

**Non-Public Session: 8:00 a.m. to 8:30 a.m.**  
**Public Meeting to commence at 8:30 a.m.**

Place: 55 International Drive –Board Conference Room

Watch Meeting Via Live Stream: [https://townhallstreams.com/towns/pease\\_dev\\_nh](https://townhallstreams.com/towns/pease_dev_nh)

**BOARD OF DIRECTORS' MEETING**

**AGENDA**

- I. Call to Order:**
- II. Non-public Session: \* (Lamson)**
- III. Vote of Confidentiality: \* (Fournier)**
- IV. Acceptance of Meeting Minutes: Board of Directors' Meeting of April 21, 2022 \* (Anderson)**
- V. Public Comment:**
- VI. Old Business:**
  - A. Report:
    1. Potential Air Cargo Development – Status Update by Developers \*
  - B. Approval:
    1. Rye Harbor – Right of Entry Waiver for 2022 Season – Tables \* (Parker)
- VII. Committee:**
  - A. Report:
    1. Capital Improvement and Land Planning Committee \*
- VIII. Finance:**
  - A. Executive Summary \*
  - B. Reports:
    1. FY2022 Financial Report for the Nine Month Period Ending March 31, 2022 \*
    2. Cash Flow Projections for the Nine Month Period Ending January 31, 2023 \*
- IX. Licenses/ROEs/Easements/Rights of Way:**
  - A. Reports: \*
    1. Falcon Systems Transportation LLC (dba) East West Aeronautical – Portsmouth International Airport at Pease – Right of Entry

**X. Leases:**

A. Approvals:

1. Lonza Biologics, Inc. –Expansion to Building 101B along Lonza’s premises located at 101 International Drive \* **(Fournier)**
2. 166 Corporate Drive, LLC – Lease Amendment 3 \* **(Lamson)**
3. 325 Corporate Drive II, LLC - Bottomline Technology – 325 Corporate Drive -- Concept Approval for Parking Lot Expansion\* **(Anderson)**

**XI. Contracts:**

A. Approvals:

1. Pease Golf Course – Toro Pro Core 648 Core Harvester \* **(Parker)**
2. Pease Golf Course – Toro Walking Greens Mower \* **(Anderson)**
3. Pease Golf Course – Toro Diesel Utility Golf Cart \* **(Fournier)**
4. Portsmouth International Airport at Pease (“PSM”) Terminal - McFarland Johnson – Terminal Expansion Project \* **(Lamson)**

**XII. Signs:**

A. Approvals:

1. 30 International, LLC – Revise Signage at 20 International Drive\* **(Parker)**
2. International Association Of Privacy Professionals (IAPP) – 75 Rochester Avenue \* **(Anderson)**

**XIII. Executive Director:**

A. Reports:

1. Golf Course Operations \*
2. Airport Operations \*
  - a) Portsmouth International Airport at Pease (PSM)
  - b) Skyhaven Airport (DAW)
  - c) Noise Line Report
    - (i) April, 2022 \*

B. Approvals:

1. Bills for Legal Services \* **(Parker)**
2. Land Use Control Amendments \* **(Fournier)**
3. Digital Content Specialist – New Position \* **(Lamson)**

**XIV. Division of Ports and Harbors:**

A. Reports:

1. Port Advisory Council Minutes of April 13, 2022 \*
2. Commercial Mooring for Hire – Great Bay Yacht Club \*
3. Rye Harbor Informational Summary \*
4. Lakes Region Environmental Contractors – Additional Work Required at Rye Harbor Regarding Fuel Line \*
5. Commercial Mooring Transfer – Kimball to Kimball \*

B. Approvals:

1. Appledore Marine Engineers – 6 Month Contract Extension \* **(Fournier)**
2. 381 Constructors – Right of Entry for use of Market St. facility (Trans Loading

3. Equipment to/from Barges and Receiving Fuel Deliveries to Tugs) \* **(Anderson)**  
US Army Corps of Engineers - Right of Entry - Hampton Harbor Marina to Facilitate  
the 2022 Hampton Beach Jetty Repair \* **(Lamson)**

**XV. Upcoming Meetings:**


Finance Committee	June 13, 2022 @ 8:30 a.m.
Board of Directors	June 16, 2022 @ 8:30 a.m.

**All Meetings begin at 8:30 a.m. unless otherwise posted.**

**XVI. Directors' Comments:**

**XVII. Adjournment:**

**XVIII. Press Questions:**

- \* Related Materials Attached
- \*\* Related Materials Previously Sent
- \*\*\* Related Materials will be provided under separate cover
- + Materials to be distributed at Board Meeting
-  Confidential Materials

RIGHT TO KNOW UPDATE: Effective January 1, 2018, RSA 91-A, the Right to Know Law was modified to include that "If a member of the public body believes that any discussion in a meeting of the body, including in a nonpublic session, violates this chapter, the member may object to the discussion. If the public body continues the discussion despite the objection, the objecting member may request that his or her objection be recorded in the minutes and may then continue to participate in the discussion without being subject to the penalties of RSA 92-A:8, IV or V. Upon such request, the public body shall record the member's objection in its minutes of the meeting. If the objection is to a discussion in nonpublic session, the objection shall also be recorded in the public minutes, but the notation in the public minutes shall include only the members name, a statement that he or she objected to the discussion in nonpublic session, and a reference to the provision of RSA 91-A:3, II, that was the basis for the discussion."

## MOTION

Director Lamson:

The Pease Development Authority Board of Directors will enter non-public session pursuant to NH RSA 91-A:3 for the purpose of discussing:

1. Consideration of Legal Advice provided by Legal Counsel [NH RSA 91-A:3, II (l)]; and
2. Consideration of whether to disclose minutes of Non-Public Session [NH RSA 91-A:3, II (m)].



## MOTION

Director Fournier:

Resolved, pursuant to NH RSA 91-A:3, 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 May 19, 2022, meeting related to the consideration of legal advice from legal counsel and discussion of sealed meeting minutes are confidential matters which, if disclosed publically, would render the proposed actions ineffective and further 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: Requires two-thirds vote of members present.**

**MOTION**

Director Anderson:

I make a motion to approve the minutes of the Pease Development Authority Board of Directors meeting dated Thursday, April 21, 2022.

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

Thursday, April 21, 2022

Presiding: Stephen M. Duprey, Chairman  
 Present: Neil Levesque, Vice Chair; Thomas G. Ferrini, Treasurer; Erik Anderson; Steve Fournier; Margaret F. Lamson; and Susan B. Parker  
 Attending: Paul E. Brean, Pease Development Authority ("PDA") Executive Director; Anthony I. Blenkinsop, Deputy Director / General Counsel; Maria Stowell Engineering Manager; Suzy Anzalone, Finance Director; Geno Marconi, Division of Ports and Harbors ("DPH") Director; Scott DeVito, Pease Golf Course General Manager; Greg Siegenthaler, IT Director; Andrew Pomeroy, Manager, Aviation Planning & Regulatory Compliance and Raeline A. O'Neil, Legal Executive Assistant

**I. Call to Order:**

Chairman Duprey ("Duprey") called the meeting to order at **8:30 a.m.**

**II. Introduction of Chairman Stephen M. Duprey:**

Duprey introduced himself, indicated he is from Concord and that he is honored to serve on the PDA Board.

**III. Acceptance of Meeting Minutes: Board of Directors' Meeting of March 17, 2022**

Director Levesque moved the motion and Director Anderson seconded to approve the minutes of the Pease Development Authority Board of Directors meeting dated Thursday, March 17, 2022.

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

**IV. Public Comment:**

Duprey indicated each speaker would be afforded three minutes to speak.

Roger Grouix, Chairman of the Port Advisory Committee ("PAC") indicated he made a request to Executive Director Brean ("Brean") to be allowed to speak last; Deputy Director / General Counsel Blenkinsop ("Blenkinsop") indicated the Chair can take them in any order he wished. Brean indicated the Port Advisory Committee would be heard last.

*Scott Webster / Eric Robertson (East / West Aviation)*, indicated their company would be offering a full set of plans for its project next month. The project is extremely innovative and what is proposed **environmentally** (i.e.; recycling of rain water, inclusion of a special plan for noise). A photo of the proposed building was provided. Both Webster and Robertson are aviators, look forward to working with the Board / community to solve potential problems.

**Patrick Dennehy (Tontine Charters)**, spoke to being at Rye Harbor since 1980. The scope to which Rye Harbor Lobster Pound (“RHLP”) is operating is well outside of any type of conformity that has been put forth by Division Director Marconi (“Marconi”). Reviewed Marconi’s report and stated the letter within the report, provided by Cox, is full of inaccuracies. Stated Directors Levesque (“Levesque”) and Anderson (“Anderson”) should recuse themselves from a vote on this due to a conflict of interest.

**Dwight Tuttle (Black Dog Charters)**, spoke to being at Rye Harbor for 43 years. Tuttle fully supports Marconi’s efforts to restore RHLP to the original intent of its Right of Entry (“ROE”) and to deny additional ROE waiver requests for 2022. RHLP has consistently violated the terms of the ROE, abused and misled state staff and encroached on the neighboring businesses. In the case of RHLP, Marconi and staff have gone above and beyond to work through the operational issues caused by RHLP’s waiver. The Port Committee quickly dismissed the PAC and Marconi’s recommendations, put forth a motion to grant the ROE waiver requests for 2022 and threatened not to renew any of the ROEs for 2023. There are members of the Committee who have a personal interest in Rye Harbor and should not be serving on a Board when they have a personal interest.

**Susan Reynolds (Rye Harborside)**, spoke to being at Rye Harbor for 55 years. Reynolds stated in the presence of Rye Harbormaster, Leo Epstein, in May of 2021 Levesque approached her and stated she could solve the whole problem at Rye Harbor with RHLP if she were to sell Rye Harborside to RHLP. Reynolds told him it was not for sale; claimed Levesque indicated she didn’t know the price of the offer. Reynolds again declined and she doesn’t even own the business. The overcrowding is addressed by hiring of police detail for traffic control which is an exacerbation of the problem, rather than a solution. Asked the Directors to take into consideration those who use the facility in order to restore it to the quintessential harbor.

**Judy DuBois**, an employee of Rye Harbor of 20+ years stated she tries to make the harbor the best it can be, not for some but for all and was speaking today as a private citizen. She spoke to the informational packets provided to the Board which outlined the parking and traffic issues, trash and abuse of staff by the RHLP customers during the summer of 2021. DuBois spoke to patrons’ comments after she heard RHLP telling customers they were only provided with two parking spaces resulting in customers being angry, swearing at staff and how RHLP had been treated unfairly. DuBois observed RHLP serving food to customers parked in other businesses’ parking spots and picnic tables. DuBois stated the result of this motion would certainly guarantee more chaos and less parking at the harbor. Asked the purpose of saving a non-marine based use business to those who are marine based users. Today’s vote will determine whether she will complete her 25<sup>th</sup> year with the Port Authority. If the waivers are granted and allowed to serve food, with the exception of one ROE that has a food concession, she spoke of her intended separation from Rye Harbor. DuBois indicated Marconi has been tough but also fair, honest and supportive of staff.

**Fournier spoke to the three minute timer being utilized for each speaker and asked that everyone be provided with the fair three minutes.**

**Roger Wiegley**, Attorney and Rye resident, spoke to an aspect of the Proposed Air Cargo operations which is noise. There are two sides to the noise spectrum; noise complaints have been exaggerated and won’t be an issue as they will be a Stage 4 aircraft. The other aspect is the noise will affect nighttime sleep which could affect an individual’s health; noise will change the environment we live in. The Board can address noise concerns with accurate projections by having a Noise Exposure Map



("NEM") prepared; the last NEM prepared was in 1995, updated in 2014 with projections through 2019. This is not just a map, but also an analysis noise contour of decibels and noise containment with mitigations discussed. In his opinion, a NEM is required before a decision is made.

**Pete Reynolds (Granite State Whale Watch)**, spoke to Rye Harbor. He voiced his support for Marconi and hoped the Board will accept the recommendations set forth in his report. He provided the Board with a letter he sent to the Governor's office on March 26<sup>th</sup> outlining his concerns with RHLP. He voiced his opposition to the Port Committee motion made last week and stated not to increase the food establishments at Rye Harbor fivefold. The purpose of the marine facility is to provide access to the waterfront. This is a misguided attempt at solving the problems in Marconi's report and at worst this is an attempt to make Rye Harbor into something it has never been.

**Nate Hanscom, Rye Harbor Lobster Pound**, spoke to Rye Harbor. Spoke in defense of himself and his little place which is too big now. In 1998, he along with Arthur Splaine put in a lobster tank in a shack and before long built a new building and went into business. Has invested in the business and with DES approval installed a three bay sink and gray water system. In 2018, he purchased John Savage's shack and built a larger facility to hold lobster and supplies; in (2020) everyone in harbor was closed down and they were the only ones open. Indicated due to RHLP's growth all businesses grew (Whale Watch and Harborside etc.). Spoke to the only solution to the problem being elimination of his business; he has worked really hard and everything is tied to the business.

Brean indicated it would be a long afternoon if the three minute allotment for public speakers is not adhered to.

Director Lamson ("Lamson") welcomed the Savinellis from Newington and stated Kaleb goes to the Newington Elementary School.

**Kaleb & Emily Savinelli**, Newington, spoke to Proposed Air Cargo. Kaleb, 10 years old, spoke to pollution, noise and traffic. Pollution will affect natural sites, children can't focus with noise and the traffic concern would be with collisions. Emily spoke to a recent meeting attended by Lamson and Director Parker ("Parker") in Newington as PDA. Newington's resounding sentiment was that Air Cargo is not wanted. Indicated the information from the PDA to the surrounding towns needs to be addressed. Some information being discussed is misleading, spoke to a meeting on March 15<sup>th</sup>, when Brean answered a question regarding planes flying at night. He answered no; Emily indicated there is no way PDA can ensure this. It will be extremely important how information will be relayed from the Board moving forward. The Board has the ability and responsibility to the community to dispel information in a uniform, systematic and factual manner. Spoke to Parker being a representative to both Newington and Greenland and how that would work regarding voting.

**Keri Roman**, Rye, spoke to Proposed Air Cargo. Roman asked that the transparency continue and spoke to an appreciation of having Board members in attendance at local meetings. Urged any proposals that come before the Board have a third party review paid for by the applicant so there can be an independent review of noise, environment and traffic so the Board's decision is fully informed. Roman indicated confusion on what is and is not before the Board. Citizens are not trying to be unreasonable or raise red flags, rather the information being disseminated is confusing. Roman read the caption from the April edition of the NH Business Review regarding air cargo, stating it is confusing seeing the developers' website referencing air cargo and a portion of the PDA website referencing the same. It is

necessary to keep the public well informed and there isn't any unintentional misinformation on the size of the project from what it is purported to be. In November there were non-public sealed minutes, not sure if they were related to this matter, but if so, asked that at a certain time they be considered to be released.

*Patrese Pierson*, Rye resident, spoke to Rye Harbor and urged the Board to support the RHLP. RHLP provides another eating opportunity in the area who did an incredible job during the pandemic to allow people to get out of their homes and get food. Further, by bringing people into the harbor for food, people were aware of other business in the harbor.

*Peter Arthur or Coucher, Sr.* – no response when called

*DJ Blouin*, Rye resident; spoke to Rye Harbor and stated he has attended the meetings when the Committee chose to ignore Marconi's recommendation for the second year in a row. Believes the motion is very broad, sweeping and a power grab. Rye Harbor is a working waterfront and it isn't fair to the area residents and those who use the harbor of its intended purpose. RHLP has been a terrible neighbor and the development of Rye Harbor is in the Board's hands.

*RJ Lincoln*, Rye resident; spoke to Rye Harbor and being in Rye for the last 60 years. Stated that Nate is being victimized for following the rules and everything he has done at the harbor has been by the rules approved by the Board. Has spoken with various customers who have patronized the harbor and stated it is true that they also visit other businesses within the harbor. Further, he indicated Nate takes great care of the whole harbor; he has seen Nate picking up garbage at the end of the day, cleans the bathrooms and is an asset to the harbor.

*Tom King*, Selectman from Rye, spoke to the proposed size of the Air Cargo facility. Spoke to a couple of newspaper articles in the local papers and comments made by Governor Sununu. PDA has been successful with development on the non-air side and we don't need to develop for the sake of development. In a newspaper article Brean spoke to the physical limitations that may affect the size and how the developer will do its due diligence and expend a lot of money. Cautioned that allowing a developer to have exclusive rights for development, spending a lot of money and not being able to build a project hasn't worked out for the City of Portsmouth and asked the Board to keep that in mind.

*Sylvia Cheever*, Rye Harbor Lobster Pound, spoke to Rye Harbor. She and her father have owned RHLP since 1996; this is their livelihood and cannot sustain without maintaining the current operations. The new proposed allocation of money for paving will help to alleviate a lot of the concerns at Rye Harbor. Spoke to two major misconceptions (1. RHLP lack of communication; and 2. Second business). RHLP has communicated continuously with DPH and tried to address concerns. RHLP didn't realize there was a hierarchy; thought they were only dealing with DPH, didn't realize RHLP should have "cced" PDA / Board or kept track of meeting notes and conversations (she did hold up a few she said she had). Felt recently RHLP had not been made adequately aware of meetings or provided with documentation from the Port Authority (recently received Marconi's March document). Cheever asked the Board if it had any questions regarding this, she be provided the opportunity to address them. The new establishment was a safety net obtained prior to waiver. They cannot survive if reduced down to the original ROE. Cheever stated she has a food license showing it has been in Rye Harbor since 2005. There had been a concession which was taken away due to COVID. Stated RHLP is not operating outside of its ROE rather the ROE was removed and the waiver was put in its place. There wouldn't be a waiver if the ROE had not been taken away for reasons beyond their control. COVID was nuts and RHLP did



not pose a health and safety hazard. Want to keep working with PDA, Port Authority and all the other businesses at the harbor.

*Linda LaPorta*, Rye resident for 27 years and spoke to Rye Harbor. Attended the Port Committee meeting in order to better understand the concerns and walked away knowing the abutters are justifiably frustrated with RHLP increased business as well as the influx of cars and tourist. She also took away that there was more of an interest in shutting RHLP down rather than fixing underlying issues of traffic flow. Encouraged when she found out that PDA had budgeted to reconfigure the parking area and feels once this is addressed a lot of the frustration would be addressed. Spoke to all ROEs being up in a year and while the fishermen refer to the harbor as a working facility, it is not just that to the local residents. The shacks are an integral part of the quintessential harbor.

*Adam Cox*, spoke to Rye Harbor and there being three restaurants at the harbor (i.e.; RHLP, Rye Harborside and Whale Watch). RHLP uses seafood products that supports all of the fishermen everywhere through the sale of its products. Spoke to the various food items sold by the various entities and stated the complaints are focused on RHLP. When this started, the original issue was traffic, then the Governor became involved and now it is a **nonconforming** use. The difference between the three restaurants is Harborside and Whale Watch have a mooring, but if you include all of the individuals who provide lobsters to RHLP he wondered how many marine based moorings there would be. The complaints of RHLP are from a select group and not the 108 businesses utilizing the harbor. Spoke to DPH's change to the parking, allowed the grievances, dangers and hazards existing in 2021 outlined in the March report. The Governor asked to find a parking solution over the last year and there was zero activity. There had been some parking investigated, but information was incorrect so it could not be used.

*Adam Baker*, Vintage Fish Company, spoke to Rye Harbor. Brought a photo taken on September 6, 2021, showing RHLP had not adhered to the stipulations in the waiver by the Governor's dated April 20, 2021. Baker's business includes a fishing charter operation and tackle and bait shop. He has an ROE and has operated within its confines, is part of the working waterfront and supports others. RHLP is operating as a restaurant out of a building that was not designed for such use with propane tanks feet from his building (RHLP does not have a fire suppression system). Spoke to a concern for his patrons, staff and building should there be a fire. Stated Director Levesque should recuse himself due to a conflict of interest. Asked that the members of the Board vote in support of Director Marconi's report and recommendations to restore Rye Harbor.

*John Tuttle*, spoke to Rye Harbor and voiced his support for Director Marconi's report of Rye Harbor and to accept his **recommendations**. Also asked Vice Chair Levesque to recuse himself regarding RHLP today and in the future due to a conflict of interest and he expressed his concerns. Tuttle indicated he has sold lobsters to RHLP and has seen Levesque's name on the necessary documentation completed when you sell lobsters and spoke to the conflict he perceives.

*Mary Ellen Fennessy*, spoke to Rye Harbor and some information from Marconi's report regarding the last communication between RHLP and DPH. RHLP found a company to perform a traffic study. She understood Marconi to indicate DPH had its own people. Feels with a traffic study and lot **reconfiguration** there would be more than enough parking to allow all the businesses to work and run efficiently and effectively. No owner can control the behavior of its customers; it is a sad statement of our society regarding how rude people have become. This has all come about as a result of the challenging COVID summer of 2020 and she hopes the Board will allow RHLP to operate again and for all of the



business to coexist peacefully and amicably while the study goes on to figure out how to effectively manage the parking situation.

*Director Anderson departed the meeting at 9:43 a.m. and returned at 9:47 a.m.*

*Director Levesque departed the meeting at 9:45 a.m. and returned at 9:46 a.m.*

Director Ferrini (“Ferrini”) asked if the individuals in the other rooms could hear what is going on; Brean affirmed and indicated there was a one minute delay.

*Huddy Grandy*, Newington, spoke to Proposed Air Cargo. Grandy spoke to the need for clearer communication from PDA; told there are no air cargo proposals on the table (not off the table, rather PROCON / Kane is doing its due diligence). Questioned the progress and what has been determined. Communities should know who the front runners / probable end user may be. Indicated there is no statutory requirement to develop this parcel of land but there is a statutory requirement that consideration be provided to pursue the best interest of the communities / towns and environment. Spoke to the need of a comprehensive, independent compact study on the communities of traffic, noise and environment. If it can’t be shown that it is in the best interests of the surrounding communities it cannot be moved forward.

*Daniel Blouin*. spoke to Rye Harbor and owning property in Rye and living in Connecticut. This comes down to the ecologist, lobstermen, fishermen and users of the harbor versus the pecuniary interest of one person. RHLP is a victim of its own success and has outgrown the space and it is time they continue elsewhere without hurting the nature of the harbor. Slippery slope if the waivers are allowed.

*Peter Couthier or Arthur* did not respond when his name was called.

Port Advisory Committee (“PAC”) Members who spoke:

*Michael Donahue* spoke as a member of PAC and urged the Board to support the recommendation of Marconi and defeat the motion; preventing RHLP from continuing to operate in a manner which has been clearly shown to be detrimental to public safety, other ROE holders, commercial fishermen, recreational boaters and others who use the facility for its intended purpose, to access the sea. The motion compresses the known negative impacts on the facility, users and staff by potentially allowing multiple ROE holders to serve restaurant style meals and turning a valuable marine facility into a food court which would require monitoring by a police detail. Such a major change should only be considered by the Board in its statutory rulemaking authority which requires a more elaborate process of seeking public stakeholder input. PDA has multiple detailed rules governing the operation of state piers and associating facilities (displayed ones directly related to Rye Harbor). To adopt or amend the rules is a responsibility the PDA shares with PAC. Under RSA 12-G:44 (IV) a PDA proposed rule must be submitted to PAC and if objected, which is the case of this motion, there would be a need that it be passed by 5 affirmative votes. Donahue asked the Board to consider after reading Marconi’s memo of March 4<sup>th</sup>, along with the extensive evidence found during the 2021 season, whether RHLP met the Governor’s reasonable conditions to earn the privilege to continue to operate outside of its ROE, the answer is “no” and the Board should vote accordingly.

*Captain Brad Cook* spoke as the Vice Chair of PAC (served in that capacity since 2011). The PDA Board has a copy of PAC’s unanimous motion of April 13 supporting Marconi’s report and

recommendations with Director Anderson ("Anderson") who sits on PAC abstaining to the vote. Stated he had copies of the June 15, 2015 ROE for RHLF from Splaine to Hanscom, not 1996. Prior to 2015, Mr. Hanscom was an employee of Splaine and two subsequent ROEs issued to Hanscom which runs through June 2023. The purpose in both of the ROEs is as, "a building at the marine facility to be used for retail sales of lobster catch and parking". Contrary to any media reports, there is no mention nor implication of food concession, in either of the ROEs. Consistent with all other ROEs in the harbor there is mention of mooring permits, pier use permits, vessel safety inspections, captain licenses, and various insurance coverage. The purpose of the ROE is one of a marine transportation interest not a food concession. Marconi's report was submitted after the 2021 season (early March of 2022). On April 1<sup>st</sup>, Director Brean wrote to Mr. Hanscom inquiring whether RHLF would like to apply for another waiver for the 2022 season. This letter referenced various provisions to the waiver with Hanscom expressing interest in the waiver with reservations. At the Port Committee meeting of last Thursday and hearing serious doubts and concerns the Rye ROE holders, Levesque put forth and the Committee members approved, a motion for the Board which included Brean's provisions. Why rush to grant a waiver when other stakeholders are unanimous in their opposition and the Board has not fully debated Marconi's report and recommendation. Cook provided a copy of a letter to the Board he sent to Governor on March 29<sup>th</sup>.

**Roger Groux**, spoke as the current and long term Chairman of PAC. On April 13, 2022, PAC met and voted to unanimously endorse / support the findings and recommendations in Marconi's March 4<sup>th</sup> report concerning the numerous violations of RHLF of its 2021 ROE. He urged Board to read through the report prior to reaching any decisions regarding request of RHLF to continue to operate outside of its original ROE (to sell local live lobster catch). Spoke of the various projects recently completed by DPH and the support it provides for PNSY improvement plan. PAC has devoted a lot of time and energy to cure parking / traffic problems at Rye Harbor which has seriously disrupted the safe and orderly operations at the facility. The problems have been caused by the significant increase in illegal operations of RHLF expanding outside of its original ROE. The exclusive purpose of the shacks at Rye Harbor are to support maritime activity and RHLF does not meet this criteria. Groux stated the RHLF issue is the only time he can remember where the recommendations of the PAC have not been accepted and followed by PDA. Asked the PDA Board to support Marconi's recommendations as well as that of PAC.

**Chairman Duprey closed public comment; indicated after speaking with Board members have agreed to move item XII. B. 4. Rye Harbor Marine Facility Right of Entry Waiver Requests out of order and up in the meeting to be addressed.**

Levesque asked to address a few items which have been discussed during public comment and his dispute of the various comments. Levesque affirmed that he has a boat at the harbor, that he is impartial, and does not have a conflict of interest. He takes these things very seriously and indicated he donates lobsters to many charities across the state (paying for them first). As a lobsterman he is required by law to write out a report of lobsters sold (he contacted the Director of Fish and Game during the meeting, his reports have been reviewed and he hasn't sold lobsters to the vendor). There are major problems with the harbor dealing with congestion and conflict. What has not been discussed is the PDA employee (Harbormaster) who helps and assists in the business who is the competitor to RHLF. The Harbormaster is like a "high sheriff" and everyone knows what is going on. There are many things that need to be cleaned up in the harbor and if you are not part of the gang you suffer. Levesque indicated he doesn't catch a lot of lobsters because 90% of his traps get cut. Levesque indicated there are cameras at the harbor and there is no enforcement. The packet received was regarding RHLF but it is not the biggest user at the harbor, the Whale Watch and competitor. There hasn't been any information provided on



criminal activity; asked how RHLP could be treated fairly if the person in charge of enforcement works for the competitor. The entire harbor needs to be examined / studied and cleaned up. He will not recuse himself and he turned to Director Anderson for a substitute motion.

#### **XII. B. 4. Rye Harbor Marine Facility Right of Entry Waiver Requests**

Anderson indicated he would read the motion and would like to provide additional comments after.

Director Anderson moved the motion and Director Fournier seconded, for discussion purposes, that the Pease Development Authority (PDA) Board of Directors hereby authorizes the granting of waivers for the 2022 season to current Rye Harbor Marine Facility Right-of-Entry holders who have requested, in writing, to conduct the sale of ready-to-eat, restaurant style food items from their respective Rye Harbor Marine Facility premises, subject to the following conditions for the 2022 season:

- Provision to the Division of Ports and Harbors (DPH) of proof of all required state and local permits to operate a food service establishment at Rye Harbor prior to the commencement of operations;
- Provision, at the expense of the Right-of-Entry holder, of a police detail during hours of operation on Saturdays, Sundays, and holidays, as determined necessary by DPH and scheduled in consultation and coordination with DPH staff, subject to further review by the PDA Board at its June and August meetings;
- Provision by the Right-of-Entry holder of trash receptacles at its premises and of daily litter and trash collection and placement into the dumpster located at the Rye Harbor Marine Facility;
- Active daily management by the Right-of-Entry holder of its customers to avoid impediments to other Rye Harbor businesses, harbor entry/exit areas, fire lanes, boat ramps and piers, including, but not limited to provision of information on parking, trash receptacle locations and facility layout;
- For those Right-of-Entry holders without a corresponding Pier Use Permit, provision to the DPH of a detailed weekly written report of the purchase of locally sourced (Rye Harbor and NH Seacoast) food products for sale at their Rye Harbor Marine Facility premises; and
- A limitation on permitted outdoor seating and tables at each Right-of-Entry place of business as determined by the PDA Board of Directors at its May, 2022 meeting based on information provided to it by the Director of the DPH regarding available space in front of each Right-of-Entry place of business.

**Further, the PDA Board of Directors:**

1. **Directs the Executive Director, subject to available DPH funding, to undertake a facility analysis of the Rye Harbor Marine Facility and preparation of a facility master plan in advance of the 2023 summer season; and**
2. **Directs the Port Committee, in consultation with the Executive Director, to report back to the PDA Board of Directors regarding the permit / license and fee structure at the Rye Harbor Marine Facility, including, but not limited to such matters as traffic, safety, parking, moorings, and general use of the Facility.**

Discussion: Anderson stated there has been an extensive amount of time by the Board, public comments and a variety of information presented (legitimate comments made to both sides). The motion is for one year with all of the ROEs expiring in 2023; there have been written requests from several other ROE holders with this motion allowing, but at the same time they object to the waiver. The motion is a matter of compromise as there are no winners, there are a lot of provisions in the motion that are prohibitive with the ROEs being under a microscope with a waiver for one season. He has not appreciated the amount of social media / newspaper interjections (as well as the inaccuracies) and sees them as an impediment to judge the issue and to take corrective action. Another ingredient which has a heavy influence is the Concord factor and it shouldn't be ignored. He has reviewed Marconi's extensive report several times and expressed if the Concord factor had not been brought in on the issue, it would be a short subject. The motion reflects all of the ingredients which have been factored in for a decision for one year on the issue. Further spoke to information contained in the meeting / Board packet regarding a financial investment of up to \$50,000 (\$12,000 traffic study and \$37,000 in paving) which has been directly related to the subject. Does not believe there is a need for a recusal by Levesque as he has addressed the issues referenced. Lastly, he has personally inspected the facilities at RHLP and he is very concerned with what he has seen. The physical condition of PDA / DPH property behind RHLP is terrible and it is the responsibility of RHLP to clean PDA / DPH property so it is in the proper condition. Believes there is validity in the motion; he has done his due diligence to express his concerns and he hopes the motion prevails.

Fournier stated he was a member of the Port Committee and at the time he had a hard time voting for the motion to the Board. His reason was two-fold and one of equal treatment for all involved and so the Board would vote on the subject. He has been involved in public service his entire life on the Seacoast and does not like arguing cases in the press. The Governor's involvement last year was to allow the extension for the year due to the pandemic. What was supposed to be a temporary situation of a small time grew bigger and bigger and now we are looking at rules to fix the situation. Rye Harbor is a working harbor and PDA has been charged with that asset. He reviewed the various aspects (i.e.; room and meals tax, zoning for Rye, and whether a requested police detail can it be obtained). If you have picnic tables, seating is being encouraged and it is not grab and go. He cannot vote for this and believes needs to wait a year and solve the solution versus giving an extension (it was too much of an impediment last year).

Lamson indicated she has visited Rye Harbor over the last year and found it difficult to get around with all of the people there. Rye Harbor has not been made to sit down and eat instead of grab and go and she cannot support the motion.



Parker stated after her review of various materials she understands why the State has a protective role of the harbor. Further there has been a single issue taken from a multifaceted facility and it has created a state of disequilibrium. Agrees with Fournier of coping with the era of COVID and the concessions made to hospitality / restaurants. After reviewing Marconi's report and in the minutes of PAC, asked what would be new that the small businesses would be required to do with respect to the first five bullets they weren't doing before. Parker does not disagree with the regulatory efforts of the State and the need to understand practical implications on very small businesses. Even though it may be a motion for one year, it is long enough for a small business to go out of business and expressed her concern for the small businesses. Parker indicated it would be hard for her to support the motion if there isn't anything in the bullets they don't already have to do. Further, she spoke to outside business models that could be considerations for the future regarding the ROEs. While she doesn't like penalizing a business for growth, sometimes "like with families" there comes a time when you get too big and it becomes time to move on.

Ferrini asked of the motion before the Board, in the event the motion is voted against / down do the waivers fail. Blenkinsop affirmed. Ferrini stated if the waivers fail that means any of the businesses that have the waivers may not operate. Blenkinsop affirmed and Brean stated they would go back to the original intent of their ROE. Ferrini asked if some were a year at a time; Blenkinsop indicated the ROEs for each of the businesses that operate in the shacks, currently expire at the end of June 2023. Blenkinsop indicated they can operate under the terms of their ROEs as currently in place; the issue was a year ago a waiver was granted to RHLP to pursue activities which were outside of the scope of what was allowed under the ROE. In 2022, in addition to RHLP three or four other ROE holders asked for the same permission and that is what is before the Board (the entities who have requested a waiver for the 2022 season). Ferrini indicated if it is a waiver for four businesses would be the import of the motion if it passes; Blenkinsop affirmed. Ferrini indicated it would be helpful to have Marconi's report as part of the Board materials. Prior to deciding his vote, he offered that the most important part of the motion (pass or fail) is a significant short term issue and a longer term issue the "Further" clause of the motion. Having reviewed the materials and listening to the discussions he can envision it being a smaller scope (i.e.; review of fees; land use being looked at). When the local facilities (Hampton, North Hampton and Jenness) were reconfigured those operations work more effectively now; Rye grew organically. Regardless of this determination and the waiver issue, PDA / DPH needs to do a good job on a master plan and analysis on how this works together. In the motion, it speaks, "subject to available DPH funding" and in this particular case it is necessary to find the money to do a proper analysis; asked how much money may there be available to do a study. Spoke to the Capital Improvement Plan and how he sees this as part of that; asked to them access of money to perform a study in a comprehensive manner. Brean indicated the anticipated expense for a master plan would be \$100,000 at a minimum for a facility such as Rye Harbor. Marconi does an incredible job operationally with his budget and PDA has received congressional funding on projects with minimal margin. There would be a need to work hard to identify funding, with support from the Board. Ferrini thought the amount may be low and wasn't sure where the money would come from if DPH is self-contained on the funding. Further he asked of the path for better funding for a better study and wondered if there are other ways to seek appropriations outside of the cost center and how it works. Brean stated Marconi continuously works on harbor funding and any time grant funding could be obtained PDA / DPH would continue down that path. It would not be a desire to put this expense onto mooring holders, permit holders, ROE holders etc. Ferrini asked if DPH feels comfortable DPH has the resources to ensure the conditions which may arise and they can be addressed if this motion were to pass. Brean indicated it would be a challenge; there would be a need for strong conditions moving forward if this were to continue. Ferrini asked if the management of the area could be made

significantly more impactful on a day-to-day basis. He expressed concern if PDA / DPH does not have the resources. Brean indicated there is no enforcement mechanism on parking / issue parking tickets; the facility, no matter the enforcement materials in place cannot safely accommodate this style of activity. Ferrini asked if there would be the potential for a joint governmental agreement with the Town of Rye and harbor for enforcement. Brean deferred to Marconi and Blenkinsop but indicated he did not believe we have jurisdiction. Marconi indicated there is a close working relationship with the Town of Rye (Police and Fire) and from previous discussions with Chief Walsh, Rye does not believe they have the authority to enforce the rules and regulations promulgated by the Board. Marconi indicated his report provided references to state statutes (parking obstruction of fire lanes and handicap parking) and Walsh indicated these are the only areas he felt he had authority over on the State property to enforce. Marconi spoke of a letter he sent to the shack owners and provided copies of the statutes and indicate the police would be coming in to ticket anyone parking illegally in handicap spaces or fire lane. Ferrini indicated if he were to vote against the motion, certain businesses would not be able to operate for the coming year; Blenkinsop indicated the businesses operate under their existing ROEs. It wouldn't be that they would not be able to operate, it is they would not be able to sell restaurant style items which is the requested waiver. Ferrini asked if they are not authorized to sell restaurant style would they be able to sell grab and go.

Fournier asked if what was being discussed was for one business; Parker indicated there are five.

Blenkinsop indicated within the Board's packet are requests from four or five business to sell restaurant style grab and go food items from their shacks. That is the waiver request, if waiver were denied those businesses would still have their ROEs and presumably could operate pursuant to the existing ROEs. Regarding RHLF, the language of its ROE permits them to sell lobster catch. So they would be limited to the language of the ROE. Therefore, PDA wouldn't be saying they cannot operate their business, rather they would not be provided a waiver to sell restaurant style food.

Duprey asked if the other ROE holders sell food and their ROE lets them sell food (i.e.; Whale Watch purchase a hot dog or hamburger). Blenkinsop deferred to Brean or Marconi. Brean indicated the Whale Watch operates a snack shack in support of its vessel. Duprey asked if that is within the current ROE; Brean affirmed.

Lamson asked Marconi if Petey's shack would stay the way it is if the Board were to vote no, they would be able to sell food from the shack. Marconi indicated Petey's Lobster Pound, owns a lobster boat and it was provided a ROE to sell the catch associated with his lobster boat. Further, Marconi indicated that Peter Reynolds who owns the Whale Watch and Rye Harborside, which is the original take out stand, provides sandwiches, hot dogs, coffee, donuts etc. to the boating / general public and refreshments for the crew / customers of the Whale Watch. Marconi also indicated Rye Harborside snack bar opens in the morning prior to the arrival of customers going on Whale Watch boat and when the second boat of the day goes out around 2 p.m. they close.

Levesque asked Marconi when the half hour parking is removed and there is a fire lane, if Rye PD can enforce a car parked in a fire lane; Marconi affirmed. Levesque indicated there is enforcement by the Town of Rye in that area; Marconi affirmed.

Ferrini asked of a health inspector; Marconi stated the Town of Rye informed him Rye is one of those municipalities that does not do its own restaurant inspections; inspections would be under the state. There are only a handful of municipalities that have their own inspectors so this would fall under the



## Department of Health and Human Services.

Anderson indicated that Ferrini brought up some good points; indicated earlier the other four or five shack vendors indicated if good enough for RHLP why they cannot have a waiver. This is a legitimate question and the ROE holders have expressed their request in writing; this would be for one season as long as they live within the bulleted provisions of the motion. Anderson spoke to putting some teeth into the motion. We have the authority to do that meaning if any of the ROE holders do not comply with the provisions for one year it would jeopardize its operation, the ROE and operation would be revoked. Anderson indicated the motion has been fairly developed to take these items into consideration. Anderson indicated a second component of the discussion is the language under "Further, the PDA Board of Directors..." for a long range component. Anderson stated he thought the motion should be split so the provisions of the 2022 season are addressed and allow provisions to be attended to for the long term.

Duprey agreed and thought there is close to unanimity on the second part and therefore by the authority as the Chair Duprey split the motion into two motions as follows:

The first motion would be the opening portion of the motion through the six bullet points for the 2022 season; the second motion would be from "Further, the PDA Board of Directors" and its two referenced items which are more long term.

Anderson reiterated the six provisions of the split motion are not conformed with by the ROE holders who have food service provisions are not met, that the Board / PDA has the authority to revoke the ROE provisions and operational provisions (this could be done during mid-season). If they do not comply he believes the Board / PDA would have the right to suspend the ROE.

Marconi indicated the reason we are here today goes back to the point Anderson has made. Marconi indicated it is his job to enforce the laws made by the legislature who makes laws and the policies set forth by the PDA Board. The policies that the PDA approved were the original ROEs, he identified a problem two years ago and addressed the problem with Hanscom who agreed there was a problem. After their meeting Marconi wrote Hanscom a letter codifying the discussion / agreement but there was some further discussion among Hanscom and Cheever later and they did not agree. Marconi stated in conversation with Hanscom that RHLP had gone beyond the terms and conditions of the ROE with no intentions to shut him down, asked just to pull things back to what had been agreed to in the ROE. Marconi asked by doing this again, as Anderson stated, if they are not compliant then the DPH will put a stop to it or are we just repeating ourselves.

Fournier asked why the motion is needed if we already have the authority to do this.

Anderson stated in the whole discussion there have been a variety of ingredients and one of the ingredients is the Concord component. For us to ignore the fact that this has escalated outside the boundaries of the Authority, to Concord, has been the cause for the creation of this motion. If that were to be ignored, he isn't saying there would be consequences, we would be ignoring the concerns of the Governor as he has interjected into this discussion.

Lamson express her concerns when voting last year on the wavier and the Board should have been strong and said N O but we didn't know how to say it. She went along because of the direction provided and the Board never questioned.



Ferrini stated his bigger concern is if he doesn't vote for this, some businesses may have gone beyond the scope of the ROEs and he understands that. If we were to support this motion, businesses would be able to continue to operate beyond the scopes of the ROE. Blenkinsop indicated the ROEs were approved by the Board and by granting the waivers the Board is authorizing an amendment to those ROEs to allow this additional activity.

Parker spoke to Ferrini and indicated there was a question asked earlier but it wasn't answered which had to do with the ability of this organization to enforce the first six bullets; she is worried about negligence. Ferrini indicated he could see himself voting for the motion because the rug would not be pulled out from businesses this late. He would only want to do that if we had the ability to do it. These are public servants and they are going to indicate they will do their best but we don't put them in a position to succeed if they don't have the resources. Parker indicated it is a set up for failure.

Fournier spoke to the need to have teeth, asked if we have the statutory authority to implement fines (which would be teeth) otherwise it is a slap on the wrist and they are told not to do it until, the next time; we would end up going to court and the season would be over. His concern is with enforcement.

Levesque asked if we have the ability at any moment to revoke someone's ROE because we feel they are not in compliance; Brean affirmed and indicated that is in all of the leases, ROEs, licenses etc. Brean stated that the PDA, DPH and staff respect all of our businesses, all of tenants and work hard to work with them; optically that would be the last thing we would want to do. At some point we have to recognize successes are great stories (i.e.; analogy of Beach Plum as starting as an ice cream shack and now it has grown into a number of brick and mortar facilities). PDA staff is tasked, he wants to do the right thing. Our working pier is challenged, Marconi hosted the President last week and they spoke to funding for the Granite State. We have delegates in Concord who work to improve our infrastructure and the last thing we want to do is stifle any type of activity. The core mission down at the harbor is to provide access to the water; Parker commented in support of the fishing industry.

Ferrini asked for a call to the question.

Anderson asked if the question would be split; Duprey affirmed.

Duprey indicated he has read the documentation provided and while he has not been to Rye Harbor he has respect for Marconi as well as the Board and PAC. The Board is not picking on a business that has succeeded because of COVID or whatever else, but there are massive problems at Rye Harbor. Doesn't want to be faced a year from now looking for funding for the study and clearly because of tourism it is impacting the fishermen who use this for their living. He does think that funds need to be found to support the study so he will support the second part of the motion. He does not like contradicting PAC or Director and he will vote for the motion with great reluctance. He is glad to hear if somebody is not following the ROE it will be pulled. Also, to what Marconi stated we are here today because of this problem which occurred during the past two years. Duprey indicated the Board will not be sitting here next year talking about this issue or if a waiver is needed. If the study is not completed, there needs to be a resolution either internally or through a study that is adopted. Duprey indicated he would not approve another waiver year after year because it isn't the right thing to do. He will reluctantly be voting for the first part of the motion so they are not put out of business this summer even though it will make for a very difficult summer. Hoping to find a way to keep the enforcement even though we

may not have the authority and are stretched thin on resources. By voting for the second half of the motion he will charge staff to find resources for funding so the study can be undertaken so we can listen to stakeholders and even if we don't he isn't prepared to vote to be in this position next year.

Duprey indicated it would be a roll call vote on the first part of the motion with the six listed conditions.

Director	Yes	No
Anderson	X	
Duprey	X	
Ferrini	X	
Fournier		X
Lamson		X
Levesque	X	
Parker		X

Disposition: Resolved by roll call vote (4-3) for; motion **carried**.

Duprey moved to the second part of the motion being the two directives to the Executive Director and the Port Committee for a study.

Anderson confirmed the vote would be on both points; Duprey affirmed.

**Further, the PDA Board of Directors:**

1. Directs the Executive Director, subject to available DPH funding, to undertake a facility analysis of the Rye Harbor Marine Facility and preparation of a facility master plan in advance of the 2023 summer season; and
2. Directs the Port Committee, in consultation with the Executive Director, to report back to the PDA Board of Directors regarding the permit / license and fee structure at the Rye Harbor Marine Facility, including, but not limited to such matters as traffic, safety, parking, moorings, and general use of the Facility.

Discussion: Previously discussed above Disposition: Resolved by **unanimous** roll call vote for; motion **carried**.

*Fournier requested a five minute recess after the Rye Harbor waiver vote which commenced at 11:11 a.m. with the meeting resuming at 11:20 a.m.*

**V. Committees:**

**A. Reports:**

1. **Audit Committee**

Ferrini indicated the Audit Committee meeting was held on Monday. Auditor, Robert Smalley, presented Berry Dunn's program of business, a review of the engagement letter, pre-op of

communications and indicated a projected date for audit completion being October. There were a number of questions asked and answered regarding new policies, procedures and standards and we look forward to moving ahead with the process.

## 2. Finance Committee

Ferrini indicated the Finance Committee also met on Monday and the presentation today will be the same presentation presented by Finance Director Anzalone ("Anzalone"). The Committee followed the budgetary details.

## 3. Port Committee

No additional comments were made concerning this Committee meeting.

