

CITY COUNCIL MEETING

MUNICIPAL COMPLEX, EILEEN DONDERO FOLEY COUNCIL CHAMBERS, PORTSMOUTH, NH
DATE: TUESDAY, SEPTEMBER 3, 2024 TIME: 7:00PM

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_t-tGblArSEmY-WsmQxafGA

AGENDA

- I. WORK SESSION
- 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

PROCLAMATION

1. National Service Dog Month in Portsmouth

VII. ACCEPTANCE OF MINUTES *(There are no minutes on for acceptance this evening)*

VIII. RECOGNITIONS AND VOLUNTEER COMMITTEE REPORTS

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 ORDINANCES AND/OR RESOLUTIONS

First Reading of Ordinance:

- A. Ordinance amending Chapter 1, Article IV, Section 1.412 – Public Art Review Committee, existing text to be deleted in its entirety and replaced with a brief reference to a new section in Chapter 1, Article XVII relating to public art; and Chapter 1, Article XVII – Funding of Public Art, Sections 1.1700-1.1707 existing text to be deleted in its entirety and replaced with a new Article XVII, retitled Funding, Review and Acquisition of Public Art, inclusive of new Sections 1.1700-1.1709 ***(Sample motion – move to pass first reading and schedule a public hearing and second reading to be held at the September 23, 2024 City Council meeting)***

Public Hearing/Adoption of Resolutions:

- B. Public Hearing/Adoption of Resolution Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers. Qualifying taxpayers between the ages of 65-74 shall receive \$375,000.00 off their assessment. Qualifying taxpayers between the ages of 75-79 shall receive \$450,000.00 off their assessment and qualifying taxpayers 80+ years of age shall receive \$525,000.00 off their assessment

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

(Sample motion – move to adopt the Resolution, as presented)

- C. Public Hearing/Adoption of Resolution Pursuant to RSA 72:37-b the City hereby amends the disabled exemption from property tax, based on assessed value for qualified taxpayers. Qualifying taxpayers shall receive \$375,000.00 of their assessment

- **PRESENTATION**
- **CITY COUNCIL QUESTIONS**
- **PUBLIC HEARING SPEAKERS**
- **ADDITIONAL COUNCIL QUESTIONS AND DELIBERATIONS**

(Sample motion – move to adopt the Resolution, as presented)

XI. CITY MANAGER'S ITEMS WHICH REQUIRE ACTION

A. CITY MANAGER CONARD

City Manager's Items Which Require Action:

1. *Request for Work Session Regarding Draft Parking Utilization Study Report
2. Southeast Land Trust Conservation Land Protection Project

XII. CONSENT AGENDA

- A. Letter from Matt Junkin, Seacoast Rotary, requesting permission to hold the 16th Annual Turkey Trot 5k on Thanksgiving November 28, 2024 (***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. *Presentation from Portsmouth Public Media Television, Inc. requesting to re-evaluate the Cable Franchise Fee Policy (**Presentation limited to 10 minutes**)
- C. Letter from Jim Pappas requesting the City relinquish paper street known as Walnut Street to him as the abutter to the property (**Sample motion – move to refer to the Planning Department for report back**)
- D. Letter from Todd Selig, Durham Town Administrator, commending the Portsmouth Public Works team for their cooperation and coordination for the restoration work at Wagon Hill Farm (**Sample motion – move to accept and place on file**)
- E. Letter from JerriAnne Boggis, Black Heritage Trail of NH, requesting permission to install a special plaque that honors Valerie Cunningham on a post on the grounds of the Portsmouth Historical Society (**Sample motion – move to authorize the City Manager to execute a license agreement with Black Heritage Trail of NH for the installation of plaque at the Portsmouth Historical Society**)
- F. Letter from Bert Cohen, Chair & The Members of the Sustainability Committee, recommending and encouraging the City Council to vote in favor of partnering with SELT to purchase the conservation easement for the Cavaretta Property (**Sample motion – move to accept and place on file**)
- G. Letter from 179 Union Property Services request for fee waiver for replacement of brick sidewalk

XIV. MAYOR McEACHERN

- 1. Resignation
 - Steve Pesci from the Parking & Traffic Safety Committee (**Sample motion – move to accept the resignation with regret and to send a letter of thanks for his service to the city**)

XV. CITY COUNCIL MEMBERS

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

XVI. APPROVAL OF GRANTS/DONATIONS

- A. *Acceptance of Assistance to Fire Fighters' Grant (AFG) - \$324,327.00 (**Sample motion – move to approve and accept the grant as presented**)
- B. *Acceptance of Household Hazardous Waste Collection Grant - \$4,951.00 (**Sample motion – move to authorize the City Manager to enter into a Grant Agreement with New Hampshire Department of Environmental Services to accept \$4,951.00 from the Household Hazardous Waste Collection Grant Program and execute any contracts or documents which may be necessary for this grant agreement**)

XVII. CITY MANAGER'S INFORMATIONAL ITEMS

1. *Community Policing Facility Update
2. Update on Sherburne Property Request for Proposals
3. Household Hazardous Waste Collection Day

XVIII. MISCELLANEOUS BUSINESS INCLUDING BUSINESS REMAINING UNFINISHED AT PREVIOUS MEETING

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

**Indicates verbal report*

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

The Council Chambers
City Hall
Portsmouth, New Hampshire
A Proclamation

Whereas: The City of Portsmouth recognizes the profound impact that service dogs have on the lives of individuals with disabilities thanks to their unique ability to enhance the independence, mobility and overall quality of life for those they serve; and

Whereas: More than 12 percent of the entire US population and more than 10 percent of our Portsmouth residents cope with some type of disability on a daily basis; and

Whereas: Carefully trained and certified service dogs play a crucial role in assisting individuals with mobility impairments, visual and hearing impairments, autism, epilepsy, diabetes and often unseen or unnoticed psychiatric challenges such as post-traumatic stress disorder by providing vital support, companionship and a sense of security; and

Whereas: There are more than half a million service dogs in America working on behalf of their companions and their communities; and

Whereas: National Service Dog Month is designed to raise awareness about the incredible contributions of service dogs, to honor the dedicated individuals who train and care for these remarkable animals, and to celebrate the profound bond between service dogs and the individuals they serve.

Now, therefore, I, Deaglan McEachern, Mayor of the City of Portsmouth, on behalf of the members of the City Council and the citizens of Portsmouth, do hereby proclaim September as

National Service Dog Month in Portsmouth

And call upon our residents and businesses to respect the important job they do in helping us live up to our motto of The City of the Open Door.



Given with my hand and the
Seal of the City of Portsmouth,
on this 3rd day of September 2024.


Deaglan McEachern, Mayor of Portsmouth

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That Chapter 1, Article IV, Section 1.412 – Public Art Review Committee of the Ordinances of the City of Portsmouth be deleted in its entirety and replaced with the following:

A Public Art Review Committee shall be established and shall have the duties and authority as described in Chapter 1, Article XVII, Funding, Review and Acquisition of Public Art.

That Chapter 1, Article XVII, FUNDING OF PUBLIC ART, Sections 1.1700-1.1707 inclusive of the Ordinances of the City of Portsmouth be deleted in its entirety and replaced with the following new Article XVII, retitled Funding, Review and Acquisition of Public Art, inclusive of new Sections 1.1700-1.1709 as shown in the attached **Exhibit A**.

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.

City Council Policy 2022-02, Public Art Referral and Acquisition Policy is repealed upon passage.

This ordinance shall take effect upon its passage.

APPROVED:

Deaglan McEachern, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

Explanatory Note: The proposed revised Chapter 1, Article XVII set forth in Exhibit A consists of: an integration of Chapter 1, Article IV, Section 1.412 into Chapter 1, Article XVII; updates and renumbering of sections of Article XVII; the incorporation of guidance found in City Council Policy 2022-02 titled Public Art Referral and Acquisition Policy; and the inclusion of language recommended by the Trustees of Trust Funds to better administer the Public Art Trust. For additional information on the changes see the documentation provided as part of the City's Council's vote of August 19, 2024, authorizing First Reading.

EXHIBIT A

ARTICLE XVII: FUNDING, REVIEW, AND ACQUISITION OF PUBLIC ART

Section 1.1700: STATEMENT OF PURPOSE

It is hereby declared that it shall be the public policy of the City of Portsmouth to assist and encourage the participation of its citizens and visitors in the enjoyment of the many benefits which flow from the arts. The City of Portsmouth is committed to acquiring public art by donation, acquisition and commission. Among other activities to this end, the City will allocate a portion of the expense of public building construction and significant building renovation projects to be spent on works of art which shall be available for the benefit of all without additional cost to those persons. Such works of art shall be called public art as defined in more detail herein.

Section 1.1701: DEFINITION OF PUBLIC ART

“Public Art” or “Public artworks” are meant to be enduring original artworks of the highest quality and craftsmanship. The artworks should be an integral part of the landscaping and/or architecture of a building or other site, considering the historical, geographical and social/cultural context of the site and constructed on a scale that is proportional to the scale of the development. “Artwork” – includes but is not limited to, painting, murals, inscriptions, stained glass, fiber work, statues, reliefs or other sculpture, monuments, fountains, arches, or other structures intended for ornament or commemoration. Also included in this definition are installations that are technological in nature, carvings, frescoes, mosaics, mobiles, photographs, drawings, collages, prints, crafts – both decorative and utilitarian in clay, fiber, wood, metal, glass, plastics and other materials. Landscape items include the artistic placement of natural materials and other functional art objects. Works of art may be temporary, portable, or permanent in nature.

This definition shall not include:

Objects that are mass-produced from a standard design or reproductions of original art works; decorative, ornamental or functional elements, which are designed by the building architect; landscape architecture and landscape gardening except where these elements are an integral part of the artwork by the artist; directional elements such as super graphics, signage, or color coding except where these elements are integral parts of the original work of art; logos or corporate identity.

Section 1.1702: PUBLIC ART COMMITMENT

One (1%) percent of the bid price or negotiated contract price for the construction of all new municipal buildings or for the renovation of existing municipal buildings, in which the bid price or negotiated price shall be in excess of Five Million (\$5,000,000.00) Dollars up to thirty Million (\$30,000,000.00) Dollars (expressed in terms of actual construction costs exclusive of design and engineering fees), shall be contributed to the Public Art Trust for the purpose of funding public art. Thereafter, such funds shall be expended in

EXHIBIT A

accordance with the terms of this ordinance and the Public Art Trust.

Section 1.1703: PUBLIC ART TRUST

There shall be created a Public Art Trust to serve as a repository of all public art financial contributions generated by application of this ordinance or made by private persons or entities. Such Trust shall be administered for the purpose of implementation of this ordinance. The terms of the Trust shall be consistent with this ordinance and shall be interpreted by reference to this ordinance.

Section 1.1704: EXEMPTION

By a two-thirds (2/3) vote, the City Council may exempt a municipal building from the Public Art Commitment described in Section 1.1701 if the purpose of this ordinance would not be fulfilled due to the building's inaccessibility to the public, location, use or other factors. In those cases, the public art associated with the project should be placed on other publicly owned property within the city, at the determination of the Council. Any Council determination to exempt a building under this provision shall be made no later than the final vote of the Council authorizing the funding for the project. (Amended 06/19/2017; amended 12/05/2022)

Section 1.1705: PUBLIC ART REVIEW COMMITTEE

The City Council hereby establishes a Public Art Review Committee (PARC) for the implementation and review of this ordinance, and all matters related to public art within Portsmouth. Whenever from any source an issue relating to Public Art should be brought to the attention of the City Council, that matter will be referred to the standing committee.

- A. **Membership and Term:** The Public Art Review Committee (PARC) will consist of between seven and eleven members. Members shall include one member of city staff in a non-voting capacity to be designated by the City Manager, a City Councilor in a non-voting capacity, and the rest shall be community members. Members shall have demonstrated experience in the fine arts, architecture, art criticism, engineering or structural analysis, art history, graphic arts, interior design, landscape architecture, town planning, or other art and design-related fields, or who have demonstrated a strong interest in the visual arts and civic improvement. Other than the City Manager's appointment, the members shall be appointed by the Mayor, with approval from the Council, to staggered terms varying from two to three years.

The PARC shall be chaired by a member of the local arts community and shall interview or make recommendations to the PARC openings to the Mayor, as they may determine necessary. The term of the chairperson shall be for one year, with eligibility for reelection for two additional terms.

EXHIBIT A

- B. Powers and Duties: The PARC shall have the following responsibilities:
1. To foster development and awareness of public art within the City of Portsmouth, and advise the City Manager, City Council, and Land Use Boards with respect to matters relating to the development of public art awareness within the City of Portsmouth.
 2. To accept referrals from the City Council or any other public body concerning public art and art issues generally.
 3. To provide input on masterplans, zoning ordinances, strategic planning documents as they relate to public art and art issues generally.
 4. To collaborate with the City on the acquisition, maintenance and marketing of its public art and develop a stewardship policy.
 5. Establish Guidelines for review of public art based on the Public Art Acquisition Policy. The guidelines shall be based on the following criteria:¹
 - The quality of the artwork; and
 - Appropriateness of the size, scale and materials for the site(s); and
 - Availability of an appropriate site; and
 - Costs of installation and maintenance of artwork; and
 - Condition and durability of the artwork; and
 - Aesthetic merit; and
 - Inclusion of a mandatory maintenance plan (including materials used and proper care for such materials).
 6. Initiate public forums where appropriate for determining thematic approaches and location options for public art.
 7. Determine recruitment strategies to attract qualified artists for public art projects.
 8. To review applications for public art following the Public Art Acquisition Policy, select final proposals, and advise the city on issues related to Percent for Art.
 9. Review all applications for sponsored works of public art following the same guidelines as those for the Percent for Art program.
 10. Advise and oversee public art programs established by the City of Portsmouth in accordance with any policies and guidelines either established by the City or established by the Public Art Review

EXHIBIT A

Committee at the request of the City Council.

