I. Call to Order

Senator Stiles opened the public meeting at 6:30 p.m.

II. Work Session – Meeting with representatives from the state to discuss beach issues.

Senator Stiles explained that this meeting is a follow up from the meetings of last year. The Selectmen and others were working on some issues. She would like to discuss what has happened over the past few months. She asked the Selectmen to give an update on the warrant articles that were passed in March and any impact they would have on the beaches.

Selectman Musselman stated that they had two warrant articles that passed that have to do with the beaches. One is a beach permit program which is now underway. The Town will be issuing Beach Permits for group activities that charge a fee at Rye’s Town Beaches. At the most recent Selectmen’s Meeting, the first two permits were issued; one for Cinnamon Rainbows in Hampton and the other for Summer Sessions in Rye. Beach permits are being issued for the season and will be monitored as the year goes on. He continued that the first two permits were issued for the level of activity that those businesses had in the last year. He noted that the process went very smoothly. The Selectmen had a nice discussion with the applicants who provided good information. The businesses will be having participants sign town waivers. The businesses will also be providing Certificates of Insurance. He thinks they are beginning to accomplish some of the objectives. The other warrant article that passed was for a study on parking along the coast. Six proposals to do the study have been received and are currently under review. The Selectmen will be selecting one firm within the next few weeks and the study will be done over the summer. The study will take into account the number of cars on the weekdays and weekends. It will also look at where the inventory of parking is, how much of a problem the Town has and a range of solutions; one of which is a variety of paid parking alternatives. The first study is probably the first step in what will be a multiyear program. With what was budgeted for this year, he is certain there will not be solutions that will be proposed. There will be some baseline information on the inventory available, the parking problems and
some early direction on future years for a more in-depth study. He noted that there will be a number of publicized meetings to discuss the data that is gathered and the solutions.

Selectman Musselman explained that for the last ten years in Rye, there has been a Beach Commission which was authorized by a warrant article years ago. The Commission’s job was to supervise a beach supervisor, which the Town has never had. The Town does not have the budget or the structure for that. Rather than reappoint a Beach Commission, the Selectmen decided to take a step back and appoint a Beach Committee with a charge to look at the role of the Beach Commission and a variety of beach issues. The Committee will report back to the Selectmen and work closely with the Fire Department. The fire staff in recent years has morphed into a role of managing the lifeguards at Rye Beaches and that will continue. He pointed out that the Beach Committee has five members.

Senator Stiles asked Mr. Wilson for an update in regards to the State Beaches.

**Brian Wilson, NH State Parks**, stated that the biggest change that has been implemented is that the division has updated their rules and administrative policies. They now have the ability to write citations for the violation of beach rules. The rules were just adopted. The division is still trying to figure out the enforcement and how the process will work. He reiterated that this is the biggest change for the State Beaches. He noted that dogs are not permitted on the State Beaches and surfing is not allowed at Jenness. He also noted that dogs will be allowed at Hampton Beach State Park, on leash, October 1

Referring to the violation of beach rules, Senator Stiles asked when they will know who will be doing the enforcement.

Mr. Wilson explained that they will be working with the local police departments in a variety of communities. It is a State issue, as well as, Fish and Game. He noted that they will be speaking with the Rye Chief in regards to this issue.

Police Chief Kevin Walsh stated that he has spoken with Mr. Bryce. They discussed surfing, dogs and the conflict that exists between two town beaches and the dogs going back and forth. They also discussed the town ordinances being different than the State’s and the difficulty in enforcement. He noted that Mr. Bryce was going to review the ordinances to see if he can draft something that is more realistic and more uniformed to help with the issues of enforcement.

Mr. Wilson stated that he expects there will be some public outreach before they get to that enforcement step.

Selectman Jenness asked if the rules are year round.

Mr. Wilson confirmed.

Selectman Jenness asked if there is someone at the parks year round to enforce them.
Mr. Wilson stated that there are a few people on staff, including himself. There are two to three other people who also cover the seacoast.

Selectman Musselman pointed out that there is a lot of surfing in the winter. It seems odd, when there is no one at the beach otherwise, that there would be lines for surfing. Surfing is not allowed at the State Beach and a good question is who is going to enforce this in January? The other question is who would care?

Mr. Wilson explained that they went through a lengthy process to update the rules. He is not sure why that was not considered.

Selectman Musselman noted that dogs are allowed on Town Beaches all winter, whether on a leash or not, under the owner’s control.

Selectman Jenness commented that there are more dogs than surfers in the winter at the State Beach because that has easy parking.

Police Chief Walsh stated that right now, the way the rules are, it is more of an administrative action. The officer would have to go to Concord to testify and it is all done administratively. He spoke with Mr. Bryce about how this could be in-line with the tickets that go to the district court in Portsmouth. That is something that is being reviewed. He pointed out that he does not have the budget to support an officer driving to Concord. He also has a prosecutor that has to travel the same. There are a number of ways to streamline this; however, it only makes sense that everything goes through the 10th Circuit Court.

