

**PEASE DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS MEETING  
MINUTES**

Thursday, September 20, 2018

Presiding: Kevin H. Smith, Chairman  
Present: Peter J. Loughlin, Vice Chairman; Robert A. Allard, Treasurer; John P. Bohenko;  
Margaret F. Lamson; Neil Levesque and Franklin G. Torr  
Attending: David R. Mullen, Pease Development Authority (“PDA”) Executive Director; Lynn  
M. Hinchee, PDA Deputy Executive Director and General Counsel; PDA staff  
members; members of the public.

**I. Call to Order**

Chairman Smith called the meeting to order at 8:05 a.m. in the Board conference room on the Pease International Tradeport at 55 International Drive, Portsmouth, New Hampshire.

**II. Acceptance of Minutes: August 16, 2018**

Director Lamson moved and Director Allard seconded that **The Pease Development Authority Board of Directors hereby accepts the minutes of the August 16, 2018 Board meeting.** Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

**III. Public Hearing: Seacoast Helicopters, LLC**

A public hearing was held regarding Seacoast Helicopters, LLC (“Seacoast”). Chairman Smith read the applications for Conditional Use Permit, Site Review and Subdivision.

Barry Gier from Jones & Beach Engineers, Inc., Bruce Cultrera, owner of Seacoast Helicopters, LLC (“Applicant” or “Seacoast”) and Attorney David Wing from Wing & Weintraub, P.C. were in attendance on behalf of the Applicant. Mr. Gier explained the background of the project on the North Apron of the airport. The intent is to subdivide a 2½ acre parcel for lease by Seacoast for the development of an 8,000 s.f. hangar and office with intent to expand to a total of a 16,000 s.f. building. The site is on the North Apron which is a concrete apron with existing drainage. It also has a 40’ paved shoulder adjacent to the concrete apron. There is a 12” water main that surrounds the North Apron and a 4” sewer force main that terminates at the end of the North Apron cul-de-sac. The proposed improvements include the reconstruction of the existing paved shoulder from 40’ wide to 30’ wide which will be repaved. Some of the current concrete around the building will be removed and the parking areas decreasing the amount of impervious pavement on the project and decrease the amount of stormwater generated by the project. Seacoast will mitigate stormwater by installing three mechanical oil/water separators. Water connection is to the existing 12” water main. A septic tank/pump station will be installed to the existing 4” force main to the end of the cul-de-sac. Phase I will include a proposed septic tank as a storage tank that will be pumped periodically until the construction of the section of the sewer from the end of North Apron Road to Arboretum is completed. Power and telephone cable will be installed underground from the end of the cul-de-sac to the project and three-phase power is proposed to be run along North Apron Road to the end of the cul-de-sac. The project does require impact within the wetland buffer and Seacoast is requesting a Conditional Use Permit for the proposed impact which is required for the reconstruction of the paved shoulder that is currently located within the wetland buffer. Seacoast formally requests the approval of its Conditional Use Permit Application, Site Review Application and Subdivision Application.

Director Lamson stated that she has attended the Technical Review Committee meetings and her questions are recorded in the minutes. Director Lamson further stated she is very concerned about the environment relative to the septic location.

In response to Vice-Chairman Loughlin's question regarding approval from NH Department of Environmental Services ("DES") for the holding tank for effluent, Mr. Gier stated that Seacoast has not yet applied for approval but has been in contact with DES and told it is allowable. Mr. Gier explained that the holding tank is not a permanent solution. There is a force main that Seacoast will connect to but it is about 840' short. Once this is connected there will be a continuous forcemain sewer all the way to the gravity sewer.

In response to Director Torr's question whether the drainage will increase or decrease, Mr. Gier stated that drainage will decrease due to the reduction of impervious pavement on the site. In response to Director Torr's questions regarding utilities, landscaping, lighting and building structure, Mr. Gier stated that underground lines will be run from the end of the cul-de-sac to the project and the existing overhead power ends along North Apron Road at the end of the NHANG fence. Seacoast has been in contact with Eversource and proposes running overhead lines along the remainder of North Apron Road to the end of the cul-de-sac and from the cul-de-sac to the building will be run underground. Landscaping is proposed as almost the entire area is concrete or asphalt currently. Seacoast proposes to remove some of the concrete and asphalt around the building and in front of building and put in loam and seed and the same in some of the parking areas. Future building will have lighting in the back of the building, the apron side and the front as well. The building will be a steel structure with a pitched/sloped roof.

In response to Director Lamson's question regarding runoff, Mr. Gier stated that it will runoff onto the pavement and be collected in the storm drain system.

Ms. Stowell discussed the Technical Review for the project. The Technical Review Committee ("TRC") talked about adding a gutter along the back of the building. Ms. Stowell reviewed who the members of the TRC are and the three TRC meetings held regarding this project resulting in a recommendation of approval with conditions. Ms. Stowell stated that all conditions were fully met except for one about the connection to the sewer manhole that was not fully addressed in the new plans but can be worked out. Ms. Stowell recommended that the Board add this as a condition about the sewer manhole as a carry through from the TRC. Ms. Stowell pointed out two other issues: sewer disposal and communications wiring. Ms. Stowell stated that, although the TRC thought it would be a decision by DES, she is encouraging that the sewer connection be made now. The second undergrounding issue is power and communications to the site. During technical review there was no technical reason to put it underground but, at the Board level, the Board can make it a condition.

Director Loughlin commented about the TRC's statement of there being no technical reason to run communications underground, and that there will never be a technical reason to do so but, as the North Apron will be developed soon, the utilities should be done now and some allocation of cost given to the Applicant and the future tenants. Ms. Stowell stated that the cost to run from the existing overhead about 600' to the project would be approximately \$60,000-\$65,000 to plant more poles and run more wires according to Eversource. For running underground, Eversource does not put in the underground structures such as manholes and conduit system, but would charge approximately \$75,000 to run the wires underground. It was estimated the total cost for running power and communications underground would be \$250,000-\$300,000.

In response to Director Bohenko's question about whether a proration can be done so Seacoast is not paying the entire cost for communications and what is the impact that Seacoast is providing, Ms. Stowell responded that Seacoast could run overhead now and set aside money for the running underground in the

future. Director Bohenko's recommendation would be to formulate a proration for allocation of costs for utilities. In response to Ms. Hinchee's suggestion that Ms. Stowell explain that the staff looked at the future NHANG development area and that PDA does not have control over NHANG activities, Director Bohenko suggested getting a surety from Seacoast on their prorated percentage and is concerned that if underground is not run now, it will not get done. Ms. Hinchee explained that the NHANG also has access to the apron for their use and are intending expansion in that area as well. Director Bohenko stated that the federal government and the Dept. of Defense try to be accommodating. In response to Director Lamson's suggestion, Ms. Stowell explained where the North Apron is, where the NHANG and the project are.

In response to Director Allard's question about whether there are safety issues by running overhead utilities, Ms. Stowell explained that is why the overhead utilities were stopped at the cul-de-sac. Mr. Cultrera further explained that wires are a number one concern for helicopter flying safety and pilots are acutely aware of overhead wires at PDA and elsewhere. Students always have instructors with them when flying.