11. To recommend to the City Council, as requested, replacement members to the PARC when they arise.
 12. Identify and solicit funds to supplement the public art budget.
 13. Perform further duties related to public art within the City of Portsmouth that the City Manager may request.
- C. Meeting Requirements: The PARC shall meet as necessary, but at least quarterly.
- D. Reporting Responsibility: The Public Art Review Committee (PARC) shall include an annual report of their proceedings and programs to City Council. Details of the report include, but are not limited to:
- a. Assessing available and potential resources in the Public Art Trust.
 - b. Assessing possible and/or proposed municipal capital projects and criteria that would benefit from the inclusion of an artist in their design.
 - c. Assessing the impact of and opportunity for public art projects that advance economic development opportunities.
- E. Revenue Development: The PARC may solicit or receive gifts, money or other to be applied to principal or interest into the Public Art Trust, for either temporary or permanent use for the acquisition, maintenance and/or installation of public art.

Section 1.1706: EXPENDITURE OF PUBLIC ART FUNDS

Expenditure of public arts funds shall be determined by the City Council. In authorizing such expenditures the Council shall apply the following protocol and criteria:

- A. At least 75% of the principal amount of the public art contribution generated by any particular building project shall be expended for public art on the site of the project, unless subject to the exemption in section 1.1704, with remaining funds placed in the Public Art Trust for maintenance as described in 1.1708, or for other public art purposes. The remaining funds should be kept in the general Public Art Trust without designation for a particular project, to be disbursed at the direction of the City Council with advice from the PARC.
- B. In determining the selection of any public art project, the City Council will consider the recommendations of the Public Art Review Committee (PARC), or seek

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such other advisory recommendation as the City Council deems appropriate.

- C. Upon the authorization by the City Council of a public art project, the administrative and financial implementation of that authorization shall be performed by the administrative officials of the City.
- D. The Trustees of Trust Funds shall disburse funds from the Public Art Trust in amounts and at times as shall be specified in one or more written requests from the City Manager acting pursuant to authorization of the City Council. Each request shall identify the amount(s) requested, the purpose of the expenditure, and the public art project or public art concerning which the expenditure pertains and be accompanied by a copy of the Council authorization.

Section 1.1707: ACQUISITION OF PUBLIC ART THROUGH DONATION

In addition to acquisition of public art through expenditure of funds from the public art commitment and expenditure of other financial contributions from the public art trust, the PARC shall have the authority to recommend in favor or against acceptance of suitable donations of art to the City Council. These works of art will be accepted unconditionally and free of all obligations and encumbrances. The City reserves the right to relocate donated artwork from time to time; and to not display a donated piece of art.

As pieces of public art are acquired, they will be entered into the City Art and Artifact Index maintained by Portsmouth Public Library staff. Changes of location, whether temporary or permanent will be recorded in the Art and Artifact Index.

Section 1.1708: MAINTENANCE AND REPAIR OF PUBLIC ART

Public art funds under this ordinance and the Public Art Trust to be created in conjunction herewith shall be available for repair and maintenance of public art, regardless of whether the public art work was initially funded by the Public Art Trust or otherwise. Maintenance needs for existing public art will be identified by the Public Works Department, with advice from the PARC, with cost estimates for same. As per instructions in section 1.1706D, the City Manager, with approval of the City Council, will authorize expenditure of funds from the Public Art Trust.

All donated, acquired or commissioned works of *outdoor* art shall include a cash stewardship donation of approximately 10% of the cost of the artwork which will be added to the Public Art Trust for ongoing stewardship of public art. *Indoor* art may or may not require a stewardship donation, depending on the type of art. The PARC will determine if a stewardship donation is required for a given piece of indoor art, and if so, the amount of the donation. If the artwork is donated, the committee will determine the value of the artwork.

Works from the collection may be considered for removal if they are in poor condition, damaged or deteriorated beyond reasonable repair or conservation or for other good cause. Should the Public Art Review Committee determine that a work of art be de-accessioned

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due to maintenance or repair challenges, or for any other reason, the committee shall make that recommendation to the City Council for its consideration and action. The City Council retains the authority to remove a work of art after receiving a recommendation for de-accessioning from the PARC. If a piece is decommissioned, the date and reason for withdrawal will be so recorded in the City Art and Artifact Index.

Section 1.1709: FUNDING ACCEPTED

This ordinance authorizes and the Public Art Trust shall provide for the acceptance by the City of donations, grants or contributions to public art which might be approved from time to time by the City Council.

This ordinance also authorizes the Council to accept donations with a designated purpose to commission works of public art to be placed on public property. The commissioning process shall follow the same procedures outlined in the ordinance for public art associated with capital expenditures by the City.

¹ The Trustees of the Portsmouth Public Library have their own policy for art acquisition. PARC will defer to the Trustees of the Library for art acquisition at the Library.

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Portsmouth City Council on **Tuesday, September 3, 2024**, at 7:00 p.m., at the Portsmouth Municipal Complex in the Eileen Dondero Foley Council Chambers, Portsmouth, NH regarding a Resolution Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers. Qualifying taxpayers between the ages of 65-74 shall receive \$375,000.00 off their assessment. Qualifying taxpayers between the ages of 75-79 shall receive \$450,000.00 off their assessment and qualifying taxpayers 80+ years of age shall receive \$525,000.00 off their assessment.

The elderly exemption shall remain unchanged except as amended hereby. The complete Resolution is available for review in the Office of the City Clerk during regular business hours and at the Portsmouth Public Library.

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

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

**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-FOUR
PORTSMOUTH, NEW HAMPSHIRE**

ELDERLY EXEMPTION

RESOLUTION # - 2024

BE IT RESOLVED:

Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers. Qualifying taxpayers between the ages of 65-74 shall receive \$375,000.00 off their assessment. Qualifying taxpayers between the ages of 75-79 shall receive \$450,000.00 off their assessment and qualifying taxpayers 80+ years of age shall receive \$525,000.00 off their assessment.

The elderly exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY THE CITY COUNCIL:

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

NOTE: This exemption becomes effective for the tax year April 1, 2024.

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The disabled exemption shall remain unchanged except as amended hereby. The complete Resolution is available for review in the Office of the City Clerk during regular business hours and at the Portsmouth Public Library.

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

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The disabled exemption shall remain unchanged except as amended hereby. The complete Resolution is available for review in the Office of the City Clerk during regular business hours and at the Portsmouth Public Library.

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

**THE CITY OF PORTSMOUTH
TWO THOUSAND TWENTY-FOUR
PORTSMOUTH, NEW HAMPSHIRE**

DISABLED EXEMPTION

RESOLUTION # - 2024

BE IT RESOLVED:

Pursuant to RSA 72:37-b the City hereby amends the disabled exemption from property tax, based on assessed value for qualified taxpayers. Qualifying taxpayers shall receive \$375,000.00 off their assessment.

The disabled exemption shall remain unchanged except as amended hereby.

THAT this Resolution shall take effect upon its passage.

APPROVED:

DEAGLAN MCEACHERN, MAYOR

ADOPTED BY THE CITY COUNCIL:

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

NOTE: This exemption becomes effective for the tax year April 1, 2024.



CITY OF PORTSMOUTH

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

Karen S. Conard
City Manager

Date: August 29, 2024

To: Honorable Mayor McEachern and City Council Members

From: Karen S. Conard, City Manager

Re: City Manager's Comments on City Council Agenda of September 3, 2024

X. Public Hearing and Vote on Ordinances and/or Resolutions:

- A. **First Reading of Ordinance Amending Chapter 1, Article IV, Section 1.412 – Public Art Review Committee, existing text to be deleted in its entirety and replaced with a brief reference to a new section in Chapter 1, Article XVII relating to public art; and Chapter 1, Article XVII – Funding of Public Art, Sections 1.1700-1.1707 existing text to be deleted in its entirety and replaced with a new Article XVII, retitled Funding, Review and Acquisition of Public Art, inclusive of new Sections 1.1700-1.1709:**

Attached please find a [proposed ordinance amendment regarding Public Art](#).

I recommend that the City Council move to pass first reading and schedule a public hearing and second reading at the September 23, 2024 City Council meeting.

- B. **Public Hearing and Adoption of Resolution Pursuant to RSA 72:39-b the City hereby amends the elderly exemption from property tax, based on assessed value for qualified taxpayers. Qualifying taxpayers between the ages of 65-74 shall receive \$375,000.00 off their assessment. Qualifying taxpayers between the ages of 75-79 shall receive \$450,000.00 off their assessment and qualifying taxpayers 80+ years of age shall receive \$525,000.00 off their assessment:**

Review of current exemption levels indicate a decline in the tax relief benefit of the elderly exemptions due to the real estate market appreciation throughout the City. Upon completion of the FY 2025 / TY 2024 City wide revaluation, current exemption levels will be between thirty-one and forty-five percent of the median single-family assessment which is estimated to be \$750,000.

In view of the change to the median single family assessed value for FY 2025 and, to maintain assessment to exemption levels in comparison in prior years, it is recommended to adjust exemption levels for the elderly exemption as follows:

- Qualifying taxpayers between the ages of 65-74 shall receive \$375,000 off their assessment.

- Qualifying taxpayers between the ages of 75-79 shall receive \$450,000 off their assessment.
- Qualifying taxpayers 80+ years of age shall receive \$525,000 off their assessment.

Any adjustment if approved would be for assessments as of April 1, 2024, for the FY 2025 / TY 2024 tax bill.

I recommend that the City Council move to [adopt the Resolution](#) as presented.

C. **Public Hearing and Adoption of Resolution Pursuant to RSA 72:37-b the City hereby amends the disabled exemption from property tax, based on assessed value for qualified taxpayers. Qualifying taxpayers shall receive \$375,000.00 of their assessment:**

Review of current exemption levels indicate a decline in the tax relief benefit of the disabled exemption due to the real estate’s market appreciation throughout the City. Upon completion of the FY 2025 / TY 2024 City wide revaluation, the current exemption level will be approximately thirty-one percent of the median single-family assessment which is estimated to be \$750,000.

In view of the change to the median single family assessed value for FY 2025 and, to maintain assessment to exemption levels in comparison in prior years, it is recommended to adjust exemption levels for the disabled exemption as follows:

- Qualifying taxpayers shall receive \$375,000 off their assessment.

Any adjustment if approved would be for assessments as of April 1, 2024, for the FY 2025 / TY 2024 tax bill.

I recommend that the City Council move to [adopt the Resolution](#) as presented.

XI. City Manager’s Items Which Require Action:

1. **Request for Work Session Regarding Draft Parking Utilization Study Report:**

The Parking Division requests the opportunity to present the status of the Parking Needs and (Parking-related) Zoning Study at the Council meeting scheduled for September 23, 2024. The City’s consultant, Andy Hill of Desman, and staff will be on hand for discussion of the work to date and consideration of recommendations going forward.

I recommend that the City Council move to schedule a work session at 6:00 p.m. on September 23, 2024.

2. **Southeast Land Trust Conservation Land Protection Project:**

Mr. Joseph Cavaretta currently owns the parcel at [820 Elwyn Road in Portsmouth](#) – also known as the 100-Acre Woods, which is approximately 98.50 acres of land consisting of a residential structure and associated outbuildings. This property abuts the Elwyn Park and Woodlands neighborhoods as well as conservation land adjacent to the Rye Elementary School.

The Southeast Land Trust (SELT) is a local non-profit which conserves and stewards land in Rockingham and Strafford counties. SELT has been working with Mr. Cavaretta for over a decade to identify an opportunity to place a majority of this parcel into conservation. The proposed conservation easement area would include 94 acres of forest, wetlands, and farmlands. The two parties involved in this easement, SELT and Mr. Cavaretta, have come to an agreement and SELT is now in the process of raising funds to support the conservation of this land (excluding Mr. Cavaretta's current home and a small surrounding area).

Members of SELT attended the August 19, 2024 City Council meeting where they provided a brief overview of the project, including the benefits associated with conservation of the property. On August 26th and August 28th, members of SELT held site walks for members of the City Council, Conservation Commission, and City staff. Mr. Cavaretta was in attendance.

SELT is seeking financial contributions to support the purchase of this conservation easement from the City of Portsmouth Conservation Fund, the New Hampshire Land Conservation Investment Program (LCIP) and through a private fundraising campaign. To help offset the burden of this financial sale, SELT has requested a financial donation from the City of Portsmouth. [The Portsmouth Conservation Commission has voted to support up to \\$1,000,000 from the Conservation Fund](#) at their July 17, 2024, special meeting.

