

TOWN OF RYE - BOARD OF SELECTMEN

**Monday, June 10, 2019
6:00 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 Becky Bergeron

6:00 p.m.

I. CALL TO ORDER

Chair Winslow called the meeting to order at 6:00 p.m.

II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (b) Hiring (2) per RSA 91-A:3, II (c) Reputation

At 6:00 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 6:30 p.m., Keriann Roman made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Roman – Yes, Epperson - Yes.

At 6:30 p.m., Keriann Roman made a motion to go into Non-Public Session per RSA 91-A:3 II (c) Reputation. Seconded by Phil Winslow. Roll Call: Winslow – Yes, Roman – Yes, Epperson – Yes.

At 6:38 p.m., Keriann Roman made a motion to come out of Non-Public Session. Seconded by Bill Epperson. Roll Call: Winslow – Yes, Roman – Yes, Epperson - Yes.

6:30 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 6:44 p.m.

IV. ANNOUNCEMENTS

Chair Winslow made the following announcements:

- Jenness Beach Bathhouse Ribbon Cutting ceremony will be held on Friday, June 14th at 1:30 p.m.
- A review of the charrette report will be held Monday, June 17th at 5:00 p.m. at the Rye Junior High.

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, 131 Wallis Road**, stated the changing role of the town administrator with Mr. Magnant leaving is a really big issue, as was the role of the Fire Chief. There was no public discussion about strategy. He stressed that for the well-being of the town it is time to think about having that public discussion. Also, for the review of the Plan NH charrette, 5:00 p.m. is not a good time for people that work.
- **Mary Westover, 9 Perkins Road**, thanked the Board of Selectmen for addressing the concerns regarding the safety issues that have been brought up by the residents on Perkins Road. She also followed up on the discussion she saw on live-stream of the last meeting. She stated that she is respectful of the Department of Public Works and their workload for the upcoming season. However, she emphasized the sensitivity of the timing of the short-term recommendations being completed in order for them to be properly evaluated over the summer, in order to determine if they are impact positive or not.
- **Ryan McGill, 21 Perkins Road**, pointed out that Mr. McCarthy addressed the importance of the work being done on Perkins Road; however, Mr. McCarthy did say that Perkins Road isn't as unsafe as other roads in town. Mr. McGill stated that he would love to have the striping done but other roads, such as Dow Lane, have higher speed and are more hazardous year-round than Perkins Road. In the Parking Committee, it was broken down to 10 days during the summer that are issues for Perkins Road.
- **Mary Westover, 9 Perkins Road**, commented that she heard Mr. McCarthy's comments during the last meeting. She respects his opinion and applauds his efforts on behalf of the town. However, just because something hasn't happened on Perkins Road yet, does not mean that it is not going to happen. She doesn't think that the town wants to wait until something does happen. She is not sure that Mr. McCarthy has been on Perkins Road when all the activity is going on that has been addressed as safety concerns.

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

- A. Sign Request:** Lee Arthur, Recreation Director, requests permission to post a sign at Parson's Field to publicize the Independence Day Ceremony from Thursday, June 27th until Thursday, July 4th.
- B. Appointment:** Heritage Commission – 2 Year Term 4/1/2019 – 4/1/2021
 - 1. Rich Davis: Requests appointment as an alternate member, e-mail rec'd 6/4/19
 - 2. Recommendation letter rec'd 6/6/19 from Bev Giblin, Chair
- C. Appointment:** Heritage Commission – 2 Year Term 4/1/2019 to 4/1/2021
 - 1. Philip Walsh: Requests appointment as a member, letter rec'd 5/23/19
 - 2. Recommendation letter rec'd 6/6/19 from Bev Giblin, Chair

**Motion by Phil Winslow to approve and move consent agenda items A through C as presented.
Seconded by Keriann Roman. All in favor.**

VII. DISCUSSION ITEMS

A. PUBLIC HEARING: PARKING ORDINANCE AMENDMENT

The purpose of the Hearing is to hear public comment on a proposed Selectmen's Ordinance to amend the Town of Rye Parking Ordinance by inserting under Section 3, new subsections c and d. Current subsections c and d will re-lettered accordingly.

c. No Parking on the south side of Perkins Road at specific driveways, house number 12, 18, map 5 lot 51-1 house number 22, boxes shall begin at the end of specified driveways and be outlined with 4-inch white painted lines. Boxes shall extend 10 feet to the left of a driveway when facing the roadway and 10 feet to the right of a driveway when facing the roadway. The white fog lines shall be the outer most line of the "No Parking" box. The words "No Parking" shall be painted in white paint within the box.

d. Fire hydrants shall be outlined with the same box enclosure as specified for driveways, providing a clear 15 feet in either direction to the right or left of the hydrants when facing the roadways.

