

**TOWN OF RYE – SELECT BOARD**  
**Monday, March 22, 2021**  
**6:30 p.m. – Via Zoom**

*Present: Chair Phil Winslow, Selectman Bill Epperson and Selectwoman Mae Bradshaw*

*Others Present: Town Administrator Becky Bergeron*

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Chair Winslow called the meeting to order 6:30 p.m. and led the Pledge of Allegiance.

**Reading of Attestation**

Statement by Phil Winslow:

As Chair of the Select Board for the Town of Rye, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are providing public access to the meeting by telephone, with additional access possibilities by video and other electronic means. We are utilizing Zoom for this electronic meeting. All members of the board have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone number: 646-558-8656 and Password:963214 or by clicking on the following website address: [www.zoom.com](http://www.zoom.com) ID #83207949 6929.

- a) Public notice has been provided to the public for the necessary information for accessing the meeting, including how to access the meeting using Zoom telephonically. Instructions have also been provided on the Town of Rye website [town.rye.nh.us](http://town.rye.nh.us)
- a) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- b) Adjourning the meeting if the public is unable to access the meeting.  
In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

If anyone has a problem accessing the meeting please email the Town Administrator at: BBergeron@town.rye.nh.us

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled. Please note that all votes that are taken during this meeting shall be done by roll call vote.

Roll call attendance of Select Board:

- Bill Epperson - Alone
- Mae Bradshaw -Alone
- Phil Winslow – Wife is in the house

## II. ANNOUNCEMENTS

Chair Winslow announced that anyone 50 years or older can now register for the vaccine. The website is: [vaccines.nh.gov](https://vaccines.nh.gov).

Chief Cotreau talked about the vaccinators. He reminded the Board that they discussed some of the Rye paramedics helping with the ‘Call for all Hands’ program. He reported that since February 11<sup>th</sup> his department has filled thirty-two shifts and 168 hours. There are six members of the department that are involved with the program: John Klanchesser, Brian Yeaton, Chris Bohling, Mike Rivet, Kevin Wunderly and Jake MacGlashing. Jake MacGlashing has been asked to lead approximately 70 vaccinators and support staff at the next supersite that will be set up. Chief Cotreau pointed out that this speaks to Officer MacGlashing’s leadership skills. He also stated that he appreciates all the men’s efforts.

Chair Winslow sent the Board’s gratitude on to the team.

## III. PUBLIC COMMENT – (at the beginning of the meeting, for any comment by any Rye resident on any topic. Requested time limit, up to 5 minutes each person.)

- **Dominique Winebaum, 63 Cable Road**, told the Board that she sent them a document and that she would like to read from. On page 4, it talked about Rye Water District’s and Aquarion’s responsibility to provide public water in Rye. The Planning Board and public officials traditionally exercise little influence over the long-range planning of the water system. She stated that she has been a resident of the Jenness Beach District since 1986. They have noticed that Rye has no representation over the water issues; as does, Hampton, and North Hampton.

She asked for a report on the water main replacement schedule. How old is the water main in the Jenness Beach District and what is the schedule for replacement? They have asked for this information from Aquarion many times, but have not gotten an answer. She also asked why the nine homes in the protection area around well 5A are not hooked up to the sewer system.

She noted that Jenness Beach District doesn’t have building, zoning or a master plan. They are very dependent on town resources. She asked that a notice be placed on the

town website stating that the Jenness Beach District's annual meeting has been canceled and is going to be rescheduled. She also asked that the Jenness Beach Commission make a statement about the District.

She stated that there are no public venues in Rye in regards to planning for the next update of the Rye Master Plan. She understood that there was a questionnaire sent to several committees. The Energy Committee is not included in the Boards that are asked to participate in the formulation of the visioning question. She felt that the energy committee should be invited to participate and sustainability should be a strong component of the visioning.

**IV. CONSENT AGENDA ITEMS** – (to be discussed at the meeting only if pulled off the consent agenda by one of the three Selectmen.)

- A. Email from Bob Glowacky** re: streaming meetings to social media
- B. Email from Denis Lipman** re: his resignation from the Mosquito Control Commission
- C. Email from Alex Herlihy** re: his resignation from the Historic District Commission
- D. Dennis McCarthy, Public Works Director** – Catch Basin Bid Results
- E. Email from Dominique Winebaum** re: The Master Plan

Chair Winslow reported that he has talked to Mr. Glowacky and they have decided to put this on the back burner, until they can free up some time to work on it and see if it will work.

Chair Winslow asked that thank you letters be sent to Denis Lipman and Alex Herlihy for their service to the Town.

