

TOWN OF RYE - PLANNING BOARD

MEETING

Tuesday, February 19, 2018, 7:00 p.m.

Rye Town Hall

Planning Board Members Present: Chairman Bill Epperson, J.M. Lord, Jerry Gittlein, Steve Carter, and Selectmen's Rep Priscilla Jenness.

Others Present: Planning & Zoning Administrator Kimberly Reed and James Finn (as possible alternate to the board.)

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.

Chairman Epperson introduced Jim Finn who is seeking a position on the board as an alternate. Mr. Finn is a civil structural engineer and has been a resident of Rye since 2001. He hopes that his experience in the engineering field will be a benefit to the board.

Motion by Jerry Gittlein to accept James Finn as an alternate on the board. Seconded by Steve Carter. All in favor.

II. Approval of Minutes:

- **January 8, 2019**

Motion by Jerry Gittlein to move the approval of minutes to the end of the meeting. Seconded by Steve Carter. All in favor.

Chairman Epperson expressed his gratitude to Priscilla Jenness for all the hard work that she has done for the planning and select boards for many years. Mrs. Jenness has been a selectman for almost eighteen years and the representative to the planning board for over eight years. This will be her last meeting for the board. He thanked Mrs. Jenness for her commitment and dedication to Rye.

III. Submittal of Applications for Determination of Completeness – Action Required: (Not a public hearing, if deemed complete the application will move to a public hearing below)

- a. Major Site Development Plan by Samonas Realty Trust for property owned and located at 1215 Ocean Blvd, Tax Map 17.3, Lot 6, to raze all of the existing structures, eliminate the parking and access encroachment's, remove the existing septic systems, and other building infrastructure and replace them with 4 duplex style town homes with new septic, permeable

driveways and tidal buffers. **Property is in the General Residence, Business District and Coastal Overlay Districts and SFHA-Zone AO. Case #01-2019.**

Motion by J.M. Lord to declare the application of Samonas Realty Trust complete. Seconded by Jerry Gittlein. All in favor.

- b. Special Use Permit by Samonas Realty Trust for property owned and located at 1215 Ocean Blvd, Tax Map 17.3, Lot 6, to allow land housing tourist accommodations to become obsolete and to be redeveloped in residential use densities per Section 304.6 of the Rye Land Development Regulations. Property is in the General Residence, Business District and Coastal Overlay Districts and SFHA-Zone AO. **Case #01-2019.**

Motion by J.M. Lord to declare the Special Use Permit application by Samonas Realty Trust complete. Jerry Gittlein. All in favor.

- c. Minor Three Lot Subdivision and Lot Line Adjustment by Tuck Realty for property owned by Priscilla J. Patrick Rev Trust, Priscilla J. Patrick Trustee and located at 388 and 410 South Road, Tax Map 4, Lots 62 & 63. The intent to adjust the lot line between the Tax Map 4, Lots 62 & 63 and subsequently divide Map 4, Lot 62 into 2 lots using the Rye/North Hampton town line as a rear property line for all 3 lots. **Property is in the Single Residence District. Case #02-2019.**

Motion by J.M. Lord to declare the application by Tuck Realty complete. Seconded by Jerry Gittlein. All in favor.

- d. Lot Line Adjustment by the Starr Family Rev Trust, Geoffrey Starr and Kelly Starr, Trustees for properties owned and located at 96 Pioneer Road, Tax Map 22, Lot 79, and 4 Elizabeth Lane, Tax Map 24, Lot 61-16. **Property is in the Single Family Residence District. Case #03-2019.**

Motion by J.M. Lord to declare the application by the Starr Family Rev Trust complete. Seconded by Steve Carter. All in favor.

IV. Public Hearings on Applications:
(Taken out of posted agenda order. As shown in minutes.)

Chairman Epperson requested to take the application by the Starr Family Rev Trust out of posted agenda order. There were no objections to this request.

Motion by J.M. Lord to hear the application of Starr Family Rev Trust first. Seconded by Jerry Gittlein. All in favor.

- a. Lot Line Adjustment by the Starr Family Rev Trust, Geoffrey Starr and Kelly Starr, Trustees for properties owned and located at 96 Pioneer Road, Tax Map 22, Lot 79, and 4 Elizabeth Lane, Tax Map 24, Lot 61-16. **Property is in the Single Family Residence District. Case #03-2019.**

Geoffrey Starr, applicant, spoke to the board in regards to his request for a lot line adjustment for two adjoining parcels that he owns in order to make the smaller lot larger. The lots would become 67,000sf and 27,266sf. The lots are both developed and will remain as two separate lots.

The board had no questions for the applicant.

Chairman Epperson noted that the board's attorney has been consulted and he does not see any issues with the proposal. He opened to the public for comments. Hearing none, he closed the public hearing at 7:14 p.m.

Motion by J.M. Lord to take jurisdiction over application #03-2019. Seconded by Jerry Gittlein. All in favor.

Chairman Epperson reopened to the public for comments. None were heard. He closed to the public at 7:15 p.m.

Motion by J.M. Lord to approve the lot line adjustment by the Starr Family Rev Trust for properties owned and located at 96 Pioneer Road, Tax Map 22, Lot 79, and 4 Elizabeth Lane, Tax Map 24, Lot 61-16; Case #03-2019. Seconded by Jerry Gittlein. All in favor.

- b. Major Site Development Plan by Samonas Realty Trust for property owned and located at 1215 Ocean Blvd, Tax Map 17.3, Lot 6, to raze all of the existing structures, eliminate the parking and access encroachment's, remove the existing septic systems, and other building infrastructure and replace them with 4 duplex style town homes with new septic, permeable driveways and tidal buffers. **Property is in the General Residence, Business District and Coastal Overlay Districts and SFHA-Zone AO. Case #01-2019.**
- c. Special Use Permit by Samonas Realty Trust for property owned and located at 1215 Ocean Blvd, Tax Map 17.3, Lot 6, to allow land housing tourist accommodations to become obsolete and to be redeveloped in residential use densities per Section 304.6 of the Rye Land Development Regulations. Property is in the General Residence, Business District and **Coastal Overlay Districts and SFHA-Zone AO. Case #01-2019.**

Attorney Tim Phoenix, representing the applicant, introduced applicant John Samonas and Eric Weinrieb engineer for the project.