I recommend that the City Council move to support the July 17, 2024 vote of the Conservation Commission and expend up to \$1,000,000 from the Conservation Fund to support the purchase of the conservation easement at 820 Elwyn Road in Portsmouth.

XVI. Approval of Grants/Donations:

A. Acceptance of Assistance to Fire Fighters' Grant (AFG) - \$324,327:

The Portsmouth Fire Department is part of a Mutual Aid District, the Seacoast Chief Fire Officers Mutual Aid District, which includes more than 53 jurisdictions spanning three states which operate together. Fire Chief McQuillen served as the President of the District since January 2024. As part of our internal strategic plan, the City identified increasing our capabilities to manage emergencies through a stronger Incident Command System training as our top priority.

The District compiled and applied for an Assistance to Fire Fighters Grant (AFG) to bring in a trainer program to address these needs, and the award of this grant will allow us to share training assets and instructional resources with these departments and assist them with advancing their training programs. The City of Portsmouth was the grant applicant, and this grant was awarded in the amount of \$324,327.

I request that the City Council accept this grant in order to comply with the 30-day requirement of acceptance. Fire Chief McQuillen is working with the District to implement the grant, and with Deputy City Manager of Finance and Administration Lunney to ensure the proper reimbursement policies and procedures will be followed internally to reimburse the other municipalities for their allowable costs in implementing this grant.

I recommend that the City Council move to approve and accept the grant as presented.

B. Acceptance of Household Hazardous Waste Collection Grant – \$4,951:

The City was awarded a \$4,951 grant from the New Hampshire Department of Environmental Service (NHDES) for the annual Household Hazardous Waste Collection event. The grant fund will offset the annual expenditure of an estimated \$100,000. This event is funded equally by the Water and Sewer enterprise funds. The City continues to partner with Newington and Greenland; both communities pay a pro-rated cost share based on participation.

I recommend that the City Council authorize the City Manager to enter into a Grant Agreement with New Hampshire Department of Environmental Services to accept \$4,951 from the Household Hazardous Waste Collection Grant Program and execute any contracts or documents which may be necessary for this grant agreement.

XVII. City Manager’s Informational Items:

1. Community Policing Facility Update:

City staff are prepared to share a verbal update regarding the proposed Community Policing Facility project.

2. Update on Sherburne Property Request for Proposals:

I will provide a verbal update on the status of the Sherburne Property project.

3. Household Hazardous Waste Collection Day:

[Attached please find a press release announcing Household Hazardous Waste Collection Day on September 14th.](#)



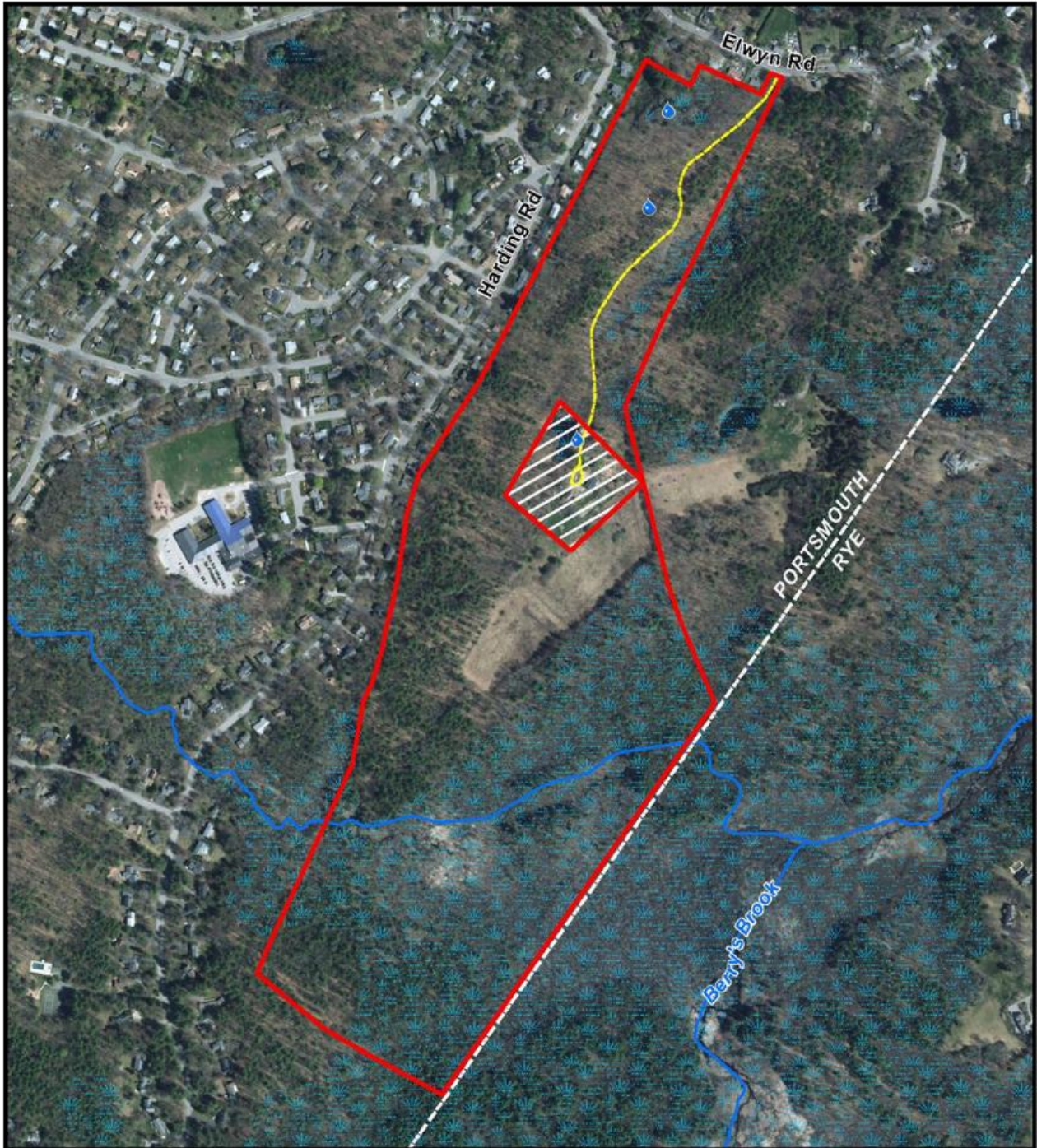
Budget Cavaretta Conservation Easement ~94-acres (Portsmouth)



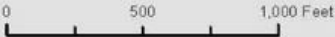







EXPENSES

<u>Transaction Costs</u>	<u>Budget</u>	<u>Notes</u>
Acquisition Costs		
Easement Purchase Price	\$1,800,000	Appraised FMV of CE \$2,145,000
Easement Bargain Sale	\$345,000	
Due Diligence Costs		
Legal	\$12,500	Title exam, title insurance, legal fees
Survey	\$25,000	
Hazardous Waste Assess.	\$2,100	Phase 1
Appraisal(s)	\$8,200	Initial appraisal and updated appraisal
Closing Costs		
Recording fees	\$500	
Project Management Expenses		
SELT Project Management	\$30,000	Flat Fee
Conservation Consulting	\$6,500	Wetlands assessment
Travel	\$300	
Printing & Postage	\$10,000	Community Mailing and Brochure
Contingency	\$10,000	
Subtotal, Transaction Costs	\$2,250,100	
Stewardship Costs		
<u>Budget</u>		
Easement Stewardship Fund	\$24,700	Min. contribution for Conservation Stewardship Fund
Legal Defense Fund	\$1,800	Flat rate contribution for legal defense of CEs
Forest Management Plan	\$0	If we were to apply to ARM this would be \$5K
Archeological Assessment	\$0	If we were to apply to ARM this would be \$2K
Subtotal, Stewardship Costs	\$26,500	
TOTAL EXPENSES	\$2,276,600	total Transaction Costs + Long Term Stewardship Costs

REVENUES

<u>Revenue Sources</u>	<u>Budget</u>	<u>Notes</u>
Government		
Portsmouth Conservation Fund	\$1,000,000	44% of total project cost
LCHIP	\$350,000	Application submitted
Private Fundraising		
GBRPP	\$20,000	To apply in 2025
Private gifts	\$561,600	SELT to Raise
Landowner Bargain Sale-CE	\$345,000	Per purchase agreement
TOTAL REVENUES	\$2,276,600	



 Project Boundary	 1:7,000 	Aerial Map Portsmouth's 100-Acre Woods Portsmouth, NH <small>Boundary and feature locations are approximate. Easement boundary based on tax maps.</small>  <small>Map prepared by Southeast Land Trust of NH May 2024</small>
 Exclusion Area		
 NWI wetland		
 Stream		
 Driveway		
 Town boundary		
 Vernal Pool		

Portsmouth City Council

August 2, 2024

Dear Councilors:

At a special meeting of the Conservation Commission on July 17th, 2024 the Conservation Commission by a unanimous vote, authorized the expenditure of a sum of up to \$1,000,000 (one million dollars) from the Conservation Fund to be donated to the Southeast Land Trust (SELT) for the purchase of a conservation easement on Elwyn Road (Map 225 Lot 43) and for no other purpose. Upon successful approval of SELT's New Hampshire Land Conservation Investment Program (LCIP) grant application, the Commission requests that the Council approve such expenditure and issue power to the City Manager to apply these funds as matching dollars towards the acquisition of a conservation easement on said parcel.

Yours Truly,

A handwritten signature in black ink, appearing to read 'S. Collins', written in a cursive style.

Samantha Collins,

Chairwoman Portsmouth Conservation Commission

cc: Karen Conard, City Manager
Peter Britz, Planning and Sustainability Director
Susan Morrell, City Attorney

CITY OF PORTSMOUTH

LEGAL DEPARTMENT

MEMORANDUM

DATE: AUGUST 30, 2024

TO: KAREN S. CONARD, CITY MANAGER

FROM: TREVOR P. MCCOURT, DEPUTY CITY ATTORNEY *TPM*

RE: AGENDA ITEM – Southeast Land Trust Conservation Land Protection Project
Property Located At 820 Elwynn Road

The City Council is considering a request from South East Land Trust for the contribution of up to \$1,000,000 in support of South East Land Trust's acquisition of a conservation easement over property located at 820 Elwynn Road. South East Land Trust representatives have orally agreed to enter into a grant agreement containing certain restrictions in exchange for the City Council's financial support. South East Land Trust has made it clear that it cannot agree to anything which would require an amendment to its Purchase and Sale Agreement with the property owner, or endanger potential funding from the New Hampshire Land and Community Heritage Investment Program ("LCHIP"), but would agree to other items with the City.

Therefore, below is a list of suggested grant agreement terms which the City Council could request from South East Land Trust. This memorandum is accompanied by a draft Grant Agreement drafted for this purpose.

Grant Agreement Terms:

1. The City agrees to contribute up to \$1,000,000, only for the acquisition of a conservation easement in accordance with the April 22, 2024 Purchase and Sale Agreement with Joseph Cavaretta.
2. The City will contribute up to \$1,000,000 from its Conservation fund, an amount which may be reduced if South East Land Trust is able to identify other funding sources above its current projections.
3. The draft conservation easement shall be modified to designate the City as the first option for transfer of the conservation easement in the event South East Land Trust is unable or unwilling to fulfill the terms of the conservation easement.
4. In the event South East Land Trust exercises its right to acquire the fee interest to 820 Elwynn Drive, South East Land Trust agrees to offer the conservation easement to the City.
5. South East Land Trust agrees to assign to the City the right of first refusal for the underlying fee interest of the property in the event South East Land Trust is unable or unwilling to exercise its rights under the Right of First Refusal agreement.

6. South East Land Trust agrees that as the conservation easement holder, if it proposes to conduct and improvements to the land, it will notify the Conservation Commission, and if requested, give a presentation to the Conservation Commission regarding the improvements.

Proposed Motion: That the Portsmouth City Council support the July 17th, 2024 vote of the Portsmouth Conservation Commission and expend up to \$1,000,000 from the Conservation Fund to support the purchase of the conservation easement at 820 Elwyn Road in Portsmouth with the execution of a grant agreement consistent with the grant agreement terms listed in the memorandum from Deputy City Attorney Trevor McCourt included in the supplemental city council packet/[as amended by the City Council].

Attachment (1)

Grant Agreement

This Grant Agreement (the “Agreement”) is made and entered into as of [Date], by and between the City of Portsmouth (the “City”), with its principal office located at 1 Junkins Avenue, Portsmouth, New Hampshire 03801, and South East Land Trust (the “Land Trust”), with its principal office located at 247 N River Road, Epping, New Hampshire 03042.

1. Grant Amount and Purpose

1.1. The City agrees to provide funding up to the amount of \$1,000,000 (the “Grant”) to the Land Trust.

1.2. The Grant shall be used exclusively for the purchase of a conservation easement over a parcel of land located at 820 Elwynn Road, Portsmouth, New Hampshire (the “Property”).

2. Provisions for the Benefit of the City

2.1. Modification of Easement

2.1.1. The Land Trust agrees to modify the conservation easement attached to the Purchase and Sale Agreement for the Property.

2.1.2. The modification shall grant the City a right of first refusal to accept the conservation easement from the Land Trust if the Land Trust ceases to be able or willing to hold the conservation easement.

