

Foundry Garage Rooftop Project Update

Portsmouth Citizen Response Task Force subcommittee

June 18, 2020

Present:

Russ Grazier, subcommittee chair and task force member

James Petersen, task force co-chair

Dr. Bianca Monteiro, task force member

Senator Martha Fuller Clark, task force member

Karen Conard, City Manager

Peter Rice, Director of Public Works

Mike Casad, General Foreman for Parking Division

Councilor Cliff Lazenby, City Council

Councilor Deaglan McEachern, City Council

Also in attendance, a group of residents from the Islington Creek Neighborhood

Attached: Flyer circulated by an unnamed person in the neighborhoods surrounding Foundry Garage on Saturday, June 20, 2020, provided by a resident

Attached: Letter to City Council by Liz Bratter

These notes are general in nature and are intended to document topics discussed and are not minutes.

Notes:

- There are several concerns for neighbors, raised by those in attendance. The priority level for each concern varied by the participant in the discussion, but the core issues are: volume; parking; why this specific venue is being investigated; what other locations have been considered as alternatives; and whether there are plans to utilize the space beyond October 2020 for this use.
- Disappointment was expressed by individuals who live in the abutting neighborhood, regarding how far the process progressed before neighbors were engaged in discussion. It was noted that the members of the Citizens Response Task Force held this meeting just one week after we first assembled and the plans for the Foundry Rooftop were first presented to the committee just days prior to this meeting. The plans have been put together by an independent group of community members working to save local arts organizations, restaurants, and other businesses as they face significant financial distress due to the pandemic.
- Volume is an important concern. Neighbors expressed concern that sound would be very loud and happen five or more days a week for the remainder of summer and into the fall. Concern was expressed for those who work at home, as well as families with younger children, especially when school resumes in the fall. We talked about engaging an acoustical engineer, possibly Eric Reuter, who did work with Prescott Park Arts

Festival on behalf of the city, to find solutions to mitigate sound and reduce potential impact for neighbors.

- Parking is another concern. It was pointed out that free street parking in the abutting Islington Creek neighborhood is regularly used by non-residents (of that specific neighborhood), and there is concern that bringing people to the Foundry Garage area would increase parking issues at the street level. There was discussion of whether including parking cost in entrance fees would alleviate most parking challenges. Additionally, it was suggested that the city re-start the discounted parking for downtown employees and possibly offer free parking for people working at the Foundry Garage for any popup rooftop activities. It was also stated that there would be limited occupancy for any rooftop events due to pandemic restrictions and that the garage should afford more than enough parking for everyone who currently uses the facility plus any additional people brought to the garage for the rooftop activities.
- Alternative Venues. Neighbors asked what other alternative venues have been suggested. This question will be brought back to the independent group of community members who developed the project. Suggestions from neighbors included: Worth Lot, rooftop of High Hanover Garage, Prescott Park, Portsmouth High School, and mall parking lots in neighboring Newington, NH. There was some discussion as to whether utilization of Worth lot for this purpose would hurt downtown businesses who could lose parking spaces due to plans to open up street space for outdoor dining. Additionally, the Worth lot could open up the opportunity for even more use of street parking in Islington Creek by event attendees. Our understanding is High Hanover garage has not been considered due to the high level of use of that garage. Prescott Park has deed restrictions prohibiting ticket sales and alcohol sales, both important components of this plan to save local arts organizations and restaurants.
- There were concerns that the group planning this has plans to continue this use of the garage beyond 2020. We shared with the neighbors that the task force is charged with finding solutions to spur economic activity for Portsmouth for the remainder of 2020 and we are not looking at any use of Foundry Garage beyond October. Any publicly stated indications that the task force is planning or looking at for Foundry Garage use beyond 2020 are inaccurate.
- It was asked if there could be a provision put in any agreement to use the garage this summer that it would expire at the end of 2020 and not be renewable for use in the future. Residents were sympathetic to the potential of the pandemic extending into summer 2021, but asked that any future use would not be approved without going through a thorough process and vetting that included the abutting neighborhoods.
- Concerns about high winds on the rooftop level of the garage were brought up. We shared that the city is very concerned about this and is working to ensure that anything placed on top of the garage would be secured and safe. No large tents are being considered.
- Neighbors asked that there be a specific contact person to reach out to for any concerns, not just day to day, but during events.

