

**TOWN OF RYE – PLANNING BOARD
MEETING**

**Tuesday, February 13, 2018
7:00 p.m. – Rye Town Hall**

Members Present: Chairman Bill Epperson, Vice-Chair Patricia Losik, J.M. Lord, Mel Low, Jerry Gittlein, Selectmen's Rep Priscilla Jenness, Alternates Katy Sherman, Anne Arnold, Nicole Paul and 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

Alternate Steve Carter was seated for Jeffrey Quinn.

III. Approval of Meeting Minutes

Motion by Mel Low to move the approval of minutes to the end of the meeting. Seconded by Patricia Losik. All in favor.

**IV. Submittal of Applications for Determination of Completeness
(Not a public hearing) – Action Required**

- A.** Conditional Use Permit Application by Cellco Partnership d/b/a Verizon Wireless for property owned by Dolores F. Lintz and located at 120 Brackett Road, Tax Map 22, Lot 95-A, to install a t 125' monopine wireless telecommunications facility which shall include twelve (12) panel antennas, six (6) remote radio heads, one (1) junction box, and ground-based equipment to be housed within a 30'x40' fenced enclosure. **Property is in the Single Residence District. Case #03-2018**

- **Request Continuance to March meeting.**

Motion by Patricia Losik to continue the application of Cellco Partnership to April. Seconded by J.M. Lord. All in favor.

- B. Major Site Development Plan by the Town for Rye Public Works Department for property owned and located at 309 Grove Road, tax Map 11, Lot 134, for construction and replacement of the salt storage facility. Property is in the Single Residence District and Aquifer Wellhead Overlay District. Case #04-2018**

Motion by J.M. Lord to declare the application from the Town of Rye Public Works Department complete. Seconded by Steve Carter. All in favor.

- C. Amendment to major Site Development Plan and Condo Conversion by Christine McIntyre, McIntyre Family Rev. Trust & Judy & Marin Smith, for properties owned and located at 731 & 733 Ocean Blvd, Tax Map 23, Lots 6-1 & 6-2, to allow for an expansion of the garage. Property is in the Business & General Residence Districts. Case #05-2018**

Motion by J.M. Lord to declare the application of Christine McIntyre, McIntyre Family Revocable Trust & Judy & Marin Smith, complete. Seconded by Pat Losik. All in favor.

- D. Lot Line Adjustment Plan by Splitrock Cove Limited Partnership & James P. Nadeau, Jr. of 507 State Street, Portsmouth, NH, and by The McKenna Revocable Trust of 2004 for properties owned and located at 135 Wentworth Road, Tax Map 24, Lot 30, and 139 Wentworth Road, Tax Map 24, Lot 32, for an adjustment between the properties by reducing parcel 30 from 2.526 acres to 2.403 acres and increasing parcel 32 from 0.438 acres to 0.560 acres. Properties in the Single Residence District. Case #06-2018**

- Request Continuance to April Meeting.**

Motion by J.M. Lord to continue the application of Splitrock Cove Limited Partnership & James P. Nadeau, Jr., to the April meeting. Seconded by Steve Carter. All in favor.

V. Public Hearings on Applications:

Chairman Epperson requested to take the application from the Town of Rye Public Works Department out of order and hear it first. No objections were noted from the board members or other applicants.

Motion by J.M. Lord to take the application from the Town of Rye out of order. Seconded by Pat Losik. All in favor.

- A. Major Site Development Plan by the Town for Rye, Public Works Department for property owned and located at 309 Grove Road, tax Map 11, Lot 134, for construction and replacement of the salt storage facility. **Property is in the Single Residence District and Aquifer Wellhead Overlay District. Case #04-2018**

