

CITY OF SOMERSWORTH CITY COUNCIL MEETING

AGENDA FOR MAY 7, 2018

6:15pm – Workshop – School Department FY2018 Budget Update

6:45pm – Public Hearings - **Ordinance No. 9-18** Amending Chapter 19, Zoning Ordinance, Section 25, Definitions, and Adding New Section 19.24, Accessory Dwelling Units

7:00pm – City Council Meeting

1. Roll Call of Members
 2. Pledge of Allegiance
 3. Minutes of Previous Meetings
 - A. Minutes of the Goal Setting Session held on March 24, 2018
 - B. Minutes of the Public Hearing on Ordinance No. 6-18 Amending Chapter 4, Personnel Rules & Regulations, Appendix 1, Assignment of Class to Grade Police Lieutenant Labor Grade and Police Captain Labor Grade held on April 16, 2018
 - C. Minutes of the Public Hearing on Ordinance No. 7-18 Amending Chapter 4, Personnel Rules & Regulations, Section 11. Wages and Benefits, by Adding Section 11.4.6, Meal Allowance held on April 16, 2018
 - D. Minutes of the Public Hearing on Ordinance No. 8-18 Supplemental Appropriation for Technology Improvements at Various Somersworth Schools held on April 16, 2018
 - E. Minutes of the Public Hearing on Resolution No. 28-18 Change the Purpose of the Hilltop Rehabilitation Capital Reserve Fund in Accordance with RSA 34:11 and Establish a Capital Reserve Fund for the Purpose of Improvements, Reconstruction or Rehabilitation of City Parks and City Park Facilities held on April 16, 2018
 - F. Minutes of the CITY COUNCIL MEETING held on April 16, 2018
 4. Comments by Visitors
 5. Comments by Councilors
 6. Communications
 - A. Special City Legal Counsel - Attorney Mark Beliveau: Superfund Landfill Closure & Solar Project Updates
 7. Presentation of Petitions and Disposal Thereof by Reference or Otherwise
 8. Mayor's Report
 9. Reports of Standing Committees
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10. Reports of Special Committees, City Officers and City Manager

11. Nominations, Appointments and Elections

A. City Council, Ward 5, with term to expire September 2018:

- a. Richard Michaud
- b. David McNicholas

B. The Following Will Require Council Confirmation Vote:

- a. Patty Roberge LaHoullier, Re-Appointment as a member of the Board of Assessors, with a term to expire, May 2021
- b. Philip Munck, re-appointment as a member Board of Assessors, with a term to expire, May 2021
- c. Jeremy Rhodes, re-appointment as a member of the Planning Board, with a term to expire, May 2021
- d. George Poulin, re-appointment as a member of the Historic District Commission, with a term to expire, May 2021
- e. Laura Barry, re-appointment as a member of the Historic District Commission, with a term to expire, May 2021
- f. David McNicholas, from Alternate member to Full member of the Historic District Commission, with a term to expire, May 2021
- g. Brad Fredette, appointment as an Alternate member of the Zoning Board of Adjustment, with a term to expire, May 2021
- h. Shawn Kinneavy from Alternate member to a Full member of the Zoning Board of Adjustment, with a term to expire, May 2021
- i. Steve Goff, re-appointment as a Trustees of the Trust Fund, with a term to expire, May 2021
- j. Larry Hamilton, as a member of the Conservation Commission, with a term to expire, May 2021

12. Lay on Table

For Council Confirmation Vote:

- A. Shanna Saunders, as the City representative to the NH Southeast Watershed Alliance, with a term to expire in May 2021
- B. Paul Robidas, re-appointment as a Member of the Planning Board, with a term to expire April 2021

13. Unfinished Business

ORDINANCES

- A. **Ordinance No. 9-18** Amending Chapter 19, Zoning Ordinance, Section 25, Definitions, and Adding New Section 19.24, Accessory Dwelling Units

