

TOWN OF RYE – PLANNING BOARD
Tuesday, June 13 2017
7:00 p.m. – Rye Town Hall

Members Present: Chairman Bill Epperson, Pat Losik, Mel Low, J.M. Lord, Selectmen’s Rep Priscilla Jenness and Alternate Katy Sherman.

I. Call to Order and Pledge of Allegiance

Chairman Epperson called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

II. Designation and appointment of alternates

Alternate Katy Sherman was seated for Jeffrey Quinn.

III. Approval of the May 9, 2017 meeting minutes

The following corrections were noted:

- Page 3, Under IV, a, 1st sentence should read: **Major Site Development Plan by WBTSCC Limited Partnership for property owned and located at 60 Wentworth Road.**
- Page 6, 1st paragraph, 3rd sentence should read: **The sun, rain, wind and contact with tree branches contribute to the deterioration of the net.**
- Page 6, 2nd paragraph should read: **Member Quinn asked if the netting is constructed in panels so a particular piece that is damagedu could be taken out.**
- Page 6, 4th paragraph, last sentence should read: ***“it is part of the Club’s ongoing improvements, which is vital to the ongoing business”.***
- Page 7, 4th paragraph, 3rd sentence should read: **Some balls continue to go over the 50ft net at the end of the range but there are no residences or people over there.**
- Page 8, 2nd paragraph, 7th sentence should read: **There were no issues with drivers before the tennis building.**
- Page 9, 1st paragraph, last sentence should read: **With this misleading ballot, he thinks the Planning Board will be in deep trouble if this is rammed through at this meeting.**

Motion by Mel Low to approve the minutes of May 9, 2017 as presented. Seconded by J.M. Lord. All in favor.

IV. Submittal of Applications for Determination of Completeness – Not a public hearing: (Action Required)

- a. Major Subdivision, Lot Line Adjustment (Lots 15-4 and 16) and Conditional Use Permit by the Housing Partnership for Property located at 0 Airfield Drive, Tax Map 10, Lot 15-4, for construction of a residential development consisting of a mixture of single-family and multi-family dwellings with a portion dedicated as Workforce Housing. Property is in the Commercial Zoning District. Case #07-2017.
 - Applicant requested a continuance to July 11, 2017.

Motion by J.M. Lord to continue the review for completeness, for application #07-2017, to the July 11, 2017 meeting. Seconded by Pat Losik. All in favor.

V. Public Hearings on Applications:

- a. Major Site Development Plan by WBTSCC Limited Partnership for property owned and located at 60 Wentworth Road, Tax Map 24, Lot 61-26, to replace an existing 50' golf net and nine (9) 50' wood poles with a ninety 90' golf net and nine (9) 90' steel poles. Property is in the Single Residence District. Case #06-2017.
 - Applicant requested a continuance to July 11, 2017.

Motion by J.M. Lord to continue application #06-2017, WBTSS Limited Partnership, to the July 11, 2017 meeting. Seconded by Pat Losik. All in favor.

- b. Major Subdivision, Lot Line Adjustment and Conditional Use Permit by Harbor Street Limited Partnership of Stratham, NH, for properties located at 421 South Road, Tax Map 4, Lots 25, 27, 31 & 32 for a 22 Lot subdivision. Properties are in the Single Residence District and within the Aquifer and Wellhead Protection District. Case #13-2016.
 - Applicant requested a continuance to July 11, 2017.

Motion by J.M. Lord to continue application #13-2016, Harbor Street Limited Partnership, to the July 11, 2017 meeting. Seconded by Pat Losik. All in favor.

- c. Major Subdivision, Lot Line Adjustment and Conditional Use Permit by the Housing Partnership for property located at 0 Airfield Drive, Tax Map 10, Lot 15-4, for construction of a residential development consisting of a mixture of single-family and multi-family dwellings with a portion being dedicated as Workforce Housing. Property is in the Commercial Zoning District. Case #07-2017.
 - Applicant requested a continuance to July 11, 2017.

Motion by J.M. Lord to continue application #07-2017, Housing Partnership, to the July 11, 2017 meeting. Seconded by Pat Losik. All in favor.

VI. New Business

- Julie LaBranche to discuss the Master Plan updates

Master Plan Updated on the following Chapters: (Review by Planning Board)

- Chapter 3 – Coastal Hazards and Climate Adaptation
- Chapter 4 – Existing and Future Land Use
- Chapter 6 – Transportation
- Chapter 7 – Natural Resources

Julie LaBranche, Rockingham Planning Commission, explained that she and Planning Administrator Reed worked with the Master Plan Subcommittee in 2016. They worked on creating the ‘Coastal Hazards and Climate Adaptation’ Chapter and focused specifically on ‘Land Use’, ‘Transportation’ and ‘Natural Resources’ so updates could be made to those chapters for adaptation. She continued that she spent the winter working on the chapters and revising them. A lot of the content has been eliminated and consolidated; however, the ‘Land Use’ and ‘Natural Resource’ Chapters were expanded a bit because there were some topics that had not been covered.

