

# **Rochester City Council**

Community Development Committee

## **MEETING MINUTES**

James Gray, Chairperson
Elaine Lauterborn, Vice Chairperson
Sandra Keans
Jake Collins
Donna Bogan

Meeting Date:	August 27, 2015					
Members Present:	Councilor Bogan Members Absent:					
	Councilor Collins None					
	Councilor Gray					
	Councilor Keans (arrived					
	during the meeting)					
	Councilor Lauterborn					
Guests/Staff:	Julian Long, Community Development Coordinator					
	Jennifer Marsh, Economic Development Specialist					
	Karen Pollard, Economic Development Manager					
	Dan Fitzpatrick, City Manager					
	Stacey Marchionni, Revolution Taproom and Grill Owner, Foley 5K Run					
	Organizer					
	Mark Marchionni, Revolution Taproom and Grill Owner					
	Mike Provost, Rochester Main Street Director					

Councilor Gray called the meeting to order at 6:03 p.m. Motion was made by Councilor Collins and seconded by Councilor Bogan to approve the July 23, 2015 minutes. The minutes were approved unanimously.

Public Input	There was no public input.	
Revolution Taproom and Grill Presentation	Ms. Marchionni reminded the Committee that she had been referred to the Committee by the City Manager's office. She stated that she had met with the Rochester Main Street Board of Directors, as the Committee had requested, and Mr. Provost said that the Board of Directors had passed a motion advocating for outdoor dining downtown in general and for a City ordinance that would allow all downtown restaurants an equitable opportunity to add outdoor dining.	
	Councilor Gray asked Mr. Provost if the Board of Directors discussed compensation with private donors to the Factory Court project. Mr. Provost stated that the Board of Directors did discuss this but has decided not to make any further decisions until after an ordinance is passed.	
	Ms. Pollard stated that the City Attorney has looked at similar ordinances in other cities. The Department of Building, Zoning, and Licensing Services has not yet looked at example ordinances.	
	Councilor Gray asked the Committee if the Committee would be in favor of advocating for an outdoor dining ordinance. Councilor Lauterborn	

asked Ms. Pollard asked which cities have such ordinances, and Ms. Pollard replied that the Cities of Dover and Portsmouth both have outdoor dining ordinances. Councilors Lauterborn, Collins, and Bogan all stated they were supportive of such an ordinance. Councilor Collins requested a minimal licensing fee if such an ordinance is enacted, and Councilor Gray stated that a market-rate fee would need to be charged.

Ms. Marchionni stated she was supportive of such an ordinance, as well. She also stated that she had spoken with a number of the private donors to the Factory Court project and that they were supportive of Revolution Taproom and Grill's proposal for Factory Court.

Mr. Provost stated that Rochester Main Street would like the ordinance to include bump-outs for sidewalk dining. Councilor Gray stated that both Rochester Main Street and Revolution Taproom and Grill should send letters to the City Manager's office, copying the City Attorney and the Codes and Ordinances Committee, with any requests and suggestions.

Motion was made by Councilor Lauterborn and seconded by Councilor Bogan to forward the outdoor dining ordinance proposal to the City Attorney and to the Codes and Ordinances Committee for further action. The motion passed unanimously.

### Other – Foley 5K Run Banners

Ms. Marchionni requested permission from the Committee chair to present on the Foley 5K Run banner poles topic, under "Other Business," and Councilor Gray granted permission. Ms. Pollard stated that the Department of Public Works presented this issue at the City managers meeting, and the City Manager referred the issue to the Community Development Committee.

Ms. Marchionni stated that the Foley 5K Run would like to hang banners on poles across key City streets. She added that these poles could be used for other Citywide events, as well, such as events held at the Rochester Fairgrounds. She said the Foley 5K Run would be interested in temporary banner options if poles cannot be installed in time to advertise for the event.

