

# TOWN WARRANT

## The State of New Hampshire

To the inhabitants of the Town of Rye, in the County of Rockingham in said State, qualified to vote in Town affairs:

You are hereby notified to meet at the Rye Junior High School **Saturday**, the 3<sup>rd</sup> day of February 2024, next at **nine o'clock** in the forenoon to participate in the first (deliberative) session of the 2024 Annual Town Meeting.

You are hereby further notified to adjourn to the Rye Elementary School in said Rye on **Tuesday**, the 12<sup>th</sup> day of March 2024, next from **eight o'clock** in the forenoon until **seven o'clock** in the evening to participate in the second (voting) session of the 2024 Annual Town Meeting.

**ARTICLE 01.** To choose one (1) **Moderator** for two (2) years, one (1) **Selectman** for three (3) years, one (1) **Treasurer** for three (3) years, one (1) **Cemetery Trustee** for three (3) years, two (2) **Library Trustees** for three (3) years, one (1) **Library Trustee** for two (2) years, one (1) **Supervisor of the Checklist** for six (6) years, one (1) **Trustee of the Trust Funds** for three (3) years, two (2) **Budget Committee Members** for three (3) years, one (1) **Budget Committee Member** for one (1) year, one (1) **Planning Board Member** for one (1) year, one (1) **Planning Board Member** for two (2) years, two (2) **Planning Board Members** for three (3) years, two (2) **Zoning Board of Adjustment Members** for three (3) years, and one (1) **Sewer Commissioner** for three (3) years.

**ARTICLE 02.** To choose all necessary officers for the Rye School District in accordance with the statutory procedure adopted by said District at its March 1962 annual meeting.

**ARTICLE 03.** To see if the Town will vote to amend the Rye Zoning Ordinance in accordance with the recommendation of the Rye Planning Board, as follows:

Are you in favor of the adoption of Amendment 1, as follows:

### Amendment 1

Re: Two Dwellings on One Lot

Amendment to the Rye Zoning Ordinance §190-2.2.D Applicability of use district regulations. as follows: (Note: *New text emboldened and italicized.* Deleted text ~~struck through~~).

§190-2.2.D. Lots.

- (1) In the Single Residence and General Residence Districts only, *except as otherwise expressly permitted in this § 190*, there shall be no more than one principal building on one lot.
- (2) Lots with two or more principal dwellings.
  - (a) A lot which has two or more principal dwellings is a nonconforming use. Notwithstanding any provision to the contrary in Section 190-6.2 and 190-6.3, on such lots with two or more principal dwelling units, the following are prohibited expansions of a nonconforming use and/or non-conforming structure:
    - [1] Increasing the building footprint of a dwelling.
    - [2] Enlarging the bulk of a dwelling.
    - [3] Adding decks, porches or other appurtenances to a dwelling, including roof decks.

- [4] Enlarging decks, porches or other appurtenances of a principal building.
- (b) This provision applies to all lots which have two or more principal dwellings, including lots having such dwellings in the condominium form of ownership.
  - (c) *Lots which contain two or more dwelling units and/or structures in a condominium form of ownership pursuant to a condominium conversion authorized under §190- 5.3, shall be deemed to have two or more principle dwelling units on a lot, and no such dwelling unit and/or structure shall be expanded in the manner reflected in §190-2-2(D)(2)(a).*
  - (d) This provision shall not apply to those properties that have permitted accessory dwelling units or legal apartments.

Explanation.

*The amendments to § 190-2.2.D and the amendment to the definition of “Principal Dwelling” under Article XI are intended to clarify that condominium conversions, which is taking multiple existing dwelling units on a single lot and establishing a condominium form of ownership, are permitted in the Single Residence and General Residence Districts if approved in accordance with § 190-5.3. The amendments also clarify, however, that any dwelling units or structures that are subject to a condominium conversion cannot be altered to expand the footprint or bulk of any condominium unit.*

Are you in favor of the adoption of Amendment 2, as follows:

**Amendment 2**

Re: Two Dwellings on One Lot

**Amendment to the Rye Zoning Ordinance, Article XI – Definitions as follows: (Note: New text emboldened and italicized. Deleted text struck through)**

PRINCIPAL DWELLING - The primary or predominant structure to which a property is or may be devoted to a residential use and to which all other uses and structures on the premises are subordinate or accessory. *Condominium units on the same lot, whether within the same dwelling structure or detached, shall each be considered a principal dwelling for the purpose of this §190.*

Explanation.