Dennis McCarthy, Rye Public Works Director, presented the application for the Town of Rye Public Works Department, under **RSA 674:54, Governmental Land Uses**. The project involves the 7.5 acre Public Works site located on the corner of Grove and Washington. *(He reviewed the location of the site on the plan before the Board. He also reviewed the buildings existing on the site.)* The proposal is for the construction of a new salt shed to the back of the property where the soils have not been disturbed. The soils to the front of the property have been disturbed and filled with general debris and construction debris over the past 110 years, which would be difficult to build on. The site has been master planned for 50 year growth. There are a number of projects for the future with the salt shed being the number one project. The Town does not anticipate leaving this site. There is very little town property that can be used for anything other than conservation so this is the best location for the salt shed. *(Mr. McCarthy reviewed the drainage on the plan for the board.)* Currently, the drainage does not leave the site and will probably remain that way because there is no way for it to exit. The salt will be stored on a paved pad and trucks will load on a concrete pad inside the building. The purpose of the salt shed is to get all the salt operations and storage under cover to reduce the amount of salt going into the ground and ultimately into the groundwater. The current salt shed is a small building with a paved surface. It only holds enough salt for about four storms. The new building will hold enough salt for half a winter.

(Mr. McCarthy reviewed the plans for the 60' x 80' salt shed, which will be 38' to 40' in height.) The proposed building is well within the town setbacks. The trees in the proposed location are in the 30ft to 40ft range and will be above the final roof. There will be a 10ft area around the building. A fence at 6ft in height is proposed to finish the fence line around the site. There are two LED paclights proposed for the front exterior and two for the interior. The lighting will be on the outside of the building and are dark sky compliant.

There was some discussion on the drainage. There was also review of the elevation of the building, which has a finished floor elevation of 113 with a ground elevation of 122 at the top of the 2 to 1 slope on each side.

Mr. McCarthy noted that the building is a steel frame and fabric covered building, which will be built on frost and concrete push walls that are 5.5ft to 6ft high. There are two doors in the front; 20x20 and 15x15. The larger door is for the salt deliveries and the smaller one is for the town trucks to enter the building to be loaded. There are no doors on the rear or sides of the building. The building will be between 38ft and 40ft from the finished floor to the top. The fabric is a heavy rubberized roof material and is guaranteed for 20 years. The proposal is for gray sides and a white roof; however, there is flexibility in the choice of colors.

Chairman Epperson asked if 38ft would meet the department's needs.

Mr. McCarthy confirmed. The minimum height needed is 37.6ft. There are two buildings that are being considered with capacity of both the same. The building size and shape are set. The difference in the buildings are the depth and style of framing.

After questions from the Board, Chairman Epperson asked for a motion to take jurisdiction.

Motion by Patricia Losik to take jurisdiction over the application from the Town of Rye Public Works Department. Seconded by J.M. Lord. All in favor.

Chairman Epperson noted that the Public Works Department is presenting the proposal as a courtesy to the Planning Board and Town for informational purposes. If there are any comments, the Planning Board has thirty days to submit them to Mr. McCarthy; however, he does not have to address the comments. He opened to the public for comments or questions at 7:26 p.m.

Peter Crawford, 171 Brackett Road, spoke to RSA 674:54 and expressed his concerns on the salt shed being located on the site.

Mr. McCarthy addressed his questions and concerns.

Speaking to Mr. Crawford, Chairman Epperson asked him to put his concerns in writing to the Board so they may be submitted to Mr. McCarthy within 30 days.

Wendolyn White, 285 Grove Road, abutter, spoke in regards to the roof color. She wants to be sure that the white does not glow at night.

Mr. McCarthy noted that the colors have not been chosen. He is making another presentation to the Selectmen and they can address the color at that time.

Chairman Epperson closed the public hearing at 7:47 p.m. He asked for a poll of the board.

Alternate Sherman stated she would approve the project.

Alternate Carter commented he has a concern about the size and the cost but would approve the proposal.

Selectmen's Rep Jenness noted that when the proposal and the fabric colors were brought to the Board of Selectmen, a final decision was not made. The Selectmen were looking for something that would blend best with the pines and earth tones. She is certainly in favor of something that will protect the town's water.

Member Low agreed.

Chairman Epperson stated that he would approve the proposal.

Vice-Chair Losik also approved the proposal.

Member Lord agreed.

Alternate Paul commented that she was a little concerned about the size but now understanding the intent she would move forward.

Member Gittlein stated that there are not a lot of lights in the building. Having some bit of translucence may help with sight without having spot lights.

Speaking to Mr. McCarthy, Chairman Epperson stated that the Board will write a memo based on the discussion at this meeting. The lighting would be a concern. He would also recommend that the color be discussed with the Selectmen.