Chair Winslow reported that Public Works Director McCarthy has recommended the lowest bidder, so there is no need for a vote by the Board for the catch basin cleaning.

Chair Winslow asked that the email from Dominique Winebaum be taken off the Consent Agenda for discussion.

**Motion by Phil Winslow to accept Consent Agenda Items A, B, C and D as presented.**

**Seconded by Mae Bradshaw.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

Chair Winslow responded to Mrs. Winebaum's email regarding the Master Plan. He pointed out that it is the responsibility of the Planning Board to update the Master Plan. It is their intentions to do so, but they are expected to do a visioning session. The visioning session will take place after the Town approves the operating budget. All comments should be directed to the Planning

Board. Chair Winslow recommend that Mrs. Winebaum attend the meetings when they are scheduled.

**Motion by Bill Epperson to accept Consent Agenda Items E as presented. Seconded by Phil Winslow.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

## **V. DISCUSSION ITEMS**

### **A. State Presentation – Heart Healthy Community (20 mins)**

Chief Cotreau led the discussion in regards to the Heart Healthy Community Program. He explained that this is a program that they have been working on for a number of years. He introduced Lieutenant Chuck Gallant as the driver of this program. Lt. Gallant is very passionate about teaching CPR and having automatic external defibrillators (AED) in the community. With 29% of the population over the age of 65 and the tourist season that they have in Rye, it makes it doubly important to be on top of having a Heart Safe Community Program. He introduced William Wood, Rye's Heart Safe Coordinator, Nancy Vaughan, Director of Government Relations for the Red Cross, Bureau Chief Justin Romanello and Fire Academy Director Deb Pendergast.

**William Woods, Preparedness Special Project Manager at the Division of Fire Standards and Training and EMS**, spoke to the Board. He noted that Rye is the 40<sup>th</sup> community to get the designation. The initial Heart Safe Award Ceremony was held on October 14, 2009 in Concord, NH. Five communities were recognized as the initial group of awardees. There was a cardiac arrest survivor at that ceremony who was a junior in high school at the time of his incident. He collapsed in the classroom at school. CPR was started by the teacher and an AED from the school was used. The paramedic ambulance service transported him while the victim went through multiple arrests, as it was a lengthy cardiac arrest incident. Fortunately, that incident had a positive outcome and the individual was at the initial awards ceremony. He commented that it is very appropriate that as the 40<sup>th</sup> community is recognized, there is a cardiac arrest survivor in the Lieutenant, who is certainly passionate about this and for good reason.

**Fire Academy Director Deb Pendergast** gave a program overview. The New Hampshire Emergency Medical System is responding to over 200 cardiac arrest incidents per month. New Hampshire AED Legislation requires that AEDs within New Hampshire be registered in the Division of New Hampshire AED Registrar. This is a data base with over 4,400 registrations working with the Department of Safety Bureau Communications, which is New Hampshire's 911. The location of all the fitted AEDs in the system are recorded in the 9-1-1 database. This allows the dispatcher to relay the AED device placement to the caller, if they are calling in about a cardiac arrest. There is a very popular AED direct purchase program. It is a state bid process that is managed by the State's Division of EMS and is overseen by William Wood. This program assists New Hampshire organizations to purchase AEDs at a reduced price. The New Hampshire Heart Healthy Community application process encourages towns and cities to promote early access to 9-1-1. It increases AEDs in public locations and it coordinates the

advanced life support response to cardiac arrest emergencies. It continually evaluates communities' chain of survival. She congratulated everyone in the Town and the Fire Department for their hard work. She urged them to keep moving forward and to let the neighboring communities know about the program.

**Director of Government Relations for the Red Cross Bureau Chief Justin Romanello** pointed out that as a community Rye is coming together, learning skills, retaining knowledge and tools to empower the 5,500 residents of Rye to have a positive outcome. He told a story of the last cardiac arrest survivor that he worked with. He reported that she learned from her community and recognized when she was having chest pains. She recognized that it was a cardiac event and called the appropriate resources. She was home alone. When the fire department got to her door, she collapsed in cardiac arrest. They immediately did CPR and used a defibrillator. The paramedics arrived and transported her to the hospital. She survived. Two weeks later she called to thank them for saving her life. She was able to celebrate her 100<sup>th</sup> birthday with her family one week later. The key is the empowerment of knowledge. He added that he is proud to be a resident of New Hampshire and proud that Rye is the 40<sup>th</sup> community to accomplish this great task. He thanked the Rye Fire Department for all they do in the community.

