

**TOWN OF RYE – PLANNING BOARD
MEETING**

Tuesday, September 19, 2023 – 6:00 p.m.

Rye Public Library

***Members Present:* Bill MacLeod, Kevin Brandon, Rob Wright, Selectmen’s Rep. Bill Epperson, Chair Patricia Losik, Vice-Chair JM Lord, Steve Carter, Steven Borne**

***Also Present on Behalf of the Town:* Planning/Zoning Administrator Kim Reed, Maddie Dilonno (RPC)**

I. Call to Order

Chair Losik called the meeting to order at 6:00 PM, led the Pledge of Allegiance, and introduced board members. Planning/Zoning Administrator Reed recognized the presence of **Lieutenant Kevin Wunderly** of the Rye Fire Department who is conducting Department Head reviews.

II. Determination of Completeness:

- A. Major Non-Residential Site Development and Condominium Amendment by Robin Wehbe for property located 2203 Ocean Blvd, Tax Map 5.3, Lot 28, Units A & B to raze the existing structures that are currently being used as a yoga business and build two residential units. Property is in the Business District, Coastal Overlay District and SFHA Zone AO (2). Case #17-2023. Continue to the October 17, 2023 meeting.**

Chair Losik explained that Mr. Wehbe came before the board in September and had submitted additional information to the board based on submittals made on September 13, 2023. She invited Mr. Wehbe to speak about that information.

Mr. Wehbe outlined the updated information submitted in response to the RPC letter including the stormwater management plan. He explained that he’s requesting waivers for sediment control, street elements, and lighting plans, and is interested in a site impact analysis waiver. He explained that he hoped the board would agree that the project would be an improvement to the environmental impact. He stated that condominium documents were provided and there are no easements unless they convert them, then they would need to amend the language. He provided a written statement on lot use intensity and discussed the impact of easement density. He also provided a revised site plan with the structure, flood map, and parking and provided the engineering standards requested at the last meeting.

Chair Losik stated that Ms. Dilonno observed there are some Land Development Regulation matters needed to satisfy the submittal requirements. She explained that the proposal is for redeveloping units A and B into two residential units. Referring to the RPC letter, Chair Losik stated that the stormwater management plan satisfies the LDRs. Reading from §202-6.9,

§202-3.3B(6), and Article IX., Chair Losik stated that the regulations are specific and read the missing requirements: a written site impact analysis prepared by an environmental engineer; determination of whether the development or any portion of the subject parcel is located in the projected high-risk flood area as shown on the tide to storm vulnerability assessment maps; drafts of any easements or deeds proposed for conveyance to the town; any covenants or Condominium Association bylaws. She stated that the board received Mr. Wehbe's existing condo documents and that these documents would be reviewed by the town counsel.

Chair Losik stated in the event that the board grants the requested waivers, Mr. Wehbe would need to add notes to the final plans. She explained that waivers are relief from some of the onerous provisions, but the board follows through on those parts that have applications to the site.

Chair Losik explained that floodplain development regulations require a permit from the Rye Floodplain Administrator. Regarding this application, per input provided by NH Floodplane Management Program Director, Jennifer Gilbert, constitutes a lateral addition. She stated that C and D depend on whether the addition is determined to be a substantial improvement. She discussed determination and a floodplain development permit, which may be a condition of site plan approval. She stated if the project must be modified, an amended site plan hearing would be required.

Chair Losik stated that Mr. Wehbe was given an NOD at the 8/15 meeting and there's a list of items that haven't yet been addressed.

Chair Losik explained that Jennifer Gilbert provided information about lateral addition and floodplain permitting requirements. She discussed the process of conditional approval and read section 60-9 of the chapter, noting that Mr. Wehbe must consider all of those pieces.

Mr. Wehbe stated that he responded to the email regarding RPC items on 9/13 and wasn't told they weren't up to standards.

Chair Losik explained that the NOD is thorough and specifically references LDRs. She stated the board has Mr. Wehbe's site plans via PDF, but the scale attributes aren't accurate. She explained that site plan regulations require submittal of 34x22 and 11x17.

Chair Losik asked Mr. Wehbe if his engineer was Millennium, and he confirmed. She stated that the board received a single site plan from Millennium, dated 9/5, and an overlay by the architect on the Millennium platform. She stated that the board hasn't received a delineation of buildable area and quantifications.

Mr. Wehbe apologized and offered to draw it.

Chair Losik stated that it would be up to the applicant's engineer to do that work. She stated the board has what is required for lot coverage, but doesn't have the proposed lot coverage or

parking calculations. She stated that he would eventually need a condo site plan, a drainage plan, and a demolition plan. She stated that she didn't think the requests for waivers from erosion, sediment, or lighting would be a big matter, but she's not sure about a waiver from landscaping as the board doesn't have pre and post-calculations for stormwater. She stated that the site impact analysis would include a description of the impact on Mr. Wehbe's site and abutting properties, which would be prepared by an environmental engineer. She noted Mr. Wehbe's comment that he may need to go to the ZBA for rear setbacks.

Mr. Wehbe stated that it's challenging to have a conversation with the Building Department until he gets some guidance from the Planning Board.

Chair Losik explained that with a more evolved set of plans, these items would become apparent to the applicant. Mr. Wehbe asked if these requirements are part of the building permit process. Chair Losik stated that the items discussed are what the Planning Board needs and that these plans should evolve to a degree so the board can fully understand the implications of substantial improvement.

Member MacLeod stated that the floodplain section of the regulations didn't account for condominiums. He noted that Mr. Wehbe doesn't own all units and he's unsure of how the board could force the other units to comply with floodproofing the building.

Member Wright stated that he understands Mr. Wehbe's confusion in navigating the Building Department, and noted that there first must be a determination of whether this is a substantial improvement, which is a question that lies with the Floodplain Administrator. He stated that this application is not complete because the board can't start until they know whether the floodplain question is answered. He stated that while it's not a complete package, there is a path forward: Mr. Wehbe could detach the building.

Chair Losik observed that, if the building is to be detached, the site plans would change.

