

**TOWN OF RYE – PLANNING BOARD
MEETING**

**Tuesday, February 21, 2023 – 6:00 p.m.
Rye Public Library**

Members Present: Kevin Brandon, Rob Wright, Kathryn Garcia, Chair Patricia Losik, Vice-Chair JM Lord, Steve Carter, Jim Finn

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

I. Call to Order

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

II. Determination of Completeness

a. Major Subdivision Plan by Jones & Beach Engineering, Inc. on behalf of Marlene Veloso & Charles Fast property owners for property owned and located at 850 Washington Road, Tax Map 11, Lot 130 to subdivide the parcel into 3-lots and a road. The property is in the Single Residence and Aquifer & Wellhead District. Case #11-2022.

Planning/Zoning Administrator Reed reported that Paige Libbey requested to continue the application to the May 16, 2023 meeting, rather than the March meeting.

Motion by JM Lord to continue the application for Major Subdivision Plan by Jones & Beach Engineering, Inc. on behalf of Marlene Veloso & Charles Fast property owners for property owned and located at 850 Washington Road to the May 16, 2023 Planning Board meeting. Seconded by Jim Finn.

Vote: 7-0 (K. Brandon, R. Wright, K. Garcia, P. Losik, J. Lord, S. Carter, J. Finn)

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

a. Major Subdivision Plan by Jones & Beach Engineering, Inc. on behalf of Marlene Veloso & Charles Fast property owners for property owned and located at 850 Washington Road, Tax Map 11, Lot 130 to subdivide the parcel into 3-lots and a road. The property is in the Single Residence and Aquifer & Wellhead District. Case #11-2022.

Application continued to May 16, 2023 meeting (see motion above).

IV. New/Old Business:

- a. Ryan Kaplan request for amendment to Notice of Decision from pumping every year to three years per the Pump Out Ordinance in Parsons Creek.**

The board discussed the request by Ryan Kaplan for an amendment to Notice of Decision from pumping every year to three years per the Pump Out Ordinance in Parsons Creek.

Motion by JM Lord to amend the condition of the annual pump out of the septic system to be once every three years, and the pump chamber to be pumped annually. Seconded by Jim Finn.

Vote: 7-0 (K. Brandon, R. Wright, K. Garcia, P. Losik, J. Lord, S. Carter, J. Finn)

- b. InvestNH HOP Grant vote to accept the grant and appoint a consultant.**

The board discussed the acceptance of the InvestNH HOP Grant and the selection process for a consultant. Chair Losik recommended the board postpone discussion of selection until further information is received by Attorney Maher. The board reviewed the grant agreement, its completion date, and its importance to the Master Plan initiative.

Member Wright and Planning/Zoning Administrator Reed discussed the timeline of work for the Master Plan Steering Committee and the impact of a delay in consultant selection.

The board discussed the three grants and each of the phases within the NH HOP as well as the Consultants List.

The board discussed the appointment of three individuals to the Housing Academy, including Member Garcia and two additional people, potentially from the Master Plan Steering Committee.

Motion by Member Carter to designate the decision of how to proceed with selection to the Long Range Planning Committee once feedback is received from Attorney Maher. Seconded by JM Lord.

Vote: 7-0 (K. Brandon, R. Wright, K. Garcia, P. Losik, J. Lord, S. Carter, J. Finn)

Steven Borne, 431 Wallis Road, suggested Cathryn Eckhart or Paula Teslis be considered for the Housing Academy.

Chair Losik noted that the three appointed volunteers can include members of local boards, governing bodies, or other interested citizens.

Motion by JM Lord to appoint Kathryn Garcia and two additional volunteers to the Housing Academy. Seconded by Jim Finn.

Vote: 7-0 (K. Brandon, R. Wright, K. Garcia, P. Losik, J. Lord, S. Carter, J. Finn)

In response to a question by Member Wright, Chair Losik clarified that this committee would be a necessary work committee established for the life of the grant.

