differently in each department, but some examples of how the money will be spent include raffles, blood pressure monitors, fitness devices, water bottles, fitness equipment and other initiatives to promote wellness for all employees.

The goal of the HealthTrust Wellness program, *Slice of Life*, is to reduce health risk factors and promote a healthier lifestyle of our employees. To realize this goal, the City, through its Wellness program, will provide health and safety initiatives, as well as education to its employees in an effort to improve the quality of their lives.

In order to use this reward, it must be approved by the City Council.

*I recommend that the City Council move to approve and accept the donation of the Wellness Reward as presented.*

## ***XVII. City Manager's Informational Items:***

### **1. Report Back on EV Charging Stations:**

Attached please find a report back on electric vehicle charging stations as requested by the City Council at the February 7, 2022 City Council meeting.

# CITY OF PORTSMOUTH PORTSMOUTH, NH 03801

## Office of the City Manager

**TO:** Honorable Mayor McEachern and City Council Members

**DATE:** February 17, 2022

**FROM:** Karen S. Conard, City Manager *KSC*

**RE:** Elderly and Disabled Exemptions

### Elderly and Disabled Exemptions

Annually, the City of Portsmouth reviews income and asset levels for both the Elderly and Disabled Exemptions and makes recommendations as to these levels pursuant to RSA 72:39-b and RSA 72.37-b.

Last year, the City Council adopted resolutions #01-2021- and #02-2021 which increased the income levels for qualifying elderly and disabled taxpayers. The current elderly and disabled exemption income levels are \$43,928 for a single taxpayer, \$60,400 for married taxpayers; the current asset limit is \$175,000.

If qualified, for elderly taxpayers, the exemption off the assessed value of the property is as follows:

- Age 65 to 74           \$235,000
- Age 75-79             \$285,000
- Age 80 +               \$335,000

If qualified, for disabled taxpayers the exemption off the assessed value of the property is \$235,000.

### Option One:

This year the 2022 increase for Social Security recipients is 5.9%.

If the City Council wishes to adjust the income level for both the elderly and disabled taxpayers by the Social Security cost-of-living increase, this would increase the limits as follows:

- Single                   \$ 46,124 increase of \$2,196
- Married                 \$ 63,108 increase of \$2,708

**Option Two:**

This year the November to November ten-year rolling average of the Boston-Cambridge-Newton, MA-NH consumer price index is 2.05%.

If the City Council wishes to adjust the income level for both the elderly and disabled taxpayers by the November to November consumer price index, this would increase the limits as follows:

- Single                                 \$ 44,829 increase of \$ 901
- Married                                \$ 61,638 increase of \$1,238

**Option Three:**

Do Nothing

Statute does not require an annual adjustment in income, asset or exemption amounts. Existing levels can remain capped as they currently exist.

Any adjustment if approved would be for assessments as of April 1, 2022 for Tax Year 2022 (FY23).

Typically, the Assessor’s office mails a notification annually to all elderly and disabled persons who currently receive this exemption to update their applications. Due to the Covid-19 Pandemic and to avoid unnecessary expose to elderly and disabled taxpayers coming into City Hall with required documentation, only new applicants must submit an application and required documentation by April 15<sup>th</sup> of this year.

I have attached for your information the estimated tax impact of the elderly and disabled exemptions for FY22 and a Town/City comparison indicating what other City and neighboring communities’ income and assets limits are for the elderly exemption.

**Estimated Elderly & Disabled Exemption Impact**

Exemption Type	Exemption Amount	Number Currently Receiving Exemption	Value Loss	Revenue Loss
65 through 74	\$ 235,000.00	21	\$ 4,935,000.00	\$ 74,173.05
75 through 79	\$ 285,000.00	24	\$ 6,840,000.00	\$102,805.20
80 and over	\$ 335,000.00	59	\$ 19,765,000.00	\$297,067.95
Disabled	\$ 235,000.00	7	\$ 1,645,000.00	\$ 24,724.35
<b>Totals</b>		<b>111</b>	<b>\$ 33,185,000.00</b>	<b>\$498,770.55</b>

Note: The current tax rate of \$15.03 would be decreased to a difference of approximately .08 cents on the current tax rate if the elderly and disabled exemptions were not granted.

Elderly Exemption Married Income Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Portsmouth	\$43,928	\$60,400	\$175,000	\$175,000	\$235,000	\$285,000	\$335,000
Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000
Stratham	\$36,000	\$60,000	\$200,000	\$200,000	\$125,000	\$145,000	\$165,000
Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
North Hampton	\$40,800	\$59,000	\$190,000	\$190,000	\$125,000	\$165,000	\$200,000
Hampton	\$38,000	\$58,000	\$250,000	\$250,000	\$140,000	\$168,000	\$221,000
Dover	\$42,000	\$57,000	\$169,800	\$169,800	\$115,000	\$162,000	\$207,000
Manchester	\$41,000	\$55,000	\$100,000	\$130,000	\$156,000	\$210,000	\$280,000
Concord	\$36,250	\$50,750	\$95,000	\$95,000	\$73,000	\$119,000	\$203,000
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
Rochester	\$35,000	\$50,000	\$100,000	\$100,000	\$75,000	\$100,000	\$125,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000

Elderly Exemption Single Income Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
Portsmouth	\$43,928	\$60,400	\$175,000	\$175,000	\$235,000	\$285,000	\$335,000
Dover	\$42,000	\$57,000	\$169,800	\$169,800	\$115,000	\$162,000	\$207,000
Manchester	\$41,000	\$55,000	\$100,000	\$130,000	\$156,000	\$210,000	\$280,000
North Hampton	\$40,800	\$59,000	\$190,000	\$190,000	\$125,000	\$165,000	\$200,000
Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
Hampton	\$38,000	\$58,000	\$250,000	\$250,000	\$140,000	\$168,000	\$221,000
Concord	\$36,250	\$50,750	\$95,000	\$95,000	\$73,000	\$119,000	\$203,000
Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000
Stratham	\$36,000	\$60,000	\$200,000	\$200,000	\$125,000	\$145,000	\$165,000
Rochester	\$35,000	\$50,000	\$100,000	\$100,000	\$75,000	\$100,000	\$125,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000

Elderly Exemption Asset Comparison							
	Single Income:	Married Income:	Single Assets:	Married Assets:	Exemption 65-74 years old	Exemption 75-79 years old	Exemption 80+ years old
Hampton	\$38,000	\$58,000	\$250,000	\$250,000	\$140,000	\$168,000	\$221,000
Stratham	\$36,000	\$60,000	\$200,000	\$200,000	\$125,000	\$145,000	\$165,000
Rye	\$40,000	\$59,900	\$199,000	\$199,000	\$75,000	\$90,000	\$105,000
North Hampton	\$40,800	\$59,000	\$190,000	\$190,000	\$125,000	\$165,000	\$200,000
Portsmouth	\$43,928	\$60,400	\$175,000	\$175,000	\$235,000	\$285,000	\$335,000
Dover	\$42,000	\$57,000	\$169,800	\$169,800	\$115,000	\$162,000	\$207,000
Nashua	\$50,000	\$50,000	\$150,000	\$150,000	\$194,000	\$224,000	\$280,000
Manchester	\$41,000	\$55,000	\$100,000	\$130,000	\$156,000	\$210,000	\$280,000
Rochester	\$35,000	\$50,000	\$100,000	\$100,000	\$75,000	\$100,000	\$125,000
Somersworth	\$35,000	\$50,000	\$100,000	\$100,000	\$65,000	\$80,000	\$90,000
Concord	\$36,250	\$50,750	\$95,000	\$95,000	\$73,000	\$119,000	\$203,000
Greenland	\$36,000	\$60,000	\$75,000	\$75,000	\$60,000	\$80,000	\$100,000





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**MEMORANDUM**

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**TO:** KAREN S. CONARD, CITY MANAGER AND SUZANNE M WOODLAND,  
DEPUTY CITY MANAGER  
**FROM:** BEVERLY MESA-ZENDT, PLANNING DIRECTOR  
**SUBJECT:** 2022 OUTDOOR DINING/STREET CAFÉ RECOMMENDATIONS  
**DATE:** 2-18-2022

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The COVID-19 pandemic and the corresponding Governor's State of Emergency Declaration had a profound impact on local restaurants by imposing significant limitations on indoor dining. Portsmouth responded by inviting businesses to extend dining service into the public realm (streets, sidewalks, and parking areas) to create opportunities for local restaurants to recover from the impactful loss of revenue and provide a safer dining experience to the public.

In June 2020, the City created a Citizen Response Task Force which worked quickly to provide guidance on design, layout, and procedural protocols for use of the public realm that was utilized to invite applications and stand up, in six weeks' time, the outdoor dining program. The City Council extended sidewalk and street café options into the 2021 season.

The outdoor dining experience continues to be a popular option for restaurants and patrons in the spring, summer, and fall. There is reason to believe that this popularity will continue well beyond pandemic-related restrictions, as public anxiety over indoor dining persists and the general preference for outdoor dining continues to grow. Continued use of parking spaces and some travel lanes for outdoor dining will provide restaurants with an opportunity to extend restaurant service into public spaces until such time that the city can reconfigure the public space (ROW) to more adequately support this effort.

The City recognizes that outdoor street cafes contribute greatly to the vibrancy of public spaces and benefit our local businesses. A vibrant restaurant setting ensures downtown is a place where residents can work, live, and play and distinguishes Portsmouth as a year-round destination point for residents and visitors. The City also recognizes that utilization of the public right-of-way, particularly the use of travel lanes and on-street parking spaces, raises concerns about impacts to the traveling public as well as public safety and can affect surrounding businesses who often rely on quick and easy access to their business establishments as part of their business model.

As the State of Emergency Declaration is no longer in effect, staff recommends a two-phased approach to allowing for use of the public realm for outdoor dining. A transitional approach is suggested for 2022 which would allow programmatic implementation to continue in a timely way. In 2022, businesses that have come to rely on outdoor dining



as part of the “new normal” business model, will be given time and notice to prepare for and transition to more restrictive regulations anticipated in 2023. Staff will monitor and collect data that will inform the 2023 regulations that will govern outdoor dining going forward and provide that information in a full report in the fourth quarter of 2022.

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## **2022 Outdoor Dining – Transitional Programmatic Implementation**

### **Use of City Sidewalks and Parking Spaces**

- All applications regarding use of public sidewalks or parking will follow the Public Realm Guidance provided in **Attachment A**.
- This option will be available to all qualifying businesses with parking spaces directly adjacent to their storefront or rear.
- All business will be required to submit an application for review via ViewPermit on the City website <https://www.cityofportsmouth.com/planportsmouth/land-use-applications-forms-and-fees>
- Occupancy will be based on total restaurant approved indoor capacity plus the additional capacity provided either on the sidewalk or parking space.
- Applicants will need to comply with New Hampshire State Liquor Commission regulations.
- As in 2020 and 2021, applicants will need to comply with all building, accessibility, health, and fire safety standards.
- Applicants will need to comply with Insurance Requirement of \$1 million (vs. \$3 million).
- Previous applicants approved for use of sidewalks or parking spaces in 2021 are provided in **Attachment B**.

### **Proposed Changes**

1. **Fees.** Staff is proposing the following fee schedule:
  - City sidewalks - \$10/square foot for café area (minimum \$2,000)
  - City Parking Spaces - \$5,700 per space
2. **Abutter Approval.** If the applicant proposes utilization of parking spaces or the sidewalk area beyond the extended boundaries of their storefront and into parking or sidewalk area in-front of abutting businesses – they must first provide abutter consent for use of such spaces.

### **Use of City Streets – Travel way**

- All applications, proposing use of public travel ways, will follow the Public Realm Guidance provided in **Attachment A**.
- **This option is potentially available only to businesses who utilized this option in 2020 and 2021.**
- All business will be required to submit an application for review via ViewPermit on the City website <https://www.cityofportsmouth.com/planportsmouth/land-use-applications-forms-and-fees>
- Occupancy will be based on total restaurant approved indoor capacity plus the additional capacity provided on city streets.
- Applicants will need to comply with New Hampshire State Liquor Commission regulations.



- As in 2020 and 2021, applicants will need to comply with all building, accessibility, health, and fire safety standards.
- Applicants will need to comply with Insurance Requirement of \$1 million (vs. \$3 million).
- Previous applicants approved for use of City streets are provided in **Attachment B**.

### **Proposed Changes**

1. **Fees.** Staff is proposing the following fee schedule:
  - City streets – travel way - \$10/square foot for café area (minimum \$2,000)
2. **Traffic Circulation.** Any proposed use of the travel way must not impact traffic circulation downtown. Changes that result in a significant impact to the traffic pattern or that result in a change to the directional pattern of the street will not be considered.
3. **Abutter Approval.** If the applicant proposes utilization area beyond the extended boundaries of their storefront and into parking, street or sidewalk area in-front of abutting businesses – they must first provide abutter consent for use of such spaces.
4. **Final Year.** Proposed discontinuance of use of the travel way for outdoor dining in 2023. By providing a final year to restaurants who provided outdoor dining in the travel way, we allow local restaurants, who have utilized this option, to prepare and adjust if their location and business model if needed.

### **Use of Private Parking**

Applicants who have applied for use of private parking for outdoor dining have been required to submit a building permit application. These sites often impact the required and approved parking calculations for the use and the site. In the past, we have not required strict compliance with zoning on these sites. Staff recommends that zoning conformance be required as a consideration for 2023.

### **Public Input Summary**

To date, public input has been received from restaurants/former applicants, surrounding businesses, and the Chamber Collaborative of Greater Portsmouth. In summary, downtown restaurants continue to seek opportunities to expand their service to the outdoor public spaces and emphasize outdoor dining is key to economic recovery of local restaurants. Surrounding retail businesses have identified negative impacts to their customer base resulting from the loss of parking spaces in close proximity to their businesses. On February 18th, City staff met, via Zoom, with businesses and members of the public in a conversation hosted by the Chamber Collaborative of Greater Portsmouth, for members and non-members alike. There were over 40 participants, including Assistant Mayor Kelley and Councilors Tabor, Bagley and Cook. Assistant Mayor Kelley shared with the group that the Council has received hundreds of emails indicating support for outdoor dining both now and on a permanent basis. The following is a summary of the robust discussion:

- **15-minute Parking Spaces** – widely seen as helpful to restaurants and retailers alike
- **Parking Spaces** – questions about vacancy rates of the parking product in Zones A & B, discussion of new spaces online in 2022 at the McIntyre lot to support the available inventory
- **Fees** – how were they derived, if implemented would a payment plan be considered, perhaps too soon to charge given that many establishments are still climbing their way back from the pandemic, consideration for partial fees if restaurants choose partial season utilization
- **Travel Way** – use of the travel way and how the standards will be implemented, concerns that changes could impact specific businesses
- **Abutters** – questions were raised about in what form abutters could provide approval and if a restaurant or retailer could “rent” the unutilized space of an abutting restaurant
- **Future Vision for Public Realm** – questions were raised about future plans to create more pedestrian zones and plazas that might allow for permanent dedication of space for outdoor dining (development of a pilot project)
- **Various** – standards for conversion of existing loading zones into permitted outdoor dining areas, changes to liquor requirements, continued limited staffing may limit the ability of restaurants to serve outdoors as well as inside

### Timeline for Implementation

- February 22, 2022 – City Council Approval
- February 23, 2022 – Application Period Opens
- March 4, 2022 (weather permitting) – Use of sidewalks and public realm open (not travel lanes or parking spaces)
- Starting the Week of April 7, 2022 (weather permitting) – Barriers are placed by DPW, use of travel lanes and parking spaces open
- November 27, 2022 – Outdoor dining ends

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### **Permanent Regulations Going Forward – Planning for 2023**

2022 Monitoring - Staff will conduct the following over the 2022 outdoor dining season.

- Survey restaurants to better understand customer demand for outdoor spaces.
- Survey local businesses within 100 feet of all outdoor cafes to better understand impacts to and concerns of surrounding businesses.
- Maintain database of reported concerns, conflicts, or outdoor related dining issues reported by residents, businesses, police, and fire.
- Provide a full report no later than December 1, 2022 regarding any recommended changes to fees or guidelines.

### **Standards for Use of Public Realm**

- 1) With approval, businesses may occupy the public sidewalk directly in front of the business location, and may elect to expand to be in front of the adjacent storefront, with property owner or tenant permission. Sidewalk uses must maintain an unobstructed pedestrian way between the sidewalk obstruction and the sidewalk curb.
- 2) With approval, businesses may occupy public on-street parking spaces, but must provide an accessible path of travel to the area from abutting sidewalks. Such expansions must occupy the area directly in front of the proposed business, and may request to expand to be in front of the adjacent properties with abutting property owner and/or business permission.
- 3) In all situations, an unobstructed pedestrian way that allows for clear and unimpeded passage and access along the area must be maintained adjacent to the area approved for use by the business. In Market Square the minimum width for the adjacent pedestrian way shall be 10-feet to 12-feet depending on site conditions. In all other areas the adjacent pedestrian way must be a minimum of 5-feet wide. The pedestrian way shall be located entirely on the public sidewalk and shall meet criteria that ensure pedestrian safety, usability and ADA compliance.
- 4) All outdoor dining areas where food or alcohol service is provided shall comply with the following requirements:
  - The internal dimensions and table/chair layout of the sidewalk café area must allow for the passage of customers and wait staff and shall meet local and State Building/Fire Codes and ADA requirements.
  - Sidewalk cafe's must provide a 5-foot radius clearance from the center of restaurant doorways (exterior) and doorways shall be kept clear at all times and a 5-foot minimum clear pedestrian path in front of restaurant doorways (exterior) shall be maintained at all times.
  - Canopies over the sidewalk café shall not be allowed unless they are completely supported by hardware on the building structure, that is, there shall be no vertical supports in or around the sidewalk café; table umbrellas without logos are allowed, but must not extend beyond the Area. Canopies require permitting through the Inspection Department and the Historic District Commission applicable.
  - No advertising of any kind shall be allowed in the Area.
  - No improvements or personal property located within the Area shall extend on or over any municipal property located outside the Area.
- 5) Outdoor dining areas where alcohol will be served must comply with the following requirements:
  - Be separated from the public pedestrian space on the adjacent municipal sidewalk by an enclosure system consisting of heavy duty black decorative metal materials or equivalent as approved by the City Manager or designee; special attention shall be paid to the method used to support the enclosure system in order to avoid damage to public property and insure public safety;
  - The minimum height of the enclosure system shall be 30 inches and the maximum height shall be 36 inches.
  - The enclosure system, tables and chairs shall be movable/non-permanent.
- 6) Traffic Circulation. Any proposed use of the travel way must not impact traffic circulation downtown. Changes that result in a significant impact to the traffic pattern or that result in a change to the directional pattern of the street will not be considered.

**2021 Café Licenses | Attachment B**  
**February 21, 2021 City Council Meeting**

<b>2021 Applicants for Outdoor Café   Sidewalk Space</b>			
	<b>Applicant</b>	<b>Address</b>	<b>Restaurant Name</b>
1	David Takis	103 CONGRESS ST, Portsmouth, NH 03801	District Restaurant Group Inc., d/b/a The District
2	Katie Green	8 CONGRESS ST, Unit 102, Portsmouth, NH 03801	Popovers on the Square, LLC, d/b/a The Commissary
3	John Akar	10 COMMERCIAL ALY, Portsmouth, NH 03801	Restaurant Cava LLC
4	Namrata Idnani	67 STATE ST, Portsmouth, NH 03801	Raleigh Market, LLC d/b/a Raleigh Wine Bar + Eatery
5	James McDonnell	195 HANOVER ST, Portsmouth, NH 03801	Row 34 Portsmouth, LLC d/b/a Row 34
6	Henry Pariseau	22 MARKET SQ, Portsmouth, NH 03801	Portsmouth Feed Company
7	Scott Handren	99 HANOVER ST, Portsmouth, NH 03801	110 Grill HS Portsmouth LLC
8	Sherif Farag	10 COMMERCIAL ALY, Portsmouth, NH 03801	Farag Breads LLC d/b/a The Elephantine Bakery
9	Staci Garstka	195 HANOVER ST, Portsmouth, NH 03801	Dos Amigos Burritos LLC
10	Mario Mancini	3 PLEASANT ST, Portsmouth, NH 03801	Toscana
11	Harbhajan Singh	10 VAUGHAN MALL, Portsmouth, NH 03801	Shalimar India, Inc.
12	Karina Hurtado	172 HANOVER ST, Portsmouth, NH 03801	La Carreta Portsmouth
13	Evan Mallett	0 CERES ST, Portsmouth, NH 03801	Black Trumpet
14	Albert Fleury	41 VAUGHAN ST, Unit 3, Portsmouth, NH 03801	The Green Room
15	Matthew Greco	169 ISLINGTON ST, Portsmouth, NH 03801	The Kitchen
16	Sarah DiCecca	261 SOUTH ST, Portsmouth, NH 03801	Wild Valentine

<b>2021 Applicants for Outdoor Café   Street Space (Parking)</b>			
	<b>Applicant</b>	<b>Address</b>	<b>Restaurant Name</b>
1	Paul Sorli	64 MARKET ST, Portsmouth, NH 03801	Portsmouth Gas Light Co
3	Hannah Perkins	76 CONGRESS ST, Portsmouth, NH 03801	Fresh House
4	Mounsif Ghninou	119 CONGRESS ST, Portsmouth, NH 03801	Cafe Mediterraneo
5	Victor Navarre	121 CONGRESS ST, Unit 1-2B, Portsmouth, NH 03801	La Maison Navarre LLC Cha Vi Real Estate
6	Janardan Paudel	10 MARKET SQ, Unit 4 Market Sq, Portsmouth, NH 03801	Durbar Square LLC, d/b/a Durbar Square
7	Joe Kelley	20 CONGRESS ST, Portsmouth, NH 03801	Thirsty Moose Taproom & Pizzeria, LLC
8	Bethany Hayes	88 PENHALLOW ST, Portsmouth, NH 03801	Tj's Cantina of Portsmouth
9	Keith Barringer	1 CONGRESS ST, Portsmouth, NH 03801	Buxandbrains Inc and/or Rudi Restaurant LLC
10	Staci Garstka	107 STATE ST, Portsmouth, NH 03801	Dos Amigos Burritos LLC d/b/a Mr. Kim's
11	Staci Garstka	106 PENHALLOW ST, Portsmouth, NH 03801	106 Grill LLC d/b/a Moxy
12	Patrick Patterson	56 MARKET ST, Portsmouth, NH 03801	Portsmouth Brewery
13	Karen Bouffard	79 DANIEL ST, Unit 1, Portsmouth, NH 03801	Kaffee VonSolln
14	Josh Sheets	77 DANIEL ST, Portsmouth, NH 03801	The Press Room
15	Joanna Kelley	31 MARKET ST, Portsmouth, NH 03801	Cup of Joe
16	Michael Paola	113 CONGRESS ST, Portsmouth, NH 03801	Friendly Toast

<b>2021 Applicants for Outdoor Café   Street Space (Parking) and Sidewalk Space</b>			
	<b>Applicant</b>	<b>Address</b>	<b>Restaurant Name</b>
1	Michelle Matthews	111 STATE ST, Portsmouth, NH 03801	Sol LLC
2	Michelle Matthews	70 STATE ST, Portsmouth, NH 03801	Rosa Restaurant LLC
3	Peter DiZoglio	87 MARKET ST, Portsmouth, NH 03801	The Dolphin Striker
4	Stephan Mayeux	64 BRIDGE ST, Portsmouth, NH 03801	Bridge Street Bistro and Wine Bar

**2021 Café Licenses | Attachment B**  
**February 21, 2021 City Council Meeting**

<b>2021 Applicants for Outdoor Café   Street Space (Parking) and Sidewalk Space</b>			
5	Penny Szucs	112 STATE ST, Portsmouth, NH 03801	Fezziwig's Food & Fountain
6	Joe scarlotto	49 PLEASANT ST, Portsmouth, NH 03801	Goodfellas, LLC d/b/a The Hammer

<b>2021 Applicants for Outdoor Café   Street Space -Travel Way</b>			
	<b>Applicant</b>	<b>Address</b>	<b>Restaurant Name</b>
1	<b>Massimo Morgia</b>	59 Penhallow, Penhallow, NH 03801	Ristorante Massimo
2	<b>Penelope Brewster</b>	51 PENHALLOW ST, Portsmouth, NH 03801	Ceres Bakery
3	<b>Albert Fleury</b>	150 CONGRESS ST, Portsmouth, NH 03801	Pickleback LLC d/b/a The Goat
4	<b>Katie Biggs</b>	138 CONGRESS ST, Portsmouth, NH 03801	Flatbread Portsmouth, Inc.
5	<b>Kevin Dwyer</b>	96 BRIDGE ST, Portsmouth, NH 03801	Dwyer's Pub
6	<b>Staci Garstka</b>	150 CONGRESS ST, Portsmouth, NH 03801	Jumpin Jay's Fish Café (sidewalk and street)
7	<b>Staci Garstka</b>	63 CONGRESS ST, Portsmouth, NH 03801	The Big Oyster, LLC d/b/a The Franklin Oyster House
8	<b>Jeffrey Goss</b>	75 PLEASANT ST, Portsmouth, NH 03801	The Clipper Tavern LLC

## PARKING AGREEMENT

The **CITY OF PORTSMOUTH, NEW HAMPSHIRE**, a municipal corporation with a principal place of business at 1 Junkins Avenue, Portsmouth, New Hampshire 03801 (the "City") and **DEER STREET ASSOCIATES**, a New Hampshire limited partnership with an address of P.O. Box 100, York Harbor Maine 03911 ("DSA") hereby enter into this Parking Agreement ("Agreement") in consideration of the mutual promises and for the purposes stated herein, and for other good and valuable consideration, the receipt and sufficiency of which the parties hereby acknowledge.

This Agreement is entered into pursuant to a certain Post Closing Obligations Agreement between the aforesaid parties dated September 9, 2016 ("PCOA") and is intended to satisfy the provisions of the PCOA with respect to DSA's contractual right to park on premises described as "City Property" in the PCOA and located in the City of Portsmouth, County of Rockingham, State of New Hampshire, and further described on Exhibit A attached hereto and incorporated herein by reference (the "City Property").

NOW THEREFORE, the parties do hereby agree as follows:

1. DSA shall have and hereby does have the contractual right to access and utilize sixty-eight (68) parking spaces located within any parking garage now or hereafter constructed on the City Property (on a floating basis, see paragraph 4 below), hereinafter referred to as the "Parking Garage Spaces"; provided, however, that seven (7) of the Parking Garage Spaces shall be terminable upon fifty (50) days written notice from the City to DSA (collectively, the "Terminable Spaces"). Once issued and assigned to a Lot Owner (hereinafter defined), termination of any or all of the Terminable Spaces by the City in accordance with the foregoing: (i) shall not affect treatment of said terminated Terminable Space(s) as parking spaces for purposes of zoning requirements and other ordinances of the City, including but not limited to the provisions of Section 10.1113.10 of the Portsmouth, New Hampshire Zoning Ordinances; and (ii) notwithstanding (i), at DSA's option and if or as may be required by City zoning or other ordinances, so long as the Terminable Spaces are terminated for reason other than failure to pay, the City shall provide the Terminable Spaces in accordance with all

the rights and obligations of this Agreement in another public parking facility not located on the City Property.

2. DSA's access to and use of the Parking Garage Spaces shall be under the then current terms, policies, processes and procedures, including parking rates, which may be established by the City from time to time with respect to off-street municipal parking spaces on the City Property (which shall generally be consistent with terms and conditions offered for similar City parking on the City Property); provided, however, that DSA shall be afforded the most favorable long term parking pass rate or its equivalent made available generally to the public for users of up to sixty-eight (68) vehicular parking spaces located at the City Property. Notwithstanding the foregoing, in the event of any direct conflict between said terms, policies, processes and/or procedures adopted by the City and the terms and conditions set forth in this Agreement, the terms and conditions set forth in this Agreement shall control. DSA or a Lot Owner must begin payment for those Parking Garage Spaces assigned to a lot when the lot receives a certificate of occupancy from the City which requires the use of said Parking Garage Spaces, or when issued to DSA or a Lot Owner pursuant to this Agreement, whichever comes first.
3. The rights of DSA under this Agreement shall commence on \_\_\_\_\_, 2020 and run for so long as the City shall own all or any portion of the City Property which is utilized for public parking of vehicles, but in no event less than thirty (30) years from the date of recording of this Agreement at the Rockingham County Registry of Deeds regardless of ownership and/or use.
4. This Agreement does not provide DSA with any interest in property owned by the City or the right of access to or use of any particular or designated parking spaces. Rather, DSA shall have the right of access to and use of the specified number of floating Parking Garage Spaces located on the City Property (or, if applicable, other property of the City per paragraph 1 of this Agreement with respect to the Terminable Spaces) utilizing a method chosen by the City to assure the continuous availability of the required number of Parking Garage Spaces on a 24/7 basis (subject to maintenance requirements).
5. The City shall maintain the Parking Garage Spaces in good condition and repair, and in accordance with all applicable laws, rules, regulations and ordinances, which shall include keeping the same free and clear of all debris, snow and ice in accordance with normal City policies and practices.
6. This Agreement is to be executed in recordable form and placed on record at the Rockingham County Registry of Deeds, and shall be binding on the heirs and assigns of the parties hereto.



7. DSA may assign its right to access and use all or any portion of the Parking Garage Spaces to any owner of all or any portion of a lot shown on the certain plan entitled "Consolidation & Subdivision Plan – Tax Map 125, Lot 17 & Tax Map 138, Lot 62 – Deer Street Associates – Bridge, Deer & Hill Streets – City of Portsmouth, County of Rockingham, State of New Hampshire – Scale 1" = 50' " dated July, 2015 and last revised 5/18/16 recorded in the Rockingham County Registry of Deeds as Plan D-39699 (each, a "Lot Owner"), or to any tenant, employee or occupant of such lots designated by a Lot Owner; provided that pursuant to such assignment the assignee agrees to and assumes the obligations of DSA pursuant to this Agreement with respect to the assigned Parking Garage Spaces for the period thereof. No single Parking Garage Space may be assigned to more than one person, including more than one Lot Owner.
8. The assignee of any Parking Garage Spaces may re-assign all or any portion of the same to DSA, or may assign all or any portion of the same to any other Lot Owner, or to any tenant, employee or occupant of such lots designated by a Lot Owner (collectively, "Permitted Assignees"). DSA and any Permitted Assignee shall have the right to assign its rights pursuant to this Agreement to any lender as security for any obligation of DSA or such Permitted Assignee to said lender. Notwithstanding the forgoing, no assignment of Parking Garage Spaces shall be permitted if such assignment would reduce parking requirements to an amount less than required by the Site Plan Approval for such lot.
9. This Agreement shall not be amended except by written instrument signed by DSA, the City, and each assignee Lot Owner (if any) then having assigned rights in any Parking Garage Spaces, which amendment shall become effective when recorded in the Rockingham County Registry of Deeds.

[signature pages to follow]

**DEER STREET ASSOCIATES**

Dated: \_\_\_\_\_

By DSA Rogers LLC,  
Its General Partner  
By its Manager,  
G.L. Rogers and Company, Inc.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
By: Kim S. Rogers  
Its: President

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM, SS

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2020 by Kim S. Rogers, as President of G.L. ROGERS and Company, INC., a New Hampshire corporation and the manager of DSA ROGERS LLC, a New Hampshire limited liability company and the general partner of DEER STREET ASSOCIATES, a New Hampshire limited partnership, on behalf of said corporation, limited liability company and limited partnership.

\_\_\_\_\_  
Justice of the Peace/Notary Public  
My commission expires:

Dated: \_\_\_\_\_

**CITY OF PORTSMOUTH**

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Karen Sawyer Conard, City Manager

Pursuant to the City Council vote  
dated August 15, 2016

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM, SS.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2020, before me, \_\_\_\_\_, the undersigned officer, personally appeared **Karen Sawyer Conard**, who acknowledged himself to be the **City Manager**, of the City of Portsmouth, a municipal corporation, and that he, as such **City Manager**, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the municipal corporation by himself as the City Manager.

In witness whereof I hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

## Exhibit A

## City Property Legal Description

A certain tract or parcel of land located in the City of Portsmouth, County of Rockingham and State of New Hampshire, depicted as **Lot 1** on certain plan entitled "Consolidation & Subdivision Plan – Tax Map 125, Lot 17 & Tax Map 138, Lot 62 – Deer Street Associates – Bridge, Deer & Hill Streets – City of Portsmouth, County of Rockingham, State of New Hampshire – Scale 1" = 50' " dated July, 2015 and last revised 5/18/16 recorded in the Rockingham County Registry of Deeds as Plan D-39699, said tract being more particularly bounded and described as follows:

Beginning at an iron rod set at the north west corner of the parcel; thence running along land of the Boston and Maine Railroad N 43°06'02"E a distance of 343.96 feet to a point at a RR Spk set; thence turning and running along land of the Grantor S 46°53'58"E a distance of 93.44 feet to a point at a RR Spk set; thence turning and running along land of the Grantor N 43°06'02"E a distance of 22.52 feet to a point at a RR Spk set; thence turning and running along land of the Grantor S 46°53'58"E a distance of 38.87 feet to a point at an IR set; thence turning and running along land of the Grantor N 43°06'02"E a distance of 49.82 feet to a point at a RR Spk set; thence running along land of the Grantor on a curve turning to the right with an arc length of 56.30', a radius of 155.00', a chord bearing of N 53°24'20"E, a chord length of 55.99', and a delta angle of 20°48'45" to a point at a RR Spk set; thence turning and running along land of the Grantor N 63°48'43"E a distance of 28.42 feet to a point at a RR Spk set; thence turning and running along land of the Grantor N 45°20'34"E a distance of 64.73 feet to a point at a RR Spk set; thence turning and running along land of the Grantor N 28°12'12"E a distance of 10.82 feet to a point at an IR set on the westerly sideline of Bridge Street; thence turning and running along the westerly sideline of Bridge Street S 55°38'43"E a distance of 58.09 feet to land of Gray to an IR Fnd; thence turning and running along land of Gray S 53°35'47"W a distance of 81.12 feet to a point; thence turning and running along land of Gray S 66°38'33"W a distance of 116.65 feet to a point at an IR Fnd; thence turning and running along land of Gray S 40°13'28"E a distance of 20.31 feet to a point at an IR set; thence turning and running along land of the Grantor S 44°38'09"W a distance of 167.36 feet to a stone bound; thence turning and running S 47°00'33"W a distance of 38.74 feet to a point at a DH Fnd; thence turning and running N 42°48'33"W a distance of 54.65 feet to a point at an IR Fnd; thence turning and running S 46°46'01"W a distance of 184.94 feet to an iron rod; thence turning and running N 43°03'00"W a distance of 46.10 feet to a point at an IR Fnd; thence turning and running S 46°48'04"W a distance of 10.00 feet to a point at an IR set; thence turning and running N 46°09'30"W a distance of 48.26 feet to the point of beginning, having an area 54,017 square feet, more or less.

Except and excluding a certain tract or parcel of land located in the City of Portsmouth, County of Rockingham, State of New Hampshire, and more particularly bounded and described as follows:

Beginning at an iron rod found at the south east corner of the parcel; thence running along land of John W. Gray Revocable Trust & Bradford A. Gray Revocable Trust S 53°35'47" W a distance of 81.12 feet to a point; thence turning and continuing along land of John W. Gray Revocable Trust & Bradford A. Gray Revocable Trust S 66°38'33" W a distance of 73.30 feet to a point; thence turning and running over land of John W. Gray Revocable Trust & Bradford A. Gray Revocable Trust S 39°12'52" W a distance of 42.20 feet to an iron rod set; thence turning and running along land of Deer Street Associates S 44°38'09" W a distance of 167.36 feet to a stone bound found; thence turning and running along land of the Kearsarge Mill Condominium

Association S 47°00'33" W a distance of 38.74 feet to a drill hole found; thence turning and running along land of the City of Portsmouth N 42°48'33" W a distance of 35.00 feet to a point; thence turning and running through land of Deer Street Associates N 45°02'22" E a distance of 177.16 feet to an iron rod set; thence turning and running along other land of Deer Street Associates N 43°06'02" E a distance of 48.48 feet to a railroad spike set; thence continuing on the same line and other land of Deer Street Associates N 43°06'02" E a distance of 1.34 feet to a point; thence turning and continuing along land of Deer Street Associates with a curve turning to the right with an arc length of 56.30 feet, with a radius of 155.00 feet, said curve having a chord bearing of N 53°24'20" E, with a chord length of 55.99 feet to a railroad spike set; thence turning and continuing along land of Deer Street Associates N 63°48'43" E a distance of 28.42 feet to a railroad spike set; thence turning and continuing along land of Deer Street Associates N 45°20'34" E a distance of 64.73 feet to a railroad spike set; thence turning and continuing along land of Deer Street Associates N 28°12'12" E a distance of 10.82 feet to an iron rod set; thence turning and running along Bridge Street S 55°38'43" E a distance of 58.09 feet to the point of beginning, having an area of 14,956 square feet, more or less.

HAMPSHIRE  
DEVELOPMENT  
CORPORATION

General Contractor

---

February 14, 2022

Portsmouth City Council  
1 Junkins Ave.  
Portsmouth, NH 03801

RE: 64 Vaughan Mall License Agreement – Novocure Inc.

Dear Councilors,

The owner of the property located at 64 Vaughan Mall, Novocure Inc. requests a license of a portion of the Worth Lot, shown in the attached exhibit. The requested area will be used during the construction of their future flagship facility, specifically for façade renovations of the existing building, and construction of the new addition.

We look forward to meeting with you on February 22<sup>nd</sup>, 2022.

Sincerely,



Shayne Forsley  
General Manager

Cc: Novocure Inc.  
Owner – 64 Vaughan Mall  
195 Commerce Way  
Portsmouth, NH 03801



February 15, 2022

195 Commerce Way  
Portsmouth, NH 03801  
United States

[novocure.com](http://novocure.com)

City of Portsmouth  
1 Junkins Ave  
Portsmouth, NH 03801

RE: Authorization for Shayne Forsley to act on behalf of 64 Vaughan Mall

To whom it may concern:

This letter serves as authorization for Shayne Forsley of Hampshire Development Corp. to represent and act on behalf of the project for 64 Vaughan Mall – Novocure Flagship Facility with respect to Novocure Inc.'s request for a license of a portion of the Worth Lot.

Sincerely,

A handwritten signature in blue ink, appearing to read "William P. Burke". The signature is fluid and cursive.

William P. Burke

Chief Human Resources Officer

Novocure Inc.  
64 Vaughan Mall Owner





The parking spaces and surface area to the south of the 64 Vaughan Mall building is to be used temporarily for construction. 14 spaces will be rented from the Parking Department during the duration of the encumbrance/license period and facilitated by Hampshire Development Corp. with the "reserved sport holders."

The parking area will have a "pilot" done with DPW for approval prior to resurfacing the Worth Lot regarding the re-striping and reorganization.



**LICENSE AGREEMENT**  
**NOVOCURE INC.**

The City of Portsmouth (hereinafter "City"), a municipal corporation with a principal place of business of 1 Junkins Avenue, Portsmouth, New Hampshire 03801, for good and valuable consideration as set forth herein, hereby grants this Revocable License to Novocure Inc. (hereinafter "Licensee" or "Owner") with a principal place of business at 195 Commerce Way, Portsmouth, NH, pursuant to the following terms and conditions:

1. **Areas of License and Use:** The Owner owns the land, with buildings and other improvements thereon, in the City of Portsmouth, Rockingham County, State of New Hampshire, located at 64 Vaughan Street, shown on the City of Portsmouth's Assessor's Map as Tax Map 0126-0001-0000 ("Subject Property"). For the Owner's title to the Subject Property, see Rockingham County Registry of Deeds at Book 6370 Page 1168.

**License Area 1:** The City authorizes Licensee to temporarily use 35 square feet of land that abuts the Subject Property in the Vaughan Mall more particularly described in the attached Exhibit A.

**License Area 2:** The City authorizes Licensee to temporarily use fourteen (14) parking spaces in the Worth Lot that abut the Subject Property more particularly described in the attached Exhibit A.

2. **Use:** Licensee shall make use of the License Area for the purpose of working on the facade of the Margeson building and the construction of an addition for a 42,000 square foot office building.

3. **Term:**

**License Areas 1 and 2:** The license for License Areas 1 and 2 shall be for 90 consecutive days beginning March 5, 2022 and ending June 3, 2022.

Licensee may terminate this License prior to the end of the term by returning the License Areas to safe and effective use by the public prior to the expiration of the term of this License. The Licensee shall contact the Director of Public Works for a determination that the License Areas have been temporarily returned to safe and effective use. Failure to remove all

vehicles, barriers, materials and equipment and to return the License Area to the City in the manner prescribed under this License at the end of the term may result in enforcement action by the City.

