

LONG RANGE PLANNING COMMITTEE MEETING

Monday, December 17, 2018

9:00 a.m. – Rye Town Hall

Members Present: Chair Steve Carter, Bill Epperson and Katy Sherman.

Others Present: Kimberly Reed, Planning & Zoning Administrator and Julie LaBranche, Rockingham Planning Commission.

I. Call to Order

Chair Carter called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance.

II. Business:

Planning Administrator Reed asked the committee could look at the dates of their meetings, there is a meeting on January 10, 2019 that is fine but the January 24th date needs to be rescheduled both her and Julie LaBranche have a workshop that day. It was agreed to move that meeting to Wednesday, January 23, 2019.

Ms. Reed asks about the revised memo

Julie LaBranche, RPC, says she will send it out.

Julie LaBranche, RPC, wants to take the document Chapter by Chapter then compile at the end. She has hand outs of section 201 and states that our LDR currently does not follow statute and wants to add non-residential.

Ms. Reed asks about section 200.

Ms. LaBranche looks at section 200 and says it needs re-writing.

Chair, Carter asks about the order and wants consistency above and below.

Ms. LaBranche states she will collapse A and B – 201.1 and 201.2 and she will take 201 put them in 201.2.

All agreed that makes sense.

Member Sherman says the least repetitive the better.

Ms. Reed says when listing RSA need to add “as amended”.

Chair, Carter wants links to RSA.

Ms. LaBranche says section 102 in the authority NH RSA 674:35 and 674:42 as amended and include a link.

Ms. LaBranche says section 200 as amended.

Member Sherman asks about under major subdivisions and minor.

Member Carter wants them bolded.

Ms. LaBranche will bold them.

Member Carter asks minor vs major is 3 the magic number.

Ms. LaBranche says NHDES categories are 3 or 4 lots, not go to DES for approval.

Ms. Reed recommends leaving it at 3 lots for minor.

Ms. LaBranche says the difference would be if a road is being developed for the subdivision.

Member Epperson asks what buildable means he wants a definition.

Ms. Reed also says she wants to see in the LDR stormwater for everything. She shared DPW Director's memo to the ZBA about small lots being built up and creating drainage problems.

Ms. LaBranche talks about Lot Line Adjustments for existing and talks about stormwater.

Member Sherman asks where to put it in the LDR.

Ms. LaBranche looks to see where it can go.

Member Carter talks about definition for buildable lots.

Member Epperson says tricky wordsmith.

Ms. LaBranche mentions when creating lots.

Ms. LaBranche says the planning board should piggy back on the DPW Director's memo put it back on the ZBA agenda and PB members should attend and talk about the importance of stormwater.

Discussion on stormwater and MS4.

Ms. LaBranche says that the RPC will be issuing a memo in 2019.

Ms. LaBranche talks about moving condo conversions and wordsmithing 201.2 and re-order it.

Member Carter asks about complete streets and where does this fit in the LDR, is it feasible.

Discussion on complete streets and how it is much more than streets and how it can be added, access management under section 600.

Member Epperson would like more information and a whole section on landscaping.

Ms. LaBranche asks about street lighting.

Ms. Reed says dark skies.

Adjournment

Motion by Bill Epperson Adjourn, seconded by Steve Carter.

Respectfully Submitted,

Draft December 14, 2018

RYE LAND DEVELOPMENT REGULATIONS - UPDATE

SECTION 201 CATEGORIES OF LAND DEVELOPMENTS

For the purpose of regulating land use and development, land development are defined under two main categories:

A. Subdivisions as enabled by RSA 674:36 and RSA 674:14 including:

1. Lot Line Adjustment Subdivisions
2. Minor Subdivisions resulting in three or fewer lots
3. Major Subdivision resulting in four or more lots
4. Condominium Conversions

B. Site Plan Review as enabled by RSA 674:44 including:

1. Minor Site Developments
2. Major Site Developments
3. Multi-Family Developments

201.1 Subdivisions.

- A. Major Subdivisions are subdivisions of land which contain more than three (3) lots or which require construction of a new street or extension of an existing street.
- B. Minor subdivisions are subdivisions of land which contain not more than three (3) buildable lots and which do not require any street construction.
- C. Lot line adjustments are subdivisions which involve only adjustment of boundaries among existing lots and which do not create any new buildable lots.