## VI. Old Business:

### A. Report:

#### 1. Potential Air Cargo Development – Status Update by Executive Director

Executive Director Paul Brean ("Brean") indicated there are two option agreements with an entity on two parcels; the options provide a length of exclusivity so they can perform its due diligence. Brean read the memo from the Board package regarding the Air Cargo Development Update and further stated the developers have been marketing the facilities and are recognizing that there is an aeronautical demand other than air cargo. Brean also spoke to two public comment speakers (Roman and Rye Selectman) regarding false narratives and communications getting out to the public which may be misconstrued. Brean indicated he cannot control developers' marketing efforts or press narrative. Brean indicated he can ask the developers to attend the May meeting and explain where they are at, what they have learned so it can be relayed to the community. Regarding Selectmen King's comments of the development over the past 30 years at the Tradeport, if something moves forward it will follow the same public transparent process and will be the right fit for Pease, the airport and surrounding communities.

Lamson spoke to the developers attending a May meeting; Brean affirmed he will ask and stated a PDA Board meeting. Lamson indicated at a recent meeting she and Parker attended there were various citizens who expressed a desire to attend and listen to what the developers have to say.

Anderson commended Paul for his presentation in front of the Portsmouth City Council recently. Brean's presentation provided an explanation on the function of PDA and particular concerns with the subject of air cargo. Anderson is getting concerned on the polarization of the subject as it has developed quickly; we don't have information to reply to inquiries. Knows this Board will have its public process to eliminate any concerns. It is concerning to hear some of the public comment on how people are polarizing themselves on this discussion.

Duprey indicated everyone should take a deep breath as there are no proposals before the Board, we have no idea what their due diligence is showing and it will be a long process on whatever is proposed so everyone can breathe easy for right now.



Anderson indicated Ferrini too attended the City Council meeting. Anderson stated how the City of Portsmouth has been sort of standoffish on this discussion and felt Brean did a good job discussing PDA's position on this.

## VII. Finance:

### A. Executive Summary:

Finance Director Suzy Anzalone ("Anzalone") stated the Executive Summary showed operating revenues continuing to trend positively to budget and the operating expenses are trending under budget. Pointed out under non-operating income and expenses, receipt of \$1.9 million received from American Rescue Plan Act ("ARPA") which was a grant from March, being accrued in February and considered non-operating revenue. Further the consolidated net income is trending favorably to budget and looking at all of the individual business units there are no concerns.

### B. Reports:

#### 1. FY2022 Financial Report for the Eighth Month Period Ending February 28, 2022

Continuing to maintain a strong balance sheet and represented under restricted assets is the Revolving Loan Fund ("RLF"). Currently there are 18 loans outstanding with potentially four additional loans coming before the Committee which will basically deplete funding. The program is being used for a lot of the local fishermen, but may need to turn away requests until the account has been replenished.

Capital expenditures year-to-date is just under \$2 million.

#### 2. Cash Flow Projections for the Nine Month Period Ending December 31, 2022

Over the next nine months expects cash flow of \$15.3 million coming in mainly provided by net operating revenue but also grant funding. Cash outflow is estimated at just over \$20 million with a majority coming from operating expenses and municipal service fee payments as well as potentially \$9 million in grant and non-grant related capital expenditures. Operating expenditures and capital expenditures will decrease PDA's cash balance; it is not anticipated that PDA will have to incur any additional debt through the Revolving Line of Credit ("RLOC").

Anderson indicated in Anzalone's overview, she identified budget trends regarding items that were over budget is there any one item that is significant (i.e.; retirement expense or insurance) as more of a long term issue. Anzalone indicated regarding the retirement expense, the amount of PDA's contribution changes every two years and when the budget was put together, PDA did not know what the new rates would be. PDA's estimate was lower than actual cost which could be a budget variance of approximately \$100,000; because PDA is under in a lot of other expenses it can absorb that cost. Other than retirement, there isn't anything significant; fortunately overall operating expenditures are trending favorably. Anderson asked without ARPA or the November sale, would things look different and cause for concern; Anzalone indicated, no; we would still be operating favorably without those two pieces.

*Levesque departed the meeting at 11:30 a.m. and return at 11:32 a.m.*

### 3. Capital Improvement Plan FY 2022 – FY 2028

Anzalone indicated the process commences with the previous year's budget and work out for a 6.5 year projection. Any capital projects brought up into a year are added and a draft copy is sent out to each of the respective business managers for review. Finance meets with each of the managers to review the "asks" for the Capital Improvement Plan ("CIP") projects providing detail. Finance does an initial prioritization of projects (A, B, or C); after discussions with managers, Executive Director and senior staff, project prioritization changes can be made. When prioritizing, a consideration of cash flow is given. This is the process followed prior to bringing the CIP to the Board for consideration. There are over \$80 million in capital projects over the next 6.5 years (split between grant projects of \$56.6 million and internally funded projects of \$23.5 million). These projects are split into categories such as health / safety, regulatory, infrastructure and technology, equipment and expansion. There are also key sensitivities such as grant funding and whether or not there is guaranteed funding, fee structure increase in fuel flowage fees, parking fees and operating income which drives PDA's ability to pay back debt on internally fund projects. Looking at projects on the grant funded side are the arrival hall, taxiway and terminal expansion, terminal apron at both Portsmouth International Airport ("PSM") and Skyhaven ("DAW"), snow removal equipment as well as a potential building for the equipment at PSM and upgrades to the Air Traffic Control Tower at PSM (these projects accounting for approximately 92% of the total). On the internally funded side there are some intersection improvements, golf course enhancements and equipment purchases at the golf course and airport as well as infrastructure improvements at the Tradeport (these projects accounting for 80% of the total). When looking at the various business units, a majority of the improvements will be at PSM and DAW. It is anticipated that 2027 will be a big year for capital improvements (Terminal expansion, work on the runway and Tradeport intersection). There are about 119 projects which have been identified in the CIP and the ones with the check marks are those with the highest priority. Currently PDA has a RLOC of \$15 million which expires at the end of the year and we will be speaking to the bank about renewal.

Duprey asked of the current rate of the RLOC; Anzalone responded 2.9% and spoke to the anticipation in 2027 to dip into the RLOC during CIP projects (covering the period between payment to the contractors and PDA is reimbursed through grant funding).

Levesque asked if there were a carrying fee associated with the RLOC; Anzalone indicated there is not but when speaking with the bank that may be part of the negotiations. Anzalone has talked with the bank and they have asked if PDA would like a lower line of credit.

Duprey asked if PDA would look at other funding sources aside from the current bank; Brean indicated we could use bonding services through the State but the way PDA looks at it, it will probably reduce the RLOC. The bank that PDA utilizes for the RLOC also handles PDA's operating account and the RLF (also perform the administrative work for the RLF). Anzalone spoke to RLOC funds being paid back by 2028.

Anzalone spoke to the cash and debt levels for the various CIP projects and the determination whether all projects will be completed, just the A & B projects or just the A projects. Anzalone indicated adjustments could be made to the projects regarding prioritization and determination of its undertaking.

Anzalone spoke to PDA staff being very helpful in the preparation of the CIP and being team oriented.

Parker asked if the grants were primarily federal money; Anzalone affirmed. Parker asked if the grants were a one off federal money source or repeated; Anzalone indicated some are repeated as there is a certain amount of FAA grant money received every year based on enplanements. Brean also indicated that the grants are usually 90% federal; 5% State and 5% Sponsor. Parker stated there is a match; Anzalone affirmed and indicated the impact of the grant funded projects will be approximately \$2.6 million if PDA were to do all the projects.

Anderson asked if PDA does any negotiating with the bank; Anzalone stated we are currently in either a three or five year agreement. Anderson asked where PDA has maximized the amount of money available regarding the RLF, if thought had been given on increasing the interest rate back up (it had been lowered during COVID from 4% to 3%). This way additional revenue could be generated for the program. Anzalone indicated it has not come up yet but it is something that could be reviewed by the Committee for consideration. Anderson wasn't sure what the loss calculates to be since the reduction from 4% to 3%; Anzalone indicated it is still covering operating expenses but understands the comment from Anderson to be that it would add more money to the fund.

Duprey asked how large the Finance Department was; Anzalone responded four individuals. Brean further indicated, Finance, Payroll, Procurement and another employee who serves as fulltime administrative receptionist too.

### **VIII. Licenses/ROEs/Easements/Rights of Way:**

#### **A. Reports:**

1. **165 Arboretum, LLC – Right of Entry – 165 Arboretum Drive**
2. **2-Way Communication – Right of Entry Extension – 360 Corporate Drive**
3. **Wings and Wheels Event – Right of Entry – Skyhaven**
4. **Next Level Church “Egg Drop” – Right of Entry - Skyhaven**

In accordance with the “Delegation to Executive Director: Consent, Approval and Execution of License Agreements,” PDA entered into the following Right-of-Entry:

1. Name: 165 Arboretum, LLC  
License: Right-of-Entry Extension  
Location: 165 Arboretum Drive  
Purpose: Site Inspection Purposes  
Term: March 21, 2022 through July 30, 2022
2. Name: 2-Way Communication  
License: Right of Entry  
Location: 360 Corporate Drive  
Purpose: Survey / Site Inspection Purposes  
Term: Extension from original request through April 30, 2022
3. Name: Rochester Police Department and Rochester NH Rotary Club #6237  
License: Right of Entry  
Location: Skyhaven Airport  
Purpose: Wings and Wheels Event



Term: June 3, 2022 between the hours of 8:00 a.m. through 8:00 p.m. and June 4, 2022 between the hours of 8:00 a.m. to 6:00 p.m.

4. Name: Next Level Church  
 License: Right of Entry  
 Location: Skyhaven Airport  
 Purpose: Easter Egg Drop  
 Term: April 17, 2022

Director Fournier was consulted and granted his consent regarding these Rights of Entry.

**IX. Leases:**

**A. Reports:**

1. **Pioneer New Hampshire LLC – Loureiro Engineering – 112 Corporate Drive**
2. **Pioneer New Hampshire LLC – Granite United Way – 110 Corporate Drive**
3. **Farley White Pease, LLC – Workwear Outfitters, LLC – 100 Arboretum Drive**

In accordance with the “Delegation to Executive Director: Consent, Approval of Sub-Sublease Agreements” PDA approved the following lease option with:

- A. Tenant: Loureiro Engineering  
 Space: 8,060 square feet at 112 Corporate Drive (Suite #340)  
 Use: Professional and Business Office use  
 Term: Three (3) Years with two, two (2) year options
- B. Tenant: Granite United Way, Inc.  
 Space: 3,520 square feet at 110 Corporate Drive  
 Use: General Office use  
 Term: Five Years
- C. Tenant: Workwear Outfitters, LLC  
 Space: 13,901 square feet at 100 Arboretum Drive  
 Use: Permitted use  
 Term: Sixty-two (62) months, commencing on the Commencement Date for the Second Phase, with one extension option of five (5) years

The Delegation to Executive Director: Consent, Approval of Sub-sublease Agreements also requires the consent of one member of the PDA Board of Directors. In these instances, Director Lamson was consulted and granted her consent.

**X. Contracts:**

**A. Reports:**

1. **Northshore Magazine – Pease Golf Course Advertising**
2. **Lakes Region Environmental – Skyhaven – Annual Fuel System Inspection**
3. **U.S. Smoke & Fire – Smoke Curtains at Terminal Preventative Maintenance Inspections (3 year contract)**



In accordance with Article 3.9.1.1 of the PDA Bylaws, I am pleased to report the following:

1. Project Name: Northshore Magazine  
Board Authority: Director Ferrini  
PDA Obligation: \$2,300.00  
Summary: Advertisement in the Northshore Magazine for Pease Golf Course
  
2. Project Name: Lakes Region Environmental  
Board Authority: Director Ferrini  
PDA Obligation: \$2,683.85  
Summary: Skyhaven – Annual NHDES Fuel System Inspection on Two (2) Underground Fuel Storage Systems including changing One (1) Avgas Filter & Gasket
  
3. Project Name: U.S. Smoke & Fire  
Board Authority: Director Ferrini  
PDA Obligation: \$9,810.00  
Summary: New smoke curtains in the terminal require annual preventative maintenance inspections (this is a three year contract)

**B. Approvals:**

1. **Portsmouth International Airport at Pease - Honeywell - Airport Badge Readers & Media Replacement**

Director Levesque moved the motion and Director Fournier seconded that the Pease Development Authority Board of Directors hereby approves of and authorizes the Executive Director to enter into a contract with Honeywell International, Inc. ("Honeywell") of Manchester, NH in an amount not to exceed \$89,420.00, to replace 110 airport badge readers and 2,000 badges; all in accordance with the memorandum of Ed Pottberg, Airport Security Administrator, dated April 12, 2022, attached hereto.

In accordance with the provisions of RSA 12-G:8, VIII, the Board justifies the waiver of the RFP requirement as Honeywell is the provider of the airport's primary access control, video and audio systems, which is a proprietary closed system.

Discussion: None. Disposition: Resolved by unanimous roll call vote for; motion carried.

2. **AIP Grant for Snow Removal Equipment – PSM**

Director Fournier moved the motion and Director Parker seconded that the Pease Development Authority ("PDA") Board of Directors hereby authorizes the Executive Director to:

- (1) accept on behalf of the PDA a Federal Aviation Administration ("FAA") Grant Offer of AIP funding up to \$1,103,174.10, for snow removal equipment for Portsmouth International Airport at Pease (PSM);
- (2) accept from New Hampshire Department of Transportation matching funds up to \$61,287.45;
- (3) expend PDA funds up to \$61,287.45;

- (4) award a contract to M-B Companies to purchase a carrier vehicle with integrated high rotary plow for the price of \$685,250.00;
- (5) award a contract to M-B Companies to purchase a carrier vehicle with plow and spreader for the price of \$525,990.00;
- (6) append the Jacobs on-call Master Contract to include the work described in the memo and make appropriate payments; and
- (7) execute any and all documents necessary to receive the grant funds and procure the snow removal equipment as described.

All in accordance with the memorandum from Maria J. Stowell, PE, Manager – Engineering, dated April 11, 2022.

Discussion: Anderson asked what the delivery date on this item would be; Brean indicated an approximate 270 day lead time. Further, would anticipate a delay as the equipment is built to order, but we are locked into pricing.

Disposition: Resolved by unanimous vote for; motion carried.

### 3. Taxiway Pavement Repair

Director Lamson moved the motion and Director Anderson seconded that the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to:

- (1) contract with Pike Industries to provide all labor, materials, and supervision to complete airfield pavement repairs as directed by PDA for a cost of approximately \$163,276.00, along Taxiway “A” and near the North Fuel Farm at the Portsmouth International Airport at Pease (PSM); and
- (2) amend the PDA on-call contract with Hoyle Tanner to authorize the provision of services to complete the airfield pavement repairs described above for a cost not to exceed \$26,481.00.

All in accordance with the memorandum from Chasen Congreves, Manager of Airport Administration, dated April 12, 2022.

In accordance with the provisions of RSA 12-G:8, VIII, the Board justifies the waiver of the RFP requirement to allow PDA to contract with Pike Industries (“Pike”) as it recently completed the Portsmouth International Airport (“PSM”) runway reconstruction project and is still under contract for that work enabling it to mobilize quickly, and as Pike has significant experience at PSM and with FAA airport paving requirements.

Discussion: None. Disposition: Resolved by unanimous roll call vote for; motion carried.

### 4. CMAQ Grant for Right Turn Lane on New Hampshire Avenue at its intersection with Pease Boulevard and Arboretum Drive

Director Parker moved the motion and Director Anderson seconded that the Pease Development Authority (“PDA”) Board of Directors authorizes the Executive Director to:

1. accept a Congestion Mitigation and Air Quality (CMAQ) Program grant in the amount of \$556,840.62 for construction of a right turn lane on New Hampshire Avenue at its intersection with Pease Boulevard and Arboretum Drive;
2. expend PDA matching funds in the amount of \$139,120.16 for this project;
3. append to the VHB on-call Master Contract to include the design work and \$144,650 fee described in the memo and make appropriate payments thereunder; and
4. execute any and all documents necessary to receive the grant funds.

All in accordance with the memorandum from Michael R. Mates, P.E., -Engineering Project Manager, dated April 11, 2022.

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

5. **Tow Behind Crack Sealer – Pease International Airport**

Director Levesque moved the motion and Director Lamson seconded that the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to enter into a contract with Crafcro, Inc. of Chandler, AZ, to purchase one (1) Tow-Behind Crack Sealer, in a total amount not to exceed \$90,766.41; all in accordance with the memorandum from Ken Conley, Fleet Manager dated April 12, 2022.

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

6. **Diesel Tractor w/ Tow Behind Mower – Pease International Airport**

Director Anderson moved the motion and Director Lamson seconded that the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to enter into a contract with United AG & Turf of Dover, NH, to purchase one (1) Diesel Tractor with Tow-Behind Mower, in a total amount not to exceed \$131,815.61; all in accordance with the memorandum from Ken Conley, Fleet Manager dated April 12, 2022.

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

7. **2023 Chevrolet Silverado - Pease International Airport**

Director Ferrini moved the motion and Director Levesque seconded that the Pease Development Authority (“PDA”) Board of Directors hereby approves of and authorizes the Executive Director to purchase one (1) 2023 Chevrolet Silverado from Whiteside Chevrolet of St. Clairsville, OH in a total amount not to exceed \$47,920.00; all in accordance with the memorandum of Ken Conley, Fleet Manager, dated April 12, 2022, attached hereto and incorporated herein.

In accordance with the provisions of RSA 12-G:8 VIII, the Board justifies the waiver of the RFP requirement as the vehicle will be purchased under the State of New Hampshire’s Vehicle Procurement Contract.

Discussion: None. Disposition: Resolved by unanimous roll call vote for; motion carried.



## 8. Tow Behind Mower – Skyhaven

Director Parker moved the motion and Director Lamson seconded that the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to enter into a contract with United AG & Turf of Dover, NH, to purchase one (1) Tow-Behind Mower attachment, in a total amount not to exceed \$11,328.72; all in accordance with the memorandum from Ken Conley, Fleet Manager dated April 12, 2022.

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

## 9. Z Turn Mower – Pease International Tradeport

Director Lamson moved the motion and Director Levesque seconded that the Pease Development Authority (“PDA”) Board of Directors hereby authorizes the Executive Director to enter into a contract with United AG & Turf of Dover, NH, to purchase one (1) Zero Turn Mower, in a total amount not to exceed \$19,586.73; all in accordance with the memorandum from Ken Conley, Fleet Manager dated April 12, 2022.

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

## XI. Executive Director:

### A. Reports:

#### 1. Committee Appointments:

Brean indicated the new Chair has assigned himself to the Committee assignments of the past Chair, per the list provided in the packet.

*Levesque departed the meeting at 11:59 a.m. and returned at 12:00 p.m.*

#### 2. Golf Course Operations

Scott DeVito (“DeVito”), Pease Golf Course (“PGC”) General Manager, spoke to the opening of the Driving Range on March 18<sup>th</sup>, 18 holes at the Golf Course open on March 25<sup>th</sup> and all 27 holes being open as of April 22<sup>nd</sup>. DeVito indicated that the course is already 2/3<sup>rds</sup> pre-booked tee times for the upcoming weekend and is trending in the right direction. DeVito spoke to 4,300 rounds to date and 45,000 rounds for the fiscal year. All of the season passes (capped at 250) have been sold, the first event at the course is scheduled for Friday, April 29<sup>th</sup>, and the leagues start the first week in May. Grill 28 is seeing a nice uptick in daily patrons and they have had 12 online requests to host events just in the month of April and currently have 36 events booked on top of PGC’s golf events. The patio cover went up April 1<sup>st</sup>, the weather has not been cooperative enough but it has had a little use.

DeVito indicated after receiving Board approval last June for the Toro Rough Mower, it has arrived.

#### 3. Airport Operations

Brean spoke to PSM having a strong March with 7,500 passenger enplanements at the terminal

and year-to-date we have been a total of 20,500 enplanements. The parking lots have been full and spoke to the revenue received from the long term parking lot. Massachusetts and Maine had school vacation this week and New Hampshire's vacation is next week. Brean stated there were only 80 parking spots open at this time, but it is anticipated once the MA and ME vacationers return, spots will open for NH vacationers and anticipate strong parking revenue numbers for next month.

Brean spoke to the 900,000 gallons of Jet A fuel pumped by Port City Air for the month of March. Further, General Aviation activity is up shown by its contribution of 43% and CRAF / DOD was at 49%. PCA has been using some marketing to obtain corporate tech stops and it seems to be paying off; their efforts are appreciated.

Allegiant started its Tampa / St. Pete activity on February 16<sup>th</sup>, Myrtle Beach will be starting on June 4<sup>th</sup> and Nashville, TN on June 16<sup>th</sup>. Brean indicated there will be five destinations leaving from PSM during the summer of 2022. Further, Allegiant is struggling along with other airlines regarding the cost of Jet A fuel and labor resources. Nationwide, it is anticipated there will be between a 10 to 18% reduction in flights. So far PSM has not been impacted by the reduction; there has been a reduction in capacity with multiple flights that have been scaled down. PSM has not lost any destinations and in fact it looks as though they will continue with a commitment for a new service over the summer; other stations are seeing retractions. Brean indicated this was not just Allegiant, but every airline currently.

Lamson indicated she lives on Little Bay and the stage 4 aircraft don't impact them at all with noise as they go up and further out. Lamson said there aren't complaints about Allegiant, it is the cargo.

Parker asked what the price increase was for Jet A fuel; Brean stated he provided a quote in the report but the information is changing daily. Currently seeing \$7, but increase does not include the costs to get it into the plane.

Anderson made an observation regarding the percentages for fuel flowage with a reduction in DOD typically at 70%; Brean affirmed to prior reports. Brean further indicated there could be additional information such as a mission did not occur, but there has been a strong uptick in General Aviation.

Brean stated at the last Board meeting during public comment someone asked what PSM had for existing cargo. Brean informed the Board there is currently one cargo ground handler at the airport. Seacoast Cargo, an entity of PCA, currently operates cargo activity and they sublease out of a 45,000 square foot facility. In 2021 we did about 2,304,000 pounds which was primarily all on the ramp. Brean stated that the square footage of a building does not correlate to cargo activity.

Levesque asked when the Ukraine jets were coming in a couple of years ago, was that through cargo; Brean affirmed and stated Seacoast Cargo was the entity that could handle them.

Anderson asked of the fuel flowage from last year to this year; Brean indicated it was his belief that 900,000 gallons sold in March 2022 was greater than that sold in 2021.

(i) Brean updated the Board concerning Hangar 227 (approximately 200,000 square foot facility). The façade improvement which was put up by the last tenant is starting to come apart. During a recent storms it sustained damage and parts of the roof are coming off; it is becoming a very expensive asset to maintain.



Anderson asked if the condition of Hangar 227 would affect the occupancy; Brean indicated it is fine structurally and it is utilized for cold storage.

(ii) Brean stated regarding Pease Aviation Partners (“PAP”) dba Million Air is in the design permitting stages and **nothing new has occurred**. The Department of Environmental Services held a hearing regarding the wetlands permit and responses were extended out 30 days to allow for additional public comment.

Duprey asked if PAP were an FBO; Brean affirmed an FBO operator. Duprey stated PSM has one here now and asked if it were good to have more than one FBO; Brean affirmed it can be. Further stating, per FAA policy we have to be **non-discriminatory** and invite any aeronautical activity.

(iii) Brean spoke to counsel, Gary Arber, of PlaneSense who expressed his gratitude to the Board for hearing him at last month’s meeting. PlaneSense is proceeding further with its design for potential expansion; the Board should have received e-mail regarding availability for a site tour.

**b) Noise Line Report**

**(i) March, 2022**

Brean indicated that PSM did not receive any noise inquiries in March, 2022.

**B. Presentation – Potential Zoning Amendments**

Maria Stowell (“Stowell”), PE, Engineering Manager presented on the potential rezoning of 130 acres of land which is currently zoned airport / airport industrial and part of the Natural Resource Protection (“NRP”). This would allow the area to be utilized for what is allowed in the industrial zone (industrial and offices) rather than strictly airport uses.

Stowell indicated the area which is now NRP is less than an acre about 0.8 acre and is land remaining following the transfer to DOT from PDA when they were doing the Newington / Dover highway project. Prior to the transfer of the land the blue line indicated on the map was the old layout of Arboretum Drive. Everything to the north was NRP so when the land was transferred it left a little sliver, the proposal is it should all be rezoned.

By rezoning the 130 acres, PDA sees 3 developable lots and all have challenges. The one under consideration by 165 Arboretum, LLC is marked as 25 acres but most of it is wetland so it is about 15 to 12 acres; there is a 10 acre lot that is paved from an old fuel storage spot and then a small upland area. Other than that the rest of the 130 acres contains old landfill 5 (an Air Force Landfill) and wetlands.

Stowell indicated PDA is not looking for a vote on this today. However, depending on how the Board views the next item, staff could come back next month with proposed language.

Fournier asked if this item should be referred to the Capital Improvement and Land Planning (“CILP”) Committee for review. Either we have a Committee to do something or get rid of the Committee. Stowell indicated the CILP is an Ad Hoc Committee so if the full board wanted it could recommend the matter to the Committee.

Parker indicated she thought the area was zoned airport industrial; Stowell indicated the 10 acre parcel is Airport and the little sliver is NRP. Parker asked in the divisions of labor these two zoned categories also call for PDA to function as Land Use Planning as airport / airport industrial; Stowell affirmed.

Blenkinsop indicated the Board could refer this to the Committee in early May and depending on the Committee's direction could bring this back in May; as Stowell indicated it is an Ad Hoc Committee and is a function of this Board.

Duprey indicated the information could be provided to the CILP Committee for its review and the Committee could tell us what to do. Blenkinsop indicated the meeting could be scheduled and ask for a recommendation to bring back to the Board.

Lamson indicated she was happy with Stowell's proposal and stated it will be beneficial for the Town of Newington and the Planning Board.

Duprey stated if no objection, this matter would be referred to the Ad Hoc CILP Committee to do its work.

Ferrini indicated this would be for potential rezoning; Duprey affirmed and stated a large part of the rezoning deals with the following item in the packet for consideration.

**C. Approvals:**

**1. 165 Arboretum, LLC - Development Agreement – 165 Arboretum Drive**

Director Fournier moved the motion and Director Lamson seconded that the Pease Development Authority ("PDA") Board of Directors approves of and authorizes the Executive Director to finalize and enter into a Development Agreement in Contemplation of Lease ("Development Agreement") with 165 Arboretum, LLC regarding potential development on 165 Arboretum Drive, pursuant to the memorandum from Paul E. Brean, Executive Director dated April 12, 2022, and substantially consistent with the terms and conditions set forth in the draft Development Agreement.

Discussion: Ferrini indicated the Development Agreement requires the developer to work cooperatively but it does not obligate the Board for any expenses. There is no requirement in the Development Agreement that PDA agree to change zoning; Brean affirmed. Ferrini stated he is not a fan of looking at zoning and asked staff if the rezoning was contemplated prior to the development request. Brean affirmed and stated it has been a consideration back to his predecessor, Mr. Mullen. Further the land is not recognized in the Airport Master Plan for aeronautical use. It was a PDA decision to classify it as a potential use to support air field development. What has been learned in the last couple of weeks given concerns with aeronautical development is that it solidifies the case that staff has thought about this and feels it would be a better use of this land. Ferrini indicated the discussions regarding rezoning was a preexisting condition and not because of the proposal; Brean affirmed. Further indicating the proposal may have been the impetus to move rezoning forward.

Disposition: Resolved by unanimous vote for; motion carried.



## 2. Bills for Legal Services

Director Ferrini moved the motion and Director Levesque seconded that the Pease Development Authority (“PDA”) Board of Directors approves of and authorizes the Executive Director to expend funds in the amount of \$13,717.00 for legal services rendered to the Pease Development Authority from Sheehan Phinney Bass & Green from February 1, 2022 – February 28, 2022 in the amount of \$11,890.00 for Permit Implementation and February 1, 2022 – February 28, 2022 in the amount of \$1,827.00 for Tradeport General Representation. And to expend funds in the amount of \$1,770.00 for legal services rendered to the Pease Development Authority from Anderson Kreiger as outside counsel for Federal Regulatory Advice from February 1, 2022 through February 28, 2022. For a total amount of \$15,487.00 in legal services.

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

## XII. Division of Ports and Harbors:

### A. Reports:

#### 1. Port Advisory Council Minutes of February 9, 2022

Geno Marconi (“Marconi”), Division of Ports and Harbors Director, indicated the Board had in its packet the minutes of the Port Advisory Council meeting of February 9, 2022. The minutes have been provided so the Board is aware of the Council’s activity and welcomed any comments or questions from the Board.

#### 2. Port Committee Minutes of July 15, 2021

Geno Marconi (“Marconi”), Division of Ports and Harbors Director, indicated the Board had in its packet the minutes of the Port Committee meeting of July 15, 2021. The minutes have been provided so the Board is aware of the Committee’s activity and welcomed any comments or questions from the Board.

#### 3. Piscataqua Maritime Commission - Right of Entry and Waiver of Fees for the “Sail Portsmouth 2022 Tall Ship Celebration”, Portsmouth Fish Pier

Marconi spoke to Piscataqua Maritime’s request for Right of Entry at Portsmouth Fish Pier; the request consists of waiver of wharfage and dockage fees and which was approved through the Delegation of Authority.

#### 4. Commercial Mooring for Hire Applications

Marconi indicated that under the Code of Administration of Rules there is an ability to have a Commercial for Hire allowed and through a review process by the Harbor Master and Chief Harbormaster to Marconi who makes a recommendation to the Executive Director who is allowed to sign off on these through the Delegation of Authority.

**5. Commercial Mooring for Hire – Great Bay Marine, Inc.**

Marconi indicated that under the Code of Administration of Rules there is an ability to have a Commercial for Hire allowed and through a review process by the Harbor Master and Chief Harbormaster to Marconi who makes a recommendation to the Executive Director who is allowed to sign off on these through the Delegation of Authority. This was for Great Bay Marina and the moorings are in an area where there are no waitlist and there have never been request for moorings in that location.

**6. Gate Barriers – 555 Market Street Marine Terminal**

Marconi indicated the gate barriers going into the Market Street Marine terminal had deteriorated and through a Delegation of Authority to the Treasurer and Executive Director this item was approved.

**7. Pepperrell Cove Marine – Hampton Harbor Pile Inspections**

Pepperrell Cove was asked to inspect some steel pipe pilings due to storm damage received over the winter

**8. Morton Salt – Exercise First One Year Option of License Agreement to May 31, 2023**

Morton Salt exercised the first of its one year options to its license agreement with DPH.

**9. 2022 Mooring Permit Application Analysis**

This was done as a means of tracking so consistency can be shown with how many applications are sent out and how many are returned. From that, it was broken down to shorefront property as well as the number of individuals who had moorings that expired April 1<sup>st</sup>. Marconi indicated he has received a couple of requests for reconsideration and he reviews the specific circumstances of each request.

**10. Mooring Waitlist Analysis**

Anderson asked of the Traffic Study at Rye and a condition in the RFP that Appledore was going to do an outreach program; asked who would be doing the outreach program. Marconi indicated it was decided due to the number of stakeholders, mooring permits etc., DPH would pull the data base together for a mailing. A standard notice would be sent out to all stakeholders saying the Traffic Study is located on the DPH website and encourage review so stakeholders could provide comments / recommendations. Anderson asked where DPH is doing this work, would that affect the cost of the RFP as the outreach was to be performed by Appledore and they do not seem to be fulfilling their contractual agreement with DPH to perform the work. Marconi indicated DPH is not doing the work, rather he is helping facilitate the outreach program. Marconi indicated after review by staff and consulting engineers, they came up with recommendations that it will be brought before PAC, the Port Committee and then to the Board.

Levesque commended Marconi on the Presidential visit last Tuesday and how it highlighted a lot of work done by many people.

Ferrini affirmed Levesque's comments, indicated he was in attendance and we looked good which was a good thing for everyone.

Marconi stated it is not just him, his staff does a great job and responded to the request, especially the Operations Manager, Whit Anderson.

**B. Approvals:**

**1. Rye Harbor – Paving and Striping to Address Safety Concerns / Issues**

Director Anderson moved the motion and Director Fournier seconded that the Pease Development Authority Board of Directors hereby authorizes the Executive Director to contract with James Jones d/b/a Second Nature Pit and to expend funds from the Ports and Harbors Fund for paving work at the Rye Harbor Marine Facility in an amount not to exceed \$37,500.00; all in accordance with the Memorandum of Geno Marconi, Division Director, dated April 15, 2022.

In accordance with the provisions of RSA 12-G:8 VIII, the Board justifies the waiver of the RFP requirement to accept the low quote from James Jones d/b/a Second Nature Pit as three (3) quotes from local contractors were obtained and there is a need to complete these public safety improvements prior to the onset of the upcoming busy summer season.

Discussion: Anderson asked if the work were absolutely necessary; Marconi affirmed. Anderson again wondered if it were absolutely necessary this year as it creates a paved fire lane and wondered if it could be postponed relating it to funding purposes. Wait until DPH completes the Traffic Study so a determination of can be made from the options provided.

Brean indicated we have tried to come to an accord. There is a need for public safety in order for the activity at Rye Harbor to move forward, there needs to be a dedicated in / out egress with space according to traffic codes and a fire lane for the fire department who responds to do a water rescue. This work has to move forward if the Board is going to entertain any activity down at the harbor.

Disposition: Resolved by unanimous roll call vote for; motion carried.

**2. Harbor Master Boat "Munson" Repairs**

Director Lamson moved the motion and Director Levesque seconded that the Pease Development Authority ("PDA") Board of Directors retroactively authorize the Executive Director to proceed with the boat repairs required for the Division of Ports and Harbors ("DPH") to its Harbor Master boat "Munson" performed by Dover Marine at a cost of \$10,328.52 which includes the hauling cost by Independent Boat Haulers; all in accordance with the memorandum of Geno Marconi, Division Director, dated March 25, 2022

Discussion: None. Disposition: Resolved by unanimous vote for; motion carried.

**3. Portsmouth Fish Pier – Floor Drains (Additional Work Required)**

Director Parker moved the motion and Director Lamson seconded that the Pease Development Authority ("PDA") Board of Directors retroactively approves of, and authorizes the Pease



Development Authority – Division of Ports and Harbors (“PDA-DPH”) to proceed with, the additional work by HL Patten in the amount of \$21,740.00, required to complete the replacement of the floor drainage system at the Portsmouth Commercial Fish Pier Facility, originally approved by the PDA Board on October 21, 2021, for a total project cost not to exceed \$35,260.00; all in accordance with the Memorandum of Geno Marconi, Division Director, dated April 12, 2022.

In accordance with the provisions of RSA 12–G:8, VIII, the Board justifies the waiver of the RFP requirement to allow PDA-DPH to contract with HL Patten, as HL Patten was already mobilized on site due to the Portsmouth Fish Pier reconstruction project and immediately available to perform the necessary work associated with the failed floor drainage system when Seacoast Sewer & Drain, Inc. encountered unexpected site conditions which had to be remedied before replacement of the drains could be completed.

Discussion: Anderson asked of this cost overrun and stated Seacoast Drain thought it could remedy the problem for \$10,000; Marconi affirmed. Anderson asked regarding funding if this would be included in the construction; Marconi affirmed. Marconi indicated it was determined during construction that due to the age of the pipes under the floor they failed and the work needed to be completed in order to avoid discharge into the Piscataqua River.

Disposition: Resolved by unanimous roll call vote for; motion carried.

#### 4. Rye Harbor Marine Facility Right of Entry Waiver Requests

*This item was moved up on the meeting after Public Comment*

### XIII. Special Event:

#### A. Report:

1. 25<sup>th</sup> Annual Cisco Brewers Memorial Day 5k Road Race to be held on May 29, 2022

Brean indicated Cisco Brewers Portsmouth (a/k/a Redhook) will be hosting the 25<sup>th</sup> Annual Cisco Brewers Portsmouth Memorial Day 5k Road Race to be held on May 29, 2022, which will benefit the Krempels Center located in Portsmouth.

### XIV. Upcoming Meetings:

Board of Directors	May 19, 2022 @ 8:30 a.m.
Executive Committee	May 24, 2022 @ TBD

Duprey indicated he will not be in attendance at the May meeting due to a prior commitment.

Levesque indicated he too would not be in attendance at the May meeting.

Blenkinsop asked if Director Ferrini would be prepared to conduct the Board meeting; Ferrini indicated he would.

**All Meetings begin at 8:30 a.m. unless otherwise posted.**

**XV. Directors' Comments:**

Ferrini requested a report back from staff concerning a Feasibility and Master Plan for Rye Harbor.

Blenkinsop indicated the Executive Committee meeting will be rescheduled to early June.

Blenkinsop informed Directors Fournier, Ferrini and Levesque that staff will reach out to schedule the Capital Improvement and Land Planning Committee meeting for early May.

Brean spoke to receipt of a few materials before the Board meeting (by non-staff members). Further, Brean informed the Board all staff are asked to provide Board materials a week before and he apologized that some of the items were provided late. Finally, hats off to the airport team for the recent Presidential visit last Tuesday.

Ferrini asked that late submittals received from staff be added to the packet for submittal on the website for the public; Blenkinsop indicated that information is provided on the website.

**XVI. Adjournment:**

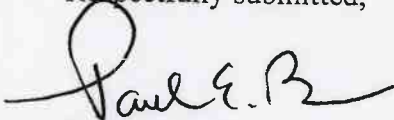
Director Lamson moved the motion and Director Fournier seconded to adjourn the Board meeting. Meeting adjourned at 12:39 a.m.

Discussion: None. Disposition: Resolved by unanimous vote; motion carried.

**XVII. Press Questions:**

No comments from the press.

Respectfully submitted,



Paul E. Brean  
Executive Director

## MEMORANDUM

To: Pease Development Authority Board of Directors  
From: Paul E. Brean, Executive Director *PEB*  
Date: May 12, 2022  
Re: Air Cargo Development Update

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Representatives of PROCON/Kane will be in attendance at the May meeting to provide an update on the due diligence they have undertaken since entering into option agreements with the PDA earlier this year. They have also provided a written update in advance of the meeting, which is attached hereto. The update constitutes a significant shift away from the prior emphasis on air cargo.<sup>1</sup>

As noted at the time options were requested/authorized, option agreements were an initial step in the potential development of the parcels involved. PROCON/Kane made clear its intention to engage in appropriate investigations to ascertain what type of aeronautical development is feasible at Pease. As such, the attached correspondence details the work undertaken by PROCON/Kane to evaluate potential air cargo development. Notably, as a result of its work, PROCON/Kane has concluded that impediments exist to air cargo development at Pease. That conclusion, coupled with its appreciation of a strong demand for non-air cargo related development at Pease and community concern regarding air cargo development, has led PROCON/Kane to examine and consider non-air cargo development options as part of its due diligence.

Pursuant to the terms of the option agreements, PROCON/Kane is requesting to exercise six (6) month extensions of its option agreements so that it may continue its work. However, based on its shift in development focus, PROCON/Kane is also seeking amendments to its two option agreements as described below.

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<sup>1</sup> The written update also includes a request for option agreement extension/amendment.



**1. 14 Aviation Avenue (Hangar 227), 7 Lee Street, and 100 New Hampshire Avenue Option**

**A. 14 Aviation Avenue (Hangar 227)**

PROCON/Kane is requesting to amend the option to remove 14 Aviation Avenue/Hangar 227 (14.8 +/- acres) from the option agreement in its entirety.

The 14 Aviation Avenue parcel sits in the Airport Industrial Zone and is the only aeronautically zoned portion of this option area. With removal of the aeronautically zoned parcel, PROCON/Kane is also seeking to amend its option agreement to remove any reference to development of an "Air Cargo/Distribution facility," and instead seeks non-aeronautical development consistent with the Pease Industrial Zone in which the remaining two (2) parcels sit. PROCON/Kane seeks a reduction in its option payment consistent with this 14.8 +/- acreage reduction.

**B. 7 Lee Street and 100 New Hampshire Avenue**

As described in its correspondence and noted above, PROCON/Kane intends to focus its continued due diligence on development at 7 Lee Street and 100 New Hampshire Avenue that is consistent with other existing commercial/industrial developments within the Pease International Tradeport.

**2. North Apron Option**

PROCON/Kane is requesting to amend its North Apron option agreement to replace the language concerning development of an "Air Cargo/Distribution facility," with language that permits aeronautical development consistent with PDA's Land Use Controls. This change would enable PROCON/Kane to pursue non-air cargo aeronautical development in this Airport Zone parcel. Toward that end, PROCON/Kane could pursue opportunities such as aeronautical/aerospace research, design, and development businesses/facilities and corporate hangars.

Ultimately, these amendments will enable PROCON/Kane to continue with its due diligence concerning development at Pease and provide opportunities for projects that are consistent with the development history at the Pease Tradeport and Portsmouth International Airport. Importantly, these changes also directly acknowledge community concerns that have been raised about potential air cargo operations.

To be clear, any development proposals for either option area will be brought before the Board at a future meeting resulting in a public review and approval process consistent with all other developments at Pease over the past 30 years. Board action on the option agreement extension/amendments will be on the Board's June meeting agenda.

I will continue to keep the Board updated as things progress.

Aviation Avenue Group LLC  
North 40 Group LLC

May 12, 2022

VIA EMAIL

Pease Development Authority  
55 International Drive  
Portsmouth, NH 03801  
Attn: Paul Brean, Executive Director

*Re: Request for Extension and Amendment to Option Agreements for the Land and Improvements located at the North Apron, 14 Aviation Avenue (aka Hangar 227), 7 Lee Street, and 100 New Hampshire Avenue at the Portsmouth International Airport at Pease.*

Dear Paul,

On February 1, 2022, Aviation Avenue Group LLC (AAG) and North 40 Group LLC (N40G) entered into two separate Option Agreements with the Pease Development Authority (PDA) for the exclusive right and option to lease the Land and Improvements covered under each agreement. AAG's Option Area includes the Land and Improvements thereon at 14 Aviation Avenue, aka Hangar 227, 7 Lee Street, and 100 New Hampshire Avenue ("Option Area"), and N40G's Option Area includes the Land and Improvements thereon located on a portion of the North Apron at Portsmouth International Airport at Pease. Both Initial Option Terms are six (6) months, expiring on July 31, 2022, with options to extend.

The purposes of this letter are as follows:

1. First, to provide an update on the investigative work and due diligence that has been performed to date during the Initial Option and Right of Entry Periods.
2. Second, to notify the PDA that we are no longer pursuing air cargo as the focus of our development.
3. Third, to request an extension to our Option Period for both Option Areas for an additional six (6) months, until January 31, 2023, as per Section 4 ("Option Extension Periods and Payments") of each Option Agreement.
4. Fourth, to request an amendment to Section 1 ("Option and Option Area") of each Option Agreement, replacing the current language, which specifies that the development in each Option Area be limited to "air cargo/distribution."
5. Finally, to request an additional modification to the Option Agreement for AAG, specifically, the removal from the Option Area of the 14.8+/- acres located within the Airport Zone at 14 Aviation Avenue (aka Hangar 227) from the Option Area and an amendment to the payments consistent with such reduction in acreage.

As we indicated in our letter to the PDA on December 1, 2021 requesting consideration for Option Agreements, we have used the last nine months during our Option and Right of Entry periods to thoroughly investigate each site and the impact our development will have on Pease and the surrounding communities. We have worked with multiple local consultants and experts to better understand each Option Area and explore detailed development plans. The exclusivity provided by our Option Agreements during that time has enabled us to engage with multiple potential end users so that we can find the best use for the sites and for Pease. Here is an accounting of the due diligence and other work we have performed over the last six months:

- Tighe & Bond has completed full surveys, facilitating multiple versions of preliminary schematic site layouts for both Option Areas.
- We have performed extensive environmental analysis, including wetland delineation and Phase I Environmental Site Assessments with Tighe & Bond, as well as hazardous materials investigation.
- Tighe & Bond performed traffic counts at intersections identified by VHB for study area, and prepared baseline traffic model for existing conditions. We are waiting to run the analysis on future conditions until end users and programs have been identified.
- We have performed preliminary geotechnical review using existing data and have engaged local consultants for further analysis.
- We have explored and developed multiple site layouts and building designs with PROCON's architecture team.
- We engaged brokerage firm Newmark to market the sites and explore potential tenants.
- We have had in depth conversations with a variety of potential end users.

We remain steadfast in our commitment to a rigorous and meticulous approach as we continue working with local consultants and speaking with potential end users. As per Section 4 ("Option Extension Periods and Payments") of each Option Agreement, we are requesting a six (6) month extension to our Option Period for each of our two Option Agreements so that we may continue in this manner.

We are no longer pursuing air cargo as the focus of our development. Through our due diligence process and conversations with potential tenants, we have learned that Pease is not an ideal fit for most major air cargo operators. Such operators require a specific set of conditions to ensure economic feasibility for their business, including a constant and heavy stream of passenger flight traffic to support belly cargo transport, a geographically centric location or a location with extremely high population density, and an enormous amount of apron space for high-volume aircraft parking for loading and unloading. Pease has many unique qualities that make it an incredibly appealing site for other types of aeronautical, research & development, and advanced manufacturing end users, but it does not meet the conditions required for most air cargo operators.

With that in mind, and understanding the concerns we have heard from our community, we request that the "for development of" language in Section 1 ("Option and Option Area") of the Option Agreement for the North 40 be amended to allow for aeronautical development consistent with the PDA's Land Use Controls in place of the current language, which specifies "for development of an air cargo/distribution facility consistent with applicable PDA Land Use Controls." This will enable us to pursue aeronautical development without the air cargo component.

We are requesting that the portion of the Option Area located in the Airport Zone (14 Aviation Avenue) be removed from the Option Agreement for 14 Aviation Avenue / 7 Lee Street / 100 New Hampshire Avenue. While we appreciate the opportunity to have investigated the land and buildings located at 14 Aviation Avenue, aka Hangar 227, we will focus on the non-aeronautical sites at 7 Lee Street and 100 New Hampshire Avenue. Over the course of our due diligence, we have come to recognize that there are research & development and advanced manufacturing uses that better serve Pease and the surrounding community. We see an opportunity to bring a strong tenant – similar to those already occupying space at the Tradeport – who is seeking to capitalize on the talented, diverse labor force offered by the Seacoast. We therefore request that the "for development of" language in Section 1 ("Option and Option Area") of the Option be amended to allow for development as permitted in the Industrial Zone and consistent with current Tradeport development and PDA Land Use Controls. This change would remove any required aeronautical



Letter to the Pease Development Authority  
May 12, 2022  
Page 3 of 3

component and reduce the Option Area by roughly 14.8 acres, thereby decreasing the Option Payment proportionately with this reduction.