*The amendments to § 190-2.2.D and the amendment to the definition of “Principal Dwelling” under Article XI are intended to clarify that condominium conversions, which is taking multiple existing dwelling units on a single lot and establishing a condominium form of ownership, are permitted in the Single Residence and General Residence Districts if approved in accordance with § 190-5.3. The amendments also clarify, however, that any dwelling units or structures that are subject to a condominium conversion cannot be altered to expand the footprint or bulk of any condominium unit.*

Are you in favor of the adoption of Amendment 3, as follows:

**Amendment 3**

Re: Stormwater Management

**Amendment to the Rye Zoning Ordinance §190-5.7.C amend as follows: (Note: *New text emboldened and italicized.* Deleted text struck through).**

**§ 190-5.7 Stormwater management.**

- A. Purpose. It is the intent of this section to protect, maintain and enhance the public health, safety and environment by regulating building and land development so that surface water drainage from building and land development does not adversely affect adjacent properties, watercourses or the Town's storm drainage system. **[Amended 3-18-2017]**

- B. Drainage onto adjacent properties. No use of land; no construction, reconstruction, alterations, replacement, or expansion of buildings, structures and impervious surfaces; no grading or excavation of the land; and no destruction or alteration of natural vegetation or ground cover shall increase the surface water drainage flowing onto an adjacent property unless a drainage easement allowing such flowage in perpetuity is recorded.
- C. Drainage into watercourses/Town drainage system. No use of land; no construction, reconstruction, alterations, replacement, or expansion of buildings, structures and impervious surfaces; no grading of the land; and no destruction or alteration of natural vegetation or ground cover shall increase the surface water drainage or flowage into existing watercourses or into the Town's storm drainage system *incumbent upon the applicant to prove via approved engineering plans the Town's storm drainage system has* unless the Public Works Director determines that the watercourse or drainage system will have the capacity to accommodate the additional flow, both now and in the future.
- D. Drainage and grading plan. The Building Inspector may require submission of a detailed stormwater management and erosion control plan which includes a drainage and grading plan at his/her sole discretion and at the expense of the property owner whenever there is construction of a new building/structure, expansion of a building/structure, reconstruction, or changes to the impervious surface or whenever there is question regarding compliance with this section. [Amended 2002; 3-18-2017]

Explanation

*To reduce overburden, and protect, the Town's storm drainage system and to place safe guards.*

Are you in favor of the adoption of Amendment 4, as follows:

**Amendment 4**

Re: Demolition Review

Amendment to the Rye Zoning Ordinance § 190-5.9 Demolition Review amend as follows: (Note: *New text emboldened and italicized*. Deleted text struck through).

§ 190-5.9 **Demolition review**. [Added 2009, amended 3-12-2-13]

- A. Purpose. The purpose of this section is to encourage the preservation of buildings and places of historic, architectural and community value.
- B. Demolition. For the purposes of this section, the word "demolition" means the act of pulling down, destroying, dismantling, removing or razing a building or part of a building. This shall include a monument, statue, memorial, or accessory building. It does not include interior demolition which does not alter the appearance of the exterior of the building. [Amended 3-10-2020 by Art.2]
- C. Demolition subject to review. Any demolition within the Town of Rye, excluding the Historic District, shall be subject to the requirements of this section where: [Amended 3-10-2020 by Art. 3; 7-13-2021 by Art. 3]]
  - (1) The demolition is:
    - (a) A building or part of a building greater than 500 square feet of gross floor area; or
    - (b) A monument, statue, or memorial; or
    - (c) An accessory building less than 500 square feet of historical or architectural interest; and
  - (2) The building or part of a building, monument, statue, memorial, or accessory building was constructed more than 50 years before the date of application for a demolition permit.

D. Demolition Review Committee. A Demolition Review Committee is hereby established consisting of three persons and three alternates. [Amended 3-10-2020 by Art. 3]

- (1) The Demolition Review Committee members shall be appointed by the Select Board to three-year terms, with the initial terms staggered as one-, two- and three-year terms, respectively. The initial terms of alternates shall be staggered as two- and three-year terms, respectively.
- (2) One member of the Demolition Review Committee shall be a member of the Historic District Commission, one member shall be a member of the Planning Board, and one member shall be a representative of the Rye Historical Society.
- (3) If the Town establishes a Heritage Commission pursuant to RSA 673:1 and RSA 673:4-a, the Demolition Review Committee shall be comprised of three members of the Heritage Commission and two alternates appointed by the Chair of the Heritage Commission. If the Demolition Review Committee already exists pursuant to Subsection D(2) above, such appointments shall be made as replacements for the existing Demolition Review Committee members as the terms of the existing members expire.

