

**TOWN OF RYE - SELECT BOARD
MEETING**

**Tuesday, May 9, 2023 – 8:45 a.m.
Site Walk – Perkins Road
Town Hall**

Selectmen Present: Chair *Tom King*, Vice-Chair *Bill Epperson*, and *Bob McGrath*

Others Present on behalf of the Town: *Town Administrator Matt Scruton, Asst. Town Administrator/Finance Director Becky Bergeron, Police Chief Kevin Walsh, and DPW Director Jason Rucker*

8:45 a.m.

I. CALL TO ORDER

Chair King called the meeting to order at 8:45 a.m.

II. SITE WALK – Perkins Rd/Ocean Blvd Intersection

DPW Director Jason Rucker provided a history of the planned improvements mentioning that the town had previously considered two options: A. Using paint to designate a pedestrian walkway or B. Using raised sidewalks to define the walkway. Eventually a hybrid option was settled on that used paint in some areas and raised sidewalks in other areas to define the walkway. Pedestrians would no longer need to enter private property to reach the crosswalk on Ocean Blvd. The previously approved Hoyle Tanner proposal, showing the Perkins Rd/Ocean Blvd intersection and safety improvements, was shared with the public and discussed with the public. Some people spoke in favor of the project, others spoke against it. Some questioned what the impacts would be to local businesses, parking, and traffic congestion on Perkins Road and if the town was prepared to take on the annual maintenance responsibilities. Tom King mentioned that there was money in the town budget for this project and stated that other properties with traffic safety issues along Ocean Blvd. would also need to be addressed in the future. DPW Director Rucker noted that the entrance to Perkins Rd would be narrowed to reduce the speed of traffic turning onto Perkins Rd from Ocean Blvd. Chief Walsh shared that he had safety concerns that he believed would be addressed through the planned improvements.

Motion by Tom King to recess the meeting at 9:12 a.m. so that discussion could be continued at the Town Hall. Seconded by Bob McGrath. All in favor.

9:30 a.m. - RECONVENE PUBLIC MEETING

III. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair King reconvened the public meeting at 9:32 a.m. and led the Pledge of Allegiance.

IV. DISCUSSION ITEMS

A. Perkins Road Safety Improvement Discussion

Vice-Chair Epperson noted that the area where the Dunes Hotel is located was once a little store and a restaurant. Now it's a pizza place, a store, restaurant, and the Dunes. The area has morphed into something that was never intended. The parking issue is a self-inflicted wound. He sympathizes with the fact that something has to be done in order to mitigate the pedestrian traffic and calm vehicle speeds coming around the corner. The Select Board has looked at this over the years. There has been a significant number of people who have looked into the issue. Something was going to be done last year, but it couldn't be done because there were issues with supplies. He thinks this year it needs to be done. Plan C is a legitimate compromise, based on everyone's input.

Selectman McGrath commented that he thinks it's a great idea to have removable speed humps during the summer months on Perkins. Referring to the lot map, he noted that the owners of the property have an opportunity to expand their parking toward the green grass area, which is adjacent to where the parking is now. He pointed out if the State would allow an additional curb cut, the parking could actually increase because it could be against Route 1A. There are a lot of opportunities for the property owner to address their concerns. Selectman McGrath continued there was a comment made, during the site walk, about a bicyclist hitting the curb, which could be dangerous. He asked if there is a possibility of doing a slanted curbing.

DPW Director Jason Rucker agreed this is something they can discuss.

Selectman McGrath stated that his number one concern is for safety. His second biggest concern is organization. This area has neither at the current time.

Chair King noted that as soon as a single stripe is painted, they have to get a parking plan and they are going to be held to that plan. He thinks it would be negligent of them to paint a line in that parking lot because it would put them under a whole different level of scrutiny. If they don't do this, it's grandfathered and it's not the law. Speaking to Chief Walsh, he asked when the last reportable accident or pedestrian/vehicle accident has happened.

Chief Walsh commented that he would have to do some research, as nothing right now comes to his mind.