Attorney Wing addressed the Board with concerns regarding Ms. Stowell's memorandum to the Planning Board on the two conditions recommended by the TRC. The first condition pertains to the two-phase design of the sewer system. The TRC went through three meetings, the plan was approved and Seacoast received a letter dated August 14, 2018 from PDA that there were stipulations that had to be met. The memorandum dated September 12, 2018 stated there were two major issues that need to be addressed which are major cost issues for Seacoast. PDA is asking Seacoast to spend over \$1 million to tie into the sewer system and is almost a mile away from the Seacoast facility. The line needs to go down 835' and the cost is tremendous to put that in. The second concern is running the utilities underground. At a minimum for both issues, the costs should be prorated to Seacoast. To stop the project until Seacoast commits to running the 835' line for sewer is not fair and is a hard burden to meet to allow the project to go forward. Also at a minimum, Seacoast would like the project to be approved with the two-phase system and DES can address the two-phase system and permitting. The same issue applies to running utilities underground. The \$300,000 cost for underground versus the \$65,000 cost for overhead utilities. Seacoast requests the Board approve the Applications without the conditions in Ms. Stowell's September 12, 2018 memorandum.

Ms. Stowell addressed the TRC review of the sewer connection specifically in two TRC meetings and meetings with Public Works to see how it could be done. The sewer line is large and not intended for a small user. The first suggestion was a holding tank which was rejected because a permanent building was being constructed and a permanent connection needs to be made. This permanent connection went through the first two TRC meetings but at the last TRC meeting it was back to the holding tank system and raised as a comment about it again being two-phased. TRC let it go because Seacoast would need to get DES permit approval any way. The issue was never a clear cut approval.

Ms. Hinchee pointed out to the Board that, under the Land Use Controls, when the Board sits as a Planning Board, the Board has an absolute right to add any conditions considered appropriate. The Board does not have to accept, in toto, any recommendations brought to it.

Attorney Wing rebutted Ms. Stowell's statements by reporting that Seacoast will be a small generator of waste and understood that it would be more sanitary to not have effluent in the pipes for a long period of time. Mr. Gier further explained that there is currently a force main that was installed with North Apron Road that extends the length of North Apron Road and at the end of the cul-de-sac. The Seacoast project will install a force main from the proposed septic tank with the ability to install a pump at that tank to discharge the septic tank down the line. There is currently a section of sewer on Arboretum that isn't installed. The plans show a connection of the force main located on Arboretum and the force main will be connected to the gravity sewer on Arboretum. Seacoast is asking for the time for it to be constructed and to make the connection. It takes 16 days under this design to pump from one end to the other.

In response to Director Lamson's question to Seacoast to explain what it means by "small generator," Mr. Gier reported that DES calculated Seacoast is at 150 gallons per day for the building which usage is equivalent to a one-bedroom residential building.

Director Bohenko requested that the Board move to the public comment section of the meeting as they have been waiting for approximately 45 minutes to speak. The speakers were called and spoke as follows:

Ken Latchaw, a selectman for the Town of Newington ("TON") and representing other selectmen and the Town of Newington, speaking against Seacoast Site Review building on the North Apron in the proposed location. They do not agree with the new location for the following reasons: (1) will adversely affect the residents and their quality of life; (2) moving closer to Newington will increase intensity of noise pollution that already exists; (3) TON representative requested that a new noise study be conducted but was told the cost was too much and the amount of noise was not changing; (4) Seacoast is not adhering to the normal hours of operation, the TON representative requested a sound barrier and a new study is needed; (5) PDA complaint line is ineffective and needs to change the system to register complaints easily; and (6) has PDA given any consideration to giving Seacoast a location at Skyhaven Airport ("DAW").

T. Stephen McCarthy, a Portsmouth resident for 54 years, spoke to offer his full support and complete approval of Seacoast Applications and relocation. Seacoast has complied with all laws, restrictions, licensing and ordinances in its operations and should not be deprived to operate and grow its business. Pease airport itself is underutilized. Seacoast drives interest to the local area. The government and citizens do not have a right to deprive a business from growing. Great Bay Community College has a curriculum labeled "Aviation Technology Helicopter" that offers Associates degrees. This would not exist without the facilities and personnel of Seacoast. Seacoast deserves the right to operate and grow. Mr. McCarthy stated he has two decks on his home and not once has Seacoast threatened his covenant of quiet enjoyment.

Doug Ross, a Newington resident, stated that Seacoast has been a "sporadic annoyance" flying overhead. Mr. Ross is concerned that the expansion/relocation would generate more flights and, therefore, more noise. Mr. Ross spoke about prior studies done on helicopter operations. One report goes back to 1982 and is 163 pages long. This report addresses the noise exposure contours for use in environmental impact studies. It states: "In recognition of growing public concerns over potentially adverse noise impact associated with helicopter operations, the FAA encourages helicopter and heliport operators to analyze noise impact as part of the normal heliport planning process." Mr. Ross has asked that PDA hold any decision in abeyance until a noise impact study is done to determine the decibel level based on this expansion. Mr. Ross further discussed a report pertaining to eagles. Mr. Ross stated that when he wanted to get approval to have a floating dock put in at this property several years ago, he had to have an impact study done to determine, among other things, the impact on an eagle nest at the Great Bay Reserve. The name of the 2013 study is: "Helicopter Tours Change Routes to Protect Eagle Nests." Mr. Ross read a statement from one of the pilots indicating they gave the eagles a wide berth before and stayed 2,000 feet away but now they are staying a mile out and 1,000 feet above the ground. Mr. Ross asks for consideration in this regard.

Deirdre Wallace, a Portsmouth resident, stated that there has been aircraft flying over her house but that activity has been mostly military. Ms. Wallace further states that Seacoast has dramatically decreased the enjoyment she gets from being in her back yard and, during one over-the-fence chat with a neighbor, the conversation was interrupted five times from the noise of the helicopter tours overhead. Ms. Wallace stated she has called the noise complaint line, got an answering machine, left a message, and received a call back after three weeks and Ms. Wallace reiterated the substance of the call including a statement that PDA

does not have any power over the flight paths of the helicopters. Ms. Wallace questions the purpose of the noise complaint line other than for statistical data. Ms. Wallace has questions as to how many PDA Board members, staff of the helicopter company live under the tour routes, what kind of emissions standards do the helicopters have, and can we ignore the impact on climate change to which this activity is contributing.

Mike Dater, a Portsmouth resident, stated most of his concerns have already been stated and he has no objections to Seacoast earning a living but it must consider impact on community. The citizens have a right to quiet enjoyment and object to continued and increased operations of Seacoast.

