

**TOWN OF RYE – PLANNING BOARD
MEETING**

**Tuesday, May 10, 2022
6:00 p.m. – Rye Public Library**

***Members Present:* Chair Patricia Losik, Vice-Chair JM Lord, Steve Carter, Jim Finn, Rob Wright, Selectmen's Rep Bill Epperson, and Alternates Bill MacLeod and Kathryn Garcia**

***Also Present on behalf of the Town:* Planning/Zoning Administrator Kim Reed**

I. Call to Order

Chair Losik called the meeting to order at 6:00 p.m. and led the pledge of allegiance.

II. Submittal of Applications for Determination of Completeness. Not a public hearing. If complete, public hearing will immediately follow – Action Required:

- a. Driveway application** by Martha & Gerald Eckman for property owned and located at 931 Ocean Blvd, Tax Map 20.2, Lot 142 for waivers from the driveway regulations Section 5-E(A) for a driveway across from Eagle Rock Rd, within 100' of intersection and from Section 5-E(F) driveway finish width and flare. **Property is in the General Residence District, Coastal Area. Case #08-2022.**

Chair Losik asked the applicant to walk the Board through the diagram.

Gerald Eckman, applicant, noted that everything on the left side of the plot plan is totally unrelated to this application. The application is specifically for the area where the garage is located. (Mr. Eckman submitted photos to the Board showing the driveway.) He explained that there is an existing driveway situation in front of the garage doors. That area is 22' x 22'. Those are existing pavers that have deteriorated and there's undulation in that area. The intent is to remove the pavers and replace them with asphalt. He pointed out that where the existing paver area ends and the stone area begins, is the right-of-way (property line). It's a 17' right-of-way. He continued that the ordinance requires that where the property line meets the right-of-way that it only be 14'. He noted that in order to get out of the driveway, there's not enough depth to get over to the 14'. He pointed out that the second photograph shows where the 14' would be.

Member Finn asked if the intent is to keep the width the same.

Mr. Eckman confirmed. He explained that the intent is to bring the asphalt to Fairhill Avenue at 22'. The 22' is needed to get out of the driveway on pavement. The reason he wants to pave to

Fairhill Ave is because when using the snowblower, snow can be removed off the pavers but it can't be removed off the stone. Snow remains on the stone that's in the right-of-way, which freezes and becomes a hazard. When redoing the existing driveway, he'd would like to bring the asphalt right to Fairhill Ave.

The Board reviewed the submitted diagram and photos.

Member Carter asked if the proposal is to go from 22' down to 20' at the road. The dimensions show 20'.

Mr. Eckman commented that it shows 20'; however, he wouldn't mind it being 22'. He explained that the proposal is to extend the same width of driveway to Fairhill Avenue over the 17' of right-of-way.

Vice-Chair Lord commented that he doesn't see a request for waivers, which are required. He explained that a waiver is needed for a driveway within 100' of an intersection. Also, for the width of the driveway at the property line and at the flare.

Planning Administrator Reed stated that she helped with the application and did not recommend the waivers. She thought the application was self-explanatory. The waivers are for planning board applications. She thought this application was different because it's a driveway application.

Member MacLeod asked why waivers would be needed if it's an existing driveway. The driveway was already there and pre-exists the regulations.

Vice-Chair Lord pointed out that he's extending the driveway into the right-of-way.

Member MacLeod commented that he has a driveway that is used for access to the garage. In anything, the driveway would be less nonconforming because it's going to be narrowed in the right-of-way area.

Member Wright agreed with Alternate MacLeod. However, it says the application is for waivers from the driveway regulations. He can see where Vice-Chair Lord is coming from. It's asking for waivers. Administrator Reed said she didn't guide that way. In support of what Member MacLeod has said, this is an existing driveway that has been used to get in and out of a garage. He's not sure what precedent they'd be incurring by allowing it to happen; however, it seems straight forward. Member Wright asked if the Board can deem the package as complete, provided that an application for waivers is made.

Chair Losik replied she is fine with that.

Speaking to Administrator Reed, Chair Losik commented that the DPW Director's note references that the impervious surface percentage is 30.37%. She asked if he is calculating this as all asphalt.