Councilor Lauterborn stated that the City Council has discussed the issue of banner poles before. Councilor Gray stated that he anticipated questions from City Council regarding the existing sign at the Community Center. Councilor Bogan stated that there is a need for across-street banners in the City, especially for festivals. She suggested that if poles could not be installed in time for the Foley 5K Run that other promotional locations, such as the Community Center and City Schools, be made available.

Councilor Gray requested that Mr. Long get in touch with the Department of Public Works to obtain an estimated installation date and estimated cost for banner poles. Mr. Long indicated he would do so.

Motion was made by Councilor Bogan and seconded by Councilor Collins to obtain an estimated installation date and a cost estimate for banner poles from the Department of Public Works. The motion passed

	unanimously.
Farmers' Market Presentation	Ms. Marsh stated that she has discussed the farmers' market with the City Attorney and reached out to Goodwin Community Health to establish a partnership. Ms. Marsh stated that the City Attorney told the farmer's market steering committee to obtain a variance but that, when she attempted to obtain a variance, she was told the matter needed to go before City Council.
	Councilor Gray asked whether the farmers' market steering committee has considered locations other than the Rochester Commons, as was requested by the Community Development Committee at last month's meeting. Mr. Provost stated that they are now considering using the end of the Rochester Commons near the gazebo. Ms. Marsh stated that they have obtained letters of support from Arthur's Market and the Care Pharmacy.
	Ms. Marsh also stated that the proposed date of the farmers' market has been changed from Saturday mornings to Tuesday late afternoons. This is to avoid conflicts with the City of Portsmouth's farmers' market.
	Councilors Lauterborn stated she was pleased with the refinements made to the farmers' market proposal. Councilor Collins asked if the Department of Recreation and Arena approves of the proposal, and Ms. Marsh stated that it does.
	Councilor Gray stated that, if the market occurs on City land, a variance is not required. He also stated that the farmers' market steering committee should discuss clean-up and trash removal responsibilities with the vendors and Department of Public Works.
CDBG Projects Program Report	Mr. Long gave brief updates on the Hanson Pines Pavilion and Rochester Public Library HVAC projects. The Hanson Pines Pavilion project has now been completed. The project went slightly over budget, but the Public Library HVAC project is expected to be completed under budget. Councilor Gray asked if the overage is great enough that City Council review and approval is required, and Mr. Long stated that it is below the threshold that triggers that requirement. The Public Library HVAC project will go out to bid within a few days.
	Mr. Fitzpatrick entered the meeting.
	Mr. Long gave a brief update on the Job Opportunity Benefit (JOB) Loan Program. All loan payments are up to date. Councilor Collins stated that the City has been getting a good return on the loans.
	Councilor Keans entered the meeting.
	Mr. Fitzpatrick asked about the status of the Foley 5K Run banners and farmers' market issues. Councilor Gray provided a summary of the discussions and Committee decisions regarding these two agenda items.
Other Business	Mr. Long distributed a letter from the SHARE Fund announcing the expansion of its operations into Farmington and an NHPR article on a

HUD lead grant award to the City of Manchester.

Motion to adjourn was made by Councilor Lauterborn and seconded by Councilor Collins. The vote to adjourn was unanimous. The meeting was adjourned at 7:03 p.m.

Next Meeting - SEPTEMBER 24, 2015 at 6:00 p.m. in the Conference Room at City Hall

**Topics** – Continuing CDBG Projects, Future CDBG Projects

**REVISED** 

August 27, 2015

Jenn Marsh Rochester Farmers Market Co-op jennifermarsh@rochesternh.net

Dear Jenn,

We have received your letter requesting permission to use the Rochester Common for the Farmers Market. This letter gives you permission to use the Common on Tues. June 7, 2016 thru Tues. October 22, 2016 from 4:00-7:00pm. We request that your group be cautious of other park users. We also request that the area be cleaned up after your event.

In addition, you will need to contact the City Manager's Office and Fire Department to complete any necessary permits.

If you have any questions, please do not hesitate to contact either Sarah Ward or myself at (603)332-4120.