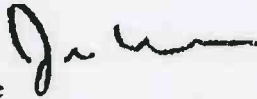
In closing, we wanted to take this opportunity to thank the PDA and the Seacoast New Hampshire community for its patience as we progress through due diligence. We have been working hard to investigate all possible tenants and uses for each Option Area. We are committed to a transparent process, but we are still in the early stages of discussions with potential tenants. We are committed to sharing information with the PDA Board and the public as soon as it is appropriate.

Per our existing Option Agreements, we are accompanying with this notice our payment of a second Option Payment to PDA for the Option Extension Period I in the amount of \$60,445 for N40G, which payment represents 20% of the annual base rent of \$302,225, and \$98,665 for AAG, which payment represents 20% of the annual base rent of \$493,325. Should you have any questions or concerns with these calculations, please advise.

We continue to appreciate the support and partnership of the PDA as we work collaboratively to find the highest and best use for each Option Area. We are encouraged by the market demand, and we would be grateful for the opportunity to keep exploring potential end uses and users over the next six months.

Thank you for your consideration. Please do not hesitate to contact us directly if you have any questions or concerns.

Sincerely,



John Kane  
Chief Investment Officer, The Kane Company



John Stebbins  
Managing Director, PROCON

cc: Anthony Blenkinsop, Esq.  
Michael Kane  
Jen Stebbins Thomas  
Eben Torney  
Brett Tonks

## MOTION

Director Parker:

The Pease Development Authority (“PDA”) Board of Directors authorizes the Rye Harbor Lobster Pound (“RHLP”), as an element of the Rye Harbor Marine Facility Right-of-Entry (“RoE”) waiver granted by the PDA Board at its April 21, 2022, meeting, to utilize a standing bar directly in front of the RHLP building, as well as one (1) picnic table located directly in front of the lobster tank building, for a total seating capacity not to exceed ten (10) individuals, and further, RHLP, shall limit its table / outside food and beverage service by its employees and agents to these specific locations; all in accordance with the memorandum of Paul Brean, Executive Director, dated May 11, 2022.

## MEMORANDUM

To: Pease Development Authority Board of Directors  
From: Paul Brean, Executive Director *PAB*  
Date: May 11, 2022  
Re: Rye Harbor – Right of Entry Waiver for 2022 Season - Tables

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At the Pease Development Authority (“PDA”) Board of Directors’ meeting on April 21, 2022, it granted the opportunity for a waiver from the terms of Rye Harbor Marine Facility Rights-of-Entry (“RoE”) to allow the service of restaurant style food items for the upcoming summer season. At that time, the Board indicated it would address the issue of allowed outside table usage at its May meeting. Since that time, the PDA has been informed that the only RoE holder that is interested in proceeding with a waiver for the 2022 season is Rye Harbor Lobster Pound (“RHLP”). Via a correspondence dated May 2, 2022 (attached hereto), RHLP indicated a desire to utilize a standing bar directly in front of its RHLP building, as well as one (1) picnic table directly in front of its lobster tank building. Staff is comfortable with this arrangement as a condition of the waiver so long as the bar and table remain directly in front of both RHLP shacks, seating capacity is limited to no more than ten (10) individuals, and so long as RHLP personnel do not provide table or outside service beyond these specific locations. These conditions appear fair and reasonable as consideration of all Rye Harbor businesses and to protection of public safety at Rye Harbor.

With the foregoing in mind, I respectfully request that at its May 19, 2022, meeting the Board permit RHLP to provide outside table usage consistent with the above.

attachment

P:\BOARDMTG\2022\Memo to Board re- Rye Harbor – Right of Entry Waiver for 2022 Season - Tables



Paul E. Brean  
Pease International Development Authority  
55 International Dr  
Portsmouth NH 03801

May 2, 2022

RE: Rye Harbor Right of Entry Waiver for 2022 Season

Dear Mr. Paul Brean,

We are grateful and enthusiastic to have an enjoyable and safe summer season with the Port Authority, RoE owners, and community. Thank you for allowing us to be a part of this wonderful harbor community. We look forward to transparent communications and clear understandings of what is required to nurture this.

We will provide all documentation of all State and Local permits associated with operation.

We would like the protocol for coordinating with the DPH staff to know if the DPH has determined the need of a police detail.

We need to address water sourcing and winter damage, but have the goal of opening for Memorial Weekend. We will coordinate any water related construction with the DPH.

We will again provide two trash receptacles up by the Harborside/office building and three in front of our two buildings. Trash will be disposed into the dumpster located at the Rye Harbor Marine Facility.

With permission of the DPH, we will install two rope barriers coming from the corners in front of our two buildings clearly indicating our area. Last year we had removed seating and with your permission have a standing bar directly in the front of the building; this configuration allows for more space for congregating directly in front of the entrance. Currently there is only one picnic table in front of the second Lobster tank building (4) With your permission will post signs indicating to not congregate in front of the other buildings at the request of all businesses.

Weekly logs of our local lobster and NH seacoast food products will be recorded

We are committed to having a most amicable and safe season. We are excited about the new parking and traffic flow improvements. We are consulting with specialists on parking solutions and management to offer some quality suggestions. I have a meeting with Giles Ham this Friday May 6th, 2022. We look forward to working together with the DPH-PDA to make Rye Harbor a even more beautiful and enjoyable experience for all.

Sincerely,  
Nate Hanscom  
Sylvia Cheever  
Rye Harbor Lobster Pound

CC: Geno Marconi DPH Director  
Adam Crepeau office of Governor Sununu

**PEASE DEVELOPMENT AUTHORITY**  
**AGENDA**  
**CAPITAL IMPROVEMENT AND LAND PLANNING COMMITTEE**  
Wednesday, May 4, 2022, 08:30 AM

**Time:** 8:30 a.m.

**Place:** Pease Development Authority, 55 International Drive, Portsmouth, NH

**Members:** Directors Fournier, Chair; Ferrini; and Levesque

- I. Call to Order (Fournier)
- II. Acceptance of Minutes – June 21, 2018\*
- III. Public Comment
- IV. Proposed Amendments to the Land Use Controls\*
  - A. Zoning Districts
  - B. Site Planning Standards
    1. Vehicular and Pedestrian Circulation
    2. Stormwater Management
    3. Procedures Following Site Review Approval
    4. Project Inspection and Completion
  - C. Subdivision Application Requirements
- V. Motion/Discussion & Questions\*
- VII. Adjournment

\* Related Materials Attached

Date: May 5, 2022

To: Paul Brean, Executive Director

From: Suzy Anzalone, Director of Finance

Subject: Executive Summary- Financial Reports

In anticipation of the upcoming May 19, 2022 Pease Development Authority Board meeting, the following is an Executive Summary of the financial results for the nine months ended March 31, 2022:

**Consolidated Results**

<b>Pease Development Authority - Consolidated</b>			
<b>(\$ 000's)</b>	<b>YTD Actual</b>	<b>YTD Budget</b>	<b>Variance Fav (unfav)</b>
Operating Revenues	14,995	12,600	2,395
Operating Expenses	9,181	10,263	1,082
<b>Operating Income</b>	<b>5,814</b>	<b>2,337</b>	<b>3,477</b>
Depreciation	5,153	5,339	186
Non Oper. (Inc)/Exp	(1,972)	92	2,064
<b>Net Operating Income</b>	<b>2,633</b>	<b>(3,094)</b>	<b>5,727</b>

Consolidated operating revenues for nine months ended March 31<sup>st</sup> total \$15.0 million are favorable to budget by \$2.4 million (19.0%). Significant favorable revenue variances include golf course public play, facility rental and wharfage and dockage fees. Notable revenue underruns consist of airport parking fees, registration fees and fuel sales at the Harbors.

Consolidated operating expenses over the nine month period total \$9.1 million are also trending favorably by \$1.1 million (10.5%). Line items trending under budget include wages (partly due to open positions and fewer seasonal hours), facilities, airfield and equipment maintenance expenses, water, legal fees, marketing expenses and fuel purchases. Line items currently trending over budget include retirement expense, snow removal, business insurance, utility expenses (excluding water), technology expenses and audit fees.

As a reminder, the significant favorable variance in Non-Operating Income/Expenses includes the \$1.9 million American Rescue Plan Act (ARPA) grant which was received in March. Interest expense is also included in this line item and is trending favorably since we have not drawn on our line of credit during the fiscal year.

Year-to-date consolidated Net Operating Income is \$2.6 million, which is favorable to budget by \$5.7 million.



## Business Unit Performance

### Portsmouth Airport

<b>Portsmouth Airport ( PSM) incl Security</b>			
(\$ 000's)	YTD Actual	YTD Budget	Variance Fav (unfav)
Operating Revenues	1,722	1,641	81
Operating Expenses	2,229	2,404	175
<b>Operating Income</b>	<b>(508)</b>	<b>(763)</b>	<b>256</b>
Depreciation	3,409	3,483	74
Non Oper. (Inc)/Exp	(1,964)	0	1,964
<b>Net Operating Income (Loss)</b>	<b>(1,953)</b>	<b>(4,246)</b>	<b>2,293</b>

Portsmouth Airport operating revenues are favorable budget by \$81,000 year-to-date. Revenue earned in February from two six-month option agreements make up the majority of the favorable results, but are offset by lower fuel flowage and parking fee revenue. Operating expense are favorable by \$175,000 (7.3%) mainly driven by cost underruns in airfield and equipment maintenance costs, wages (due to open positions) and marketing. Year-to-date cost overruns include liability insurance, de-icing chemicals, technology expenses, and event expenses related to the September airshow. Also reflected in this cost center is non-operating income of \$1.9 million for the ARPA grant funds received in March.

### Skyhaven Airport

<b>Skyhaven ( DAW)</b>			
(\$ 000's)	YTD Actual	YTD Budget	Variance Fav (unfav)
Operating Revenues	170	161	9
Operating Expenses	188	188	0
<b>Operating Income</b>	<b>(18)</b>	<b>(27)</b>	<b>9</b>
Depreciation	348	407	58
Non Oper. (Inc)/Exp	0	0	0
<b>Net Operating Income (Loss)</b>	<b>(366)</b>	<b>(433)</b>	<b>67</b>

Year-to-date operating results for Skyhaven show revenue trending over budget by \$9,000 from higher hangar and concession fees, aviation fees and fuel sales. Year-to-date expenses are budget neutral.

### Tradeport

<b>Tradeport</b>			
(\$ 000's)	YTD Actual	YTD Budget	Variance Fav (unfav)
Operating Revenues	8,876	6,921	1,956
Operating Expenses	312	434	123
<b>Operating Income</b>	<b>8,565</b>	<b>6,486</b>	<b>2,078</b>
Depreciation	553	574	21
Non Oper. (Inc)/Exp	0	0	0
<b>Net Operating Income</b>	<b>8,012</b>	<b>5,912</b>	<b>2,100</b>

Tradeport revenue continues to trend favorably (\$1.9 million favorable) as this cost center's revenue includes the sale of 30 New Hampshire Ave. In addition, facility rentals are also trending 2.1% higher than budget. Operating expenses are under budget by \$123,000 on a year-to-date basis with the majority of cost underruns in outside contractor and environmental services expense.

## Golf Course

<b>Pease Golf Course</b>			
(\$ 000's)	YTD Actual	YTD Budget	Variance Fav (unfav)
Operating Revenues	2,154	1,858	296
Operating Expenses	1,492	1,691	199
<b>Operating Income</b>	<b>661</b>	<b>167</b>	<b>495</b>
Depreciation	268	273	5
Non Oper. (Inc)/Exp	(0)	(0)	0
<b>Net Operating Income</b>	<b>393</b>	<b>(106)</b>	<b>500</b>

Golf Course operating revenues are trending favorably by \$296,000 (15.9%) year-to-date. The significant driver of these positive results are fees for public play. Operating expenses are also trending favorably by \$199,000 year-to-date. Favorable variances include utilities and general and administrative expenses. Cost overruns mainly consist of turf maintenance, technology expenses and cost of goods sold for merchandise.

## Division of Ports and Harbors (DPH) -Unrestricted

<b>Division of Ports and Harbors (Unrestricted)</b>			
(\$ 000's)	YTD Actual	YTD Budget	Variance Fav (unfav)
Operating Revenues	1,959	1,893	66
Operating Expenses	1,574	1,682	108
<b>Operating Income</b>	<b>385</b>	<b>211</b>	<b>174</b>
Depreciation	460	476	16
Non Oper. (Inc)/Exp	(2)	(4)	0
<b>Net Operating Income (Loss)</b>	<b>(73)</b>	<b>(261)</b>	<b>187</b>

Year-to-date results for the DPH show operating revenues trending favorably by \$66,000. Favorable revenue line items include facility rentals and wharfage/dockage fees but are offset by lower registration fees and fuel sales. Operating expense results are also favorable, with expenses trending under budget by \$108,000 mainly driven by lower fuel purchases (due to lower fuel sales).

## Balance Sheet/Statement of Net Position

(\$ 000's)	As of 3/31/2022	As of 6/30/2021
<b>Assets</b>		
Current Assets	13,734	8,884
Restricted Assets	1,428	7,604
Capital Assets	94,109	96,350
<b>Total Assets</b>	<b>109,270</b>	<b>112,838</b>
<b>Liabilities</b>		
Current Liabilities	5,247	14,237
Non-Current Liabilities	14,556	14,558
<b>Total Liabilities</b>	<b>19,802</b>	<b>28,795</b>
<b>Net Position</b>		
Net Invest. in Cap Assets	92,837	92,492
Restricted	1,217	(4,791)
Unrestricted	(3,293)	(2,365)
<b>Total Net Position</b>	<b>90,762</b>	<b>85,336</b>

Current assets of \$13.7 million and are comprised of \$9.9 million in unrestricted cash, \$2.9 million in trade and grant/government receivables and \$0.9 million in inventory and other. The strong cash balance does reflect receipt of the \$1.9 million ARPA grant. As we roll out our FY23 capital expense plan, these grant funds will enable us to move forward with capital improvements and decrease the likelihood that we will need to draw on our line of credit in the near future.

Restricted assets total \$1.4 million and consist primarily of the Revolving Loan Fund which has total assets of \$1.2 million. There were 18 loans outstanding as of March 31<sup>st</sup>. As of the writing of this report, we have processed one additional loan and anticipate there could be up to four new loans in the coming months.

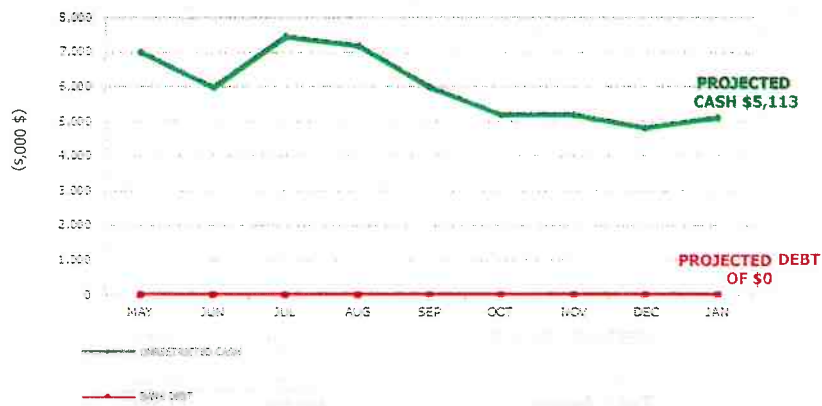
Year-to-date capital expenditures total \$2.9 million. Significant expenditures include PSM Terminal Expansion, Lowery Lane paving, Corporate Drive drainage improvements. Significant DPH projects include construction at the Portsmouth Fish Pier, Barge Dock replacement and the Main Pier rehabilitation. Capital expenditures also include equipment purchases for both the PDA and the DPH.

Current liabilities total \$5.2 million and are comprised of \$3.4 million in accounts payable and accrued expenses, \$0.9 million in construction project retainage and \$0.9 million in unearned revenue and other.

**Cash Flow Projections for the Nine Month Period Ending January 31, 2023**

Nine-month cash inflow projections (excluding DPH) are estimated at \$15.4 million and continue to be mainly provided by operating revenues, but also include \$2.8 million in grant funds for capital projects. Projected cash outflows are estimated at \$17.9 million, with \$11.6 million in operating expenses and municipal service fee payments and \$6.3 million in grant and non-grant funded capital expenditures. The chart below reflects the impact on operating cash based on current nine-month cash flow assumptions, and as you can see we do not anticipate the need to draw on our line of credit.

Please let me know if you have any questions or require supplemental information.





PEASE DEVELOPMENT AUTHORITY  
FY2022 FINANCIAL REPORT  
FOR THE NINE MONTH PERIOD  
ENDING MARCH 31, 2022



BOARD OF DIRECTORS MEETING  
MAY 19, 2022



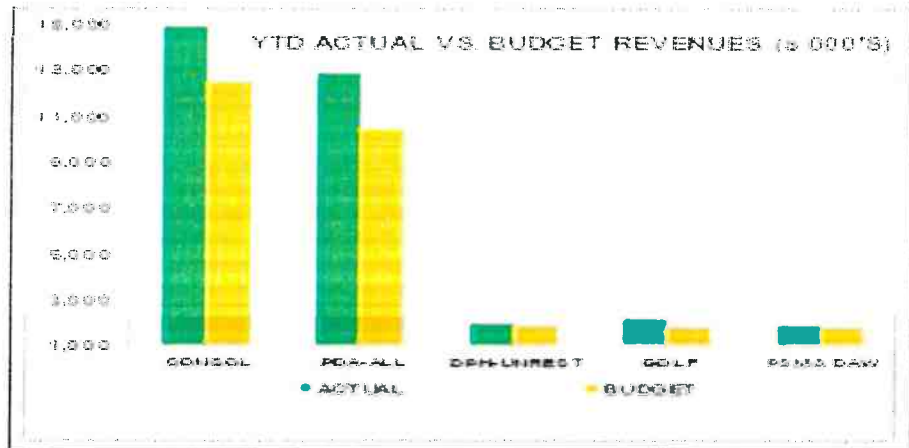
# PEASE DEVELOPMENT AUTHORITY

## Revenues and Expenditures – Nine Months Ended March 31, 2022

**Trends:**

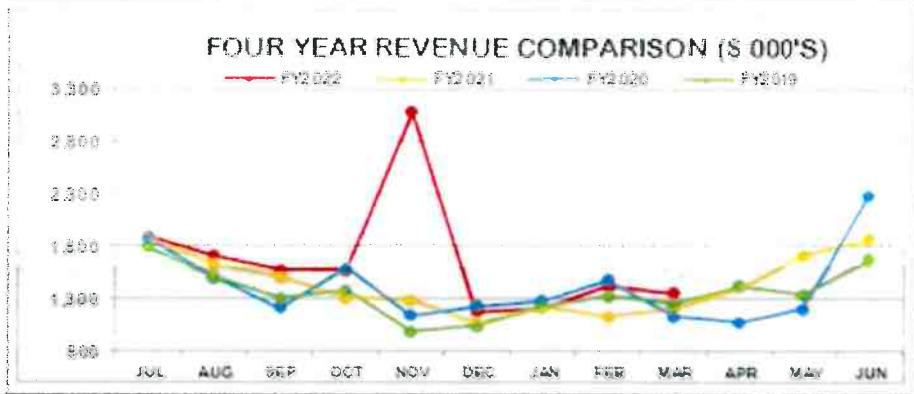
**YTD revenue higher by 19.0%:**

- Golf Fees, Facility Rental, Wharfage/Dockage Fees trending higher than budget.
- Sale of 30 NH Ave for \$1.75M
- Offset by lower Parking, Fuel sales, Registration fees, Fuel flowage



**Trends:**

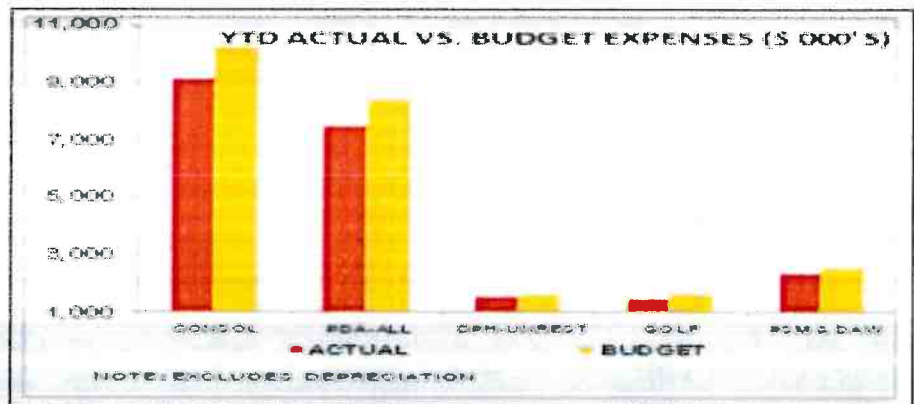
- **November 2021** includes sale of 30 NH Ave
- **July revenues** include annual rent payment-Great Bay Comm. College
- **June revenues** include increase in Golf fee revenue



**Trends:**

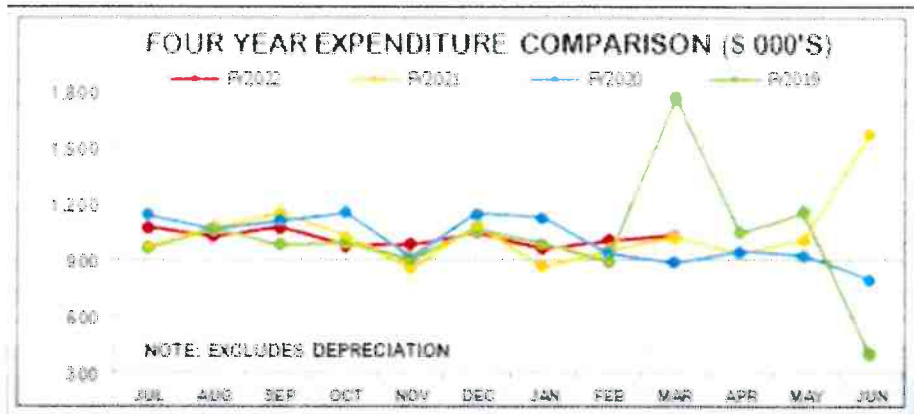
**YTD Operating Expenses lower by 10.5%:**

- Wages & Benefits, Building & Facilities, General & Admin, Utilities, Professional Fees, Marketing & Fuel trending lower than budget
- Offset by cost overruns in Insurance, Retirement expense, Snow Removal, Audit Fees, Technology expenses



**Trends:**

- **March 2019**-\$800k CLF settlement
- **June 2019-June 2021** – Retirement OPEB year end adjustments





**PEASE DEVELOPMENT AUTHORITY**  
**Consolidated Statement of Revenues and Expenses**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>OPERATING REVENUES</b>								
<b>FACILITY RENTAL</b>								
FACILITIES	\$856,556	\$843,959	\$12,597	1.5%	\$8,006,280	\$7,801,691	\$204,589	2.6%
CARGO AND HANGARS	13,889	13,659	230	1.7%	124,647	121,029	3,618	3.0%
	<u>870,445</u>	<u>857,618</u>	<u>12,827</u>	<u>1.5%</u>	<u>8,130,927</u>	<u>7,922,720</u>	<u>208,207</u>	<u>2.6%</u>
CONCESSION REVENUE	33,272	17,013	16,260	95.6%	329,611	354,891	(25,279)	(7.1%)
<b>FEE REVENUE</b>								
AVIATION FEES		667	(667)	(100.0%)	115,584	96,000	19,584	20.4%
FUEL FLOWAGE	36,151	29,444	6,707	22.8%	415,368	424,311	(8,943)	(2.1%)
PSM TSA/LEO REVENUE		1,667	(1,667)	(100.0%)	16,380	15,000	1,380	9.2%
PSM SECURITY REVENUE	1,555	1,167	388	33.3%	21,210	10,500	10,710	102.0%
GOLF FEES	64,682	10,000	54,682	546.8%	1,307,062	935,000	372,062	39.8%
GOLF SIMULATORS	6,470	15,660	(9,190)	(58.7%)	66,068	125,000	(58,932)	(47.1%)
GOLF MEMBERSHIPS				-	253,212	253,210	2	0.0%
GOLF LESSONS	1,289	2,125	(836)	(39.4%)	22,919	19,625	3,294	16.8%
MOORING FEES	38,940	36,333	2,607	7.2%	350,461	327,000	23,461	7.2%
PARKING	89,667	90,433	(766)	(0.8%)	423,043	498,382	(75,339)	(15.1%)
PIER USAGE FEES	11,477	8,417	3,060	36.4%	67,869	75,750	(7,882)	(10.4%)
REGISTRATIONS	29,806	18,667	11,139	59.7%	127,692	168,000	(40,308)	(24.0%)
TERMINAL FEES				-				-
WHARFAGE AND DOCKAGE	85,898	46,975	38,923	82.9%	555,300	422,772	132,528	31.3%
	<u>365,935</u>	<u>261,555</u>	<u>104,382</u>	<u>39.9%</u>	<u>3,742,168</u>	<u>3,370,550</u>	<u>371,617</u>	<u>11.0%</u>
FUEL SALES	40,686	29,522	11,163	37.8%	427,574	521,922	(94,348)	(18.1%)
<b>INTEREST INCOME</b>								
LOAN INTEREST	2,610	2,750	(140)	(5.1%)	23,342	24,750	(1,408)	(5.7%)
<b>OTHER REVENUES</b>								
MERCHANDISE	9,896	23,417	(13,521)	(57.7%)	216,665	210,750	5,915	2.8%
ALL OTHER	30,296	22,512	7,784	34.6%	2,124,807	194,222	1,930,586	994.0%
	<u>40,192</u>	<u>45,929</u>	<u>5,737</u>	<u>12.5%</u>	<u>2,341,472</u>	<u>404,972</u>	<u>(1,936,500)</u>	<u>(478.2%)</u>
<b>TOTAL OPERATING REVENUE</b>	<b>1,353,140</b>	<b>1,214,387</b>	<b>138,756</b>	<b>11.4%</b>	<b>14,995,094</b>	<b>12,599,805</b>	<b>2,395,290</b>	<b>19.0%</b>
<b>OPERATING EXPENSES</b>								
<b>WAGES AND FRINGE BENEFITS</b>								
<b>WAGES</b>								
BENEFITED REGULAR	353,903	341,759	(12,144)	(3.6%)	3,030,585	3,064,603	34,019	1.1%
BENEFITED OVERTIME	27,334	12,060	(15,274)	(126.6%)	190,832	206,830	15,998	7.7%
NON-BENEFITED REGULAR	63,716	54,226	(9,491)	(17.5%)	542,466	609,958	67,492	11.1%
NON-BENEFITED OVERTIME	2,316	1,472	(844)	(57.3%)	27,792	22,285	(5,507)	(24.7%)
ACCRUED VACATION BENEFITS	5,879		(5,879)	-	(37,544)		37,544	-
ACCRUED SICK TIME BENEFITS	560		(560)	-	(1,844)		1,844	-
WAGE TRANSFERS OUT				-	(3,558)		3,558	-
	<u>453,708</u>	<u>409,517</u>	<u>(44,190)</u>	<u>(10.8%)</u>	<u>3,748,729</u>	<u>3,903,676</u>	<u>154,948</u>	<u>4.0%</u>
<b>FRINGE BENEFITS</b>								
DENTAL INSURANCE	5,365	5,942	577	9.7%	49,496	53,458	3,962	7.4%
HEALTH INSURANCE	101,837	110,939	9,102	8.2%	936,747	997,717	60,970	6.1%
LIFE INSURANCE	2,384	2,569	185	7.2%	20,926	22,293	1,367	6.1%
NEW HAMPSHIRE RETIREMENT	49,502	43,320	(6,182)	(14.3%)	467,527	387,786	(79,741)	(20.6%)
POST RETIREMENT BENEFITS	9,287	10,414	1,127	10.8%	87,747	93,726	5,979	6.4%
OPFB EXPENSE				-				-
BENEFIT TRANSFERS OUT				-				-
	<u>168,375</u>	<u>173,184</u>	<u>4,808</u>	<u>2.8%</u>	<u>1,562,443</u>	<u>1,554,980</u>	<u>(7,462)</u>	<u>(0.5%)</u>
<b>TOTAL WAGES &amp; FRINGES</b>	<b>622,083</b>	<b>582,701</b>	<b>(39,383)</b>	<b>(6.8%)</b>	<b>5,311,172</b>	<b>5,458,656</b>	<b>147,486</b>	<b>2.7%</b>
<b>BUILDING AND FACILITIES</b>								
AIRFIELD MAINTENANCE	2,570	6,900	4,330	62.8%	9,263	62,100	52,837	85.1%
COVID-19		2,671	2,671	100.0%	1,548	24,036	22,488	93.6%
CHEMICALS		7,810	7,810	100.0%	75,929	70,288	(5,640)	(8.0%)
ENVIRONMENTAL TESTING	4,279	7,992	3,713	46.5%	34,489	71,925	37,437	52.0%
EQUIPMENT MAINTENANCE	42,224	28,150	(14,073)	(50.0%)	259,999	267,280	7,281	2.7%
FACILITIES MAINTENANCE	53,890	65,832	11,942	18.1%	522,788	592,490	69,702	11.8%
LANDSCAPING	114	2,293	2,180	95.0%	24,492	20,640	(3,852)	(18.7%)
NAVIGATION MAINTENANCE	225	12,833	12,608	98.2%	57,945	115,500	57,555	49.8%
OTHER EXPENSES		2,500	2,500	100.0%		22,500	22,500	100.0%
SECURITY	29,129	26,202	(2,927)	(11.2%)	117,333	162,731	45,397	27.9%
SNOW REMOVAL	16,161	14,750	(1,411)	(9.6%)	165,469	132,750	(32,719)	(24.6%)
EXPENSE TRANSFERS				-				-
WAGE TRANSFERS IN				-				-
BENEFIT TRANSFERS IN				-				-
	<u>148,592</u>	<u>177,933</u>	<u>29,342</u>	<u>16.5%</u>	<u>1,269,255</u>	<u>1,542,240</u>	<u>272,986</u>	<u>17.7%</u>



**PEASE DEVELOPMENT AUTHORITY**  
**Consolidated Statement of Revenues and Expenses**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>GENERAL AND ADMINISTRATIVE</b>								
EMPLOYEE DRUG TESTS		178	178	100.0%	1,315	1,605	290	18.1%
EMPLOYER FICA	33,944	31,943	(2,001)	(6.3%)	283,338	299,043	15,705	5.3%
UNEMPLOYMENT INSURANCE		593	593	100.0%		5,341	5,341	100.0%
WORKERS COMPENSATION	6,911	5,770	(1,141)	(19.8%)	51,794	62,413	10,620	17.0%
BAD DEBT EXPENSE		83	83	100.0%		750	750	100.0%
BANK FEES	5,524	7,472	1,948	26.1%	59,985	67,247	7,262	10.8%
COMPUTER EXPENSES	976	8,633	7,658	88.7%	49,835	77,700	27,865	35.9%
DISCOUNTS AND LATE FEES	(633)		633	-	(1,907)		1,907	-
EQUIPMENT UNDER \$5,000	6,854	6,117	(738)	(12.1%)	42,183	56,825	14,642	25.8%
FEES AND LICENSES	3,275	4,818	1,543	32.0%	56,824	42,676	(14,147)	(33.2%)
INSURANCE	27,673	27,702	28	0.1%	247,292	227,349	(19,943)	(8.8%)
OFFICE EQUIPMENT	1,323	1,707	385	22.5%	14,841	15,364	522	3.4%
PROFESSIONAL DEVELOPMENT	4,635	5,025	390	7.8%	26,807	45,225	18,418	40.7%
SUPPLIES	6,161	6,586	425	6.4%	70,302	59,273	(11,029)	(18.6%)
TELEPHONES AND COMMUNICATIONS	12,106	11,782	(324)	(2.7%)	108,137	106,287	(1,850)	(1.7%)
TRAVEL AND MILEAGE	5,283	2,619	(2,664)	(101.7%)	24,090	23,569	(521)	(2.2%)
OTHER EXPENSES	2,362	5,242	2,880	54.9%	36,421	47,178	10,757	22.8%
	<u>116,394</u>	<u>126,270</u>	<u>9,876</u>	<u>7.8%</u>	<u>1,071,257</u>	<u>1,137,845</u>	<u>66,588</u>	<u>5.9%</u>
<b>UTILITIES</b>								
ELECTRICITY	44,329	43,691	(638)	(1.5%)	406,888	393,225	(13,663)	(3.5%)
ELECTRICITY TRANSFERS				-				-
HEATING OIL	614		(614)	-	2,672	2,435	(237)	(9.7%)
NATURAL GAS	14,855	5,418	(9,437)	(174.2%)	59,825	48,752	(11,073)	(22.7%)
NATURAL GAS TRANSFERS				-				-
PROPANE	8,575	2,624	(5,951)	(226.8%)	44,071	33,740	(10,332)	(30.6%)
WASTE REMOVAL	5,838	7,300	1,462	20.0%	64,946	65,700	754	1.1%
WASTE REMOVAL TRANSFERS				-				-
WATER	2,284	4,662	2,377	51.0%	25,359	100,812	75,453	74.8%
WATER TRANSFERS				-				-
	<u>76,495</u>	<u>63,695</u>	<u>(12,801)</u>	<u>(20.1%)</u>	<u>603,761</u>	<u>644,664</u>	<u>40,902</u>	<u>6.3%</u>
<b>PROFESSIONAL SERVICES</b>								
AUDIT		5,275	5,275	100.0%	63,259	47,475	(15,784)	(33.2%)
INFORMATION TECHNOLOGY	(3,539)	4,956	8,495	171.4%	114,902	66,288	(48,613)	(73.3%)
LEGAL	8,150	10,625	2,475	23.3%	23,515	95,625	72,110	75.4%
LEGAL PERMIT IMPLEMENT	5,597	14,583	8,986	61.6%	13,818	131,250	117,432	89.5%
ADMINISTRATIVE SERVICES	2,183	4,750	2,567	54.0%	32,116	42,750	10,634	24.9%
	<u>12,391</u>	<u>40,189</u>	<u>27,798</u>	<u>69.2%</u>	<u>247,610</u>	<u>383,388</u>	<u>135,779</u>	<u>35.4%</u>
<b>MARKETING AND PROMOTION</b>								
ADVERTISING	2,039	5,810	3,772	64.9%	17,690	46,481	28,791	61.9%
OTHER MARKETING	12,005	31,208	19,203	61.5%	59,480	280,875	221,395	78.8%
FLIGHT INCENTIVES				-				-
	<u>14,044</u>	<u>37,018</u>	<u>22,975</u>	<u>62.1%</u>	<u>77,170</u>	<u>327,356</u>	<u>250,187</u>	<u>76.4%</u>
<b>OTHER OPERATING EXPENSES</b>								
COAST TROLLEY		10,000	10,000	100.0%	80,000	90,000	10,000	11.1%
FUEL	24,055	24,747	692	2.8%	311,639	423,058	111,419	26.3%
GOLF CART LEASE		10,833	10,833	100.0%	41,433	97,500	56,067	57.5%
MERCHANDISE	18,357	17,563	(794)	(4.5%)	167,928	158,063	(9,866)	(6.2%)
	<u>42,412</u>	<u>63,143</u>	<u>20,731</u>	<u>32.8%</u>	<u>601,000</u>	<u>768,621</u>	<u>167,620</u>	<u>21.8%</u>
<b>TOTAL OPERATING EXPENSES</b>	<u>1,032,411</u>	<u>1,090,949</u>	<u>58,539</u>	<u>5.4%</u>	<u>9,181,225</u>	<u>10,262,770</u>	<u>1,081,547</u>	<u>10.5%</u>
<b>OPERATING INCOME</b>	<u>320,729</u>	<u>123,438</u>	<u>197,294</u>	<u>159.8%</u>	<u>5,813,869</u>	<u>2,337,035</u>	<u>3,476,837</u>	<u>148.8%</u>
DEPRECIATION	580,377	593,221	12,844	2.2%	5,153,465	5,339,459	185,993	3.5%
AMORTIZATION				-				-
<b>NON-OPERATING EXPENSES</b>								
INTEREST EXPENSE		11,250	11,250	100.0%		101,250	101,250	100.0%
INTEREST INCOME	(1,076)	(1,061)	14	(1.3%)	(8,097)	(9,551)	(1,454)	15.2%
NON-OPERATING GRANT FUNDING				-	(1,964,072)		1,964,072	-
GAIN/LOSS ON ASSETS				-				-
OTHER NON-OPERATING				-				-
	<u>(1,076)</u>	<u>10,189</u>	<u>11,264</u>	<u>110.6%</u>	<u>(1,972,169)</u>	<u>91,699</u>	<u>2,063,868</u>	<u>2250.7%</u>
<b>NET OPERATING INCOME</b>	<u>(258,572)</u>	<u>(479,972)</u>	<u>221,403</u>	<u>(46.1%)</u>	<u>2,632,573</u>	<u>(3,094,123)</u>	<u>5,726,698</u>	<u>(185.1%)</u>

# CURRENT ORGANIZATION CHART

TOTAL BENEFITED POSITIONS		
	FILLED	OPEN
FDA	51	3
DPH	11	0
TOTAL	62	3



## CURRENT STAFF ANALYSIS - FILLED POSITIONS

	Salary/ Benefitted	Hourly/ Benefitted	Hourly/ Non-Benefitted	Seasonal	TOTAL
MAINTENANCE	-	18	5	4	27
PSM AIRPORT	2	9	7	-	18
SECURITY	1	-	7	-	8
PORT AUTHORITY	2	9	11	2	24
GOLF COURSE	3	4	2	40	49
FINANCE	2	2	-	-	4
ENGINEERING	3	1	-	-	4
LEGAL	1	1	-	-	2
DAW AIRPORT	-	-	3	-	3
TECHNOLOGY	1	1	-	-	2
HUMAN RESOURCES	1	-	-	-	1
EXECUTIVE	1	-	-	-	1
<b>TOTAL</b>	<b>17</b>	<b>45</b>	<b>35</b>	<b>46</b>	<b>143</b>

**PEASE DEVELOPMENT AUTHORITY**  
**Consolidated Statement of Net Position**  
**For the Nine Months Ending March 31, 2022**

	2022	2021
	Ending	Ending
<b>ASSETS</b>		
Cash and Investments	\$9,927,064	\$3,978,183
Accounts Receivable - Net	2,946,937	2,496,769
Inventories	407,624	298,850
Prepays	346,010	267,126
	<u>13,627,635</u>	<u>7,040,927</u>
Restricted Assets		
Cash and Investments	584,827	574,090
Current Receivables	1,250	6,087
Loans Receivable - NHFL		
Due within 1 Year	105,953	89,077
Due in more than 1 Year	841,857	862,301
Total Restricted Assets	<u>1,533,887</u>	<u>1,531,555</u>
Capital Assets		
Land	7,520,786	7,520,786
Construction-in-Process	6,802,498	3,065,072
Other Capital Assets - Net	79,785,333	82,762,220
Total Capital Assets	<u>94,108,618</u>	<u>93,348,079</u>
<b>TOTAL ASSETS</b>	<u>109,270,140</u>	<u>101,920,561</u>
<b>DEFERRED OUTFLOWS OF RESOURCES</b>		
Pension	2,008,286	691,375
OPEB	2,193,378	558,601
	<u>4,201,664</u>	<u>1,250,000</u>
<b>LIABILITIES</b>		
Accounts Payable and Accrued Expenses	3,438,621	2,937,038
Retainage	859,503	2,413,336
Accounts Payable for Capital Assets	1,271,305	3,117,967
Offset to Accounts Payable for Capital	(1,271,305)	(3,117,967)
Unearned Revenues	845,328	844,070
Long-Term Liabilities		
Net Pension Liability	6,170,435	4,197,804
Net OPEB Liability	8,041,994	5,630,108
Due within 1 Year	90,924	2,090,924
Due in more than 1 Year	343,287	437,677
	<u>19,790,092</u>	<u>18,550,956</u>
Restricted Liabilities		
Current Liabilities	12,240	17,770
Long-Term Liabilities		
Due within 1 Year		
Due in more than 1 Year		
	<u>12,240</u>	<u>17,770</u>
<b>TOTAL LIABILITIES</b>	<u>19,802,332</u>	<u>18,568,726</u>
<b>DEFERRED INFLOWS OF RESOURCES</b>		
Pension	360,975	604,714
OPEB	2,546,921	3,484,546
	<u>2,907,896</u>	<u>4,089,260</u>
<b>NET POSITION</b>		
Net Investment in Capital Assets	92,837,312	88,230,112
Restricted For:		
Revolving Loan Fishery Fund	1,248,201	1,238,005
Harbor Dredging and Pier Maintenance	(43,322)	(11,289)
Foreign Trade Zone	12,456	10,692
Unrestricted	(3,293,070)	(8,954,968)
<b>TOTAL NET POSITION</b>	<u>90,761,576</u>	<u>80,512,551</u>



**PEASE DEVELOPMENT AUTHORITY**  
**Statement of Revenues and Expenses - PORTSMOUTH AIRPORT incl Security**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>OPERATING REVENUES</b>								
FACILITY RENTAL	\$53,907	\$52,432	\$1,475	2.8%	\$595,630	\$587,159	\$8,471	1.4%
CARGO AND HANGARS	\$2,475	\$2,404	\$71	3.0%	\$22,116	\$21,636	\$480	2.2%
CONCESSION REVENUE	\$7,606	\$3,695	\$3,911	105.8%	\$57,051	\$59,538	(\$2,487)	(4.2%)
FEE REVENUE	\$124,988	\$117,467	\$7,521	6.4%	\$863,810	\$915,835	(\$52,025)	(5.7%)
FUEL SALES								
INTEREST								
MERCHANDISE								
OTHER REVENUE	\$23,520	\$9,753	\$13,767	141.2%	\$183,188	\$56,639	\$126,549	223.4%
<b>TOTAL OPERATING REVENUES</b>	<b>212,496</b>	<b>185,751</b>	<b>26,745</b>	<b>14.4%</b>	<b>1,721,795</b>	<b>1,640,807</b>	<b>80,988</b>	<b>4.9%</b>
<b>EXPENSES</b>								
WAGES AND FRINGE BENEFITS	107,731	106,278	(1,453)	(1.4%)	897,528	968,103	70,575	7.3%
BUILDING AND FACILITIES	82,164	90,848	8,684	9.6%	670,160	759,402	89,242	11.8%
GENERAL AND ADMINISTRATIVE	33,998	30,686	(3,312)	(10.8%)	306,829	270,756	(36,073)	(13.3%)
UTILITIES	37,909	31,538	(6,371)	(20.2%)	292,806	287,321	(5,485)	(1.9%)
PROFESSIONAL SERVICES	(4,303)	1,458	5,761	395.1%	26,821	13,125	(13,696)	(104.4%)
MARKETING AND PROMOTION	8,000	11,708	3,708	31.7%	35,345	105,375	70,030	66.5%
OTHER OPERATING EXPENSES								
<b>TOTAL OPERATING EXPENSES</b>	<b>265,499</b>	<b>272,516</b>	<b>7,017</b>	<b>2.6%</b>	<b>2,229,489</b>	<b>2,404,082</b>	<b>174,593</b>	<b>7.3%</b>
<b>OPERATING INCOME</b>	<b>(53,003)</b>	<b>(86,765)</b>	<b>33,762</b>	<b>38.9%</b>	<b>(507,694)</b>	<b>(763,275)</b>	<b>255,581</b>	<b>33.5%</b>
NON-OPERATING (INCOME) EXPENSE	0	0	0	-	(1,964,072)	0	1,964,072	-
DEPRECIATION	386,496	387,000	504	0.1%	3,409,252	3,483,000	73,748	2.1%
<b>NET OPERATING INCOME</b>	<b>(439,499)</b>	<b>(473,765)</b>	<b>(34,266)</b>	<b>7.2%</b>	<b>(1,952,874)</b>	<b>(4,246,275)</b>	<b>(2,293,401)</b>	<b>54.0%</b>

**PEASE DEVELOPMENT AUTHORITY**  
**Statement of Revenues and Expenses - SKYHAVEN AIRPORT**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>OPERATING REVENUES</b>								
FACILITY RENTAL								
CARGO AND HANGARS	11,414	11,255	159	1.4%	102,531	99,393	3,138	3.2%
CONCESSION REVENUE					2,008		2,008	-
FEE REVENUE		667	(667)	(100.0%)	7,520	6,000	1,520	25.3%
FUEL SALES	7,967	2,692	5,275	195.9%	57,198	55,563	1,635	2.9%
INTEREST								
MERCHANDISE								
OTHER REVENUE		42	(42)	(100.0%)	1,050	375	675	180.0%
<b>TOTAL OPERATING REVENUES</b>	<b>19,381</b>	<b>14,656</b>	<b>4,726</b>	<b>32.2%</b>	<b>170,307</b>	<b>161,331</b>	<b>8,977</b>	<b>5.6%</b>
<b>EXPENSES</b>								
WAGES AND FRINGE BENEFITS	5,998	4,416	(1,582)	(35.8%)	33,532	43,986	10,454	23.8%
BUILDING AND FACILITIES	5,018	3,941	(1,077)	(27.3%)	37,048	35,559	(1,489)	(4.2%)
GENERAL AND ADMINISTRATIVE	3,893	4,050	158	3.9%	36,251	33,785	(2,467)	(7.3%)
UTILITIES	4,307	2,803	(1,504)	(53.6%)	26,021	24,979	(1,041)	(4.2%)
PROFESSIONAL SERVICES		501	501	100.0%	3,800	4,511	711	15.8%
MARKETING AND PROMOTION		83	83	100.0%	1,198	750	(448)	(59.7%)
OTHER OPERATING EXPENSES	8,087	2,154	(5,933)	(275.4%)	50,006	44,450	(5,556)	(12.5%)
<b>TOTAL OPERATING EXPENSES</b>	<b>27,303</b>	<b>17,948</b>	<b>(9,354)</b>	<b>(52.1%)</b>	<b>187,856</b>	<b>188,020</b>	<b>164</b>	<b>0.1%</b>
<b>OPERATING INCOME</b>	<b>(7,922)</b>	<b>(3,292)</b>	<b>(4,628)</b>	<b>140.5%</b>	<b>(17,549)</b>	<b>(26,689)</b>	<b>9,140</b>	<b>(34.2%)</b>
NON-OPERATING (INCOME) EXPENSE								
DEPRECIATION	34,738	45,167	10,428	23.1%	348,192	406,500	58,308	14.3%
<b>NET OPERATING INCOME</b>	<b>(42,660)</b>	<b>(48,459)</b>	<b>5,800</b>	<b>(12.0%)</b>	<b>(365,741)</b>	<b>(433,189)</b>	<b>67,448</b>	<b>(15.6%)</b>