Chair Winslow opened the Public Hearing at 6:10 p.m.

- **Attorney Joshua Lanzetta**, spoke to the board as counsel on behalf of New Hampshire Chapter of the Surfrider Foundation, a member of the National Surfrider Foundation's Leadership Team and a life-long resident of the State of New Hampshire. He noted that he was also a resident of Rye for eight years, until 2016. He explained that the Surfrider Foundation is an international organization, which focuses on environmental issues with coastal and ocean private committees. They do a lot of work on environmental issues and property rights related to beach access. He stated that the NH Foundation would like to collaborate with the Town of Rye on this parking ordinance and future parking ordinances. He is also in attendance to express the organization's voice of complete opposition to this parking ordinance and any ordinance that constitutes a blanket parking ban. They are asking that this ordinance be denied. If a denial is not the "flavor-du-jour", the public hearing should be continued to get better input. He added that the proposed parking ordinance has no rational nexus to the parking study that the town commissioned in 2015. He stressed that the parking study expressed repeatedly that increased parking, and pedestrian and bicycle traffic, actually slows traffic down. Mr. Lanzetta added that he grew up surfing at Jenness Beach and parks on Perkins Road all the time. The safety concerns are so undenounced that they are not even listed in the report. What is being branded as a parking/street safety issue, is really an issue raised by a select few property owners. While the Foundation respects the property rights in Rye and any other ocean front property in the country, the effect on three homes and potential safety, should not effectively ban the parking on Perkins Road and take 40% of the real estate away for parking on the road. Attorney Lanzetta, summed up by saying the decisions, if made today, will be anecdotal in nature. He challenged the board and the town to provide actual safety numbers. He suggested that there is not a safety problem on the road. There is a resident complaint problem on the road. The inconvenience does not rise to the level of taking away 40% of the parking on Perkins Road. He again suggested that the foundation is offering collaborate support to the Town of Rye.

- **Larry Rocha, 39 Perkins Road and Chair of the Beach Committee**, stated that he realizes that the safety committee has said that there are only 15 parking spaces on Perkins Road; however, there are really 20-22 spaces on the road. He understands that there has not been an accident but the cars go up and down that road pretty fast. Fortunately, nothing has happened. (He questioned proposed section d and the need for that section.)
- **Ryan McGill, 21 Perkins Road**, noted that Chief Walsh has said that the best first step regarding speed is to increase signage and policing of the area. He stated that there has not been a single speeding ticket or accident on Perkins Road in the last three years. The Tighe and Bond study pointed out that there wasn't any specific area that seemed a safety hazard. Just from putting in one sign last year, it reduced the tickets on Perkins by 40%. The steps that have already been implemented are already making it safer. Mr. McGill stated that Chief Walsh suggested that side streets are experiencing more traffic as a result of the parking boxes installed to increase sight lines. Any changes to the current parking situation could result in unintended consequences. Mr. McGill stressed that this is the major piece that needs to be looked at. This decision will be based on not a single actual fact from an actual professional (traffic engineer). He added that at Dow Lane, the town had a traffic engineer and a study and made the correct decision. The unintended consequence is that this decision could take away a percentage of Rye's public parking, and put the traffic on other roads and areas in town. This decision is enormous. He is in opposition of this ordinance and asked the board to reconsider moving forward at this time.
- **Rebecca O'Brien, 396 Miller Ave, Portsmouth, and volunteer chair of the local chapter of the New Hampshire Surfrider Foundation**, spoke in complete opposition to the ordinance being presented. She stressed that the proposal appears to be an outright parking ban on portions of Perkins Road, eliminating six public parking spaces on a truly vital beach access road. Easy, affordable and safe access to the beaches is crucial. While this proposed amendment seems like a simple and small change, the town will be drastically reducing parking on this main access road. It sets a very curious and potentially damaging precedent for other road ways on the State's 18 miles of collective coastline. Ms. O'Brien summed up by pointing out that this is a very sensitive issue for everyone and asked the board to consider collaborating with the foundation to come up with a better solution, in order make sure that all visitors to the beaches are responsible beachgoers. She asked the board to keep the dialog open, deny the proposed amendment, or at least continue the hearing, and commission a new traffic study to more appropriately review the issues as related to this vital public beach access road.
- **James Cassin, 17 Perkins Road**, stated that they are talking about six spaces being taken from twenty-one spaces. When this discussion started, many people were in favor of there being no parking at all on Perkins Road with a walkway on the right side all the way to the crosswalk. Because of the issue of access to the beach, they have conceded that the current proposal would be the better solution. The board has made some temporary, short-term adjustments to see how this will work out. If it doesn't work out, then there will be changes. This seems to be fair. As far as beach access is concerned, there are 15 parking spaces still on Perkins Road. There is a large lot at the end of the street for one hundred plus cars and parking on Route 1-A. Losing six spaces on a side street will have very little impact on anyone.

