

**TOWN OF RYE – SELECT BOARD
MEETING
MONDAY, APRIL 11, 2022
5:45 p.m.
Rye Town Hall & Via Zoom**

Present: *Chair Bill Epperson, Vice-Chair Phil Winslow and Selectman Tom King*

Others Present: *Town Administrator Rebecca Bergeron*

5:45 p.m.

I. CALL TO ORDER

Chair Epperson called the meeting to order at 5:45 p.m.

**II. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (b) Hiring
(2) per RSA 91-A:3, II (c) Reputation**

At 5:45 p.m., Bill Epperson made a motion to go into Non-Public Session per RSA 91-A:3 II (c) Reputation. Seconded by Phil Winslow. Roll Call: Epperson – Yes, Winslow – Yes, King - Yes.

At 6:01 p.m., Tom King made a motion to come out of Non-Public Session. Seconded by Phil Winslow. Roll Call: Epperson – Yes, Winslow – Yes, King - Yes.

At 6:01 p.m., Bill Epperson made a motion to go into Non-Public Session per RSA 91-A:3 II (b) Hiring. Seconded by Phil Winslow. Roll Call: Epperson – Yes, Winslow – Yes, King - Yes.

At 6:31 p.m., Bill Epperson made a motion to come out of Non-Public Session. Seconded by Tom King. Roll Call: Epperson – Yes, Winslow – Yes, King - Yes.

6:30 p.m. RECONVENE PUBLIC MEETING

III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Epperson called the meeting to order and led the Pledge of Allegiance at 6:35 p.m.

IV. PINNING OF SCOTT BLAISDELL AS DEPUTY POLICE CHIEF

Chief Walsh gave a brief introduction that highlighted Lt. Blaisdell's career with Rye. Lt. Blaisdell started at the Rye Department on July 6, 1999. Along with his duties at the department, Lt. Blaisdell is currently the head crisis negotiator for the Seacoast Emergency Response Team.

Town Clerk Tax Collector Donna DeCotis congratulated Lt. Blaisdell and conducted the Oath of Office. Lt. Blaisdell's wife Stephanie pinned him.

Deputy Chief Blaisdell thanked the Town for giving him this opportunity.

V. ANNOUNCEMENTS

Town Administrator Bergeron reported that Saturday the electrical building at the Garland Road well was hit by lightning. At this time, it has been determined that the damage is all external. Eversource is providing a meter socket box. The repairs will be done today and tomorrow, so the well will be up and operating by the middle of the week.

Selectman Winslow reported that the Rye Water District has started flushing the mains today.

Selectman King announced that the Town Clerk/Tax Collector's Office will not be sending out dog license renewal notices this year. It will be up to the dog owners to contact the office for their dog licenses.

Chair Epperson announced that Bob McGrath resigned as the Animal Control Officer back in September of 2021. Since that time, the Town has been searching for a qualified candidate to fill that position. Upon the recommendation of Chief Walsh, the Board is appointing Kacie Burgoyne as the new animal control officer for the Town of Rye. Kacie grew up in New Hampshire and graduated from Pinkerton Academy. In 2016, she received her bachelor's degree from Keene State College in Psychology and Criminal Justice.

Motion by Bill Epperson to appoint Kacie Burgoyne to the position of part-time animal control officer for the Town of Rye. Seconded by Phil Winslow. All in Favor.

Chief Walsh introduced Ms. Burgoyne and gave a brief description of her background and experience.

The Board welcomed Ms. Burgoyne to the Town of Rye.

VI. 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.)

- **Mark Epply, 267 Brackett Road**, gave feedback to the Board regarding the trash cans that have been put at the beaches. He felt that they are working out very well. He has not found any bags of dog waste left at the beach since this was implemented. He reported that he e-mailed the ROMP (Rye Organization for Monitoring Pets) members. In his email he told them that the trash cans were on a trial basis. He also stated that he felt that the trash cans have improved the issue of dog waste, and he asked for their

comments, either positive or negative. All comments will be shared with the Select Board to help them decide whether to make this permanent.

Mr. Epply reported that he got back a 10% response. All were in favor of keeping the cans. Mr. Epply read some of the comments that he received:

- Cans are having a major impact; holes to make sure the cans are being used for dog waste only is a great idea.
- Love the trash cans.
- They help to encourage people to pick up after their dogs.
- Thank the Selectmen.
- Trash cans for depositing dog waste is a real success. I applaud the Selectmen for their effective solution.
- I have noticed a decrease in waste in Parsons Field, barrels year-round are a significant step.

There were also some suggestions such as:

- Put a dog bag post near the trash can at Parsons Field.

Mr. Epply gave the Board copies of the email and responses.

Selectman Winslow recommended getting comments from the Beach Committee Members as well.

- **Howard Kalet, 90 Colbourn Road**, spoke about the rebidding of the renovations at the Town Hall Annex. He wanted to make sure that heat pumps are the primary source of heat recommended in the bid package. There is propane there from the old heating system. That is fine, as far as an efficiency point of view, to go in that direction. However, heat pumps are lower in costs than propane and would not be burning fossil fuel. The propane can be the backup source of heat, because all heat pumps have a backup heating system. Mr. Kalet stated that this recommendation is from the Energy Committee.
- **Keriann Roman, 33 Locke Road**, stated that she sent a letter to the Board that she recommends they send to the Pease Development Authorities. She noted that it is on the Consent Agenda. She presented the Board with a redline version and an updated letter with additional language for the Board's review.