Chair King pointed out that this is the point. It's not even known when the last one was; that's how safe this is. There are far more dangerous places along Route 1A. He's not saying that he is opposed to doing anything. The Town has spent plenty of time and money on this already. He thinks they are going to move forward with something. He pointed out that they are looking at a problem that is three to four months a year. The curbing from where it begins to around the corner seemed to be a reasonable compromise. He noted that it can't get any further over because the fire trucks wouldn't be able to get in over the curb. He pointed out the curbing ends just around the corner on Perkins, so there is fire department access to the whole building. Chair King commented he doesn't like it going as far as the crosswalk, because the location of the

crosswalk is determining everything in this area. This is a two-way driveway onto Route 1A. It presents the property owner with an issue of losing a couple of parking spots to keep it a two-way. He pointed out that since there is a state approved plan, the owner may not have the option of turning it into a one-way, even if they wanted to. Chair King explained that the approved plan has three accesses to the entire property with each one being two-way. The Select Board will be specifically voting on the curbing and painting. The State is paying for the curbing and the Town has to do the cement inside the curbing, as well as maintain it. He asked Director Rucker the cost to the Town for the project.

DPW Director projected that it would probably cost \$10,000 to do the project. He noted that the Town has spent just over \$17,000 on planning and engineering to date. He believes that \$26,000 was budgeted three years back for this project.

There was some discussion about how more parking could be gained on the property. Chair King noted that this is not the Select Board's concern. It's really for the property owner to manage. It's irrelevant to the Select Board's decisions.

Chief Walsh stated that he appreciates everyone's input and working together. He pointed out that the Select Board, previous and current, have done their due diligence with the town administrative office and highway department, along with the State, in getting a traffic engineer to look at safety issues. This is being done based on both a private and state engineer agreeing that this would be the best middle ground solution.

DPW Director Rucker noted there are other considerations when it comes to construction and restraints for the sidewalk, and complications with an angled curb. He agreed to look further into the idea.

Ryan McGill, Summer Sessions, asked if Mrs. Leary has the option to keep the parking as is, forcing it to be a one-way. He further asked if the Town is saying it's a two-way and parking will have to adjust, as a result.

Chair King replied they don't know.

Mr. R. McGill asked if it's important whether it's a one-way or two-way.

Chair King noted that for the Select Board's decision on this, it's not. No one at the meeting has the authority or expertise to give the answer.

Mr. R. McGill commented that it's imperative to know how this will affect the property.

Chair King pointed out that whether it's one-way or two-way is not relevant to the Select Board's decision on the sidewalk and the paint.

Mr. R. McGill noted that the one or two-way seems to be radically important to safety. To not have an engineer's opinion before voting seems to be shortsighted.

Selectman McGrath asked if the site plan qualifies as an engineer giving an opinion. The plan shows it as a two-way. This is a very complex plan and they have it as a two-way. He imagines that this is what they think is proper. Until the State says otherwise, he thinks it's a two-way.

Tyler McGill, Summer Sessions, expressed his concerns that the plan will cause more safety problems than what is being solved. He suggested reducing the entrance to Perkins and taking smaller steps until there is a plan for the whole corridor.

Selectman McGrath noted that the project came about because of reasons. A lot of people have dedicated time, energy, and talent to bring it to this point. The engineer that designed this knows about safety. He pointed out there are options for the business.

Chair King commented that he does think the plan is going to increase the traffic on Perkins. The Perkins Road safety group should have thought about that when they started this. People will use Perkins as a cut through to Central Road. That's going to be collateral damage with this plan. He continued that overall; this is a reasonable compromise. It's not to say there aren't negative effects for the property owner. However, this is the place where the Town is starting and they will continue to look at other areas.

Vice-Chair Epperson pointed out that the Select Board didn't start this.

Chair King noted this is an outgrowth of the Perkins Road safety committee. He commented that the Select Board is committed to continuing this in an attempt to improve safety all along Route 1A, which is a big project. He continued that it is fair to say that an answer should be given on whether it can be a one-way; however, no one present has the ability to say that at this point. If the Chief and DPW Director don't feel they have the answer, then the Select Board certainly doesn't.

Mary Westover stated that she was on the Perkins Road Safety Committee. A lot of various constituencies, including Mrs. Leary and the McGills, collaborated during that point in time. A report was presented to the Select Board from the Perkins Road Safety Committee. The Select Board made their decision based on that report, which provided lots of options and opportunities to be explored. The charge of the committee was to solicit from the community, evaluate, and present proposals. She clarified that the engineering plan did not come from the Perkins Road Safety Committee. The committee was a catalyst to evaluate things.

