

TOWN OF RYE – PLANNING BOARD

Tuesday, December 12, 2017

7:00 p.m. – Rye Town Hall

Members Present: Chairman Bill Epperson, Vice-Chair Patricia Losik, Mel Low, Jeffrey Quinn, J.M. Lord, Selectmen's Rep Priscilla Jenness and Alternate Steve Carter

Others Present: Planning Administrator Kimberly Reed

I. Call to Order and Pledge of Allegiance

Chairman Epperson called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

II. Designation and appointment of alternates

Chairman Epperson seated Steve Carter for Jerry Gittlein.

III. Approval of Minutes

• November 14, 2017

The following corrections were noted:

- Page 8, 1st paragraph, 2nd sentence should read: **He continued that he originally asked if there was any way this could be done on public sewage.**
- Page 16, under 'Rules and Regulations Committee Report', it should be noted that **Pierce Rigord should be Pierce Rigrod (Mr. Rigrod).**
- Page 16, under 'Wetlands Subcommittee Report', 5th sentence should read: **House Bill 486 is a practical bill that is still before the committee.**

**Motion by Patricia Losik to approve the minutes of November 14, 2017 as amended.
Seconded by Mel Low. All in favor.**

November 18, 2017 meeting minutes

The following corrections were noted:

- Page 4, 5th paragraph, 3rd sentence should read: **There are going to be drainage systems to control the flow rate so the soils could take it in.**
- Page 9, last paragraph, 1st sentence should read: **Planning Administrator Reed explained that Selectman Jenness wanted the fence because she was afraid that if there was going to be a pond in this area it would cause a safety hazard for children.**

**Motion by Patricia Losik to approve the minutes of November 18, 2017 as amended.
Seconded by J.M. Lord. Vote: 6-0-1 Abstained: Priscilla Jenness**

IV. Submittal of Applications for Determination of Completeness Not a public hearing. – Action Required:

- a. Lot Line Adjustment Application by Thomas & Annette Sanderson for properties owned and located at 491 Brackett Road, Tax Map 19, Lot 167 and 495 Brackett Road, Tax Map 17, Lot 48 to relocate a common boundary line between the two properties which would result in Map 19, Lot 17 increasing in size and Map 17, Lot 48 decreasing in size. Property are located in the Single Residence District. **Case # 13-2017.**

Motion by Patricia Losik to deem the application of Thomas and Annette Sanderson complete and move to a public hearing. Seconded by Steve Carter. All in favor.

- b. Minor Site Development Plan for tree cutting by Vincent A. Wenners, Jr. Esquire on behalf of Burdett Realty LLC for property owned and located at 382 Wallis Road, Tax Map 18, Lot 83 to cut down and remove two trees along a scenic road. Property is in the Single Residence District. **Case #14-2017.**

Motion by Patricia Losik to deem the application of Vincent A. Wenners, Jr. Esquire, on behalf of Burdett Realty, LLC, complete and move to a public hearing. Seconded by Steve Carter. All in favor.

V. Public Hearings on Applications:

- a. Major Subdivision, Lot Line Adjustment and Conditional Use Permit by the Housing Partnership for Property located 0 Airfield Drive, Tax Map 10, Lot 15-4 for construction of a residential development consisting of a mixture of multi-family dwellings with a portion being dedicated as Workforce Housing. Property is in the Commercial Zoning District and the Multi-Family Dwelling District Overlay. **Case #07-2017.**

Motion by Patricia Losik to continue the application of The Housing Partnership to the January 9, 2018 Planning Board meeting with an amendment to the notice that the “Property is in the Commercial Zoning District, and the Multi-Family Dwelling District Overlay and in the Aquifer and Wellhead Protection District”. Seconded by J.M. Lord. All in favor.

- b. Lot Line Adjustment Application by Thomas & Annette Sanderson for properties owned and located at 491 Brackett Road, Tax Map 19, Lot 167 and 495 Brackett Road, Tax Map 17, Lot 48 to relocate a common boundary line between the two properties which would result in Map 19, Lot 17 increasing in size and Map 17, Lot 48 decreasing in size. Properties are located in the Single Residence District. **Case # 13-2017.**

Brenda Colwell, MSC Engineers, presented to the Board. She explained that the Sandersons currently own two adjacent lots off Brackett Road; Tax Map 19, Lot 167, and Tax Map 17, Lot 48. Both of the lots are in the Single Residence Zone and have existing houses on them. The purpose of the lot line adjustment is to adjust the common boundary line of the two lots in order to connect the farmland with the house lot at 491 Brackett Road and separate the land around the house at 495. The Sandersons plan to keep the farmland and the house at 491 and to sell the house at 495. Lot 167 on Tax Map 19 is currently 2.5 acres. With the adjustment it will be increasing to 24.5 acres. The other lot, Map 17, Lot 48, is currently 23.5 acres. With the adjustment it will be 1.5 acres. Both of the newly reconfigured lots meet the zoning requirements for area, frontage and depth. There is no proposed construction. The only change in utilities is a new septic system for the house at 495, which has already been approved and installed. She noted that the septic is located behind the house a little more than 20ft off the stonewall that is the proposed property line. Both of the lots are served by public water and have individual connections to the utilities along Brackett Road. There is a proposed access and agricultural easement located on the south side of the house at 495. The easement is to provide access to the existing barn. There is a woods road in this location and is used for access to the barn. She commented that the Sandersons would like to continue to use that access. The agricultural easement is to be used for farm uses, such as a hay field or grazing.

Vice-Chair Losik asked if the easement language was available.

Ms. Colwell replied that she did not have it with her.

Chairman Epperson noted that Attorney Donovan's concerns was in regards to there being sufficient area on Lot 48 for the 4,000sf DLA requirement.

Ms. Colwell stated that she believes it is satisfied with the septic approval.

Vice-Chair Losik noted that she sees one test pit on the septic design plan. She asked if there were two qualifying test pits.

Ms. Colwell commented that she would have to contact the septic designer.

Vice-Chair Losik clarified that two qualifying test pits are needed. Referring to the septic design, she asked what the circle is that is shown on the plan.

Ms. Colwell replied that it is a vent pipe.

There was review of the septic design.

Vice-Chair Losik clarified that no wetlands have been delineated for the entire property.

Ms. Colwell confirmed. She explained that they did not do a survey on the entire piece of property because it is such a large piece.

Vice-Chair Losik noted that they would like to see the second test pit information and figure out what the symbol is on the design.

Chairman Epperson asked why the septic would be installed without a second test pit. It is a requirement for the State.

Ms. Colwell commented that she is sure a second test pit was done if the system has been installed.

Member Lord stated that this replacement system looks like it is in the exact same location as the existing septic area.

Ms. Cowell pointed out the location of the existing system on the plan.

Planning Administrator Reed stated that what is still needed is the easement language, verification on test pit #2 and the 4,000sf DLA needs to be noted on the plan.

Referring to the stonewalls, Vice-Chair Losik asked if they are going to be removed. The plan says that the lot lines are going to be eliminated and the lines are consistent with where the stonewalls exist. She stated that she is looking at LDR 606.5. She asked if there are any historic cemeteries or anything along those lines.

Ms. Colwell replied not that she is aware of. She commented that she will check. She noted that there are no plans to take down the stonewalls. Those are going to stay.

Motion by Patricia Losik to take jurisdiction over the application. Seconded by Priscilla Jenness. All in favor.

Chairman Epperson opened to the public for comments or questions.

Steve Henniker, Map 19, Lot 1, asked the purpose of the easement.

Ms. Colwell explained that the easement is so that the owners of 491 Brackett Road can use the woods road for access to the barn. That is the current access to the barn now.

Mr. Henniker asked if Lot 167 extended down to Rand Lane.

Chairman Epperson replied not quite.

Gary Mau, Map 19, Lot 2, asked the location of the woods road.

Ms. Colwell explained that on Brackett Road there is the old farm house and a pool. The woods road is just to the left of the pool. The road is not gravel. It is just compacted dirt.

Chairman Epperson closed the public hearing at 7:30 p.m.

Vice-Chair Losik stated that she is sure the other test pit was done but they should just verify that information. She thinks it would be good to read the language to understand that spirit and intent of the proposed easement.

Chairman Epperson asked if these are proposed conditions of approval.

Vice-Chair Losik stated these are her two areas of concern. They could be proposed as conditions of approval and she would be fine with that. The 4,000sf is fine but should be on the plan.

Planning Administrator Reed suggested that if this is approved with conditions, the Technical Review Committee could verify that the conditions have been met before the chair signs off.

The Board agreed.

Conditions reviewed:

- **Update the key legend;**
- **Verification that it meets the DLA, per the LDR, with note on the plans;**
- **Test pit #2 to be added to the plans;**
- **Easement language to be provided;**
- **Verification of no historic resources;**
- **TRC to verify all conditions have been met; and**
- **Chair may sign when all the above have been met.**

Motion by Patricia Losik to accept the lot line adjustment application subject to the conditions of approval as listed and discussed. Seconded by Jeffrey Quinn. All in favor.

- c. Minor Site Development Plan for tree cutting by Vincent A. Wenners, Jr. Esquire on behalf of Burdett Realty LLC for property owned and located at 382 Wallis Road, Tax Map 18, Lot 83 to cut down and remove two trees along a scenic road. Property is in the Single Residence District. **Case #14-2017.**

Vincent Wenners, Burdett Realty, spoke to the Board. He noted that if the two trees fall they will probably fall on the house, quite possibly on the road. Eversource has indicated that subject to the Board's approval they will cut the trees down and remove them.

Chairman Epperson stated that Public Works Director, Dennis McCarthy, is familiar with the trees. Mr. McCarthy is in agreement that the trees are not in the best of shape and will probably not survive another winter.

Planning Administrator Reed noted that because this is tree cutting along a scenic road it has to be noticed in two places. This was noticed in the Portsmouth Herald, as well as the Foster's Daily Democrat. It does meet the RSA for being legally noticed and abutters' notices going out. She did not hear from any abutters.

Vice-Chair Losik asked if there are any plans to replace the trees.

Mr. Wenners replied no.

Vice-Chair Losik asked the height of the trees.

Mr. Wenners replied 35ft.

Selectman Jenness commented that it does not seem that Eversource would be willing to cut the trees if they did not have to.

Chairman Epperson noted that he drove by the site and the trees are in rough shape.

Motion by Mel Low to take jurisdiction over the application. Seconded by Patricia Losik. All in favor.

Chairman Epperson opened to the public for comments. Hearing none, he closed the public hearing at 7:43 p.m.

Vice-Chair Losik stated that the notifications under RSA 231:158 have been met. The trees are in fact diseased and Eversource is willing to take them down.

Selectman Jenness commented that the Public Works Director has also given his blessing.

Motion by Patricia Losik to allow for the cutting of the two trees. Seconded by Jeffrey Quinn. All in favor.

VI. Public Hearings on Master Plan

- Public hearing on the new chapter Coastal Hazards and Climate Adaptation, Chapter 3 of the Rye Master Plan. Copies of the Proposed Master Plan are available on the Town Website.

Chairman Epperson stated that Chapter 3 has been a long time coming. It has been vetted, changed, added to, deleted, proofread and punctuated. Is it perfect? Probably not; however, it is probably as good as it is going to get. He asked the opinion of the rest of the Board.