Administrator Reed commented that she is not sure what the DPW Director was thinking, as this process is new to him.

Mr. Eckman explained that when the DPW Director did the calculation of the impervious versus the previous, he came up with a driveway of 875s.f., which includes the existing paver area and the square footage that would be paved in the right-of-way. He included in the calculations parts of the property that are in the right-of-way.

Chair Losik commented this doesn't go into the calculation of the square footage of the lot.

Mr. Eckman explained the current driveway paved area is 484s.f. The calculations were redone and the impervious is 27%.

The Board agreed to deem the application complete subject to the waivers.

Motion by Bill MacLeod to declare the application for property at 931 Ocean Blvd as complete. Seconded by Bill Epperson. All in favor.

- b. **Minor Subdivision and Conditional Use Permit** by Derek Brucato for property owned and located at 391 Central Road, Tax Map 8, Lot 6 for construction of a two-story garage with an accessory dwelling unit per Section 190-5.6 of the Rye Zoning Ordinance. **Property is in the Single Residence, Aquifer Protection District. Case #09-2022.**

Motion by Bill Epperson to accept the application for 391 Central Road, Tax Map 8, Lot 6 as complete. Seconded by Jim Finn. All in favor.

- c. **Amendment to the Major Site Development Plan and Special Use Permit Application** by Jones & Beach Engineers, Inc. for property owned by Malcolm E. Smith, III and located at Tax Map 10, Lot 1 to construct 30 2-bedroom residential condominium tri-plex units. **Property is in the Commercial, Multi-Family Overlay District and Aquifer & Wellhead District. Case #11-2021.**

Motion by JM Lord to declare the application for property located at Tax Map 10, Lot 1 as complete. Seconded by Steve Carter. All in favor.

- d. **Major Site Development, Multifamily Residential and Commercial Condominium Plan and Special Use Permit** by The Sagamore Group, LLC for property owned by Split Rock Cove Family Trust of 2019 and located at 15 Sagamore Road, Tax Map 24, Lot 22 to construct three single-family condominium dwellings

on the back of the lot and two commercial buildings on the front of the lot. **Property is in the Single Residence and Commercial District. Case #10-2022.**

Motion by JM Lord to declare the application for property located at 15 Sagamore as complete. Seconded by Bill Epperson. All in favor.

III. Public Hearings on Applications if they are complete and/or have been continued:

- a. **Major Subdivision for a Condominium Conversion** for property owned by Arthur & Sharon Pierce Rev. Trust, Arthur & Sharon Pierce, Trustees for property located at 251-279 Pioneer Road, Tax Map 14, Lot 117 to convert 8 dwelling units in 4 duplex structures into 8 condominium units. **Property is in the Single Residence District. Case #13-2021. Request a continuance to July 12, 2022.**

Motion by JM Lord to continue the application for the property located at 251-279 Pioneer Road, Tax Map 14, Lot 117 to July 12, 2022. Seconded by Bill Epperson. All in favor.

- b. **Driveway application** by Martha & Gerald Eckman for property owned and located at 931 Ocean Blvd, Tax Map 20.2, Lot 142 for waivers from the driveway regulations Section 5-E(A) for a driveway across from Eagle Road Rd, within 100' of intersection and from Section 5-E(F) driveway finish width and flare. **Property is in the General Residence District, Coastal Area. Case #08-2022.**

Chair Losik asked the Board if there are further questions about the details of the proposal.

The Board did not have any questions. Chair Losik opened to the public for comments. Hearing none she closed the public hearing at 6:26 p.m.

Motion by JM Lord to approve the driveway application by Martha and Gerald Eckman for property owned and located at 931 Ocean Boulevard for driveway access within 100' of the intersection with a finished width of 22' at the property line and a flare of 20' at the road surface, conditioned upon the applicants filling out the waivers to Section 5-E:A and Section 5-E:-F and filing them with the Planning and Zoning Administrator. Seconded by Jim Finn. All in favor.