**PEASE DEVELOPMENT AUTHORITY**  
**Statement of Revenues and Expenses - TRADEPORT OPERATIONS**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	%	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	%
<b>OPERATING REVENUES</b>								
FACILITY RENTAL	\$746,057	\$736,482	\$9,575	1.3%	\$7,021,977	\$6,878,602	\$143,375	2.1%
CARGO AND HANGARS								
CONCESSION REVENUE								
FEE REVENUE								
FUEL SALES								
INTEREST								
MERCHANDISE								
OTHER REVENUE		4,662	(4,662)	(100.0%)	1,854,168	41,957	1,812,211	4319.2%
<b>TOTAL OPERATING REVENUES</b>	<b>746,057</b>	<b>741,144</b>	<b>4,913</b>	<b>0.7%</b>	<b>8,876,145</b>	<b>6,920,559</b>	<b>1,955,586</b>	<b>28.3%</b>
<b>EXPENSES</b>								
WAGES AND FRINGE BENEFITS								
BUILDING AND FACILITIES	13,188	22,400	9,212	41.1%	89,705	200,571	110,866	55.3%
GENERAL AND ADMINISTRATIVE	7,745	8,055	310	3.8%	64,691	66,200	1,510	2.3%
UTILITIES	11,977	8,492	(3,485)	(41.0%)	77,243	76,425	(818)	(1.1%)
PROFESSIONAL SERVICES								
MARKETING AND PROMOTION		138	138	100.0%		1,238	1,238	100.0%
OTHER OPERATING EXPENSES		10,000	10,000	100.0%	80,000	90,000	10,000	11.1%
<b>TOTAL OPERATING EXPENSES</b>	<b>32,910</b>	<b>49,085</b>	<b>16,174</b>	<b>33.0%</b>	<b>311,639</b>	<b>434,434</b>	<b>122,795</b>	<b>28.3%</b>
<b>OPERATING INCOME</b>	<b>713,147</b>	<b>692,059</b>	<b>21,086</b>	<b>3.0%</b>	<b>8,564,506</b>	<b>6,486,125</b>	<b>2,078,381</b>	<b>32.0%</b>
<b>NON-OPERATING (INCOME) EXPENSE</b>								
DEPRECIATION	62,537	63,750	1,213	1.9%	552,598	573,750	21,152	3.7%
<b>NET OPERATING INCOME</b>	<b>650,610</b>	<b>628,309</b>	<b>22,299</b>	<b>3.5%</b>	<b>8,011,908</b>	<b>5,912,375</b>	<b>2,099,533</b>	<b>35.5%</b>

**PEASE DEVELOPMENT AUTHORITY**  
**Statement of Revenues and Expenses - GOLF COURSE**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>OPERATING REVENUES</b>								
FACILITY RENTAL								
CARGO AND HANGARS								
CONCESSION REVENUE	25,667	13,068	12,599	96.4%	267,552	293,102	(25,550)	(8.7%)
FEE REVENUE	72,441	27,785	44,657	160.7%	1,649,262	1,332,835	316,427	23.7%
FUEL SALES								
INTEREST								
MERCHANDISE	9,896	23,417	(13,521)	(57.7%)	216,665	210,750	5,915	2.8%
OTHER REVENUE	3,513	2,333	1,179	50.5%	20,108	21,000	(892)	(4.2%)
<b>TOTAL OPERATING REVENUES</b>	<b>111,517</b>	<b>66,603</b>	<b>44,913</b>	<b>67.4%</b>	<b>2,153,587</b>	<b>1,857,687</b>	<b>295,899</b>	<b>15.9%</b>
<b>EXPENSES</b>								
WAGES AND FRINGE BENEFITS	76,797	72,859	(3,938)	(5.4%)	791,892	796,552	4,659	0.6%
BUILDING AND FACILITIES	16,989	24,218	7,229	29.9%	189,510	217,966	28,456	13.1%
GENERAL AND ADMINISTRATIVE	14,813	19,677	4,864	24.7%	141,074	179,135	38,060	21.2%
UTILITIES	10,433	11,623	1,190	10.2%	108,830	170,961	62,131	36.3%
PROFESSIONAL SERVICES	35	3,701	3,666	99.1%	29,423	33,311	3,888	11.7%
MARKETING AND PROMOTION	4,365	4,175	(190)	(4.6%)	22,101	37,575	15,474	41.2%
OTHER OPERATING EXPENSES	18,357	28,396	10,039	35.4%	209,362	255,562	46,201	18.1%
<b>TOTAL OPERATING EXPENSES</b>	<b>141,789</b>	<b>164,649</b>	<b>22,861</b>	<b>13.9%</b>	<b>1,492,192</b>	<b>1,691,062</b>	<b>198,869</b>	<b>11.8%</b>
<b>OPERATING INCOME</b>	<b>(30,272)</b>	<b>(98,046)</b>	<b>67,774</b>	<b>(69.1%)</b>	<b>661,395</b>	<b>166,625</b>	<b>494,768</b>	<b>296.9%</b>
NON-OPERATING (INCOME) EXPENSE	(3)	(9)	(6)	70.8%	(166)	(83)	83	(100.7%)
DEPRECIATION	30,364	30,333	(31)	(0.1%)	268,185	273,000	4,815	1.8%
<b>NET OPERATING INCOME</b>	<b>(60,633)</b>	<b>(128,370)</b>	<b>67,737</b>	<b>(52.8%)</b>	<b>393,376</b>	<b>(106,292)</b>	<b>499,666</b>	<b>(470.1%)</b>

<b>BUSINESS UNIT ANALYSIS</b>	PRO SHOP	COURSE OPERATIONS	FOOD/BEV	SIMULATOR	TOTAL
OPERATING REVENUES	216,665	1,590,626	280,228	66,068	2,153,587
OPERATING EXPENSES* *Excluding Depreciation	202,620	1,118,059	126,129	45,384	1,492,192
<b>OPERATING INCOME</b>	<b>14,045</b>	<b>472,567</b>	<b>154,099</b>	<b>20,684</b>	<b>661,395</b>



**PEASE DEVELOPMENT AUTHORITY**  
**Statement of Revenues and Expenses - DIVISION OF PORTS AND HARBORS-UNRESTRICTED**  
For the Nine Months Ending March 31, 2022

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>OPERATING REVENUES</b>								
FACILITY RENTAL	\$56,592	\$55,044	\$1,548	2.8%	\$376,672	\$323,930	\$52,742	16.3%
CARGO AND HANGARS				-				-
CONCESSION REVENUE		250	(250)	(100.0%)	3,000	2,250	750	33.3%
FEE REVENUE	154,190	103,635	50,555	48.8%	1,110,463	1,007,879	102,584	10.2%
FUEL SALES	32,718	26,830	5,888	21.9%	370,376	466,360	(95,984)	(20.6%)
INTEREST				-	1,221		1,221	-
MERCHANDISE				-				-
OTHER REVENUE	3,819	7,764	(3,945)	(50.8%)	97,404	92,625	4,779	5.2%
<b>TOTAL OPERATING REVENUES</b>	<b>247,319</b>	<b>193,523</b>	<b>53,796</b>	<b>27.8%</b>	<b>1,959,136</b>	<b>1,893,044</b>	<b>66,091</b>	<b>3.5%</b>
<b>EXPENSES</b>								
WAGES AND FRINGE BENEFITS	111,115	102,068	(9,047)	(8.9%)	981,616	986,584	4,968	0.5%
BUILDING AND FACILITIES	17,878	12,955	(4,923)	(38.0%)	130,497	116,596	(13,902)	(11.9%)
GENERAL AND ADMINISTRATIVE	5,339	10,941	5,602	51.2%	86,111	98,466	12,355	12.5%
UTILITIES	11,724	9,178	(2,546)	(27.7%)	95,395	84,441	(10,954)	(13.0%)
PROFESSIONAL SERVICES	513	1,683	1,170	69.5%	17,605	15,150	(2,455)	(16.2%)
MARKETING AND PROMOTION		217	217	100.0%	1,391	1,950	560	28.7%
OTHER OPERATING EXPENSES	15,968	22,593	6,625	29.3%	261,633	378,608	116,975	30.9%
<b>TOTAL OPERATING EXPENSES</b>	<b>162,537</b>	<b>159,635</b>	<b>(2,902)</b>	<b>(1.8%)</b>	<b>1,574,248</b>	<b>1,681,795</b>	<b>107,547</b>	<b>6.4%</b>
<b>OPERATING INCOME</b>	<b>84,782</b>	<b>33,888</b>	<b>50,893</b>	<b>150.2%</b>	<b>384,888</b>	<b>211,249</b>	<b>173,639</b>	<b>82.2%</b>
NON-OPERATING (INCOME) EXPENSE	(245)	(492)	(246)	50.1%	(2,210)	(4,425)	(2,215)	50.1%
DEPRECIATION	51,999	52,917	918	1.7%	460,451	476,250	15,799	3.3%
<b>NET OPERATING INCOME</b>	<b>33,028</b>	<b>(18,537)</b>	<b>51,565</b>	<b>(278.2%)</b>	<b>(73,353)</b>	<b>(260,576)</b>	<b>187,222</b>	<b>(71.8%)</b>

<b>BUSINESS UNIT ANALYSIS</b>	<b>RYE HARBOR</b>	<b>HAMPTON HARBOR</b>	<b>PORTS. FISH PIER</b>	<b>MARKET ST.</b>	<b>HARBOR MGMT</b>	<b>ADMIN</b>	<b>TOTAL</b>
OPERATING REVENUES	226,300	211,670	131,253	916,193	472,499	1,221	1,959,136
OPERATING EXPENSES* *Excluding Depreciation	194,757	233,537	180,171	339,512	334,692	291,579	1,574,248
<b>OPERATING INCOME</b>	<b>31,543</b>	<b>(21,867)</b>	<b>(48,918)</b>	<b>576,681</b>	<b>137,807</b>	<b>(290,358)</b>	<b>384,888</b>

**PEASE DEVELOPMENT AUTHORITY**  
**Statement of Revenues and Expenses - FOREIGN TRADE ZONE**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>OPERATING REVENUES</b>								
FACILITY RENTAL	-	-	-	-	\$12,000	\$12,000	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	-	-	-	-	-	-	-	-
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	-	-	-	-	-	-	-	-
<b>TOTAL OPERATING REVENUES</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>12,000</b>	<b>12,000</b>	<b>-</b>	<b>-</b>
<b>EXPENSES</b>								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	83	83	100.0%	1,250	750	(500)	(66.7%)
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	1,539	1,531	(7)	(0.5%)	6,202	7,969	1,767	22.2%
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
<b>TOTAL OPERATING EXPENSES</b>	<b>1,539</b>	<b>1,614</b>	<b>76</b>	<b>4.7%</b>	<b>7,452</b>	<b>8,719</b>	<b>1,267</b>	<b>14.5%</b>
<b>OPERATING INCOME</b>	<b>(1,539)</b>	<b>(1,614)</b>	<b>76</b>	<b>(4.7%)</b>	<b>4,548</b>	<b>3,281</b>	<b>1,267</b>	<b>38.6%</b>
NON-OPERATING (INCOME) EXPENSE	0	-	0	-	(3)	-	3	-
DEPRECIATION	-	-	-	-	-	-	-	-
<b>NET OPERATING INCOME</b>	<b>(1,539)</b>	<b>(1,614)</b>	<b>77</b>	<b>(4.7%)</b>	<b>4,551</b>	<b>3,281</b>	<b>1,270</b>	<b>38.7%</b>

**PEASE DEVELOPMENT AUTHORITY**  
**Statement of Revenues and Expenses - HARBOR DREDGING**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>OPERATING REVENUES</b>								
FACILITY RENTAL	-	-	-	-	-	-	-	-
CARGO AND HANGARS	-	-	-	-	-	-	-	-
CONCESSION REVENUE	-	-	-	-	-	-	-	-
FEE REVENUE	12,761	9,167	3,594	39.2%	73,523	82,500	(8,978)	(10.9%)
FUEL SALES	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-
MERCHANDISE	-	-	-	-	-	-	-	-
OTHER REVENUE	1,000	750	250	33.3%	5,655	6,750	(1,095)	(16.2%)
<b>TOTAL OPERATING REVENUES</b>	<b>13,761</b>	<b>9,917</b>	<b>3,844</b>	<b>38.8%</b>	<b>79,178</b>	<b>89,250</b>	<b>(10,073)</b>	<b>(11.3%)</b>
<b>EXPENSES</b>								
WAGES AND FRINGE BENEFITS	-	-	-	-	-	-	-	-
BUILDING AND FACILITIES	4,702	13,750	9,049	65.8%	102,802	123,750	20,948	16.9%
GENERAL AND ADMINISTRATIVE	-	167	167	100.0%	11,011	1,500	(9,511)	(634.1%)
UTILITIES	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-
MARKETING AND PROMOTION	-	-	-	-	-	-	-	-
OTHER OPERATING EXPENSES	-	-	-	-	-	-	-	-
<b>TOTAL OPERATING EXPENSES</b>	<b>4,702</b>	<b>13,917</b>	<b>9,215</b>	<b>66.2%</b>	<b>113,813</b>	<b>125,250</b>	<b>11,437</b>	<b>9.1%</b>
<b>OPERATING INCOME</b>	<b>9,059</b>	<b>(4,000)</b>	<b>13,060</b>	<b>(326.5%)</b>	<b>(34,635)</b>	<b>(36,000)</b>	<b>1,364</b>	<b>(3.8%)</b>
NON-OPERATING (INCOME) EXPENSE	(27)	(67)	(40)	59.4%	(311)	(600)	(289)	48.1%
DEPRECIATION	6,082	6,250	168	2.7%	53,248	56,250	3,002	5.3%
<b>NET OPERATING INCOME</b>	<b>3,004</b>	<b>(10,183)</b>	<b>13,188</b>	<b>(129.5%)</b>	<b>(87,572)</b>	<b>(91,650)</b>	<b>4,078</b>	<b>(4.4%)</b>

**PEASE DEVELOPMENT AUTHORITY**  
**Statement of Revenues and Expenses - REVOLVING LOAN FUND**  
**For the Nine Months Ending March 31, 2022**

	Actual Mar FY 2022	Budget Mar FY 2022	Variance From Monthly Budget	% Variance	Actual YTD FY 2022	Budget YTD FY 2022	Variance From YTD Budget	% Variance
<b>OPERATING REVENUES</b>								
FACILITY RENTAL				-				-
CARGO AND HANGARS				-				-
CONCESSION REVENUE				-				-
FEE REVENUE				-				-
FUEL SALES				-				-
INTEREST	2,610	2,750	(140)	(5.1%)	22,122	24,750	(2,628)	(10.6%)
MERCHANDISE				-				-
OTHER REVENUE		42	(42)	(100.0%)	824	375	449	119.7%
<b>TOTAL OPERATING REVENUES</b>	<b>2,610</b>	<b>2,792</b>	<b>(181)</b>	<b>(6.5%)</b>	<b>22,946</b>	<b>25,125</b>	<b>(2,179)</b>	<b>(8.7%)</b>
<b>EXPENSES</b>								
WAGES AND FRINGE BENEFITS				-				-
BUILDING AND FACILITIES				-				-
GENERAL AND ADMINISTRATIVE		50	50	100.0%	168	450	282	62.7%
UTILITIES				-				-
PROFESSIONAL SERVICES	4,676	2,083	(2,592)	(124.4%)	17,503	18,750	1,247	6.7%
MARKETING AND PROMOTION				-				-
OTHER OPERATING EXPENSES				-				-
<b>TOTAL OPERATING EXPENSES</b>	<b>4,676</b>	<b>2,133</b>	<b>(2,542)</b>	<b>(119.2%)</b>	<b>17,671</b>	<b>19,200</b>	<b>1,529</b>	<b>8.0%</b>
<b>OPERATING INCOME</b>	<b>(2,066)</b>	<b>659</b>	<b>(2,724)</b>	<b>(413.7%)</b>	<b>5,275</b>	<b>5,925</b>	<b>(650)</b>	<b>(11.0%)</b>
NON-OPERATING (INCOME) EXPENSE	(37)	(77)	(40)	52.0%	(330)	(694)	(364)	52.4%
DEPRECIATION				-				-
<b>NET OPERATING INCOME</b>	<b>(2,029)</b>	<b>736</b>	<b>(2,764)</b>	<b>(375.8%)</b>	<b>5,605</b>	<b>6,619</b>	<b>(1,014)</b>	<b>(15.3%)</b>

REVOLVING LOAN FUND (\$ 000's)	BALANCE AT 03-31-22	BALANCE AT 06-30-2021
<b>CASH BALANCES</b>		
GENERAL FUNDS	303	225
SEQUESTERED FUNDS	-	-
	<u>303</u>	<u>225</u>
<b>LOANS OUTSTANDING (18)</b>		
CURRENT	106	98
LONG TERM	842	921
	<u>948</u>	<u>1,019</u>
<b>TOTAL CAPITAL BASE</b>	<u>1,251</u>	<u>1,244</u>
<b>CAPITAL UTILIZATION RATE -% *</b>	<u>75.8%</u>	<u>81.9%</u>

\*EXCLUDES SEQUESTERED FUNDS



**SUMMARY OF INTERGOVERNMENTAL RECEIVABLES  
AS OF MARCH 31, 2022**

(\$000's)

<u>BUSINESS UNIT</u>	<u>TOTAL PROJECT</u>	<u>GRANT AWARD</u>	<u>EXPENDED TO DATE</u>	<u>PDA SHARE</u>	<u>RECEIVED TO DATE</u>	<u>BALANCE DUE PDA</u>	<u>AMOUNT SUBMITTED</u>
PORTSMOUTH AIRPORT	30,659	24,105	27,602	(1,394)	26,461	1,534	45
SKYHAVEN AIRPORT	141	141	78	0	0	78	78
DIVISION OF PORTS AND HARBORS	13,253	0	5,798	10	5,584	204	204
	<u>44,053</u>	<u>24,246</u>	<u>33,478</u>	<u>(1,384)</u>	<u>32,045</u>	<u>1,816</u>	<u>327</u>

**SUMMARY OF CONSTRUCTION WORK IN PROCESS  
AS OF MARCH 31, 2022**

(\$000's)

<u>PROJECT NAME</u>	<u>BALANCE AT 06-30-21</u>	<u>CURRENT YEAR EXPENDITURES</u>	<u>TRANSFER TO PLANT IN SERVICE</u>	<u>NET CURRENT YEAR CHANGE</u>	<u>BALANCE AT 03-31-22</u>
<b>PORTSMOUTH AIRPORT</b>					
TERMINAL EXPANSION (NON-GRANT)	278	693	(502)	191	469
RUNWAY 16-34 DESIGN (AIP 58)	-	-	-	-	-
RUNWAY 16-34 RECONSTRUCTION (AIP 64)	1,548	(27)	(1,556)	(1,583)	(35)
TERMINAL BUILDING EXPANSION (AIP 66)	6	4	(7)	(3)	3
TERMINAL BUILDING EXPANSION (AIP 62)	24	30	(24)	6	30
ALPHA SOUTH HOLD BAY (AIP 67)	1	7	(3)	4	5
LOUGHLIN MEMORIAL PARK	8	19	(27)	(8)	-
SNOW REMOVAL EQUIPMENT (AIP69)	2	19	-	19	21
LOWERY LANE (AIP 70)	-	312	-	312	312
PSM ACCESS CONTROL BOARD	-	75	(40)	35	35
SNOW PLOW	-	6	(6)	-	-
GATE ACCESS CONTROL	-	44	-	44	44
CORPORATE DRIVE DRAINAGE	-	75	-	75	75
PSM MOBILE RADIO PURCHASE	-	46	(19)	27	27
	<u>1,867</u>	<u>1,303</u>	<u>(2,184)</u>	<u>(881)</u>	<u>986</u>
<b>SKYHAVEN AIRPORT</b>					
TERMINAL APRON DESIGN (SBG 15-09)	-	<u>78</u>	-	<u>78</u>	<u>78</u>
<b>GOLF COURSE</b>					
GOLF CARTS (2)	-	30	(30)	-	-
FOLDING CHAIRS	-	7	(7)	-	-
CONVECTION OVEN	-	10	(10)	-	-
	-	<u>47</u>	<u>(47)</u>		
<b>IT/ADMINISTRATION</b>					
POWER EDGE SERVER	-	<u>26</u>	<u>(26)</u>	-	-
<b>MAINTENANCE</b>					
LOADER TIRES	-	21	(21)	-	-
BOBCAT SKID STEER	-	80	(80)	-	-
	-	<u>101</u>	<u>(101)</u>	<u>0</u>	<u>0</u>
<b>DIVISION OF PORTS AND HARBORS (DPH)</b>					
FUNCTIONAL REPLACEMENT- BARGE DOCK	1,304	151	-	151	1,455
PPF BULKHEAD REPAIR AND CONSTRUCTION	1,826	1,053	-	1,053	2,879
MAIN PIER (BUILD GRANT)	1,284	82	-	82	1,366
MARKET ST SITE LIGHTING IMPROVEMENTS	-	38	-	38	38
SECURITY GATE - MARKET ST	-	6	(6)	-	-
SECURITY CAMERAS-PORTS FISH PIER	-	12	(12)	-	-
VIDEO RECORDER REPLACEMENT & CAMERA	-	15	(15)	-	-
	<u>4,414</u>	<u>1,357</u>	<u>(33)</u>	<u>1,324</u>	<u>5,738</u>
<b>TOTAL</b>	<u>6,281</u>	<u>2,912</u>	<u>(2,391)</u>	<u>521</u>	<u>6,802</u>

# CASH FLOW PROJECTIONS FOR THE NINE MONTH PERIOD ENDING JANUARY 31, 2023



**BOARD OF DIRECTORS MEETING  
MAY 19, 2022**

# PEASE DEVELOPMENT AUTHORITY CASH FLOW SUMMARY OVERVIEW MAY 1, 2022 TO JANUARY 31, 2023

(EXCLUDING DIVISION OF PORTS AND HARBORS)

(\$ 000's)

	<u>AMOUNT</u>
<b>OPENING FUND BALANCE</b>	<b>7,568</b>
<b>SOURCES OF FUNDS</b>	
GRANT AWARDS (SEE PAGE #9)	2,835
TRADEPORT TENANTS	7,386
MUNICIPAL SERVICE FEE (COP)	1,865
GOLF COURSE FEE AND CONCESSION REVENUES	1,898
REVOLVING LINE OF CREDIT (PROVIDENT BANK)	0
PSM AIRPORT- LEASES, FUEL FLOWAGE FEES AND PARKING	1,298
SKYHAVEN AIRPORT HANGAR AND FUEL REVENUES	135
	<u>15,417</u>

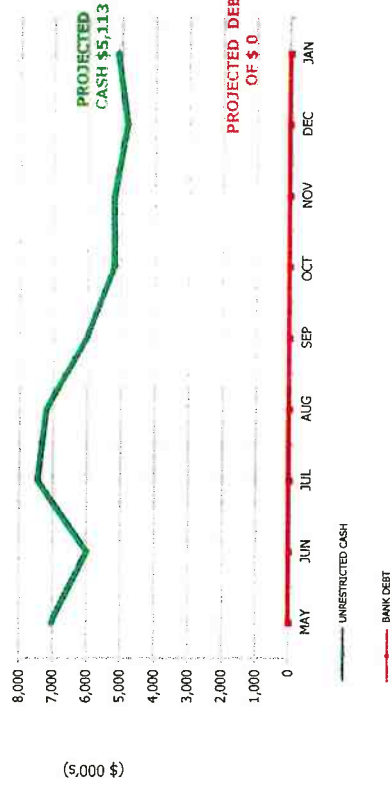
<b>USES OF FUNDS</b>	
OPERATING EXPENSES	8,607
CAPITAL EXPENDITURES- NON-GRANT (SEE PAGES #5-#8)	4,849
CAPITAL EXPENDITURES- GRANT (SEE PAGE #4)	1,548
MUNICIPAL SERVICE FEE (COP)- NET	2,800
STATE OF NH- POST RETIREMENT	68
	<u>17,872</u>
<b>NET CASH FLOW</b>	<b>(2,455)</b>
<b>CLOSING FUND BALANCE</b>	<b>5,113</b>

**DISCUSSION**

AT THIS TIME, THE PDA DOES NOT ANTICIPATE THE NEED TO UTILIZE ITS CREDIT FACILITIES WITH THE PROVIDENT BANK TO FINANCE PROJECTED NON-GRANT RELATED CAPITAL EXPENDITURES AND OR WORKING CAPITAL REQUIREMENTS.

PROJECTED NON-GRANT CAPITAL EXPENDITURES DURING THE FIRST TWO QUARTERS OF FY23 ARE A MAIN CONTRIBUTOR TO THE DECREASE IN CASH OVER THE NEXT NINE MONTHS.

**PROJECTED CASH AND DEBT BALANCES**



TOTAL FUND BALANCES	BALANCE AT 04-30-2022	BALANCE AT 06-30-2021
UNRESTRICTED	7,568	2,469
DESIGNATED	14	14
TOTAL	<u>7,582</u>	<u>2,483</u>



# PEASE DEVELOPMENT AUTHORITY STATEMENT OF CASH FLOW (UNRESTRICTED FUNDS)

(EXCLUDING THE DIVISION OF PORTS AND HARBORS)

(\$ 000'S)

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>OPENING FUND BALANCE</b>	<u>7,568</u>	<u>7,021</u>	<u>5,984</u>	<u>7,443</u>	<u>7,196</u>	<u>6,007</u>	<u>5,194</u>	<u>5,198</u>	<u>4,818</u>	<u>7,568</u>
<b>SOURCES OF FUNDS</b>										
GRANT AWARDS (SEE PAGE #9)	-	468	1,287	30	-	-	-	1,050	-	2,835
TRADEPORT TENANTS	749	840	1,055	735	613	1,007	694	923	770	7,386
MUNICIPAL SERVICE FEE	135	350	135	135	350	135	135	135	355	1,865
GOLF COURSE	305	305	295	295	305	177	94	72	50	1,898
PORTSMOUTH AIRPORT- (PSM)	91	52	41	76	82	52	87	52	54	587
PSM PAY FOR PARKING	18	30	48	39	12	19	37	43	40	286
PSM FLOWAGE FEES	3	11	58	63	61	101	46	43	40	425
SKYHAVEN AIRPORT	15	16	15	16	17	13	14	15	14	135
EXTERNAL FINANCING- NET	-	-	-	-	-	-	-	-	-	-
	<u>1,316</u>	<u>2,072</u>	<u>2,933</u>	<u>1,389</u>	<u>1,440</u>	<u>1,504</u>	<u>1,107</u>	<u>2,333</u>	<u>1,323</u>	<u>15,417</u>
<b>USE OF FUNDS</b>										
CAPITAL- GRANT RELATED (SEE PAGE #4)	250	93	55	30	30	1,030	30	30	-	1,548
CAPITAL- NONGRANT (SEE PAGES #5-#8)	709	508	416	673	1,671	343	171	250	108	4,849
OPERATING EXPENSES	904	1,040	1,003	933	928	944	902	1,033	920	8,607
MUNICIPAL SERVICE FEE	-	1,400	-	-	-	-	-	1,400	-	2,800
STATE OF NH- POST RETIREMENT	-	68	-	-	-	-	-	-	-	68
	<u>1,863</u>	<u>3,109</u>	<u>1,474</u>	<u>1,636</u>	<u>2,629</u>	<u>2,317</u>	<u>1,103</u>	<u>2,713</u>	<u>1,028</u>	<u>17,872</u>
<b>NET CASH FLOW</b>	<u>(547)</u>	<u>(1,037)</u>	<u>1,459</u>	<u>(248)</u>	<u>(1,189)</u>	<u>(813)</u>	<u>4</u>	<u>(381)</u>	<u>295</u>	<u>(2,455)</u>
<b>CLOSING FUND BALANCE</b>	<u>7,021</u>	<u>5,984</u>	<u>7,443</u>	<u>7,196</u>	<u>6,007</u>	<u>5,194</u>	<u>5,198</u>	<u>4,818</u>	<u>5,113</u>	<u>5,113</u>

# PEASE DEVELOPMENT AUTHORITY CAPITAL EXPENDITURES

(EXCLUDING THE DIVISION OF PORTS AND HARBORS)

4

(\$ 000's)

	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>JAN</u>	<u>TOTAL</u>
<b><u>GRANT REIMBURSEMENT PROJECTS</u></b>										
<b><u>PORTSMOUTH AIRPORT</u></b>										
TERMINAL EXPANSION DESIGN AND CONSTRUCTION (AIP 62- \$1.6M)	70	30	-	-	-	-	-	-	-	100
TERMINAL EXPANSION DESIGN AND CONSTRUCTION (AIP 66- \$2.0M)	102	8	-	-	-	-	-	-	-	110
RUNWAY 16-34 RECONSTRUCTION (AIP 64)	25	25	25	-	-	-	-	-	-	75
TW A SOUTH HOLD BAY (AIP 67)	5	-	-	-	-	-	-	-	-	5
PEASE BOULEVARD-ARBORETUM AVE	-	-	30	30	30	30	30	30	-	180
LOWERY LANE PAVING	-	-	-	-	-	-	-	-	-	-
SNOW REMOVAL EQUIPMENT (AIP 69)	-	-	-	-	-	1,000	-	-	-	1,000
SNOW REMOVAL EQUIPMENT (AIP XX)	15	-	-	-	-	-	-	-	-	15
	<u>217</u>	<u>63</u>	<u>55</u>	<u>30</u>	<u>30</u>	<u>1,030</u>	<u>30</u>	<u>30</u>	<u>-</u>	<u>1,485</u>
<b><u>SKYHAVEN AIRPORT</u></b>										
TERMINAL APRON DESIGN (SBG 9)	33	30	-	-	-	-	-	-	-	63
<b>TOTAL GRANT REIMBURSEMENT PROJECTS</b>	<u>250</u>	<u>93</u>	<u>55</u>	<u>30</u>	<u>30</u>	<u>1,030</u>	<u>30</u>	<u>30</u>	<u>-</u>	<u>1,548</u>

NOTE:  
\*\* PENDING BOARD APPROVAL

# PEASE DEVELOPMENT AUTHORITY CAPITAL EXPENDITURES

(EXCLUDING THE DIVISION OF PORTS AND HARBORS)

(\$ 000's)

(CONTINUED):

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>NON-GRANT REIMBURSEMENT PROJECTS</b>										
<b>TECHNOLOGY / ADMINISTRATION</b>										
COMPUTERS / PRINTERS / SOFTWARE / TELECOMMUNICATIONS **	-	-	-	-	5	-	-	-	5	10
MICROSOFT SOFTWARE UPGRADES **	-	-	-	-	40	-	-	-	-	40
PAYCHEX PAYROLL KISOSKS **	-	-	-	-	-	5	-	-	-	5
TECHNOLOGY ENHANCEMENTS **	-	-	-	-	10	-	-	-	10	20
WEBSITE UPGRADES**	-	-	-	-	-	30	-	-	-	30
ADMIN ELECTRIC VEHICLE	-	-	-	-	26	-	-	-	-	26
	-	-	-	-	81	35	-	-	15	131
<b>GOLF COURSE</b>										
COURSE EQUIPMENT	80	-	-	-	-	-	-	-	45	125
PATTO UPGRADE	40	-	-	-	-	-	-	-	-	40
SIMULATOR ROOM **	-	-	25	15	-	-	-	-	-	40
CLUBHOUSE KITCHEN EQUIPMENT	10	-	10	-	-	-	-	-	-	20
VIDEO SURVEILLANCE SYSTEM**	-	15	-	-	-	10	-	-	-	25
COURSE IMPROVEMENTS**	-	-	-	10	20	40	40	-	-	110
	130	15	35	25	20	50	40	-	45	360

NOTE:  
\*\* PENDING BOARD APPROVAL



# PEASE DEVELOPMENT AUTHORITY CAPITAL EXPENDITURES (EXCLUDING THE DIVISION OF PORTS AND HARBORS)

(CONTINUED):

(\$ 000's)

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>NON-GRANT REIMBURSEMENT PROJECTS (CONTINUED):</b>										
<b>PORTSMOUTH AIRPORT</b>										
TERMINAL EXPANSION	300	20	20	-	-	-	-	-	-	340
TERMINAL CARPETING **	-	5	-	-	-	-	-	-	-	5
AIRFIELD SIGNAGE **	-	-	-	55	-	-	-	-	-	55
MOBILE RADIO UPGRADE **	-	-	-	-	-	50	-	-	-	50
FENCE CONSTRUCTION **	35	-	-	-	-	-	-	-	-	35
GENERATOR UPGRADE **	-	-	-	-	10	-	-	-	-	10
TICKETING AREA & OPERATIONS AREA UPGRADES**	-	50	50	50	50	50	-	-	-	250
TAXIWAY A REPAIRS	5	190	-	-	-	-	-	-	-	195
TERMINAL ARRIVALS AREA **	150	150	150	150	-	-	-	-	-	600
FLIGHTLINE RD PIPE RELOCATION**	-	-	-	-	750	-	-	-	-	750
	<b>490</b>	<b>415</b>	<b>220</b>	<b>255</b>	<b>810</b>	<b>100</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>2,290</b>
<b>SKYHAVEN AIRPORT</b>										
SRE DOOR REPLACEMENT**	-	20	-	-	-	-	-	-	-	20
FUEL SYSTEM CREDIT CARD **	-	-	-	-	-	5	-	-	-	5
RENOVATION WORK- TERMINAL BLDG**	16	-	-	-	-	-	-	-	-	16
TIRES - FRONT END LOADER	10	-	-	-	-	-	-	-	-	10
LED LIGHT REPLACEMENT**	-	-	31	-	-	-	-	-	-	31
INTERIOR LIGHTING - T-HANGARS**	-	-	7	-	-	-	-	-	-	7
TOW BEHIND MOWER**	-	-	15	-	-	-	-	-	-	15
REROOF TERMINAL BUILDING **	-	-	15	-	-	-	-	-	-	15
	<b>26</b>	<b>20</b>	<b>68</b>	<b>-</b>	<b>-</b>	<b>5</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>119</b>

NOTE:  
\*\* PENDING BOARD APPROVAL

# PEASE DEVELOPMENT AUTHORITY CAPITAL EXPENDITURES

(EXCLUDING THE DIVISION OF PORTS AND HARBORS)

(\$ 000's)

(CONTINUED):

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>NON-GRANT REIMBURSEMENT PROJECTS (CONTINUED):</b>										
<b>SECURITY</b>										
<b>PORTSMOUTH AIRPORT</b>										
CCTV SECURITY GATES **	-	50	-	-	-	50	-	-	-	100
REPLACE BADGING WORKSTATIONS	-	-	90	-	-	-	-	-	-	90
DOOR ACCESS CONTROL **	-	-	-	75	25	-	-	-	-	100
TRAINING VIDEO PRODUCTION	-	-	-	115	-	-	-	-	-	115
BADGE READER & MEDIA REPLACEMENT**	-	-	-	-	-	-	-	75	-	75
SECURITY SYSTEM UPGRADE **	-	-	-	170	100	-	-	-	-	270
	-	50	90	360	125	50	-	75	-	750
<b>SECURITY</b>										
<b>SKYHAVEN AIRPORT</b>										
DOOR ACCESS CONTROL **	25	-	-	-	-	-	-	-	-	25
	25	-	-	-	-	-	-	-	-	25

NOTE:  
\*\* PENDING BOARD APPROVAL

# PEASE DEVELOPMENT AUTHORITY CAPITAL EXPENDITURES (EXCLUDING THE DIVISION OF PORTS AND HARBORS)

(CONTINUED) (\$ 000'S)

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>NON-GRANT REIMBURSEMENT PROJECTS (CONTINUED)</b>										
<b>TRADEPORT</b>										
STORMWATER UPGRADES	-	5	-	-	25	-	-	25	-	55
GRAFTON RD AND GOLF COURSE INTERIM**	-	-	-	-	-	-	25	-	-	25
GRAFTON RD AND AVIATION AVE**	-	-	-	-	-	-	25	-	-	25
CORPORATE DRIVE- DRAINAGE **	3	3	3	3	500	-	-	-	-	512
	<u>3</u>	<u>8</u>	<u>3</u>	<u>3</u>	<u>525</u>	<u>-</u>	<u>50</u>	<u>25</u>	<u>-</u>	<u>617</u>

**MAINTENANCE**

VEHICLE FLEET REPLACEMENT	-	-	-	-	60	-	81	-	48	189
PAINT MACHINE **	15	-	-	-	-	-	-	-	-	15
BUILDING INFRASTRUCTURE **	-	-	-	-	50	-	-	-	-	50
MOWER REPLACEMENT **	20	-	-	-	-	-	-	-	-	20
HIGH LIFT **	-	-	-	30	-	-	-	-	-	30
JOHN DEERE TRACTOR REPLACEMENT **	-	-	-	-	-	-	-	-	-	-
CRACK SEALING MACHINE	-	-	-	-	-	91	-	-	-	91
DIESEL TRACTORW/TOW BEHIND MOWER	-	-	-	-	-	-	-	-	-	-
SWPPP WASH RACK*	-	-	-	-	-	-	-	150	-	150
TOW BEHIND MOWER ATTACHMENT (DAW)	-	-	-	-	-	12	-	-	-	12
SNOW/RUBBER REMOVAL EQUIP**	-	-	-	-	-	-	-	-	-	-
	<u>35</u>	<u>-</u>	<u>-</u>	<u>30</u>	<u>110</u>	<u>103</u>	<u>81</u>	<u>150</u>	<u>48</u>	<u>557</u>
<b>TOTAL NON-GRANT REIMBURSEMENT PROJECTS</b>	<b>709</b>	<b>508</b>	<b>416</b>	<b>673</b>	<b>1,671</b>	<b>343</b>	<b>171</b>	<b>250</b>	<b>108</b>	<b>4,849</b>

NOTE:  
\*\* PENDING BOARD APPROVAL



# PEASE DEVELOPMENT AUTHORITY RECEIPT GRANT AWARDS (EXCLUDING THE DIVISION OF PORTS AND HARBORS)

(\$ 000's)

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>PORTSMOUTH AIRPORT</b>										
TERMINAL EXPANSION DESIGN AND CONSTRUCTION (AIP 62-\$1.6M)	-	167	-	-	-	-	-	-	-	167
TERMINAL EXPANSION DESIGN AND CONSTRUCTION (AIP 66-\$2.0M)	-	211	-	-	-	-	-	-	-	211
RUNWAY 16-34 RECONSTRUCTION (AIP 64)	-	-	932	-	-	-	-	-	-	932
RUNWAY- AIR NATIONAL GUARD	-	-	300	-	-	-	-	-	-	300
TW A SOUTH HOLD BAY (AIP 67)	-	90	-	-	-	-	-	-	-	90
PEASE BOULEVARD- ARBORETUM AVE	-	-	-	-	-	-	-	150	-	150
SNOW REMOVAL EQUIPMENT (AIP 69)	-	-	-	-	-	-	-	900	-	900
LOWERY LANE PAVING (AIP 70)	-	-	-	30	-	-	-	-	-	30
<b>SKYHAVEN AIRPORT</b>										
TERMINAL APRON DESIGN (SBG-9)	-	-	55	-	-	-	-	-	-	55
<b>TOTAL</b>	-	<b>468</b>	<b>1,287</b>	<b>30</b>	-	-	-	<b>1,050</b>	-	<b>2,835</b>

# PEASE DEVELOPMENT AUTHORITY CREDIT FACILITIES AND OUTSTANDING DEBT ANALYSIS

(\$ 000's)

<b>REVOLVING LETTER OF CREDIT (RLOC)</b>	<b>THE PROVIDENT BANK</b>
<b>AMOUNT OF CREDIT FACILITY</b>	15,000
<b>AMOUNT CURRENTLY AVAILABLE</b>	15,000
<b>TERM DATE</b>	12-31-2022

<b>OUTSTANDING DEBT ANALYSIS</b>	<b>BALANCE AT 03-31-2022</b>	<b>BALANCE AT 06-30-2021</b>	<b>MATURITY DATE</b>	<b>INTEREST RATE %</b>
THE PROVIDENT BANK (RLOC)	-	-	12-31-2022	VARIABLE
<b>WEIGHTED AVERAGE</b>	<b>=</b>	<b>=</b>		
	2.96%			

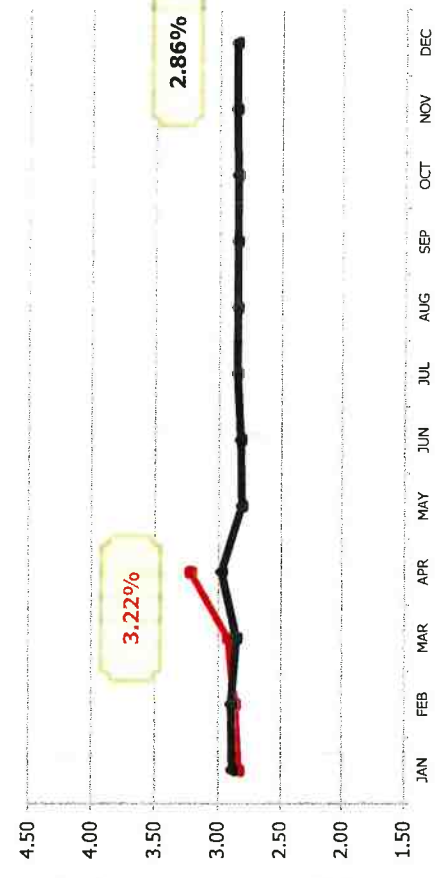
**PURPOSE**  
TO FUND CAPITAL IMPROVEMENTS AND WORKING CAPITAL NEEDS.