Vice-Chair Losik noted minor changes on pages 3-7 (*formatting edit*) and 3-11 (*punctuation edit*).

Member Carter pointed out two typos on page 3-11. He also noted typos on pages 3-13, 3-12, 3-18, 3-21, 3-23 and other edits.

The Board reviewed and discussed Member Carter's edits.

Motion by Patricia Losik to adopt Chapter 3, Coastal Hazards and Climate Adaptation, to a vote with the minor structural and grammatical changes set forth.

Peter Crawford, 171 Brackett Road, expressed his concerns on the wording on page 3-19, 4th bulletin.

After discussion, the Board agreed to leave the wording as it is proposed.

Mr. Crawford also made comments on pages 3-9 and 3-22.

Vote on the Motion by Patricia Losik to adopt Chapter 3, Coastal Hazards and Climate Adaptation, with the minor structural and grammatical changes set forth.
Seconded by J.M. Lord. All in favor.

VII. New Business

- Proposed Building Code Amendment No. 2018-02: deletes the town's pool requirements from the building code

Chairman Epperson explained that the State code is significantly more stringent than the town's. This is adopting the State's.

Planning Administrator Reed confirmed. She noted that this is a recommendation that was presented to the Rules and Regulations Committee by the Building Inspector. The change has been vetted by Attorney Donovan.

Vice-Chair Losik explained that the State Building Code really pulls in the International Building Codes. The Building Inspector's feeling is that the State has more significant guidance than what is in the town's building ordinance. The Building Inspector also feels that because it is a dynamic document that the State building codes are updated much more frequently and are updated out of responses to real life situations. He also felt that they were more expansive, for example, in the area of hot tubs there is more guidance than what the town has. The one thing that is different is that the fence height in the town's ordinance is 5ft; however, internationally it is 4ft. The Building Inspector gave this a lot of consideration and ultimately thought that 4ft was sufficient. He does not feel there should be a difference in the height. After discussing this over two sessions, the Rules and Regulations Committee was in support of the change.

Motion by J.M. Lord to move Proposed Building Code Amendment 2018-02 to a public hearing. Seconded by Patricia Losik. All in favor.

Note: *Jerry Gittlein arrived at 8:10 p.m.*

Jerry Gittlein was seated and Steve Carter was unseated for the remainder of the meeting.

- Proposed Zoning Amendment No. 2018-03 makes several changes to the Aquifer and Wellhead Protection District

The Board reviewed and discussed minor editorial changes to Proposed Zoning Amendment 2018-03.

Vice-Chair Losik noted that the springboard for this can be credited to Sam and Dominique Winebaum for their initial queries about Aquarion Well 5A, which is off Central Road. That led to a lot of involvement with the Planning Administrator reaching out to DES, who has been very instrumental in guiding the committee and connecting them to language in the model groundwater ordinance that was not included when the district was initially established. Danna Truslow had input. Aquarion and Rye Water also reviewed the proposed amendment.

Chairman Epperson opened for public comments.

Mr. Crawford noted some minor edits.

Motion by Priscilla Jenness to move Proposed Zoning Amendment 2018-03 to a public hearing. Seconded by Jeffrey Quinn. All in favor.

- Proposed Building Code Amendment 2018-01

Planning Administrator Reed noted that this was already moved to the warrant by the Board. However, a member of the public pointed out a couple of typos and some changes were needed.

Motion by Patricia Losik to rescind Proposed Building Code Amendment 2018-01 regarding buffers and move Proposed Building Code Amendment 2018-01 regarding raised septic systems in wetlands buffer to a public hearing. Seconded by Jerry Gittlein. All in favor.

- Proposed Land Development Regulations Amendment 2018-01 – Re: Buffers Change 301.7 to 301.8

Motion by Patricia Losik to move Proposed Land Development Regulations Amendment 2018-01, with the change of 301.7 to 301.8, to a public hearing. Seconded by Jerry Gittlein. All in favor.

Motion by Patricia Losik to move Proposed Building Code Amendment 2018-01, with the change of 301.7 to 301.8 and the changing the language to “except replacement of septic systems pursuant § 301.8, B. (2) of the Zoning Ordinance” and correction under 7.9.2.2.1 to remove 301.7 and amend to 301.8 and move to a public hearing. Seconded by Jerry Gittlein. All in favor.

- Proposed Zoning Amendment to the Floodplain Ordinance 2018-01

Vice-Chair Losik noted two minor edits.

Planning Administrator Reed noted that Julie LaBranche, Rockingham Planning Commission, and Jennifer Gilbert, FEMA Expert for Region 1 Office of Energy and Planning, have vetted this proposed amendment. The town has been approved to move forward on the community rating system. She explained this will be very important in getting a better rate for the members of the public who buy flood insurance.

Motion by Patricia Losik to move Proposed Zoning Amendment to the Floodplain Ordinance 2018-01 to a public hearing. Seconded by J.M. Lord. All in favor.

VIII. Subcommittee-Reports

- Rules and Regulations
- No update
- Wetlands

Vice-Chair Losik noted that House Bill 486 has been referred for an interim study January 3, 2018.

IX. Pay Escrows

- Danna Truslow – The Housing Partnership - \$1,391.25

Motion by Patricia Losik to pay Danna Truslow in the amount of \$1,391.25 from The Housing Partnership Escrow. Seconded by J.M. Lord. All in favor.

- Sebago Technics - Sea Mist Development - \$506.99

Motion by Patricia Losik to pay Sebago Technics in the amount of \$506.99 from the Sea Mist Development Escrow. Seconded by Mel Low. All in favor.

- Sebago Technics – The Housing Partnership - \$2,076.00

Motion by Patricia Losik to pay Sebago Technics in the amount of \$2,076.00 from The Housing Partnership Escrow. Seconded by Jeffrey Quinn. All in favor.

- **Sebago Technics – 561 South Road (Cedar Run) - \$294.99**

Motion by Patricia Losik to pay Sebago Technics in the amount of \$294.99 from the 561 South Road Development Escrow. Seconded by J.M. Lord. All in favor.

X. Communication/Other

- **None**

Adjournment

Motion by Patricia Losik to adjourn at 9:45 p.m. Seconded by J.M. Lord. All in favor.

Respectfully Submitted,
Dyana F. Ledger

RYE PLANNING BOARD

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

Notice of Decision

Applicant/Owner: Vincent A. Weners, Jr. Esq on behalf of Burdett Realty LLC

Properties: 382 Wallis Road, Tax Map

Case: #14-2017

Application: Minor Site Development Plan for tree cutting by Vincent A. Weners, Jr. Esquire on behalf of Burdett Realty LLC for property owned and located at 382 Wallis Road, Tax Map 18, Lot 83 to cut down and remove two trees along a scenic road. Property is in the Single Residence District. Case #14-2017.

Date of Decision: Tuesday, December 12, 2017

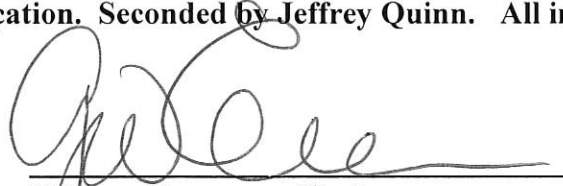
Decision: x Approved
 Denied
 Continued

The Board voted, unanimously that the application is complete and to move to a public hearing on its merits.

Motion by Mel Low to take Jurisdiction of the application. Seconded by Pat Losik All in favor.

Motion by Pat Losik to accept the application. Seconded by Jeffrey Quinn. All in favor.

12/14/17
Date


William Epperson, Chairman
Rye Planning Board

RYE PLANNING BOARD

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

Notice of Decision

Applicant: The Housing Partnership

Owner: Rickert Inv Real Estate LLC

Property: 0 Airfield Drive, Tax Map 10, Lot 15-4
Commercial District

Case: Case #07-2017

Application: Major Subdivision, Lot Line Adjustment and Conditional Use Permit by the Housing Partnership for Property located 0 Airfield Drive, Tax Map 10, Lot 15-4 for construction of a residential development consisting of a mixture of multi-family dwellings with a portion being dedicated as Workforce Housing. Property is in the Commercial Zoning District and the Multi-Family Dwelling District Overlay and the Aquifer and Wellhead Protection District.


Date of Decision: Tuesday, December 12, 2017

Decision:

<u> </u>	Approved
<u> </u>	Conditionally Approved
<u> </u>	Denied
<u> X </u>	Continued

The Planning Board unanimously voted to continue this application to the January 9, 2018 meeting.

12/14/17
Date



William Epperson, Chairman
Rye Planning Board

RYE PLANNING BOARD

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

Notice of Decision

Applicant/Owner:

Thomas & Annette Sanderson

Properties:

491 Brackett Road, Tax Map 19, Lot 167
495 Brackett Road, Tax Map 17, Lot 48

Case:

#13-2017

Application:

Lot Line Adjustment Application by Thomas & Annette Sanderson for properties owned and located at 491 Brackett Road, Tax Map 19, Lot 167 and 495 Brackett Road, Tax Map 17, Lot 48 to relocate a common boundary line between the two properties which would result in Map 19, Lot 17 increasing in size and Map 17, Lot 48 decreasing in size. Property are located in the Single Residence District. Case # 13-2017.

Date of Decision:

Tuesday, December 12, 2017

Decision:

☒ Approved
☐ Denied
☐ Continued

The Board voted, unanimously that the application is complete and to move to a public hearing on its merits.

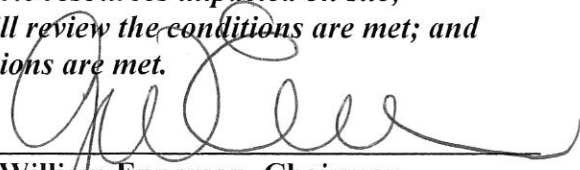
Motion by Pat Losik to take Jurisdiction of the application. Seconded by Priscilla Jenness All in favor.

Motion by Pat Losik to accept the application as presented with the following conditions. Seconded by Jeffrey Quinn. All in favor.

Conditions of approval:

1. A note placed on the plans that the DLA requirements are met;
2. Second Test Pit and notes be placed on the plans;
3. Note on the plans of the Easement and copy of legal language of easement given to the Town to be kept on file;
4. Applicant to verify there are no historic resources impacted on site;
5. The Technical Review Committee will review the conditions are met; and
6. Chairman may sign when 1-5 conditions are met.

12/14/17
Date


William Epperson, Chairman
Rye Planning Board

Rye, New Hampshire



2006 Master Plan Amended 2009 Amended 2013 Amended 2017

Added New Chapter

“Coastal Hazards and Climate Adaptation”

Adopted on: May 8, 2007

Amended on: November 10, 2009

Amended on: March 4, 2014

Amended on: December 12, 2017

Chapter 3. Coastal Hazards and Climate Adaptation¹

3.1 Introduction

Like other coastal municipalities in New Hampshire, Rye is confronted by a challenging set of concerns relating to coastal hazards and climate change that include exposure to storms, coastal erosion and flooding, damage to critical infrastructure, and impacts to key coastal resources. Rye has experienced significant impacts during extreme and moderate coastal storm events, increases in extreme rainfall events, and localized flooding from more frequent seasonal highest tides both in immediate coastal areas and inland. Coastal flooding is compounded by increased stormwater runoff from development and impervious surfaces throughout the Town. These observed impacts may be exacerbated by changes in climate that may cause future increases in the frequency and intensity of storms and rates of sea-level rise.