Eric Weinrieb, Altus Engineering, noted that the DES Shoreland and Alteration of Terrain Permits have been received for the project. He continued that in May of last year, they were before the board for a conceptual presentation. In October of this year, the proposal went to the Board of Adjustment to obtain zoning relief in order to proceed. The project has been before the Conservation Commission. The Demolition Committee has voted unanimously to allow the demolition of the structures on the property. In March, the proposal will go before the Heritage Commission as part of the Division of Historic Resources (DHR) review to obtain the wetlands permit. He stated the site is 2.25 acres in area and lies in

both the Business and General Residence Districts. The property is in the Coastal Overlay District as well. The site is located at the intersection of Wallis Road and Ocean Boulevard. He noted that Joe Noel mapped the wetlands and Jim Verra completed the survey for the site. As part of the process, the plans and documents on record, for the site, were examined. They also looked at the development projects in the vicinity. He stated that one of things that is misleading is the width of the State right-of-way on the lot. (He pointed out the area on the plan before the board.) The right-of-way goes up to the corner of the existing pool. The sign is in the right-of-way. The parking in front of the commercial building is in the right-of-way. The parking spaces on the Wallis Road side end at the right-of-way.

Mr. Weinrieb stated the site is naturally flat. The natural grade is 7 to 9. The two septic systems in the back have been raised to about elevation 11. The existing building in front is only a couple of feet from the State right-of-way and is about 20ft from Wallis Road. The parcel lies in floodplain AE9. During a 100 year flood event, there is a 1% chance that the water can rise up to elevation 9 and flood the entire site. In the proposed flood zone, it raises the flood zone 3ft across the site. He is not sure when the new floodplain maps will be out; however, when they design the site both are looked at.

Chairman Epperson asked if this has been overlaid with Rye's flood ordinance.

Mr. Weinrieb confirmed.

Chairman Epperson asked if there have been many storms that have inundated the property in recent years.

Mr. Weinrieb replied not completely. There have been multiple storms, since Mr. Samonas has owned the property, where the sewerage coming in from the creek floods around the buildings and a significant portion of the site. He continued there are five septic systems on the lot. Two of the systems are mounded and three are flush with grade. All five systems are within 50ft of the tidal waters. All twelve existing buildings are not compliant with the current floodplain ordinance and are within 100ft of the tidal marsh. The lawn goes up to the tidal waters. The parking lot and septic systems routinely flood. Each time the site floods, the septic systems are inundated and pollutants discharge into the resource, which is a problem. He continued there is over 230ft of roadway, frontage, access and "free for all" to the site, which creates pedestrian and safety issues. The site is flat with no treatment devices for the runoff, which discharges directly into the resource. He explained that in order to renovate the cabins they would have to be raised in order to be code compliant. The cabins would have to be raised about 5ft and the parking would remain as it is. He does not think that is a viable solution.

Chairman Epperson asked if this is the case for obsolescence.

Mr. Weinrieb confirmed.

Chairman Epperson asked when the last cabin was built.

Mr. Weinrieb explained that it appears the cabins were built in the 1930's. He continued the team thought long and hard about the best way to redevelop the property. The approach was not solely driven by economics. It was driven by protecting the environment, improving traffic and pedestrian safety, and providing benefits to the community. The Parson's Creek Watershed Study was a major factor in the design. He noted that starting with a clean slate provided some opportunities. One was that the septic systems could be located as far away from the resource as possible. The buildings can be moved forward as far as possible, keeping 9.5ft from the front setback. This is done by averaging the front setback between the two lot lines. The design also eliminates the "free for all" access and creates a single driveway off a lesser travelled road, which is 150ft back from the intersection.

Chairman Epperson asked if that section gets inundated.

Mr. Weinrieb explained that Wallis Road gets inundated because of the road elevations.

Chairman Epperson asked how people and emergency vehicles will get in and out if the driveway is completely under water.

Mr. Weinrieb replied the same way as people access the other properties on Wallis Road.

Chairman Epperson commented this would be a serious problem for the residents at the property and emergency equipment.

Mr. Weinrieb stated the grade of the site will be raised to get the buildings to elevation 12. This was a balancing act between the current and proposed flood requirements. This was also a balancing act with the Rye Vulnerability Assessment. The septic systems were also raised to meet the State design criteria of a 4ft separation to seasonal high-water table. The septic systems will be AOS systems. The waste water loading will be reduced from approximately 3800 gallons per day to 2400 gallons per day. (He pointed out the location of the systems on the plan.)

Chairman Epperson stated he read the minutes from the ZBA meeting. It states there will be two bedroom units without possibility of a third. He asked if closets and such will be eliminated so there will be two bedroom units only.

Mr. Weinrieb replied these will absolutely be two bedroom units.

Alternate Finn asked the square footage of each unit.

Mr. Weinrieb replied 2,100sf.

Member Carter asked if 4,000sf will be needed for the DLA.

Mr. Weinrieb stated they will be asking a waiver for this. They can show 4000sf areas but they would be within the 100ft buffer. Because these are systems designed specifically for this use, if the system were to fail it would be replaced in the exact location with the same type of system.

Member Carter asked if the 4,000sf could be met if there were fewer units.

Mr. Weinrieb explained that it would probably still not be outside the 100ft buffer.

Chairman Epperson explained the argument will be that the 4,000sf is a Rye rule. The town's is more stringent than the State rule.

Mr. Weinrieb noted the driveway will be pervious. It will have a better longevity and can be easily maintained.

Chairman Epperson asked who will maintain the driveway.

Mr. Weinrieb replied that it will be maintained by the condo association. This will be covered in the covenants. He continued that currently there is infrastructure on the west side of the driveway. That area will all be restored buffer. (He presented the revised planting plan that has been approved by DES Wetlands Bureau.) He noted that the existing crosswalk is access to the front of the building. As the

pavement is pushed out, and the intersection is redefined, the crosswalk will be relocated. (He pointed out the location on the plan.) There have been comments about providing a sidewalk along Wallis Road. He commented they would be happy to offer this; however, it is not something that is valid. He continued that they have been working with DOT since December. DOT is going to issue an excavation permit, not a driveway permit, because driveways are being eliminated. He noted that DOT does not want parking.

Chairman Epperson clarified that DOT is going to eliminate 12 to 14 spaces for parking along the beach. He asked if they gave a viable reason for that.