- c. **Minor Subdivision and Conditional Use Permit** by Derek Brucato for property owned and located at 391 Central Road, Tax Map 8, Lot 6 for construction of a two-story garage with an accessory dwelling unit per Section 190-5.6 of the Rye Zoning Ordinance. **Property is in the Single Residence, Aquifer Protection District. Case #09-2022.**

Derek Brucato, applicant, spoke to the Board. He explained that a huge asset to the family would be a garage, as he is a carpenter by trade and it would provide room for storage. He also thought it would be a good idea to have an apartment. The plan is the best with regard to the

location, setbacks, and trying to meet the conditional use goals in order to make it part of the existing home. It's a fairly simple plan. The home is fairly simple and is close to the road. He explained that the reason the garage couldn't be brought all the way to the corner of the house is because of the septic setbacks. The proposal is to replace the septic tank at the time of construction in order to move it over and allow the attachment to come closer to the house. The tank will be moved over about 6' to allow for a small breezeway connection. The separate egress will connect through to the driveway on the left side. There will be an interior staircase with a fire wall to the apartment. On the other side, there's an egress with patio doors. He noted that the apartment meets the minimum square footage. It will be a simple one-bedroom apartment with an open concept layout. He noted there are things that have to be addressed with the Building Inspector, which are standard building permit requirements. He also noted that the garage with accessory apartment will be in the same style and color as the existing home.

Member Carter asked the square footage of the apartment.

Mr. Brucato replied it's 30 x 24, minus the wall frame. The square footage is about 720s.f.

Vice-Chair Lord commented it's a very good package and is very easy to follow. He thought it was interesting to see that there's an 18" higher water table than from twenty years ago between the two septic plans.

Member MacLeod stated that there can be several different evaluators who go to the same site and will get very different water tables. Water tables are determined by comparing soil colors to a chart and it can be subjective.

Chair Losik asked about the driveway.

Mr. Brucato explained it's a very large driveway. It's kind of a circular driveway and is all open gravel. The intent is to keep the stone driveway. Where the garage will be located will be brought up to be able to drive into the garage, as that area now dips down. The driveway itself will stay as it is.

Chair Losik asked if the driveway dimensions could be added to the plans.

Mr. Brucato confirmed.

Member MacLeod pointed out that the Nichols plan is a good representation of the existing driveway.

Hearing no further questions from the Board, Chair Losik opened to the public. Hearing no comments, she closed the public hearing at 6:40 p.m.

Motion by JM Lord to approve the Site Plan Review and Conditional Use Permit by Derek Brucato for property owned and located at 391 Central Road for construction of a two-story

garage with an accessory dwelling unit per Section 10-5.6 of the Rye Zoning Ordinance with the condition that written approval is received from the Fire Chief for the site plan exhibiting the accessory dwelling unit layout and the two points of access/egress to the building. Seconded by Bill Epperson. All in favor.

- d. Amendment to the Major Site Development Plan and Special Use Permit Application** by Jones & Beach Engineers, Inc. for property owned by Malcolm E. Smith, III and located at Tax Map 10, Lot 1 to construct 30 2-bedroom residential condominium tri-plex units. **Property is in the Commercial, Multi-Family Overlay District and Aquifer & Wellhead District. Case #11-2021.**

Mike Garrepy, Developer, stated that it may be cleaner and easier to discuss just withdrawing the amended site plan application. This may be more administrative in nature than originally thought. He thinks the changes are really just administrative in nature. He explained that four of the buildings are required to be 34' in height. Four of the buildings are required to be 33' tall and two can be 35', which was approved by the Planning Board with the initial application. He continued that the plans essentially look the same as what was permitted. There are slightly different roof pitches, as some of the floors and ceiling heights had to be modified a bit. The plan that was submitted with the initial application showed a hip roof style, which really didn't meet the intent of what was approved. The plans have gone back to the drawing board and there are now three options together for 33', 34' and 35'. He is asking the Board to determine that this is just administrative in nature and can be handled by the Building Department.

Chair Losik commented that they Board appreciates the architectural renderings, which were easy to follow. She noted the Board also has Attorney Donovan's memorandum of April 24th regarding the new building height changes. Attorney Donovan summarized that the new proposal results in four buildings (12 units) at 33' high, four buildings (12 units) at 34' high and two buildings (6 units) at 35' high. His opinion was that there's no significance in the change in regards to the exterior elevations. The changes are with ceiling heights. Attorney Donovan noted that the architect should confirm that the new ceiling heights are building code compliant and meet any federal requirements. Attorney Donovan detailed the location of the workforce housing units; one unit in a 35' high building, two in a 34' high building, and three in a 33' high building. Attorney Donovan's opinion is that this remains an equitable distribution of the workforce housing units among the building types.

