

## **TOWN OF RYE - BOARD OF SELECTMEN**

**Monday, July 22, 2019  
6:30 p.m. – Rye Town Hall**

***Selectmen Present: Chair Phil Winslow, Vice Chair Keriann Roman and Selectman Bill Epperson***

***Others Present: Town Administrator Michael Magnant and Acting Town Administrator/Finance Director Becky Bergeron***

### **6:30 p.m.**

#### **I. CALL TO ORDER**

Chair Winslow Called the meeting to order at 6:39 p.m.

#### **II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (b) Hiring**

**At 6:39 p.m., Keriann Roman made a motion to go into Non-Public Session per RSA 91-A:3 II (b) Hiring. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Roman – Yes, Epperson - Yes**

**At 7:02 p.m., Keriann Roman made a motion to come out of Non-Public Session. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Roman – Yes, Epperson - Yes.**

### **7:15 p.m. RECONVENE PUBLIC MEETING**

#### **III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Winslow Called the meeting to order and led the pledge of allegiance at 7:20 p.m.

#### **IV. ANNOUNCEMENTS**

Chair Winslow announced that the agenda for the meeting will be taken in the following order:

1. Public Comments
2. Discussion Item A. Dennis McCarthy, Public Works Director – Hiring of Building & Grounds Workman Liam McDonough
3. Correspondence Items A. Perkins Road Ordinance
4. Discussion Item D. Election Polling Site Committee – Final Report
5. Discussion Item B. Representative Jaci Grote – Legislative Update

#### **V. PUBLIC COMMENT – (at the beginning of the meeting, for any comment by any Rye resident on any topic. Request time limit, up to 5 minutes each person.)**

- **Steven Borne, 431 Wallis Road**, announced that the Rye Civic News will be going out next weekend. He added that if the select board has something they need promoted the information is needed by

Thursday or Friday of this week. Also, Mr. Borne announced that his book has been published. The book release will be on Monday, July 29<sup>th</sup>.

- **Paula Tsetsilas, 12 Rock Orchard Lane**, stated that the follow-up process of the charrette has been very informative and conclusive. She thanked the board for having a listening ear. She announced that she would not be applying for a position on the charrette committee. She stated that she would love to serve but she wants to spend the next six months focusing on the school board's work. She offered a suggestion that as the applications come in and are reviewed for the committee, the board consider bringing in some new people in town. She feels it would be good to bring in people that haven't lived through the safety building experience and have a fresh perspective. Ms. Tsetsilas spoke in favor of a land swap with the TD Bank building. She pointed out the potential for more recreation area there.
- **Frances Erlebacher, 484 Brackett Road**, expressed concern regarding the use of drones to catch images of private property with no warrant. She stated that she has done some research on the issue. She stated that it is not illegal to take images without a warrant, but it is not legal either because it is not set in law. It has been addressed in different ways in different states, but the question is decided by the courts. Ms. Erlebacher reminded the board that Selectman Roman had mentioned the Right-to-Know Law and perhaps the Town could skirt the issue by stating privacy concerns. Ms. Erlebacher stated that it would be hard to refuse information based on Right-to-Know, if the Town is doing images, by saying we had no expectation of privacy. Also, this issue has not been resolved in the New Hampshire courts yet. A resident can shoot down a drone over their property, which has already happened in several states. She asked what would happen if a drone falls on a child, playing in a yard. She asked if a drone could be retrieved from a private property without permission. She added that it is possible that images may show unlawful activities, such as growing marijuana. She asked if the images could be used as evidence even if no warrant was issued. She pointed out that the vendor stated that the Town could move ahead without notifying the residents. However, residents can sue, even after the job is completed, for privacy information and Fourth Amendment right infringement. The Obama administration put together best practices. Some are as follows:
  1. Asking permission to use the drone; not just notifying the residents;
  2. Not having identifiable data;
  3. Destroying the data as soon as possible;
  4. If it is not to be shared or stored, then the operator should have a written security policy with respect to the collection, use, storage and dissimulation of covered data;
  5. make a reasonable effort to monitor the system for breaches and security risk;
  6. make a reasonable effort to provide security entrench employees; and
  7. make a reasonable effort to commit only authorized individuals to access data.

Ms. Erlebacher concluded that there are a lot of issues and pitfalls to consider. She suggested letting other towns be the test case in breaking legal ground in the brave new world of technology and privacy.

- **Melanie Logan, 36 Old Beach Road**, spoke in favor of boxing off areas on Perkins Road near some of the driveways. She stated that this is an issue on Old Beach Road as well. She expressed concern that a fire truck would not be able to get to a house on Old Beach Road if necessary. She pointed out that it is a safety issue. She said that the surfers are opposed to the boxes; however, she has observed that there are more surfers in the winter and fall months than in the summer. During that time there is no other parking competition, so she does not understand why it would be that much of an issue.
- **Ryan McGill, 21 Perkins Road**, stated that the board should possibly explore other options, such as putting the site lines on one side of the road where that traffic flow is. That would give back half of the parking that is being taken away. There is also the connection as to how many other roads this can happen to. This needs to be weighed out with the safety issues. This is not just affecting surfers. It is affecting

beach goers, dog walkers, and everyone from inland Rye that want to use the beach. Mr. Ryan stressed the need to keep this in mind and to find a creative way to not take away all the parking with these site lines and be more creative by having smaller or one side site lines.

- **Karen Stewart, 546 Washington Road**, expressed her concern about the loss of parking spaces. She likes the idea about rethinking how the town could solve the issue. She also stated that she would like to hear from Surfrider Foundation members that are residents, as to what their concerns are. Ms. Stewart suggested that they are not here at this meeting because they are surfers and want access to the beach. They are here because they are representing all people that want access to the beach, both residents and non - residents. She pointed out that the Surfriders have initiated a lot of beach clean-ups in Rye. She really appreciates their effort and applauds them for being here.
- **Joshua P. Lanzetta, Esq., of Dover, NH on Behalf of Surfrider Foundation**, asked for an opportunity to speak later in the meeting regarding the Perkins Road Parking Ordinance.
- **Sarah O'Brien, 56 Perkins Road**, stated that she has friends that live on Old Beach Road and expressed concerns regarding the safety issue of parking on Old Beach Road. She agreed with putting in the driveway boxes.

## **VI. DISCUSSION ITEM**

- A. Dennis McCarthy, Public Works Director – Hiring of Building & Grounds Workman Liam McDonough**

Chair Winslow announced that Mr. McCarthy, Public Works Director has recommended that Mr. McDonough take over the position of Buildings and Grounds Workman. This is a position that has been needed to be filled for over four years. He added that Mr. McDonough has a great background.

Selectman Epperson stated that Mr. McDonough's recommendations all came back as outstanding.

**Motion by Phil Winslow to accept Liam McDonough as the Building and Grounds Workman. Seconded by Bill Epperson. All in Favor.**

The Board welcomed Mr. McDonough to Rye.