- **Mary Westover, 9 Perkins Road**, reported for the record:
 1. The Safety Committee identified fifteen weekends, 2 days each week during the summer, which is 30 days. This is not including high volume vacation weeks that impact the area.
 2. The Tighe and Bond Study was specifically developed to address the Ocean Blvd. corridor, not Perkins Road. Gregg Mikolaities, who was the chair of the Safety Committee, specifically stated this point at a Safety Committee meeting and asked people to not rely on that report, with the respect to the safety concerns that were being addressed on Perkins Road.
 3. The parking on Perkins Road has never been an issue in the forty-five years that she has lived on Perkins Road. This is not a parking issue. It is a safety issue. With the escalation of the traffic and activity in the area, it has become more serious.
- **Tyler McGill** pointed out that the Beach Committee and the Perkins Road Safety Committee have come up with a lot of very sensible recommendations. He acknowledges that it is the board's responsibility to accept or reject the recommendations and decide what gets implemented. He stated the changes that have been made to Perkins are pretty radical. He added that Perkins Road is not an anomaly. The parking, traffic and safety concerns that are being talked about exist on every road that allows parking. He suggested that the reason there is an increase of activity on Perkins is because of the elimination of parking that has happened systemically throughout Rye. Because of the 2015 Tighe and Bond Study, the town has lost 55 parking spaces on Ocean Blvd just to open up the sightlines. Jenness Beach parking lot just lost 16 spaces due to the new bathhouse construction. The Carriage House used to have 25 parking spaces; however, they don't do public parking anymore. This progressive elimination is forcing traffic up Cable Road and into neighborhoods that haven't experienced the volume from the beach in the past. The precedent that is being set here will most likely be implemented in other areas. This is a case study that will probably have a ramification in other areas. Mr. McGill reported that he contacted two traffic engineering firms. He asked them where they would start if they were hired to address safety on any road. The answer was that first they would decide if there is a safety issue. If they looked at a road and there have been no accidents, they would be very resistant to making changes because of the unintended consequences. He asked the board to deny the amendment to the ordinance or to adjust the sightlines in a way that has the least impact on the area and the parking.
- **Larry Rocha** stated that the Beach Committee has studied the parking issues town-wide, not just on Perkins Road. One observation that the committee has observed in the various towns along the New Hampshire Coast/Route 1-A, is there are more free parking spaces in Rye than anywhere else. The committee was told that this was a political decision. He stressed that he does not want to take away parking spaces and deny access to the beaches.
- **James McCauley, 44 Perkins Road**, pointed out that there had been parking on Perkins Road on both sides for a while and it was reduced to the south side. That had nothing to do with the residents being upset, but rather Perkins Road is now listed as an evacuation route for an event at Seabrook Power Plant, from Jenness Beach and elsewhere.
- **Attorney Lanzetta** stated that there are a number of great points being made, but they are all anecdote. There is not one fact that would have weight and come to bear on passing an ordinance such as this. This is proposing an ordinance for a Road with no safety history. If it is being done as an experiment, it is starting at zero and ending at zero. The data line makes no sense. The

Tighe & Bond study addresses the Route 1-A corridor, but the corridor of Route 1-A is comprised of every ingress and egress that is connected to 1-A. There has been no traffic study done on Perkins Road. There is no data. Working with other traffic engineering firms, when they see data that shows zero accidents, the report that goes to the client will say that the town can spend \$7,000 for a report but it is not recommended in this case. Attorney Lanzetta also pointed out that if there was an event at Seabrook, the whole coastline would become an evacuation route, not just Perkins Road. This is not a safety issue generally for the residents of Rye. It is a safety issue for a few residents that are fearful of being hit by an oncoming vehicle when leaving their driveway. These are risks that we all take every day. Attorney Lanzetta stated that he understands the concerns, but it is a district that is habited only 50% of the year. Most of the houses are vacant for nine months of the year. The owners are not even residents of the State of New Hampshire. If they are coming to anywhere in Rye, or to the coast on Route 1-A, they are buying people parking in their yard. This is a general fact. They are buying the issues. Respectfully, this is mincing safety with parking. However, it is actually an elimination of beach access. There is plenty of constitutional case law about this. This happens routinely. It is routinely fought and is routinely won. There are much better ways to create a lesser impact. It is a very small amount of time where there could potentially be an accident, but there could potentially be an accident on any week on Ocean Blvd. If a denial is not forthcoming, then a continuance to actually look at real data commissioned by a study specific to Perkins Road, and other side roads off Route 1-A, makes sense. Attorney Lanzetta reminded the board that property owners have property rights but they do not have rights to the public way in front of their house.