Chair Losik opened to the public for questions. Hearing none, she closed the public hearing at 6:47 p.m.

Motion by JM Lord to administratively approve the changes of the building heights as reflected on Sheet C-3 dated April 22, 2022, as such changes are non-substantial deviations from the approved plans. Seconded by Bill Epperson. All in favor.

- e. Major Site Development, Residential, Commercial and Condominium Site Development Plan** by The Sagamore Group, LLC for property owned by Split Rock

Cove Family Trust of 2019 and located at 15 Sagamore Road, Tax Map 24, Lot 22 to construct three single-family condominium dwellings on the back of the lot and two commercial buildings on the front of the lot. **Property is in the Single Residence and Commercial District. Case #10-2022.**

Joe Coronati, Jones and Beach Engineers, explained that this is the site with La Mulita Coffee and an additional commercial space in the front with three residential units out back. The project has been before the Zoning Board and received the necessary variances. Three residential units are proposed out back with two separate commercial buildings for the front, which will be connected with a paver patio area. There is circulation for two-way traffic off Sagamore. This entrance is as far from the intersection of the round-a-bout as possible. There's a two-way access parking lot with parking on both sides of the isle way. A dumpster area is proposed in the rear of the commercial building. There will be another parking area in the front of the commercial building, which will be one-way angled parking. This will provide front door access to the commercial space. This will all be connected by a sidewalk. Anyone who parks on either side of the property would be able to access the sidewalk and get to the commercial spaces easily. The access loop provides access to the residential units. That will come out at the same location as the exit, which is a bit closer to the round-a-bout area.

Mr. Coronati noted that since this was before the Planning Board last, test pits have been done at the property. The drainage has been designed. The sewer and water have been reviewed; along with electric, propane and other details. Ironwood Landscaping will be working on the project. The benefit of this development is that there will be new, modern looking buildings. The existing buildings are getting tired. He pointed out that they will also be able to close off the wide spans of pavement that was pretty common when this property was originally developed. There will be centralized driveways. The exit will be lined up with Frontier Street. The intent is to add some green space to the front of the site also. Some of the green space may be reviewed by DOT, as it will be in their right-of-way. DOT approval is needed for this development and that has been submitted. All the pavement on the site will be porous pavement. The design of the porous pavement would require the ledge to be removed that would be within the pavement thickness, which is 36" and compromises of the different layers of the porous pavement gravels that are below the asphalt. He pointed out that they have not included any infiltration calculations from the porous pavement asphalt because of the ledge; other than, the one parking lot to the north where there are deeper test pits and the grading is raised above existing ground. This helps meet the recharge volume requirements, recharge rates and reduces volume. Currently, there's a stormwater system on Sagamore, which is owned by DOT. This site has existing catch basins that tie into that system directly. He noted that they had to look at this proposal's influence into DOT's stormwater system and that's where they had to come up with a reduction in stormwater because it's connected directly into it. This has been modeled to have a rate and volume decrease going into the State's stormwater system. He continued there are two catch basins in front of the site; one to the south side of the property and one directly in the middle. Those are going to be tied into with underdrains from the porous pavement. Because there is ledge, infiltration into the ground cannot be counted, so that was not included in the model.

Referring to utilities, Mr. Coronati stated that the site has the ability to tie into a force main on Sagamore that was installed when The Atlantic Grill was built, which was designed for other users to tie in. It's a low-pressure distribution system, so the properties have to pump into it. The residential homes will have a pump system and there will be two pump systems for the commercial buildings. There will be underground electrical and five buried propane tanks. A lot of the utilities will run under the patio area. He noted that there is a lighting plan. There are a couple of new poles being added to the parking lot. Most of the lighting on the commercial buildings will be wall mounted lights to reduce the number of poles needed.