- Neighbors requested budget details, which are still being worked out. Budget details will be made available as soon as they are ready.
- It was stressed that this project is being pursued in the spirit of emergency response for local arts organizations and businesses that are on the brink of closure due to the economic stress of the pandemic closures and stay at home order over the past several months.

Update prepared and submitted by Russ Grazier, 6/20/2020

June 20, 2020

Dear Neighbors,

There is going to be a Zoom meeting on **Tuesday June 23 at 5:30PM** regarding using the **TOP TWO FLOORS OF THE FOUNDRY GARAGE** to have music, plays, beer and wine garden, 3 restaurants and 3 stores. **The music, plays, beer garden for 100-125 people on the side CLOSEST to the pond.** **The proposal: from when it gets approval until October, from 3PM to 10PM (plus clean up time), 4 or 5 DAYS a week.** **Portsmouth website: Citizen's Response Task Force to sign up for the meeting. It's not listed YET!!** **OR Send an e-mail or letter to the City Council!**

There was a meeting on June 18th only a few people from the Islington Creek Neighborhood were invited. At this meeting the following details were shared.

1. This is "supposed to be a one-time thing", just to support the many arts programs that struggle normally and with the pandemic Portsmouth may lose them and to support local downtown businesses, for the LOCALs to enjoy!
2. When asked about the money, there was no clear answer of projected income or expenses, or how it was to be allocated.
3. Other locations suggested: Prescott Park, Worth Parking Lot, Hanover Garage, Pleasant St from State to Market St, there was a lot of talk about the Portsmouth Rivera and many other reasons NOT to use them. It didn't sound very flexible.
4. When asked, IF it's NOT a done deal WHY is it being advertised on NBC Boston's Morning News and why does it say it will be something for years to come on their website: <https://popuprooftop.com/> We were told that would be modified, *it was a mistake*. **The City officials stated this was not a done deal.**

When the parking garage was going to be built on prime waterfront property, many asked about the city using it for other purposes. Everyone in **all abutting neighborhoods was told it was a parking garage. It would NOT be used for anything but parking.** Ask those who live in the South End how it started with one small venue to support the arts!!

Like the idea of an Arts Festival! Why not the HS? It could run evenings, have inside and outside locations for a LOT of different groups; children's acts under the trees, youth acts outside with room to dance, dining in the dining hall, plays on stage in A/C, being respectful of the neighborhood there by careful use of outdoor spots, locals could ride bikes there. **Any venue that already has cooking, handwashing, bathrooms, lights, sound systems, electricity and parking would cost the city a LOT less money.** Other questions: Why is this not taking place at Prescott Park? How will it impact the other small businesses along Islington St and the West End, also struggling? What about the noise and the lights, especially once school starts? Have other venues been asked to provide viable location with stages- brewery on Pease, movie theatres, empty Mall stores? **Will this open a door to using the top of the Foundry Garage EVERY SUMMER?** Will this allow lawyers for developers to justify outdoor seating and live music in the impacted neighborhoods? What about overall cost vs what each institution will receive?? What about windy and rainy days? How much money will be spent to modify a parking garage to meet health codes for food service, alcohol, electricity, porta pots, tables, chairs, hand washing stations, water, accessibility, regular cleaning for covid, etc?

Most IMPORTANTLY the garage abuts three RESIDENTIAL NEIGHBORHOODS! Most people who purchased here did so because it is a neighborhood, not downtown, its quiet at the end of the day to relax and enjoy the beauty of the North Mill Pond. MAKE YOUR VOICE BE HEARD BRIGHTER THAN THE LIGHTS ON the GARGAGE!! Support the Arts in a viable location

Elizabeth Bratter
159 McDonough St
Portsmouth Property Owner

Dear Citizen's Response Task Force Members

June 21, 2020

Background about the Foundry Garage and Islington Creek Neighborhood:

Foundry Garage was proposed and most people in the city thought it was a very odd place to put a parking garage. We were told it would only be a used for parking and it would really help out the city. No one wanted it next to their neighborhood, but it became apparent it wasn't going anywhere, Islington Creek acquiesced. The design plan may have been very artistic but the Portsmouth signs do not tell people it's a parking garage and still shine right into people's homes at night! The other lights make the garage look like a cruise ship parked in the North Mill Pond, lighting up both sides of the pond. The best part is NO ONE CAN FIND THE GARAGE!! They think it is a business or art school because it sits so far back from the road and doesn't have any large Parking signs leading up to it. Many thought the parking garage was going to have its road where Hill St is. This whole area was rezoned to **the most intense zoning** in Portsmouth, **with tallest heights allowed within 20' of 30' high residential homes**. At that time neighbors didn't understand how the proposed zoning changes would affect the neighborhood. **The parking garage was going to solve the major parking issue which the Islington Creek Neighborhood had had for years. It did NOT!** It exacerbated the problem by allowing those who went to the garage to find a place to park for free. This neighborhood has developers who have proposed massive structures within feet of residential homes, for which neighbors have written letters and gone to meetings for years now. We have been told this is progress! We have worked hard to do what we can to protect the North Mill Pond and the abutting neighborhoods. We have the Railroad which all have lived with for years but its activity has increased greatly and the **parking garage has made something that is normally loud even louder.**

All three of the neighborhoods which will be impacted in some way by this proposal are in walking distance to downtown. I would contend these neighborhoods support downtown businesses a lot. I believe most people support the arts as well. What your task force may not realize is this neighborhood; especially the Foundry Place end and the Dover Street end have been under siege. You are asking the people who live next to a parking garage they never wanted, for the "good of the city", which has caused so many insults to their quality of life and their homes **to add 16 weeks** of more noise, people hanging around at night, more trash, more lights, more parking issues and who knows what else and it will be fun! For whom??

It seems rather ironic that one of the concerns bought up during one of the meetings with the city by this venture was that the quiet generators may be too loud and they should be put on another floor and covered up. I am suggesting this whole project be moved to another realistic venue or two if necessary. This is a parking garage for cars next to three residential neighborhoods, active RR tracks and one of the most unique habitats in Portsmouth. This habitat is already being greatly impacted by all the development happening in and around it during the day. What will all this activity and new noises do to the wildlife that normally seek shelter along the water's edge at night? Please reconsider your ideas. *It seems the only reason this location was chosen was for the view.* It is NOT a central location in Portsmouth. It is NOT the only option. It does NOT have any of the health, sanitary, electrical and safety conditions for such an event. It would NEVER be allowed if this was a privately owned parking garage! The pre-advertising and webpage show it is NOT really for the locals as presented. The money allocation still need clarification and the cost to the city to convert a parking garage into a restaurant, lounge and stage seems counter- productive and expensive.

Differences between the Foundry Garage and Prescott Park

1. Prescott Park does NOT allow alcohol.
2. Prescott Park is NOT 60' tall building, needing a 3' offset to keep people from sitting on the very inviting walls and possibly them or their stuff falling off.
3. Prescott Park opened to plays in 1974. Foundry Place was opened for PARKING in 2018 with complaints of lighting within hours after opening. It seems this proposal will add to the lighting issue, changing from stationary- with one brightness, to color with various brightnesses and they will move as people move on stage, likely becoming even more disturbing to abutting residents.
4. Prescott Park sound meter sits 90' from the stage on a 15' pole. The proposed stage will be about 100'-150' away from homes and about 10' higher, about the same as the sound meter at Prescott Park. Foundry Place sits about 10-15' lower than Hill and Hanover St-**it will be as if they are at the CONCERT every day for 16 weeks!!**
5. Prescott Park sits on the water and is surrounded by trees and lawn. Foundry Place is a cement structure, with homes on one side, RR tracks and water on the other- all escalating the sound.
6. Prescott Park uses a red, yellow, green system to monitor sound with limited reverberation due to the many trees and plants. This system would not be effective at Foundry Place due to sound reverberation between the floors of the building and against the homes next to it.

Other issues with this plan:

Any other business would need to get a variance or CUP to have outdoor seating much less LIVE music. *Great Rhythm Brewing was allowed **outdoor seating ONLY with very specific time limits and loudness measured at the property line.** They are limited to Monday –Friday until 8PM and Sunday until 6PM BECAUSE they are surrounded by 2 neighborhoods.* This proposal is for a 10PM end time and it seems everyone forgot about clean up, more likely 11PM, either time is unacceptable in a residential neighborhood.