John Stephenson, a Miller Avenue, Portsmouth resident, spoke to the history of this issue which goes back to the summer of 2014. At the onset, there was significant opposition from various surrounding towns. Beginning in 2014, Mr. Stephenson has kept detailed records of the number of flights over his house and recorded in 2014 there were 115 times, 2015 there were 291 times over his house. In 2016 Seacoast got an additional helicopter which included a transponder that allowed monitoring of altitude and location via the internet. In 2016 there were 279 times; 46% of those were on the weekends; the average height was 696 feet as recorded by the transponder. Seacoast has disputed the altitudes shown on the internet. The PSM tower can record instrument landings and has the records of the altitude of the helicopters so there can be a comparison done between the transponder altitude readings and the internet readings. In 2017 there were 324 flights over his house and in 2018 there have been 77 times. Mr. Stephenson next spoke about the loudness of the helicopter operations and the certification data for 492' is 80.9 dba. The helicopter noise is loud and persistent and the helicopters are usually banking when flying over his house so there is a chopping noise as well. The PDA has a voluntary noise mitigation procedure with a voluntary restriction to fly at 2,500'. Under federal law, a fixed wing airplane cannot fly below 1,000' but helicopters are exempt from that law. The altitude translates into noise on the ground and if you cut the altitude in half, it increases the noise by a factor of four. The complaint line is by either phone or email. Recently, the complaint line has been down for seven weeks this year. The response to a phone complaint is that PDA cannot do anything. This discourages complaints but Mr. Stephenson stated he still registers complaints so he can have an independent record. Mr. Stephenson stated that PDA General Counsel will say the Board has no discretion here and Seacoast cannot be turned down. Mr. Stephenson states that the Board members are political appointees and this is a political issue. When Mr. Stephenson did research for this, he found a 1990 USAF environmental analysis that stated an estimated 10,000 gallons of fuel was spilled on the North Apron. Mr. Stephenson contacted CLF for more information. An online petition was set up and there are now 108 names on it.

Robert Chaikin, a Newington resident who lives close enough to PSM to hear the NHANG play the lowering of colors and is greatly supportive of the PDA. Mr. Chaikin stated that PDA has an overall responsibility for all Part 150 compliance issues. Helicopters have a unique difference on the impact to residents from low flying rotor aircraft based on the distinct noise contours. The 2012 Noise Study was published. In 2013 Seacoast and two other airlines came to PSM and the noise study did not take into the helicopter influence on the Part 150 requirements. Mr. Chaikin stated that the study going out to 2019 shows that there were zero takeoffs and landings of helicopters. As the airport operator, the PDA Board is responsible for all Part 150 issues. Mr. Chaikin stated that Seacoast is not relocating but is a new business at Pease asking for subdivision approval to build an 8,000 s.f. facility asking for a 30-year lease with a 10-year option so it can grow. The Pease Quarterly 2018 spring issue contains a full page article on Seacoast where Mr. Cultrera stated it intends to grow. Mr. Chaikin states that if the PDA approves the applications of Seacoast and allows the expansion, it will have a deleterious effect on the quality of life of residents in the surrounding areas. The TRC report states that Seacoast will fly over Route 16 and Tradeport but the majority of the business of Seacoast is training.

Mike Fisher had no comment. Josh Morin (Morse?) and Bob Newell were not in the room.

Mr. Stephenson read through the TRC minutes dated August 9 stipulations regarding an alteration of terrain permit through the DES and the deadline for the permit was September 4 for revised plans and could not track the status of this permitting for the record.

The public comment section of the hearing was closed at 9:26 a.m. Director Bohenko asked that Chairman Smith allow for public comment section of the meeting outside of Seacoast applications and defer the Board discussion on the applications until after. The public comment portion of the regular Board meeting (item IV. on the Agenda) was opened for items outside the Seacoast applications.

Chairman Smith asked Mr. Brean to speak on the Part 150 and whether the noise study was part of the process. Mr. Brean explained that the Part 150 program is an ongoing program. The original study was done for heavy turbine aircraft. There was one rotor craft design in the ongoing study but it was a large turbine helicopter jet referenced in the study. Part of the 150 study is the Noise Abatement program which involves a quarterly meeting that meets and there are representatives from the public, the NHANG, the tower and the general aviation community. On a monthly basis, there is a noise report activity. One employee is dedicated to inquire on all noise abatement inquiries received and keep the data base of complaints. Some inquirers have indicated that they do not want a response, which is the only time they would not get a response. The program is a collaboration between the FAA, the communities and the airport. It is also a tool for communities to use for land use purposes.

The project by Seacoast is a relocation of existing activity at the airport and Seacoast is a tenant of the PSM's FBO on the south side of the airport. Seacoast does hovering training, sling basket training and slope training on a daily basis on the North Apron parcel. Mr. Brean stated that, to his knowledge, there has not been a noise complaint for activity on the North 40 Apron for those training sessions. Helicopters do not need a runway to take off and can receive direct access to depart on the North 40 which allows them to go directly over the Tradeport and onto Route 16. This has taken the demand off Sherborne Village and the Great Bay approach area. Although not all traffic can be reduced in the traffic pattern because of student training and DAW was brought into the discussion as Seacoast training is done at other airports as well.

Mr. Brean further reported that as part of the development process for the next level for Seacoast, then it would be required to apply for an FAA 7460 and the FAA in Washington, DC will review the project for impact. PSM would be required to change the status on the airport layout plan which could trigger an additional noise contour study. PSM staff has worked with local FAA on the Seacoast project and it is unlikely that this project will result in a federally funded noise study. The 7460 application will dictate the need for an additional contour study. Director Lamson pointed out that the area is Little Bay not Great Bay and asked Mr. Brean to explain the Seacoast flight path over the surrounding areas. Mr. Brean explained where Seacoast does its areas and the flight paths for training.

In response to Vice-Chairman Loughlin's question regarding what power the FAA had and what it could do regarding the Part 150 study if the helicopter flights were increased, Mr. Brean stated that specific routes could be developed for helicopters; the tower and Seacoast work those routes now when they can. The FAA would issue a specific flight route for rotor aircraft activity.

Ms. Hinchee stated that, if there is that level of increase in activity, it will not result in grounding the helicopters or limiting the number of operations. The first Part 150 recommended changes to zoning in the local communities regarding the types of construction, such as sound proofing and sound dampening measures, and the communities rejected that. The airport has other issues that it can control, such as patterns. The FAA has control of things off Pease and PDA has control of things that happen directly over Pease airport.

In response to Vice-Chairman Loughlin's question regarding altitudes for helicopters and the transponder apps, Mr. Brean stated his understanding that the app is accurate and once the pilots are out of the towers control, they can fly at their own height as long as it is safe. The airport could not put limitations on the level helicopters can fly at. In response to Vice-Chairman Loughlin's question regarding the altitude of 1,000' for helicopter tours and any record from the tower, Mr. Brean stated that the best practices to stay at 1,000' that the tower would not be able to provide that information once the helicopter is out the control space but will inquire if the tower can provide information regarding takeoffs while in the control space.

Mr. Cultrera discussed the regulations for fixed wing aircraft for absolute altitudes over populated areas (1,000') and unpopulated areas (500'). Helicopters are exempt from that because of the operations such as search and rescue and EMS. Mr. Cultrera further stated that Seacoast does fly at 1,000' and that the application is accurate but there is a time lag which is creating the confusion. When taking off from PSM, the helicopter is climbing to 1,000' but once over downtown or other areas of observation, the altitude registering on the app is from several minutes earlier not the actual altitude during the flyover. The report of 400', 600', etc. that is being reported is from the climb out from PSM. Seacoast pilots fly at 1,000' consistently. During the rare photo flights the altitude can be lower.