Selectman Epperson noted that it is the intent of the Board to remove the letter from the Consent Agenda (Item G) for discussion.

- **Dominique Winebaum, 53 Cable Road**, asked that her letter (Consent Agenda Item F) be attached to the minutes for the record. Her letter consisted of her concerns regarding the process of the update of the Master Plan. She read a statement to the Board she titled, "Planning for Rye's Future, Professional Planning Leadership and Strong Community Engagement." She asked that a copy of this statement also be attached to the meeting minutes.

- The Town's plan is to hire a consultant firm to do a complete and comprehensive rewrite of the Master Plan via a theme base approach, based on the vision framework.
- The results of the resident survey, the municipal survey, the dream board and the nineteen additional on-line responses from the visioning workshop were not tabulated or analyzed.
- Two hundred and fifty resident response forms were not incorporated into the vision framework.
- There is no existing condition baseline report.
 - What are the existing conditions regarding to population, housing, land use, transportation, etc.?
- This baseline should come from the visioning process.
- A creditable consulting firm would collect different data, according to their approach, along with an existing condition baseline report. In order to lay the groundwork for a comprehensive rewrite of the Master Plan.
- The current Planning Administrator is a Rye resident which is a conflict in her role to spearhead the land use regulations, not to mention the costs of hiring consultant attorneys to help her in her many tasks.

Mrs. Winebaum requested that all the detailed results mentioned above be placed on the Town's website to be made public permanently. She added that this was money that the taxpayers spend, and residents were involved. She also requested that meeting minutes that were originally on the Town's website prior to 2017 be made available again in their electronic form. She pointed out that a master plan steering committee, including residents that are not sitting on Boards, would provide a wider range of expertise and knowledge. She recommended the hiring of an in-house professional planning firm with multiple qualified resources to provide assistance in planning for the next update of the Master Plan.

- **Shawn Joyce, 271 Washington Road**, referred to his addressing the Board on March 28th regarding the reappointment of the Conservation Commission Members with no public notice of the open seats. No other Rye resident (including protected classes) has been afforded an opportunity to apply or be considered by the Select Board to serve, regardless of their experience, expertise, adversities or insights that they may bring to the Commission. That is a missed opportunity for the Town and it also allows for discrimination. At the March 28th meeting, the Board's response was that there were no seats opened. Mr. Joyce stated that he has reviewed the Select Board's minutes and the last time four members of the RCC seats were open was March 23, 2020. He had submitted a letter that morning. At the April 13, 2020 meeting, *Vice-Chair Roman noted that this letter was received a little bit late for the last Selectmen's meeting so it was not officially addressed; however, the Board did talk about it. She continued that this same issue was raised a few months ago. At that time, when there were openings on the boards and commissions, the position was going to be advertised on the town's website and Facebook page. With town meeting and the situation with COVID-19, this was overlooked. At the last meeting, the Select Board talked about whether there was time to advertise these positions now and wait on appointing anyone to those positions. There was discussion on this because it was a fair point that people should know there*

are positions open. It was determined that given what is going on right now and the State of Emergency, the Select Board would move forward with the appointments and the recommendations they had. The process will be corrected for next year. Whenever there are openings on boards, committees or commissions, they will be advertised on the website and Facebook page. The Town will do a better job of advertising so people will know how to apply. (BOS minutes of 4/23/2020)

Mr. Joyce pointed out that Selectman Epperson and Selectman Winslow were on the Board at that time and there was no discussion as to whether those reappointments were open positions or not. Two weeks ago, this Board disregarded those promises that were made and reappointed the four members without any posting or any fair process for other residents to apply or be considered. The reason given was that those seats were not open, which totally contradicts the promises that were made by this Select Board in 2020.

- **Steven Borne, 431 Wallis Road**, suggested that during daytime meetings, the door to the court room be closed because the audio is very hard to hear with the noise of people coming in and out of the building and conducting business at the tax collector's window. Mr. Borne also stated that the Planning Board minutes were posted on the Bulletin Board but not online. The Water District has to have two more hearings, one on the 18th and one on the 27th, regarding Wallis Road. He feels this may be a chance to get some planning done, for when that road gets ripped up. He recommended that while the road is open, the two private property owners be involved and everything be done at one time. Mr. Borne pointed to the Town website where the Conservation Commission has posted a Public Hearing for \$300,000. He suggested that this is a prime example of when the Select Board wants to find money for something the money is found. The money is moved there. There was not a budget line item that said conservation land. It's not that it is wrong, it just happens. He only brings it up when he hears that there is no money and there is no budget.
- **Robert Wright, 64 Alehson Street**, addressed the Board regarding Mrs. Winebaum's comments. He stated that he would like to correct the record on the fact that she misrepresented that she was not allowed to participate in the January zoom meeting. She was allowed, as everyone was allowed. He acknowledged that technology can keep people from connecting from time to time, but Ms. Weinbaum was asserting that she was being muted by Kim Reed. Mr. Wright stated that he was in the room and categorically that was not the case. Mrs. Winebaum complained to Becky Bergeron. He added that he does not plan to debate Mrs. Winebaum's position. He felt that this is an intra-board matter. He pointed out that Mrs. Winebaum was consistently disruptive, was a negative impact, and was not a good participant on that panel. She also appeared to have a great deal of personal animosity against Ms. Reed, which reflected in a very hostile environment. He believes this had some impact on the composition of the committee as it went forward.