Mr. Weinrieb replied no. They just don't want the parking.

Member Carter commented people will park there anyways. They will just park in the breakdown lane.

Referring to the septics, Chairman Epperson stated in 306.4D, Density, it says; *"the Planning Board may require lower density if necessary to make a proposed redevelopment compatible with its environment based on consideration and fact, such as wetlands, configuration of the parcel, septic capacity, setback from abutting buildings, building massing, drainage or other characteristics of site which may affect sound planning"*.

Selectman Jenness asked how high the site will be raised.

Mr. Weinrieb explained the high point of the earth over the septic systems is about elevation 12.5, which is driven by the seasonal high-water.

Selectman Jenness asked the depth of the septic systems.

Mr. Weinrieb explained it is 18 inches to the bed bottom below the finished grade of 12.6.

Selectman Jenness asked if the buildings are intended to be on slabs.

Mr. Weinrieb confirmed. He continued there are a couple of things that are driving the amount of fill. There could be a retaining wall off the back with it going straight down with hardscape. That would reduce a fair amount of fill. However, that would be a very hard line. Having a softer landscape with a 3 to 1 slope creates a better buffer in transition from a porous surface into the buffer area. He reiterated that this is an area that could have a retaining wall. In front, the site was designed to meet the septic design criteria by the property line. DOT was asked how they felt about the right-of-way being filled to soften the approach. It would be a gradual slope into the right-of-way. DOT is fine with this. DOT has a surplus of fill and will provide it for this purpose. If the board says it is too much fill, it can be pulled back with a more abrupt grade to the property line.

Chairman Epperson asked for the slab elevation.

Mr. Weinrieb noted they are all 12, except one has to be lower at 10.7.

Chairman Epperson asked for the elevation of the road in the front.

Mr. Weinrieb replied the road varies. The center of the road is 9.

Member Lord asked if open slabs below the buildings have been considered to keep the fill down.

Mr. Weinrieb stated they did not look at that but they can talk about it. The design was driven by trying to bring everything up because of the changes that are happening.

Member Carter commented that even if this was done, there would still have to be a 12ft elevation for the septic. There would be mounds between the buildings.

Mr. Weinrieb agreed. (He went on to explain how the regrading in the right-of-way will reduce the runoff in that area.) He continued all the pavement is pervious on the site. There will be traditional pavement in the transition area because it was found to be better in the right-of-way. Around the buildings there will be stone dripedges to help with infiltration. Everything from the high point of the leachfield will pitch back, run into the porous pavement and off the site. The site was designed to meet Alteration of Terrain (AOT) criteria. A few years ago, the design criteria was changed for the seacoast communities. The most recent change added 15% for the seacoast communities to every rainfall event in the computation. That has been included in the design. The design is way beyond what is there now. There is a substantial decrease in the amount of runoff discharging in all storm events.

Referring to the fill from DOT, Chairman Epperson asked if there is any vetting on the fill.

Mr. Weinrieb replied the fill has to be tested. He clarified the fill that is being provided by DOT is only for the right-of-way, not for the whole site.

Chairman Epperson asked how far out in the right-of-way will fill be allowed by DOT.

Mr. Weinrieb pointed out the location of fill in the right-of-way on the plan. He noted they are allowed up to 15% building coverage on the whole lot, not just the upland area. There has been a lot of concern that this is too much development in a small area. The uplands on the lot is over 66,000sf. In just looking at the upland on the lot, today the lot coverage is 11.86%. The proposal will go up to 16% with just the uplands. This is not an over intensification of the property. It is pretty reasonable. Over the entire lot, the proposal is well within the coverage.

Chairman Epperson asked if this is total coverage.

Mr. Weinrieb confirmed. He continued in all conditions there will be a significant decrease in traffic, which is shown in the traffic memorandum that has been provided. There is over a 50% decrease in each different scenario that was looked at. He thinks that if every landowner in the Parson's Creek Watershed did the same as this design, the town and creek would be a lot healthier. In looking at the objectives of the Parson's Creek Watershed study, he believes the redevelopment of this site is a model for what the town is looking for. A floodplain report has been prepared as part of the AOT Permit. DES has approved it and agrees the slight increase is inconsequential.

Member Lord stated it looks like the impact has been spread out over the entire area. Rye is under a lot of pressure to develop a lot right now. There is a lot of fill going onto this property. It would be interesting to see the water level impact on this property if everyone in that area did that. There is going to be a ripple effect and everyone will want to do that. The board has to be cognizant of how much it will impact this area.

Mr. Weinrieb commented that one of the Planning Administrator's recommendations was to have an independent consultant look at this and they support that recommendation. He noted that they are not proposing any site lighting. There will be building mounted lights.

Chairman Epperson commented they want to be sure the lighting is not obtrusive to people on the road or the neighbors. It has to be dark sky compliant, at least.

Mr. Weinrieb agreed to provide something for the board. He stated there has been a lot of letters. He does not think there have been any direct abutters who have raised real concerns. The majority of the letters are from people who are not direct abutters. The complaints have been about stormwater management. He noted that there is a stormwater management plan in the package. DES has approved it. Sebago Tech has look at it and had minimal comments. He continued that he does not know where the "proposed parking within 25ft of the wetlands" comes from. The parking will be inside and people can park in their driveways, which is all more than 75ft from the wetlands. In regards to the complaint about the number of truckloads that have to come in for the fill, he noted this will be a construction site for some period. There will be a number of vehicles coming and going.

Chairman Epperson commented he thinks this is directly related to the amount of fill, not the number of trucks. He commented the board supports building on the environment. The board has never categorically denied an application, with the exception of one. They have found a way to make it happen for everybody. The issue here is there is an environment that exists. With all that fill, it is creating an environment to build on. The fill is creating a new environment. That is going to be the overarching issue.

Mr. Weinrieb stated there is an amount of fill and there is an amount of fill in the floodplain. Elevation 7 to elevation 9 impacts the floodplain. Elevation 9 to 100 has absolutely no impact on the floodplain.

Member Lord asked how much fill is being brought in for the entire property.

Mr. Weinrieb replied that he will defer this to the next meeting.