Ms. Hinchee clarified that the Board approved the location as its role as landlord and its role today as the Planning Board is to review the compliance with Pease zoning and the technical aspects of the project.

Director Lamson stated that she voted against the location of the Seacoast relocation.

Chairman Smith reviewed the technical conditions of Seacoast applications to get a consensus from the Board. The three conditions to discuss: the force main terminus, the sanitary sewer connection and the underground electrical power and communications conduit system.

Regarding the force main terminus, Ms. Stowell stated it was a condition that came out of the TRC. Mr. Gier stated it was a minor issue that can be worked through. Director Bohenko moved and Director Levesque seconded that **The Pease Development Authority Board of Directors hereby approves the condition to the Site Review Application that the Forcemain Terminus into Manhole detail shall be revised to reflect actual field conditions as recommended by the Technical Review Committee on August 9, 2018.** Discussion: In response to Director Allard's request for an explanation of what the technical condition involves, Ms. Stowell explained the force main system and location of the manhole; that it is for contractors to take a look at how the connection will be made. Disposition: Resolved by unanimous vote for; motion carried.

Regarding the sanitary sewer connection, Director Bohenko moved and Director Lamson seconded that **The Pease Development Authority Board of Directors hereby approves the condition to the Site Review Application that no phasing of the sanitary sewer connection will be allowed. The applicant shall connect to the gravity sewer in Arboretum Drive prior to receiving a Certificate of Occupancy as recommended by the Technical Review Committee on August 9, 2018.** Discussion: In response to Director Loughlin's discussion of the planning concept of "scattered and premature development" which states that, if at the time of development the utilities are not present, the developer can pay to have them brought in or wait for another entity to bring them in. If Seacoast is going forward now, it should connect now. Director Bohenko suggests a proration of what Seacoast share would be for the sewer line and perhaps request a surety from Seacoast. Ms. Hinchee stated the understanding was that Seacoast complete the construction before getting the Certificate of Occupancy ("CO"). In the past, PDA has included provisions in its leases which provide for the opportunity in the future to recover from a subsequent tenant who develop in that area and rely on the existing facility installed by the original tenant. In terms of Seacoast, it would not be putting up a surety except as part of the Site Review Agreement and because it is going to build it and be reimbursed from a subsequent tenant. Director Bohenko stated that the motion should be amended

to allow Seacoast to recover its share from future tenants. In response to Director Allard's question of how the proration for Seacoast would be calculated for this facility, Ms. Hinchee stated that Engineering and the Executive Director would determine the proration based on the size of the future facility. The Board discussed how proration may work. Ms. Hinchee further explains how the reimbursement would work through a lease of a future tenant when looking at a precise area of development.

The motion was amended by Director Bohenko and the amendment was seconded by Director Lamson that **The Pease Development Authority Board of Directors hereby approves the condition to the Site Review Application that no phasing of the sanitary sewer connection will be allowed. The applicant shall connect to the gravity sewer in Arboretum Drive prior to receiving a Certificate of Occupancy as recommended by the Technical Review Committee on August 9, 2018 with the provision of recovery on a prorated basis in a lease of a future tenant.** Disposition: Resolved by unanimous vote for; motion carried.

Regarding the utility wiring, Director Bohenko moved that the condition be amended to include proration of costs similar to that outlined in the condition regarding the sewer. Discussion: Ms. Hinchee suggested that Chairman Smith poll the Board regarding having the utilities underground before making a motion regarding payment. In response to Director Bohenko's question of a suggested amendment that applicant will, in the future, be prorated for underground utilities, Ms. Hinchee asked to clarify the question of if this is after a determination is made to underground utilities in the future. Chairman Smith asked for a consensus from each of the Board members who all stated they want the utilities placed underground. Ms. Stowell asked for a clarification that the Board wants the utilities placed underground from the beginning and Ms. Hinchee stated that the motion would be that electrical and communication wiring may be constructed above ground provided, however, in the event the PDA Board of Directors determines to require undergrounding, before approving the next project, the applicant will be responsible for his pro rata share of the undergrounding and that it be secured.

In response to Director Allard's question about the price for undergrounding the utilities, Director Bohenko stated that the cost was quoted as \$250,000-\$300,000 and \$60,000 for above ground. In response to Director Allard's question of why PDA can't pay for the utilities to be run underground and charge Seacoast a percentage of the cost, Mr. Mullen stated that PDA generally doesn't do that and Ms. Hinchee stated that PDA has never done that. Mr. Mullen discussed AT&T running underground utilities on Corporate Drive at their expense. In response to Director Allard's comment that it would be unfair to have Seacoast pay \$60,000 for underground utilities and then require him to pay for undergrounding, Ms. Hinchee offered that, if that is the consensus of the Board, a credit could be provided for Seacoast's allocation for the amount previously spent, provided, however, that PDA would not be obligated to give Seacoast back any money. If, in the future, the prorated allocation is less than \$60,000 and it spends \$60,000, PDA does give anything back but Seacoast will not pay anything toward the next portion of it because it already contributed to it. Discussion followed regarding the options available to Seacoast for the utilities, reimbursements of a pro rata share and the mechanism by which it would occur.

Director Bohenko moved and Director Torr seconded that **The Pease Development Authority Board of Directors provides a stipulation within the applicant's conditions that, in the future, in the event that underground utilities are mandated, that they pay their prorated share and, further, that their prorated share would be credited with the amount of money paid to Eversource for overhead lines.** Chairman Smith clarified that the Board is allowing Seacoast to construct the lines overhead to begin with. Ms. Stowell addressed the calculation of how the utilities will be installed; the lines will be run overhead now and later run underground. Ms. Stowell further stated that a cost must be added to run overhead to the cost of underground installation to properly calculate the pro rata share of the full sum and Ms. Hinchee stated that no, PDA will pay the difference in this instance.



Director Allard stated that he is going to vote against it because it is a waste of money for Seacoast to pay twice for utilities; that PDA should pay \$240,000 to run underground now, Seacoast pays \$60,000 and recoup the money from a future tenant. Director Allard amends the motion as such; Director Bohenko accepts the amendment to the motion. Ms. Hinchee asked Ms. Stowell whether the cost estimate from Eversource is the total cost estimate to run the utilities underground, Ms. Stowell responded that the only fixed cost we have from Eversource to pull the wires through the conduit; that design, trench digging, conduit to manholes are based on an estimate. The estimate does not include environmental remediation if needed. The cost only gets it the last run; the 600' segment from Arboretum would remain above ground. In response to Director Allard's statement that the Board has already decided to have the utilities run underground, Mr. Mullen asked from what point. In response to Chairman Smith's question to Mr. Mullen or Irv Canner, PDA Director of Finance, whether PDA is prepared to absorb the cost, Mr. Canner stated it would be incorporated into the cash flow and would look at all resources to go toward the debt.

The motion was amended and Director Torr withdraws his second to the motion as amended. Director Loughlin seconded the motion as amended. Disposition: Resolved by roll call vote 4-3 for, Chairman Smith, Directors Torr and Levesque opposed; motion carried.