## **VII. CORRESPONDENCE**

- A. Letter rec'd from Joshua P. Lanzetta, Esq., on Behalf of Surfrider Foundation asking for reconsideration of the amendment to the Parking Ordinance in regards to Perkins Road.**

Chair Winslow reported that the board has received a letter from Attorney Lanzetta regarding the amendment to the Rye Town Parking Ordinance. The purpose of the letter is to petition the Board of Selectmen to reconsider its decision to amend the Town of Rye Parking Ordinance, by inserting new subsections under section three of the existing ordinance; the amendment banning parking on Perkins Road.

Chair Winslow announced that the board will be handling the petition by discussing it, looking at the back ground and making a decision at this meeting as a board. This discussion will not be open to the public, as there has already been substantial input from the public. The board has also received a memo from TEPP, which has been reviewed by the board and will be a part of the consideration.

Prior to beginning the discussion Chair Winslow reviewed the background.

- During the summer of 2018, on two occasions, property owners from Perkins Road attended meetings and expressed concerns over the safety of the road.
- August 29, 2019, Mary and Matt Westover, submitted a letter with attachments, describing the safety issues on Perkins Road.
- September 10<sup>th</sup>, the board reviewed the letter at their meeting with public input.
- September 24<sup>th</sup>, residents from Perkins Road again described safety issues on their road.
- January 14, 2019, Tyler and Ryan McGill presented their positions at that Board of Selectmen's meeting. Larry Roche presented the 2018 Beach Committee Report.
- January 23<sup>rd</sup>, the board discussed a proposed warrant article that would have required parking on Perkins Road by beach sticker permit parking only. This was taken off the warrant.
- January 28<sup>th</sup>, Ryan McGill read a statement to the Select Board with his concerns and proposed ideas.
- February 11<sup>th</sup>, the Board of Selectmen chartered the Perkins Road Safety Committee, chaired by Gregg Mikolaities, who is a Rye resident and an engineer. The purpose of the committee was to review the issue and come back to the board with recommendations.
- April 29<sup>th</sup>, Gregg Mikolaities presented the Perkins Road Safety Committee final report and described the eight meetings of the committee, which included public input. The committee presented eight short-term recommendations and a long-term recommendation.
- May 28<sup>th</sup>, Ryan and Tyler McGill pointed out their positions on the Perkins Road Parking. The Select Board decided to ask Mrs. Leary to the next meeting to express her thoughts.
- June 10<sup>th</sup>, Ryan and Tyler stated their concerns several times over parking. Attorney Lanzetta presented his concerns twice and the issues he thought that this will bring forth. Attorney Pelech, representing Martha Leary, also talked about the parking issues. The Select Board voted to accept a temporary parking ordinance which approved the boxing of three driveways.  
*(Chair Winslow pointed out that two of the three driveways had mail boxes and newspaper boxes that did not allow people to park there anyways, so in these cases there was no loss to the parking.) The temporary parking ordinance is only good until it is put on the warrant to be voted on by the citizens of Rye.*
- Over a period of one year, the parking issues on Perkins Road were discussed at twelve Board of Selectmen meetings.
- There has been hours and hours of presentations, many of which were just duplications of the issues.
- There have been eight Perkins Road Safety Committee meetings, attended by the public, with public input.
- There have been twenty-five letters that have been reviewed by the board on the subject.

Vice-Chair Roman stated that there are a few things that are important to mention. She pointed out that the Tighe and Bond study supports the recommendations that the Perkins Road Safety Committee presented to the Select Board. The committee was comprised of members from both sides of the issue as well as members that were neutral. What came out of that committee was a compromise, dealing with safety concerns and not having a significant reduction in available parking. She added that the committee spent the time to investigate the issues in great detail before making their recommendations. The Board of Selectmen can't do it all. They need to listen to the people they have appointed to do the work and take it within reason. She pointed out that the Tighe and Bond study says there are fifteen parking spaces on Perkins Road. Recently, she walked Perkins Road and saw there were eighteen cars parked there with the parking boxes in place. This past Saturday, she drove down Perkins Road and there were eighteen cars. On Sunday, Jim Cassin counted eighteen cars as well. She pointed out that there are actually three more spaces than what the engineering study says should be on that road. She added that they have solved a safety issue without reducing the available parking. Selectman Roman referred to several places in the Tighe and Bond study that referred to Perkins Road and limited site distance. She emphasized that the Safety Committee recognized the safety issue and made reasonable recommendations for a solution. She stressed that it is a temporary solution that will provide the board with additional data. She pointed out that the Board of Selectmen are the governing body not the legislative body. In the end, it will be up to the voters to decide.

Chair Winslow stated that it is important to note that there are 1,700 free parking spaces available to the public, which is more than all the other seacoast towns combined. In most other seacoast towns, the spaces are all metered or in paid lots.

Vice-Chair Roman corrected the statement by saying there are 1,700 spaces available to the public, of which 800 are free.

Selectman Epperson stated that the more he reviews this issue, the more he wonders why there has been so much discussion on six spaces out of seventeen hundred. He stated that he feels that this started as a perception of a few people and became the conviction of many. He recommended not opening this up for more discussion and let the voters decide in the March election.

The board agreed.

**Motion by Bill Epperson to deny the request and to not open the subject to further discussion. Seconded by Keriann Roman. All in Favor.**

## **DISCUSSION ITEM**

### **D. Election Polling Site Committee – Final Report**

School Board Member Paula Tsetsilas and Town Moderator Robert Eaton spoke to the Board of Selectmen regarding the final committee report dated July 10<sup>th</sup>. Ms. Tsetsilas recapped the subject for the public by stating that in April, the School Board had asked the Select Board to consider other alternatives than the school as a place to hold the polling elections. The reasons being that there are concerns with regards to having the general public in the school, due to rising national violence. In response to the concerns, the School Board voted to close the school during election time. The result of this is that it extends the school year and causes the principal to rework the incentive development days. A non-formal committee was formed to look at alternatives for polling places. Robert Eaton, Donna DeCotis, Mike Magnant, Chief Walsh and Ms. Tsetsilas worked together over the past two months. During the process, the first priority was to gain an understanding of what is involved in the preparation of making the election accessible and safe for the voters. The data in the report explains when there is an election in any given year and what the voter turnout is. The sites that the committee gave the most consideration to were the Abenaki Country Club and the Rye Congregational Church. After considering the pros and cons of each option, the committee feels that at this time, the Elementary School is the best option. The committee has suggestions to improve safety and these will be presented to the School Board next month. These ideas would be used if the School Board should consider keeping the schools open during the small elections. The ideas evolved during the research process. The committee reached out to other small towns to find out how they were handling this situation. It is a problem that a lot of towns are responding to in a lot of different ways. For the towns that keep the schools open during elections, they seem to really be able to separate the general public from the student body. If the School Board is going to consider keeping the school open during any election, there will have to be a way created to keep a separation between the general public and the student body.