Chair Winslow asked Chief Walsh to join the board at the table.

Chief Walsh acknowledged that he has been vocal about the unintended consequences of the effects on surrounding neighborhoods; however, safety has to take precedence. He pointed out that the board and prior select boards have looked at driveways and entrances on side roads, how that effects the traffic and the individuals trying to get up into the traffic. He presented pictures of the area to the board showing the congestion on a busy beach day. He explained that sometimes cars are parked right up to the edge of the driveways. Sometimes the bumper is even over the edge of the driveways. This creates an impairment to the driver's vision that is trying to leave the driveway. This is the same concern the prior board had on Ocean Blvd. On busy beach days, the cars are going to be crammed in as much as possible. Chief Walsh pointed out that the board is looking at putting in a temporary fix for a permanent problem. Putting a selectmen's ordinance in temporarily allows the opportunity for time to take a look at it and get input from the property owners that are actually there. For a long-term fix, through the budget process, an engineering firm could take a look at Perkins Road. If they feel that the boxes are not needed, they could be taken away.

Chief Walsh went on to say that there has been a lot of good points made on both sides of the issue that he agrees with. There is very little data collected regarding accidents. Studies do show that parked vehicles slow traffic; however, sidewalks create a safe walkway for pedestrians. Cable Road has sidewalks. Wallis and Perkins do not so people walk in the road. There have been a lot of near misses with cars and pedestrians that have be witnessed by the neighbors. He pointed out that the Safety Committee have made some strong recommendations to the board. These are temporary to see how it will work. Part of the input came from committee members that live on Perkins and their neighbors. He stated that he is not in favor of eliminating any parking spaces because of the unintended consequences; however, they need to look at safety first. He reiterated that this selectmen's ordinance is a temporary ordinance. At Town

Meeting, the residents will have an opportunity to vote to make it permanent. The expectation is that after a summer of review, the police department will have had a chance to see if these remedies worked or not. The box solution is not a perfect science but it is better, as shown on Ocean Blvd. Some of the residents on the Boulevard reported an immediate improvement.

- **Maddie Smith, 15 Snows Court Dover, NH and program coordinator of Outdoors Adventures of the University of New Hampshire**, spoke in opposition of the proposed ordinance. She pointed out that there has been a lot of talk about the driveway entrances but no talk regarding a solution to slow the traffic down.
- **Tyler McGill** asked why the ordinance does not say temporary. He pointed out that he and Mrs. Leary are the only residents on the south side of Perkins Road that have attended all the meetings and they are both opposed to the ordinance amendment. He suggested that should have some weight. The board says that if this does not work the parking will be put back. That has never happened in the past. There has always just been a gradual reduction in parking.
- **Ryan McGill, 21 Perkins Road**, argued that the Tighe and Bond study specially addressed all the side streets. It talks about the exact number and it said that they do not recommend the elimination of parking on the side streets off Route 1-A. These issues are not unique to Rye. On the 4th of July, in 90-degree weather, every town all the way down the coast has these issues. This is a massive, dramatic change in public access.
- **James Cassin** spoke in favor of the ordinance amendment stating that it is a temporary solution to see how it will work.

Chair Winslow closed the Public Input Session at 7:48 p.m.

Chair Winslow stated that the board has some choices:

- Approve as Written
- Deny the amendment
- Continue for further information
- Or modify the amendment

Chair Winslow asked Chief Walsh if there is some statistic that states that 10 feet is the appropriate length or if it could be modified.

Chief Walsh noted that on Ocean Blvd it was 10 feet on the right and 20 feet on the left side. On a side road, 10 feet would be sufficient.

Selectman Epperson asked if there was any relationship to the 10 feet and speed on Perkins Road.

Chief Walsh replied no. There would be a need to have an engineer apply the science to it, in order to make sure they are the appropriate length, if needed at all, for the long-term.

Vice-Chair Roman asked if the Chief agreed that this would eliminate six spaces.