Selectmen's Rep. Epperson stated that this property is not unique to the floodplain and there's a gap in the board's understanding. He stated that they need to do their due diligence to make sure it's done correctly and in accordance with the town's ordinances. He agreed that substantial improvement is a problem and the board needs more information to start on this application.

Member Borne wondered if the Technical Review Committee would be involved in helping Mr. Wehbe move forward.

Chair Losik explained that the Floodplain Administrator, who is also the Building Inspector, would help Mr. Wehbe move forward. She pointed to chapter 60, which outlines all responsibilities, duties, and roles of the Floodplain Administrator.

Member Carter asked Mr. Wehbe if all of his properties were one-story buildings.

Mr. Wehbe explained that there are four, one-story commercial units downstairs: A, B, C, and D. He stated that Common Roots is in Unit D and he only has control over A, B, and D.

Member Carter stated that he agrees, the board needs to know if it's considered a substantial improvement.

Member MacLeod stated that if Mr. Wehbe separates the building, he would have two buildings on one lot and would have to go to the ZBA.

Vice-Chair Lord wondered whether the buildings could be separated or if that would be circumventing the FEMA process.

Member Wright explained that the board was advised that if you separate them, the new buildings are required to comply, but the old can remain as is.

Vice-Chair Lord stated that he's not sure the applicant would have to raze the other two sections. He stated that the board needs larger plans and that parking spaces grandfathered by zoning are on the property in one plan but off the property in another. He stated that the board has the existing plan by Millennium, but it would be great to have the proposed civil plan so the board can measure spaces, see setbacks, etc. He stated that the board doesn't have enough information to act on anything.

Member Carter observed that elevations show 29.75', but there is a railing at the top. He asked if that counts as the height of the building.

Planning/Zoning Administrator Reed stated that the deck railings do not count.

Chair Losik noted that Mr. Wehbe's narrative indicates no expansion, but the plans look like there is an expansion of the square footage of the units by 33%.

Mr. Wehbe agreed that that's correct and that there is an expansion.

Chair Losik stated that if the plans were fully evolved it could be more helpful. She stated that the rear and side setbacks are unclear in the plans. She also noted that parking would need to be compliant with zoning, each space measuring 9x18' and showing adequate means of circulation.

Mr. Wehbe described his struggle with the Building Department when a Change of Use Permit was issued.

Chair Losik reviewed Chapter 60-4.B(5), which describes the responsibilities and duties of the Floodplain Administrator. She stated that the board can alter things to fix the site, is not anti-waiver and they want to help.

Member **Kevin Brandon** arrived at 6:39 PM

Motion by JM Lord to determine the application incomplete and not move it to a public hearing. Seconded by Bill MacLeod.

Vote: 6-0-1 (B. MacLeod, R. Wright, B. Epperson, P. Losik, J. Lord, S. Carter in favor; K. Brandon abstained)

B. Conditional Use Permit Application for an Accessory Dwelling Unit by Harrison Bohenho for Nancy K. London Rev Trust for property located at 13 McLaughlin Drive, Tax Map 5.2, Lot 052-29 per Section 5.6 of the Rye Zoning Ordinance. Property is in the General Residence District. Case # 18-2023.

Motion by JM Lord to determine the application complete and move it to a public hearing. Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

C. Amendment to a Major Site Development Plan and Condominium Conversion by Delvin and Ana Arnold for property owned and located at 1220 Ocean Blvd, Tax Map 17.3, Lot 37 for demo of existing garage and deck on east side and replace with a 30' x 16' attached deck with stairs and build attached 24'x 30' 2 car garage with living space above and installing a semi-above ground pool. Property is in the General Residence District, Coastal Overlay District and SFHA, Zone AO(3). Case # 19-2023.

Motion by JM Lord to determine the application complete and move it to a public hearing. Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Member Carter asked if the board has an original site plan for this application.

Chair Losik stated that the board has existing conditions with the proposed.

D. Driveway application by Adam Karns for property located at 1065 Washington Road, Tax Map 10, Lot 49 from Section 5: Paragraph. O for two driveways on one lot. Property in the Single Residence District and Aquifer & Wellhead District. Case #21-2023.

Motion by JM Lord to determine the application complete and move it to a public hearing. Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

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

- A. Major Site Development Plan and Condominium Conversion by 665-667 Wallis Road, LLC for property located at 665-667 Wallis Road, Tax Map 16, Lot 21 for construction of a new driveway, new septic system and new second floor with stairway to be added to existing building to create a three-unit condominium. Property is in the Commercial District, Single Residence District, Aquifer & Wellhead Protection District and Berry's Brook Watershed. Case #12-2023.**

Chair Losik explained that Attorneys Phoenix and Kieser requested a continuance for this application to the October 17, 2023 meeting in order to submit a letter regarding the draft conditions of approval and to incorporate revisions to the condominium documents that they received recently from the town counsel. They also have a scheduling conflict.

Motion by JM Lord to continue the application to the October 17, 2023 meeting. Seconded by Steve Carter.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

- B. Minor Non-residential Site Development Plan by Common Roots Café owner Robin Webhe for property located at 2203 Ocean Blvd, Tax Map 5.3, Lot 28, Unit D for seasonal outdoor seating. Property is in the Business District, Coastal Overlay District and SFHA Zone AO (2). Case #16- 2023.**

Chair Losik described the documents the board has as a part of the application: a site plan depicting seats, waiver requests for site plan requirements and for stormwater management, Madeleine Dilonno's letter dated 8/3/23, and site walk minutes from 8/24/23.

Mr. Wehbe provided updates to the board regarding parking concerns, site line challenges, and his attendance at the upcoming 10/4 ZBA meeting. He explained that he hopes to get conditional approval from the Planning Board based on the ZBA's approval of parking. He discussed frustrations regarding parking and the outdoor seating plan for the property and stated that he agrees with the yellow stripe and hash marks on the pavement 10' from the property. He stated that he doesn't want to move parking spaces closer to pedestrian traffic.