Motion by Patricia Losik to approve the application for the Town of Rye Public Works Department, Case #04-2018. Seconded by J.M. Lord. All in favor.

Chairman Epperson requested to take the application of Christine McIntyre out of posted agenda order. No objections were heard from the board or public.

Motion by J.M. Lord to take the application of Christine McIntyre out of posted agenda order. Seconded by Patricia Losik. All in favor.

B. Amendment to major Site Development Plan and Condo Conversion by Christine McIntyre, McIntyre Family Rev. Trust & Judy & Marin Smith for properties owned and located at 731 & 733 Ocean Blvd, Tax Map 23, Lots 6-1 & 6-2, to allow for an expansion of the garage. Property is in the Business & General Residence Districts. Case #05-2018

Stephen Michaud, Doucet Survey, representing the applicant, presented to the Board. The owner received approval from the ZBA for an addition of a shed and the rearrangement of a stairway leading to the structure. The way the original condominium was configured in 2003, the unit boundaries are the exterior of the existing building so it did not allow for expansion without approval from the condominium association. There are two single family units that make up the condominium. The condominium needed to be revised to allow for expansion of the garage. They decided it would be better to reconfigure the condominium unit boundaries so it is no longer the face of the building but rather a box around the building that encompasses some of the land adjacent to the building to allow for potential future expansion if that would be desired by the owners. The owners understand that any proposal in the future would need to go before the appropriate municipal board; however, it would eliminate the step of having to change the condominium declaration.

(Mr. Michaud submitted a copy of the plan to the Board and reviewed the existing and proposed boundaries, which encompasses the proposed improvements.)

Attorney Tim Phoenix noted that both unit owners signed the application and are in agreement.

Vice-Chair Losik pointed out that in the DES approval there is a reference to impervious calculations no more than 9.2% of the lot. She asked if the 9.2% contemplates using all the area.

Mr. Michaud explained the wetlands approval was specific to the zoning board variance that was granted for this project.

There was review of the ZBA Notice of Decision, which references the request of the Rye Conservation Commission for a 5ft wide buffer of native plantings and a discontinuance of mowing along the property line to protect the marsh.

Chairman Epperson commented that the site looks like it has ledge. He asked how they are going to build on the ledge.

Attorney Phoenix noted that the new garage is going in the same location as the existing garage. The visible ledge starts just behind the house. The pad for the hot top is going to be that ledge.

Chairman Epperson called for a motion to take jurisdiction.

Motion by Patricia Losik to take jurisdiction over the application of Christine McIntyre. Seconded by J.M. Lord. All in favor.

Chairman Epperson opened to the public for comments or questions. Hearing none, he closed the public hearing at 8:04 p.m.

The applicant requested waivers to:

- 405.3A and 403.1E – Final Topo Soils Plan;
- 405.3B and 403.1G – Final Surface Drainage & Management Plan;
- 405.3D – Onsite Disposal Plan;
- 405.3E – Final Elevation Plan;
- 405.3F – Use Intensity Statement;
- 403.2I – Water & Sewer Extension Plan; and
- 405.3C and 404.5C – Erosion and Sediment Control Plan

The applicant felt that because of the limited nature of the proposal, removal of an existing garage and replacement with another garage that is slightly larger, the engineering related plans were not pertinent.

The Board agreed that the waivers should be granted as it is a minor proposal.

Motion by Jerry Gittlein to approve the requested waivers as strict conformity would pose an unnecessary hardship and waiver would not be contrary to the spirit and intent of the regulations because the original condominium conversion was approved by the Rye Planning Board in 2003, changes proposed herein are minimal and do not represent a major change from the original approval. A Zoning Board of Adjustment variance was granted on October 4, 2017 to allow for expansion of the garage as proposed. Seconded by J.M. Lord. All in favor.

Motion by J.M. Lord to approve the application of Christine McIntyre, Case #05-2018. Seconded by Patricia Losik. All in favor.