2.1.3. The right of first refusal shall be exercised by the City within sixty (60) days of receiving written notice from the Land Trust of its intention to transfer or relinquish the easement.

2.2. Right of First Refusal on Underlying Fee Interest

2.2.1. The Land Trust plans to acquire a right of first refusal to purchase the underlying fee interest in the Property.

2.2.2. In the event the Land Trust cannot or does not wish to exercise that right, it agrees to assign the right of first refusal to the City. Such assignment shall be made without additional consideration on the part of the City and shall be subject to the same conditions indicated in the written right of first refusal.

2.3. Conveyance of Easement

2.3.1 If the Land Trust acquires the underlying fee interest in the Property, it agrees to offer to convey the conservation easement to the City for no additional consideration.

2.4. Additional Rights for the City

2.4.1. In the event the City accepts the easement as described above, the Land Trust agrees to grant the City the right to: (1) Construct pedestrian walking trails on the Property; and, (2) Develop a parking area for public use.

2.5. Notification and Consultation with Conservation Commission

2.5.1. If the Land Trust acquires the conservation easement over the Property, the Land Trust agrees to notify the City's Conservation Commission at least 30 days before making any material improvements or alterations to the Property.

2.5.2. Upon request, the Land Trust will make a presentation to the Conservation Commission, which will have the opportunity to provide non-binding feedback.

2.5.3. Nothing in this section shall be deemed to waive, alter, or otherwise abrogate any existing federal, state, or local law, ordinance, or regulation, including but in no way limited to the City's regulations regarding wetlands.

3. Disbursement of Funds

3.1. The Land Trust agrees that it will conduct fundraising efforts in order to acquire the conservation easement over the Property. In the event the fundraising efforts fall short of the purchase price agreed to in the purchase and sales agreement dated April 22, 2024, the City agrees to contribute up to \$1,000,000 towards the purchase price.

3.2 In the event the Land Trust is unable to fundraise, either through public or private sources, adequate additional funds to acquire the conservation easement over the Property, the City's obligation to contribute the Grant Funds shall cease, and this Agreement shall terminate.

3.2. Once the Land Trust raises sufficient capital to purchase the conservation easement over the Property, the Land Trust shall submit a written request for disbursement, including supporting documentation as required by the City, to receive the Grant funds.

4. Reporting Requirements

4.1. The Land Trust shall provide the City with updates regarding the purchase of the Conservation Easement on an annual basis, detailing the use of the Grant funds, progress toward project goals, and any significant developments.

4.2. A final report must be submitted within 60 days of the completion of the project, summarizing the use of Grant Funds.

5. Financial Oversight

5.1. The Land Trust agrees to maintain accurate and complete records of all expenditures of Grant funds and to make such records available for inspection by the City upon request.

6. Compliance and Use of Funds

6.1. The Land Trust agrees to comply with all applicable federal, state, and local laws and regulations in carrying out the project funded by the Grant, and any subsequent use of the Property.

6.2. The Land Trust shall not use the Grant funds for any purposes other than those specified in this Agreement without prior written consent from the City.

7. Acknowledgment

7.1. The Land Trust agrees to acknowledge the City's support in all promotional materials, press releases, and other public communications related to the project.

8. Termination and Repayment

8.1. The City may terminate this Agreement and require repayment of any unspent Grant funds if the Land Trust fails to comply with any terms of this Agreement or if the project is not carried out as specified.

8.2. Upon termination, the Land Trust shall return any unused Grant funds to the City within thirty (30) days.

9. Dispute Resolution

9.1. Any disputes arising from this Agreement shall be resolved in accordance with the laws of New Hampshire.

10. Miscellaneous

10.1. This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements and understandings.

10.2. Any amendments or modifications to this Agreement must be made in writing and signed by both parties.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

[SIGNATURE PAGE TO FOLLOW]

City of Portsmouth

By: _____

Name: Karen S. Conard

Title: City Manager

As authorized by vote of City Council on: _____.

South East Land Trust

By: _____

Name:

Title:

DRAFT



27 August 2024

Portsmouth NH City Council
c/o City Clerk's Office
1 Junkins Ave
Portsmouth NH 03801

Dear City Council,

My name is Matt Junkin. I am the Race Director of the Seacoast Rotary Turkey Trot 5k.

I am writing this letter to ask the City Council consider approval of our 16th Annual race which will take place on Thanksgiving November 28th, 2024. Registration for the race begins at 7am and the race will commence at 8:30 AM on Peirce Island, and Finish at Strawberry Banke.

Thank you for your consideration as well as the support you have provided for this event over the last 15 years.

Kind Regards,

Matt Junkin
Past President, Seacoast Rotary
mrjunkin@gmail.com
603-591-0083

City Council Emails August 19, 2024 through August 29, 2024 at 10:00 a.m.

Submitted on Thu, 08/29/2024 - 06:53

First Name

Beth

Last Name

Boynton

Email

beth@bethboynton.com

Address

93 Henry Law Ave, Unit #95
Dover, New Hampshire. 03820

Message

Dear Portsmouth City Council,

I'm writing to express my appreciation and experience with PPMTV and to ask the existing City policy regarding PPMtv's support from the cable franchise fees, or PEG (Public, Education, Gov't) government funding for cable access television, be reviewed and revised.

In 2017/2018 I led a filming project at PPMTV which was part of the Portsmouth Improv Learning Lab (PILL) teaching efforts. Many local people were involved.. Bill Humphreys, Chad Cordner and the resources provided by PPMTV (teaching space, camera crew, video editing) were incredibly helpful in developing my ideas. Since then. Ive used video clips in teaching and writing about 'Medical Improv' to help improv healthcare outcomes such as patient safety, workplace culture, and the health and wellbeing of the workforce. Several are part of a YouTube Playlist (<https://bit.ly/3UAtzcH>)that is part of a forthcoming book, (The Medical Improv Toolkit") designed to teach healthcare leaders and managers how to facilitate simple activities. The creative process has not been a straight line and seldom is. Please know, I remain very grateful for the help I received and believe the work done back then will continue to help healthcare systems and professionals (and therefore patients and families) beyond measure.

Thank you for considering my input,
Beth Boynton, RN, MS, CP

Submitted on Tue, 08/27/2024 - 10:44

First Name

Robert

Last Name

Corash

Email

rmcorash@gmail.com

Address

45 Haven Road
Portsmouth, New Hampshire. 03801

Message

Dear Councilors,

Now that the expanded/new station site seems set, part of the next phase will include preliminary architecture. I urge that this step includes exterior appearance consistent with that of the older former Hospital buildings rather than the "lego" block exterior of the current Station. The site from the building toward the City center and from that center to the highly visible new structure is important. One beauty/value of our City is its historical architecture and this should be a primary concern. Yes it may add to building cost, but appearance is also a great value. I trust the public's input will be respected. Thank you for your hard work and consideration.

Respectfully, Bob Corash

Submitted on Mon, 08/26/2024 - 18:31

First Name

Cynthia

Last Name

Harvell

Email

cynthiaharvell@gmail.com

Address

579 Sagamore Ave
Portsmouth, New Hampshire. 03801

Message

I have read that Saco ME has installed solar panels on one of their town's landfill sites. Last year, Kate Cook indicated that the Portsmouth City Council is considering this on the landfill site off Jones Ave. I walk my dog on the trails around this landfill often. I feel this would be an ideal site for solar panels. I encourage the Portsmouth City Council to move this idea forward. Let me know if I can assist. Thank you.

Submitted on Mon, 08/26/2024 - 10:07

First Name

Olivia

Last Name

Annunziata Blaisdell

Email

oannunziatablaisdell2025@sau52.org

Address

444 Richards Ave
Portsmouth, New Hampshire. 03801

Message

Dear City Council members,

I just saw that the City Hall official holiday calendar for this upcoming year has come out and I was shocked to see that not only is Indigenous Peoples' Day not a part of the calendar at all, but it has been completely replaced by Columbus Day. We thought the council had addressed this and we are hoping you can shed some light on this situation and what if anything can be done for Portsmouth.

Sincerely,

Olivia Annunziata Blaisdell

We Speak Co-President

Submitted on Wed, 08/21/2024 - 11:56

First Name

Benjamin

Last Name

Doyle

Email

benjamincraigdoyle@gmail.com

Address

University of New Hampshire, Durham
Greenland, New Hampshire. 03824

Message

To the Portsmouth City Council:

I am a lifelong resident of the Seacoast, currently living in Greenland. Portsmouth's rapid growth and development over the last several decades has changed our area drastically, and new development is progressing at an unsustainable rate. As an undergraduate student at UNH, I worry that Portsmouth is losing 'green space', and that parts of the city will be unrecognizable if overproduction of new homes continues.

The 100-Acre Woods is ecologically critical to the maintenance of our local ecosystems. It would also prove highly desirable to property developers, who increasingly supply the Portsmouth area with overpriced real estate. The 100-Acre Woods should not be developed or incorporated into our built environment whatsoever. New construction – a near-certainty if this property were put on the market – may provide some short-term benefits to local developers, but in the long term, the loss of this untouched area would be catastrophic.

For these reasons, I strongly support SELT's proposed partnership with the City of Portsmouth to conserve, maintain, and protect the 100-Acre Woods, as outlined in their August 13th memorandum. Though I am not a Portsmouth taxpayer, I believe that the preservation of this space would benefit the entire Seacoast area for generations.

Councilors, please allow for the utilization of the city's conservation funds towards the proposed easement on this high-priority property.

Thank you for taking the time to consider my point of view.

Sincerely,

Benjamin Doyle
4 October Drive
Greenland, New Hampshire

Submitted on Tue, 08/20/2024 - 16:38

First Name

Petra

Last Name

Huda

Email

pahuda384@gmail.com

Address

Portsmouth. 03801

Message

Mr. Mayor and Councilors:

To follow-up and clarify the reference I made to the \$600,000 adjustment made by the City Manager for the "Hanover Garage Structural Improvements", which some of you did not recall:

Please see the FY2025 Proposed Annual Budget Book, Page 32, under "Capital Outlay", (bottom of page).

Appendix II Council CM CM

Adopted 3/4/24 Adjusted Recommend

P II #68, Hanover Garage Structural Improvements \$600,000 (\$600,000) -0-

I hope this helps when you see it, and please know I am happy to share the source of my comments for your

reading enjoyment anytime!

Thank you,

Petra Huda

Submitted on Mon, 08/19/2024 - 17:53

First Name

marie

Last Name

Lyford

Email

marie03801@comcast.net

Address

5 opal ave
portsmouth, New Hampshire. 03801

Message

Is there any way the city can get Verizon to put up more cell towers? or somehow boost the service from the ones they have? In my neighborhood, we have 1-2 bars and drop calls all the time, can't hear people and must keep a home phone so that we can make calls. As verizon is the service that other cells work off (I.E. Comcast, straight talk) I would really like to be able to use my cell phone in my house. Thanks

Submitted on Mon, 08/19/2024 - 15:08

First Name

Kim

Last Name

Lindstrom

Email

klkindstrom@gmail.com

Address

132 Codfish Corner RD
Portsmouth , New Hampshire. 03801

Message

I belong to Spinnackers Gym at Spinnackers Point.
It does not completely follow ADA Guidelines. The Elevator has not worked in over two years. When will this be fixed?

Submitted on Mon, 08/19/2024 - 14:54

First Name

Diane

Last Name

Coughenour

Email

dttcoughenour@msn.com

Address

150 New Castle Ave.
Portsmouth, New Hampshire. 03801

Message

I am unable to attend the meeting Tues. evening concerning this purchase. I am very much interested in the City of Portsmouth purchasing this land and support it.

Thank you,
Diane Coughenour

Submitted on Mon, 08/19/2024 - 13:52

First Name

Anne

Last Name

Schwartzman

Email

schwartzmananne@gmail.com

Address

118 Spinnaker Way
Portsmouth, New Hampshire. 03801

Message

I am a supporter of SELT and what they stand for. Please vote in favor of preserving the parcel being considered off Elwyn Rd. I think Portsmouth will be a better place with this available to stay wild.

Thank you for all you do!

Submitted on Mon, 08/19/2024 - 12:58

First Name

B

Last Name

Sadick

Email

barbken@comcast.net

Address

271 Islington St.
Portsmouth, New Hampshire. 03801

Message

Please do whatever is necessary to protect the 100-acre woods for future generations. This is an amazing opportunity to keep such a large parcel of land in Portsmouth in its natural state.

Thank you!

Submitted on Mon, 08/19/2024 - 11:45

First Name

Lynn

Last Name

Vaccaro

Email

Lynn.Vaccaro@gmail.com

Address

589 Broad St
Portsmouth, New Hampshire. 03801

Message

Dear Councilors,

As a resident and member of the Conservation Commission, I am writing to express my enthusiastic support for the proposal to invest up to a \$1 million dollars from Portsmouth's conservation fund to protect the property owned by Joe Cavaretta. Part of our role as Commissioner's is to help protect the City's unique natural resources and also help steward the City's conservation funds. There are very few undeveloped properties as large or as ecologically valuable as this one in Portsmouth. This is a unique opportunity to have a large and lasting impact for Portsmouth's residents, water, and wildlife.

I know that this particular parcel of land ranks very highly in regional analyses of conservation opportunities because the site protects headwater wetlands and streams and therefore helps maintain water quality in the waterways that flow from this land out through Rye and into Portsmouth Harbor. Water quality is a top concern for me and many residents in Portsmouth.