Chairman Epperson stated that he has read through the drafts. He appreciates the fact that there is some flex in the draft in regards to sea rise and it is not so fixed on what it is projected to be. He continued that he has a question on Chapter 3, page 4, regarding the information on Sea-Levels and Coastal Storm Surge. He asked where the information specifically comes from.

Ms. LaBranche stated this information is from the most recent report prepared by Science and Technical Advisory Panel from the N.H. Coastal Risks and Hazards Commissions. It is information based on the 2014 National Climate Assessment, which is nationally derived data that was downscaled by local climate scientists. The gage data came from Seavey Island and Portsmouth Harbor.

Chairman Epperson asked if they included the gages from Hampton Beach or Hampton Harbor.

Ms. LaBranche replied that those do not have a long enough record. Seavey Island has the longest record that goes back to the 1900’s. Referring to Chapter 3 data, she commented that she could add which station the data was derived from.

Chairman Epperson clarified that on page 3-9, there will be a map under Figure 7.

Ms. LaBranche confirmed.

Chairman Epperson commented that he likes Section 3.5, ‘Water Resources’.

Ms. LaBranche noted that she will be filling out the last column for Table 5, page 3-10.

Planning Administrator Reed noted that Chapter 3 is basically complete. She and Ms. LaBranche have just a few items to add. The photos from Priscilla Jenness were added to the chapter and the changes requested by the Planning Board last fall were made. This is a chapter that was created with the help of two public forums.

Referring to Chapter 4, ‘Existing and Future Land Use, Ms. LaBranche stated that the Introduction has changed drastically. She is going to be adding an introductory sentence, or two, to this section, which will talk about the dominant land uses in the community today. She continued that on page 4-2, information

under US Census data that is not land related will be removed. There will also be a sentence added that this information could be updated after the 2020 Census data is released. She pointed out that the information in the chapter currently is based on the last census, which was done in 2010. She continued that Section 4.3, 'Land Use and Development', has been reorganized quite heavily. Table 4.1, includes 2015 updated land use data with a percent change from 2010 to 2015. She suggested adding a star next to Forested and Open Wetlands in the table to alert readers to look at the note below. She also suggested pulling out Agriculture and Residential to talk about the increases from 1962 to 1998 and 1998 to present.

Ms. LaBranche stated that she will be adding the acreage for each zoning district to Table 4-2. She continued that Section 4.4 has been changed significantly and reorganized. She pointed out that Sections 2 and 3 are the biggest new sections for Chapter 4, addressing non-point source pollution, stormwater management and Flood Hazard District. The title for Section 4.5 is going to be shortened to 'Future Land Use'. She noted that she is going to list the tools and existing ordinances that could be maximized for benefits on page 4-13. She thought it would be a good idea to bullet the biggest land use changes that could be implemented over time to deal with a variety of issues.

Planning Administrator Reed commented that if it is at least stated somewhere in the Master Plan, then they can work towards zoning. If it is not in the Master Plan, the zoning cannot be considered.

Ms. LaBranche asked the Board to think of issues that they feel may be emerging in the future that should be considered for the list. The ideas should be emailed to Planning Administrator Reed. She continued that the new section for this chapter is 4.6, 'Climate Change and Adaptation'. The first page of this section is background information. It also talks about the N.H. Coastal Risks and Hazards Commission and their guidance on actions to take. The last couple of pages are recommendations based on the Tides to Storms Vulnerability Assessment and N.H. Coastal Risks and Hazards Commission Report. She commented that she will add that recommendations were also taken from the public input sessions. The recommendations listed in this section are specific to land use.

Referring to Chapter 6, 'Transportation', Ms. LaBranche noted that most of the changes involved consolidation of the chapter and updates to the data.

It was noted that all roads in Rye have been designated as scenic roads. Route 1A, including Pioneer Road, is a scenic byway. (This information needs to be updated in the chapter.)

Ms. LaBranche noted that Table 6-6 is replacing Table 6-5.

Planning Administrator Reed read from the policy adopted by the Board of Selectmen in 2005.

Rye Highway Pavement Width Policy

It shall be the policy of the Town of Rye to widen the shoulders of Class IV Highways whenever possible. This is to be accomplished in the following manners:

- **Reclamation or reconstruction – When a Class IV Highway is reclaimed or reconstructed the pavement width will be increased from 24 inches to 26 inches whenever feasible. In areas where no increase or partial increase in pavement width is possible, efforts will be made to create a 3ft shoulder on one side of the highway with appropriate crosswalks or signage. The painted lines delineating the travel lanes shall be reduced to 11'6" overlay. When a highway is being overlaid, it is not possible to increase the pavement width without an adequate substructure. When the lines are being repainted however, the travel lanes shall be reduced to 11'6".**

(Adopted by the Selectmen 2005.)

The Board agreed this wording should be in the chapter.