- C. Major Subdivision, Lot Line Adjustment and Conditional Use Permit by The Housing Partnership for property located at 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 to Workforce Housing. **Property is in the Commercial Zone District and the Multi-Family Dwelling District Overlay and Aquifer and Wellhead Protection Districts. Case #07-2017**

Attorney David Brown, representing The Housing Partnership, spoke to the Board. This is The Housing Partnership's second public hearing; one held in November, along with a site walk in November and a work session two weeks ago. The proposal is for the construction of 40 condominium units on 10 acres. The Housing Partnership feels they have met the ordinance that was passed by the town 8 years ago under the overlay for Workforce Housing. There were many questions from the Board at the work session regarding how the density and how the units are going to look. Sarah Hourihane, architect, is present to address those questions. Attorney Brown noted that they would like a determination from the board as to the driveways versus streets. They would like to address the 50ft buffer. There are a couple of proposals to that question. There is news from the Fire Chief that can be reported. They have also worked with the landscape architect on the landscape and screening issues that were discussed. They have also addressed the hydrogeology with more answers to Sebago Technics.

Sarah Hourihane, Lassel Architects, gave a presentation on the overall principals of the pocket neighborhood, featuring some local examples.

- ❖ **Pocket Neighborhood** – Small cluster of moderately sized homes. The design is intended to cultivate healthy neighborly connections while preserving personal privacy. Neighborhood provides a sense of community within itself.
- ❖ **Design Principals** – Several pocket neighborhoods within one larger neighborhood. The pockets can take on different forms within each space.
 - The optimum size is 8 to 10 households.
 - Shared common space is a key component. Must be an active common space to provide opportunities for neighbors to interact with each other.
 - Corralling the car – main spaces are based on pedestrian and play spaces.

- Eye on the common – “Neighborhood watch”
- The front porch – personal space in the public realm
- ❖ **Local examples** – Salisbury Square, Salisbury, NH; Concord River Walk, Concord, MA; Oaks Bluff, Martha’s Vineyard; and Abbey Road, Sherborn, MA.
- ❖ **The Housing Partnership Development (0 Airfield Drive)**
 - 40 units - 8 units will be Workforce Housing
 - 4 units per acre – total of 10 acres
 - 64.5% open green space
 - Units will be 3 to 4 bedrooms with approximately 2,000sf of living space
 - 2-car garage for each unit
 - Public water & private septic
 - Hardi shingles & clapboards – colors to be determined in keeping with Rye’s character

Chairman Epperson asked to discuss Ms. Truslow’s review of Stonehill Environmental’s Hydrogeologic Assessment.

Danna Truslow, Truslow Resource Consulting, spoke to the Board regarding the nitrate loading, which was felt to not be an issue overall except in the areas of leachfields A and B. She explained that this area already has some elevated nitrate levels in the groundwater from the adjacent properties; Washington Square and Random Road. The nitrate levels are starting at 3 to 4 mg/L in the groundwater and 10 mg/L is the compliance number at the boundary. The additional load from the two additional septic systems (A & B) provides a very close call for 10 mg/L concentration at the boundary.

Chairman Epperson asked what the nitrate levels would be at the boundary line with the advanced septic systems.

Tim Stone, Stonehill Environmental, (representing the applicant), stated that leachfields A and B show to be just under 10 mg/L at the property line, using a background concentration of 3 mg/L.

Ms. Truslow recommended that an alternative analytical model be used to validate the results of the model that was used.

****Please see Danna Truslow’s report attached, dated February 9, 2018.***

Ms. Truslow spoke to the Board about the review, completed by Peter Shanahan, of the Hydrogeologic Assessment.

****Please see Peter Shanahan’s memorandum attached, dated February 2, 2018.***

Vice-Chair Losik noted that at the work session there was a discussion about leachfields D and E flowing towards the buildings and basements; however, it would be much lower than the bottom of the basements and would not be an issue. It was found in monitoring well 4 that the groundwater was not as deep as it was originally thought and was 13ft below ground surface.

Ms. Truslow replied that she does not think the depth to groundwater is any concern at all.

Mr. Stone stated that they responded to that specifically in a letter. There is more than enough groundwater separation.