Discussion ensued regarding the status of the motions and amendments. Director Bohenko recited the motion now before the Board: **that the applicant will pay its equal share of overhead electricity to its facility and PDA will underground the utilities and recover future costs from future development.** Ms. Hinchee stated that this is the amendment to the motion and that the motion is to approve the Site Review application as recommended with the following conditions of the amended motion on the terminal and undergrounding of electric.

*The Board recessed for consultation with counsel at 10:40 a.m. and returned at 11:18 a.m.*

Director Torr moved and Director Lamson seconded to withdraw the previous motion on the technical condition #3. Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

Chairman Smith read the motion for approval of the Site Review Application. Director Bohenko moved and Director Allard seconded **that having duly scheduled, noticed and held a public hearing on Seacoast Helicopter, LLC's application for Site Review, the PDA Board of Directors resolves as follows:**

**To approve Seacoast Helicopter, LLC's site review application as recommended by the Technical Review Committee on August 9, 2018, and such other conditions as determined by the PDA Board:**

- 1. The "Forcemain Terminus Into Manhole" detail shall be revised to reflect actual field conditions; and**
- 2. No phasing of the sanitary sewer connection will be allowed. The applicant shall connect to the gravity sewer in Arboretum Drive prior to receiving a Certificate of Occupancy provided, however, that the PDA and tenant will negotiate a proration to the tenant based on future development of the North Apron.**

Discussion: None. Disposition: Resolved by roll call vote 6-1 for; Director Lamson opposed; motion carried. Director Lamson stated at the TRC meetings she requested a berm and was told it was not feasible; that since 2013 Seacoast has been an annoyance to the whole seacoast area.

Chairman Smith read the motion for the approval of the Subdivision Application. Director Allard moved and Director Bohenko seconded **that having duly scheduled, noticed and held a public hearing**

**on Seacoast Helicopter, LLC's Subdivision Application, the PDA Board of Directors resolves as follows:**

**To approve Seacoast Helicopter, LLC's Subdivision Application as recommended by the Technical Review Committee on August 9, 2018.**

Discussion: Vice-Chairman Loughlin commented on the balance of rights. Disposition: Resolved by roll call vote 6-1 for; Director Lamson opposed; motion carried.

Ms. Stowell discussed the Current Use Application; the work the engineer described that would need to be done in the wetland buffer. The Committee recognized that there was going to be a lesser amount of pavement in the buffer. Vice-Chairman Loughlin commented on the reduction of wetland impact in the buffer.

Chairman Smith read the motion on the approval of the Current Use Application. Director Torr moved and Director Allard seconded **that having duly scheduled, noticed and held a public hearing on Seacoast Helicopter, LLC's application for a Conditional Use Permit, the PDA Board of Directors resolves as follows:**

**To approve Seacoast Helicopter, LLC's application for a Conditional Use Permit as recommended by the Capital Improvement and Land Planning Committee on June 21, 2018.**

Discussion: None. Disposition: Resolved by roll call vote 6-1 for; Director Lamson opposed; motion carried.

#### **IV. Public Comments**

Councilor Perkins urged the Board to consider creating the housing task force for the exploration of residential development at Pease and that the Portsmouth City Council passed a unanimous resolution in favor of the PDA forming this task force. If the Board wished, it could postpone the discussion regarding the task force until October. Councilor Perkins stated that there were a couple of people attending that are interested in the task force as well. The City of Portsmouth is open to being collaborative and would welcome the opportunity to assist the Board.

Tom Ferrini, a Portsmouth resident and attorney, spoke in support of Councilor Perkins and would like an opportunity to be involved if a task force is created. His focus would be different; that it should be a thorough and in-depth review from a legal, engineering and environmental perspective. He urges PDA to consider economic development beyond housing to be competitive.

Mike Fisher, Vice President of Student Affairs at Great Bay Community College and on the Executive Board of The Chamber Collaborative of Greater Portsmouth, stated he was in favor of exploring the task force primarily for work force development. New Hampshire is now the second oldest state in the US in terms of the age of residents.

Anthony McManus, former PDA Director, stated he raised the issue of introducing housing years ago. Mr. McManus believes it was a good idea then and it is a better idea now. Mr. McManus discussed his reasons for the proposal at the time were: a growing need for housing in the Seacoast area and that the need is more acute today; it was a great opportunity for Pease for recruiting new tenants and bringing new employees and executive to Pease. Mr. McManus stated that the reluctance to consider housing is short sighted to Pease's long term role in the community and there is space available if PDA gives it serious consideration.

Eric Spear, former Portsmouth City Councilor, Ed Reynolds, Portsmouth City Councilor and Doug Robert, Portsmouth City Councilor, all spoke in support of the task force to consider housing at Pease.

Chairman Smith resumed the Board of Directors discussion of the Public Hearing on Seacoast Helicopter, LLC applications.

**V. Old Business**

**A. Discussion Regarding Creation of Task Force to Establish Work Force Housing at Pease International Tradeport**

A discussion was held regarding the creation of a task force to consider work force housing on the Tradeport as requested by Councilor Perkins at PDA's August Board meeting. Director Bohenko moved and Vice-Chairman Loughlin seconded that the Board empower the Chair to formulate a study committee and bring it back for approval at the next Board meeting. Discussion: Director Bohenko stated that the issue should be studied and to get a final report. Director Bohenko further stated that, the City could work with the PDA staff on the logistics; that the study committee should not be comprised of more than five people and bring in the most appropriate and necessary people to help staff evaluate housing on Pease.

Vice-Chairman Loughlin stated that he has been opposed to housing at Pease from the beginning. When news of Pease closing first broke, representatives from Portsmouth went to Limestone and Dow in Maine and the message they strongly gave was to not have housing as part of the development component. Vice-Chairman Loughlin further stated that he believes that if existing housing was allowed to remain at Pease or if a new housing component was allowed as part of the redevelopment of Pease, Pease as an economic engine and job creator would not be as robust as it has been. Vice-Chairman Loughlin indicated that maybe it is time to take a look at housing at Pease, not just work force housing. The legislation enacted in 1990 and the rules and policies developed by the PDA since that time have served the seacoast and the state of New Hampshire well. Before any changes are made, the impact of those changes should be closely scrutinized. Vice-Chairman Loughlin stated that he believes the preeminent goal is to create jobs for local residents and graduates of high schools, colleges and universities. PDA must weigh the impact of a housing component to the businesses choosing to come here.

Director Lamson recalled that, as a selectman during the closing of Pease, and as part of the Pease Redevelopment Commission, it was determined that housing was not conducive to Pease. Director Lamson commended the staff of PDA and the Board of Directors for how Pease has developed. Director Lamson stated it is the responsibility of the area communities to have work force housing.

Director Bohenko stated that people are moving back into the cities and that there should be a study committee to determine if housing should be at Pease, look at all types of housing such as dorms at Great Bay Community College.

Director Torr expressed his agreement with Vice-Chairman Loughlin and Director Lamson that there should not be housing at Pease. Staff costs and time, noise, environmental concerns and FAA regulations are factors to be considered. Director Torr stated he was totally opposed to housing at Pease. The goal of the legislature was economic development.