**INTEREST RATE**  
ONE MONTH FHLB (CLASSIC) + 250 BASIS POINTS

**MINIMUM SIZE OF DRAWDOWN**  
NO MINIMUM

**OTHER**  
DOES NOT CARRY THE STATE GUARANTEE

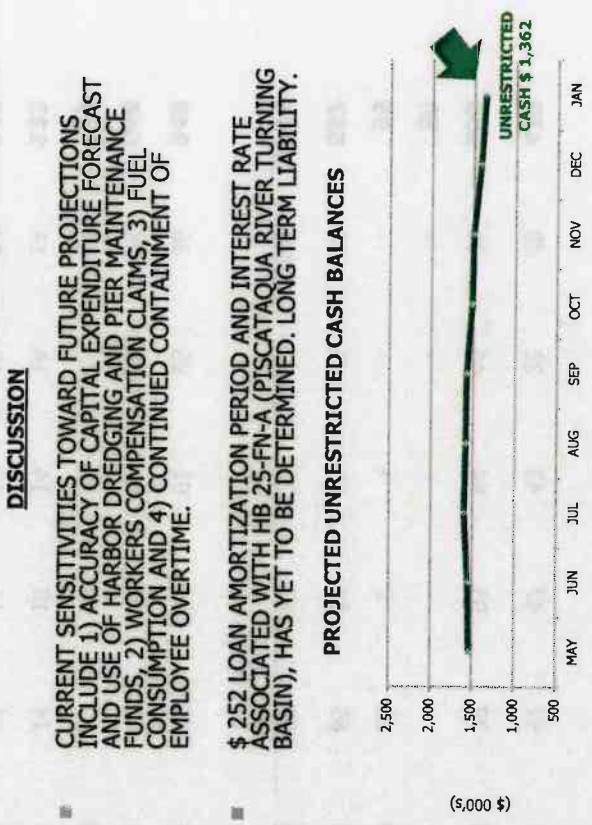
**TRENDING THE ONE MONTH FHLB (CLASSIC) INTEREST RATE + MARK-UP 2022 VERSUS 2021**



# DIVISION OF PORTS AND HARBORS CASH FLOW SUMMARY OVERVIEW MAY 1, 2022 TO JANUARY 31, 2023

(\$ 000's)

	<u>AMOUNT</u>
<b>OPENING FUND BALANCE</b>	<u>1,587</u>
<b><u>SOURCES OF FUNDS</u></b>	
FACILITY RENTALS AND CONCESSIONS	439
FUEL SALES	655
REGISTRATIONS / WHARFAGE	557
MOORING FEES	50
PARKING FEES	95
	<u>1,796</u>
<b><u>USES OF FUNDS</u></b>	
PERSONNEL SERVICES AND BENEFITS	948
FUEL PROCUREMENT	566
OPERATING EXPENSES	379
CAPITAL EXPENDITURES AND OTHER	100
STATE OF NH- POST RETIREMENT	28
	<u>2,021</u>
<b>NET CASH FLOW</b>	<u>(225)</u>
<b>CLOSING FUND BALANCE</b>	<u>1,362</u>



<b>TOTAL FUND BALANCES</b>	<b>BALANCE AT</b>	<b>BALANCE AT</b>	
	<b>04/30/2022</b>	<b>06/30/21</b>	
<b>UNRESTRICTED FUNDS</b>	<b>1,587</b>	<b>1,888</b>	
<b>DESIGNATED FUNDS</b>	<b>160</b>	<b>153</b>	
<b>RESTRICTED FUNDS:</b>			
HARBOR DREDGING	261	317	
REVOLVING LOAN FUND	258	225	
FOREIGN TRADE ZONE	11	8	
	<u>530</u>	<u>550</u>	



# DIVISION OF PORTS AND HARBORS

## STATEMENT OF CASH FLOW

### (UNRESTRICTED FUNDS)

(\$ 000's)

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>OPENING FUND BALANCE</b>	<u>1,587</u>	<u>1,537</u>	<u>1,551</u>	<u>1,595</u>	<u>1,582</u>	<u>1,574</u>	<u>1,511</u>	<u>1,498</u>	<u>1,414</u>	<u>1,587</u>
<b>SOURCES OF FUNDS</b>										
FACILITY RENTALS AND CONCESSIONS	49	83	60	43	42	47	43	32	40	439
FUEL SALES	60	89	110	108	73	83	64	40	30	655
MOORING FEES	50	-	-	-	-	-	-	-	-	50
PARKING FEES	4	14	30	29	16	2	-	-	-	95
REGISTRATIONS / WHARFAGE	22	95	65	65	65	65	65	65	50	557
	<u>185</u>	<u>281</u>	<u>265</u>	<u>245</u>	<u>196</u>	<u>197</u>	<u>172</u>	<u>137</u>	<u>120</u>	<u>1,796</u>
<b>USE OF FUNDS</b>										
PERSONNEL SERVICES AND BENEFITS	93	115	89	123	101	144	91	96	96	948
FUEL PROCUREMENT	51	75	94	91	62	70	54	34	35	566
UTILITIES	11	12	9	9	10	9	9	10	10	89
GENERAL AND ADMINISTRATIVE	14	15	14	16	14	18	14	14	14	133
BUILDINGS AND FACILITIES	16	16	14	16	16	16	16	16	16	142
PROFESSIONAL SERVICES	-	5	2	2	1	2	1	1	1	15
CAPITAL EXPENDITURES AND OTHER	50	-	-	-	-	-	-	50	-	100
STATE OF NH- POST RETIREMENT	-	28	-	-	-	-	-	-	-	28
	<u>235</u>	<u>266</u>	<u>222</u>	<u>257</u>	<u>204</u>	<u>259</u>	<u>185</u>	<u>221</u>	<u>172</u>	<u>2,021</u>
<b>NET CASH FLOW</b>	(50)	14	44	(13)	(8)	(63)	(13)	(84)	(52)	(225)
<b>CLOSING FUND BALANCE</b>	<u>1,537</u>	<u>1,551</u>	<u>1,595</u>	<u>1,582</u>	<u>1,574</u>	<u>1,511</u>	<u>1,498</u>	<u>1,414</u>	<u>1,362</u>	<u>1,362</u>

# DIVISION OF PORTS AND HARBORS

## STATEMENT OF CASH FLOW- HARBOR DREDGING FUND

### (RESTRICTED FUNDS)

(\$ 000'S)

	<u>MAY</u>	<u>JUN</u>	<u>JUL</u>	<u>AUG</u>	<u>SEP</u>	<u>OCT</u>	<u>NOV</u>	<u>DEC</u>	<u>JAN</u>	<u>TOTAL</u>
<b>OPENING FUND BALANCE</b>	<u>261</u>	<u>219</u>	<u>179</u>	<u>189</u>	<u>145</u>	<u>155</u>	<u>163</u>	<u>123</u>	<u>91</u>	<u>261</u>
<b><u>SOURCES OF FUNDS</u></b>										
PIER USAGE FEES	9	9	9	9	9	9	9	9	9	81
REGISTRATIONS	1	1	1	1	1	1	1	1	1	9
FUEL FLOWAGE FEES	-	-	-	-	-	-	-	-	-	-
GRANT FUNDING	-	-	-	-	-	-	-	-	-	-
	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>90</u>
<b><u>USE OF FUNDS</u></b>										
PERSONNEL SERVICES AND BENEFITS	-	-	-	-	-	-	-	-	-	-
BUILDINGS AND FACILITIES	-	50	-	2	-	2	-	40	-	94
GENERAL AND ADMINISTRATIVE	2	-	-	2	-	-	-	2	-	6
UTILITIES	-	-	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-	-	-
ALL OTHER- (CBOC)	50	-	-	50	-	-	50	-	-	150
	<u>52</u>	<u>50</u>	<u>-</u>	<u>54</u>	<u>-</u>	<u>2</u>	<u>50</u>	<u>42</u>	<u>-</u>	<u>250</u>
<b>NET CASH FLOW</b>	(42)	(40)	10	(44)	10	8	(40)	(32)	10	(160)
<b>CLOSING FUND BALANCE</b>	<u>219</u>	<u>179</u>	<u>189</u>	<u>145</u>	<u>155</u>	<u>163</u>	<u>123</u>	<u>91</u>	<u>101</u>	<u>101</u>

# DIVISION OF PORTS AND HARBORS

## STATEMENT OF CASH FLOW- REVOLVING LOAN FUND

### (RESTRICTED FUNDS)

(\$ 000's)

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>OPENING FUND BALANCE</b>	258	156	61	73	88	101	117	133	147	258
<b>SOURCES OF FUNDS</b>										
LOAN REPAYMENTS	10	10	11	13	13	14	14	14	14	113
INTEREST INCOME-LOANS	2	2	2	3	3	3	3	3	3	24
INTEREST INCOME- FUND BALANCE	-	-	-	-	-	-	-	-	-	-
	12	12	13	16	16	17	17	17	17	137
<b>USE OF FUNDS</b>										
NEW LOANS PROJECTED	113	100	-	-	-	-	-	-	-	213
PERSONNEL SERVICES AND BENEFITS	-	-	-	-	-	-	-	-	-	-
BUILDINGS AND FACILITIES	-	-	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	4	-	-	2	-	-	2	-	8
UTILITIES	-	-	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	1	3	1	1	1	1	1	1	1	11
ALL OTHER	-	-	-	-	-	-	-	-	-	-
	114	107	1	1	3	1	1	3	1	232
	(102)	(95)	12	15	13	16	16	14	16	(95)
<b>NET CASH FLOW</b>										
<b>CLOSING FUND BALANCE</b>	156	61	73	88	101	117	133	147	163	163

# DIVISION OF PORTS AND HARBORS

## STATEMENT OF CASH FLOW- FOREIGN TRADE ZONE FUND

### (RESTRICTED FUNDS)

(\$ 000'S)

	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	TOTAL
<b>OPENING FUND BALANCE</b>	11	11	10	11	11	11	8	13	18	11
<b><u>SOURCES OF FUNDS</u></b>										
FACILITY RENTALS	-	-	2	-	-	-	5	5	-	12
ALL OTHER	-	-	-	-	-	-	-	-	-	-
	-	-	2	-	-	-	5	5	-	12
<b><u>USE OF FUNDS</u></b>										
PERSONNEL SERVICES AND BENEFITS	-	-	-	-	-	-	-	-	-	-
BUILDINGS AND FACILITIES	-	-	-	-	-	-	-	-	-	-
GENERAL AND ADMINISTRATIVE	-	-	1	-	-	1	-	-	1	3
UTILITIES	-	-	-	-	-	-	-	-	-	-
PROFESSIONAL SERVICES	-	-	-	-	-	-	-	-	-	-
ALL OTHER	-	1	-	-	-	2	-	-	1	4
	-	1	1	-	-	3	-	-	2	7
<b>NET CASH FLOW</b>	-	(1)	1	-	-	(3)	5	5	(2)	5
<b>CLOSING FUND BALANCE</b>	11	10	11	11	11	8	13	18	16	16



May 2, 2022

Scott Webster, President  
Falcon Systems Transportation LLC (dba) East West Aeronautical  
Pease International Tradeport  
1 New Hampshire Ave #125  
Portsmouth, NH 03801

**Re: Right of Entry —Portsmouth International Airport, Portsmouth, NH**

Dear Mr. Webster:

This letter, when fully executed, will authorize Falcon Systems Transportation LLC ("FST") and/or its agents and contractors to enter the premises at the Portsmouth International Airport at Pease, as shown on the attached **Exhibit A** (the "Premises") for the period beginning May 9, 2022 through October 31, 2022, for survey / site inspection purposes. Such inspection may include a review of environmental matters, including soils testing, **availability/adequacy** of utility services, general site conditions, and any other similar inspection or evaluation of the Premises you deem reasonably necessary. This Right of Entry will expire at the close of business on October 31, 2022, unless otherwise extended by written agreement of FST and the Pease Development Authority ("PDA").

This Right of Entry is conditioned upon the following:

1. FST providing PDA, upon execution of this letter of authorization or promptly upon completion of its inspection, with a copy of any report, letter, plan, or summary with respect to conditions found at the Premises;
2. FST's agreement herein that any use of the Premises is at its sole risk and that its signature below constitutes its agreement to assume full responsibility for any and all risks of loss or damage to property and injury or death to persons by reason of or incident to its entry or the entry by any of its employees, agents or contractors upon the premises and/or the exercise of any of the authorities granted herein. FST expressly waives all claims against the PDA for any such loss, damage, personal injury or death caused by or occurring as a consequence of FST's use of the Premises or the conduct of activities or the performance of responsibilities under this authorization. FST further agrees to indemnify, save, hold harmless, and defend the PDA, its officers, board members, agents and employees, from and against all suits, claims, demands or actions, liabilities,

TAKING YOU THERE

Phone 603.433.6088 Fax 603.427.0433 www.peasedev.org

ER

Page Two

May 2, 2022

**Re: Right of Entry — Portsmouth International Airport, Portsmouth, NH**

judgments, costs and attorney's fees arising out of FST's use of the Premises or any activities conducted or undertaken in connection with or pursuant to this authorization.

3. FST and any agent or contractor of FST providing PDA with satisfactory evidence of Commercial General Liability insurance to a limit of not less than Two Million Dollars (\$2,000,000), and Environmental Pollution Liability insurance to a limit of not less than Two Million Dollars (\$2,000,000), both naming the PDA as an additional insured as its interests may appear. FST and any agent or contractor of FST shall provide PDA with satisfactory evidence of automobile liability insurance coverage in the amount of One Million Dollars (\$1,000,000) and workers' compensation coverage to statutory limits.

Each such policy or certificate therefor issued by the insurer shall contain: (i) a provision that the insurer shall have no right of subrogation against PDA; (ii) a provision that any liability insurance coverage required to be carried shall be primary and non-contributory with respect to any insurance carried by PDA; and, to the extent obtainable, (iii) an agreement by the insurer that such policy shall not be canceled without at least thirty (30) days prior written notice by registered mail to PDA.

4. FST obtaining the prior written consent of the Engineering Department of the PDA before conducting any drilling, testpitting, borings, or other soil/ground disturbing activities on the Premises, and thereafter complying with all terms and conditions of said consent. No geotechnical exploration shall be done on the Site without proper clearance from PDA Engineering Department. No trees or vegetation may be cut without written permission from the PDA. PDA shall make available information it has related to any existing conditions at the site including the location and type of utilities, underground tanks or structures, and any hazardous substances. The information is approximate and not guaranteed. FST shall have no liability or responsibility to the PDA for environmental impacts and damage caused by the prior use of hazardous substances on the Premises by the United States of America - Department of the Air Force ("Air Force" or "Government"), and/or the PDA. FST and PDA acknowledge the potential obligation of the Air Force to indemnify PDA and FST to the extent required by the provisions of Public Law No. 101-511 Section 8056 and/or Public Law 102-484, as amended. FST understands that the Premises is in an Area of Special Notice ("ASN"), as identified by the U.S. Air Force, EPA and NHDES, and that any future construction plans which may be authorized under a potential Lease agreement requiring excavation are subject to Air Force approval prior to the excavation(s) being initiated, and construction work may also involve Air Force conducted environmental remediation.

The Premises is part of the Airport Security Identification Display Area ("SIDA"). Designated representatives of FST will be required to obtain security badges and qualify as escorts in order for representatives, employees and agents of the FST to gain access to and remain on the Premises. While in the SIDA, escort procedures per the requirements of the Pease International Airport Security Program must be met. Prior to accessing the Premises, all persons providing SIDA

ER

Page Three  
May 2, 2022

**Re: Right of Entry — Portsmouth International Airport, Portsmouth, NH**

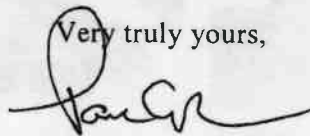
escort must undergo verification of their criminal history for the past ten (10) years, attend a training class that is offered no more than once every two weeks and pay any applicable fees. Information regarding escort requirements can be obtained by calling the Airport Management Department at (603) 433-6536, Monday through Friday, 8:00 a.m. to 5:00 p.m. No representative, employee or agent of FST will be **allowed** in the SIDA without escorts meeting the requirements of the Pease International Airport Security Program.

5. FST's agreement to restore said Premises to its condition as the same existed prior to the commencement of any work undertaken pursuant to this Right of Entry.

6. FST's agreement herein that this Right of Entry does not constitute a grant of an exclusive interest in the Premises, an option to lease the Premises, or an offer to lease the Premises. FST acknowledges and agrees that, except as otherwise set forth herein, no legal obligations shall arise with respect to the Premises or lease thereof until a Lease Agreement is executed by the parties, subject to the approval of the PDA Board of Directors. This Right of Entry may be terminated by the PDA at its discretion upon notice to FST sent to the address noted on page one of this Right of Entry. This Right of Entry may be terminated by the PDA at its discretion upon written notice to FST sent to the address noted on page one of this Right of Entry.

Please indicate by your signature below FST's consent and return the same to me with evidence of insurance as required.

Very truly yours,



Paul E. Brean  
Executive Director

Agreed and accepted this 3<sup>rd</sup> day of May, 2022.

**FALCON SYSTEMS TRANSPORTATION  
LLC**

May 3, 2022

By: Eric Robinson

Print Name: Captain Eric Robinson CEO

Its Duly Authorized: Proprietor





Page Four  
May 2, 2022

Re: Right of Entry — Portsmouth International Airport, Portsmouth, NH

EXHIBIT "A"

PREMISES



Right of Entry Exhibit

DESIGNED BY MRM DATE 4/7/22 SCALE 1"=500'



PEASE DEVELOPMENT AUTHORITY

55 INTERNATIONAL DRIVE, PORTSMOUTH, NH 03801

ER



**MOTION**

Director Fournier:

The Pease Development Authority (“PDA”) Board of Directors hereby approves of the Lonza Biologics, Inc. (“Lonza”) Concept Plan pertaining to an approximate eighty-two hundred (8,200) square foot expansion to building 101B along Lonza’s premises located at 101 International Drive, and authorizes reimbursement by Lonza for costs associated with PDA’s third-party review of the stormwater treatment associated with the proposed concept plans; all in accordance with the terms and conditions set forth in the memorandum of Michael R. Mates, P.E., Engineering Project Manager, dated May 6, 2022, attached hereto.

N:\RESOLVES\2022\Lonza 101 Intl Dr Concept Plan Building Expansion 5-19-2022

## MEMORANDUM

To: Paul E. Brean, Executive Director *PEB*  
From: Michael R. Mates, P.E., Engineering Project Manager *HRM*  
Date: May 6, 2022  
Subject: 101 International Drive Expansion (Lonza)

Lonza, PDA's tenant at 101 International Drive, is interested in building an addition to the front of its building along International Drive. The new 8,200 square foot expansion off building 101B will be used for high density employee seating, office space, additional conference rooms, an expanded cafeteria, and potentially additional rest rooms. Site improvements include construction of a two-story building addition with a footprint of approximately 4,100 square feet; stormwater treatment for new impervious areas; a patio area; and landscaping.

Attached are a conceptual site plan and building renderings submitted by Lonza. The plans, in general, conform to the open space, and setback requirements of PDA Land Use Controls. There are chlordane impacted soils present in the vicinity of the project. Lonza will need to prepare a Soils Management Plan to address the chlordane as well as any potential PFAS impacts. This project will increase impervious area by approximately 2,800 square feet and there are no wetland impacts. Staff recommends conceptual approval by the Board allowing engineered plans to be developed and forwarded to the City of Portsmouth for site review.

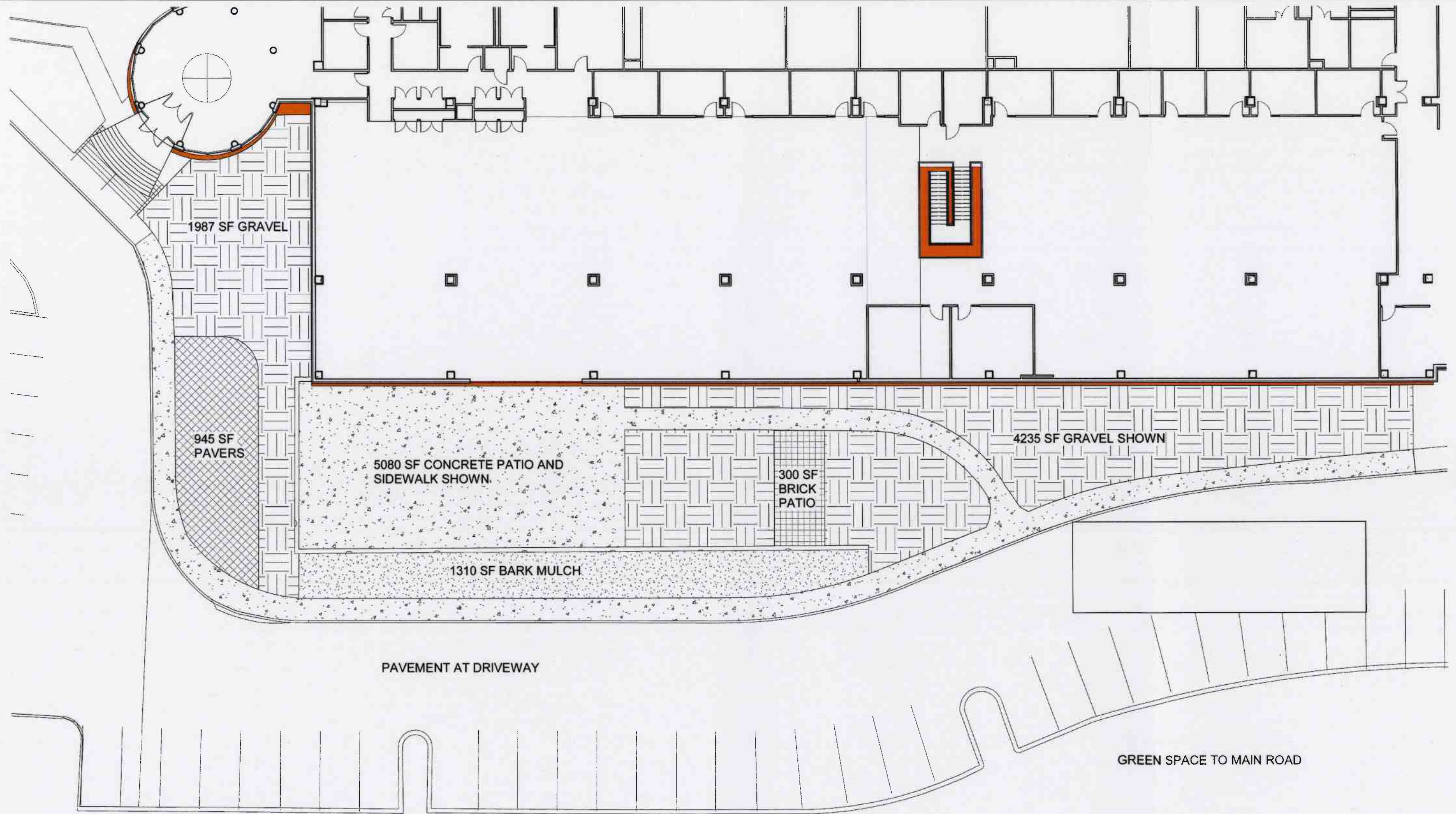
In addition to site review and in the absence of a State Alteration of Terrain permit, Lonza's stormwater treatment design will be sent to a third-party reviewer selected by PDA who will determine if the proposed treatment meets the definition of "Impervious Surface Treatment" as that term is defined in the PDA/CLF Settlement Agreement<sup>1</sup>. This determination is required in order for PDA, in accordance with the Settlement Agreement, to track net reduction over time of impervious surfaces at the Tradeport, including impervious surfaces not subject to Impervious Surface Treatment. In accordance with Part 404.04(b) of PDA's Site Plan Regulations, staff recommends that the fee incurred for the third party review be reimbursed by Lonza.

At next week's meeting, please ask the Board to approve the attached concept plan and to authorize the collection of fees from Lonza to reimburse PDA for the costs of third-party review of the stormwater treatment associated with the proposed concept plan.

<sup>1</sup> "Impervious Surface Treatment" means using stormwater Best Management Practices (such as those from the New Hampshire Stormwater Manual as amended through December 2008) for Impervious Surfaces that reduce runoff volume or provide advanced stormwater management and pollutant removal through biofiltration (e.g., bioretention, bioswales, tree planters, gravel wetlands) and/or infiltration/filtration systems (e.g., porous pavements, subsurface infiltration, sand filters, infiltration trenches)





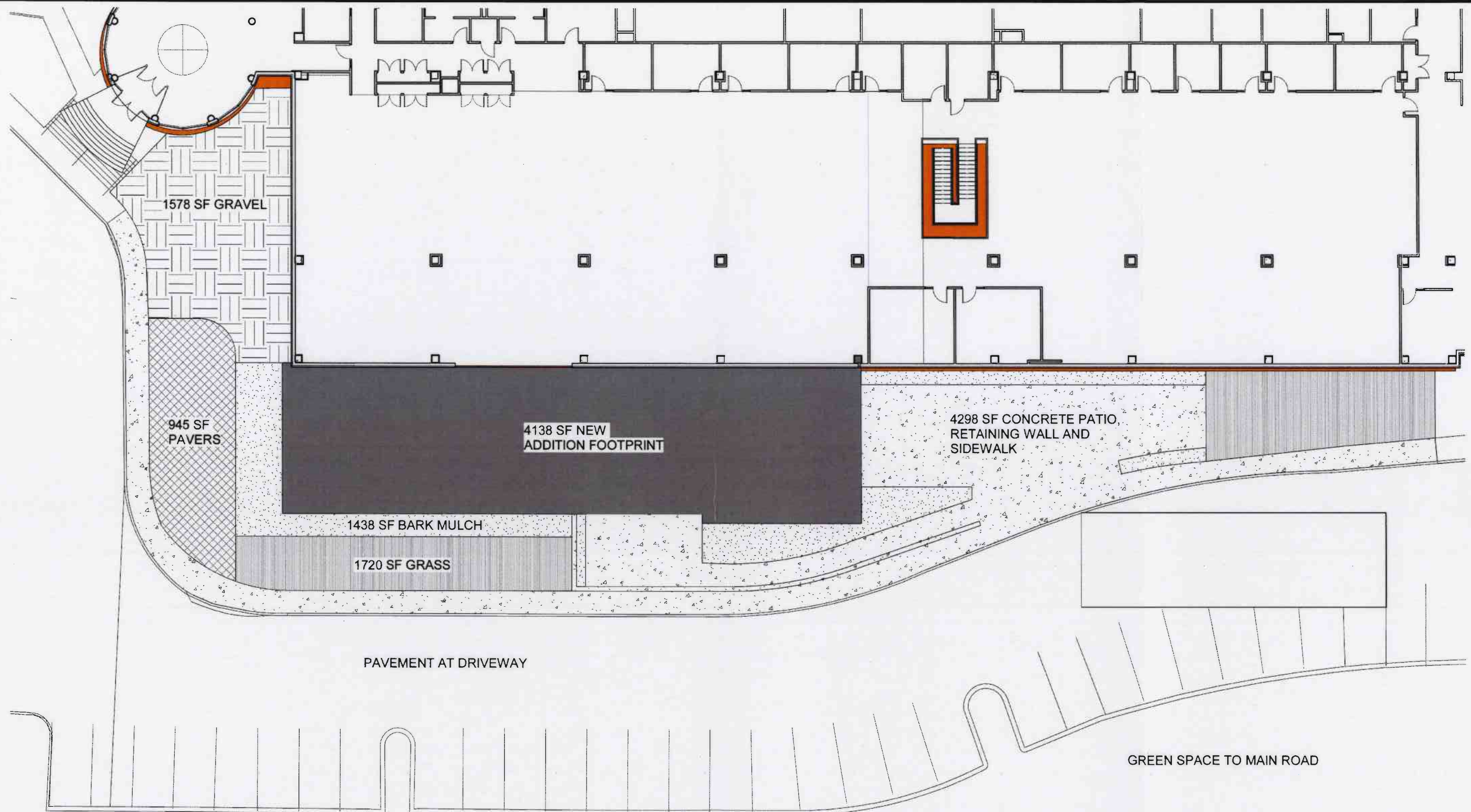


**2 ENLARGED EXISTING SITE PLAN**  
 SCALE: 3/64" = 1'-0"

PROJECT: Building Addition at Lonza - 101 International Drive

DESIGNED BY: LONZA    DATE: 5/6/22    SCALE: AS SHOWN





**2** ENLARGED PROPOSED SITE PLAN  
 SCALE: 3/64" = 1'-0"

PROJECT: Building Addition at Lonza - 101 International Drive

DESIGNED BY: LONZA    DATE: 5/6/22    SCALE: AS SHOWN


## MOTION

Director Lamson:

The Pease Development Authority Board of Directors hereby authorizes the Executive Director to enter into Lease Amendment No. 3 with 166 Corporate Drive, LLC for the Premises located at 164 Corporate Drive; all in accordance with the Memorandum of Paul E. Brean, Executive Director dated May 11, 2022 and upon substantially similar terms and conditions contained in draft Lease Amendment No. 3, attached hereto.

N:\RESOLVES\2022\166 Corporate Drive LLC Lease Amendment No 3 – 5-19-2022

## MEMORANDUM

To: Pease Development Authority Board of Directors  
From: Paul Brean, Executive Director   
Date: May 11, 2022  
Re: 166 Corporate Drive LLC

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The Pease Development Authority leases the property located at 164 and 166 Corporate Drive to 166 Corporate Drive LLC. The lease has been in place since December 21, 2000. Until recently, the building at 164 Corporate Drive was leased to John Hancock. The building at 166 Corporate Drive has been leased to Lonza Biologics since 2016. At the time 166 Corporate Drive was leased to Lonza, the lease between the PDA and 166 Corporate Drive LLC was amended to include "research and development" as a permitted use in 166 Corporate Drive during Lonza's lease term. Recently, John Hancock vacated the premises at 164 Corporate Drive. Lonza is interested in also leasing this space from 166 Corporate Drive LLC so that it would occupy both 164 and 166 Corporate Drive. As such, 166 Corporate Drive LLC has requested a further amendment to the PDA lease to permit "research and development" as an allowed use in 164 Corporate Drive during Lonza's lease term, consistent with 166 Corporate Drive.

Staff views Lonza's continued growth at Pease as a positive situation for the Tradeport, the seacoast region, and the entire State of New Hampshire. With the foregoing in mind, at the Board's May 19, 2022, meeting I respectfully request authority to enter in Lease Amendment No. 3 regarding the Lease between the PDA and 166 Corporate Drive LLC, consistent with the draft attached hereto.



LEASE AMENDMENT NO. 3

Lessor: Pease Development Authority  
Lessee: 166 Corporate Drive LLC (fka Kanerd Development, LLC)  
Premises: 164-166 Corporate Drive, Portsmouth, NH  
Lease Date: December 21, 2000

---

This Lease Amendment No. 3 effective \_\_\_\_\_, 2022, by and between the above referenced Lessor and Lessee:

WHEREAS, Lessee has requested that its Lease with Lessor be amended to expand the permitted uses of the Premises with respect to the facility located at 164 Corporate Drive;

WHEREAS, Lessor has agreed to amend the Lease as requested by Lessee, subject to the terms and conditions of this Lease Amendment No. 3;

NOW, THEREFORE, Lessor and Lessee agree for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, that the Lease be amended as set forth below:

1. Article 9.1 of the lease is amended with respect to the 164 Corporate Drive facility to include research and development as a permitted use and to permit such further accessory uses as are consistent therewith.
2. Lessor and Lessee agree that this Lease Amendment No. 3 is limited in duration to the subtenancy by and between 166 Corporate Drive, LLC and Lonza Biologics, Inc. ("Lonza") in connection Lonza's primary operations and facility at 101 International Drive in Portsmouth, NH and will expire at the end of the Lonza's subtenancy at the 164 Corporate Drive facility, except as otherwise agreed to in writing by the Parties.
3. All other terms and conditions of the Lease shall remain in full force and effect and shall continue to be binding upon the Lessor and Lessee.

[Signature and Jurat Pages Follow]

IN WITNESS WHEREOF, Lessor and Lessee have executed this Lease Amendment No. 3 effective \_\_\_\_\_, 2022.

Lessor: **PEASE DEVELOPMENT AUTHORITY**

By: \_\_\_\_\_  
Its: Executive Director

Lessee: **166 CORPORATE DRIVE, LLC**

By: \_\_\_\_\_  
Its: \_\_\_\_\_

DRAFT

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM, ss.

On this \_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, a Notary Public in and for said County and State, personally appeared **Paul E. Brean**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the **Executive Director of the Pease Development Authority** and on oath stated that he was authorized to execute this instrument and acknowledged it to be his free and voluntary act for the uses and purposes set forth herein.

\_\_\_\_\_  
Notary Public in and for said County and State  
Printed Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_

STATE OF NEW HAMPSHIRE  
COUNTY OF ROCKINGHAM, ss

On this \_\_\_ day of \_\_\_\_\_, 2022, before me, \_\_\_\_\_, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ personally known to me (or proved to me on the basis of satisfactory evidence) to be the \_\_\_\_\_ of **166 Corporate Drive, LLC** and on oath stated that he was authorized to execute this instrument and acknowledged it to be his free and voluntary act for the uses and purposes set forth herein.

\_\_\_\_\_  
Notary Public in and for said County and State  
Printed Name: \_\_\_\_\_  
My commission expires: \_\_\_\_\_



## MOTION

Director Anderson:

The Pease Development Authority Board of Directors hereby approves, the concept plan for 325 Corporate Drive as submitted by 325 Corporate Drive II, LLC, regarding its request for parking expansion from 414 spaces to 524 spaces; all in accordance with the memorandum of Maria Stowell, P.E., Engineering Manager, dated May 10, 2022 attached hereto.

N:\RESOLVES\2022\325 Corporate Drive - Parking Expansion Concept 5-19-2022.docx

## MEMORANDUM

To: Paul E Brean, Executive Director *PEB*  
From: Maria J. Stowell, P.E., Engineering Manager *Maria*  
Date: May 10, 2022  
Subject: Parking Expansion – 325 Corporate Drive

PDA's tenant at 325 Corporate Drive, 325 Corporate Drive II, LLC ("325 Corporate"), is requesting concept approval to expand the parking lot at this location from 414 spaces to 524 spaces. The proposed expansion is described in the attachments that include a preliminary site layout, a preliminary site layout showing new impervious areas and new green areas, and a May 6, 2022 letter to me from 325 Corporate's agent at Tighe & Bond. Engineering staff have highlighted the following matters to be addressed by the developer.

### Wetlands

The main expansion would be located in an area that was delineated as wetland on the original 2000 site plan. The wetland designation was revisited by 325 Corporate three years ago with the wetland scientist certifying that the wetland no longer exists. The reconfiguration of drainage patterns brought on by the development of the site could certainly have caused the elimination of the wetland. Nonetheless, staff has recommended, and the developer has agreed to, a third party review of the wetland delineation. The third party review is being arranged at this time.

### Wetlands Buffer

The work in the easternmost section of the parking lot would occur within a wetland buffer. The existing parking lot was constructed prior to the establishment of wetland buffers and some of the pavement is within the 100 foot buffer. The proposed buffer work includes relocating two of the parking islands and restriping the pavement. This would require a conditional use permit.

### Impervious Area

The developer will be adding a net of approximately 22,299 square feet of additional impervious surface to the lot. New green areas total  $\pm 8,576$  square feet and new impervious areas total  $\pm 30,875$  square feet. (See attached plan.) To comply with PDA policy, an equal amount of existing impervious surface as well as the entire new impervious area will be provided with advanced stormwater treatment (filtration or infiltration).

### Parking Waiver

The proposed layout is not in conformance with Part 405.03(4)(d) of the site review regulations, which requires twelve foot wide landscaped strips to be provided between every second row of double stacked parking. The parking to the east of the building includes three double stacked rows with no landscaped strip. 325 Corporate is seeking relief from this provision for the reasons stated in the attached letter.

In addition to these items, we have asked 325 Corporate to address snow storage and pedestrian access from the parking lot to the building and along the street. These responses along with more detailed evaluation of the stormwater treatment will be further reviewed if the Board agrees to advance the plans.

At the May 19<sup>th</sup> Board meeting, please ask the Board to consider 325 Corporate's request for concept approval. If the Board approves the request, detailed site plans will be developed and a site review application and conditional use permit application will be referred to the Portsmouth Planning Board for its recommendation.

N:\ENGINEER\Board Memos\2022\325 Corporate add parking.docx

20-0076-022  
May 6, 2022

Maria Stowell, PE  
Pease Development Authority  
55 International Drive  
Portsmouth, NH 03801

Re: **Conceptual Site Plan Review 325 Corporate Drive**

Dear Ms. Stowell:

Attached please find a conceptual site plan for the existing facility at 325 Corporate Drive, currently occupied by Bottom Line Technologies. The property is approximately 7.37 AC with a 100,928 SF 4-story building. This site plan proposes to construct an additional 110 parking spaces on the site, with approximately 24,300 SF of new paved area. On behalf of our client, the Kane Company, we respectfully request that you schedule a conceptual discussion of this plan with the PDA Board at their meeting on May 19, 2022.

As you have mentioned in our discussions regarding this site, there are a few items of concern that I would like to address:

#### **Overall Site Parking Count**

The proposed expansion of parking spaces at 325 Corporate Drive is intended to accommodate the expanding parking needs of the tenant. Bottomline Technologies is a longtime tenant at the property where they have occupied approximately 90% of the building for many years. As this location is their corporate headquarters, they are expanding to occupy 100% of the building.

Historically, Bottomline's efficiency in the use of their occupancy has allowed them to accommodate the number of employees required for the operation of their headquarters without expanding their tenant footprint. However, while they occupied 90% of the building, they often utilized 100% of the parking spaces available. As they increase their occupancy to 100% additional parking is required to accommodate their employee use of the building. Secondly, as their corporate headquarters the location functions as a meeting place and additional parking is needed to accommodate the influx of visitor traffic for their client and guests' meetings.

#### **Proposed Stormwater Management**

As this property was one of the first to be constructed at the Tradeport, there are few water quality measures on the property. We propose to treat and retain runoff from the areas of new pavement, as well as at least as much of the existing parking area as the new areas of pavement. The goal will be to make as much of the site compliant with current NHDES Alteration of Terrain regulations as practicable. We will accomplish this by installing deep sump catch basins and discharging into the existing stormwater treatment basin on the easterly side of the site and installing additional catch basins and underground storage and infiltration below the new parking area on the westerly side of the property.



**Wetland Resources**

Wetlands were delineated in May 2019 by Gove Environmental Services, Inc. Jim Gove recently visited the site and confirmed and updated his previous delineation. There are no direct wetland impacts, and no additional buffer impacts proposed as a part of this development.

We have received a proposed scope and fee for PDA's consultant to confirm GES, Inc. delineation, and are prepared to release your consultant to perform this work.

**Landscape Island Waiver**

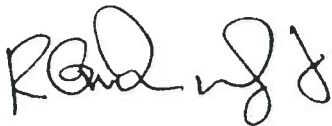
The PDA Development Regulations call for 12-foot wide landscape islands in parking areas separating every two aisles of parking. We have proposed to include an island on the westerly portion of the parking area, where most of the expansion of existing parking areas is to take place. We respectfully request a waiver of this requirement on the easterly side of the site.

We wish to hold the easterly and southerly edge of pavement in order to avoid any further encroachment into the wetland buffer in this portion of the property. By re-orienting the parking aisles, we can enhance the screening of this parking area from the street, improving what is an existing parking area. While there will be a *de minimus* enlargement of this parking area, landscaping and water quality provisions will be greatly improved with no additional wetland buffer impacts. We plan to formally request a waiver from this regulation in this case.

We believe this plan, when implemented will provide an improvement over existing conditions, and most importantly, it will help an existing long-standing tenant of the Tradeport with their successful achievement of their business goals.

Very truly yours,

**TIGHE & BOND, INC.**

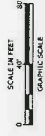


R. Gordon Leedy, Jr., AICP  
Principal Landscape Architect

Enclosures

Copy: Michael Kane, The Kane Company  
Jim Gove, Gove Environmental Services, Inc.





### Proposed Parking Expansion

The Kane Company

325 Corporate Drive  
Portsmouth, NH

NO.	DATE	DESCRIPTION
1	05/27/22	ISSUED FOR PERMITS
2	06/02/22	REVISED PERMITS
3	06/02/22	REVISED PERMITS
4	06/02/22	REVISED PERMITS
5	06/02/22	REVISED PERMITS
6	06/02/22	REVISED PERMITS
7	06/02/22	REVISED PERMITS
8	06/02/22	REVISED PERMITS
9	06/02/22	REVISED PERMITS
10	06/02/22	REVISED PERMITS

PRELIMINARY SITE LAYOUT PLAN

SCALE: AS SHOWN

1 OF 1

#### PARKING SUMMARY

- EXISTING PARKING SPACES: 414 SPACES
- REQUIRED ADDITIONAL SPACES: 108 SPACES
- TOTAL REQUIRED SPACES: 522 SPACES
- PROPOSED PARKING SPACES: 234 SPACES
- PROPOSED BIKE SPACES: 6 SPACES
- PROPOSED TRUCK SPACES: 6 SPACES
- PROPOSED HOV SPACES: 6 SPACES

- New Green Areas: 47,839 SF Total
- New Impervious Areas: 47,30,875



DATE PLOTTED: 06/02/22 10:50:23 AM. PLOT BY: TIGHE & BOND. PROJECT: 22-001. SHEET: 1 OF 1. SCALE: AS SHOWN. DRAWN BY: TIGHE & BOND. CHECKED BY: TIGHE & BOND. APPROVED BY: TIGHE & BOND.





SCALE IN FEET  
GRAPHIC SCALE

**Proposed  
Parking  
Expansion**

The Kane Company

325 Corporate Drive  
Portsmouth, NH

PROJECT NO.	201701032
DATE	5/1/13
CLIENT	PORTHOLE CONCEPTS
DESIGNED BY	TIGHE & BOND
CHECKED BY	MM
APPROVED BY	MM

PRELIMINARY SITE LAYOUT  
PLAN

SCALE: AS SHOWN

1 OF 1

**PARKING SUMMARY**  
 EXISTING PARKING SPACES: 414 SPACES  
 REQUIRED ADDITIONAL SPACES: 109 SPACES  
 TOTAL REQUIRED SPACES: 523 SPACES  
 PROPOSED PARKING SPACES: 524 SPACES\*  
 \* - INCLUDING 79 COMPACT SPACES & 11 ADA SPACES



TIGHE & BOND ENGINEERS, ARCHITECTS AND PLANNERS, 100 WATER STREET, PORTSMOUTH, NH 03801  
 PROJECT NO. 201701032, DATE 5/1/13, CLIENT PORTHOLE CONCEPTS, DESIGNED BY TIGHE & BOND, CHECKED BY MM, APPROVED BY MM


## MOTION


Director Parker:

The Pease Development Authority ("PDA") Board of Directors hereby authorizes the Executive Director to enter into a contract with Turf Products LLC to purchase a Toro Pro Core 648s Core Harvester for use at the PDA Golf Course for an estimated purchase price of \$34,086.18, but not to exceed a 15% increase thereof, all in accordance with the memorandum from Scott DeVito, PGA General Manager dated May 5, 2022, attached hereto.



## MEMORANDUM

To: Paul E. Brean, Executive Director 

From: Scott DeVito, PGA General Manager 

Date: May 5, 2022

Subject: Request to waive the RFP process to purchase a Toro Core Harvester

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This is a request to purchase a Toro Pro Core 648s Core Harvester under the Government Services Administration ("GSA") contract from Turf Products LLC, 157 Moody Road, Enfield, CT 06082, for an estimated purchase price of \$34,086.18. Ship date is estimated at 12 to 14 months from date of approval with pricing not to exceed a 15% increase of the estimated price. The ship date and potential price increase are due to ongoing issues surrounding the supply chain and inflation, resulting in delays and uncertainty in the market for this type of equipment. Our objective is to lock in our order now in hopes of receiving this equipment during the 2023 season, within a known price range.

This piece of equipment is used regularly during the season to help relieve soil compaction and cultivate better growing conditions. The Toro Pro Core has unique features not available from other vendors. Front wheel placement, which eliminates the machine compacting the removed cores, making for easier cleanup, and protecting the diameter of the cored hole. Toro's own True Core technology directs the machine to automatically adjust to maintain tine depth as ground undulation changes. With variable hole spacing, and the largest aeration swath among comparable products the Pro Core 648s saves time, while providing more setting options to control the impact and recovery time of the treated turf.

Adding the Toro Pro Core to the fleet will allow the maintenance staff to increase the number of times annually all 29 greens can be treated, decrease the number of days needed for turf to recover, save money with shorter closure periods, and complete the work with less staff. The same 40 hours it took 6 staff members to complete all 29 greens once in a season, will now allow 4 staff to complete the process three times. The lifespan of these machines range from 6-10 years, or approximately 4,000 hours of running time.

Due to the fact PDA is eligible for GSA pricing through Turf Products, LLC I am requesting a waiver to the normal RFP process. PDA has been successful procuring similar equipment through the GSA contract in the past and will recognize a 13% discount off Toro's MSRP for the Pro Core Harvester through the GSA contract. Turf Products, LLC is the only New England area authorized Toro golf product's distributor. This piece of equipment utilizes Toro common parts and will be supported by existing shelf parts at PDA Golf Maintenance. PDA Maintenance staff is currently trained in operating and maintaining this piece of equipment due to its similarity with existing fleet models.

Funds for the core harvester will come from the Golf Course FY2023 capital budget. Please seek Board approval to waive the RFP process and to enter into a contract with Turf Products for the purchase of the specified Toro equipment as described herein.

Thank you for your consideration.



# turf products

# QUOTE

157 Moody Road • PO Box 1200 • Enfield, CT 06082  
Main Office: (800) 243-4355 • FAX: (860) 763-5550

Prepared For: EJ Chea  
**Pease Golf Course**  
200 Grafton Dr  
Newington, New Hampshire 03801-7151  
United States

Ship To: Pease GC ProCore 648S 042422  
Quote Number: Q102457  
Quoted Date: **04/24/2022**  
Prepared By: Jeffrey Brooks  
jbrooks@turfproductscorp.com  
603-860-6839

Qty	Model #	Description	Award	Extended
1	09960	ProCore 648s	\$34,086.18	\$34,086.18
1	120-1051	Guard-Turf, Long		
1	120-1052	Guard-Turf, Mini Tine, Long		
2	120-1044	Guard-Turf, Short		
2	120-1047	Guard-Turf, Mini Tine, Short		
3	09736	Mini-tine Head Set (2 rows of 5)		
3	09794	3 Tine 3/4 Inch Head Set		

Toro Total:	<b>\$34,086.18</b>
Non – Toro Total:	\$0.00
Set Up:	\$0.00
Freight:	\$0.00
Trade Ins:	(\$0.00)
State Sales Tax:	\$0.00
<b>Total Price:</b>	<b>\$34,086.18</b>

Due to strong market demand and current supply chain disruptions, the ProCore 648s (09960) is experiencing longer than normal delivery times. For orders placed today, we are expecting units to be available in 2023 12 to 14 month out as of today. During this time, **PRICING IS SUBJECT TO CHANGE.**

As a result of extreme volatility in commodity prices and logistics costs, Turf Products cannot guarantee pricing on this unit. Upon completion of a signed sales agreement, the final price will not exceed 15% over the quoted contract pricing or the current contract pricing at the time of delivery, whichever is lower.

Final pricing will be determined 60 days prior to delivery.

## MOTION

Director Anderson:

The Pease Development Authority ("PDA") Board of Directors hereby authorizes the Executive Director to enter into a contract with Turf Products LLC to purchase a Walk-Behind Greens Mower for use at the PDA Golf Course for an estimated purchase price of \$17,803.31, but not to exceed a 15% increase thereof, all in accordance with the memorandum from Scott DeVito, PGA General Manager dated May 4, 2022, attached hereto.



## MEMORANDUM

To: Paul Brean, Executive Director *lab*  
From: Scott DeVito, PGA General Manager *SD*  
Date: May 4, 2022  
Subject: Request to order a Toro Walk-Behind Greens Mower

This is a request to order a Toro Walk-Behind Greens Mower from Turf Products LLC, 157 Moody Road, Enfield, CT 06082, for an estimated cost of \$17,803.31, but not to exceed a 15% increase of that amount within the 12 to 14 month estimated ship date. This piece of equipment would be used on a daily basis by the Golf Course Maintenance Department.

As you know, current market conditions have made the ordering of equipment and vehicles very challenging. Due to supply chain disruptions the Golf Course is working with equipment suppliers to get orders placed through the process of locking in sales orders with an estimated delivery period, and an agreement not to exceed a 15% increase of the sales order quote.

The funds have been scheduled in the FY2022 golf course capital plan. The purchase was over \$10,000 so the Golf Course went through the formal requests for bid process. The only company to respond to the bid request was Turf Products, LLC.

Thank you for your consideration.



# turf products

# QUOTE

157 Moody Road • PO Box 1200 • Enfield, CT 06082  
Main Office: (800) 243-4355 • FAX: (860) 763-5550

Prepared For: EJ Chea  
**Pease Golf Course**  
200 Grafton Dr  
Newington, New Hampshire 03801-7151  
United States

Ship To: Pease GC GRFlex 1021 042422  
Quote Number: Q102458  
Quoted Date: **04/24/2022**  
Prepared By: Jeffrey Brooks  
jbrooks@turfproductscorp.com  
603-860-6839

Qty	Model #	Description	Award	Extended
1	04860	Greensmaster Flex 1021	\$17,803.31	\$17,803.31
1	04863	11-Blade Flex ES Cutting Unit		
1	04027	Narrow Wiehle Roller ASM		
1	04648	Universal Groomer Drive		
1	139-2732	Hex Shaft, RH (For use when equipped with Groomer and using on TP80)		
1	04135	LED Light Kit		
1	04270	Soft QC Grooming Brush (21 Inch)		
2	115-7354	Donut Wheel Assembly		

Toro Total:	<b>\$17,803.31</b>
Non – Toro Total:	\$0.00
Set Up:	\$0.00
Freight:	\$0.00
Trade Ins:	(\$0.00)
State Sales Tax:	\$0.00
<b>Total Price:</b>	<b>\$17,803.31</b>

Due to strong market demand and current supply chain disruptions, the Greensmaster Flex 1021 (04860) is experiencing longer than normal delivery times. For orders placed today, we are expecting units to be available in 2023 12 to 14 month out as of today. During this time, **PRICING IS SUBJECT TO CHANGE.**

As a result of extreme volatility in commodity prices and logistics costs, Turf Products cannot guarantee pricing on this unit. Upon completion of a signed sales agreement, the final price will not exceed 15% over the quoted contract pricing or the current contract pricing at the time of delivery, whichever is lower.