Chairman Epperson stated this is Rye and they do not want it to look like Hampton Beach. He noted that relief has been received from the ZBA for the height. He pointed out the height is driven by the fill. He continued this may be the most tortured piece of property in Rye. Over the years, it has suffered with septic systems and other things.

Mr. Weinrieb commented the "torturing" has impacted the entire area.

Member Gittlein stated that up to this point, the discussion has been about the elevation of the bottom. There are people who are concerned about the top of it. He asked how tall the buildings will be on completion.

Mr. Weinrieb stated the buildings are 31'6" from the garage floor. Starting at elevation 12 up another 31'6".

Member Gittlein commented this is a significant change from what is there now. This is going to be one of the considerations for the people that live in Rye, whether they live next door or just drive by.

Chairman Epperson noted the ZBA granted a variance to 36'. The Planning Board cannot do anything about that. The applicant is entitled to do that but they don't necessarily have to do that. The applicant should consider this.

Selectman Jenness asked the distance between the buildings.

Mr. Weinrieb replied 36', 34', and 30'.

Selectman Jenness stated that one of the things people have a fear of is driving the length of the boulevard as if they were in a tunnel. In building up close together and high, people cannot see the marsh and the ocean anymore driving along the coast.

Mr. Weinrieb noted they looked at different configurations. One idea was to have two triplexes. It was felt the massing would be that much bigger. By having the gaps in-between, it allows for a significant amount of space for people to see through to the marsh. He commented there is actually a pretty good gap between the buildings. Referring to the existing building for the ice cream shop, he noted they are creating an open spot in that space. Currently, the building creates a significant block right up against the road.

Attorney Phoenix stated they appreciate all the comments and expected them. Mr. Samonas wants to be a good steward to the property, Rye and his neighbors. This is a balancing act. One of the considerations was to put eight units all together, which would only leave open space on each end. Mr. Samonas thought that leaving a view corridor to the marsh would be better. He pointed out the tourist accommodation unit conversion ordinance has several requirements that have to be met. He continued they are trying to balance the economics of the project against using it the way it is, while getting a significant environmental benefit. In terms of the "tunnel", they do not feel this is the case. The Zoning Board approved the height. What it looks like is in the eyes of the beholder. He asked that the board and public be opened minded about the benefits this project is achieving, in return for the numbers and size of the units.

Member Carter stated he hopes the applicant will consider what Member Lord has suggested in dropping the elevation of the slab, which would reduce the height of the building. He suggested reducing it as much as possible to reduce the amount of fill and visual impact. He commented that he is in support of the idea.

Member Lord stated he does not think they have done a single development (new and redevelopments) of a property with a DLA under 4,000sf. If the board is going to allow 1,000sf, it will have huge impacts from this development on. The argument he has heard from the board is the DLA is not only there for the septic but also helps shape the proportions of the lot.

Chairman Epperson opened to the public.

Attorney Scott Hogan, representing residents of Rye;

- **David & Karen Pelletier** – 22 Odiorne; **Michael & Tami Pelletier** – 30 Odiorne;
Becky Williams – 1235 Ocean Blvd.; **Francis & Judy Scott** – 1237 Ocean Blvd;
Shawna Healy – 1201 Ocean Blvd; **William Morin** – 1250 Ocean Blvd;
Sandy Milley – 1256 Ocean Blvd; **Valerie & Bill Wilson** – 1252 Ocean Blvd;
Melaney White – 26 Odiorne; **Mark & Kathy Herman** – 18 Odiorne;
Donald Healey – 1201/1203 Ocean Blvd; **Patricia Barnes** – 46 Wallis Rd;
Earl Beshong – 1205-1209 Ocean Blvd; **Jo Anne Price** – 19 Park Ridge Ave;
Mary Marden – 19/20 Appledore Ave.

Attorney Hogan stated he represented a similar group of residents in 2012 for the proposal by Wentworth by the Sea for the same property. There are a lot of similarities with the two proposals. He noted that outside the group he represents, there are about 90 people in Rye who have signed letters of concern. When there is this kind of interest and concern, it really gets his attention. The first thing he did was recognize the relief the Zoning Board granted. He noted he filed a motion for rehearing and that is pending. The Planning Board has its own process. Whatever this board does will be subject to the outcome of the appeal submitted for the relief granted by the ZBA. He noted each of the four buildings

was granted relief for height. There was also relief granted from the setbacks from Ocean Boulevard property line for removal of vegetation, removal of septic system in tidal marsh and approximately 4,000cy of fill in the wetland buffer. Each of the four proposed buildings and driveways got variance relief, in terms of setbacks from the marsh. When that amount of relief was requested and granted, there were a lot of people that were tremendously concerned. There has been discussion on the mass, height, amount of fill, and the fact of the architecture and the configuration being so out of character with the Rye seacoast.

Chairman Epperson asked what the concerns were specifically about the architecture.

Attorney Hogan pointed out there are four duplex structures. Each have elevators and are in essence three story structures with garages underneath. This was a really specific design choice that the applicant made to promote and market the property. There are plenty of things that can be done on this property with either no variance relief or a fraction of what has been asked for. In terms of the environmental benefit, anybody that is going to redevelop this site would have to do those things. The level of development is what is so concerning to folks right now.

Chairman Epperson stated they have to appreciate the fact that anyone would have to have the wherewithal to redevelop the property. The applicant and his team are proposing to spend a lot of money to clean this up.

Attorney Hogan continued that when the applicant came before the board, they proposed a major site plan application only. It was noticed in January just for that. After the original site plan came in, the special use permit application came in. The applicant's position is that 304.6 has no effect on this proposal. The position they have right now, and the plan that is in front of the board, is the same one that was submitted under a major site plan application. It was brought to their attention a special permit is required. They submitted the application but their position is that it has no effect on density or any other aspect of the application.

Chairman Epperson commented it drives the density and other aspects of the application. He does not think it is correct to say it has no effect.

Attorney Hogan pointed out the applicant came up with their density and design before they knew of the special permit requirement.

Chairman Epperson commented the density has been well published since 2017.

Referring to 304.6, Attorney Hogan stated the implication of that is the Planning Board may lower densities if certain environments or factors exist. He cannot think of a town that doesn't exclude wetlands. If the saltmarsh is taken out of the useable land calculations, it would be down to a density of about three units. The threshold issue is, does the special permit actually effect the applicant's proposed density? He continued there are several waivers that are required. The 4k is not an insignificant one. In terms of application completeness, sometimes boards will look at the waivers being requested. Sometimes boards will wait several months for engineering review to even pass on the waivers. He pointed out that the condominium documents was not checked off on the site plan list. There were several references to the fact that the condominium association would ensure maintenance.