D. Condominium Conversions.

Condominium Conversions are considered to be both major subdivisions and major site developments. However, condominium conversions must only meet the procedural and information submittal requirements set forth herein for major site developments.

201.2 Site Plan Review Developments.

- A. Major site developments are all site developments which involve any one of the following circumstances:

1. The initial development of a parcel or lot.
2. Expansion of the building ground coverage [definition??] on a site by more than fifteen percent (15%).
3. Expansion of the aggregate parking, driveway and loading and unloading areas of a site by more than fifteen percent (15%).

Deleted: For the purpose of efficiency in regulating land developments, the Rye Planning Board has established six (6) categories of land development: lot line adjustment subdivisions; minor subdivisions; major subdivisions; minor site developments; major site developments; and condominium conversions. The procedural requirements set forth herein vary for each category of land development.

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Draft December 14, 2018

4. Expansion of the **bulk** [definition??? E.g. footprint, height etc] of the buildings on the site by more than fifteen percent (15%).

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5. Construction or expansion of a **non-building** [definition???] accessory structure (other than a structure covered by S 3 above) which involves the disturbance of more than 400 square feet of land area.

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6. Construction of a **structure** [definition???] more than twelve feet in height above grade, other than utility poles.

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B. Minor site developments are all site developments which are not major site developments as described by S 201.2 A. Additions to existing buildings or additions to existing parking, loading and unloading areas, and driveway areas that are less than 100 square feet in area are exempt from these regulations.

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C. Exempt site developments are those site developments which involve only minimal changes to the site and environment. Review is not required for:

1. A building addition having ground coverage of 100 square feet or less.

2. Expansion of existing parking areas, driveways, loading and unloading areas by **400 square feet or less**.

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3. The surfacing of existing unsurfaced parking areas, driveways, or loading and unloading areas of 400 square feet or less. This could have impact to the town's MS4.

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4. Changes in use (including use intensification) which do not **expand a building** or involve construction on the site, provided that: How is compliance with criteria a-c below determined and by whom??

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a. No additional off-street parking is required; and

b. Sanitary waste loading of the site does not increase beyond the capacity of existing septic systems or waste disposal service; and

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c. No adverse impacts beyond site boundaries will occur, including but not limited to:

- Increased traffic hazards
- Groundwater and drainage
- Sanitary & solid waste disposal
- Lighting
- Noise Pollution
- Air pollution

NOTE: See Sec. 405.4 for the procedure required to achieve exempt status.

Moved up [1]: 201.3 Condominium Conversions.¶

¶
Condominium Conversions are considered to be both major subdivisions and major site developments. However, condominium conversions must only meet the procedural and information submittal requirements set forth herein for major site developments.¶

RYE PLANNING BOARD
LAND DEVELOPMENT REGULATIONS

ARTICLE I

INTRODUCTION

SECTION 100 TITLE

These regulations may be known and may be cited as "Land Development Regulations of the Town of Rye, New Hampshire."

SECTION 101 SCOPE AND APPLICABILITY

These regulations govern both the subdivision of land (including lot line adjustments) and the development or change or expansion of use of tracts for non-residential use or multi-family residential use. All subdivisions and all development or change or expansion of use of non-residential sites and multi-family sites in the Town of Rye must comply with these regulations, except as limited by S 103 (developments in Rye Beach Precinct) and S 201.2 C (exempt site developments).

An owner of contiguous land in more than one municipality or of a parcel bounded by the town line may have to comply with the requirements of both these regulations and the land use regulations of the adjacent municipality. See RSA 674:53. (Rev. 10/91)

For the purposes of site review of multi-family properties, conversion of seasonal properties to year round use shall be considered an expansion of use.

SECTION 102 AUTHORITY

The regulations are enacted pursuant to the authority granted the Rye Planning Board to regulate subdivisions by the March 11, 1952 Town Meeting and pursuant to the authority granted the Rye Planning Board to review site plans of non-residential and multi-family developments by the March 15, 1980 Town Meeting. Both Town Meeting actions were taken pursuant to the Planning and Zoning Enabling Legislation of the State of New Hampshire, currently codified as NH RSA 674:35 and NH RSA 674:43, respectively.