4. **Notice and Pilot:** Licensee shall provide notice to the City's Director of Public Works when Licensee assumes control and use of the License Area and again when it returns the License Area to the City's control and use.

During the term of this License Agreement, Owner will create a pilot of the proposed parking lot reconfiguration and improvements to the Worth Lot pursuant to a separate Development Agreement approved by the City Council on November 15, 2021. The pilot will be reviewed and approved by the Director of Public Works prior to the construction of the final improvements.

5. **License Fees:** The Owner shall pay to the City license fees in accordance with City Council Policy No. 2018-02 entitled "License Fee for Encumbrance of City Property". The License Fee Policy provides that the Owner will be charged a daily fee of \$0.05 per square foot of encumbered sidewalk and \$35 per day per encumbered parking space.

**License Area 1:** The License Area includes 35 square feet of land in the Vaughan Mall that abuts the Subject Property. The fee of \$0.05 per 35 square feet per day is \$1.75. The total fee for 90 days x \$1.75 is **\$157.50**.

**License Area 2:** The License Area includes fourteen (14) parking spaces in the Worth Lot that abut the Subject Property. The fee of \$35 per parking space per day x 14 parking spaces = \$490 per day x 90 days is **\$44,100**.

The total License Fees for License Areas 1 and 2 in the amount of **\$44,257.50** shall be paid in full to the City in advance of the commencement of the term of this Agreement.

Because it is in the City's interest that the Licensed Areas be returned to the public use as soon as possible, if the License Areas are returned to the City prior to the end of the License Term, the City will refund the Owner the portion of the License Fee paid but not used by the Owner.

6. **Indemnification:** Licensee agrees to indemnify and hold harmless the City of Portsmouth for any and all property damage, bodily injury or personal injury which arises as a result of its utilization of the Licensed

Areas. This obligation survives termination or revocation of this Agreement.

7. **Insurance:** At all times the Licensee shall maintain insurance for bodily injury and property damage in the amount of at least \$1,000,000 per occurrence. Licensee will provide proof of insurance to the City during the term of this Agreement and the City will be named as an additional insured.
8. **Maintenance of Area:** During the term of this Agreement, Licensee shall maintain the License Area in a safe, neat and orderly fashion and shall take such actions as are necessary to protect the public safety. The Licensee shall secure the perimeter of the License Areas and take such other measures as may be necessary for pedestrian and vehicular safety during use of the Licensed Areas.
9. **Damage:** Licensee agrees to remedy any damage to the License Areas caused by the Licensee's activities. The work will be performed by Licensee to City specifications and survive the terms of this License Agreement. The City may elect to accept reasonable reimbursement from the Licensee in lieu of remedy.
10. **Compliance with Other Laws:** This Agreement does not relieve Licensee from compliance with any other local, state or federal laws or regulations or conditions imposed by any local board. Failure to abide by any local, state or federal laws or regulations or any condition of site plan may, at the City's discretion, result in revocation.
11. **Revocation:** The City may terminate this Agreement or any provision contained in this Agreement on 72 hours written notice if Licensee fails to meet the terms and conditions of this License or if the public interest requires such termination. No 72 hour written notification is required by the City if it is an emergency.
12. **Contractor and Subcontractor Parking:** Licensee understands and agrees that its contractors and subcontractors for the project shall not use on-street parking. Language will be inserted in Licensee's vendors and suppliers Purchase Orders and Trade Subcontracts that make the prohibition against parking on City streets mandatory. Contractor shall limit/ manage construction vehicles and deliveries to avoid disruption to businesses, particularly during the holiday season. Contractor may use loading zones for active loading and unloading of materials, equipment and tools.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022

**City of Portsmouth**

By: \_\_\_\_\_  
Karen Conard  
City Manager

Pursuant to vote of the City Council  
of \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**Novocure Inc.**

By: \_\_\_\_\_

h/jferrini/license/64Vaughan



February 15, 2022

Portsmouth City Manager and Officials  
1 Junkins Ave.  
Portsmouth, NH 03801

Ms. Conard and City Officials,

The Music Hall respectfully submits this request to The City of Portsmouth to grant approval for the closure of Chestnut Street on Thursday, March 31, 2022 for Wentworth-Douglass Hospital's rental fundraising event "The Seacoast Culinary Challenge" taking place at The Music Hall Historic Theater. The event itself will begin at 5:30PM and conclude at 10PM. We request that Chestnut Street be closed from 10am to 10pm on Thursday, March 31, 2022. The expected attendance for this private event is approximately 300-400 guests. Out on Chestnut Street, the event will include digital signage on TV monitors, a step and repeat banner underneath our marquee, and a stanchioned red carpet running the length of the street. There will be projections onto The Music Hall building only as well as uplighting exclusively on The Music Hall building itself. The purpose of using Chestnut Street is to provide a "VIP experience" for attendees as they arrive for the event inside the theater. There will be no food or beverage served out on Chestnut and anything that is in place will be easily moved out of the way by our staff in the event of an emergency. Porter Street will remain unobstructed for the duration of the event. Please see the attached diagram and note that it is not to scale.

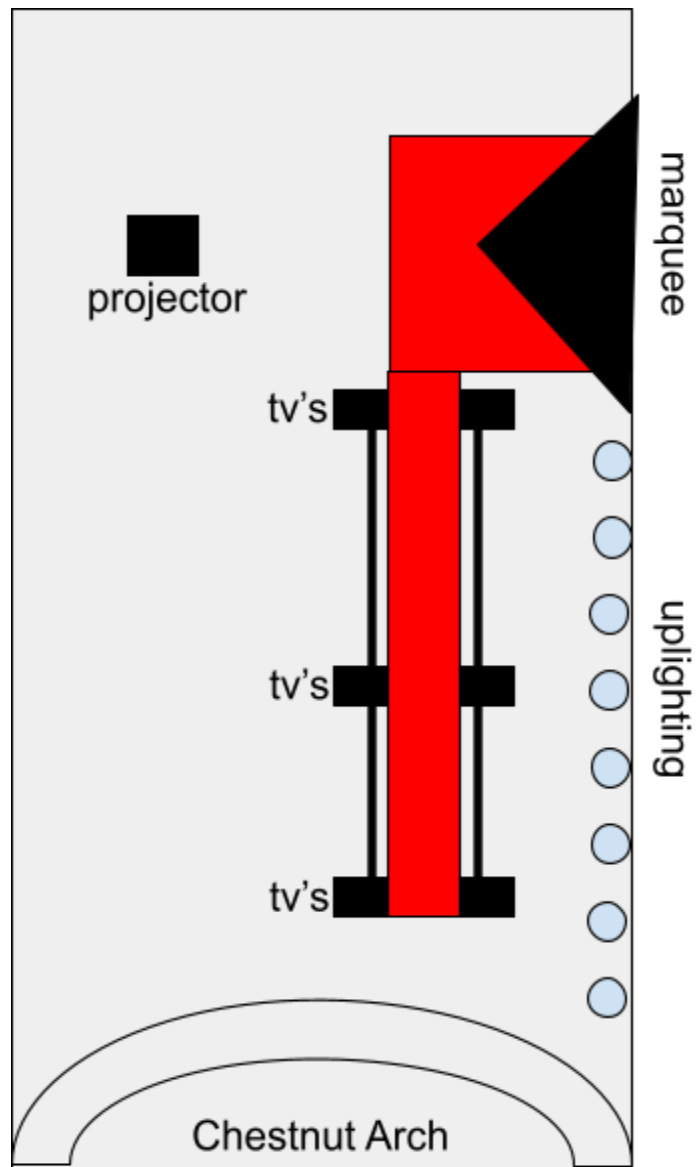
Thank you very much for your time and consideration,

Sincerely,

A handwritten signature in black ink that reads "Tina M. Sawtelle". The signature is fluid and cursive, with the first name "Tina" and last name "Sawtelle" clearly legible.

Tina Sawtelle  
*Executive Director, The Music Hall*  
28 Chestnut St.  
Portsmouth, NH 03801  
[tsawtelle@themusic hall.org](mailto:tsawtelle@themusic hall.org)

The Music Hall  
28 Chestnut St. Portsmouth, NH 03801







February 7, 2022

Portsmouth City Manager and Officials  
1 Junkins Ave.  
Portsmouth, NH 03801

Ms. Conard and City Officials,

The Music Hall respectfully submits this request to The City of Portsmouth to grant approval for the closure of Chestnut Street for outdoor events beginning May 27, 2022 through August 27, 2022. These events would end no later than 10PM in accordance with noise ordinances and the street would be cleared upon event completion for its intended usage.

Much different than in 2021, in which we presented 36 events out on Chestnut Street, we are only looking to schedule between 6 and 8 total events between the end of May and the end of August. In June, we hope to schedule 3-4 events while in July and August, we hope to schedule 2 per month. Any time programming is scheduled on Chestnut Street, The Music Hall's indoor spaces will not be utilized for programming and vice versa.

In addition to the closure of Chestnut Street, we request the approval for alcohol to be served on Chestnut Street under The Music Hall's liquor license. Alcohol service would be served only by The Music Hall's professional, Servsafe and T.E.A.M. certified staff. With the event ending no later than 10PM, alcohol service will cease by 9:30PM at the latest.

Because of the limited amount of events for this year's series, we are hoping to create more of an "event" out of these evening concerts. Some ideas being proposed include: a tequila tasting paired with a mariachi band on stage (21+ event), a wine and cheese night with the Portsmouth Symphony string quartet performing, perhaps even a small artisan "bazaar" out on Chestnut street in the afternoon prior to one of the concerts. Of course, we would abide by any and all necessary restrictions/guidelines put in place to ensure these events are following proper protocols. Nothing additional would be required from the city for these events beyond a typical Live Under the Arch concert.

Events taking place on Chestnut Street will comply with the most up to date New Hampshire and CDC COVID Guidelines. Patron seating will be spaced appropriately to allow safe passage for servers and guests on sidewalks as well as a clear path down the middle of

Chestnut Street. Concessions will be ordered by guests at their tables through our online concessions ordering system. Additionally, preordering concessions items and drinks will be offered and encouraged to limit contact between patrons and staff/volunteers.

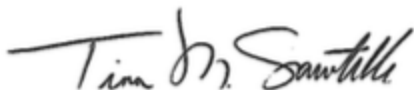
The bar itself will not be out on Chestnut Street; instead, we will utilize our existing bar in the lower lobby of The Music Hall. At least once per week, the brickwork, hardscape, and landscaping will be cleaned thoroughly to maintain and prolong the beauty of Chestnut Street.

In terms of entertainment at this event, we will be featuring local and regional talent on a small 12'x16' stage. The performers on stage will be small in number, possibly even solo artists, which will greatly mitigate any risks to the artists and staff around them. The stage will be small enough in size that in the event of an emergency, it can be moved to the side of the street to allow safe and speedy access for any emergency vehicle and personnel to Chestnut Street. Emergency vehicles would also be able to access buildings on Chestnut Street via Porter Street. We are requesting that the sidewalk on The Music Hall side of Chestnut Street be closed to passers-by, to allow greater space within the event "walls" for spacious passage of patrons, volunteers, and waitstaff. This closed sidewalk would still be an accessible egress to and from Chestnut Street for emergency exit purposes.

As you are aware, The Music Hall had great success with our Live Under the Arch series this past two years. We are extremely confident in our ability to execute again safely and successfully. Events such as these will have great economic impact, not only for The Music Hall and its corporate sponsors but also for local restaurants and musicians, and will help to stimulate the economic engine for other local retailers and the city itself.

We are so grateful to the City of Portsmouth officials, council people, and citizens for their continued support of our institution.

Sincerely,



Tina Sawtelle  
*Executive Director, The Music Hall*  
28 Chestnut St.  
Portsmouth, NH 03801  
tsawtelle@themusichall.org

**From:** [jim\\_poole](mailto:jim_poole)  
**To:** [Jessica S. Griffin](mailto:Jessica.S.Griffin)  
**Subject:** 24 April 2022 event needs permissions for rifle shots  
**Date:** Tuesday, February 15, 2022 12:31:54 PM

---

Hi Jessica,

The 1st NH Regiment will be firing their colonial rifles. There will be no bullets. Each shooter is state certified and 1NH Regiment has state certified safety observers.

Thanks again, Jim

--

**Jim Poole**  
**CDR/US Navy retired**  
**Trustee, John Paul Jones Birthplace Museum, Scotland**  
[jimpoole1976@gmail.com](mailto:jimpoole1976@gmail.com)  
[johnpauljonesmuseum.com](http://johnpauljonesmuseum.com)

**From:** [jim\\_poole](mailto:jim_poole)  
**To:** [Karen Conard](mailto:Karen.Conard); [Jessica S. Griffin](mailto:Jessica.S.Griffin)  
**Cc:** [Jessica Kliskey](mailto:Jessica.Kliskey); [jim\\_poole](mailto:jim_poole)  
**Subject:** Permission to fire cannon at JPJ Event on April 24, 2022  
**Date:** Wednesday, February 9, 2022 11:14:22 AM

---

Hello Karen and Jessica,

The 1st New Hampshire Regiment (historic re-enactors) will be attending and participating in the event on April 24, 2022 at the John Paul Jones House. The 1st New Hampshire was the longest serving unit in the Continental Army. They would like to have permission to fire their rifles and their 6 pound cannon. No ammunition will be loaded, so the only thing coming out of the barrels will be a loud bang. The 1st New Hampshire are highly trained and perform all over the country.

Their insurance requires them to obtain permission from the local authorities before firing their weapons.

All the best,  
Jim

CITY COUNCIL E-MAILS

Received: February 7, 2022 (after 5:00 p.m.) – February 17, 2022 (before 9:00 a.m.)

February 22, 2022 Council Meeting

**Submitted on Mon, 02/07/2022 - 20:04**

**Full Name**

Jacqueline Cali-Pitts

**Email**

[cali0917@aol.com](mailto:cali0917@aol.com)

**Subject**

parking and 5g

**Address**

40 Bedford Way

**Message**

I was on the webinar raised my hand to speak and nothing.

Thank you to Public works for a great job.

1. The day before the predicted 24-inch storm I inquired about parking at the foundry place garage and was advised I could park there for a flat fee. I was really concerned about shoveling 24 inches of snow. I was at the garage to inquire. I was advised I could only park for 24 hours and after that there would be a 5 dollar an hour charge which is more than I could afford, knowing full well that in the middle of a blizzard it would be impossible to get to the garage or after 24 hours come down leave and come back in again impossible. Please review your major storm policy and post it. The topper for was it is state law. I proceeded to call city hall, received a call back from the parking director that had no satisfactory of policy..

On a completely different subject I would just like to inform the city of something we are grappling with in the state which has generated much public interest. 5G and the proliferation of small RFM antennas in neighborhoods and near public buildings and in rights of way HB1644 has been retained for further study. Contrary to belief communities can do something about such proliferation and I will in the next few days share some information that I have with the council. Please make the proper board aware of this matter.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Tue, 02/08/2022 - 16:58**

**Full Name**

Esther Kennedy

**Email**

[estherkennedyportsmouth@gmail.com](mailto:estherkennedyportsmouth@gmail.com)

**Subject**

Public Comment

**Address**

41 Pickering Ave.

**Message**

Dear Portsmouth City Council, please see the following that was reported in US Today. The following link supports my comments of last night.

Thank you

Esther Kennedy

LINK

"Is it time to phase out mask requirements in schools? Why more states, doctors say yes."

<https://www.msn.com/en-us/news/us/is-it-time-for-an-offramp-to-masking-in-schools-why-more-states-doctors-are-saying-yes/ar-AATCH8A?ocid=uxbndlbing>

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Wed, 02/09/2022 - 08:58**

**Full Name**

Joan Jacobs

**Email**

[jsjacobs@gmail.com](mailto:jsjacobs@gmail.com)

**Subject**

Undoing vote to reject Redgate Kane contract

**Address**

579 Sagamore Ave Unit 20

**Message**

I am glad to see there will be a special meeting on Thursday to reverse the prior council's vote to terminate the Redgate Kane contract to develop McIntyre property. The December vote/action was taken with no public notice. I support the mayor's initiative and would urge unanimous approval of a vote to reverse the tainted Dec. action. The outgoing majority was reckless and only exposed the city to more litigation. Let's clear the slate and get back on track.

Thank you

Joan Jacobs

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/09/2022 - 13:19**

**Full Name**

Peter Geremia

**Email**

[pgeremia@mac.com](mailto:pgeremia@mac.com)

**Subject**

Drop the Mask Directive

**Address**

315 Maplewood Ave.

**Message**

Dear City Councilors,

It is time to drop the Mask Directive in Portsmouth. I know some want to hold on to it as long as possible, but most people want it removed. The City of Portland, ME just removed their mask mandate effective the 17th of February. Towns surrounding Portsmouth DO NOT have any mandates.

Cities ACROSS the COUNTRY are removing mandates and directives.

I am sorry but you can no longer ignore this. You need to act now.

Thank You,

Peter Geremia

Ps. Please STOP MASKING OUR KIDS IN SCHOOL! This also has to STOP!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/09/2022 - 19:45**

**Full Name**

Gerald Duffy

**Email**

[gduffy44@gmail.com](mailto:gduffy44@gmail.com)

**Subject**

Rescinding 11/18/21 CC meeting to terminate partner agreement

**Address**

428 Pleasant St.

**Message**

**Dear Mayor and Councilors:**

**I just wanted to commend the new council on its leadership and clear commitment to good governance. It is a breath of fresh air for many citizens to see rules and procedures respected and followed. I hope during tomorrow night's special meeting that individual councilors will speak to their own personal commitment to good governance, why it's important on a personal level and how you think government and citizens can work to ensure it is woven into the council's work in the future. The new Governance Committee seems like a very promising start in that direction.**

**Warm regards, Gerald Duffy**

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Thu, 02/10/2022 - 08:19**

**Submitted by: Anonymous**

**Submitted values are:**

**Full Name**

Jim Splaine

**Email**

[jimsplaineportsmouth@gmail.com](mailto:jimsplaineportsmouth@gmail.com)

**Subject**

Re: Your Vote On Removing The Action Of The City Council Of November 18, 2021

**Address**

201 Oriental Gardens, Portsmouth, NH 03801

**Message**

To Deaglan McEachern, Mayor, Joanna Kelley, Assistant Mayor, and City Councilors:

I urge you to approve repealing or revising the actions of the City Council that were taken on Thursday, November 18, 2021. By you taking that action, the status with McIntyre -- Redgate/Kane will revert to November 17, 2021, giving the Council and City of Portsmouth a full range of options for next-steps.

As I have said a number of times -- and I summarize here -- there are some legal concerns you should consider. At that City Council meeting of Thursday, November 18th, a vote was approved 5-4 to end the partnership of the past four years with Redgate/Kane, thus creating considerable and potentially very expensive legal liability on the part of our taxpayers, and possible personal legal responsibility on the part of City Council members who did not act in good faith. Worse is that the vote may have been held in violation of the N.H. Right-to-Know Law, since it appeared that 5 members of the Council knew what motion would be made, and 4 did not.

Additionally, under the formal Portsmouth City Council Rules & Orders, a "Special Meeting" is limited in subject matter. Rule #2 states, "Only matters set forth in the notice of the meeting shall be discussed and/or acted upon." However, the posted agenda for that meeting, held on Thursday, November 18th, provided only the following item: "IT IS ANTICIPATED THAT THE CITY COUNCIL MAY ENTER A NON-PUBLIC SESSION DURING THE MEETING TO DISCUSS A MATTER IN LITIGATION, SOBOW SQUARE, LLC V CITY OF PORTSMOUTH."

The separate notice sent to Council members by the City Clerk stated, "Please be advised that there will be a special meeting of the City Council on Thursday, November 18, 2021 at 5:30 p.m. for the sole purpose of meeting with Michael Kane regarding the McIntyre."

The Council did not meet with Mr. Kane, nor did the Council go into non-public session, despite the strong request of four Council members, supported by City Manager Karen Conard and City Attorney Bob Sullivan to do so.

The N.H. Right-to-Know Law, which provides for transparency in state, county, and local government, prohibits advance vote-counting and discussions among the majority of a governing body. The N.H. Right-to-Know Law exists to create obligations by governing bodies to follow proper procedures and rules to assure transparency, but also to protect the "minority" of a governing body, members of whom could be kept out of fair decision-making processes.

To quote 91-A:2-a, Communications Outside Meetings: "...public bodies shall deliberate on matters over which they have supervision, control, jurisdiction, or advisory power only in meetings held pursuant to and in compliance with the provisions of RSA 91-A:2, II or III." It adds, "Communications outside a meeting, including, but not limited to, sequential communications among members of a public body, shall not be used to circumvent the spirit and purpose of this chapter..."

In a newspaper interview after the Council made that vote, I observed my belief that the meeting of November 18th was illegitimate, and that if five Councilors had advance knowledge about the motion that would be made, the N.H. Right-to-Know Law was violated.

My final comment during discussion of the motion on that night of November 18th was to turn to Mayor-Elect Deaglan McEachern and express my apologies, on behalf of some of the City Council members as we were about to take a vote, that we would be putting the incoming Council in a tough spot. You have legal advice that may remedy the situation for now. I know you will follow your legal counsel, unlike the previous Council did not too often.

You have the opportunity to correct illegitimate action by the Council of three months ago. Please protect our city and our taxpayers.

Thank You,

Jim Splaine

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Thu, 02/10/2022 - 08:26**

**Full Name**

Maria Elliott

**Email**

[BEEMEE@COMCAST.NET](mailto:BEEMEE@COMCAST.NET)

**Subject**

Sidewalk Conditions

**Address**

141 Sagamore Ave

**Message**

Dear Portsmouth City Counselors, residents stand a far greater risk of severe injury, hospitalization or even death using the sidewalks in town rather than going maskless in Market Basket. During my evening walk last night I fell hard while holding on to two dog leashes. My walk was supposed to take me to the library from Sagamore Ave. Most of the walk was dangerous unless we shifted to the roads which again is dangerous. We never made it to the library. Yesterday, I saw a young girl on South Rd. likely walking to school on the ice covered sidewalks, she was barely able to hold her balance. We all now know that masks are useless, hang on all you want. Many of us will not comply. Focus on what's really harming people.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Thu, 02/10/2022 - 12:14**

**Full Name**

M. Christine Dwyer

**Email**

[cdwyer@rmcres.com](mailto:cdwyer@rmcres.com)

**Subject**

McIntyre vote

**Address**

600 broad street

**Message**

I am not able to join public comment tonight so am providing some written commentary. I am pleased that you will be taking the first steps toward unraveling the confusion about the McIntyre project created by the past Council. As you proceed with reconsidering various decisions, I hope you will keep several things in mind.

First, whenever a project of this scope is under discussion, multiple perspectives need to be considered simultaneously: design, technical, financial (short and long term), legal, environmental, regulatory, and so forth. Yes, that makes everything more complex, but it prevents shortsighted decisions or false starts like falling in love with a design element that isn't feasible from a regulatory (e.g., ADA, historic guidelines) or financial standpoint. It was shocking to me that over the past two years there has been so little concern or understanding about the finances involved or really any grounded discussion about financial implications. Yes, that does mean compromises are inevitable but that's the nature of the Council's work.

Second, given that you have so many new members, I think it would be wise to take some time to actually find the truth about earlier plans and decisions and not get taken in by the many rumors, re-versioned history of events, and outright lies that have been crafted and spread sometimes by innocent actors caught up in the craziness and sometimes by those with specific agendas. At one point, I thought a pandemic activity for me might be documenting all such mis-directions but have found more satisfying pursuits. You have many upstanding citizens who were directly involved and could provide some of that history including state senator Perkins Kwoka, former mayors Blalock and Ferrini, current Councilor Denton, Phil Cohen from the Economic Development Commission, and Larry Yerdon from Strawberry Banke. I'd also include myself in that list.

To make real progress on the McIntyre, you will need to have the confidence that you know all the facts. In sum, correct the illegal and inappropriate votes. Take time to learn the history. Ask your own questions.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Thu, 02/10/2022 - 15:19**

**Full Name**

Scott Bornstein

**Email**

[werscoraja@yahoo.com](mailto:werscoraja@yahoo.com)

**Subject**

Outdoor dining

**Address**

42 Squid St

**Message**

Understanding the topic of outdoor dining is to come before your body soon, I submit the following thoughts:

Personally, I'd be in support on a smaller scale. Navigation, parking (especially disabled) and potential movement or placement of emergency equipment was hindered in certain locations. Also, we have some 200 plus restaurants, and now that this isn't a matter of staying open, the opportunity must be afforded equally to all establishments. Fees should be on a per seat, per hour basis. Yes, a restaurant open 11am- midnight should pay more for, let's say 40 seats, than one open 5-9 also using 40 seats. However, I acknowledge the space used by these venues would be obstructed regardless of their open/closed status during the declared season.

Additionally, I wonder if can some spaces be shared? A restaurant open 6am-2, with one that opens strictly during dinner hours.

A final, yet critical consideration should be what alternatives do we leave open in the event of future major incidents? If our restaurants become accustom to having outdoor dining, and a major event occurs again down the road, do we have another method of relief, or is this an end-all solution? These entities were surviving and even prospering prior to the pandemic; do we take away our available method of emergency relief? This should be considered by our Mayor, The Honorable Deaglan McEachern Mayor of Portsmouth as well as the rest of our CC, Andrew Bagley, Kate Cook, Joanna Kelley, John Tabor, Josh Denton, Beth Moreau, Vince Lombardi, and Rich Blalock.

Your time is appreciated. Be well.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Thu, 02/10/2022 - 18:19**

**Full Name**

James Christie

**Email**

[james.a.christie@gmail.com](mailto:james.a.christie@gmail.com)

**Subject**

Moving forward with McIntyre

**Address**

149 Jones Ave

**Message**

I'm in support of the move to rescind the previous council's Nov 18 2021 actions. Portsmouth should move forward with the Redgate/Kane McIntyre project.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Thu, 02/10/2022 - 21:38**

**Full Name**

Ruthie Spiero

**Email**

[ruthie.spiero@gmail.com](mailto:ruthie.spiero@gmail.com)

**Subject**

Outdoor dining

**Address**

396 Leslie drive



**Message**

I just want to express my enthusiastic support for outdoor dining, drinking and entertainment in Portsmouth! Such a wonderful thing to come out of the pandemic and one I'd been wishing for

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Fri, 02/11/2022 - 11:31**

**Full Name**

Ken Goldman

**Email**

[kgoldman@comcast.net](mailto:kgoldman@comcast.net)

**Subject**

Outdoor Dining

**Address**

271 Islington Street

**Message**

City Councilors,

As we all know, outdoor dining was first instituted in Portsmouth in reaction to the Covid pandemic. I think that in the last two years it has grown beyond that. Walking through the city last year I could not help but notice how popular the outdoor dining has become. Most of the restaurants with outdoor dining were at capacity at lunch and dinner times, and the seating was well used during the day as well. It is obvious to me that outdoor dining is something that the people of Portsmouth like and enjoy, I know that I certainly do.

Therefore, I respectfully request that the City Council vote to continue outdoor dining in 2022, and perhaps make it a permanent feature of our city,

Thank you,

Ken Goldman

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sat, 02/12/2022 - 17:48**

**Full Name**

**Jonathan Sandberg**

**Email**

[jsandberg@yahoo.com](mailto:jsandberg@yahoo.com)

**Subject**

**Pedestrian Priority**

**Address**

**160 Bartlett Street**

**Message**

Dear City Council,

It is long past time for Portsmouth to start putting pedestrians first. For the past sixty years Portsmouth has invested almost exclusively on transportation infrastructure that prioritizes motor vehicles. In the past couple of decades we have gotten a bit better at throwing scraps and leftovers from road projects towards bicycle and pedestrian projects. But these are far from sufficient.

There are innumerable reasons why we should start prioritizing pedestrians and bikes over cars. For one, cars are the number one contributor to carbon dioxide emissions in New Hampshire. They pollute our air, contributing to asthma and cardiovascular disease. They make our streets dangerous—in 2021 there were nearly 100 automobile crashes in Portsmouth each month. And they are extremely expensive. It is estimated that the average American spends more than \$10,000 a year on their car and so making it safe and convenient for people to live without one would be a major step in solving Portsmouth's affordability problem. It is also a matter of equity—not everybody can drive, and certainly not everyone should have to drive everywhere. But everyone deserves to be able to safely go wherever they need.

As an example of the imbalance between our investment in automobiles vs. bike/ped infrastructure, look at the CIP. There is a mere \$50,000 a year dedicated to implementation of the Bike/Ped Master Plan while three times that amount (\$150,000) is dedicated to parking lot repaving alone. And of course there are millions of dollars going to other expensive road projects for cars. That's a travesty! Portsmouth is uniquely positioned as a compact city where distance is not a limiting factor in replacing car trips with walking or biking. The real impediment is the perceived danger posed by cars and the inconvenient way in which pedestrians are forced to be subservient to motor traffic. So let's get serious about putting pedestrians and cyclists first. Let's make it safe and convenient to walk or bike everywhere. Let's put pedestrians first for a change. And if we do, we'll pollute less and be safer, healthier, and happier.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

**Yes**

**Submitted on Sun, 02/13/2022 - 15:15**

**Full Name**

James Hewitt

**Email**

[samjakemax@aol.com](mailto:samjakemax@aol.com)

**Subject**

Portsmouth EV Charging Stations

**Address**

726 Middle Road

**Message**

Dear Councilor Denton:

I thought the story in the link below would interest you. Perhaps Portsmouth could work out a deal with KoGo to install EV stations around town so that City taxpayers are not the source of corporate welfare to the richest man in the world, Elon Musk, and are not adding to the profits of Tesla, that paid \$0.00 in federal taxes last year on \$ 5.5 billion in profits (see link below)

NH electric vehicle charging stations KoGo proposed for Rochester ([fosters.com](http://fosters.com))

Tesla Will Pay \$0 Federal Tax Despite Elon Musk's \$11B Personal Bill | Observer

Regards,

Jim Hewitt

P.S. I checked the box for this email to be included in the public record and part of the next CC meeting packet

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 15:18**

**Full Name**

Barbara Sadick

**Email**

[barbsadick@comcast.net](mailto:barbsadick@comcast.net)

**Subject**

Outdoor dining

**Address**

271 Islington St

**Message**

I urge the Council to continue outdoor dining in Portsmouth. I love the way it has brought such a liveliness and excitement to our streets. It's been shown that people can still drive cars through downtown and the street parking has not been missed. Instead, we have developed a wonderful vibe to downtown. People obviously have enjoyed outdoor dining and will continue to do so, even as we get past the Covid restrictions. I believe that, if there is a silver lining to the last two years of pandemic, it is the outdoor dining. I hope that you will do everything necessary to continue it.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 15:40**

**Full Name**

Jennifer Meister

**Email**

[jenjmeister@gmail.com](mailto:jenjmeister@gmail.com)

**Subject**

Outdoor Dining

**Address**

287 Cabot Street

Portsmouth, New Hampshire. 03801

**Message**

Please continue with the outdoor dining, including sidewalk and on-street. It adds a great ambiance to the city as well as expand the available seating.

Continue and expand with the coordinated barriers and flower boxes. Also add minimum requirements for aesthetics—the personality of each restaurant needs to come out but there needs to be a minimum standard.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Sun, 02/13/2022 - 15:47**

**Full Name**

Pamela Mower

**Email**

[onemowertime@comcast.net](mailto:onemowertime@comcast.net)

**Subject**

Portsmouth outdoor dining

**Address**

260 Woodlawn Circle

**Message**

Outdoor dining was a fabulous addition to the downtown area. I trust it will return this summer - I'd like to suggest that downtown become more pedestrian friendly (similar to where I grew up - Burlington, VT). This would enhance the outdoor dining experience tremendously!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 15:52**

**Full Name**

Dave Mitchell

**Email**

[dwm@amaruq.com](mailto:dwm@amaruq.com)

**Subject**

Outdoor dining

**Address**

1179 Maplewood Avenue

**Message**

I thoroughly love outdoor dining, and would like to see more of it, where possible.

The traffic impacts seemed minor last year, and not that hard to deal with.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 16:00**

**Full Name**

John Bouchard

**Email**

[bouchard@hpe.com](mailto:bouchard@hpe.com)

**Subject**

Outdoor dining

**Address**

525 f w Hartford drive

**Message**

Please keep the outdoor dining Portsmouth needs it to survive

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 16:08**

**Full Name**

Sally Martin

**Email**

[sjmartin121@icloud.com](mailto:sjmartin121@icloud.com)

**Subject**

Yes to outdoor dining!

**Address**

104 Wilson Road

Kittery, Maine. 03904

**Message**

I would like to see out door dining continue. We enjoyed it. I would also like to see no cars allowed in the heart of downtown. Too many people walking. Then you could outside vendors.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Sun, 02/13/2022 - 16:10**

**Full Name**

Pamela Richard

**Email**

[pam@amaruq.com](mailto:pam@amaruq.com)

**Subject**

outdoor dining

**Address**

1179 Maplewood Ave

**Message**

I loved the outdoor dining and would like to see it continue. I assume there are people besides me who still aren't comfortable dining inside and this made it possible to continue to experience wonderful restaurant dining. If changes are to be made, I would like to see more outdoor dining and fewer cars.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 16:42**

**Full Name**

Erin McGann

**Email**

[ekmcgann@hotmail.com](mailto:ekmcgann@hotmail.com)

**Subject**

Out door dining

**Address**

48 Emus

York, Maine. 03909

**Message**

Hey-! Portsmouth adjacent here. PLEASE being back all the outdoor dining! Not only is setting outside to eat amazing, it adds a lot of flavor to the city!! PLEASE

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 17:06**

**Full Name**

Julie Gilston

**Email**

[elvis95@comcast.net](mailto:elvis95@comcast.net)

**Subject**

Outdoor dining

**Address**

Melbourne Street

**Message**

Please keep the outdoor dining. It adds so much to our City. Also, it gives customers options for those who are not ready to eat inside. It adds a European touch to our City!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 18:58**

**Full Name**

Virginia von Muhlen

**Email**

[virginia.defreitasb@gmail.com](mailto:virginia.defreitasb@gmail.com)

**Subject**

outdoor dining

**Address**

303 Thaxter Road

**Message**

Let's keep the outdoor dining please! We love it! Such a beautiful city with wonderful warm summer nights. We like to enjoy the nice days and nights outdoors as much as possible.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes**

**Submitted on Sun, 02/13/2022 - 19:22**

**Full Name**

Denise St. Laurent

**Email**

[dstl.bowen69@gmail.com](mailto:dstl.bowen69@gmail.com)

**Subject**

Outdoor dining

**Address**

9 Osprey Drive

**Message**

Outdoor dining is not only essential to our city's economy and work force especially during this pandemic, but it brings back the old time and neighborly feel that we all fell in love with this city for. Please keep outdoor dining permanent to keep our city thriving and to endure through this pandemic and for years to come.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 20:29**

**Full Name**

Donna Ali

**Email**

[donna.ali1121@gmail.com](mailto:donna.ali1121@gmail.com)

**Subject**

Outdoor Dining

**Address**

1438 Islington St

**Message**

I am messaging to strongly support the continuation of outdoor dining in downtown Portsmouth. It creates such a welcoming area and it gives our walkable city an attractive European vibe. A future project could be seasonal or Christmas markets, and potentially having hours of the day where traffic isn't allowed in the center of the city. We are so happy to live here!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 20:38**

**Full Name**

Annetta Marconi

**Email**

[annettamarconi@comcast.net](mailto:annettamarconi@comcast.net)

**Subject**

Outdoor Dining

**Address**

28 New Castle Ave

**Message**

Please allow outdoor dining for the warm months!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.** Yes

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**Submitted on Sun, 02/13/2022 - 22:13**

**Full Name**

**Walter Hoerman**

**Email**

[whoerman@gmail.com](mailto:whoerman@gmail.com)

**Subject**

**Support for outdoor dining**

**Address**

**56 Dennett Street**

**Message**

**I absolutely support the continuation of outdoor dining for any establishment that wants it. It is an amazing way to bring our community together for the world!**

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes**

**Submitted on Sun, 02/13/2022 - 22:35**

**Full Name**

Mary Louise Wilson

**Email**

[rbw1000@yahoo.com](mailto:rbw1000@yahoo.com)

**Subject**

Outdoor dining

**Address**

77 State Street

**Message**

Please keep the outside dining. Love the ability, as long as the restaurants can handle it, to eat outside and be a part of our great city. The issue, as always, is the parking. The city needs to mandate ALL new buildings have parking for their tenants and extra parking for guests. Please address this need immediately.

It only restaurants would benefit from this but all businesses would. Tourists would find it easier to get around as well.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes**

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**Submitted on Mon, 02/14/2022 - 07:30**

**Full Name**

Jeff Latimer

**Email**

[jeff@gusbike.com](mailto:jeff@gusbike.com)

**Subject**

Keep outdoor dining

**Address**

55 Lafayette

North Hampton, New Hampshire. 02862

**Message**

Keep outdoor dining, it's what inspires us to go out to eat in Portsmouth.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes**

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**Submitted on Mon, 02/14/2022 - 08:11**

**Full Name**

**Oliver Chag**

**Email**

[Oliver.H.Chag@gmail.com](mailto:Oliver.H.Chag@gmail.com)

**Subject**

**Bring Back Outdoor Dining!**

**Address**

**419 Lincoln Avenue**

**Message**

**Councilors, thank you for creating this medium to share our thoughts and ideas on outdoor dining throughout the upcoming spring/summer/fall months.**

**If there was a small element of silver lining from the pandemic, at least on the local level, it's the expediated rate we saw for the increase of outdoor dining options in this community. Whether it's converting the abundance of parking spaces (ie: Franklin Oyster House or Flatbread) or the minimally used side streets (ie: Dwyer's Pub), outdoor dining has provided residents and visitors alike the opportunity to enjoy the scenic venues of Portsmouth with a focus on safety in the attempts to decrease transmission in the community. Now that we seem to be through the worst of the COVID-19 pandemic, I foresee the outdoor dining scene to be less about a means to reduce the spread of the virus (though of course it's an added bonus), and more of a means to show the city's hardscape/architectural beauty and diverse optionality in an urban setting; no longer are "the decks" the only places to enjoy a meal/drink throughout the warm months of the year.**

**To me, the toothpaste is out of the tube. The idea of drawing back to indoor focused dining would take away from the hard work and determination of all service industry professionals, from owners to dishwashers, who stayed nimble and fought through the pandemic to keep the vibrant restaurant scene alive and well in Portsmouth. I urge you to extend this opportunity for local establishments in the coming warmer months of 2022, and look forward to watching the city build on these options and create permanent outdoor dining spaces in the years to come.**

**Best,**

**Oliver Chag**

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

**Yes**

**Submitted on Mon, 02/14/2022 - 08:32**

**Full Name**

Chuck Raye

**Email**

[cpraye@gmail.com](mailto:cpraye@gmail.com)

**Subject**

Outdoor dining

**Address**

21 Wallis Road

**Message**

Loved seeing more outdoor dining options available over the last few years. I hope we can find a reasonable way to continue allowing this, not only for the benefit of the community, but because we need to learn from the current pandemic and establish practices/processes that make us more nimble, as well as more considerate/accommodating to people with various health conditions who may not be able to risk eating indoors.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 09:11**

**Full Name**

Sharon Bourdon

**Email**

[skybluuee@gmail.com](mailto:skybluuee@gmail.com)

**Subject**

Outdoor dining

**Address**

56 Falcone Circle

Hampton, New Hampshire. 03842

**Message**

Outdoor dining has made Portsmouth a more friendly and desirable dining city. Please continue with more.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 09:11**

**Full Name**

Eva Marino

**Email**

[evavictoria@gmail.com](mailto:evavictoria@gmail.com)

**Subject**

Downtown Outdoor Dining

**Address**

74 Congress Street

**Message**

Hi there! My comments are re: downtown outdoor dining. Here are my thoughts: I love it as a resident, but as an owner of retail shop (Eve- at 74 Congress Street) directly in downtown, I heard complaints all day from customers about lack of parking. The question also is raised that we are increasing square footage of places that pay rent or mortgage for what they own for the inside- when retailers have to pay the same high prices, but also don't get that same increase in square footage. Restaurants bring people downtown to shop and eat, which helps the city thrive as a whole. Personally I love the vibrancy of all the amazing shops and restaurants downtown, but I do feel like the retailers get a little short changed when it comes to how much the city is catering to restaurants and not the downtown businesses as a whole. The stoplight at Congress and Middle was a travesty last summer, very difficult to get out of town. It's hard to draw a strong line for or against in my opinion, and I hope that there is more of an aim towards lifting the downtown businesses as a whole instead of just the restaurants. I am grateful to live in and do business insuch a wonderful town with some of the best restaurants ever, and I hope this summer is even more flourishing as last was. Thank you for your consideration.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Mon, 02/14/2022 - 10:13**

**Full Name**

Barbara Jenny

**Email**

[workingstiff@comcast.net](mailto:workingstiff@comcast.net)

**Subject**

please, no outdoor dining on public streets & sidewalks that changes traffic/parking/pedestrian access & view of any business

**Address**

94 Pleasant St

**Message**

As a Portsmouth resident and commercial property owner, I implore the council to consider all impacts on all businesses before giving outdoor dining space to an individual restaurant on public roads and sidewalks in 2022 and onward.