Chief Walsh noted that it really depends on the size of the vehicles parking in the area.

Vice-Chair Roman referred to the Tighe and Bond study. She pointed out that it did address side streets off Ocean Blvd but was focused on the parking along the Ocean Blvd corridor. It only talked about safety as an ancillary to the parking. At the time of the study, there were 1,793 non-resident parking spaces, (since then 60 have been removed). There were another 130 resident spaces as well. The report stated; "Vehicles parked along Perkins Road, in permitted areas, in close proximity to driveways. This event resulted in limited site distances to and from driveways." residents were putting up their own "No Parking" signs. The Tighe and Bond engineer study says fifteen spaces, however the Beach Committee has consistently gone out and counted twenty to twenty-one vehicles being parked on Perkins Road. That shows a difference of six spaces. The Tighe and Bond study is saying that there can be fifteen spaces there safely. The recommendation that came out of the Safety Committee was a compromise to see if it helps the problem.

Selectman Epperson stated that a lot of the opposition seems to be coming from people that have no standing in the issue. This looks like a collaborative effort by a bunch of people that are concerned about this. Chief Walsh has had input. His recommendation would be to adopt this amendment and have it reviewed at the end of the season. He also recommended that it be placed on the warrant for a vote.

Chair Winslow agreed. This is a way to get the data needed. Tighe and Bond recognizes fifteen spaces and people are squeezing in twenty-one. Some are being used by employees of the various businesses as well.

Selectman Epperson pointed out that the board cannot just take an ordinance that has been created over a period of time, by responsible people, and say it doesn't count any more.

Vice-Chair Roman recommended taking out the part about boxing off the fire hydrant. She agreed with Mr. Rocha that it may add confusion to the public regarding the no parking at all on that side of the road.

Selectman Epperson asked for clarification on parking near a fire hydrant.

After a short discussion, the board decided that boxing the fire hydrant would be redundant.

Motion by Keriann Roman to enact as a temporary parking ordinance new subsection C as stated. Seconded by Bill Epperson. All in favor.

B. Martha Leary – Ocean Blvd./Perkins Road Parking Concerns

Attorney Bernard Pelech, representing Martha Leary, 2281 Ocean Blvd, addressed the board. He stated that he was present to address the recommendation of the installation of bollards along 2281 Ocean Boulevard, bordering Perkins Road, to better define the entrance and exit, and discourage vehicles from backing into Perkins Road. He noted that at the time of the site plan approval (for the Dunes property), the Planning Board required a pedestrian passage way from the back parking lot, along the front of the pizza shop and surf shop and across the road connecting with the crosswalk. He noted that the crosswalk is the only crosswalk in the vicinity. The crosswalk is utilized considerably by people coming from and going to the beach. He continued that according to Chief Walsh, the purpose of the temporary bollards is to create a pedestrian passage way between the bollards and the fog line. The concern is that this would

be creating a pedestrian access way to Ocean Boulevard where there is no crosswalk. The pedestrians would be led down the access way to a point where there is not a crosswalk to go across Route 1A. Also, there is a meeting on June 14th, at the State level, with regard to improvements to this intersection, which may play into this issue. The fact is that the town does not have the authority to put a crosswalk across Ocean Boulevard or to eliminate the existing crosswalk; only the State of N.H. has that right. He asked the board to consider holding off on the ordinance, as it has not been implemented yet. He noted that the bollards reduce the width of the parking to such a degree that it would be difficult for cars to get in and out of the spaces which are between Perkins Road and the side of the building. If a pedestrian access is going to be created between the bollards and the fog lines, he asked if the pedestrian access (required by the Planning Board) would be needed. He reiterated that the pedestrians will be sent down an access way with no crosswalk to the beach. He is in objection to the bollards.

Referring to Gregg Mikolaities (who was involved with the Tighe and Bond study), Attorney Pelech noted he was concerned with two things. First, Mr. Mikolaities was concerned that maybe Perkins Road is not properly centered within the town right-of-way and he recommended a survey. Mr. Mikolaities also recommended that there be a traffic or safety study performed in this area before any permanent changes were undertaken. Attorney Pelech asked the board to hold off on installing the bollards, at least until the DOT meeting on June 14th. He noted that they may consider holding off on this recommendation for this summer, as it does not seem to be the most pertinent one, until a study has been done. He realizes the recommendation is temporary but it may have tremendous impact. Mrs. Leary does not want to have to reconfigure this portion of the parking lot because of the bollards. Secondly, she does not see the need for the site plan pedestrian access way, if the purpose of the bollards is to create a pedestrian access way.