Director Levesque stated that looking at housing does take staff time and the City of Portsmouth is willing to pick up some of the staff time for that and it will not hurt to look at the issue. The City of Portsmouth is our partner on so many things and suggests we look at it and would not be to the advantage of PDA to not look at housing.

Director Allard stated that if housing were on Pease, businesses may complain. It is a great facility for businesses and he would vote against the task force as staff is overworked and believes that the business developers would make less money from housing than they can from business development.

Chairman Smith stated that when Councilor Perkins first approached him as the new PDA Board Chairman, he did not have the history at PDA but thought it was an interesting idea worth exploring with the stipulation that it be driven by the City of Portsmouth. Chairman Smith acknowledged the institutional knowledge of the PDA staff and Board members. If the task force was approved, he would be respectful of staff time.

Disposition: Resolved by roll call vote at 4-3 for; Directors Torr, Allard and Lamson opposed; motion carried.

## **VI. Finance**

### **A. Financial Reports**

#### **1. Operating Results for 12 Month Period Ending June 30, 2018 (Preliminary)**

Mr. Canner reported that the audit was planned for nine days and the auditors were here for three. There were no issues with the audit. The one piece of information the auditors did not have before they left was the GASBY 75 information on post-employment costs required to put into PDA financial statements this year.

Operating revenues were above budget by approximately 5% and operating costs above budget by 8%. The driver for the increase in operating costs was the retiree health care program and the five-year retroactive adjustment for costs that had not been billed to PDA which was approximately \$450,000. This is reflected in the PDA benefit costs. Operating income for the end of the fiscal year is \$2.5 million.

Revenue is over budget by approximately 5%. The primary drivers were fee revenues from fees at the Golf Course at Pease (“Golf Course”) and wharfage and dockage fees.

There are two positions currently open in Maintenance Department.

Mr. Canner reviewed the Balance Sheet, discussing PDA net position. In 2017, there was a deficit of \$352,000 under unrestricted funds which are broken up between PDA and Division of Ports and Harbors (“DPH”). As of June of 2018 that number is \$2.4 million. The breakdown is PDA has \$2.2 million and DPH has approximately \$300,000.

Mr. Canner discussed the Revolving Line of Credit (“RLOC”) and reported that we have not had to use any funds from it this fiscal year.

The total construction capital expenditures for the year came in at approximately \$7.3 million. Of that figure, the major activity was the terminal expansion planning process, the taxiway area at the NH Air National Guard as well as some final payments at DAW for pavement and purchase of a new piece of snow removal equipment at \$500,000.

Mr. Canner discussed the individual business units. The number of enplanements at Portsmouth International Airport at Pease (“PSM”) was about 71,000 as of last year at this time which is slightly below where we were in the previous year.

Revenues for Skyhaven Airport (“DAW”) came in pretty much on budget. Overall, the budget deficit for operating income was \$74,000 below budget. Since taking on DAW, operations has generated

just over \$900,000 in operating losses. Capital expenditures, debt repayments and so forth puts the deficit total at \$2.1 million at this point.

The Golf Course had a good season with operating revenues approximately 13% above budget. Overall, the operating income increased by about \$132,000 or 32% more than budget for each of the business units. The rounds of golf played are up from last year by about 2% and Grill 28 sales are up by about 6%.

## **2. Nine Month Cash Flow Projections to May 31, 2019**

Mr. Canner reviewed PDA cash flow projections for the nine month period ending May 31, 2019 including sources of funds for grant funded and non-grant funded projects. PDA expects to spend approximately \$7 million on capital expenditures for the terminal expansion, most of which will be non-grant funds at this point. PDA is continuing to look at financing to support the expansion. During the nine-month period, cash balances will go from approximately \$6 million currently to about \$1 million.

A proposal will be brought back to the Finance Committee for the total cost of the terminal expansion and other capital projects. PDA will be looking at more than \$5 million for the revolving line of credit ("RLOC"). If PDA borrowed money today, the interest rate would be 4.8% which is increasing by about 20% since the end of last year. In response to Director Allard's question of what the Boston interest rate is, Mr. Canner stated that PDA pays 2½ percent above the "one-month classic" interest rate. When you see the 4.82%, subtract the 250 basis points so the baseline cost of the 4.82 is 2.3%.

In response to Director Lamson's question regarding funds for vegetation and tree planting, Ms. Stowell, PDA Engineering Manager, stated that the plan is up for discussion at this point but the money is still there.

### **B. Approvals**

#### **1. Berry Dunn McNeil & Parker, LLC – Independent Information Technology Assessment**

Vice-Chairman Loughlin moved and Director Torr seconded that **The Pease Development Authority Board of Directors approves of and authorizes the Executive Director to enter into a contract with Berry Dunn McNeil & Parker, LLC, ("Berry Dunn") in a total amount not to exceed \$31,000 for the preparation of an independent information technology assessment; all in accordance with the memorandum of Irving E. Canner, Director of Finance, dated September 12, 2018, attached hereto.**

**In accordance with the provisions of NH RSA 12-G:8 VIII, the Board justifies the waiver of the RFP requirement based on the following reasons:**

- 1. Berry Dunn has served as PDA's independent external auditors for the past four years;**
- 2. Barry Dunn previously completed a technology assessment in 2009;**
- 3. Berry Dunn has an intimate knowledge of PDA's information technology environment as well as its business systems and associated internal controls; and**
- 4. The associated cost and timeliness of an RFP process would be detrimental as the need to secure such assessment is critical.**

**Note: This motion requires 5 affirmative votes. Discussion: None. Disposition: Resolved by unanimous roll call vote for; motion carried.**

## VII. Licenses/ROE/Easements/Rights of Way/Options

In accordance with the “Delegation to Executive Director: Consent, Approval and Execution of License Agreements,” Mr. Mullen reported the following:

### A. Reports

#### 1. KOALD Design – Extension to ROE

Mr. Mullen reported that KOALD Design was granted an extension for 30 days of the Right of Entry (“ROE”) dated July 31, 2018, to October 31, 2018 for inspection purposes at 47 Durham Street.

#### 2. City of Rochester – Seacoast Manufacturing Exchange Event ROE

Mr. Mullen reported that the City of Rochester was granted a ROE for September 12, 2018 for the purpose of setting up and conducting a quarterly forum of the Seacoast Manufacturing Exchange to be held at Skyhaven Airport (“DAW”).

## VIII. Leases

In accordance with the “Delegation to Executive Director: Consent, Approval of Sub-sublease Agreements,” Mr. Mullen reported on the following subleases:

### A. Reports

#### 1. 75 New Hampshire, LLC – Twin Rivers Paper Co., LLC

Mr. Mullen reported that 75 New Hampshire, LLC entered into a sublease with Twin Rivers Paper Co., LLC (“Twin Rivers”) for 6,238 square feet within the leased premises at 85 New Hampshire Avenue, for a period of five years, with one (1) five year option to extend. Twin Rivers will use the premises for office and related uses. Director Lamson approved the sublease.