Chair King agreed. The Town paid for the plan because of the catalyst and public interest.

Ms. Westover commented the Perkins Road Safety Committee was more focused on the safety of Perkins Road, not the intersection on Route 1A. The plan is not perfect, but it's making an improvement. The Town can evaluate how the plan goes collaboratively. This isn't about the businesses. It's about safety.

Mr. R. McGill stated that the original proposal was the elimination of parking along Perkins Road. The follow up was residential only parking, which was also shut down. The proposal was then the Perkins Road Safety Committee. He continued there's a crosswalk that ends nowhere.

Someone walking on Perkins Road has to walk around the cars in the middle of the road. The next step will be the elimination of parking and possibly a sidewalk on that side of the road. The businesses that are at the Dunes are a beach shop, restaurant, and a hotel. Every year the totals are up 3%. New Hampshire is promoting tourism in Rye. The businesses are not the problem. Tourism continues to grow and the Dunes Hotel is not the issue.

Chair King commented that not everyone is happy with this and it's not perfect. The Select Board feels this is the best compromise plan and it should be moved forward. It can be reevaluated later on to improve the safety all the way up the corridor. Referring to the plan, Chair King noted that the Town's goal is to keep everybody on public property on the right-of-way. The goal is to have people coming down Perkins to walk on the right-of-way, whether it's painted or a raised sidewalk. To minimize negative impacts on the property owner, it's been agreed to do a painted sidewalk instead of a raised sidewalk. The Town needs to keep pedestrians on the pedestrian way and not on private property. That is why people are being directed down Perkins and around on the sidewalk. That is one of the Town's purposes in this case, based on traffic best practices and legal opinion of town counsel.

The Select Board discussed possible tweaks to the plan, which included an angled sidewalk; and looking at the stretch between the sign and the entrance. It was agreed to go with Plan C as is.

Director Rucker noted that he will follow up on the one-way entrance with the traffic control engineer at DOT, as well as the angled curbing. He pointed out there may be other safety concerns other than bicycles when considering curbing set at an angle. Curbing is also to detract motor vehicles from jumping up on a sidewalk.

Town Administrator Scruton noted that since the plan was previously approved by the Town, if the Select Board is comfortable with the project proposed, no further vote is needed.

Chair King summarized that the intention is to move forward with the plan as presented, which will be done via a letter to the DOT Commissioner with questions about the curbing and the entrance, whether the property owner has the option of a one or two-way or what process is to be taken to work through that issue.

B. Regional Association Review Committee
To be addressed at a future meeting.

C. Rails to Trails – Rockingham Planning Commission

Scott Bogle, Rockingham Planning Commission Senior Planner, met with the Select Board to give an update on the construction of the NH Seacoast Greenway Rail Trail, which is in Phase 1 extending from Portsmouth to the Hampton/North Hampton town line. The Greenway Rail Trail is envisioned to be a nonmotorized multiuse path extending about 3,000 miles from the Canadian border in Calais, Maine to Key West, Florida. It's a knitting together of local and regional trail routes which will make up the East Coast Greenway connecting cities and small towns. The northernmost section near Calais, Maine is the Down East Sunrise Trail. The southernmost

section in the Florida Keys is the Overseas Heritage Trail. The Greenway Trail that runs through New England is about 43% complete.

New Hampshire has received federal funding for entire construction of the entire rail trail component. Construction is anticipated to be completed in the fall of 2024. Phase 1B is in design now and is anticipated to go to bid in January. Phase 1B will cover the area from the North Hampton/Hampton town line to Drakeside Road in Hampton, which is 1.6 miles. This section was split off from Phase 1 because there are drainage issues that need to be solved. Phase 2 will run 2.4 miles down to Seabrook. That phase will go into design in 2028 with construction in 2030. Phase 3 will run through the Hampton/Hampton Falls marsh, which will be the entirety of Hampton Falls and the southern part of Hampton. The intent for construction will be in 2032 with design starting in 2028.

