

CITY COUNCIL E-MAILS

Received: March 17, 2022 (after 9:00 a.m.) – March 21, 2022 (before 4:30 p.m.)

March 21, 2022 Council Meeting

New content:

Full Name:cMark Brighton

Email: markbrighton1@gmail.com

Subject: Correction

Address:25A S MILL ST

Message: Arthur Clough and I recently expanded and resubmitted our Ethics Complaint against the Assistant Mayor. This resubmission contains a typo that for the sake of clarity and accuracy needs to be corrected. I have put the typo in parenthesis and have done the same with the correction.

The last bullet point under conclusions currently reads.

In the event that this is not investigated by the Ethics Committee, the City of Portsmouth will essentially be establishing an open season (on) City Councilors, City Employees, Land Boards, and other city bodies using this instance as a precedent for violating Conflict of Interest principles and ordinances.

It should read.

In the event that this is not investigated by the Ethics Committee, the City of Portsmouth will essentially be establishing an open season (for) City Councilors, City Employees, Land Boards, and other city bodies using this instance as a precedent for violating Conflict of Interest principles and ordinances.

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

Full Name: Patricia Bagley

Email: patbagley@aol.com

Subject: Land Use Committee

Address:c213 Pleasant Street

Message: Honorable Mayor and City Councilors:

I sent the following email yesterday to the Land Use Committee. Copying you, the policy makers we elected to represent us. Thank you for your attention.

Please share with all Land Use Committee Members.

First, I'd like to thank Nick for being straightforward during your first meeting, and understanding that the public's cry to stop development is essentially a plea to slow down the offensive and look at the broader picture.

I can only speak for myself, but I do see and hear others lament, "Stop the development.", "Another hotel??", "We don't want to be another Boston.", "Where is the affordable housing?", "We don't need any more million dollar condos.", "We can't afford to live in Portsmouth."

Others, like myself, pretty much just shake our heads, and/or say, "What were they thinking?", "What about the wetland buffer?", "That's the best they can do?", "Who drives .5 of a car?"

It's easy to label the complainers as anti-development or Nimbys, but that doesn't really capture the heart of our weariness.

My concern as we grow is that development be respectful of its place whether it's inserting itself into downtown, a residential neighborhood, a wetland buffer, our visual field, or all of these. The bigger the development, the less likely is the chance it will be respectful. And, at what point, do we say, "enough" and call it for what it is.

Regulations, codes, zoning ordinances, whatever you call them, approved by our Planning Department and City Council, chart our course, enable developers to ask for incentives, and we live with the consequences. Is miniscule green space worth the diminished natural light in exchange for an extra story? Wetland buffers serve a purpose or they wouldn't exist. Why would we permit violating them? Why the forgiveness for parking requirements, which then displaces neighborhood parking? Once we grant the incentives or pollute a habitat, and set the precedent, it becomes very difficult to close that door, unless you change the regulations.

To Nick's point about "Indirect impacts" which may not be obvious, there are many, and the effect is to erode public confidence in the process.

These projects are not air-dropped into the parcel. Construction impacts reach far into the surrounding neighborhood by way of noise, road closures, detours, traffic slow-downs, pedestrian walkway closures, and loss of parking to residents and businesses. Depending upon the project, these incursions may last for months.

What will we learn, if anything, from the Brick Market post-mortem? We have McIntyre ahead of us.

The same developer will now build on Court Street, just a few streets away from the Brick Market, in a quiet, historic neighborhood. Serious attention was directed toward massing and design, and rightly so, but even with the change of use from housing to office space, it must be built. Will Court St. be closed? What about construction vehicles coming and going? Would you like to be living in the beautifully-renovated historic house directly across the street, or in the apartments with windows just a few feet away?

Same developer now proposes a "short" four-story addition to the rear of Rudi's. Will that necessitate closure of High Street and lost parking spaces for adjacent businesses? Ladd Street closure? How about the entrance to High-Hanover? And the many construction vehicles?