Fire Academy Director Deb Pendergast read the awards letter as follows:

**Chief Cotreau,**

***Congratulations to the Rye Fire and Rescue and the Community of Rye on attaining New Hampshire Heart Safe Community Status. The Town of Rye is the 40<sup>th</sup> municipality to receive this recognition. This is an exciting opportunity for local organizations to positively impact citizens and visitors in New Hampshire. The primary goal of Heart Safe Communities Program is to increase survival of the out of hospital sudden cardiac arrest. The Rye Fire and Rescue and Town of Rye's partnership is instrumental to ensuring the chain of survival through community CPR program, access to public AEDs and the availability of advanced cardiac life support. Thank you for the community's ongoing efforts in this life saving initiative.***

**Nancy Vaughan Director of Government Relations for the Red Cross** noted that the Town will be receiving a number of documents commemorating this reward, along with a certificate which reads:

**In Recognition of the Town of Rye  
for Your Efforts to Improve Survival from Sudden Cardiac Arrest  
and for Meeting the Criteria.  
You are now Designed a New Hampshire Heart Safe Community**

Ms. Vaughan thanked everyone for their hard work and thanked them for helping to save lives.

Lt. Chuck Gallant thanked the Heart Safe Team for giving the Town this recognition. He talked about how the Department became involved in this program. It started when he was looking to buy one defibrillator for the Town. He came across a program with the state where he could

purchase four for the price of one. Over time, the program got absorbed into the Town's Joint Lost Management Program. Since then, they have acquired over a dozen AEDs, which are in all town buildings, police cruisers, and with the fire apparatus and the lifeguards. He noted that they conduct trainings for all town employees in CPR and on the use of the AEDs, biannually. They have also conducted CPR classes for the residents, and at the schools and businesses in town free of charge. Each member of the Joint Lost Management Committee knows how to check the AEDs to ensure that they are in good working order. Also, there is a light on the units that indicate if the unit is in working order. Lt. Gallant reported that the only problem that he has dealt with is with the 9-volt battery, that was in the charger itself. Other than that, maintenance is just check the dates on the pads. Lt Gallant noted that he does all the maintenance.

## **B. Cash Card Program**

**Town Administrator Becky Bergeron** explained that they are planning to partner with TD Bank to get purchase cards for the department heads and their designees, which will eliminate some credit accounts that the Town currently has. There are about a dozen unsecured accounts; i.e., Lowe's, Home Depot, Staples, etc. This will also reduce purchases on employee's personal credit cards. She explained that the auditors do not like to see the repeated reimbursements to employees and the number of small store credit cards that are being used. This was predicated on the recommendation from the auditors. There will be approximately 12 to 14 cards in circulation. This will be a centralized billing system. There will be one statement, divided by departments, so that the users can be tracked. The invoices will be matched with the statement and an ACH will be processed for payment. This is step one of a multi-step process. The first step is to get approval for the Treasurer to sign the agreement. The second step is to have Attorney Donovan review it. The third step will be to meet again with Keith Pike at TD Bank to go over the spend limit. One of the components to this is that there is a monthly limit that the Town has to spend in order to avoid monthly fees.

There was further discuss regarding the fee structure and reviewing vendors where the Town could use the cards.

Town Administrator Bergeron has gotten a sample policy from another community that is already using this program. She is in the process of tweaking it to fit the needs of Rye. She will bring that policy to the Board at the next meeting for their approval.

**Motion by Mae Bradshaw to authorized the Town Treasurer to execute the contract with TD Bank for the cash card program and to also have a user policy in place that goes to the users, so they understand what their responsibilities are. Seconded by Bill Epperson.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

## **C. Public Works Director Job Description**

**Public Works Director Dennis McCarthy** explained that he reviewed and updated the job description that has been in place since he has been in the position. He explained that the description was quite comprehensive and thorough; however, he removed a couple of sections that talked about the Director driving equipment and vehicles. He suggested that it really isn't

part of the job description and would probably get the Town in trouble with the unions, if a non-union person is doing a union job.

**Motion by Mae Bradshaw to approve the Public Works Director job description as presented. Seconded by Bill Epperson.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

**D. Kim Reed – Planning Board approval of the PREPA Grant and the Planning Board approval of hiring RPC for a visioning Chapter**

**Planning Administrator Kim Reed** presented the Board with a copy of a contract agreement with the Rockingham Planning Commission for \$8,000 for the Long Range Planning Committee (a subcommittee of the Planning Board) to hold a visioning session. The visioning session will be in late summer or fall. There will be questionnaires and surveys done. The PREPA grant is above and beyond the work that they are doing with Rockingham Planning. The PREPA work is for educating the citizens, businesses and other town boards, as to why they are doing this work and visioning session with a goal of updating the Master Plan in 2022-2023. She explained that they can't update the Master Plan without the vision and until they know what the Town needs. She asked the Board for their approval and signatures to move forward on the two contracts. She also pointed out that she had provided the Board with a draft of the questionnaire. She asked the Board to review it and formulate their feedback. She asked if she could come back to the Board on the 12<sup>th</sup> of April with the Long Range Planning Committee to discuss the questionnaire.