I also have school aged children and we are avid users of Portsmouth's public greenspaces. I am thrilled with the idea of Portsmouth partnering with SELT to protect this land in a way that sustains wildlife and water quality and also enables potential recreation opportunities for our children.

I have interacted with SELT in different capacities and have been consistently impressed with their professionalism and thoughtfulness. I am thrilled that SELT is willing to do the hard work of fundraising and managing the legal process involved in a conservation easement of this scale and that they are interested in helping manage this complex parcel long term in collaboration with the City.

I strongly encourage you to carefully consider this opportunity and support this important investment for Portsmouth's water, wildlife and children.

Thank you,
Lynn Vaccaro
589 Broad St. Portsmouth NH

Submitted on Mon, 08/19/2024 - 10:34

First Name

Brian

Last Name

Gibb

Email

bkgibb@gmail.com

Address

348 Maplewood Ave Apt 2
Portsmouth, New Hampshire. 03801

Message

Councilors, I'm writing to you as both a resident and a conservation commissioner to express my strong advocacy for this once in a lifetime opportunity to protect our natural resource with minimal financial burden to residents. I've been briefed on the details and seen the property first hand and it is such an amazing opportunity. It's also an important opportunity to balance conservation with the rapid development which many have expressed concerns with. Let's used the funding set aside to make this happen. I will try to make these meetings but I have a conflict and so am writing this to provide input. As always, grateful to all of you for your service and dedication to our community. Best, Brian

Submitted on Mon, 08/19/2024 - 09:43

First Name

Joe & Kathy

Last Name

Famularo

Email

famularoj@gmail.com

Address

141 Mill Pond Way Unit 3
Portsmouth, New Hampshire. 03801

Message

Dear Councilors,

We write in support of HB 1014, recent legislation signed by Governor Sununu that will help restore Columbus Day in Portsmouth and throughout the State of New Hampshire.

As I'm sure you're all aware, the First Columbus Day arose from bloodshed and political calculation. War was on the table between the U.S. & Italy after 11 Italian immigrants were lynched in New Orleans in 1891. The diplomatic crisis cooled thanks to the first Columbus Day, and what followed was a cultural celebration built on inclusion & assimilation. (<https://orderisda.org/culture/stories/the-first-columbus-day-arose-from-bloodshed-and-politics/>).

As Italian-Americans, we urge you to voice your support for HB 1014 and not 'exclude' a whole group of citizens that have contributed so much to our city.

Thank you.

Joe & Kathy Famularo

Walnut Street (Paper)

Proposal

To: Mayor Deaglan McEachern & The City Council

Prehistory: Map 218, Lots 15 & 16

Prior to 1966, the two lots were approved as part of a development off of Kearsage way. Oak Street was not completed to the very end and neither was Walnut Street constructed to the front of these lots. The Bascom family owned these two lots along with the two lots currently at the end of Oak Street. Robert Bascom was a long-time friend that managed the Worth buildings on Congress Street. He had his hip replaced and I did his job everyday while he recovered. After a year or so, he wanted to repay me for my work. I refused, and he signed over these two lots which he was tired of paying for. I had been paying for the taxes all along since I had said I would park a camper there to take care of him. He deeded the lots over to me several years prior to his death in 2013. I am the proud owner of these lots and don't know what to do!

Present Time:

I would like suggestions from the city council in regarding gaining access to these lots or having a portion of the city owned land reverting to the only true abutter, me! Without any expenditure, I have drawn conceptual lot lines for your review showing access off of Kearsage Annex Road , a road put in to replace a bridge on Kearsage Way. There is water and sewer lines under this street which makes the two lots valuable if they had access. I have been paying taxes on these two lots for over 20 years. If you accepted one of my proposals the taxes could range from \$10,000 to \$15000 per year.

Future Time:

Currently my income is limited, drawing on social security, and part-time real estate sales, and do not want to incur engineering and surveying costs without the blessing of the Council. I will be glad to hear from you and any suggestions to remedy the situation I have presented. After all, the City diminished the value of these lots to Robert Bascom and myself making them unbuildable! I would like to live there and I am a registered Democrat! LOL. Also, one of my children would build on the adjacent lot to take care of me!

Respectfully Submitted,

Jim Pappas



Property Information
Property ID 0218-0015-0000
Location OAK ST
Owner PAPPAS JAMES P



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 08/24/2023
 Data updated 3/9/2022

**Print map scale is approximate.
 Critical layout or measurement
 activities should not be done using
 this resource.**



TOWN OF DURHAM
8 NEWMARKET ROAD
DURHAM, NH 03824
Tel: 603-868-5571
Fax: 603-868-1858
www.ci.durham.nh.us

August 19, 2024

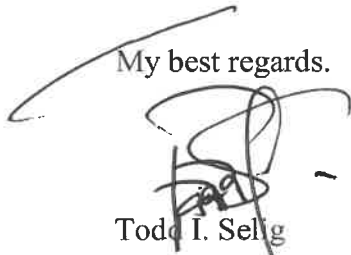
Karen Conard, City Manager
City of Portsmouth
1 Junkins Ave.
Portsmouth, NH 03801

Dear Karen,

I am writing on behalf of myself and the Durham Town Council to thank you for the care and cooperation undertaken at Wagon Hill Farm in Durham to restore the area used for access to the City of Portsmouth's water transmission main project to its original condition. We truly appreciate that there was minimal disruption to the site, and the restoration work was well done. The Portsmouth Public Works team is to be commended for their cooperation and coordination with Durham Public Works as part of the project.

Thank you again, and I wish you all the best.

My best regards.



Todd I. Selig
Administrator

cc. Durham Town Council
Rich Reine, DPW Director
Peter Rice, Portsmouth DPW Director
Brian Goetz, Portsmouth DPW Deputy Director

Ms. Karen Conard, City Manager
Portsmouth City Hall
1 Junkins Ave
Portsmouth, NH 03801

August 27, 2024

Dear Ms. Conard,

Our 30th anniversary of the *Portsmouth Black Heritage Trail* celebration, which will take place on August 29th, will honor the founder of our organization, Valerie Cunningham, and all the work she has done so far in her lifetime. We are writing to the City to ask permission to install a special plaque that honors Valerie Cunningham on a post on the grounds of the Portsmouth Historical Society.

We will be presenting the marker for Valerie at the celebration at the Discover Portsmouth Center on Thursday, August 29th at 6 p.m. This event is a celebration of all of Valerie Cunningham's accomplishments for Black history and culture in New Hampshire, specifically the city of Portsmouth. We will be honoring Valerie and presenting her with the plaque at the celebration. We intend to install the plaque in the following weeks after the celebration. Valerie Cunningham and her work for this state has been an inspiration to many and can be valued by all. We thank you for your consideration.

Sincerely,

JerriAnne Boggis
Executive Director
Black Heritage Trail of NH



Dear Portsmouth City Council Members,

The Sustainability Committee met this past Thursday, August 22, 2024 for our monthly meeting. We reviewed the current status of the Cavaretta Property Proposal ("The 100 Acre Woods") and voted to collectively express our support for the project and collaboration with SELT.

This partnership in acquiring the "100 Acre Woods" aligns with the climate action plan you adopted August 19th. Specifically, CSLU-2 which states, "Identify publicly-owned land areas, or privately-owned lands for acquisition, which are suitable for new or enhanced GHG emissions sequestration and storage." Creating an opportunity not only for more public space but also for a critical carbon sink, "a natural reservoir that absorbs and stores more carbon dioxide (CO₂) than they release into the atmosphere." These sinks "can be indispensable components in achieving a community's net zero targets".

This partnership in purchasing the easement also aligns with our 17-year status as an eco-municipality, and our commitment to using the four sustainability principles from The Natural Step, one being, reducing our dependence on activities that harm life-sustaining ecosystems. It also is in line with our 2025 Master Plan initiative to promote effective stewardship to enhance the city's natural resources and manage public open spaces for passive recreation and environmental preservation.

As Portsmouth continues to grow and develop, we may not have another opportunity to conserve such a large parcel of natural space within our community.

We respectfully recommend and encourage you to vote in favor of partnering with SELT to purchase the conservation easement on the 100 Acre Woods.

Sincerely,

A handwritten signature in black ink that reads 'Bert Cohen'. The signature is written in a cursive style with a long horizontal flourish underneath the name.

Bert Cohen, Chair & The Members of the Sustainability Committee

August 30, 2024

Submission of fee waiver request for replacement (not new installation, but replacement of what was just destroyed in front of the historic James Coffin House c1829) of brick sidewalk at 179 Union St destroyed by the sewer separation project this summer: Promise to replace was made prior to destruction. Nearby precedent has been set by project approval in Spring 2023 to include brick sidewalk replacement on State Street where it crosses Union St.

This matter was heard and approved during the June 20, 2023, City Council meeting, then re-approved by email in writing by City Manager January 2024 and re-confirmed by assistant city engineer in May 2024. Construction was to start this coming week, week of September 3, 2024 and we were told suddenly, on August 22, 2024, just one week before construction was to begin and after a whole year (14 months) of implied verbal and express written approval that the matter now needs to go before City Council. Hence, the submission on 8/30/24 for the City Council meeting 9/3/24.

179 Union Property Services

August 24, 2024

Councilor/PTSC Chair Bagley and Clerk Barnaby,

I received the letter this week informing me my term on the Parking & Traffic Safety Committee will expire 9/17/24.

I've decided to take a break from the Committee after five years.

I spoke with the Mayor this morning and let him know of my intentions.

I trust Deaglan will appoint a replacement with a balanced multi-modal focus on safety and enhancement of Portsmouth a *walking* community.

I'll be around and engaged - and you'll likely see me in the audience...I promise to keep any comments to 3 minutes!

It has been a privilege to serve on the Committee these past few years working with a wonderful group of appointed reps and responsive and professional City staff.

Portsmouth continues to grow and improve and I hope my contributions the past few years contributed in some very small way to that end.

See you at the September meeting and site walk!

Steve Pesci

CC Mayor McEachern *via City website*



Request for Proposal #09-25

Below Market Rate Housing Development

At 35 Sherburne Road, Portsmouth NH 03801

Due Date: Wednesday, October 9, 2024

Due Time: 4:30 p.m.

Section I: Project Overview

The City of Portsmouth, New Hampshire (herein referred to as "**City**") seeks sealed proposals from pre-qualified housing development teams (herein also referred to the "**proposer**" or "**respondent**") for the development of, as defined in this RFP, below market rate rental housing on an approximately 5.3-acre parcel known as City of Portsmouth's Tax Assessor Map 259 Lot 10 (herein referred to as "**parcel 259-10**" or "**parcel**") and having an address of 35 Sherburne Road.

The purpose of this **Request for Proposal** (herein referred to as the "**RFP**") is to select a developer with previously demonstrated experience and capacity to perform a housing development project on parcel 259-10 that meets the housing needs and goals of the City as described in this RFP. The City will take all evaluation criteria set forth in the RFP into account when selecting the winning proposal. It is the intent of the City to enter into negotiations with the selected developer regarding a land lease of the parcel, and all other aspects of a housing development on the parcel, as a result of this RFP.

A pre-submittal site walk of the property with City staff and members of the Selection Committee will be held on **Thursday, September 12, 2024, at 1:00 p.m.** If the site walk is unable to be accomplished, the back-up date will be **Monday, September 16, 2024, at 1:00 p.m.** The purpose of the site walk is to allow respondents to become familiar with the property grounds and gain access to the former Sherburne School building. Attending this site walk is optional but attendance is highly recommended.

Specific questions and other technical matters, including those raised from the site walk, regarding this RFP must be submitted via email to the Procurement Coordinator at proposals@cityofportsmouth.com by **Friday, September 20, 2024, by 4:30 p.m.** A compilation of all questions received and responses by the City will be distributed via email on **Wednesday, September 25, 2024, by 4:30 p.m.** Absence of "failure" messages electronically transmitted from addressee's site will serve as confirmation of delivery of addenda. Proposers should contact the Procurement Coordinator at proposals@cityofportsmouth.com if they believe an addendum has not been received.

All proposal responses are due by **Wednesday, October 9, 2024, by 4:30p.m.** Responses must be complete in accordance with the requirements described in this RFP.

Proposals must be delivered to the location and contact listed below on or prior to the exact time and date indicated above. It is the sole responsibility of proposers to ensure timely receipt. **LATE PROPOSALS WILL NOT BE ACCEPTED OR CONSIDERED.**

One hard copy of the proposal must be addressed and delivered to:

City of Portsmouth
Finance/Proposals Department
RFP #09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal
ATTN: Procurement Coordinator
1 Junkins Avenue, Portsmouth, NH 03801

One complete electronic version of the proposal package is to be submitted in PDF format via email to proposals@cityofportsmouth.com by the Proposal Due Date noted in Section II. No USB or other electronic data storage devices are to be used in the submittal. All correspondence to proposals@cityofportsmouth.com is to include "**RFP 09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal**" in the subject line along with the concern of the email.

Proposers are solely responsible for all costs associated with their proposal. The City and its boards, commissions, committees, agents, employees, representatives and volunteers shall not be responsible for any such costs.