### B. Approvals

#### 1. KOALD Design – 47 Durham Street

Director Allard moved and Director Bohenko seconded that **The PDA Board of Directors hereby approves and authorizes the Executive Director to complete negotiations with KOALD Design and to execute a Lease for the premises located at 47 Durham Street subject, however, to KOALD applying for and being granted a Special Exception under PDA’s Land Use Controls; all otherwise on terms and conditions substantially similar to those set forth in the memorandum from David R. Mullen, Executive Director, dated September 13, 2018 and draft Letter of Intent dated September 11, 2018; attached hereto. Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.**

#### 2. Summit Land Development – 254 Corporate Drive

Director Levesque moved and Director Torr seconded that **The Pease Development Authority Board of Directors authorizes the Executive Director to enter into an Option Agreement with Summit Land Development, LLC for the premises located at 254 Corporate Drive, effective September 20, 2018 for a period of six months at a fee of \$5,572.50; all on substantially the same terms and conditions**

set forth in the memorandum from David R. Mullen, Executive Director, dated September 13, 2018, attached hereto. Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

**3. 119 International Drive, LLC – 19 Rye Wetland Buffer**

Director Lamson moved and Vice-Chairman Loughlin seconded that **The Pease Development Authority Board of Directors authorizes 119 International Drive, LLC to submit plans to the City of Portsmouth for an after-the-fact wetlands buffer permit application; all in accordance with the memorandum of Maria J. Stowell, P.E., Engineering Manager, dated September 12, 2018, attached hereto.** Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

**IX. Contracts/Agreements**

**A. Approvals**

**1. Uniform Bid Contract**

Director Torr moved and Director Lamson seconded that **The Pease Development Authority Board of Directors hereby authorizes the Executive Director to enter into a five (5) year contract with Cintas Uniform Services for the purpose of providing uniform services; all in accordance with the memorandum from Paul E. Brean, Airport Director, dated September 13, 2018, attached hereto.** Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

**X. Executive Director's Reports/Approvals**

**A. Reports**

**1. Golf Course Operations**

Scott DeVito, General Manager, reported on the activities at the Golf Course, including for this calendar year, the rounds of golf played are approximately 44,000 rounds and the average rounds played per year are trending at 52,000 rounds per calendar year. The Pay Now, Play Now program started September 10<sup>th</sup> and have 18 new adult memberships and six junior memberships signed up. Renewal applications will go out next week. They have until the first of the year to get their responses sent in.

In response to Director Bohenko's question on the number of events scheduled so far this year, Mr. DeVito responded that there are two categories of events: 50 and above and group outings. There have been 47 events scheduled for the year. In response to Mr. Mullen's question regarding the impact of Florence on the lower nine and how long the golf course was out of service, Mr. DeVito reported that Monday into Tuesday was all rain, the upper nine and the Blue were opened at 3:00 p.m. on Tuesday afternoon and there was down time for yesterday due to the overcast weather so it stayed closed. The golf course was opened first thing this morning. In response to Director Levesque's question whether the Golf Course receives noise complaints for lawn cutting and the start time for lawn cutting, Mr. DeVito stated that no complaints are directly received. Lawn cutting starts before sunrise, generally in-season, the cutting starts around 4:30 a.m.

**2. Airport Operations**

Paul E. Brean, Airport Director, reported on aviation activities.

**a. PSM**

Fuel flowage for August was 723,512 gallons of fuel which equates to \$14,500 in revenue.

Scheduled enplanements for August was 7,466 which was the highest for any August. The total for the year to date is 65,500 which is on pace with last year's figures. Note that two flights from Allegiant were discontinued: Fort Lauderdale and Tampa-St. Petersburg. Frontier Airlines ("Frontier") announcing flights will be going out of PSM beginning in December of 2018 and going to Orlando MCO operating three days a week: Tuesdays, Thursdays and Sundays. Frontier uses third-party booking sites such as Orbitz, Expedia, Priceline, Hotels.com, etc. to book flights which broadens the passenger capturing for marketing purposes.

In response to Director Lamson's question regarding the engines on the planes used by Frontier, Mr. Brean stated that Frontier uses Airbus A-319 and A-320 planes which are the quietest in their fleet. Frontier has 200 new planes on order. Frontier will be moving to the "Neo Geo" which is one of the most sustainable environmentally friendly aircraft out there.

In response to Director Allard's question regarding whether the increased advertising by Allegiant was due to the addition of Frontier, Mr. Brean stated that Frontier started operating out of Portland about 18 months ago and was happy with how their product was received in the northeast, and liked the operating fees at PSM.

Mr. Brean stated that he received word from the Governor & Council meeting that the first FAA fund for the terminal expansion has been approved.

**b. Skyhaven Airport**

Mr. Brean reported that a ROE was granted for the Rochester Economic Development Commission and the Seacoast Manufacturing Exchange. PlaneSense brought a base aircraft to DAW and invited many companies in the area to come see what the corporate possibilities that DAW offers. It was very well received and PSM appreciates the initiative of PlaneSense for this activity.

**c. Noise Line Report**

There was a seven-day glitch where the noise line was inoperable, however, the web site was up and active. There were a total of 34 noise inquiries at PSM during the month of August. There were 29 inquiries regarding rotor wing activities, and seven of those were helicopters; 22 of the calls were from a Miller Avenue resident, seven from Ruth Street in Portsmouth and one Rye resident inquired about a helicopter that was believed to be from the military.

There were five inquiries regarding fixed wing activities from residences in five cities: Nottingham, Boscawen, Rye, New Hampshire and Eliot, Maine. Most of these pertained to a Gulfstream 2 aircraft that worked in area and was very loud.

**B. Approvals**

**1. Bills for Legal Services**

Director Bohenko moved and Director Allard seconded that **The Pease Development Authority Board of Directors hereby authorizes the Executive Director to expend funds up to \$58,733.58.00 for the following legal services rendered for the Pease Development Authority:**

<b>1. Kutak Rock LLP</b>		
<b>CLF/Through July 31, 2018</b>	<b>\$615.00</b>	
<b>General/Through July 31, 2018</b>	<b><u>\$2,296.00*</u></b>	
		<b>\$2,911.00</b>



<p><b>2. Sheehan Phinney Bass + Green</b>  <b>CLF/Through July 31, 2018</b>  <b>Tradeport-General Representation/</b>  <b>Through July 31, 2018</b>  <b>CLF/Through August 31, 2018</b>  <b>Tradeport-General Representation/</b>  <b>Through August 31, 2018</b></p>	<p><b>\$27,144.00</b>  <b>\$6,902.00</b>  <b>\$9,715.00</b>  <b><u>\$12,061.58</u></b></p>	<p><b><u>\$55,822.58</u></b></p>
<b>Total</b>		<b><u>\$58,733.58</u></b>

\*The balance will be paid by the City of Portsmouth. Discussion: Ms. Hinchee pointed out to the Board that the summary for legal bills now includes a category for PFAS and PFOA issues. Disposition: Resolved by unanimous vote for; motion carried.

**XI. Division of Ports and Harbors**

Geno J. Marconi, Division Director, reported on Division activities, and the approvals sought before the Board represent the current business at the Division of Ports and Harbors (“DPH”).