Chair Winslow noted that he felt that the questions were great; as they are open-ended, allowing the residents to say what they feel is important and not guiding them in the process. One thing he felt was important was that they explain to the residents how the Town uses the Master Plan.

Selectwoman Bradshaw stated that she has heard criticism that there is no implementation piece to the Master Plan.

Administrator Reed explained that the last time that they had a vision session was in 2002. From that, they implemented Senior Serve and senior housing. This new visioning session will outline where the Town needs to go. Does it need a whole new Master Plan? What chapters of the Master Plan need to be developed or rewritten?

Selectman Epperson explained that the vision statement will guide the ordinances and the land use regulation. The State of New Hampshire doesn't say that a town must have a Master Plan; however, towns must have a vision statement. They are also charged with updating that vision statement from time to time. The plan was not to do this work until the Town had the 2020 census. Because of Covid, the Town didn't have the money to do it, so it is a little behind.

Selectman Epperson asked if the questionnaire was vetted by anyone at Rockingham Planning.

Administrator Reed stated that this is just the first draft and she wanted to hold back until she and the Long Range Planning Committee come back to the Board on April 12<sup>th</sup>.

**Motion by Bill Epperson to sign the contract for personnel planning assistance between the Rockingham Planning Commission and the Town of Rye for the Master Plan Vision Chapter preliminary update. Seconded by Mae Bradshaw.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.  
Motion Passed.**

**Motion by Mae Bradshaw to sign the PREPA Grant agreement for 2021 as presented.  
Seconded by Bill Epperson.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.  
Motion Passed.**

#### **E. Discussion on the Town Clerk's Office Workflow**

**Town Clerk Donna DeCotis** outlined the work flow plan to get through the Deliberative Session in June and the Election in July.

- Office hours will be 8-2
- Clerk Works will be doing beach stickers and vital records online
- Sally King will be doing a lot of the new registrations for the election
- Sally, Jane, and Maddie will be putting together the absentee ballot packets
- Leigh Derochemont will be coming in to the office to help organize the absentee ballots and mailings.
- Dyana Ledger will be doing the minutes for the Deliberative Session.
- Katherine Epperson has offered to help process the beach stickers.
- The tax warrant will be going out – They are going to encourage online payments or mailing them in.
- Moderator Eaton will be organizing all the election staff, testing the ballots and doing the count.
- Donna and Amy will be focused on just the inside Town Clerk/Tax Collector's Office duties; such as deposits, reconciliation, state reporting, etc.

**Moderator Bob Eaton** stated that he didn't feel they would need to preprocess the absentee ballots at the municipal election. He felt they could handle them on election day. If there is an astronomical amount, he could call in moderator assistants to help, if needed. He thanked Donna and Amy for the amount of work they are doing.

Selectman Epperson pointed out that this past year has been unbelievably trying for both Donna and Amy. He stated that they have been doing yeoman work; way beyond the call of duty, in order to keep the water-tight integrity of the ship. They have done a great job. He thanked them very much.

#### **F. Update of the Port Way Cell Tower Construction**

Chair Winslow reported that the Town has issued the construction permit for the cell tower at Port Way. He suggested that they put off discussion on this until the next meeting after



Administrator Bergeron has a chance to talk to Verizon. It is up to Verizon now to release the Brackett Road Application.

### **G. Amendment to the Temporary Travel Policy**

Administrator Bergeron reported that the Governor recently issued new guidance on the travel restriction for the state of New Hampshire. Currently, there are no restrictions on domestic travel. The restrictions remain for cruise ships, unless the individual is fully vaccinated. The restrictions remain for any international travel, unless the individual is fully vaccinated. She asked the Board to amend the Town Policy in accordance with the Governor's newly updated guidelines.

**Motion by Bill Epperson to update the Town's temporary Travel Policy in accordance with the Governor's new updated guidelines. Seconded by Mae Bradshaw.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

### **H. Revenues & Expenditures**

Administrator Bergeron explained that they can not review the revenue and expenditures against the budget because they don't have an adopted budget; however, they can compare them against last year at this time. The highlights for revenue show an increase in building permits and recycling and a decrease in motor vehicle registrations over last year.

It was decided that the Board will do the next review after the budget is adopted, in order to have a better picture of where the Town stands financially.