Chair Loisk suggested painting the edge of the curb and Mr. Wehbe agreed. He also confirmed that hours of operation would be 7:00 AM to 4:00 PM and the trial period would run through October 15, 2025, and then be reevaluated. He agreed that there would be no new lighting or signage and no liquor service or outdoor speakers.

In response to Chair Losik's question about parking for delivery vehicles, Mr. Wehbe explained that there is a safe space on the property to unload on the edge of Powers Ave., which is on his property. He stated that Millennium would demarcate the property.

Chair Losik asked if there should be a sign delineating delivery. Mr. Wehbe stated no, he didn't think signage was needed.

In response to Chair Losik's questions, Mr. Wehbe explained that the on-site dumpster has been locked, there is 3' of access around the tables, it's ramp-served, and chairs will be stored inside nightly.

Chair Losik stated that Mr. Wehbe needs to have the engineer add the license number, seal, and signature on the plan.

Member MacLeod stated that Mr. Wehbe addressed the major concerns of the board and not much needs to be added to the plans other than striping.

Mr. Wright agreed that Mr. Wehbe did a good job responding to the board's concerns and asked him what the new area of striping would comprise.

Mr. Wehbe stated that there would be three lined spots there. The complaint is that people are parking behind the last spot, adding a fourth spot. He said that there are no hash marks there and it looks like anyone could park there, which is the biggest concern regarding site lines. He stated that there should not be parking there.

Member Wright asked if his intention would be to stripe from the end of the patio north to the property line.

Mr. Wehbe used the site plan to show the board his intentions for striping and explain the parking, property lines, and measurements.

Chair Losik stated that it sounds like Mr. Wehbe will allow several feet to Powers Ave. and it's a better fit.

The board discussed paving and striping of the property and Powers Ave. Chair Losik explained that the site plan must reflect the striped area as discussed per the 8/24/23 site walk at the north and northeast corners adjacent to Powers Ave. and Ocean Boulevard.

Member Wright asked Mr. Wehbe to provide an updated plan with the striping, to which he agreed.

Member Macleod added that he should have TRC review the plans to be sure they comply with the board's understanding of the plan.

Chair Losik stated that if the board moves ahead with the application it would require a public hearing and conditional approval subject to obtaining a reduction in parking through the ZBA.

Chair Losik opened to the public at 7:05 PM.

Lt. Wunderly asked if there was any concern about traffic on Ocean Boulevard and asked where the patio would be located.

Member Wright stated that the patio exists currently.

Lt. Wunderly asked if the patio is being extended, to which Chair Losik responded no and explained the existing patio extends up from the pavement surface about 7".

Lt. Wunderly asked if there was any concern for vehicle traffic.

Chair Losik stated yes, that there is concern about traffic and noise.

Chair Losik closed to the public at 7:06 PM and reviewed the proposed conditions.

Member Carter asked if 4:00 PM is a realistic closing time.

Mr. Wehbe stated that the kitchen closes at 3:00 PM and chairs go in at 4:00 PM.

Vice-Chair Lord suggested Mr. Wehbe consider a closing time of 5:00 PM in case he eventually wants to extend his hours of operation.

Mr. Wehbe agreed that he would request a 5:00 PM closing time. He also asked if ADA access is required for all tables outside.

Chair Losik responded no, that she didn't word it as an ADA requirement but to allow passage of 36" for accessibility.

Member MacLeod noted that he sent ADA regulations and discussed them.

Motion by JM Lord to approve a waiver from Article III, §202-3.1 for site plans because it would restrict conformity, would pose an unnecessary hardship, and would be contrary to the spirit of the intent of the regulations. Seconded by Pat Losik.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by JM Lord to approve a waiver from Article III, LDR §202-3.5.A(5) and from Article IX, §202-3.3.B(6) for stormwater management because strictly following the ordinance would cause unnecessary hardship to the applicant and would be contrary to the spirit and intent of the ordinance. Seconded by Bill Epperson.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by JM to conditionally approve the application based on the following:

1. The applicant receives ZBA approval for a reduction in parking.
2. The hours of operation are from 7:00 AM - 5:00 PM.
3. The season should run from April 15 through October 15.
4. The trial period will be from April 15, 2024 through October 15, 2025.
5. There will be no change to the existing lighting.
6. There will be no change to the existing signage.
7. No liquor will be served outside.
8. There will be no outside music and/or speakers.
9. The onsite dumpster will be secured and monitored for overflow.
10. Tables shall be arranged to allow passage of approximately 36" for accessibility.
11. Chairs shall be moved and stored inside from 5:00 PM - 7:00 AM.
12. The TRC shall review the amended site plan.

Seconded by Steve Carter.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by JM Lord to approve the application for 24 outdoor seats subject to the revisions to the site plan that approval for a reduction in parking is obtained from the ZBA and all conditions are met. Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

C. Major Non-Residential Site Development and Condominium Amendment by Robin Wehbe for property located 2203 Ocean Blvd, Tax Map 5.3, Lot 28, Units A & B to raze the existing structures that are currently being used as a yoga business and build two residential units. Property is in the Business District, Coastal Overlay District and SFHA Zone AO (2). Case #17-2023. Continue to the October 17, 2023 meeting.

The board determined the application incomplete and did not take jurisdiction (see motion above).

D. Conditional Use Permit Application for an Accessory Dwelling Unit by Harrison Bohenko for Nancy K. London Rev Trust for property located at 13 McLaughlin Drive, Tax Map 5.2, Lot 052-29 per Section 5.6 of the Rye Zoning Ordinance. Property is in the General Residence District. Case #18-2023.

Mr. Bohenko presented the application explaining that the site is a split-level, raised ranch. He is proposing a first-floor ADU with nothing changing to the structure but an additional kitchen area within the ADU. He stated that there are two means of egress and nothing on the exterior would change.

Member Wright asked if the additional kitchen would be on the first floor next to the garage, which Mr. Bohenko confirmed. He also confirmed that this is the primary entrance to the ADU.

Chair Losik asked if the garage entryway would be under the purview of the second floor or the primary dwelling.

Mr. Bohenko explained that the upstairs would have access to the garage and the door would be locked.