Please see these photos taken around our property in 2021 to illustrate our experience and concerns:

[https://docs.google.com/presentation/d/17Zuaqk1yt9ivlw622P\\_8jMUNojR5v8zQKdoxsXDmJM4/edit?usp=sharing](https://docs.google.com/presentation/d/17Zuaqk1yt9ivlw622P_8jMUNojR5v8zQKdoxsXDmJM4/edit?usp=sharing)

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 10:31**

**Full Name**

Tricia Mahoney

**Email**

[misstriciamahoney@msn.com](mailto:misstriciamahoney@msn.com)

**Subject**

Outdoor dining

**Address**

58 Washington St Ste 3

**Message**

Outdoor dining was one of the best things to come out of our covid experience. Walking through town, seeing people dining and people watching made the city so lively. Since I can walk into town my only concern would be parking for handicapped and the elderly. I truly hope to see outdoor dining continue in our beautiful city.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 11:16**

**Full Name**

Judy Schubert

**Email**

[judyschubert@me.com](mailto:judyschubert@me.com)

**Subject**

Outdoor dining

**Address**

579 Sagamore Avenue, #106

**Message**

Please allow outdoor dining to continue in Portsmouth. It is a wonderful part of the welcoming community spirit of Portsmouth and definitely a draw to come downtown.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 11:19**

**Full Name**

Jeffrey Mattson

**Email**

[jeffrey.m.mattson@gmail.com](mailto:jeffrey.m.mattson@gmail.com)

**Subject**

Housing Committee Zoning Review

**Address**

86 Emery St

**Message**

The Housing Committee has a daunting task ahead, but my single suggestion would be to take a Strong Towns approach and use gentle density to allow Accessory Dwelling Units (ADUs) by right. This is the next incremental step to receive the least resistance and still be very effective. More ADUs will get built if tax-paying single-family homeowners don't need to go through the Land Use Boards that cost time, money, and introduce uncertainty. It will also reduce the need for large apartment complexes. The Planning Department could go through the exercise of trying to get an ADU built playing the role of a property owner to identify the hurdles since it is challenging enough to just get a permit and build an ADU in a timely manner.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 11:54**

**Full Name**

Michael Dragonas

**Email**

[Mdrag331@yahoo.com](mailto:Mdrag331@yahoo.com)

**Subject**

Downtown Portsmouth, Outdoor Dining

**Address**

186 Concord Way

**Message**

To whom it may concern,

I am writing to comment on the issue of Downtown outdoor dining in Portsmouth. I am a Portsmouth resident of ten years now and frequent downtown shops and restaurants. In my opinion, one of the great things that came as a result of the pandemic was the ability for downtown restaurants to make use of the the space out front of their respective locations for outdoor dining. What started as a method for patrons to feel safer when dining out during the pandemic, turned into a city filled with even more charm and style than pre-pandemic times. There is something about walking through town during the summer, seeing everyone outside enjoying their meals in the bright, warm sunshine that gives the streets an abundance of character. I realize that some premium downtown parking spots are lost as a result of restaurants utilizing that space, but given that Portsmouth now has two parking garages downtown, I see it as a small tradeoff for what the city gains in downtown vibrancy. I highly recommend to the City Council that the ability for these businesses to permanently utilize these spaces outside their locations be retained beyond the end of this pandemic.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 12:32**

**Full Name**

Ken Spindel

**Email**

[kps426@gmail.com](mailto:kps426@gmail.com)

**Subject**

Outdoor Dining

**Address**

142 Mill Pond Way

**Message**

I am in favor of having outdoor dining again this summer. I know parking availability is a concern and that retailers may not share my view. I think the foundry garage often remains with capacity and street parking on Maplewood, a little west of Congress also offers spots. For retailers, is it possible that restaurant traffic adds to retail shopping? Is there a way that restaurants and retailers could agree to offer small discounts to entice diners to shop and shoppers to dine? Thank you.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Mon, 02/14/2022 - 14:59**

**Full Name**

Robin Schnell

**Email**

[r.hary.schnell@gmail.com](mailto:r.hary.schnell@gmail.com)

**Subject**

Outdoor dining

**Address**

109 Spring St

**Message**

I love outdoor dining in Portsmouth! A delight for all the senses. Makes Portsmouth as inviting as Barcelona. If people don't like that it eats up parking spaces, that's a call to improve public transportation. In the summer you could run a shuttle from the Foundry parking garage in a loop. If you dine in a restaurant, maybe your receipt could be your ticket back to the garage?

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 15:02**

**Full Name**

Leslie Parker

**Email**

[leslie@seabreezelane.net](mailto:leslie@seabreezelane.net)

**Subject**

OUTDOOR DINING

**Address**

46 Boxwood Path

Greenland, New Hampshire. 03840

**Message**

Today is Valentine's Day and my Valentine and I would like nothing better than to go to a Portsmouth restaurant for a wonderful dinner. But even though we are still active, we are older and have some health issues, making it impossible for us to dine in due to Covid. The last time we ate inside a restaurant was March 6, 2020, nearly two years ago, in Madrid, Spain. We continue to patronize Portsmouth restaurants by ordering take-out, but that's just not the same as being able to sit down with friends and enjoy a meal together. While it looks like restaurants are bustling again, there are many older folks like us who can't be part of it. We love to eat out! We can't wait for warmer weather so that we can eat at the local restaurants that offer outdoor dining. Please continue to allow outdoor dining! We, and many other older folks like us, would be so grateful! Thank you for your consideration.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 15:20**

**Full Name**

David Random

**Email**

[david@davidrandom.com](mailto:david@davidrandom.com)

**Subject**

Outdoor dining

**Address**

720 State Street

**Message**

I am in favor of continuing outdoor dining in Portsmouth. Even without Covid, it adds a vibrant energy to the city.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

Submitted on Mon, 02/14/2022 - 16:17

**Full Name**

Anne Schwartzman

**Email**

[schwartzmananne@gmail.com](mailto:schwartzmananne@gmail.com)

**Subject**

Outdoor dining

**Address**

118 Spinnaker Way  
Portsmouth, New Hampshire. 03801

**Message**

I am proud that Portsmouth allowed flexibility in the past two years with outdoor dining. I most likely will only eat outdoors until community spread of Covid is low, and we do not know when that might be or for how long it might last. Keep working on improving the ability for restaurants to serve outdoors so I can support them as much as possible. Though I still order take-out; and love that the restaurants had prepared to be sustainable due to Josh Denton's previous work, I prefer eating at the restaurant for the social and relaxing experience.

Thank you for serving Portsmouth (and allow eateries to do the same!).

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 16:58**

**Full Name**

James Crane

**Email**

[crane5844@comcast.net](mailto:crane5844@comcast.net)

**Subject**

Outdoor dining

**Address**

285 Islington Street

**Message**

Do outdoor dining. Anything to support our wonderful restaurant scene and tourism - both critical to our city's economy

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Mon, 02/14/2022 - 18:20**

**Full Name**

Robert Zimman

**Email**

[rzimman@yahoo.com](mailto:rzimman@yahoo.com)

**Subject**

Outdoor Dining

**Address**

579 Sagamore Avenue, Unit 90

**Message**

I support the City of Portsmouth taking the necessary action to enable restaurants in downtown Portsmouth being able to offer outdoor dining. As a senior citizen with a spouse who has a compromised immune system, dining outside is the only way we feel comfortable patronizing restaurants. We really miss being able to eat at restaurants when outdoor seating is not available. Therefore, I urge you to create a system that will enable restaurants in downtown Portsmouth to offer outdoor seating for the maximum period possible each year.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Mon, 02/14/2022 - 18:47**

**Full Name**

Steven Spinney

**Email**

[4spinns@comcast.net](mailto:4spinns@comcast.net)

**Subject**

Outdoor Dining

**Address**

281 Islington Street

**Message**

Outdoor dining should be made permanent in Portsmouth. This adds to the positive atmosphere downtown and draws more business. The city should explore making Congress Street a pedestrian only street like Church Street in Burlington VT. This would add to the charm of the Downtown.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

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**Submitted on Mon, 02/14/2022 - 19:58**

**Full Name**

**Arthur Bruinooge**

**Email**

[abruinooge@me.com](mailto:abruinooge@me.com)

**Subject**

**Outdoor dining**

**Address**

**291 Islington St**

**Message**

**My wife and I support the continuation of outdoor dining. It makes the downtown more vibrant and inviting. Visiting friends and relatives all have the same impression. It appears that COVID is something we will have to continue to live with. Having an immune disorder and being at high risk leaves us with outdoor dining as the only safe option. I hope the city continues to support this.**

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

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**Submitted on Tue, 02/15/2022 - 02:12**

**Full Name**

Kristen Luke

**Email**

[kristenluke41@gmail.com](mailto:kristenluke41@gmail.com)

**Subject**

Outdoor dining

**Address**

73 Daniel Street

**Message**

I want the outdoor dining! Please allow all the outdoor dining, AND MORE, that was allowed last year. I live downtown, with outdoor dining spots on two sides of my building, so I don't know who could be more inconvenienced than me in terms of parking and traffic, and I'm voting YES FOR OUTDOOR DINING.

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

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**Submitted on Tue, 02/15/2022 - 08:09**

**Full Name**

**Ronda Caron**

**Email**

[njoy1269@gmail.com](mailto:njoy1269@gmail.com)

**Subject**

**Outdoor dining**

**Address**

**325 Thaxter Rd**

**Message**

**Loved the outdoor dining!**

Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.

Yes

**Submitted on Tue, 02/15/2022 - 06:28**

**Full Name**

Charlie and Karla Armenti

**Email**

[armeca@comcast.net](mailto:armeca@comcast.net)

**Subject**

Outdoor Dining

**Address**

30 Cornwall st

**Message**

For the upcoming meeting where you will be discussing outdoor dining.

We are very much in favor for keeping outdoor dining for all places in town. It's a win win for everyone!

Please vote YES to keep this going !

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Tue, 02/15/2022 - 08:32**

**Full Name**

Maggie MacAlpine

**Email**

[maggiemacalpine@gmail.com](mailto:maggiemacalpine@gmail.com)

**Subject**

Loved outdoor dining!

**Address**

843 State St

**Message**

Just here to voice my support of outdoor dining in Portsmouth. I'm sure there'll need to be some changes to make it fair to all businesses and make it a permanent fixture in a safe and aesthetically pleasing way all around, but I trust this town council to find an equitable solution. I doubt I'm alone in this view, but outdoor dining has brought such vibrancy to Portsmouth's streets that I wanted make sure it stays!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Tue, 02/15/2022 - 08:52**

**Full Name**

Daniel Schwarz

**Email**

[mcflyschwarz@gmail.com](mailto:mcflyschwarz@gmail.com)

**Subject**

outdoor dining

**Address**

579 Sagamore Avenue, Unit 120

**Message**

I support the continuation of outdoor dining in downtown Portsmouth. I think it gives a nice feel to downtown and the reduced traffic is a good thing.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Tue, 02/15/2022 - 18:48**

**Full Name**

STEPHEN AND GINA KENNEDY

**Email**

[GILLEYS DINER@GMX.COM](mailto:GILLEYS DINER@GMX.COM)

**Subject**

OUTDOOR DINING

**Address**

175 FLEET STREET  
PORTSMOUTH, New Hampshire. 03801

**Message**

Gilley's Diner  
175 Fleet Street  
Portsmouth, NH 03801

To City Council,

We would like to express our concerns regarding the plans for outdoor dining 2022. As with many of our fellow restaurants and business owners in Portsmouth, our business has been dramatically affected by the past two years of covid restrictions. Although we understood the need for the city to do what they could to help alleviate the loss of indoor seating this had an immense negative impact to our business.

To accommodate outdoor seating on Fleet Street, the street was converted to one way traffic with a large ROAD CLOSED ahead sign at the end of Fleet and Hanover. Most would drive by thinking the road was closed or they would drive until they reached the barriers and turn around in our parking lot, CONSTANTLY. Our customers are mostly in vehicles with about 20% on foot. They would have to drive around navigating the many outdoor dining areas to come back to the other side of Fleet Street to access our parking lot. Our business dropped significantly when the road was closed.

We believe outdoor dining had a critical role in helping businesses survive a very difficult time. But the restrictions are no longer in effect. We believe ALL businesses need to be on a level playing field, as we pick up the pieces and try to recoup as much business as we can heading into Spring and Summer 2022.

Thank you for your consideration.

Sincerely,  
Stephen & Gina Kennedy

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Tue, 02/15/2022 - 21:11**

**Full Name**

**Mikaela Gauvain**

**Email**

[migauvain@gmail.com](mailto:migauvain@gmail.com)

**Subject**

**Outdoor dining**

**Address**

**319 Hanover Street**

**Message**

**I would like for outdoor dining to continue in Portsmouth as it has for the summers of 2021 and 2022. Even as a resident of a street where outdoor dining takes up our road, it should be a staple of Portsmouth and is enjoyed by all. It will increase tourism and will bring money to the city and restaurants that have continued to be affected by the pandemic.**

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

**Yes**

**Submitted on Tue, 02/15/2022 - 21:19**

**Full Name**

Samantha Gauvain

**Email**

[samanthagauvain@gmail.com](mailto:samanthagauvain@gmail.com)

**Subject**

Outdoor Patio Seating

**Address**

178 Main St  
Newmarket, New Hampshire. 03857

**Message**

Hi, I'm contacting you all to request the continuation of outdoor/patio dining in Portsmouth for businesses that would otherwise not have access to outdoor spaces. As the pandemic continues it is imperative that we continue to support local restaurants while maintaining recommended COVID protocols. People flock to Portsmouth in the summer specifically for outdoor dining, the added space that street overflow dining affords more than makes up for the loss of revenue from parking. I'll definitely be dining in Portsmouth this summer if there is more outdoor dining!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Tue, 02/15/2022 - 21:25**

**Full Name**

Trevor Low

**Email**

[t2loww6@gmail.com](mailto:t2loww6@gmail.com)

**Subject**

We require Outdoor dining

**Address**

120 spinnaker

**Message**

Hi, I'm contacting you all to request the continuation of outdoor/patio dining in Portsmouth for businesses that would otherwise not have access to outdoor spaces. As the pandemic continues it is imperative that we continue to support local restaurants while maintaining recommended COVID protocols. People flock to Portsmouth in the summer specifically for outdoor dining, the added space that street overflow dining affords more than makes up for the loss of revenue from parking. I'll definitely be dining in Portsmouth this summer if there is more outdoor dining!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Tue, 02/15/2022 - 21:26**

**Full Name**

Tayla Nixon

**Email**

[taylanixon4@gmail.com](mailto:taylanixon4@gmail.com)

**Subject**

Outdoor dining

**Address**

319 Hanover St

**Message**

I think including outdoor dining this spring/summer is beneficial for the city of Portsmouth. It allows businesses to offer additional seating and allows more tourists and people to enjoy Portsmouth.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.** Yes

**Submitted on Wed, 02/16/2022 - 10:25**

**Full Name**

Megan O'Connor

**Email**

[megeoc@yahoo.com](mailto:megeoc@yahoo.com)

**Subject**

Please keep outdoor dining

**Address**

438 State St. #3

**Message**

Please keep outdoor dining. It has been amazing to sit out and enjoy the warm weather in the fresh air at my favorite restaurants.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 10:28**

**Full Name**

Aubrey Bennett

**Email**

[miss\\_aub@hotmail.com](mailto:miss_aub@hotmail.com)

**Subject**

Outdoor dining

**Address**

1426 islington street

**Message**

Love! Love! The outdoor dining experience covid brought to the city! It was equally wonderful having less traffic downtown! I think the expansion of outdoor eatery should continue in the city as well as maybe offering more food truck locations! Further reducing traffic. I hope this outdoor venture is allowed to continue!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 12:27**

**Full Name**

Peter Mead

**Email**

[pamead@uwalumni.com](mailto:pamead@uwalumni.com)

**Subject**

Outdoor Dinner

**Address**

256 Crescent Way

**Message**

In regards to outdoor dining through Portsmouth but especially downtown. I believe it is a great thing for our city. Creates a more vibrant downtown, more restaurant seats for tourists and locals, more possible dollars for downtown businesses. A more permanent solution with some blocks becoming pedestrian malls, would add even more. Think Pearl Street in Boulder, CO or Church Street in Burlington, VT. This would be such a great addition to our amazing little town.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 15:18**

**Full Name**

Isabel Munck

**Email**

[isabelmunck@gmail.com](mailto:isabelmunck@gmail.com)

**Subject**

outdoor dinning

**Address**

25 Chauncey St



**Message**

The increase in outdoor dining in Portsmouth during COVID, has been one of the few positive things about pandemic times. Seeing people having a good time outside safely, supporting local businesses was ray of light during some dark times.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 16:05**

**Full Name**

Nora DiCesare

**Email**

[ndicesare21@gmail.com](mailto:ndicesare21@gmail.com)

**Subject**

Outdoor dining

**Address**

160 Rockland street

**Message**

Outdoor dining is essential to the community of Portsmouth. Not only does it bring more people into town, it is incredibly enjoyable for the few months of nice weather we are blessed to have. Businesses depend on it and thrive with outdoor dining, it makes the city even better than it already is. I personally know I prefer the option of being outside, and will specifically choose places that have the outdoor option, so please allow restaurants to give that option.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 16:25**

**Full Name**

Pamela Gates

**Email**

[pameiffe@yahoo.com](mailto:pameiffe@yahoo.com)

**Subject**

Outdoor Dining

**Address**

186 Leslie Dr

**Message**

Having grown up in Burlington, VT, I know first hand how outdoor dining creates a vibrant downtown and brings people to the area to support our small businesses. Please keep our outdoor dining here in Portsmouth....it's a great way to make something good come out of the nightmare of covid. Thank you.

Pam Gates

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 16:27**

**Full Name**

**Bob Leahy**

**Email**

[bobleahy@26franklin.com](mailto:bobleahy@26franklin.com)

**Subject**

**Portsmouth Outdoor Dinning**

**Address**

**203 Cass Street**

**Portsmouth , New Hampshire. 03801**

**Message**

**Please make every effort to extend outdoor dinning opportunities for all of our local restaurants (Portsmouth). Many of the local restaurants depend on it to stay in business. It was a great success for every restaurant.**

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

**Yes**

**Submitted on Wed, 02/16/2022 - 16:29**

**Full Name**

Jennifer Salchunas

**Email**

[jsalchunas@gmail.com](mailto:jsalchunas@gmail.com)

**Subject**

Outdoor dining

**Address**

[jsalchunas@gmail.com](mailto:jsalchunas@gmail.com)

Portsmouth, New Hampshire. 03801

**Message**

Please keep and expand the outdoor dining options! Before the pandemic hit I used to travel each weekend to other cities in order to have this option because it's so enjoyable (Newburyport, Boston, Burlington). Having this in our own backyard has been the best thing to happen to Portsmouth and keeps the money here to support local business.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 17:04**

**Full Name**

Noel Crooker

**Email**

[noelpaige@icloud.com](mailto:noelpaige@icloud.com)

**Subject**

Outdoor Dining

**Address**

147 islington st

**Message**

Please allow outdoor dining for the 2022 season, and years going forward. I work at a restaurant in Portsmouth that has been allowed to have a patio the last two summers. Lots of restaurants and locals are depending on this newly elected council to one through and hear our voices for the need of outdoor dining. Thank you.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 17:07**

**Full Name**

Willing Pannella

**Email**

[wpannella@rocketmail.com](mailto:wpannella@rocketmail.com)

**Subject**

Outdoor dining

**Address**

40 Cottage Street

**Message**

Greetings. I am writing in support of outdoor dining in Portsmouth this summer and every summer. The economic benefits are undeniable - larger restaurant capacity, greater opportunities for summer employment, additional tourist money. In addition, outdoor dining is now part of our local restaurants' revenue streams given events of the past two years. Removing outdoor dining only provides a headwind to any economic recovery. Please allow our local businesses to thrive in this very special town. Thank you.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 17:10**

**Full Name**

Michelle Anderson

**Email**

[anderson.michl@gmail.com](mailto:anderson.michl@gmail.com)

**Subject**

Outdoor Dining

**Address**

236 Cate St

**Message**

Hello! I would like to voice my support for continued outdoor dining in Portsmouth. This was one of the very few positives over the last two years. I think it has been a wonderful addition and would like to see it stay.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 17:32****Full Name**

Bianca Mutch

**Email**

[bianca.battersby@gmail.com](mailto:bianca.battersby@gmail.com)

**Subject**

Outdoor Dining

**Address**

7 Melcher St.

**Message**

To whom it may concern,

I am a Portsmouth resident in the south end. I am writing to express my full support for permanent outdoor dining in Portsmouth. It has been a great addition to town and I feel bad for restaurants who have suffered so much in the past couple years because of COVID.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/16/2022 - 17:40****Full Name**

Jillian Mirandi

**Email**

[jillian.mirandi@gmail.com](mailto:jillian.mirandi@gmail.com)

**Subject**

Outdoor dining

**Address**

197 Madison st

**Message**

Outdoor dining has enhanced Portsmouth and its curb appeal. It has also given restaurants that did not have an outdoor space more of a chance to do well in the warmer months, which leads to higher revenues and job creation.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 17:50****Full Name**

Morgan Palmer

**Email**

[morganpalmer9@gmail.com](mailto:morganpalmer9@gmail.com)

**Subject**

In support of outdoor dining

**Address**

5 Winchester st.

**Message**

I would like to share my support that all restaurants that would like to do outdoor dining this summer be allowed to do so. Outdoor dining makes the city more lively & welcoming and increases capacity of our local restaurants that desperately need increase revenue due to Covid. Most other cities have made this a staple and I believe Portsmouth should do the same. It is a great addition to our city!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Wed, 02/16/2022 - 17:54**

**Full Name**

Sean Goss

**Email**

[sean.m.goss90@gmail.com](mailto:sean.m.goss90@gmail.com)

**Subject**

Outdoor dining

**Address**

27 oak terrace  
Kittery, Maine. 03904

**Message**

Hello, I would really appreciate keeping outdoor dining available for people in 2022. I honestly wish it was available every year going forward as well, seeing as the only thing you miss out on is about 10 parking spaces for people from NJ to park poorly in. Instead of parking spaces we get 20-30 people per restaurant all being able to enjoy the 5 months of good weather get and supporting local businesses.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 17:55**

**Full Name**

Brian Hippern

**Email**

[bhippern@gmail.com](mailto:bhippern@gmail.com)

**Subject**

Outdoor Dining

**Address**

1 Deer Ridge Ln  
Kittery, Maine. 03904

**Message**

Please do outdoor dining again, I don't even care about the COVID aspect, it made the city a better place and help local small business.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 18:01**

**Full Name**

Ian Troost

**Email**

[ist4@pitt.edh](mailto:ist4@pitt.edh)

**Subject**

Outdoor Dining

**Address**

14 Wallis Road

**Message**

Please bring back outdoor dining for various restaurants throughout Portsmouth, potentially even more than last year. Not only does it give patrons an opportunity to dine safely if they are nervous about being indoors due to Covid, but it also creates such an incredible atmosphere throughout downtown. It brings a sense of communal energy that I feel Portsmouth has been lacking for a couple of years now. It makes for a much more vibrant downtown. Additionally, I've spoken to multiple restaurant managers and owners who have expressed that with out it, their business would suffer greatly, potentially to the point that they go out of business. It gives much more visibility to some of these wonderful restaurants to tourists and locals alike. It is more than worth a little extra walk from the South Mill playground, or forge parking garage, if a few parking spots are not discontinued for the summer. In fact, it helps drive people to the parking garages, I believe, and makes the town much more walkable in the summer. I don't know how else to express how successful I think it was other than having been born and raised in Portsmouth, having worked in restaurants in Portsmouth for over 7 years, and having run a small business in Portsmouth. Please bring back outdoor dining, and consider making it permanent! It benefits all!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Wed, 02/16/2022 - 18:01**

**Full Name**

Kayla Arsenault

**Email**

[karsenault4292@gmail.com](mailto:karsenault4292@gmail.com)

**Subject**

Outdoor seating

**Address**

10 Merrimac st

**Message**

I want outdoor dining to be approved by the city council! I believe that during Covid the outdoor dining changed the way our city was able to come together and flourish! As a community it brought us closer together, and encouraged more tourism! Restaurants have been able to expand with the outdoor dining, allowing them to survive the pandemic, and grow as a business. As a resident I love walking downtown on a beautiful sunny day seeing people enjoying our lovely local restaurants while sitting outside and getting some much needed vitamin D! I ask you to approve outdoor dining for the residents, tourists and most importantly for our local restaurants!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 18:11**

**Full Name**

Max Stewart

**Email**

[freeskiermax@comcast.net](mailto:freeskiermax@comcast.net)

**Subject**

Outdoor dining

**Address**

448 market st

**Message**

I'm a long time resident of Portsmouth and a firm supporter of continued outdoor dining.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/16/2022 - 18:17**

**Full Name**

Kari Kennedy

**Email**

[kennedykari56@yahoo.com](mailto:kennedykari56@yahoo.com)

**Subject**

Support for ourdoor dining in Portsmouth.

**Address**

777 middle rd unit 8

**Message**

Hello,

I am writing today to state my support for outdoor dining in Portsmouth. It provides a great experience for residents and visitors who are spending their money to support our local businesses. However, more importantly our businesses have been through so much over the last two years and have relied on this extra space to stay afloat, and more importantly safe.

Thank you.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 18:24**

**Full Name**

Peter Geremia

**Email**

[pgeremia@mac.com](mailto:pgeremia@mac.com)

**Subject**

Thank You

**Address**

315 Maplewood Ave

**Message**

Dear City Council,

THANK YOU for rescinding the Mask Directive. You did the right thing for the City of Portsmouth!!!

Thanks Again!!

Peter Geremia

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/16/2022 - 18:25**

**Full Name**

Rachel Wall

**Email**

[clark.rachel0405@gmail.com](mailto:clark.rachel0405@gmail.com)

**Subject**

Portsmouth Outdoor Dining

**Address**

23 Rosemary Lane

Greenland , New Hampshire. 03840

**Message**

As an employee of The Franklin, in Portsmouth, outdoor dining helped us significantly. It allowed us to accommodate a larger number and variety of guests. Outdoor dining in Portsmouth is absolutely something I would like to see again this season.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/16/2022 - 18:33**

**Full Name**

Lars Hamilton

**Email**

[larshamilton603@gmail.com](mailto:larshamilton603@gmail.com)

**Subject**

Please continue outdoor dining!

**Address**

3 Osprey Cove

Greenland, New Hampshire. 03840

**Message**

As a lifetime resident of the Seacoast, I urge the Council to continue outdoor dining in the future. Myself and my friends greatly enjoyed the benefit of dining outside of our favorite downtown venues. I found the impact on parking was minimal, and enjoyed the partial closure of some lanes of traffic, giving people more room to walk and enjoy our beautiful city.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/16/2022 - 18:39**

**Full Name**

Peter Whitehead

**Email**

[woodshed581@gmail.com](mailto:woodshed581@gmail.com)

**Subject**

Outdoor dining

**Address**

Dover. 03820

**Message**

My name is Peter Whitehead and I am the manager at Green Elephant on Portwalk Place. I am a strong advocate of continuing and expanding outdoor dining. Although our restaurant doesn't partake, it's a huge benefit to our friends and colleagues in the service industry and has a significant appeal to visitors and residents of the seacoast.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/16/2022 - 18:41**

**Full Name**

Trevor Mutch

**Email**

[tmutch25@gmail.com](mailto:tmutch25@gmail.com)

**Subject**

Outdoor Dining

**Address**

7A Melcher St

**Message**

I am a Portsmouth resident and strongly believe the city should continue to allow outdoor dining to support the local restaurants.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/16/2022 - 18:50**

**Full Name**

Graham Chag

**Email**

[Gchag42@gmail.com](mailto:Gchag42@gmail.com)

**Subject**

Keep out door seating please and thank you.

**Address**

419 Lincoln Ave

**Message**

We have a literal brand new Parking Garage, let's us it.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

---

**Submitted on Wed, 02/16/2022 - 19:08**

**Full Name**

Kate Beland

**Email**

[katembeland9@gmail.com](mailto:katembeland9@gmail.com)

**Subject**

Masks in PHS and Middle School

**Address**

373 Union Street

**Message**

I applaud you all for your recent and surprising efforts in mask mandate removal for businesses. It will certainly make my work life easier as I am a restaurant worker downtown.

I ask for your help. With all due respect, the health expert we have relied on for school mandates and restaurant mandates would have kept



our schools closed & restaurants as well as she wanted a 0 percent of positivity. We know now that is unnecessary and unrealistic as we approach year three.

There are many parents and citizens of this city who need your help in guiding our school board and administration to do the right thing for our kids. PHS technically today should be mask optional as was set up of local #s were only substantial. Administration & SB however are looking at State #s...completely inapplicable for our small city...with a high school vaccination rate of over 80 percent (a CDC's dream). We are tired of being the last school district to hop on board the train of moving forward. We feel we are better than that and our kids deserve better than that. We should be leading the pack.

It is time to make masks optional in schools. I can't and won't speak for our elementary schools as I need to start with my own children some of whom are alp most technically adults and have spent the majority of their high school career on a computer and then in a mask. They work in our restaurants and local businesses and are able to have the same mask less choice at work, they should have the same choice at school.

I appreciate your time reading this and any help if you are willing.

Best, Kate Beland

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:09**

**Full Name**

Ann Barrett

**Email**

[ambarrett2006@msn.com](mailto:ambarrett2006@msn.com)

**Subject**

Outdoor dining

**Address**

202 Dennett st

**Message**

I would encourage you all to continue the outdoor dining plan that worked so well during Covid. It takes advantage of the beautiful ambiance of our city especially during the warmer months and adds a European flair to our historic streets. I don't think the parking spaces that might be lost are crucial to local businesses as the increased availability of outdoor dining will attract more visitors who can then purchase items from local businesses. The additional garage also offers close parking without clogging up the streets surrounding Market Square. I would really like to see Market Square become a pedestrian only area which would be more tourist and local friendly and increase the overall safety for all. Thanks for your attention.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:19**

**Full Name**

Adam Day

**Email**

[dayadam9@gmail.com](mailto:dayadam9@gmail.com)

**Subject**

Outdoor Dining

**Address**

70 Constitution ave apt 309

**Message**

PLEASE KEEP OUTDOOR DINING!!! Not only did it save so many businesses during this pandemic but it's become such an attraction! Summers in New England are short and everyone wants to be outside. Some of our favorite restaurants have never had the outdoor option which has caused them to lose business purely by people who want to be outside!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:24**

**Full Name**

Sarah Troost

**Email**

[setroost@yahoo.com](mailto:setroost@yahoo.com)

**Subject**

Outdoor City Dining

**Address**

14 Wallis Rd

**Message**

I'm in support of keeping and/or improving on the outdoor dining setup that the City of Portsmouth had put in place with local businesses the summer of 2021. As a resident of Portsmouth since 1991, it made the downtown feel more festive, walkable and desirable to go downtown to eat and spend time enjoying our beautiful city after a meal. It was also nice to be able dine outside at restaurants that in the past were unable to have outdoor seating. I did not feel that it made car traffic any worse than usual in the summer. It added to the magic of our beautiful town, a nice sense of community and it was a nice benefit for businesses in the past who could not participate in outdoor dining.

Please consider keeping it and even building upon it for the upcoming future.

Thank you,

Sarah Troost

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:28**

**Full Name**

Sarah Masci

**Email**

[masci.sarah97@gmail.com](mailto:masci.sarah97@gmail.com)

**Subject**

Outdoor Dining

**Address**

1338B Woodbury Ave

**Message**

Please keep outdoor dining a part of our community this summer season. It's such a relaxing way to dine, especially after a long day at work. My favorite are the vibes at Dwyers Pub. Please continue to allow the space for our favorite restaurants and bars to keep the fun energy of outdoor dining alive!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:36**

**Full Name**

Thomas Wall

**Email**

[twall567@gmail.com](mailto:twall567@gmail.com)

**Subject**

Outdoor dining

**Address**

20 Dover st

**Message**

The outdoor dining availability that has resulted as a counter to covid has become absolutely one of my favorite things. Eating dinner or just having a drink outside makes one of the best ways to spend a summer evening. The businesses in Portsmouth have done a fantastic job integrating atmosphere and aesthetic to what is normally alley or ugly road with minimal affect to traffic or parking. It would be an absolutely travesty to revert now. Thank you.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Wed, 02/16/2022 - 19:44**

**Full Name**

Lizzie Xiarhos

**Email**

[xiarhodlizzie@yahoo.com](mailto:xiarhodlizzie@yahoo.com)

**Subject**

Outdoor seating

**Address**

154 Fleet Street

**Message**

The outdoor seating has made Portsmouth even more special

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:47**

**Full Name**

Kaitlyn Friel

**Email**

[kaitlynrriel@gmail.com](mailto:kaitlynrriel@gmail.com)

**Subject**

Outdoor Seating

**Address**

1001 Islington Street #54

**Message**

I am in favor of outdoor seating.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:48**

**Full Name**

Ryan Cress

**Email**

[mr.ryanecress@gmail.com](mailto:mr.ryanecress@gmail.com)

**Subject**

Downtown Dining/ Walking Town

**Address**

185 Edmond Ave

**Message**

Hello Council, I'm writing in support of downtown dining this summer for Portsmouth Restaurants. They need as much opportunity to make up for their losses during the pandemic. If this allows them 5 to 10 more tables that they can turn nightly, it will help them to recoup lost dollars. I would love to see it go one step further. Why not shut down the downtown area on weekends and make it a walking town? No cars from Market and Bow to Fleet and Market. Traffic can still make it around the city with this happening, similar to Market Square Day. Would be nice to be able to sit out, and not have a car driving past you while you're eating.

Best,

Ryan Cress

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:49**

**Full Name**

Matt Costello

**Email**

[matthew.costello25@gmail.com](mailto:matthew.costello25@gmail.com)

**Subject**

Outdoor Dining

**Address**

55 Hanover st

**Message**

I strongly recommend the expansion and permanence of outdoor dining in Portsmouth. As a longtime employee of the food and beverage industry, it is absolutely critical we allow our restaurants to maximize revenue during the months that allow it, as well as make up for lost income during the pandemic years.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 19:56**

**Full Name**

Angelica Romeu

**Email**

[angelica.m.romeu@gmail.com](mailto:angelica.m.romeu@gmail.com)

**Subject**

Re: outdoor dining

**Address**

419 Lincoln Ave

**Message**

The outdoor dining scene in Portsmouth this past summer was a glimmer of hope for the future through the pandemic. It has changed the environment of the downtown area for the better in so many ways. Please don't take this away from us

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 20:03**

**Full Name**

Meaghan Salito

**Email**

[meaghanmsalito@gmail.com](mailto:meaghanmsalito@gmail.com)

**Subject**

Outdoor Dining

**Address**

12 Pinecrest Drive

Eliot, Maine. 03903

**Message**

Hello, as a server for near twenty years that was born and raised in Portsmouth and currently works in the hospitality industry in Portsmouth I would like to advocate for outdoor dining. I encourage the city to be solution oriented and proactive in moving forward with an initiative that would increase foot traffic, aid small businesses of all kind, and set an example as an eco-friendly city. This is good for owners, patrons and provides significant supplemental income to restaurant staff. the fiscal health of each establishment allows for higher back of the house hourly, increased tips with floor size, and brings together a community of service individuals excited and proud to be part of the industry community.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 20:03**

**Full Name**

Leslie Allen

**Email**

[mlreallen@verizon.net](mailto:mlreallen@verizon.net)

**Subject**

outdoor dining

**Address**

143 Brackett Road

**Message**

I am writing to express my full support of the continuation of Outdoor Dining in Portsmouth. It was so nice to have so many more options to eat outdoors during the warmer months during the Covid and why not continue the tradition! It was so fun to walk through town and see

everyone enjoying their time outdoors. If the restaurants know that outdoor dining will be a continued summer time tradition all the better for them to invest in those spaces! Please approve the continuation of outdoor dining!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 20:35**

**Full Name**

Zack Chabot

**Email**

[ztchab@gmail.com](mailto:ztchab@gmail.com)

**Subject**

Outdoor Dining

**Address**

110 Penhallow St

**Message**

There's nothing better than catching some rays while enjoying some food/drinks at the many excellent venues in Downtown Portsmouth. Outdoor dining allows our outdoorsy community to maximum their time outdoors. Reducing congestion from parked cars and replacing that space with outdoor dining greatly improves the liveliness of downtown.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 20:36**

**Full Name**

Shannon Murdock

**Email**

[s.murdock96@gmail.com](mailto:s.murdock96@gmail.com)

**Subject**

Outdoor dining elevates the Portsmouth experience!

**Address**

110 Penhallow St

**Message**

The influx of restaurants and bars joining the outdoor dining in Portsmouth has created a unique atmosphere throughout town that is lively and inviting, and brings the community together. As a Portsmouth resident I feel strongly that outdoor dining has become a true part of Portsmouth culture, one that both locals and outsiders enjoy. Taking this element away would be a disservice to both willing patrons AND the small local businesses that we all strive to keep afloat in these uncertain times. Please vote to keep this welcome part of the Portsmouth experience alive and well during the outdoor season for all to enjoy!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 20:37**

**Full Name**

Paige Barbagallo

**Email**

[paigebargallo@aol.com](mailto:paigebargallo@aol.com)

**Subject**

Outdoor dining

**Address**

150 Route 1 Bypass #210

**Message**

Please consider the outdoor dining expansion for Portsmouth for the 2022 season. For the last couple years, this has made a huge impact on the residents, employees and tourists of Portsmouth in the best way. It has saved multiple businesses and we are still in trying times.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

**Submitted on Wed, 02/16/2022 - 20:54**

**Full Name**

Julia Burke

**Email**

[julia.burke18@gmail.com](mailto:julia.burke18@gmail.com)

**Subject**

Keep Outdoor Dining!

**Address**

28 Blossom St.

**Message**

As a resident and hospitality employee in downtown Portsmouth, I think that it is imperative that outdoor dining remains an option for our restaurants. It aids our town culture, attracts tourism and helps to keep local businesses afloat. All of which are positive things. I don't think the question needs to be if outdoor dining is an option or not, but what is the structure that it will be offered to restaurants. Plenty of our neighboring towns and cities will continue outdoor and it would be worth looking into their set up to see what makes sense for Portsmouth. As an evolving town, outdoor dining needs to be apart of our future if even just for the culture and energy it offers.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 20:55**

**Full Name**

Deanna Demers

**Email**

[deannademersart@comcast.net](mailto:deannademersart@comcast.net)

**Subject**

Outdoor dining

**Address**

390 Bartlett st

**Message**

Outdoor seating has changed Portsmouth for the better. We spend so much of our time indoors but one silver lining of the pandemic has been our reconnection to the outdoors. It would be a loss to default back to how things used to be.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 21:34**

**Full Name**

vivian frampton

**Email**

[viviannframptonn@gmail.com](mailto:viviannframptonn@gmail.com)

**Subject**

outdoor eating

**Address**

10 neal's lane

new castle , New Hampshire. 03854

**Message**

I am a server in Portsmouth and outdoor dining has definitely benefited to not only the restaurant but also to the community as a whole. I feel it also attracts more people to the local area and allows Portsmouth to accumulate more tourism.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 21:51**

**Full Name**

Mathew Timms

**Email**

[mattimms17@gmail.com](mailto:mattimms17@gmail.com)

**Subject**

Outdoor seating in Portsmouth

**Address**

186 Madison Street, APT 9

**Message**

To whom it may concern:

Please consider reinstating the outdoor seating this summer for Portsmouth. As a restaurant worker and local commuter, I feel that the yearly influx of out-of-towners would benefit greatly from appreciating our local architecture, history, and culture.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 22:02**

**Full Name**

Katie Young

**Email**

[katherineshine@gmail.com](mailto:katherineshine@gmail.com)

**Subject**

Keep outdoor seating !

**Address**

9 Adams rd

Kittery, Maine. 03904

**Message**

Hello I am a resident of the Seacoast. And I patronage the downtown area of Portsmouth on a weekly or sometimes daily basis. I would like to vote to keep the outdoor seating continue throughout the city of portsmouth.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 22:11**

**Full Name**

Brett Huntley

**Email**

[brett.huntley41@gmail.com](mailto:brett.huntley41@gmail.com)

**Subject**

Save Outdoor Seating!!!