## **VI. CORRESPONDENCE**

*None*

## **VII. APPOINTMENTS: BOARDS, COMMISSIONS, COMMITTEES**

### **A. Heritage Commission – 3-year term 4/1/21 to 4/1/24**

1. Phil Walsh: Reappointment as a member – letter rec'd 3/1/21
2. Recommendation letter rec'd 3/11/21 from Phil Walsh, Chair

**Motion by Mae Bradshaw to reappoint Phil Walsh as a member of the Heritage Commission for a 3-year term. Seconded by Bill Epperson.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

### **B. Recreation Commission – 3-year term 4/1/21 to 4/1/24**

1. Gregg Mikolaities: Reappointment as a member – email rec'd 3/16/21
2. Brett Mulvey: Reappointment as a member – email rec'd 3/16/21
3. Recommendation letter rec'd 3/16/21 from Cory Belden, Chair

**Motion by Bill Epperson to reappoint Gregg Mikolaities as a member of the Recreation Commission for a 3-year term, as recommended by Cory Belden.**

**Seconded by Mae Bradshaw.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

**Motion by Bill Epperson to reappoint Brett Mulvey as a member of the Recreation Commission for a 3-year term, as recommended by Cory Belden.**

**Seconded by Mae Bradshaw.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

**C. Conservation Commission – 3-year term 4/1/21 to 4/1/24**

1. Jaci Grote: Reappointment as a member – letter rec'd 3/1/21
2. Recommendation letter rec'd 3/19/21 from Suzanne McFarland, Chair

**Motion by Phil Winslow to reappoint Jaci Grote as a member of the Conservation Commission for a 3-year term, as recommended by Suzanne McFarland.**

**Seconded by Mae Bradshaw.**

**Roll Call Vote: Mae Bradshaw – Aye; Bill Epperson – Aye; Phil Winslow – Aye.**

**Motion Passed.**

**VIII. NEW BUSINESS**

Chair Winslow reminded the Board that about a year ago they promised to have a site walk to view the drainage at Atlantic Ave. He asked DPW Director McCarthy if they should set up that site walk.

Director McCarthy pointed out that the money is in the budget, but he cannot start the project until the budget has passed town vote. He recommended that they schedule the site walk after they contract with the engineers. The engineers could be at the site walk to hear the public's concerns.

The Board Agreed.

**IX. OLD BUSINESS**

*None*

**X. OTHER BUSINESS**

*None*

**ADJOURNMENT**

**Motion by Bill Epperson to Adjourn at 7:59 p.m. Seconded by Mae Bradshaw.**

**Roll Call Vote: Phil Winslow – Aye; Bill Epperson – Aye; Mae Bradshaw – Aye.**

**Motion passed.**

Respectfully Submitted, Dyana F. Ledger

3-22-21 Consent Item A

**Janice Ireland**

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**To:** Becky Bergeron  
**Subject:** RE: [Rye NH] Streaming Meetings (Sent by Bob Glowacky, rglowacky@outlook.com)

**From:** Becky Bergeron <BBergeron@town.rye.nh.us>  
**Sent:** Friday, March 5, 2021 2:58 PM  
**To:** Janice Ireland <JIreland2@RYENH.US>  
**Subject:** FW: [Rye NH] Streaming Meetings (Sent by Bob Glowacky, rglowacky@outlook.com)

**From:** Contact form at Rye NH <cmsmaller@civicplus.com>  
**Sent:** Friday, March 5, 2021 9:44 AM  
**To:** Becky Bergeron <BBergeron@town.rye.nh.us>  
**Subject:** [Rye NH] Streaming Meetings (Sent by Bob Glowacky, rglowacky@outlook.com)

Hello bbergeron,

Bob Glowacky (rglowacky@outlook.com) has sent you a message via your contact form (<https://www.town.rye.nh.us/user/36/contact>) at Rye NH.

If you don't want to receive such e-mails, you can change your settings at <https://www.town.rye.nh.us/user/36/edit>.

Message:

Hello Rebecca,

I was wondering if the town had looked into the possibility of streaming meetings directly to social media? With Zoom it's easier than ever to stream to YouTube or Facebook. The benefit of this as opposed to Town Hall Streams and Zoom only is that residents in town can set up notifications so that every time you go live with a board or committee they are notified about the live stream and can tune in without having to remember when the meetings are, go to the website, find the link, and join.

In my work, we stream nearly all meetings to Facebook and YouTube (as well as TV and Zoom) and in the comments of the live stream we put a url link to the agenda with instructions on how to join on zoom so it makes it really easy for residents to join meetings.