**Town Moderator, Robert Eaton**, stated that the committee felt that the charge was to make a recommendation to the Board of Selectmen of an alternative site that was feasible. The consensus was that there was not an alternative. There were other ideas that need to be explored with the School Board and the Select Board about better ways to conduct the election that will improve student safety. One of which would be to add a police officer. Currently, there is one officer.

Chair Winslow commended the committee for an outstanding report. He noted that surveying other towns was the right way to go. The matrix was very obvious that the school is the only place feasibly.

Chair Winslow ask if people could enter and exit from the same door. He pointed out that it may help to contain the public to one area.

Mr. Eaton stated that that was the way it was done when he first became moderator. It created a lot of congestion. There were also issues with people leaving the election wanting to talk to people coming in about how they voted. However, this is something that needs to be looked at again.

Ms. Tssetsilas stated that the committee had some discussion on how things could be reworked. However, they decided that their charge was to determine whether or not there were viable alternative election places. The committee decided that they need to go back to the School Board to see if they would reopen this for discussion and how important it is to the school calendar year. This will be an agenda item at the next School Board meeting on August 1<sup>st</sup>. If the School Board and the principal decide that it is something they want to explore, the next step for the committee would be to reconvene.

Chief Walsh stressed the importance of meeting with the School Board and the staff to get an understanding of how the school operates. He will then be able to work with Mr. Eaton to manage the public flow and voting. He pointed out the commitment that the School Board has made in improving the school's infrastructure. They have installed electronic locking doors and a security camera system.

Chair Winslow noted that other schools have teachers' workshops on election days. He asked if that was something that could be done independently from the district for Rye.

Ms. Tssetsilas stated that it can be done independently. She stated that she believes the other schools in the district are closed on Election Day and use those days for teachers' workshops or have no school at all. It is just a matter of when the elections are and how they impact the school calendar. During the election cycle of 2020-2021, there are three elections that impact the school calendar. From an administrative standpoint, it may not be beneficial to have workshops that close to each other. It would not give enough time to do their independent work and then come back to work with their team.

Mr. Eaton also suggested that in order to eliminate the congestion in the front entry, they might consider eliminating the volunteer tables. He added that he would be reluctant to do that because of the spirit of it and what it does for community involvement. However, it would eliminate people milling around and would make it easier to control.

Vice-Chair Roman pointed out that as a mother she understands the issue. However, with the work being done in the community with the charrette and the town hall, this may not always be an issue. Hopefully, all these efforts will address this concern. The two boards need to continue to move forward and work together to find a reasonable solution.

## **B. Representative Jaci Grote – Legislative Update**

Representative Grote talked to the Board about the current budget veto and what it means to Rye. She stated that because of the budget veto, most of the bills that are funded are on hold. There are currently negotiations going on between the Governor, the Senate and the House, so hopefully this can be resolved. Any business tax change is on hold and education has not changed. Under the new budget, Rye would have lost its Keno money, which is \$64,000. She added that the board should realize that the town will lose the \$64,000 even if the negotiations are successful because education needs funding.

Ms. Grote also reported on other Bills as follows:

- The Medicare extension was upheld.
- House Bill 641 – The potential fee of up to \$2.94 on Air BNB's was tabled by the Senate that essentially kills the bill. If this had passed the Senate and the Governor's office, this would be something that the town would put on its ballot to vote on.
- Building codes were brought up to 2015 standard, including energy conservation. This helps with house insurance costs.
- House Bill 136 was passed by the Governor. It states that Zoning Board of Adjustments public hearings shall be held within 45 days, as opposed to 30 days.
- Bill to allow the Planning Board to specify a filing date for an application that is less than 21 days prior to the meeting.
- Senate Bill 103 passed. It allows towns to have multi town bonds for projects, including but not limited to broad band infrastructure and emergency service equipment.
- House Bill 261 was signed by the Governor. This states that the arsenic value in surface water shall not exceed 5 micrograms per liter. Effective July 1, 2021.
- Another House Bill requires the DES to come up with minimum contamination limits for PFAs, based on current science. There were four PF chemicals that were put on this list by the DES and they can up the limits. These were approved by Joe Carr last week.

Representative Grote stated that she was not sure what happens next. She promised that she will be keeping an eye on this issue. It is a matter of following up with the DES at this point. The Governor has a Coakley Committee that meets once a month in Greenland. There are two Rye residents on that committee. It is important to get an update from them because they will be a help throughout this process.

Chair Winslow stated that he attends the Water District meetings and the measurements are per trillion. The town is below this measurement currently. He pointed out that three tests of the same drop of water come back different. There is a 50% variability every time a test is taken. He also stated that the other concern is the science. This is not biodegradable so if it gets into your body it stays there. Obviously, the board is concerned about it, but for the right reasons. If the town has to put in a water treatment plant it will cost the taxpayers \$10,000,000.

Representative Grote also pointed out that water treatment plants are designed to take care of specific problems. The town does not want to build a plant to take care of this, to find out four years from now that there is something else that needs to be taken care of. So, it's also a matter of when to build. She added there are other discussions about suing Three M, Dupont, and Single Bank NH to recover some of the money to pay for this. This is going to cost the State about \$190,000,000.

Chair Winslow stated that he felt that was an under estimated figure. The Rye water treatment plant will cost the taxpayers \$10,000,000 to build and it is estimated that it will be another \$500,000 per year to operate and maintain it. Over a ten-year period, it is another \$5,000,000. This is going to have a significant impact on the taxpayers.

Selectman Epperson pointed out that this would be a class action suit, so communities from all over the country will be joining that suit.

Representative Grote stated that there is a class action suit already established and New Hampshire is late to the party. The later you are the less money the state is going to receive.

Selectman Epperson asked Representative Grote about the Senate budget. If the governor were to approve the budget now, would all the bills in that budget become law?

Representative Grote confirmed.

Selectman Epperson asked if there was still an opportunity to take things out of the budget. He referred to HB 306. Representative Grote explained the House had a budget and the Senate had a budget that didn't agree. There was a week long committee of conference where the House and the Senate put a joint budget together. HB 306 is in that budget. So, it is really the General Court's budget. The Governor has his own budget. The Senate and the House have talked a lot about HB 306. Ms. Grote recommended that at this time it would be important for the town representatives who have the Governor's ear, and town officials to write to him, to ask him to take that out of the budget because they don't agree to that part of the budget and do not support HB 306. At this point, it is a negotiation between the Governor, the Senate President and the Speaker of the House.

The Board agreed to write a letter.

Representative Grote pointed out that the sticking point is the business profit tax because the State has to figure out a way to fund education equitably. The northern towns are in desperate need of the money. Some are on the edge of bankruptcy. This is a serious issue. The House budget bill had \$168,000,000 going to education throughout the State, of which, \$90,000,000 of that came from the business tax cuts.

The board thanked Representative Grote for keeping them updated on these issues.

▪ **CORRESPONDENCE**

- B. Email rec'd from Patricia Anderson requesting "No Parking" be marked at the intersection of Ocean Blvd. & Washington Road – from Ocean Blvd to 11 Washington Road due to parking safety.

Chair Winslow asked Chief Walsh and Dennis McCarthy to join the discussion.