Chair Losik noted that the front door of the ADU is to the left facing the building and the door on the garage is locked. She clarified that to get to the garage from the second floor you must go outside to the back door of the garage. She asked which is the shared interior door.

Mr. Bohenko clarified the shared door would be on the first floor at the bottom of the stairwell.

The board discussed the layout of the primary residence and the proposed ADU.

Member MacLeod asked if there was a deck on the sliding doors in the back, which Mr. Bohenko confirmed and stated that it has a set of stairs.

Chair Losik asked for information regarding the driveway.

Mr. Bohenko stated that the left side of the driveway would be for people on the first floor.

Chair Losik noted that the driveway is 22'x43' and asked if there would be enough room for four cars parked front to back. Mr. Bohenko stated that it would.

Member MacLeod stated that he was concerned with parking but looked at the site and agreed that it's adequate and not too narrow for tandem parking. Mr. Bohenko confirmed that the garage is going with the second-floor unit.

Ms. London stated that the garage is used for storage, not cars.

Member Wright asked about ownership and the purposes of the ADU.

Mr. Bohenko explained that he's planning for the future for his parents and it would be for hosting visiting family members, and for rental. Ms. London and Mr. Bohenko clarified that they are the residents of the property.

Chair Losik explained that the rental period needs to be more than three months, and Mr. Bohenko agreed.

Chair Losik stated that RPC recommends approval from the Rye Fire Department and the Building Inspector regarding access, egress, and the interior door between the principal and ADU units be obtained prior to any occupancy permit being issued. Mr. Bohenko agreed.

Ms. London stated that they signed a letter from the Fire Department.

Planning/Zoning Administrator Reed stated that they have letters from the Sewer and Water Departments as well.

Chair Losik explained that Lt. Wunderly offered information about fire separation. He recommended it would be in the applicant's best interest to consult with a knowledgeable contractor or fire protection engineer to address all aspects of NFPA101 fire protection measurement.

Chair Losik opened to the public at 7:28 PM; hearing no comment, the public session was closed.

Motion by JM Lord to approve the Conditional Use Permit Application for an Accessory Dwelling Unit by Harrison Bohenko for Nancy K. London Rev Trust for property located at 13 McLaughlin Drive, Tax Map 5.2, Lot 052-29. Case #18-2023.

CONDITIONS OF APPROVAL

- 1. The applicant will not rent the Accessory Dwelling Unit for less than 3 months a year.**
- 2. A certificate of occupancy will be granted by the building inspector after a final walk-through from the building inspector and fire lieutenant.**

Seconded by Steve Carter.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

E. Amendment to a Major Site Development Plan and Condominium Conversion by Delvin and Ana Arnold for property owned and located at 1220 Ocean Blvd, Tax Map 17.3, Lot 37 for demo of existing garage and deck on east side and replace with a 30'x16' attached deck

with stairs and build attached 24'x30' 2 car garage with living space above and installing a semi-above ground pool. Property is in the General Residence District, Coastal Overlay District and SFHA, Zone AO(3). Case # 19-2023.

Delvin Arnold presented the application and described the property, explaining that he was looking to make improvements. In speaking with the architect, it was determined that the best plan was to tear down the structure rather than renovate it. In planning, it was determined that the best place for the garage is closer to Ocean Blv. He stated that he's done a lot to reduce the impervious material from the site.

Chair Losik asked for the location of the driveway.

Mr. Arnold confirmed and explained that the previous driveway used to continue all around the back side of the building and he's taken a lot away in the condo conversion. He stated that the driveway would end up being roughly 24' x 50' depending on the placement of the garage.

Chair Losik clarified that this plan actually represents a reduction in coverage, which Mr. Arnold confirmed.

Chair Losik asked if the Unit One common area parking would go away. Mr. Arnold explained that it would be revised. Chair Losik asked for the location of the pool. Mr. Arnold referred to the plan and stated that it would go in the back, within the setback. He explained that he was hoping for suggestions.

Member Carter asked if the pool counts toward impervious coverage and asked where the applicant stands with impervious coverage on the site.

Mr. Arnold stated that they're over the requirement for impervious coverage. He stated that they already have a pool on the site, but they're changing the location. He explained that when they started the project they were over 70% impervious coverage and got it down to 40%. He stated they're trying to get to 30% but he doesn't see that happening.

Member Wright clarified that the site is existing, nonconforming on coverage and the applicant is making it less so. Mr. Arnold confirmed.

Mr. Arnold referred to the plan to show the board where the pool would be located.

Member Carter asked for the location of the septic system. Mr. Arnold stated the septic system is in the front of the property and it's a new system, installed in 2011 or 2012.

Member Borne asked if the property includes three cottage buildings with more living space above the garage. Mr. Arnold clarified that there are three cottages and one house. He stated that the house was two structures, they tore one down, and the 30x40' house remains. He stated that

he'd like to add a garage attached to the house with living space above the garage. He clarified that it's a single-family home.

Chair Losik, referencing RPC's report, asked if Mr. Arnold would be applying for a variance from the ZBA. Mr. Arnold confirmed that he would seek a variance from §190-2.2D.

Chair Losik confirmed that Mr. Arnold has a copy from the town's engineer in regard to the request for a waiver from the stormwater management plan. She read the town engineer's statement for the board: Given that impervious surfaces will be reduced and given the modest size of the site, changes to the site's stormwater characteristics will be insignificant and preparation of an amended stormwater management plan is not warranted. Sebago supports a waiver of that requirement from the Planning Board. She clarified that Mr. Arnold is reducing by almost 2,500 square feet and adding 1,200 plus a little more for the pool.

Mr. Arnold clarified that there is no patio and he would make the area under the deck crushed stone for storage and drainage.

The board discussed the details of the deck and pool.

Chair Losik listed the applicant's requested waivers and described for Mr. Arnold the process of mapping on Coastal Viewer, which he would need to do for SLR.

In response to Chair Losik's question regarding irrigation, Mr. Arnold confirmed that he is on Rye Water and is not expecting to use an irrigation system.

Chair Losik discussed the Rye irrigation requirement.