The City reserves the right to cancel the award at any time before final notification of the successful bidder without any liability against the City. The City of Portsmouth reserves the right to reject any or all bids, to waive technical or legal deficiencies, and to accept any bid that it may deem to be in the best interest of the City.

Section II: Proposal Submission Timeline

All times stated are Eastern Standard Time. All stated days are calendar days unless otherwise noted.

DEADLINE	DATE AND TIME
RFP Issued	Friday, August 30, 2024
Site Walk Attendees must RSVP in writing via email to proposals@cityofportsmouth.com	Thursday, September 12, 2024, at 1:00p.m. (Back-up Date: Monday September 16, 2024, at 1:00 p.m.)
RFP Questions All questions must be submitted in writing via email to proposals@cityofportsmouth.com	Friday, September 20, 2024, by 4:30 p.m.
RFP Addendum Sent via email	Wednesday, September 25, 2024, by 4:30 p.m.
Proposal Due Date	Wednesday, October 9, 2024, by 4:30p.m.

Section III: Proposal Delivery

Proposals must be completed and signed by a duly authorized signatory and delivered within a sealed envelope affixed with the label "**RFP #09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal**" and must include all documents and information required by this RFP.

The proposal is to include a cover page with the title "**RFP #09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal,**" addressed to Procurement Coordinator, and specify the following:

- 1) Name of the proposer
- 2) Name of the person serving as the primary contact
- 3) All contact information of the primary contact.

Please read this entire document before responding or submitting questions.

Section IV: Proposal Conditions

Competency of Proposers

This RFP is issued in follow up to RFQ #52-24. As a result of that RFQ process, the City selected four of the eight firms that submitted qualification statements and letters of interest to proceed in this proposal process. Those four firms are: PHA Housing Development, Ltd., Preservation of Affordable Housing, Inc. (POAH), AVESTA Housing

Development Corporation, and PENNROSE, LLC. The City will not accept a proposal response from any other entity.

Names of Proposers

Each proposal must contain the full name, mailing address and email address of each company interested therein. In the case of a partnership, the name and address of each partner must be stated. The firm, corporate, or individual name must be signed by the proposers in the space provided for signature on the forms. In the case of a corporation, the title of the officer signing must be stated. In the case of a partnership, the signature of at least one of the partners must follow the firm name using the term "members of firm".

Acceptance or Rejection of Proposal – Reserved Rights

The City of Portsmouth reserves the right to reject any or all proposals to waive technical or legal deficiencies, and to negotiate all terms and conditions of any proposal submitted as the City may deem to be in its best interest.

Only those proposers who submit all forms and materials as required in this RFP will be considered responsive and responsible.

Land Lease Agreement and Timing

The City intends to enter into a Land Lease Agreement (herein referred to as the "LLA") with the highest-ranking development team. All parties understand time is of the essence. The highest ranked development team will be invited to enter into negotiations with the City. If the negotiations are unsuccessful, the City may proceed to the next highest ranked development team or otherwise exercise all of its reserved rights.

Additional Proposal Conditions

1. All proposals must contain a completed Applicant Certification form (Exhibit A) and Proposal Signature Page form (Exhibit B), and all applicable documents provided.
2. Erasures, interlineations or other modifications in the proposal shall be initialed in original ink by the person authorized to sign the proposal. Proposals submitted electronically in PDF format can be signed digitally.
3. It is the responsibility of all proposers to examine the entire RFP packet and seek clarification of any item or requirement that may not be clear and submit questions by the deadline stated in Section II. It is the responsibility of all proposers to check all responses for accuracy before submitting their proposal. Negligence in preparing a proposal confers no right of withdrawal or replacement of a submitted proposal after the due date and time.
4. All information in the proposal should be organized and presented as requested. Accuracy and completeness are essential. The successful proposal will be used as a basis for negotiations and contracts between the City and the selected developer. The proposal should provide a straightforward and concise description of the proposer's commitment and ability to perform the services described in this document. A proposal may be deemed to be non-responsive if the proposer fails to comply with the terms set forth in this RFP.
5. A respondent may correct, modify, or withdraw a proposal by written notice if received by the City prior to the date and time set as the deadline for proposal submittal. Proposal modifications may be sent in hard copy format and shall be provided in a sealed envelope clearly labeled "**RFP #09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal Modification No_**" Modifications sent via email shall be in PDF format with "**RFP #09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal Modification**

No__" in the subject line. Each modification must be numbered in sequence and must reference the original proposal. After the proposal deadline, a respondent may not change any provision of their proposal in a manner prejudicial to the interests of the City or fair competition. **Permission will not be given to withdraw or modify any proposal after Wednesday, October 9, 2024, by 4:30p.m.**

6. Minor technical or legal deficiencies may be waived by the City and the proposer may be allowed to correct them. If a mistake and the intended correct wording are clearly evident on the face of the proposal document, the mistake will be corrected to reflect the intended correct meaning, and the proposer will be notified in writing.
7. The issuance of this RFP does not imply any commitment to sell, transfer or otherwise provide claim to the parcel to any proposer.
8. Each proposer assumes all risk in connection with the use of the information in this RFP and releases the City and its boards, commissions, committees, agents, employees, representatives and volunteers from any liability in connection with the use of said information.

Section V: Project Narrative

Introduction

The City of Portsmouth, New Hampshire, acting through the City Manager, seeks sealed proposals from selected housing development teams for the development of below market rate rental housing on an approximately 5.3-acre parcel in Portsmouth having the address of 35 Sherburne Road.

Property Description

The approximately 5.3-acre parcel at 35 Sherburne Road has been owned by the City of Portsmouth since it was used for the construction of the existing Sherburne School in 1930. The school building is approximately 18,000 square feet in size and currently vacant. Municipal water and sewer infrastructure serves the site along with power supplied from Eversource and gas from Unitil.

As seen in the aerial image below, situated in the northern portion of the parcel is a softball field. The terrain is comprised of a mostly cleared landscape with a slope up to the school from the southern boundary and a steeper slope from the school down to the softball field. An approximately 24 stall parking area lies along the northwest edge of the property with vehicular access provided by Sherburne Road connecting to Greenland Road to the south.



Aerial View of 35 Sherburne Road (Parcel 259-10)

Community Support

There is widespread support for below market rate housing development in Portsmouth to address the workforce and affordable housing challenges in Portsmouth. The City Council adopted a housing policy in December of 2016 and since then has made efforts to address the housing challenges in Portsmouth. The *Portsmouth 2025 Master Plan*, adopted in early 2017, involved an extensive public engagement process that resulted in numerous housing-oriented goals and actions for implementation. Multiple subsequent studies and public engagement efforts since then have shown a rapidly increasing need for all types of housing in the community, especially in terms of affordability. Notable efforts include, a *Portsmouth Housing Dialogue* by Portsmouth Listens in late 2017, the *2022 Portsmouth Housing Market Study*, the *2024 Places to Live Study Circle Dialogue*, and annual housing reports issued by the Portsmouth Housing Authority.

At the top of the list of the current City Council's goals for 2024-2025 is increasing the City's supply of housing choices, especially below market rate housing options. In furtherance of that goal and in accordance with the Master Plan, at a recent City Council meeting members voted overwhelmingly to authorize the City Manager to explore the official disposition and land lease of parcel 259-10 for the purpose of creating permanent, below market rate rental housing.

Project Objectives

Affordability

The City seeks from one of the selected housing development teams a collaborative effort to create permanent, below market rate rental housing units on the parcel. The housing development is to be designed

for a diversity of households (individuals of all ages, families with children, people with disabilities) and reflect a mix of affordability levels. A successful development proposal will reflect these guidelines based on the site's capacity, best practices in architectural design and site planning, and the market and financial feasibility of a below market rate rental housing development on the parcel.

Housing Unit Types

The City of Portsmouth is interested in creating a housing development comprised of below market rate rental units. The City encourages respondents to present a range of housing choices in their proposals with primary consideration for housing units meeting workforce and affordable housing criteria using State and Federal definitions and area median income (AMI) limits.

The City's stated goal for a housing development on parcel 259-10 is to create below market rate rental housing units. This goal considers a family-focused approach to the development with the mix of housing units having a focus on 2 and 3 bedroom units while also providing 1 bedroom units. This stated goal also considers housing units restricted to HUD's Portsmouth-Rochester HMFA 100% AMI and below. The City understands the parcel size, disposition of the existing school building, and especially the market and financial feasibility of the housing development will inform the mix of units and range of AMI. It is up to the respondent to propose a housing development that balances the housing unit mix with capacity of the site with the aim to provide a financially feasible development with an emphasis on housing choices. The City intends all housing units are to be deed restricted in perpetuity.

Respondents should include a clear analysis as to the levels of affordability proposed and the reasoning behind the proposed unit and income mix. If the respondent considers an all below market rate rental housing unit development to be economically unfeasible, the proposal is to describe the reasons why and what housing unit mix of bedrooms and income levels would then be required.

The City considers affordability in unit maintenance, durability, and utilities as a component of creating a successful housing development on the parcel.

Architectural and Site Design

The City takes no position on whether to keep the existing Sherburne School. The successful proposer will demonstrate the most creative use of the parcel with or without the school.

The proposed project's architecture should reflect and be compatible with the surrounding neighborhood character. Specifically, the City encourages the respondents to describe in their proposal how their development considers the following while meeting the City's stated goal for the housing development noted above:

- Sensitivity to neighborhood character.
- City's preference for lower, multiple buildings, rather than one large building. The City is open to taller buildings if consisting of design approaches that minimize visual impact and the benefit is well documented.
- A development scenario depicted as an annotated conceptual site plan with the existing Sherburne School removed. Use of precedent imagery is encouraged. Providing renderings, models, and other graphic representation is not required.
- A development scenario depicted as an annotated conceptual site plan of an adaptive reuse of all or a portion of the existing Sherburne School. Adaptive reuse may contemplate additional housing

units, commercial uses that support the community, or a combination thereof. Providing renderings, models, and other graphic representation is not required.

- A robust programming of the development's outdoor common and recreation areas. These areas are to benefit both the development's residents and the surrounding community and be comprised of meaningful, attractive and creative outdoor spaces. The development's public realm is to be noted and described in detail the value it will bring to both residents and surrounding community.
- Use of sustainable site and specific green building design approaches.

Project Factors

Sherburne School

The City has not performed a survey of the existing school building. During the RFP process, the City will provide access to the school. The purpose of the site walk is to allow respondents to become familiar with the former Sherburne School. To further assist in the preparation of a proposal, known documents and drawings of the school are available on the City's Sherburne School Project Page: portsnh.co/sherburneschool.

Wetlands

The parcel has not been subject to a wetland investigation by the City. It is not known if there are any wetlands or wetland buffers on the parcel and whether the project would require City Wetland Permitting under Article 10 of the City's Zoning Ordinance or State of New Hampshire Department of Environmental Services (NHDES) wetland permits, and any other jurisdictional regulations concerning wetlands. Respondents do not need to perform a wetland investigation as part of their response, but it is expected the selected development team will abide by any such applicable regulations as the housing development design process evolves.

Environmental Testing

Environmental testing of the site has not been performed by the City. The successful proponent shall be solely responsible for determining the need for and scope of environmental testing of the land and building as well as the cost for testing, assessment, removal and legal disposal of any identified hazardous materials necessary to complete the housing development. The City shall not be required to permit testing of the parcel as part of this RFP. The City will provide access to the parcel and existing building during the site walk that is scheduled for before the proposal submission deadline.

Archaeological Filing

The City acknowledges an archaeological survey of land and building may be required prior to the commencement of any construction or development of parcel 259-10. The City does not require any archaeological survey of land and buildings to be part of a response to this RFP.

Code Compliance

All aspects of a development on the parcel shall conform and comply with all applicable Federal, State and local building and accessibility codes. Local regulatory codes, such as land use and zoning, will be addressed during the City's permitting process.

Efficiency and Sustainability

The City seeks proposals that include best practices in building and site design that reduce tenant utility usage and costs, and limit the development's environmental impact while balancing the need of the development to effectively address the City's stated goal for the housing development.

The City of Portsmouth follows the State of New Hampshire List of Adopted Building and Fire Codes effective as of August 13, 2024. The proposed project must meet the requirements of the current version in effect at the time of the application for a building permit. The City encourages the consideration of efficient and sustainability standards beyond these requirements. In the RFP, respondents should note their relevant experience with building to such standards. Performance standards such as meeting indoor air quality standards providing electric vehicle charging are also encouraged. Proposals are to include descriptions on how the development scenarios balance density with sustainability in terms of the environment and lifestyle of the residents.

Permitting

In addition to the noted public outreach and engagement effort, the selected developer shall be solely responsible for satisfying all other zoning, permitting and regulatory requirements as may be necessary to permit, construct and complete the project.

The City expects the permitting process will occur in accordance with New Hampshire RSA and both the City of Portsmouth's Zoning Ordinance and Site Plan Regulations. Therefore, it is the desire and expectation of the City that the selected developer will work collaboratively with the City to gain approval through the Site Plan Review Application process that includes the Technical Advisory Committee and Planning Board. This collaborative effort will expedite and simplify the permitting of a successful development.

The selected developer will also be required to gain all applicable permit approvals for the project at the Federal level, such as with the EPA for Notice of Intent for stormwater, and the State level, such as NHDES requirements for Alteration of Terrain permitting.