**Patricia Anderson, 10 Washington Road**, addressed the board and explained her concerns regarding the impact of the growth in traffic on Washington Road. She pointed out that Washington Road is the most traveled road in town and there is heavy speeding on that road. Just before reaching Route 1A, there is an extremely sharp, dangerous curve. There have been multiple accidents at the curve throughout the decades. There is now more traffic in all forms; walkers, bikers, and vehicles. She stressed that this is a safety issue.

Chair Winslow recommended turning this over to Chief Walsh and Mr. McCarthy to have them review this matter and to come back to the board with their recommendations. The board could take this up at the next meeting.

Chief Walsh stated that Mrs. Anderson and he have discussed this over the past two years. There have been a couple of changes made at that intersection. The highway department marked the road for a yield sign and a second yield sign was installed based on the intersection design. He noted that cars are parking far enough off the road to not cause a hazardous condition. Some of the site line issues are due to trees, shrubbery and stone walls along areas of the road. People traveling in the area need to be aware of their surroundings. He agreed to meet with Mr. McCarthy and Mrs. Anderson to go over the area to make it as safe as possible.

Chair Winslow stated that the board is hesitant to pulling parking spaces but will listen to what the Chief and Mr. McCarthy has to say regarding the area.

Vice-Chair Roman suggested maybe lowering the speed limit in the area. She would also be interested in having the Chief and Mr. McCarthy look at the parking along the corner.

**Lori Carbajal, 18 Tower Ave. and member of the Beach Committee**, reported that when the Beach Committee was looking at the various locations of hazard, mainly Ocean Blvd at Cable Road, they discovered that there is an



RSA that if a road is coming into a state highway intersection, there can not be any vehicles parked within thirty feet of that intersection. Traveling down Washington Road and turning south on Ocean Blvd, the shoulder south on Ocean Blvd and west on Washington is extremely narrow. Cars parked there are infringing on that 30-foot setback.

**Scott Marion, 71 Washington Road**, stressed that the speed is just as much a factor as the structural issue of the road. He thinks it would make a difference if there were some way to slow traffic down coming around the curve. The parking and structural issues also need to be looked at.

## VIII. OLD BUSINESS

### A. Septic ID Mapping

**Kim Reed, Zoning and Planning Administrator** and **Emily DiFranco from Comprehensive Environmental, Inc.**, addressed the board regarding the possibility of the town being a test pilot for a septic ID mapping system using drone imaging.

Vice-Chair Roman stated that in full disclosure she was the one to flag the Right-to-Privacy issue. It is twofold; one, as a government and not a corporation, is it legally allowed? Two, if allowed, is this something the town wants to do considering the privacy issue? She reported that the town attorney has asked the board to step back and allow him to look into the issues more before making any decisions. This is a constitutional issue and Rye would be the test case. She stated that if the town attorney gives them the green light to move ahead, they need to decide if this is something they want to do and how it should be done, in terms of notice, etc.

Chair Winslow stated that he is certain that even if it is legal, there is a 100% chance that there will be a lawsuit against the town. He does not want to burden the taxpayers with that cost. He would prefer another town stepping up to be the test case. He stated that he feels it's a great opportunity to test out new technology but it is not the right time for Rye.

Selectman Epperson stated that he thinks it is a great idea, but he agrees with Attorney Donovan's letter that says the town does not want to be a test legal case in the invasion of privacy lawsuit. Attorney Donovan cited case law that has been going on over the last few years regarding privacy law. Attorney Donovan added that he would do further research on the matter for the board. Selectman Epperson acknowledged that this type of technology is here and will be forever, but the Right-to-Privacy issue is significant. Selectman Epperson recommended tabling this matter until Attorney Donovan has time to confer with the vendor and make his recommendations to the board.

Chair Winslow asked if it would fit into Comprehensive Environmental's time table if it takes the town six months to move forward.

Ms. DiFranco stated that Comprehensive Environmental cannot wait to start the pilot program; however, the town would be able to purchase the service at that time. Comprehensive Environmental is currently talking with other towns.

Chair Winslow pointed out that the town has a plan to have all property owners in the watershed pump their system every three years. He stated that as soon as the town gets an assistant in the building office, they have to get back to working the plan.

Vice-Chair Roman stated that she is torn over this decision. This is such a great tool and the watershed has been a concern of hers for years. However, she is not comfortable with drones flying over the residents' properties.

Chair Winslow asked Administrator Reed what the next step would be if this was used and the data came back with three properties with failed systems.

Administrator Reed explained that she would like to apply for a new 319 Grant. The application process starts in September. The grant would pay to hire an expert to help identify the targeted properties and the problems. Ms. DiFranco explained that the pictures would be added to the information that the town already has on the property. These properties would then be moved to the top of the list.

Chair Winslow asked what would happen if the homeowner is not cooperative.

Town Administrator Magnant stated that if there is enough data, the town could try to get an enforcement warrant in order to get on the property to do an inspection on the system.

Chair Winslow asked if these pictures are sufficient enough to take the next step.

Town Administrator Magnant stated that is unknown because this is new.

Ms. DiFranco explained that the town would not use the pictures alone as evidence. They would be combined with the data that the town already has about the septic system, the age of the home, has there ever been a permit for a new system, etc.

**Steven Borne, 431 Wallis Road**, stated that he does not support this program. He stated the town has a problem that is huge with the over saturation of Parsons Creek. The town is putting the focus on the wrong issue. Doing a 319 Grants is "nickel and diming" the problem. The town needs to start spending money to fix this problem because it has been going on for twenty plus years. The town needs to get aggressive with this issue.

Chair Winslow stated that the board cannot move forward without council's advice. A year or two down the road, the town may reconsider the program.

▪ **CORRESPONDENCE**

- C. Letter rec'd from Karen Oliver, Chair Rye Library Board of Trustees re: a meeting between the Selectmen and the Library Trustees to discuss the library expansion and how it fits into the context of the recent charrette.

Chair Winslow asked Acting Town Administer Becky Bergeron to set up a date and time for the meeting.

- D. Letter rec'd from Heather Landry requesting a Beach Parking Permit

Selectman Epperson explained that this young lady is a nanny of three different families, all of them residents of the Town of Rye. All of these families have stickers on their cars. That is a minimum of six cars. She should borrow one of the cars to go to the beach.

Chair Winslow stated this is problematic, as it sets a precedent.

The board agreed.

Acting Administrator Bergeron will inform Ms. Landry of the board's decision and extend the board's apologies.

**IX. CONSENT AGENDA ITEMS** – (to be discussed at the meeting only if pulled off the consent agenda by one of the three Selectmen.)