Vice-Chair Lord asked about the location of the driveway and whether it's changing on the street. Mr. Arnold stated that the goal is to change the location of the driveway, but he has to work with NHDOT on that. He explained that if they say no, they can work with the existing driveway.

The board discussed the driveway plan.

Member MacLeod suggested that the plan going to the ZBA be updated to show the final location of the pool.

Chair Losik stated the applicant should update his plans to reflect the pool and driveway.

Chair Losik, speaking to Ms. Dilonno, stated that the missing items include SLR, a plan depicting the pool and driveway, and a variance obtained from the ZBA. She asked Ms. Dilonno for her thoughts.

Ms. Dilonno stated that it's up to the board if they'd like to issue conditional approval and see the revised plans once more. She stated that the applicant would have to get a variance and Floodplain Development Permit.

Mr. Arnold stated that he can't update the plan until he gets NHDOT approval, which he hasn't started yet. He stated that he'd like conditional approval pending DOT approval.

Member Brandon noted that there isn't a driveway cut on a dry road yet and that it's not the board's call. He stated that where the driveway ends up is not a gating factor for the Planning Board.

Member MacLeod stated that he doesn't think this needs to come back to the board past tonight, and the board could condition approval on ZBA approval.

Chair Losik stated that conditions of approval could include, "the applicant shall provide the TRC revised plans depicting driveway location and pool".

Chair Losik read the requested waivers to the board, asking for their feedback.

Chair Losik opened to the public at 7:55 PM; hearing no comments, the public session was closed.

Motion by JM Lord to approve waivers from the following sections of the Rye LDRs:

§202-3.4.D(2); §202-3.4(D)(3); §202-3.2(D)(4); §202-3.4(E)(2); §202-3.4; §202-3.4(E)(3); §202-3.4(E)(5); §202-3.5.E(7); §202-3.4(E)(6); §202-3.4(E)(8)

The scope of the project minimally impacts the association and the surrounding abutters, and reduces the square footage and impervious material coverage. Doing all this extra work would create a financial hardship for the applicant and would be contrary to the spirit and intent of the regulations. Strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the regulations.

Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by JM Lord: strict conformity is unnecessary as the applicant's proposal will eliminate impervious coverage by relocating the garage associated with unit one and locating the garage closer to Ocean Boulevard and with a swimming pool and other improvements corresponding to the already improved and undisturbed area. Therefore, the board determines that the spirit and intent of the spirit and intent of the regulations have

**been satisfied with the information provided in the context of this applicant's proposal.
Seconded by Rob Wright.**

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by JM Lord to approve the following Findings of Fact:

1. The Property is located 1220 Ocean Blvd. (Tax Map 17.3, Lot 37) ("the Property").
2. The Property is owned by Delvin and Ana Arnold ("the Applicants").
3. The Property is approximately 26,160 square feet (.6 acres) in size with 165.55' feet of frontage on Ocean Boulevard.
4. The Property is located partially in the General Residence District. The Property is also located in the Coastal Overlay Zone and the Special Flood Hazard Area.
5. The Property is improved by four residential dwelling structures, each of which comprises of a single residential dwelling unit. The first building, Unit 1, consists of a three-bedroom, 2,870-square-foot home. Units 2 through 4 are in the northern portion of the Property and each constitute one bedroom, 630 square foot dwelling units.
6. Unit 1 is accessed from Ocean Boulevard by an asphalt driveway that runs parallel to the southern boundary line of the Property.
7. Units 2 through 4 are accessed via a 45' Town right-of-way that runs along the northern property line and is accessible from Ocean Boulevard.
8. The Property was previously the subject of a condominium conversion approved in 2011, which is reflected in a plan titled, "Pirate's Cove Condominium Site Plan," prepared by Easterly Surveying, Inc. and dated April 28, 2011 and recorded at the Rockingham County Registry of Deeds as Plan D-37058. That condominium conversion established a condominium association on the Property, making Units 1 through 4 units in that condominium association ("the Condominium Plan").
9. The Condominium Plan reflects a note that states, "PROPOSED EXTERIOR LIGHTING IS AS FOLLOWS: ONE TRI LIGHT ADJACENT TO THE ENTRANCE DOOR FOR UNITS 2, 3, AND 4. SECURITY MOTION DETECTED FLOOD LIGHTS AT THE REAR AND DRIVEWAY SIDE OF UNIT 1. ONE ENTRY LIGHT ADJACENT TO THE DOORWAY ENTRANCE AND ONE ENTRY LIGHT ADJACENT TO THE SECOND FLOOR DECK SLIDER OF UNIT 1. NO OTHER EXTERIOR LIGHTING IS PROPOSED."
10. As part of the establishment of a condominium on the Property in 2011, the prior owners of the Property applied for and sought variances from Sections 204.3.E, 202.6, and 500.3 of the Town's Zoning Ordinance:
 - a. The variance to Section 204.3(E) allowed for the property to have more than 30% impervious coverage.
 - b. The variance to Section 202. 11(A) allowed for the conversation of a dwelling unit to year-round occupancy on a lot that is less than 7,000 square feet per dwelling unit.