**Address**

205 High St.

Hampton, New Hampshire. 03874

**Message**

Outdoor seating needs to be a staple for Portsmouth. There is not enough outdoor seating in general, but in general, it makes the whole atmosphere of a restaurant/better, and city, better. Us New Englanders have roughly 5 months to enjoy good weather, why not extend that to places of business?! They make more \$\$\$ because its extends seating, people want to go there because they can sit outside, which brings more people to the city!! Please keep it!!! Thanks!!!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Wed, 02/16/2022 - 23:00**

**Full Name**

**Robert Battersby**

**Email**

[robertbattersby@gmail.com](mailto:robertbattersby@gmail.com)

**Subject**

**Outside dining**

**Address**

**131 Wild Rose Lane**

**South Berwick , Maine. 03908**

**Message**

**We made Portsmouth our go to place because of outside dining. Made us feel like we were on vacation overseas.**

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting. Yes**



**Submitted on Thu, 02/17/2022 - 02:15**

**Full Name**

Anni Jones

**Email**

[doctor.anni@comcast.net](mailto:doctor.anni@comcast.net)

**Subject**

Keep outdoor dining

**Address**

237 Edmond Avenue

**Message**

During the pandemic, my friends and family often dined outdoors in Portsmouth throughout all of the months that it was available. Not only did this help support our local restaurants, but we discovered what a wonderfully charming and community-building experience it was to enjoy the fresh air amidst the beautiful decorations and lights and converse with those passing by. Please continue this amazing new tradition that has enhanced our quaint historical town.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Thu, 02/17/2022 - 04:57**

**Full Name**

Megan Levick

**Email**

[meg.levick@gmail.com](mailto:meg.levick@gmail.com)

**Subject**

Outdoor Dining

**Address**

30 Summer St

**Message**

I am in support of outdoor dining in Portsmouth this summer! I feel like that is one of the best things about the warmer months here and something I look forward to after a long cold winter!

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Thu, 02/17/2022 - 05:50**

**Full Name**

Dmitry Korsunsku

**Email**

[dmitry.kors@gmail.com](mailto:dmitry.kors@gmail.com)

**Subject**

Outdoor dining

**Address**

77 hanover st #15

**Message**

I fully support outdoor dining concept for Portsmouth.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Thu, 02/17/2022 - 07:35**

**Full Name**

Aidan Delaney

**Email**

[aidan.del93@gmail.com](mailto:aidan.del93@gmail.com)

**Subject**

Outdoor Dining in Portsmouth

**Address**

18 Exeter Rd

Newmarket. 03857

**Message**  
Hello my name is Aidan, I work for a small inn located in downtown Portsmouth and am a local musician. Over the past two years, despite the pandemic, I've noticed a renewed vibrancy in the warmer months as restaurants, bars and cafes have moved outdoors. I believe that any parking spot taken up by a table and chairs is more valuable for the downtown than a car taking up space. Portsmouth is, and should, be moving towards more pedestrian driven format. With the addition of the Foundry Garage to the towns parking inventory, I feel that people should be encouraged to use our garages and parking lots and experience the community on foot. And this benefits not only the service industry, but the retail sector as well. With spaces filled with cars, it is rather hard to take in even what stores you are passing as you drive by. But walking down the sidewalks, you see and experience every shop window drawing you in. With the proper planning and with a fair process, Outdoor Dining should be a fixture of Downtown Portsmouth in the warmer season. Some consideration of course needs to be taken to make sure retailers and other shops have the ability for short term parking, as well as handicap accessibility, but as long as that is addressed, the benefits outweigh the disadvantages, and can only make the city an even more vibrant and enjoyable community to both be a part of and visit. Thank you.  
**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**  
Yes

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**Submitted on Thu, 02/17/2022 - 08:21**

**Full Name**

Kerry Rubinstein

**Email**

[kerry@turtlebrook.com](mailto:kerry@turtlebrook.com)

**Subject**

In Favor of Outdoor Dining

**Address**

111 Bridge Street, Unit 201, Unit 201

**Message**

Outdoor dining is a big plus for the city. A long-term comprehensive plan is needed. We live near Dwyer's Pub and Bridge Street Bistro. We spent a lot of time and money in these two restaurants alone during the pandemic. Their outdoor dining added a sense of vitality and community to an otherwise bland stretch of Bridge Street. Thank you for your consideration.

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Thu, 02/17/2022 - 08:48**

**Full Name**

Tim MacDonald

**Email**

[wtmacdonald@comcast.net](mailto:wtmacdonald@comcast.net)

**Subject**

Outdoor Dining

**Address**

18 Congress Street, suite 501

**Message**

Hello,

I am writing to provide input on outdoor dining as councilor Bagley recently requested on social media.

As a long time resident of Market Square I am in favor of continuing the outdoor dining while also considering some changes based on experience thus far. Some areas accommodate outdoor dining much better than others so its not for everywhere. We should consider and balance with the needs of other local businesses, residents and downtown visitors.

When done really well the outdoor dining added a great look and feel to the downtown. The wide sidewalk areas along Pleasant Street running from Market Square to State Street were exceptionally well done, accommodated many diners and did not impede traffic (pedestrian or auto) or obstruct other businesses. The setup from Tuscan Market to The Hammer was beautiful! Similarly, Penhallow Street (Cure, Ceres Street and Massimo) all added to the overall look and feel of downtown Portsmouth as did the setup along Daniel Street (Press Room / Kaffee Vonsolln). State Street also handled the outdoor tables really well. The outdoor tables by North Church are a great addition and Popovers and Kilwins at the beginning of Congress Street worked really well as did the Vaughan Mall and Chestnut Street for special events at the Music Hall. One note here is that we need additional trash and recycling containers or more frequent collection of these. Some things to improve on would be along the busier streets (Market and Congress) where street and sidewalk traffic are impeded, and where dining tables adversely affect neighboring businesses. The North side of Congress (odd number side) could not accommodate both outdoor dining and on street parking. The end of Congress where it meets Islington was really congested at the traffic light and many times

impassible as a pedestrian where crowds gathered on the sidewalk between the restaurants and the outdoor seating. Another tough spot was on Market and Commercial Alley where the crosswalk went through dining areas obstructing visibility for automobiles to see people entering the crosswalk, and for pedestrians to see oncoming traffic. Perhaps that area should limit outdoor dining tables to the Commercial Alley sidewalk only. I would also suggest some minimum standard/guidelines for quality and aesthetics of the outdoor areas - we have these for permanent structures and it should apply here as well.

Overall this has been good for Portsmouth and we should continue to adjust along the way. Please do not listen to those who will want to end the outdoor dining, or to those who think we need to make downtown pedestrian only as many businesses and residents need these streets open as the only access to their homes and businesses. Lastly, please consider other factors such as the temporary loss of parking during the Hanover/High garage renovation, Fleet Street Reconstruction and continued construction and then traffic pattern for parking at the Brick Market.

Thank you for considering these remarks.

Tim MacDonald

**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

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**Submitted on Sun, 02/13/2022 - 15:15**

**Full Name**

James Hewitt

**Email**

[samjakemax@aol.com](mailto:samjakemax@aol.com)

**Subject**

Portsmouth EV Charging Stations

**Address**

726 Middle Road

**Message**

Dear Councilor Denton:

I thought the story in the link below would interest you. Perhaps Portsmouth could work out a deal with KoGo to install EV stations around town so that City taxpayers are not the source of corporate welfare to the richest man in the world, Elon Musk, and are not adding to the profits of Tesla, that paid \$0.00 in federal taxes last year on \$ 5.5 billion in profits (see link below)

NH electric vehicle charging stations KoGo proposed for Rochester ([fosters.com](https://www.fosters.com))

Tesla Will Pay \$0 Federal Tax Despite Elon Musk's \$11B Personal Bill | Observer

Regards,

Jim Hewitt

P.S. I checked the box for this email to be included in the public record and part of the next CC meeting packet

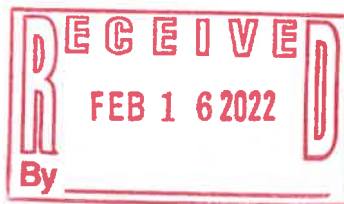
**Please indicate if you would like your comment to be part of the public record for the upcoming City Council meeting.**

Yes

The following residents who live in Elwyn Park are not in favor of sidewalks in Elwyn Park.

Sidewalks begin to deteriorate after the first winter and continue to deteriorate. The City of Portsmouth does not take care of the aging sidewalks that already exist. Take a look at the sidewalk on Lafayette Road. The Woodlands have sidewalks and the residents walk their dogs and ride their bikes in the street. Deteriorating sidewalks do not add value to properties. We do not see a need nor do we want sidewalks in our front yard.

Michael M. Bubaza 260 McKinley Rd.  
Richard D Bubaza 260 McKinley Rd.  
Laurie Cunningham 16 Taylor Ln.  
Laurie Cunningham 16 Taylor Ln.  
Mary McKeown 310 McKinley Rd.  
10 Van Buren Avenue Portsmouth NH  
Pam Weston Smith 240 McKinley Road Park  
Robert Smith 240 McKinley Road Park  
Laurie Giffin 221 McKinley Rd Portsmouth  
Corine Giffin 221 McKinley Rd, Portsmouth  
Jane Sawyer 260 McKinley Rd Portsmouth



- i. Covering more square footage with pavement is decreasing the drainage, potentially increasing the chance of more water in our basements.
2. We are already limited with square footage re: adding decks or sheds; by increasing the coverage with sidewalks will decrease existing square footage - when we already are not allowed sheds in certain circumstances



112 Penhallow Street  
Portsmouth, New Hampshire 03801  
603-436-6343 www.portsmouthfabric.com

11/8/21

To the City Manager and City Council,

I am writing to express my concern about the future possibility of restaurants in Portsmouth being given access to public parking spaces to establish outdoor dining. For the past 20 months, retailers in Portsmouth have faced the same Covid pandemic as the restaurants. For 15 of the past 20 months, retailers in Portsmouth have faced the loss of approximately 69 parking spaces in the downtown at the cost of over \$300,000 (\$4,348 per parking space) in lost revenue for the city due to restaurants expanding their dining to the outdoors without any expense to them. For 15 of the past 20 months, retailers have heard daily complaints from their customers asking "what has happened to all the parking downtown" while looking at all the empty tables day after day.

On Penhallow St where I have had a retail business for 42 years, we have fielded complaints about parking from customers for that many years. However, during 15 of the last 20 months, the complaints have grown exponentially. Out of 30 parking spaces along the entire length of Penhallow St, only 9 spaces were left for metered parking for the public. What appeared to be a romantic scene of dining in the street a few nights a week came at the dear cost of lost parking during the day especially when vacant tables which are not used all day long take up valuable parking spaces! Also, many evenings the outdoor seating was vacant due to rain, oppressive heat or the restaurant being closed. **The retailers are just as important to attracting customers to the downtown as restaurants and the scenario of 15 of the last 20 months is not sustainable for supporting retailers in the downtown.**

Many customers come to Portsmouth Fabric Company to purchase sewing machines and have their sewing machines serviced at the shop. This entails getting large, heavy boxes into the customer's cars or customers dropping off and picking up their machines for service. These customers are not able to carry their machines back and forth to the garage. Parking on Penhallow St must be made available beyond the 9 spaces that were left during 15 of the past 20 months. **Please invite retailers to any meetings convened about downtown parking so that their voices may be heard along with those of the restaurants to ensure that the decisions being made incorporate all business owners who make downtown Portsmouth a desirable place to be.**

Thank you,  
Gretchen Rath  
owner



*Solari Salon & Spa  
20 Market Street  
Portsmouth NH 03801*

November 3rd, 2021

Portsmouth City Manager Karen Conard  
Portsmouth City Council Members

My name is Patricia Lonergan and I have been in business in downtown Portsmouth for 21 years. We are a full service Salon and Spa catering to local residents in Portsmouth and the surrounding Seacoast area. We provide Service to our clients that schedule their appointment times well in advance.

The Pandemic has hit all businesses in all industries hard. I am proud of our community for coming together and supporting each other during this time.

Even though we have been supportive of the temporary use of parking spaces for our local restaurants, it has been difficult for us to navigate the extreme challenges that our clients are experiencing finding parking in a reasonable time in order to make their appointments.

I understand extending the use of city parking spaces for the local restaurants is being considered. I feel we need to be cognizant of how making a decision to help one industry can inadvertently hurt others. Some of our clients have already expressed that they will no longer come to our downtown location. Extending the use of these parking spaces would be devastating to our business.

Thankfully restrictions have been lifted and the restaurant business is able to return to working at full capacity. It's time to get back to doing business in our charming downtown Portsmouth and continue to support the needs of all businesses.

Stay Well,

Patricia Lonergan  
Solari Salon & Spa

Building: 16 MARKET STREET  
Lizology Womens Clothing

Bernoulli's Associates

DART Properties, LLC

16/18 Market Street

Portsmouth, NH 03801

Re: Portsmouth on-street parking

October 30, 2021

To: Karen Conrad, Portsmouth City Council

It has come to our understanding that the city of Portsmouth is considering making the temporary street dining for restaurants permanent.

As a long time 29-year, downtown property and business owner on Market Street, I fully object to such a sweeping, one-sided move by the City.

The intent of outdoor dining was to directly supplement the lack of revenue space for restaurants, a temporary measure I supported.

With the return of fully operational restaurants to capacity, the streets of downtown Portsmouth (particularly Market Street), must be re-opened with maximum on-street parking available.

Retail is the predominant business sector on Market Street and the lack of parking has negatively impacted the majority of businesses. Additionally, the congestion created with the loading zones across from us in conjunction with fewer spaces has made it difficult for retailers to receive deliveries.

Furthermore, the space directly in front of our property was blocked off for the adjacent restaurant without any consultation nor notification from the city.

We ask you to seriously consider all factors involved before designating a disproportionate number of spaces to restaurants on the busiest, most congested street in Portsmouth.

Best regards,

Daniel A. DiCesare

Principal

Letters attached:

Lizdogy - 18 Market - in yellow

Solori - 20 Market - in red



GANESH IMPORTS

William Bixby  
Ganesh Imports  
57 Market Street  
Portsmouth NH

November 3<sup>rd</sup>, 2021

To Portsmouth City Manager and Portsmouth City Council,

I own a business and property on Market Street in Portsmouth, and I'd like to express my observations regarding outdoor seating in the downtown.

While I appreciated the efforts that the city made during the Covid pandemic, especially where it concerned the restaurants, I feel that next Spring the outdoor seating and pick up parking should be scaled back.

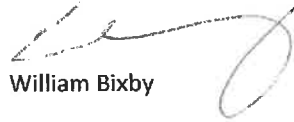
The health of the downtown is a symbiotic relationship between all of the businesses in the downtown, and it was very important that the restaurants survived the challenges presented by covid. Going forward, these temporary measures should not be kept in place at the detriment of other businesses in the downtown. The scope of the outdoor dining and dedicated parking spaces will hurt other businesses that rely on the scant parking in the downtown, especially the areas that encroach on the storefronts adjacent to the restaurants.

I would hope that at the very least, the areas for outdoor dining be restricted to the size of the storefront, with the option of either seating or short term parking, and not both. It is not fair to other businesses to lose out on convenient parking.

Another factor to consider is the lost revenue for the city. At \$30,000/day per metered space, the city will have a serious deficit from this lost revenue, and I fear that the commercial property taxes will be raised to make up for the lost revenue, making all businesses downtown subsidize the few who benefit.

I completely support all of our downtown businesses and hope we can all prosper in this post-covid world. Again thank you for helping our restaurants through covid. I am sure that many would have failed were it not for these policies, but now that full capacity is available for the restaurants, I think it is time to make sure ALL downtown businesses have the benefit of more plentiful parking and visibility to their storefronts.

Thank you for your consideration,



William Bixby

*Inside Out, Your Comfort Store  
46 Market Street  
Portsmouth NH 03801*

November 2nd,2021

Portsmouth City Manager Karen Conard  
Portsmouth City Council Members

As a downtown business owner I am concerned about the additional lack of parking for my clients created by the use of spaces for restaurants. I was initially supportive of this as a temporary bridge for those businesses to overcome the devastating effects that the Covid-19 Pandemic has put on them and all of the local businesses across all industries.

I believe to maintain a thriving business community we need to support each other. Having those spacing taken away for continued use for the restaurant industry ultimately will hurt the retail industry as well as others. Now that the restrictions on the restaurants have been lifted and business is thriving it is time to lift the Jersey barriers too.

We need to be as supportive of our local clients as well as visitors and our locals rely on street parking. I receive continuous feedback that they no longer come downtown specifically because of lack of parking. Our local residents also need to be considered regarding the loss of revenue that the city is experiencing everyday that the spaces are blocked.

I appreciate your time and consideration of all Portsmouth businesses.

Regards,

Patricia Lonergan



Letters attached:  
Inside Out clothing store  
Ganesh Imports



Clay's

Daffodil Enterprises of NH, Inc.

To: Karen Conrad & Portsmouth City Council  
From: Clay's  
19 Market Street  
Portsmouth, NH  
Re: On-street dinning/parking  
Date: 10/28/2021

Dear Karen Conrad & Portsmouth City Council,  
It has come to our attention that the city of Portsmouth has been considering making the temporary on street dinning arrangements permanent. We would like to state that we are fully against any such action. We have enjoyed doing business in Portsmouth since 2004. We fully support the restaurant businesses and understand the difficulties they, along with many other small businesses in Portsmouth have been dealing with over the past 19 months; we do not feel this is a viable solution. The town streets and loading zone were not designed for this, not to mention that the ugly barriers take away from Portsmouth's old town, New England aesthetics.

Another reason we are opposed to this is, is it takes away valuable parking in downtown. Parking downtown was difficult enough prior to temporary dinning areas being erected; now it's almost impossible. This has also created an issue with larger delivery trucks having trouble getting into loading zones. We have a loading zone in front of our store, and see this on a daily basis. In addition to the loading zone, we have a 15 minute space in front of that. This 15 minute space is often used by the large delivery trucks, as the space behind them is taken away by with outdoor seating. We have also noticed once they are parked, they to stay for a very prolonged period of time, making it difficult for us to deliver merchandise to our store. This lack of parking also makes it difficult for our customer to "pop in" to do some quick shopping, especially with the 15 minute space often full.

The NH issued state of emergency is over, people are free to dine indoor as they please. Subsidizing the restaurants at the expense of the retailers and taxpayers should end. These spaces should be only offered if the businesses are willing to pay the actual revenue they generate, and retailers should be given the same opportunity.

Thank you for allowing us to express our opinion.

  
Elke Reichelt  
Clay's  
802-238-4200

CLAY'S  
*Get Comfortable*

163 Pearl Street  
Ste 1  
Essex Jct., VT  
05452  
Phone:  
(802)879-0212  
Fax:  
(802)872-3221  
Email:

daffodilent@yahoo.com  
www.claysclothing.com





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**The Black Dog Tavern Company, Inc.**

To: Portsmouth City Council  
From: Black Dog General Store, 19 Market St. Portsmouth, NH  
Date: October 28, 2021

We would like to express our concern regarding the current outdoor seating and possible expansion of outdoor seating in the parking spots on Market St.

When Covid prevented indoor seating, it was reasonable to for the restaurants to move outside to survive. Now that they can seat to full capacity indoors the barriers to parking should be eliminated.

Due to the current reduced size of the loading zone in front of 19 Market St., our delivery trucks are having difficulty parking. The drivers are unable to pull straight in or parallel park in the designated loading zone. Cup of Joe Coffee Shop is currently taking a portion of the loading zone with their outdoor seating.

Short term parking, that the street normally provides, is essential to the success of our business. If the restaurants expand in front of our small business, it will further impede the store's functionality and infringe on our marketability. In addition, for special events, such as Market Square Day, we would like to be able to utilize the outside space directly in front of our door.

We appreciate your consideration of our concerns when voting on this matter. Any expansion in this vicinity would have a significantly negative effect on our business.  
Best regards,

Jill Rhodes  
District Manager, North  
Black Dog Tavern, Inc

LeRoux Kitchen  
Michael Levandowski  
23 Market Street  
Portsmouth, NH  
508-221-1879

Date: October 29, 2021

To: Portsmouth City Manager - Karen Conard  
and Portsmouth City Council members.

My name is Michael Levandowski. My wife, and I own LeRoux Kitchen, a kitchen housewares store located at 23 Market Street. I write to request that the parking spaces that the City Council eliminated to provide outdoor seating during the height of the COVID crisis for select restaurants and coffee shops be returned as parking spaces.

I believe that a customer who finds themselves circling around the downtown, wasting precious time searching for a parking space will not return to Downtown Portsmouth anytime soon. Additionally, the lost parking meter revenue to the City of Portsmouth must be significant.

If the purpose of providing outdoor dining space at the expense of parking spaces was to improve the success of downtown restaurants during a time where indoor dining was eliminated for safety concerns, I support that. But now that those restaurants are fully reopened and busy it is time to return the outside dining spaces to public parking for the benefit of all businesses. These spaces provide all customers with convenient local street parking which is an important asset to all Portsmouth retail businesses, restaurants and service providers.

Market Street is the gateway to Portsmouth, without doubt hundreds and hundreds of cars drive down Market Street every day. This vehicle traffic, and the fact that the city has street parking available for these customers is the reason we opened our business on Market Street. Our customers rely on the convenience of this street parking, and we rely on those customers for revenue. The restoration of these Market Street parking spaces will help all downtown business including the restaurants. Please consider the parking needs of all downtown businesses.

With regards,

Michael Levandowski

Letters attached:  
LeRoux Kitchen  
Black Dog  
Clays clothing



Note: as shown delivery trucks need access to loading zone to pull in.







November 1, 2021

To: Portsmouth City Manager - Karen Conard & Portsmouth City Council members

My wife and I own the building located at 5-7 Commercial Aly and have operated the Salt Cellar store for 10 years. We have supported city's decision to provide outdoor seating when indoor seating was limited due to mandated distancing requirements. With those mandates now removed we strongly support a return to the time when our city streets were open and free of jersey barriers and other temporary dining areas.

With the winter approaching it is great to see our city finally reopening its roads and sidewalks again so that shoppers can find parking and more easily navigate our streets. The coming year looks to be much better than the past two for our local businesses. Perhaps a return to something resembling 'normal'.

Unless a city-mandated distancing requirement is in effect we strongly object to the continued use of outdoor seating in our streets and roads.

Sincerely yours,

Donald & Judit Tydeman

Owners, 5-7 Commercial Alley



112 Penhallow Street  
Portsmouth, New Hampshire 03801  
603-436-6343 [www.portsmouthfabric.com](http://www.portsmouthfabric.com)

11/3/21

To the City Manager and City Council,

I am writing to express my concern about the future possibility of restaurants in Portsmouth being given access to public parking spaces to establish outdoor dining. For the past 20 months, retailers in Portsmouth have faced the same Covid pandemic as the restaurants. For the past 20 months, retailers in Portsmouth have faced the loss of more than 60 parking spaces in the downtown due to restaurants expanding their dining to the outdoors without any expense. For the past 20 months, retailers have heard daily complaints from their customers asking "what has happened to all the parking downtown" while looking at all the empty tables day after day.

On Penhallow St where I have had a retail business for 42 years, we have fielded complaints about parking from customer for that many years. However, during the last 2 years the complaints have grown exponentially. Out of the 32 parking spaces along the entire length of Penhallow St, only 9 spaces were left for metered parking for the public. What appeared to be a romantic scene of dining in the street a few nights a week came at the dear cost of lost parking during the day especially when vacant tables which are not used all day long take up valuable parking spaces! Also many evenings the outdoor seating was vacant due to rain, oppressive heat or the restaurant being closed. The retailers are just as important to attracting customers to the downtown as restaurants and the scenario of the last 20 months is not sustainable for supporting retailers in the downtown.

Many customers come to Portsmouth Fabric Company to purchase sewing machines and have their sewing machines serviced at the shop. This entails getting large, heavy boxes in to the customer's cars or customers dropping off and picking up their machines for service. These customers can not carry their machines back and forth to the garage. Parking on Penhallow St must be made available beyond the 9 spaces that were left these past 20 months. Please invite retailers to any meetings convened about downtown parking so that their voices may be heard along with those of the restaurants so that the decisions being made incorporate all those who make downtown Portsmouth a desirable place to be.

Thank you,  
Gretchen Rath  
owner

Letter attached:  
Portsmouth Fabric  
Salt Cellar





- Street closed for Clipper Tavern ?





- 13 parking spots for primarily Thirsty Moose?

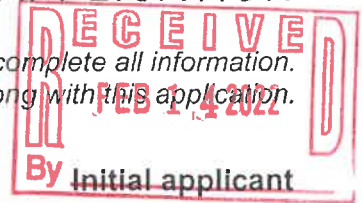




# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.



Committee: CEMETERY COMMITTEE

Name: DUNCAN MacCALLUM Telephone: (603) 431-1230

Could you be contacted at work?  YES/NO If so, telephone # (SAME)

Street address: 536 STATE STREET, PORTSMOUTH

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): madbarrister@aol.com

How long have you been a resident of Portsmouth? 29 YR.

Occupational background:

ATTORNEY

Please list experience you have in respect to this Board/Commission:

N/A - NEWLY-FORMED COMMITTEE

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES/NO

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to serve: THE GRAVESTONES IN OUR HISTORIC CEMETERIES ARE IN DEPLORABLE CONDITION. I HAVE ALWAYS HAD A STRONG INTEREST IN HISTORIC PRESERVATION AND IN LOCAL HISTORY.

Please list any organizations, groups, or other committees you <sup>HAVE BEEN</sup> are involved in:  
ZONING BOARD OF ADJUSTMENT, MAYOR EVELYN SIRRELL'S BLUE RIBBON COMMITTEE TO SAVE THE OLD STATE HOUSE, REVISIT McINTYRE, PORTSMOUTH NOW!, PORTSMOUTH DEMOCRATS

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) RICK BECKSTEAD  
Name, address, telephone number

2) ESTHER KENNEDY  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature:  Date: 2/10/22

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes \_\_\_ No X

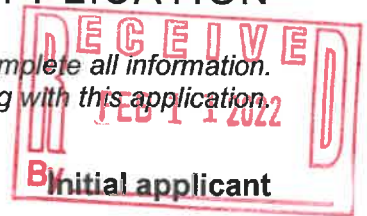
Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.*



Committee: Citywide Neighborhood Blue Ribbon Committee

Name: Elaine Apatang(-Butts) Telephone: 978-204-5749

Could you be contacted at work? YES  NO  If so, telephone# \_\_\_\_\_

Street address: 520 Ocean Road

Mailing address (if different ): \_\_\_\_\_

Email address (for clerk's office communication ): eapatang@1orh.com

How long have you been a resident of Portsmouth? 11 years (+8 yrs in Stratham)

Occupational background:

Operations Manager for One Revolution Holdings companies

Realtor/Co-owner for OR Realty (an ORH company)

International Office, Strategic Project & Marketing Mgmt.

Please list experience you have in respect to this Board/Commission:

While attending a CNC meeting via Zoom last July, I learned about National Night Out and

subsequently volunteered to represent my neighborhood. I coordinated the entire event, which

included securing a location, procuring donations and creating a marketing strategy.

➡ OVER



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES  NO

Would you be able to commit to attending all meetings? YES  NO

Reasons for wishing to serve: \_\_\_\_\_

Over the years, I've contributed time or money to various charities and organizations. The natural evolution of my desire to contribute and serve led me to work in the Portsmouth election process, and ultimately discovering the Citywide

Neighborhood Committee. It was an opportunity to engage more deeply within my hyper local community by taking on the role of Neighborhood Chair/coordinator of the National Night Out event. This event was fantastic and allowed me to really engage and

further appreciate our neighbors, first responders and city officials. It would be an honor to serve on the committee, and to offer my abilities, compassion and energy towards the effort to cultivate a represented and unified community.

Thank you for your consideration.

Please list any organizations, groups, or other committees you are involved in:

National Night Out (neighborhood coordinator)

The Chamber Collaborative of Greater Portsmouth (member)

Seacoast Board of Realtors (member)

Please list two character references not related to you or city staff members:  
(*Portsmouth references preferred*)

1) Joan Hamblet, Portsmouth, NH, 603-205-4925

Name, address, telephone number

2) Jeannette Van Der Velde, Boston, MA, 617-699-9586

Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Elaine Apalang-Buttz Date: 2/8/22

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes  No

**Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801**



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.



Committee: Citywide Neighborhood Committee

Name: Kathleen M. Boduch Telephone: 603-531-9962

Could you be contacted at work? YES  NO  If so, telephone# - retired

Street address: 34 Hunking Street, Portsmouth, NH 03801

Mailing address (if different ): -

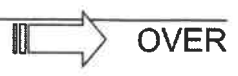
Email address (for clerk's office communication ): Kmboduch@gmail.com

How long have you been a resident of Portsmouth? 15 years

Occupational background:  
Teacher, training facilitator, academic advisor  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list experience you have in respect to this Board/Commission:

- Served on this committee as secretary from 2017-2019
- Regularly attended meetings (pre-covid) as a representative of the Friends of the South End. (FOSE)



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES  NO

Would you be able to commit to attending all meetings? YES  NO

Reasons for wishing to serve: Beth Margeson will be stepping  
down and <sup>I had been</sup> the previous secretary, she felt I  
might fit in well. I have always, since moving to  
Portsmouth in 2006, have cared about the  
neighborhoods

Please list any organizations, groups, or other committees you are involved in:

Friends of the South End - FOSE. Board member and secretary  
Friends of Prescott Park - member of the Board

Wentworth-Gardner Hist. House Assoc., Board member, secretary  
Gather - food pantry - volunteer (currently suspended pending  
a safe return in the Covid environment.

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) Mary Thomas, 303 Pleasant St., Portsmouth 603-969-3583  
Name, address, telephone number

2) Richard Adams, 75 Kent Street, Portsmouth 603-436-4445  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Nathaniel M. Boduch Date: September 16, 2021

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes X No     

**Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801**

## CITYWIDE NEIGHBORHOOD COMMITTEE APPLICATION

### BRIEF BIOGRAPHY

Kathleen Boduch  
34 Hunking Street, Portsmouth, NH 03801  
[kmboduch@gmail.com](mailto:kmboduch@gmail.com)  
(603)-531-9962

I was born in NYC, moved to Kingston, NY, as a teenager, and remained there following college to teach English and Language Arts in grades 6-12 for the Kingston City Schools for 25 years. When my husband retired from his work in 1998, we moved to Chicago.

#### Chicago activities:

1998-1999: I taught College English at the International Academy for Design and Technology, tutored at the 4th Presbyterian Church, and worked in a neighborhood community garden.

1998-2002: I was invited to use my teaching skills to facilitate corporate training programs for the Forum Corporation, Boston as an independent contractor, a member of their RESNET, working with clients Marsh McClennan and Home Depot.

2003-2006: I became an Academic Advisor for adult students entering college at DePaul University's School for New Learning.

We moved to Portsmouth, NH, in 2006.

#### Portsmouth activities:

2006-2011: I continued to advise DePaul University students, advising them online from home.

2006-2011: I volunteered in the Strawberry Banke Museum gardens.

2011-2013: I consulted with construction crews to rehab the 1780 house in the South End where I now live.

2011-present: Friends of the South End (FOSE) member; Board Secretary 2016-present

2017-2019 (suspended because of Covid19): volunteer at Gather, the food pantry, stocking and assisting members with shopping and food planning. I hope to return once I feel it is Covid safe for me to do so.

2017-2019: Portsmouth's Mayoral Blue Ribbon Citywide Neighborhood Committee (CNC), facilitating communication between the Portsmouth City Council and the neighborhoods; member and Secretary. I have been asked to return to fill a present member's leave of absence.

2017-present: Wentworth Gardner Tobias Lear Historic Houses (now Wentworth-Gardner Historic House Association [W-GHHA]), member and Board Secretary

2019-present: Coordinator of two annual seasonal food collections for Gather in conjunction with FOSE and the W-GHHA

2016, 2018. 2020: national and regional elections: Ward 5 ballot inspector

Please let me know if you need more details.

Kathleen Boduch

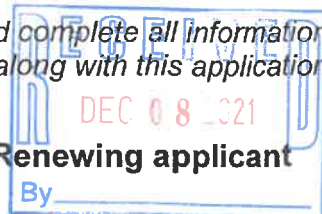




# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application



Committee: CITYWIDE NEIGHBORHOOD COMMITTEE **Renewing applicant**

Name: LAWRENCE CATALDO Telephone: 603-430-3762 ✖

Could you be contacted at work?  YES  NO - If so, telephone # 908-528-3933

Street address: 133 ISLINGTON STREET, PORTSMOUTH 03801

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): LARRYCATALDO@YAHOO.COM

How long have you been a resident of Portsmouth? 16 YRS

Occupational background:

FORMER EXECUTIVE MANAGER IN FINANCE,  
TELECOMMUNICATION PROJECT MANAGER AND  
REGULATORY ECONOMIST

Would you be able to commit to attending all meetings?  YES  NO

Reasons for wishing to continue serving: I WISH TO WORK WITH  
THIS COMMITTEE TO HELP RESIDENTS WITH  
NEIGHBORHOOD ISSUES, ALSO I WOULD LIKE TO  
CONTINUE TO MANAGE NATIONAL NIGHT OUT AND  
OTHER CITY-WIDE EVENTS, INCLUDING PORTSMOUTH 400



Please list any organizations, groups, or other committees you are involved in:

- JOINED THE CITY-WIDE NEIGHBORHOOD COMMITTEE IN 2015
- SERVED ON THE TAXI COMMITTEE - 2 YEARS
- VOLUNTEER + MEMBER OF STRAWBERRY BANKE MUSEUM
- TREASURER - PORTSMOUTH CITIZENS ALLIANCE AND PORTSMOUTH CITIZENS FOR TRANSPARENCY - 2017 AND 2019

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

- 1) GERALD ZELIN, 70 KENSINGTON RD, PORTS, 603-498-4256  
Name, address, telephone number
- 2) STEVE DUMFREY, 675 SOUTH STREET, PORTS, 603-570-8706  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Lawrence Cataldo Date: DEC. 5, 2021

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023

Annual Number of Meetings: \_\_\_\_\_ Number of Meetings Absent: \_\_\_\_\_

Date of Original Appointment: 2/10/2016

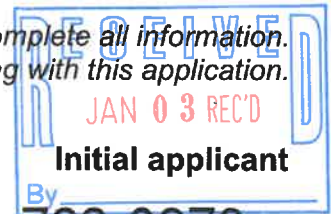
**Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801**



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.*



Committee: Citywide Neighborhood Committee

Name: William Gatchell Telephone: (603) 723-0878

Could you be contacted at work? YES  NO  If so, telephone# same as above

Street address: 120 Hillcrest Drive, Portsmouth

Mailing address (if different ): \_\_\_\_\_

Email address (for clerk's office communication ): willgatchell@gmail.com

How long have you been a resident of Portsmouth? 11 years

Occupational background:

Licensed Architect focusing on municipal and education design.  
Leadership role in my firm, Harriman, running our Portsmouth office  
location. 22 years experience in the design and construction field.

Please list experience you have in respect to this Board/Commission:

Architalx, Portland, ME. Board Member 6 years: hosts lectures and community events.

Active in Ward 3, Echo Ave/Farm Lane neighborhood to close Rte 16 offramp.

Leader, Portsmouth Scout Pack/Troop 164: 2015-2020.

OVER

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES  NO

Would you be able to commit to attending all meetings? YES  NO

Reasons for wishing to serve: \_\_\_\_\_

I want to be an active participant in my community and think this Committee is a good fit for me. I present my professional work to communities throughout Maine, New Hampshire, and Massachusetts and am comfortable working with diverse groups who may have differing viewpoints. I strive for consensus but will hold firm to my core values and the values of the constituents I represent. Also, my children are old enough that I am now able to commit time to serving on a this type of committee.

Please list any organizations, groups, or other committees you are involved in:

St John's Choir School, Board Member  
American Institute of Architects, NH chapter (AIANH)  
Scout Troop 164, Portsmouth

Please list two character references not related to you or city staff members:  
*(Portsmouth references preferred)*

1) David Cosgrove, 174 Echo Avenue, (603) 498-7990  
Name, address, telephone number

2) Josh Denton, 110 Brewery Lane #312, (603)553-1810  
Name, address, telephone number

**BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:**

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: WHGG  Date: 01-02-2022

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes  No

**Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801**

WILLIAM H G GATCHELL

120 Hillcrest Dr Portsmouth, NH 03801

603.723.0878

willgatchell@gmail.com

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EDUCATION:

**Columbia University, GSAPP**, New York, NY.

Master of Architecture, 2000

**Arizona State University, CAED**, Tempe, AZ.

Bachelor of Science in Design, 1995

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PROFESSIONAL CREDENTIALS AND AFFILIATIONS:

**Licensed Architect**, Maine, New Hampshire, Massachusetts

**American Institute of Architects**

**NCARB**

**MCPPO**, Certification for School Project Designers, State of Massachusetts

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PROFESSIONAL EMPLOYMENT SUMMARY:

**Harriman**, Associate, Municipal Market Leader, Senior Architect, 2014 - Present.

**Lavallee Brensinger Architects**, Project Architect / Manager, 2010 - 2014.

**Scott Simons Architects**, Project Architect, 2002 - 2010.

**Stephen Blatt Architects**, Intern Architect / Designer, 2001-2002.

**Wood + Zapata Architecture**, Intern Architect / Designer, 2001.

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WRITING, PUBLICATIONS, & OTHER NOTABLES:

**Public Safety Design Presentation for the City of Portsmouth**, *Designing Police Facilities*, collaboration with MWL, September 5-6, 2018.

**The Business Journal**, article by Kiley Jacques, *What's Happening 'Off Main'*, November 13, 2017.

**AIA NH 2014 Excellence in Architecture Design Awards**, Honor Award, Manchester Police Dept.

**Rehabilitation Honor Award**, SSA: Maine Preservation for the Baxter Library renovation, 2011

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TEACHING POSITIONS & COMMUNITY EDUCATION:

**St. John's Choir School**, Board Member, 2020 - Present.

**Boston Architectural College**, Practice Faculty, DMARCH Program, 2010 - 2015.

**University of Maine, Augusta**, Adjunct Professor, Fall 2008 and Spring 2009.

**Architalx Design Lecture Series**, Board member & officer, 2002 - 2008.

**Keene State College**, Adjunct Professor, Fall 2000 and Spring 2001.

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SOFTWARE & TECHNOLOGY PROFICIENCY:

Revit, SketchUp, InDesign, Photoshop, Word, Excel, PowerPoint, Bluebeam Revu, PlanGrid, Vision, & Newforma. Previous training and use of AutoCAD, Maya, Form-Z, and ArchiCAD.

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PERSONAL INFORMATION:

Known in the club and radio world as *DJ Jericho*. Hiking enthusiast.

WILLIAM H G GATCHELL

120 Hillcrest Dr Portsmouth, NH 03801

603.723.0878

willgatchell@gmail.com

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EMPLOYMENT/ PROJECT EXPERIENCE:

**Harriman**

Portsmouth, NH. 603.626.1242 October 2014 - present

Harriman is a 85 person architecture, engineering, and planning firm. I work within the Higher Education and Municipal Studio Groups, as project manager and/or project architect. My project focus has been growing the municipal studio, master planning, and conceptual design. I am actively involved in business development including proposal writing, project interviews, and marketing strategy.

*Municipal:* **Municipal Master Planning**, Boxford, MA; Bedford, NH, Wilmington, MA.  
**Public Safety**, Windham, ME; Boscawen, NH; Raymond, NH; Atkinson, NH; New London, NH; Chester, NH; Barrington, NH.  
**State of New Hampshire Forensics Lab**, Facility and space needs assessments and conceptual design for the State crime lab in Concord, NH.  
**City of Lewiston, ME**, Master Plan for new DPW campus; Library window replacement.  
**Town of Naples, ME**, New Community Center and Town Office.  
**Town of Wakefield, NH**, New DPW and Community Center.

*Education:*

**University of Maine at Augusta**, Concepts and visioning: Fine Arts Pavillion (12M), Randall Welcome Center Renovation (1M), Campus Welcome Center (4.8M).  
**Northern Maine Community Colege**, Reed Commons renovation (3.6M).  
**University of Southern Maine**, Interior design for Bailey Hall science lab renovations.  
**University of Maine System**, Facilities Master Plans of University of Maine campuses including: Farmington, Fort Kent, Augusta (Augusta and Bangor), Presque Isle, and the University of Maine Darling Marine Center.  
**University of Maine, Darling Marine Center**, Programming and concept design for 14,000 SF Marine Science Education Center.

**Lavallee Brensinger Architects**

Manchester, NH. 603.622.5450 June 2010 - 2014

*Municipal:* **Dover, NH Police Headquarters**, Project manager for new 30,000 s.f. Police Headquarters and 125,000 s.f. Public Parking Garage.  
**Manchester, NH Municipal Complex**, design project manager for new 78,000 s.f. Police Headquarters and CA team for entire 3 city block (\$39.5m) Public Works complex.