Chairman Epperson stated those documents are created somewhere down the line and are vetted by the board's attorney. It is kind of impossible to create condo documents on an application that is at this state.

Attorney Hogan stated that they want to be informed and come in with helpful comments each time. Often times with cases like this, the applicant will come in with things that they haven't had the opportunity to see. In regards to the mass, height and fill, he realizes the ZBA granted relief for those things. However, the special permit provisions give this board a lot of authority and discretion regardless of whatever relief the Zoning Board granted. Whatever this board comes to as a final decision, is going to be subject to whatever comes out of the appeal with the Zoning Board. He reiterated that the special use permit gives this board its own set of authority. He commented that people are concerned about stormwater management, flooding and drainage. It was heard tonight that there aren't any real abutters. He noted that Judy Scott lives directly across the street at 1237 Ocean Blvd. (He submitted the tax map showing the properties that the owners have voiced their concerns.) He stated the statute says that an abutter is any person who can show that their property would be directly affected by the proposal. He noted they have renderings that show the view from Odiorne and the other streets towards the ocean. The buildings are superimposed in each of those view sheds. There are many people with concerns who live in the area just because of the aesthetics. There are a variety of concerns. Many of the people are direct abutters. He hopes that they can have a project that everyone can live with.

Attorney Hogan continued there are a lot of people that would like to keep the property as it is. In 2012, he was the one who submitted the State Division of Historical Resources inventory of the property. The cabins are from 1930. People understand the cabins are aged. Some people like the charm and some don't. The special permit factors give this board completely different authority and discretion than if it were a major site plan application.

Speaking to Attorney Hogan, Chairman Epperson asked what his solution would be.

Attorney Hogan replied his clients think the density is way too high. The density should be reduced. There should be structures that aren't as tall with less fill. The property should have less density and should look like the Rye seacoast, as opposed to Hampton.

Frank Drake, 5 South Road, stated he is not in favor of the project. The buildings are too large and too uninteresting. It looks like Hampton Beach. He questions the garage under the units. It drives the height. The garage is an accessory. It is not a necessity. He continued the flooding is always going to happen in that area. The environmental plan that was put together is fabulous. He noted he is not in favor of keeping the property as it is. The buildings are obsolete and completely unviable. They are an environmental hazard.

Attorney Phoenix stated that Attorney Hogan told this board that the special permit request was not filed until the applicant was told to by the staff. That was not the case. He clarified that the filing of the special permit had to do with a misunderstanding of who was going to do it. He continued the concept that somehow they are not related does not make sense. He clarified that he knows these things are to be considered together.

Tobin Farwell, Farwell Engineering, representing Attorney Hogan's clients, stated they really focused on the density issue of this. 304.6 talks about redevelopment, residential use and density compatible with the surrounding area. It certainly talks about deducting wetland areas and sound reasonable land planning. He does not think there is any town that would say saltmarsh should be included in developable land. The typical lot size in this area, for a single family, is .41 acres, which is 2.5 dwellings per acre. That would bring it down to three units for this land.

Peter Crawford, 171 Brackett Road, asked for the square footage of all the buildings on the land now.

Mr. Weinrieb replied the dwelling coverage is approximately 8,600sf currently. The proposal is for 10,480sf.

Mr. Crawford noted that now they are mostly one story. The proposal is for two-story buildings plus a garage. He thought he heard 2,100sf per unit. If that is multiplied by 8 it would be 16,800sf. In looking at it that way, it is almost double. He asked how many bedrooms are in the cabins on the site.

John Samonas, applicant, clarified that 8,600sf does not include the largest building, which is between 4,800 and 5,000sf. That would give approximately 13,000sf. It is not almost double but it is more. The total of the existing bedrooms is between 21 and 24, depending on what is called a bedroom. A lot of rooms that were called bedrooms in the old days are not called bedrooms today. He noted that since the ZBA meeting and because of the abutters' concerns, the size of the den area has been reduced by 33% and the closets have been removed. Those plans have been submitted to the board.

Referring to the building code, Mr. Crawford stated the requirements for depth to seasonal water table requires 2ft of undisturbed land. Another 2ft could be added for the septic. If the seasonal high-water table is at or slightly below the current grade, 4ft can't be added on top of that. He asked what the seasonal high-water table is right now.

Mr. Weinrieb replied it is 8 to 15 inches.

Mr. Crawford noted this is not quite 2ft. There would be a problem in terms of not being able to meet the building code for the septic, no matter how much fill is added to the site.

Mr. Weinrieb commented they will look at that.

Tami Pelletier, 30 Odiorne, pointed out that it seems the garages are impacting the height of the buildings. If there were less units, they could have detached garages without having to have that height. Perhaps that would bring things down in scale, as the topography is also being increased.

Referring to the minutes of the ZBA meeting, Chairman Epperson stated they were talking about the garages. There was discussion about how the views to the marsh would be worse.

Mrs. Pelletier stated the buildings would come down in height and there would be less buildings. There would also be a shorter height on the garages. It would be creating a view of the marsh because the buildings would not have the height blocking it. There would be more of an open space to look over. She asked for an explanation on the waiver and what impact it would have on the coastal overlay.

Speaking to Mr. Weinrieb, Chairman Epperson asked what waivers they would be requesting.

Mr. Weinrieb replied they are just asking for the 4k waiver.

Chairman Epperson explained that the ZBA is a semi-judicial board. The Planning Board writes the zoning ordinances that's voted on by the citizens. The ordinance either becomes part of the zoning or it does not. The Planning Board writes the rules and the ZBA interprets the rules. If someone needs relief from an ordinance, they will ask for relief and it will have to meet a very stiff criteria. Once that relief is given, the Planning Board does not have any jurisdiction to change it. The board has to work within it. However, just because relief was granted, does not mean the applicant has to use it.

Mrs. Pelletier stated that coming from the bridge (at the creek) to the crosswalk is a dangerous walk. Walkways may not seem like a big deal but it is a safety issue. The board should consider that for anyone who does something on this property. She asked if the residents would be exiting this property on the boulevard or Wallis Road.