Final pricing will be determined 60 days prior to delivery.

## MOTION

Director Fournier:

The Pease Development Authority (“PDA”) Board of Directors hereby approves of and authorizes the Executive Director to enter into an agreement with Turf Products LLC of Enfield, CT for the purchase of a Toro Workman HDX Diesel Utility Golf Cart for use by the PDA Golf Maintenance Department for an estimated purchase price of \$36,936.15, with the final cost not to exceed a 15% increase of the estimated price; all in accordance with the memorandum from Scott D. DeVito, PGA General Manager, dated May 5, 2022, attached hereto.

In accordance with the provisions of RSA 12-G:8 VIII, the Board justifies the waiver of the RFP requirement as the equipment will be purchased under the Government Services Administration Contract.

**Note: This motion requires 5 affirmative votes.  
Roll Call vote.**

## MEMORANDUM

To: Paul Brean, Executive Director *Pab*

From: Scott DeVito, PGA General Manager *SD*

Date: May 5, 2022

Subject: Request to waive the RFP process to purchase a Toro Diesel Utility Golf Cart

This is a request to purchase a Toro Workman HDX Diesel Utility Cart under the Government Services Administration ("GSA") contract from Turf Products LLC, 157 Moody Road, Enfield, CT 06082, for an estimated purchase price of \$36,936.15. Ship date is estimated at 12 to 14 months from date of approval with pricing not to exceed a 15% increase of the estimated price. The ship date and potential price increase are due to ongoing issues surrounding the supply chain and inflation, resulting in delays and uncertainty in the market for this type of equipment. Our objective is to lock in our order now in hopes of receiving this equipment during the 2023 season, within a known price range

The golf course went out to bid prior to this request, but both bids submitted were **non-confirming**. MTE Equipment Solutions would not commit to a delivery date, the bid packets had no later than April 1, 2022. Turf Products LLC submitted a bid for a gas cart. Golf course staff went back to both companies requesting them to add estimated ship dates, and pricing not to exceed 15% upon delivery to their sales orders. MTE Equipment Solutions did not respond to the request.

Due to the fact PDA is eligible for GSA pricing through Turf Products, LLC, I am requesting a waiver to the normal RFP process. PDA has been successful procuring similar equipment through the GSA contract in the past and will recognize a 13% discount off Toro's MSRP for the Workman HDX through the GSA contract. Turf Products, LLC is the only New England area authorized Toro golf product's distributor. This piece of equipment utilizes Toro common parts and will be supported by existing shelf parts at PDA Golf Maintenance. PDA Maintenance staff is currently trained in operating and maintaining this piece of equipment due to its similarity with existing fleet models.

Funds for the utility cart will come from the Golf Course FY2023 capital budget. Please seek Board approval to waive the RFP process and to enter into a contract with Turf Products for the purchase of the specified Toro equipment as described herein.

Thank you for your consideration.





# turf products

# QUOTE

157 Moody Road • PO Box 1200 • Enfield, CT 06082  
Main Office: (800) 243-4355 • FAX: (860) 763-5550

Prepared For: EJ Chea  
**Pease Golf Course**  
200 Grafton Dr  
Newington, New Hampshire 03801-7151  
United States

Ship To: Pease GC Workman HDX D  
4WD 042422  
Quote Number: Q102455  
Quoted Date: **04/24/2022**  
Prepared By: Jeffrey Brooks  
jbrooks@turfproductscorp.com  
603-860-6839

Qty	Model #	Description	Award	Extended
1	07387	Workman HDX - 4WD Diesel (Kubota)	\$36,936.15	\$36,936.15
1	07316	High Flow Hydraulics Kit		
1	44242	Cushman Core Harvester Adapter		
1	117-4831	2 Inch Receiver Hitch Kit		

Toro Total:	<b>\$36,936.15</b>
Non - Toro Total:	\$0.00
Set Up:	\$0.00
Freight:	\$0.00
Trade Ins:	(\$0.00)
State Sales Tax:	\$0.00
<b>Total Price:</b>	<b>\$36,936.15</b>

Due to strong market demand and current supply chain disruptions, the Wotkman HDX-4WD Diesel (Kubota) (07387) is experiencing longer than normal delivery times. For orders placed today, we are expecting units to be available in 2023 12 to 14 month out as of today. During this time, **PRICING IS SUBJECT TO CHANGE.**

As a result of extreme volatility in commodity prices and logistics costs, Turf Products cannot guarantee pricing on this unit. Upon completion of a signed sales agreement, the final price will not exceed 15% over the quoted contract pricing or the current contract pricing at the time of delivery, whichever is lower.

Final pricing will be determined 60 days prior to delivery.

## MOTION

Director Lamson:

The Pease Development Authority Board of Directors hereby authorizes the Executive Director to amend PDA's on-call contract with McFarland Johnson, Inc. of Concord, NH to provide consulting and engineering services necessary for design, bidding, and grant administration services for expansion of the Portsmouth International Airport at Pease Terminal in amount not to exceed \$696,300.00; all in accordance with the memorandum of Michael R. Mates, P.E., Engineering Project Manager, dated May 11, 2022, attached hereto.

## MEMORANDUM

To: Paul E. Brean, Executive Director *PEB*  
From: Michael R. Mates, P.E. *MRM*  
Date: May 11, 2022  
Subject: Terminal Funding Opportunity Update

At the March Board meeting, the Board of Directors approved an expenditure for our on call airport engineer, McFarland Johnson, Inc. (MJ)<sup>1</sup>, to provide preliminary consulting and engineering services to facilitate the submission of an FAA grant application for the design and construction of an arrivals hall expansion at PSM. At that time, details of recently authorized funds from the Bipartisan Infrastructure Law ("BIL") were explained and justification for an expansion of the PSM Terminal Arrivals Hall was provided. In addition, staff reviewed the extremely tight deadlines that the team would have to meet in order to bid the project in August and submit a grant application in September. Specifically, six steps were identified to meet the schedule deadlines as follows:

1. Engage a consultant;
2. Define a work scope;
3. Negotiate a consultant fee;
4. Secure Board approval to enter a contract;
5. Oversee the project design and bidding; and,
6. Submit final project costs.

Since that time, MJ and staff have completed steps one through three and are now seeking Board approval to enter into a contract with MJ for the remainder of the project.

The preliminary consulting and engineering services authorization was required to complete a space needs analysis, feasibility determination and preliminary opinion of probable cost, all required to facilitate the submission of the FAA application by March 28. That authorization was the starting point to authorize MJ to begin work in the absence of a full scope and fee. Now that we have defined the full scope, Board approval is required for the balance of the contract. MJ has requested a fee of \$696,300 for the full effort. This amount includes any money spent under the initial authorization. As required by FAA, staff has prepared and Independent Fee Estimate (IFE) to verify the cost and believes it is reasonable.

At next week's board meeting, please seek approval to amend our on-call contract with McFarland Johnson, Inc. to provide consulting and engineering services necessary for design, bidding and grant administration services for the expansion of the PSM Terminal Arrivals Hall. The contract amount would be \$696,300. When the project is bid and we have definitive numbers we will need to seek further approvals for the construction phase.

<sup>1</sup> Last year PDA retained MJ as an on-call consultant to provide engineering services related to improvements at the Portsmouth Air Terminal. This action followed a qualifications based selection and Board vote.

**MOTION**

Director Parker:

The Pease Development Authority Board of Directors hereby approves of the proposed sign requested by 30 International Drive, LLC to revise its ground sign at 20 International Drive; all in accordance with the memorandum of Maria J. Stowell, P.E., Engineering Manager dated May 9, 2022, attached hereto.



## MEMORANDUM

To: Paul Brean, Executive Director *Paul*  
 From: Maria J. Stowell, P.E., Engineering Manager *Maria*  
 Date: May 9, 2022  
 Subject: Signage for 20 and 30 International Drive

PDA's tenant, 30 International Drive, LLC, is requesting approval to revise its signage at 20 International Drive to add its subtenant at 30 International, Seacoast Prosthetics. Seacoast Prosthetics' customers have difficulty finding 30 International because it is situated away from the street. 20 International Drive and 30 International Drive are the same lot.

30 International Drive, LLC is proposing to add a panel to the existing sign located at the driveway entrance to 20 International, the St. Mary's Bank building, to identify Seacoast Prosthetics. The proposed sign graphic is attached. The new aluminum panel would be installed on both sides of the existing cabinet base. This portion of the sign would not be illuminated. This proposal is not considered a minor revision, because the sign area of the existing sign would be increased.

As to lot signage area calculation, the following illustrates the existing lot signage and the impact of adding a sign panel. The total proposed sign area would be less than the 200 square foot maximum allowed for this single lot

Address	Existing Sign	Square Foot Area
30 International	Building Sign	6.3
30 International	Building Sign	2.5
30 International	Ground Sign	43.5
20 International	Building Sign	40
20 International	Ground Sign	63.75
<b>Existing Total Area</b>		<b>156.05</b>
20 International	Proposed Sign Panel	23.96
<b>Proposed Total Area</b>		<b>180.01</b>

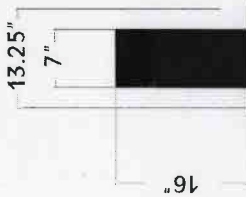
In reviewing the proposal, staff also considered appearance. The tenant is interested in incorporating as many of the existing sign components as possible in the new configuration. 30 International, LLC felt that adding the Seacoast Prosthetics logo, as shown, would satisfy its tenant's need without a total sign replacement.

Because the address portion of the existing sign would be covered by the proposed tenant sign panel, 30 International Drive, LLC is also proposing to add a three (3) inch header to the existing driveway entrance

sign indicating the 20 & 30 International Drive addresses. The address portion of a sign is not included in the allowable lot signage area calculation

At next week's meeting, please ask the Board of Directors to consider the sign proposal of 30 International Drive, LLC to revise the ground sign at 20 International Drive by adding a panel for Seacoast Prosthetics.

N:\ENGINEER\Board Memos\2022\20-30 International Sign.docx



## MOTION

Director Anderson:

The Pease Development Authority Board of Directors hereby approves of the two (2) proposed signs requested by International Association of Privacy Professionals (IAPP) for 75 Rochester Avenue; all in accordance with the memorandum of Maria J. Stowell, P.E., Engineering Manager dated May 9, 2022, attached hereto.



## MEMORANDUM

To: Paul E. Brean, Executive Director *PEB*  
From: Maria J. Stowell, P.E., Engineering Manager *Maria*  
Date: May 9, 2022  
Subject: Sign Approval for 75 Rochester Avenue

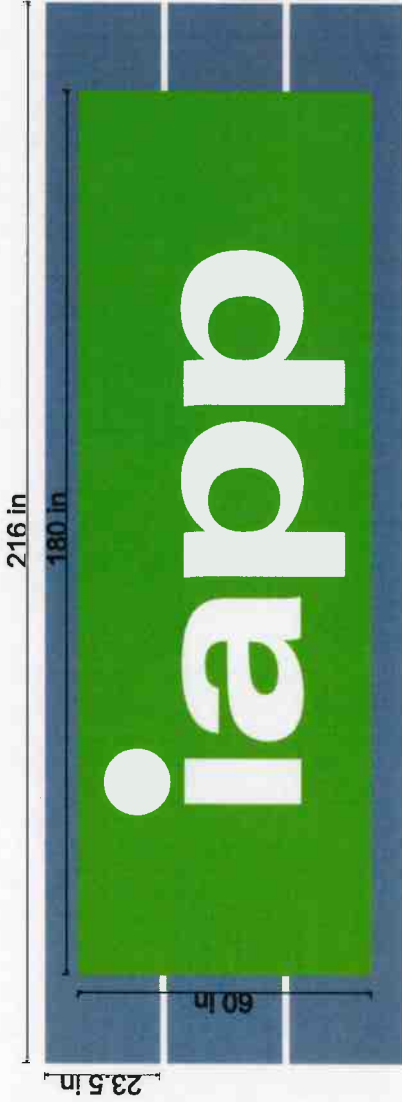
The International Association of Privacy Professionals (IAPP) is seeking approval for signage to be installed at 75 Rochester Avenue. The sign proposal consists of a new wall sign and a freestanding sign to be installed at the location of their existing freestanding sign. The signs are illustrated on the attachments.

1 Wall Sign	Aluminum wall panel	180" x 60"	75 square feet
2 Freestanding Sign	Double sided aluminum cabinet	72" diameter	28.27 square feet

The total sign area proposed is 103.27 square feet, within the 200 square foot maximum. The IAPP proposal meets the dimensional requirements and all other conditions of the PDA Land Use Controls.

Please ask the Board to approve IAPP's sign proposal for 75 Rochester Avenue.

N:\ENGINEER\Board Memos\2022\75RochesterIAPPSigns.docx



**REVISION:**  
 All orders under \$250 include 1 revision only.  
 All orders over \$250 include 2 revisions only.  
 Additional revisions will be charged at \$25 per revision.

**PLEASE NOTE:**  
 Designs are NOT actual size and color may vary depending on printer and/or monitor.

4/14/2022

**RETURN SIGNED TO: service@portsmouthsign.com**  
 I understand this Order Form is the final production order and replaces all previous drawings, notes and verbal instructions to this job. Standard vinyl & paint colors will be used. Custom colors and specific matches to PMS colors will be an additional fee. I have carefully reviewed this form and verify that it contains all necessary specifications and represents my order. I authorize fabrication according to this approval.

SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_



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Shop Use Only  SS  DS

Materials: \_\_\_\_\_ Vinyl Color: \_\_\_\_\_  
 Background Color: \_\_\_\_\_ HP  Int  Other: \_\_\_\_\_

72 in



**REVISION:**

All orders under \$250 include 1 revision only.  
 All orders over \$250 include 2 revisions only.  
 Additional revisions will be charged at \$25 per revision.

**PLEASE NOTE:**

Designs are NOT actual size and color may vary depending on printer and/or monitor.

4/14/2022

**RETURN SIGNED TO: service@portsmouthsign.com**

I understand this Order Form is the final production order and replaces all previous drawings, notes and verbal instructions to this job. Standard vinyl & paint colors will be used. Custom colors and specific matches to PMS colors will be an additional fee. I have carefully reviewed this form and verify that it contains all necessary specifications and represents my order. I authorize fabrication according to this approval.

SIGNATURE: \_\_\_\_\_

Date: \_\_\_\_\_



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Shop Use Only

Qty:  SS  DS

Materials:

Background Color:

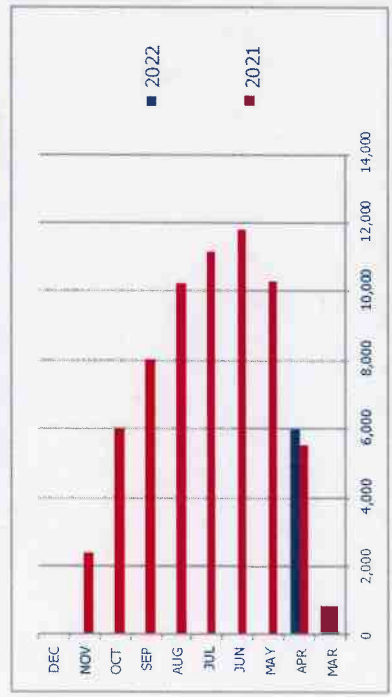
Vinyl Color:  HP  Int

Other:

# KEY GOLF COURSE BENCHMARKING DATA

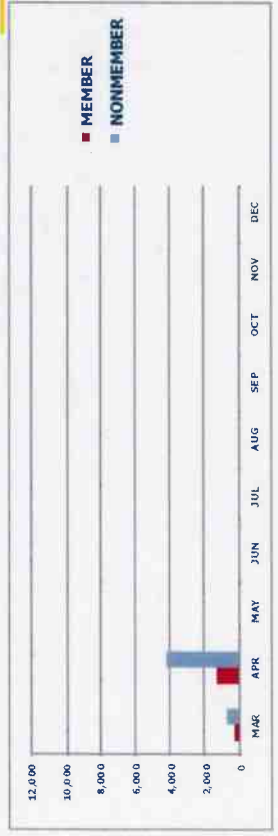


ROUNDS OF GOLF PLAYED (SEASON)



SEASON	2021	2020
SEASON	66,590	62,315
ROUNDS PLAYED	6,862	8
RAIN DAYS	49	66

2022 MEMBER / NONMEMBER ROUNDS (SEASON)



2022 ROUNDS- SEASON		
MEMBER	1,441	
NONMEMBER	4,925	
TOTAL	<b>6,366</b>	

2021 ROUNDS- SEASON		
MEMBER	18,489	
NONMEMBER	48,101	
TOTAL	66,590	

GOLF SIMULATOR REVENUES	FY 2022	FY 2021	GRILL 28 GROSS SALES	FY 2022	FY 2021
JULY	\$1,158	\$	JULY	\$262,957	\$204,042
AUGUST	\$915	598	AUGUST	270,631	225,471
SEPTEMBER	\$326	314	SEPTEMBER	235,234	191,445
OCTOBER	\$4,244	4,017	OCTOBER	191,416	138,156
NOVEMBER	\$14,746	12,553	NOVEMBER	119,952	85,187
DECEMBER	\$23,112	23,708	DECEMBER	138,710	71,183
JANUARY	\$24,253	30,626	JANUARY	94,159	77,694
FEBRUARY	\$26,680	23,001	FEBRUARY	109,814	74,967
MARCH	\$23,360	18,258	MARCH	150,980	105,988
APRIL	\$4,429	1,032	APRIL	190,483	134,812
MAY	-	1,062	MAY	-	238,596
JUNE	-	214	JUNE	-	307,875
	<b>\$123,223</b>	<b>\$115,383</b>		<b>\$1,764,339</b>	<b>\$1,855,416</b>

CLUB/ COURSE FUNCTIONS	FY 2022 YTD	FY 2021 YTD
GROUPS 12-40	41,140	25,340
TOURNAMENT PLAY	117,425	103,283
LEAGUES	65,289	57,127
FOOD AND ROOM FEES	169,032	45,636



# AIRPORT REPORT PERIOD ENDING APRIL 2022



<b>APRIL ENPLANEMENTS</b>	2022
Scheduled Enplanements	8,490
Chartered Enplanements	4,875
<b>Total Enplanements</b>	<b>13,365</b>
<b>2022 Enplanements YTD</b>	<b>33,929</b>

**REVENUE PARKING** \$95,949

2066 Transactions @ \$46.44

**FUEL FLOWAGE FEES** \$68,142.03

- Total Gallons 1,703,550.8
- CRAF and DOD 85%
- Commercial 7%
- General Aviation 8%



**Allegiant**

PSM-MYR June 4<sup>th</sup>  
PSM-BNA June 16<sup>th</sup>  
Five Destinations for Summer 2022

**"Jet Fuel Prices Continue To Climb"**

The current highest reported FBO price in the country, \$12.88 a gallon, was at New York La Guardia Airport, but bargains as low as \$3.45 a gallon in the Eastern region can still be found, depending on what refueling stops an operator chooses to make.

## Memorandum

**To:** John Meehan, Lead Airport Operations Specialist *JM*

**From:** Sandy McDonough, Airport Community Liaison *SM*

**Date:** 5/10/2022

**Subj:** Noise Report for April 2022

---

The Portsmouth International Airport at Pease received two noise complaints in April, 2022.

On April 5, 2022 a Portsmouth resident reported "waking up several times over the past 23 days from aircraft that were not military". Two of the aircraft he reported were operated by Air Transport International, Inc. (INC), flying a Boeing 757 under CRAF (Civil Reserve Air Fleet). He also stated he woke up to a Pilatus PC12 on two different occasions. PlaneSense is a Fractional Ownership Company that operate PC 12's and PC 24's. He is concerned that aircraft that fly at night are breaking a Portsmouth noise ordinance. I advised him to report noise concerns as soon as possible to allow the airport to research and work with the aircraft operator for a solution.

On April 27<sup>th</sup> a Rye resident claimed that a non-based KC135 Stratotanker flew less than the approach altitude. The Air Traffic Controller on duty informed Operations that at no time was the aircraft below the Published Glide Slope.

**MOTION**

Director Parker:

The Pease Development Authority (“PDA”) Board of Directors approves of and authorizes the Executive Director to:

1. Expend funds in the amount of **\$13,311.00** for legal services rendered to the Pease Development Authority from:

**Sheehan Phinney Bass & Green**

March 1, 2022 – March 31, 2022	\$ 725.00
(for Division of Ports and Harbors)	

March 1, 2022 – March 31, 2022	\$ 812.00
(for Permit Implementation)	

March 1, 2022 – March 31, 2022	\$11,774.00
(for Tradeport General Representation)	

Total	<b><u>\$13,311.00</u></b>
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2. Expend funds in the amount of **\$1,298.00** for legal services rendered to the Pease Development Authority from **Anderson Kreiger** as outside counsel for Federal Regulatory Advice from March 1, 2022 through March 31, 2022.

**For a total amount of \$14,609.00 in legal services**

SHEEHAN PHINNEY BASS & GREEN PA  
1000 ELM STREET  
P.O. BOX 3701  
MANCHESTER, NH 03105-3701

SERVICE AND EXPENSE MAILBACK SUMMARY

RE: Division of Ports & Harbors  
-----

CLIENT/CASE NO. 14713-9621

BILLING ATTORNEY:Lynn J. Preston

TOTAL FOR PROFESSIONAL SERVICES RENDERED: \$725.00

TOTAL EXPENSES: \$0.00  
-----

TOTAL THIS BILL: \$725.00  
-----

BALANCE DUE: \$725.00  
-----

PAYMENT DUE 30 DAYS FROM INVOICE DATE

Please return this page with your remittance and please reference the client/case number on all related correspondence.

AMOUNT PAID... \$ \_\_\_\_\_

To pay by CREDIT CARD, please visit [www.sheehan.com](http://www.sheehan.com), scroll to the bottom and click " ClientPay " or contact our office directly.



SHEEHAN PHINNEY BASS & GREEN PA  
1000 ELM STREET  
P.O. BOX 3701  
MANCHESTER, NH 03105-3701

SERVICE AND EXPENSE MAILBACK SUMMARY

RE: Permit Implementation

-----  
CLIENT/CASE NO. 14713-19658  
BILLING ATTORNEY:Lynn J. Preston  
Invoice Number: 373934

TOTAL FOR PROFESSIONAL SERVICES RENDERED:	\$812.00
TOTAL EXPENSES:	\$0.00
	-----
TOTAL THIS BILL:	\$812.00
	-----
PREVIOUS BALANCE:	\$11,890.00
	-----
TOTAL BALANCE DUE:	\$12,702.00
	-----

PAYMENT DUE 30 DAYS FROM INVOICE DATE

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AMOUNT PAID... \$ \_\_\_\_\_

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SHEEHAN PHINNEY BASS & GREEN PA  
1000 ELM STREET  
P.O. BOX 3701  
MANCHESTER, NH 03105-3701

SERVICE AND EXPENSE MAILBACK SUMMARY

RE: Trade Port - General Representation

-----  
CLIENT/CASE NO. 14713-10167  
BILLING ATTORNEY:Lynn J. Preston  
Invoice Number: 374153

TOTAL FOR PROFESSIONAL SERVICES RENDERED:	\$11,774.00
TOTAL EXPENSES:	\$0.00
	-----
TOTAL THIS BILL:	\$11,774.00
	-----
PREVIOUS BALANCE:	\$1,827.00
	-----
TOTAL BALANCE DUE:	\$13,601.00
	-----

PAYMENT DUE 30 DAYS FROM INVOICE DATE

Please return this page with your remittance and please reference the client/case number on all related correspondence.

AMOUNT PAID... \$ \_\_\_\_\_

To pay by CREDIT CARD, please visit [www.sheehan.com](http://www.sheehan.com), scroll to the bottom and click " ClientPay " or contact our office directly.

# ANDERSON KREIGER

50 Milk Street, 21st Floor  
Boston, MA 02109  
(617) 621-6500  
EIN: 04-2988950

April 25, 2022

Pease Development Authority  
Anthony Blenkinsop, Deputy Director/General Counsel  
55 International Drive  
Portsmouth, NH 03801

Reference # 142068 / 1047-4136

In Reference To: Federal Regulatory Advice

## Professional Services

Hours      Amount

### Attorney/Paralegal Summary

Name	Hours	Rate	Amount
David S. Mackey	2.20	590.00	1,298.00

## Payments

03/29/2022      Payment      CK#035129

6,265.00  
Sub-total Payments:      \$6,265.00

Total Current Billing:      \$1,298.00  
Previous Balance Due:      \$1,770.00

Total Now Due:      \$3,068.00

PLEASE NOTE: ALL BALANCES DUE WITHIN 30 DAYS

## MOTION

Director Fournier:

The Pease Development Authority (“PDA”) Board of Directors hereby approves the draft language of the proposed amendments to the PDA Land Use Controls related to the Zoning Ordinance, Site Review Regulations, and Subdivision Regulations, and authorizes the Executive Director to schedule a public hearing before the Board on the amendments directly before the Board’s June 2022 meeting; all in accordance with the memorandum of Maria J Stowell, P.E., Manager, Engineer dated May 6, 2022; attached hereto.



## MEMORANDUM

To: Paul E. Brean, Executive Director *PEB*  
From: Maria J. Stowell, P.E., Engineering Manager *Maria*  
Date: May 6, 2022  
Subject: Land Use Control Amendments

The PDA Land Use Controls were enacted in the early 1990's and have been amended a number of times over the past 30 years, most recently in the fall of 2020. At last month's Board meeting, staff introduced a plan depicting the rezoning of approximately 130 acres. The Board directed the Capital Improvement and Land Planning Committee to review the rezoning as well as the other minor amendments to be proposed by staff. The Committee held a meeting on May 4<sup>th</sup> and voted to recommend adoption of the attached amendments.

In summary, we are proposing the following changes:

### Chapter 300 – Zoning Ordinance

Rezone approximately 130 acres to be included in the Industrial Zone. The parcels are currently zoned Airport (12± acres), Airport Industrial (117.3± acres), and Natural Resource Protection (0.8± acres). The less than one acre of land currently situated in the Natural Resource Protection Zone is an isolated strip of land created by the transfer of the roundabout property to NHDOT. (Refer to attached maps.)

Justification: The airport related use, which is required under the current zoning designation in both the Airport and Airport Industrial Zones, has been an obstacle to development as the area in question does not abut the airfield making aeronautical development extremely challenging. It was hoped that the NHDOT project that constructed the roundabout adjacent to this land would encourage development. However, the current zoning remains as an impediment.

### Chapter 400 – Site Review Regulations

Vehicular and Pedestrian Circulation. Specify, in greater detail, requirements for sidewalks and bicycle facilities.

Justification: The amended language would codify site design practices that are currently in place.

Stormwater Management. Specify the use of advanced stormwater treatment for all new impervious surfaces and set forth circumstances where existing surfaces require treatment upgrades. New definitions associated with stormwater treatment are included in Chapter 300.

Justification: The amended language would codify site design practices that are currently in place.

Procedures Following Site Review Approval. Outline a procedure by which applicants can request an extension of a site review approval, which otherwise expires one year from the date of approval if the applicant has not acted to commence the project.

Justification: Currently, the Board may grant an extension based on a provision allowing, in general, that the Board may waive site review requirements if a hardship is demonstrated and there is no conflict with the intent of the regulation. The amended language specifies the required review of an extension request as currently conducted and makes the extension process clear.

Project Inspection and Completion. Specify the requirements for applicants to obtain final completion status for site work and the release of security.

Justification: The amended language would codify site design practices that are currently in place.

#### Chapter 500 – Subdivision Regulations

Subdivision Application Requirements. Provide an exception to the requirement that dimensions and bearings be provided for the lot to be subdivided when that lot is the entire Pease unsubdivided parcel as transferred to it from the United States Air Force.

Justification: The amended language would correct a technical error in the current language.

As you know, the City of Portsmouth and Town of Newington have a significant role in enforcing PDA Land Use Controls. As such, I have provided the City Planning Director and the Town Planner with a copy of the draft amendments and requested comments. Both have responded to me indicating that they believe the changes are consistent with typical practices and have no further comments.

At next week's meeting, please ask the Board to begin the process of adopting these amendments. If the Board votes in favor (four affirmative votes required), it should also establish a date and time for a public hearing. A notice of the hearing, which will contain a description of the proposed language, will be published in a local newspaper and posted in public places. Written comments will be accepted up until the date of the hearing. We are proposing to hold the public hearing at the same time that the Board meets for its regular meeting in June.

After a public hearing and consideration of any written or oral comments, the Board would vote on whether to adopt the amendments. This vote could occur at the next regular meeting in August, or possibly earlier.

A motion to adopt Land Use Control amendments requires five affirmative votes to pass.

## PROPOSED LAND USE CONTROL AMENDMENTS

May 4, 2022

### 1. PART 302 DEFINITIONS

- a. **Add Definition** and renumber remaining paragraphs "302.05. "Advanced stormwater treatment" means stormwater best management practices (such as those from the New Hampshire Stormwater Manual, as amended) for treatment of impervious surfaces that reduce runoff volume or provide superior stormwater management and pollutant removal through measures including, but not limited to, bioretention, bioswales, tree planters, gravel wetlands and/or infiltration/filtration systems (e.g. porous pavements, subsurface infiltration, sand filters, infiltration trenches)."
- b. **Add Definition** and renumber remaining paragraphs "302.32 "Impervious surface" means any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include, but is not limited to: roads, driveways, structures, artificial turf, and compacted gravel or soil.

### 2. PART 303 ZONING DISTRICTS AND PERMITTED USES

- a. 303.01 Zoning map. Refer to attachment showing expansion of Industrial Zone.
- b. 303.02 Airport Zone
  - i. 303.02(a) **Delete "792 acres" Replace with "813 acres"**
  - ii. 303.02(a) **Delete ". The Airport Zone also includes the North Apron, the terminal overflow parking area and the parcel bounded on the north by the NH Air National Guard cantonment area; on the west by the Airport Zone (aircraft parking limit); on the south by the Airport Industrial and Industrial Zones and on the east by the Business Commercial Zone." Replace with "up to the south edge of the Taxiway Juliet pavement; and then turning and being bordered on the south by the Airport Industrial Zone and the Industrial Zone to a point approximately 390 feet west of the centerline of NH Avenue; on the east from said point along a line approximately 625 feet and then turning and following a line approximately 390 feet to the center line of NH Avenue, then following NH Ave to the intersection with Exeter Street, then following Exeter Street approximately 590 feet to a point, then turning and following a line approximately 694 feet to the NH Air National Guard cantonment boundary; then following the NH Air National Guard cantonment boundary back to the aircraft parking limit line and the point of beginning; the Airport Zone also includes the North Apron."**
- c. 303.03 Airport Industrial Zone
  - i. 303.03(a) **Delete "448 acres" Replace with "333 acres"**
  - ii. 303.03(a)(2) **Delete in its entirety and replace with "In the area geographically situated in the Town of Newington, bounded on the north by the Newington Town Forest; on the east by the Industrial Zone; on the south by the NH Air**

National Guard cantonment area to the North Apron, and turning and following the North Apron boundary to its intersection with the aircraft parking limit; and on the west by the Airport Zone."

- d. 303.04 Industrial Zone
  - i. 303.04(a) **Delete** "333 acres" **Replace with** "432 acres"
  - ii. 303.04(a)(2) **Delete in its entirety and replace with** "In the area geographically situated in the Town of Newington, bounded on the north by the boundary of the PDA land at its border with land of NHDOT and then Arboretum Drive, and then along Arboretum Drive to the Newington Town Forest; on the west by the Newington Town Forest, the Airport Industrial Zone, and the NH Air National Guard cantonment area to the intersection with Pease Boulevard; on the south by Pease Boulevard; and on the east by Spaulding Turnpike."
- e. 303.06 Natural Resource Protection Zone
  - i. 303.06(a) **Delete** "781 acres" **Replace with** "698 acres"
  - ii. 303.06(a) **Delete** "To the north, it includes the area between the former Pease Air Force Base perimeter and the Airport Industrial and Airport Zones; to the west, the area between the Airport Zone and McIntyre Road to former Base perimeter then southerly along the former base perimeter; to the south, the area between the former Base perimeter and Airport, Airport Industrial, Industrial, and Business/Commercial Zones; and to the east the area between the former Base perimeter boundary and the Business/Commercial Zone up to the wastewater treatment facility."
  - iii. **Add** 303.06(a) "(1) The Natural Resource Protection Zone includes the land bounded by the Business Commercial Zone beginning near the wastewater treatment plant, then the Industrial, Airport Industrial, and Airport Zones ending at Arboretum Drive and Short Street and the perimeter of the Pease Development Authority land back to the point of beginning."
  - iv. **Add** 303.06(a) "(2) The Natural Resource Protection Zone also includes a northeastern parcel bounded by the perimeter of the Pease Development Authority land and the Industrial Zone."

### 3. PART 405 SITE PLANNING STANDARDS

- a. 405.02 Vehicular and Pedestrian Circulation
  - i. 405.02(g) **Delete** "Sloped" New provision will read "Granite curbing shall be installed where accessways meet public streets."
  - ii. 405.02(j) **Delete and replace with** 405.02 (j) "All development shall provide for a system of pedestrian access that connects the major building entrances/exits, parking areas, and sidewalks within and adjacent to the property."
  - iii. **Add** 405.02 (j) "(1) Pedestrian pathways shall be easily accessible to all users and shall comply at a minimum with ICC/ANSI 117.1, latest edition."
  - iv. **Add** 405.02(j) "(2) Sidewalks conforming to this Part shall be provided in the public right of way along the entire parcel frontage. Sidewalks within the right



of way shall be of Portland Cement Concrete and shall be fiber reinforced. Welded wire fabric is prohibited.”

- v. **Add 405.02(j)** “(3) Sidewalks within the lot lines of the site shall be surfaced with Portland Cement Concrete or other hard surface approved by the Board.”
- vi. **Add 405.02(j)** “(4) Sidewalks shall be at least five 5 feet wide.”
- vii. **Add 405.02** “(l) The site plan shall accommodate use by bicycles (including bicycle racks). Bicycle facilities shall be designed in accordance with AASHTO guide for the Development of Bicycle Facilities, as amended.”

b. 405.07 Stormwater Management

- i. 405.07(a) **Delete and replace with** “All stormwater runoff in contact with developed areas shall be treated by the use of advanced stormwater treatment to minimize off-site discharge of pollutants to ground and surface waters by minimizing the volume and rate of stormwater runoff, the amount of erosion, and the export of sediment from the site.
- ii. 405.07(b) **Delete and replace with** “The quantity of impervious surface shall be minimized to the greatest extent practical.”
- iii. 405.07(c) **Delete and replace with** “For any development proposing to add impervious surface for the purpose of vehicle parking and/or traffic circulation at a site that does not conform with the requirements of Part 405.07(a), all new impervious area, as well as at least an equal amount of existing impervious area shall be provided with advanced stormwater treatment.”
- iv. **Add 405.07** “(e) All stormwater catch basins shall have deep sumps (four feet) and shall have hoods on outlet pipes.”

4. PART 407 PROCEDURES FOLLOWING SITE REVIEW APPROVAL

a. 407.01 Approval Time Period

- i. 407.01(a) **Add** “The Board may, for good cause shown, extend such period by as much as one year if requested and acted upon prior to the expiration date.”
- ii. **Add 407.01** “(b) An applicant may request, in writing, additional one-year extensions. Requests for extensions shall be evaluated by the Building Inspector who at his/her discretion shall either forward the request to the Board for action, or first require technical review to make a recommendation to the Board. The Building Inspector or the Board may, if deemed necessary, require a public hearing(s) conducted during technical review, Board review, or both.
- iii. **Add 407.01** “(c) A time extension may be granted if determined that no change has taken place that would affect the currently approved site plan in regard to, but not limited to:
  - (1) Traffic flow, volume, or congestion;
  - (2) Pedestrian safety;
  - (3) Drainage;
  - (4) Water availability;
  - (5) Sewer capacity;
  - (6) Design standards;

- (7) Landscape elements;
- (8) Zoning compliance.”

5. Part 408 CERTIFICATE OF OCCUPANCY

**Delete in its entirety and replace with “PART 408 PROJECT INSPECTION AND COMPLETION”**

a. **Add “408.01 Final Inspection Notification**

The applicant shall notify the PDA Building Inspector when the project is ready for final inspection and request a release of any posted security. The notification shall be accompanied by a letter signed and stamped by a Professional Engineer stating that construction of the site work has been completed in conformance with the approved plans.”

b. **Add “408.02 As Built Plan**

Upon the completion of the project, the applicant/ developer shall submit an as-built plan of the development on mylar and in digital format (AutoCAD.dwg) to the PDA. The as- built plan shall include all surface and subsurface features, easements, licenses, rights-of-way, and maintenance agreements. As-builts shall be prepared and stamped by a New Hampshire licensed land surveyor. The PDA may, in its discretion, waive the requirement for an as- built plan for minor projects.”

c. **Add “408.03 Release of Security**

Upon receipt of request for release of security, the PDA Building Inspector will inspect the site to determine conformance with the site plan approval. For conforming work, the Building Inspector will coordinate the security release. If work is found to be not in conformance, the applicant will be provided with a list of outstanding items and an estimated cost to complete the items. PDA will coordinate a security reduction to the estimated amount. Only one security reduction is permitted.

The PDA Building Inspector may release the security only after receipt of the as-built plan, the engineer’s certification, a final inspection by the PDA Building Inspector, the issuance of a Certificate of Occupancy by the applicable municipal building inspector, and completion of all required conditions of the approved site plans and site review agreement.”

6. PART SUBDIVISION APPLICATION REQUIREMENTS

- a. Part 502.03(a)(7) **Add “Where lots are being subdivided from the unsubdivided Pease lot, which property lines are, in general, comprised of the outermost boundaries of the parcels acquired by the Pease Development Authority pursuant to the Surplus Property Act, plats need not include the dimensions and bearings of the existing Pease property lines.”**

**PART 302. DEFINITIONS**

302.01. "Abutter" means any person, to include property owner, lessee or tenant, whose property is within five hundred (500) feet of the boundaries of the lot under consideration; the Towns of Newington and Greenland and the City of Portsmouth. For purposes of receiving testimony only, and not for purposes of notification, the term "Abutter" shall include any person who is able to demonstrate that his or her land will be directly affected by the proposal under consideration.

302.02. "Accessory building or use" means a building or use which is customarily subordinate or incidental to the principal use or building on a lot.

302.03. "Administrative officer" means the Building Inspector or other official of the Pease Development Authority or, in the applicable case, any official or board of the municipality, when referred by the Board, having responsibility for issuing permits or certificates of occupancy, or for enforcing the provisions of this rule.

302.04. "Administrative decisions" means any decisions involving construction, interpretation or application of the terms of this zoning rule.

302.05. "Advanced stormwater treatment" means stormwater best management practices (such as those from the New Hampshire Stormwater Manual, as amended) for treatment of impervious surfaces that reduce runoff volume or provide superior stormwater management and pollutant removal through measures including, but not limited to, bioretention, bioswales, tree planters, gravel wetlands and/or infiltration/filtration systems (e.g. porous pavements, subsurface infiltration, sand filters, infiltration trenches.)"

*(Subsequent paragraphs renumbered)*

302.32. "Impervious surface" means any surface that prevents or significantly impedes the infiltration of water into the underlying soil. This can include, but is not limited to: roads, driveways, structures, artificial turf, and compacted gravel or soil.

*(Subsequent paragraphs renumbered)*



303.02

Airport Zone

(a) Description and Purpose. The Airport Zone is primarily intended to provide for uses associated with the operation of an airport, to include **aviation-related** facilities, structures and activities. The area subject to the Airport Zone consists of approximately **792 813** acres and is bounded on the north by the aircraft parking limit and Arboretum Drive; on the west by the building restriction line running 750' from center line of and parallel to the runway; on the south by the Natural Resource Protection Zone; and on the east by the Airport Industrial Zone (aircraft parking apron). ~~The Airport Zone also includes the North Apron, the terminal overflow parking area and the parcel bounded on the north by the N.H. Air National Guard cantonment area; on the west by the Airport Zone (aircraft parking limit); on the south by the Airport Industrial and Industrial Zones and on the east by the Business Commercial Zone up to the south edge of the Taxiway Juliet pavement; and then turning and being bordered on the south by the Airport Industrial Zone to a point approximately 390 feet west of the centerline of NH Avenue; on the east from said point along a line approximately 625 feet and then turning and following a line approximately 390 feet to the center line of NH Avenue, then following NH Avenue to the intersection with Exeter Street, then following Exeter Street approximately 590 feet to a point, then turning and following a line approximately 694 feet to the NH Air National Guard cantonment boundary; then following the NH Air National Guard cantonment boundary back to the aircraft parking limit line and the point of beginning; the Airport Zone also includes the North Apron.~~

(b) Permitted Uses

- (1) Airport facilities, to include runway, aprons, taxiways, control towers, navigational and communications facilities, airfield lighting and signs, and associated structures.
- (2) Runway protection zone.
- (3) Airport passenger terminal, with associated ticket sales, restaurant/lounge and food services, retail sales and services, car rental services, other incidental services and associated short-term and long-term parking garages and lots.
- (4) Aircraft servicing, manufacturing and retrofitting facilities.
- (5) Aircraft parts manufacturing and retrofitting, aircraft parts and components storage.
- (6) Aircraft hangars, servicing and repair facilities.
- (7) Airport administration and maintenance offices and facilities.
- (8) Air cargo/freight terminals, operations and activities.



- (9) Customary accessory uses incidental to air transportation.
- (10) General aviation services and facilities, including aircraft tie-down and parking areas, support and maintenance shops, concessions, aviation fuel storage and dispensing facilities.
- (11) Transportation terminals, including bus terminals, rail terminals, commuter van, taxi and limousine services and incidental parking garages and lots.
- (12) Industrial activities and uses dependent upon the airport for transport or resources.
- (13) Aviation research and testing laboratories and activities dependent upon the airport for transport or resources
- (14) Crash fire station, police station, garage and other airport maintenance, emergency and snow response facilities.
- (15) Aircraft sales and leasing facilities and services.
- (16) Aerospace and aviation-related training facilities.
- (17) Vehicular parking garages and lots.
- (18) Customary accessory uses incidental to permitted uses, to include but not be limited to off-street parking and loading, signs, outdoor storage, offices and employee day care and recreational facilities.

303.03 Airport Industrial Zone

(a) Description and Purpose. The Airport Industrial Zone is primarily intended to provide for industrial uses necessitating close proximity to an airport and aviation-related facilities, structures and activities servicing industrial users. The area subject to the Airport Industrial Zone consists of the following parcels comprising approximately 448333 acres:

- (1) In the area geographically situated in the City of Portsmouth, bounded on the north and west by the Airport Zone; on the south by the Natural Resource Protection Zone (Grafton Drive); and on the east by the Industrial Zone (Aviation Avenue).
- (2) ~~In the area geographically situated in the Town of Newington, bounded on the north by the Natural Resource Protection Zone (Arboretum Drive, excluding the Newington Town Forest); on the west by the Airport Zone; on the south by the North Apron area of the Airport Zone, the NH Air National Guard cantonment area, and the Airport Zone bulk fuel storage~~

~~area; and on the east by the Industrial Zone (Arboretum Drive). In the area geographically situated in the Town of Newington, bounded on the north by the Newington Town Forest; on the east by the Industrial Zone; on the south by the NH Air National Guard cantonment area to the North Apron, and turning and following the North Apron boundary to its intersection with the aircraft parking limit; and on the west by the Airport Zone.~~

303.04 Industrial Zone

(a) Description and Purpose. The Industrial Zone is intended primarily for industrial uses which do not require direct access to the airport. The area subject to the Industrial Zone consists of the following parcels comprising approximately ~~333~~ 432 acres:

- (1) In the area geographically situated in the City of Portsmouth, bounded on the north by the Business and Commercial Zone and Airport Zone (approximately 1,080 feet south of the intersection of Manchester Square and New Hampshire Avenue then southerly to Stratham Street and extending to Aviation Avenue; on the west by the Airport Industrial Zone (Aviation Avenue); on the south by the Natural Resource Protection Zone and Business/Commercial Zone (Grafton Drive); and on the east by the Business/Commercial Zone (Corporate Drive to International Drive, then northerly along International Drive to approximately 1,020 feet from the intersection of International Drive and Manchester Square).
- (2) ~~In the area geographically situated in the Town of Newington, bounded on the north by the former Pease Air Force Base perimeter boundary and the Natural Resource Protection Zone; on the west by the Airport Industrial Zone, bulk fuel storage area and NH Air National Guard cantonment area (Arboretum Drive); on the south by the Business/Commercial Zone (Pease Boulevard); and on the east by Spaulding Turnpike. In the area geographically situated in the Town of Newington, bounded on the north by the boundary of the PDA land at its border with land of NHDOT and then Arboretum Drive, and then along Arboretum Drive to the Newington Town Forest; on the west by the Newington Town Forest, the Airport Industrial Zone, and the NH Air National Guard cantonment area to the intersection with Pease Boulevard; on the south by Pease Boulevard; and on the east by Spaulding Turnpike.~~

303.06 Natural Resource Protection Zone

(a) Description and Purpose. The Natural Resource Protection Zone is intended primarily for uses relating to airport buffer and security purposes and for the protection of existing natural resources. It is intended to serve as a

natural buffer between aviation-related and other uses occurring on property under the jurisdiction of the Pease Development Authority and surrounding properties. The area subject to the Natural Resource Protection Zone consists of approximately 781,698 acres. ~~To the north, it includes the area between the former Pease Air Force Base perimeter and the Airport Industrial and Airport Zones; to the west, the area between the Airport Zone and McIntyre Road to former Base perimeter then southerly along the former base perimeter; to the south the area between the former Base perimeter and Airport, Airport Industrial, Industrial and Business/Commercial Zones; and to the east, the area between the former Base perimeter boundary and the Business/Commercial Zone up to the wastewater treatment facility.~~

- (1) The Natural Resource Protection Zone includes the land bounded by the Business Commercial Zone including the land bounded by the Business Commercial Zone beginning near the wastewater treatment plant, then the Industrial, Airport Industrial, and Airport Zones ending at Arboretum Drive and Short Street and the perimeter of the Pease Development Authority land back to the point of beginning.
- (2) The Natural Resource Protection Zone also includes a northeastern parcel bounded by the perimeter of the Pease Development Authority land and the Industrial Zone.