*Education:* **Wells High School**, Project Manager for \$23m 120,000 s.f. New/renovated space.  
**UVM Research Labs**, Project Manager for \$2m renovation of science laboratories.

*Business Development:* I assisted LBA in winning their first K-12 and higher education projects in Maine: Wells High School, Sanford High School, and Colby College. I was also responsible for the BD effort that won the Dover Police Facility project in 2013.

WILLIAM H G GATCHELL

120 Hillcrest Dr Portsmouth, NH 03801

603.723.0878

[willgatchell@gmail.com](mailto:willgatchell@gmail.com)

**Scott Simons Architects**

Portland, ME. 207.772.4656 December 2002 – June 2010

*Commercial:* **Via-Baxter Library Renovation**, office renovation, **Perkins-Thompson Law Offices**, office renovation, **75 York/SSA studio**, office renovation/addition.

*Education:* **Foxcroft Academy Residences**, 27,000 s.f. Dormitory, **George Stevens Academy Gym & Performing Arts Center**, **Tilton School Academic Building**. 37,000 s.f., **Waynflete Arts Center** (LEED Silver), **North Yarmouth Academy Science Center and NYA Middle School**.

*Municipal:* **Portland Public Library**, furnishings, **Charlotte Hobbs Memorial Library**.

*Planning:* **St. Mary's Church Campus Master Plan**, **North Yarmouth Academy Master Plan Update**, **Cow Island Master Plan** (Rippleeffect).

*Residential:* **Camann Condominium** renovation, **Milliken Residence** renovation/addition, **Higgins Residence** new construction, **Waldron Residence** new construction.

**Architalx Design Lecture Series**, Board member & officer, 2002 - 2008.

Director of Architalx Community Discussion Group, 2004 – 2007.

Major Gifts Chair, 2005-2007.

Vice President, 2006-2007

Advisory Board member 2008 – 2010.

References are available upon request.





# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application

DEC 09 2011  
Renewing applicant  
By

Committee: City Wide Neighborhood Committee

Name: LORI Soloway Telephone: 978-869-1850

Could you be contacted at work? YES/NO- If so, telephone# N/A

Street address: 37 Staysailway Portsmouth, NH

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): lori.Soloway@gmail.com

How long have you been a resident of Portsmouth? almost 6 years

Occupational background:

See attached Resume - my previous experiences have included working as the Human Resources Director for the Central Artery/Tunnel Project, Town of Canton, MA and Arbour HRI Hospital in Brookline, MA other experiences have included working as an Employee Relations specialist for the CI/TT and many years in the field of Civil Rights

Would you be able to commit to attending all meetings?  YES/NO

Reasons for wishing to continue serving: I thoroughly enjoy being a member of this committee and I respectfully request that I be reappointed. I believe I have a lot to offer this committee and look forward to working on this committee in the future.

OVER  
➔

Please list any organizations, groups, or other committees you are involved in:

music Hall  
was volunteering for Gather (the food pantry)  
AMAC (playing Ukulele)  
SNUGG (southern NH Ukulele Group)

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) Cliff Lazenby LazenbyforPortsmouth@gmail.com  
Name, address, telephone number  
2) Kathy Bergeron 603-502-7803  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

- 1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
- 2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
- 3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
- 4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
- 5. Application will be kept on file for one year from date of receipt.

Signature: Lori Soloway Date: 12/7/2021

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023  
Annual Number of Meetings: \_\_\_\_\_ Number of Meetings Absent: \_\_\_\_\_  
Date of Original Appointment: 9/16/2019

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.

Committee: Citywide Neighborhood Committee Initial applicant

Name: Peter Somssich Telephone: 603-436-5221

Could you be contacted at work? YES  NO  If so, telephone# Retired

Street address: 34 Swett Ave. Portsmouth NH 03801

Mailing address (if different ): \_\_\_\_\_

Email address (for clerk's office communication ): peter.somssich@gmail.com

How long have you been a resident of Portsmouth? 21 years

Occupational background:  
Analytical Scientist / Physicst  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list experience you have in respect to this Board/Commission:  
As a NH State Representative since 2016, I have regularly attended the meetins of the  
Citywide Neighborhood Committee and have occasionally raised some issues of  
concern.  
\_\_\_\_\_  
\_\_\_\_\_

➡ OVER



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES  NO

Would you be able to commit to attending all meetings? YES  NO


Reasons for wishing to serve: \_\_\_\_\_  
I have found this committee to be very informative and able to provide a forum for residents of Portsmouth to both ask questions and suggest actions.  
\_\_\_\_\_  
\_\_\_\_\_

Please list any organizations, groups, or other committees you are involved in:  
I am currently serving as a NH State Representative for Ward 3, and am a the Ranking Member on the Science Technology & Energy Committee of the House.  
\_\_\_\_\_  
I am also a board member of SIPP.  
\_\_\_\_\_  
\_\_\_\_\_

Please list two character references not related to you or city staff members:  
*(Portsmouth references preferred)*  
1) Larry Cataldo, 133 Islington St., 430-3762  
Name, address, telephone number  
2) Paul Mannle, 1490 Islington St. , 498-9320  
Name, address, telephone number

**BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:**

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- 4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
- 5. Application will be kept on file for one year from date of receipt.

Signature:  Date: 8/4/2021

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes  No  Perhaps

**Please submit application to the City Clerks Office, 1 Jurkins Avenue, Portsmouth, NH 03801**  
6/27/2012

**PETER F. SOMSSICH Ph.D.**  
34 Swett Avenue  
Portsmouth, NH 03801  
(603) 436-5221 / [peter.somssich@gmail.com](mailto:peter.somssich@gmail.com)

**Personal Background:**

- Born in Hungary, Naturalized citizen since 1963
- Educated in Hungary, Germany and the USA
- Graduate degrees, including Ph.D in Physics from University of Heidelberg (Germany) and MBA from Lesley College, Cambridge MA
- Resident of NH for 38 years, of Portsmouth for 21 years
- fluent in German, semi-fluent in Hungarian

**PROFESSIONAL EXPERIENCE:**

5/1984 - 1/2017

**RESEARCH AND SERVICES LABORATORY OF GTE/Sylvania,**  
**subsequently OSRAM SYLVANIA INC. Beverly, MA**

Initially Analytical Scientist, subsequently Analytical Manager and Quality Manager for Metrology & Analytics Laboratory (MAS), with responsibility as Group Leader of the Mass Spectrometry Group

**PROFESSIONAL/SCIENTIFIC ORGANIZATIONS:**

American Physical Society, American Vacuum Society, Applied Mass Spectrometry Society of New England, (Chairman) Board of Directors/ American Vacuum Society, New England Chapter

**COMMUNITY INVOLVEMENT:**

- Board member Save Indoor Portsmouth Pool (SIPP)
- Chair of Memorial Bridge Illumination Committee
- Chair, Portsmouth Democrats
- Financial Organizer for New Portsmouth Library
- Financial Organizer for African Burying Ground project
- Co-Chair Portsmouth Peace Treaty Parade
- Co-Chair End of Iraq War/ Welcome Home Parade
- Election worker at both Ward 3 and Ward 4 polls
- Since 2016 New Hampshire State Representative for Ward 3 in Portsmouth
- Since 2016 member of House Science Technology & Energy Committee



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.*

Committee: \_\_\_\_\_

**Initial applicant**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Could you be contacted at work? YES NO If so, telephone# \_\_\_\_\_

Street address: \_\_\_\_\_

Mailing address (if different ): \_\_\_\_\_

Email address (for clerk's office communication ): \_\_\_\_\_

How long have you been a resident of Portsmouth? \_\_\_\_\_

Occupational background:

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
Please list experience you have in respect to this Board/Commission:

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 OVER

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES NO

Would you be able to commit to attending all meetings? YES NO

Reasons for wishing to serve: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please list any organizations, groups, or other committees you are involved in:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please list two character references not related to you or city staff members:  
*(Portsmouth references preferred)*

1) \_\_\_\_\_  
Name, address, telephone number

2) \_\_\_\_\_  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

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

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes \_\_\_\_\_ No \_\_\_\_\_

**Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801**

6/27/2012



# ANNE WEIDMAN, CPSM

As director of community engagement and business development for JSA Design, I bring a true love of community and connection. I keep an eye on everything happening in the built environment in New England, and build relationships with developers, operators, construction companies, engineers, local and state officials, and more. I especially enjoy working on projects that are out of the typical development prototype. When a thoughtful neighborhood or project positively impacts people's lifestyles, that's a feel-good moment.

I volunteer with Portsmouth-based civic organizations and also for the City of Portsmouth. As a trustee of Strawberry Banke Museum I oversee the historic site's outdoor ice rink. I am also a frequent speaker for Access Navigators, a JSA-based non-profit organization providing reliable accessibility information that helps New England residents with disabilities stay connected to their communities.

## EDUCATION

Bachelor of Science, Marketing / Design, Indiana University of Pennsylvania

## PROFESSIONAL EXPERIENCE

**JSA Design**, Portsmouth, NH Marketing / Community Engagement / Associate

**University of New Hampshire**, Durham, NH

Group facilitator; Community Accessibility studies:

Occupational Therapy Practice and Professional Reasoning, graduate level; Public Health Nursing Project, undergraduate level

**The Rinks at Exeter**, Exeter, NH Marketing Manager

## RECOGNITION

Portsmouth Phoenix Award, Chamber Collaborative of Greater Portsmouth, 2021

New Hampshire Governor's Accessibility Award, 2019

## SPEAKING ENGAGEMENTS / PUBLICATIONS

- Salem State University, Community Accessibility, 2020, 2021
- AIA Forum magazine, Accessible Outdoor Dining, 2021
- PlanNH: Accessibility in Outdoor Dining Spaces, 2021
- Seacoast Economic Development Committee: Accessibility in Outdoor Dining Spaces, 2021
- AIA Forum magazine, Portsmouth Design Professionals Alliance, 2020
- SMPS Marketing Boot Camp: What's Your Golf Course?, 2020
- SMPS Northeast Regional Conference: The Road Not Taken, 2019
- LeadingAge PEAK Leadership summit, Washington DC, 2019
- Strafford County Planning Commission: Intro to Access Navigators, 2018
- Complete Streets Conference: Introduction to Access Navigators, 2018
- Granite State Landscape Architects: Engaging Community Through Art and Design, 2018
- Rockingham County Planning Commission: Introduction to Access Navigators, 2018
- Avesta, Day of Caring: Access Navigators, Aging in Place & Universal Design, 2018
- Portsmouth Rotary: "Accessibility as an Economic Driver," 2018
- Boston Society of Architects, 'Learning Not to Walk,' 2018
- America Walks webinar: Creating Safe Spaces for All Community Members, 2018
- Plan New Hampshire, "Accessibility as an Economic Driver," 2017
- WCSA Radio, Hello Access Portsmouth! 2017
- New England Foundation for the Arts, "Accessibility as an Economic Driver," 2017
- SNHPC / AARP: Becoming Age Friendly, panelist, Economic Development, 2017
- The Institute for Human Centered Design, "Learning Not to Walk, Access Portsmouth," 2017

## PROFESSIONAL AFFILIATIONS AND CERTIFICATIONS

CPSM, Certified Professional Services Marketer, 2010

SMPS Northern New England, President 2011/2012

NCIDQ: National Council for Interior Design Certification, 1986

## COMMUNITY ENGAGEMENT

Winter Portsmouth, Organizer: Activate Portsmouth January-April as a public health initiative and economic driver

Chamber Collaborative of Greater Portsmouth, Destination Marketing Taskforce

Portsmouth CTE, Business / Educator Roundtable: Career paths in construction trades

Mayor's Blue Ribbon Committee to Reopen Portsmouth: streetscape solutions, economic drivers

Portsmouth Design Professionals Alliance, Spokesperson

AIA Forum magazine, A publication of AIA New Hampshire, Editorial Board

Access Portsmouth, Director of Community Engagement

Plan New Hampshire, Placemaking committee

Ice Dance International, Seacoast Development committee

Strawbery Banke Museum, Chair: Rink Operations committee

Strawbery Banke Museum, Board of Trustees

PechaKucha Portsmouth, Organizing committee

Krepels Center, Board of Directors

Discover Portsmouth, Special Events committee

[anne.weidman7@gmail.com](mailto:anne.weidman7@gmail.com) 603.770.0876

44 Lookout Lane Portsmouth New Hampshire 03801



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information  
Please submit resume' along with this application*

**RECEIVED**  
APR 26 2021  
Renewing applicant  
By \_\_\_\_\_

Committee: Historic District Commission

Name: Heinz K. Sauk-Schubert Telephone: 603.674.1633 mobile

Could you be contacted at work? YES/~~NO~~ - If so, telephone# 603.422.6444 home office

Street address: 142 Spinnaker Way

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): hsauk@h2sa.com

How long have you been a resident of Portsmouth? 37 years

Occupational background:

Please see résumé attached to original appointment application.dated 11/29/2018

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Would you be able to commit to attending all meetings? YES/~~NO~~

Reasons for wishing to continue serving: Please refer to my original application .

In addition, I should add that commission experience from the inside is an invaluable

experience in and of itself to effectively discern concerns, navigate conflicting interests,

and steer commission/applicant discourse to amicable conclusions.

\_\_\_\_\_

OVER  
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Please list any organizations, groups, or other committees you are involved in:

None currently.

Please list two character references not related to you or city staff members:  
*(Portsmouth references preferred)*

1) Maria Montanaro 34 Cabot Street Portsmouth, NH (603) 969-9622  
Name, address, telephone number

2) Thomas M. Cowgill 88/90 Wiburd Street Portsmouth, NH (603) 969-4999  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature:  Date: April 23, 2021

**CITY CLERK INFORMATION ONLY:**

New Term Expiration Date: \_\_\_\_\_

Annual Number of Meetings: 22 (2020) Number of Meetings Absent: 1

Date of Original Appointment: 1/22/2019

**Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801**



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.*



Committee: Library Board of Trustee

Name: Jeff Stern Telephone: 617-775-1575

Could you be contacted at work? YES  NO  if so, telephone# 781-891-2967

Street address: 91 Spring St, Portsmouth, NH 03801

Mailing address (if different ): same as above

Email address (for clerk's office communication ): jeffalexstern@gmail.com

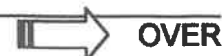
How long have you been a resident of Portsmouth? 6 years

### Occupational background:

I am a Senior Lecturer in the English & Media Studies department at Bentley University. I have worked there since 2006. I teach classes on filmmaking, cinema studies and effective public speaking.

### Please list experience you have in respect to this Board/Commission:

I do not have any direct experience with the library's board. However, I have hosted events at the library as part of the Seacoast Digital Fast.



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES  NO

Would you be able to commit to attending all meetings? YES  NO

Reasons for wishing to serve: \_\_\_\_\_

As a Portsmouth resident with 2 kids (9 and 12), I have been a big fan and frequent patron of the library since we moved to town in 2015. I believe that Portsmouth's Public Library is a vital part of our town and I admire the ways in which it serves as a hub for our community, as well as a tone-setter for how we can all be good citizens. I see serving on the board as an opportunity to be connected to my community on a deeper level and I also think I can bring my background and experience in the arts to the larger conversation.

Please list any organizations, groups, or other committees you are involved in: \_\_\_\_\_

Seacoast Digital Fast, Portsmouth Middle School, Little Harbour School, TedX Portsmouth, Beat Night, The New Hampshire Film Festival, Creative Mornings, 3S Artspace, Pecha Kucha, South Church

Please list two character references not related to you or city staff members:  
*(Portsmouth references preferred)*

1) Adam Reudig, 70 Highland Ave, Portsmouth, 646-270-5947

Name, address, telephone number

2) Jesse Lore, 4 McDonough St, Portsmouth, 603-339-3116

Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: Jeffrey Stern  Date: 10/8/21

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes \_\_\_\_\_ No

**Please submit application to the City Clerks Office, 1 Jenkins Avenue, Portsmouth, NH 03801**  
6/27/2012

# JEFF STERN

617.775.1575  
[jeffalexstern@gmail.com](mailto:jeffalexstern@gmail.com)

91 Spring St.  
Portsmouth, NH 03801

<http://jeffsternmedia.com>

## EDUCATION

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- MFA** Boston University, Film Production May 2002  
Thesis Film: "Rest Area"  
Advisor: Mary Jane Doherty
- BA** Bucknell University, English May 1995

## TEACHING EXPERIENCE

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**Bentley University, Waltham, MA** 2006-present  
**Senior Lecturer, English and Media Studies Department**

Courses Taught:

MC224: Video Production

MC324: Directing

MC340: Producing

MC300: Alone Together: The Impact of Technology and Social Media on Our Lives

HNR 445: Honors Capstone

CIN385: Hollywood Rebels: A History of American Independent Film

LSM 450: Liberal Studies Major, Culminating Experience

COM210: Effective Public Speaking

Developed the following course curricula:

Directing

Alone Together: The Impact of Technology and Social Media on Our Lives

Hollywood Rebels: A History of American Independent Film

**Grub Street, Boston, MA** 2015

**Instructor**

Course Taught: The Short Screenplay: From Script to Screen

**Massachusetts College of Art, Boston, MA** 2008

**Adjunct Lecturer, Department of Professional and Continuing Education**

Course Taught: Designing the Short Film

**Olin College, Needham, MA** 2005  
**Co-Curricular Instructor**  
Courses Taught: A Brief History of American Independent Film

**Boston University, Boston, MA** 2000-2002  
**Teaching Assistant**, College of Communication, Department of Film & Television

Courses:  
COM 101  
Film Styles  
Designing the Short Film

### **UNIVERSITY SERVICE**

---

**Production Manager**, Media and Culture Labs and Studio 2006-present

**Departmental Committees:**

Media and Culture Committee, 2007-present  
English and Media Studies Department Strategic Planning Committee, 2015-present

**Institutional Service**

Faculty Advisor, Liberal Studies major (Media Arts and Society)  
Faculty Advisor, Media and Culture major  
Festival co-producer, annual film festival (BUFFYS)  
Attend open houses and majors/minors fairs for prospective/accepted students  
Faculty Advisor, Bentley Student Television

### **SELECTED FILMOGRAPHY**

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***This Fog***

2021 Independent Film Festival Boston  
2021 Woods Hole Film Festival  
2021 Walla Walla Movie Crush  
2021 Monadnock Film Festival  
2021 Cadence Video Poetry Festival  
2021 South Dakota Film Festival

***My Dark Side And My Light Side Meet In A Bar To Discuss The Latest Star Wars Movie***

2016 Independent Film Festival Boston  
2016 New Hampshire Film Festival  
2016 South Dakota Film Festival



***The Morning of Everything***

2014 Ashland Independent Film Festival  
2014 Independent Film Festival Boston  
2014 Nantucket Film Festival  
2014 Big Eddy Film Festival  
2014 Flyway Film Festival  
2014 BolderLife Festival  
2014 Olympia Film Festival  
2015 Monadnock Film Festival  
2015 Collinsville Film Festival  
2015 New Hampshire Film Festival

***Big Movie Trailer***

2007 Woods Hole Film Festival  
2007 Boston Underground Film Festival  
2007 Boston Cinema Census

***Rest Area***

2003 Boston Cinema Census  
2003 Olympia Film Festival  
2003 F4 Film Festival  
2003 Ocean Beach Underground Film Festival

**HONORS AND AWARDS**

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<b>Bentley University Outstanding Scholarly Contribution Award</b> For <i>The Morning of Everything</i>	2016
<b>Bentley University Faculty Development Grants</b> Funds were used to attend the South by Southwest film festival	2010-11, 2013, 2016
<b>LEF Moving Image Fund production grant</b> For <i>The Romantic Possibilities</i>	2005

**PRESENTATIONS AND INVITED LECTURES**

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**Co-Host**, TEDxPortsmouth, Portsmouth, NH, September, 2018.

**Speaker**, “How a 48-Hour Digital Fast Can Change Your Life”, TEDxPiscataquaRiver, Portsmouth, NH, September, 2017.

**Featured Speaker**, “Going on a Digital Fast”, Creative Mornings PKX, Kittery, ME, May, 2016.

**Speaker**, “The Giant Owl Man Was My Son’s Idea”, Pecha Kucha, Portsmouth, NH.  
October, 2016

**Keynote Address**, “Going on a Digital Fast”, Emerging and Collaborative Leaders Awards,  
UNH, Durham, NH, May, 2017.

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#### **PROFESSIONAL AND COMMUNITY SERVICE**

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**Director & Creator**

Seacoast Digital Fast, Portsmouth, NH, 2016-present

**Panel Moderator**

New Hampshire Film Festival

Industry Insiders Panel, 2018

Short Film Panel, 2017

**Festival Judge**

Independent Film Festival Boston, 2017

**Co-Creator, Co-Host**

Boston Open Screen, Brookline, MA, 2003-2010

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#### **PROFESSIONAL AFFILIATIONS**

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**3S ArtSpace**

Portsmouth, NH

Programming Committee, 2015-2019

Board Member, 2015-2017

**Grub Street**

Boston, MA

Member, Instructor, 2006-2015

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#### **PRODUCTION SKILLS**

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**Applications:** Resolve, Premiere, Audition, Final Cut Pro, FCPX, Photoshop, Illustrator,  
After Effects

**Hardware:** Macintosh and PC fluent, Server administration

**Cameras:** Nikon D7200, Canon 5D/7D, Canon EOS Rebel, Sony PXW-X70, Panasonic  
HVX-200

## **SELECTED PRODUCTION EXPERIENCE**

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### **Director, Editor**

*Next Step Summer Campference PSA, 2015*

### **Director, Editor**

*Grub Street fundraising PSA, 2010*

### **Assistant Editor**

WGBH, Boston, MA, 2004

### **Associate Producer**

Annual Conference, Christian Science Church, Berlin, Germany, 2003

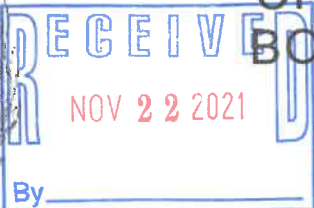
Annual Conference, Christian Science Church, Boston, MA, 2004

### **Freelance Production Work**

*A Bad Situationist*, Script Supervisor, New York, NY, 2001.

*Mystic River*, Production Assistant, Boston, MA, 2002

*Mona Lisa Smile*, Production Assistant, Wellesley, MA, 2002



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application

Committee: Peirce Island Renewing applicant

Name: Jason Brewster Telephone: 603.817.2739

Could you be contacted at work? YES/NO - If so, telephone# \_\_\_\_\_

Street address: 121 Mechanic St Portsmouth

Mailing address (if different): N/A

Email address (for clerk's office communication): 03801Phone@gmail

How long have you been a resident of Portsmouth? Life

Occupational background:  
Engineering Staffing  
Small Business Owner

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to continue serving: I JUST Started!



Please list any organizations, groups, or other committees you are involved in:

Pine St Social and Athletic Club  
Portsmouth Elks Lodge 97  
Portsmouth Athenaeum Proprietor

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

- 1) Jack Madden Rye 781 727 0799  
Name, address, telephone number
- 2) Francesca Ferrald Portsmouth 603 930 9700  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

- 1. This reappointment application is for consideration and does not mean you will necessarily be reappointed to this Board/Commission; and
- 2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
- 3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
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- 5. Application will be kept on file for one year from date of receipt.

Signature: [Signature] Date: 11/20/21

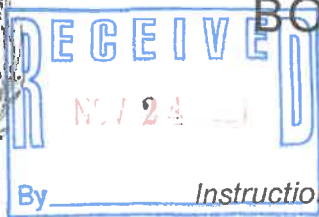
CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023  
Annual Number of Meetings: 2 Number of Meetings Absent: 0  
Date of Original Appointment: 8/23/2021

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS



APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application

Committee: Peirce Island Renewing applicant

Name: FRANCESCA MARCONI FERNALD  
Telephone: 603-930-9700

Could you be contacted at work?  YES  NO - If so, telephone# SAME

Street address: 1000 MAPLEWOOD Ave

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): francesca177@comcast.net

How long have you been a resident of Portsmouth? 57 years

Occupational background:

owner / operator GENO'S Chowder & Sandwich Shop 35+ years  
whole sale of Chowder through The Daily Haul 1 year

Would you be able to commit to attending all meetings?  YES  NO

Reasons for wishing to continue serving: I would like to continue serving  
to see the completion of the waterfront and the trail  
system. It's important to have and maintain this  
open / shore area for all to enjoy. I grew up  
enjoying the island and want others to be able to  
do the same.



Please list any organizations, groups, or other committees you are involved in:

- advisory for city's 400<sup>th</sup> - Italian Festival
- any city election
- The Daily Haul

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

- 1) Helen Brewster, 9 Ireland way, Greenland, NH 603-828-4613  
Name, address, telephone number
- 2) John Borden, 261 Bracket Rd, Rye NH 207-752-1649  
Name, address, telephone number

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Signature: Francesca Marcou Fenwick Date: 11/22/2021

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023

Annual Number of Meetings: 7 Number of Meetings Absent: 4

Date of Original Appointment: 10/22/2012

**Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801**





Please list any organizations, groups, or other committees you are involved in:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_


Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) DEVAN QUINN 603 475 3089 LEATES ST.  
Name, address, telephone number

2) MARK BRODERICK 617 365 1339 70 SIMS AVE  
Name, address, telephone number

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Signature:  Date: 1/14/22

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023

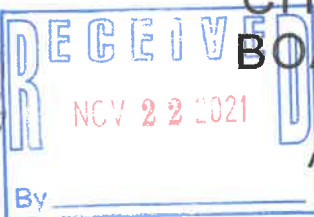
Annual Number of Meetings: 6 Number of Meetings Absent: 1

Date of Original Appointment: 04/05/2021

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS



APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application

Committee: PEIRCE ISLAND COMM **Renewing applicant**

Name: STEVEN MARISON Telephone: 603-969-6446

Could you be contacted at work? YES/NO - If so, telephone# \_\_\_\_\_

Street address: 38 PICKERING ST.

Mailing address (if different): \_\_\_\_\_

Email address (for derk's office communication): KURTIEKASH@COMCAST.NET

How long have you been a resident of Portsmouth? 1983

Occupational background:

<u>CIVIL ENGINEERING</u>	<u>20YR</u>	}	<u>RETIRED</u>
<u>HEAD GARDENER</u>	<u>18YR</u>		
<u>CONST ENGINEER</u>	<u>4YRS</u>		

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to continue serving: \_\_\_\_\_

HAVE LED THE COMM IN FINISHING THE  
MASTER PLAN & WE ARE ONLY A FEW  
YEARS AWAY FROM BEING DONE, I WISH  
TO SEE IT THROUGH THE END,



Please list any organizations, groups, or other committees you are involved in:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) MIKE DATER / 29 ROCKING ST / 603-436-0683  
Name, address, telephone number

2) TOM PARKER / 52 HAVEN RD / 603-436-1509  
Name, address, telephone number

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Signature: AB Mc Date: 11/19/21

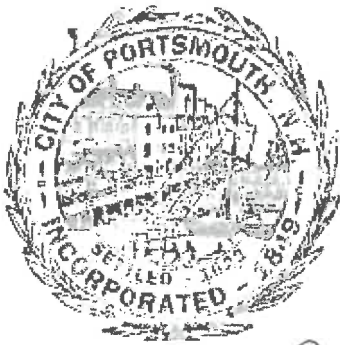
CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023

Annual Number of Meetings: 7 Number of Meetings Absent: 0

Date of Original Appointment: 3/3/2008

**Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801**



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume along with this application

RECEIVED  
FEB 07 2022  
Renewing applicant

Committee: Pierce Island

Name: Stephen Philip Telephone: 603-498-7942

Could you be contacted at work? YES  NO - If so, telephone# \_\_\_\_\_

Street address: 39 Spring St

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): sg.philip@comcast.net

How long have you been a resident of Portsmouth? 41 yrs

Occupational background:  
Inventory Control  
Computer Sys. Operations

Would you be able to commit to attending all meetings?  YES  NO

Reasons for wishing to continue serving: Now that PI treatment plant is completed, I want to see re-opening of the Island as one of the only green spaces left in Portsmouth. I want to see improvements which we have spent years planning.

OVER  
➔

Please list any organizations, groups, or other committees you are involved in:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

- 1) David Allen, former City Engineer & Deputy DPW Director  
Name, address, telephone number *Wibird St.*
- 2) Jack Blacklock, former Mayor of Portsmouth, Owner of Old Ferry Landing  
Name, address, telephone number

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Signature: *[Signature]* Date: 1/21/2022

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12-31-2023

Annual Number of Meetings: 7 Number of Meetings Absent: 4

Date of Original Appointment: ~~11-19-2010~~ 4-19-2010

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

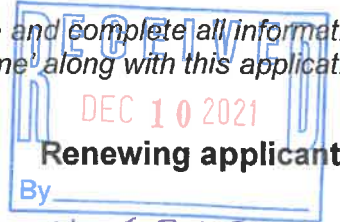




# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume along with this application



Committee: PEIRCE ISLAND COMMITTEE

Name: Devan Quinn Telephone: 603-475-3059

Could you be contacted at work? YES/NO - If so, telephone# \_\_\_\_\_

Street address: 199 Gates St. Portsmouth NH 03801

Mailing address (if different): —

Email address (for clerk's office communication): devanguinn@gmail.com

How long have you been a resident of Portsmouth? 3 years

### Occupational background:

I am the Director of Policy at the New Hampshire Women's Foundation. I formerly worked at UNH. I work to bring people together around common goals.

Would you be able to commit to attending all meetings?  YES/NO

Reasons for wishing to continue serving: The Peirce Island Committee is a great group that I enjoy serving with. We've been able to really increase our activity and engagement in the last year after the rest of the Island & trails opened up. I think there is a lot more we can do to make the island accessible and would like to serve another year.





Please list any organizations, groups, or other committees you are involved in:

HAVEN - hotline volunteer and Development Committee  
Leadership Seacoast 2022

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) Allison Tompkins 603-475-7408  
Name, address, telephone number

2) Chris Gallot 603-767-4304  
Name, address, telephone number

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Signature:  Date: 12/6/21

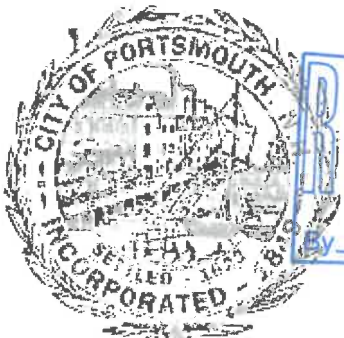
**CITY CLERK INFORMATION ONLY:**

New Term Expiration Date: 12/31/2023

Annual Number of Meetings: 6 Number of Meetings Absent: 1

Date of Original Appointment: 12/14/2020

**Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801**



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application

Committee: Peirce Island **Renewing applicant**

Name: JOHN SIMON Telephone: (603) 205-5474

Could you be contacted at work?  YES  NO - If so, telephone# (603) 205-5474

Street address: 72 ATKINSON STREET

Mailing address (if different): PO BOX 1090

Email address (for clerk's office communication): john@wordpraxis.com

How long have you been a resident of Portsmouth? 26+ years

Occupational background:

Editor, author  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Would you be able to commit to attending all meetings?  YES  NO

Reasons for wishing to continue serving: I wish to continue overseeing  
the welfare of Peirce Island.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Please list any organizations, groups, or other committees you are involved in:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list two character references not related to you or city staff members:  
*(Portsmouth references preferred)*

- 1) Eleanor Bredshaw 21 Humphreys Court (603) 431-4533  
Name, address, telephone number
- 2) Richard Sandperil 22 Humphreys Court (603) 433-6585  
Name, address, telephone number

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Signature:  Date: 12/08/2021

**CITY CLERK INFORMATION ONLY:**

New Term Expiration Date: 12/31/2023  
 Annual Number of Meetings: 7 Number of Meetings Absent: 2  
 Date of Original Appointment: ~~BMV~~ 3/1/2010

**Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801**



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application

Committee: PETREE ISLAND Commission **Renewing applicant**

Name: RICHARD A. SMITH Telephone: 603-502-0570

Could you be contacted at work? YES/NO - If so, telephone# 603-502-0570  
603-436-8596

Street address: 93 HUBB ST #1 CITY

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): RICHARD @ CUZIN RICHARD.COM

How long have you been a resident of Portsmouth? SINCE 1975

### Occupational background:

CUZIN RICHARD ENTERTAINMENT ASSOCIATES <sup>owner</sup> SINCE 1976  
PORTSMOUTH

SUBSTITUTE TEACHER PORTSMOUTH SCHOOLS 2010-2011  
2012-2014

MODERN RECORDS SHOP

HARBOR ARTS MUSEUM

Would you be able to commit to attending all meetings?  YES/NO

Reasons for wishing to continue serving: I LOVE PETREE ISLAND, my  
favorite spot in town - mayor Eileen Fikley  
appointed me - I am co chairman & I spend  
as much time on ISLAND as possible. I have  
a mission which is the mission of PETREE ISLAND  
1. preserve 2. protect 3. enhance

OVER  
➔

Please list any organizations, groups, or other committees you are involved in:

PAST CO-FOUNDER 1ST MAINT PORTSMOUTH  
" POC PORTSMOUTH BOARD  
( no other city committees ) only served  
on other non-profit boards as I listed  
ABOVE -

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

- 1) BOB MARCHEWKA 603-661-4880  
Name, address, telephone number  
HARAD White house 436-8083
- 2) MARY TOLEY Butch Ricki, DAN Huette  
Name, address, telephone number  
BRAD Lowm

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

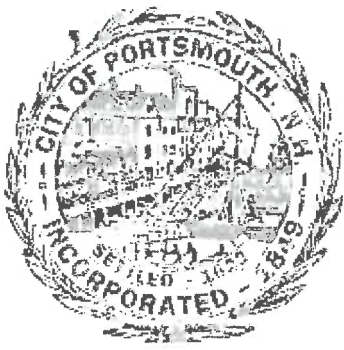
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- 5. Application will be kept on file for one year from date of receipt.

Signature:  Date: 11-19-21

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023  
Annual Number of Meetings: 7 Number of Meetings Absent: 0  
Date of Original Appointment: 1/22/2007

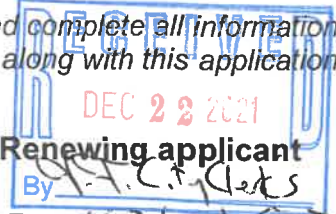
Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume' along with this application



Committee: Pierce Island Committee

Renewing applicant

Name: marc Stettner Telephone: 603-431-2577

Could you be contacted at work? YES/NO - If so, telephone# \_\_\_\_\_

Street address: 91 Fairview Ave, Portsmouth

Mailing address (if different): \_\_\_\_\_

Email address (for clerk's office communication): marcstettner@yahoo.com

How long have you been a resident of Portsmouth? 22 yrs

Occupational background:

Naval Architect

Would you be able to commit to attending all meetings? YES/NO

Reasons for wishing to continue serving: To continue to improve and protect Pierce Island for everyone's use.



Please list any organizations, groups, or other committees you are involved in:

N/A

Please list two character references not related to you or city staff members:

(Portsmouth references preferred)

- 1) Richard David Grossman, 131 Spinnaker Way, Portsmouth, NH  
Name, address, telephone number (603) 431-4558
- 2) Mike Russo, 445 Shapleigh Rd, Lebanon ME 04002  
Name, address, telephone number (603) 651-0987

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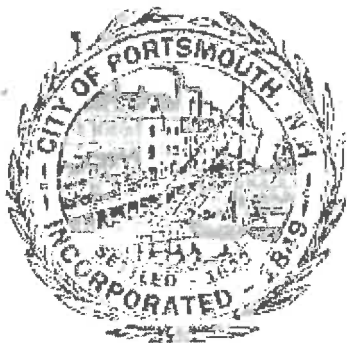
Signature: [Handwritten Signature] Date: 10/22/11

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023  
 Annual Number of Meetings: 7 Number of Meetings Absent: 2  
 Date of Original Appointment: 12/3/2012

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801





# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information  
Please submit resume along with this application



Committee: PEIRCE Island

Name: William Townsend Telephone: 603-498-1051

Could you be contacted at work? YES/NO - If so, telephone#: N/A

Street address: 161 W. Bird Street Portsmouth NH

Mailing address (if different): N/A

Email address (for clerk's office communication): TOWNSENDBILLJ@Gmail.COM

How long have you been a resident of Portsmouth? 31 YEARS

Occupational background:

Currently RETIRED. Formerly CFO of a non-profit  
CORPORATION FOR OVER 30 YEARS.  
(SEE ATTACHED)

Would you be able to commit to attending all meetings?  YES  NO

Reasons for wishing to continue serving: (SEE ATTACHED)



Please list any organizations, groups, or other committees you are involved in:

(SEE ATTACHED)

Please list two character references not related to you or city staff members:

(Portsmouth references preferred)

(SEE ATTACHED)

1) \_\_\_\_\_  
Name, address, telephone number

2) \_\_\_\_\_  
Name, address, telephone number

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2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
4. If this application is forwarded to the City Council, they may consider the application and vote on it at the next scheduled meeting.
5. Application will be kept on file for one year from date of receipt.

Signature: W. Townsend Date: 12/15/2021

CITY CLERK INFORMATION ONLY:

New Term Expiration Date: 12/31/2023

Annual Number of Meetings: 7 Number of Meetings Absent: 1

Date of Original Appointment: 8/19/2015

Please submit application to: City Clerk's Office, 1 Junkins Avenue, Portsmouth, NH 03801

### **Occupational Background:**

I am presently retired. Prior to retirement I worked for over thirty years at The Massachusetts Society of Certified Public Accountants (MSCPA) located in Boston. The MSCPA is a non-profit association providing services to Certified Public Accountants throughout the state of Massachusetts.

In the course of my employment I managed the finance and administration department. This role covered the general accounting and the financial reporting for the organization. It also covered the personnel and benefits, plant and equipment and computer services needs of the organization. Over the course of my employment at the MSCPA my job title changed from that of Manager to CFO.

### **Reasons for Wishing to Continue to Serve:**

I would like to continue to serve on the Peirce Island Committee as I have enjoyed working with the other committee members on the ongoing changes and improvements planned for the Island. Several projects are currently in the planning stage and will mature over the course of the next year and I would like to be on the committee to assist in the completion of these projects.

As well, I would like to contribute to new ideas about the needs of the Island as they arise in the upcoming year.

As a committee member I would like the opportunity to assist in the preservation of this unique Portsmouth treasure.

### **Other Organizations and Groups:**

**New Hampshire Art Association** (Portsmouth NH)  
**Seacoast Camera Club** (Portsmouth NH)  
**New Hampshire Society of Photographic Artists**

### **Character References:**

- (1) Donald Tirabassi 271 Lafayette Rd. Portsmouth NH. (603) 436-9352
- (2) Mott McCampbell 307 Oriental Gardens Portsmouth NH (347) 965-0474



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

*Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.*



Committee: Portsmouth Housing Authority

Name: Kathleen Bergeron Telephone: 603-502-7803

Could you be contacted at work? YES  NO  If so, telephone# 603-436-3009

Street address: 199 Wibird Street, Portsmouth

Mailing address (if different ): \_\_\_\_\_

Email address (for derk's office communication ): kathy@bergeronappraisal.com

How long have you been a resident of Portsmouth? 28 years

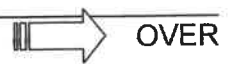
Occupational background:

Commercial Real Estate Appraiser - Bergeron Commercial Appraisal (Self Employed)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please list experience you have in respect to this Board/Commission:

As a commercial real estate appraiser, I have worked with New Hampshire Housing Finance Authority, local housing authorities and banks to analyze affordable housing properties throughout the state of New Hampshire. My work includes Low Income Housing Tax Credit projects, Section 8 properties and some of New Hampshire's first Work Force Housing developments. I have been involved in the analysis and valuation of most of the newly developed Low Income Housing Tax Credit Properties in the state of New Hampshire over the past 20 years, working closely with the New Hampshire Housing Finance Authority.



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES  NO

Would you be able to commit to attending all meetings? YES  NO

Reasons for wishing to serve: \_\_\_\_\_

I feel that my experience with various types of affordable housing, both newly constructed and existing, as well as my knowledge of different rental programs and financing tools would be a benefit to the PHA Board. I feel strongly about offering good quality affordable housing to the residents of Portsmouth and would like to use the knowledge I have gained over the past 20 years toward those efforts.

Please list any organizations, groups, or other committees you are involved in:

Past Chair - Citwide Neighborhood Committee

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

1) Cliff Lazenby - 603-978-4725

Name, address, telephone number

2) Christy Cardoso 603-513-3634

Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
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5. Application will be kept on file for one year from date of receipt.