E. Demolition review procedure.

- (1) When an application for a demolition permit, or a building permit involving demolition, or a site plan review involving demolition, is made, or a formal written application is submitted to the Building Inspector for a determination under this section, the Building Inspector will determine if the building, or section of the building, meets the criteria of § 190-5.9C. If it does, the Building Inspector shall:
  - (a) Notify the applicant in writing within five business days of the filing that the demolition must be reviewed before proceeding and that the delay will not exceed 49 days.
  - (b) Within five business days forward the application to each member of the Demolition Review Committee.
- (2) The Demolition Review Committee shall meet within 10 business days after receipt of the application and make one of the following two determinations: [Amended 3-10-2020 by Art. 3]
  - (a) If the Demolition Review Committee determines that the building is not potentially significant *and its loss will not be detrimental to the neighborhood*, it shall, within three business days of making that determination, notify the Building Inspector of the determination. In such a case, a demolition permit may be issued by the Building Inspector provided all other requirements applicable to the demolition have been met.
  - (b) If the Demolition Review Committee determines that the building is potentially significant *and its loss will be detrimental to the neighborhood*, it shall schedule a public hearing within 12 business days of making that determination, and within three days of making that determination notify the Building Inspector of *that determination*. Notice of the public hearing shall be posted in two public places and published at least five days prior to the hearing, not including the day of the hearing or the day of posting. Notice to abutters shall be made by certificate of mailing to all abutters not less than five calendar days before the date of the hearing. [7-13-2021 by Art 3]
- (3) Within five business days of the Demolition Review Committee's decision to hold a public hearing, the Building Inspector shall notify the applicant that a sign identifying the building as proposed for demolition and the date, time, and place of the public hearing on the proposed demolition is ready for posting in a visible location on the building or site. Posting of the sign within five business days of receiving notification from the Building Inspector shall be the responsibility of the applicant.

- (4) *At the Public Hearing,* ~~t~~The Demolition Review Committee shall hear all public testimony regarding demolition of the building. The owner or *the owner's* his representative ~~shall be invited~~ *is expected* to attend the hearing.
- (5) *During* ~~At the conclusion of the hearing,~~ the Demolition Review Committee shall ~~either:~~
  - (a) ~~Notify the Building Inspector in writing within three business days of the decision if the building is found to be not significant, in which case demolition may proceed, provided all other requirements applicable to the demolition have been met.~~
  - (b) ~~Hold a meeting between the Demolition Review Committee and the owner (or owner's representative) within 10 business days of the public hearing to discuss alternatives to demolition. if the Demolition Review Committee determines the building is significant and its loss potentially detrimental to the community.~~
- (6) The demolition review process shall not delay the issuance of a demolition permit by more than the 49 days provided by § 190-5.9E(1)(a), except in the following circumstances:
  - (a) An owner's (or his/her representative's) unwillingness or inability to meet with the Demolition Review Committee shall extend the period until such a meeting is held and for 20 days following the date of the meeting.
  - (b) An owner's delay in posting the sign required by §190-5.9E(3) shall extend the period by the number of days of delay in posting the sign.

F. Demolition.

- (1) If no alternatives to demolition have been identified and agreed to by the applicant, after the meeting provided for in § 190-5.9E(4)(5)(b); the applicant is free to proceed with demolition, provided all other requirements for demolition are met. Prior to demolition, and if the applicant is in agreement, the Demolition Review Committee shall photographically document the building. The Demolition Review Committee shall also encourage the applicant to salvage significant architectural features.
- (2) Nothing in this section shall be construed to prevent immediate demolition where public safety is at stake and the building has been determined by the Building Inspector to be a public hazard and demolition is the only viable recourse.
- (3) A demolition permit shall be conditioned upon receipt of all local, state, and federal permits required for the demolition activity. [Added 3-10-2020 by Art. 3]

G. Criteria. In determining if a building is "potentially significant" or "significant" the Demolition Review Committee shall consider whether:

- (1) The building is of such interest or quality that it would meet national, state or local criteria for designation as a historic, cultural or architectural landmark.
- (2) The building is of such *an* unusual or uncommon design, texture or materials that it could not be reproduced or could be reproduced only with great difficulty and expense.
- (3) The building is of such historic, architectural or community value that its removal would be to the detriment of the public interest.
- (4) Retention of the building would help preserve and protect a historic place or area of historic interest.

Explanation

To amend the Demolition Review to align with the changes recommended by Town Attorney in 2022.