Chief Walsh noted that the main purpose of the bollards is to define the parking lot entrance to the parking lot at the Dunes. There are quite a few businesses at that property. He continued that he met with Mrs. Leary and the McGill brothers about the temporary bollards. They showed some areas of concern and how it would affect their parking operation. He stated that he made some adjustments based on that meeting. He continued there are two entrances and exits to the property. The first one is towards the front businesses. Mrs. Leary was asking that the bollards be separated enough so a vehicle could enter and exit between the bollards. The bollards would go down Perkins Road, along the parking spaces for the pizza shop. Instead of straight parking, the spaces would have to be angled for easy pull in and pull out. The next entrance is access to the parking lot for the pizza shop, as well as an entrance and exit for the rear parking, which is used for paid beach parking.

Chief Walsh submitted photos to the board that were taken over the recent Memorial Day Weekend. He noted that they are trying to avoid people pulling up to the businesses or stopping temporarily for loading and unloading. One of the Safety Committee's recommendations was to have DPW continue the "No Parking" stamping on the road up to Ocean Boulevard so it is clear there is no parking. He also noted that the temporary bollards can be removed if they are creating any issues. He reiterated that the main purpose of the bollards is to define the parking operations for the businesses at the Dunes property. Having the parking on the outside of the property is creating some of the congestion and confusion.

Mrs. Leary stated that she thought there was concern about the back parking lot. She was asked to put up a sign when the lot is full so there would be no parking on the street, which she has agreed to do. She commented that people are not unloading going into the surf shop or pizza shop. There is a worse situation at the Jenness State Park when vehicles are backed up on Ocean Boulevard to get into that lot.

Speaking to Chief Walsh, Chair Winslow asked if striping would define the parking lot.

Chief Walsh explained that striping would define it visually but the temporary bollards would be more effective. They are designed to not cause any damage to a vehicle or person if they were to be hit.

The select board reviewed the photos and spoke with Mrs. Leary about her concerns with the proposed bollards.

After some discussion, Vice-Chair Roman stated that she is big on safety; however, she thinks it would be foolish to do anything, even if it is temporary. The board had no idea that the State was doing anything. It may create an issue with what the town is trying to do. She would like to hear what the State is proposing.

Chief Walsh noted that Senator Sherman's office had emailed him about the 14th but it was felt that a meeting would be a conflict with the ribbon cutting ceremony. DOT does want to have a meeting about these issues. The impression he got from Senator Sherman is that DOT is going to map out a plan for a long-term solution but it would take a year or two. The Safety Committee was formed to take a look at temporary solutions for what could be done now for improvements with flexibility for adjustments.

Mrs. Leary commented that if something is put in temporarily, people become used to it. It becomes confusing when it is changed and creates more chaos.

The Selectmen agreed to conduct a site walk of the area. A site walk was scheduled for Wednesday, June 19th, 6:00 p.m.

C. ABATEMENTS

The Assessor recommends approval of the following abatements.

Assessor Scott Marsh presented the abatements to the board.

1. Derek Brucato & Seane Zelazo 391 Central Road map/lot 016-11
Current: \$474,000. Proposed: \$419,700. Abatement \$575.58 + int.

The property owner just purchased the property in November for \$415,000. It was assessed at \$474,000.

Mr. Marsh reported that the department did an inspection of the property, and noted some discrepancies regarding the actual year built, overall condition, and siding, plus there is minimal heat on the second floor, which would have an impact on the value. The property was original listed as 2008, it was actually built in 1934. After making these adjustments the value was reduced by \$54,300. The recommended abatement is \$575.58 plus interest.

Motion made by Keriann Roman to grant the abatement in the amount of \$575.58 plus interest on property located on 391 Central Road map/lot 016-11. Seconded by Bill Epperson. All in Favor.

2. Peter Terwilliger & Denise Bell 710 Long John Road map/lot 016-151
Current: \$382,400. Proposed: 312,600. Abatement \$739.88 + int.

This is a small bungalow style home situated on a 1.63-acre parcel. The owners had an appraisal done on the property in January for refinancing. It appraised for \$350,000. Upon inspection of the property it was noted that there were discrepancies regarding the room count and flooring. After making these adjustments the value was reduced by \$69,400. The recommended abatement is \$739.88 plus interest.

Motion made by Keriann Roman to grant the abatement in the amount of \$739.88 plus interest on property located on 710 Long John Road map/lot 016-151. Seconded by Bill Epperson. All in Favor.

3. Alfred & Laura Arcidi Trustees 45 Church Road map/lot 002-061
Current: \$4,095,300. Proposed 2,316,100. Abatement \$18,859.52 + int.

