

TOWN OF RYE – PLANNING BOARD
Tuesday, May 10, 2016 – 7:00 p.m.
Rye Town Hall

Members Present: Chairman Bill Epperson, Vice-Chair Phil Winslow, Jerry Gittlein, Alternates J.M. Lord and Jeffrey Quinn.

Also in Attendance: Planning/Zoning Administrator Kimberly Reed.

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 – Action Required

Chairman Epperson seated Jeffrey Quinn for Keriann Roman and J.M. Lord for Tom McCormick.

III. Approval of the April 12, 2016 meeting minutes – Action Required

The following corrections were noted:

- Page 2, 4th paragraph, 3rd sentence should read: **He is requesting permission to create a limited common area off the rear of both buildings and build a deck off unit 48.**
- Page 4, 5th paragraph, 5th sentence should read: **Overall, it helps to reduce the imperviousness of the area.**
- Page 7, 6th paragraph, 6th sentence should read: **They showed some pictures of different shallow depth to ground water septic systems.**
- Page 9, last paragraph, 4th sentence should read: **It does not obstruct anyone’s view of the creek, marina or ocean in any way.**
- Page 10, 4th paragraph, 1st sentence should read: **Vice-Chair Winslow stated his two issues were safety and stormwater runoff.**

- Page 11, 3rd paragraph from bottom, 2nd sentence should read: **He noted that there are 150 guests in the tent now that use the restroom inside the clubhouse like the members do.**
- Page 14, 2nd bullet should read: **Vice-Chair Winslow noted that the RPC will be discussing Senate Bill 146 at their next meeting, which addresses accessory apartments.**

Motion by J. M. Lord to approve the minutes of April, 12, 2016 as amended. Seconded by Phil Winslow. All in favor.

IV. Public Hearings – Actions Required:

Jenness State Beach Redevelopment Site Plan of 2280 Ocean Blvd, Tax Map 5, Lot 52 by DRED-Div. of Parks & Recreation to replace the existing bathhouse and make site improvements. **Property is in the Residential District. Case #06-2015.**

Johanna Lyons, NH DRED, spoke to the Planning Board. She stated that the existing building was built in 1979 and a modest renovation was done in 2015 to address the plumbing. She continued that they have been asking for capital money for the past three bienniums for Jenness Beach. An appropriation has been awarded for the 2016/17 biennium. She explained that the original building is 443 square feet. It has 4 commodes in the womens' restroom. There is 1 commode and 2 urinals in the mens room. An exterior changing room and shower was added during the 2015 renovation. There are currently 67 parking spaces plus 3 accessible spaces, which really do not meet the letter of accessible. There are also 2 spaces that are reserved for staff members.

Chairman Epperson asked if the parking is going to be relined to make the spaces accessible.

Ms. Lyons confirmed.

Chairman Epperson asked if the parking is going to be repaved as well.

Ms. Lyons confirmed. She continued that she conducted some observational surveys and interviews at the beach last summer to get an idea of how many people are using the bathroom to get an idea of how large it should be. Referring to the Town's recent parking survey, she noted that there are 450 parking spaces between Old Beach Road and Sawyer's Beach, including adjacent private parking areas. That parking capacity is equal to what is at Wallis Sands. She noted that her survey showed that there are about 3.6 people per car coming to the beach.

Chairman Epperson asked what time frame the survey covered.

Ms. Lyons replied that she conducted the survey over three days in July. One of the days was July 12th, which was the hottest day of the summer. The number of people per car was consistent on the weekdays and the weekend. This gave a good indication of how many people were accessing the bathroom. She continued that the capital appropriation is for \$825,000 for a new bathhouse and site improvements. The new building is going to be 11,000 (sic) square feet. She noted that the current bathhouse is 443 square feet. **Please see minutes below for clarification on square footage.*

Chairman Epperson asked how many parking spaces will be affected.

Ms. Lyons explained that they are proposing to reverse the flow of the parking lot and have perpendicular parking. Currently, the parking is angled. This will help to gain back some of the parking that will be lost. The parking lot will also be widened. The non-compliant sidewalk, located on the beach side, will be removed and on the street side, NH DOT is willing to give some space. NH DOT is willing to let DRED go out to about the location of the stone wall, which is somewhere between 2 to 3 feet.

Chairman Epperson asked about the bike lane.

