CITY OF SOMERSWORTH
CITY COUNCIL MEETING

AGENDA FOR SEPTEMBER 6, 2016

6:45 P.M. – PUBLIC HEARING – ORDINANCE 2-17
7:00 P.M. – CITY COUNCIL MEETING

1. Roll Call of Members

2. Pledge of Allegiance

3. Minutes of Previous Meetings

   A. Minutes for WORKSHOP – Fire Station Advisory Committee held on August 15, 2016

   B. Minutes for PUBLIC HEARING – Ordinance 1-17 held on August 15, 2016

   C. Minutes for CITY COUNCIL MEETING held on August 15, 2016

4. Comments by Visitors

5. Announcements by Councilors

6. Communications

   A. Police Chief David B. Kretschmar- Announcement of Community Access to Recovery Initiative

   B. Letter from Pastoral Staff of Tri City Covenant Church regarding the 10 Commandments Monument

   C. Amy Michaels- Resignation from the Somersworth Housing Authority Board of Commissioners

7. Presentation of Petitions and Disposal Thereof by Reference or Otherwise

8. Mayor's Report

9. Reports of Standing Committees

10. Reports of Special Committees, City Officers and City Manager

11. Nominations, Appointments and Elections

    A. Mayoral Appointment- Does not require confirmation.
        1. Brian Tapscott – Somersworth Housing Authority Board of Commissioners, term to expire 04/2019

12. Lay on Table

13. Unfinished Business

Ordinances:

A. Ordinance No. 2-17 Amend Chapter 19, Zoning Ordinance, Section 30.E, Hilltop School Property Overlay District.

Resolutions:

A. Resolution No. 11-17 to Authorize the City Manager to Request Proposals for the Re-use of Hilltop School in Accordance with the Recommendations of the Hilltop Commission.

B. Resolution No. 13-17 To Authorize the City Manager to Purchase a One-Ton Replacement Truck for Use by the Water Department Utilizing the New Hampshire State Bid List.

C. Resolution No. 14-17 To Authorize the City Manager to Purchase a One-Ton Replacement Truck for Use by the Wastewater Department Utilizing the New Hampshire State Bid List.

14. New Business

Other:

A. Ten Commandments Monument

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

ORDINANCE NO. 2-17 AMEND CHAPTER 19, ZONING ORDINANCES, SECTION 30.E, HILLTOP SCHOOL PROPERTY OVERLAY DISTRICT.

Somersworth, NH
August 15, 2016

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the ordinance of the City of Somersworth, as amended, be further amended as follows:

Amend Chapter 19, Zoning Ordinance, Section 30.E , Hilltop School Property Overlay District, Additional Permitted Uses by adding "Multi-dwelling unit" and "Elderly Housing Facility" with a maximum density allowed = 10 units per acre.

This ordinance shall be effective upon its passage.

Sponsored by

Mayor Dana Hilliard
Councilor Martin P Dumont Sr.
Councilor Jessica Paradis

Approved
City Attorney

**Section 30 Hilltop School Property Overlay District**

19.30.A Title and Authority

Title: This Ordinance shall be known as the "Hilltop School Property (HSP) Zoning Overlay Ordinance" of the City of Somersworth, New Hampshire.

Authority: Pursuant to the authority granted by RSA 483-B:8, Municipal Authority; RSA 674:17 I., Purposes of Zoning Ordinances; RSA 674:21, Innovative Land Use Controls; this ordinance is hereby adopted by the City of Somersworth, New Hampshire to protect the public health, safety, and general welfare.

19.30.B District Boundaries

The boundaries of the Hilltop School Property Overlay District are hereby established to include all the property on Tax Map 11 Lot 49 which is hereby declared to be part of this ordinance.

19.30.C Purpose

The purpose of this ordinance is to provide for productive, desirable reuse of the Hilltop School building and property (Map 11 Lot 49) located within the Residential Single Family/A (R1/A) District as outlined in the City's Zoning Ordinance 19.3.D.11., further governed by the Historic District (HD) Overlay Zoning District outlined in ordinance 19.3.D.6.

Recognizing the former school property is located within the R1-A Zoning District, within the HD Overlay District, yet does not conform to the norm of structures and uses intended to be regulated by these ordinances, it is deemed appropriate and necessary to provide for a zoning overlay district to apply specifically and solely to this property without hindering the intent and purposes of the aforementioned ordinances.

Regulations set forth in this ordinance are designed to support the intent of the HD District Ordinance to provide for the recognition, preservation, enhancement and continued use of structures, sites and areas having historic and cultural significance in support of the community's economic prosperity, cultural enrichment and general welfare, to stabilize and improve property values in the city and to aid in the safeguard of the heritage of Somersworth by providing for the protection of structures and areas that represent significant elements of its

history.

19.30.D Applicability

All land and building use activities and development conducted within the Hilltop School Property District shall be regulated by the standards established herein.

The standards established herein shall constitute the rules of an overlay zone and shall be superimposed over other zoning districts or portions thereof. The provisions herein shall apply in addition to all other applicable ordinances and regulations. In such instances where the building and property of the Hilltop School Property align with buildings and properties typical of those of the HD, and R1/A Zoning Districts, the provisions set forth in those ordinances should be adhered to.

This overlay ordinance will make provisions for such instances where the property and building in the overlay district do not physically, and logically align to types reasonably intended to be governed by the R1/A and HD ordinances. The provisions set forth for this overlay district make an effort to align with the goals and intent of the city's overall zoning codes. In the event of a conflict between any provision herein and any other ordinance or regulation, the more restrictive requirement shall prevail.