- A. Parsons Field Application – Rye Lions Club Annual Car Show: Sunday, September 15, 2019 (Rain date 9/22/19), 7:00 a.m. to 4:00 p.m. Also: Request wavier of the \$50/day fee for use of the field.
- B. Sign Request – Rye Lions Club requests permission to post a sign at Parson's Field announcing the Rye Lions Club Annual Car Show. The sign is requested 9/8/19 – 9/15/19.
- C. Department of Public Works
  - 1. Mowing Bid Results
  - 2. Rubbish Hauling Bid Results
- D. Chief Cotreau – Fireworks Permit for James Connelly, 2575 Ocean Blvd. (property owned by Laurence Tosi) on 7/27/19.
- E. Chief Walsh – Event Permit Application: Saunders 10K, Thursday 8/15/19, 4:00 – 10:00 p.m. to benefit NHSPCA
- F. Chief Walsh - Event Permit Application: National MS Society – Bike MS: NH Seacoast Escape, Saturday, 8/24/19, 8:30 a.m. – 4:00 p.m. to benefit National MS Society.
- G. Chief Walsh – Event Permit Application: Run for the Fallen NH, Sunday, 9/15/19, 7:30 – 11:00 a.m.

Chair Winslow took E and the new H off the consent agenda for discussion.

**Motion by Phil Winslow to approve and move Consent Agenda Items A, B, C, D, F and G. as presented. Seconded by Keriann Roman. All in favor.**

- E. Chief Walsh – Event Permit Application: Saunders 10K, Thursday 8/15/19, 4:00 – 10:00 p.m. to benefit NHSPCA

Chair Winslow asked if there would be police and ambulance services provided.

Chief Walsh stated that there will be police stationed at a number of traffic posts. There will not be an ambulance service.

- H. Papoutsy Fireworks request for July 27<sup>th</sup>

The Board wanted clarification regarding the rerouting of traffic.

Chief Walsh explained that this is a private resident asking the State to redirect traffic. The plan that is in place is what was done before. The traffic will be detoured up South Road to Central Road and then back out onto Ocean Blvd. There will be two detail officers and Public Works will be setting up a sign package. As far as barricades and detour signs, they will be put in place by the detail officers. The explosives usually arrive on site at 7:30 p.m., which is when the detour will be put in place as required by the State Fire Marshall. The detour will be from about 7:30 to 9:45.

Chief Cotreau clarified that with the Class C fireworks, the detour will not be required until the show starts, so the detour time will be shorter.

Chief Walsh estimated about 1 ½ hour. It is an eight minute show.

Chief Walsh stated that he has gone over some issues from the previous time with the person that is coordinating the event. The band ended up going past 11:00 p.m. There was excessive drinking and an individual got picked up in North Hampton. The duty officers were called in a number of times and there were significant problems with cooperation in shutting the band down. Chief Walsh stated that he has been assured that the band will be done at ten and there will be no issues. He also has the person's cell phone if there are any problems. Chief Walsh stated if there are any issues, he will deal with them personally and it will be the last time I will make any recommendations like this to the Board of Selectmen. He continued that the Board of Selectmen has the authority to say no. This is still not guaranteed, as the DOT could come back and say no to this request. Chief Walsh reported that he spoke with DOT, explained the issue from the prior event and his concerns. The person from DOT is going to get in touch with the fireworks company and then get back to the town to let them know if it is a go.

Chief Cotreau reported that he received a letter from the vendor saying that they will accept any financial responsibility for any damage that may occur to the road. The town is named as an additional insured.

**Motion by Phil Winslow to approve the Papoutsy/O'Connelly fireworks application, with the caveat that the State DOT gives their approval. Seconded by Keriann Roman. All in Favor.**

▪ **DISCUSSION ITEMS**

- A. Dennis McCarthy, Public Works Director – Hiring of Building & Grounds Workman Liam McDonough – **Taken out of order**
- B. Representative Jaci Grote – Legislative Update - **Taken out of order**
- C. NH Division of Historical Resources Grant Acceptance

Chair Winslow stated that one of the concerns of accepting this grant is the restrictions on the property in the future. Town Administrator Magnant reported that he talked to Nadine Miller at the NH Division of Historical Resources. She stated that there is no restriction that will be placed on the property. If the town accepts the LCHIP funding, they would enter into the stewardship agreement and then there would be restrictions. The expected cost is approximately \$8,000. Mae Bradshaw has talked with two consultants that quoted that amount.

**Motion by Keriann Roman to adopt the following resolution as follows:**

*Resolve that this municipality shall enter into a contract with the State of New Hampshire acting by and through the Department of Natural and Cultural Resources provided that the performance by the municipality of certain services as documented within the foregoing grant application and that the official listed Becky Bergeron, Acting Town Administrator, on behalf of this municipality is authorized and directed to enter into said grant agreement with the State of New Hampshire and they are to take any and all actions that may be deemed necessary, desirable, or appropriate in order to execute, seal, acknowledge and deliver any and all documents, agreements and other instruments on behalf of this municipality in order to accomplish the same.*

*Also, to adopt the resolution that the signature of the above authorized party or parties of this municipality, when affixed to any instrument or document described in or contemplated by these resolutions shall be conclusive evidence of authority of said party to bind this municipality.*

*Thereby, the foregoing resolutions have not been revoked, annulled, or amended in any manner whatsoever and remain in full force and effect as of the date hereof.*

*The following person or persons have been duly elected to and now occupy the office or offices indicated. Board of Selectmen.*

**Seconded by Phil Winslow. All in Favor.**

**Motion by Phil Winslow to accept the New Hampshire Division of Historical Resources Certified Local Government Program Grant for hiring a consultant to prepare the nomination application for the Rye Town Hall to the National Registry of Historic Places, Rye's second parsonage to the New Hampshire State Register of Historic Places, said grant expenditures not to exceed \$8,000. Seconded by Bill Epperson. All in Favor.**

**D. Election Polling Site Committee – Final Report - Taken out or order**

**E. Support for the Finance Office**

Acting Town Administrator Bergeron recommended hiring a permanent full-time Finance Director for the position. There is a need to have a strong person that can take the initiative and take the lead, especially during the upcoming budget season. With Mike leaving, Ms. Bergeron's time will be taken up on other town issues. She reported that Municipal Resources will do the recruitment for the town. The position will also be posted internally and externally through an ad in the newspapers and on the website.

Ms. Bergeron offered to craft an advertisement to present to the board for review.

Chair Winslow recommended doing it as soon as possible.

## **CORRESPONDENCE**

- A. Letter rec'd from Joshua P. Lanzetta, Esq., on Behalf of Surfrider Foundation asking for reconsideration of the amendment to the Parking Ordinance in regards to Perkins Road. – Taken out of order**
- B. Email rec'd from Patricia Anderson requesting "No Parking" be marked at the intersection of Ocean Blvd. & Washington Road – from Ocean Blvd to 11 Washington Road due to parking safety. – Taken out of Order**
- C. Letter rec'd from Karen Oliver, Chair Rye Library Board of Trustees re: a meeting between the Selectmen and the Library Trustees to discuss the library expansion and how it fits into the context of the recent Charrette. - Taken out of Order**
- D. Letter rec'd from Heather Landry requesting a Beach Parking Permit- Taken out of Order**

**X. NEW BUSINESS - None**

## **XI. OLD BUSINESS**

- A. Septic ID Mapping – Taken out of Order**

**B. Trolley Barn**

Selectman Epperson reported that he read the Robert Doyle 2013 report on the building. The building seems to be in good shape except for the mold. He recommended putting out an RFP for an appraisal and sell the building. The money could be used to jump start the charette plans.