14. New Business

RESOLUTIONS

- A. **Resolution No. 33-18** To Amend City Council Rules and Regulations

OTHER

- A. Vote to Authorize the Finance Committee, Indefinitely until Rescinded, to Offer for Sale, Tax Deeded Properties by Auction, Sealed Bid, or Otherwise as Justice may require pursuant to RSA 80:80
- B. Discuss a Proposed City Charter Amendment to the Section entitled, Changes to Ward Boundaries (Article 1.4), as recommended by the Government Operations Committee, and Vote to Send to the September 11, 2018 Ballot
- C. Vote to Waive Excavation Moratorium on Whitehouse Road for Unutil (City Ordinance Ch. 12, Section 12.1, MORATORIUM PERIOD, for roads that have been overlaid, the moratorium shall be (3) years)

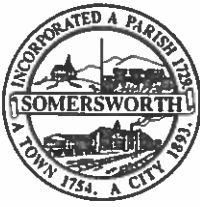
15. Comments by Visitors

16. Closing Comments by Council Members

17. Future Agenda Items

18. Nonpublic Session (as necessary, pending roll call vote by Council)

19. Adjournment



City of Somersworth – Ordinance

Ordinance No: 9-18

AMENDING CHAPTER 19, ZONING ORDINANCE, SECTION 25, DEFINITIONS, AND ADDING NEW SECTION 19.24, ACCESSORY DWELLING UNITS

April 16, 2018

THE CITY OF SOMERSWORTH ORDAINS THAT the Ordinances of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 19, Zoning Ordinance, Section 25. Definitions, Subsection Z. Dwelling Unit, by deleting it in its entirety and replacing it with the following:

Section 19.25.Z. DWELLING UNIT. A single unit, structure or portion thereof, providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

- a. Dwelling, Single-family. A building and accessories thereto principally used, designed or adapted as a single dwelling unit.
- b. Dwelling, Two-family. A building and accessories thereto principally used, designed or adapted with two dwelling units of similar proportions, the living quarters for each of which are completely separate. **This does not include Accessory Dwelling Units**
- c. Dwelling, Multi-family. A building and accessories thereto principally used, designed or adapted with three or more dwelling units, each of which has separate living quarters.
- d. Dwelling unit, Accessory - An “accessory dwelling unit” means a residential living unit that is within or attached to a single-family dwelling and that provides independent living facilities for one or more persons, including provisions for sleeping, eating, cooking, and sanitation on the same parcel of land as the principal dwelling unit it accompanies.

And, further amend Chapter 19, Zoning Ordinance by adding a new Chapter 24, Accessory Dwelling Units, as follows:

Section 19.24 Accessory Dwelling Units

This section is enacted in accordance with the provisions of RSA 674:71 – 73 and RSA 674:21 and serves to increase housing alternatives while maintaining neighborhood aesthetics and quality. To that end, attached accessory dwelling units (ADU) are permitted on any property containing an owner-occupied single-family dwelling, provided that the applicant meets the criteria set forth below:

- a) A maximum of one (1) ADU per property is permitted on property located in zoning districts that allow single-family dwellings and must be located within or attached to the principal single-family dwelling unit or attached or detached garage. “Attached” does not include via the use of a breezeway.

b) The ADU is contained within or will be an addition to an existing or proposed single family detached dwelling;

c) Exterior alterations, enlargements, or extensions of the Single-Family Dwelling are permitted in order to accommodate the ADU. However, no such change is permitted which would alter the appearance of the Single-Family Dwelling to look like a duplex or any other multifamily structure (i.e., the house should not look like it was designed to house more than one family). The construction of any exterior accessways which are required for access to the ADU shall be located to the side or rear of the building whenever possible. The ADU shall also be designed to remain functionally dependent on the Single-Family Dwelling and shall not have provisions for separate utilities, garages, driveways, and other similar amenities;

d) The ADU shall contain no more than two bedrooms;

e) The ADU shall not exceed 800 square feet in area;

f) The ADU shall be connected internally to the Single-Family Dwelling;

g) The property owner must occupy one of the two dwelling units;

h) One approved, off-street parking space for the ADU shall be provided in addition to any parking for the Single-Family Dwelling;

i) The Single-Family Dwelling, ADU, and lot shall not be converted to a condominium or any other form of legal ownership distinct from the ownership of the single family dwelling. In order to assure compliance with this requirement, the property owners at the time the ADU is established shall be required to execute a restrictive covenant running in favor of the City, which shall be recorded in the Strafford County Registry of Deeds and a copy provided to the Department of Development Services and the Assessor prior to the issuance of a Certificate of Occupancy; and

j) Where municipal sewer service is not provided, the septic system shall meet NH DES Water Supply and Pollution Control Division requirements for the combined system demand for total occupancy of the premises.