19.30.E Additional Permitted Uses

In addition to all uses permitted by the existing ordinances which govern this overlay district, the following uses, as defined in the existing City of Somersworth zoning ordinances, will be permitted:

| **Principal Use** | |
|---|---|
| Government Facilities & Svcs. | |
| Private Educational Institution | |
| Museum | |
| Clubhouse, community center, non-commercial recreational facilities, such as swimming pools and tennis courts, for the citizens of Somersworth | |
| Communications (i.e., radio/television broadcasting, telephone communications). | |
| Professional & Business Offices | |
| Bed and Breakfast/Inn[1] | |
| Athletic/Fitness Facility | |

| | |
|---|---|
| Amusement and Recreational Services [2] | |
| Daycare Facilities | |
| Artisan Studio | |
| Artisan Production Shop | |
| All open land or fields used for baseball, football, track and field or other athletic games | |
| Photography Studio | |
| Multi-dwelling unit[5] | |
| Elderly Housing Facility[5] | |
| **Accessory Uses** | |
| Produce, Christmas Tree and Other Seasonal Stands | |
| Gift Shop[4] | |
| Café/ Retail[3] | |
| | |

[1] Owner Occupied and limited to no more than 10 rentable rooms.

[2] Including such things as cinemas; theaters; bands; orchestras and other musical entertainment but excluding pool hall, billiards, video gaming centers operated for profit.

[3] Drive thru services are not permitted. Seating for no more than 12 people permitted.

[4] Goods limited to items that support and promote the current building occupants and/or the City of Somersworth.

[5] Max density allowed = 10 units per acre

Passed 03/18/2013.

Amended xx/xx/2016

RESOLUTION NO. 11 – 17 TO AUTHORIZE THE CITY MANAGER TO REQUEST PROPOSALS FOR THE REUSE OF HILLTOP SCHOOL IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE HILLTOP COMMISSION.

Somersworth, NH
August 15, 2016

WHEREAS on January 19, 2016, in accordance with Council Rule 15, Honorable Mayor Dana Hilliard announced the formation of the Hilltop Commission, and

WHEREAS, the Hilltop Commission was empowered to explore, develop and finalize a sustainable proposal for the City Council to implement the re-use of the historic hilltop building; explore the feasibility of financing or investors for the re-use of the historic hilltop building; and to present their findings on proposed legislation to the City Council to vote upon by October 3rd, 2016, and

WHEREAS, the Hilltop Commission completed their work and presented their findings and a recommendation to the City Council on July 25, 2016, and

WHEREAS, the recommendation presented is to seek proposals for the private rehabilitation of the facility with public land ownership and reasonable restrictions,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to request proposals for the re-use of Hilltop School in accordance with the recommendations of the Hilltop Commission and take any other actions with this project determined to be in the best interest of the City.

Sponsored by

Mayor Dana Hilliard
Councilor Martin P Dumont Sr.
Councilor Jessica Paradis

Approved

City Attorney

RESOLUTION NO. 13-17 TO AUTHORIZE THE CITY MANAGER TO PURCHASE A ONE-TON REPLACEMENT TRUCK FOR USE BY THE WATER DEPARTMENT UTILIZING THE NEW HAMPSHIRE STATE BID LIST

Somersworth, NH
August 15, 2016

WHEREAS, the City of Somersworth Capital Improvement Program (CIP) for Fiscal Years 2017 through 2022 contains a recommendation to purchase a one-ton replacement truck for the Water Department; and

WHEREAS, the City of Somersworth Fiscal Year 2016-2017 adopted Water Department budget provides funding for the purchase of a one-ton pick-up truck and related accessories for use by the Water Distribution Division; and

WHEREAS, City staff recommends purchasing this truck utilizing the New Hampshire State bid list; and

WHEREAS, the Finance Committee and Public Works & Environment Committee for the City of Somersworth has reviewed this and supports this recommended purchase,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to purchase a one-ton truck and related accessories for the Water Department utilizing the State of New Hampshire State bid list and to take any and all other such actions relative to this purchase determined to be in the best interest of the City.

Sponsored by Councilors

David A. Witham
Dale R. Sprague
Jennifer G. Soldati
Martin Pepin

Approved:

City Attorney

RESOLUTION NO. 14-17 TO AUTHORIZE THE CITY MANAGER TO PURCHASE A ONE-TON REPLACEMENT TRUCK FOR USE BY THE WASTEWATER DEPARTMENT UTILIZING THE NEW HAMPSHIRE STATE BID LIST

Somersworth, NH
August 15, 2016

WHEREAS, the City of Somersworth Capital Improvement Program (CIP) for Fiscal Years 2017 through 2022 contains a recommendation to purchase a one-ton replacement truck for the Wastewater Department; and

WHEREAS, the City of Somersworth Fiscal Year 2016-2017 adopted Wastewater Department budget provides funding for the purchase of a one-ton pick-up truck and related accessories for use by the Wastewater Division; and

WHEREAS, City staff recommends purchasing this truck utilizing the New Hampshire State bid list; and

WHEREAS, the Finance Committee and Public Works & Environment Committee for the City of Somersworth has reviewed this and supports this recommended purchase,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SOMERSWORTH THAT the City Manager is authorized to purchase a one-ton truck and related accessories for the Wastewater Department utilizing the State of New Hampshire State bid list and to take any and all other such actions relative to this purchase determined to be in the best interest of the City.

Sponsored by Councilors

David A. Witham
Dale R. Sprague
Jennifer G. Soldati
Martin Pepin

Approved:

City Attorney