Sincerely, CITY OF ROCHESTER

Chris Bowlen, Director
Department of Recreation & Arena

CB/sw

Cc: Samantha Rodgerson, City Manager's Office

Acct ID:

# Recreation, Arena and Youth Services

150 Wakefield St., Suite #1 Rochester, NH 03867 Phone: 603-332-4120 Fax: 603-335-7573

# **Customer Schedule**

6/1/2016 - 10/31/2016

Rochester Farmer's Market Jenn Marsh

Jenn Marsh Work Phone: 509-1910

Date	Day Comple	x Facility	Event Type	Start Time	End Time	Dur. (Min)		Other Charge	Amount
6/7/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
6/14/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
6/21/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
6/28/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
7/5/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
7/12/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
7/19/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
7/26/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
8/2/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
8/9/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
8/16/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
8/23/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
8/30/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
9/6/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
9/13/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
9/20/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
9/27/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
10/4/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
10/11/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
10/18/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
10/25/2016	Tue Parks	Common	Unspecified	4:00 PM	7:00 PM	180	0.00	0.00	0.00
						63.0	(hrs)	Sub Total	\$0.00
								Tax	\$0.00
							G	rand Total	\$0.00

End of Listing

<sup>\*</sup> Indicates event spans multiple days.

## To Whom It May Concern

I understand the Rochester Farmers Co-Op is seeking to set up a Farmer's Market on the Rochester Common on Saturday mornings from 9:00 am until around noon between June and October.

I would like to state for the record, as the owner/manager of Care Pharmacy, I have no concerns with a farmers market being located at the Common.

I also give permission to the Farmers Market to utilize the North end of my Fact MAKINGER parking lot for over flow parking if necessary. If this should ever become an of to Vehicles, issue I reserve the right to rescind this offer.

Date: <u>E/25/201</u> | Date: \_\_\_\_\_\_

Witness

# **To Whom It May Concern**

I understand the Rochester Farmers Co-Op is seeking to set up a Farmer's Market on the Rochester Common on Saturday mornings from 9:00 am until around noon between June and October.

I would like to state for the record, as the owner/manager at Arthur's Market I have no concerns with a farmers market being located at the Common.

Date: (

Date: 8/25/2015

Witness



150 Wakefield Street, Suite 14, Rochester, NH 03867-1215 • Telephone (603) 335-0011 • Fax (603) 335-1414 www.sharefund.org

July 30, 201 City Of Rochester 31 Wakefield Street Rochester, NH 03867

Dear City Of Rochester;

We have exciting news to share with you! The SHARE Fund is expanding all services to include residents of Farmington as a pilot service expansion project. People in need living in Farmington will now be able to access all of the SHARE Fund's programs including Emergency Financial Assistance, Gerry's Food Pantry, and the Community Clothing Shop.

Although the majority of our services will continue to be provided to Rochester residents and will be our primary focus, we have found that many folks in Farmington are suffering with lack of resources as they struggle in poverty. These families, including many children, often don't have enough to eat, don't have stable housing, and lack the available resources to meet their needs for emergency heating assistance, basic utilities, and urgent medical care.

There are established SHARE Fund organizations in Milford, Somersworth, Dover, Portsmouth, and Rochester. Milford and Portsmouth charitably include their own neighboring communities and our SHARE Fund has decided to do the same by including Farmington. We cannot turn our backs on these neighbors who live in the most poverty-stricken community in Strafford County and have the fewest resources available to address the needs of poor families.

The poverty level in Farmington is 129.4% greater than the New Hampshire average.

We hope to have your enduring support as we continue to serve struggling Rochester families and reach out to our Farmington neighbors in need to ease their suffering.

Sincerely,

Torey Kortz Executive Director





## **▶** Listen Live

# **HUD Grants Lead Remediation Money To Manchester**

By JACK RODOLICO (/PEOPLE/JACK-RODOLICO) • AUG 25, 2015

 $\underline{Twitter (http://twitter.com/intent/tweet?url=http\%3A\%2F\%2Fwww.tinyurl.com\%2Fpuprfqt\&text=HUD\%20Grants\%20Lead\%20Remediat)}$ 



(http://mediad.publicbroadcasting.net/p/nhpr/files/styles/x\_large/public/201508/Bannister.JPG)

The hallway outside a Manchester apartment is coated in chipping lead paint.