Referring to the work session minutes (1/30/18), Vice-Chair Losik stated that there was discussion about 40 mg going into the system and 25 mg coming out. Attorney Donovan had asked why it would be 25. Mr. Chagnon had explained that Septi-Tech and Advanced Onsite (AOS) have advance denitrification which will bring it down from 25 to 15. Attorney Donovan asked if the systems could be provided with denitrification that would lower it to 15. Mr. Chagnon replied "yes". She asked if they are contemplating the denitrification systems.

Mr. Stone stated that the numbers they are looking at are with the active aeration system in the AOS system. The throwback numbers are down to 9 mg/L post treatment. The systems include the advanced aeration treatment; otherwise, the effluent would be 40 going to the leachfield.

Ms. Truslow stated that she is pretty certain that this system does not include the denitrification. The concentrations that had been detected from testing in Massachusetts, which was provided in the November letter, had numbers between 18 and 25. That is why that 25 number was selected for modeling. She noted that the aeration is not the denitrification. That is a separate step.

After discussion about the septic systems, Chairman Epperson asked Ms. Truslow and Mr. Stone to do more work with the models and report back to the Board.

Both agreed.

Chairman Epperson requested a discussion on the driveway.

Attorney Brown stated that he spoke with Attorney Donovan about the driveway being exempt from the buffer. Attorney Donovan had suggested that they speak with Mr. Rickert to see if they could get a 25ft buffer on his side. He noted that Mr. Rickert is open to that discussion and they are meeting with him soon. *(He pointed out the location on the plan before the Board.)*

Doug LaRosa, Ambit Engineering, stated that they looked at the layout of the buildings. *(He pointed out the location of the buildings and septic.)* He noted that they reoriented the buildings to keep out of the 50ft buffer. They will need to do new pits to redesign the septic.

The Board reviewed the new location of the building and the septic.

John Chagnon, Ambit Engineering, explained that the buffer issue came up at the last meeting. It did not come up before because it is commercially zoned and requires a 25ft buffer. Since it is used in variance to the ordinance, it has to be 50ft. That is why there is a requirement for a 50ft buffer. The use of the property required that the buffer be bigger. Mr. Chagnon noted that the buffer they are referring to is against the Washington Square development.

(Mr. Chagnon submitted his responses to Attorney Donovan's concerns to the Board and reviewed.)

- ❖ The proposal is to construct a multi-family development consisting of a driveway network accessing the four-plex buildings. This layout is in keeping with the rural nature of Rye, as opposed to a multi-unit building served by a community parking lot.
- ❖ Standards relating to right-of-ways does not apply in these types of developments. If this is declared a street, it has to have a right-of-way and this would be a completely different type of development; a subdivision.
- ❖ There is no difference in construction between a driveway and a street. Although, the 22ft in width is believed to be a safe width given the layout of the streets and the fact that it is going to be accessed by the residents primarily. The Fire Chief has confirmed that the 22ft wide driveway and geometry is adequate for fire protection. *(Note: The Fire Chief requested two more fire hydrants in the development, which has been passed by the Rye Water District.)*
- ❖ The plan is to have a pathway on the outboard of the tree line for pedestrians. The path would go out to Lafayette Road.

Member Lord spoke in regards to reducing impervious coverage, increasing greenspace and creating better walkways with functioning greenspaces. He expressed concerns with the layout of the development.

There was discussion on the layout of the development. There was also discussion on how they could keep the site from becoming too dry without using a traditional irrigation system, in order to maintain the greenspaces and make the common areas better.

Alternate Paul stated that she agrees with the thought process of creating two "U" shaped roads (driveways) and eliminate the road that runs across the back of 20 and 21. This would allow for more greenspace.

Mr. Chagnon commented that this would have to go before the Fire Chief.

Chairman Epperson stated that it sounds like a viable idea. It would eliminate a lot of the impervious coverage. It would also give the opportunity for more greenspace. He asked if the driveway at 22ft wide would give more latitude to do some different things in there.

Mr. Chagnon explained that going to 22ft versus the 24ft would keep the impervious surface down.

Speaking to the Board, Chairman Epperson asked their thoughts on the streets versus driveway.

Member Lord stated that he does not mind the 22ft driveway. He thinks they need a little bit more in the plan that is going to pull it all together. Safety is a key issue for him.