Chair Winslow recommended holding back until they have a better understanding of what will be done for the town hall, in case more space is needed for staff offices.

Selectman Epperson agreed that they need to understand what they are doing long term. He was not saying that it should be sold tomorrow.

Vice-Chair Roman stated that she did not want to make any decisions until the board knows the big picture.

Selectman Epperson felt that long-term it will cost over \$500,000 to rehabilitate that building; but agreed it is important to see what the overall plan will be.

**C. Town Hall Renovation RFP**

Chair Winslow recommended making a change to the charge. One to use the entire building and one to use the upstairs for meetings with access from the upper parking lot.

The Board agreed.

Ms. Bergeron recommended letting the successful architect know and communicate the slight change and find out the time line. Then the board can decide which way to go.

**D. Selectmen's Representative on the Heritage Commission and CIP Committee**

**Motion by Keriann Roman to appoint Selectman Bill Epperson as the Selectmen's Rep to the CIP Committee and remove him from the Heritage Commission. Seconded by Phil Winslow. All in Favor.**

**Motion by Bill Epperson to remove Selectman Roman from the CIP Committee and to appoint her as the Selectmen's Rep to the Heritage Commission. Seconded by Phil Winslow. All in Favor.**

**E. Verizon Cell Tower/Limited Access Easement – Kornechuk Trust**

**Motion by Phil Winslow that maintenance and repair of the easement beyond the most northernly Kornechuk driveway will be the responsibility of the Town of Rye or its lessee. The Town agrees to plow, sand and salt a portion of the easement area between Parsons Road and the most northernly Kornechuk driveway without additional charge to the land owners. Seconded by Keriann Roman. All in Favor.**

**F. Telecommunications Infrastructure Commission/Isotrope**

Chair Winslow reported a lack of applicants to be on the Committee. There have been two; Kathleen McCabe and Howard Kalet. The plan was to have an odd number on the committee, maybe 5 or 7 people.

Acting Administrator Bergeron recommended appointing a member from the Planning Board or a Select Board representative and to appoint Kim Reed as a Rye resident and the Planning and Zoning Administrator.

Chair Winslow agreed.

Vice-Chair Roman reminded the board that the point behind this committee was to get experts from the community and other people from the community to help with this project. Mrs. Reed has enough to do and so does the members of the Select Board and the Planning Board. She added that she was not sure what a Planning Board member and a Select Board member could contribute to the process. The point was to get experts from the community and community involvement. If that is not what is going to happen, then Isotrope can just come in and work with the Board of Selectmen as needed.

Mr. Magnant stated that the idea was to have a consultant look at the zoning ordinances, to make sure they're as least restrictive as possible, in terms of impeding improved cell service to the town.

Vice-Chair Roman stated that that would be a discussion that Mr. Maxson of Isotrope would have to have with the Planning Board as a whole. Mr. Maxson needs to meet with the Planning Board and Select Board.

After further discussion, the board agreed to have a committee of two and to put a short-time limit on the results. If others come forward, they can be appointed at that time.

**Motion by Phil Winslow to appoint Kathleen McCabe and Howard Kalet to the Telecommunications Infrastructure Committee. Seconded by Keriann Roman. All in Favor.**

Vice Chair Roman requested that the committee notify the Board of Selectmen when there is a need for them to attend one of their meetings.

Chair Winslow asked that the appointees be invited to the next Selectmen's meeting to discuss the process.

Vice-Chair Roman asked if there has been any update on the second counting machine for the election.

Mr. Magnant reported that Donna DeCotis and Bob Eaton are still working on it. The last update was that they were looking at a second machine and were waiting on the State to finalize the research and analysis they are doing on the machines. If the State doesn't come up with something by the next election, Mr. Eaton and Ms. DeCotis will be looking into leasing one.

## **XII. OTHER BUSINESS**

### **A. August 12<sup>th</sup> Selectmen's meeting – possible date change**

Chair Winslow reported that Selectman Epperson will not be able to attend the meeting on the 12<sup>th</sup>. He stated that Mr. Epperson could call in or the meeting could be rescheduled.

The board agreed to have the meeting on the 12<sup>th</sup> as scheduled.

### **B. Meeting Minutes**

#### **1. Meeting, Monday, June 17, 2019, 6:00 p.m., Rye Jr. High**

**Motion by Keriann Roman to approve the meeting minutes of Monday, June 17, 2019 as written. Seconded by Bill Epperson. All in Favor.**

2. Meeting, Monday, July 8, 2019, 5:45 p.m., Town Hall

**Motion by Keriann Roman to approve the meeting minutes of Monday, July 8, 2019 as written. Seconded by Phil Winslow. All in Favor.**

3. Non-Public Session, Monday, July 8, 2019 (1) Per RSA 91-A:3, II (b) Hiring

**Motion by Phil Winslow to approve the Non-Public meeting minutes of Monday, July 8, 2019 as written. Seconded by Keriann Roman. All in Favor.**

4. Non-Public Session, Monday, July 8, 2019 (2) Per RSA 91-A:3, II ~~(e) Reputation~~  
Should be: (e) Litigation

**Motion by Keriann Roman to approve the Non-Public meeting minutes of Monday, July 8, 2019 as amended. Seconded by Phil Winslow. All in Favor.**

Selectman Epperson stated that the board needs to put together the charter for the Charrette Committee and start putting together the committee.

The board agreed that it should be on the next agenda.

Chief Cotreau gave the board a Jet Ski update. He informed the board that last night the department had a water rescue call. A little after 7:00 p.m., 911 received a cell phone call from a person that said he had rolled over his kayak. He said he was a mile east of Concord Point. At the time, the department was on another call just pulling into Portsmouth Hospital. The duty crew got the Coast Guard moving and Hampton coming out as a backup and Marine Patrol was notified. The person was in a PFD and was three-quarters under water with no wetsuit. The crew got back from the hospital, went down to the harbor, launched a Jet Ski and was the first to make the pickup. The crew was able to reach the person and get him on the Jet Ski. He was in a life threatening situation. There is a lot of talk about the team approach, and last week Rye entered into an agreement with North Hampton for mutual aid in water rescues. Rye made the rescue and North Hampton was waiting to transport the gentleman to the hospital. The system worked and it is due to the cooperation between all of the surrounding emergency service agencies.

Chair Winslow announced that he received an email from Chris Williams, chair of the NH Dredge Management Taskforce. They have 333,000 cubic yards of sand from the turn-around basin in Piscataqua. They want to know if Rye wants some of it to re-nourish the beaches. The Army Corp of Engineers has tested it and said that there are no heavy metals or bacteria. This would be in participation with DES, EPA, NOAH and two other departments of the State.

The Board agreed to talk about it further at the next meeting.