---

Are you in favor of the adoption of Amendment 5, as follows:

**Amendment 5**

Re: Zoning Map

Amendment to the Rye Zoning Ordinance §190-2.1 amend Zoning Map district boundary as follows: (Note: *New text emboldened and italicized*. Deleted text struck through).

§ 190-2.1 Zoning Map; district boundaries.

A. Establishment.

(1) The districts aforesaid and the boundaries of such districts shall be such as shown upon a map prepared ~~by~~ *for* the Rye Planning Board titled "Zoning Map ~~Town of Rye Rockingham County, New Hampshire 1992,~~" and drawn by James W. Sewall Company ~~last revised in 2023,~~ and produced by CAI Technologies at a scale of one inch equals 1,000 feet, together with all notations, references, and other matter and things set forth and/or attached thereto, on file in the office of the Town Clerk of the Town of Rye, New Hampshire. This same map is hereby adopted and shall be known as the "Official Zoning Map of the Town of Rye," and shall be certified by the *Select Board* ~~Selectmen~~ and the Town Clerk, and the *Select Board* ~~Selectmen~~ and the Town Clerk shall make all changes as may be effected by any amendment or changes in this chapter, such things to be made properly and promptly. [Amended 1993; 2002; 2007; 2010; **2024**]

(2) The Zoning Map was amended March 9, 2010, to enlarge the Commercial District by moving the boundary between the Commercial District and the Single Residence District that is located west of Lafayette Road and north of Breakfast Hill Road a distance of 800 feet further to the west so that the new boundary is 1,300 feet from Lafayette Road and to add a new Multifamily Dwelling Overlay District, per § 190-3.7 of this chapter. [Amended 3-10-2020 by Art. 3]

Explanation

*To amend the creator of the Map, and the revision that took place in 2023.*

---

Are you in favor of the adoption of Amendment 6, as follows:

**Amendment 6**

Re: Mean high water mark

Amendment to the Rye Zoning Ordinance §190-3.1.H (1) and (2) to correct an inconsistency. (Note: *New text emboldened and italicized*. Deleted text struck through).

§ 190-3.1 **WETLANDS CONSERVATION DISTRICT** (Adopted 1977)

A H. Wetlands buffer. [Amended 1990; 2001; 2002; 2012; 3-11-2014; 03-14-2023]

- (1) Buffer description. The wetlands buffer shall include all land:
  - (a) Within 100 feet of the edges of all tidal lands, marshes, bays, estuaries, rivers, and creeks and their tributaries, as defined by the *mean high watermark*. ~~highest flooding of the ocean tides;~~ [Amended 3-14-2023]
  - (b) Within 100 feet of the edges of all natural perennial streams and vernal pools; as well as the edges of Eel Pond, Burke's Pond, Brown's Pond and East Rye Pond as defined by the *mean high-watermark*; [Amended 3-14-2023]

Explanation

*To correct an inconsistency in 3.1 buffer language to be consistent with that in NH RSA Public Use of Coastal Shoreland -483-C:1 V. The high water mark which bounds the shoreward extend of the public trust shorelands in New Hampshire, excluding abnormal storm events, means the average*

*height of all the high waters over a complete tidal cycle commonly referred to as the mean high tide line.*

---

**ARTICLE 04.** To see if the Town will vote to amend the Rye Floodplain Development Ordinance in accordance with the recommendation of the Rye Planning Board, as follows:

Are you in favor of the adoption of Amendment 1, as follows:

**Amendment 1.**

Re: Substantial Improvement/Substantial Damage

Amendment to the Rye Floodplain Development Ordinance §60-6 Substantial Improvement/Substantial Damage to add a timeframe. (Note: *New text emboldened and italicized.* Deleted text ~~struck through~~).