JACK RODOLICO



Manchester is getting a \$2.9 million grant from the U.S Department of Housing and Urban Development to remediate lead hazards in 175 housing units.

While this is the fourth time the Queen City has received the federal grant, the announcement from Senator Jeanne Shaheen's office comes on the heels of a new state law aimed at educating families about lead hazards, and as one of the state's largest landlords faces a lawsuit over lead contamination in a Manchester apartment complex.



Chipping lead paint is a health hazard around the state, especially in low-income housing. Lead is a powerful neurotoxin that can cause permanent cognitive disabilities, especially in children under six.

Lead paint was banned under federal law in 1978, but Todd Fleming with Manchester's Planning Department points out New Hampshire has one of the oldest housing stocks in the country.

"The majority of the housing stock within Manchester is built before 1978," says Fleming. "So basically anything before 1978 could have lead."

### Lawsuit highlights a statewide problem

Lead poisoning is most often a problem for low-income children, who are more likely to live in old, dilapidated housing. But a high-profile case heading to court in mid-September proves an exception to that rule.

Almost forty tenants of Mill West, a luxury apartment complex on Manchester's waterfront, are suing their landlord, Brady Sullivan Properties, and a contractor for lead exposure. A spring construction project in the building coated nearly all the apartments in Mill West - and some in a neighboring Brady Sullivan property - with high concentrations of lead dust. The EPA forced a clean up (http://nhpr.org/post/epa-takes-action-against-brady-sullivan-properties-hazardous-lead-contamination) in the building, but not before Brady Sullivan downplayed the health risk the lead dust posed to its tenants (http://nhpr.org/post/brady-sullivan-downplayed-health-risk-lead-dust-tenants).

By most accounts, New Hampshire's lead laws lag behind neighboring states (http://nhpr.org/post/child-lead-poisoning-public-health-problem-out-public-eye). Even under the law passed in the last legislative session, the Granite State only requires a landlord to remediate lead once a child in the unit has a blood lead level of 10 micrograms per deciliter - that is double the rate the Centers for Disease Control and Prevention consider poisoned.

The new law also aims to close the gap on childhood lead screening. In 2013, only 16.5 percent of New Hampshire children six years and under were screened for lead. Massachusetts and Vermont screen children at rates approximately four five times higher (http://nhpr.org/post/new-hampshire-lags-testing-kids-lead).

In 2013, the most recent year with available statistics, more than 1,000 children in New Hampshire were poisoned by lead. Manchester is one of 14 cities, counties and state (http://portal.hud.gov/hudportal/HUD? src=/press/press\_releases\_media\_advisories/2015/HUDNo\_15-104) targeted with the HUD grant.

TAGS: LEAD (/TERM/LEAD) BRADY SULLIVAN (/TERM/BRADY-SULLIVAN-0) LAWSUIT (/TERM/LAWSUIT)

EPA (/TERM/EPA) MANCHESTER (/TERM/MANCHESTER)

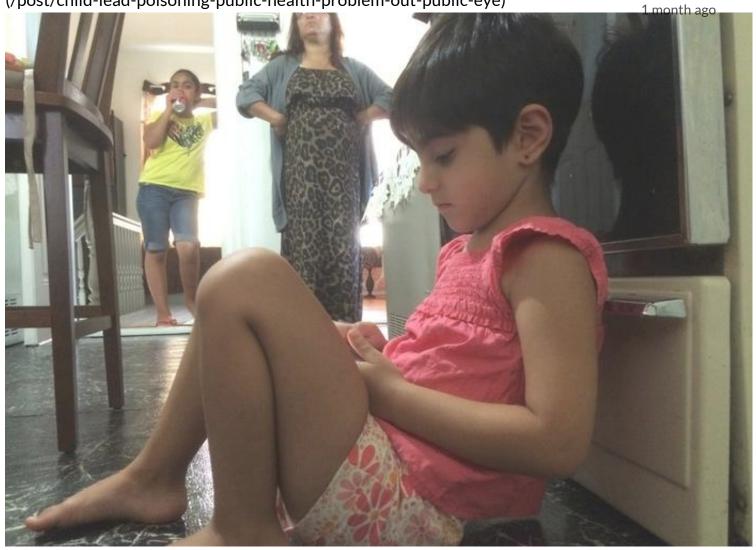
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### **MAY 11, 2015**