Chairman Epperson clarified that he is okay with the 22ft driveway. Sidewalks or paths is certainly something the Board would like to see in the plan. They would also like to see some structural improvements in green areas so they will stay green in the summertime.

Vice-Chair Losik stated that she does not have a problem with the driveway; especially, if the connector was taken out and there are two separate functioning loops of driveways.

Alternate Sherman stated that she is concerned about what calling them “driveways” instead of “streets” really means.

Attorney Brown explained that this is not a subdivision where every house has frontage on the street. If they are called “streets” they will have to meet all those requirements.

Chairman Epperson stated that they are constructed like streets with the same materials. The only difference is that they are narrower.

There was some discussion on streets versus driveways.

Alternate Carter stated that he is okay with the 22ft; however, he would like to see a path system so the kids are not walking in the street. A width of 22ft will be less room for cars and less room for pedestrians as well.

Selectmen’s Rep Jenness stated she does not mind the 22ft but it needs a sidewalk to get the children from this development to Route 1. If there is a sidewalk, there also has to be a way to enforce maintenance. She noted that there are people, other than from this development, who use Airfield Drive. Safety has to be provided for the children to get down out to the bus stop.

Member Low commented that he does not have a problem with the 22ft.

Chairman Epperson stated that he does not have an issue with the 22ft width.

Alternate Paul stated that her concern goes to safety. She would want to be sure there were walkways so the kids could get up to the road safely.

Alternate Arnold stated she is okay with 22ft but she has a concern about not having sidewalks for people to walk a stroller or ride a bike. The development should appeal to families but right now it is not that safe. There should be some safe way for the kids to get out.

Member Gittlein commented the 22ft is okay.

Chairman Epperson summarized that the 22ft is okay with the Board. It sounds like there needs to be some work done on the street that they would like to see eliminated and on sidewalks.

Motion by Patricia Losik to grant a determination for Airfield Drive multi-family development to be 22ft driveways, as opposed to 24ft roads. Seconded by J.M. Lord. All in favor.

Chairman Epperson opened to the abutters for comments or questions.

Chris Brown, 53 Harborview Drive, speaking for his parents who live at 24 Random Road, noted that his parents' house is probably the closest structure, at 55ft to their boundary and 150ft to the house. The concern is the proximity of the proposed structure (deck) to their property. Their concerns relate to sound, lighting, density and visual. His parents are not against the project. They have hired an attorney to work with the developer to address their concerns.

Chairman Epperson explained that the Board will do the very best job they can to make sure the development is not intrusive. He opened to other members of the public.

Peter Crawford, 171 Brackett Road, expressed his concerns on the density of the development. He also expressed concerns on the driveway not having a curb to keep the cars from running off the road.

The presentation and discussion on Airfield Drive closed at 10:11 p.m.

- D. Conditional Use Permit Application by Cellco Partnership d/b/a Verizon Wireless for property owned by Dolores F. Lintz and located at 120 Brackett Road, Tax Map 22, Lot 95-A, to install a t 125' monopine wireless telecommunications facility which shall include twelve (12) panel antennas, six (6) remote radio heads, one (1) junction box, and ground-based equipment to be housed within a 30'x40' fenced enclosure. Property is in the Single Residence District. Case #03-2018**

- **Request Continuance to March meeting.**

- E. Lot Line Adjustment Plan by Splitrock Cove Limited Partnership & James P. Nadeau, Jr. of 507 State Street, Portsmouth, NH, and by The McKenna Revocable Trust of 2004 for properties owned and located at 135 Wentworth Road, Tax Map 24, Lot 30, and 139 Wentworth Road, Tax Map 24, Lot 32, for an adjustment between the properties by reducing parcel 30 from 2.526 acres to 2.403 acres and increasing parcel 32 from 0.438 acres to 0.560 acres. Properties in the Single Residence District. Case #06-2018**

- **Request Continuance to April Meeting.**

VI. New Business

- Voluntary Lot Merger by Andy F. and Karlene T. Stecher for properties at Tax Map 19.4, lot 30 and Tax Map 19.4, Lot 32 to become all Tax Map 19.4, Lot 30 at 51 Park Ridge Ave, Rye NH 03870

After review and a brief discussion, it was the consensus of the Board that more information is needed before the voluntary lot merger could be granted.