He summed up that this is his public statement as a private citizen who attended that meeting. He added that he would discuss this matter further with the Board, if the Board wanted additional information.

- **Sam Winebaum, 53 Cable Road**, stated that he is an expert in online technology. He had made multiple attempts to reboot the computer. The only way she could participate was when one of the members called on her cell phone. He added that he was going to defend his wife. She was in no way disruptive in the negative sense. She has positive work ethics, positive ideas, positive contributions, and cares a lot beyond correcting commas and debating endlessly processing issues. It is about a master plan. It is about getting it done properly, finally. He asked the Board to seriously consider her letter tonight so that Rye can move forward.

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

A. Chief Walsh – Acceptance of Highway Safety Grant

B. Fundraiser request – **NicaLove** requests permission to hold a bake/craft sale at the Recycling Center on Saturday, 6/4/22 from 8:30 a.m. – 12:30 p.m. to benefit NicaLove, an animal welfare organization.

C. Dyana Martin, Recreation Director – Turf Management & Mowing Bid Results

D. Jason Rucker, Public Works Director – Bid Results

1. Catch Basin Cleaning
2. Compost Screening

E. Email from Lydia Tilsley re: Traffic on Central Road

F. Letter rec'd from Dominique Weinbaum re: her position on the Long-Range Planning Committee and the updating of the Master Plan

G. Email rec'd from Keri Roman re: request to consider sending letter to the Pease Development Authority

The Board decided to discuss all the Consent Agenda Items.

A. Chief Walsh – Acceptance of Highway Safety Grant

Chief Walsh asked the Board to appoint Town Administrator Bergeron as the executive of the grants. He explained there will be quarterly requirements for reporting and reimbursements. The program funds cover the overtime for the officers in enforcement programs for:

- Speed enforcement
- Texting while driving
- DWI
- Bicycle Safety

He also explained that these programs are going to be a regional effort, throughout the seacoast towns.

Motion by Phil Winslow to authorize the Town Administrator Becky Bergeron to sign all documentation for the Highway Safety Grants. Seconded by Bill Epperson. All in Favor.

Taken out of order: G. Email rec'd from Keri Roman re: request to consider sending letter to the Pease Development Authority

Keriann Roman, 33 Locke Road, explained that there has been a lot of back and forth with letters to the editor regarding the proposed air cargo facility at Pease. She reported that she is working with a core group of people from Newington, Durham and Rye. They are also looking to get people from Greenland and Portsmouth to join. The idea is to get the town select boards, town councils and city councils to express their opinions about what this will mean for the towns in the Seacoast. Rye does not have a seat on the PDA Board; however, the Town will be heavily affected because it is in the flight path and they use the same traffic pattern as the trucks they will be using. She pointed out that Greenland does have a seat on the board.

Chair Epperson stated that he has asked Representative Grote to look into getting some legislation put through in order to get Rye a seat on the board.

Ms. Roman stated that the things that all the communities are talking about are the issues that she has put into this letter. She listed some of them; such as, noise, environment, and infrastructure. She stated that based on the developer's proposal, there could be as many as 150 trucks going in and coming out of the facility per day, every day. There will be impact on Route 33, Route 95 and Route 101. She pointed out that this impact will not be paid for by the developer. The State or the Federal Government will have to pay for it. She asked the Board to review the letter and make comments, as they see fit. She pointed out that throughout the letter she has referenced citations. She asked the Board for their approval. She noted that she will bring it to the Newington Select Board on April 18th for their consideration. Durham is already considering it. Selectman Winslow recommended sending this to York and Kittery, Maine, as they have already approached the PDA.

Chair Epperson stated that he feels that the letter is well written and he agrees with Ms. Roman one hundred percent. He noted that the scope of the facility is 724,000 square feet, which will make it bigger than any other facility on the continent.

Ms. Roman stated that the estimated cost to build the facility was quoted as up to \$70 million. This is a massive project. She added that the size just does not make sense for Portsmouth and that it possibly should be scaled back. However, scaling it back may not make sense to the developer economically.

Selectman Winslow told Ms. Roman that she has the full support of the Board. He asked Administrator Bergeron to have a hard copy of the letter prepared for their signatures. He also asked that copies be sent to Eliot, York, and Kittery.

Selectman King reported that he went to the DES wetland approval meeting at the PDA last week. Millionaire, a flight-based operator that services transient airplanes, is trying to come into

Pease. There is already one at Pease called Port City Air. They are proposing to build a fuel farm that contains 90,000 gallons of aviation, diesel, and de-icing fluid. They needed a wetland permit from DES to build the facility. He pointed out that some of the arguments that were used against this project may be applicable to the cargo facility as well, due to the location. He noted that the project itself is not directly comparable in any way, but it is good background information as it is possible that the cargo facility may need a wetland permit as well. They extended the comment session until May 4th primarily because there are reports of there being a “vernal pool” in the area that they want to cross. It is hard to detect a viable “vernal pool” until certain times of the year. He plans to keep an eye on this.