Projected changes in climate and coastal conditions will present challenges to many sectors of municipal governance, asset and infrastructure management, sustainability of recreation and tourism, and protection of natural resources and coastal ecosystems. Adapting to changing conditions will play an important part in the Town's strategic planning and actions in the future. Effective preparedness and proactive land use management will help the Town reduce its future exposure and improve resilience to increased flood risks and thus minimize economic, social, and environmental impacts. The Coastal Hazards and Adaptation Chapter addresses the following topics:

*Present and Future
Coastal Hazards*

*Future Impacts to
Coastal Areas*

*Other Climate-Related
Impacts*

*Future Growth and
Development*

*Community Adaptation
and Resilience*

*Recommendations for
Future Actions*



Figure 1. Storm damage on Route 1A. [Photo Credit: Kimberly Reed (1/10/13)]

Coastal hazards and adaptation strategies identified in this chapter will be expanded upon in the Transportation, Land Use and Natural Resources Chapters of the Master Plan.

¹ Preparation of this Chapter was funded by a grant from the Northeast Region Ocean Council through the U.S. Fish & Wildlife Service.

3.2 Vision

Vision Statement

Proactive strategies are identified and implemented that address the impacts of coastal hazards, and ensure the community is better prepared to protect the security, health and safety of its citizens, provide for a stable and viable economic future, and create a more sustainable and climate resilient community.

The Town's primary goals relating to coastal hazards and climate adaptation are to:

- Protect important infrastructure.
- Ensure the safety of residents and businesses.
- Identify areas at high risk to coastal hazards including storm flooding and erosion.
- Manage development and use of land and resources in high risk areas.
- Adapt built landscapes and natural landscapes to changing conditions.

Summary of Public Input – Issues and Concerns

The Planning Board sponsored two public informational workshops on May 12 and June 22, 2016 to gain public input on the draft recommendations for this Chapter. Below is a summary of key issues and concerns raised most frequently during these workshops which are also reflected in the primary goals stated above.

Topic Areas	Public Comments			
Impacts and Flood Risk	Consider economic implications of impacts	Sea-level rise and rising groundwater impacts to septic system function	Consider short, medium and long-term timeframes for action	Need plans to adapt roads and its infrastructure
Municipal Actions	Support future investment, transparency of funds	Clarity about municipal roles and responsibilities	Improve communications systems for emergency response	Consider expansion of public sewer services
Resource Protection & Public Safety	Preserve the health and function of saltmarshes to protect life and property	Protect drinking water from contamination	Coordinate with the state on road improvements	Foster community coordination during emergencies
Regulations	Be proactive, address development in high risk areas	Manage stormwater and flooding from precipitation	Comprehensive action plan to address climate impacts and adaptation strategies	Consistency, better oversight, strengthen standards

3.3 Present and Future Coastal Hazards

a. Past and Present Coastal Hazards

The New Hampshire seacoast has experienced many significant storm events in the last 50 years including extreme precipitation, Nor' Easters, and storm surge. In recent years the New Hampshire seacoast has narrowly escaped two major storm events – Hurricane Irene and Super Storm Sandy. The likelihood of such storms reaching our area, with surges of 12 or more feet, has become an increasing concern as heavily developed coastal areas are at high risk of flood impacts (as documented in the *Tides to Storms report, 2015*).

A wide range of coastal storms have affected Rye in the past including extreme rainfall events, Nor'Easters, hurricanes, and tropical storms. Figure 2 presents a summary of coastal storms that have produced widespread flooding and erosion along Rye's coastline from 1972 to the present. Parts of Rye have sustained significant damage from these storm events, particularly the shale piles at Sawyers Beach and segments of Route 1A that are low-lying.

Figure 2. History of significant coastal storm and flood events that have impacted Rye.

Event	Type	Rainfall/ Snow	Inland Flooding	Tidal Flooding	High Winds	Surge Height	Tide Stage
February 1972	Nor' Easter			✓	✓		
Blizzard of 1978	Nor' Easter	33" snow					
August 1991	Hurricane Bob						
October 1991 "Perfect Storm"	Nor' Easter			✓	✓	+3.5'	
October 1996	Tropical Storm	14" rain	✓	✓		500-yr	High
October 1999	Tropical Storm Floyd		✓	✓	✓		
Mother's Day May 2006	100-year+	14" rain	✓				
December 2011	Nor' Easter		✓	✓	✓		
Patriot's Day April 2007	Nor' Easter	6.5" rain	✓		✓		
Super Storm Sandy 2012	Tropical Storm	— " rain	✓	✓	✓		
February 2013	Severe storm/flooding		✓	✓	✓		
King Tide 2014	extreme tide	None		✓			High
King Tide 2015	extreme tide			✓			High
King Tide 2016	extreme tide	None		✓			High

The severity of flood events depends upon several factors and different types of storm events. A 100-year/1% chance precipitation event is based on the volume of rainfall (in inches) within a 24-hour period. A 100-year/1% annual chance coastal storm event is based on storm surge elevation which is influenced by tide stage, wind (direction, speed and duration), and seasonal astronomical cycles

Extreme precipitation and coastal storm events present the most immediate risk and weather related hazard resulting in flooding and property damage, while sea-level rise poses a more long-term risk of increased daily tidal flooding.

b. Projected Future Conditions

Studies published in the last five years, including the U.S. Global Change Research Program, 2014 Third National Climate Assessment (May 2014), report updated trends and projections for several parameters influenced by changes in climate including sea levels, coastal storms, and precipitation. Information about New Hampshire trends and projections is summarized in sections 1-3 below.



Figure 3. Selectman Aldrich Mitchell inspecting damage to Route 1A following the Blizzard of '78. [Photo Credit: Selectwoman Priscilla Jenness]

i. Sea-Levels and Coastal Storm Surge²

Based on local data from the Seavey Island tide gauge in Portsmouth Harbor, sea-level along the New Hampshire coastline has risen an average of 0.7 inches per decade since 1900. More recent reports show that the rate of sea-level rise has increased to approximately 1.3 inches per decade since 1983.

Figure 4 at right shows the percent contribution of various factors that influence sea levels worldwide. Ocean warming and melting of land-based glaciers are the major drivers of sea-level rise.

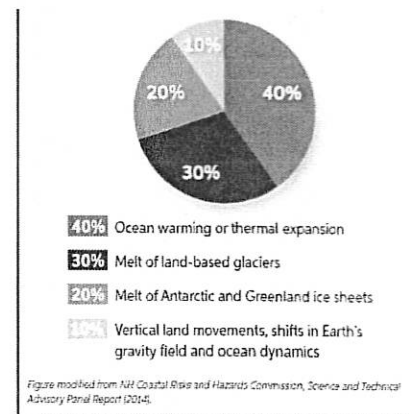


Figure 4. Percent contribution of factors that contribute to sea-level rise.

Increases in possible sea-levels are reported as scenarios based on greenhouse gas emission levels and other factors as shown in Figure 4 that influence climate. The U.S. Global Change Research Program, 2014 Third National Climate Assessment (May 2014, (<http://nca2014.globalchange.gov/report>)) reports a range of sea-level rise scenarios three of which are presented below in Figure 5 – the Intermediate Low, Intermediate High, and Highest sea-levels based on models of increasing greenhouse gas emissions levels.

² Paul Kirshen, Cameron Wake, Matt Huber, Kevin Knuuti, Mary Stampone, Sea-level Rise, Storm Surges, and Extreme Precipitation in Coastal New Hampshire: Analysis of Past and Projected Future Trends (2015), Prepared by Science and Technical Advisory Panel for the New Hampshire Coastal Risks and Hazards Commission.

Figure 5. Sea-Level Rise Scenarios (in feet) provided by the Third National Climate Assessment (2014) using mean sea level in 1992 as a reference (Parris et al., 2012).

Time Period*	“Intermediate Low	“Intermediate High”	“Highest”
year 2050	0.6 ft.	1.3 ft.	2.0 ft.
year 2100	1.6 ft.	3.9 ft.	6.6 ft.

Note: To better understand Sea-Level Rise Scenarios (in feet,) Sea-level rise and storm surge are measured from Mean Higher High Water (the water elevation based on the average of the highest tides over a 19-year period). In Seacoast New Hampshire Mean Higher High Water is 4.4 feet. Storm surge is the area flooded by the current 100-year/1% chance storm event.

Storm Surge

Based on the FEMA Flood Insurance Rate Maps (2014, preliminary FIRMs), the storm surge elevation associated with the 100-year or 1% annual chance storm event in Rye ranges from 8 feet (mid-south coast) to 13 feet (north coast) in the AE zone (tidal shoreline areas) and 16 feet (north coast) to 21 feet (mid-south coast) in the VE zone (immediate coastal areas subject to wave action). Rye’s 2014 preliminary FEMA RIRMs are available on the Town’s website at http://www.Town.rye.nh.us/pages/RyeNH_Flood/New_maps/.

Among the scientific literature, there is insufficient basis to draw a specific conclusion whether storm surges will increase in the future however future storm surges will occur on top of higher sea levels. Considering changes in storm surge and high water levels due to sea-level rise alone, today’s extreme surge events such as a 100-year storm will result in increased coastal flooding and expansion of the coastal floodplain over time.

ii. Precipitation³

Recent studies show the mean annual precipitation in the Northeast has increased by approximately 5 inches or more than 10 percent from 1895 to 2011, and there has been a greater than 50 percent increase in annual precipitation from storms classified as extreme events (100-year/1% annual chance or greater event). In 2014, the Northeast Regional Climate Center (NRCC) Extreme Precipitation Atlas was published, improving the accuracy of rainfall data for a range of storm events applied to engineering and science research. The NRCC atlas is the new standard used by the NH Department of Environmental Services, Alteration of Terrain Bureau for the design of stormwater management systems in permitting development projects.

³ Paul Kirshen, Cameron Wake, Matt Huber, Kevin Knuuti, Mary Stampone, Sea-level Rise, Storm Surges, and Extreme Precipitation in Coastal New Hampshire: Analysis of Past and Projected Future Trends (2015), Prepared by Science and Technical Advisory Panel for the New Hampshire Coastal Risks and Hazards Commission.

Figure 6 shows that the frequency of extreme precipitation events (greater than 4 inches in a 24-hour period) has also increased significantly since 1990 compared with the period from 1950-1990.

Prior to release of the NRCC 2014 atlas, engineers and researchers used National Weather Service Technical Paper 40 (TP-40) precipitation atlas based on data from the 1960's. Comparing rainfall data from the Technical Paper No. 40 (TP40) Atlas (1961) and the NRCC Extreme Precipitation Atlas in Figure 7, rainfall for extreme events for the 50-year and 100-year storms has increased 25 percent and 35 percent respectively in Rye.