Signature: Kathleen Bergeron Date: 1/6/2022

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes  No

Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801  
6/27/2012

## QUALIFICATIONS OF KATHLEEN HOLDEN BERGERON, MAI

### PROFESSIONAL MEMBERSHIPS:

Appraisal Institute - MAI Designation

New Hampshire Chapter of the Appraisal Institute

### STATE LICENSES:

New Hampshire State Certified General Appraiser - # 595

### EXPERIENCE:

2000 - Present	Bergeron Commercial Appraisal Commercial Appraiser
1999 – 2000	F & M Appraisal Group, Inc. Commercial Appraiser

### EDUCATION:

University of New Hampshire, Whittemore School of Business and Economics - BS degree, Business Administration

### APPRAISAL EDUCATION:

- Appraisal Principles – Exam 110
- Appraisal Procedures – Exam 120
- Basic Income Capitalization - Exam 310
- Standards of Professional Practice A & B - Exams 410 & 420
- Advanced Income Capitalization - Exam 510
- Advanced Cost & Sales Comparison – Exam 530
- Report Writing and Valuation Analysis – Exam 540
- Advanced Applications – Exam 550
- Highest & Best Use Analysis – Exam 520
- Attacking and Defending Appraisals in Litigation – Ted Whitmer
- Business Practice and Ethics
- Apartment Appraisal Concepts and Applications
- Marshall & Swift* Commercial Cost Analysis
- Subdivision Analysis
- Real Estate Finance, Statistics, and Valuation Modeling

### APPRAISAL ASSIGNMENTS:

Real estate appraisal experience includes the following: commercial land and residential subdivisions; apartment complexes; retail properties, including neighborhood and community shopping centers; proposed construction; mixed-use properties; industrial properties; manufacturing facilities; office properties, and; special use assignments, including restaurants, going-concern values, feasibility analyses, auto dealerships and LIHTC affordable housing properties.



CITY OF PORTSMOUTH, N.H.  
BOARDS AND COMMISSIONS

APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.



Committee: Recreation Board

Name: Lauren Krans Telephone: 978-473-6337

Could you be contacted at work? YES  NO  If so, telephone# 603-509-1901

Street address: 5 Plains Ave. Portsmouth, NH 03801

Mailing address (if different ): Same as above.

Email address (for clerk's office communication ): LCKrans@gmail.com

How long have you been a resident of Portsmouth? 10 years

Occupational background:

- Assistant Director of Recreation & Arena: City of Rochester, NH 2013-Present
- High School Spanish Teacher/Language Department Head: Rochester, NH School District 2010-2013
- High School Spanish Teacher: Dover, NH School District 2009-2010
- High School Spanish Teacher: Hamilton-Wenham MA School District 2008-2009
- Camp Coordinator/Counselor: Beverly, MA Recreation Department 2002-2010

Please list experience you have in respect to

- Mother of two children; 3 year old and 1 year old.
- Lifelong municipal recreation enthusiast-from camper to full time professional in the field.
- Over ten years of municipal recreation management experience.
- Five years of public education experience.
- Masters of Public Administration from the University of New Hampshire.
- State of NH Certified Public Manager

OVER



Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES  NO

Would you be able to commit to attending all meetings? YES  NO

Reasons for wishing to serve: \_\_\_\_\_

Municipal recreation has always been an important part of my life. As a lifelong 'rec rat', it is important to me that I connect with and support Portsmouth Recreation Department to ensure that everyone in our community can benefit from its programs and activities now and in the future.

Please list any organizations, groups, or other committees you are involved in:

- New Hampshire Recreation & Parks Association
- Leadership Seacoast Class of 2017

Please list two character references not related to you or city staff members:  
*(Portsmouth references preferred)*

1) **Seth Toundreault, 17 Cleveland Drive Portsmouth, NH (603) 793-8058**

Name, address, telephone number

2) **Emily Fitzpatrick, 96 Sparhawk Street Portsmouth, NH (724) 712-1411**

Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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Signature:                     *Sharon Hens*                     Date:                     11/30/21                    

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes **X** No \_\_\_\_\_

**Please submit application to the City Clerks Office, 1 Junkins Avenue, Portsmouth, NH 03801**

# LAUREN M. KRANS

(978) 473-6337 • LCKRANS@gmail.com

5 Plains Avenue, Portsmouth, New Hampshire 03801

## PROFESSIONAL EXPERIENCE

### Assistant Director

June 2013 - Present

*City of Rochester Department of Recreation & Arena, Rochester, NH*

- Oversee operations, programming and facility use of a recreation department and ice arena hosting 200,000+ patrons annually.
- Prepare and manage annual \$914,000 recreation fund budget and \$433,000 arena fund operating budget.
- Supervise, train and evaluate 5 full time employees and 60 seasonal employees.
- Collaborate with City Council and Recreation Commission in strategizing to achieve department mission and master plan goals.
- Spearhead department rebranding through creation and implementation of new mission statement, values and logo.
- Heighten public awareness of department offerings through involvement in community events and increase of online presence through social media marketing and implementation of online registration software.
- Oversee and develop the department's financial assistance program to meet the needs and capacity of the community, dispersing over \$30,000 of assistance annually.
- Founded Teen Travel Camp, a day camp for teens 14-16 years old through collaboration with the Rochester Police Department and Rochester School District's Safe School Healthy Students Grant.
- Founded the Rochester Community Center's monthly tenant meeting, Community Coffee, to enhance building relationships, break down silos and resource share.
- Developed department volunteer recruitment, training and background checks procedures.

### High School Spanish Teacher/Language Department Head

August 2008-June 2013

*Rochester NH/Dover, NH/Hamilton, MA*

- Fuel lifelong exploration of language and culture through exposure to cultural resources on a local to international level.
- Utilize art, history and current events to explore foundations of various Spanish speaking communities and cultures.
- Serve as a district wide Competency Based Assessment Coach, leading monthly teacher workshops across all academic levels and subjects.
- Implement de-escalation and positive behavior support intervention techniques on a daily basis to maintain a safe, productive learning environment.
- Assess language proficiency through a variety of interactive, real world assessments incorporating multiple technologies.
- Founded Collaborative Spanish, the Rochester School District's first international language course for special education students.

### Municipal Management Association of NH, UNH and Local Government Center Fellowship

June 2011-September 2011

*Town of Waterville Valley, NH*

- Assist town manager in daily responsibilities and functions of local government.
- Analyze, collect and organize town financial records for USDA water/sewer project in the White Mountain National Forest.
- Research cable franchise agreements from neighboring communities to strategize for negotiations with Time Warner Cable.
- Provide recommendations on future goals and areas of needed improvement for town's recreation department.

## CERTIFICATION & MEMBERSHIP

New Hampshire Certified Public Manager, New Hampshire K-12 Certified Spanish Teacher, National Council for Behavioral Health Youth Mental Health First Aid Certified, American Heart Association Basic Life Support: CPR/AED, Leadership Seacoast Class of 2017, Member New Hampshire Recreation and Parks Association

## EDUCATION

### Masters of Public Administration

May 2012

*University of New Hampshire, Durham, NH*

### BA Spanish, BA History

May 2008

*University of New Hampshire, Durham, NH*

Member of Alpha Chi Omega National Sorority



# CITY OF PORTSMOUTH, N.H. BOARDS AND COMMISSIONS

## APPOINTMENT APPLICATION

Instructions: Please print or type and complete all information.  
Please submit resume' along with this application.



Committee: Zoning Board of Adjustment

Name: Phyllis Eldridge Telephone: 603 205-3579

Could you be contacted at work? YES  NO  If so, telephone# Retired

Street address: 50 South School Street, #6

Mailing address (if different ): ~

Email address (for clerk's office communication ): Phyllis917@gmail.com

How long have you been a resident of Portsmouth? 41 years

Occupational background:

- Futures Coordinator - worked with first generation, indigent college-bound students @ PHS
- Lamprey Health Care - worked in information & referral and transportation
- Stoudwater Books → Elementary teacher

Please list experience you have in respect to this Board/Commission:

- ZBA - alternate for ~ 3 years
- Planning Board - 2-3 years
- Historic District Commission ~ 9 years
- City Council - 2 terms

➔ OVER

Have you contacted the chair of the Board/Commission to determine the time commitment involved? YES  NO

Would you be able to commit to attending all meetings? YES  NO

Reasons for wishing to serve: I am currently an alternate on The ZBA. Recently we have lost four experienced members. I feel I could be more useful, as a permanent member.

Please list any organizations, groups, or other committees you are involved in:

Friends of Prescott Park - Chair  
Futures Board - Chair  
Volunteer at Families First

Please list two character references not related to you or city staff members:  
(Portsmouth references preferred)

- 1) Amy Bruger - 2107 - 603 498-4495 (recently moved)  
Name, address, telephone number
- 2) Arthur Parrot - 190 Grant Ave - 603 436-9256  
Name, address, telephone number

BY SUBMITTING THIS APPLICATION YOU UNDERSTAND THAT:

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3. This application may be forwarded to the City Council for consideration at the Mayor's discretion; and
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5. Application will be kept on file for one year from date of receipt.

Signature: Phyllis Aldridge Date: January 24, 2022

If you do not receive the appointment you are requesting, would you be interested in serving on another board or commission? Yes      No

*January 13, 2022*

*Dear Mayor McEachern:*

*It was a pleasure to serve as Commissioner for the Portsmouth Housing Authority. I regret that the time has come for me to step down from the Board because of professional obligations that will prevent me from attending meetings consistently. I know you will have no problem finding eager candidates to fill my position given the excellent work and good standing of the PHA.*

*Sincerely,*

*Craig Jewett*

**Thank you for everything you do for Jewett,**



**Craig Jewett**  
**President**

Jewett Construction  
Mobile: 603-396-3208  
Direct Line: 603-895-7569  
Office: 603-895-2412  
[craig@jewettconstruction.com](mailto:craig@jewettconstruction.com)

[Visit Our Website](#)



**Jewett has been nominated for the New Hampshire Business Review 2022 Best of Business Awards!**

Voting is open now through January 14th. Vote for Jewett Construction in Category #24 "General Contractor" - Click on the circle next to our name! View the full ballot here: <https://lnkd.in/dZgsVTEv>

*At Jewett Construction our talented associates analyze every project creatively and challenge the status quo in order to provide our owners and construction partners certainty of outcome. But don't just take our word for it - listen to what our current and past clients have to say →*

# Citywide Goals

## City Council Goals

- 1) Invite and Honor Input from the Community and Encourage Increased Participation/Engagement of Youth
- 2) Identify and Promote Strategies for Local Business Retention and Preservation of Affordable Commercial Spaces
- 3) Leverage Local Resources and Partnerships to Improve and Support Needs of Residents, Nonprofits, Arts and Culture Community
- 4) Proactively Pursue the Integration of Sustainability, Resilience, and Climate Change Mitigation Actions Throughout City Government and Community
- 5) Diversify and Enhance the Supply of Housing Choices
- 6) Continuously Enhance City Council Best Practices to Deliver a Trusted, Transparent and Responsive Process
- 7) Consistently communicate with Community Members and Stakeholders, Respecting Channels of Communication They Prefer and Keeping Them Informed

## General Government Organizational Goals

- 8) Welcome and Support Diversity in the Workplace and Community
- 9) Maintain Financial Stability
- 10) Meet or Exceed State and Federal Legal/Regulatory Requirements Including Those for a Safe and Healthy Community and Environment
- 11) Deliver Services and Programs with Courtesy, Professionalism, and Efficiency
- 12) Maintain and Improve Infrastructure to Meet Needs of the Community

## School Board, Fire and Police Commission Goals

- 13) Provide an Educational Environment that Affords Opportunity, Equity, Student Wellness and a Strong Sense of Community to Every Youth
- 14) Protect the Community Through Fire and Crime Cessation and Prevention for its Residents and Businesses

Mayor McEachern,

Thank you for taking the time to come to the ribbon-cutting for the new Families First building on Friday. Your term and a new era for Families First are starting the same month! And thank you for offering to help find a solution to the problem of lack of bus service to the building. As you requested, I am following up with you in this email.

The COAST Trolley that services the Lafayette Road route cannot turn around once in the Greenleaf Woods complex, so our patients would have to use a bus stop that is about 0.4 miles from the building. This will be a problem for those with limited mobility or who have children with them – and for almost everyone when it is dark out or there is snow and ice on the ground.

As you mentioned on Friday, a possible solution could be to put a bus stop behind the building on Greenleaf Avenue, with a path then leading to the building. The building's developer, Stuart Scharff of WJP Development, was with us when we talked about this on Friday, and he asked me to let you know that he would be supportive of this idea or other solutions that may be found.

Each day, we have a handful of patients that use COAST Trolley to get to and from Families First. Although it is not a lot of people, this service is very important to them and to us. We will be attempting to help them with other community resources or by paying for ride services for them, but this is far from a perfect solution. We would be very happy to partner with you on finding a better one. Please let us know what we can do to help you help us.

---

**Margie Wachtel**, Communications Director  
Families First Health & Support Center  
8 Greenleaf Woods Dr. #100, Portsmouth NH 03801  
603.422-8208 ext. 3141  
[mwachtel@familiesfirstseacoast.org](mailto:mwachtel@familiesfirstseacoast.org)  
(she, her)  
[GetCommunityHealth.org](http://GetCommunityHealth.org)





## **Motion to join Community Power Coalition of New Hampshire**

The Energy Advisory Committee voted unanimously Feb 9 to recommend the motion below for action by the city council, and in doing so unanimously recommends Portsmouth join the Community Power Coalition of New Hampshire.

Portsmouth would become the 19<sup>th</sup> member community. A non-profit run “for communities, by communities,” CPCNH is providing leadership statewide to create the legal and operational capacity for cities and towns to bundle (“aggregate”) their electricity demand to buy cheaper, greener electricity.

The Energy Advisory Committee thought it particularly important to join CPCNH now because it is advocating at the PUC during the rule-making process for Community Power aggregation.

Joining CPCNH can be done at no cost to the city and does not commit Portsmouth to purchasing electricity from the Coalition. The city can also withdraw at any time.

CPCNH foresees using the combined buying power of all member towns to become an energy supplier with more stable rates and more non-carbon options by late 2022 or early 2023, enabling our city to pass these benefits on to residents and businesses. The vehicle to join is the attached Joint Powers Agreement, which has been reviewed by the city legal department.

Sample motion: **MOVED:** that the City Manager is authorized to take any and all actions necessary within her judgement to cause the City of Portsmouth to become party to the Joint Powers Agreement of the Community Power Coalition of New Hampshire, as presented, which became effective on October 1, 2021.

**JOINT POWERS AGREEMENT**  
**OF**  
**COMMUNITY POWER COALITION OF NEW HAMPSHIRE**

Effective October 1, 2021

Among the Following Parties:

City of Lebanon, Town of Hanover, City of Nashua, Cheshire County, Town of Harrisville,  
Town of Exeter, Town of Rye, City of Dover, Town of Warner, Town of Walpole,  
Town of Plainfield, Town of Newmarket, Town of Enfield, and Town of Durham

This Joint Powers Agreement (“Agreement” or “JPA”) is made and entered into pursuant to the provisions of New Hampshire Revised Statutes Annotated (“NH RSA”) 53-A:3, as it may be amended, providing for the joint exercise of powers among the parties set forth in Attachment B (“Parties”). The term “Parties” shall also include a municipality, county, or a group of such entities operating jointly pursuant to RSA 53-E:3, II(b) added to this Agreement in accordance with Article IV, Section 4. Parties to this Agreement shall also be known as “Members.”

**RECITALS**

**WHEREAS**, the Constitution of New Hampshire declares that “Free and fair competition in the trades and industries is an inherent and essential right of the people and should be protected against all monopolies and conspiracies which tend to hinder or destroy it”;

**WHEREAS**, in 1996, the New Hampshire General Court enacted NH RSA 374-F, the Electric Utility Restructuring Act to “to reduce costs for all consumers of electricity by harnessing the power of competitive markets . . . for wholesale and retail electricity services”;

**WHEREAS**, in 1996, the NH General Court also enacted NH RSA 53-E, “Aggregation of Electric Customers by Municipalities and Counties” and in 2019, the General Court enacted SB 286 (Chapter 316, NH Laws of 2019) to better enable municipalities and counties to create Community Power Aggregations (“CPAs”) as a competitive means for local governments to achieve their local policy goals and assume the responsibility of providing electricity service to their residents and businesses that do not choose an alternative supplier;

**WHEREAS**, electric aggregation will allow communities to promote renewable and distributed energy development, energy efficiency programs, price stability, access to innovative energy products, services, and rates, and local economic benefits through local control;

**WHEREAS**, local communities have substantial responsibilities and authority for land use planning, including adoption of master plans that may address transportation, utility and energy planning among other needs pursuant to NH RSA 674:2, zoning, development review, building and fire code administration, adoption of “stretch” codes pursuant to NH RSA 155-A:2, V, and creation of energy commissions pursuant to NH RSA 38-D for the study, planning, and utilization of energy resources and making recommendations on sustainable practices;

**WHEREAS**, the Members desire to establish a separate legal entity, known as Community Power Coalition of New Hampshire (“CPCNH” or the “Corporation”), under the provisions of NH RSA 53-A, in order to jointly support the implementation and operation of their respective CPAs and related energy programs and to offer membership on the same mutually-advantageous terms to all municipalities and counties throughout the State of New Hampshire; and

**WHEREAS**, by establishing the Corporation, the Members seek to create an independent enterprise that is financially sustainable, mutually beneficial, responsive to local priorities, well managed, and overseen by both elected officials and members of the public to promote the common good and general welfare by supporting the economic vitality and prosperity of local communities.

## **AGREEMENTS**

**NOW, THEREFORE**, in consideration of the mutual promises, covenants, and conditions hereinafter set forth, it is agreed by and among the Members as follows:

### **ARTICLE I DEFINITIONS AND ATTACHMENTS**

**SECTION 1. Definitions.** Capitalized terms used in the Agreement shall have the meanings specified in Attachment A, except when defined in context (such as where the term is set off by quotation marks or is part of the section or article heading that defines the term) or where the context requires otherwise.

**SECTION 2. Documents Included.** This Agreement consists of this document and the following attachments, all of which are hereby incorporated into this Agreement:

- Attachment A: Definitions
- Attachment B: Articles of Agreement of the Corporation
- Attachment C: Corporation By-Laws
- Attachment D: List of Members
- Attachment E: Signatories
- Attachment F: List of Project Contracts
- Attachment G: Notices to Corporation

**SECTION 3. Revision of Attachments.** The Members agree that Attachments D, E, F, and G to this Agreement describe certain organizational and administrative matters that may be revised from time to time upon approval of the Board or Membership, without such revision constituting an amendment to this Agreement. The Corporation shall provide written notice to the Members of revision of any such attachment.

## **ARTICLE II FORMATION OF CORPORATION**

**SECTION 1. Creation of Corporation.** The Corporation will be formed by the filing of the Articles of Agreement of the Corporation in the form set forth in Attachment B with the New Hampshire Secretary of State.

**SECTION 2. Purpose.** The purpose of this Agreement is for Members to make the most efficient use of their powers on a basis of mutual advantage through a corporation separate from, and for which, the Members are not liable for the debts, liabilities, or obligations of the Corporation, except to the extent they may have contracted with the Corporation to be liable thereafter. The Members will form the Corporation to regulate and manage the affairs of the Corporation not inconsistent with the laws of New Hampshire or the Articles of Agreement, in order to study, promote, develop, conduct, operate, and manage energy-related programs, and to exercise all other powers necessary and incidental to accomplishing this purpose. Without limiting the generality of the foregoing, the Members intend for the Corporation to jointly exercise certain powers, privileges, and authorities granted to municipalities and counties pursuant to NH RSA 33-B, NH RSA 53-E, NH RSA 53-F, and NH RSA 374-D (and by reference NH RSA 33), all in accordance with NH RSA 53-A; to assist Members in exercising their authorities under, and complying with, the provisions of NH RSA 53-E in developing and implementing Electric Aggregation Plans and Programs, known as CPAs; to provide supportive services and technical assistance to CPAs serving member municipalities and counties; and to support and promote public education and civic engagement by the residents and businesses of member communities in developing and implementing energy and climate policies and actions and the role of CPAs in advancing such policies and actions for the common good. The Corporation will be a non-stock, non-profit voluntary corporation.

## **ARTICLE III POWERS**

Powers under this Agreement shall be the same as provided for the Corporation as reflected in the Articles of Agreement of the Community Power Coalition of New Hampshire, with the initial text as set forth in Attachment B.

## **ARTICLE IV MEMBERSHIP**

**SECTION 1. Members to Agreement.** Each Member certifies that it intends to, and does, contract with every other Member and, in addition, with such other Members as may later be added. Each Member also certifies that the withdrawal or termination of any Member from this Agreement does not affect this Agreement, each Member's obligations under the Agreement, and each remaining Member's intent to contract with the other Members then remaining. Members acknowledge that membership in the Agreement may change by the addition and/or withdrawal or termination of Members. Prior to the initial Members Annual Meeting, each eligible entity upon delivery of a certified authorization of participation in, and an executed, Agreement shall become a Member as provided for in Sections 2 and 3 below.

**SECTION 2. Membership Eligibility.** Membership in the Agreement will be pursuant to the same terms for Membership in the Corporation as reflected in the By-Laws.

**SECTION 3. Additional Members.** Any eligible entity may become a Member of the Agreement pursuant to the same terms for Membership in the Corporation as reflected in the By-Laws.

**SECTION 4. Voluntary Withdrawal of Member.** Voluntary withdrawal of a Member from the Agreement shall be pursuant to the same terms for voluntary withdrawal of membership in the Corporation as reflected in the By-Laws.

**SECTION 5. Involuntary Termination of Member.** Involuntary Termination of Member from the Agreement shall be pursuant to the same terms for involuntary termination of membership in the Corporation as reflected in the By-Laws.

**SECTION 6. Continuing Obligations.** Any withdrawn or terminated Member shall continue to be liable for its obligations under any Project Contract and Cost Sharing Agreement(s) for the remaining term of any such Project Contract or Cost Sharing Agreement . The Member's equity or deficit position while a participant in any Project Contract will continue to be reflected in the records and reports of the Corporation. The Corporation may withhold funds otherwise owing to the Member or may require the Member to deposit sufficient funds with the Corporation, as reasonably determined by the Board, to cover the Member's liability for the costs described herein. Any amount of the Member's funds held on deposit with the Corporation above that required to pay any liability or obligation shall be returned to the Member.

## **ARTICLE V COST SHARING PRINCIPLES**

**SECTION 1. Fiscal Year.** The fiscal year shall be the calendar year, subject to the Board's discretion to amend the Fiscal Year. Before changing the Fiscal Year, the Board shall confer with the Treasurer and may confer with the auditor.

**SECTION 2. Budget.** The budget will be established pursuant to the terms reflected in the By-Laws.

**SECTION 3. Cost Sharing Agreements.** An agreement shall be entered into between the Corporation and each respective Member, uniform in all material respects, except with regard to the scope of Member services and Project Contracts that each Member selects to participate in and pay for, to ensure that the costs, expenses, debts, and liabilities ("Costs") directly or indirectly incurred by the Corporation on such Member's behalf are recovered through said Member's CPA revenues, or from revenues from grants or other third-party sources. Such Costs shall be classified as:

- (a) **CPA Member Services Costs:** Costs incurred to provide the Complete Service Bundle, or such services that CPCNH offers, shall be recovered directly from Member(s) for the period they contract to receive such service(s). The Complete Service Bundle will include those services CPAs will require to undertake and provide Electric Aggregation Plans and Programs, such as: power supply procurement and management, data and billing, and customer service;
- (b) **General and Administrative Costs:** Costs described in Article V, Section 4 are incurred for the common objectives of all Members of the Corporation, and are not incurred specifically in connection with a particular Project, Project Contract, or Member Service and shall be allocated to, and recovered from, each Member on a *pro rata* basis in accordance with the

following formula: Member CPA's Annual Retail Electricity Load divided by all Member CPAs' Annual Retail Electricity Load; and

- (c) **Direct Project Costs:** Costs incurred for a particular Project pursuant to a Project Contract shall be recovered directly from the Member(s) that participate in a particular Project or pursuant to the Project Contract that governs Member cost responsibility for the Project.

**SECTION 4. General and Administrative Costs.** General and Administrative Costs include those that have been incurred for the general operation and administration of the Corporation, and other expenses of a general character, including but not limited to Costs relating to: administrative offices that serve the Corporation; Corporation-wide financial management, business services, budget and planning, and personnel management; operations of the Corporation's central management information systems; general management of the Corporation, such as strategic direction and member affairs, Board functions, accounting, procurement, and legal services; operation and maintenance expense; depreciation and use allowances; and interest costs.

General and Administrative Costs do not include Costs that relate solely to, or are incurred by, the Corporation for CPA Member Services or as a result of any specific Project or Project Contract. The intent of the Members is to ensure that all Costs incurred by the Corporation that are directly related to CPA Member Services will only be paid by the Members receiving such services or for any specific Project will be paid only by the Project Participants of that specific Project. As such, when an activity or cost generally included within the General and Administrative Cost category benefits CPA Member Services, a specific Project or Project Contract, or is performed or budgeted for a specific Project or Project Contract, an appropriate adjustment shall be made to assure that the proper portion of the Cost of such activity is categorized and allocated as CPA Member Services costs to a Member receiving such service, or as a Direct Project Cost to the Project Participants, subject to Cost allocation under the applicable Project Contract. The Members intend that all Costs of the Corporation that are not directly assigned for recovery to CPA Member Services, a specific Project or Project Contract will be recovered as General and Administrative Costs.

**SECTION 5. Member Advances, Contributions and Repayment.** Upon the request or approval of the Board, any Member may make payments, advances, or contributions to the Corporation for any and all purposes set forth herein, and may contribute personnel, equipment or property, in lieu of other contributions or advances, to assist in the accomplishment of one or more of such purposes. All such payments, advances or contributions, whether in cash or in kind, shall be made to, and may be disbursed or used by, the Corporation. Except as otherwise specified in contracts with Members by the Board, the approved advances will be treated as indebtedness of the Corporation and shall be payable and repaid as such.

**SECTION 6. Refunds.** No Member that withdraws or is terminated shall be entitled to a refund of any payments made in connection with General and Administrative Costs.

**SECTION 7. Funding of Initial Costs.** Any Members that have funded activities necessary to implement the Corporation may request that the Board consider reimbursing said Members for said costs over a reasonable time period and shall provide such documentation of costs paid as the Board may request.

**ARTICLE VI  
MEMBERSHIP MEETINGS**

**SECTION 1. Annual Meeting of the Members.** Membership meetings in the Corporation as reflected in the By-Laws shall substitute for, and fully satisfy, all membership meeting requirements under this Agreement.

**SECTION 2. Expenses.** Each Member shall bear its own expenses, including the expenses of its designated representative (s), for attendance at all regular and special meetings.

**ARTICLE VII  
BOARD OF DIRECTORS**

**SECTION 1. Powers and Duties.** The business and affairs under the Agreement shall be managed by a Board of Directors of the Corporation, which shall have and may exercise all the powers of the Corporation, except as otherwise provided by law, by the Articles of Agreement, by the Corporation By-Laws, or by this Agreement. All matters pertaining to the Board of Directors shall be as specified in the Articles of Agreement, the Corporation By-Laws, and this Agreement.

**SECTION 2. Compensation.** There shall be no compensation of participating Members under the Agreement as provided in the Corporation By-Laws.

**ARTICLE VIII  
EMPLOYEES AND AGENTS**

**SECTION 1. Chief Executive Officer.** The Board of Directors shall appoint a Chief Executive Officer, or such other position as determined by the Board, in accordance with the terms of the Articles of Agreement and the Corporation By-Laws.

**SECTION 2. Employees and Other Agents.** The Board of Directors may appoint, from time to time, such employees and other agents as it shall deem necessary, in accordance with the terms of the Articles of Agreement, the Corporation By-Laws, and this Agreement.

**ARTICLE IX  
COMMITTEES**

**SECTION 1. Establishment.** The Board of Directors may, by resolution adopted at any meeting, create any standing committee. The Board of Directors or Executive Committee may establish any special or ad hoc committee. A majority of members of any committee shall constitute a quorum. Unless the Board otherwise designates, committees shall conduct their affairs in the same manner as provided in this Agreement and the By-Laws for the Board to the extent applicable.

**SECTION 2. Appointment.** Except as otherwise provided in this Agreement, the Chair shall appoint the members and chairs of each committee, subject to approval or modification by the Board, or, in the case of a special or ad hoc committee, by the Executive Committee. Appointments to standing committees shall be for one-year terms, with each term beginning at the conclusion of the Annual Meeting, or as close to thereof as practicable, and ending at the conclusion of the following year's Annual Meeting.

**SECTION 3. Committee Meetings.** Meetings of committees may be called at any time by the



respective chairperson of each committee, or by the Chair, provided that notice is given to all members of the committee in person, by telephone, or by electronic mail at least 24 hours in advance of the meeting. All committee meetings shall comply with New Hampshire's Right-to-Know Law, NH RSA 91-A, and as it may be amended. Reports of committee meetings shall be presented to the Board at its next regular meeting, and each committee shall furnish copies thereof to the Secretary to be maintained with the records of the Corporation. Any committee member may participate in a meeting of the committee by means of a conference telephone, video or similar communications equipment allowing all persons participating in the meeting, including the public, to hear each other at the same time, to the extent allowed by NH RSA 91-A, and participation by such means shall constitute presence in person at a meeting. Unless the Board shall otherwise provide, the standing committees shall have the power to establish their own rules of procedure and to determine the time and place of their meetings.

**SECTION 3. Executive Committee.** At such time as Membership in the Corporation exceeds 11 (eleven) Members, there shall be an Executive Committee consisting of the Chair, the Vice Chair, the Treasurer, the Secretary, and the Immediate Past-Chair. If there is no Immediate Past Chair or the Immediate Past-Chair is no longer a Director of the Board or declines to serve on the committee, another Director may be appointed to serve on the committee. The Chair, Vice Chair, Treasurer, and Secretary shall serve on the committee during their terms in office. Other members shall be appointed for one-year terms and may serve consecutive terms. The Executive Committee shall have authority to exercise all powers of the Board between meetings of the Board but shall exercise such authority only when action is required before the next scheduled Board meeting. All actions taken by the committee shall be reported to the Board at the next meeting of the Board. Further, the committee shall have no authority to take any of the following actions:

- (a) Elect or remove any Director or officer, including the filling of a vacancy.
- (b) Terminate, hire, or take any other action with respect to the employment status of the Chief Executive Officer.
- (c) Adopt or materially amend the Corporation's budget.
- (d) Amend or terminate the Agreement.
- (e) Repeal or adopt any amendment to the Corporation's Articles of Agreement or By-Laws; or
- (f) Approve any merger, reorganization, liquidation, dissolution, or disposition of substantially all the Corporation's assets.

**SECTION 4. Finance Committee.** There shall be a Finance Committee consisting of at least two Directors or alternates, one of whom shall be the Treasurer, who shall serve as chairperson of such Committee. The committee shall advise the Treasurer and the Board as to the investments, budget, and general fiscal policy of the Corporation.

**SECTION 5. Audit Committee.** There shall be an Audit Committee consisting of no fewer than two and no more than six Directors or alternates. The committee shall oversee the quality and integrity of the Corporation's accounting, auditing and reporting practices, shall cause an independent financial report of the accounts and records of the Corporation to be made by a certified public accountant or public accountants each fiscal year, which shall be provided to Directors and to Members at the Annual Meeting. The Corporation shall consider the budget amount necessary for such financial reports as determined by the Audit Committee. The specific

powers and responsibilities of the Audit Committee shall be specified in an Audit Committee Charter, which shall be adopted from time to time by the Members at the Annual Meeting.

**SECTION 6. Regulatory and Legislative Affairs Committee.** There shall be a Regulatory and Legislative Affairs Committee consisting of no fewer than two Directors along with a number of Members determined at the Annual Meeting. The committee shall be responsible for monitoring and advising the Corporation and Members in regard to regulatory and legislative engagement and shall have specific powers and responsibilities as specified in a Regulatory and Legislative Affairs Committee Charter, which shall be adopted from time to time at the Annual Meeting. This committee shall also appoint representatives of the Corporation to serve on statutory commissions, study commissions, and other boards and commissions created by the state legislature.

**SECTION 7. Risk Management Committee.** There shall be a Risk Management Committee consisting of the Chair, the Treasurer, and such other Directors and members as the Board determines. The committee shall develop and recommend to the Board within one year of the Effective Date of this Agreement, and at least biennially thereafter, an Enterprise Risk Management Policy, and shall perform such tasks as, reviewing major risk exposures and monitoring the steps taken to control said exposures. The Risk Management Committee shall commission an independent agent to conduct and deliver to the Board and to the Members at the Annual Meeting an evaluation of the operational performance of the Corporation relative to the Enterprise Risk Management Policy and as otherwise requested by the Board. The Corporation shall budget an amount necessary for the evaluation as determined by the Risk Management Committee, which shall cause to be hired a firm or individual that has no other direct or indirect business relationship with the Corporation. The evaluation shall be conducted at least once every two years, starting within three years of the initial provision of electricity supply to a Member and no individual or firm may be hired to conduct more than two consecutive evaluations. The Risk Management Committee shall act upon a majority vote of the Member Directors of the Committee.

**SECTION 8. Governance Committee.** There shall be a Governance Committee consisting of no fewer than three and no more than six Directors or alternates. The committee shall assist the Members in recruitment of Board Directors; determine eligibility of nominees for consideration of Directorship; monitor the effective functioning of the Board and committees; conduct regular Board orientations and evaluations; periodically review and recommend amendments to this Agreement; and advise the Board and Members, through the Annual Meeting, on governance issues. The Governance Committee shall be comprised of at least one Director each from a city, a town, and a county.

**SECTION 9. Other Committees.** Other committees may be established and abolished as necessary by the Board and given such authority as the Board determines appropriate, subject to the provisions of this article, and except that the authority of the Board itself shall not be delegated to any committee other than the Executive Committee. In the case of such committees established by the Board, it shall not be necessary for a committee member to also be a Member or a Director.

**SECTION 10. Project Committees.** The power to oversee implementation of Projects is delegated to Project Committees as set forth in this Agreement.

## **ARTICLE X PROJECTS**

**SECTION 1. Projects.** The Board may establish Projects and Study Projects (collectively, for purposes of this Article X only both are referred to as “Projects”) within the purpose and power of the Corporation and to adopt general policy guidelines for their implementation. “Project Contracts” means contracts between and among the Corporation and its Members for the Projects. Nothing contained in a Project Contract shall obligate non-participating Members in any respect with the Project.

**SECTION 2. Right to Participate in Projects.** The Board shall provide at least thirty (30) days prior written notice to all Members, unless such notice is otherwise waived, before any Project may be considered for adoption by a vote of the Board. Once a Project is approved by the Board, all Members shall have the right, but not the obligation, to participate in a pro rata share in the Project in relative proportion to the electric load of each Member. If a Project is not fully subscribed, the unsubscribed portion may be divided among the participating Members in the Project that seek a greater participation share in the same proportion as the original allocation until a project is fully subscribed. A Project that is fully subscribed or for which the initial time to participate has closed may remain open to new Members to join subject to, and under the terms of, the Project Contract.

**SECTION 3. Project Participation and Terms.** Each Member’s participation share allocation for the Project shall be based on the financial commitments made by the participating Members or as otherwise may be agreed by the participating Members in a particular Project. Once the Project is fully subscribed or the time to participate has closed, (i) the Treasurer will calculate the number of Project Votes each Member has in the Project, and (ii) the Chief Executive Officer, at the direction of the participating Project Members, will lead the negotiation of the agreements with the Project’s vendors, developers and/or consultants and assist with coordinating the Project Contracts amongst the participating Members and the Corporation. All expenses, rights, and obligations to any specific Project as among the participating Project Members will be as provided through Project Contract that will be separate and distinct from this Agreement.

**SECTION 4. General Project Voting Guidelines.** The following guidelines apply to all Projects established by the Corporation:

- (a) The Members that participate in a Project will all collectively agree, in Project Contract(s), separate from this Agreement, to what extent they will assume any obligations, debts and liability incurred in connection with the formation and/or implementation of such Projects. Nothing in this Agreement requires joint and several liability or imposes any liability on any Member with respect to any Project or Project Contract. The impact of a defaulting Member to any Project Contract shall be solely limited by, and governed according to, the terms for default covered in the Project Contract for the applicable Project.
- (b) Once a Project is fully subscribed or the time to participate has closed, as set forth in Section 2 herein above, and unless otherwise agreed to by the participating Members in a particular Project, all Project Matters regarding the Project shall be decided by 80% of the Project Votes cast thereon; provided that if one party controls more than 80% of the vote, then another party shall be required to vote in the affirmative for any action to be taken to prevent one party from controlling the outcome of the vote, and each Director shall be

entitled to cast all or any portion of the number of such Director's Project Votes.

**SECTION 5. Transfer of Participating Member Project Contract Interests.** Subject to the terms of any financing for a Project, a Project Contract may provide for a Member's transfer of an interest in a Project to other Members participating in the Project Contract and, if such transfer is not fully subscribed by such participating Members, to other Members. Project Contracts shall not permit the transfer of a participating Member's participation interest in a Project Contract to any entity that does not qualify for membership in the Corporation or that would adversely affect the tax status of the Corporation.

**SECTION 6. Project Committees.** There will be a Project Committee for each Project consisting of one Director or alternate from each participating Member, which shall adopt procedures for the committee to follow as deemed appropriate for the Project.

## **ARTICLE XI BONDS AND NOTES**

The Corporation shall have the power to facilitate for Projects or directly issue, sell, and deliver bonds in accordance with the provisions of NH RSA 33-B, RSA 53-E, RSA 53-F, and RSA 374-D, for the purpose of acquiring, financing, performing or constructing one or more Projects and to issue notes for the purpose of financing one or more Study Projects and for the purpose of providing temporary financing of costs of development, construction or acquisition of one or more Projects. The terms and conditions of the issuance of any such bonds or notes shall be set forth in such resolution, indenture, or other instrument, as required by law and as approved by the Board, provided that any such bond or note issuance is approved by participating Members' governing and legislative bodies as required by statute and all such debts, liabilities and obligations shall be non-recourse to any and all of the Members except as expressly agreed to by such Members through a Member's Cost Sharing Agreement or Project Contract or by the terms of legislative body approvals required by statute.

## **ARTICLE XII LIMITATION ON LIABILITY OF MEMBERS**

No debt, liability, or obligation of the Corporation shall be a debt, liability, or obligation of any Member unless otherwise specified and agreed to by individual Members under a Cost Sharing Agreement or Project Contract under this Agreement.

## **ARTICLE XIII ACCOUNTS AND REPORTS**

**SECTION 1. Establishment and Administration of Funds.** The Corporation is responsible for the strict accountability of all funds and reports of all receipts and disbursements. The Board is authorized to select such depositories as it shall deem proper for the funds of the Corporation and will comply with every provision of law relating to the establishment and administration of funds, provided that all funds of the Corporation shall be held in separate accounts in the name of the Corporation. The Corporation shall establish and maintain such funds and accounts as may be required by good accounting practice or by any provision of any resolution, indenture or other instrument of the Corporation securing its bonds or notes, except insofar as such powers, duties

and responsibilities are assigned to a trustee appointed pursuant to such resolution, indenture or other instrument. The books and records of the Corporation shall be open to inspection at all reasonable times to each Member and its representatives. All the books, records, accounts and files referred to in this Article XIII shall be open to the inspection of holders of bonds or notes of the Corporation to the extent and in the manner provided in the resolution, indenture or other instrument providing for the issuance of such bonds or notes.

**SECTION 2. Checks, Notes and Contracts.** The Board shall determine who shall be authorized on behalf of the Corporation to sign bills, notes, receipts, acceptances, endorsements, checks, releases, contracts and documents.

#### **ARTICLE XIV TERM; TERMINATION; LIQUIDATION; DISTRIBUTION**

This Agreement shall become effective (the "Effective Date") when at least two Members execute this Agreement. This Agreement shall continue in full force and effect until terminated by dissolution and liquidation of the Corporation, and distribution of any net proceeds, as provided for in Article XI of the By-Laws.

#### **ARTICLE XV INDEMNIFICATION AND INSURANCE**

Indemnification and insurance shall be as provided for in Article XIII of the By-Laws.

#### **ARTICLE XVI AMENDMENTS, SUCCESSORS AND ASSIGNS**

**SECTION 1. Successors and Assigns.** This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the Members. No Member shall assign its interest in this Agreement to an entity that is not a Member or that is not eligible to become, and demonstrates an intent to become, a Member. No Member may assign any right or obligation hereunder without the consent of all other Members, provided that such consent shall not be unreasonably withheld. The immediately preceding sentence shall not affect, in any respect, any right of the assignment under any Project Contract between any Member and the Corporation.