It was noted that PDA’s next Board meeting is on Thursday, April 21st.

B. Fundraiser request – NicaLove requests permission to hold a bake/craft sale at the Recycling Center on Saturday, 6/4/22 from 8:30 a.m. – 12:30 p.m. to benefit NicaLove, an animal welfare organization.

Chair Epperson noted that this is not a new event.

C. Dyana Martin, Recreation Director – Turf Management & Mowing Bid Results

Recreation Director, Dyana Martin, asked for the Board for permission to award the bid to Seaside Landscaping. They are the low bidder and have been doing the work for the last few years. She pointed out that even the lowest bidder is \$4,000 over what was budgeted.

Cory Belden, Recreation Commission Chair, reported that there were four bids on the project this year. The Commission had anticipated higher bids this year because of the overall increase in costs. Last year’s bid was \$12,000. This year they budgeted \$16,500. Rye Conservation Commission asked the Recreation Commission to change the location of where they were disposing of the grass clippings. They asked if they could be disposed off-site. That was added to the contract this year. That portion of the bid was \$2,200.

There was discussion about trying to find a place to store the clippings on-site for a couple of weeks in order to cut the costs of trucking the material. Recreation will request another site walk with Conservation.

Selectman King asked why Seaside was so much higher in cost for insect control.

Ms. Martin responded that the only three things that she was told that increased this year was the costs of gas, seed, and fertilizer.

H. Jason Rucker, Public Works Director – Bid Results

1. Catch Basin Cleaning

Public Works Director Jason Rucker reported that he received four bids for catch basin cleaning. He is recommending the low bid, which is the vendor that the town used last year.

They have done an outstanding job for the town. They are \$5.00 more per basin this year than last, due to increased costs.

2. Compost Screening

Director Rucker explained that in past years, the compost screening was done in house with equipment provided by someone who would accept half of the compost. It was a long, drawn-out process that involved a lot of labor and costs to maintain the staging and machinery. The department has a limited staff with a lot of projects this summer. He has found that it is a lot more cost effective to contract out the screening. The vendor he is recommending happens to be someone he has done business with in the past. He has a compact screener and would be able to fit Rye into his schedule. Other companies stated that their equipment was too large to service the facility in Rye. The bid was for \$3,700 for the day. The screen will be done in the fall.

Selectman King expressed concern that there wasn't enough compost to get through the summer.

Director Rucker explained that the material that is there is not ready to compost. It hasn't cooked long enough. He is also trying to redevelop the system by drying the area out. He wants three separate piles that will be turned more frequently.

E. Email from Lydia Tilsley re: Traffic on Central Road

Chief Walsh reported that he has met with Ms. Tilsley and her husband. They talked about her concerns and what solutions the Police Department are currently working on, including the Highway Safety Grant programs. The department is also using the digital sign to provide education, awareness, and enforcement.

F. Letter rec'd from Dominique Winebaum re: her position on the Long-Range Planning Committee and the updating of the Master Plan

Chair Epperson recommended that Mrs. Winebaum's letter and recommendations be made a part of the minutes and be forwarded to the Long Range Planning Committee.

Mrs. Winebaum stated that she feels the discussion should be amongst the Select Board in terms of planning. She stated that it is much more challenging to rewrite a master plan using a theme-based approach. It is much more challenging than just rewriting chapters. She pointed out that there is a process for this, and the committee has not gone through the right process. She added that she made her recommendation back in 2020 and it has taken almost two years for them to get to her recommendations to have a steering committee, an RFP and a complete update. Now they have the vision frame work after eighteen months, but it is incomplete and it doesn't lay the ground work for a theme-based master plan update.

Steven Borne, 431 Wallis Road, spoke in support of Mrs. Winebaum. He confirmed that this should be brought up above the Long-Range Planning Committee because it is too important to the Town.

Chair Epperson stated that the plan is to get an RFQ/RFP for a consultant firm that actually does master plans. A CIP estimate is needed, and it needs to be on the ballot for it to be paid for in 2023. He stated that he will forward Mrs. Winebaum's recommendations on to Pat Losik on the Planning Board.

Selectman King pointed out that there are very few people that are as knowledgeable about the Master Plan and the history of the Master Plan than Mrs. Winebaum. She has read every Rye Master Plan since 1985. He added that he appreciates the incredible amount of work that she has done. It is a perspective that not many people have. Her comments are valuable and she has an insight on the issues. He is sorry that she does not feel as embraced by the committee as she had hoped. He fully supports the effort to create a new master plan; however, he does not know what the status is with the Long Range Planning Committee. It is important and he recommends that the Select Board address this in one of their work sessions.

Chair Epperson stated that he is comfortable with the reconstitution of the Long Range Planning Committee and the direction they are going.

Selectman King thanked Mrs. Winebaum for all she has done.

Selectman Winslow recommended that the Board contact Pat Losik to get the results of the surveys. It needs to be put on the website.