Mr. Coronati presented and reviewed the landscape plan designed by Jeff Highland, Ironwood Landscaping. Mr. Highland put a lot of detail into the plants and patio area. There's are numerous plants in the front and between the residential and commercial. There's also a thick buffer between the residential and 'Seaport Fish'. The tricky part of the design was considering the handicap spaces, as there are a lot of different doors to the commercial spaces and elevations to the units. There will be a handicap ramp to get from one commercial building to the other. Mr. Highland also provided landscape detail around a typical residential unit. Mr. Coronati noted that he received comments from Sebago. He will be responding to each comment; however, there was nothing alarming in their comments at this point. He pointed out that Sebago asked the Board how they felt about traffic volumes.

Mr. Garrepy commented that he can engage Traffic Engineer Steve Pernaw to look at the traffic if the Board would like. He feels that the traffic numbers will be similar to what they are today. A better situation on the site is being created.

Mr. Coronati pointed out that the only difference between this proposal versus the existing is the added commercial space.

Member Finn stated that he does not see a big need for a traffic study.

Vice-Chair Lord and Member MacLeod agreed it was not necessary.

Chair Losik noted this is subject to the variance that ZBA granted that the proposal must comply with 190-2.3.C(5). On Sheet C-2, it's shown in the single residence area that the total impervious is 16.9%; however, it can only be 15%.

Mr. Garrepy replied this may be a drafting error. They have looked at this to be sure the plan meets the requirements. He assured the Board that this will be reviewed further.

Architect Mick Khavari, presented the architectural plans. He explained that the idea is to have two buildings set at ninety degrees, which cradles a bilevel patio in between. There will be walkouts to the patio from both commercial buildings. The idea was to have the buildings feel like part of the same concept, so the rooflines will align with each other. There's an open pergola in the middle. The idea for this pergola is to help define the space and create a center for the buildings. It's envisioned as a steel structure with wood cladding, so it will look very natural. He

continued that the building is a mass that has subtractions from it. All the entries into the building are setback, which is an example of the subtractions from the overall building. He commented that a lot of time was spent trying to figure out how to make this all flow together and work, in as tight a footprint as possible.

Mr. Khavari pointed out the service area for coffee and roasting, and the three retail spaces. On the upper level, there are two office spaces along with small mechanical attic space. The idea was to keep the rooflines crisp and possibly use concealed gutters. All the drainage will flow to the underground system that Mr. Coronati has designed.

Mr. Khavari reviewed the residential plan for the Board. He noted that the max height on the residential buildings is 33.11'. As grading is adjusted through this process, he will make sure the heights of the buildings stay under the 35'. The residential units are a narrow mass with a two-car garage, front to back. The intent was to bring the size of the mass down to create a feeling of more space in between the three homes. The square footage for each home is a total of 2252, which does not include the garage of 560s.f. The footprint of the building is 1656s.f. The residential units will be three bedrooms with two and a half baths. There will be a small patio to the rear and an unfinished basement in each unit. He noted that the distance between each residence is 30'.

Member MacLeod asked if there is a basement space.

Mr. Khavari replied just for the residential units only. The commercial buildings will be on slab.

Member MacLeod asked if the pervious pavement would have any kind of surcharge issue with water in the basement.

Mr. Coronati explained that there's a separation between the porous pavement of the driveway to the basement portion of the building. The basement will be used mostly for mechanicals and storage. There's no basement under the garage or adjacent to the driveway.

Member MacLeod stated that he would be concerned, where pervious pavement is being used throughout the site, that the surcharge will get to an overflow point.

Mr. Coronati replied that they can look at underdrains up the driveway for those pavement sections. They can also potentially seal the basement wall. He pointed out that the basement is not right up to the outside wall.

Vice-Chair Lord stated that to Member MacLeod's point, the impervious is right where the driveway is located. There will be a 4' foundation for the slab. It seems like a natural drain into a bathtub.

Member Finn asked about the possibility of eliminating the basement.

Mr. Garrepy replied that they will look at the options.

Member Carter asked what kind of retail space is envisioned for the units, other than the coffee shop

Mr. Garrepy stated that it will really depend upon the parking spaces that are available. There may be some uses that might not be allowed. He noted that it could be an office space, lawyer's office, real estate office or wine shop. He's envisioning low-traffic, boutique type spaces.