**§ 60-6. Substantial improvement and damage determinations.**

- A. For all development in a special flood hazard area that proposes to improve an existing structure, including alterations, movement, enlargement, replacement, repair, additions, rehabilitations, renovations, repairs of damage from any origin (such as, but not limited to, flood, fire, wind or snow) and any other improvement of or work on such structure, including within its existing footprint, the Floodplain Administrator, in coordination with any other applicable community official(s), shall be responsible for the following:
- (1) Review description of proposed work submitted by the applicant.
  - (2) Use the community's current assessed value of the structure (excluding the land) to determine the market value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the market value prior to the damage occurring. If the applicant disagrees with the use of the community's assessed value of the structure, the applicant is responsible for engaging a licensed property appraiser to submit a comparable property appraisal for the total market value of only the structure.
  - (3) Review cost estimates of the proposed work, including donated or discounted materials and owner and volunteer labor, submitted by the applicant and determine if the costs are reasonable for the proposed work, or use other acceptable methods, such as those prepared by licensed contractors or professional construction cost estimators and from building valuation tables, to estimate the costs.
  - (4) Determine if the proposed work constitutes substantial improvement or repair of substantial damage as defined in this chapter, *taking place during a five-year period in which the cumulative cost equals or exceeds fifty percent of the market value of the structure. For each structure, the five-year period begins on the date of the first permit issued for improvement or repair of that structure subsequent to March 12, 2024.*
  - (5) Notify the applicant in writing of the result of the substantial improvement or damage determination. If the determination is that the work constitutes substantial improvement or substantial damage, the written documentation shall state that full compliance with the provisions of this chapter is required.
- B. Repair, alteration, additions, rehabilitation, or other improvements of historic structures shall not be subject to the elevation and dry floodproofing requirements of this chapter if the proposed work will not affect the structure's designation as an historic structure. The documentation of a structure's continued eligibility and designation as an historic structure shall be required by the Floodplain Administrator in approving this exemption.

Explanation

*To put a time frame around the determination of Substantial Damage/Substantial Improvement and a starting date. to apply a term date for calculating substantial improvement and substantial damage.*

**ARTICLE 05.** Shall the Town raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein totaling twelve million, nine hundred twenty-nine thousand, four hundred fifty-five and 00/100 dollars (\$12,929,455.00)? Should this article be defeated, the default budget shall be twelve million, three hundred fifteen thousand, four hundred sixty-two and 00/100 dollars (\$12,315,462.00) which is the same as last year, with certain adjustments required by previous action of the Town or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (Majority vote required.)

**NOTE: This operating budget warrant article does not include appropriations in any other warrant articles.**

**This article is recommended by the Selectmen (3-0)**

**This article is recommended by the Budget Committee. (7-0)**

**ARTICLE 06.** To see if the Town will vote to raise and appropriate the sum of nine hundred seventy-five thousand and 00/100 dollars (\$975,000.00) for the purpose of repairing the Harbor Road bridge with this sum to come from the unassigned fund balance. This article has no current tax impact. (Majority Vote Required)

**This article is recommended by the Selectmen (3-0)**

**This article is recommended by the Budget Committee. (8-1)**

**ARTICLE 07.** To see if the Town will vote to raise and appropriate the sum of three hundred seven thousand and 00/100 dollars (\$307,000.00) for the purpose of replacing the culvert on Perkins Road with this sum to come from the unassigned fund balance. This article has no current tax impact. (Majority Vote Required)

**This article is recommended by the Selectmen (3-0)**

**This article is recommended by the Budget Committee. (8-1)**

**ARTICLE 08.** To see if the Town will vote to raise and appropriate the sum of two hundred thousand and 00/100 dollars (\$200,000.00) to be added to the Highway Heavy Equipment Capital Reserve Fund created in 1994. This appropriation is in addition to the operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**

**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 09.** To see if the Town will raise and appropriate a sum not to exceed one hundred sixty thousand and 00/100 dollars (\$160,000.00) towards improvements to the Library Common, which is the public space in the Town Center located adjacent to the Rye Public Library, such monies to be raised by taxation. Further, to authorize the Rye Library Board of Trustees to accept such private donations and to expend such prior donations and non-appropriated funds received by the Town for that purpose. This article is non-lapsing until December 31, 2026 or until the project is complete, whichever comes first. (Majority vote required).

**This article is recommended by the Selectmen (2-1)**

**This article is recommended by the Budget Committee. (8-1)**

**ARTICLE 10.** To see if the Town will vote to raise and appropriate the sum of one hundred thousand and 00/100 dollars (\$100,000.00) to be added to the Fire and Ambulance Vehicle Capital Reserve Fund, the purpose of which was amended by Article 15 of the 2018 Town Meeting. This appropriation is in addition to the operating budget. (Majority vote required).