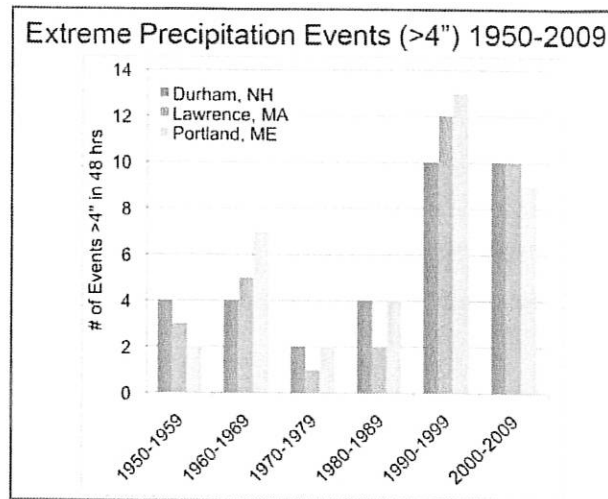


Figure 6. Total number of events with greater than four inches of precipitation in 48 hours per decade since 1950.³

Figure 7. Data for a range of 24-hour rainfall events (TP40, 1961 and NRCC, 2014).

Source	24-hour Rainfall Event (inches)					
	1 year	2 year	10 year	25 year	50 year	100 year
TP40*	2.6	3.1	4.4	5.2	5.8	6.5
NRCC	2.6	3.2	4.8	6.1	7.3	8.8

* TP40 was the previous standard used by the NH Department of Environmental Services, Alteration of Terrain Bureau.

Projected increases in annual precipitation are uncertain but could be as high as 20 percent in the period 2071-2099 compared to 1970-1999. Most of the increase may occur in winter and spring with less of an increase in the fall and perhaps none in the summer. Extreme precipitation is also projected to increase with the occurrence of extreme rainfall events during summer and fall influenced by changes in tropical storm activity as the rainfall amounts produced by tropical storms is projected to increase. In general, total annual precipitation is expected to increase as is extreme precipitation.

iii. Temperature

In the last century, annual and seasonal temperatures have warmed by almost 2°F and lake ice-out dates are occurring earlier. A 2011 Piscataqua/Great Bay region climate assessment⁴ reports expected changes in seasonal temperatures:

- Warmer winters with 20-50 fewer days per year below 32°F.
- Hotter summers with 3-7 additional days per year above 90°F (compared to about 10 days per year during the period 1970-1999).

⁴ Wake CP, E Burakowski, E Kelsey, K Hayhoe, A Stoner, C Watson, E Douglas (2011) Climate Change in the Piscataqua/Great Bay Region: Past, Present, and Future. Carbon Solutions New England Report for the Great Bay (New Hampshire) Stewards. <http://www.climatesolutionsne.org/>

3.4 Future Impacts to Coastal Areas

The Rockingham Planning Commission (RPC) completed an assessment of impacts from sea-level rise and coastal storm surge flooding in 2015. The Tides to Storms Coastal Vulnerability Assessment evaluated flood impacts of six sea-level rise and storm surge scenarios at 2100 to identify the risk and sensitivity of roadways, infrastructure and natural resources to sea-level rise and storm related flooding. The Vulnerability Assessment data for Rye is reported below in section a and includes the following resources for Rye:

- A Town Vulnerability Assessment Report detailing statistics and narrative descriptions of impacts to roads and their supporting infrastructure, critical facilities and services, and natural resources for each flood scenario.
- A map set which displays where roads and their supporting infrastructure, critical facilities and services, and natural resources are impacted by each flood scenario.

These materials are available on the RPC website at <http://www.rpc-nh.org/regional-community-planning/climate-change/resources>.

a. Tides to Storms Coastal Vulnerability Assessment⁵

This section and Figure 8 below summarizes impacts to road and transportation infrastructure, critical facilities, and natural resources from future sea-level rise and storm related flooding from the Tides to Storms Vulnerability Assessment. Most flooding is limited to the immediate coastal area where tidally influenced river systems and extensive saltmarsh are present. See also the Tides to Storms sea-level rise and storm surge maps in Figures 9 and 10 on the following pages.

Figure 8. Summary of Tides to Storms Assessment data.

Sea-Level Rise (SLR) Scenarios	SLR 1.7 feet	SLR 4.0 feet	SLR 6.3 feet	SLR 1.7 feet + storm surge	SLR 4.0 feet + storm surge	SLR 6.3 feet + storm surge
Infrastructure (# of sites)	24	50	66	65	75	83
Critical Facilities (# of sites)	0	2	2	2	4	7
Roadways (miles)	0.2	4.5	9.5	9.9	14.2	17.1
Upland (acres)	567.7	945.8	1,223.7	1,200.6	1,465.9	1,690.6
Freshwater Wetlands (acres)	66.7	198.6	250.2	239.0	280.1	308.7
Tidal Wetlands (acres)	463.8	509.2	519.8	524.9	527.6	528.6
Conserved and Public Lands (acres)	309.0	436.2	501.0	495.7	544.3	588.3
100-year floodplain (acres)	1,227.6	1,603.9	1,707.9	1,721.7	1,786.4	1,808.1
500-year floodplain (acres)	1,228.6	1,609.1	1,763.7	1,777.1	1,842.3	1,864.1

Note: Storm surge refers to the 100-year floodplain as depicted on the FEMA Flood Insurance Rate Maps (2015, preliminary). Upland refers to land above mean higher high water (highest tidal extent). 500-year floodplain impacts were calculated using the full extent of the 500-year floodplain which includes areas within the 100-year floodplain.

Because most of the immediate coastal area is densely developed, flood impacts to buildings, infrastructure and roads are widespread. The nature and extent of these flood impacts are briefly summarized below.

⁵ Tides to Storms Coastal Vulnerability Assessment (2015) prepared by Rockingham Planning Commission.

- Roads and Transportation Infrastructure: impacts include state and municipal culverts, five bridges, Rye Harbor, evacuation routes in Rye, and connections to emergency routes in adjacent municipalities. Moderate flooding (less than 2 feet) can create isolated residential neighborhoods at Straws Point, Winslow Way and Fairhill.
- Critical Facilities: few critical facilities are impacted by projected sea-level rise and coastal storm surge flooding, with the exception of sewage pump stations off Chapel Road and at the beginning of old Beach Road near Route 1A and Cable Road.
- Natural Resources: the state and private property owners have conserved or hold easements on significant acreage within the coastal area. Considerable potential exists for inland tidal marsh migration and conversion of freshwater wetlands to tidal systems.

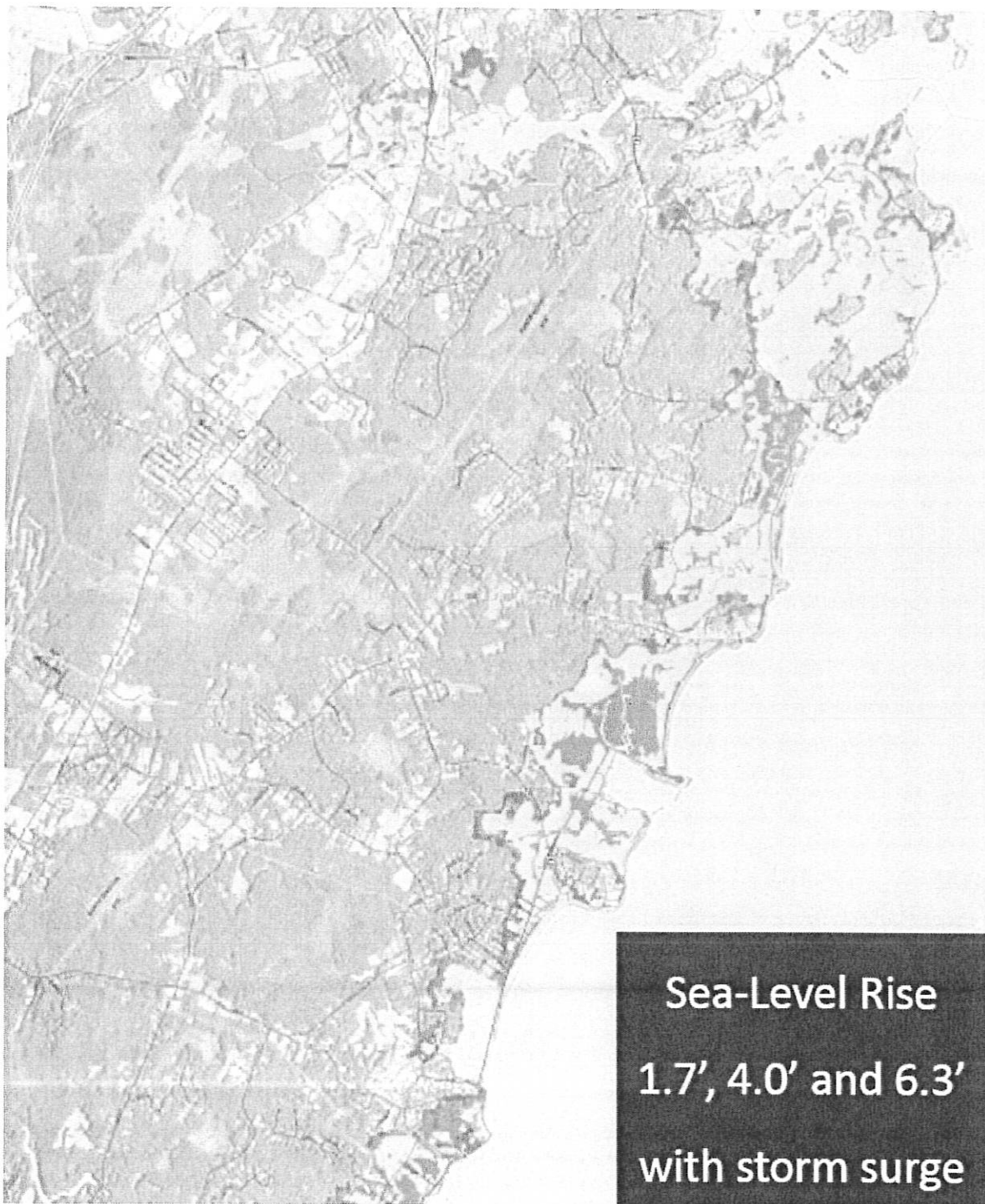
See the Transportation, Land Use and Natural Resources Chapters for more detailed information about impacts from sea-level rise and storm related flooding.

Figures 9 and 10 on the following pages are maps from the Tides to Storms Vulnerability Assessment (2015) which show future sea-level rise scenarios and these scenarios with a 100-year/10% annual chance storm surge event. Note: Storm surge = 100-year /1% annual chance flood. Green and pink color schemes are arranged from lightest to darkest with increasing flood extent. The complete map set is available at <http://www.rpc-nh.org/regional-community-planning/climate-change/resources> .

Figure 9. Extent of flooding from sea-level rise map below.



Figure 10. Extent of flooding from sea-level rise plus storm surge.



3.5 Other Climate-Related Impacts

a. Water Resources

The primary drinking water sources in Rye are wells. The Rye Water District and Aquarion Water Company supply most of the drinking water in Rye, with private wells in their respective areas supplying the remainder to individual homes. Most, but not all of Rye, is served by the Rye Water District. A portion of the Town, a Village District, governed separately from the Town, with its own taxing authority, is served by the Aquarion Water Company (Shown in Figure 11). A small portion of Rye is served by the Portsmouth Water Department. In 2008 (as revised in 2014 and 2015), the Town adopted more stringent water quality standards in the form of an Aquifer and Wellhead Protection District to protect, preserve and maintain the groundwater resources and groundwater recharge areas in Rye and to safeguard the Town's existing and future public drinking water supplies, protect the public health and general welfare of Rye citizens and prevent development and land use practices that would contaminate or reduce recharge to the aquifers.