k.) A certificate of use issued by the Planning Department is required to verify conformance with the preceding standards. Said certificate shall be renewed annually. The applicant shall remit a non-refundable filing fee of \$75.00 at the time the completed application is filed Applications to renew the certificate of use shall be due by January 1st following the date of approval of the certificate of use and then by every January 1st thereafter for so long as the ACCESSORY DWELLING UNIT continues. Fees shall be levied as set forth in the City of Somersworth Fee Schedule, as amended annually, for ACCESSORY DWELLING UNIT certificates of use and renewals.

Authorization	
<i>Sponsored by Councilor:</i> David A. Witham	<i>Approved:</i> City Attorney



City of Somersworth – Resolution

Resolution No: 33-18

TO AMEND COUNCIL RULES AND REGULATIONS

May 7, 2018

WHEREAS, the Council Rules and Regulations have been reviewed by the Government Operations Committee as amended, and

WHEREAS, the Government Operations Committee are recommending the Council Rules and Regulations, as amended, be further amended as follows:

Amend Section 2, Presiding Officer, by adding the following:

C. The Mayor, or the Acting Mayor if appropriate, shall approve the Council Meeting Agenda to include the scheduling of Agenda Items to be placed onto the Consent Calendar. The City Manager will be available to assist in the setting of the Council Agenda to include the Consent Calendar.

D. Consent Calendar

1. Items may be placed upon the Consent Calendar if such items have been identified during agenda setting to be routinely approved without discussion or debate, such as prior meeting minutes.
2. The Consent Calendar shall be voted upon as one item unless an item is removed prior to voting. The Presiding Officer shall inquire and any Council Member may request that an item be removed prior to the voting.
3. Removed items will be addressed individually immediately following voting upon the Consent Calendar. All items remaining on the Consent Calendar will be collectively approved by a vote of the Council.

Amend Section 7, Order of Business, as follows:

Strike: “Minutes of Previous Meetings” under Number 3. and replace with “Public Hearings”,

Insert: “Consent Calendar” under Number 5.,

Re-number the following order of business accordingly

Amend Section 8, Filing with Clerk, by deleting:

It shall be the duty of the Police Department to deliver said agenda items by hand in an expeditious manner upon receipt of the material from the City Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the Council Rules and Regulations are amended effective upon passage of this resolution.

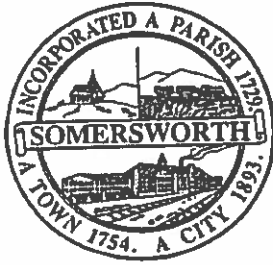
Authorization

Sponsored by:

Martin P. Dumont, Sr.
Nancie Cameron
Edward Levasseur

Approved:

City Attorney



City of Somersworth
Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: Brad Fredette
Telephone: 603-534-0125 Email: Fredette.brad@gmail.com
Residence Address: 3 Blackwater Rd
Mailing Address (if different): _____
Resident of Somersworth for 12 Years Ward 3
Registered Voter: Yes No _____
Education Level: Bachelor of Arts

Please list any organizations, groups, or other committees you are involved in:

I am interested in serving on the following Board, Commission or Committee (s):

ZBA

I would be happy to discuss other, additional opportunities

My Background or Interests are: History, Education, Real Estate,
and Business Management

over



I have served on the following Committee (s) in the past: N/A

Would you be able to commit to attending all meetings? Yes No

By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: Burley Hill

Date: 2/20/18

**Please submit application to:
City Clerk's Office
City Hall, One Government Way
Somersworth, NH 03878**



City of Somersworth
Boards, Commissions & Committee Application

Instructions: Please complete all information.