**This article is recommended by the Selectmen (3-0)**

**This article is recommended by the Budget Committee. (9-0)**



**ARTICLE 11.** To see if the Town will vote to raise and appropriate the sum of seventy-five thousand and 00/100 dollars (\$75,000.00) for the purpose of designing and constructing a softball field on a portion of the soccer fields at the Town Recreation Area located at 55 Recreation Road. This appropriation is in addition to the operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 12.** To see if the Town will vote to approve Phase 1 of the design and engineering of the Rye Recreation Master Plan and will authorize the Select Board to expend seventy-five thousand and 00/100 dollars (\$75,000.00) from the Recreation Commission *Youth Recreational Athletics Account* for said purpose. The *Youth Recreational Athletics Account* is funded with monies received from fundraising and private donations. This article has no current tax impact. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**

**ARTICLE 13.** To see if the Town will vote to raise and appropriate the sum of thirty-five thousand and 00/100 dollars (\$35,000.00) to be added to the Municipal Buildings Maintenance Expendable Trust Fund established by Article 11 at the 2007 Town Meeting under the provisions of RSA 31:19-a, for the purpose of major repairs to municipal buildings. This appropriation is in addition to the operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (8-0)**

**ARTICLE 14.** To see if the Town will vote to establish a Spill Prevention, Control, and Countermeasure Plan/Stormwater Pollution Prevention Plan (SPCCP/SWPPP) Capital Reserve Fund under the provisions of RSA 35:1 for the purpose of preparing for mandates related to the Municipal Separate Storm Sewer System Program, also referred to as "MS4 Program" and such other regulatory mandates that may relate to stormwater management and control. Further to see if the Town will vote to raise and appropriate the sum of twenty-five thousand and 00/100 dollars (\$25,000.00) to be placed in this fund. Further, to name the Select Board as agents to expend from said fund. This appropriation is in addition to the operating budget. (Majority Vote Required)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 15.** To see if the Town will vote to raise and appropriate the sum of twenty thousand and 00/100 dollars (\$20,000.00) to be added to the Rye Public Library HVAC Capital Reserve Fund established by Article 12 at the 2016 Town meeting under the provisions of RSA 35:1, for the purpose of replacing the Rye Public Library's aging and inefficient current heating, ventilation and air conditioning system. This appropriation is in addition to the Library's operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 16.** To see if the Town will vote to establish a contingency fund pursuant to RSA 31:98-a for the current year for unanticipated expenses that may arise during the year and further to raise and appropriate fifteen thousand and 00/100 dollars (\$15,000.00) to put in said fund. This sum to come from the unassigned fund balance. Any appropriation left in the fund at the end of the year will lapse to the general fund. (Majority vote required)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 17.** To see if the Town will vote to raise and appropriate the sum of fifteen thousand and 00/100 dollars (\$15,000.00) to be added to the Revaluation Capital Reserve Fund established by Article 24 at the 2020 Town meeting pursuant to RSA 35:1 for the revaluation of the Town at least as often as every fifth year as required by RSA 75:8-a. This appropriation is in addition to the operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 18.** To see if the Town will vote to raise and appropriate the sum of ten thousand and 00/100 dollars (\$10,000.00) to be added to the Rye Public Library Building Maintenance Expendable Trust Fund established by Article 14 at the 2005 Town Meeting under the provisions of RSA 31:19-a, as a maintenance fund for the Rye Public Library building. This appropriation is in addition to the Library's operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 19.** To see if the Town will vote to raise and appropriate the sum of ten thousand and 00/100 dollars (\$10,000.00) to be added to the Emergency Management Capital Reserve Fund established by Article 18 of the 2023 Town Meeting under the provisions of RSA 35:1 for the purpose of emergency preparation and management, infrastructure repair, pollution mitigation, coastal hazard response, and all other costs and expenditures related to any disaster, critical incident, accident, fire, flood, public health concern, storm, or weather-related event. This appropriation is in addition to the operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 20.** To see if the Town will vote to raise and appropriate the sum of ten thousand and 00/100 dollars (\$10,000.00) to be added to the Conservation Maintenance Expendable Trust Fund established by Article 13 at the 2021 Town meeting pursuant to RSA 31:19-a to repair and maintain land and buildings owned by the Town of Rye and managed by the Rye Conservation Commission. This appropriation is in addition to the operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 21.** To see if the Town will vote to raise and appropriate the sum of ten thousand and 00/100 dollars (\$10,000.00) to be added to the Recreation Buildings and Property Maintenance Fund the purpose of which was amended by Article 18 of the 2022 Town Meeting. This appropriation is in addition to the operating budget. (Majority vote required.)

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 22.** To see if the Town will vote to change the purpose of the Grove Road Landfill Capital Reserve Fund established by Article 11 at the 1994 Town Meeting to the Landfill Monitoring Capital Reserve Fund for the purpose of monitoring all landfills in the Town and to designate the Select Board as agents to expend. (2/3 vote required).

**This article is recommended by the Selectmen (3-0)**

**ARTICLE 23.** To see if the Town will vote to raise and appropriate the sum of ten thousand and 00/100 dollars (\$10,000.00) to be added to the newly re-purposed Landfill Monitoring Capital Reserve Fund. This Article is contingent on the passage of Article 22. This appropriation is in addition to the operating budget. If Article 22 fails this article will be null and void. (Majority vote required).