I think this would be a great addition to Rye's meetings and would be interested to hear your thoughts on the issue and that this be discussed at the next Select Board meeting on March 8th.

Regards,  
Bob Glowacky  
22 Pine Street, Rye, NH

3-22-21 Consent Item E

**Janice Ireland**

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**From:** Dominique Winebaum <domiwine@comcast.net>  
**Sent:** Thursday, March 18, 2021 1:28 PM  
**To:** Janice Ireland  
**Subject:** Agenda item for the March 22nd Select Board meeting -- attachment included  
**Attachments:** Microsoft Word - Rye Master Plan -- March 2021.doc.pdf

Dear Janice,

Attached is the third in a series of articles I have written regarding the Rye Master Plan given my concerns with the status of the "present" Master Plan and the lack of adequate planning in regard to the next update to the Master Plan. I have shared the past two articles/publications with the Select Board and many Town Boards. (The first two articles were published in Rye Civic News - December 2020 and February 2021).

Thank you for including this article in the Select Board agenda: "The Fall 2020 Plan for a "Visioning in the Spring" is Being Revisited, Lessons From the 1985 Rye Master Plan."

I would appreciate it if the content of this article could be reviewed and discussed in a meaningful and constructive manner at the March 22nd Select Board meeting.

Regards,  
Dominique Winebaum  
52 Cable Road  
Rye, NH 03870

## **The Fall 2020 Plan for a "Visioning in the Spring" is Being Revisited Lessons From the 1985 Rye Master Plan**

Dominique Winebaum, March 18, 2021

This essay is a third in a series of articles relating to the next update to the Master Plan. The second part of this essay takes a close look at the 1985 Master Plan, which served as a model for the 1998 Master Plan. Both were comprehensive and well executed plans, but for the lack of a Visioning; instead, what guided the formulation of these plans were a set of eleven goals (listed below). The organizational framework and a cohesive and systematic approach to content, including a stand-alone implementation section, of these earlier Rye Master Plans, are missing from the "present" Master Plan.

Since my first publication in the December Civic News, I have been advocating for a Town wide process for planning the next update to the Rye Master Plan, starting with the creation of a Steering Committee made of 8-12 individuals appointed by the Select Board.

In addition, I have raised awareness about the status of the "present" Master Plan and provided some guidance in developing a better approach in planning for Rye's future. I have sent my publications to the following Town Boards: Town Administrator, Becky Bergeron & Select Board; Planning Board; Conservation Commission; Library Board of Trustees; Historic District Commission; Town Center Committee; Energy Committee; Budget Committee and CIP Committee.

As of this writing, it appears that the original plan of holding a "Visioning in the Spring," which was then rescheduled after the Town Election, is currently being "revisited." As per a statement made during a meeting held by the Rye Conservation Commission on 03/11/21, the "Planning Board" is sending a questionnaire with 4-5 questions to all Town Boards in preparation for a Visioning. A request to the Planning Department for a copy of the Rockingham Planning Commission (RPC)'s contract for the Visioning and the amount budgeted in 2020 for the next update to the Master Plan (Visioning), have not as of yet been provided.

With the "settlement" of the Swap, entities such as the Rye Public Library and the Library Board of Trustees, are taking a central role in planning for a "revival" of the Town Center. Likewise, the Town Center Committee is working to implement some aspects of the Rye Community Design Charette (2019). In addition, the Historic District Commission received a \$20,000 grant for the preparation of Historic District guidelines (a recommendation made as a result of the Charette). In parallel, the Rye Conservation Commission budgeted \$15,000 to commission for the preparation of a Natural Resources Inventory (NRI), which document can be part of the Master Plan. (See below recommendations made in 1985 for such a plan.)

A Master Plan Steering Committee would provide a platform for all Town Boards and Departments and non-board affiliated at large resident members to come together in planning

for Rye's future. Who is going to decide what kind of Master Plan will guide Rye's future? The current budget appropriation is in the range of \$5,000 (it might be more) limits the scope of the project. What is the time frame for the project? Another piecemeal approach by starting with a Visioning and then what? Lack of in-house professional support in the Planning Department; lack of implementation and enforcement. Select Board members Phil Winslow and Bill Epperson do not appear to be that concerned about the status of the "present" Master Plan or for the need for a best-in class Master Plan, such as the Stratham and Exeter now have.

How much more growth can Rye handle? Back in 1984- 1985, Rye took actions to "control growth" by hiring a professional planner (as a consultant) and to "revive" its master plan. This effort was spearheaded by a member of the Select Board, Maynard L. Young.

