

**PEASE DEVELOPMENT AUTHORITY
PORT COMMITTING MEETING
MINUTES**

Monday, July 22, 2024

Presiding: Neil Levesque, Chairman
Present: Steve Fournier and Ex Officio Member Brad Cook, Chairman of the Port Advisory Council
Absent: Karen Conard
Attending: Paul E. Brean, Pease Development Authority (“PDA”) Executive Director; Myles Greenway, Interim Director Division of Ports and Harbors; Greg Siegenthaler, IT Director; Raeline A. O’Neil, Executive Administrative Assistant; PDA staff members; and members of the public.

I. Call to Order

Chairman Levesque (“Levesque”) called the meeting to order at **8:30 a.m.** in the Board conference room on the Pease International Tradeport at 55 International Drive, Portsmouth, New Hampshire.

Levesque spoke to “Public Comment” allowing for comments and 2 minutes will be allotted per person.

II. Presentation – Rye Harbor Marine Facility – Retail Platform

Myles Greenway (“Greenway”), Interim Director of Ports and Harbors, introduced Travis Baker (“Baker”), of Appledore Marine Engineering (“AME”) and Steve Sargent (“Sargent”) from Oak Point (“OP”) speaking to the concept as presented.

i. Appledore Marine Engineering / Oak Point Associates to present schematics for what is included in the budget

Sargent spoke to the space of the current shacks, proposed location, topographic / geo-tech surveys, wetlands, existing conditions, considerations and constraints in the area. Further, spoke to right-of-way and delineation of wetlands (behind current shacks and across the road - Route 1A). The concept proposed is in the parking area across from the current shacks; concept shows 8 spaces (total square footage approximately 2,000 sq. ft.). The concept would be located on a wood deck, 5’ feet above grade, with stairs / ramp (ADA compliant). The stick built concept allows units to abut, rough interior, a door on both the front and back of the building and a window for each unit; square footage of unit being 250 or 210 sq. ft. (12.5’ x either 22’ or 18’), shingle/clapboard; the deck structure would be timber piles, similar to a pier structure with railings. The suggested placement of the structure is considered the best with all conditions taken into consideration to minimize overall impact (efficiency and cost). Indicated additional funding required for utilities; the vision would be for underground utilities from the pole to each unit, (separate meter bank / individual meters for each unit). Also, Sargent spoke to a review previous parking study, possibility of parking on the side of the structure, handicap parking and the maneuverability for the boat launch area.

Levesque inquired into the fees associated with the utilities as electricity would be required (i.e., running of a lobster pool); Sargent stated from Eversource’s standpoint may be minimal, if any, with cost being for underground conduits and meter bank etc. Units would be set up with basic outlets, exterior lighting with responsibility of the electrical service being that of the unit holder.

Levesque asked to the difficulty to expand from 8 stalls to 12 or 14 stalls; Sargent indicated as designed currently under goal by \$20,000 to \$30,000 for the structure. Sargent spoke to modifications for a savings but spoke to spatial restrictions, impacts and need to maintain egress / access (pedestrian and vehicle).

Brean asked for confirmation that the ramp would meet ADA accessibility; Sargent affirmed. Also, Brean inquired about the impact on septic; Sargent stated none.

Director Fournier (“Fournier”) stated while the ramp is ADA, would it also be able to be utilized for the units to receive shipments / orders etc.; Sargent affirmed with a hand doli/cart. Fournier stated where it is a working harbor the specific use of large containers (i.e., lobsters); Sargent indicated that could be something to look at closer.