Rising groundwater levels due to changes in sea level and saltwater intrusion may also impact water resources including local aquifers and drinking water sources (municipal, private and commercial supplies). Emerging research from the University of New Hampshire indicates that groundwater levels and salt water intrusion could cause effects further inland than the immediate coast. Aquarion Water Company's Well 5A on Central Road, supplying the Jenness Beach area, is the closest public well to the coast in Rye. Coastal municipalities are encouraged to collaborate on planning for future regional and municipal drinking water needs.

Rising groundwater levels and increased precipitation could compromise the function of individual septic systems and both private and municipal stormwater management infrastructure. These system failures may result in increased transfer of pollutants to groundwater, surface waters, wetlands and estuarine systems.

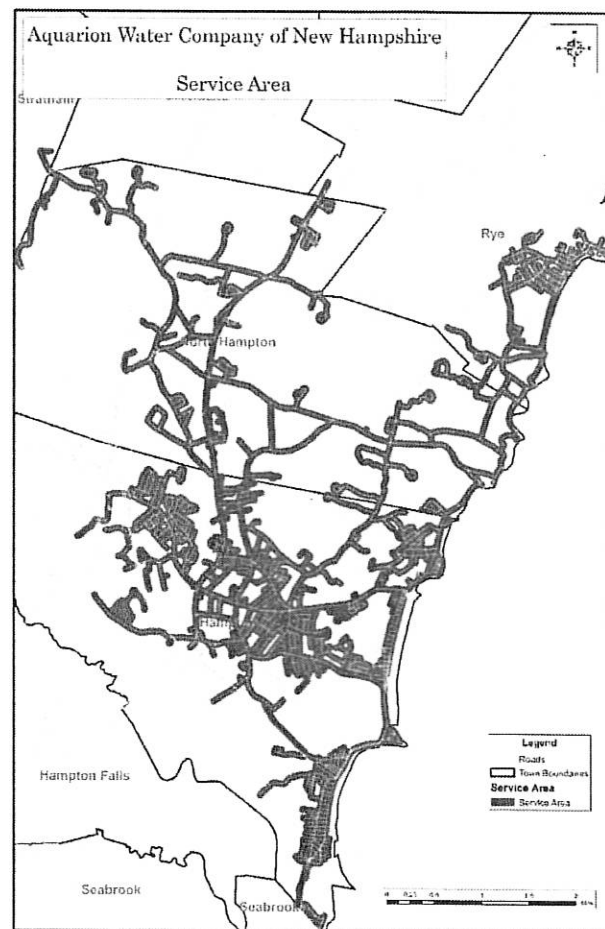


Figure 11. Map of areas serviced by Aquarion Water Company.

b. Economy

The economic vulnerability of municipalities can be evaluated by determining the exposure of its property tax base to coastal hazards. As shown in Figure 12, the Tides to Storms project (RPC, 2015) analyzed the number of tax parcels in Rye affected by each of the six sea-level rise and storm surge scenarios evaluated and shows the aggregated assessed value of these parcels. For Rye, there is a 42 percent increase in the number of affected parcels from the 1.7 feet to the 4.0 feet sea-level rise scenarios and a 28 percent increase in the number of affected parcels from the 4.0 feet to the 6.3 feet sea-level rise scenarios.

Figure 12. Parcels and assessed value by sea-level rise and storm surge scenario.

Sea-Level Rise (SLR) Scenarios	Number of Parcels Affected by scenario	Aggregate Value of Affected Parcels
1.7 feet SLR	462	\$344,634,500
4.0 feet SLR	656	\$511,326,300
6.3 feet SLR	842	\$651,847,100
1.7 feet SLR + storm surge	816	\$644,606,700
4.0 feet SLR + storm surge	981	\$743,644,600
6.3 feet SLR + storm surge	1094	\$809,845,700
Total Assessed Value (Assesors database 2017)	\$2,251,868,700	

Note: Affected parcels were identified if they were found to be partially or fully located within the extent of the scenarios evaluated; however, the extent to which a parcel and any structure or development on the parcel will be impacted by flooding was not analyzed.

A significant portion of the economy in New Hampshire's state, regional and local economies may be vulnerable to changes in climate and coastal conditions such as extreme storms and sea-level rise. New Hampshire's coastal region is an important economic driver for the state and consistently ranks above the national average for job growth. The natural resources that draw residents, visitors and businesses to coastal New Hampshire are a cornerstone of our quality of life. Residents, visitors and businesses depend on clean water for drinking, swimming, and boating; saltmarshes and eelgrass beds are critical habitats supporting commercial and recreational fisheries; beaches draw hundreds of thousands of visitors that boost the state economy and provide tax income; and forests and lands provide materials for heating, building and construction, and farm and food products.

3.6 Future Growth and Development

Planning for future growth and development will consider the implications of existing and projected future coastal hazards such as areas subject to flooding and erosion. Land use decisions will largely dictate where new development and redevelopment occurs and where it will not. Sustaining the services provided by natural features such as saltmarsh, freshwater wetlands and natural shoreline processes will be an important aspect of managing coastal high-risk areas into the future.

a. Growth and Development

i. Population

As reported by the U.S. Census, the population of Rye is reported as 4,612 in 1990, 5,182 in 2000, and 5,298 in 2010. The Town has grown by 14.6 percent from 1990 to 2010.

ii. Land Use Changes and Regulations

Impervious Surfaces

Of the 8,107 acres of land (excluding surface water and wetlands) in Rye, impervious surfaces have increased from 7.2 percent (576 acres) in 1990⁶ to 15.5 percent (1,350 acres) by 2010.⁷ Referring back to Figure 6, the amount of precipitation associated with 50-year to 100-year or greater storms events has increased in the last 40 years resulting in more frequent flooding and failure of older infrastructure not designed to manage this increased runoff volume. Over the last several years, the Rye Planning Board and residents have been increasingly concerned about flooding related to increased impervious cover. The Planning Board has discussed ways to reduce the risks and impacts of flooding as the Town continues to grow particularly along the Route 1A corridor.

Studies show that impervious surface cover exceeding 10 percent of a watershed can negatively affect water quality and the health and diversity of aquatic species. Locally, pollutants discharged in stormwater runoff routinely result in degraded water quality particularly in the tidal creeks that have large contributing drainage areas that collect stormwater from upland areas.

Non-Point Source Pollution

In most cases, non-point source pollution is produced from a wide variety of activities and environmental conditions such as soils, groundwater table, land use and development patterns, and surface water hydrology. Runoff from impervious surfaces, lawns and landscaped areas contains pollutants that can degrade water quality. The Northeast Regional Climate Center - Extreme Precipitation Atlas shows increases in the volume of stormwater runoff generated from impervious surfaces during moderate to severe storm events. Stormwater runoff containing pollutants can be harmful when discharged into waterways, wetlands and saltmarshes. With increased precipitation projected for the future, the delivery of such pollutants could be magnified over time.

A component of development that could be impacted by rising seas and groundwater levels are private subsurface septic disposal systems. Municipalities have the option to adopt standards for the design and siting of subsurface septic disposal systems that are stricter than State standards. Based on the Tides to Storms Vulnerability Assessment which shows the areas of Town at highest risk for flooding, more stringent standards may be warranted in the future. The Parsons Creek Watershed Study (2015) has documented that pollutants from private septic systems are the major contributing source of pollution and water quality impairment in the waterway. Refer to the Tides to Storms Vulnerability Assessment maps, Figures 9 and 10 in Section 3.4, to identify the low-lying areas at highest risk of flooding and groundwater inundation, particularly areas impacted by the 1.7 foot and 4.0-foot sea-level rise scenarios.

⁶ 2013 State of Our Estuaries Report, Piscataqua Region Estuaries Partnership

⁷ NH GRANIT, 2010

Parsons Creek Watershed Study

Rye has partnered with FB Environmental to prepare a watershed study for Parsons Creek, a 2.3 square mile watershed that drains to the Atlantic Ocean. The watershed is listed on the NH Department of Environmental Services Surface Water Assessment report as impaired for primary contact recreation and fishing due to high bacteria levels. Recent studies of water quality in Parsons Creek documented that pollutants from private septic systems are entering the waterway. Over time, rising sea levels and corresponding groundwater level would likely further increase pollutant discharge and may impact a greater number of septic systems in the watershed. The study includes ways to reduce pollutants through strategic implementation of best management practices (e.g. rain gardens, tree box filters, and bioretention systems), improving the Town's septic system records, and delivering outreach and education programs for homeowners and municipal staff that highlight ways to improve system maintenance and improve water quality.

In 2016, the Town adopted a new Health Ordinance requiring property owners in the Parsons Creek Watershed to pump onsite wastewater treatment/septic systems at least once every three years, and to provide the Town with a record of pump-out activity. The Town will keep records of pump-out activity and any onsite inspections. The goal of this ordinance is to prevent groundwater pollution by reducing or preventing nutrients like nitrogen and phosphorous from leaching into groundwater, particularly as the local groundwater table and sea levels rise.

Shoreline Stabilization

Particular stretches of Rye's coastline are highly susceptible to damage during storm events, including the "shale piles" at Sawyers Beach and Foss Beach where large volumes of materials are deposited on Route 1A and sometimes even further inland impacting both salt marshes and freshwater wetlands west of Route 1A. The transport of sediment and materials during storm events can impact these wetland systems by introducing pollutants such as coarse sediments and rocks, trash and other types of debris.

Beach erosion could be a factor in the future, and one that would need specific management practices to address changes in beach stability. One such practice is beach nourishment which involves importing clean sand from another location (e.g. from a dredge site) and applying the sand to the beach surface to increase its elevation as sea levels rise.

iii. Land and Zoning Districts Impacted by Sea-level Rise and Storm Related Flooding⁸

Figure 13 shows that upland areas impacted by flooding from 1.7 feet of sea-level rise is moderate, however impacts increase markedly with 4.0 feet and 6.3 of sea-level rise. Flooding from coastal storm surge is widespread immediately adjacent to saltmarsh and tidally influenced areas. Further inland, Rye has enough increase in land elevation to protect most existing developed areas and resources from low to moderate flood levels. The most heavily impacted areas are located directly adjacent to the coast, Route 1A and developed areas adjacent to inland tidal drainage systems.

⁸ Tides to Storms Coastal Vulnerability Assessment, 2015 prepared by Rockingham Planning Commission

Figure 13. Acres of upland impacted by sea-level rise and storm surge.

Sea-Level Rise (SLR) Scenarios	SLR 1.7 feet	SLR 4.0 feet	SLR 6.3 feet	SLR 1.7 feet + storm surge	SLR 4.0 feet + storm surge	SLR 6.3 feet + storm surge
Acres of Upland	567.7	945.8	1,223.7	1,200.6	1,465.9	1,690.6
% Upland	7.0	11.7	15.2	14.9	18.2	20.9

Total Upland in Rye = 8,073.5 acres. Upland refers to land above mean higher high water (highest tidal extent) and excludes wetlands.