#### **The 1985 Master Plan**

The 1985 Master Plan is a well-executed and comprehensive plan. Michael Donovan, who had been hired by the Town to act as a professional planner on a consulting basis (1984), prepared the 1985 Master Plan with the participation of the Planning Board (\$10,000 grant).

As described in the 1985 Annual Town Report, Selectman, Maynard L. Young, was instrumental in "the revival of the Master Plan" and this with the intent of bringing sound planning to Rye:

Upon my arrival in 1983, I found our master plan gathering dust. Since then it has been basically completed, and many revisions are going before the voters. This revival of the master plan came on line in the nick of time as the following year it was mandated by the state to be completed by 1986 and very necessary if we want to have some control over the rapid growth of Rye. We are issuing building permits of new buildings and remodeling of nearly \$5,000,000 each year for the past two years. To control growth we must have this master plan and also adopt a master capital improvement formula for the future (*Annual Town Report, 1985, Selectmen's Report p.29*).

For Selectman Maynard L. Young sound planning mattered, and rightly so. The project was completed in less than a year (November 1984 – June 1985). There was no public input via Visioning sessions; instead, public hearings (3) provided a platform for the public to comment on the plan prior to its adoption. What guided the formulation of the 1985 (and 1998) Rye Master Plan were a set of eleven goals (see below). In many respects, these goals are similar to the wishes and needs formulated by residents during the Visioning Sessions (2004) that guided the "2006" Master Plan, which was adopted in 2007.

A summary of the 1985 Master Plan was mailed to each household (*Annual Town Report*).

#### **Some of the Recommendations made in the 1985 MP that lacked implementation (verbatim)**

- Relocation of the town salt shed
- Public sewage for Rye's entire developed coastline. Planning must begin now so that problems resulting from on-site systems located on shallow to bedrock soils in areas

abutting tidal marshes; on barrier beaches, and in areas of tidal flooding can be eliminated. Additionally, it is recommended that the planning for sewerage extensions along Route 1 include the entire Route 1 area, and not just the mobile park.

- Rye should prepare an Open Space Acquisition and Preservation Program that specifically identifies tracts appropriate for fee or easement acquisition or current use preservation. The town should also seriously review its spending priorities with respect to open space preservation.
- Prime Wetlands Map: The Rye Conservation should file a prime wetlands map with the NH Wetlands Board so that Rye's wetlands will receive full statutory protection.
- The Planning Board should be persistent in advocating the policy of the master plan to extend sewerage to all of Rye's developed coastal areas (WOMP recommendations).

#### **The organization of the 1985 Master Plan**

The organization of the 1985 Master Plan (MP) differs from the "present" Master Plan. The content is organized as followed:

Introduction + Table of Contents

#### **Part I - Assessment Reports**

- Historical
- Demographic & Socioeconomics
- Natural Resources
- Land Use
- Housing
- Regional
- Public Utilities & Services
- Transportation
- Communities Facilities
- Recreation and Open Space

#### **Part II – General Statement of Goals and Objectives**

#### **Part III –Plans**

#### **Part IV –Implementation**

Appendices.

#### **The goals guiding the formulation of the 1985 Rye Master Plan:**

1. To maintain the present rural character of the inland areas of Rye.
2. To maintain the present character of Rye's coastal areas.
3. To preserve the presently good water quality of Rye. Its surface and subsurface water.

4. To preserve and protect Rye's wetlands.
5. To preserve and protect Rye's unique scenic and natural resources.
6. To preserve Rye's heritage.
7. To encourage an orderly spatial pattern of growth.
8. To continue a rate of growth consistent with the town's regional responsibilities, environmental limitations and the capacity of services to absorb growth in an orderly, planned manner.
9. To provide for a diversity of housing consistent with the town's regional responsibilities, economic realities, the preservation of water quality and other environmental limitations.
10. To assure that Rye's communities facilities develop in a planned manner compatible with the town's planned growth rate.
11. To otherwise promote the general health, welfare and safety of the residents of Rye.

To be noted, the 1985 Master Plan has an Introduction, a Table of Contents, and several sections, such Community Facilities and Regional, as well as an Implementation Plan, which are non-existent in the "present" Master Plan. Several sections, such as Historical and Public & Utilities Services, have their own sections, which is not the case with the "present" Master Plan.

#### **The Content of the 1985 Rye Master Plan**

There are 10 sections under "Assessment." Each section is developed in a sequential manner: part I, description and assessment; part II, development within a framework of objectives, goals, and assumptions; part III, documentation of facts via plans/tables; and IV, the implementation plan. Some of the sections have summaries reiterating the findings.