Mr. Marsh explained that this is a colonial home on a 1.2 area parcel. The owners had an appraisal completed that indicated a value of \$1.9 million. The department reviewed that appraisal but did not give a lot of weight to it because a lot of the sales comparisons came from North Hampton. No one had been in the property for a long while and upon inspection of the property it was noted that it was listed as being a luxurious grade of construction, which it may have been in 1995 but it has never been updated since then. The \$4,095,300 value came from the last revaluation in 2016. It is a very nice home but it is a 1955 home and it doesn't match up to today's luxurious homes. The quality was changed from luxurious to very good and there was a slight change in the land assessment from \$907,000 to \$875,000. After making these adjustments, the value was reduced by \$1,779,200. The recommended abatement is \$18,859.52 plus interest.

Motion made by Keriann Roman to grant the abatement in the amount of \$18,859.52 plus interest on property located on 45 Church Road map/lot 002-061. Seconded by Bill Epperson. All in Favor.

D. Heritage Commission LCHIP Grant Application

Mr. Magnant explained to the board that the Rye Heritage Commission wants to submit an application for a grant for the work on the Town Hall windows. The application is due on June 28, 2019. Mr. Magnant submitted the application materials to the board for their review. He pointed out to the board that the application for the Historic Structure Report had no conditions attached that were imposed upon the town. However, with this grant, there is a budget agreement and stewardship agreement. Also, the town will have to comply with the Secretary of Interior's Standards for any renovations and will have to adopt the Land Trust Standards as well.

After a quick review of the Stewardship Agreement, Chair Winslow expressed a need for someone from LCHIP to be at the board's meeting on June 24th so they can fully understand the restrictions.

Vice-Chair Roman stated that the Town Hall has been a continuous issue with the residents for a long time. This grant will restrict what can and cannot be done to the building. She stated that she would not be comfortable moving forward on this without the town's input. She commented that this may have to go on the warrant for Town Meeting vote or to a well-published public hearing.

Chair Winslow stated that he was not as worried about having public input as the board has already gotten the public's approval to renovate the Town Hall and this is a part of that. He added that the board just needs clarification on what the restrictions would entail.

Selectman Epperson agreed.

Mr. Magnant will contact LCHIP and the Heritage Commission.

E. Chief Cotreau – Public Safety Interoperable Communications Grant Application

Chief Cotreau presented the grant application to the board. There is a 2019 Homeland Security Grant available throughout the State for programming interoperable radios. The Police and Fire's public safety radios have eight banks of twenty-five frequencies. The frequencies are designed so that no matter where the individual is located, they can communicate with other public safety personnel nation-wide. The radios are extremely complex. Every few years, the radios start to drift out of the upgraded data creating a need to upgrade the radios. The last time this was done was in 2012. The grant provides funding to have the town's radios programmed and updated with all the interoperable frequencies. It will also update any frequencies that have drifted out of date on the town's normal mutual aid. For example, Dover has just changed their frequency and Rye has not yet changed into that system so it eliminates that communication. The Chief estimated the costs as: Two programmers at \$100 an hour, eight hours a day, 3 days, being conservative, roughly around \$4,800 to \$5,000. There are no hardware costs involved, strictly programming. There is 100% reimbursement from the grant with no matching funds. The issue is the RFP will not be going out until after the deadline for the grant of June 14th, so the Chief will not have the actual costs until the bids come in. The last time this was done, there were three major vendors involved. The town will have a period of two years to update its radios. The town will have to give Homeland Security an inventory of the radios to be upgraded, which they will have to accept. Only certain radios can be upgraded, as some may be too old to qualify for the program. Chief Cotreau explained that if the board approves the grant applications, he would need the board to sign a memorandum of understanding for each department (Fire and Police).

Motion made by Keriann Roman to approve the two Public Safety Interoperable Communications Grants. Seconded by Bill Epperson. All in Favor.

F. Chief Cotreau – Fire Works Permit (motion required)

1. Sawyer's Beach, July 3rd, Beach Club Fireworks

2. Rye Surf Club, July 5th, Fireworks 1200 Ocean Blvd.

3. July 4th Fireworks at Parson's Field by Jack Tobey

Motion required: "To approve the Fireworks at Parsons Field on July 4, 2019 as a town event coordinated by Jack Tobey and assistants acting as volunteers on behalf of the Town of Rye."

Chief Cotreau submitted the event applications to the board for their review. He reported that all documents are in place and signed by the appropriate parties.