Chair Losik stated that the grant agreement would be posted on the Planning Board website.

c. Increase Abutter notices on applications from \$8.00 to \$9.00.

Planning/Zoning Administrator Reed explained the increase in fee and Chair Losik discussed the change.

Motion by JM Lord to amend the second sentence of the first paragraph in Appendix A, regarding abutter fees. Seconded by Steve Carter.

Vote: 7-0 (K. Brandon, R. Wright, K. Garcia, P. Losik, J. Lord, S. Carter, J. Finn)

d. Changes to Rules of Procedure

Planning/Zoning Administrator Reed provided the board with copies of Attorney Maher's changes to Rules of Procedure.

Chair Losik reviewed each of the proposed changes, particularly Attorney Maher's comments regarding the description of the Technical Review Committee (TRC). Vice-Chair Lord offered his perspective as a TRC member and agreed to draft an email to Attorney Maher conveying his thoughts on the TRC's role, to be discussed at the March 21, 2023 meeting.

a. Escrows and Minutes

Motion by JM Lord to pay the following escrows:

- 1) Hector's Construction and Remodeling, now Thompson Landing Way, to Sebago in the amount of \$498.75**
- 2) Rye Airfield THP/Construction Monitoring to Sebago in the amount of \$637.50**
- 3) 815 Washington Road at Carver Way to Sebago in the amount of \$385.00 and CEI in the amount of \$1430.00**
- 4) 15 Sagamore Road to Attorney Maher/DTC in the amount of \$492.00**

Seconded by Rob Wright.

Vote: 7-0 (K. Brandon, R. Wright, K. Garcia, P. Losik, J. Lord, S. Carter, J. Finn)

Minutes - January 3, 2023

- No corrections

Minutes - January 17, 2023

- Correction to page one: "Member Brandon commented that [he] hadn't yet consulted directly with irrigation installers [and] ~~or~~ plumbers."
- Correction to page two: "Member Carter acknowledged that this would create more work for town employees and commented that it allows [the applicant] ~~the town~~ to have a conversation with the Rye Water District"
- Correction to page four: "He explained that the property [is] ~~has~~ a vacant lot for which a driveway permit is needed"
- Correction to page two: "Chair Losik commented that the RWD held a public meeting in November where ~~an~~ [a Wright-Pierce] engineer, Chris ~~Burke~~ [Berg], laid out priorities and concerns."
- Correction to page two: include reference to IBC 2018 codes 29025.3

Motion by Steve Carter to approve the January 3, 2023 and January 17, 2023 minutes subject to edits. Seconded by JM Lord.

Vote: 7-0 (K. Brandon, R. Wright, K. Garcia, P. Losik, J. Lord, S. Carter, J. Finn)

Planning/Zoning Administrator Reed provided the board with an updated, revised zoning map. She explained that the map can be circulated with the caveat that no changes can be made to the zoning map unless it is presented on the ballot and approved by the voters of Rye. The board discussed the required processes and regulations of updating the zoning map.

Chair Losik discussed the proposed affiliation between Webster at Rye and Silverstone Living which is still going through the division of charitable trusts.

Member Carter asked what impact this would have on Webster's plans to expand, which have been approved by the Planning Board, but delayed as a result of the pandemic.

Planning/Zoning Administrator Reed explained that Webster plans to come before the board in March asking for a two year extension, which would be an opportunity to discuss the approved expansion.

Member Wright raised a concern regarding a potential violation of a previous Notice of Decision.

Mr. Borne raised questions regarding public discussion of engineer-reported recommendations, septic systems, and the turnaround time of Notices of Decisions and meeting minutes. He also wondered if there could be a way to create a comprehensive record of requested variances for individual properties. He also discussed the Master Plan Steering Committee's draft, the Civic League's input, the RSA, as well as the Planning Board's Rules of Procedures.

Motion by Rob Wright to adjourn at 7:23 p.m. Seconded by JM Lord.