**SECTION 2. Amendments.** Subject to any requirements of law or indenture authorizing the issuance of Bonds, this Agreement may be amended at any time and from time to time by a written amendment approved by at least 2/3 (two-thirds) of the votes cast at an Annual Meeting at which a quorum is present, provided that no amendment shall be adopted upon the dissenting vote of two or more Members totaling 50% (fifty percent) or more of the population of all Members as based upon the most recent population census. This Article XVI Section 2 and Articles XII, XIV and XV may not be amended unless such amendment is approved by the governing body of each Member. Attachments B and C, the Articles of Agreement and By-Laws, may be amended by a vote of at least 2/3 (two-thirds) of the votes cast by the Members at a Membership Meeting at which a quorum is present pursuant to the terms specified in Article IX of the By-Laws.

## **ARTICLE XVII GENERAL PROVISIONS**

**SECTION 1. Breach of Agreement.** If a Member defaults in any undertaking contained in this Agreement, such default shall not excuse such Member from fulfilling its obligations under this Agreement, Cost Sharing Agreement, or Project Contract(s) and each Member shall continue to be liable for the performance of all conditions herein and therein contained. Each Member hereby declares that this Agreement is entered into for the benefit of the Corporation created hereby and each Member hereby grants to the Corporation the right to enforce by whatever lawful means the Corporation deems appropriate all of the obligations of each of the Members hereunder. Each and all of the remedies given to the Corporation hereunder or by any law now or hereafter enacted are cumulative and the exercise of one right or remedy shall not impair the right of the Corporation to any or all other remedies.

**SECTION 2. Dispute Resolution.** The Members and the Corporation shall make reasonable efforts to settle all disputes arising out of, or in connection with, this Agreement. Before exercising any remedy provided by law, a Member or Members and the Corporation shall engage in nonbinding dispute resolution or in a manner agreed upon by the Member or Members and the Corporation. The Members agree that each Member may specifically enforce this provision, Article XVI, Section 2, Dispute Resolution. In the event that dispute resolution is not initiated or does not result in a resolution within 60 days after a written request for dispute resolution, any disputing Member or the Corporation may pursue any remedies provided by law.

**SECTION 3. Notices.** Any notice given pursuant to this Agreement shall be in writing and shall be dated and signed by the Member giving such notice. Notices to the Corporation shall be delivered to the Corporation's principal place of business, as identified in Attachment E. Notice to each Member under this Agreement is sufficient if mailed to the Member and separately to the Member's Director to their respective addresses on file with the Corporation. All written notices sent in the prescribed manner will be deemed given to a Member or the Corporation on whichever date occurs first: (1) the date of personal delivery; (2) the third business day following deposit in the U.S. mail, when sent by "first class," postage prepaid, or faster delivery method; or (3) the date of transmission, when sent electronically, including by email or facsimile.

**SECTION 4. Severability.** Should any portion, term, condition, or provision of this Agreement be determined by a court of competent jurisdiction to be illegal or in conflict with any law of the State of New Hampshire, or be otherwise rendered unenforceable or ineffectual, each and all of the remaining portions, terms, conditions, and provisions of this Agreement shall not be affected thereby and shall remain in full force and effect to the maximum extent permitted by law.

**SECTION 5. Section Headings.** The section headings herein are for convenience only and are not to be construed as modifying or governing the language in the section to which they refer of this Agreement.

**SECTION 6. Governing Law.** This Agreement is made and to be performed in the State of New Hampshire, and as such New Hampshire substantive and procedural law shall apply.

**SECTION 7. Execution by Counterparts.** This Agreement may be executed in any number of counterparts, and upon execution by the Corporation and Member, each executed counterpart shall have the same force and effect as an original instrument and as if all Members had signed the same instrument. Any signature page of this Agreement may be detached from any counterpart of this

Agreement without impairing the legal effect of any signatures thereon and may be attached to another counterpart of this Agreement identical in form hereto but having attached to it one or more signature pages.



## **Attachment A: Definitions**

1. “Annual Retail Electricity Load” means the annual amount of metered electricity delivered to retail consumers and supplied through the Member CPA during the most recent 12 whole months, or if less than 12 whole months of load have been supplied the calculation of a Member’s Annual Retail Electricity Load for the allocation of General and Administrative Costs under Article V, Section 3(b) shall be as provided for under the terms of the Cost Sharing Agreement.
2. “Articles of Agreement” means the Articles of Agreement of Community Power Coalition of New Hampshire, a New Hampshire Nonprofit Corporation to be formed pursuant to NH RSA 292:2 as initially set forth in Attachment B.
3. “Board” means the Board of Directors of the Community Power Coalition of New Hampshire as described in Third article of the Articles of Agreement prior to adoption of the By-Laws and thereafter as described in Article V of the By-Laws.
4. “By-Laws” means the by-laws of the Corporation as initially set forth in Attachment C.
5. “Corporation” means Community Power Coalition of New Hampshire and may be referred to as CPCNH.
6. “Cost Sharing Agreement(s)” means an agreement between CPCNH and each Member pursuant to Article V, Section 3 regarding how Costs of CPCNH will be shared.
7. “CPA” means a Community Power Aggregation, which is the same as a municipal or county aggregation authorized by RSA 53-E.
8. “Directors” means the members of the Board of Directors of CPCNH as referenced in Article VII of this JPA and detailed in Article V of the By-Laws.
9. “Direct Project Costs” means Costs for activities or services that benefit specific Projects as defined in one or more Project Contracts as provided for in Article V, Section 3(c).
10. “Electric Aggregation Plans and Programs” means such services municipalities and Counties undertake pursuant to NH RSA 53-E.
11. “Enterprise Risk Management Policy” means a Board policy framework to enable CPCNH to identify, mitigate, and manage financial, operational, and strategic risks in a holistic, methodical, and transparent manner to support the mission and financial sustainability of CPCNH. Regarding energy portfolio risk management, the policy will identify risks associated with the procurement of the power supply, identify those responsible for administering the various elements of the risk management policy from procurement operations to oversight, set parameters and methodologies for managing risk associated with procuring and hedging the power supply portfolio including the specification of authorized products, terms and transaction limits, and provide for the accrual of reserve funds for the purpose of satisfying all financial obligations and objectives associated with management of the power supply portfolio.
12. “Member Directors” means Directors appointed by a Member of this Agreement.
13. “Members Annual Meeting” means the Annual Membership Meeting of CPCNH as referenced in Article VI, Section 1 of this JPA and described in Article IV of the By-Laws.
14. “Member Services” means services provided by CPCNH to Members as referenced in Article V, Section 3(a) of this JPA.

15. "Membership" means all of the Members of CPCNH as described in Article III of the By-Laws.
16. "Project" means any of the following activities as approved by the Board pursuant to Article X: (i) the design, development, contracting for, lease, acquisition, transfer, construction, financing, operation, maintenance, and/or ownership of facilities for generation, storage, and/or distribution of electrical energy, including but not limited to electric meters, meter communications, microgrids, and electric vehicle charging infrastructure, and any related transactions, services, and goods that may be necessary or convenient to acquire, construct, and/or finance such facilities; (ii) the bulk purchasing and/or use of Member funds to finance retail customer technologies, including, but not limited to, distributed energy resources such as solar photovoltaics, battery storage, heat pumps, electric vehicle chargers, energy efficiency and/or demand response technologies; and/or (iii) activities as may otherwise be defined by the Board within the powers of Corporation.
17. "Project Contract" means a contract by and among the Corporation and its participating Members for a Project.
18. "Project Matter" means a matter for decision by the Members subscribed to a Project or Study Project involving a question or matter pertinent to considering, entering, studying, planning, financing, developing, acquiring, constructing, reconstructing, improving, enlarging, bettering, operating and/or maintaining the Project or Study Project as to which there shall be one or more Project Contracts.
19. "Project Participants" means the Members that choose to participate in any particular project pursuant to Article X, Section 2 of this JPA.
20. "Project Votes" means the number of votes a Member shall be entitled to cast with respect to a Project Matter. Unless otherwise agreed by the Project Participants each Member shall be entitled to cast that number of votes, with respect to a Project Matter, computed as follows: That number of votes (rounded to the next higher whole number) equal to 1000 multiplied by the result of dividing (i) the amount of the Member's financial commitment in the Project or Study Project to which the Project Matter relates, by (ii) the aggregate amount of all Members' then existing financial commitments in such Project or Study Project. In the event that such a calculation is being made with respect to a Project (other than a Study Project) prior to the date of commencement or commercial operation of the Project, as applicable, such calculation shall be made as of the anticipated date of commencement or commercial operation of such Project.
21. "Regular Meeting" means a regularly scheduled meeting of the Membership, or the Board, as established at a prior meeting of the Membership, or the Board, respectively.
22. "Special Meeting" means a meeting of the Membership, or the Board, as called by the Board, or its Chair, respectively, or by request of other Members, or Directors, respectively, pursuant to Article 4 or Section 5.8 of the By-Laws.
23. "Study Project" means one or more proposed Projects as to which the Corporation undertakes to make studies or to acquire options or permits and to incur other preliminary Costs prior to the undertaking of the solicitation, construction or acquisition of such proposed Project.

**Attachment B: Articles of Agreement of the Corporation**

*The State of New Hampshire*

Recording Fee: \$25.00

RSA 292:2

**ARTICLES OF AGREEMENT  
OF  
COMMUNITY POWER COALITION OF NEW HAMPSHIRE  
A NEW HAMPSHIRE NONPROFIT CORPORATION**

THE UNDERSIGNED, being persons of lawful age, associate under the provisions of the New Hampshire Revised Statues Annotated, Chapter 292 by the following articles:

**FIRST:** The name of the corporation shall be “Community Power Coalition of New Hampshire” (abbreviated “CPCNH”).

**SECOND:** The purpose of CPCNH is to promote the common good and general welfare by supporting the economic vitality and prosperity of local communities by enabling municipalities and counties to support and jointly exercise authorities granted to them pursuant to NH RSA 33-B, NH RSA 53-E, NH RSA 53-F, and NH RSA 374-D (including by reference NH RSA 33), all in accordance with NH RSA 53-A; to assist member municipalities and counties in complying with the provisions of NH RSA 53-E in developing and implementing Electric Aggregation Plans and Programs known as Community Power Aggregations (“CPAs”); to provide supportive services and technical assistance to community power aggregations serving member towns, cities, counties, unincorporated places, and village districts; and to support and promote public education and civic engagement by the residents and businesses of member communities in developing and implementing energy and climate policies and actions and the role of CPAs in advancing such policies and actions for the common good. This voluntary corporation is formed to carry out the objectives and purposes of the Community Power Coalition of New Hampshire Joint Powers Agreement executed on or before its effective date of October 1, 2021 pursuant to RSA 53-A (the “JPA”).

**THIRD:** The provisions for establishing membership and participation in the corporation are as follows:

Pursuant to NH RSA 53-E members of CPCNH may include counties, cities, towns, unincorporated places, and village districts within the state and any grouping of such entities operating pursuant to NH RSA 53-E:3, II(b). Any of the foregoing may become a Member upon complying with the requirements established by the CPCNH Board of Directors.

Each Member shall have one vote at all Member meetings.

## **Attachment B: Articles of Agreement of the Corporation**

The initial board of directors shall be the incorporators. The board of directors shall establish a code of by-laws not inconsistent with these Articles of Agreement or the provisions NH RSA 292 as amended, for the governance of the corporation.

These Articles of Agreement may be amended by a vote of the two-thirds of the Members at a Member meeting.

**FOURTH:** The provisions for disposition of the corporate assets in the event of dissolution of the corporation including the prioritization of rights of shareholders and members to corporate assets are:

In the event of dissolution, all net proceeds from the liquidation of the assets and property of CPCNH and any remaining assets shall be conveyed to its Members that remain at the time of dissolution as is determined by the Board in accordance with law. No Director, Officer, committee member, employee, or individual connected with CPCNH shall be entitled to share in the liquidation or distribution of any of the assets of CPCNH upon its dissolution.

**FIFTH:** The New Hampshire principal address at which the business of this corporation is to be carried on is: City Hall, City of Lebanon, 51 N. Park Street, Lebanon.

Principal Mailing address is: CPCNH c/o Sustainability Director, Town of Hanover, 41 S Main Street, Hanover, NH 03755.

Business Email is info@cpcnh.org.

Please check if you would prefer to receive the courtesy Nonprofit Report Reminder by email.

**SIXTH:** The amount of capital stock, if any, or the number of shares or membership certificates, if any, and provisions for retirement, reacquisition and redemption of those shares or certificates are: There is no capital stock, shares, or membership certificates.

**SEVENTH:** The powers of the Corporation shall include the following:

- 7.1. Receive contributions and donations of property, funds, services, and other forms of assistance from any source;
- 7.2. Employ agents and employees;
- 7.3. Lease real or personal property as lessee and as lessor;

## **Attachment B: Articles of Agreement of the Corporation**

7.4 Acquire, contract, manage, maintain, sell, or otherwise dispose of real and personal property and operate any buildings, infrastructure, works, or improvements;

7.5 Receive, collect, invest, and disburse moneys;

7.6 Make and enter into contracts;

7.7 Sue and be sued in its own name;

7.8 Establish, operate, maintain and/or fund energy-related programs;

7.9 Make and enter into service agreements relating to the provision of services necessary to plan, implement, operate, and administer CPCNH's affairs;

7.10 Apply for, accept, and receive all licenses, permits, grants, loans, or other aids from any federal, state, or local public agency;

7.11 Submit documentation and notices, register, and comply with orders, tariffs, and agreements for the establishment and implementation of community power aggregations and other energy related programs;

7.12 Acquire, purchase, finance, offer, arrange, construct, maintain, utilize and/or operate one or more Projects as that term is defined in the JPA;

7.13 Incur debts, liabilities, and obligations, provided that all debts, liabilities and obligations shall be non-recourse to any and all of the Members unless expressly agreed to by such Members through a Member's Cost Sharing Agreement or Project Contract as those terms are defined in the JPA;

7.14 Issue revenue bonds, and incur other forms of indebtedness including but not limited to loans from private lending sources, pursuant to NH RSA 33-B, RSA 53-E, RSA 53-F, and RSA 374-D, provided that any such bond or debt issuance is approved by participating Members' governing and legislative bodies as required by statute;

7.15 Form subsidiary or independent entities to carry out energy supply, energy conservation and other energy-related programs that may be conducted by CPCNH;

7.16 Intervene in germane regulatory proceedings on behalf of itself and its Members;

7.17 Engage in germane legislative activity, but shall not under any circumstance directly or indirectly participate or intervene in any political campaigns on behalf of or in opposition to any candidate for public office;

7.18 Assign, delegate, or contract with a Member or third party to perform any of the duties of the Board, including, but not limited to, acting as administrator of the Corporation;

7.19 Carry out other duties as required to accomplish other responsibilities as set forth in the JPA; and

7.20 Exercise all other powers necessary, proper, and lawful to carry out the Articles of Agreement.

**Attachment B: Articles of Agreement of the Corporation**

7.21 Defend, hold harmless, and indemnify, to the fullest extent permitted by law, each Member from any liability, claims, suits, or other actions.

**EIGHTH:** Provision eliminating or limiting the personal liability of a director, an officer or both, to the corporation or its shareholders for monetary damages for breach of fiduciary duty as a director, an officer or both is as follows:

There shall be no personal liability of a director, an officer, or both, to the corporation for monetary damages for breach of fiduciary duty as a director, an officer, or both, except with respect to:

1. Any breach of the director's or officer's duty of loyalty to the corporation.
2. Acts or omissions which are not in good faith or which involve intentional misconduct or a knowing violation of law.
3. Any transaction from which the director, officer, or both, derived an improper personal benefit.

**NINTH:** Signatures and post office address of each of the representatives of the governmental entities associated together to form the corporation:

<b>Signature and Name</b>	<b>Post Office Address</b>
1. _____ Signature	25 Perley Ave. _____ Street
Clifton C. Below _____ Name (please print)	Lebanon, NH 03766-1816 _____ City/Town/State/Zip
2. _____ Signature	_____ Street
_____ Name (please print)	_____ City/Town/State/Zip
3. _____ Signature	_____ Street
_____ Name (please print)	_____ City/Town/State/Zip

**Attachment B: Articles of Agreement of the Corporation**

4. \_\_\_\_\_ Street  
Signature

\_\_\_\_\_  
Name (please print) City/Town/State/Zip

5. \_\_\_\_\_ Street  
Signature

\_\_\_\_\_  
Name (please print) City/Town/State/Zip

6. \_\_\_\_\_ Street  
Signature

\_\_\_\_\_  
Name (please print) City/Town/State/Zip

7. \_\_\_\_\_ Street  
Signature

\_\_\_\_\_  
Name (please print) City/Town/State/Zip

8. \_\_\_\_\_ Street  
Signature

\_\_\_\_\_  
Name (please print) City/Town/State/Zip

*Note: At least five signatures are required.*

*DISCLAIMER: All documents filed with the Corporation Division become public records and will be available for public inspection in either tangible or electronic form.*



**Attachment C: Corporation By-Laws**

**BY-LAWS  
of the  
COMMUNITY POWER COALITION  
OF NEW HAMPSHIRE**

**ARTICLE I  
NAME**

The name of the corporation shall be the Community Power Coalition of New Hampshire (“CPCNH”).

**ARTICLE II  
PURPOSE AND POWERS**

**Section 2.1 Purpose**

The purpose of CPCNH is to promote the common good and general welfare by supporting the economic vitality and prosperity of local communities by enabling municipalities and counties to support and jointly exercise authorities granted to them pursuant to NH RSA 33-B, NH RSA 53-E, NH RSA 53-F, and NH RSA 374-D (including by reference NH RSA 33), all in accordance with NH RSA 53-A; to assist member municipalities and counties in complying with the provisions of NH RSA 53-E in developing and implementing Electric Aggregation Plans and Programs known as Community Power Aggregations; to provide supportive services and technical assistance to community power aggregations serving member towns, cities, counties, unincorporated places, and village districts; and to support and promote public education and civic engagement by the residents and businesses of member communities in developing and implementing energy and climate policies and actions and the role of community power aggregations in advancing such policies and actions for the common good.

**Section 2.2 Community Power Coalition of New Hampshire Joint Powers Agreement**

This voluntary corporation is formed to carry out the objectives and purposes of the Community Power Coalition of New Hampshire Joint Powers Agreement effective on October 1, 2021 (the “JPA”).

**Section 2.3 Powers**

CPCNH is authorized, in its own name, to do all acts permitted under NH RSA 53-A, as amended from time to time, such other provisions of New Hampshire law not inconsistent with NH RSA 53-A, as well as any act necessary, consistent with New Hampshire law, to fulfill the purposes set forth in Section 2.1 above, including but not limited to, each of the following:

## **Attachment C: Corporation By-Laws**

**2.3.1** Receive contributions and donations of property, funds, services, and other forms of assistance from any source;

**2.3.2** Employ agents and employees;

**2.3.3** Lease real or personal property as lessee and as lessor;

**2.3.4** Acquire, contract, manage, maintain, sell, or otherwise dispose of real and personal property and operate any buildings, infrastructure, works, or improvements;

**2.3.5** Receive, collect, invest, and disburse moneys;

**2.3.6** Make and enter into contracts;

**2.3.7** Sue and be sued in its own name;

**2.3.8** Establish, operate, maintain and/or fund energy-related programs;

**2.3.9** Make and enter into service agreements relating to the provision of services necessary to plan, implement, operate, and administer CPCNH's affairs;

**2.3.10** Apply for, accept, and receive all licenses, permits, grants, loans, or other aids from any federal, state, or local public agency;

**2.3.11** Submit documentation and notices, register, and comply with orders, tariffs, and agreements for the establishment and implementation of community power aggregations and other energy related programs;

**2.3.12** Acquire, purchase, finance, offer, arrange, construct, maintain, utilize and/or operate one or more Projects as that term is defined in the JPA;

**2.3.13** Incur debts, liabilities, and obligations, provided that all debts, liabilities and obligations shall be non-recourse to any and all of the Members unless expressly agreed to by such Members through a Member's Cost Sharing Agreement or Project Contract as those terms are defined in the JPA;

**2.3.14** Issue revenue bonds, and incur other forms of indebtedness including but not limited to loans from private lending sources, pursuant to NH RSA 33-B, RSA 53-E, RSA 53-F, and RSA 374-D, provided that any such bond or debt issuance is approved by participating Members' governing and legislative bodies as required by statute;

**2.3.15** Form subsidiary or independent entities to carry out energy supply, energy conservation and other energy-related programs that may be conducted by CPCNH;

**2.3.16** Intervene in germane regulatory proceedings on behalf of itself and its Members;

**2.3.17** Engage in germane legislative activity, but shall not under any circumstance directly or indirectly participate or intervene in any political campaigns on behalf of or in opposition to any candidate for public office;

## **Attachment C: Corporation By-Laws**

**2.3.18** Assign, delegate, or contract with a Member or third party to perform any of the duties of the Board, including, but not limited to, acting as administrator of the Corporation;

**2.3.19** Carry out other duties as required to accomplish other responsibilities as set forth in the JPA; and

**2.3.20** Exercise all other powers necessary, proper, and lawful to carry out the Articles of Agreement and these By-Laws.

**2.3.21** Defend, hold harmless, and indemnify, to the fullest extent permitted by law, each Member from any liability, claims, suits, or other actions.

### **ARTICLE III MEMBERSHIP**

#### **Section 3.1 Members**

The initial Members of CPCNH shall be the towns, cities, and counties that entered into the JPA on or before its effective date of October 1, 2021. Pursuant to NH RSA 53-E, the following shall be also eligible to become members of CPCNH:

#### **Section 3.2 Municipalities**

Any city, town, unincorporated place, or village district within the state. Any such entity (hereinafter "*Municipality*") shall be eligible for membership in CPCNH.

#### **Section 3.3 Counties**

Any county within the state. Any such entity (hereinafter "*County*") shall be eligible for membership in CPCNH.

**Section 3.4 Joint Powers Authority** Any group of municipalities and counties that have chosen to jointly operate a community power aggregation in accordance with NH RSA 53-A and RSA 53-E shall be eligible for membership in CPCNH as a Joint Powers Authority in lieu of individual municipal or county memberships.

#### **Section 3.5 Manner of Becoming a Member**

Any city, town, unincorporated place, village district, county, or joint powers authorities may become a Member at any time upon an affirmative vote by the governing body of the proposed new Member to approve and join the Community Power Coalition of New Hampshire Joint Powers Agreement and by an affirmative vote of a majority of the Board of Directors to approve the new Member.

#### **Section 3.6 Designation of Member Representatives; Voting**

The governing body of each Member shall designate in writing to the Chief Executive Officer, or Chair of the Board in the absence of a Chief Executive Officer, an elected or appointed official as a Member representative who shall attend CPCNH meetings and vote on behalf of the Member. The governing body of each Member may also designate in writing an alternate to serve when the primary representative is

## **Attachment C: Corporation By-Laws**

unavailable. The designated representative or alternate may also be employees or volunteers of the Member. Each Member shall be entitled to one vote on the election of Directors and all other matters submitted to a vote of the membership.

### **Section 3.7 Voluntary Withdrawal of Membership**

A Member's membership with CPCNH may be withdrawn by the Member's governing body upon notifying the Chair of the Board of Directors in writing and complying the provisions of Section 3.9.

### **Section 3.8 Involuntary Termination of Membership**

A Member's membership with CPCNH may be terminated by a two-thirds (2/3) vote of the entire Board of Directors, with the exception of the terminated Member's representative if they are also a Director, for reasons deemed good and sufficient by the voting Directors. Default under a Project Contract, failure to satisfy the material terms of its Cost Sharing Agreement, as defined in the JPA, with the Corporation, and material non-compliance with the provisions of the JPA are each ground for terminating membership.

### **Section 3.9 Continuing Obligations**

Any withdrawn or terminated Member shall execute all reasonable and necessary documents to effectuate such withdrawal or termination and such Members' continuing obligations shall be pursuant to the same terms for continuing obligations as provided for under Article IV, Section 6 of the JPA.

## **ARTICLE IV**

### **MEMBERSHIP MEETINGS**

#### **Section 4.1 Annual Membership Meeting of CPCNH**

Each April there shall be an annual meeting ("Annual Membership Meeting") of the Members at a specific date, time, and place established by the Board of Directors ("Board"). Written notice thereof shall be sent to the principal executive officers of each Member by the Chief Executive Officer or Chair of the Board not less than thirty (30) days prior to the Annual Membership Meeting date. The notice shall set forth the number of Directors to be elected by the Members, as well as any other items of business to be conducted at the Annual Membership Meeting. Only those items set forth in the notice shall be acted upon at the Annual Membership Meeting.

#### **Section 4.2 Regular Meetings of CPCNH**

The Members may vote to hold periodic meetings. An annual schedule for such meetings may be established by a majority vote of the Members. Written notice for each such meeting shall be given not less than ten days prior to the date of the meeting. The notice shall set forth the items of business to be conducted at each meeting. By a majority vote of the Members present at the meeting, items of business not identified in the meeting notice may be transacted at such meeting.

## **Attachment C: Corporation By-Laws**

### **Section 4.3 Special Meetings**

Special meetings of CPCNH may be called by the Board or at the written request of twenty-five percent (25%) of the Members. Written notice of a special meeting shall be given not less than five (5) days prior to the date of said meeting. Only such business stated in the notice shall be transacted at the said meeting.

### **Section 4.4 Quorum**

Not less than twenty-five percent (25%) of the total number of Members shall constitute a quorum for any meeting of the Members of CPCNH.

### **Section 4.5 Vote Necessary to Take Action**

A plurality vote of the Members in attendance at a Membership meeting shall be necessary to elect any Director. A majority vote of the Members in attendance at a Membership meeting shall decide any other matter, except as otherwise provided in these By-Laws. Attendance at a meeting may be in the manners specified in Section 5.10 of these By-Laws.

### **Section 4.6 Meetings Subject to Right-to-Know Law**

All meetings of CPCNH shall comply with New Hampshire's Right-to-Know Law, NH RSA 91-A, as amended from time to time.

## **ARTICLE V**

### **BOARD OF DIRECTORS**

#### **Section 5.1 Management**

The affairs, activities, and property of CPCNH shall be managed, directed, and controlled by, and its power exercised by and vested in a Board of Directors, which shall have all powers enumerated in the Articles of Agreement, the laws of the State of New Hampshire as amended from time to time, and all other powers conferred by these By-Laws and the JPA. Each year the Board shall establish the budget for CPCNH.

#### **Section 5.2 Board Duties**

In addition to those duties outlined briefly in Section 5.1 above, the Board may appoint a Chief Executive Officer and authorize such other positions as it shall deem necessary to conduct the work of the organization.

#### **Section 5.3 Composition**

**5.3.1 Initial Board** Subject to the provisions of Section 5.3.2, below, the initial Board of Directors shall consist of one designated representative, or alternate, from each Member. At any point in time that there are less than five (5) Members, the Members, through their representatives to the Board of Directors, may elect additional voting Directors by majority vote, such that there is always a minimum of five (5) voting

## **Attachment C: Corporation By-Laws**

Directors. The term of such additional voting Directors shall end when there are at least 5 Members with representation on the Board of Directors.

### **5.3.2 Subsequent Boards**

Until such time as there are a total of twenty-one (21) Members, all Member representatives or their alternates shall serve as Directors. At such time as there shall be more than a total of twenty-one (21) Members, members of the Board ("Directors") shall be selected from the representatives and alternates of Members of CPCNH, and such other persons as provided in Section 5.4 of these By-Laws. At such time, to ensure the broadest support for the goals of CPCNH, the organization shall seek Board members who reflect the qualifications and diversity determined by the Board in its policies. Among these considerations the Board shall at all times, so long as there are sufficient Member representatives from each of the following designations, include the following: not less than two Directors from cities, not less than two Directors from towns, and not less than two Directors from counties or joint powers authorities. There shall not be two or more Directors that represent the same city, town, county, or joint powers authority. Every reasonable effort shall be made to assure geographic diversity on the Board.

### **Section 5.4 Non-Voting Directors**

The Board, by majority vote, may appoint non-voting persons to serve on the Board based on their expertise in areas valuable to the operations of CPCNH and as liaisons with other related organizations.

### **Section 5.5 Terms of Office**

Starting with the first election of Directors by the Membership pursuant to paragraph 5.3.2. Directors shall serve three (3) year terms, staggered so that approximately one-third (1/3) of the Directors will be elected each year. There shall be no term limit.

### **Section 5.6 Election**

Directors of CPCNH shall be elected by a plurality vote of the Members in attendance at each Annual Membership Meeting. Attendance at the Annual Membership Meeting may be in the manners specified in Section 5.10 of these By-Laws. Vacancies on the Board may be filled by majority vote at any Regular Meeting or Special Meeting of the Board, and those so elected shall fill the unexpired term of their predecessors in office.

### **Section 5.7 Number**

The initial Board shall consist of all the Member representatives or their alternates, plus such additional Directors as may be elected pursuant to paragraph 5.3.1 until such time as there are more than twenty-one (21) Members. When there are more than twenty-one (21) Members the Board shall consist of not less than eleven (11) Directors and not more than twenty-one (21) Directors. The number of Directors to be

## **Attachment C: Corporation By-Laws**

elected shall be established by the Board of Directors each year prior to the Annual Membership Meeting and included in the notice for such Meeting in accordance with Section 4.1.

### **Section 5.8 Meetings**

The Chair may call meetings of the Board at any time, and a Special Meeting must be called when requested in writing by twenty-five percent (25%) of the Directors. Notice for a Special Meeting of the Board must be provided to each Director in writing at least five (5) days prior to the Special Meeting and shall specify the purpose of the Special Meeting. Only the items indicated in the Notice shall be acted upon at a Special Meeting.

### **Section 5.9 Annual Meeting of the Board**

The Annual Meeting of the Board Directors shall be held immediately following the Annual Membership Meeting, or at such other time as may be established by the Board, for the purposes of electing officers, receiving reports on the financial fitness and activities of CPCNH, and determining the direction of the organization for the coming year. The specific location and time of the Annual Meeting of the Board and the Membership shall be held at such place as may be designated from time to time by the Board.

### **Section 5.10 Electronic Participation at Meetings of the Board**

To the extent permitted by RSA 91-A the Directors or the members of any committee may participate in, and act at any meeting, using any means of communication so long as all persons participating in the meeting can communicate with each other concurrently. Such communication includes video, audio, electronic, and telephonic conferencing. Participation by telephone or other electronic means shall be equivalent to presence in person at a meeting for the purposes of determining if a quorum is present. All Directors attending meetings by audio or electronic conferencing shall be entitled to vote as if they were personally and physically present at the meeting and their votes shall be recorded by the Secretary as completed via audio or electronic attendance. E-mail is not considered a proper form of electronic participation at a meeting. Only those attending a meeting in-person may vote to break a tie.

### **Section 5.11 Record of Meetings**

The Secretary or, in the absence of the Secretary, one of the Directors designated by the Chair and participating in the meeting, shall keep a record of Board meetings.

### **Section 5.12 Quorum**

At all meetings of the Board, twenty-five percent (25%) of the Directors then serving shall be necessary and sufficient to constitute a quorum for the transaction of business. The act of a majority of the Directors present at any meeting at which there is a quorum shall be considered the act of the Board, except as may be otherwise



## **Attachment C: Corporation By-Laws**

specifically provided by the laws of the State of New Hampshire or these By-Laws. No business shall be transacted at any meeting of the Board at which the required quorum is not present, and the only motion, which the Chair shall entertain at such meeting, is a motion to adjourn.

### **Section 5.13 Removal of Directors**

Any Director may be removed at any time, with or without cause, by a vote of two-thirds (2/3) of all of the Directors, with the exception of the Director subject removal, at any Regular Meeting or Special Meeting of the Board called for that purpose. In addition, any Director who fails to attend three (3) Regular Meetings of the Board in a fiscal year may be asked to resign unless the Chair of the Board has excused the absences.

### **Section 5.14 Manner of Acting**

The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board, unless the act of the greater number is required by law or these By-Laws.

**5.14.1** To the extent permitted by RSA 91-A the Board may also act without a meeting on any action required or permitted to be taken at a meeting if:

**5.14.1.1** Written consent setting forth the action taken thereto is signed by all the Directors and filed with the minutes of the meetings of the Board. Written consents may be executed in any number of counterparts, all of which when taken together shall constitute a single original consent.

**5.14.1.2** Consent by electronic mail setting forth the action taken thereto is submitted and received by all the Directors and filed with the minutes of the meetings of the Board. Such consents shall be treated as a vote of the Directors for all purposes.

### **Section 5.15 Compensation**

Board positions are voluntary, and Directors shall not receive any compensation for their service as Directors from CPCNH. Compensation by a Member of its representative is not precluded by these By-Laws. The Board may adopt policies providing for reasonable reimbursement of Directors for incidental expenses incurred in conjunction with carrying out their duties as Directors, such as extraordinary travel expenses to attend Board meetings.

### **Section 5.16 Director Serving as Chief Executive Officer, Employee Serving as Director**

In no event may a Director serve as a Chief Executive Officer until six months after his or her term as a Director or resignation from the Board. In no event may an employee of CPCNH serve as a Director until six months after the termination of their employment.

## **Attachment C: Corporation By-Laws**

### **ARTICLE VI COMMITTEES**

#### **Section 6.1 Committees**

Article IX of the JPA provides for committees that shall be established and other committees that may be established by the Board, including special or ad hoc committees, as the Directors deem necessary and appropriate to carry on or oversee the work of the organization and goals and purposes of the JPA.

The Board shall strive to maintain diversity in the membership of each committee to include consideration of the size and location of the various Members.

In addition, the Board shall strive to appoint committee members with specialized knowledge in the areas for which each committee shall have responsibility.

#### **Section 6.2 Limitations**

Any committee whether established under the JPA or by the Board, to the extent provided in a resolution of the Board, shall have all the authority of the Board, except that no committee, regardless of Board resolution may:

- 6.2.1** Take any final action on matters that also requires Board approval;
- 6.2.2** Fill vacancies on the Board or any committee which has the authority of the Board;
- 6.2.3** Expend CPCNH funds, except as authorized by the Board;
- 6.2.4** Appoint other committees of the Board or the members of committees; and
- 6.2.5** Approve any transaction to which CPCNH is a party, and one or more Directors have a material financial interest.

### **ARTICLE VII OFFICERS**

#### **Section 7.1 Officers**

The Officers of CPCNH shall consist of a Chair, the Immediate Past-Chair, a Vice-Chair, a Secretary, a Treasurer, and such other officers ("*Officers*") as shall be determined by the Board, all of which shall be elected by the Board. All Officers shall be members of the Board.

#### **Section 7.2 Election and Term of Office**

The Board shall elect the Officers of CPCNH by majority vote of the Directors in attendance at each Annual Meeting. Between Annual Membership Meetings, vacancies in any Officer position may be filled by a majority vote of the Directors present at any regularly or specially scheduled meeting of the Board. The Officers of CPCNH shall

## **Attachment C: Corporation By-Laws**

hold office for a term of one (1) year and shall not serve more than three (3) consecutive one (1) year terms in any office.

### **Section 7.3 Chair**

The Chair shall preside at all meetings of the Board and shall have and exercise general charge and supervision over the affairs of CPCNH and the Chief Executive Officer. The Chair shall perform such other duties as may be assigned by the Board. He or she or the Chief Executive Officer shall, unless otherwise ordered by the Board, execute all written agreements and contracts in the name of CPCNH, subject to the approval of the Board or the Executive Committee.

### **Section 7.4 Immediate Past-Chair**

Upon completing a final term as Chair, the person in that position shall automatically move into the position of Immediate Past-Chair. The Immediate Past-Chair shall remain a full voting member of the Board, even if his or her term has expired, and the Board has reached its quota, provided that the Immediate Past-Chair remains a designated representative or alternate of his or her Member. This position will be a one (1) year position. The Immediate Past-Chair shall serve as an adviser to the Board Chair.

### **Section 7.5 Vice Chair**

The Vice Chair shall perform such duties as prescribed by the Board or the Chair and shall act for the Chair in his or her absence.

### **Section 7.6 Secretary**

The Secretary shall be present at all meetings of the Board and keep or cause to be kept minutes of all meetings of the Board and maintain custody thereof. The Secretary shall perform all other duties incident to the office, and such other duties as may be assigned by the Board.

### **Section 7.7 Treasurer**

The Treasurer shall oversee the collection and receipt of all money due CPCNH and shall have supervision of CPCNH monies and regular books of accounts. He or she shall oversee the deposits, expenditure, or investment of such funds according to the direction of the Board. He or she shall oversee the full and accurate recordation of receipts, deposits, investments, and expenditures. The Treasurer shall submit periodic reports of financial transactions to the Board at least quarterly, and more often if so requested. In conjunction with the Chief Executive Officer, he or she shall prepare the annual budget for approval of the Board.

### **Section 7.8 Removal**

Any Officer may be removed from office at any time, with or without cause, by the affirmative vote of two-thirds (2/3) of the Board at any Regular Meeting or Special

## **Attachment C: Corporation By-Laws**

Meeting of the Board called expressly for that purpose, or whenever, in its judgment, the best interest of CPCNH would be served thereby.

### **ARTICLE VIII**

#### **CHIEF EXECUTIVE OFFICER**

The Chief Executive Officer shall be engaged by the Board in such manner as it determines. The title for the Chief Executive Officer be part of the negotiations with the Board. The Chief Executive Officer serves at the pleasure of the Board. The Executive Committee shall review compensation and annual performance evaluation in a process conducted by the Chair of the Board.

In general, the Chief Executive Officer shall be responsible for the administration and management of CPCNH. The Chief Executive Officer shall participate in all Regular Meetings of the Board and shall be responsible for carrying out the objectives of the organization; subject to such written policies, directions and procedures as may be established from time to time by the Board. The Chief Executive Officer shall be responsible for the day-to-day operation of CPCNH, and is empowered to hire additional staff, who report to the Chief Executive Officer, when the Board votes to authorize a position and a budget line to support it.

A position description (for the Chief Executive Officer and any other staff) with specific responsibilities will be drafted and reviewed as part of the annual performance evaluation process.

Prior to hiring a Chief Executive Officer or in the absence of a Chief Executive Officer the Board may retain such consultants and interim staff, such as an acting manager, as it may determine is appropriate.

### **ARTICLE IX**

#### **AMENDMENTS**

##### **Section 9.1 Amendment of By-Laws**

Except as otherwise provided by law, these By-Laws may be amended by a vote of not less than two-thirds (2/3) of the Members in attendance at the Annual Membership Meeting, any Regular Meeting, or any Special Meeting, provided that written notice of the proposed amendments are distributed to each Member at least fourteen (14) days prior to such meeting at which it is to be acted upon.

Further, all amendments must be consistent with the Articles of Agreement and the JPA, and this Article IX, Article XI, and Article XIII may not be amended unless such amendment is approved by the governing body of each Member.

The Board shall, as may be required by law, report to the New Hampshire Attorney General, Charitable Trust Unit, a copy of any By-Laws Amendments.

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### **ARTICLE X**

#### **FISCAL YEAR, FINANCIAL REPORTS, AND AUDITS**

##### **Section 10.1 Fiscal Year**

As provided for under the JPA, the fiscal year shall be the calendar year, subject to the Board's discretion to amend the Fiscal Year.

##### **Section 10.2 Financial Reports and Audits**

As provided for under the JPA, an independent financial report by a professional accounting firm of the books and records of CPCNH shall be conducted each fiscal year, and a copy of such financial report shall be submitted to each Director and the Members. A copy of such financial report may also be provided to others as directed by the Chair. The Board shall determine when it is appropriate for audits to be performed by professional accounting firms.

### **ARTICLE XI**

#### **DISSOLUTION, LIQUIDATION, AND DISTRIBUTION**

CPCNH shall not be dissolved until such time as all principal of, and interest on, bonds and other forms of indebtedness issued by CPCNH are paid in full or adequate provision for such payment shall have been made in accordance with the instruments governing such bonds and other forms of indebtedness. Thereafter CPCNH may be dissolved upon the unanimous vote of all of the Members taken at a meeting of the Membership called for that purpose; provided, however, that CPCNH shall continue to exist after termination for the purpose of discharging or disposing of all claims and obligations, liquidating and distributing all assets and property, and conducting all other functions necessary to conclude the obligations and affairs of the CPCNH. In the event of a vote for dissolution, the Board shall liquidate the business and assets and the property of the Corporation as expeditiously as possible and distribute any net proceeds and any remaining assets to any remaining Members in such manner as is determined by the Board in accordance with law. The Board is vested with all powers of the Corporation for the purpose of concluding and dissolving the business affairs of the Corporation. No Member representative, Director, Officer, committee member, employee, or individual connected with CPCNH shall be entitled to share in the liquidation or distribution of any of the assets of CPCNH upon its dissolution.