**PART 405. SITE PLANNING STANDARDS**

**405.01 General Provisions**

- (a) Site planning standards specified herein shall guide the review, recommendation and approval of site plans where applicable and as appropriate.
- (b) Site plans shall conform to standards identified herein.
- (c) To the maximum extent practicable, development should be located to preserve the natural features of the site and to avoid areas of environmental sensitivity.

**405.02 Vehicular and Pedestrian Circulation**

- (a) Roadway, accessway and parking systems shall be designed to permit the safe, efficient and orderly movement of vehicles and pedestrians; to meet the needs of present and future users; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.
- (b) Parking spaces shall be arranged so that vehicles will not back onto a public street.
- (c) Parking spaces located within four feet of an abutting structure, sidewalk, or street shall be designed with suitable bumper stops.
- (d) Aisle widths shall conform to the following minimum dimensions:

*[See chart below]*

<u>Parking Angle</u>	<u>Aisle Width (1 way traffic)</u>	<u>Aisle Width (2 way traffic)</u>
0°	14'	
24'	45°	16'
24'	60°	18'
24'		
90°	24'	24'

- (e) Accessways shall be located no closer than fifty (50) feet to the curb line of an intersecting street.
- (f) Any two accessways from a single lot shall be no closer than fifty (50) feet to each other at the front property line.
- (g) ~~Sloped~~ Granite curbing shall be installed where accessways meet public streets.
- (h) Traffic control signals and signs, turning lanes, pavement widening and other improvements to public streets shall be provided by the developer upon determination by



the Board that the specific improvements are necessary for safe handling of traffic generated by the proposed development.

(i) Accessways shall, where practical, have an all-season safe sight distance of four hundred feet in both directions along the public street.

(j) All development shall provide safe and direct pedestrian access from parking areas or passenger loading areas to structures. All development shall provide for a system of pedestrian access that connects the major building entrances/exits, parking areas, and sidewalks within and adjacent to the property.

1. Pedestrian pathways shall be easily accessible to all users and shall comply at a minimum with ICC/ANSI 117.1, latest edition.
2. Sidewalks conforming to this Part shall be provided in the public right of way along the entire parcel frontage. Sidewalks within the right of way shall be of Portland Cement Concrete and shall be fiber reinforced. Welded wire fabric is prohibited.
3. Sidewalks within the lot lines of the site shall be surfaced with Portland Cement Concrete or other hard surface approved by the Board.
4. Sidewalks shall be at least five (5) feet wide.

(k) Where possible, the site plan should orient development to the street to facilitate transit vehicle, pedestrian and bicycle access. Parking and accessways should be designed to accommodate bus turnouts, passenger shelter/loading areas, large vehicle turnarounds, designated van/car pool parking, bicycle storage areas and other facilities for transportation alternatives to single occupancy vehicle use.

(l) The site plan shall accommodate use by bicycles (including bike racks.) Bicycle facilities shall be designed in accordance with AASHTO guide for the Development of Bicycle Facilities, as amended.

405.07 Stormwater Management

(a) The best available technology shall be used to minimize off-site stormwater runoff, increase on-site infiltration, encourage natural filtration functions, simulate natural drainage systems, and minimize off-site discharge of pollutants to ground and surface waters. Best available technology may include measures such as retention basins, recharge trenches, porous paving and piping, contour terraces and swales. All stormwater runoff in contact with developed areas shall be treated by the use of advanced stormwater treatment to minimize off-site discharge of pollutants to ground and surface waters by minimizing the volume and rate of stormwater runoff, the amount of erosion, and the export of sediment from the site.

(b) The quantity of impervious surface shall be minimized as practical for the proposed principal use. The quantity of impervious surface shall be minimized to the greatest extent practical.

(c) On-site drainage patterns of the proposed development shall be capable of adequately handling stormwater runoff. For any development proposing to add impervious surface for the purpose of vehicle parking and/or traffic circulation at a site that does not conform to the requirements of Part 405.07(a), all new impervious area, as well as at least an equal amount of existing impervious area shall be provided with advanced stormwater treatment.

(d) Off-site disposal and transport of stormwater runoff shall be capable of being adequately handled by existing facilities. If such facilities are inadequate, the applicant may be required to upgrade such facilities, at no cost to the Pease Development Authority.

(e) All stormwater catch basins shall have deep sumps (four feet) and shall have hoods on outlet pipes.

**PART 407. PROCEDURES FOLLOWING SITE REVIEW APPROVAL**

**407.01407.01— Approval Time Period**

(a) (a) Upon the granting of site plan approval by the Board, applicants have one year to obtain a building permit. If application for a building permit is not made in the required time period, site plan approval shall lapse. The Board may, for good cause shown, extend such period by as much as one year if requested and acted upon prior to the expiration date.

(b) An applicant may request, in writing, additional one-year extensions. Requests for extensions shall be evaluated by the Building Inspector who at his/her discretion shall either forward the request to the Board for action, or first require technical review to make a recommendation to the Board. The building Inspector or the Board may, if deemed necessary, require a public hearing(s) conducted during technical review, Board review, or both.

(c) A time extension may be granted if determined that no change has taken place that would affect the currently approved site plan in regard to, but not limited to:

- (1) Traffic flow, volume, or congestion;
- (2) Pedestrian safety;
- (3) Drainage;
- (4) Water availability;
- (5) Sewer Capacity;
- (6) Design standards;
- (7) Landscape elements;
- (8) Zoning compliance.

**PART 408. CERTIFICATE OF OCCUPANCY PROJECT INSPECTION AND COMPLETION**

**408.01 Final Inspection**

(a) ~~Upon the completion of the project, the applicant/ developer shall notify the Pease Development Authority Building Inspector that the project is ready for final inspection. The applicant/developer shall submit an as built plan of the development on mylar and in digital format (AutoCAD.dwg) to the PDA. As built plans shall be certified by a registered New Hampshire Land Surveyor or Professional Engineer. The Pease Development Authority may, in its discretion, waive the requirement for an as built plan for minor projects. The Building Inspector or his designee(s) shall conduct a final inspection of all aspects of the project including the building, mechanical, electrical, and plumbing systems, to determine whether the project has been constructed according to the building plans.~~

**408.02 Issuance of Certificate of Occupancy**

(a) ~~The Building Inspector shall prepare a final written report identifying any deviation from the approved plans, and whether or not corrections must be made to bring the project into compliance with the approved plans and Codes. If the project is in compliance with the approved plans and Codes, the Building Inspector shall issue a Certificate of Occupancy. If the project is not in compliance, the Building Inspector shall provide the applicant/developer with a written report as to what remedial actions are necessary to bring the project in compliance, with a copy to the Board.~~

(b) ~~Upon successful completion of final inspections and issuance of a Certificate of Occupancy, a copy of the Certificate shall be:~~

- ~~(1) Placed in the Site Review file maintained at the Pease Development Authority by the Building Inspector.~~



(2) ~~Provided to the applicant/developer.~~

(3) ~~Provided to the applicable municipality for parcels not located within the Airport Zone or those portions of the Airport Industrial Zone acquired by the Pease Development Authority pursuant to Section 13(g) of the Surplus Property Act.~~

#### 408.01 Final Inspection Notification

The applicant shall notify the PDA Building Inspector when the project is ready for final inspection and request a release of any posted security. The notification shall be accompanied by a letter signed and stamped by a Professional Engineer stating that construction of the site work has been completed in conformance with the approved plans.

#### 408.02 As Built Plan

Upon the completion of the project, the applicant/developer shall submit an as-built plan of the development on Mylar and in digital format (AutoCAD.dwg) to the PDA. The as-built plan shall include all surface and subsurface features, easements, licenses, rights-of-way, and maintenance agreements. As-builts shall be prepared and stamped by a New Hampshire licensed land surveyor. The PDA may, in its discretion, waive the requirement for an as-built plan for minor projects.

#### 408.03 Release of Security

Upon receipt of request for release of security, the PDA Building Inspector will inspect the site to determine conformance with the site plan approval. For conforming work, the Building Inspector will coordinate the security release. If work is found to be not in conformance, the applicant will be provided with a list of outstanding items and an estimated cost to complete the items. PDA will coordinate a security reduction to the estimated amount. Only one security reduction is permitted.

The PDA Building Inspector may release the security only after receipt of the as-built plan, the engineer's certification, a final inspection by the PDA Building Inspector, the issuance of a Certificate of Occupancy by the applicable municipal building inspector, and completion of all required conditions of the approved site plans and site review agreement.

## **PART 502. SUBDIVISION APPLICATION REQUIREMENTS**

### 502.03 Requirements for Preliminary and Final Plat

(a) Plats shall be prepared and certified by a professional engineer or land surveyor licensed in New Hampshire. The following items shall be included:

(1) Name and address of record owner, applicant, any option holders, and name,

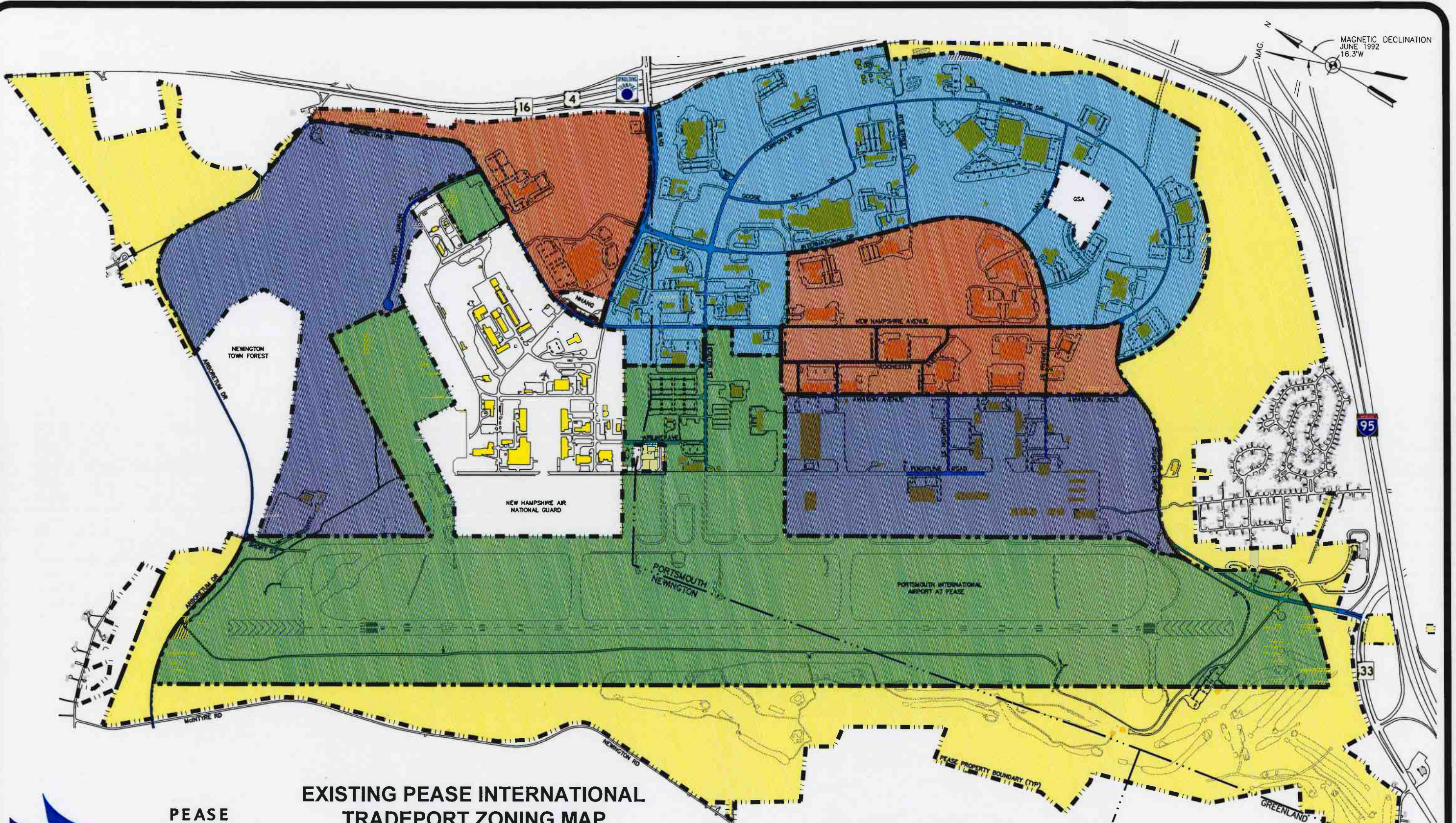


license number and seal of the land surveyor and civil or sanitary engineer if applicable.

- (2) Names and addresses of all adjoining property owners within 200 feet and locations of buildings within 100 feet of the parcel.
- (3) North point, date, and bar scale.
- (4) Proposed subdivision name if applicable and any new address numbers within the subdivision.
- (5) Zoning classification(s) and, where applicable, tax map reference.
- (6) The scale of the layout shall not be smaller than one hundred (100) feet to an inch. The plat shall also include a location map at a scale of 1" = 1,000' showing the property being subdivided and its relation to the surrounding area within a radius of 2,000'. Said location map shall delineate all existing streets and other major physical features that may either affect or be affected by the proposed development.
- (7) The location and approximate dimensions and bearings of all existing and proposed property lines, the areas of all proposed lots, and any adjacent parcels in the same ownership or leasehold. Where lots are being subdivided from the unsubdivided Pease lot, which property lines are, in general, compromised of the outermost boundaries of the parcels acquired by the Pease Development Authority pursuant to the Surplus Property Act, plats need not include the dimensions and bearings of the existing Pease property lines.

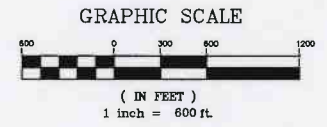


MAGNETIC DECLINATION  
 JUNE 1992  
 16.3°W



**EXISTING PEASE INTERNATIONAL  
 TRADEPORT ZONING MAP**

**PEASE  
 DEVELOPMENT  
 AUTHORITY**  
 55 INTERNATIONAL DRIVE  
 PORTSMOUTH, NH 03801  
 Date: 1/7/16 Scale: 1"=600'



- PEASE INTERNATIONAL TRADEPORT ZONES
- AIRPORT
  - AIRPORT INDUSTRIAL
  - INDUSTRIAL
  - BUSINESS/COMMERCIAL
  - NATURAL RESOURCE PROTECTION
  - PROPERTY BOUNDARY
  - ZONE BOUNDARY
  - TOWN BOUNDARY

PEASE PROPERTY BOUNDARY (TYP)

GREENLAND

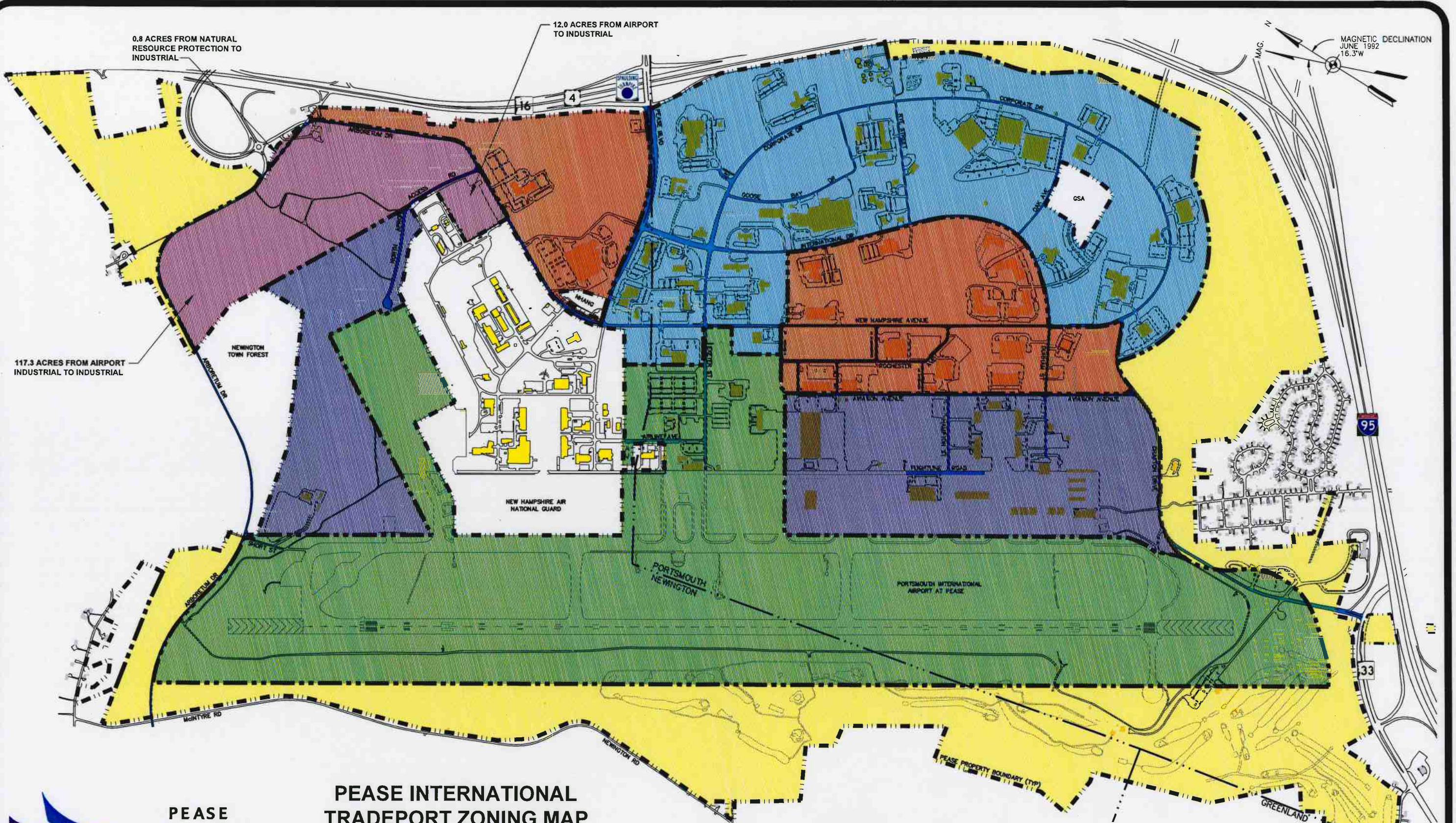


0.8 ACRES FROM NATURAL RESOURCE PROTECTION TO INDUSTRIAL

12.0 ACRES FROM AIRPORT TO INDUSTRIAL

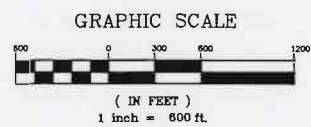
117.3 ACRES FROM AIRPORT INDUSTRIAL TO INDUSTRIAL

MAGNETIC DECLINATION  
JUNE 1992  
16.3°W



**PEASE DEVELOPMENT AUTHORITY**  
 55 INTERNATIONAL DRIVE  
 PORTSMOUTH, NH 03801  
 Date: 4/1/22 Scale: 1"=600'

**PEASE INTERNATIONAL TRADEPORT ZONING MAP  
 DEPICTING AREAS CONVERTED TO INDUSTRIAL ZONE**

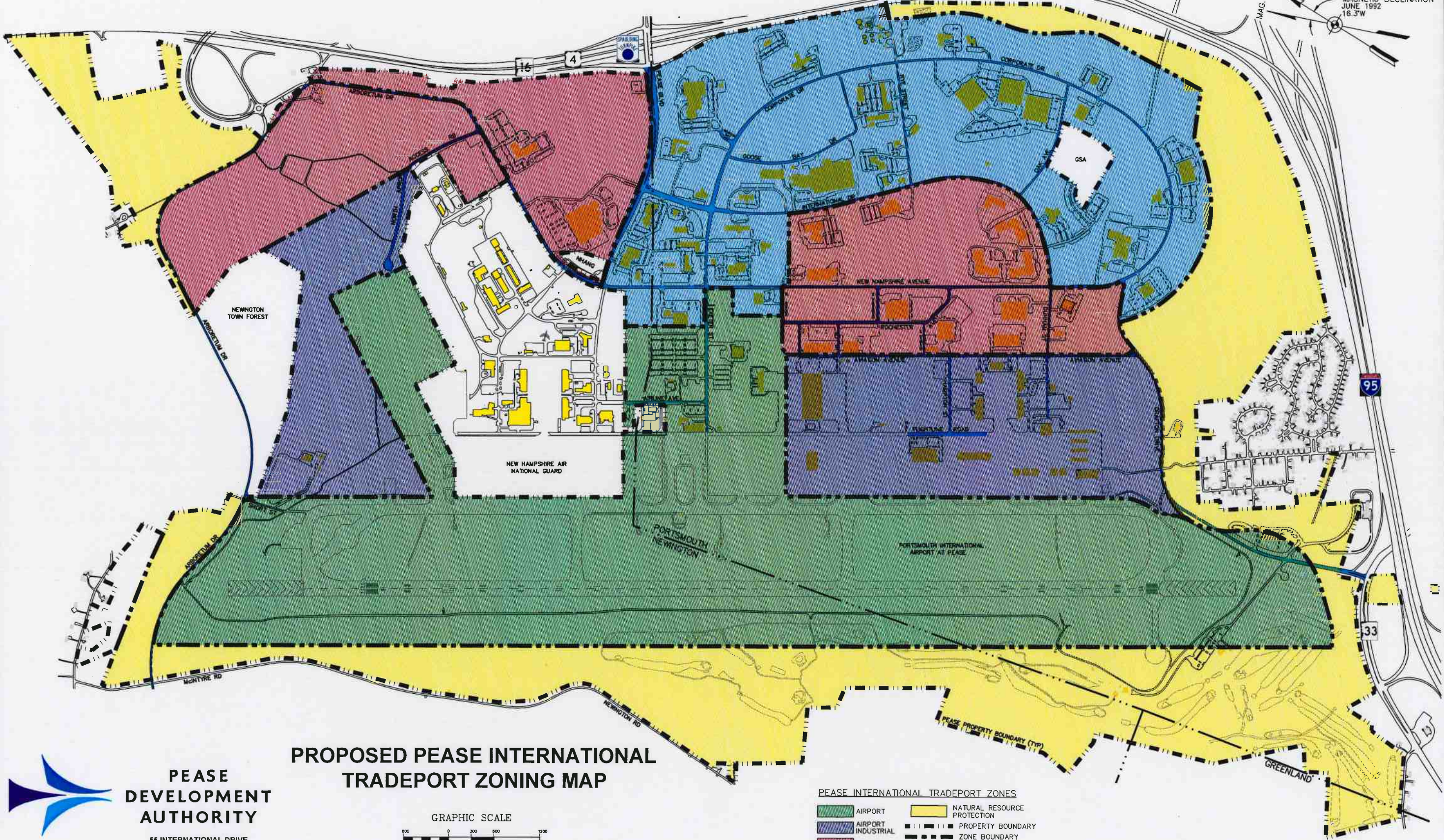


**PEASE INTERNATIONAL TRADEPORT ZONES**

AIRPORT	NATURAL RESOURCE PROTECTION
AIRPORT INDUSTRIAL	PROPERTY BOUNDARY
INDUSTRIAL	ZONE BOUNDARY
BUSINESS/COMMERCIAL	TOWN BOUNDARY
NEW INDUSTRIAL	

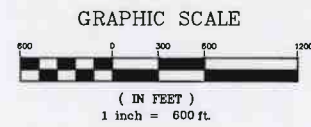


MAG. N  
 MAG. DECLINATION  
 JUNE 1992  
 16.3°W



**PROPOSED PEASE INTERNATIONAL  
 TRADEPORT ZONING MAP**

**PEASE  
 DEVELOPMENT  
 AUTHORITY**  
 55 INTERNATIONAL DRIVE  
 PORTSMOUTH, NH 03801  
 Date: 1/7/14 Scale: 1"=600'



- PEASE INTERNATIONAL TRADEPORT ZONES
- AIRPORT
  - AIRPORT INDUSTRIAL
  - INDUSTRIAL
  - BUSINESS/COMMERCIAL
  - NATURAL RESOURCE PROTECTION
  - PROPERTY BOUNDARY
  - ZONE BOUNDARY
  - TOWN BOUNDARY

GREENLAND



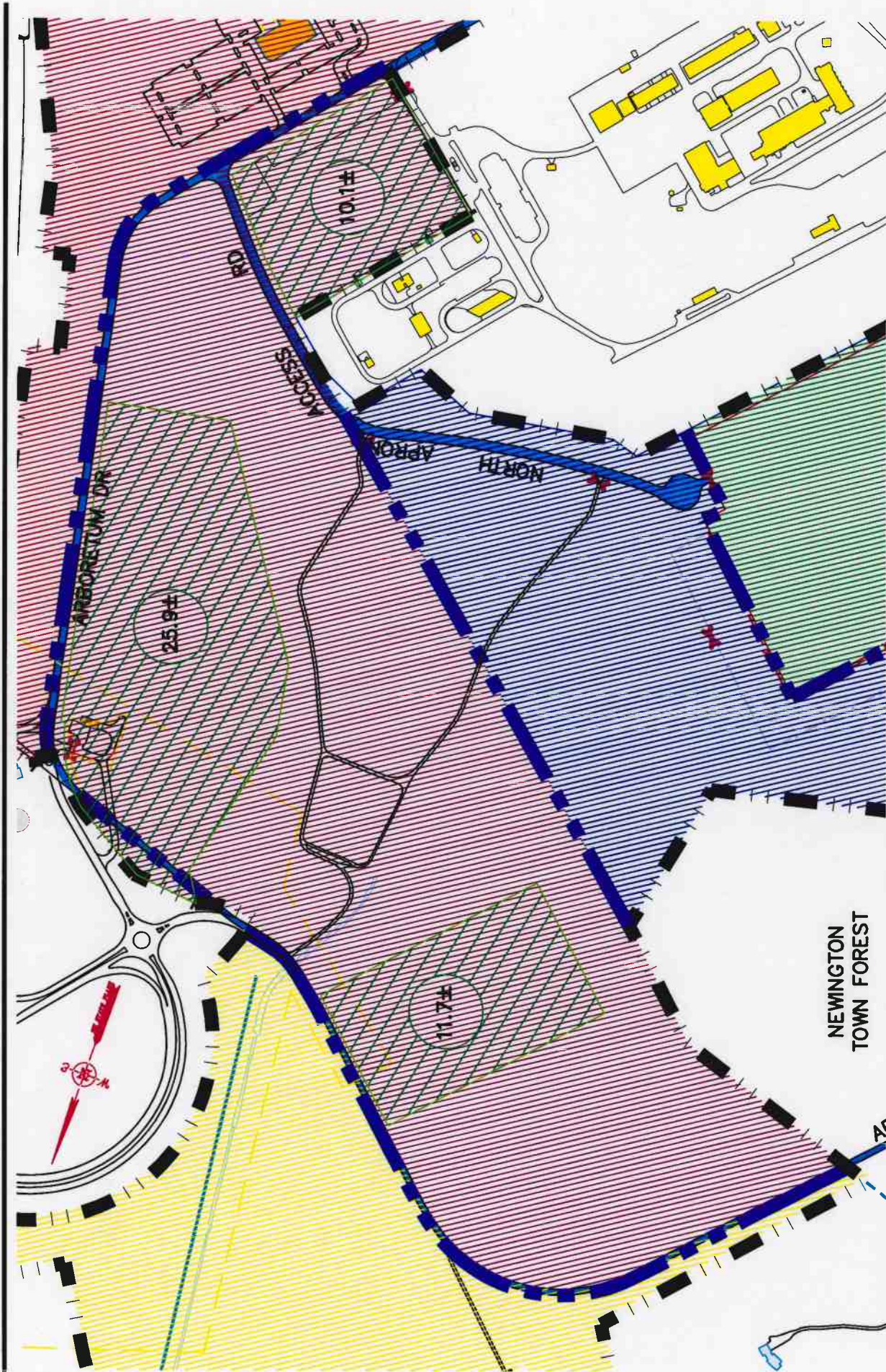


Exhibit Depicting Potential Lots in the New Industrial Zone

DESIGNED BY: MRM      DATE: 4/15/22      SCALE: 1"=500'



**PEASE DEVELOPMENT AUTHORITY**

55 INTERNATIONAL DRIVE, PORTSMOUTH, NH 03801



## MOTION

Director Lamson:

In accordance with the provisions of Section 3.11 of the Second Amendment to By-Laws of the Pease Development Authority, the Pease Development Authority Board of Directors hereby approves of and authorizes the Executive Director to create the position of Digital Content Specialist, and eliminate the Security Specialist position, and to immediately fill said new position with an appropriately qualified candidate; all in accordance with the memorandum of Chasen Congreves, Manager of Airport Administration, dated May 11, 2022, attached hereto.

N:\RESOLVES\2022\Digital Content Specialis 05-19-2022.docx



## Memo

To: Paul Brean, Executive Director *PAB*

From: Chasen Congrèves, Manager of Airport Administration *CC*

Cc: Tanya Coppeta, Human Resources

Date: 5/11/2022

Re: Digital Content Specialist

---

As with all businesses, new technologies and digital media are rapidly emerging and having widespread impact on all business units within The Pease Development Authority ("PDA"). As a result, we have recognized the increasing need for an internal role to manage digital content, including website management, social media updates, community engagement, branding, recruiting content, graphic design, style guide creation, photography, and public information dissemination, all in furtherance of PDA's marketing and public information goals.

At the same time, the PDA has invested in an online badging program that will reduce the need for the Airport Security Specialist position that supports the Airport Badging Administrator. This Security Specialist position was created to support our increasing badging population, security gate updates, and to teach four classes lasting three hours every Wednesday. New technologies are transitioning those classes to an online platform in which the user will be able to take the class on their own time, eliminating the need for our Security Department to hold these classes in person. The Security Specialist position has been vacant since December, 2020, evidencing the lack of a need for this position.

As a result, I am requesting the creation of a full-time, benefited "Digital Content Specialist" position that will replace the Airport Security Specialist position. The Digital Content Specialist will report to the Manager of Airport Administration. This position is a non-exempt, entry-level position with a salary range of 40,000 to 68,000 per year, and will assume responsibility for all digital content within the PDA. Duties include establishing consistent, quality standards and messaging across all PDA websites and social media, search engine optimization, digital analytics analysis, and effective community engagement to build PDA brand strength and marketing.



This position will manage digital content for the entire PDA, including the Tradeport, Pease Golf Course, the Division of Ports and Harbors, and the Portsmouth International and Skyhaven airports. This position would also act as the Public Information Officer liaison for special events.

At the May 18 meeting of the Board, please request authorization to replace the full-time, benefited Security Specialist position with a newly created full-time, benefitted Digital Content Specialist position. The attached job description provides detailed information on essential duties and responsibilities. Thank you for your consideration.



*Division of Ports and Harbors Advisory Council  
555 Market St.  
Portsmouth, NH 03801  
Tel 603-436-8500  
Fax 603-436-2780*

**PORT ADVISORY COUNCIL MEETING MINUTES  
WEDNESDAY, APRIL 13, 2022 6:00 PM**

PRESENT: Roger Groux, Chair  
Brad Cook, Vice-Chair  
Erik Anderson  
Mike Donahue  
Bill McQuillen  
Chris Snow-excused at 6:20 PM  
Chris Holt  
Geno Marconi, Director, PDA-DPH  
Suzy Anzalone, PDA Director of Finance

1. CALL TO ORDER

The meeting was called to order at 6:00 PM. Chairman Groux asked Director Marconi to summarize the report that the Council received regarding Rye Harbor. Marconi read the last sentence of the report "...the Division of Ports and Harbors recommends the terms and conditions of the Right of Entry, executed June 30, 2020 by Mr. Nathan Hanscom, be enforced and the sale of restaurant style food items at Rye Harbor be prohibited." Discussion on the report included that it was comprehensive and well documented. There is a Port Committee meeting tomorrow at 9:30 at the main PDA office at 55 International Dr. in which this topic will be discussed. Public will be able to comment at that meeting, and the report can be provided to anyone who would like to request a copy of it as it is a public document. Donahue appreciated the effort put in by the Division to amass the amount of information in the report, which also included input from staff and users of Rye Harbor. It is a very detailed study of a very serious problem that is unlikely to get better unless it is addressed. The concept of the Director's report describes the challenges that the success of the lobster pound has created for the marine facility and fairly reports and provides information to the Port Committee, the PDA Board, and the Governor.

Brad Cook made a motion as follows:

"After review and consideration of the Division of Ports and Harbors detailed Report of March 4, 2022, the Port Advisory Council strongly supports the recommendation of the Director that the terms and conditions of the Right of Entry (ROE) dated June 30, 2020, between the Rye Harbor Lobster Pound and the Pease Development Authority be enforced so as to limit use to the retail sale of lobster catch and parking with storage of catch permitted in an adjoining building. The Council finds the recommendation to be fully supported by the report's exhaustive documentation of the Rye Harbor Lobster Pound's clear failure to comply with the stipulations of the Governor's April 20, 2021 one year waiver from compliance with the Right of Entry's use terms. As clearly demonstrated by

the detailed evidence referenced in the Report, any further efforts to accommodate the sale of restaurant style food items for onsite consumption by the general public, would be incompatible with the Rye Harbor marine facility's intended purpose of providing recreational and commercial ocean related activities direct access to the sea and detrimental to the other users of the facility and public safety."

Mike Donahue seconded the motion. A vote was taken and all attendees were in favor with the exception of Erik Anderson who abstained from the vote. The motion will be presented to the Port Committee at tomorrow's meeting. Discussion turned to the Rye parking study that was completed by the Division's on call marine engineering company. There were 4 options presented from the study. The report will be posted on the Port website and letters will be sent to mooring holders, pier use permit holders, storage users, right of entry holders, and any other stakeholders to invite comment on the report. The Division is eager to get comments back before moving forward with any changes. Anderson pointed out that 2 of the alternatives eliminate the free parking section to allow for a fire lane. Director mentioned that, subject to approval by the PDA Board at next week's meeting, the driveway will be paved and a fire lane will be made and will eliminate the parking in the driveway. This is to allow emergency access for the fire department. A letter was sent to the shack owners last week. Discussion turned to access of free parking in the future. The paving will include marking a cross-walk. Anderson mentioned that the commercial parking area was not addressed in the report. Director said that the 2 sides have always been kept separated from each other and the intent of this report was to address the parking for the recreational users of the facility and to determine if the lot is being used in the most effective manner.

2. APPROVE MINUTES

McQuillen made a motion to accept the February 9, 2022 minutes, Erik seconded, no further discussion, the council voted and the motion carried.

3. FINANCE REPORT

Geno reported on the finance report which shows the Division is ahead of the budget of \$177,360 with actual revenues being \$300,105. The annual FTZ report, which was submitted recently, shows the companies that are operating within the zone are doing well. Discussion turned to the RLF fund, which is a fund that was set up years ago to assist the local fishing community with low interest rate loans. There are 4 pending loans in review. The interest rate was lowered from 4% to 3% during Covid, Suzy reported that we are still able to cover the operating expenses of managing the fund at the 3% interest rate. Director reported that since the program started there have only been 2 defaults. Discussion turned to the required 25% match which has been provided by local banks, starting with First NH Bank and is now with Provident Bank. Donahue asked if the registration income is due to a timing issue, yes it is.

4. PISCATAQUA RIVER VESSEL TRANSIT REPORT

The February and March reports were presented. Captain Holt reported that the turning



basin dredge has been completed and the Pilots did not miss one request for the contractor, Great Lakes. There were about 4 times that they couldn't work due to visibility issues. The pilots were able to accommodate the businesses as usual and there were no interruptions to the normal commercial work on the River. The Army Corp is currently surveying the work of the dredge to ensure it meets the specifications. 694,000 CY of material were removed. Overall, the project was a success and the Pilots are thankful that it is done. There is money now dedicated for the Simplex Shoal dredging and there are questions on if that was done while they were here or not.

## 5. DIRECTOR'S REPORT

Director reported on, and materials were provided for, the following items from the March 17, 2022 PDA Board meeting:

- Reports
  - Commercial Mooring Transfers-there are several in the packet and this is the time of year that transfers are completed
  - IAMPE Certificate, PDA-DPH was recognized as an educational partner providing continuing education for Port Management through the International Association of Maritime Port Executives program.
  - Rye Fuel System: Last summer it was discovered there was a fitting that didn't pass inspection. The system was shut down for the summer and the permits were in place to start work this year when the Division found out a Shoreline Excavation permit was also needed by NHDES. Appledore was hired to complete the permit application. Approval of the permit should be received within a couple of weeks.
- Approvals
  - Hampton floats: Appledore Proposal for additional design work due to the discovery that the tie rods on the concrete floats snapped and need to be replaced.
  - Bids, Hampton float replacement: 3 marine contractors were contacted, Prock Marine, Pepperell Cove and Riverside Pickering Marine. R & P was awarded the bid and the floats will be set around mid-May.
  - Security Fencing, Market St. Terminal: The bid opening is Friday, this is a project partially funded by a FEMA grant. The fencing will be set on jersey barriers for ease of movement for large cargo and to eliminate the need to disturb the ground.
  - BUILD Main Pier project: Change order #1 was approved. Due to unknown in water pile-driving restrictions during the months of April, May and June there will be a delay the completion of the project because the concrete work cannot be completed in the winter months. The remainder of pile driving work will be completed in the spring of 2023 (before the in water work restrictions window) and the project should be completed by August of 2023. There were 4 options presented and this was the most cost effective. The funds for the change order are being obtained through the GOFERR fund. The Functional Replacement project is in final design and NH DOT hopes

to be ready to go to bid in September of 2022. At completion of the 2 projects the Port will have an 800' berth.

- Bollard, Granite State Minerals: This project, if approved by NH Governor and Council, will allow GSM to install a bollard on State property which will be a safety enhancement for the vessels that tie up down at 315 Market St.

## 6. NEW BUSINESS

Director spoke on the Marine Safety Bulletin and that stakeholder participation is requested. Discussion included that this may be the Coast Guards way of getting ready to participate in the offshore leasing process for offshore wind, also they didn't show any routing options for Portsmouth Harbor. Concern was expressed regarding ensuring that the CG doesn't change the traffic patterns that we have in place now so as not to impact the river traffic here. Comments could be made to ensure the Port of Portsmouth is included in the study. Holt said the Pilots are keeping an eye on the process.

## 7. OLD BUSINESS-No old business.

## 8. COMMITTEE REPORTS

- Business Development/FTZ- Donahue reported that the Propeller Club is having its annual Maritime Day on 6/17/22 at the Coast Guard station. On April 21<sup>st</sup> there is a ZOOM presentation from Dave Shea of UNH on the 3 UNH facilities and the activities that they are engaged in, Shoals Marine Lab, Adams Point, and the New Castle. The club is always seeking new members. The Sail Portsmouth event, showcasing the replica vessels, is coming in August. Still working on a Navy Yard tour that would be a bit more involved than the historical tour.
- Dredging-Already spoke on the Turning Basin project. There is study being done to see if they want to do a feasibility study in Seabrook/Hampton harbor. Need to get an update on the Simplex Shoal dredge.
- Fisheries- Anderson reported that the annual (28<sup>th</sup> year?) trap cleanup day is scheduled for this Saturday and dumpsters will be set up at the Hampton and Rye Harbor Marine Facilities (thank you to the Port for providing the facilities as a central location). The Right Whale regulations begin May 1<sup>st</sup>, the regulations go up to Great Bay. Discussion on speed reductions in shipping lanes south of the Isles of Shoals. State legislation pending for scuba diving for lobsters, the Advisory Committee on Marine Fisheries is opposed to the bill. Prices for lobster is high right now. The Tri-State initiative for off shore wind seems to have evaporated as each state is going in their own direction.
- Government-McQuillen reported that the Maritime Folk Festival is coming up in September. Discussion regarding using the pier for Ro-Ro once the repairs are completed.
- Moorings- Director reported on the mooring renewal season and results will be provided at next month's meeting. There are a couple of requests for

reconsideration for folks who missed the deadline being reviewed to see if the rules will allow the reconsideration.

- PDA Liaison-The next meeting is April 21<sup>st</sup> at 9:30. Great Bay Marine will not have fuel available this summer as the work on replacing their tanks won't be completed in time. The Wentworth and the Fish Pier will have fuel. No news on replacement for Captain Dunlevy of NH Marine Patrol.
- Recreational Piers- Cook reported that things are just starting to get going, floats will be going in by the end of the month. The whale watch will start around Memorial Day. Hampton has been busier than Rye, folks are anxious for the pier to be done. There are 3 additional passenger boats in Hampton this year and some charters (Cod and Haddock) are operating now.

9. PUBLIC COMMENT

Peter Welch complimented Captain Marconi on the Rye report as it was very well done. Discussion on the pile driving restrictions. Discussion on Granite State Minerals and Morton Salt and if anyone knows GSM plans for their property in Newington on River Rd. Discussion on the Port Committee meeting agenda tomorrow.

10. PRESS QUESTIONS

There were no members of the press present.

11. ADJOURNMENT

Prior to adjournment, discussion on who is managing the grant programs for the Port. Anderson made a motion to adjourn and Donahue seconded. The meeting adjourned at 7:40 PM.





**PEASE**  
INTERNATIONAL  
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA *Paul Brean*  
FROM: Geno J. Marconi, Director, DPH *Geno J. Marconi*  
DATE: April 20, 2022  
RE: Commercial Mooring For Hire

The Pease Development Authority, Division of Ports and Harbors has received a request for an additional Commercial Mooring for Hire from Great Bay Yacht Club.

I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial moorings for hire. Therefore, I am requesting approval of the application.

If you have any questions or need further information, please let me know.

○○○○ TAKING YOU THERE

ph: 603-436-8500 fax: 603-436-2780 www.peasedev.org

Division of Ports & Harbors  
Memorandum

To: Captain Geno J. Marconi  
From: Tracy R. Shattuck, Chief H/M *TRS*  
Re: Great Bay Yacht Club  
Date: April 20, 2022

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Attached is an initial applications for a Commercial Moorings for Hire in the Piscataqua mooring field. Great Bay Yacht Club wishes to expand their mooring field with an additional mooring. There is no waitlist in this area.

With the file are the tax map and deed, advertising and certificate of good standing.

I recommend approval of the application as it meets all criteria for a Commercial Mooring for Hire permit.

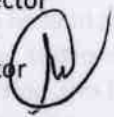


# PEASE

INTERNATIONAL

555 Market Street, Suite 1 Portsmouth, NH 03801

PORTS AND HARBORS

Date: May 11, 2022  
To: Paul Brean, Executive Director  
From: Geno Marconi, Port Director   
Subject: Rye Harbor Data

At the Pease Development Authority's (PDA) April 21, 2022, meeting, it directed you to undertake a facility analysis of the Rye Harbor Marine Facility and preparation of a facility master plan, subject to available funding. While the exact scope of the **desired** facility analysis is **unclear** and will ultimately require **direction** from the PDA Board of Directors, there is basic information on the Rye Harbor Marine Facility that will **provide** the Board with an overview of facility use and activities. Toward that end, and as you have requested, the following is a summary of user activity at the Rye Harbor Marine Facility:

- Current ROE holders: Twenty (20), permitted use and expiration dates (most are 6/30/2023 with the exception of independent Boat Haulers), **shown** on attached Excel **Spread Sheet**. ROE holders with a building (currently 9) at the facility are billed \$1000.00 per year for the use of the land to place the building. **Additionally**, customers of the various **charters** and the whale watch, pay \$5.00 to park;
- Pier Use Permits, YTD 2022 thirty-two (32), primary use, names, and fees shown on the attached Excel Spread Sheet. Note-Based on past years numbers, the Division expects approximately **68** pier use permits to be **issued** in Calendar Year (CY) 2022 (the attached spreadsheet also shows permits that were issued CY 2021, but have not been issued for 2022 as the season is still in start up mode);
- Skiff Permits CY 2021 – 30 **recreational/66 commercial**: TOTAL 96 skiff permits;
- **Mooring** Permits YTD 2022: 152;
- Mooring **permit** waitlist requests YTD 2022: 157;
- Available Parking spots:
  - Day Use Vehicle with Trailer 30
  - Day Use Vehicle only 77
  - Passenger Crew 27
  - Access Road 12 (eliminated spring 2022 as a public safety measure)
  - Star Island overnight 12-15
  - Overflow 20-25
  - Boat/Trailer Storage 61;
- Rye Marine Facility parking/boat launch data, shown on the **attached** Excel Spread Sheet;
- Rye Fire Department has a seasonal berth for their rescue craft. **Additionally** U.S. Coast Guard, NH Marine Patrol, NH Fish and Game, and NH Department of Environmental Services use the facility to carry out their respective missions;

○○○○ TAKING YOU THERE

ph: 603-436-8500

fax: 603-436-2780

www.peasedev.org



- Utilities are the responsibility of the building owner and current conditions are as follows:
  - Electric: All privately owned buildings, except the storage shed for Rye Harborside, have electrical service.
  - Water: The only building currently with water service is Rye Harborside (this was the original concession building and DRED hooked the water directly to the Port office)
- There are two (2) restrooms located in the Port office building. Each restroom has a sink and a toilet. The Division also provides a Port-A-Pottie, at its expense, for use by boaters after hours;
- Rye Harbor Lobster Pound has a sink which is hooked up to a graywater holding tank;
- The Division provides 2 eight (8) yard dumpsters at the facility, at its expense, one on the recreational side (emptied 3 times/wk.) and one on the commercial side (emptied 2 times/wk.) These are for use by staff, ROE holders, and pier permit holders.

