

**Rye Planning Board
Rules and Regulations Sub-Committee
Rye Town Hall, 10 Central Road, Rye, NH 03870 (603) 964-9800 www.town.rye.nh.us**

MONDAY, NOVEMBER 7, 2022

9:30AM

at the Rye Town Hall

1. Introductions/Pledge of Allegiance

2. Talk about changes to the Rye Zoning Ordinance

Planning Board Members Steve Carter and Pat Losik and Administrator Kim Reed introduced themselves.

Mr. Carter gave a summary of where we are – not very complicated.

On September 6, 2022, the Land Development Regulations were finishing up and began to talk about the Zoning Ordinance.

Met with Town Counsel, worked through in September and October and other staff to prepare an initial proposal for zoning amendments now for public discussion.

Town Counsel finalized at the end of October based on input from the Rules and Regulations Committee, Administrator Reed, Land Use Assistant Campbell, and town personnel.

The document has been made available by Administrator Reed on the town website.

Today is the first public discussion, the second will be at the Planning Board Meeting on 11/17/22.

Then proceed to a public hearing on 12/6/22.

It is expected the amendments will be voted by articles.

The document is a draft, expect to refine and redline.

We're here today to listen to the public.

A lot of what we've done are refinements, not a wholesale revision of the zoning ordinance, article by article.

New town attorney based on his experience in other towns, how we can move forward.

Deleted some things that are illegal.

Some interest from Rye Water District and short term rentals, waiting on that input today.

3. Open to Public comments

Dominique Winebaum, 52 Cable Road, presented on 3 areas.

1) Short term rentals: 190-5.0 off street parking and loading.

Proposal to decrease from 2 parking spaces to 1.

Chapter 162-1: Winter parking. No parking on road between midnight and 8 am.

Ban November 1-April 15.

Where are people going to park?

1 Central Road, PB allowed shed to be part of living space.

Need to strengthen regulations, too many loopholes.

ADU apps easier to increase workforce housing.

Don't want ADUs to turn into STRs.

Proposal to stay with 2 parking spaces.

Require 3 months minimum.

2) Wetland Conservation Ordinance 190-3.1

1a. Definition of District

Wetlands word has been added

Work in the Wetlands Ordinance came from the NRI.

NRI recommended removing acreage requirement for a wetland.

NH RSA defines wetland.

Mr. Carter said there will be more variance requests.

3. Parsons Creek Watershed

2011 Plan

Parsons Creek tributary added to 100' buffer requirement.

NRI has included Parsons Creek in table of stream orders, page 16 of the NRI.

Also, discussed new section 190-8.3 Enforcement/Administrative Decisions

Administrator has a lot more say. Concerned about previous experience and being a resident.

Administrator Reed said Building Inspector Marsden and Assistant Administrator Bergeron suggested to get load off overburdened building department.

Art Ditto from the Rye Water District, came to first meeting in June, told to come back in August.

Submitted information, speaking now.

LDRs matrix and their proposal for irrigation is the same.

Come to RWD for meter.

Want building permit to require it.

Ms. Losik - 511.2, RWD Website, 3 different areas

Cross control management plan. DES Regulation.

Check valve on residential meters.

Back flow inspections by licensed RWD operators.

Mr. Carter clarified that Mr. Ditto is saying there's no regulation right now on installation of meters: homeowner or licensed operator can do it, and Mr. Ditto thinks it should be within the Building Department, then goes to RWD.

Mr. Carter questioned would all irrigation systems be approved by the Building Department or would any be rejected and need a variance?

Mr. Ditto said that was a good question, probably no.

Mr. Carter asked why is the BD involved, why can they just go to the RWD.

Mr. Ditto said for tracking purposes.

Ms. Losik and Mr. Carter said it should be in the Building Code.

Mr. Ditto said he doesn't want to burden the BD.

Ms. Losik said that Lebanon has an ordinance for cross connection, wonders if we should do that.

Ms. Losik said any water regulation related to irrigation is about quantity, but also concerned about quality: contamination from irrigation.

Mr. Carter said there are other ways to limit water usage, separate meters, valves, upcharging, instead of putting it in ordinance, but Town has responsibility of keeping water pure.

Mr. Carter said a lot of this is about enforcement.

Administrator Reed said people do irrigation from personal wells.

Ms. Losik said Hillsborough has fees. Mr. Ditto said no fees yet, but would need to add.

Mr. Carter said need to talk to Attorney Mayer and discuss at the 11/17 meeting.

Mr. Ditto said he wants to stay away from Building Code.

Mr. Carter asked if you could put it under Irrigation section of Building Code where it refers to RWD.

Mr. Carter said he's not opposed to it. You can put any irrigation system on any place on a lot. Zoning does not apply here.

Mr. Ditto said last year driveway permit requirements changed.

Ms. Reed said Building Department is making them go to both PB and ZB.

Ms. Reed said we have no jurisdiction of Rye Beach Village District.

Ms. Reed said that we need more clarity that driveways are regulated by the PB not the ZB.

4. Other

Mr. Carter asked what do we do about STRs.

Ms. Losik said wait for the 17th.

Ms. Reed said we don't have good enforcement.

Mr. Carter said we don't have the time to put that in the code.

Mr. Carter said the issue with the beach is that it is now a more year round community rather than seasonal.

Ms. Losik asked if the telecommunications table is going to be as is. Ms. Reed said yes. (190-5.5).

Ms. Losik asked about numbering issues with reformatting. She asked if it should wait until PB Meeting. Ms. Reed said yes. Attorney Mayer is going to reformat.

Mr. Carter asked if anyone has been following the cell towers issue in York. He said most people say just no to all cell towers, but then you can put them anywhere, on property because they have a right, etc.

Mr. Carter asked if driveways go to Ms. Reed. She said they do. Mr. Carter said the Building Department sees them now. Ms. Reed said under 8.3 they won't go to Building anymore.

Adjournment

Ms. Losik made motion to adjourn. Mr. Carter seconded.

Respectfully submitted,

Kara Campbell, Land Use Assistant