Open space and conservation lands located in Rye's coastal area today and in the future serve as buffers to the impacts of flooding and erosion, allowing salt marsh and freshwater wetlands systems to store flood waters and migrate inland as conditions change.

As reported in Figure 14, the zoning districts most heavily impacted by flooding from sea-level rise and storm surge are open space and conservations lands, and medium density residential. Rye's coastal area is predominantly developed as moderate density single-family dwellings, with many areas served by municipal water and sewer services.

Figure 14. Zoning districts (acres) impacted by sea-level rise and storm surge.

Sea-Level Rise (SLR) Scenarios	SLR 1.7 feet	SLR 4.0 feet	SLR 6.3 feet	SLR 1.7 feet + storm surge	SLR 4.0 feet + storm surge	SLR 6.3 feet + storm surge
Zoning Districts / Land Use						
Commercial	1.7	1.7	1.9	1.9	1.9	1.9
Mixed Urban	4.3	11.9	20.2	19.0	24.9	28.7
Open Space/Conservation	308.0	415.3	437.5	434.1	447.1	455.9
Residential - High Density	47.0	100.9	141.2	142.3	171.3	195.4
Residential - Med Density	251.6	465.7	675.1	655.2	873.3	1,061.9

iv. 100-year Floodplain and Flood Insurance

Within the 100-year floodplain as shown on the 2005 FEMA Flood Insurance Rate maps (FIRMs), Rye has approximately 379 structures in the AE zone valued at \$237,310,520 and 191 structures valued at \$120,548,695. As of October 2016, 315 property owners hold policies with the National Flood Insurance Program (NFIP) with an insured value of \$82.5 million (data from the Office of Strategic Initiatives). Fifteen of these properties have experienced repetitive loss or damage (meaning properties that have had two or more claims of more than \$1,000 paid by the NFIP within any 10-year period since 1978).

The AE zone is the portion of coastal floodplain where base flood elevations are defined.

Figure 15. Statistics of National Flood Insurance Program policies held in Rye.

Authority	# of Policies	Insured Value (\$) In Force	Total # Paid Losses	Total \$ Paid	Repetitive Loss Buildings	Repetitive Loss Payment \$
Town of Rye	315	\$82,466,400	174	\$1,709,576	15	\$584,940

Source: NH Office of Strategic Initiatives – Floodplain Coordinator (formerly NH Office of Energy and Planning) based on data from FEMA and the current effective FIRMs.

An option to reduce flood risks and save on insurance premiums is for the Town to join the FEMA Community Rating System (CRS) Program. The CRS is a voluntary incentive based program that requires municipalities to implement specific actions, plans and regulations that reduce flood risk and damages in exchange for a reduction in premiums for National Flood Insurance Program (NFIP) policy holders. Examples of qualifying CRS Program activities include; land conservation within the regulatory floodplain, improved stormwater management maintenance and regulations; public education and outreach about flood risk and hazards; and flood preparedness and damage reduction. Detailed information about the CRS program is available at <https://www.fema.gov/national-flood-insurance-program-community-rating-system>.

In 2016, Rye received a grant from the Piscataqua Region Estuaries Partnership to evaluate the Town's eligibility for the CRS Program. It appears that Rye could qualify as a Class 8 which translates to a ten percent discount on insurance premiums for NFIP policy holders. The Town needs to resolve compliance issues with a repetitive loss property before applying to the CRS Program. *Currently, NFIP policy holders in Rye pay \$347,614 annually in insurance premiums. With a modest 5 percent CRS discount (the discount for a level 9 qualification in the program), policy holders would save a combined \$17,381 each year.*

With expected increases in sea levels and extreme storm events, the 100-year and 500-year floodplains are likely to expand in size which will result in more parcels and buildings subject to flood impacts. Conducting outreach to currently and future affected property owners would be extremely helpful in informing them of potential risks and providing information they can use to make decisions about their property and investments.

Floodplain Standards for Development

The Town has adopted the Floodplain Development and Building Ordinance which contains the minimum floodplain management standards required by FEMA for eligibility in the National Flood Insurance Program. FEMA encourages municipalities to adopt more stringent standards such as requiring that buildings be elevated (1 foot or more) above the 100-year base flood elevation to reduce impacts from flooding and storm damage.

b. Emissions and Energy Use

Climate change mitigation refers to the reduction of greenhouse gas (GHG) emissions through reduction in burning of fossil fuels, energy efficiency and conservation, use of renewable and alternative energy sources, and CO₂ and carbon capture and storage in living plants.

In recent years, the number of residential solar panel installations appears to be on the rise. This may be due to an increase in the number of solar energy companies operating in the seacoast and innovative financing mechanisms that allow for little or no up-front costs and incremental repayment following installation.

Many factors influence transportation emissions including land development patterns, land cover conversion, individual preferences and behavior, convenience, and fuel pricing. Nationwide, the transportation sector contributes roughly 28 percent of the total greenhouse gas emissions each year. As of 2012, the transportation sector alone accounts for 43 percent of greenhouse gas

emissions in New Hampshire, making it the largest single contributor at rates significantly higher than the national average.⁹

3.7 Community Adaptation and Resilience

a. Ways of Adapting and Being Resilient

Incorporating the latest future projections of sea-level rise and storm flooding into municipal planning and projects will minimize vulnerability and prove beneficial even if future hazards turn out to be less extreme than anticipated. *Adapting* to changing conditions means designing buildings and facilities that account for flooding or modifying uses of land that are compatible under a wide range of conditions. The process of adapting creates buildings and systems that are more *resilient* and better able to perform with fewer impacts.

Adaptation – adjustments in ecological, social, or economic systems in response to actual or expected climatic change and their effects or impacts. It refers to changes in processes, practices, and structures to moderate potential damages or to benefit from opportunities associated with climate change.
[<http://unfccc.int/focus/adaptation/items/6999.php>]

Resilience - a capability to anticipate, prepare for, respond to, and recover from significant multi-hazard threats with minimum damage to social well-being, the economy, and the environment.
[EPA <http://epa.gov/climatechange/glossary.html>]

Infrastructure and Building Guidelines

Increased precipitation and sea-level rise will produce more inland runoff and localized flooding in addition to coastal flooding. Experts recommend that for floodplain and coastal locations, where there is little tolerance for risk (e.g. costly to repair or serves a critical function), that the following guidelines be used in the siting and construction of infrastructure and facilities.¹⁰

- The range of sea-level rise scenarios from the Intermediate High to the Highest (as reported in Figure 5) be applied as follows:
Determine the time period over which the system is designed to serve (either in the range 2014 to 2050, or 2051 to 2100).
Commit to manage to the Intermediate High condition, but be **prepared** to manage and adapt to the Highest condition if necessary.
 Be **aware** that the projected sea-level rise ranges may change and adjust if necessary.
- Development projects continue to use the present frequency distributions for storm surge heights and these be added to projected ranges for sea-level rise. The flood extent of the current 100-year storm surge will increase as sea level rises, and the 100-year floodplain will be flooded more frequently by smaller surges as sea level rises.
- At a minimum, infrastructure is designed using precipitation data from the current Northeast Regional Climate Center (Cornell) atlas and infrastructure be designed to manage a 15 % increase in extreme precipitation events after 2050. Infrastructure design should incorporate new precipitation data as it is published or updated.

⁹ NH Department of Environmental Services

¹⁰ Matt Huber, Kevin Knuuti, Mary Stampone, Sea-level Rise, Storm Surges, and Extreme Precipitation in Coastal New Hampshire: Analysis of Past and Projected Future Trends (2015), Prepared by Science and Technical Advisory Panel for the New Hampshire Coastal Risks and Hazards Commission.

b. Town Actions to Address Coastal Hazards

Preparing for Climate Change

In 2013, the Planning Department received assistance to implement the community based initiative *Preparing for Climate Change*. Partnering with the Rockingham Planning Commission, NH Sea Grant and UNH Cooperative Extension, a series of community workshops were held to introduce residents to climate change science and potential flood hazard information, and to gather public input about actions the Town may consider that address coastal hazards.

Tides to Storms Vulnerability Assessment

In 2015, Town staff participated in the *Tides to Storms Vulnerability Assessment* project with the Rockingham Planning Commission. Through a series of meetings, maps and statistical information about impacts to roadways, critical infrastructure and natural resources was evaluated. Staff provided their perspectives on critical issues facing the Town and drafted recommendations to address current and future flood hazards which were included in a final report and map set for the Town. Information from these maps and report are being incorporated into the 2016 update of the Town's Natural Hazards Mitigation Plan and in this chapter.

Not a lot of data or local information exists about what residents and businesses have done or are doing to accommodate and adapt to coastal hazards and climate change. However, many residents have installed generators to supply electricity in the event of power outages.

FEMA Community Rating System Program

As previously described in section 3.6, Rye completed an evaluation of eligibility for application to FEMA's Community Rating System program. This is a voluntary incentive based program designed to reduce property owner flood insurance premiums in exchange for actions that reduce risk and vulnerability throughout the community thus reducing the number of insurance claims and federal disaster relief needed.

c. Planning for Public Safety

Municipal Response

This section will describe flood and storm related impacts within the community including how the Town responds to storm and flood events, and describes community needs during such events.

i. Hazard Mitigation Plan

FEMA requires that municipalities maintain an updated and approved Hazard Mitigation Plan in order to qualify for federal disaster relief, grant funding, and participation in the National Flood Insurance Program. The Plan documents the Town's exposure to past, current and



Figure 16. Storm flooding at Rye Harbor. [Photo Credit: Kimberly Reed (12/27/12)]

The Plan documents the Town's exposure to past, current and

future natural hazards, and recommends specific actions to reduce risk from these hazards. The Plan is available at http://Town.rye.nh.us/Pages/RyeNH_Emergency/index. Rye's 2016 Hazard Mitigation Plan includes the following recommendations that address coastal hazards:

- Adopt a management and control plan on the release of water from Eel Pond, Burke Pond, Brown Pond, and Love Lane
- Update the 1998 Drainage Analysis Plan
- Review Building Code to insure adequate compliance with wind speed standards for construction
- Explore ways to purchase high risk properties and provide resources for property owners to elevate repetitive loss structures.

In 2016, FEMA approved the Town's updated Hazard Mitigation Plan. The Plan incorporates findings from the Tides to Storms Vulnerability Assessment (2016) in several chapters and recommend adaptation strategies to reduce risk and vulnerability of municipal assets and resources:

- Chapter III Natural Hazards identifies coastal flooding from sea-level rise and storm surge.
- Chapter VI Existing Hazard Mitigation Actions, Table 7 includes planning for future sea-level rise.
- Chapter VII Potential Mitigation Actions recommends application to the FEMA Community Rating System program; incorporating vulnerability assessment data in regulations, policies and road improvements; and incorporate Hazard Mitigation Plan recommendations in the Master Plan. Chapter VIII Prioritization of Mitigation Actions ranks these strategies as high priority, and are included in the Chapter IX Action Plan.
- Appendix A describes several strategies for adaptation and resilience planning including protecting properties from anticipated sea-level rise and storm surge flooding; protecting natural resources such as freshwater wetlands and saltmarsh for their flood attenuation benefits; aligning emergency services to provide early flood warning and response; protecting critical facilities and flood protection structures; and seeking flood mitigation grants.

ii. Wastewater and Water Services

The Town's Sewer Department Administrator took part in public forums convened for the Preparing for Climate Change project (2014) and the Tides to Storms Vulnerability Assessment (2015). During these forums, it was recognized that future rising seas and groundwater levels could compromise the function of private septic systems and drinking water wells. The possible expansion of existing wastewater and water infrastructure systems to serve high risk flood areas was also discussed.

iii. Emergency Response Plan

The Emergency Response Plan is maintained by Rye's Emergency Management Director and Assistant Director. The Plan provides a comprehensive set of protocols that are activated in the event of an emergency, natural disaster or other situation that poses a threat to public safety and the Town. The Emergency Management webpage on the Town's website also provides preparedness information including the publications *Storm Preparedness* and *How to Prepare for a Hurricane*.