Name: LARRY HAMILTON
Telephone: 203-219-0681 Email: LARRY@M-7.CC
Residence Address: 60 SUNNINGDALE DRIVE
Mailing Address (if different): _____
Resident of Somersworth for 4 ^{MONTHS} ~~Years~~ Ward: _____
Registered Voter: Yes No
Education Level: BACHELOR'S DEGREE

Please list any organizations, groups, or other committees you are involved in:
PATRIOT GUARD RIDERS, PORTSMOUTH POW/MIA VIGIL,
AMERICAN SOCIETY FOR QUANTITY (ASQ)

I am interested in serving on the following Board, Commission or Committee (s):

CONSERVATION COMMISSION

My Background or Interests are: IN CONNECTICUT - PRESIDENT OF HUMAN
RESOURCES COMMITTEE FOR NORWALK CHAMBER OF COMMERCE,
MEMBER OF AD HOC COMMITTEE FOR WETLANDS PRESERVATION



I have served on the following Committee (s) in the past: NOTHING IN SOMERSWORTH

Would you be able to commit to attending all meetings? Yes No

By submitting this Application you understand that:

1. This application is for consideration and does not mean you will necessarily be appointed to this Board/Commission; and
2. The Mayor will review your application, may contact you, check your references, and determine any potential conflict of interests; and
3. This application will be forwarded to the City Council for consideration.
4. Application will be kept on file for one (1) year from date of receipt.

Signature: *Sandra J. Havelto*

Date: 03-14-2018

Please submit application to:
City Clerk's Office
City Hall, One Government Way
Somersworth, NH 03878

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APR 23 2018

CITY CLERK



**279 High St Somersworth, NH
603.841.5488**

**Somersworth City Council
% Office of the City Clerk
Town Hall
1 Government Way Somersworth, NH**

**Letter of Interest
Position of Ward 5 City Councilor**

To the Esteemed Members of the Council of the City of Somersworth,

Thank you for taking the time to read this brief letter. My name is David McNicholas. I have been a resident of Somersworth at 11 Lee St since December of 2016. I am registered to vote in our city. I am writing to express interest in serving the people of Somersworth as a city councilor for ward five. Some of my notable qualifications are described in the following paragraphs.

I have experience as a small business owner, and have operated from a prominent location in Somersworth since November 2017. I have experience in project management from a construction perspective. I served on the Board of Directors for Families First in Portsmouth, NH for three years between 2011 and 2014. I am a member of the Chamber Collaborative of Greater Portsmouth and regularly attend functions where I come into contact with other community leaders.

I work well in a team setting. Listening and hearing the concerns people have is part of my job as a contractor. Public safety, economic growth, civic development, and historic preservation are among my professional interests. Personal growth has been my focus for the better part of a decade. My personal interests include rock and roll music, cooking in my kitchen, my relationships, and the ever rotating roster of betta fish in my bowl.

Thank you once again for your consideration.

Sincerely,

David McNicholas

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293 Main Street,
Somersworth,
NH, 03878

20th April 2018

Dear Mayor Hilliard and Somersworth City Council,

I was surprised to hear that Councilor Denis Messier has stepped down. He has done a great job for both Ward 5 and the city of Somersworth.

I would at this time like to express my interest in the ward 5 city council seat and am asking for your consideration.

I have lived in Ward 5 my entire life and I would like to continue the work that Denis has been doing to improve both ward 5 and the city of Somersworth.

I am currently serving on the Somersworth Cultural Commissions, The Plaza Commission and the vice chair of the 125th commission. I am also currently serving on the Tri City Mayor's Task Force on homelessness.

I recently retired from the Portsmouth Naval Shipyard having served for thirty eight and a half years. At the time of my retirement I held the position of Stand In Supervisor for the sheet metal main shop on the base.

It is now time for me to begin a new chapter in my life. I would like the opportunity to help Somersworth become one of the most desirable communities on the Seacoast by serving as Ward 5 councilor.

Thank you for your careful consideration in this matter,

Respectfully,



Richard R. Michaud.

293 Main Street,
Somersworth,
NH, 03878

2nd May 2018

Dear Mayor Hilliard and Somersworth City Councilors,

I would like to extend my sincerest apologizes for not being able to address the council this evening.

I had made plans to be away at this time before Councilor Messier made his decision to step down from his position as Ward 5 Councilor.

At this time, I would like to express my interest in that position once more.

I have enjoyed speaking with you all over the past two weeks on this issue. Thank you all for your suggestions and advice which is deeply appreciated.

Thank you for you careful consideration in this matter,

Respectfully,

A handwritten signature in cursive script that reads "Richard R. Michaud".

Richard R. Michaud.