VII. Subcommittee Reports

- Committee to work on the last three chapters of the Master Plan:
 - Patricia Losik
 - Steve Carter
 - Anne Arnold
 - Bill Epperson
 - Kim Reed – (town staff support)

Future meetings to be determined.

All meetings will be noted on the town website.

VIII. Pay Escrows

- Sebago Technics – Stoneleigh Subdivision - \$435.25

Motion by Mel Low to pay Sebago Technics in the amount of \$435.25 from the Stoneleigh Subdivision Escrow. Seconded by Patricia Losik. Vote: 6-0 Recused: Priscilla Jenness

- Attorney Michael Donovan – The Housing Partnership - \$717.50

Motion by Patricia Losik to pay Attorney Donovan in the amount of \$717.50 from The Housing Partnership. Seconded by J.M. Lord. All in favor.

- RCCD – The Housing Partnership - \$475 & \$380

Motion by Priscilla Jenness to pay RCCD in the amount of \$475 and \$380 from The Housing Partnership Escrow. Seconded by Patricia Losik. All in favor.

IX. Communication/Other

- None
- Approval of Minutes
 - January 9, 2018

The following corrections were noted:

- Page 9, 4th paragraph, 2nd to last sentence should read: **The facilities will be inspected by a professional engineer once per year to make sure they are functioning correctly and being maintained.**
- Page 12, under Conditional Use Permit, Criteria #1: **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 to potential pollutants.**
- Page 12, under Conditional Use Permit, Criteria #3: **The proposed use will discharge no waste water on site other than that which is typically discharged by domestic waste water disposal systems and will not involve on-site storage or disposal of toxic or hazardous wastes, as herein defined.**

Motion by J.M. Lord to approve the minutes of January 9, 2018 as amended. Seconded by Jerry Gittlein. Vote: 6-0 Recused: Priscilla Jenness

- January 30, 2018

The following corrections were noted:

- Page 2, 2nd to last paragraph should read: **Mr. LaRosa explained the proposal is for a system that reintroduces air and allows the effluent to circulate in one of the treatment tanks.**
- Page 3, 2nd paragraph, last sentence should read: **He asked if there was some anecdotal information that could be provided with a development that is similar.**
- Page 5, 1st paragraph, 2nd sentence should read: **When thinking about what will happen when that forest is taken out, that is a shock.**
- Page 10, 2nd paragraph, 1st sentence should read: **Chairman Epperson stated that he would have to defer to Sebago and Attorney Donovan.**
- Page 13, 1st paragraph, last sentence should read: **Maybe there has to be lesser units for what is needed.**

- Page 13, 2nd paragraph, last sentence should read: **The density of the site design is part of the design.**

Motion by J.M. Lord to approve the minutes of January 30, 2018 as amended. Seconded by Patricia Losik. All in favor.

Adjournment

Motion by Patricia Losik to adjourn at 10:30 p.m. Seconded by Mel Low. 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: Christine McIntrye, McIntrye Family Rev. Trust & Judy & Martin Smith

Property: 731 & 733 Ocean Blvd, Tax Map 23, Lots 6-1 & 6-2
Business & General Residence Districts

Case: Case #05-2018

Application: Amendment to Major Site Development Plan and Condo Conversion by Christine McIntrye, McIntrye Family Rev. Trust & Judy & Martin Smith for properties owned and located at 731 & 733 Ocean Blvd, Tax Map 23, Lots 6-1 & 6-2 to allow for an expansion of the garage. **Property is in the Business & General Residence Districts. Case #05-2018.**

Date of Decision: Tuesday, February 13, 2018

Decision: ☐ Approved
☒ Conditionally Approved
☐ Denied

The Board voted to accept Jurisdiction over the application.