Referring to the internal buffer area, Chair Losik stated that this is something the attorney should look at to make sure it's in compliance with that section of the Town's code.

Mr. Khavari referenced the November 17, 2021 ZBA livestream tape at 2:19 (can be found on the Town's website).

Mr. Garrepy stated that he had asked the Board for clarification that this section of the ordinance did not apply, as it's internal, and they concurred.

Chair Losik commented this is a discussion for the attorneys. She pointed out that this is not a multi-family. She referred to the application as a residential and commercial condominium site development plan.

Chair Losik opened to the public for comments. Hearing none, she closed the public hearing at 7:40 p.m. She requested a \$5,000 escrow.

➤ **Site walk scheduled for Wednesday, May 25th, 4:00 p.m.**

Motion by Bill Epperson to continue to a site walk on May 25, 2022 and then to the June 14, 2022 Planning Board Meeting. Seconded by JM Lord. All in favor.

IV. Committee Updates:

No reports at this time

V. New Business

- a. **Request by property owners Susan and Tom Swayne of 27 Autumn Lane for a site walk of their property to repair a stonewall and remove sick/down trees and replace with new.**

Chair Losik suggested that the Technical Review Committee (TRC) schedule a site walk with the property owners.

TRC Members agreed. Planning Administrator Reed will coordinate the site walk.

b. Town of Rye Street Naming and Numbering Ordinance

Chair Losik noted that this brings the Rye Street Naming and Numbering Ordinance up to date.

Planning Administrator Reed explained this is a selectmen's ordinance. However, it's going to come down to the Planning Board and Planning Board Administrator to make sure it's on the plans before approval.

Selectmen's Rep Epperson noted that it's going to bring it back to the Planning Board, but it's also going to make it very concise and streamlined when it's approved. The addresses will be approved for 9-1-1. There will be a street name. The tax card will coincide with the GIS. It will be a very concise and clear package for everyone involved.

The Board reviewed the draft ordinance submitted by Attorney Maher.

c. Response to Select Board on letter from resident

Chair Losik noted this is a response to the Select Board on a letter that came from a resident. The matter came up through the Long Range Planning (LRP) Committee and it was discussed at their recent meeting.

Member Wright, LRP Chair, read his response to the Select Board for the record.

**Please see attached letter from Rob Wright*

Selectmen's Rep Epperson stated he has reviewed the information. In his opinion, this planning board is probably the most qualified and most thorough board he has seen in his ten to twelve years of being on the Planning Board. The Long Range Planning Committee did an outstanding job, based on the expertise that they had and the direction they are headed. Doing an RFP is a very viable way to complete this project. He's happy it's being done and being done correctly. He thanked everyone for their work.

Chair Losik stated these initiatives are important. The committee members, whether it's Rules and Regulations, Long Range Planning or TRC, take these initiatives extremely seriously and have real commitment. These people drive themselves hard on behalf of the Town.

Selectmen's Rep Epperson noted that they're volunteers. There are about 130 residents who volunteer for the Town and there are 50 paid employees. Without the volunteers and the service they provide, residents couldn't afford to live in Rye because the Town's payroll would be too high. He takes umbrage with folks who just want to erode the system and not participate.

Planning Administrator Reed commented that she has not seen a more diverse, willing and supportive group of volunteers than on this planning board. She thanked all the volunteers for putting in the work that they do, which is more than a fulltime job at times.

Member Carter stated that Member Wright's memo of April 22nd was very good and very accurate. He thought Member Wright did a very nice job responding to Mrs. Winebaum's letter.

Chair Losik agreed.

VI. Other Business

a. Approval of Minutes March 29th & April 12th

The following correction was noted for 3/29/22:

- Page 2, 6th paragraph from bottom should read: **Chair Losik commented that the existing tree lines should be shown on the existing condition plan.**
- Page 3, #3 should say: **Existing monitoring wells, the existing tree lines and the speckled area of gravel added to the legend.**

The following correction was noted for 4/12/22:

- Page 2, 3rd paragraph, 4th sentence should read: **In addition, the applicants have also spoken to the owner of the Dunes Motel about leasing an additional five spaces.**

Motion by Bill Epperson to approve the minutes of March 29, 2022 and April 12, 2022 as amended. Seconded by Steve Carter. All in favor.

b. Escrows

Motion by JM Lord to pay the following escrows: Attorney Donovan for the old Hector's site in the amount of \$1477.50 and \$260.00; Sebago Technics for Washington Green in the amount of \$586.59; and Sebago Technics for Rye Airfield in the amount of \$1369.46. Seconded by Jim Finn. All in favor.