Incorporating new information about changes in weather, extreme events and long-term climate change can enhance emergency planning. Town officials recognize the need to provide cellular phone coverage Town-wide to improve the effectiveness of emergency notifications. The Town could reduce its risk and exposure by incorporating coastal hazards and risks assessments in municipal emergency management and hazard mitigation plans, and improving connections and efficiencies between these plans. Collaborating with private sector representatives to evaluate and identify necessary improvements to emergency communications systems preparedness can ensure 911 and other critical communications services remain operational during emergencies and disasters. Local officials recognize the need to update a regional comprehensive emergency evacuation plan for coastal flood and storm events that includes early notification to highest risk areas and properties.

3.8 Recommendations

Based on the Tides to Storms Vulnerability Assessment results and local knowledge of coastal hazards, the following are identified strategies and actions of local and regional significance that should be addressed in future policy, planning, regulatory and non-regulatory initiatives by the Town and the community. These strategies and actions are organized under 7 primary Goals.

Goal 1. Protect municipal and state roads, bridges, culverts, and drainage lines.

- R1.1 Coordinate with the NH Department of Transportation on anticipated improvements to state Route 1A, protective shale piles, flood control structures, and local roadways most vulnerable to flooding and leverage funding necessary for such improvements.
- R1.2 Conduct drainage analyses to evaluate freshwater and tidal flooding impacts.
- R1.3 Evaluate whether replacement of culverts is necessary in high flood risk areas to ensure proper drainage of stormwater and flood water.
- R1.4 Keep drainage infrastructure maintained and clear of debris.

Goal 2. Sustain drinking water supplies, sources and infrastructure.

- R2.1 Evaluate future drinking water and wastewater needs in Rye and for the seacoast region both for municipalities and private service companies.
- R2.2 Identify and prioritize actions to protect water quality and water quantity of local aquifers.
- R2.3 Prepare/Complete a map of areas served by private wells, municipal water and wastewater, service areas, and areas served by Aquarion Water Company, including water quality research completed in the Parsons Creek watershed.
- R2.4 Improve communication between the Town and Jenness Beach District regarding drinking water services and supplies.
- R2.5 Utilize current research to address the future effects of rising groundwater levels on drinking water supplies.

Goal 3. Maintain function of wastewater services and infrastructure.

- R3.1 Inventory and map the location of private septic systems.
- R3.2 Utilize current research to address the future effects of rising groundwater levels on private septic systems.
- R3.3 Consider expansion of wastewater services along Ocean Boulevard and adjacent properties and neighborhoods where needed and practical to replace existing private septic systems if or when they fail permanently due to rising seas and groundwater levels.

Goal 4. Increase resilience of municipal infrastructure and facilities.

- R4.1 Utilize the best available climate science and flood risk information for the siting and design of new, reconstructed, and rehabilitated municipal structures and facilities.
- R4.2 Incorporate infrastructure assessments and improvements in the Capital Improvement Plan by dedicating funds for improvements to infrastructure and facilities.
The following departments will act as lead for:
 - Stormwater Management - Public Works
 - Roads and Transportation Infrastructure - Public Works
 - Wastewater Services - Rye Sewer Department
 - Drinking Water Services - Rye Water District, Aquarion Water Company
 - Coordinate with the City of Portsmouth and/or Rye Water District on water service to Wentworth Road
- R4.3 Incorporate vulnerability assessment information and adaptation strategies for structures and facilities planning and investment for long term capital projects in municipal Capital Improvement Programs (CIPs).
- R4.4 Apply for FEMA pre-disaster mitigation grant funds for infrastructure systems improvements, and other sources of funding to implement climate adaptation and planning strategies that reduce or eliminate flooding impacts.
- R4.5 Be more proactive about acquiring funds to implement flood risk reduction projects.
- R4.6 Evaluate federal and state funding options for shoreline management and protection projects.
- R4.7 Encourage adoption of buffers and setbacks that better account for risk and vulnerability of municipal structures and facilities, and maintain ecosystem services (e.g. flood storage, storm surge protection).
- R4.8 Incorporate solar energy installations for municipal buildings and facilities to ensure off-grid operation during extreme weather events.

Goal 5. Implement sound land use and development standards and protect natural resources.

Land Use and Development

- R5.1 Begin discussions with elected officials, planning board and zoning board of adjustment about long term options for management and regulation of land uses, development and natural resources in areas at high risk of flooding and erosion (e.g. land use development standards, building code, and zoning).
- R5.2 Revise building codes to enable adaptive construction techniques and designs, considering increases in maximum building height standards to allow elevating structures above the base flood elevation. Quantify how many existing structures have been elevated to or above the base flood elevation.

- R5.3 Revise zoning ordinances and regulations to incorporate flood-smart stormwater controls (e.g. reduce stormwater volume and impervious cover) and enforce implementation of low impact development standards.
- R5.4 Track cumulative improvements to structures in the Special Flood Hazard Area designed on the FEMA Flood Insurance Rate Maps.
- R5.5 Improve management of coastal shoreline protection structures and natural features (e.g. shale piles, sea walls, beaches, wetlands and marshes), and evaluate areas where construction of sea walls may be needed to protect infrastructure, property and natural resources.
- R5.6 Amend existing floodplain ordinances for the Town and Rye Beach Village District; this may require adjustment of maximum building height.
- R5.7 Improve coordination between the Town and the Rye Beach Village District including zoning administration and Building Departments.
- R5.8 Revise building codes to enable adaptive construction techniques and designs.
- R5.9 Consider adopting freeboard (+2-4 feet) and elevation of utilities above the Base Flood Elevation for all new construction and substantial improvements to residential and non-residential structures.
- R5.10 Conduct outreach to property owners, land use boards, staff and elected officials about what freeboard would look like on the beach landscape.
- R5.11 Adopt land development regulations aimed at using low impact development best practices, to minimize impervious surfaces and stormwater flooding, and reduce or prevent non-point source pollution.
- R5.12 Require development project approvals to include drainage maintenance plans for stormwater infrastructure and for? streams or open drainage ways on site.
- R5.13 Provide recommendations and incentives for removal of structures and facilities, such as freshwater and tidal crossings, that create barriers to tidal flow and habitat migration, particularly those that will be impaired or severely impacted by sea-level rise, storm surge, or extreme precipitation.

Goal 6. Protect Natural and Recreational Resources

- R6.1 Coordinate with the state, state agencies and coastal municipalities to manage coastal natural and recreational resources to adapt to future conditions.
- R6.2 Support efforts to prepare a comprehensive shoreline management plan that includes dune restoration and maintenance
- R6.3 Enable the Conservation Commission to formally comment on development applications by defining their role with respect to the Planning Board's review and approval process.

- R6.4 Revise land conservation priorities to incorporate criteria in the selection process to consider the value and benefits of protecting critical ecosystems and flood storage areas, and increasing land protection efforts in areas of high flood risk in the future.
- R6.5 Engage in best practices for invasive species planning and removal and incorporate climate considerations in invasive species removal plans.
- R6.6 Utilize existing state and federal grant programs for natural resource restoration.
- R6.7 Develop natural resource restoration plans that explicitly consider future coastal risk and hazards, and the ecological services that they provide.
- R6.8 Evaluate the need for enhanced buffers and setbacks that restore and maintain coastal ecosystem services such as flood storage, storm surge protection, habitat, recreation.
- R6.9 Protect future marsh migration areas identified by marsh migration modeling.
- R6.10 Improve designs for dams, culverts and bridges to maintain existing function and reconnect fragmented surface waters (wetlands, lakes, ponds, rivers and streams) and protect high quality habitat for aquatic organisms.
- R6.11 Identify areas where erosion and shoreline instability exist, and prioritize areas for nature-based approaches (e.g. beach nourishment, dune restoration or marsh restoration).
- R6.12 Incorporate in plans and implement strategies to prepare and adapt coastal recreational resources based on best available climate science.
- R6.13 Assess existing and future recreational areas for their potential to provide storage for flood waters and stormwater runoff.
- R6.14 Preserve open space and recreational areas that serve to minimize climate change impacts.

Goal 7. Increase preparedness across all municipal functions and services.

- R7.1 Incorporate coastal hazards and risks assessments in municipal emergency management and hazard mitigation plans, and improve connections and efficiencies between these plans.
- R7.2 Collaborate with private sector representatives to evaluate and identify necessary improvements to emergency communications systems preparedness to ensure 911 and other critical communications services remain operational during emergencies and disasters.
- R7.3 Update comprehensive evacuation plans (e.g. maps of vulnerable areas, methods to deliver warnings and announcements and when most appropriate, outreach to affected property owners as needed).
- R7.4 Coordinate evacuation route planning with adjacent Towns serviced by Route 1A. Incorporate early communication and notification protocols into regional evacuation route planning.

- R7.5 Enhance communication infrastructure (e.g. cell towers/coverage) and planning before and during emergency events and incorporate new technologies.
- R7.6 Update emergency preparedness plans, master plans and regulations for Water District and Sewer services provided to the Town to address coastal hazards and adaptation.
- R7.7 Conduct outreach to property owners, land use boards, staff and elected officials about the benefits of the National Flood Insurance Program.
- R7.8 Implement the FEMA High Water Mark Initiative to illustrate future water levels associated with the 100-year and 500-year storm surge and projected sea-level rise.
- R7.9 Evaluate flood hazards from sea-level rise and storm surge for properties located in the 500-year floodplain.
- R7.10 Prepare a Response and Recovery Plan or Policy to guide rebuilding, redevelopment and reuse of lands and resources following a catastrophic event.
- R7.11 Develop a Comprehensive Coastal Adaptation Implementation Plan.
 - Include descriptions of actions, timeline, budget and assigned lead.
 - Coordinate this Plan with state comprehensive shoreline management.
- R7.12 Provide training to elected officials and land use boards and commissions about climate related hazards and impacts.
- R7.13 Evaluate deficiencies and barriers in municipal regulations, plans and policies, and their implications for local and regional vulnerability.
- R7.14 Consider vulnerabilities of local tax base, state economic development plan, retention or replacement of economic resources, at risk populations and population migration.
- R7.15 Adapt economic development planning approaches to respond to changing environmental conditions, leverage shifting opportunities, and promote resilience and sustainability planning as economic development strategies.
- R7.16 Maintain and expand Town partnerships with state and federal agencies to obtain grants, technical assistance, and coordinate land use, transportation and natural resource planning.
- R7.17 Continue participation in the NH Coastal Adaptation Workgroup to facilitate, coordinate, provide technical information, and convene public outreach events about climate adaptation.