I have nothing against Mark McNabb. He just happens to be the developer for all three downtown projects. I admire his work, including the Brick Market design. This isn't the point, but yet it kind of is. In the end, even if we like a project's design, the process to fruition is painful for residents and businesses, and, visually, we often end up wondering how it was appropriate on paper, but is so dominant in reality?

The other issue never raised is how much city parking is utilized by contractors. Recently, on separate days, I counted 15 contractor-identified trucks at 9 a.m. along State Street between Pleasant St and the bridge. For residents and tourists, it's an inconvenience. For businesses, it could be lost revenue. When the Jazz Club was being built, the Worth Lot was monopolized by contractors. The city receives parking revenue, but what do the residents and businesses get? They are told to use the Foundry.

Nick, you asked what the public thinks about West End Yards. Truthfully there are no adequate words. I understand and respect that housing is needed, and am glad for those who are able to live there. The density is abominable. It's housing on steroids. It is, for me, the perfect example of development not being respectful to place. I approached it from Cate St. to face a wall. I drove into the lot around Building A, around to the back, and then back down the connector with the "wall" to my right. I've heard people refer to it as the Soviet Bloc. Others just shake their heads. And, just how many workforce housing units did we actually get when we were supposed to gain 54....then 27...?

I apologize for sounding harsh. I grew up in a dense city, in a row house. I lived density, but it was all two stories. We could see the sky.

Chinburg's building next to Hannaford's is tastefully done, including the landscaping. It makes sense in location (for services) and fits in. But if there were five of them, I would recoil.

Developers move on. We are left to live with their creations for decades. Today's architecture lacks character and imagination, which only makes the cities uglier. Here comes Russell Street, the old Harborcorp reimaged with improvements. I am grateful to this new team for listening, and separating the buildings. At the end of the day, however, fully developed, this project will remain massive. So let's expect more. Imagine what we could be if we expected more.

If you want to see what creative new architecture can be, which blends with the historic, google the Philadelphia Navy Yard redevelopment.

You are right, again, Nick. We are fatigued. The standard of excellence applied to homeowners in the historic district should be applied to large developments. Let us maneuver away from incentives, and upgrade our expectations. Development can be noteworthy. Let it not be a ruination of a city we all love, and thousands flock to visit.

I've offered a lot of feedback, and thank you for listening.

Pat Bagley
213 Pleasant St

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

Full Name: Barbara Jenny

Email: brjenny@comcast.net

Subject: Ethics Complaint re. Asst Mayor's Outdoor Dining discussion and votes

Address: 81 Lincoln Ave

Message: Before the recent Ethics complaint was filed, I emailed the Assistant Mayor, Mayor, Bob Sullivan, and City Manager regarding the Asst mayor's discussion and votes regarding renewed outdoor dining on city streets and sidewalks. I just don't understand how it is possible for there NOT to be a conflict of interest when a restaurant-owner councilor discusses and votes on these measures.

If there are more seats for her restaurant she makes more money. If the city charges less for the outdoor space her restaurant occupies, she makes more money. And while she makes more money, neighboring retailers continue to have views of their storefronts blocked, and fewer public parking spots for their customers--so retailers make LESS money. In addition, The Asst Mayor is paying the same commercial lease fee for more, while the neighbor retailer pays her same lease fee for less. (These fees are based on street frontage, view, and foot traffic in addition to square footage.) This is not an equitable effect as Sullivan proposed.

In an email and voicemail from Sullivan to me, Bob claimed a sort of mea culpa, suggesting that since he gave the advice, the Asst Mayor is innocent of conflict of interest because she simply acted on that advise. This is both absurd and offensive. The Asst Mayor can make up her own mind. In fact, Bob's standard advice to board and commission members re. conflict of interest questions is, "if you even question if participating is a conflict, recuse yourself." That is, if you have to ask, don't do it.

The Asst Mayor asked, accepted the bad advice, and not only voted, but robustly participated in discussion, with persuasive opinions and feedback.

I voted for Joanna and want her representing our city. I feel bad that she is being called to the mat, but she needs to own her decision.

The council, for its part, should annul the vote and hold another public session, discussion, and vote on the matter.

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