Mr. Weinrieb explained that the residents will have their own driveway and the ability to turn around to point out towards Wallis. Vehicles will not be backing into the road anymore. It will be a much safer scenario than what is there now. (He also pointed out the new location for the crosswalk on the plan.)

Mrs. Pelletier asked why they cannot pull out onto the main road (Ocean Blvd.) instead of Wallis.

Chairman Epperson explained the driveway has to be on the lesser travelled road.

Mrs. Pelletier commented a walkway, even just to the bridge, would be helpful. Also, fewer buildings and lower garages would be her recommendation.

Becky Barnes Williams, 1235 Ocean Blvd, asked how far the proposed driveway will be from the creek.

Mr. Weinrieb replied from the tidal waters to the driveway is close to 40ft. The flare of the driveway is 35ft. The driveway is 35ft away from the wetlands, which is further away than what it is now. (He pointed out the proposed location on the plan.)

Mrs. Williams stated it has taken many years to clean up the marsh. The marsh was just recently brought back to life. Rye published "The Life of the Marsh". The article talks about what kills the marsh. One thing the article significantly referenced was the runoff from plowing. All of that ends up in the wetlands and into the marsh.

Mr. Samonas stated that a snow storage area is going to be created so that does not happen. He noted that he does not want the marsh to die. There is 28,000sf of marsh that is going to be rejuvenated. When the cabins are removed, marsh grass will be planted. There is a list of specific plantings that will be planted. He noted that a "no salt" zone is being created on the site. There is no pavement on the site. Any pavement now is being removed. He commented that he has the same concerns about the marsh.

Mrs. Williams stated she agrees that the entrance should be moved to the front.

Chairman Epperson explained the State is not going to allow this to happen. A permit will not be issued for a driveway onto Route 1A. He reiterated that Rye's driveway regulations say it has to be on the lesser travelled road and that is Wallis Road. That regulation is because of safety.

Mr. Weinrieb commented they started at that point. They did not even consider going onto a busier road. The lesser travelled road was chosen.

Mrs. Williams stated she would like to see the board's engineering results. During full moons and high tides, the water comes right up. She has two sump pumps that have to run continuously. Her concern is how the water runoff will change with all the fill, buildings and increased traffic.

Sandy Milley, 1256 Ocean Blvd, stated that stormwater management is a difficult art. He sees these reports all the time and most of them are right. However, there are a percentage where something unexpected happens and it does not go the way it was expected. He would like the board to consider and introduce the notion of some kind of failsafe in case the engineering studies do not turn out as anticipated. He suggested an insurance or some type of fund to help the abutters in case they were flooded.

Steve Ellingwood, 10 Appledore Ave, spoke in support of bringing the profile of the proposed buildings down and spreading them out. He also supports the idea of a sidewalk, as it is a dangerous road to walk during the summer.

Grace Sheehan, 2165 Ocean Blvd, stated her issue is the aesthetic value. The buildings going up so high is precedent setting, as is all the fill. It is becoming a different environment with the height and fill.

Chairman Epperson noted the Planning Board's mission, by statute, is to work with the developer and applicant to come out with a reasonable outcome of an application. He understands the concerns. The members of the board live in Rye too.

Steve Bourne, 431 Wallis Road, stated the ZBA approved a "barrel" of relief. Something with this many variances and requirements is too much for the land. He continued that a list for this development would be helpful for everyone to understand what is happening. He pointed out that the lawyer for the residents spoke about how the abutters are impacted but no one mentioned sound. One of the beauties of living near the ocean is being able to hear it. Everyone up Wallis Road will lose that sound with four massive buildings acting as a sound barrier. Coming down Wallis, it will look like a raised football field. That is where it is going to look the worse.

Hearing no further comments, Chairman Epperson closed to the public at 9:15 p.m.

Chairman Epperson noted that he has a document created by the town attorney. In his opinion, both applications are as complete as they need to be to take action. **He entertains a motion to take jurisdiction over the applications.**

So moved by Steve Carter.

Member Lord stated he is struggling because he has heard a lot at this meeting. He wonders if it is a little early to take jurisdiction.

Member Gittlein commented he is hesitant as well.

Member Lord clarified that he is not hesitant about the project but about taking jurisdiction.

Member Carter commented he is fine with not taking jurisdiction.

Selectman Jenness stated she heard the words "massing, height, fill and raised" but the visual puts the icing on the cake. There is more blocking than visual through to the marsh. She is not sure if the owners would entertain any thoughts on alterations. She would wait on taking jurisdiction.

Motion on the floor to take jurisdiction dies for lack of a second.

Escrow was set at \$10,000 for peer review. A site walk with the board was scheduled for Tuesday, March 5th, 3:00 p.m.

Motion by Jerry Gittlein to continue to the March 12th meeting. Seconded by Steve Carter. All in favor.

Chairman Epperson recessed the meeting at 9:25 p.m.

The meeting was reconvened at 9:33 p.m.

- d. Minor Three Lot Subdivision and Lot Line Adjustment by Tuck Realty for property owned by Priscilla J. Patrick Rev Trust, Priscilla J. Patrick Trustee and located at 388 and 410 South Road, Tax Map 4, Lots 62 & 63. The intent to adjust the lot line between the Tax Map 4, Lots 62 & 63 and subsequently divide Map 4, Lot 62 into 2 lots using the Rye/North Hampton town line as a rear property line for all 3 lots. **Property is in the Single Residence District. Case #02-2019.**

Mike Garrepy, Tuck Realty, spoke to the board in regards to the proposal for a lot line adjustment and subdivision in order to create three lots at 388 and 410 South Road. (He reviewed the current configuration of the lots on the plan before the board.) He noted that part of the property is located in North Hampton. The proposal is to use the town line as the lot line. He confirmed he is working with Little Boar's Head and North Hampton to obtain approvals. (He reviewed the proposal on the plan for the lot line adjustment for the board.) He noted that there are existing homes at 388 and 410 South Road. The lot for 388 South Road would be subdivided to create a new lot.

Member Gittlein asked about the length of the frontage for the lots on South Road.

Mr. Garrepy replied the three lots all have over 200ft of frontage. The new lot would have 200ft of frontage on South Road and Woodland because it is a corner lot.