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (9-0)**

**ARTICLE 24.** To see if the Town will vote to raise and appropriate the sum of two thousand five hundred and 00/100 dollars (\$2,500.00) to help support the Center for Wildlife, located at 375 Mountain Road, Cape Neddick, ME, a non-profit organization. This appropriation is in addition to the operating budget. (Majority vote required).

**This article is recommended by the Selectmen (3-0)**  
**This article is recommended by the Budget Committee. (7-1-1)**

**ARTICLE 25.** To see if the Town will vote to discontinue the 400<sup>th</sup> Anniversary Celebration Expendable Trust Fund established by Article 12 of the 2022 Town Meeting. If approved, the monies in said Fund, with accumulated interest to date of withdrawal, are to be transferred to the Town's general fund. (Majority vote required).

**This article is recommended by the Selectmen (3-0)**

**ARTICLE 26.** To see if the Town will vote to discontinue the Parsonage Maintenance Fund established by Article 15 of the 2015 Town Meeting. If approved, the monies in said Fund, with accumulated interest to date of withdrawal, are to be transferred to the Town's general fund. (Majority vote required).

**This article is recommended by the Selectmen (3-0)**

**ARTICLE 27.** To see if the Town will vote to authorize the appointment of a Town Treasurer, in accordance with RSA 41:26-e, rather than the election of a Town Treasurer. If approved, the Town Treasurer at the time of the vote shall continue to hold the office until the 2025 Town Meeting, at which time the elected office of Town Treasurer shall terminate and the Select Board shall appoint a Town Treasurer. (Majority vote required)

**This article is recommended by the Selectmen (3-0)**

**ARTICLE 28.** To see if the Town will vote to continue the combined office of the Town Clerk/Tax Collector. If a majority of those voting on the question do not vote in favor of continuing such combined office, at the next annual meeting in which an election for Town Clerk/Tax Collector is to be held the voters shall choose one individual as Town Clerk and another individual as Tax Collector. (Majority vote required).

**This article is not recommended by the Selectmen (3-0)**

**ARTICLE 29.** If the Town votes not to continue the combined office of the Town Clerk/Tax Collector under Article 28, to see if the Town will vote to authorize the appointment, rather than the election, of a Tax Collector. If the Town votes in favor of Article 28 and this Article 29, after the 2026 Town Meeting the Select Board shall be responsible for appointing a Tax Collector and establishing the Tax Collector's compensation. If the Town votes in "yes" to Article 28, then this Article 29 shall be void and of no force and effect. (Majority vote required).

**This article is recommended by the Selectmen (3-0)**

**ARTICLE 30.** **(By Petition)** Shall the Town of Rye reduce the speed limit from 35 mph to 30 mph on all town roads where the current speed limit is 35 mph, effective June 1, 2024.

---

*Explanation: Some town roads have segments at 35 mph, preceded and/or followed by a 30 mph speed limit. This warrant article will provide for a consistent maximum town speed limit, which will promote increased safety on town roads.*

**This article is not recommended by the Selectmen (3-0)**

**ARTICLE 31.** (By Petition) To see if the Town will vote to establish a Litigation Ordinance as follows:

In order to enhance transparency and financial accountability in the operation of Town government, the voters of the Town of Rye adopt this Ordinance.

**Initiation of Litigation**

If the Select Board of the Town of Rye, or any Commission or Committee whose members are not elected but are appointed exclusively by the Select Board, deems it necessary or desirable to initiate litigation against any third party or to undertake an appeal to any State or Federal administrative agency or council, the Select Board shall, prior to initiation of any such litigation or appeal:

- Conduct a Public Hearing at which the Select Board shall describe the need for, anticipated costs of, estimated duration of and likely outcome of such litigation or appeal; and
- After the conclusion of said Public Hearing, vote to proceed or not to proceed with such litigation or appeal.

No funds shall be expended for any such litigation or appeal until the Select Board has voted to proceed with such litigation or appeal, following the Public Hearing.

**Defense of Litigation**

If litigation is commenced against the Town of Rye, or any Commission or Committee whose members are not elected but are appointed exclusively by the Select Board, the Select Board shall, within 30 days following the commencement of such litigation:

- Conduct a Public Hearing at which the Select Board shall describe the reasons why such litigation has been commenced, anticipated costs of, estimated duration of and likely outcome of such litigation and whether, and to what extent, the costs will be covered by insurance; and
- Describe what measures can be taken to minimize the cost of such litigation and to effect a resolution at the earliest reasonable date.