Ms. Lyons replied that the bike lane will remain. The bike lane will still meet the standards. She noted that there is barely a sidewalk on the road side. It does not meet any standards and does not transport traffic. The sidewalk will be removed and bollards will be installed to protect the parked cars from the traffic on that side of the road.

Vice-Chair Winslow stated that his concerns are safety and lighting. In looking at the angle parking, it seems to be a lot easier to get out of a parking space and the line of vision is probably better. He asked if they have had any experience converting parking to perpendicular from angled. He noted that the space between the two opposing parking meters has also been opened up.

Ms. Lyons stated that one of the reasons they wanted to have more space in the State highway was to gain that space in the isle. By having the extra space and perpendicular parking, there will be a bypass lane so two cars could pull past each other. There will also be stacking in the parking lot so people can unload.

Referring to the site plan, Chairman Epperson noted that on page C-2 it shows the staff parking to the south side of Jenness bathhouse.

Ms. Lyons explained that the bathhouse is going to be moved to the north a little to take it off the property line. The space will be used for equipment access and for parking for the staff so spaces will not be taken out of the main lot. The staff who will be using the parking are lifeguards and beach attendants to clean the bathrooms.

Member Quinn asked the dimensions of the parking spaces.

Ms. Lyons replied they are 18 feet long by 9 feet wide. The isle is 22 feet and the parking lot is one way. There will be a total of 70 spaces.

Member Quinn stated that he sees some problems with the plan. Assuming that the building is bigger, that is a particularly hard area to look down the road to the left. He asked if the entrance is directly across from the intersection of Perkins Road.

Ms. Lyons commented that it is slightly off.

Member Quinn asked if there are any concerns about traffic coming out of Perkins Road, crowded conditions or stacking.

Ms. Lyons stated that it is doubtful that they will stack out to the road. There is going to be stacking room within the parking lot.

There was review of the parking lot entrance and exit on the site plan.

Member Quinn commented that there are a lot of things going on at that intersection.

Referring to sheet C-2, Member Lord pointed out that the entrance is probably about 80 feet away from the center line of Perkins Road.

Speaking to Planning Administrator Reed, Vice-Chair Winslow asked if Police Chief Walsh has looked at the plan.

Planning Administrator Reed confirmed.

Chairman Epperson stated that the Planning Board really has no jurisdiction over this. He would like the Board to move onto things that they would like the State to consider for the project, such as lighting.

Ms. Lyons explained that the site design review is at sixty five percent. Michele Sopher from the Rye Energy Committee contacted her about the lighting. She continued that the intent is to do something like the lighting in Hampton to keep the design and the brand going. It will also help to keep maintenance down. She continued that she has been corresponding with Michele Sopher about products that are available in the same company line. They are still working on the final design for the lighting. She noted that currently the precinct is paying for the lighting at Jenness Beach. The State would take that over as part of this redevelopment of the site.

Chairman Epperson asked if the Board will be kept informed of the changes in the lighting.

Ms. Lyons confirmed.

Michele Sopher, Rye Energy Committee Co-Chair, stated that she is one of the people who helped write the Energy Chapter for the Master Plan. She is now working with Jenness on the beach light project. The intent is to coordinate the Jenness lighting project with this project. She continued that she contacted Ms. Lyons and was told that they would be doing something similar to Hampton Beach. She feels this would be really inappropriate for Jenness Beach because Hampton Beach has a lot of ambient lighting. There is a lot more traffic at Hampton Beach.

Jenness Beach is close to the residences and close to the water itself. The Energy Committee is trying to avoid over lighting, light pollution and light trespassing onto people's property. This is something that the Jenness Beach Street Lighting Project is taking into account. She continued that she had some concerns about the lighting. Ms. Lyons has been very responsive to the concerns. Her concern is that the lighting was going to be way too bright and the color temperature was too much in the blue spectrum. Blue light tends to light up the night sky a lot more and can affect wildlife and sea life. The trend is to now move towards the warmer colors, as the technology was not really there before. She explained that Ms. Lyons has come back with an alternative light that seems to be a better option.

Member Gittlein is they are only addressing the color of the lights. He asked if the spacing of the light poles and the height are being considered.

Mrs. Sopher stated that the light poles are going to be about 16 feet high.

Ms. Lyons explained that it will have more site lighting, rather than street lighting. The plan is to have a light at the crosswalk, at the beach entrance and near the bathhouse in the location of the pay station. There will only be three lights.

Member Gittlein asked if this will be adequate for night.