Vote: 7-0 (K. Brandon, R. Wright, K. Garcia, P. Losik, J. Lord, S. Carter, J. Finn)

Respectfully Submitted,

Emilie Durgin

PLANNING BOARD

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant: Jones & Beach Engineering, Inc.

Owner: Marlene Veloso & Charles Fast

Property: 850 Washington Road, Tax Map 11, Lot 130
Property is in the Single Residence and Aquifer & Wellhead District

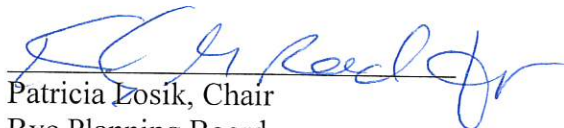
Application case: Case #11-2022

Application: Major Subdivision Plan by Jones & Beach Engineering, Inc. on behalf of Marlene Veloso & Charles Fast property owners for property owned and located at 850 Washington Road, Tax Map 11, Lot 130 to subdivide the parcel into 3-lots and a road. Property is in the Single Residence and Aquifer & Wellhead District. Case #11-2022.

Date of decision: February 21, 2023

Decision: The Board voted to continue the application to the May 16, meeting.


Date


Patricia Losik, Chair
Rye Planning Board

Note: This decision is subject to motions for rehearing which may be filed within 30 days of the above date of decision by any person directly affected by it including any party to the action, abutters and the Rye Board of Selectmen; see Article VII, Section 703 of the Town of Rye Zoning Ordinance. Any work commenced prior to the expiration of the 30 day rehearing / appeal period is done so at the risk of the applicant. If a rehearing is requested, a cease and desist order may be issued until the Board of Adjustment has had an opportunity to act on the rehearing request.

RYE PLANNING BOARD

10 Central Road Rye, NH 03870 (603) 964-9800

Notice of Decision

Applicant/Owner: Ryan and Lindsay Kaplan

Property: 371 Washington Road, Tax Map 16, Lot 119
Property in the Single Residence District

Case: Case #19-2019


Application: Conditional Use Permit by Ryan & Lindsay Kaplan for 371 Washington Road, Tax Map 16, Lot 119 for an Accessory Dwelling Unit per RZO Section 506. Property is in the Single Residence District. Case # 19-2019.

Date of Decision: Tuesday February 21, 2023

Decision: In accordance with the MJS Engineering, P.C. guidance dated March 12, 2020, the Board voted to amend the condition from November 12, 2019 to the following: the septic tank shall be pumped once every three years and the pump chamber shall be pumped every year.



Date


Patricia Losik, Chairman
Rye Planning Board

PLANNING BOARD

-Rye, New Hampshire-

NOTICE OF DECISION

Discussion:

On the February 21, 2023 the Planning Board discussed the acceptance of the NHHOP grant awarded on February 13, 2023, and the selection process requirements.

Date of decision:

February 21, 2023

Decision:

On February 21, 2023, the Planning Board discussed the acceptance of the NHHOP grant awarded on February 13, 2023, for \$17,750 for Phase I: Needs Analysis and Planning. This award is received from the InvestNH Municipal Planning & Zoning Grant Program, funded by the NH Department of Business and Economic Affairs as part of the \$100 million InvestNH Initiative with ARPA State Fiscal Recovery funds.

The BOD unanimously voted the Long Range Planning Committee be designated as the committee to make the decision about how to proceed (selection process requirements) after hearing from Attorney Maher.

Kathryn Garcia will be one of the three to attend the Housing Academy. The other two will be volunteers.

2/22/2023

Date


Patricia Losik, Chair
Rye Planning Board

Note: This decision is subject to motions for rehearing which may be filed within 30 days of the above date of decision by any person directly affected by it including any party to the action, abutters and the Rye Board of Selectmen; see *Article VII, Section 703 of the Town of Rye Zoning Ordinance*. Any work commenced prior to the expiration of the 30 day rehearing / appeal period is done so at the risk of the applicant. If a rehearing is requested, a cease and desist order may be issued until the Board of Adjustment has had an opportunity to act on the rehearing request.