- c. The variance from Section 202.5 allowed for the driveway on a corner lot to exit onto the more traveled street and allowed for relief from the application of front yard dimensional requirements along the northern and western property lines.
 - d. The variance to Section 500.3 allowed for the placement of off-street parking within the front yard area of the Property.
11. On November 8, 2011, the Planning Board granted approval for a Final Major Site Development Plan and Condominium Conversion subject to 13 conditions.
 12. Additionally, the Property received a special exception to allow for a condominium conversion in accordance with Article V, Section 503 of the Zoning Ordinance on the “condition that parking spaces are not to be rented.”
 13. On August 16, 2023, the Applicants submitted an Amendment to a Major Site Development Plan and Condominium Conversion to demolish a 30’ x 50’ garage deck to the east of Unit 1, which has already been completed, and (1) replace the demolished garage and deck with a 30’ x 16’ attached deck and stairway in the same location and (2) to construct a 24’ x 30’ 2-car garage on the western side of Unit 1 – closer to Ocean Boulevard – with living space above that garage. The Applicants are also seeking to install a semi-above-ground pool with 12’ x 14’ permeable deck on one side with native Landscaping.
 14. The Applicants submitted a series of plans titled, “Kona Properties, 1220 Ocean Blvd, Rye, New NH 03870” and prepared by Gray Construction last revised December 28, 2022 (“the 2023 Plans”). The 2023 Plans include Sheet Numbers C-1, A-1.2, A-1.3, A2.1, A2.2, A2.3, A2.4, and L-1.
 15. The Applicants also submitted a Landscape Plan dated June 28, 2023 (last revised July 26, 2023) and prepared by Artisan Grounds Landscaping (“the Landscape Plan”).
 16. As part of the proposal, the Applicants propose to remove 960 square feet of impervious asphalt driveway and replace that removed asphalt with lawn and/or permeable materials.
 17. With the removal of the pre-existing garage and deck, the removal of the asphalt, and the construction of a deck and stairway and new garage, the total impervious cover is expected to be reduced.
 18. The Applicants seek waivers from the following provisions of the Land Development Regulations (“LDR”):
 - a. Final topography and Soil Plans pursuant to LDR §202-3.4(D)(2);
 - b. Water & Sewer Extension Plans pursuant to LDR §202-3.4(D)(3);
 - c. Stormwater Management Plans (SWMP) pursuant to LDR §202-3.4(D)(4) and § 3.4(E)(2);
 - d. Final Street & Utility Plans pursuant to LDR § 202-3.4;
 - e. Erosion and Sediment Control Plans pursuant to LDR § 202-3.4(E)(3);
 - f. Street Element Assessment pursuant to LDR § 202-3.4(E)(5);
 - g. A Site Impact Analysis prepared by an Environmental Engineer pursuant to LDR

- § 202-3.5.E(7);
- h. High Risk Flood Determination under LDR § 202-3.4(E)(6); and
- i. An Engineer's Estimate pursuant to LDR §202-3.4(E)(8).
19. On August 29, 2023, the Rockingham County Planning Commission ("RPC") provided a "Review of Amendment to Major Site Development and Condominium Conversion at 1220 Ocean Boulevard (Tax Map 17.3 Lot 37); Case # 19-2023." RPC expressed its opinion that variance relief was required from § 190-2.2(D), prohibiting the expansion of a dwelling unit on a lot with two or more dwellings.
20. RPC also recommended that the Town seek input from the Town's Engineer on whether an amended stormwater management plan is necessary and should consult the Fire Chief as to whether the proposed development adequately provides for fire safety.
21. RPC also recommended that (1) a permit from a Floodplain Administrator be received prior to the issuance of a building permit, (2) the location of the proposed swimming pool be located on the plan and reviewed by the Board to ensure compliance with the Town's zoning ordinance and LDRs, and (3) amended condominium documents be submitted and reviewed by the Town's legal counsel prior to or as a condition of approval.
22. On September 11, 2023, the Planning Board sought comment from the Town's Department Heads. The Town's Chief of Police expressed concern that they were not sure as to what driveways would be used and that there needed to be a "better plan" with regard to driveways. The Town's Public Works Director expressed that he had no comment at this time, but that the Town needed a stormwater management plan. The Town's Fire Department commented that, at present, the Fire Department "has no concerns following review of the initial information that has been provided," but that "[f]urther review of detailed building plans, specifically as it pertains to fire separation, detection, and means of egress will be required as the project moves forward."
23. The Town of Rye sought the comment of Sebago Technics, who opined on September 13, 2023, that the proposed changes "will result in a reduction of impervious surfaces on the site" and that the "changes to the site's stormwater characteristics will be insignificant and that the preparation of an amended stormwater management plan is not warranted."
24. The Planning Board initially noticed a public hearing on this matter for September 19, 2023.
25. On September 19, 2023, the Board voted to accept the Application and open the public hearing.
26. On September 19, 2023, the Board conducted a public hearing on the matter as per the meeting minutes.
27. After review of all submittals provided and statements made during the record, the Board grants the waivers sought by the Applicants because the planning board found that:
- (1) strict conformity would pose an unnecessary hardship to the Applicants and waiver would not be contrary to the spirit and intent of the regulations.
28. The Board grants the Applicants' requests for a waiver from

- a. LDR §202-3.4(D)(2) (final topography and soil plans);
- b. LDR §202-3.4(D)(3) (water and sewer extension plans);
- c. LDR §202-3.4(D)(4) and § 3.4(E)(2) (stormwater management plans);
- d. LDR § 202-3.4 (final street & utility plans);
- e. LDR § 202-3.4(E)(3) (erosion and sediment control plans);
- f. LDR § 202-3.4(E)(5) (street element assessment);
- g. LDR § 202-3.5.E(7) (site impact analysis);
- h. LDR § 202-3.4(E)(6) (high risk flood determination); and
- i. LDR §202-3.4(E)(8) (engineer's estimate).

The Board has determined that strict conformity is unnecessary where the Applicant's proposal will eliminate impervious cover by relocating the garage associated with Unit 1 and locating the garage closer to Ocean Boulevard where the swimming pool and other improvements correspond to already improved and disturbed areas. Therefore, the Board determines that the spirit and intent of the regulations have been satisfied with the information provided in the context of this Applicants' proposal.

- 29. The Board finds that, with the conditions of approval set forth below, the Applicants' proposal satisfies all other pertinent provisions of the LDRs.
- 30. The Applicants' proposal reflects that suitable steps will be taken to protect significant existing features on the Property.
- 31. The proposed reconfiguration of the parking on the Property will constitute an improvement over existing conditions and provide sufficient protection to groundwater and other environmental resources.
- 32. The Applicants' proposal will not materially impact, and will likely improve, stormwater management through the elimination of impervious cover and the relocation of the garage to the easterly side of the Property.
- 33. The Applicants will not adversely impact the neighborhood, will not materially increase traffic generation, and will not otherwise alter the surrounding neighborhood.

Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by JM Lord: in addition to the waivers granted, the board finds that the conditions of approval set forth below the applicant's proposal satisfies all other pertinent provisions of the LDRs. The applicant's proposal reflects that simple steps will be taken to protect significant existing features on the property. The proposed reconfiguration of the parking on the property will constitute an improvement over existing conditions and provide protection for groundwater and other environmental resources. The applicant's proposal will not materially impact and will likely improve stormwater management through the elimination of impervious cover and the relocation of the garage to the easterly side of the

property. The applicant will not adversely impact the neighborhood, will not materially increase traffic generation, and will not otherwise alter the surrounding neighborhood. Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by JM Lord to approve the following conditions of approval:

1. The Applicants shall follow all notes, requirements, recommendations, and suggestions set forth in the 2023 Plans.
2. The Applicants shall submit a plan identifying the proposed location of the swimming pool and driveway on the Property. Such location shall be identified on the 2023 Plans, which shall identify the pool's setbacks from all lot lines, buildings, wetlands, and surface waters and reviewed by the Technical Review Committee (TRC).
3. The location, layout, construction, and design of all structures on the Property shall be in accordance with the 2023 Plans.
4. The Applicants shall make all plantings in the approximate locations as identified in the Landscape Plan. All such plants shall be planted on or before September, 2024 and shall remain viable for a minimum of 3 years.
5. The Applicant shall apply for and obtain a variance from § 190-2.2(D) of the Rye Zoning Ordinance to allow for the increase of a building footprint of a dwelling, the enlarging of the bulk of a dwelling, and the adding of decks, porches, or other appurtenances to a dwelling on a lot with two or more principal dwellings.
6. All construction shall be subject to all applicable provisions of the New Hampshire Building Code and Fire Code.
7. The Applicants shall apply for a permit for development within a special flood hazard area prior to the commencement of any construction from the Town's Floodplain Administrator.
8. The Applicants shall submit a revised Condominium Declaration and Bylaws to the Planning Board reflecting the revisions to the Condominium Association necessitated by the Applicants' proposal. The revised Condominium Declaration and Bylaws shall be subject to the satisfactory review of Town Counsel.
9. For the purposes of RSA 674:39, active and substantial development or building shall be the earlier of: (a) the demolition of existing structures on the property occurring after the date of this approval or (2) the excavation or disturbance of land for access way construction.
10. As-built plans for all site improvements shall be submitted to the Planning Board within 60 days of the completion of construction (3 sets).
11. Per LDR § 202-4.4, this conditional approval shall expire in 24 months if the Chair has not signed the plan as the result of the Applicant's failure to meet those conditions necessary to permit the chair to sign the plan.

12. The executed conditions of approval shall be appended to and recorded with the Condominium Declaration.
13. The Planning Board chair may sign the Plans when the foregoing conditions Nos. 2, 5, and 8 are met.

Any party aggrieved by this decision has the right to seek judicial review of this decision by filing an appeal to the Rockingham County Superior Court within thirty (30) days of the date of the hearing at which the Board voted to take the action set forth herein unless such decision related to the application, construction, or interpretation of the Rye Zoning Ordinance, in which case, an aggrieved party may appeal such decision to the Rye Zoning Board of Adjustment in accordance with RSA 676:5 and the Zoning Board of Adjustment Rules of Procedure.

Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by JM Lord to approve the application for Amendment to a Major Site Development Plan and Condominium Conversion by Delvin and Ana Arnold for property owned and located at 1220 Ocean Blvd, Tax Map 17.3, Lot 37 for demo of existing garage and deck on east side and replace with a 30'x16' attached deck with stairs and build attached 24'x30' 2 car garage with living space above and installing a semi-above ground pool. Property is in the General Residence District, Coastal Overlay District and SFHA, Zone AO(3). Case # 19-2023. Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

G. Driveway application by Adam Karns for property located at 1065 Washington Road, Tax Map 10, Lot 49 from Section 5: Paragraph. O for two driveways on one lot. Property in the Single Residence District and Aquifer & Wellhead District. Case #21-2023.

Adam Karns presented the application to the board and explained his house is close to the road, has a short driveway, and he's requesting a waiver for a second driveway to be used as an ancillary parking space for two cars. The proposed plan is within the setbacks, is further off of neighboring properties, and is well within the impervious coverage allowance. He stated that they currently parallel park on Washington Road and he would like to get another two spaces on the property. He stated that his neighbor has allowed them to park on his lawn, so he may appreciate the additional parking. He distributed pictures to the board and described the updates he's doing to the property and the proposed parking space.

Selectmen's Rep. Epperson wondered whether what's proposed could be considered a driveway at all; he stated that it's been a parking space forever.

Member Wright wondered if this meets the definition of a driveway and whether the applicant could just lay down crushed stone.

Chair Losik agreed that there are many such arrangements in town.

Mr. Karns stated that this is one piece of a large landscaping plan and the building inspector insisted they go through this process.

Member Brandon asked what is being constructed.

Mr. Karns explained that it would include a gravel base with crushed stone and it would be curbed with granite curbing.

Member Brandon asked what building inspection requirement is being pointed to by the building inspector.

Mr. Karns explained that he'd applied for a front stoop, walkway, turnaround, fence, and restacking of a wall. When they went to get permits it was stated that nothing they were doing regarding landscaping required a permit. He stated that the next time they went to the building inspector they were told that they needed seven different permits.

The board discussed the historical use of this space as a wood road for an old farm.

Member MacLeod asked Mr. Karns if he needed a permit for a walkway. Mr. Karns confirmed and explained that even though there is no guideline for how to make the walkway, they had to get a permit so that they could pay 1%.

Member MacLeod wondered if zoning bylaws could be fixed.

Planning/Zoning Administrator Reed stated that it's in the building code for the town.

Chair Losik explained that town bylaws follow the state's.

Member Wright suggested that this isn't a second driveway but a parking area.

Selectmen's Rep. Epperson stated that his only issue is with backing out onto Washington Road, but noted that the applicant would just need to be careful.

Mr. Karns stated that there's better visibility out of that driveway than the primary driveway.