**A. Reports**

Mr. Marconi reported that, due to an oversight, the Port Committee currently scheduled for October 4, 2018 will be rescheduled due to a conflict. Mr. Marconi will contact the Committee members to arrange a new day and time. Mr. Marconi stated his intent to update the Committee on the process of the functional replacement project. Mr. Marconi will contact the Committee members and PDA staff involved to reschedule.

**1. Port Advisory Council**

Mr. Marconi reported that the Port Advisory Council (“PAC”) adjourns in June for the months of July and August. The PAC met on September 12, 2018 and that the approved minutes for the June meeting and are included for the Board’s information.

**2. Commercial Mooring Transfer**

Mr. Marconi reported that in accordance with the “Delegation to Executive Director: Consent, Approval and Execution of Mooring Permit Transfers,” a commercial mooring was transferred for:

	<u>Permit</u>	<u>Business</u>	<u>Date of Approval</u>
Sagamore Creek	No. 253	Commercial Charter	08/15/18
Transferor:	Michael Flanigan		
Transferee:	Joseph Golter		

**2. Isle of Shoals Steamship Company – Parking Agreement**

Mr. Marconi reported that the Isles of Shoals Steamship Company, Inc. entered into the seasonal contract with the City of Portsmouth (“COP”) for certain parking spaces to be used COP employees at 315 Market Street from November 1, 2018 through April 30, 2019. The Agreement was signed by City Manager

John Bohenko, PDA Executive Director David Mullen and Jeremy Bell, President of Isles of Shoals Steamship Company, Inc.

**XII. New Business**

There was no new business.

**XIII. Upcoming Meetings**

Chairman Smith reported that the following meetings will be held:

Port Committee	October 4, 2018 (55 Market St.)
Audit Committee	October 11, 2018
Board of Directors	October 18, 2018

**All meetings begin at 8:00 a.m. unless otherwise posted.**

Ms. Hinchee reported that the Zoning Adjustment and Appeals Committee is scheduled to meet on October 11, 2018 at 8:30 a.m. Chairman Smith, Vice-Chairman Loughlin and Director Torr are the Board members on that Committee. It will be a very short meeting and PDA will need to have two members present. The meeting pertains to a special exception for a building that is being torn down.

**XIV. Directors' Comments**

Director Torr welcomed Bill Bartlett to the meeting.

**XV. Non-Public Session**

Vice-Chairman Loughlin moved and Director Bohenko seconded that **The Pease Development Authority Board of Directors will enter non-public session pursuant to:**

- 1. NHRSA 91-A:3, Paragraph II(a) the dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him, unless the employee affected (1) has a right to a meeting and (2) requests that the meeting be open, in which case the request shall be granted;**
- 2. NHRSA 91-A:3, Paragraph II(b) for the purpose of discussing the hiring of a public employee;**
- 3. NHRSA 91-A:3, Paragraph II(c) for the purpose of discussing matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of the body or agency itself, unless such person requests an open meeting;**
- 4. NHRSA 91-A:3, Paragraph II(d) for the consideration of the acquisition, sale or lease of property;**
- 5. NHRSA 91-A:3, Paragraph II(e) for consideration or negotiation of pending claims or litigation which has been threatened in writing or filed against the body or agency or any subdivision thereof, or against any member thereof because of his or her membership in such body or agency, until the claim or litigation has been fully adjudicated or otherwise settled.**

**Note: Roll Call Vote Required.** Discussion: None. Disposition: Resolved by unanimous vote; motion carried. The Board entered into non-public session at 12:23 p.m. The Board returned to public session at 1:34 p.m.

#### **XVI. Vote of Confidentiality**

Director Allard moved and Director Torr? seconded that **Resolved, pursuant to NH RSA 91-A:3, Paragraph III, the Pease Development Authority Board of Directors hereby determines that the divulgence of information discussed and decisions reached in the non-public session of its September 20, 2018 meeting related to:**

1. **Dismissal, promotion or compensation of public employee;**
2. **Hiring of public employee;**
3. **Adversely affect the reputation of any person;**
4. **Acquisition, sale or lease of property; and**
5. **Litigation;**

would, if disclosed publically, a) render the proposed actions ineffective; and b) affect adversely the reputation of any person other than a member of the public body itself; and agrees that the minutes of said meeting be held confidential until, in the opinion of a majority of the Board of Directors, the aforesaid circumstances no longer apply. **Note: This motion requires 5 Affirmative Votes.** Discussion: None. Disposition: Resolved by unanimous roll call vote for; motion carried.

#### **XVII. Adjournment**

In accordance with the PDA By-Laws Article III, Section 3.2, and there being no members of the public present, Chairman Smith adjourned the meeting at 1:35 p.m.

#### **XVIII. Press Questions**

There were no questions from the press.

Respectfully submitted,



David R. Mullen  
Executive Director

(10/9/2018 2:14 PM)

Ken Latchaw, Selectman , Town of Newington, NH  
Representing the other selectmen and the town

I am speaking against the Seacoast helicopter site review, building , and north apron proposed location. We do not agree with the new location because...

1. it will adversely affect the residents and quality of life
2. Moving the seacoast helicopter business thousands of feet closer to the town of Newington will increase the intensity of noise and adding to the existing noise pollution our town endures.
3. Our PDA representative requested a new noise study be conducted. Little attention was given to this request by saying "the cost was too much" and the amount of noise is not changing. This not correct. As I previously stated moving the business 1000's of feet closer to our residents will increase the noise intensity they have to tolerate daily. More attention has been given to the engineering site location and building than the town of Newington residents living immediately adjacent .
4. Our PDA representative asked that a noise barrier be constructed to deflect helicopter engine start up and rotator noise back into the PDA and not into the town of Newington. Again, little attention was given to this request.

5. As a selectman for the town of Newington and representing the other selectmen, I ask that you disapprove the relocation of the Seacoast Helicopter business to the proposed new location on the north apron. I will also call attention to the fact that Seacoast Helicopter has plans to expand the building, business and, add more helicopters in the future. Also, they will not adhere to normal hours of operation. They stated as an example a night photography flight request would be honored which totally disregards the Newington residents.
6. If this change of location must occur, then there must be a sound barrier and a new environmental study. Hoyer and Tanner and Associates identified dozens of concerns that certainly question the validity with the site review that was conducted by the engineer for Seacoast Helicopter.
7. PDA has a complaint call in number. The number of complaints about Seacoast Helicopter is relatively low but, in my opinion, the reason is because when you attempt to place a complaint by phone, the automated message goes no-where. The automated phone service must be changed so people can register their concerns easily.
8. Has any consideration been given to locating Seacoast Helicopter Business at the PDA owned Sky

Haven Airport in Rochester, NH. The airport is under utilized and located on a major road, 15 miles by car from Newington and 4-5 minutes airtime to the seacoast region and lakes region. The tri-city area provides more than twice the population than the Portsmouth region ( interestingly enough 84,000 people compared to 38,000 people).

9. In closing, the federal government has taken 54 percent of our town, polluted our water and created noise pollution which will increase if you approve the north apron location. I implore you to consider putting the town of Newington's residents before you approve a non defence related business on the North apron.

As a representative of the town of Newington, I appreciate your serious consideration of what I have spoken about.