Cook spoke to the pilings; Sargent referred to use of timber. Cook inquired as to the depth of the pilings and life expectancy of timber pilings; Sargent confirmed the pilings would be timber, unsure of the exact required piling depth (20’ to 25’) and the load being light. Cook was thinking more on rot of the pilings; Baker indicated marine pilings in a submerged environment, the plan would be for a 30-year design life. However, indicated it could be more (depending on maintenance and exposure).

ii. Proposed Schedule, up to and including contract award

Sargent spoke to a relatively short design period due to project funding, anticipates 80 / 90% design to be completed by end of August, with final submission by October 1st, commencement of the bidding process immediately thereafter and award in December. He also spoke to permitting and the potential to expedite; also spoke to the benefit of the facility being situated in the parking lot area because the gravel surface.

Levesque spoke of the need to keep the Town of Rye informed so its concerns may be addressed. Levesque also spoke to the uncertainty of whether any bids would be submitted, or the cost of the bid(s) may come in making project unattainable.

Levesque spoke to the plan not appearing to affect the commercial area so commercial fishermen may continue without interruption. Further, spoke to the addition of spots (i.e., commercial fisherman desired to sell lobsters through a Right of Entry (“ROE”). Indicating this would help to sustain the fishery coming from the harbor and the monetary value that could be received at retail rather than wholesale. Spoke to the benefits of a study regarding who will have access / allocation of units, fees and providing location for fisherman out of Rye Harbor to sell catch.

Levesque spoke to public comment for those interested in providing feedback on the information presented.

III. Public Comment:

Peter Aikens – inquired into the focus being the removal of the current shacks with the replacement of the new facility; Levesque affirmed. Aikens further inquired as to recouping costs associated with his buildings currently at the facility; Levesque stated he would address some of that at the end.

Adam Baker – inquired whether current shacks would be removed; Levesque indicated that has not been determined at this time. Baker spoke to fairness at the harbors and if Rye shacks are to be removed, in fairness shacks at Hampton should be removed. Shack owners paid for the purchase and maintenance of the current shacks. Over the years, via permission of DPH, shacks have morphed in size /

placement and views them as being grandfathered; spoke to business requirement needs of some units. Current parking area is challenged at times, concept would bring more traffic. Baker inquired of considerations for the boat launch, flooding of the parking lot, winter boat storage, wetlands, pilings stability, and concern of water in underground conduits for utilities.

Nate Hanscom – Rye Harbor Lobster Pound spoke to the reduction in parking. Asked should the current shacks be removed, what happens to the land they are located on? Spoke to the need for his business (restaurant) of sewage / gray water tanks. Suggested putting money into the parking lot and metered parking; otherwise sees a revenue (boating, parking, concessions / ROEs etc.) as a loss at Rye with removal of current shacks (additional cost burden to the current shack holders if removal required).

Sue Reynolds – sees PDA trying to reduce commercial and recreational access at Rye. Speaking for Mandy Huff, Rye Harbor Facilities Manager, indicated the concept would be situated on the highest point of the parking lot, taking away the area utilized in the winter for storage of commercial boats (20). Spoke of a protection act, Title 64 (Planning / Zoning), Chapter 674 referring to traditional, commercial and recreational fishing vessels.

Jaci Grote – State Representative for Rye and Greenland spoke to a meeting with PDA Executive Director Brean (“Brean”) and PDA Chairman Steve Duprey (“Duprey”) being informed the shacks were problematic and would be removed. Duprey indicated the Rye Planning Board would be involved in the process. Rye is a working harbor; encouraged working / listening to the fishing community’s concerns. Concerned hearing inquiry to expand from 8 to 12 or 14 shacks and impacts on police and fire services.

Bill Epperson – Rye Selectboard Chairman spoke to the vision of the project and being problematic for the people of the fishing industry. Indicated decisions need to include fishermen’s considerations so not (punitively) hurt in anyway. Spoke to recent dredging, being a working harbor, wetlands, building permits, infrastructure etc., and effects on Rye’s small police and fire services.

Alex Herlihy – Rye Historic Commission / Rye Civic League spoke to the marine facility being built in 1962 for access to the ocean. Inquired whether all users of the harbor had been consulted, not enough space for the concept. Stated money should go into the parking lot or the docking facilities.