Motion by Phil Winslow to accept Consent Agenda Items A, B, C, D, F, and G. Seconded by Bill Epperson. All in favor.

VIII. DISCUSSION ITEMS

A. Gregg Bauer – Requests permission to access the beach to repair the seawall at 2320 Ocean Blvd.

Chair Epperson recommended that the Board grant permission to Mr. Bauer as he has done this type of work for many years with the following conditions of approval; the excavator will be parked off the beach, as close to the beach as possible, dump trucks will be parked off site, and the work will be done Monday through Friday, no weekends or holidays.

Referring to the schedule for the work, Mr. Bauer asked for an exception, due to the fact that he is behind in his work load and is trying to beat the Memorial Day deadline. He explained that he was planning to haul the rocks to the area in the evenings when there is less traffic on the beaches. He pointed out that it is only going to take up a 20 x 30 area in front of the stairwell. He is planning to start the work in May. It should only take two days.

The Board agreed to give Mr. Bauer the exception.

- The work will not be done before 7:00 a.m. or after 5:00 p.m.
- The Building Inspector will take pictures prior to the work being done and after the work is completed.

Motion by Bill Epperson to approve Mr. Bauer's application. Mr. Baur will give prior notice to the Building Inspector as to when he will be performing the work. Seconded by Phil Winslow. All in favor.

B. Carl McMorran, Operations Manager, Aquarion Water Co. – Update on Aquarion's Activities (20 minutes)

Mr. McMorran gave the Select Board a quarterly update on Aquarion's Activities.

- Operations
 - Things have been going very well for Aquarion this year.
 - They have had only three main breaks through the end of March, which only effected 35 out of 8,400 customers.
 - Aquarion continues to meet all the water quality standards
 - They put their first PFAS removal plant into service in December
 - The total cost was about \$2 million – The original cost was estimated at \$6 million.
 - One of the reasons for the lower cost was that an old garage was repurposed and a new building did not have to be built.
 - They were also able to avoid all the site plan work, which compressed the schedule significantly.
 - Aquarion received state funding of 80% of the project through grants.
 - The regulations are changing regarding lead creating a lot more intensive work.
 - This will probably start in 2024.
 - The idea is to get all lead out of plumbing systems, as it is a high risk for young children
- Large Projects
 - There is a new treatment plant on Old River Road, which treats wells 7 & 22
 - Aquarion completed a project on Marcy Way that feeds one of the schools in Hampton.
 - They didn't complete the project at Jenness Beach.
 - They will be resuming that in September.
- Conservation

Mr. McMorran talked about the upcoming season and the possibility of drought conditions. Aquarion is using the odd/even watering schedule. He mentioned that if the customers get used to using this system, it is less likely that they will have to go to mandatory restrictions.

Chair Epperson stated that he has been talking to irrigation companies and they are all recommending the smart irrigation systems. He asked Mr. McMorran if he knew of any federal money available for these systems.

Mr. McMorran responded that he didn't know any federal money, but there may be some state money. He also stated that Aquarion has talked about this internally. They talked about subsidizing these systems, which they do not do at the present time. Water rates are going to increase, and the tier rates are going to increase, so outside watering is going to cost more.

- Aquarion has not had contacts with landscape companies in the area.
- In the past, Aquarion has not tracked the number of customers that have irrigation systems; however, during the last few droughts they started keeping a list.
- They are also sending out letters to customers that are using above the normal amount of consumption.
- Aquarion uses a 5/8-inch standard meter at the household level.
- The meters are read once a month from the street.
- Aquarion is selling rain barrels again
 - They are taking orders on their website up until April 26th
 - The barrels are \$75.00 each

Lastly, Mr. McMorran talked about their "Champion Alert Program." The program recognizes business, non-profits, and students who share Aquarion's environmental address. This year the award for business and non-profit is \$5,000 and \$1,000 will go to student awards.

Selectman King asked about the status on the Route 1 interconnect.

Mr. McMorran responded that they are trying to move it forward. The next step is to transfer the main to Rye Water, which will allow them to connect in. They are just coming to a final agreement; after which, they will need to get PUC approval. Mr. McMorran was unable to predict a time line.

C. Bruce Hurley, Race Director of the Seacoast Half Marathon – Discussion about the event

Bruce Hurley, 150 Brackett Road, gave the Board a short introduction of the event.

- The race will be held in November
- This is their 17th year as a fund raiser event.
- There are eight committee members
- They are limiting the runners this year to 600 runners
 - This is doable, but it is a hardship because it takes about 300 runners to break even for an event before they start making money from the beneficiary.
- They are based in Portsmouth
 - They start and finish at Portsmouth High School
 - They are only on Rye roads for about 3 miles
 - The traffic is spread out and there are not a lot of spectators. There is a water stop on Route 1.

Mr. Hurley asked the Board if there was some benchmark or date that they would reconsider the limitation of 600 runners, as it is a hardship.

Chief Walsh spoke against raising the limit, referring to Covid concerns.

Sam Winebaum, 53 Cable Road, spoke in favor of the event.

There was discussion regarding insurance requirements

The Board decided to readdress this issue in July.