In addition to the foregoing, it is helpful to understand the physical layout of the Rye Harbor Marine Facility, which is sandwiched in between Rye Harbor and U.S. Route 1. Attached is a map of the facility, and drone photos, which demonstrate that after you subtract out land for vehicle and boat trailer parking, the Division office and restrooms, facility roadways, included wetlands, and the boat ramp and docking facilities themselves, there is very little additional land left over. Presumably it is this land area that would be the subject of analysis and planning.

Finally, attached here to is a copy of New Hampshire RSA 12-G:44, concerning the Division of Ports and Harbor Advisory Council. As the Board begins to consider the nature of a facility analysis, the involvement of the Advisory Council may be in order.

**RYE HARBOR MARINE FACILITY  
RIGHT OF ENTRY HOLDERS**

A		B	C	D	E		F	G
Harbor	Type	Expires	CHARTER (name as registered with NH SOS)	SPECIFIC USE UNDER CURRENT ROE		OWNER LAST NAME	OWNER FIRST NAME	
1	RH	PV/SO	JUNE 30 2023	Black Dog Charters LLC	Charter boat operations, parking, and to provide a location for the placement of a building at the Marine Facility to be used in association with the charter boat operations.	Tuttle	Dwight	
2	RH	PV	JUNE 30 2023	Clandestino Charters LLC.	Charter Boat Operations & Customer Parking	Connell	Keper	
3	RH	PV/SO	JUNE 30 2023	Granite State Whale Watch Inc.	Whale Watch and Island Tour operations, parking, and to provide a location for the placement of a building at the Marine Facility to be used in association with vessel operations, ticket sales, and retail sales of souvenirs, bait, and tackle.	Reynolds	Pete	
4	RH	Storage	JUNE 30 2023	Granite State Whale Watch Inc. storage building	To provide a location for the placement of an 8' x 10' storage building located adjacent to the Rye Harborside snack bar at the Marine Facility to be used in conjunction with Granite State Whale Watch, Inc. operations.	Reynolds	Pete	
5	RH	PV/SO	JUNE 30 2023	Harvester Fishing Charters LLC	Charter boat operations, parking, and to provide a location for the placement of a building at the Marine Facility to be used in association with the charter boat operations.	Aikens	Peter	
6	RH	boat hauler	JUNE 30 2022	Independent Boat Haulers Inc	Use of Landing Facilities and Parking Spaces	Pollard	John	
7	RH	PV	JUNE 30 2023	Lily B II (Don Taylor dba---fka Taylor'd Charters LLC)	Charter Boat Operations & Customer Parking	Taylor	Don	
8	RH	PV	JUNE 30 2023	Lucas Marine LLC	Charter Boat Operations & Customer Parking	Kohlhase	David	
9	RH	SO	JUNE 30 2023	Petey's Lobster Pound & Gifts (Petey's Red Roof Enterprises, Inc. dba)	To provide a location for the placement of a building at the Marine Facility to be used for retail sales of lobster catch, nautical gifts and souvenirs, and parking.	Aikens	Peter	
10	RH	PV	JUNE 30 2023	Pinwheel Tuna Fishing, LLC.	Charter Boat Operations & Customer Parking	McLaughlin	Tyler	
11	RH	PV	June 30, 2023	Rye Harbor Adventures (Paul McInnis dba)	Charter Boat Operations & Customer Parking	McInnis	Paul	
12	RH	Storage	JUNE 30 2023	Rye Harbor Lobster Pound (Nathan A Hanscom dba)	To provide a location for the placement of a building at the Marine Facility to be used for storage of catch, aka, Building 2.	Hanscom	Nate	
13	RH	SO	July 1, 2023	Rye Harbor Lobster Pound Bld 2 (Nathan A Hanscom dba)	To provide a location for the placement of a building at the Marine Facility to be used for retail sales of lobster catch and parking.	Hanscom	Nate	
14	RH	C	JUNE 30 2023	Rye Harborside (GSWW Inc. dba)	PDA-DPH grants to the concessionaire the right and privilege to sell items normally associated with a snackbar; Rye Harbor Marine Facility, Rye, NH (the "Premises") in accordance with the terms contained herein. Concessionaire must comply with all state and local laws governing the sale and distribution of alcoholic beverages, tobacco and prepared food items.		Pete	
15	RH	PV	June 30, 2023	Seacoast N.H. Sportfishing (Robert Weathersby dba)	Charter Boat Operations & Customer Parking		Robert	
16	RH	PV	JUNE 30 2023	SNH-RYE LLC. (fka Rye Charters)	Charter Boat Operations & Customer Parking		George	
17	RH	PV	JUNE 30 2023	Southeast Charter Company (Ted Alex dba)	Charter Boat Operations & Customer Parking	Alex	Ted	

**RYE HARBOR MARINE FACILITY  
RIGHT OF ENTRY HOLDERS**

	A	B	C	D	E	F	G
	Harbor	Type	Expires	CHARTER (name as registered with NH SOS)	SPECIFIC USE UNDER CURRENT ROE	OWNER LAST NAME	OWNER FIRST NAME
1	RH	PV/SO	JUNE 30 2023	Tontine Fishing Inc.	Charter boat operations, parking, and to provide a location for the placement of a building at the Marine Facility to be used in association with the charter boat operations.	Dennehy	Patrick
19	RH	PV	JUNE 30 2023	Two in the Bush LLC dba Savage Charters	Charter Boat Operations & Customer Parking	LaMonica	Shannon
20	RH	PV/SO	JUNE 30 2023	Vintage Fish Company LLC	Charter fishing operations, parking, and to provide a location for the placement of a building at the Marine Facility to be used for charter boat operations, retail sales office of fishing tackle and nautical souvenirs	Baker	Adam
21							
22	<b>C=Concession</b>						
23	<b>PV= Passenger Vessel (charter)</b>						
24	<b>S=Storage</b>						
25	<b>SO=Sales office (shack)</b>						



A	B	C	D	E	F	
		<b>Rye Pier Permitted Vessels as of 4/26/22</b>				
	<b>Boat name</b>	<b>Contact</b>	<b>Activity of Vessel</b>	<b>Pier Permits</b>	<b>Skiff Permits</b>	<b>LOA</b>
1	Alexandra	Ted Alex	Charter	2022	2022	32
2	Amanda My	Wayne Driscoll	Lobster	2022	2022	38
3	Black Dog	Butch Tuttle	Charter	2022	2022	31
4	Bocky	Susan Reynolds	Lobster	2022	2022	22
5	Carol Ann	Randy Jones	Lobster	2022	2022	21
6	Colleen Kathryn	Patrick Carberry	Lobster	2022	2022	36
7	Donna Jean	Zach Clifford	Lobster	2022	2022	35
8	Fish Tales	David Kohlhase	Tuna	not yet	2022	36
9	Gotcha	Jeffrey Barbour	Lobster	2022	2022	23
10	Gypsy	Tom Eldredge	Lobster	2022	2022	22
11	Isurus	Keith Levesque	Tuna	2022	no skiff	33
12	Julia	Paul McInnis	Charter, Tuna	2022	2022	32
13	Kelly Corrine	Neil Levesque	Lobster	2022	2022	21
14	Kiska B	Frank Alexandropoulos	Charter	2022	no skiff	31
15	Mary Marjorie	Chuck Lamprey	Lobster	2022	2022	48
16	Mistress	Henry Lothrop	Lobster	2022	2022	48
17	No boat name	Dr. Robert Eberhart	Lobster	2022	no skiff	20
18	Persistence	Rick Philbrick	Charter	2022	2022	32
19	Pinwheel	Tyler McLaughlin	Tuna	2022	2022	45
20	Renee Ann	John McCune Jr	Lobster	2022	2022	24
21	Revolver	Rick Wickson	Lobster	2022	2022	32
22	Rimrack	Michael Anderson	Groundfish, Dragger	2022	2022	51
23	Seacoast Sportfishing	Bob Weathersby	Charter	2022	2022	35
24	Smutty	leo Axtin	Harbormaster - no fishing	2022	no skiff	22
25	Spine-A-Liner	Mark Arsenault	Tuna	2022	no skiff	36
26	Taz Time	Tony Pettiglio	Lobster	2022	no skiff	20
27	Tere Sue	James Irish	Lobster	2022	2022	36
28	Tide	John Tuttle	Lobster	2022	no skiff	23
29	Toro	Al Cumings	Lobster	2022	2022	29
30	Vaihall	Adam Baker	Charter	2022	2022	35
31	Yellow Boat	Buntrock/D.Stevens	Dive Boat	2022	no skiff	20
32	Witchcraft	Jayson Driscoll	Groundfish	2022	2022	46
33						
34						
35						
36						
37						
38						
39						

**68 Pier Permits are anticipated for 2022. 32 currently have permits with more applications coming in daily. Season just underway.**

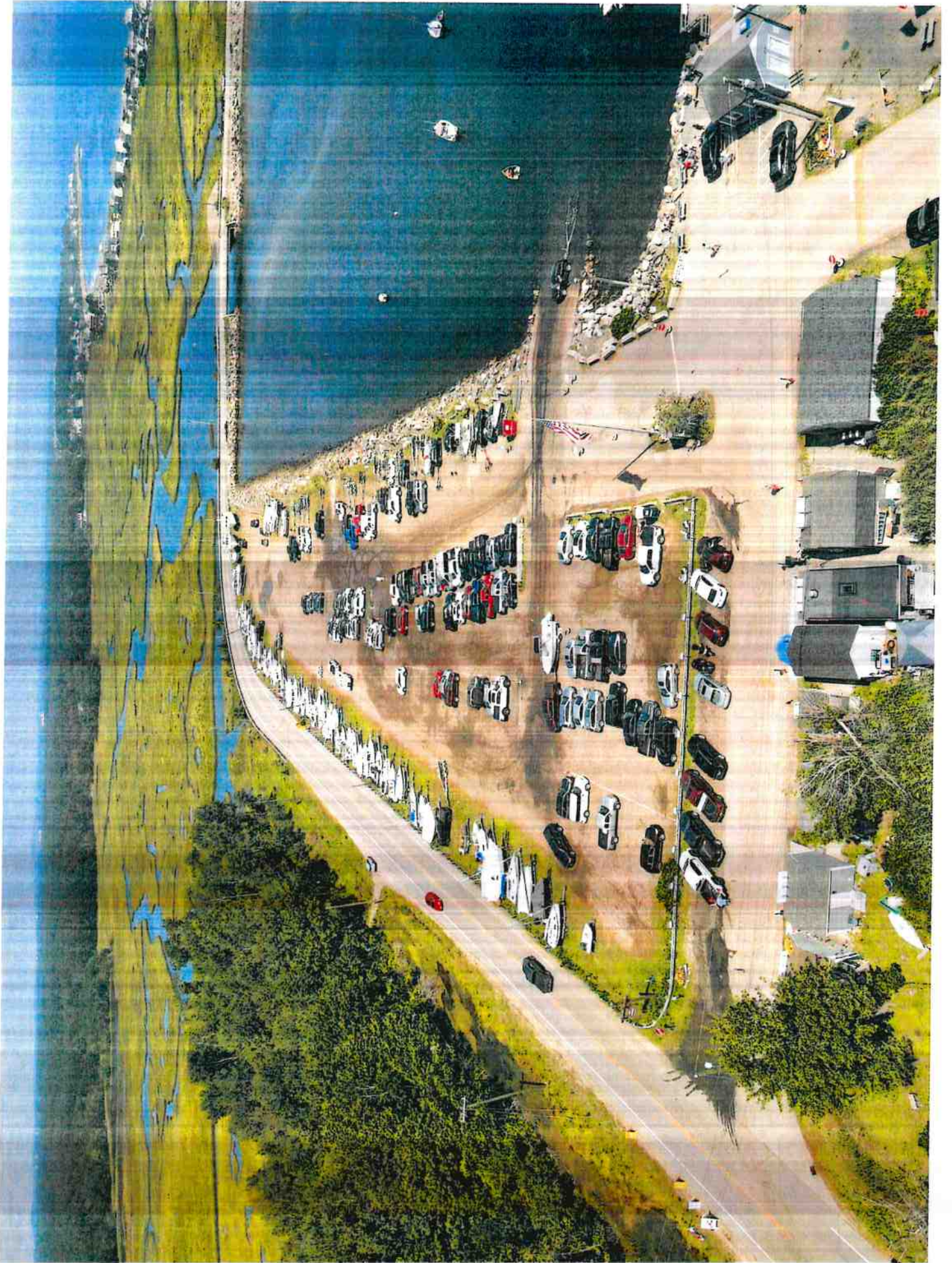
A	B	C	D	E	F	
Rye Pier Permitted Vessels as of 4/26/22						
1	2	Contact	Activity of Vessel	Pier Permits	Skiff Permits	LOA
40	<b>CY 2021 PERMITS</b>					
41	Bridget Leigh	Hauze/Griggs	Tuna	2021	2021	43
42	Chasin Tails	Andy Widen	Tuna	2021	no skiff	30
43	Dovekie	Steve Driscoll	Lobster	2021	2021	35
44	Doxy	John Heisey	Lobster	2021	2021	30
45	Evelyn A	Nick Cyr	Lobster	2021	2021	24
46	Figment	Keper Connell	Charter, Lobster	2021	2021	45
47	Granite State WW	Peter Reynolds	Whale Watch	2021	2021	65
48	Harvester	Peter Aikens Jr.	Charter	2021	no skiff	27
49	Holy Mackerel	Wes Stalker	Bait	2021	2021	24
50	John Oscar	Widen, Andy	Tuna	2021	2021	42
51	Judith E	Jon Savage	Lobster	2021	no skiff	31
52	Klaira D	Dennis Lawrence	Charter	2021	no skiff	25
53	Lil Bulldog	Donald Lyons	Lobster	2021	no skiff	38
54	Linda Anne	Brian Flood	Lobster	2021	2021	21
55	Madrigan	Taylor/Peter Phillips	Groundfish, Dragger, Lobster	2021	2021	45
56	Medium Rare	Dan Riley	Tuna	2021	2021	31
57	Miss Mallory	Duncan Kiedaisch	Groundfish	2021	2021	22
58	Misty Mikayla	Peter Aikens Jr.	Lobster	2021	2021	39
59	No name Eaton	Alan Eaton	Lobster	2021	2021	23
60	No name Welch	Ryan Welch	Groundfish	2021	no skiff	25
61	Out of Line	Jamie Savage	Charter, Tuna	2021	2021	36
62	Paniolo	Jon Drake	Lobster	2021	2021	32
63	Roenne Olivia	Kevin Magoon	Lobster	2021	no skiff	22
64	Saltshaker	Richard Green	Tuna	2021	no skiff	55
65	Sea Bea	Greg Binette	Lobster	2021	2021	20
66	Sea Hag	Taylor Phillips	Lobster	2021	2021	36
67	Sea Hag II	Hope Flynn	Lobster	2020	2020	21
68	Shoal's Run	Scott Heisey	Lobster	2021	2021	28
69	Surprise	Kris St. Germain,	Tuna	2021	no skiff	25
70	Sushi Hunter	Paul Ellsliager	Lobster, Tuna	2021	no skiff	36
71	Taylor Mae	Jon Savage	Pogies, bait	2021	2021	30
72	Teddy	Joe Munroe Jr.	Lobster	2021	2021	20
73	Tontine	Patrick Dennehy	Charter	2021	2021	42
74	Tunaschoona	Phil Bennett	Tuna	2021	no skiff	26
75	Uncle Oscar	Peter Reynolds	Star Island Ferry	2021	2021	65
76	Zero Nine	David "Bill" Boies	Lobster	2020	2020	46

**Rye Data - Cars, Launch, Season's Pass (All Uses) Summer/Winter storage  
Summary Cars & Boats FY 2022 through May 1 2022. (11 of 12 months of year)**

Fiscal Yr.	Daily car totals	Daily Launches	Parking Notices Cars*	Seasonal Parking	Seasonal Launch	Overnight Parking	Overnight Seasonal	Parking		
								Notice Launch	Summer Storage	Winter Storage
Rye 22	4678	659	141	24	32	52c, 25 T	22	144	61	56
Rye 21	3864	845	441	18	23	36	14	386	64	63
Rye 20	5204	795	197	27	24	192	4			
Rye 19	6231	708	429	20	21	226	24	139		
Rye 18	6962	740	432	29	17	220	5	137		
Rye 17	7364	666	640	39	14	388	6	80		
Rye 16	7255	765	455	20	17	247	6	248		
Rye 15	6572	721	440	22	11	289	8	238		
Rye 14	7322	1132	598	19	19	303	8	159		
Rye 13	7455	1107	721	20	16	320	6			
Rye 12	7344	1272		18	21	313	6			
Rye 11	7536	984		18	17	291	3			
Rye 10	7138	2179	350	34	13	537	2			
Rye 09	6886	1235	175	35	19	309	3			
Rye 08	7545	1468	125	34	24	364	1			

\* These are parking notices that were put on windshields for cars/trailers that came in before hours











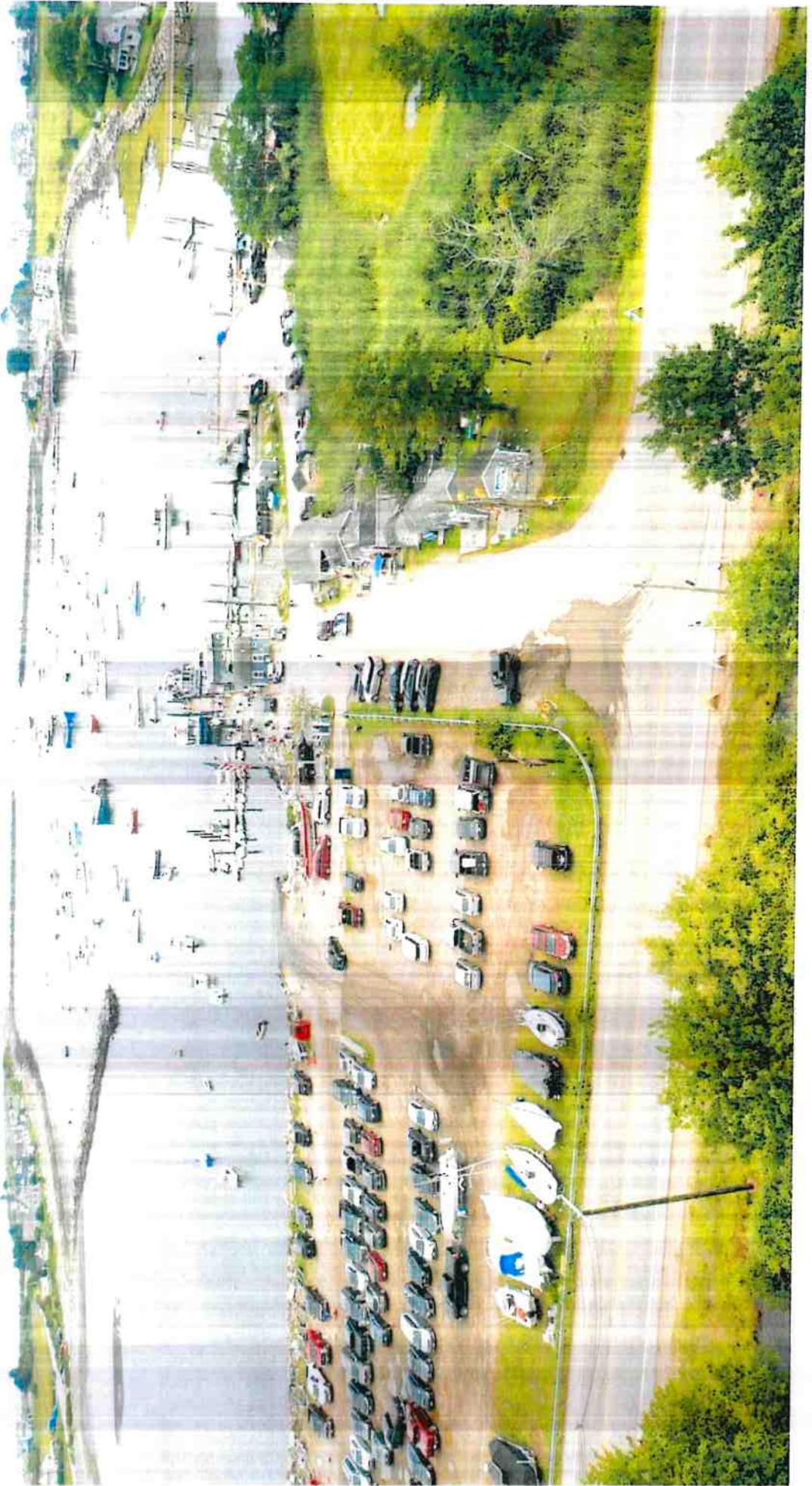






Exhibit Depicting Rye Harbor

DESIGNED BY: MRM

DATE: 4/27/22

SCALE: 1"=100'

**PEASE DEVELOPMENT AUTHORITY**



55 INTERNATIONAL DRIVE, PORTSMOUTH, NH 03801

Professional Review 2/24

**TITLE I  
THE STATE AND ITS GOVERNMENT**

**CHAPTER 12-G  
PEASE DEVELOPMENT AUTHORITY**

**Division of Ports and Harbors**

**Section 12-G:44**

**12-G:44 Division of Ports and Harbors Advisory Council. –**

I. There is hereby established a division of ports and harbors advisory council consisting of 8 members, 6 of whom shall be appointed by the **governor**, with the advice and consent of the council. Two of said appointive members shall be residents of the cities and towns of the seacoast region or state tidal waters that are not represented on the board, one appointive member shall be a commercial fisherman engaged in that industry on the seacoast, and 2 appointive members shall be experienced in a maritime industry. Each appointive member shall serve for a term of 5 years. Said members shall serve until their successors are appointed and qualified. Any vacancy occurring in the membership of the appointive members shall be filled by the governor and council for the unexpired term. In addition to the 6 appointive members, the commissioner of the department of business and economic affairs, or designee, and the mayor of the city of Portsmouth, or designee, shall be, by virtue of their offices, members of the council.

II. The council shall elect one of its members as a chairman, one as a vice-chairman, and one as a treasurer. The members of the council shall receive no compensation for their services; but their reasonable expenses, incurred in the performance of their duties, shall be paid by the state. The council shall have the right to establish bylaws for the management of its affairs within the meaning of this chapter and the laws of the state. The division shall provide the council with the administrative support necessary to carry out its responsibilities under this chapter.

III. The council shall consult with and advise the division director with respect to the policy, programs, and goals of the division, the operation of the port, the selection of harbor masters and assistant harbor masters, and the procurement of services of a port terminal operating firm. In order to accomplish said purposes, the council shall meet with the division director no less frequently than quarterly, or at the call of the chairman or 3 council members. All potential conflicts of interest shall be adequately disclosed. The council shall file annually a report of its deliberations and recommendations with the board and the executive director. The authority, by 5 affirmative votes, may override any action of the council.

IV. The division director shall present all rules proposed to be implemented by the authority under RSA 12-G:42, X to the council for consideration prior to filing a notice of proposed rule under RSA 541-A:6. The council shall present any objections to the proposed rule to the division director and to the board in writing within 15 days of submission to the council by the division director. The authority may adopt a rule to which the council has objected only upon 5 affirmative votes of the authority and after presenting a written reply to the council detailing the reasons for adopting the rule over the objections of the council.

V. The council may propose rules to the authority for adoption under RSA 12-G:42, X. The authority shall adopt rules proposed by the council unless, within 15 days of their proposal, the authority, by 5 affirmative votes, objects to the adoption of such rules and presents a written reply to the council detailing the reasons for objection.

**Source.** 2001, 290:6. 2003, 242:12, 13. 2008, 356:5, eff. July 11, 2008. 2017, 156:14, II, eff. July 1, 2017.



**LAKES REGION ENVIRONMENTAL**

*Fuel System Specialists & Equipment*

P.O. Box 1236

Belmont, NH 03220

Phone (603) 267-7000 Fax (603) 267-8039

**Change Order # 1.**

**Rye Harbor**

**Rye, N.H.**

**TO:**

Pease Development Authority  
 Division of Ports & Harbors  
 555 Market St. P.O. Box 369  
 Portsmouth, N.H. 03801

**PROJECT/SITE:**

Rye Harbor  
 1870 Ocean Blvd  
 Rye, New Hampshire  
 UST Facility: # 0-111064 / DES Site: # 199912055

CONTRACT Approved SIGNED DATE		CONTRACT DESCRIPTION	ORIGINAL PURCHASE ORDER	F.O.B. POINT	TERMS
September 20,2021		Underground Fuel Tank Piping Replacement -2021	RYE	Rye, N.H.	Per Contract Terms
QTY	UNIT	DESCRIPTION	UNIT PRICE	TOTAL	
<b>Supply one (1) Transition/Low Point Piping Sump w/Manhole not included in Original Proposal: (8/12/2021)</b>					
1.00	TSM-4542	APT Transition Piping Sump, <i>(per DES approved plan)</i>	1,345.74/ea.	1,345.74	
1.00	A0716-044C	Emco 44-inch Composite Manhole w/ Cam-Lock	1,140.69/ea.	1,140.69	
1.00	CONC-INST	Reinforced Concrete Pad for Transition Sump,	1,400.00/lfs	1,400.00	
1.00	TECH-INST	Installation of the Additional Equipment	3,600.00	3,600.00	
<p><b>Note:</b> Any additional labor and/or materials needed not listed above that may require will be charged extra to the contract.                      Signed approvals will be needed before materials are ordered &amp; installed</p>					
				CHANGE ORDER # 1 INCREASE	7,486.43
				TOTAL AMOUNT DUE	

Send all correspondence to:

- Lakes Region Environmental**  
 John J. Paradise  
 P.O. Box 1236  
 Belmont, NH 03220  
 Phone (603) 267-7000 Fax (603) 267-8039
- E-Mail jparadise@lrenvironmental.net

You are authorized to perform the following above described:

Please sign the acceptance form below.

**NOTE:** (THIS IS NOT AN INVOICE)

**Pease Development Authority  
 (Division of Parts & Harbors)  
 PO# \_\_\_\_\_**

Signature: \_\_\_\_\_

Date \_\_\_\_\_

**Change Order Date: April 29,2022**

Print: \_\_\_\_\_





**PEASE**  
INTERNATIONAL  
PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

TO: Paul Brean, Executive Director, PDA *PAB*  
FROM: Geno J. Marconi, Director, DPH *W*  
DATE: May 3, 2022  
RE: Commercial Mooring Transfer

The Pease Development Authority, Division of Ports and Harbors has received a request for the transfer of a commercial mooring, permit #1730, from Chantal Kimball to Avery Kimball.


I have reviewed the attached paperwork and concur with the local Harbormaster and Chief Harbormaster that the request meets all the requirements of the PDA-DPH Code of Administrative Rules regarding commercial mooring transfers. Therefore, I am requesting approval of the transfer.

If you have any questions or need further information, please let me know.

○○○○ TAKING YOU THERE

ph: 603-436-8500 fax: 603-436-2780 www.peasedev.org

Division of Ports & Harbors  
Memorandum

To: Capt. Geno J. Marconi  
From: Chief H/M Tracy R. Shattuck   
Re: Commercial Transfer  
Date: May 3, 2022

---

Chantal Kimball and Avery Kimball are requesting the transfer of a Mooring Permit (#1730) in the Rye Harbor mooring field. Attached is documentation of Avery's commercial enterprise in the form of his commercial fishing licenses. Also attached is the transfer request and bill of sale from Chantal. Avery Kimball has asserted that he understands that the mooring must remain in commercial use.

I have reviewed this application and I believe that it is in compliance with the administrative rules.

I recommend that permit #1730 be transferred to:

Avery Kimball  
23 Highland Park Ave  
Rye, NH 03870


## MOTION

Director Fournier:

The Pease Development Board of Directors hereby authorizes the Executive Director to extend the Division of Ports and Harbors' On-Call Marine Engineering consultant contract with Appledore Marine Engineering, LLC of Portsmouth, New Hampshire, for an additional six (6) month period; all in accordance with the memorandum of Geno J. Marconi, Division Director, dated May 6, 2022, attached hereto.

N:\RESOLVES\2022\DPH - Appledore Marine Engineers On Call Consultants 6 Mo Extension 5-19-2022



Date: May 6, 2022  
To: Pease Development Authority ("PDA") Board of Directors  
From: Geno Marconi, Division Director   
Subject: Appledore Marine Engineering Contract Extension


Appledore Marine Engineering LLC's ("AME") is the Division of Ports and Harbors' (the "Division") on-call marine engineer pursuant to a contract approved by the Board of Directors in 2017. The contract is due to expire June 30, 2022. Due to the extensive amount of work the Division is currently involved with (e.g. wharf rehabilitation and functional replacement) and the start of the 2022 summer boating season and opening of harbor facilities, it would stretch the resources of the Division to prepare and advertise a Request for Qualifications, review responses, and interview candidates in an adequate manner, in order to seek approval of a new contract by the PDA Board's June meeting. The Division has communicated with AME and it is willing to extend the current contract for a six (6) month period on the same terms and conditions.

Therefore, the Division of Ports and Harbors requests Board approval of a six (6) month extension of the contract with AME, under the existing terms and conditions, through December 31, 2022.

## MOTION

Director Anderson:

The Pease Development Authority Board of Directors hereby approves of and consents to the Right of Entry ("ROE") with 381 Constructors ("381") for the use of the facilities at the Market Street Terminal for trans-loading equipment in association with the Portsmouth Naval Shipyard Superfood Basin Project; all in accordance with the memorandum of Geno J. Marconi, Division Director, dated May 6, 2022, attached hereto.

To: Pease Development Authority ("PDA") Board of Directors  
From: Geno Marconi, Division Director   
Date: May 6, 2022  
Subject: 381 Constructors-Right of Entry-Market St. Terminal

The Division of Ports and Harbors (the "Division") received a request from 381 Constructors ("381"), of 100 International Dr. Ste. 100, Portsmouth, NH 03801, to enter into a Right of Entry ("ROE") at the Market St. Terminal (the "Premises") to trans-load equipment to/from barges in association with its Portsmouth Naval Shipyard, Superflood Basin Project.

The Division is recommending approval of the ROE subject to the following terms and conditions:

- PREMISES:** Market St. Terminal, 555 Market St., Portsmouth, NH
- PURPOSE:** On a case by case basis, and subject to availability of the pier, use of the Premises for Trans-Loading equipment to/from in association with the Portsmouth Naval Shipyard Superflood Basin Project.
- TERM:** June 1, 2022 through May 31, 2024
- INSURANCE:** Minimum insurance coverage per Exhibit A, attached
- FEES:** Applicable Terminal charges; which include but are not limited to:
- Dockage- \$500.00/day
  - Wharfage- \$0.85 per ton of dredge materials discharged

Invoices will be issued on a monthly basis.





**PEASE**

INTERNATIONAL

PORTS AND HARBORS

555 Market Street, Suite 1 Portsmouth, NH 03801

EXHIBIT A

**TO: ALL CONTRACTORS, SUBCONTRACTORS AND/OR AGENTS**

**RE: MINIMUM REQUIREMENTS OF CERTIFICATES OF INSURANCE FOR CONTRACTORS/SUBCONTRACTORS WORKING ON PROPERTY OF PEASE DEVELOPMENT AUTHORITY-DIVISION OF PORTS AND HARBORS**

All contractors, subcontractors and/or any agents thereof are required to provide proof of insurance to the Pease Development Authority-Division of Ports and Harbors (PDA-DPH) before the commencement of any work on PDA-DPH property. The following are the minimum requirements for insurance coverage:

1. **Commercial General Liability:** Two (2) million dollars commercial general liability coverage per occurrence; and Two (2) million dollars per project aggregate.
2. **Automobile Liability:** One (1) million dollars automobile liability coverage.
3. **Workers Compensation:** Coverage equal to minimum statutory levels as required by New Hampshire State law.
4. **Longshore and Harbor Workers Compensation Act Insurance:** *To the extent applicable* and to limits as required by Federal and State law.
5. **Environmental/Pollution Liability:** As required by activities which give rise to the necessity for such coverage and in such amounts as determined by PDA-DPH from time to time.
6. **Additional Insureds:** Pease Development Authority Division of Ports and Harbors and the State of New Hampshire must be named as additional insureds under all liability coverages.
7. **Certificate Holder:** Pease Development Authority, Division of Ports of Harbors  
555 Market St.  
Portsmouth, NH 03801
8. **Professional Liability:** As required by activities which give rise to the necessity for such coverage and in a minimum amount of One (1) million dollars.
9. **Notice of Cancellation:** A 30 day notice of cancellation (with the exception of a 10 day notice for non-payment of premium) must be provided.
10. **Waiver of Subrogation:** With the exception of workers compensation coverage, a statement that a waiver of subrogation is included with respect to applicable coverage.
11. **Primary Insurance:** A provision that any liability coverage required to be carried shall be primary and noncontributing with respect to any insurance carried by the PDA.

For questions, please contact the Pease Development Authority Legal Department at (603) 433-6348.

## MOTION

Director Lamson:

The Pease Development Authority Board of Directors hereby approves of the issuance of a Right of Entry (“ROE”) to the US Army Corps of Engineers (“ACOE”) for the purpose of vehicle parking and for the staging of an office trailer as may be required at the Hampton Harbor Marina in connection with the 2022 Hampton Beach Jetty Repair; substantially in accordance with the draft ROE, attached hereto.

May 12, 2022

**VIA E-Mail:** Coral.E.Siligato@usace.army.mil  
Coral Siligato, Project Manager  
US Army Corps of Engineers  
New England District  
696 Virginia Road  
Concord, MA 01742-2751

**Re: Right of Entry for Use of Hampton Harbor Marina  
To Facilitate the 2022 Hampton Beach Jetty Repair**

Dear Ms. Siligato:

This Right of Entry will authorize the United States Army Corps of Engineers ("USACE") and its contractors to enter upon a portion of the above referenced Premises (see **Exhibit A**) for a period commencing August 1, 2022 through March 31, 2023 for the non-exclusive purpose of vehicle parking and for the staging of an office trailer as may be required in connection with the 2022 Hampton Beach Jetty Repair more specifically described in the Special Use Permit attached hereto as **Exhibit B** and for no other use without the express written consent of the Pease Development Authority- Division of Ports and Harbors ("PDA-DPH"). The use and occupation of the Premises shall be: (a) non-exclusive; (b) without cost or expense to the PDA-DPH; (c) subject to the general supervision and approval of the PDA-DPH and; (d) subject to such rules and regulations as the PDA-DPH may prescribe from time to time. This Right of Entry shall terminate at midnight on March 31, 2023.

1. The USACE understands and acknowledges that this Right of Entry; (a) allows only temporary use of the facilities and; (b) is granted on a non-exclusive basis. The use of the Premises shall be orderly and efficient, shall not constitute a nuisance and shall not cause disruption to other activities at Hampton Harbor Marina.

2. PDA-DPH shall not be responsible for damages to property or injuries to persons which may arise from or be attributable or incident to the condition or state or repair of the Premises, or the use and occupation thereof, or for damages to the property or injuries to the person of the USACE's officers, agents, servants or employees, contractors, or others who may be on the Premises at their invitation or the invitation of any one of them.



Page Two  
May 12, 2022

**Re: Right of Entry for Use of Hampton Harbor Marina  
To Facilitate the 2022 Hampton Beach Jetty Repair**

To the extent permitted by law (i.e., The Federal Tort Claims Act), the USACE agrees to assume all risks of loss or damage to property and injury or death to persons by reason of or incident to the possession and/or use of the Premises, or the activities conducted by it under this Right of Entry.

To the extent permitted by law, the USACE, expressly waives all claims against PDA-DPH for any such loss, damage, personal injury or death caused by or occurring as a consequence of such possession and/or use of the Premises or the conduct of activities or the performance of responsibilities under this Right of Entry.

3. The USACE agrees to require its contractors provide PDA-DPH with proof of insurance which meet the requisite minimum coverage requirements as set forth in **Exhibit C** to this Right of Entry.

Please indicate by your signature or the signature of a duly authorized representative, the consent of the USACE to the terms of this Right of Entry and return the same to me in advance of the commencement date.

Sincerely,

Paul E. Brean  
Executive Director

Agreed and accepted this \_\_\_ day of \_\_\_\_\_, 2022

**United States Army Corps  
of Engineers**

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Its Duly Authorized: \_\_\_\_\_

cc: Geno J. Marconi, Director, PDA-DPH  
Tracy R. Shattuck, Chief Harbormaster  
Anthony I. Blenkinsop, Deputy Director / General Counsel

P:PortAuthority/HamptonHarbor/ROE for Office Trailer and Parking

EXHIBIT "A"  
PREMISES





EXHIBIT "B"  
SPECIAL USE PERMIT



STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF NATURAL AND CULTURAL RESOURCES  
 DIVISION OF PARKS AND RECREATION



SPECIAL USE PERMIT

The Department of Natural and Cultural Resources through its Director, Division of Parks & Recreation (DNCR) under authority granted in RSA 227-H: 9 grants a Special Use Permit (the Permit) to: Pease Development Authority through its Executive Director, 55 International Drive, Portsmouth, NH 03801, and its invitees, agents and contractors (the Permittee) to use the below described State property for purposes requested in attached document "Information for the NH Department of Natural and Cultural Resources (DNCR) and the National Parks Service (NPS) For a Non-Conforming Temporary Use Permit at Hampton Harbor, NH," received from Bill Kavanaugh, Project Manager for the Permittee, attached herewith as EXHIBIT A, as follows:

**State Land:** Hampton Beach State Park – South Beach, Hampton, NH

**Purposes of Permit:** Use of the identified portion of the southerly end of Hampton Beach (the Premises) identified in the attached EXHIBIT A for the purpose of maintenance work of the north jetty feature of the Federal Navigation Project at Hampton Harbor, Hampton and Seabrook, NH (the Project).

**Period of Use:** September 25, 2022 through March 31, 2023

**Fee:** The Permittee is a State agency, fee is waived.

**Insurance:** The Permittee is a State Agency and is self-insured.

**Bond Required:** The Permittee is a State Agency, bond is waived.

The Permit is given under the following conditions:

1. The Permittee and all persons using the Premises with the consent of the Permittee shall comply with all applicable laws and regulations of the State of New Hampshire governing state forests and state parks.
2. The Permittee agrees that no trees or shrubs shall be cut, damaged or used by the Permittee except as may be provided herein, or without prior approval of DNCR.
3. DNCR shall not be responsible for damages to property or injuries to persons which may arise from or be attributable or incident to the condition or state or repair of the Premises, or the use and occupation thereof, or for damages to the property or injuries to the person of Permittee's officers, agents, invitees, servants or employees, who may be on the Premises at their invitation or the invitation of any one of them.
4. Permittee expressly waives all claims against DNCR for any such loss, damage, personal injury or death caused by or occurring as a consequence of such possession and/or use of the Premises or the conduct of activities or the performance of responsibilities under the Permit. The Permittee does not waive claims against DNCR for loss, damage, personal injury or death caused by or occurring as a consequence of the negligent acts or omissions of DNCR's employees or agents.
5. Prior to the start of work, DNCR shall be invited to a preconstruction meeting and be provided a list of contacts for the project including on-site staff including but not limited to the project supervisor, construction representative, project engineer, resident engineer, and project manager.
6. The Permittee shall, prior to the start of work, conduct public outreach to inform the public of the Project, including but not limited to press releases and onsite signage. DNCR shall post informational materials provided by the Permittee on the DNCR website.

Initial Date 10/11/2022

7. The Permittee shall agree to document the existing condition of the Premises by taking photos of all areas outlined in Attachment A - Real Estate Plan herein.
8. The Permittee shall be permitted to begin delivery of required construction materials no earlier than September 25, 2022. The Permittee shall meet with the Park Manager and/or Regional Supervisor to discuss the delivery date and time no later than 48 hours prior to delivery.
9. The Permittee shall, at its expense, be responsible for proper traffic and safety control in the Park entrance as necessary. The Permittee shall submit a traffic control plan to DNCR no later September 1, 2022.
10. The Permittee shall be permitted to place construction mats along the beach access route to avoid compact of the sand and to protect pavement.
11. The Permittee shall rope off the staging area no later than 24 hours prior to the delivery date of construction materials.
12. The Park campground quiet hours are 10 p.m. through 7 a.m. The Permittee shall not begin work within the Park or start equipment prior to 7 a.m. and shall stop work and equipment prior to 8 p.m., daily while the campground is occupied.
13. The Permittee shall have permission to remove the guardrail located between the staging area and the beach access route to provide access for oversized equipment; however, the existing guardrail shall be re-installed upon completion of the project.
14. The Permittee shall work directly with New Hampshire Fish and Game and the US Fish and Wildlife Service to ensure protection of the endangered Piping Plovers.
15. **Hampton Beach State Park is designated as a Section 6(f)(3) public recreational property under the Land and Water Conservation Fund (LWCF) Act through the National Park Service (NPS). DNCR, as official program liaison to the NPS for the LWCF program has obtained concurrence from the NPS (EXHIBIT B) that north jetty project will be direct benefit to Hampton Beach State Park, and other 6(f)(3) around Hampton Harbor, and will not require further NPS approval for the Permittee to temporarily establish project staging areas within the park, provided that the project be completed within the scheduled timeline and scope and that areas within the park used for staging and equipment and materials transportation be restored to their pre-existing condition.**
16. All areas of the temporary construction easement and route access areas shall be fully restored to the condition it was initially found, at the expense of the Permittee. This shall include but not be limited to re-grading, spills, construction debris, damage to Park facilities or guardrails, damage to dunes or grass, etc. Restoration and/or repair shall be completed within 30 days of post-construction inspection.
17. The Permittee assumes all liability for any environmental damage as a result of the Project including discharge of oil or other toxic fluids. The Permittee shall be responsible for compliance with RSA 146-A: 5 (EXHIBIT C) regarding the reporting of discharge of oil.
18. To the extent permitted by law, the Permittee agrees to assume all risks of loss or damage to property and injury or death to persons by reason of or incident to the possession and/or use of the Premises, or the activities conducted by it under the Permit.
19. DNCR and the Permittee shall complete a joint post-construction inspection upon the completion of the project but no later than March 31, 2023.
20. The Permittee shall not use the Premises for any commercial purposes; nor sublet or permit its use by any other person or persons except as may be provided herein.

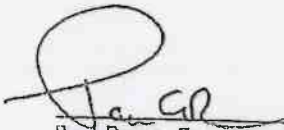
Initial Date



21. The Permittee agrees that the Director, Division of Parks and Recreation or any duly authorized agents at any time may examine and inspect any and all property located and situated on and in the Premises.
22. The Permit is not transferable and the Director, Division of Parks and Recreation, may at any time revoke the Permit for any reasonable cause. Before the Permit is revoked concerning an issue relating to the Permit, DNCR agrees to coordinate with the Permittee to resolve any issues prior to revocation of the Permit. DNCR and the Permittee agree that if the matter cannot be resolved within (10) business days, DNCR may proceed with the revocation of the Permit.
23. The Permittee agrees to comply with all reasonable requests of the Director, Division of Parks and Recreation, or any authorized agents.
24. All precautions will be taken to ensure that there will be no conflict with recreational users on the Premises or in the area.
25. The Permittee agrees that all improvements made to the Premises, if any, will become the property of the DNCR.
26. **The Permittee will notify the Seacoast Region Parks Supervisor (Meredith Collins at 603-227-8715) when any activity not included in this permit arising shall occur.**
27. The Permit may be amended only by an instrument in writing signed by both parties hereto.

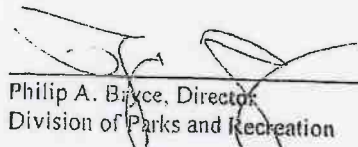
Both parties agree to the above:

**PEASE DEVELOPMENT AUTHORITY**

  
 \_\_\_\_\_  
 Paul Broan, Executive Director  
 Pease Development Authority

4/7/2022  
 \_\_\_\_\_  
 Date

**STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF NATURAL AND CULTURAL RESOURCES  
 DIVISION OF PARKS & RECREATION**

  
 \_\_\_\_\_  
 Philip A. Bryce, Director  
 Division of Parks and Recreation

5-5-22  
 \_\_\_\_\_  
 Date

Concur:  
  
 \_\_\_\_\_  
 Sarah L. Stewart, Commissioner  
 Department of Natural and Cultural Resources

5/10/22  
 \_\_\_\_\_  
 Date



EXHIBIT "C"

PDA-DPH INSURANCE REQUIREMENTS



**TO: ALL CONTRACTORS, SUBCONTRACTORS AND/OR AGENTS**

**RE: MINIMUM REQUIREMENTS OF CERTIFICATES OF INSURANCE FOR  
CONTRACTORS/SUBCONTRACTORS WORKING ON PROPERTY OF PEASE  
DEVELOPMENT AUTHORITY-DIVISION OF PORTS AND HARBORS**

All contractors, subcontractors and/or any agents thereof are required to provide proof of insurance to the Pease Development Authority-Division of Ports and Harbors (PDA-DPH) before the commencement of any work on PDA-DPH property. The following are the minimum requirements for insurance coverage:

1. **Commercial General Liability:** Two (2) million dollars commercial general liability coverage per occurrence; and Two (2) million dollars per project aggregate.
2. **Automobile Liability:** One (1) million dollars automobile liability coverage.
3. **Workers Compensation:** Coverage equal to minimum statutory levels as required by New Hampshire State law.
4. **Longshore and Harbor Workers Compensation Act Insurance:** *To the extent applicable* and to limits as required by Federal and State law.
5. **Environmental/Pollution Liability:** As required by activities which give rise to the necessity for such coverage and in such amounts as determined by PDA-DPH from time to time.
6. **Additional Insureds:** Pease Development Authority Division of Ports and Harbors and the State of New Hampshire must be named as additional insureds under all liability coverages.
7. **Certificate Holder:** Pease Development Authority, Division of Ports of Harbors  
555 Market St.  
Portsmouth, NH 03801
8. **Professional Liability:** As required by activities which give rise to the necessity for such coverage and in a minimum amount of One (1) million dollars.
9. **Notice of Cancellation:** A 30 day notice of cancellation (with the exception of a 10 day notice for non-payment of premium) must be provided.
10. **Waiver of Subrogation:** With the exception of workers compensation coverage, a statement that a waiver of subrogation is included with respect to applicable coverage.
11. **Primary Insurance:** A provision that any liability coverage required to be carried shall be primary and noncontributing with respect to any insurance carried by the PDA.

For questions, please contact the Pease Development Authority Legal Department at (603) 433-6348.