Chairman Epperson asked if there are any plans for the corner of Woodland and South Road. He commented there is a house that is essentially in the right-of-way. He asked if the house is going to stay.

Mr. Garrepy replied that nothing is proposed with the homes at this time.

Member Lord pointed out that the plan shows a town road on part of that property. There probably needs to be a dedication of a right-of-way to keep that road.

Mr. Garrepy suggested an easement in favor of the town.

The board reviewed the proposal.

Member Lord noted that there are two wells shown on the existing conditions plan, which should be picked up on the proposed plan. The well on Lot 63 is within 75ft of the DLA.

Mr. Garrepy explained the lots are hooking onto town water. The wells can be shown on the plan as being capped.

Member Lord stated the Police Chief thought that one of the driveways should be on Woodland Road. However, he disagrees because the properties all have a South Road address. (He noted areas on the plan where the driveways could access the properties off South Road.)

Mr. Garrepy confirmed he will be working with the highway department in regards to the location of the driveways for the driveway permit.

Member Lord asked that the stonewalls on the property be preserved as much as possible.

Mr. Garrepy agreed.

Member Lord asked that there be no blasting in the wellhead protection area.

Chairman Epperson noted that Sebago had no comment. Attorney Donovan has reviewed the proposal and had no comment. He opened to the public for comments. Hearing none, he closed the public hearing at 9:55 p.m.

Motion by Jerry Gittlein to take jurisdiction. Seconded by J.M. Lord. All in favor.

Planning Administrator Reed reviewed the proposed conditions of approval;

1. **Easement to the Town of Rye for road that infringes on the property;**
2. **Wells to be added to plans with a note they will be capped;**
3. **No blasting in the Wellhead Protection Area;**
4. **Preserve the stonewalls where possible; and**
5. **Sign-off from Little Boar's Head and North Hampton before the chair can sign.**

Motion by J.M. Lord to approve Application #02-2019 with the conditions as stated. Seconded by Jerry Gittlein. All in favor.

- e. 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. Public closed. This will be continued to the March meeting.**

V. New Business

- Preliminary Discussion on new storage facility at the rec area. The Board needs to determine whether or not to schedule a public hearing with notice to abutter for March meeting.

Corey Belden, Rye Recreation Commission Member, presented the proposal for the new multi-purpose storage building that will be built at the recreation fields located on Recreation Road. He noted that a warrant article was passed last March for Rye Recreation to build the storage building. After the warrant article was passed, a survey was done of the area and it went out to bid for a design build. (He reviewed the existing site on the plan for the board. He went on to review the proposal for the new storage building.)

Chairman Epperson asked the square footage of the building.

Mr. Belden replied 1,800sf. He noted that part of the building will be heated storage. It will be a wood frame building with vinyl clapboard siding. The building will have a pitched roof with 10ft ceilings. The building will not have bathrooms. The only water to the building will be for a bubbler (water fountain) on the outside of the building.

Chairman Epperson asked if there will be any communications in the building, such as phones.

Mr. Belden replied no.

Chairman Epperson suggested an alarm system or safety camera for the building. He asked if the proposal is before the board as courtesy.

Mr. Belden noted that it is his understanding that the board has the option of having a public hearing on the project; however, the voters have voted to approve this at town vote. He asked if the board has any comments or input on the proposal.

Chairman Epperson commented that the building should look pretty and be secure from people breaking in. He asked if there were any comments from the public.

Peter Crawford, 171 Brackett Road, asked if the building can still be done for \$150,000.

Mr. Belden confirmed. The Recreation Commission may need to find funding if they decide to do something like the cameras.

There were no further comments from the board or public.

- Conceptual Consultation by Anna Scognamiglio for Christina Scognamiglio Trust for property owned and located at 170 Brackett Road, Tax Map 22, Lot 102, for a two-lot subdivision.
Property is in the Single Residence District. Case #4-2019.

John Chagnon, Ambit Engineering, presented the conceptual for the property located at 170 Brackett Road for a two lot subdivision. He reminded the board that this was before the board in November. There were discussions about the soils and fill on the property. He spoke with the State and they agreed that the water table would readjust to where it should be based on the soils. The State has issued a subdivision approval for this concept. Jim Gove, Gove Environmental, has provided information for the board, which is submitted in the packets. Mr. Gove's opinion is that the soil has acclimated and now meets the water separation.

Chairman Epperson noted that back in 1993, this was denied. The DLA requirement waiver was denied. The case went to court and the board's decision was upheld. He is not sure where this goes. Without more analysis and work, he does not think this is going to happen.

Attorney Phoenix asked what would be needed.

Chairman Epperson pointed out the new DLA needs waivers. There are surface water and fill issues. The test pits were dug and the seasonal high-water was still there.

Attorney Phoenix stated that legally there needs to be a change of circumstances. They now have the State and Mr. Gove opining that the soils that were fill, and were rightfully denied back then, have become part of the overall soil and it meets the 24 inches.

Chairman Epperson stated his advice would be to gather all this information and bring it before the board. He thinks there are too many hurdles and too much history with this property.

Attorney Phoenix stated the history shouldn't count. It should be looked at as brand new because the soils are brand new.

Planning Administrator Reed pointed out that Attorney Donovan raised the concern that this was a court case. The court confirmed the denial. How could the court's decision be reversed?

Attorney Phoenix explained that if they were successful the board would find there has been a significant change in circumstances and the reason for the court denial no longer exists. It was improper soils and now that is not the case.

After discussion, Chairman Epperson suggested that the applicant and Attorney Phoenix speak with Attorney Donovan about where this should go.

- Discussion on March 12th meeting which is on Election Day – Does the Board want to reschedule that meeting date?

The meeting will remain scheduled for the 12th. Planning Administrator Reed will try to reserve the library or the junior high for a larger venue.

- Chemical Free Pools

Chairman Epperson explained that part of the approvals on Signature Way was that the homeowners could only have chemical free pools. The reason this was done was because of the concern for the White Cedar Forest, the wetlands and other environmental issues in that area. Now on Lot 13, a pool is being installed and they would like the board to define a chemical free pool. Danna Truslow provided the board with some information about what a chemical free pool is. A saline pool is not chemical free because they use electrolysis to treat chlorine. A regular pool is not chemical free because chemicals have to be put in to keep it pure. There are pools being created in Europe that do in fact have no chemicals. He suggested that the board take the stance that there are to be no chemicals and the homeowner is going to have to research that information on their own.