Ms. LaBranche noted that Section 6.7, 'Climate Change and Adaptation', is new. Referring to Chapter 7, 'Natural Resources', she commented that Figure 7-2 is based on the last public Visioning Session that took place in 2002. It was decided to leave this in the chapter. She continued that she tightened up the information in Section 7.3 regarding beaches and beach access. She noted that on page 7-6, updated information is needed from the Harbor Master for this section. She continued that Chapter 7 has been significantly reorganized for a better flow. The trails map is going to be added to Section 7.4. Planning Administrator Reed will be editing parts of Section 7.4. Ms. LaBranche noted that she will add a map showing the locations for Figure 7-5. She continued that Section 7.5, 'Water Sources and Supply', was significantly edited. Some content was deleted and other items were added.

There was discussion on relating the USGS Study, Assessment of Groundwater Resources in the Seacoast Region of N.H., to Section 7.5.

Ms. LaBranche finished her review of changes for Chapter 7.

Other Discussion:

Planning Administrator Reed submitted a copy to the Board of the **Southeast Watershed Alliance, Post Construction Stormwater Management Standards, prepared by Rockingham Planning Commission and University of New Hampshire Stormwater Center.**

Ms. LaBranche noted that the draft has been in the works for over a year. It incorporates "firsthand knowledge" and real-life experience with a handful of towns who adopted the first version. This draft addresses the issues, problems and things that were not working quite so well. The draft has been fine-tuned quite a bit. She continued that the minimal thresholds for applicability are on page 1. She explained that 5000ft was used as the threshold in the model. Any development that is 5000ft or greater has to fully comply with the standards in the model. If the development is less than that, they have to apply Best Management Practices as listed in 2A and the Planning Board can grant a waiver if those things can be accomplished on the site. She continued that the reason 5000sf was chosen is because most towns rely on alteration of terrain for their permitting, which are for sites that disturb 100,000sf or greater. That means there is a whole category of small projects that never get reviewed by the State. If the town does not have some stringent standards, it does not get reviewed at all.

Member Losik stated that this would be asking for more out of the smaller projects, such as drainage studies that would be seen in larger projects. She asked how people get over this hurdle because it is obviously expensive.

Ms. LaBranche stated that Jamie, who also worked on the draft, is a P.E. It is his personal opinion that a site that disturbs 5000sf of land is going to need an engineer plan. Chances are that runoff from the impervious coverage, unless it is really small, is going to have best management practices associated with it. There is some level of engineering that is going to have to go into these; however, it is all scalable. The amount of information that a planning board is going to require is dependent upon how close they are to 5000sf than how close they are to 20,000sf. She continued that a new development is easy because they are starting with a blank slate. It gets more complicated when there is a redevelopment project because it is inheriting everything that is on the site. If a project comes in that was developed well before there were stormwater controls, there is probably no information or stormwater plan. The town could require that information to be recouped so it could be put on record. As an MS4 community, the only way the permit goals and requirements are going to be met is if this information is asked for. She stated that the

development community knows that the bar has been raised and the MS4 is pushing communities to require more stringent information and apply stricter criteria to meet the requirements of the permit.

Ms. LaBranche noted that most towns put this in their site plan review regulations, which apply to multi-family and commercial development. She also noted that it would only apply to subdivisions where a new road is created.

- The MS4 permitting goes into effect July 2018.
- Rockingham Planning Commission will be starting a Technical Assistance Program to help the communities plan what they need to do first with regard to MS4 permitting.

VII. Payment of Escrows:

- a. Mike Donovan from the 421 South Road Escrow - \$948.06

Motion by J.M. Lord to pay Attorney Michael Donovan in the amount of \$948.06 from the 421 South Road Escrow. Seconded by Priscilla Jenness. All in favor.

- b. Joe Noel from the 421 South Road Escrow - \$318.19 - \$297.50

Motion by Mel Low to pay Joe Noel in the amount of \$318.90 and \$297.50. Seconded by Pat Losik. All in favor.

- c. Sebago Technics from the 421 South Road Escrow - \$1150.70

Motion by J.M. Lord to pay Sebago Technics in the amount of \$1150.70 from the 421 South Road Escrow. Seconded by Pat Losik. All in favor.

- d. Danna Truslow from the 421 South Road Escrow - \$630.00

Motion by Danna Truslow in the amount of \$630.00 from the 421 South Road Escrow. Seconded by J.M. Lord. All in favor.

VIII. Communication

- 1191 Ocean Boulevard

The Board agreed that a letter should go to the property owner stating that if he is going to be conducting business in 2018 with the tents, he should come to the Planning Board in March or April for a decision. He cannot use them this season because it does not comply with the original plan.

Chairman Epperson will follow up with the Building Inspector.

IX. Other

Motion by J.M. Lord to open up the minutes of the April 25, 2017 work session for discussion. Seconded by Pat Losik.

Vote: 4-0-2 Abstained: Priscilla Jenness and Katy Sherman

Member Lord noted that a conversation between the developer and Chairman Epperson regarding a tree fall zone was not in the minutes.

Motion by J.M. Lord to have the live stream reviewed to revise the work session minutes of April 25, 2017. Seconded by Pat Losik. All in favor.

- **Rules and Regulations Committee Meeting scheduled for April 27th, 4:00 to 6:00 p.m.**

Adjournment

Motion by J.M. Lord to adjourn at 9:10 p.m. Seconded by Mel Low. All in favor.

Respectfully Submitted,
Dyana F. Ledger