Senator Stiles suggested he meet with Mr. Bryce, Mr. Wilson and the Commissioner to discuss what will be easiest for enforcement, as well as operate.

In regards to dog waste, Mr. Farrelly asked how that is handled.

Mr. Wilson replied that there is a fine structure for that.

Mr. Farrelly commented that the fine should be steep. It creates an issue for people who abide by the law with those that do not.

Mr. Wilson explained that it is a tier 2 offense, which is a $50 fine for the first offense, $100 second offense and $250 for each subsequent offense.

Selectman Musselman asked how often Jenness Beach is staffed during the summer.

Mr. Wilson stated that the park supervisor, who covers Jenness and Wallis, comes on the beginning of May. A few other seasonal staff is also brought on. The guard staff starts about mid June. He noted that there are a few people who are year round. He lives in Rye and will be pulling into the parks on a daily basis.
Senator Stiles asked about the changes to Route 1A.

**Doug DePorter, NH DOT**, stated that the NH By-Way Survey reflects a lot of concerns that have been in Rye. The study is an update from one that was conducted in the 90’s. The surveys are going out to a much larger group. (He submitted a copy of a portion of the study to the group.) He continued that the study recognizes that there are different areas along the by-way. Some areas are more commercial while others are residential. He continued that this year’s paving contract starts at Rye Harbor, which is where it stopped last year, and continue to the new bridge just past Odiorne. That is scheduled to start after Labor Day.

**Bill Lambert, NH DOT**, stated that they agreed to take a comprehensive look at the parking along Route 1A in Rye. The areas where parking is prohibited along 1A, corresponds to a one sheet regulation that describes it. Over the years, there have been many different descriptions. It may have been described by a select board in the 50’s, a traffic engineer in the 60’s or a police chief in the 70’s. The descriptions tend to change depending on who is writing them and some of them overlap. He continued that they did not have a good handle on looking at the whole corridor for parking regulations. They have agreed to work with the Town and develop one comprehensive parking regulation for the whole section of road. He continued that his staff met with Dennis McCarthy and Chief Walsh. All current regulations were put on a GPS Map. The corridor was reviewed to see if the regulations made sense and changes were considered. This will be brought to the Selectmen with recommendations. Once there is an agreement between the Town and the State on parking, the sign work will be completed. The signs can be done within a month.

Police Chief Walsh noted that the discrepancies are minimal. It will be going to the Selectmen within the next couple of weeks.

**Fire Chief William Sullivan** asked if there will be striping for the cross walks before summer.

Mr. DePorter commented that the crosswalks on 1A are the Towns. The only crosswalks that DOT does are the ones in Hampton near the State Beach.

Selectman Musselman stated that the State has always done Jenness Beach.

Mr. DePorter explained that the State does not typical do crosswalks on state roads other than school areas. However, along Route 1A the State does do near the State Beaches. He will make sure they are done before Memorial Day.

Speaking to Mr. DePorter, Selectman Musselman stated that there have been complaints about an out-of-state contractor doing work on Ocean Boulevard for the Rye Water District. People are not able to force the contractor to patch pavement properly and maintain safe conditions. The Town would be fully in favor of DOT coming down on the contractor like a “ton of bricks” to make sure the pavement is patched properly and conditions are safe. He pointed out that he does not know the details but hears it is not going well.
Dennis McCarthy, Public Works Director, commented that work wise it is going a little bit better.

Chief Walsh stated that things are different with the attitude and getting the goals accomplished. The engineering company is making sure there is someone on staff there at all times. There is also a comprehensive traffic plan with flaggers that have to be on the job site. It now seems it is going in the direction it should.

Speaking to Mr. DePorter, Chief Sullivan stated that there is going to be an accident from the sharp bend at Ragged Neck to the bridge that has not been paved yet. People are going towards the yellow line to avoid the ragged edge on the right side.

Mr. DePorter stated that he will get this taken care of.

Senator Stiles asked if there are any issues to discuss in regards to traffic violations.

Chief Walsh stated that the State Police continue to support the Rye Police Department on a regular basis. Even in the winter, the troopers have been in Town. There have been several times that the troopers have used the Rye station for bookings. He commented that the department is looking forward to the continued support and communications with the State Troopers.

Lieutenant Vetter stated that they will continue to support the Rye Police Department. They have restrictions budget wise; however, there are resources available to the Town. He noted that he has an open line of communication with Chief Walsh.

Chief Sullivan stated that there have been a couple of instances with the previous administration of Seacoast Parks. They had said that the Rye Fire Department did not have the right to ask for Certificates of Occupancy or flame proofing on tents that were being used for events at Ragged Neck and Odiorne Point. The State Fire Marshall feels that under RSA 155 the department has the right to ask for Certificates of Occupancy to be posted if there are more than 50 people under canvas and has the right to ask for a certificate of flame proofing on the tents, even though it is being held on State property. He would like to get back into the routine of inspections the day the tent goes up and permits should be issued from the department. He wants to be sure the events are being run in a safe manner under the law.