SECTION 103 RYE BEACH PRECINCT

These regulations do not apply to the Rye Beach Precinct, which has enacted its own land development regulations pursuant to Chapter 29 of the NH Session Laws of 1937.

SECTION 104 PURPOSE

These regulations are intended to promote the health, safety, general welfare and prosperity in a manner consistent with authority granted by the Planning and Zoning Enabling Legislation of the State of New Hampshire, as amended.

SECTION 105 DEFINITIONS

See Appendix A.

ARTICLE II

TYPES OF LAND DEVELOPMENTS

SECTION 200 GENERAL

Land Developments governed by these regulations are either subdivisions or site developments. Sometimes a land development may be both a subdivision and a site development.

200.1 Definition of Subdivision.

A subdivision is the division of a lot, tract or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether immediate or future, of sale, rent, lease, condominium conveyance or building development. It includes resubdivision, and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided. The division of a parcel of land held in common and subsequently divided into parts among several owners shall be deemed a subdivision under these regulations.

200.2 Definition of Site Development.

A site development is any building or construction activity that develops changes or expands a non-residential or multi-family residential use of land. Site development includes enlargement of structures and/or expansion of uses; conversion of structures and/or sites to new uses; intensification in use of a structure or site; and conversion of buildings and sites to the condominium form of ownership.

SECTION 201 CATEGORIES OF LAND DEVELOPMENTS

For the purpose of efficiency in regulating land developments, the Rye Planning Board has established six (6) categories of land development: lot line adjustment subdivisions; minor subdivisions; major subdivisions; minor site developments; major site developments; and condominium conversions. The procedural requirements set forth herein vary for each category of land development.

201.1 Subdivisions.

- A. Major Subdivisions are subdivisions of land which contain more than three (3) lots or which require construction of a new street or extension of an existing street.
- B. Minor subdivisions are subdivisions of land which contain not more than three (3) buildable lots and which do not require any street construction.
- C. Lot line adjustments are subdivisions which involve only adjustment of boundaries among existing lots and which do not create any new buildable lots.

201.2 Site Developments.

- A. Major site developments are all site developments which involve any one of the following circumstances:
1. The initial development of a site.
 2. Expansion of the building ground coverage on a site by more than fifteen percent (15%).
 3. Expansion of the aggregate parking, driveway and loading and unloading areas of a site by more than fifteen percent (15%).
 4. Expansion of the bulk of the buildings on the site by more than fifteen percent (15%).
 5. Construction or expansion of a non-building accessory structure (other than a structure covered by S 3 above) which involves the disturbance of more than 400 square feet of land area.
 6. Construction of a structure more than twelve feet in height above grade, other than utility poles.
- B. Minor site developments are all site developments which are not major site developments as described by S 201.2 A. Minor site developments which involve only additions to buildings or additions to parking, loading/unloading and driveway areas that are less than 100 square feet in area are exempt from these regulations.
- C. Exempt site developments are those site developments which involve only minimal changes to the site and environment. Review is not required for:
1. A building addition having ground coverage of 100 square feet or less.
 2. Expansion of any parking areas, driveways or loading/unloading areas by 400 square feet or less.
 3. The surfacing of existing unsurfaced parking areas, driveways or loading/unloading areas of 400 square feet or less.
 4. Changes in use (including use intensification) which do not expand a building or involve construction on the site, provided that:
 - a. No additional off-street parking is required; and
 - b. Sanitary waste loading of the site does not increase beyond that which the site can absorb; and

- c. No adverse impacts beyond site boundaries will occur, including but not limited to:
 - Increased traffic hazards
 - Groundwater and drainage
 - Sanitary & solid waste disposal
 - Lighting
 - Noise Pollution
 - Air pollution

NOTE: See Sec. 405.4 for the procedure required to achieve exempt status.

201.3 Condominium Conversions.

Condominium Conversions are considered to be both major subdivisions and major site developments. However, condominium conversions must only meet the procedural and information submittal requirements set forth herein for major site developments.

RYE PUBLIC WORKS
309 Grove Road
Rye, New Hampshire 03870
Telephone (603) 964-5300
Fax (603) 964-9708
dmccarthy@town.rye.nh.us

Date: December 5, 2018
To: Kim Reed, Planning & Zoning Administrator
From: Dennis G. McCarthy, Public Works Director *DM*
Subject: Small Lot Variances

I wish to make a request of the Zoning Board for additional consideration when granting variances to lot line set backs, and lot coverage requirements, for small lots.