D. Parsons Creek Pump Out Status

- There are a total of 721 properties in the Parson's Creek watershed that are required to have their systems pumped.
- 87 properties are vacant lots, 634 properties are required to provide pump-out documentation.
- 568 properties are compliant, 66 properties are not compliant.
- 96 letters were sent out on March 1, 2022.
- To date there has been 674 letters sent.
- The 66 properties that are not in compliance will be turned over to the town attorney.

E. Reappointment Process to Boards/Committees/Commissions

Chair Epperson referred to the policy that was created in 2017. He recommended reviewing it; especially, item B addressing openings and vacancies.

Selectman Winslow asked Administrator Bergeron to speak with the town attorney regarding the process and to ask if it is appropriate.

After a short discussion, the Board agreed that the policy needs to be amended for clarity.

F. First Quarter Expenditures

Town Administrator Bergeron led the review of the first quarter expenditures. She pointed out that the town's liability insurances have been paid for the year and the balance remaining is a premium holiday that Primex affords its members. She also stated that she and PWD Rucker are reviewing fuel costs.

There were no other items of concern for the first quarter.

IX. CORRESPONDANCE

None

X. NEW BUSINESS

None

XI. OLD BUSINESS

Selectman King reported that he and Administrator Bergeron will be meeting with the Historical Society Director this week. They finally have a plan for Rye's 400th and will be moving forward. He will bring more information back to the Select Board soon.

XII. OTHER BUSINESS

None

ADJOURNMENT

Motion by Bill Epperson to adjourn the meeting at 9:25 p.m. Seconded by Phil Winslow. All in Favor.

Respectively Submitted
Dyana F. Ledger

4-11-22 Consent Item E

Janice Ireland

From: Lydia Tilsley <lydia.tilsley@gmail.com>
Sent: Saturday, March 26, 2022 10:42 AM
To: Janice Ireland
Subject: Revisiting speeding in Rye

The traffic on Central Road is heating again as the good weather arrives. The sweeping turn is a speedway as vehicles come down the hill and an opportunity to accelerate as they head up. My mailbox has been hit. My car was rear ended as I turned into my driveway. There are kids on bikes every morning. Walkers runners cyclists. Nothing slows down these drivers. We have no sidewalk. The road is too wide. We talk about this once a year. Nothing changes. Please consider taking steps to improve our quality of life and the safety of our kids by easing traffic here.

Narrow the lanes

Add crosswalks

Widen the shoulders and paint them to make it clear these are for pedestrians and cyclists

Strictly enforce speed limit on this corner

I'm sure you have better ideas. I just really want to be able to enjoy my town.

Thank you

Lydia Tilsley

17 Central Rd, Rye, NH 03870

4-11-22 Consent Item E

Janice Ireland

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The traffic on Central Road is heating again as the good weather arrives. The sweeping turn is a speedway as vehicles come down the hill and an opportunity to accelerate as they head up. My mailbox has been hit. My car was rear ended as I turned into my driveway. There are kids on bikes every morning. Walkers runners cyclists. Nothing slows down these drivers. We have no sidewalk. The road is too wide. We talk about this once a year. Nothing changes. Please consider taking steps to improve our quality of life and the safety of our kids by easing traffic here.

Narrow the lanes

Add crosswalks

Widen the shoulders and paint them to make it clear these are for pedestrians and cyclists

Strictly enforce speed limit on this corner

I'm sure you have better ideas. I just really want to be able to enjoy my town.

Thank you

Lydia Tilsley

17 Central Rd, Rye, NH 03870

4-11-22 Consent Item F

Dear Members of the Select Board and Town Administrator, Becky Bergeron,

My letter, re: "my position on the Long Range Planning Committee and the updating of the Rye Master Plan" is on the Consent agenda. I hope that it will be pulled out of the Consent agenda for discussion and I am asking that it be included in the meeting minutes, along with this statement I am going to read.

Planning for Rye's future – professional planning leadership & strong community engagement

1. The Planning Board's plan is for the Town to hire a consulting firm/consultant to do a complete and comprehensive rewrite of the Master Plan, via a theme-based approach, based on the "Vision Framework." Even though there was a huge effort including many residents as part of the Visioning, the results of the Community Survey and Municipal Survey, the Dream Board, and the 19 additional online Visioning Workshop input forms were not tabulated or analyzed in developing the "Vision Framework" and themes. By this I mean that the approximately 250 resident response forms were essentially not incorporated, summarized or considered as part of the Vision Framework.
2. In my opinion, the "Vision Framework" as drafted does not lay the groundwork for a sound and smooth path forward; the so-called "themes" were drafted prior to the Visioning Session. No existing conditions baseline/report was developed, namely what are the existing conditions with regard to population, housing, land use, transportation, etc. (Inventory), that should inform the Visioning process. A credible Consulting firm may need to collect different data according to their approach, along with an existing conditions baseline/report, in order to lay the groundwork for a comprehensive update of the Master Plan.
3. At the first Long Range Planning Committee meeting on April 5th, after the Committee had been dissolved on February 1st by a member who is now the new Chair, 12 minutes into the meeting, the new Chair came to the swift conclusion to hire a Consultant and made the proposal to reach out to Julie LaBranche, who worked with the Committee over the past year, to assist the committee in writing an RFP/RFQ, for a complete rewrite of the Master Plan. Additionally, the Chair stated categorically "we don't want the consultant to review the results of the surveys." Excuse me...
4. The Town's reliance on the services of Town Counsel, Michael Donovan, for planning and town legal matters over 30+ years (Michael Donovan wrote the 1985 Master Plan) has created a void in terms of internal or even external professional planning expertise and has been very costly, and with I would argue, at times, questionable outcomes.
5. Eric Maher, the new Town Attorney, may not be as available as the former Attorney, Michael Donovan who is still active with Rye land use matters. Our Planning and Zoning Administrator is a Rye resident, which I believe is a conflict given her role in

