

**RYE PLANNING BOARD**  
**along with the Rye Select Board**  
**Site Walk**  
**575 Washington Road**  
**Thursday, October 8, 2020, 4:30 p.m.**  
**Via ZOOM**

***Planning Board Members Present:*** Patricia Losik, JM Lord, Steve Carter, Jim Finn, Katy Sherman, and Alternates Jeffrey Quinn and William Macleod

***Members of the Select Board Present:*** Phil Winslow, Bill Epperson and Mae Bradshaw

***Representatives for the Select Board:*** Attorney Michael Donovan, Town Administrator Becky Bergeron, Planning/Zoning Administrator Kim Reed, Eric Weinrieb from Altus Engineering, and James Verra from James Verra & Associates

***Library Trustees:*** Jeff Ross, Karen Oliver, Michael Moody, Christine LeBlond, along with Library Director Andrew Richmond

***Members of the Public:*** Susan Ross

**I. BUSINESS**

- **Minor subdivision by the Town of Rye for property owned and located at 575 Washington Road, Tax Map 12, Lot 43**, to subdivide the 1.96-acre parcel into two lots of 0.407 acres and 1.56 acres in size, respectively. The proposal is shown on a plan titled “Minor Subdivision, Tax Map 12, Lots 43 and 12, 575 Washington Rd, Rye, NH, Plan C” date of October 2, 2020 by James Verra and Associates, Inc. **Property is in the Business District, Historic District and Aquifer/Wellhead District. Case #09-2020.**
- **Minor Subdivision Tax Map Lot 12, Lot 43**, for Plan A, with a revision date of August 27, 2020 by James Verra, to subdivide the 1.96-acre parcel into two lots each .2-acres in size (Lots A and B) and a remnant lot 1.56-acres.

Selectman Phil Winslow opened the site walk at 4:30 p.m. and gave an overview of the work that has been done relative to this proposal.

A major issue for the Town of Rye over the past ten years, has been to provide safe, efficient offices for the Town Hall employees, as well as to ensure ADA compliance for the residents of Rye. From 2011, when the first Town Hall Space Needs Committee was chartered to 2019, the Town has spent over \$350,000 to provide for safe, adequate, office space for town employees. Over this time, over eleven warrant articles were presented to the town residents without making any progress on the issue. Following the completion of the town charette in June this past year, an offer was presented by the owner of 500 Washington Road to exchange the Parsonage property for the TD Bank Building with its 3.7-acres

of land, which is directly across from the Rye Junior High. The TD Bank would offer a drive-up window that would allow for efficient and safe business transactions without requiring residents to leave their vehicle. Subsequently, warrant Articles 7, 8 and 9 were passed at the 2019 Town Election to allow for this exchange. The exchange offered the solution for the Town Hall space needs, as it provided for approximately 2500 s.f. of boardroom and office space, which coincidentally, is the amount needed as determined by the Town's consultants Barba & Wheelock. This would allow the top floor at Town Hall to be used for meeting space and town-wide activities. Work has been done by all parties over the past six months with regard to the property concerned without success.

The two proposals are before the Planning Board as follows:

- 1) Plan A - To provide easements on the .4-acre Parsonage property that allows the Library to manage adjacent landscaping and lighting.
- 2) Plan C - To break the Parsonage parcel up into two separate lots; Lot A would be contiguous to the Library and Lot B would be contiguous to Olde Parish Road. This would allow the Library to use Lot A as a park and also as an area for outside activities or for expansion of the Library if approved. Lot B would be available for sale to a private party for something that would be within the Historic District guidelines and land use regulations. Any proceeds to the Town will be used to meet the space needs of the Town.

Chair Winslow turned the site walk over to Planning Board Chair Patricia Losik.

Planning Board Chair Losik noted they are present to conduct a site walk to look at the attributes of the parcel. The Planning Board will be discussing the application at its meeting scheduled for October 20<sup>th</sup> at 6:00 p.m. Chair Losik read both proposals being presented to the Planning Board. (*please see above*) Chair Losik asked everyone present to introduce themselves and then opened to Attorney Donovan to lead the site walk.

Attorney Donovan explained that whatever subdivision is approved by the Planning Board will also have to be approved by NH Dept of Environmental Services. (He walked to the area where the chambered septic system is currently located, which is under the library parking lot. He pointed out the location for the line running to the museum, the line to the carriage house and line to the 8-unit apartment building.) He explained the septic system was built in 1998. Whatever subdivision is approved would include an easement to the lot owner to use this septic system. They would also have the responsibility for maintaining and repairing it as necessary, with the cost prorated based on water usage. The only other user of the system is the museum, so for the most part the burden is going to fall on whoever ends up owning the property. The owner may choose not to use this septic system and try to install a system on the lot, if they could get it approved. If someone just builds a house on the lot, they may not want to take on a humongous thirty-year-old system, when they don't really need one that large.

Attorney Donovan suggested walking the sidewalks around the periphery of the land that will be created. He explained there are two plans. Plan C would create a .4-acre lot that is basically bounded by the edge of the sidewalk. There would be an 8.5' wide easement from the edge of the sidewalk, which is a landscaping, lighting, and sidewalk maintenance easement reserved by the Town, which would be under the control of the Library. The easement turns into a 6' wide easement turning the corner down the side to Washington Road. Plan C creates a long lot; almost 200' long and about 95' wide out to Washington Road all being one lot.