Goal 8. Support community preparedness and awareness of coastal hazards.

- R8.1 Provide information to residents and businesses about alternative approaches, reducing risk and lowering insurance premiums through adaptation (e.g. the benefits of voluntarily elevating structures above the current base flood elevation).

- R8.2 Conduct outreach to current and future affected property owners about potential flood risks to inform decisions about their property and investments.
- R8.3 Provide informational materials about flood risk reduction at public and community events.
- R8.4 Schedule events at the library or other public venues featuring topics relating to coastal hazards and preparedness, and climate adaptation.
- R8.5 Provide outreach and information to residents about how to clean up after a storm event (e.g. drainage ways, driveway culverts etc.)
- R8.6 Encourage homeowners to obtain flood insurance through the National Flood Insurance Program, and in moderate- to low-risk areas, to purchase a Preferred Risk Policy.
- R8.7 Encourage landowners to preserve the beneficial functions of natural features like wetlands and to restore and protect coastal dune habitat.
- R8.8 Provide information through outreach to residents and businesses about the benefits of living shorelines.
- R8.9 Implement the FEMA High Water Mark Initiative to illustrate past flood elevations and future water levels associated with the 100-year storm surge and projected sea-level rise.
- R8.10 Partner with federal and state agencies as well as regional and local organizations to expand resources for education, outreach, and coordination.
- R8.11 Encourage the incorporation of climate science and information about the risks and hazards associated with changing climatic conditions in public school curriculum.
- R8.12 Engage youth and young adults through social media.
- R8.13 Improve information available to property owners and prospective buyers about coastal hazards and vulnerabilities.
- R8.14 Improve consumer protection disclosure of properties vulnerable to coastal flooding.

November 16, 2017

RYE PLANNING BOARD
PROPOSED BUILDING CODE AMENDMENT 2018-02

Re: Swimming Pools

Amend the Section 7.12 Swimming Pools in the Building Code as follows: (Note: Deleted language struck through. New language ***emboldened and italicized***).

~~7.12 — **Swimming Pools:** Purpose: To insure the health and safety of the people of the Town of Rye and more particularly to help prevent accidental drowning and electrocutions in swimming pools.~~

~~7.12.1 — All outdoor artificial pools which have a maximum depth of more than three (3) feet when filled to capacity with water shall be surrounded by a substantial wall, fence, or other enclosure having a minimum height of five (5) feet. In the event an artificial pool has elevated sides higher than five (5) feet and it is so constructed that a child cannot easily climb the pool sides or otherwise gain access to the pool, no fencing is required.~~

~~7.12.2 — The wall, fence or other enclosure shall be constructed so that a child will be unable to crawl under or through, or easily climb over it so that in fact, the only easy access to the pool is a gate or door. All such gates or doors shall be secured when the pool is not attended. All gates and doors shall be self-closing.~~

~~7.12.3 — These requirements shall not apply to natural bodies of water such as ponds and streams, nor shall it apply to ponds constructed primarily for agricultural or industrial purposes.~~

~~7.12.4 — All such installations shall comply with National Electrical Code.~~

Explanation

The State Building Code applies in Rye. The Rye Building Code (RBC) may be more strict than the state code, but it may not be less strict. Both the State Building Code and Section 7.12 of the Rye Building Code regulate swimming pools. The State Building Code requirements are more comprehensive than RBC Section 7.12. To avoid confusion the Building Inspector and the Planning Board recommend removing Section 7.12 from the Rye Building Code and relying only on the State Building Code for regulation the installation of swimming pools. The State Building Code requires 4 ft. high barriers around swimming pools. One effect of the amendment will be to reduce the fence (a/k/a barrier) height requirement in Rye from 5 ft. to 4 ft.

Revised November 24, 2017

RYE PLANNING BOARD
PROPOSED BUILDING CODE AMENDMENT 2018-01

Re: Septic Systems in Wetlands Buffer

Amend Section 7.9.4.1 and Section 7.9.2.2.1 of the Building Code as follows. (Note: Deleted language struck through. New language ***emboldened and italicized***).

§ 7.9.4 Prohibited Conditions. The following are considered unsuitable for the disposal of septic and effluent and may not be remediated by the addition of fill, blasting, excavation or other methods.

7.9.4.1 The Wetlands ***Buffer*** of Section ~~301.7~~ ***301.8, A*** of the Zoning Ordinance ~~and all land within 100 feet of these protected wetlands~~ ***except replacement of existing septic systems pursuant to § 301.8, B. (2) of the Zoning Ordinance.***

7.9.2.2.1 Contiguous wetland areas of 500 sq. ft. or more including ponded areas and hydric soils. However, effluent disposal systems are prohibited in the protected wetlands and setbacks of Section ~~301.7~~ ***301.8*** of the Zoning Ordinance.

Explanation

The amendment makes the building code consistent with the Wetlands Ordinance as amended by voters in 2017. It also corrects erroneous references to the zoning ordinance section describing the Wetlands Buffer.

move to 2.B

November 24, 2017

RYE PLANNING BOARD
PROPOSED LAND DEVELOPMENT REGULATIONS AMENDMENT 2018-01

Re: Buffers

Amend Section 611.3, A.1 of the Land Development Regulations as follows. (Note: Deleted language struck through. New language ***emboldened and italicized***).

611.3 Buffers and Screening.

- A. Zoning Requirements: All buffers required by the Rye Zoning Ordinance shall be provided. These buffers are:
1. The buffer adjacent to residential districts required by Sec. 202.10 of the Zoning Ordinance; and
 2. The wetlands buffer required by Sec. ~~301.7~~ ***301.8*** of the Zoning Ordinance.

Explanation

The amendment corrects an erroneous reference to the zoning ordinance section describing the Wetlands Buffer.

November 2, 2017, Revised November 30, 2017, Revised 12-12-17

RYE PLANNING BOARD
PROPOSED AMENDMENT TO THE FLOODPLAIN ORDINANCE 2018-01

Re: Floodplain Ordinance

- I. Amend Item VIII: Determination of 100-Year Flood Elevations in the Floodplain Ordinance as follows:
(Note: Deleted language ~~struck through~~. New language ***emboldened and italicized***).

Add 3. Freeboard:

New construction and substantial improvement of any residential structure, including manufactured homes, shall have the bottom of the horizontal structural member of the lowest floor (excluding the pilings or columns), elevated at least 2 feet above the base flood elevation (BFE). The base flood elevation data is the level of the 100-year/1% annual chance flood. Where base flood elevation data is not available, a floodplain study must be performed by a Professional Engineer (PE) establishing the base flood elevation and the floodplain and floodway boundaries prior to issuance of a development permit.

Explanation

Freeboard is the single most effective means for reducing flood risk to a structure in the floodplain. Freeboard is standard for placing the first floor of a structure above the elevation of the calculated 1% flood level in order to allow for nature's uncertainty and future changes in the watershed that will increase flood levels. Freeboard is relatively inexpensive to build into development, and typically pays for itself in reduced insurance premiums and prevented flood damage within the first 10 years of a structure's lifetime. Significant Community Rating System (CRS) credit is available for this activity, which leads to lower flood insurance premiums for all policy holders in the community.

RYE PLANNING BOARD
PROPOSED ZONING ORDINANCE AMENDMENT 2018-03

Re: 306: Aquifer and Wellhead Protection District

- I. Amend the Section 306 as follows: (Note: Deleted language ~~struck through~~. New language ***emboldened and italicized***).

Section 306.2 Purpose.

306.2 Purpose: The purpose of the Aquifer and Wellhead Protection District is to ~~protect, preserve, and maintain~~ ***and protect from contamination, existing and potential,*** the groundwater resources and groundwater recharge areas ***and to protect surface waters that are fed by groundwater*** in the Town of Rye. The objectives are:

- A. To protect the public health and general welfare of the citizens of Rye.
- B. To prevent development and land use practices that would contaminate or reduce the recharge to the identified aquifers ***and wells identified as being needed for present and/or future water supply.***
- C. To assure the availability of public and private water supplies for future growth of the Town in accordance with the Master Plan.
- D. To encourage land uses that can appropriately and safely be located in the aquifer recharge areas.
- E. ***To assure that streams, wetlands and ponds that are fed by groundwater discharge remain healthy.***

Section 306.3 (Definitions)

C. Impervious: ~~Not readily permitting the infiltration of water. Coverage or Impervious. Any modified surface that cannot effectively absorb or infiltrate water. Examples of impervious surfaces include, but are not limited to, roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways, storage areas, compacted gravel including drives and parking areas, oiled or compacted earthen materials, stone, concrete or composite pavers and wood.~~

Section 306.3 (Add to Definitions)

- K. ***Groundwater: subsurface water that occurs beneath the water table in soils and geologic formations.***
- L. ***Junkyard: an establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, or for the maintenance or operation of an automotive recycling yard. The term junkyard does not include any motor vehicle dealers***

Section 306.5.B. 2.

2. Applicants for conditional ~~uses~~ *use permits* shall develop, and submit for review and approval by the planning board, stormwater management and pollution prevention plans. The plans shall demonstrate that the use will:

Section 306.5 C. 1. Requirements for Conditional Use Permit.

1. The proposed use will not detrimentally affect the quality of ~~the groundwater contained in the aquifer~~ by directly contributing to pollution or by increasing the long-term susceptibility of ~~the aquifer~~ *groundwater* to potential pollutants.

Section 306.6 B. Coverage

- B. Coverage.** The impervious coverage of a lot shall not exceed 25% *of the total lot area*. However, impervious coverage may be increased to that allowed by the underlying use district if the applicant submits a stormwater management plan to the planning board for review and approval. As part of its review, the planning board shall determine, among other things, whether the plan provides for adequate recharge on the property to be developed and whether the plan is consistent with New Hampshire Stormwater Manual Volumes 1-3, December 2008, NH Department of Environmental Services, as amended. (Rev 2/10/15)

Section 306.6 C. Drainage

- C. Drainage.** To the extent possible, *excluding areas where regulated substances may contact precipitation*, all runoff from impervious surfaces shall be recharged on site and diverted *away from public and private water supplies or private wells*, toward areas covered with vegetation for surface infiltration. Dry wells may be used only where other methods are not feasible and shall be preceded by oil, grease and sediment traps to facilitate removal of contaminants. *All discharges shall comply with state Underground Injection Control requirements under Env-Wq 400. (See Section 306.7 B regarding regulated substances)*

Section 306.6 G. Manure

- G. Manure:** Animal manure storage and management will be carried out using Best Management Practices as referenced in Manual of Best Management Practices for Agriculture in New Hampshire, ~~June 2014~~ *July 2017* or current version. (Added 2/10/15)

Section 306.7 B. 4. (Storage and Containment of Regulated Substances)

4. Secondary containment must be provided for outdoor storage of regulated substances *in accordance with Env-Wq, Best Management Practices for Groundwater Protection, unless otherwise exempted*. ~~if an aggregate of 275 gallons or more of regulated substances are stored outdoors on any particular property~~. The containment structure must include a cover to minimize accumulation of water in the containment area and contact between precipitation and storage container(s);