The board agreed.

VI. Subcommittee Reports

- No reports

VII. Pay Escrows

- January 8, 2019 Minutes

The following corrections were noted:

- Page 2, 8th paragraph, 2nd sentence should read: **This amendment is to delete Article IX.**
- Page 2, last paragraph, last sentence should read: **However, if the town gets municipal wide sewer, it will change the equation.**
- Page 3, 3rd paragraph, 4th sentence should read: **However, what happens if the town, at least in some areas, start to have more systems (sewer) and different opportunities that support infrastructure development.**
- Page 9, last paragraph, 1st sentence should read: **Paul Dobberstein, Ambit Engineering, noted that at the November meeting there were a few items requested by the Board to be looked at.**
- Page 9, Item D, it should be noted that the address should read: **Gilford, NH**

- Page 12, the second paragraph under 'New Business' it should read: divide Map 4
- Page 12, 3rd paragraph, 6th sentence should read: **There is one home on each existing lot.**

Motion by Jerry Gittlein to approve the minutes of January 8, 2019 as amended. Seconded by Priscilla Jenness. Vote: 4-0-1 Abstained: J.M. Lord

Adjournment

Motion by J.M. Lord to adjourn at 10:35 p.m. Seconded by Steve Carter. All in favor.

**All corresponding files and documents may be viewed in the Building Department, Rye Town Hall.*

Respectfully Submitted,
Dyana F. Ledger

RYE PLANNING BOARD

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

Notice of Decision

Applicant/Owner: Samonas Realty Trust

Property: 1215 Ocean Blvd. Tax Map 17.3 Lot 6
General Residence, Business District, Coastal Overlay and SFHA

Case: Case #01-2019

Application: Major Site Development Plan by Samonas Realty Trust for property owned and located at 1215 Ocean Blvd, Tax Map 17.3, Lot 6 to raze all of the existing structures, eliminate the parking and access encroachment's, remove the existing septic systems, and other building infrastructure and replace them with 4 duplex style town homes with new septic, permeable driveways and tidal buffers. Property is in the General Residence, Business District and Coastal Overlay Districts and SFHA-Zone AO. Case #01-2019.

Special Use Permit by Samonas Realty Trust for property owned and located at 1215 Ocean Blvd, Tax Map 17.3, Lot 6 to allow land housing tourist accommodations to become obsolete and to be redeveloped in residential use densities per Section 304.6 of the Rye Land Development Regulations. Property is in the General Residence, Business District and Coastal Overlay Districts and SFHA-Zone AO. Case #01-2019.

Date of Decision: Tuesday February 19, 2019

Decision:

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

The Planning Board voted to hold a site walk at the Site on Tuesday, March 5th, 2019 at 3:00PM.

The Planning Board voted to continue the application to the March 12, 2019 Agenda.

2/20/19
Date



William Epperson, Chairman
Rye Planning Board

RYE PLANNING BOARD

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

Notice of Decision

Applicant/Owner: Starr Family Rev Trust, Geoffrey Starr and Kelly Starr, Trustees

Property: 96 Pioneer Road, Tax Map 22, Lot 79 and
4 Elizabeth Lane Tax Map 24, Lot 61-16

Case: Case #03-2019

Application: Lot Line Adjustment by the Starr Family Rev Trust, Geoffrey Starr and Kelly Starr, Trustees for properties owned and located at 96 Pioneer Road, Tax Map 22, Lot 79 and 4 Elizabeth Lane Tax Map 24, Lot 61-16. Property is in the Single Residence District. Case #03-2018

Date of Decision: Tuesday February 19, 2019

Decision: X Approved
 Conditionally Approved
 Denied

The Planning Board voted to accept Jurisdiction over the application.

The Planning Board voted to approve the application.

2/20/19
Date



William Epperson, Chairman
Rye Planning Board

RYE PLANNING BOARD

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

Notice of Decision

Applicant/Owner: Priscilla J. Patrick Rev Trust, Priscilla J. Patrick Trustee

Property: 1215 Ocean Blvd. Tax Map 17.3 Lot 6
388 and 410 South Road, Tax Map 4, Lots 62 & 63

Case: Case #02-2019

Application: Minor 3 Lot Subdivision and Lot Line Adjustment by Tuck Realty for property owned by Priscilla J. Patrick Rev Trust, Priscilla J. Patrick Trustee and located at 388 and 410 South Road, Tax Map 4, Lots 62 & 63. The intent to adjust the lot line between Tax Map 4, Lots 62 & 63 and subsequently divide Map 4, Lot 62 into 2 lots using the Rye/North Hampton town line as a rear property line for all 3 lots. Property is in the Single Residence District. Case #02-2019.

Date of Decision: Tuesday February 19, 2019

Decision:

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

The Planning Board voted to accept Jurisdiction over the application.

The Planning Board voted to approve the application with the following conditions:

- 1. An easement deed is created to dedicate the portion of Woodland Road that crosses property at 410 South Road, Tax Map 4, Lot 62 is deeded to the Town of Rye;*
- 2. The existing wells are placed on the site plans with a note that they will be filled and/or capped;*
- 3. The stonewalls are to be saved, where possible;*
- 4. No blasting in the wellhead protection area;*
- 5. The plan sheet needs to be revised to include a plan approval signature block of the Little Boar's Head District; and*
- 6. The Planning Board chair may sign upon approval of the other two North Hampton Boards approval by providing evidence of those approvals by minutes and/or Notices of Decisions.*

2/20/19
Date



William Epperson, Chairman
Rye Planning Board

❖ *Planning Board Approvals do not include building permits; please check with the Building Inspector's office before any and all construction.*

RYE PLANNING BOARD

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

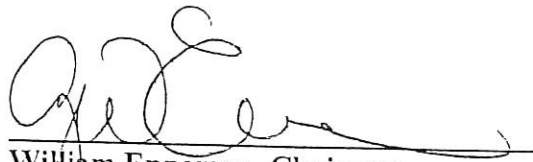
Notice of Decision

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 19, 2019

Decision: ☐ Approved
☐ Conditionally Approved
☐ Denied
☒ Continued to the March, 12, 2019

2/20/19
Date


William Epperson, Chairman
Rye Planning Board