## **ADJOURNMENT**

**Motion by Bill Epperson to adjourn the meeting at 10:15 p.m. Seconded by Keriann Roman. All in Favor.**

Respectfully Submitted,  
Dyana F Ledger



7-22-19 Disc. Item D

**Election Polling Site Committee**

**Final Report - July 10, 2019**

**Background**

Due to increasing national violence in school settings, parents have requested that the School Board close schools when elections take place in a school building. The School Board most recently responded by closing Rye Elementary School (RES), where elections take place, and Rye Junior High (RJH), and converted the election day into a teacher workshop/parent conference day. The School Board has asked the Town to consider other viable locations because converting election days into teacher workshop days may not always be the best educational option and extends the school year.

In addition to concerns of gun violence, it should be noted that school officials are also concerned about managing traffic and ensuring safety at RES during student dismissal when elections take place at this location.

**Assignment**

On April 8, 2019, in response to a School Board request, the Select Board created an ad-hoc committee to investigate potential election sites other than Rye Elementary School. This ad-hoc committee held meetings on May 2, June 6 and July 2. Additionally, members toured the Rye Congregational Church on May 2 and Abenaki Country Club on May 22. Several members also inspected the parking lot and entrance walk at the Seacoast Science Center.

**Committee Members**

The Select Board appointed the following residents and town officials to this Committee:

Donna DeCotis, Town Clerk

Robert Eaton, Town Moderator

Mike Magnant, Town Administrator\*

Paula Tsetsilas, Rye School Board\*

Kevin Walsh, Rye Police Chief

\*At the first meeting members voted these individuals as co-Chairs

DRAFT MINUTES of the Board of Selectmen's Meeting 7/22/19  
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**Data Collection**

The first order of business was to understand the number of elections held each year in Rye. Moderator, Robert Eaton, explained that elections take place in four-year cycles 4:1:3:1. The Committee overlaid this election cycle with the school calendar to determine the number of elections that fall within each school year through 2023. When applying these dates to a school calendar (Sept-June), you will find a 2:3:1:3 ratio. The breakdown is as follows for 2020-23:

**TRADITIONAL CALENDAR**

Calendar Year 2020 (4):

Pres Primary (Jan or Feb)\*

Local Election (Mar)

State Primary (Sept)

Pres Election (Nov)

Calendar Year 2021 (1):

Local Election (Mar)

Calendar Year 2022 (3):

Local Election (Mar)

State Primary (Sept)

General Election (Nov)

Calendar Year 2023 (1):

Local (Mar)

**SCHOOL CALENDAR**

2019-20 School Year (2)

Presidential Primary (Jan or Feb)\*

Local Election (Mar)

2020-21 School Year (3)

State Primary (Sept)

Presidential Election (Nov)

Local Election (Mar)

2021-22 School Year (1)

Local Election (Mar)

2022-2023 School Year (3)

State Primary (Sept)

General Election (Nov)

Local Election (Mar)

*\*There is no deadline for setting a date, but it will likely be announced in September/October.*

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The Committee also needed to understand the number of residents who vote to ascertain the impact on traffic flow and the volume of visitors into the school. The average in-person voter turnout by election type is as follows:

Local (last 5 elections): 1,326

State Primaries (5): 1,221

Presidential (3): 3,084

General Election (3): 2,670

Presidential Primary (2): 2,146

The Committee also reached out to moderators and town administrators in other New Hampshire municipalities to see how they handle elections where a school is used as a polling place. The responses received are summarized in Appendix 1.

#### **Election Requirements**

In the initial meeting Robert Eaton, Donna DeCotis and Chief Walsh explained the requirements to run a fair, accessible and safe election that complies with all State and federal election laws. The Committee prepared a matrix outlining how each venue met these requirements (see Appendix 2).

Regarding election timing, it is important to note that the calendar is dictated by statute with some flexibility offered for local elections. According to RSA 40:13, the "second session of the annual meeting, to elect officers..., to vote on questions required by law to be inserted on ...[the] official ballot, and to vote on all warrant articles from the first session on official ballot, shall be held on the second Tuesday in March, the second Tuesday in April, or the second Tuesday in May, as applicable. If it offers any relief to the schools, Rye could vote to change the local election to April or May, but it would still have to be the second Tuesday of either month. As to statewide elections and primaries, the Town has no control over choosing the date as general elections must be held on the 1st Tuesday after the 1st Monday in November. Similarly, the Town has no say over the date of the Presidential Primary which is set by the Secretary of State, usually in January or February, and always on a Tuesday.

#### **Potential Alternate Sites**

The Committee brainstormed potential alternate sites which included Abenaki Country Club, Rye Congregational Church and the Seacoast Science Center. The Committee discussed, but quickly ruled out, Rye Junior High School due to limited parking, and The Surf Club because it is only open to private members.

The Science Center was later ruled out because of 1) the lengthy walkway to the front entrance (160 yards) makes accessibility difficult for the elderly, and 2) exposure to harsh natural elements during the winter or in inclement weather.

The Committee spent a great deal of time considering Rye Congregational Church. In addition to a ban on electioneering on Church property imposed by the Church, and concerns about the Constitutional prohibition against the establishment of religion, the biggest issue with this venue was that the hallway leading to the voting area was very long and narrow, and the door into the voting area itself was even narrower. These factors would substantially impede the flow of voters in and out of the polls and would greatly inhibit wheelchair accessibility (particularly since wheelchair voters would have to exit through the same narrow gauntlet being used by incoming voters). Additionally, the polling space is irregularly shaped and would prevent the Moderator and election workers from properly observing the conduct of the election. (See Appendix 2)

Abenaqui was also given substantial consideration. It has ample parking, an elevator and a fairly large voting area (albeit smaller than at RES). However, the Club ruled out use of this venue for September elections when the Club was still open. The Committee recognized that if the polling place was changed from election to election, voter confusion would result, likely disenfranchising voters. Other issues with Abenaqui included line-of-sight impediments within the polling place itself that would prevent the Moderator from properly monitoring voting and resolving voting issues, and lack of an appropriate place for electioneering that permitted interaction with voters.

#### **Recommendations**

The Committee unanimously concluded that the only location available that would maintain the integrity and overall safety of elections in Rye is the Rye Elementary School. As a result of the Committee's investigation and discussion, the Town and the School may want to consider the following suggestions if school is held during smaller elections:

1. Better manage vehicular traffic during student dismissal.
2. Determine the feasibility of separating the student body from the general population similar to other towns/districts as reported in Appendix 1.
3. Increase police presence from 2 to 3 officers to ensure student safety and ease parental concerns. It should be noted that while voting brings many members of the public into the school who would not normally be there, it also brings with it a substantial police presence that would otherwise be absent.
4. Continue collaboration between the Town of Rye and the Rye School District to keep our schools safe, including effective communication to parents to ease their safety concerns.
5. Convene this or a similarly constituted committee to prepare an "after-action" report after every election to review the conduct of the election and consider whether any changes can be made to make the school safer (see Appendix 3, Town of Derry "After Election Report", as a sample).