The Foundry Garage is surrounded by 3 neighborhoods (Maplewood Ave, Dennett/Clinton, Islington Creek). **10.1332.20 states the maximum sound level of 55 dBA, at 4' high , the taken at the lot line would be allowed in a Mixed Use Residential Zoning.** HOWEVER this is a Municipal Parking Garage and *doesn't have to follow zoning ordinances.* If this proposal is allowed to follow the systems used at Prescott Park with 90 dBA considered the green level. **The noise level will be NINE AND ONE HALF TIMES LOUDER THEN THE MAXIMUM ALLOWED FOR ANY privately owned Mixed Use Building (sound is logarithmic)!! THIS IS A PARKING GARAGE NOT A Restaurant or Theatre and has no sound protections. When built neighbors were assured it would only be used for parking!**

There is a concern listed by the organizers regarding “**the noise associated with the generators**” they will need. If they are standard 3500 watt quiet generators they may run at 50 to 60dB, but will likely echo throughout the parking garage, even if covered. *If diesel they will emit fumes which all will smell.* The generators will be nine and half times quieter than the noise from the stage. **This is of concern for them, yet the organizers have suggested neighbors should not be concerned about being subjected to the noise from the stage, the two generators, 250 people and it all reverberating within the cement parking garage. It will be MUCH LOUDER THAN 90dBA for 7 hours a day, 5 days a week , for 16 weeks!! This really sounds like a double standard!**

The Health Department discussed the containment and removal of trash in general. It will be carry in and carry out. However, no one has mentioned the river rats that cruise the neighborhood at night. *This proposal will introduce a new food source over a long period of time, thereby encouraging regular visits* by the usual North Mill Pond scavengers; from Seagulls during the day to skunks, river rats, porcupines, opossums, mice, etc, **to become regular guests to the garage.** There is a BIG difference to a river rat finding an occasional piece of food dropped by one person then having over 250 people, eating, cooking and wiping off tables and chairs onto a floor every day for 4 months. This availability may lead to more vermin collecting in this one area where normally they would scavenge all over, which could lead to issues for abutting neighbors.

Parking was discussed quite a bit at the June 18th meeting. However the logistics of the many ideas may not be viable. They are not a simple give the neighborhood permits but includes barricading the neighborhood, signs, etc.

There is of course the issue of people who hear about this venture but don't have reservations. Will these people end up sitting in the neighborhood to enjoy the bands or plays from the ground, in the lower parts of the parking garage, Rock St Park, the empty lot on Hill St, Heinemann's **or hang out on the active RR tracks.** After the Hanover St Garage was built young people used to go to the top floor to listen to the music at the Gas Light and see the bands. **Where will these people end up?**

This was brought up at the June 18th meeting but seemed to be a blown off. **These are active RR tracks that run freight trains.** These trains usually run during the time period of the proposed activities. The RR waits for the passenger trains schedule to be less and then runs the freight trains. They line them up going back and forth from the switch at Cabot St until fully coupled. Once all the cars are in order they sit there. **It is bad enough they sit there** but if the City of Portsmouth asks them to move somewhere else on the track once coupled, **they will be sitting next to neighbor's homes exuding lots of noise AND horrible diesel fumes right in neighbor's windows.** Unless you have lived next to a RR track it is hard to understand how strong the diesel smell is and how far it travels. *No one wants that smell in their homes much less while they are eating and drinking.*

I think the proposed idea has some merit. I did the math and running it for two weeks would likely help a lot of businesses. Dinner, a show and alcohol seem like a good idea until you put them 100' from private homes, 60' high without proper safety features, next to active RR tracks, on an already LOUD and excessively BRIGHT cement structure, next to a unique habitat, next to a tidal pond-which is very dangerous at low tide (like quick sand), advertise it all over the place and only offer limited seating, *expect the noise level from generators to be controlled but think it's okay to blast the surrounding neighborhoods.*

I support the idea but a different venue needs to be found. A stage fits perfectly in the Worth Parking Lot, Pleasant St could be closed for ALL the restaurants which need more space and if the Worth Parking Lot is not good enough the High School Stage or the Community Campus could be used. Most of the restaurants and theaters are known in Portsmouth, giving people a new location to go when they order their tickets or make reservation will not upset them because everyone is aware our lives have changed due to the virus. Many may appreciate the beauty of Pleasant St, more comfortable seats at the High School and even a night without alcohol, which is the way Seacoast Rep was for many years. The Middle School's center area or gym would be a great place for a play with a lot of room to spread out and shops could set up in the foyer. All these venues could provide a link to the Foundry Garage so it could be used for what it was built to do, parking of cars.

Sincerely,
Elizabeth Bratter