While there is funding available for construction of the trail itself along its entire length, there is no federal funding lined up for trailhead access points. The understanding is it will be the responsibility of the towns working with the new nonprofit NH Seacoast Greenway Alliance to find other sources of funding; such as, other federal grants, private sector fundraising, or municipal funding. A total of twenty-three potential trailhead locations have been identified between Portsmouth and Seabrook. Eleven of those crossings had adjacent public land that could conceivably be used for trailhead parking. There were another five crossings that did not have adjacent public land, but safe walk on/bike on access was viable. Seven crossings did not have potential for getting onto the trail at those locations.

Last fall, with the assistance from the National Park Service, conceptual designs were prepared for each of the trailhead locations where there is potential for parking. A number of landscape architects and engineers worked pro bono in a design workshop to come up with some ideas. For the access site off Breakfast Hill, the concept is for about a half dozen parking spaces, pavilion, picnic tables, and trail kiosk with maps. DOT is installing safety signage at each of the grade crossings where the trail meets the road at grade. There will be flashing beacons warning traffic when there are folks on the trail waiting to cross.

There are two federal grant programs that are open right now; Federal Recreational Trails Program and Land and Water Conservation Program. The Federal Recreational Trails Program has up to \$80,000 available with an 80/20 matching grant. The match can be in-kind in terms of volunteer hours or town resources not supported by federal dollars. The deadline for the application is June 16th. Applicants for the grant may be municipalities or nonprofit groups. The Rockingham Planning Commission will be meeting the Greenland Select Board on May 22nd to discuss whether they are interested in being the applicant, as the property for the trailhead is located in Greenland. Another avenue for an applicant would be through the NH Seacoast Greenway Alliance serving as a nonprofit. A retired engineer who is serving on that board has expressed his willingness to serve as the project manager, if the project goes in that direction.

If Greenland is supportive, any joint arrangement between Rye and Greenland would need to be determined for any potential cooperative construction of ongoing maintenance. In 2019, an agreement with Rye was signed saying that DOT will build the trail and the towns will be responsible for routine maintenance. DOT would step in if there were to be an event such as a

major storm washout of the trails. For routine maintenance, the towns would rely on volunteers organized by the regional nonprofit for trash pickup and general maintenance of the trail.

Chair King noted that the project is physically in the Town of Greenland. The request is whether Rye would be willing to be involved. Rye probably wouldn't want to give any funding to another town. As far as DWP involvement, there may be some work that could be done that would count for part of the grant match; however, he's not sure what the legal ramifications would be in doing a project in another town. Chair King commented that from a town perspective, he's not sure what Rye can offer; however, it's a good project.

Dania Seiglie, 633 Central Road, noted that she has been working with the team on finding opportunities and options for the in-kind match to help release some of the burden that may exist financially. She also noted that Rye signed an agreement, which was required for the DOT to proceed with the trail. At the time, Michael Magnant signed the agreement on behalf of Rye; whereby, the Town agreed to commit to maintenance of the trailhead once it was completed. Ms. Seiglie continued that she hopes to be some assistance with the in-kind support that is needed or financial support, as there are others who have agreed to donate benches.

Town Administrator Scruton pointed out that Rye is committed to maintaining the section of the trail that is in the Town of Rye, which is about a quarter of a mile.

After further discussion, the Select Board agreed to write a letter of support for the project. Mr. Bogle agreed to follow up with the Select Board after the meeting with the Greenland Select Board to go over next steps and further details with regards to cost estimates.

Motion by Tom King to draft a letter of support for parking and trailhead improvements at the Breakfast Hill Trailhead in Greenland providing there are no additional costs or maintenance expectations for Rye. Seconded by Bill Epperson. All in favor.

V. OTHER BUSINESS

The Select Board readdressed the issue of the curbing and the entrance to the Dunes property. It was agreed to leave the questions about the curbing and entrance out of the letter to DOT. Director Rucker will reach out to DOT to get answers on the curbing and entrance before a letter is drafted. The Select Board will not send a letter to DOT until they get an answer to those questions.

ADJOURNMENT

Motion by Tom King to adjourn at 11:29 a.m. Seconded by Bill Epperson. All in favor.

Respectfully Submitted,
Dyana F. Ledger