spearheading land use regulations, not to mention the additional cost of hiring consultants/attorneys to assist her in her many of her tasks.

6. I am requesting that all the detailed results, as mentioned above, municipal survey, community survey, what people at the Visioning wrote on the dream board, and the 19 responses from the online Visioning Workshop forms, be made public on the Town of Rye website, prominently. They have not been made public to date. It was money that the taxpayers spent with residents involved devoting time to the process. The Town should provide a link to the detailed results on the front page of its website, under "News" – no prominent announcement has been made under the "News" section to direct the public to the LRP webpage and its Master Plan Visioning content with prominent visibility going forward so residents can be informed and engaged including through the use of social media.
7. I would also request that meeting minutes that were originally posted on the Town of Rye website prior to 2017, be made available again in their electronic form. This to provide access to recent history, i.e., land use regulations efforts via meeting minutes. Not having this very recent history and record available online creates a significant gap in knowledge and continuity.
8. A Master Plan Steering Committee (including residents who are not serving on boards) would provide a wider yet range of expertise and knowledge, something I have been advocating for 2+years.
9. Likewise, the hiring of an in-house or contracted professional planning firm with multiple qualified resources should be given serious consideration to provide much needed assistance and expertise in planning for the next update of the Master Plan; in assisting with the currently planned complete re-write of the Rye Zoning Ordinance so as to streamline the process and make sure it takes into account emerging trends; in helping draft new regulations to expand on the "pump-out" ordinance to better protect the Parsons Creek watershed; to create a yearly and continuous implementation process for all land use related actions; to create an electronic platform for all documentation within the building, planning and zoning departments; to assist other departments and boards with planning requests; to write RFP/RFQ/grants; to assist the building department with land regulations compliance; to be up to date and current on best practices, legislative and regulatory changes just to name important tasks requiring much needed professional planning assistance and expertise.

Thank you,
Dominique Winebaum

April 11, 2022

4-11-22 Consent Item 9

Janice Ireland

From: Keriann Roman <keri.ryenh@gmail.com>
Sent: Friday, April 8, 2022 12:22 PM
To: Janice Ireland
Subject: PDA Letter for BOS Packets
Attachments: Governing Board Letter.docx

Hi Janice,

Will you please put the attached letter into the Board's packets for the Board's consideration?

I'd like to request that the BOS consider signing this, or some version of this, letter and send it to the PDA on behalf of the Town of Rye.

Thank you!

Keri Roman
33 Locke Rd.



VIA US Mail and Email at p.brean@peasedev.org, info@peasedev.org

April 11, 2022

PDA Board of Directors
Paul Brean, Executive Director
Pease Development Authority
55 International Drive
Portsmouth, NH 03801

Re: Proposed Cargo Facilities

Dear PDA Board and Mr. Brean:

We write to you regarding the proposed air cargo facilities at the Portsmouth International Airport at Pease. The negative affects air cargo will have on the dynamic of our communities and the Seacoast are numerous and cannot be understated, as we outline below.

Noise

There will be a significant increase in aircraft noise, particularly with nighttime air freight flights, that will disturb the sleep of seacoast residents. Stage four aircraft, such as we see with the Pegasus KC 46A aircraft, do not solve this problem. That said, we fully support our military flights which protect our democracy, however we do not support the additional of the proposed commercial freighter aircraft.

Numerous studies have shown that airplane noise particularly during the night, causes physical and mental health issues, particularly to the elderly and to children. "Although well recognized as an environmental harm, there is now considerable recent literature on the adverse health effects of noise on children's education and cardiovascular disease." Further, experts state that "there is insufficient appreciation of the fact that aircraft noise has substantial effects on cardiovascular disease including hypertension, ischemic heart disease, heart failure and stroke" and that there must be "revised policies and actions to ensure there is an equitable balance between economic benefit and the health and wellbeing of communities . . . [because] [t]he cost and long-term consequences of inaction will be considerable."¹

Environment

¹ <https://blogs.bmj.com/bmj/2019/06/18/the-harms-to-health-caused-by-aviation-noise-require-urgent-action/>



There will be environmental impacts from plane exhaust ultrafine particles, de-icing, fueling, plane maintenance, and increased truck traffic.² The seacoast area has already been rocked by PFAS water contamination at Pease as well as from the Coakley landfill, and by the seacoast cancer cluster. We should be doing everything we can to decrease environmental pollutants and the risks they present to our residents' health, not increase them.