- Sawyer's Beach, July 3rd, Beach Club Fireworks - Everything is exactly the same as last year's event. Primex recommended that the town be named as a certificate holder, so there are two certificates of liability insurance. The State Fire Marshall is the other certificate holder.

Motion made by Keriann Roman to approve the Beach Club's Fireworks event at Sawyer's Beach on July 3rd. Seconded by Bill Epperson. All in Favor.

- Rye Surf Club, July 5th, Fireworks - Everything is exactly the same as last year's event. There are two certificates of liability insurance. One naming the town as the certificate holder and the other naming the State Fire Marshall.

Motion made by Keriann Roman to approve the Rye Surf Club's Fireworks event at 1200 Ocean Blvd on July 5th. Seconded by Bill Epperson. All in Favor.

- Town Fireworks July 4th at Parson's Field by Jack Tobey

Motion made by Keriann Roman "To approve the fireworks at Parsons Field on July 4, 2019 as a town event coordinated by Jack Tobey and assistants acting as volunteers on behalf of the Town of Rye." Seconded by Bill Epperson. All in Favor.

VIII. CORRESPONDENCE

- None

IX. NEW BUSINESS

- None

X. OLD BUSINESS

A. Cell Tower Committee

Since there is only one applicant at this time, it was decided to widen the search for members. It was recommended that all the boards, commissions and committees be notified. Kathy McCabe is the one that has applied. She may know of other people that would qualify to be on the committee.

Mr. Magnant reported that there were three responses to the RFP for the consultant. Currently, they are being reviewed by staff. They will be graded and then a recommendation will be made to the board.

B. Review of the Charrette Proposal Report

Chair Winslow asked that the time for the review be moved to 6:00 p.m. as 5:00 p.m. is not a good time for people that work. The charrette proposal report will be held Monday, June 17, 2019 at the Rye Junior High. He also stated that it is also important to make clear that this will be a Selectmen's work session. This will be one of two or three sessions on this subject.

The board agreed.

XI. OTHER BUSINESS

- **Steven Borne, 131 Wallis Road**, told the board that he had questions on his tax bill but was not sure what the proper process was to correct any discrepancies. This is probably the case with other property owners in town. He recommended that the town set up an educational program to help the property owners understand the process.

ADJOURNMENT

Motion by Keriann Roman to adjourn the meeting at 9:39 p.m. Seconded by Phil Winslow. All in Favor.

Respectfully Submitted,
Dyana F Ledger

**Town of Rye Board of Selectmen
PUBLIC HEARING
June 10, 2019, 6:30 p.m., Rye Town Hall**

The purpose of the hearing is to hear public comment on a proposed Selectmen's Ordinance to amend the Town of Rye Parking Ordinance by inserting under Section 3, new subsections c and d. Current subsections c and d will be re-lettered accordingly.

c. No Parking on south side of Perkins Road at specific driveways, house number 12, 18, map 5 lot 51-1 house number 22, boxes shall begin at the end of specified driveways and be outlined with 4-inch white painted lines. Boxes shall extend 10 feet to the left of a driveway when facing the roadway and 10 feet to the right of a driveway when facing the roadway. The white fog line shall be the outer most line of the "No Parking" box. The words "NO PARKING" shall be painted in white paint within the box.

d. Fire hydrants shall be outlined with the same box enclosure as specified for driveways, providing a clear 15 feet in either direction to the right or left of fire hydrants when facing the roadway.

Name (please print)	Address	Signature
Tyler McGill	22 Perkins Rd.	[Signature]
Ryan McGill	21 Perkins Rd.	[Signature]
Rebecca O'Brien	396 Miller Ave, Portsmouth	[Signature]
JOHN LANZETTA, ESQ	601 CENTRAL AVE., DORSET, NH	[Signature]
Maddie Smith	15 Snows Court Dover, NH	[Signature]
Jim McLanley	44 Perkins Rd Rye	[Signature]
MARY WESTOVER	9 PERKINS ROAD	[Signature]
Jenna McCaslin	17 Perkins Road	[Signature]
Jean Cassin	17 Perkins Rd.	[Signature]
Larry Rocha	39 PERKINS RD.	[Signature]
Stevw Born	431 Wills Rd	[Signature]
MARK COTRAN	Rye Fire chf	[Signature]
Christine McGill	10 West Rd.	[Signature]
Christine McGill	1000 Washington Rd	[Signature]
Bernie Walsh	Rye Police	[Signature]
[Signature]	Rye Public Works	[Signature]
[Signature]	40 Perkins Rd	[Signature]
	S. Belmont Dr	[Signature]