



CITY OF PORTSMOUTH

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Memorandum

Date: July 3, 2023

To: Karen S. Conard, City Manager

From: Suzanne M. Woodland, Deputy City Manager / Regulatory Counsel
Peter Rice, Public Works Director
Trevor McCourt, Deputy City Attorney

Re: 1 Congress Street Requests

Submitted for consideration at the July 10th City Council Meeting is correspondence and related documentation from McNabb Properties regarding proposed improvements to High Street, Ladd Street and Haven Court. For purposes of clarity, this staff memorandum provides further information and recommended steps.

McNabb Properties has received all necessary land use approvals for the redevelopment of its property at 1 Congress Street. As part of those approvals, there is associated and necessary utility and streetscape work which the City considers to be in the ordinary course, as set forth below under Section A.

Under Section B is the additional work proposed by the developer to add aesthetic improvements and amenities to the public areas adjacent to 1 Congress, including Ladd Street, High Street and Haven Court, along with staff's comments.

Staff have had several meetings with the Developer's representatives and described below is our perspective on the various requests.

A. 1 Congress Street –Utility & Streetscape Enabling Work

The following table shows enabling work that has been identified to provide services to the proposed project. The actual design and sequence of construction shall be approved by the City’s Department of Public Works prior to start of work. As is the City’s ordinary policy, excavation fees are waived for the work associated with improvements that become City infrastructure because these improvements directly benefit the City.

License fees will be calculated for encumbrance of City properties not associated with City infrastructure improvements. For example, the duration of sidewalk encumbrance for laydown or staging to construct the new building will go towards the license fee, as opposed to the time it takes to restore of the sidewalk which will not. The consideration of waiving these fees is not within the administrative purview of City Staff. Any reduction or waiving of these license fees in exchange for any aesthetic improvements as described in section B must be approved by City Council.

*No.	Utility
1	8’ Water Main from High to Ladd and to Market St.
2	Replace Sewer Main on Ladd St.
3	Replace Sewer Main on High St.
4	Extend Drainage on Ladd St. between #10 & #18
5	Extend Drainage on High St. to connect downspouts
6	Install a Traffic-Loading Grease Trap
7	Period Lighting on High and Ladd St

*CMMP will determine construction sequencing, laydown areas, deliveries, pedestrian access, crane location, and the construction schedule.

B. 1 Congress Street – Additional Improvements

In addition to the enabling work necessary to provide utility service to the project, the developer has proposed several other improvements within the abutting public areas. While these improvements are technically feasible, they are outside the administrative purview of City Staff and will require approval by the City Council prior to City Staff being able to explore them further.

No.	Improvements
1	Granite Steps and Metal Railing on Haven court
2	Shared-Street Pavement on High, Ladd & Haven Ct.
3	Catenary Lighting on Haven Court

4	Shared Trash Room in High-Hanover Parking Garage
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Staff generally has no objection to these improvements subject to the following:

Regarding the Granite Steps and Metal Railing on Haven Court (No.1), the steps will not be ADA accessible. The businesses have their public entrances on Congress Street, but the City’s general practice is to ensure that rights-of-way are accessible wherever practicable. In addition, the plans attached to the correspondence show public artwork elements; if those public artwork elements are to remain, the City Council may wish to refer that to the Public Art Review Committee for input.

Regarding the Shared Street concept (No. 2), if the developer is requesting that on-street parking be eliminated on those streets, that request must be referred to the Parking and Traffic Safety Committee for a recommendation.

Regarding the Shared Trash Room (No. 4), this item is not in the critical path for construction but should not lag too far behind as it would create a shared space for several local businesses to handle their trash (at their cost) and improve the streetscape.

The developer has proposed the closure of the High Street entrance to the Hanover Parking Garage. Staff believe it is unnecessary to decide at this time. High Street and Ladd Street will both be impacted by the temporary closure of those streets as part of the utility work and license described in paragraph A, and as such that garage entrance will be shut down for a period of time. The City staff can report back on the impacts on the garage and traffic flow as a result of that temporary closure and make a recommendation at a later date.

C. Next Steps

Both the Developer and Staff need input from the City Council to determine the set of licenses and related documents to bring forward to the City Council. The parties have exchanged preliminary drafts of various documents. In order to bring forward any final documents for consideration, direction is needed from the City Council with regard to the items in Section B as well as license fees.