Member Brandon wondered if the board approves this as a second driveway, which he agrees with, would there be any unintended consequences for the applicant having a second driveway.

The board discussed any potential unintended consequences and whether the space would be considered a driveway. It was determined that the board cannot make the decision as to whether the space is a driveway but has the ability to approve a second driveway.

Chair Losik noted that provisions in section G incorporate a driveway or access point.

Member MacLeod noted that if it is a parking area, it has an access point on the street.

Mr. Karns stated that if nobody knows of any unknown consequences, aside from a slight assessment increase, he'd take the approval.

Chair Losik asked Mr. Karns if the land in the back could be accessed by the barn, which he confirmed.

Chair Losik opened to the public at 8:36 PM.

Tom Mack, the applicant's abutter directly across the street at 1064 Washington Road, stated that he has no objection to the project and that the Karns have made many improvements to their property.

Chair Losik closed to the public at 8:37 PM.

Motion by JM Lord to grant a waiver to Appendix E, Driveway Regulations, sections from Section 5: Paragraph O for two driveways on one lot. Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

IV. Other Business:

A. Request in reduction of LOC for Joseph Falzone 421 South Road project.

Chair Losik referred the board and applicant to Steve Harding's report.

Mr. Falzone responded to three things mentioned in the report. He explained that Autumn Lane has two trees planted behind the mailbox that aren't dead but are being eaten by deer. He explained that on Signature there were 3-4 dead trees that have been replaced and that one tree is dead but the trees behind it are growing in. He stated that it would be better to cut it down but

he'll do what the board would like. He stated that he would not be responsible for replacing it again.

Chair Losik agreed that many of the other trees are maturing.

Mr. Falzone addressed the comment that homeowners have dead trees close to the right of way. He explained that there has been a problem over the past 24 months with bug disease in trees. He explained that he couldn't guarantee trees along the road..

Chair Losik noted that there were other things that were the responsibility of the individual who handles the cul-de-sac.

Mr. Falzone expressed that he's hoping to get his money back.

Selectmen's Rep. Epperson commented that it all looks great.

Chair Losik explained that they sought counsel for the structure of the LDRs and that the last time they had a 3-year time period which required 25% to sit after the 2-year completion. She explained that they won't take that up until the rules and regs cycle, but it would be the board's pleasure to return it and circumvent LDR 7.1.

Member MacLeod stated that Mr. Falzone should get his bond money back and that the law has changed effective 10/3: all bonds shall be released within 90 days.

Member Wright agreed.

Motion by Bill MacLeod that the entire bond of \$192,000 be released. Seconded by Rob Wright.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

B. Request in reduction of LOC for 1244 Washington Road see email from Attorney

Chair Losik explained that this is the same issue for \$86,500 and that the board received pictures of the tree.

Selectmen's Rep. Epperson asked about the unit for resale.

Jon Laviere explained that it went on the market for \$799,000 and sold for \$859,000.

Motion by Bill MacLeod that the bond for 1244 Washington Road be released in the amount of \$86,500. Seconded by Bill Epperson.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

C. NHHOP Needs Assessment Survey September 27, 2023 Public Forum at RJH

Member Wright provided an update on the NHHOP Survey and that Phase One would include a meeting at the RJH on 9/27/23 from 6-8 PM and that Phase Two has been approved and they are waiting for funding.

D. Master Plan and Build Out updates

Member Wright provided updates regarding the Master Plan meeting on 9/5/23 and the BOA presentation, which included a discussion of what constitutes a natural resource, what considerations are needed for climate change moving forward, and adding fragile resources to the NRI.

E. Voluntary Lot merger tax map 5.2, Lots 174 and 178

Chair explained that Gregg and Nancy Dejean live in Florida and have a property on Perkins Road. Chair Losik discussed the lots and determined that the lots are in compliance.

Motion by Steve Carter to determine the lots to be in compliance. Seconded by Bill Epperson.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

F. Katy Sherman to be appointed to Rules and Regulations Committee

Chair Losik explained that Katy Sherman served the board in 2017 as an alternate and ran as a board member through early 2022. She is interested in coming back to the board and is interested in Rules and Regulations, given her experience.

Motion by JM Lord to appoint Katy Sherman to the Rules and Regulations Committee. Seconded by Steve Carter.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

G. Other

V. Minutes and Escrows

A. July meeting minutes and August meeting minutes

Minutes - July 18, 2023

- Correction to spelling throughout the document: Burke Bero

Minutes - July 25, 2023

- Correction to spelling throughout the document: Burke Bero
- Correction to page one, paragraph two: "She explained that she and Jay visited and Mr. Bero took them around 6 Airfield Drive"
- Correction to page seven: spelling of "counsel"
- Correction to page nine: "tenant spaces"

Minutes - August 18, 2023

- Correction to page one: "waivers in a little more depth"
- Correction to page six: "the property is not in the wellhead protection zone but in the aquifer"
- Correction to page seven: "ducts"
- Correction to page nine: "Marjorie"

Motion by JM Lord to approve the minutes from July 18, 2023, July 25, 2023, and August 18, 2023 as amended. Seconded by Steve Carter.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

B. Escrows for August to September

Motion by JM Lord to pay the following escrows:

- **For 665-667 Wallis, pay CER in the amount of \$1,650.00**
- **Dana Truslow in the amount of \$1,900.20**
- **Dana Truslow in the amount of \$420.00**
- **Sebago in the amount of \$541.96**
- **For Hectors/Thompson Landing pay Sebago in the amount of \$225.00**
- **For Marsden Woods/711 Long John Road pay Sebago in the amount of \$476.44**
- **For Housing Partnership on Airfield Drive pay Sebago in the amount of \$165.00**

Seconded by Steve Carter.

Vote: 7-0-0 (B. MacLeod, R. Wright, K. Brandon, B. Epperson, P. Losik, J. Lord, S. Carter in favor)

Motion by Rob Wright to adjourn at 9:18 PM. Seconded by JM Lord. All in favor.

Respectfully Submitted,
Emilie Durgin

2:46