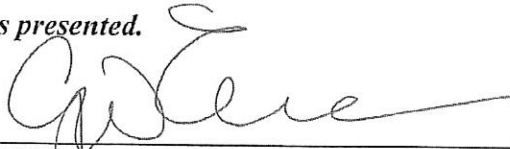
The Board voted to accept Waivers as submitted in the January 18, 2018 letter by Doucet Survey: Section 403.2, (D)(E)(F)(G)(H)(I) and (K0

Section 405.3 (A)(B)(C)(D)(E)(F)

Because strict conformity would pose an unnecessary hardship and waiver could not be contrary to the spirit and intent of the regulations because the original condominium conservsion was approved by the Planning Board in 2003. The changes proposed here are minimal and do not represent a major change from the original approval. A Zoning Board of Adjustment Variance was granted on 10/4/17 to allow for an expansion of the garage.

The Board voted to accept the application as presented.

2/20/18
Date



William Epperson, Chairman
Rye Planning Board

RYE PLANNING BOARD

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

Notice of Decision

Applicant: The Town of Rye, Public Works Department

Owner: The Town of Rye

Property: 309 Grove Road, Tax 11, Lot 134
Single Residence District and Aquifer and Wellhead Overlay District

Case: Case #04-2018

Application: Major Site Development Plan by the Town of Rye, Public Works Department for property owned and located at 309 Grove Road, Tax Map 11, Lot 134 for construction and replacement of the salt storage facility. **Property is in the Single Residence District and Aquifer and Wellhead Overlay District. Case # 04-2018**

Date of Decision: Tuesday, February 13, 2018

Decision:

<input type="checkbox"/>	Approved
<input checked="" type="checkbox"/>	Conditionally Approved
<input type="checkbox"/>	Denied

The Board voted to accept Jurisdiction over the application.

The Board voted to approve the Salt Shed Development for the Public Works with the following considerations:

- 1. Out door lighting to not be abtrusive;*
- 2. To work with Selectmen on Roof color consideration to be determined; and*
- 3. Voted to approve*

2/20/18

Date


William Epperson, Chairman
Rye Planning Board

RYE PLANNING BOARD

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

Notice of Decision

Applicant: Splitrock Cove Limited Partnership & James P. Nadeau, Jr. of 507 State Street, Portsmouth NH and by The McKenna Revocable Trust of 2004

Properties: 135 Wentworth Road, tax Map 24, Lot 30
and 139 Wentworth Road, tax Map 24, Lot 32
Single Residence District

Case: Case #06-2018

Application: Lot Line Adjustment Plan by Splitrock Cove Limited Partnership & James P. Nadeau, Jr. of 507 State Street, Portsmouth NH and by The McKenna Revocable Trust of 2004 for properties owned and located at 135 Wentworth Road, tax Map 24, Lot 30 and 139 Wentworth Road, tax Map 24, Lot 32 for an adjustment between the properties by reducing parcel 30 from 2.526 acres to 2.403 acres and increasing parcel 32 from 0.438 acres to 0.560 acres. **Properties in the Single Residence District. Case #06-2018.**

Date of Decision: Tuesday, February 13, 2018

Decision: ☐ Approved
☐ Conditionally Approved
☐ Denied
☒ **Request Continuance to April Meeting.**

2/20/18
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, February 13, 2018

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 March 13, 2018 meeting.

2/20/18
Date



William Epperson, Chairman
Rye Planning Board

RYE PLANNING BOARD

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

Notice of Decision

Applicant: Cellco Partnership d/b/a Verizon Wireless

Owner: Dolores F. Lintz

Property: 120 Brackett Road, Tax Map 22, Lot 95-A
Single Residence District

Case: Case #03-2018

Application: Conditional Use Permit Application by Cellco Partnership d/b/a Verizon Wireless for property owned by Dolores F. Lintz and located at 120 Brackett Road, Tax Map 22, Lot 95-A to install at 125' monopine wireless telecommunications facility which shall include twelve (12) panel antennas, six (6) remote radio heads, one (1) junction box, and ground based equipment to be housed within a 30' x 40' fenced enclosure. Property is in the Single Residence District. Case #03-2018.

Date of Decision: Tuesday, February 13, 2018

Decision:

<input type="checkbox"/>	Approved
<input type="checkbox"/>	Conditionally Approved
<input type="checkbox"/>	Denied
<input checked="" type="checkbox"/>	Continued to an April Meeting to be determined.

2/20/18
Date



William Epperson, Chairman
Rye Planning Board