Infrastructure

The seacoast municipalities and the State, like the rest of the country, are suffering from aging infrastructure such as roads, drainage and bridges.³ Air cargo will bring an increase in tractor trailer traffic to the seacoast area, further degrading our infrastructure. The cost of this damage will fall to the State and Town taxpayers to repair and maintain over the next 30+ years (or place increasing demand and reliance on federal funds) with no financial assistance from the developer or air cargo tenants. The trucks will either travel on I-95 to out-of-state destinations, resulting in benefits to out-of-state businesses and consumers, with the State and N.H. municipalities bearing the brunt of these impacts; and/or, the trucks will be traveling on State roads – RT 4, Rt 101, Rt 33 - further impacting more NH infrastructure.

Types of Jobs

It appears that most of the jobs "created" will be ramp workers for the aircraft or warehouse workers for distribution. Using, for example, FedEx's figures for such jobs, employees in these categories range \$16-\$32/hr, plus benefits, resulting in annual salaries ranging from \$30,000 - \$61,000, *before* deductions.⁴ As anyone can see from driving through the seacoast or the State, these types of jobs already exist and can't be filled now; we don't need more of these types of jobs on the seacoast, there are no local workers to fill them.⁵

Size and Scale

Finally, we do not agree with recent representations that this project will not be "large" and will have minimal impacts to the area. The Air Cargo facilities must be built large enough to

² <https://www.washington.edu/news/2022/01/26/air-pollution-from-planes-roads-infiltrates-schools-and-can-be-dramatically-reduced-with-portable-air-filters/>

https://deohs.washington.edu/mov-up?_ga=2.3832498.349584788.1648042644-778242273.1648042644

<https://ops.fhwa.dot.gov/publications/fhwahop10024/sect2.htm>

<https://qz.com/2084675/shipping-giant-maersk-invests-in-high-emissions-air-freight/>

³ <https://www.whitehouse.gov/wp-content/uploads/2021/04/AJP-State-Fact-Sheet-NH.pdf>

⁴ <https://groundwarehousejobs.fedex.com/groundwarehousejobs/jobs/25736-539765?lang=en-us&previousLocale=en-US>

<https://careers.fedex.com/express/jobs/RC484957?lang=en-us&previousLocale=en-US>

<https://careers.fedex.com/express/jobs/RC487097?lang=en-us&previousLocale=en-US>

⁵ <https://www.nj.com/opinion/2022/03/do-we-really-need-an-amazon-air-hub-at-newark-airport-opinion.html?outputType=amp>



make money, and presently the proposal presented to the PDA in January represented two facilities each with 2 phases, which, upon full build-out, will be 400,000 sf + 324,00 sf for a total of 724,000 square feet with a project development cost of \$30 to \$70 million.⁶ Air cargo projects smaller than this were recently built in such major metropolis areas as Pittsburg (140,000 sf), Indianapolis (300,000 sf), Anchorage (500,000 sf and 300,000 sf facilities were added: "[Anchorage is the] number two airport in the United States for landed weight of cargo aircraft . . . and is one of the top five airports in the world for cargo throughput"), and Toronto (400,000sf: "Canada's busiest and largest airport").⁷ Even if this is scaled back, this will not be a small project with minimal impacts to the seacoast and the State. The proposed air cargo facilities are large even in comparison to *major North American cities*; this project, if allowed, is not appropriate for the seacoast of N.H. and will completely change the area.

The PDA is required by statute to "act in a manner which is consistent with the public good," and to consider not just revenues and benefits to the State, but also the "environment, and quality of life of the affected communities, [and] the seacoast region." RSA 12-G:7, II; RSA 12-G:1, II. The overwhelming negative impacts air cargo facilities will have on the communities and the entire seacoast significantly outweigh the few potential economic benefits air cargo could offer the area or the State. Given your statutory obligations, we urge you not to offer a lease for air cargo facilities to any tenant, or act in any other manner which allows for additional air cargo facilities at Pease.

The New Hampshire seacoast is a unique, beautiful, limited resource, as well as a tourist boon for the State. Air cargo will change all this for the worse. As elected representatives for the Town of Rye, we are committed to preservation of our environment and quality of life in our Town and the entire seacoast area, and we are prepared to ensure the right decision is made for the seacoast.

Thank you for your time, your dedication and commitment to the PDA, and your consideration of this letter.

Sincerely,

Rye Select Board:

⁶ Pease Development Authority Board of Directors Proposed Development Presentation, January 20, 2022 by ProCon and Kane. <https://peasedev.org/wp-content/uploads/2022/01/1-20-2022-Public-Board-Packet.pdf>
⁷ <https://www.aircargonews.net/cargo-airport/new-cargo-facility-to-be-built-at-pittsburgh-international/>;
<https://www.ind.com/business/air-service-cargo>; <https://www.akbizmag.com/industry/transportation/thinking-big-at-the-ted-stevens-anchorage-international-airport/>;
http://www.matthewssouthwest.com/project_page/vista-cargo/



Bill Epperson, Chair

Philip D. Winslow, Vice Chair

Tom King, Selectman

cc: Newington Select board
 Greenland Select Board
 Durham City Council
 Portsmouth City Council
 Kittery, Maine City Council
 Dover City Council