### **ARTICLE XII**

#### **CONFLICT OF INTEREST**

##### **Section 12.1 Duty to Disclose and Voting Requirements**

Any possible conflict of interest on the part of any Director or Officer of CPCNH, shall be disclosed in writing to the Board and made a matter of record through an annual procedure, and also when the interest involves a specific issue or transaction

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before the Board. Where the transaction involving a Director or Officer exceeds five hundred dollars and no cents (\$500.00) but is less than five-thousand dollars and no cents (\$5,000.00) in a fiscal year, a two-thirds (2/3) vote of disinterested Directors approving the transaction is required. Where the transaction involved exceeds a value of five thousand dollars and no cents (\$5,000.00) in a fiscal year, then a two-thirds (2/3) vote of disinterested Directors approving the transaction after publication of a legal notice in a newspaper of general circulation in the community in which the principal office of CPCNH is located (or if there is no such office, then in a newspaper of general circulation throughout the state), and after written notice to the Office of the Attorney General, Director of Charitable Trusts. Neither the interested Director nor any other Director who had a pecuniary benefit transaction with CPCNH in the same fiscal year shall be present for or participate either in the discussion or the actual vote concerning the transaction and the minutes shall reflect the fact as well as the disclosure of the Director's interest and the vote. Every new member of the Board will be advised of this policy upon entering the duties of his and her office, and shall sign a statement acknowledging, understanding and agreement to this policy. CPCNH shall keep a log of the pecuniary benefit transactions occurring between it and Board Members.

### **Section 12.2 Other Statutory Requirements**

The Board will comply with all applicable requirements of New Hampshire laws dealing with pecuniary benefit transactions (NH RSA 7:19-a, II and 292:6-a) and all such laws are incorporated in full into and made a part of this policy statement. These requirements include, but are not limited to, (1) the absolute prohibition of any loans to any Director or Officer of CPCNH; and (2) prohibition of any sale or lease (for a term greater than five (5) years) or conveyance of real estate to or from a Director or Officer, without the prior approval of the probate court. These requirements extend to both direct and indirect financial interests.

## **ARTICLE XIII**

### **INDEMNIFICATION AND INSURANCE**

#### **Section 13.1 Indemnification**

Each Member (including its governing body), Member representative, Director, Officer, committee member, employee, assignee, or agent of CPCNH, (and their respective heirs, executors and administrators), shall be indemnified and held harmless by CPCNH against any and all claims, demands, losses, costs, penalties, expenses (including attorneys' fees), judgments, damages and liabilities reasonably incurred by, or imposed upon them in connection with any action, suit or proceeding to which they may be made a party or with which they shall be threatened, by reason of their being, or having been, a Member, Member representative, Director, Officer, committee member, employee, assignee, or agent of CPCNH (whether or not they continues to be a Member, Member representative, Director, Officer, committee member, employee, assignee, or agent of CPCNH at the time such action, suit or proceeding is brought or

## **Attachment C: Corporation By-Laws**

threatened), arising in whole or in part, directly or indirectly from conduct in which such Member, Member representative, Director, Officer, committee member, employee, assignee, or agent has engaged in good faith. However, no such indemnification shall apply in relation to any matter involving (i) a breach of their duty of loyalty to CPCNH; (ii) acts or omission which are not in good faith or which involved intentional misconduct or a knowing violation of law; or (iii) a transaction from which the Director, Officer, Member representative, committee member, employee, assignee, or agent derived an improper personal benefit.

In the event of settlement of any such action, suit or proceeding brought or threatened, such indemnification shall be limited to matters covered by the settlement as to which CPCNH is advised by counsel that such Member, Member representative, Director, Officer, committee member, employee, assignee, or agent is not liable for misconduct as such. The foregoing right of indemnification shall be in addition to any rights to which any Member (including its governing body), Member representative, Director, Officer, committee member, employee, assignee, or agent may otherwise be entitled.

### **Section 13.2 Insurance**

CPCNH shall self-provide or acquire insurance coverage as is necessary to protect the interests of the CPCNH, the Members, employees, agents, and the public and to indemnify such persons in instances in which they may be indemnified pursuant to Section 13.1 in this Article XIII.

These By-Laws were adopted by a 2/3 majority action of the signers of the Articles of Agreement constituting the initial Board on October 1, 2021.



## **Attachment D: List of Members**

The following entities are Parties to the Joint Power Agreement of Community Power Coalition of New Hampshire:

1. City of Lebanon
2. Town of Hanover
3. City of Nashua
4. Cheshire County
5. Town of Harrisville
6. Town of Exeter
7. Town of Rye
8. City of Dover
9. Town of Warner
10. Town of Walpole
11. Town of Plainfield
12. Town of Newmarket
13. Town of Enfield
14. Town Durham

**Attachment E: Signatories**

IN WITNESS WHEREOF, the Parties have executive this Joint Power Agreement for Community Power Coalition of New Hampshire.

City of Lebanon, NH

By:   
Name: Shaun Mulholland  
Title: City Manager  
Date: 9/29/2021

City of Dover, NH

By: \_\_\_\_\_  
Name: Christopher Parker  
Title: Deputy City Manager  
Date: \_\_\_\_\_


Town of Hanover, NH

By: \_\_\_\_\_  
Name: Julia Griffin  
Title: Town Manager  
Date: \_\_\_\_\_

Town of Harrisville, NH

By: \_\_\_\_\_  
Name: Andrea Hodson  
Title: Select Board Chair  
Date: \_\_\_\_\_

City of Nashua, NH

By:   
Name: James W. Donchess  
Title: Mayor  
Date: 9/30/2021

Town of Exeter, NH

By: \_\_\_\_\_  
Name: Russ Dean  
Title: Town Manager  
Date: \_\_\_\_\_

Cheshire County, NH

By: \_\_\_\_\_  
Name: Chris Coates  
Title: Administrator  
Date: \_\_\_\_\_

Town of Rye, NH

By: \_\_\_\_\_  
Name: Becky Bergeron  
Title: Town Administrator  
Date: \_\_\_\_\_

**Attachment E: Signatories**

Town of Warner, NH

By: \_\_\_\_\_  
Name: Clyde Carson  
Title: Select Board Chair  
Date: \_\_\_\_\_

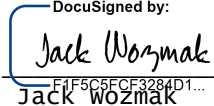
City of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of Walpole, NH

By: \_\_\_\_\_  
Name: Cheryl Mayberry  
Title: Select Board Chair  
Date: \_\_\_\_\_

Town of Enfield, NH

By:   
Name: Jack Wozniak  
Title: Interim Town Manager  
Date: 9/30/2021

Town of Plainfield, NH

By: \_\_\_\_\_  
Name: Eric R. Brann  
Title: Select Board Chair  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

City of Newmarket, NH

By: \_\_\_\_\_  
Name: Steve Fournier  
Title: Town Manager  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Attachment E: Signatories**

IN WITNESS WHEREOF, the Parties have executed this Joint Power Agreement for Community Power Coalition of New Hampshire.

City of Lebanon, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

City of Dover, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of Hanover, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of Harrisville, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_


City of Nashua, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of Exeter, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Cheshire County, NH

By:   
Name: Christopher Costello  
Title: Cheshire County Administrator  
Date: 9-3-21

Town of Rye, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Attachment E: Signatories**

IN WITNESS WHEREOF, the Parties have executed this Joint Power Agreement for Community Power Coalition of New Hampshire.

City of Lebanon, NH

By: \_\_\_\_\_

Name: Shaun Mulholland

Title: City Manager

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

City of Dover, NH

By: \_\_\_\_\_

Name: J. Michael Joyal

Title: City Manager

Date: 9/22/21

Town of Hanover, NH

By: \_\_\_\_\_

Name: Julia Griffin

Title: Town Manager

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

Town of Harrisville, NH

By: \_\_\_\_\_

Name: Andrea Hodson

Title: Select Board Chair

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

City of Nashua, NH

By: \_\_\_\_\_

Name: James W. Donchess

Title: Mayor

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

Town of Exeter, NH

By: \_\_\_\_\_

Name: Russ Dean

Title: Town Manager

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

Cheshire County, NH

By: \_\_\_\_\_

Name: Chris Coates

Title: Administrator

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

Town of Rye, NH

By: \_\_\_\_\_

Name: Becky Bergeron

Title: Town Administrator

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

**Attachment E: Signatories**

Town of Warner, NH

By: \_\_\_\_\_  
Name: Clyde Carson  
Title: Select Board Chair  
Date: \_\_\_\_\_

Town of Walpole, NH

By: \_\_\_\_\_  
Name: Cheryl Mayberry  
Title: Select Board Chair  
Date: \_\_\_\_\_

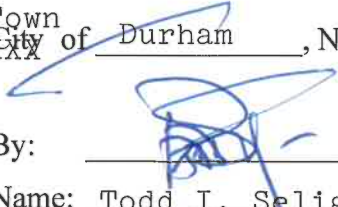
Town of Plainfield, NH

By: \_\_\_\_\_  
Name: Eric R. Brann  
Title: Select Board Chair  
Date: \_\_\_\_\_

City of Newmarket, NH

By: \_\_\_\_\_  
Name: Steve Fournier  
Title: Town Manager  
Date: \_\_\_\_\_

Town  
~~City~~ of Durham, NH

By:  \_\_\_\_\_  
Name: Todd I. Selig, Administrator  
Title: \_\_\_\_\_  
Date: September 28, 2021

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**Attachment E: Signatories**

IN WITNESS WHEREOF, the Parties have executed this Joint Power Agreement for Community Power Coalition of New Hampshire.

City of Lebanon, NH

By: \_\_\_\_\_  
Name: Shaun Mulholland  
Title: City Manager  
Date: \_\_\_\_\_

City of Dover, NH

By: \_\_\_\_\_  
Name: Christopher Parker  
Title: Deputy City Manager  
Date: \_\_\_\_\_

Town of Hanover, NH

By: \_\_\_\_\_  
Name: Julia Griffin  
Title: Town Manager  
Date: \_\_\_\_\_


Town of Harrisville, NH

By: \_\_\_\_\_  
Name: Andrea Hodson  
Title: Select Board Chair  
Date: \_\_\_\_\_

City of Nashua, NH

By: \_\_\_\_\_  
Name: James W. Donchess  
Title: Mayor  
Date: \_\_\_\_\_

Town of Exeter, NH

By:  \_\_\_\_\_  
Name: Russ Dean  
Title: Town Manager  
Date: 9/28/21

Cheshire County, NH

By: \_\_\_\_\_  
Name: Chris Coates  
Title: Administrator  
Date: \_\_\_\_\_

Town of Rye, NH

By: \_\_\_\_\_  
Name: Becky Bergeron  
Title: Town Administrator  
Date: \_\_\_\_\_

**Attachment E: Signatories**

IN WITNESS WHEREOF, the Parties have executed this Joint Power Agreement for Community Power Coalition of New Hampshire.

City of Lebanon, NH

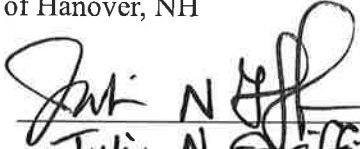
Cheshire County, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of Hanover, NH

Town of \_\_\_\_\_, NH

By:   
Name: Julia N. Griffin  
Title: Town Manager  
Date: 9/13/21

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

City of Nashua, NH

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



**Attachment E: Signatories**

IN WITNESS WHEREOF, the Parties have executed this Joint Power Agreement for Community Power Coalition of New Hampshire.

City of Lebanon, NH

By: \_\_\_\_\_  
Name: Shaun Mulholland  
Title: City Manager  
Date: \_\_\_\_\_

City of Dover, NH

By: \_\_\_\_\_  
Name: Christopher Parker  
Title: Deputy City Manager  
Date: \_\_\_\_\_

Town of Hanover, NH

By: \_\_\_\_\_  
Name: Julia Griffin  
Title: Town Manager  
Date: \_\_\_\_\_

Town of Harrisville, NH

By: Andrea Hodson  
Name: Andrea Hodson  
Title: Select Board Chair  
Date: 2 September 2021

City of Nashua, NH

By: \_\_\_\_\_  
Name: James W. Donchess  
Title: Mayor  
Date: \_\_\_\_\_

Town of Exeter, NH

By: \_\_\_\_\_  
Name: Russ Dean  
Title: Town Manager  
Date: \_\_\_\_\_

Cheshire County, NH

By: \_\_\_\_\_  
Name: Chris Coates  
Title: Administrator  
Date: \_\_\_\_\_

Town of Rye, NH

By: \_\_\_\_\_  
Name: Becky Bergeron  
Title: Town Administrator  
Date: \_\_\_\_\_

**Attachment E: Signatories**

Town of Warner, NH

By: \_\_\_\_\_  
Name: Clyde Carson  
Title: Select Board Chair  
Date: \_\_\_\_\_

City of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of Walpole, NH

By: \_\_\_\_\_  
Name: Cheryl Mayberry  
Title: Select Board Chair  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_


Town of Plainfield, NH

By: \_\_\_\_\_  
Name: Eric R. Brann  
Title: Select Board Chair  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

City of Newmarket, NH

By:   
Name: Steve Fournier  
Title: Town Manager  
Date: September 2, 2021

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Attachment E: Signatories

Town of Warner, NH

City of \_\_\_\_\_, NH

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Clyde Carson

Name: \_\_\_\_\_

Title: Select Board Chair

Title: \_\_\_\_\_

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

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

Town of Walpole, NH

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Cheryl Mayberry

Name: \_\_\_\_\_

Title: Select Board Chair

Title: \_\_\_\_\_

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

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

Town of Plainfield, NH

Town of \_\_\_\_\_, NH

By: Eric R Brann

By: \_\_\_\_\_

Name: Eric R. Brann

Name: \_\_\_\_\_

Title: Select Board Chair

Title: \_\_\_\_\_

Date: 9/15/21

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

City of Newmarket, NH

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Steve Fournier

Name: \_\_\_\_\_

Title: Town Manager

Title: \_\_\_\_\_

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

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

**Attachment E: Signatories**

IN WITNESS WHEREOF, the Parties have executed this Joint Power Agreement for Community Power Coalition of New Hampshire.

City of Lebanon, NH

By: \_\_\_\_\_  
Name: Shaun Mulholland  
Title: City Manager  
Date: \_\_\_\_\_

City of Dover, NH

By: \_\_\_\_\_  
Name: Christopher Parker  
Title: Deputy City Manager  
Date: \_\_\_\_\_

Town of Hanover, NH

By: \_\_\_\_\_  
Name: Julia Griffin  
Title: Town Manager  
Date: \_\_\_\_\_

Town of Harrisville, NH

By: \_\_\_\_\_  
Name: Andrea Hodson  
Title: Select Board Chair  
Date: \_\_\_\_\_

City of Nashua, NH

By: \_\_\_\_\_  
Name: James W. Donchess  
Title: Mayor  
Date: \_\_\_\_\_

Town of Exeter, NH

By: \_\_\_\_\_  
Name: Russ Dean  
Title: Town Manager  
Date: \_\_\_\_\_

Cheshire County, NH

By: \_\_\_\_\_  
Name: Chris Coates  
Title: Administrator  
Date: \_\_\_\_\_

Town of Rye, NH

By: Becky Bergeron  
Name: Becky Bergeron  
Title: Town Administrator  
Date: 9.29.2021

**Attachment E: Signatories**

Town of Warner, NH

City of \_\_\_\_\_, NH

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Clyde Carson

Name: \_\_\_\_\_

Title: Select Board Chair

Title: \_\_\_\_\_

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

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

Town of Walpole, NH

Town of \_\_\_\_\_, NH

By: *Cheryl Mayberry*

By: \_\_\_\_\_

Name: Cheryl Mayberry

Name: \_\_\_\_\_

Title: Select Board Chair

Title: \_\_\_\_\_

Date: 9/9/2021

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

Town of Plainfield, NH

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Eric R. Brann

Name: \_\_\_\_\_

Title: Select Board Chair

Title: \_\_\_\_\_

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

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

City of Newmarket, NH

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: Steve Fournier

Name: \_\_\_\_\_

Title: Town Manager

Title: \_\_\_\_\_

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

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

Attachment E: Signatories

Town of Warner, NH

By: Diane Ricciardelli  
Name: Diane Ricciardelli  
Title: Town Administrator  
Date: 9-14-2021

City of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of Walpole, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

City of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Town of \_\_\_\_\_, NH

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

## **Attachment F: List of Project Contracts**

The following is the List of Project Contracts entered into by Community Power New Hampshire:

1. [Project Contact No. 1: Reserved]
2. [Project Contact No. 2: Reserved]

## **Attachment G: Notices to Corporation**

All notices to the Corporation shall be provided to its current corporate address, as follows:

CPCNH c/o Sustainability Director

Town of Hanover

41 S Main Street

Hanover, NH 03755



**COUNCILOR DENTON'S AGENDA ITEM**

Motion to amend by halving the City's proposed outdoor dining fees and to have City staff work with the Fee Schedule Study Committee to develop equivalent fees for Food Service Establishments on City property that violate the composting requirements of the Distribution of Single-Use Disposables on City property ordinance.

***RELEVANT SECTIONS OF THE DISTRIBUTION OF SINGLE-USE DISPOSABLES ON CITY PROPERTY ORDINANCE***

**3.902:                   DEFINITIONS**

For the purpose of this Section, the following definitions apply:

*Composting Facility*: any solid waste compost facility certified to properly perform that function by the Director of Public Works of the City of Portsmouth.

*Food Service Establishment*: any restaurant, take-out food establishment, or any other business that is required to obtain a valid food service license from the Public Health Department of the City of Portsmouth. Food Service Establishments do not include Nonprofit Food Establishments.

*Single-Use Compostable Plastic Container*: a container that is composed of one hundred percent (100%) Polylactic Acid and distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store. A Single-Use Compostable Plastic Container is a form of a Single-Use Plastic Container.

*Single-Use Compostable Plastic Cup*: a cup composed of one hundred percent (100%) Polylactic Acid and is distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store. A Single-Use Compostable Plastic Cup is a form of a Single-Use Plastic Cup.

*Single-Use Compostable Plastic Straw:* a disposable tube that is composed of one hundred percent (100%) Polylactic Acid and is distributed to transfer a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion. A Single-Use Compostable Plastic Straw is a form of a Single-Use Plastic Straw.

*Store:* any Food Service Establishment, Pharmacy, or Retail Establishment located within the City. Stores do not include Medical Facilities.

### **3.904      DISPOSABLE CUPS**

C. Exemptions:

1. The only Single-Use Plastic Cups that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Cups if the Store on City property provides customers the option to dispose of the Single-Use Compostable Plastic Cups in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.

### **3.905      DISPOSABLE CONTAINERS**

C. Exemptions:

1. The only Single-Use Plastic Containers that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Containers if the Store provides customers the option to dispose of the Single-Use Compostable Plastic Containers in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.

### **3.906      DISPOSABLE STRAWS**

C. Exemptions:

2. The only Single-Use Plastic Straws that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Straws if the Store provides customers the option to dispose of the Single-Use Compostable Plastic Straws in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.

### **3.307 PENALTIES AND REMEDIES**

2. Upon a second or subsequent infraction of this Section, the City is authorized to issue citations to persons, firms, or corporations violating this Section in accordance with the ordinances of the City of Portsmouth. The amount of the fee that will accompany the citation will be determined by the Fee Schedule Study Committee of the City of Portsmouth.

## ***RELEVANT SECTIONS OF THE DISTRIBUTION OF SINGLE-USE DISPOSABLES ON CITY PROPERTY ORDINANCE HIGHLIGHTED***

### **CHAPTER 3**

### **PUBLIC HEALTH**

## **ARTICLE IX: DISTRIBUTION OF SINGLE-USE DISPOSABLES ON CITY PROPERTY**

### **3.901: PURPOSE**

The City of Portsmouth recognizes that limiting the distribution of single-use disposables through source reduction is necessary to protect human health, to preserve the natural environment, and to conserve precious and dwindling natural resources through the proper and integrated management of solid waste.

### **3.902: DEFINITIONS**

For the purpose of this Section, the following definitions apply:

*Composting Facility:* any solid waste compost facility certified to properly perform that function by the Director of Public Works of the City of Portsmouth.

*Cost Pass-Through:* the cost which must be collected by retailers from their Customers when providing a Single-Use Carryout Bag or a Single-Use Cup.

*Customer:* any Person obtaining goods from a Store.

*Food Service Establishment:* any restaurant, take-out food establishment, or any other business that is required to obtain a valid food service license from the Public Health Department of the City of Portsmouth. Food Service Establishments do not include Nonprofit Food Establishments.

*Medical Facility:* a business or nonprofit that has a primary purpose of providing medical services.

*Nonprofit Charitable Reuser:* a charitable organization or a distinct operating unit or division of the charitable organization, that reuses and recycles donated goods or materials and receives more than fifty percent (50%) of its revenues from the handling and sale of those donated goods or materials. To be considered a Nonprofit Charitable Reuser, the entity must meet the terms of section 501(c)(3) of the U.S. Internal Revenue Code (26 U.S.C. 501(c)(3)).

*Nonprofit Food Establishment:* a charitable entity that prepares or serves food directly to the Customer or otherwise provides food or meals for consumption by humans. The term includes central food banks, soup kitchens, and nonprofit food delivery services. To be considered a Nonprofit Food Establishment, the entity must meet the terms of section 501(c)(3) of the U.S. Internal Revenue Code (26 U.S.C. 501(c)(3)).

*Operator:* the person in control of, or having the responsibility for, the operation of a Store, which may include, but not be limited to, the owner of the Store.

*Person:* any natural person, firm, corporation, partnership, or other organization or group however organized.

*Pharmacy:* any Store where prescriptions, medications, controlled or over the counter drugs, personal care products or health supplement goods, or vitamins are sold.

*Prepared Food:* foods or beverages which are prepared on the premises by cooking, chopping, slicing, mixing, freezing, or squeezing, and which require no further preparation to be consumed. Prepared Food does not include any raw, uncooked meat product or fruits or vegetables which are chopped, squeezed, or mixed.

*Produce Bag:* any bag without handles used exclusively to carry produce, meats, or other food items to the point of sale inside a store or to prevent such food items from coming into direct contact with other purchased items. A Produce Bag is not a form of Single-Use Plastic Bag.

*Retail Establishment:* any commercial establishment that sells perishable and nonperishable goods including but not limited to, clothing, food, and personal items directly to the Customer and is located within or doing business within the City. Retail Establishments do not include Food Service Establishments, Nonprofit Charitable Reusers, or Pharmacies.

*Reusable Plastic Bag:* a sewn woven or non-woven nylon, polypropylene, polyethylene-terephthalata, or Tyvek bag capable of being used one hundred (100) times, is machine washable, and has stitched or woven handles that are not fused. A Reusable Plastic Bag is a form of Reusable Bag.

*Reusable Bag:* a bag capable of being used one hundred (100) times, is machine washable, and has stitched or woven handles that are not fused. Reusable Bags include Reusable Plastic Bags

*Single-Use Carryout Bag:* a bag made of plastic, paper, or other material that is provided by a Store to a Customer at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the Store. Single-Use Carryout Bags include Single-Use Plastic Bags and Single-Use Recycled Paper Bags. Single-Use Carryout Bags do not include Produce bags, Reusable Bags, or bags without handles provided to the Customer to hold prescription medication dispensed from a Pharmacy.

*Single-Use Compostable Plastic Container:* a container that is composed of one hundred percent (100%) Polylactic Acid and distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store. A Single-Use Compostable Plastic Container is a form of a Single-Use Plastic Container.

*Single-Use Compostable Plastic Cup:* a cup composed of one hundred percent (100%) Polylactic Acid and is distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store. A Single-Use Compostable Plastic Cup is a form of a Single-Use Plastic Cup.

*Single-Use Compostable Plastic Straw:* a disposable tube that is composed of one hundred percent (100%) Polylactic Acid and is distributed to transfer a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion. A Single-Use Compostable Plastic Straw is a form of a Single-Use Plastic Straw.

*Single-Use Container:* a container that is distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store.

*Single-Use Cup:* a cup that is distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store.

*Single-Use Plastic Bag:* a bag that is made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, and is provided at the check stand, cash register, point of sale or other point of departure for the purpose of transporting food or merchandise out of the Store. A Single-Use Plastic Bag is a form of a Single-Use Carryout Bag.

*Single-Use Plastic Container:* a container that is made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, and is distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store. A Single-Use Plastic Container is a form of a Single-Use Container.

*Single-Use Plastic Cup:* a cup that is made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, and is distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store. A Single-Use Plastic Cup is a form of a Single-Use Cup.

*Single-Use Polystyrene Container:* a container composed of synthetic aromatic hydrocarbon polymers that is made from the monomer styrene and distributed for the purpose of transporting Prepared Food on a single occasion inside or outside of a Store. A Single-Use Polystyrene Container is a form of a Single-Use Container.

*Single-Use Polystyrene Cup:* a cup composed of synthetic aromatic hydrocarbon polymers that is made from the monomer styrene and distributed for the purpose of transporting a beverage on a single occasion inside or outside of a Store. A Single-Use Polystyrene Cup is a form of a Single-Use Cup.

*Single-Use Plastic Straw:* a disposable tube made predominantly of plastic derived from either petroleum or a biologically based polymer, such as corn or other plant sources, that is distributed to transfer a beverage from a cup or container to the mouth of a person drinking the beverage. A Single-Use Plastic Straw is a form of a Single-Use Straw.

*Single-Use Recycled Paper Bag:* a paper bag provided at the check stand, cash register, point of sale, or other point of departure for the purpose of transporting food or merchandise out of the establishment that contains no old growth fiber and a minimum of forty percent (40%) post-consumer recycled content; is one hundred percent (100%) recyclable; and has printed in a highly visible manner on the outside of the bag the word “Recyclable,” the name and location of the manufacturer, and the percentage of post-consumer recycled content. The Single-Use Recycled Paper Bag is capable of composting, consistent with the timeline and specifications of the American Society of Testing and Material (ASTM) Standard Specification for Compostable Plastics D6400, as published in September 2004. A Single-Use Recycled Paper Bag is a form of a Single-Use Carryout Bag.

*Single-Use Straw:* a disposable tube that is distributed to transfer a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion. Single-Use Straws include a straw made from both plastic materials and non-plastic materials such as paper, pasta, sugar cane, wood, or bamboo.

**Store:** any Food Service Establishment, Pharmacy, or Retail Establishment located within the City. Stores do not include Medical Facilities.

### **3.903 CARRYOUT BAGS**

#### **A. Prohibited Carryout Bags:**

1. No Store on City property shall provide a Single-Use Carryout Bag to a Customer, at the check stand, cash register, point of sale, or



other point of departure for the purpose of transporting food or merchandise out of the Store except as provided in this Section.

2. No Person shall distribute a Single-Use Carryout Bag at any City facility, City-managed concession, City-sponsored event, or City--permitted event unless a Store on City property is also otherwise allowed to in this Section.

B. Permitted Carryout Bags:

1. Stores on City property are allowed to distribute Single-Use Carryout Bags or Reusable Bags to Customers subject to the terms of this Section.
2. All Stores may distribute their remaining 2020 Single-Use Plastic Bag inventory.
3. Nothing in this Section prohibits Customers from using bags of any type that they bring to the Store themselves or from carrying away goods that are not placed in a bag, in lieu of using bags provided by the Store.

C. Exemptions:

1. Stores on City property are allowed to distribute only Single-Use Recycled Paper Bags or Reusable Bags to Customers for the purpose of carrying away goods or other materials from the point of sale, subject to the terms of this Section.
2. Food Service Establishments on City property are allowed to distribute Single-Use Plastic Bags to Customers only for the purpose of safeguarding health and safety during the transportation of Prepared Foods, including take-out foods and liquids intended for consumption away from the food provider's premises, subject to the terms of this Section.
3. A Customer shall be charged a minimum of a ten cents (\$.10) Cost Pass-Through for each Single-Use Carryout Bag provided by the Store on City property. The sale of each bag shall be separately itemized on the sale receipt. The Cost Pass-Through will remain with the Operator of the Store.

4. A Store on City property may provide a Customer participating in *Special Supplement Nutrition Program for Women, Infants, and Children (WIC)* or *Supplemental Nutrition Assistance Program (SNAP)* with one (1) or more Single-Use Carryout Bag or Reusable Bags at no cost.
5. A Store on City property may provide a Customer with (1) Single-Use Recycled Paper Bag 6 inches across or less without handles at no cost.

### **3.904 DISPOSABLE CUPS**

#### **A. Prohibited Disposable Cups:**

1. No Store on City property shall provide a Single-Use Plastic Cup to a Customer, at the check stand, cash register, point of sale, or any other location for the purpose of transporting a beverage that will be drank inside or outside of the Store except as provided in this Section.
2. No Store shall provide a Single-Use Polystyrene Cup to a Customer at the check stand, cash register, point of sale, or any other location for the purpose of transporting a beverage that will be drank inside or outside of the Store.
3. No Person shall distribute a Single-Use Plastic Cup or Single-Use Polystyrene Cup at any City facility, City-managed concession, City-sponsored event, or City-permitted event unless a Store on City property is also otherwise allowed to in this Section.

#### **B. Permitted Disposable Cups:**

1. Stores on City property are allowed to distribute Single-Use Cups to Customers for the purpose of transporting a beverage that will be drank inside or outside of the Store, subject to the terms of this Section.
2. A Customer shall be charged a minimum of a ten cents (\$.10) Cost Pass-Through for each Single-Use Cup provided by the Store on City property. The sale of each Single-Use Cup shall be separately

itemized on the sale receipt. The Cost Pass-Through will remain with the Operator of the Store.

3. All Stores may distribute their remaining 2020 Single-Use Cup inventory.
4. Nothing in this Section prohibits Customers from using cups of any type that they would otherwise be allowed to bring to the Store themselves under the Ordinances of the City of Portsmouth in lieu of using cups provided by the Store.

### **C. Exemptions:**

1. The only Single-Use Plastic Cups that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Cups if the Store on City property provides customers the option to dispose of the Single-Use Compostable Plastic Cups in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.
2. A Store may provide a Customer participating in the Special Supplement Nutrition Program for Women, Infants, and Children (WIC) or the Supplemental Nutrition Assistance Program (SNAP) with one (1) or more Single-Use Cup at no cost.

### **3.905 DISPOSABLE CONTAINERS**

#### **A. Prohibited Disposable Containers:**

1. No Store on City property shall provide a Single-Use Plastic Container to a Customer, at the check stand, cash register, point of sale, or any other location for the purpose of transporting Prepared Food that will be consumed inside or outside of the Store except as provided in this Section.
2. No Store on City property shall provide a Single-Use Polystyrene Container to a Customer, at the check stand, cash register, point of sale, or any other location for the purpose of transporting Prepared

Food that will be consumed inside or outside of the Store except as provided in this Section.

3. No Person shall distribute a Single-Use Plastic Container or a Single-Use Polystyrene Container at any City facility, City-managed concession, City-sponsored event, or City-permitted event unless a Store on City property is also otherwise allowed to in this Section.

**B. Permitted Disposable Containers:**

1. Stores on City property are allowed to distribute Single-Use Containers to Customers for the purpose of transporting Prepared Food that will be eaten inside or outside of the Store, subject to the terms of this Section.
2. All Stores may distribute their remaining 2020 Single-Use Container inventory.
3. Nothing in this Section prohibits Customers from using containers of any type that they would otherwise be allowed to bring under the Ordinances of the City of Portsmouth to the Store themselves in lieu of using containers provided by the Store.

**C. Exemptions:**

1. The only Single-Use Plastic Containers that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Containers if the Store provides customers the option to dispose of the Single-Use Compostable Plastic Containers in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.

**3.906 DISPOSABLE STRAWS**

**A. Prohibited Disposable Straws:**

1. No Store on City property shall provide a Single-Use Plastic Straw to a customer for the purpose of transferring a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion inside or outside of the Store, except as provided in this Section.
2. No Person shall distribute a Single-Use Plastic Straw at any City facility, City-managed concession, City-sponsored event, or City-permitted event unless a Store on City property is also otherwise allowed to in this Section.

**B. Permitted Disposable Straws:**

1. Stores on City property are allowed to distribute Single-Use Straws to Customers for the purpose of transferring a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion inside or outside of the Store, subject to the terms of this Section.
2. All Stores may distribute their remaining 2020 Single-Use Straw inventory.
3. Nothing in this Section prohibits Customers from using straws of any type that they bring to the Store themselves in lieu of using containers provided by the Store.

**C. Exemptions:**

1. Stores on City property are only allowed to distribute Single-Use Straws at the explicit request of the customer for the purpose of transferring a beverage from a cup or container to the mouth of a person drinking the beverage on a single occasion inside or outside of the Store.
2. The only Single-Use Plastic Straws that Stores on City property are allowed to distribute are Single-Use Plastic Compostable Straws if the Store provides customers the option to dispose of the Single-Use Compostable Plastic Straws in a specifically designated composting receptacle that is both on the premise and its contents will be transported to a Composting Facility to be composted.

### **3.307 PENALTIES AND REMEDIES**

In addition to any other penalty or remedy permissible by law for violation of this Section, the following shall apply:

1. If the City determines that a violation of this Section has occurred, a written warning that includes the potential penalties for future violations will be issued to the Operator.
2. Upon a second or subsequent infraction of this Section, the City is authorized to issue citations to persons, firms, or corporations violating this Section in accordance with the ordinances of the City of Portsmouth. The amount of the fee that will accompany the citation will be determined by the Fee Schedule Study Committee of the City of Portsmouth.
3. The City Attorney is authorized to file any appropriate legal proceedings, including but not limited to requests for injunctive relief, necessary to prevent violation of this Section.

### **SEVERABILITY**

Any portion of this ordinance that is found to be void shall be unenforceable without invalidating the remainder of the ordinance.

# City of Portsmouth

Department of Public Works



## MEMORANDUM

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**TO:** Karen Conard, City Manager

**FROM:** Peter Rice, Director of Public Works

**DATE:** February 15, 2022

**SUBJECT:** Potential Funding Electric Vehicle Charging Stations

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City Council voted at its February 7<sup>th</sup> meeting for a report back on funding options to include in the Capital Improvement Plan, to begin the installation of Level 3 (480 volt) Electric Charging Stations in Parking Zone A for FY23.

Level 3 (480 volt 3 phase) charging stations are intended for the short-stay (20-30 minute) versus Level 2 (120/208 volt single phase) charging stations which are intended for longer stays (3 to 4 hours).

Funding options for Level 3 and Level 2 charging stations include:

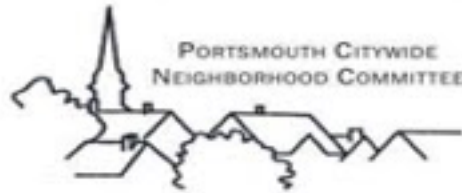
- Annual Capital Outlay - City's General Fund
- Annual Capital Outlay - City's Parking Revenues
- Special Revenue Fund (License Plate Fees) – Per RSA 261:153 VI the City has been collecting an additional \$5 per vehicle registration. These moneys can be used to fund local and regional transportation improvements including electric vehicle charging stations.
- NH VW ENVIRONMENTAL MITIGATION TRUST DCFC INFRASTRUCTURE RFP License Registration Funds - The State of New Hampshire has solicited interest in publicly accessible electric vehicle (EV) charging infrastructure to enable EV travel to and within New Hampshire by residents and visitors. The goal of this RFP is to support the installation of Direct Current Fast Charging (DCFC) and co-located Level 2 electric vehicle supply equipment (EVSE) on key travel corridors in New Hampshire.  
<https://www.des.nh.gov/business-and-community/loans-and-grants/volkswagen-mitigation-trust>

- Private / Public Partnership – explore opportunities of entering into license agreements to allow third party vendors to install and maintain charging stations on City property. The NHDES website provides a registration for communities interested in participating in hosting charging stations

The Level 3 charging stations are better suited to short-stay facilities such as libraries, grocery and convenience stores, and areas intended for short visits and quick in and out travel. The Level 2 charging stations better fit the demographic for our downtown visitors and residents where we are encouraging longer stays to shop and dine.

Level 3 charging stations are significantly more expensive and challenging to locate than Level 2 stations. For example, City staff have been investigating the cost to install two Level 3 charging stations at the Bridge Street Parking Lot. The cost for equipment alone for two charging stations is greater than \$130,000 not including the required new Eversource 480 volt transformer. Due to the significant additional investment and the demographic desired for the down-town business district, staff would recommend pursuing Level 2 charging stations in the down-town business district at this time and the continued investigation of the best location options for Level 3 charging stations.





## **City of Portsmouth, New Hampshire Mayoral Blue-Ribbon Committee Zoom Meeting Minutes, January 26, 2022, 6:30 PM**

Committee Attendees: Larry Cataldo, Lori Soloway, Mark Syracuse and John Tabor, City Council representative. Also attending were Kathy Bergeron, former CNC chair and Marie Kelleher and Kathleen Boduch, both former CNC committee members.

City Staff: Zachery Cronin, Assistant City Engineer, Public Works Department and Stephanie Seacord, Public Information Officer

Members of the Public present at different times via Zoom: Ken Goldman, Laurie McCray, Wendy Keyes, Gayle Blumeberg, Elaine Apatang, Sally Minkow and Diane Strading

The meeting was called to order at 6:34 pm by Chair Larry Cataldo.

### **A. Comments from Neighborhood Residents**

- Marie Kelleher commented on speeding problems along Peverly Hill Road. She cited two incidents, one being a police cruiser (without flashing lights) going over 45 mph in a 25-mph zone and the second, a Public Works truck, observed speeding along the road. Zach Cronin said he would mention it to Peter Rice. (After the meeting, I spoke with Chief Newport who said his patrol officers are well aware of speed limits but exceed it only when they are on an emergency call. It is common not to use flashing lights when traffic is light.
- Diane Strading observed that it was very dark in front of the Portsmouth Women's Club on 375 Middle Street. It needs a street light. (After the meeting, Zach Cronin reported that "I looked into this comment and saw that there used to be a streetlight at that location. In the winter of 2021, a large tree fell across Middle Street and a number of telephone poles were replaced, including the pole at that location. I assume this is when the light disappeared. We have submitted a work request with Eversource to reinstall the light."  
She also said that often times the "no turn on Red" is often ignored by drivers traveling in the vicinity of Middle-Summer/Miller Streets and Middle-Lincoln Streets. "There should be some accountability."

### **B. Committee Business**

Larry Cataldo opened with suggestions for improving attendance at the CNC sponsored forums, noting that at the forum in November, only a few residents attended. How, he asked, can we increase the attendance, given considerable set-up time at the venue and numerous public announcements. He suggested three ideas to start the conversation: 1. Hold forums on specific topics. For example, hold a forum on sound barriers at the Franklin School with school officials and neighborhood groups speaking

out. Another example is to hold a forum on the results of Islington Creek's neighborhood parking program pilot program. 2. Hold forums sponsored by specific neighborhoods. And 3. Hold a special meeting on parking problems in Portsmouth.

- John Tabor, while not specifically commenting on changes to the forums, highlighted a major objective of the City Council to increase communications with residents. He emphasized that this is an important topic. More comments are needed.
- Kathy Bergeron felt that the low November turnout may not be caused by any specific forum problems but, rather, due to the ongoing pandemic affecting many city residents and people getting over the recent city election. She liked the idea of topic-specific forums and suggested round-table discussions as a way to keep topics in focus. She reminded us that the original idea for the Ward forums was to hear from residents about problems that are not downtown specific. She further suggested holding more forums in the Public Library where residents feel comfortable to attend and the audio/visual facilities are ideal.
- Mark Syracuse suggested that the CNC should continue to use Zoom as an ideal venue for residents to have a safe environment to comment on issues without feeling threatened or challenged.
- Ken Goldman thought that holding a forum on citywide parking problems would be much more acceptable than just speaking about parking in a specific neighborhood.
- Laurie McCray felt confused about the role of the CNC. She suggested that we should spend more time telling residents about what we do and who we are trying to reach. She also liked the idea of holding meetings at the Public Library and also of holding hybrid in-person and zoom sessions.

When asked how she would market what we do, she replied that we should reach out to neighborhood representatives who can share information to their membership.

- Kathy Bergeron concurred with Laurie and urged us to find people from each neighborhood to spread the word about the CNC's meetings and forums.
- Stephanie Seacord, who was unable to comment at the meeting, suggested we use the registration list from the Holiday Lights registration which had 58 respondents. She suggested that we could do a newsletter monthly or every 2 weeks (the way the Public Works announced its construction projects weekly) to keep those interested in CNC and neighborhood news informed.
- Ken Goldman also commented on the successes of the CNC, such as promoting a sidewalk for Chevrolet Avenue. We should advertise that the CNC meetings are a good place to get the City's attention to neighborhood issues.
- Mark Syracuse urged that the CNC should be as visible as possible either through a city newsletter and other city news outlets.
- John Tabor closed the comment session with a suggestion to use social media sites as a way to keep visible. Some sites have thousands of members in special groups.

Larry Cataldo said these are great ideas and plans to share them with the new committee when it is formed. He thanked everyone for making very thoughtful comments.

The meeting concluded at 7:25 pm.

Respectfully submitted,

/s/ Larry Cataldo, Chair