Ms. Sopher noted that there is very little lighting there now. The visibility with LED lighting is much better than other technology. The area will be lit up better than it is now.

Chairman Epperson asked the Board if they are comfortable with Mrs. Sopher and Ms. Lyons staying in communication with respect to the lighting and corresponding with Planning Administrator Reed so she may report back to the Board.

The Board agreed.

Mrs. Sopher stated that the latest option for lighting has the option of having a back light shield so it does not shine light onto the beach itself. However, she thinks the Police Department likes to have the beach lit up somewhat because they can look over as they are driving by and see the beach. There is an option for a partial back light shield which will still give some lighting on the beach.

Member Gittlein asked why they would not want the beach lit up a bit at night.

Mrs. Sopher explained that it would be to avoid nuisance light to the residences in the area. She noted that lighting does affect sea life and the wildlife.

There was some more discussion on the lighting.

Member Lord asked when construction would begin.

Ms. Lyons explained that they are planning to start construction the fall after Labor Day. The goal is to have it ready for Memorial Day next year. The intent is to keep as much of the parking lot open as possible during the construction. There may be a couple of days where it will need to be closed.

Chairman Epperson asked Ms. Lyons to clarify the size of the building.

*Ms. Lyons confirmed that she should have stated 1100 (*one thousand one hundred*) square feet earlier in the meeting.

Chairman Epperson thanked Ms. Lyons for reviewing the plan with the Board and for working with the Energy Committee on the lighting.

V. New Business:

- None

VI. Payment of Escrows:

A. Attorney Donovan

a. In the amount of \$472.50 from the Binnie and 1313 Ocean Blvd Escrows.

- Binnie Escrow - \$35.00
- 1313 Ocean Blvd Escrow - \$437.50

Motion by Phil Winslow to pay Attorney Donovan in the amounts of \$35.00 from the Binnie Escrow and \$437.50 from the 1313 Ocean Blvd. Escrow. Seconded by Jerry Gittlein. All in favor.

VII. Sub-Committees Discussion(s):

Long Range Planning

- Member Gittlein noted that the committee has been preparing for the public forum which is being held at the Junior High on Thursday, May 12th.

TRC

- No recent meetings.

Rules & Regulations; and

- No recent meetings.

VIII. Old Business:

a. 2 Marjorie Way – Stone Wall

Chairman Epperson explained that part of the site plan approval for Marjorie Way included a stone wall being reconstructed around the entire perimeter of the property. The stone wall is intact around the parcel, with the exception of number 2 Marjorie Way. The owner of 2 Marjorie Way, contends that the developer removed the stone wall and disposed of it. The site plan says that there should be a stone wall. The building inspector, Peter Rowell, has made it clear to the owner that there will be no certificate of occupancy issue until the stone wall has been reconstructed. There has been significant push back from the owner; however, there has been no amended site plan submitted that the Board can act on. He noted that a letter has been received from Attorney Scott requesting a waiver.

Planning Administrator Reed noted that she has spoken to Attorney Scott and explained to him that he must submit an application for an amendment to the site plan.

IX. Communications/Miscellaneous/Other:

a. Correspondence

Chairman Epperson stated that the Moorings at Rye Harbor has a list of items that the Planning Board requested from the association, on a yearly basis, pumping of the septic system with a report back to the building department. He noted that Laurel Miller has provided all the documentation that is required. She also asked if every subdivision in Rye is required to do the same thing.

Planning Administrator Reed commented that each subdivision is looked at individually.

Chairman Epperson stated that Ms. Miller's letter stated that it was recommended that the septic system be pumped on a three to four year pumping cycle, based on the use of the system. The subdivision documents require that the system be pumped out not less than every two years. He pointed out that Ms. Miller has an affidavit from the septic technician recommending the pumping every three to four years. He commented that some of the residents in that subdivision are not in Rye year round. It seems that two years may be too frequent. He stated that he will speak with the town's septic consultant, Dennis Plante, on this issue.

Chairman Epperson stated that there are significant tracks of land in Rye and it is rumored that they are going to be develop in some shape or form. He would like the Board to think about how they would like to handle development in the town.

Member Lord spoke in regards to a possible ordinance to protect the land near the wells in order to preserve the town's water.

The Board agreed that this should be added to next month's meeting agenda for discussion.

Adjournment

Motion by Phil Winslow to adjourn at 8:05 p.m. Seconded by Jerry Gittlein. All in favor.

Respectfully Submitted,
Dyana F. Ledger