**Annual Reporting**

Between November first and December first of each year the Select Board shall conduct a Public Hearing and report on the status of all litigation and appeals in which the Town has been engaged during the year and the costs and expenses associated therewith. As to each litigation or appeal, the Select Board shall vote to continue or end such litigation or appeal.

**This article is not recommended by the Selectmen (3-0)**

**ARTICLE 32.** (By Petition) To see if the Town will vote to correct the boundary of the Town Forest, as established in 1981, that mistakenly included land acquired in 1961 specifically for the purpose of "...an addition to the Central Cemetery" and "...for the purpose of enlarging the Central Cemetery...", as set forth in 1961 Warrant Articles, utilizing a concise metes and bounds description. The described boundaries of the Town Forest shall henceforth exclude the land described in Warrant Article 11 of the 1961 Town Warrant. This Warrant Article hereby confirms the exclusion of all of the 1961 Article 11 cemetery land from the Town Forest. This Warrant Article further authorizes and directs the Select Board to do all things necessary to correct and amend the easement granted to the Rockingham County Conservation District, to conform with the corrected boundary description of the Town Forest as set forth above. This Warrant Article further authorizes and directs the Select Board to do all things necessary to effect the purposes of the foregoing.

**This article is not recommended by the Selectmen (2-1)**

**ARTICLE 33.** (By Petition) To see if the Town will vote to appropriate human and technical resources needed to document all procedures for obtaining a building permit. Documentation shall include, but is not limited to, how commissions such as RCC (Rye Conservation Commission) and DRC (Demolition Review Committee) are to be engaged, by whom and when. Documentation shall also specify the legal limitations on the RCC, DRC and any other appointed (un-elected) committees in terms of their recommendations.

Procedures will also address zoning and planning variances, including: how an applicant can be adequately prepared for presentation to said committees, the limitations on committees revisiting previously determined elements of a submission and expectations on how long a decision will take as well as any costs that may be incurred.

These procedures will include a schedule of fees and expected expenses, as well as reasonable expectations for how long each step of the process will take. This information will enable applicants to better plan and prepare a budget for their building maintenance and improvement projects and in so doing use the time of the ZBA (Zoning Board of Adjustment) and PB (Planning Board) more efficiently in service to the Town of Rye and the applicants.

**This article is not recommended by the Selectmen (2-1)**

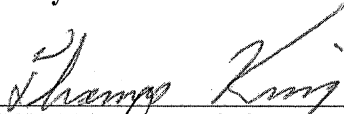
**ARTICLE 34.** To see if the Town will vote to authorize the Selectmen to sell to the highest bidder at public auction, or sealed bid, such surplus Town equipment as is not traded in on new equipment in 2024.


**This article is recommended by the Selectmen (3-0)**

**ARTICLE 35.** To transact any other business which may legally come before this meeting.

**This article is recommended by the Selectmen (3-0)**

**Given under our hands and seal this 29<sup>th</sup> day of January in the year of our Lord, two thousand and twenty-four.**


  
\_\_\_\_\_  
THOMAS KING, Chairman

  
\_\_\_\_\_  
WILLIAM EPPERSON, Vice Chairman

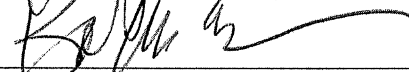
  
\_\_\_\_\_  
BOB MCGRATH, Selectman



**A true copy of the Warrant,  
ATTEST:**


  
\_\_\_\_\_  
THOMAS KING, Chairman

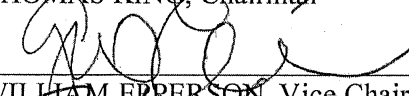
  
\_\_\_\_\_  
WILLIAM EPPERSON, Vice Chairman

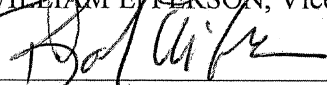
  
\_\_\_\_\_  
BOB MCGRATH, Selectman



We hereby certify that we gave notice to the inhabitants within named, to meet at the times and places and for the purpose within mentioned, by posting up an attested copy of the within **WARRANT** at the places of meeting within named and a like attested copy at the **RYE TOWN HALL**, being public places in said Town, on the 29<sup>th</sup> day of January 2024.

  
\_\_\_\_\_  
THOMAS KING, Chairman

  
\_\_\_\_\_  
WILLIAM E. PERSON, Vice Chairman

  
\_\_\_\_\_  
BOB MCGRATH, Selectman