Mr. Wilson stated that he believes they are working on a contract to have a tent up at both those locations the duration of the season, as opposed to a tent being put up for each individual event.

There was discussion on the John Smith Memorial Celebration which will be held on August 14th. A limited number of memorial benches are being sold at a price of $5,000 each.
Senator Stiles asked if the Beach Committee would like to share any information.

**Lori Carbajal, Beach Committee Member**, stated that the Committee is a diverse group. One of the members is a fisherman out of Rye Harbor who is very familiar with tides and storms.

**Larry Rocha, Beach Committee Member**, stated that he was a lifeguard on the Jersey Shore for eighteen years. There were about sixty guards and he was captain for ten years. He continued that he is reviewing the guidelines for the Rye lifeguards and would be happy to share any insight on that.

Senator Stiles asked if they will be helping to observe the activities at the beach during the summer.

Ms. Carbajal stated that the Committee will be reflecting back on where the issues have been. They will be walking the beach and reviewing the letters that have been coming into the Town. The Committee will be making recommendations to assist the Town, both police and fire, with how to do some beach management and improve what is in place now. She hopes that they will have a hand in looking at the new permit system so there is some compromise between all parties. This will keep people happy and coming back to the beach. It should also be conducive to the businesses that use the beach. She hopes that they will be able to give some concrete recommendations to the Town and the chiefs so the beaches are manageable. It will be a five year process and a learning curve. She noted that the group is looking forward to working together and starting this process.

Mr. Rocha noted that it is important for the Beach Committee to hear from all groups; citizens, Selectmen and the chiefs. The Committee can take that information and simulate it into recommendations.

Senator Stiles asked who should be contacted if a citizen sees a situation that is not fitting with what has been discussed at this meeting.

Chief Walsh stated that they should call the Police Department.

In regards to fireworks, Mr. Farrelly noted that they go off at all hours of the night. There are certain groups that rent certain houses during certain weeks that seem to have an unlimited budget. Often times, when the police arrive, the fireworks are done.

Chief Walsh stated that a person can posses the fireworks but there are certain things that they cannot light off. The wording is complicated so there is training scheduled with the Fire Marshall’s Office in regards to what the department can enforce. He anticipates that the enforcement will be heavier than what it was last year. He noted that there is also the option of him going to the Town with an ordinance to prevent fireworks or certain ones.

Chief Sullivan noted that the fireworks in general in New Hampshire are out of control. The industry has had such a good lobby that the fireworks that were illegal ten years ago are now
legal to purchase, possess and use. He noted that the Town turned down an additional police officer at the vote in March.

There was some discussion in regards to sky lanterns.

Speaking to the Selectmen, Senator Stiles asked if the Town owns any land along Route 1A that would be adequate for a parking area.

Selectman Jenness replied that any land that might have been the State has taken. She has been up and down 1A and does not know of any such place. More and more parking is taking up what should be a pedestrian and bicycle lane on the sides. The parking is even going further up the side streets away from the boulevard.

Selectman Musselman stated that the parking study is going to look whether or not remote sites make any sense. The Town is going to consider if there are any options.

Chris Sununu, NH Executive Council, stated that he has been to a lot of these types of meetings. The fact that everyone is on the same page is a good sign. He will follow up with the State if the Town is not getting what they need from that level.

Senator Stiles reviewed:

- Two warrant articles passed that affect the beach:
  - Beach Permit process for business on the beach.
  - Parking study for the beaches.
- Beach Committee put in place with five members;
- Parks is in the process of figuring out the violations enforcement;
- Discussions will happen in regards to dogs crossing the State and Town beaches;
- There is no surfing at State Beaches;
- NH DOT will work with the Town in regards to the parking regulations along 1A;
- Signs to be completed for the parking by NH DOT;
- Crosswalks to be painted before Memorial Day;
- NH DOT to look at the corner at Rye Harbor and work being done;
- Beach Committee to review the lifeguards and beach management and return to Selectmen with recommendations;
- Police Chief is happy with the support from the State Police;
- Police Department will be training with the Fire Marshall in regards to fireworks;
- Fire Chief will be working with Parks on certification for the tents;
- John Smith Memorial Celebration, August 14th.
III. Other Business

Devon Farrelly, Grays Court, stated that at the meetings last year, the NH DOT had agreed that there should be a buffer zone north and south of each crosswalk that would be no parking to increase visibility.

Mr. Lambert explained that this is part of the parking that he is working on with Town staff.

Mrs. Farrelly stated that some vans and campers on 1A take up two spaces and reduce the amount of parking spaces available.

Chief Walsh stated that this will be part of the parking study.

Celia Azzi, Old Ocean Blvd., stated that near the Kittery Outlets, on Route 1, there are buttons that pedestrians can press at the crosswalks. This starts lights flashing so the cars that see it will stop. She wonders if this is something that could be considered for Rye.

Senator Stiles commented that this is a good suggestion for the parking study to look at.

Adjournment

Senator Stiles adjourned the meeting at 7:45 p.m.

Respectfully Submitted,
Dyana F. Ledger