Attorney Donovan continued that the other plan creates Lots A and B, which would create two lots .2-acres in size. (He pointed out the boundary between the two lots that ran out to Washington Road, which was marked for the site walk.) He noted the edges of the sidewalk would be the boundary. In this case, there would be a 3' wide easement on Lot B for the purpose of sidewalk and lighting maintenance and

repair, reserved for the Trustees to be able to repair the sidewalk and store some snow. (He pointed out the boundaries of Lot B). He noted that Lot A would run to the sidewalk next to the library. The original plan was that lot would be conveyed from Mr. Philbrick back to the Library Trustees to become a park. However, that plan at this point has fallen through and it is unsure if it will be back on the table.

Attorney Donovan pointed out the red flag which marks the corner of the right-of-way for Olde Parish Road. This represents one corner of the lot. He also pointed out the boundary line running along the inside edge of the sidewalk. He pointed out the location of the 8.5' wide easement reserved by the Town.

James Verra pointed out on the plan where it transitions from an 8.5' wide easement to a 6' wide easement out to Washington Road in the corner. (Plan C)

Jeff Ross, Library Trustees, talked about a stake that shows the location for the possible expansion of the library. Of the available land, this is about the only buildable part. The library would become landlocked, except up to the walkway, if the property passed to private hands. This is one of the reasons the Library sought to purchase the land as part of the swap agreement. The Library was also concerned about how close the Parsonage is to the library building and to the walkway itself. The Parsonage is in derelict shape and it is likely it will be demolished. The other reason the Library proffered to buy that portion of land, is that they would contribute to the demolition of that building, opening up space in the center of town, freeing up the library to expand and giving the Town a possibility to revitalize the town center to give the residents more use than they have now.

Referring to the utilization of the space, Chair Losik asked if the Library is agreeing to the 20' setback limitation.

Mr. Ross replied yes, that was part of the negotiation. Even though as a town entity the library could expand right up to the property line, the Library agreed to abide by the regulation that a private citizen would have to abide by.

The group walked the sidewalk around the Parsonage parcel towards Washington Road.

Mr. Ross pointed out the stake marking the library expansion.

Attorney Donovan noted that if a private homeowner buys Lot A, a home would be at least 20' from the sidewalk. He also pointed out the flags for the 6' easement.

The group continued the site walk along the front of the Parsonage building and reviewed the property lines under Plan A.

Attorney Donovan explained that Plan A eliminates the driveway on Washington Road, in favor of a new driveway off Olde Parish Road. He further explained that the driveway could be relocated as the lot is developed for Plan C.

The group continued to review the proposed lot boundaries.

Attorney Donovan noted that the Historic District Commission would review any plans and proposals for the lots. The Planning Board also has the authority to put conditions on any approval. If the Planning Board felt the lot line needs to be adjusted that would be within their purview.

Jim Verra pointed out the location for the proposed driveway off Olde Parish Road, as shown on Plan A.

There was discussion about parking for Lot A and the amount of spaces that would be needed. It was noted that the number of spaces would depend on what the lot is used for. Those spaces may all be able to fit on the lot, depending on the size of the building and where the building would set on the parcel.

Member Carter asked if there will there be any problems with parking for the library, if the building is sold off and the library expands.

Mr. Ross replied it is often tight. The parking spaces have already been reduced from their original size a couple of years ago to grab a few more spaces. Mr. Ross explained that none of the Library's ideas and vision about the property are set in stone. If the Library were to acquire that property, the Library envisions it would be a cooperative collaborative venture among a number of different entities in town. The Trustees, with the Director, would have to design something that would fit the library's needs, functioning and programming. As to what it would look like, what it could be used for and how big it could be, the Library is eager for those conversations.

Member Finn asked if he is saying they are flexible with the boundaries.

Mr. Ross replied they are a pretty reasonable bunch. He asked Andrew Richmond the Director when there was talk about having a lot less than that property. Andy has said to give us half and the Library can do remarkable things. If it went less than half, he thinks Andy would have the same reaction.

Attorney Donovan stated there is a third lot involved, which is the lot the museum sits on, which is owned by the Town. This is not part of the Parsonage lot. It was acquired in 1997 and was a separate transaction with separate property owners.

The group reviewed the lot on the plan. It was noted that there are three parking spaces in front of the museum, which are on the lot, along with a corner of the leachfield. James Verra noted that there are no parking spaces on the library parcel. The parking is on town property and on the other town parcel, which is the historical society. The Historical Society owns the museum building and the Town owns the land.

The group walked to the rear of the library to review the land behind the building to see why expansion would not be possible towards the back of the parcel.

The site walk ended at 5:27 p.m.

**Motion by Phil Winslow for the Select Board to adjourn the site walk. Seconded by Bill Epperson. All in favor.**

**Motion by JM Lord for the Planning Board to adjourn the site walk. Seconded by Jim Finn. All in favor.**

Respectfully Submitted,  
Dyana F. Ledger