VII. Communications

Chair Losik thanked Member Wright for attending the N.H. Planning and Development Workshop on April 30th. She and Member Wright attended the workshop and the N.H. Municipal Attorney spoke to the group. She will be circulating some key points from the workshop to the members soon. Chair Losik also attended the Housing Track on May 7th. Randall Arendt spoke in regards to conservation subdivision designs. Attorney Cordell Johnston covered current information in regards to short-term rentals. She noted that there was an excellent presentation given on vernal pools by Biologist Josh Megyesy from N.H. Fish and Games.

Other Discussion:

Member MacLeod noted that the Town's ordinance covers heights of buildings from the original grade and not the finished grade. He wonders if this should be looked at in the future. He has not

run into this by-law anywhere else. This has forced the developer of the Hector's site to redesign the buildings for a bureaucratic reason, because changes in the grade were needed. He noted that the finished grade is really where the impact is. It should really be finished from the final finished grade, not the existing grade.

Member MacLeod continued that his other comment is about driveway widths that are applying the by-laws as written to small lot houses that by necessity need to have their garage doors facing the street. It's not possible to meet the 14' requirement, especially for pre-existing, pre-zoning houses. He suggested the by-law be rewritten with an exemption for existing dwellings, garages, or for garages less than 50' from the street.

Adjournment

Motion by Jim Finn to adjourn at 8:25 p.m. Seconded by Steve Carter. All in favor.

Respectfully Submitted,
Dyana F. Ledger

5/10/22 Planning Board - excerpt:

LRP Chair Wright reported on a matter discussed by the Long Range Planning Committee (LRP) at its 5/3/22 meeting in response to a request by the BOS to review complaints raised by a resident at a recent BOS meeting (4/11/22) relating to the work of the LRP- Subcommittee and the PB, at large. The LRP deliberated at some length and resolved that (1-4):

1. The process by which the last embodiment of the LRP undertook the assignment to gain a sense of what is top-of-mind for Rye citizens was open, transparent and consistent.
2. The results of the work done by that body were presented to, and adopted by, the entire Planning Board, and that presentation - along with the summary data from which it was derived - are, and have been, posted to the Town website. There was a subsequent request that said that the data had not been published and I (LRP Chair) want to say that what has not been put forward is raw un-tabulated responses, some of which are free text, and didn't lend themselves to being submitted. What is posted is the derivative work product of Julie LaBranche.
3. The Planning Board reconstituted the LRP sub-committee after the elections in March, and charged the newly composed LRP with continuing to execute the plan which was outlined in the presentation at the February 2022 meeting of the PB.
4. That action plan includes solicitation and hiring of a consulting firm to re-write the Town Master Plan. In preparation of that activity, other steps will be taken, including forming a Steering Committee (which would be advisory and outside the political body) as well as any other activities recommended by the consulting firm in an effort to maximize citizen input to the process. Lastly, the hoped-for end result of making this plan manifest is to have a new Master Plan approved by the entire PB in 2024. In summary, none of the enumerated complaints by a resident were actionable, or are already in-process or completed, therefore, there is no action needed by the LRP or the Planning Board.

5/10/22 Planning Board – excerpt:

Selectmen's Rep Epperson noted that he has reviewed the information and expressed high confidence in the PB. He conveyed the LRP did an outstanding job based on the expertise they had, and the direction that they are headed with our consultant, and that the RFP is a viable way to complete this. He is happy it's being done and being done correctly, and thanked members.

Chair Losik expressed her appreciation for comments from the Selectmen's Rep. The efforts of the committees: LRP, RNR, and TRC reflect that everyone undertakes these initiatives seriously, with real commitment, and people drive themselves hard on the Town's behalf.

DRAFT