Zoning

The parcel is currently zoned Municipal. Section 10.560 in the City of Portsmouth, New Hampshire Zoning Ordinance states lots and buildings in the Municipal district are exempt from all dimensional and use. The City intends for the parcel to remain within the Municipal District designation and not be subject to rezoning. The parcel is also subject to the requirements of Section 10.670 Highway Noise Overlay District.

Community Engagement

The selected proposer is required to conduct a robust community outreach and engagement process as it develops and refines designs for the site. Respondents are to outline in their proposal a process that includes, at a minimum, methods and a timeline for community participation that includes listening sessions and charettes. The community engagement process shall include at least three public events to achieve a general consensus of the public on the development solution prior to application for tax credits and application to other federal, state and local permitting agencies. Respondents are to provide examples of previous community engagement experiences that led to successful housing development projects.

Rental Management

The respondent's development team must include a qualified and experienced property management entity. The RFP responses are to include a description of the management entity that will oversee the rental units and their criteria, such as daily accessibility by tenants and conformance to rental terms for meeting the successful respondent's proposed housing mix of below market rate units. Proposals that include non-

residential uses are to demonstrate the property management entity's ability to lease and administer those uses.

Diversity, Equity and Inclusion

The City is committed to advancing diversity, equity and inclusion. The City's statement on Nondiscrimination in City Contracts is as follows:

Any entity that enters into a contact for goods or services with the City of Portsmouth or any of its boards, agencies and departments and any recipient of City funds shall:

Implement an employment nondiscrimination policy prohibiting discrimination in hiring, discharging, promoting, or demoting, matters of compensation, or any other employment-related decision or benefit on account of actual or perceived race, ethnicity, color, religion, national origin, gender, disability, age, military status, sexual orientation, gender identity, gender expression, or marital or familial status.

Not discriminate in the performance of the contract on account of actual or perceived race, ethnicity, color, religion, national origin, gender, disability, age, military status, sexual orientation, gender identity, gender expression, or marital or familial status.

Traffic Study

The parcel subject of this RFP is located on Sherburne Road that is the only means of vehicular access to the Pannaway neighborhood on the other side of Interstate 95. Sherburne Road is accessed via Greenland Road a.k.a Route 33 that is an arterial road providing access to and from the City center, Interstate 95 and various nearby commercial, business and office destinations.

The successful development team will be required to conduct a traffic study by an independent professional traffic engineering firm in connection with their proposed development. This team will be required to collaboratively work with the City's Department of Public Works and potentially other transit-oriented entities to undertake remediation efforts outlined in the traffic study. It is anticipated that this collaborative effort will include providing or enhancing multi-modal transit options.

The development's vehicular parking needs and strategies to address them are to be shown and described in the requested development scenarios.

Quitclaim Deed

Refer to Exhibit C for a copy of the existing Quitclaim Deed for parcel 259-10.

Below Market Rate Housing Restriction

The LLA will require that parcel 259-10 be restricted with a perpetual affordable housing restriction. The specifics of that restriction will be further described and agreed upon between the City and the successful development team prior to finalizing the LLA.

Limitations and Exclusions

The City makes no representations or warranties, express or implied, as to the accuracy or completeness of the information provided in this RFP. This RFP, including all attachments and supplements is made subject to errors, additions, omissions, withdrawal without prior notice, and different interpretations of laws and regulation. The respondent assumes all risk in connection with the use of the information, and releases the City and its boards, commissions, committees, agents, employees, representatives and volunteers from any liability in connection with the use of the information provided by the City. Further, the City make no representation or warranty with respect to parcel 259-10, including without limitation, the City's title to parcel

259-10, the value, quality or character of parcel 259-10, or its fitness or suitability for any particular use and/or the physical and environmental condition of parcel 259-10.

Section VI: Proposal Elements

In addition to the requirements and conditions outlined in other sections of this RFP, the following information and supporting materials are to be submitted.

Development Team

The RFP proposal response must include a description of the development team, the individuals and organizations to be involved in the development, including the project manager, and the relevant experience of those parties. The development team may include, but not be limited to, the principal developer, property manager, architect, contractor, engineers, consultants, lenders and investors.

Proposals must include:

1. The name, address, e-mail address, and telephone number of the proposer; the name of any representative authorized to act on his/her behalf, and the name, title and contact information for the individual designated by the developer to receive all correspondence from the City.
2. Identification of the development team, such as architects, engineers, landscape designers, contractors, and other potential development consultants. In addition, provide background information, including firm qualifications and resumes for principals and employees expected to be assigned to the development.
3. Identification of all principals, partners, co-ventures or sub-developers participating in the transaction, and the nature and share of participants' ownership in the development.
4. If the proposer is not an individual doing business under their own name, a description of the firm and legal form and status of the organization (e.g., whether a for-profit, not-for-profit, a general or limited partnership, a corporation, LLC, LLP) and the jurisdictions in which it is registered to do business. If the proposer is a non-profit entity, please include a list of the organization's Board of Directors and areas of expertise they represent.
5. The ownership structure of the entity to enter into the LLA with the City and its relationship to any investors, lenders and guarantors of debt, if any, with the City of Portsmouth.
6. Identification of the person designated to be the property manager, if the property developer will also be the property manager. If this is not the case, state the legal and financial relationship between the entities and describe the process for securing property management services and criteria and minimal qualifications that will be used in selecting the property management firm.
7. Include a narrative regarding the proponent's approach to diversity and inclusion with their development team, and regarding their approach to implementing a housing development on Parcel 259-10.
8. Description of the organizational structure of the development team and a plan for the maintenance of effective communications between the City and the development team during all phases of the development.
9. Information regarding any legal or administrative actions past, pending or threatened that could relate to the conduct of the proposer, its principals or any affiliates.

10. Provision of third-party references for three completed residential or mixed-use use developments that included affordable housing. Provide contact names, title and current telephone numbers of those who can provide information to the City Manager concerning the proposer's experience with similar developments.

Development Scenarios

The proposal must include written and graphic description of proposed housing redevelopment of the parcel that includes, but is not limited to, the following:

1. Development Scenarios: A conceptual site plan showing redevelopment of the parcel with all or a portion of the existing school to remain, and a conceptual site plan showing a redevelopment of the parcel with the existing school removed. The conceptual site plans are to show, at a minimum, parking layout, building footprints, as well as associated site improvements.
2. Housing Unit Programing: Narrative outlining the number and size of units (number of bedrooms) with affordability levels for each of the development scenarios. Included in this narrative is why and how the mix of bedroom sizes and affordability was determined to ensure development financial feasibility and appropriateness for the local housing marketplace.
3. Site Development Narrative: Narrative for each development scenario that includes discussion, at a conceptual level, architectural character of the development, various programmatic and physical elements of building design, and site design with details on how the proposed housing development scenarios will accommodate the site, surrounding neighborhood, and character of the City.
4. Development Pro Forma: Overview of the anticipated financials for each development scenario including opinions on soft costs, hard costs, and fees using previous project experience in securing funding. Describe what local, state or federal and/or private subsidy or grant money, tax credits or other incentives will be sought to create affordability, as well as private sources of lending or financing, and the timeline for securing those sources.

Management Plan

Provide a housing management plan summary that considers the following:

1. Target Market: Description of the proposed development's intended strategy for rental pricing, marketing and potential lottery or other tenant selection process.
2. Resident Selection: Narrative on how the potential development will work to ensure a fair and equitable selection process for the housing units, such as with a lottery. Narrative to include an overview of criteria for tenant selection and describe a fair and unbiased selection process. Proposals may include a lottery agent as part of the development team.
3. Rental Assistance: Experience with project-based rental assistance that includes ability and commitment to utilize appropriate stated standards to determine program and unit eligibility.
4. Local Preference: Understanding of the local preference opportunities and requirements, and how their resident selection process will address local needs.
5. Monitoring: Ability and commitment to maintain all necessary reports and certifications required under state and federal law.

Implementation Plan and Timeline

The proposal must include a description of how the winning development team will implement their housing development effort. This description is to include, at a minimum, anticipated schedule for all elements of the development effort including key milestones, financing benchmarks, timeline of the community engagement process, achieving permitting approvals from local, state and other governmental and regulatory entities, and projected completion/occupancy timeframes.

Section VII: Submission and Selection Criteria

At a minimum, proposers must submit all materials requested in accordance with this request for proposal. Proposers who meet these minimum criteria will have their proposals reviewed. Proposals that do not clearly and fully convey compliance with these minimum criteria will not be considered. Meeting minimum requirements does not mean that a respondent's proposal bid will be selected.

Selection Process

The City will review all proposals received by the submission deadline and evaluate based on the criteria outlined herein. The City, in consultation with a Selection Committee assigned by the City Manager, will select the developer it determines has presented the most advantageous proposal from evaluation of the proposals based on the criteria set forth below, along with any interviews, references, or additional information requested and/or gathered by the City.

The City reserves the right to select the proposal that best meets the needs of the community and that may not be the proposal that achieves the highest score.

The City will notify all proposers in writing of the City's selection decision. The winning development team will meet with the City Council prior to entering into negotiations.

Selection Criteria

The City believes that the selection of the most qualified development team requires comparative evaluation of the submitted proposal responses. The City, in consultation with a Selection Committee assigned by the City Manager, shall determine a composite rating for each proposal received, based upon the evaluation criteria set forth below.

Site and Building Design

Proposal responses are to provide two development scenarios as described in Section VI. These scenarios are to include project narratives that describe the design approach taken for each to create a vibrant housing development that is high-quality, livable, durable and sustainable. Evaluation will use a ranking system comprised of numbers 1 thru 5 with the number 1 being the proposal provides the least amount of information and minimal amount of site and building concept to represent their proposed housing development, with 5 being the proposal provides detailed and reasonable conceptual information.

Selection Criteria – Scenario with Sherburne School Remaining	Scoring (1 Lowest to 5 Highest)
Narrative describes a high value and quality design that will reflect and be compatible with the existing architecture and character of the neighborhood and City.	
Multiple smaller scale buildings rather than a large, single structure.	
Narrative that describes building types with "universal access" design.	

Scenario shows a design concept that include lifestyle amenities of high that will benefit residents and create indoor and outdoor community spaces and facilities that will support a vibrant community.	
Narrative describes building(s) configuration that accommodates a variety household sizes and income.	
Description of how site design will facilitate efficient, safe traffic and pedestrian flow and emergency access for public safety officials.	
Description of how site design and layout will handle exterior lighting to enhance safety while dark sky compliant to minimize light.	
Description of how site design and layout will handle exterior lighting to enhance safety while dark sky compliant to minimize light pollution.	
Sustainable and green building elements are considered.	

Selection Criteria – Scenario with Sherburne School Removed	Scoring (1 Lowest to 5 Highest)
Narrative describes a high value and quality design that will reflect and be compatible with the existing architecture and character of the neighborhood and City.	
Multiple smaller scale buildings rather than a large, single structure.	
Narrative that describes building types with "universal access" design.	
Scenario shows a design concept that include lifestyle amenities of high that will benefit residents and create indoor and outdoor community spaces and facilities that will support a vibrant community.	
Narrative describes building(s) configuration that accommodates a variety household sizes and income.	
Description of how site design will facilitate efficient, safe traffic and pedestrian flow and emergency access for public safety officials.	
Description of how site design and layout will handle exterior lighting to enhance safety while dark sky compliant to minimize light pollution.	
Sustainable and green building elements are considered.	

Cost, Budget, and Financial Feasibility:

Proposals are to include an overview of the anticipated financials for each development scenario with respondents providing a description of financing sources used in past projects. Evaluation will use a ranking system comprised of numbers 1 thru 5 with the number 1 being the proposal provides the least amount of information and minimal amount of financial analysis for the proposed housing development, with 5 being the proposal provides detailed and reasonable information relative to the proposed housing development.

Selection Criteria	Scoring (1 Lowest to 5 Highest)
Demonstrated experience in financing affordable / workforce / below market rate housing developments, especially as rental only.	

Applicants demonstrate experience in successfully estimating anticipated project costs.	
Anticipated financing sources likely to be used in this project.	
Sources and uses pro-forma demonstrates financial feasibility of proposed development and operating budgets.	
All units are affordable with affordability ranges from 30% to 100% AMI for the Portsmouth-Rochester, NH HMFA.	
Provides a clear analysis of the levels of affordability, the mix of units, and the income levels to be served.	

Property Management

Proposal responses are to provide a housing management plan summary that considers the proposed developments marketing and tenant selection process. Evaluation will use a ranking system comprised of numbers 1 thru 5 with the number 1 being the proposal provides the least amount of information and minimal amount of explanation on how the property will be managed, with 5 being the proposal provides detailed and reasonable information relative to the management of proposed housing development.

Selection Criteria	Scoring (1 Lowest to 5 Highest)
Plan specifying who will manage the property (the owner or a property management firm) and the applicant's relationship with the property manager (if it is not the applicant).	
Property manager will be onsite with a dedicated office.	
The property manager has experience and a strong track record managing all affordable developments of comparable size.	
Applicant has a clear plan describing how the building will be operated, including tenant selection, ongoing monitoring, maintenance and tenant issues.	