Manchester Health Department stops Brady Sullivan's renovation work at Mill West for lack of proper city permit.

### MAY 12, 2015

The Manchester Health
Department, New Hampshire
Department of Health and
Human Services, Environmental
Protection Agency, and
Occupational Health and Safety
Administration meet on site with
Environmental Compliance
Specialists, Inc. (the contractor)
and Brady Sullivan. They discover
Brady Sullivan's contractor does
not have proper EPA training to
perform renovations.

### MAY 20, 2015

Email from Brady Sullivan to tenants, edited by federal, state and local regulators, acknowledges lead dust in common areas and one Cody Mattiello: "I am happy to discuss any issues you may have but can tell you the constant threats to call city officials and code enforcers will not remedy anything for you. The vendors are doing everything by the book as allowed by their permits."

#### **MAY 13, 2015**

Regulators learn an apartment in Mill West has dangerous levels of lead dust.

### **MAY 14, 2015**

Union Leader reports on elevated lead levels in Mill West, including one apartment. An attorney for Brady Sullivan tells the newspaper that contractors followed proper steps and that "it's impossible for any of this (lead) dust to flow out of the work area." Later that day, an email from Beth Gardner of Brady Sullivan to tenants states: "The sandblasting has been

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Infographic: A Timeline of Lead Concerns at Manchester's Mill West (/post/infographic-timeline-lead-concerns-manchesters-mill-west)

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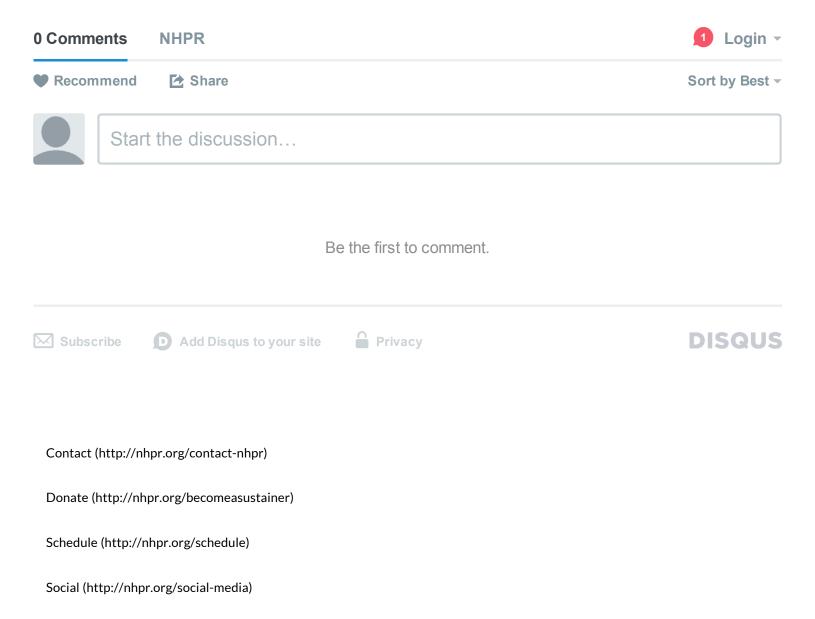
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EPA Takes Action Against Brady Sullivan Properties For Hazardous Lead Contamination (/post/epatakes-action-against-brady-sullivan-properties-hazardous-lead-contamination)



Community Calendar (http://www.publicbroadcasting.net/nhpr/events.eventsmain)

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