Recently, I, in conjunction with the Code Enforcement Officer, have been dealing with a number of issues relative to storm and ground water runoff from small lots onto adjacent lots and roads. These lots were being re-developed for new substantially larger buildings.

I request, that as part of your approval process, when applicants request variances of lot line set backs, and/or lot impervious cover limits, they be required to demonstrate how stormwater and groundwater from foundation drains and sump pumps will be mitigated on site.

If it is not brought up at zoning approval process by the time it gets to the code enforcement and/or my level, our hands are somewhat tied, as much of the original undeveloped lot area has been approved for coverage.

While I am aware that my request does not constitute a reason for approval or denial, it at least makes the applicant aware that there are going to be additional conditions, which may affect final lot configuration early in the process, rather than during construction.

COMPLETE STREETS:

FUNDAMENTALS

The streets of our cities & towns are an important part of our communities. They allow children to get to school & parents to get to work. They bring together neighbors & draw visitors to neighborhood stores. These streets ought to be designed for everyone – whether young or old, on foot or on bicycle, in a car or in a bus – but too often they are designed only for speeding cars or creeping traffic jams.

Now, in communities across the country, a movement is growing to **complete the streets**. States, cities, & towns are asking their planners & engineers to build roads that are **safer, more accessible, & easier for everyone**. In the process, they are creating better communities for people to live, play, work, & shop.

What are Complete Streets?

Complete Streets are streets for everyone. They are designed & operated to enable safe access for all users. Pedestrians, bicyclists, motorists, & public transportation users of all ages & abilities are able to safely move along & across a complete street. Complete Streets make it easy to cross the street, walk to shops, & bicycle to work. They allow buses to run on time & make it safe for people to walk to & from train stations.

What do Complete Streets policies do?

Creating complete streets means transportation agencies change their approach to community roads. By adopting a Complete Streets policy, communities direct their transportation planners & engineers to routinely design & operate the entire right of way to enable safe access for all users, regardless of age, ability, or mode of transportation. This means that every transportation project will make the street network better & safer for drivers, transit users, pedestrians, & bicyclists – making your town a better place to live. The National Complete Streets Coalition has identified the elements of an ideal Complete Streets policy to help you write one for your town: www.completestreets.org/elements

What does a “complete” street look like?

There is no singular design prescription for Complete Streets; each one is unique & responds to its community context. A complete street may include: sidewalks, bike lanes (or wide paved shoulders), special bus lanes, comfortable & accessible public transportation stops, frequent & safe crossing opportunities, median islands, accessible pedestrian signals, curb extensions, narrower travel lanes, roundabouts, & more. A complete street in a rural area will look quite different from a complete street in an urban area, but both are designed to balance safety & convenience for everyone using the road: www.completestreets.org/manytypes



Charlotte, NC Department of Transportation

Why do we need Complete Streets policies?

Incomplete streets – those designed with only cars in mind – **limit transportation choices** by making walking, bicycling, & taking public transportation inconvenient, unattractive, & too often, dangerous. Changing policy so that our transportation system routinely includes the needs of people on foot, public transportation, & bicycles means that walking, riding bikes, & riding buses & trains will be **safer & easier**. People of all ages & abilities will have more options when traveling to work, to school, to the grocery store, & to visit family.

Making these travel choices more convenient, attractive, & safe means people do not need to rely solely on automobiles. They can replace congestion-clogged trips in their cars with swift bus rides or heart-healthy bicycle trips. Complete Streets **improve the efficiency & capacity** of existing roads too, by moving people in the same amount of space – just think of all the people who can fit on a bus or streetcar versus the same amount of people each driving their own car. Getting more productivity out of the existing road & public transportation systems is vital to **reducing congestion**.

Complete Streets are particularly prudent when communities are tightening their budgets & looking to ensure long-term benefits from investments. A well-balanced transportation budget can incorporate Complete Streets projects with little to no additional funding, accomplished through re-prioritizing projects & allocating funds to projects that improve overall mobility. Many of the ways to create more complete roadways are **low cost, fast to implement, & high impact**. Building more sidewalks & striping bike lanes has been shown to create more jobs than traditional car-focused transportation projects.