Sylvia Cheever – Rye Harbor Lobster Pound stated doesn’t see shacks as being problematic and feels the uniqueness of Rye Harbor is important to be preserved. People are drawn to the harbor because it is a working harbor and its quaintness. Shacks don’t need to be on a platform; stated money could be better spent on parking, break wall, docks, ramp or something for the facility to run smoother. Cheever stated elimination of the shacks would harm the businesses and uniqueness of the harbor.

John Tuttle – Lobstermen at the harbor stated if revenue is the issue, why not keep both current shacks and concept. Asked how large / heavy items would get on the platform (i.e., bait in large drums), fish bi-products from operations, washing of recreational fish boats, winter boat storage, parking, and number of current shacks (9) versus concept (8) – how to determine who wouldn’t get one.

Beth Tuttle – spoke to revenue generator(s) for / at the facility, whether a feasibility study had been performed and if traffic counts have been conducted.

Cook inquired as to who requested the project (DPH, Rye facility users etc.); indicated the directive came from Concord. Spoke to the determination of a platform and how the various groups seem to be in opposition use of funds for the concept, and the cost of study.

Fournier stated Rye Harbor is a working harbor and over time does not believe the shacks would remain in the same location. The concept is so business can continue.

Levesque affirmed that the Rye Planning Board would be involved, to the consideration of pervious asphalt on to create parking spots, engineers need to review movement of goods up on the platform; and also agreed of the need to have a location to wash off boats. The Port Committee will work on what happens with the existing sheds, who will have ability to seek ROE for the stalls, fees (present / future), requirements to seek ROE, what happens to DRED building, and boat storage.

Levesque asked of consensus among the two Port Committee members to move this concept forward for placement on the Board of Directors' August agenda for discussion; both Fornier and Levesque affirmed.

IV. New Business:

- i. **Star Island Corporation: Proposed terms for Right of Entry, 315 Market Street Burge Dock**
- ii. **Cornell/Shoals Marine Lab: Proposed terms for Right of Entry, 315 Market Street Burge Dock**

Greenway spoke to meetings with both entities with discussions regarding an increase to \$140.00 per linear foot and a three (3) year extension while ROEs are being reviewed.

Greenway also spoke to the submission of paperwork to FEMA with walkthroughs performed regarding expenses incurred to bring the Rye facility up to working condition [due to January storm]. Also spoke to the most recent walkthrough being associated with improvements to the seawalls (both federal and state agencies present).

Levesque inquired into reimbursement of bills; Greenway stated it would be a 75/25 split, but anticipated coverage of the bills.

Further, Greenway spoke to seawall improvements and indicated that information would be brought to the Board.

Greenway spoke to seizing a vessel and gear, north of the Sarah Long Bridge; owner has been non-responsive to the harbormaster and as of June 14th, the vessel and gear was placed on the Market Street property. Notification has been provided via certified mail, in hand delivery was attempted without success and notification was also left at the home of the owner's friend. Ninety (90) days have been provided for removal of the vessel and payment of liens.

V. Old Business:

Spoke to the upcoming PMC "Tall Ship" event commencing Friday, July 26th, with the sail in of the EAGLE; the event will be through the weekend.

A small cruise vessel arrived earlier today and will depart early Tuesday morning; the cruise line is self-sufficient. Brean indicated hearing from the Portsmouth Chamber which stated local businesses appreciative to have the vessels in port. Greenway spoke to the arrival as well of three buses that stay all day and follow a schedule from the Tour Director of the cruise line.

VI. Public Comment:

Sara Morris - spoke to the ROE at the Burge Dock and clarified that it is the University of New Hampshire and not “Cornell” as referenced.

VII. Press Questions:

None.

VIII. Adjournment:

Director Levesque **moved** the **motion** and Director Fournier **seconded** to **adjourn the Board meeting.**

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

Meeting adjourned at **9:36** a.m.

Respectfully submitted,

Paul E. Brean
Executive Director

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