Community Engagement

Proposal responses are to provide a community engagement outlines a robust community outreach and engagement process includes, at a minimum, methods and a timeline for community participation that includes listening sessions and charettes. The community engagement process shall include at least three public events to achieve a general consensus of the public on the development solution. Evaluation will use a ranking system comprised of numbers 1 thru 5 with the number 1 being the proposal provides the least amount of information regarding engagement with the community, with 5 being the proposal provides a comprehensive description of the methods and process of a robust effort to outreach and engage stakeholders and community at large.

Selection Criteria	Scoring (1 Lowest to 5 Highest)
Community outreach and engagement efforts describe a process that complements the respondent's development project timeline	
Described community outreach and engagement process is robust and considers a comprehensive list of stakeholders	

Provides a reasonable timeline with specific goals, deadlines and deliverables, and clear sequence of meetings.	
Examples of previous community engagement experiences	

Implementation Plan and Timeline

The proposal must include a description of how the housing development solution, developed in part from the community outreach and engagement effort, will be implemented. This description is to include, at a minimum, anticipated schedule for all elements of the development effort including key milestones, financing benchmarks, timeline of the community engagement process, achieving permitting approvals from local, state and other governmental and regulatory entities, and projected completion/occupancy timeframes. Evaluation will use a ranking system comprised of numbers 1 thru 5 with the number 1 being the proposal provides the least amount of information regarding the development’s potential timeline from notice of award to project close out of the development, with 5 being the proposal provides a clear and succinct timeline from notice of award to project close-out stages of the development.

Selection Criteria	Scoring (1 Lowest to 5 Highest)
Provides a timeline that reflects an understanding that time is of the essence by establishing a sequence of specific goals, milestones, and deliverables.	
Examples of previous development timelines.	

Exhibit A

Applicant Certification

The Applicant hereby certifies that:

1. The applicant has not given, offered, or agreed to give any gift, contribution, or offer of employment as an inducement for, or in connection with, the award of contract for these services.
2. No consultant to, or subcontractor for the applicant has given, offered, or agreed to give any gift, contribution, or offer of employment to the applicant, or, to any other person, corporation, or entity as an inducement for, or, in connection with, the award to the consultant or subcontractor of a contract by the applicant.
3. That no person, corporation, or, other entity, other than a bona fide full-time employee of the applicant has been retained or hired to solicit for or in any way assist the applicant in obtaining the contract for services upon an agreement or understanding that such person, corporation, or entity be paid a fee or other compensation contingent upon the award of the contract to the applicant.

I hereby attest with full knowledge of the penalties for perjury, that all information provided in this application for services is correct.

Executor (Printed)

Executor (Signature)

(Title)

(Name of Firm)

(Address)

(Date)

Exhibit B

Proposal Signature Page

RFP #09-25 Below Market Rate Housing Development at 35 Sherburne Road Proposal

Company Name

Contact Person (*please print*)

Street

Phone

City, State, Zip

Email

Submits the attached Proposal to the City of Portsmouth, on the authority of the undersigned and as dated below. I confirm and pledge to abide by and be held to the requirements of this RFP and its resulting Land Lease Agreement, to perform any tasks and deliver any documents required.

Proposer acknowledges receipt of the following addenda*

- | | |
|----------|----------|
| 1. _____ | 2. _____ |
| 3. _____ | 4. _____ |

Individual or Authorized Agent of the Contractor

Name (Signature)

Name (Printed)

Title

Date

Form must be signed by a duly authorized officer(s) eligible to sign contract documents for the respondent firm, joint ventures, or teams submitting proposal. Proposals will not be considered responsive unless it is established that all contractual responsibility rests solely with one contractor or one legal entity. The Proposal must indicate the responsible entity.

* to be filled in by proposer, if addenda are issued.

Exhibit C
Quitclaim Deed

MAY 22 11 09 AM '81

1017

KNOW ALL MEN BY THESE PRESENTS, That We, WILLIAM F. WIETING of York Harbor in the County of York and State of Maine, HAROLD H. HOEFLE, JR. of New Castle, CHIEN-MIN CHEN of Rye, JAMES E. CAVANAGH, JR. of Portsmouth, GERALD B. SHATTUCK of Portsmouth and PAUL A. TESSIER of Portsmouth all in the County of Rockingham and State of New Hampshire, d/b/a Portsmouth Associates, for consideration paid, grant to THE CITY OF PORTSMOUTH a municipal corporation organized under the laws of the State of New Hampshire, Rockingham County, with WARRANTY COVENANTS,

A certain tract or parcel of land situate on the Northerly side of Greenland Road in Portsmouth and more particularly bounded and described as follows:

Commencing at a point in the Northeasterly sideline of Sherburne Road, so-called, at the Southernmost corner of the lot whereon the Sherburne School, so-called, is situated; thence running N 58° 23' 30" E a distance of Four Hundred Thirty-nine and Fifty-six Hundredths feet (439.56), more or less, to a point; thence turning and running S 6° 31' W Two Hundred Forty-two and Thirty Hundredths feet (242.30), more or less, bounded Easterly by other land of the Grantors herein to a point; thence turning and running N 74° 38' W bounded Southerly by land now or formerly of Charles Paisley, One Hundred Fifty feet (150.00), more or less, to a point; thence turning and running S 6° 31' W bounded Easterly by land now or formerly of Charles Paisley One Hundred Ninety feet (190), more or less, to an iron pin in the Northerly sideline of Greenland Road, so-called; thence turning and running along said Northerly sideline of Greenland Road N 74° 38' W Forty-one and Twenty Hundredths feet (41.20); thence continuing by a curve to the right having a radius of One Hundred Sixty feet (160.0) a distance of One Hundred Twenty-one and Fifty-nine Hundredths feet (121.59), more or less; thence continuing N 31° 5' 30" W along the Northeasterly sideline of Sherburne Road, so-called, a distance of Eighty-nine and Sixty-nine Hundredths feet (89.69), more or less, to the bound begun at.

Said parcel containing by estimation Fifty-nine Thousand Five Hundred Eighty-one square feet (59,581), more or less.

Being a portion of the premises conveyed to the within grantors by deed of Kenneth H. Paisley and John E. Paisley dated August 17, 1973, and recorded in the Rockingham County Registry of Deeds, Book 2209, Page 0508, 0509.

And we, Amey P. Wieting, wife of William F. Wieting, and Marjorie L. Hoefle, wife of Harold H. Hoefle, Jr., and Saun Fong Chueng Chen, wife of Chien-Min Chen, and Elizabeth B. Cavanagh, wife of James E. Cavanagh, Jr., and Mary D. Shattuck, wife of Gerald B. Shattuck, and Suzanne Tessier, wife of Paul A. Tessier, release to said Grantee all rights of

dower and homestead and other interest therein.

1975. WITNESS our hands and seals this 23^d day of May

WITNESS:

Roy P. Blanchard
to
all
signatures

William F. Wieting
Amey P. Wieting
Harold H. Hoefle
Marjorie L. Hoefle
Chien-min Chen
Saun Fong Cheng Chen
James E. Cavanaugh
Elizabeth B. Cavanaugh
Gerald B. Shattuck
Mary D. Shattuck
Paul A. Tessier
Suzanne Tessier

State of New Hampshire
Rockingham, ss

23^d May, 1975

Personally appeared the above named WILLIAM F. WIETING, AMEY P. WIETING, HAROLD H. HOEFLE, JR., MARJORIE L. HOEFLE, CHIEN-MIN CHEN, SAUN FONG CHUENG CHEN, JAMES E. CAVANAGH, JR., ELIZABETH B. CAVANAGH, GERALD B. SHATTUCK, MARY D. SHATTUCK, PAUL A. TESSIER and SUZANNE TESSIER and acknowledged the foregoing instrument to be their voluntary act and deed, Before me,

Roy P. Blanchard
Justice of the Peace/Notary Public

KNOW ALL MEN BY THESE PRESENTS

That we, KENNETH H. PAISLEY of Kittery in the County of York and State of Maine and JOHN E. PAISLEY of Portsmouth in the County of Rockingham and State of New Hampshire, for consideration paid, grant to WILLIAM F. WIETING of York Harbor in the County of York and State of Maine, HAROLD H. HOEFLE, JR. of New Castle, CHIEN-MIN CHEN of Rye, JAMES E. CAVANAGH, JR. of Portsmouth, GERALD E. SHATTUCK of Portsmouth and PAUL A. TESSIER of Portsmouth all in the County of Rockingham and State of New Hampshire, d/b/a Portsmouth Associates, with WARRANTY COVENANTS,

A certain tract or parcel of land situate on the Northerly side of Greenland Road in Portsmouth and more particularly bounded and described as follows:

Beginning at a stone bound in the Northerly side of Greenland Road at the Southeastly corner of said premises at the Westerly sideline of Borthwick Avenue so-called and thence running by the Northerly sideline of Greenland Road North 69° 51' West 326.43 feet and North 73° 15' West 168.35 feet to an iron pipe in the ground in the Easterly sideline of land of Harriett Paisley; thence running North 6° 31' East 190.00 feet by said land of said Paisley to an iron pipe in the ground; thence turning and running North 74° 38' West 150.00 feet by said land of said Paisley to an iron pipe in the ground; thence turning and running South 6° 31' West 190.00 feet to an iron pipe in the ground in the Northerly sideline of Greenland Road, said pipe being located North 74° 38' West 150.00 feet from the Southeastly corner of said land of said Paisley; thence continuing North 74° 38' West by the Northerly sideline of Greenland Road 41.20 feet to a point; thence continuing on an arc to the right having a radius of 160.00 feet; 121.59 feet by said Greenland Road and Sherburne Road; thence continuing North 31° 5' 30" West by said Sherburne Road 89.69 feet to the Southeastly sideline of land of the City of Portsmouth, known as the Sherburne School Lot; thence turning and running North 58° 23' 30" East by the fence by the said land of the Sherburne School 599.72 feet to a corner at land of Consolidated Foods Corporation; thence turning and running South 83° 47' East by said land of Consolidated Foods Corporation 358.50 feet to a corner; thence turning and running South 2° 48' West 604.07 feet by land of Chadwick & Trefethen, Inc. to a point in the Northwesterly sideline of Borthwick Avenue; thence turning and running South 54° 16' West by the Northwesterly sideline of Borthwick Avenue 95.40 feet to the stone bound in the Northerly side of Greenland Road at the point of beginning.

Being a portion of the premises devised under the will of Albert G. Hunt late of said Portsmouth deceased as will more fully appear from the records on file in Rockingham County Registry of Probate.

And we, Theodora H. Paisley, wife of Kenneth H. Paisley and Nellie E. Paisley, wife of John E. Paisley, release to said Grantees all rights of dower and homestead and other interest therein.

WITNESS our hands and seals this 17 day of August, 1973.

WITNESS:

Theodora H. Paisley
Elizabeth Wiggs
Theodora H. Paisley
 to hold

Kenneth H. Paisley
Theodora Paisley
John E. Paisley
Paul A. Paisley

Aug 22 4 10 PM '73

REGISTRY OF DEEDS
 COUNTY OF ROCKINGHAM

1973



2209-0509

STATE OF NEW HAMPSHIRE

Rockingham, SS.

Aug. 17 . 1973

Then personally appeared the above named KENNETH H. PAISLEY, THEODORA H. PAISLEY, JOHN E. PAISLEY and NELLIE E. PAISLEY and acknowledged the foregoing instrument to be their voluntary act and deed, before me,



Justice of the Peace

Notary Public

CITY OF PORTSMOUTH NH



August 22, 2024

Portsmouth NH Department of Public Works Hosts Household Hazardous Waste Collection Day on September 14, 2024

Portsmouth, New Hampshire – The City of Portsmouth Department of Public Works will hold its biannual Household Hazardous Waste Collection Day on Saturday, September 14, 2024 at the Public Works facility at 680 Peverly Hill Road. Residents of Portsmouth, Greenland and Newington are encouraged to bring household chemicals for safe disposal between 8 am and 12 noon.

Collection Day is organized as a drive-through service. Residents remain in their vehicles and pull through the Public Works garage, where staff will remove disposable items from car trunks. Residents will be asked to show proof of residency for survey purposes, in compliance with EPA requirements.

Household hazardous waste collection helps safely dispose of items that can harm residents' health, the environment and drinking water supplies.

Items that qualify for collection include the following:

- From the yard: fertilizer with pesticides or fungicides, insect spray, lighter fluid, pest strips/traps, pesticides, poisons, and pool chemicals;
- From the garage: acids, car waxes/polish, creosote, driveway sealer/tar, flea powder, gasoline, radiator fluid, and roofing tar;
- From the house: bathroom cleaner, disinfectants, furniture polish, metal polish, mothballs, oven cleaner, photo chemicals, rug cleaner, and wood strippers; and
- From the workbench: brush cleaner, corrosives, lead and oil-based paint/stain/finish, rust preventive solvents, thinner/turpentine, and wood preservatives.

Items that do NOT qualify include:

- Empty containers for household items, which may be disposed of in the regular trash collection;
- Explosives;

- Asbestos;
- Medical waste; or
- Latex paint. To prepare latex paint for regular disposal at the Recycling Center, solidify the paint by adding kitty litter, sawdust or SpeediDri; or open the can to allow the liquid to dry out before disposal.

For more information on Household Hazardous Waste Collection Day, visit:

<https://portsnh.co/hazwaste>.