National Complete Streets Coalition
1707 L St NW, Suite 250 • Washington, DC 20036
202.955.5543 • info@completestreets.org

www.completestreets.org

What are some of the benefits of Complete Streets?

Complete streets can offer many benefits in all communities, regardless of size or location. The National Complete Streets Coalition has developed a number of fact sheets: www.completestreets.org/factsheets

Complete Streets improve safety. A Federal Highway Administration safety review found that streets designed with sidewalks, raised medians, better bus stop placement, traffic-calming measures, & treatments for disabled travelers improve pedestrian safety. Some features, such as medians, improve safety for all users: they enable pedestrians to cross busy roads in two stages, reduce left-turning motorist crashes to zero, & improve bicycle safety.

Complete streets encourage walking & bicycling for health. The Centers for Disease Control & Prevention recently named adoption of Complete Streets policies as a recommended strategy to prevent obesity. One study found that 43% of people with safe places to walk within 10 minutes of home met recommended activity levels; among individuals without safe place to walk, just 27% were active enough. Easy access to transit can also contribute to healthy physical activity: nearly one third of transit users meet the Surgeon General's recommendations for minimum daily exercise through their daily travels.



Dan Burden, Walkable and Livable Communities Institute

Complete Streets can lower transportation costs for families. Americans spent an average of 18 cents of every dollar on transportation, with the poorest fifth of families spending more than double that figure. In fact, most families spend far more on transportation than on food. When residents have the opportunity to walk, bike, or take transit, they have more control over their expenses by replacing car trips with these inexpensive options. Taking public transportation, for example, saves individuals \$9,581 each year.

Complete Streets foster strong communities. Complete streets play an important role in livable communities, where all people – regardless of age, ability or mode of transportation – feel safe & welcome on the streets. A safe walking & bicycling environment is an essential part of improving public transportation & creating friendly, walkable communities. A recent study found that people who live in walkable communities are more likely to be socially engaged & trusting than residents of less walkable neighborhoods. Additionally, they reported being in better health & happier more often.



Dan Burden, Walkable and Livable Communities Institute

How can I get a Complete Streets policy adopted in my community?

Advocating for Complete Streets means working with your neighbors & local policymakers, including elected officials & government staff. Ways to start the conversation include talking about:

- schools that have no sidewalks out front,
- bus stops that are not accessible for people in wheelchairs,
- missing crosswalks by the grocery store,
- no safe routes to bicycle to work, &
- other particularly problematic & unsafe streets.

Work together to identify ways to make these places safer & more attractive & present your ideas to others. Make your case & show examples of what your streets could like.

The National Complete Streets Coalition's website has many resources to help. Modify & use the introductory presentation in your community, show it at PTA & neighborhood association meetings & to your local chamber of commerce. The website also has information on finding other local advocates, developing a good policy, & effectively implementing that policy. Check them out at www.completestreets.org

The National Complete Streets Coalition offers **interactive full-day workshops** led by national experts to help communities establish a common vision for their streets; develop a Complete Streets policy that builds on local expertise; & implement Complete Streets policies by identifying ways to change the transportation decision-making process: www.completestreets.org/workshops

Need transportation planning & engineering professionals who are ready to help design & construct complete streets? Our Complete Streets Partner firms can offer the expertise & dedication you need: www.completestreets.org/help

National Complete Streets Coalition Steering Committee:

AARP • Active Living by Design • Alliance for Biking & Walking • America Bikes • America Walks • American Council of the Blind • American Planning Association • American Public Transportation Association • American Society of Landscape Architects • Association of Pedestrian and Bicycle Professionals • City of Boulder • Institute of Transportation Engineers • League of American Bicyclists • National Association of Area Agencies on Aging • National Association of City Transportation Officials • National Association of REALTORS • National Center for Bicycling and Walking • Ryan Snyder Associates • Safe Route to School National Partnership • Smart Growth America • Svr Design Company • Transportation for America

Over 200 communities have adopted Complete Streets policies, & at an accelerating pace. Policies are in place in states like Minnesota, North Carolina, & California & in communities like Seattle, Washington, Nashville, Tennessee, & Las Cruces, New Mexico. Keep track by checking out our Complete Streets Atlas: www.completestreets.org/atlas