#### **Some Key Points from the 1985 Master Plan Reproduced here:**

1. Because Rye's other historic structures and sites are spread out along its many roads, expansion of the Historic District to other areas is not warranted. However, other, site-specific approaches can be incorporated in the towns development ordinances to further historic preservation. (Historical)
2. The natural environment significantly constrains development in Rye. The constraints are mostly caused by soil conditions, floodplains and wetlands with much land being constrained by all three conditions. (N.R)
3. Land fill operations pose the greatest threat to Rye's wetlands. However, the Wetlands Conservation ordinance, adopted in 1977, if properly enforced, should prevent encroachment on wetlands. (NR)
4. Because of the importance of the preservation of water quality in Rye, future land use decisions should be made with an understanding of the characteristics of each the six watersheds (Land Use).
5. Septage problems appear to be the major problem related to Rye's present housing supply. According to the WOMP [1982, Water Quality Management Plan], 84 percent of Rye's 1979 housing supply was built before 1968 when the NHWSPCC began getting



standards for on-site septic systems. Many systems built in earlier days, to inadequate design standards, have failed (Housing).

6. Rye's Conservation Commission has traditionally become the responsibility of open space preservation. In 1978 it hired a consultant, Philip E. Reynolds, who prepared a lengthy Conservation Master Plan for the Town of Rye, N.H. The plan report presents excellent descriptions of the natural resources of Rye. It recommended four priorities, as follows: Preservation and protection of the Bellyhack Bog – Berry's Brook watershed; Preservation and protection of the Cedar Run – Brown's Pond – Burke's Pond ecosystem; Protection of the Fairhill Marsh rare cedar stands; Acquisition of the Beach Grove adjacent to the Town Cemetery. This plan provides an excellent beginning for open space preservation planning, particularly as information resource. However, the plan did not target many specific parcels for acquisition strategy. It is recommended that the 1978 effort be followed-up with a study particularly targeted to specific tracts, with highest priorities given to the Bellyhack, Bailey Brook and Fairhill Marsh areas identified in the 1978 plan (Open Space).
7. Rye Harbor Basin and Bailey Brook Basin have the greatest potential for development change that would challenge the environment.
8. It is recognized that the Rye Water District and other entities [Aquarion] have responsibility for providing public water in Rye and that the planning board and town officials have traditionally exercised little influence over the long range planning of the water system.
9. Rural character can best be maintained by preserving open space along Rye's roads; by encouraging the development of housing that is architecturally compatible with the rural environment; and by preserving as much as open space as possible as Rye's interior lands developed.
10. Another area of concern is the relationship between Rye's roads and its wetlands. Some local observers feel that inadequate culvert structures at locations where roads cross wetlands may be preventing the proper "flushing" of wetlands.
11. The public wells had nitrite/nitrate nitrogen levels among the highest in New Hampshire, but the concentration did not approach the primary safe drinking water standard of 10mg/l. The concentration at the Jenness Beach well were attributed to residential development in the recharge area. *(Editor's note: there are approximately 9 homes with septic systems in the "so called" Sanitary Protective Radius (Well 5A). Why were the homes in the "recharge area"/SPR not connected to the Sewer System? Former Selectman Priscilla Jenness seemed to have been opposed to the idea of a public sewerage according to a since deceased long-time resident involved in the sewer's development. Her husband, Bill Jenness, was a Commissioner of the Jenness Beach Village District (JBVD) for 20 years (1963-1983). All JBVD residents and Rye Beach Village District are connected to the Sewer System. As required by New Hampshire Administrative Regulations, the area within the sanitary protective radius shall be maintained in a natural state at all times.)*

After laboring over the drafting of the 1985 Master Plan, Michael Donovan, stated in his conclusion (Implementation Section):

The implementation of Rye's master plan will depend upon the adequate enforcement of Rye's planning ordinances and regulations. Additionally, cooperation among all town officials and boards and commissions is paramount. In the five months in which the consultant has worked with the Town of Rye, he has heard scores of criticisms of administration and enforcement and observed a general reluctance among Rye group's to "pull together" towards common goals. The consultant believes that the master plan is not the place to deal with specific solutions to perceived enforcement and administration problems which are partly misperceived, partly accurately perceived and definitely entangled in town politics. *(Implementation)*

It has been my observation that the lack of "adequate enforcement" has been a perennial problem and is deeply rooted in the culture and comes in many forms and clearly continues to this day. In conclusion, I will quote from the 1998 Rye Master Plan "the need to grasp the 'big picture' of Rye's direction is becoming dramatically greater" and "the growth of the town and the increasing complexity of all technology has tested our planning capabilities" *(Introduction)*.

Dominique Winebaum  
March 18<sup>th</sup>, 2021