#### **Other Considerations**

1. After a Committee of Conference negotiated differences between bills adopted by the New Hampshire House and Senate, both chambers voted on strictly party lines to make schools gun-free zones. Under the legislation, only law enforcement officers, members of the

DRAFT MINUTES of the Board of Selectmen's Meeting 7/22/19  
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military, or people authorized by the local school board, could bring guns into schools. See HB 564. Were this legislation to become law, it might offer reassurance to parents. However, it faces a likely veto from Governor Sununu. Given that it only passed the Senate by a vote of 14-10, and the House by a 197-146 vote, such a veto would undoubtedly be sustained.

2. As the Town continues to discuss options for the town center, if appropriate election space is created, the recommendations of this Committee should be reconsidered.

We hope you find this report helpful as the Town and School work to protect residents' voting rights while ensuring safety to our students.

Respectfully submitted,

Paula Tsetsilas, Rye School Board, Co-Chair

Michael Magnant, Town Administrator, Co-Chair

Kevin Walsh, Chief of Police

Donna DeCotis, Town Clerk

Robert G. Eaton, Town Moderator

7-22-19 Comm. B

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**Janice Ireland**

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**From:** Padi Anderson <padi.anderson@gmail.com>  
**Sent:** Monday, July 15, 2019 5:25 PM  
**To:** Janice Ireland  
**Subject:** Parking on Washington Road  
**Attachments:** 0623191229.jpeg; 0623191231c.jpeg; 0623191221.jpeg; 0623191223.jpg;  
0623191233a.jpeg; 0623191231.jpeg; IMG\_2320.jpeg

Dear Rye Board of Selectmen

I would like to bring attention to the Washington Road and Ocean Blvd. intersection, and request that Washington Road be marked as NO Parking, Ocean Blvd to 11 Washington Rd., immediately, due to the magnitude of parking safety.

History - Years ago Rye on the Rocks restaurant needed significant parking and used Washington Road for additional parking as two entrances faced Washington Road. When this property became residential, Washington Road was wisely marked 'No Parking' before changing again, with parking allowed the last few years. As abutter's we have seen the changes and impact for 30+ years including 2 major Town efforts to redirect/reconstruct this intersection without any final action, and that was without any parking use and much less traffic.

Out of all town roads off Ocean Blvd, this intersection should be the last one to allow parking given the safety of the intersection and sharp curve at either end, and the highest foot and bike traffic in town/roads. There have been significant incidents, at this intersection over the years with more and more frequency and numerous horn alerts increasing every year. Many residents recognize this safety issue as well.

In addition, specific to 10 Washington Road, our vehicle side-impact risks increase, over an already dangerous corner, without extra room (with parked cars) to 'gun it' out while turning left out of our driveway... a stomach sickening feeling when exiting that direction. Taking a right out of our driveway and then circling around the intersection back up Washington Road is not a great option either. Currently I am using a large orange alert cone in my driveway to prevent dozens (on busy days) of turn-arounds **backing** out of my driveway to prevent side impact accidents and tearing up my driveway by 'gunning it' to avoid being at risk.

Compounding the Parking safety issue are:

- \* Speed.
- \* Dangerous sharp corner
- \* 5 intersecting directions, with parallel parking activity.
- \* bicycles (Not always riding single file).
- \* numerous walkers and runners.
- \* 3 driveways directly across this small strip
- \* 10 Washington Road driveway is used as a frequent turnaround with cars **backing** out onto the road...daily.
- \* Multiple residential parking for 4 Washington Road due to limited property parking (1 space).
- \* Airbnb business at 4 Washington Rd.

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I have included some photos to give a sense of traffic. One is a boat and trailer that was parked in one space for over 2 weeks. The other photos are returning from a walk I happened to take from a walk on the beach a couple of weeks ago.

Please feel free to contact me by email or phone/603..343.1500.

Respectfully  
Padi Anderson

Patricia Anderson  
10 Washington Road  
Rye NH 03870  
603.343.1500

7-22-19 Corvus A



Surfrider Foundation New Hampshire  
PO Box 686  
Portsmouth, NH 03801

July 9, 2019

Town of Rye, New Hampshire  
Board of Selectmen  
10 Central Road  
Rye, NH 03870

**Re: Petition to Reconsider Amendment to the Town of Rye Parking Ordinance**

Dear Chairman Winslow:

The purpose of this letter is to petition the Board of Selectmen ("BOS") to reconsider its decision to amend the Town of Rye Parking Ordinance (the "Ordinance") by inserting new subsections under section 3 of the Ordinance (the "Amendment") banning parking on Perkins Road.

The Surfrider Foundation respectfully asserts that the BOS erred in amending the Ordinance and that its decision 1) was arbitrary, capricious, and an abuse of discretion; 2) failed to account for relevant facts and data, including safety data, provided in the Parking Assessment Study drafted by Tighe & Bond and commissioned by the Town of Rye; 3) failed to consider the least impactful alternatives; 4) failed to consider less intrusive alternatives; 5) failed to appropriately consider the health, welfare and public safety of the residents of Rye and New Hampshire; and 6) failed to consider the basic constitutional protections afforded to the citizens of the United States under the First and Fourteenth Amendments of the Constitution of the United States of America.

Accordingly, the Surfrider Foundation respectfully requests that the BOS reconsider the Amendment at its next available public meeting or at the meeting scheduled on July 22, 2019 and allow the Surfrider Foundation to provide clarificatory testimony regarding the Amendment and the public record related to parking in Rye and the Jenness Beach Precinct to date.

Sincerely,

  
Joshua P. Lanzetta, Esq.

Enclosures (1)





7-22-19 Corrus. C

581 WASHINGTON RD. RYE, N.H. 03870 - (603) 964-8401 FAX 964-7065

Select Board, Town of Rye  
Bill Epperson  
Kerriann Roman  
Phil Winslow  
Town of Rye, NH  
10 Central Road  
Rye, NH 03870



July 11, 2019

Dear Members of the Selectmen of Rye,

The Rye Public Library Board of Trustees invites you to meet with us regarding how the potential expansion of the Library fits into the context of the recent town-wide Plan New Hampshire charrette. I look forward to your response. I will then get back to you with potential dates to allow for availability of all parties.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Oliver".

Karen Oliver, Chair  
Rye Public Library Board of Trustees

7-22-19 Corres. D

July 10, 2019

Dear Board of Selectmen,

I am writing to you to request a beach parking permit. I am not a resident of Rye, but I nanny for three families in Rye. I take the children to the Rye beaches multiple times throughout the summer. While their families have permits, I cannot use their permits on my car. Having a permit for my car would eliminate the inconvenience and danger of walking along roads to the town beaches with young children.

I thank you for your consideration regarding this matter. If you have any questions or would like to confirm that I nanny in the town of Rye, you can contact Rebecca Barbour at (603)781-0389. My cell phone number is (603)568-9135.

I look forward to hearing from you.

Sincerely,

Heather Landry

