


CONCEPTUAL AGREEMENT IN PRINCIPLE

1. The subdivision approved by the planning board would create two equally sized lots: Lot A closest to Olde Parish Road; Lot B closest to the library. Each lot will have 100.3 ft. of frontage on Washington Road. Each to be conveyed to Dan Philbrick in an exchange at par for the TD Bank Building.
2. Dan Philbrick will later convey Lot B to the Town for \$250,000 to be paid from unanticipated funds bequeathed to the Rye Public Library when such funds become available. The parcel will be used as a park/garden or may be used for future expansion of the library, or both. Dan Philbrick has the option of making the purchase price \$280,000 and taking a \$30,000 donation reduction.
3. Any future building (as defined by the Rye Zoning Ordinance) on Lot B shall not encroach within the required side yard setback (currently 20 feet) of the Rye Zoning Ordinance from the property line between Lot A and Lot B.
4. Following the conveyance to the Town, the Board of Selectmen will file a voluntary merger which merges Lot B with the present library lot (TM 12/Lot 42). This will legally establish Lot B as part of the library parcel, used for library purposes; and controlled by the library trustees as library property, in perpetuity.
5. The cost to demolish the existing Parsonage building on Lot B will be shared by the library trustees and Dan Philbrick. The demolition will be managed by Dan Philbrick.
6. After demolition of the Parsonage building, which shall include backfilling of the cellar hole to grade, Lot B shall be planted with grass and other appropriate vegetation by the Library Trustees. Lot A and Lot B shall be maintained under the direction of Dan Philbrick until such time as a park/garden is created by the Library Trustees. The cost of this maintenance shall be split between Dan Philbrick and the Library Trustees with Dan Philbrick paying the cost of maintaining Lot A and the Library Trustees paying the cost of maintaining Lot B.
7. The design and establishment of the future park/garden, including permanent placement of the statue described in section 8, shall be by the Library Trustees, at their expense, who shall solicit and consider in good faith input from Daniel Philbrick. The park/garden shall include hardscape, which may be used for library programs, gatherings and functions. Use of the park/garden shall be subject to rules established by the Trustees which shall include prohibition of dogs, sporting activities and after dark use, other than events approved by the Trustees or their designee.

8. The park/garden will include a statue of a girl reading a book, mounted on granite and dedicated to the children of Rye as a memorial to Jackie Ann Philbrick to be provided by Daniel Philbrick. This statue may be placed on Lot B prior to the establishment of the park/garden, at Dan Philbrick's expense, at a location to be approved by the Library Trustees. The park/garden will also include an appropriate recognition of the benefactor whose bequest paid for the acquisition.
9. There will be a 3 ft. wide easement over Lot A reserved by the Town from the edge of the sidewalk adjacent to the parking lot. Within this easement the trustees shall have the following rights: (a) ownership, maintenance and repair of lights; (b) snow storage for snow removed from sidewalk provided green snow removal substances are used on sidewalk; (c) right to repair sidewalk.
10. At present Daniel Philbrick anticipates that he would demolish the Carriage House on Lot A and build a building which would house an office and one or two apartments. This would be subject to Historic District Commission Review. The Library Trustees will not oppose these uses.
11. All of this will require a formal agreement among the selectmen, Dan Philbrick and the Library Trustees, which will be structured so as to be an amendment to the present Swap Agreement.
12. This plan will require a special town meeting vote scheduled at least 28 days after a deliberative session.

ABOVE CONCEPT AGREED TO IN PRINCIPLE:

Board of Selectmen

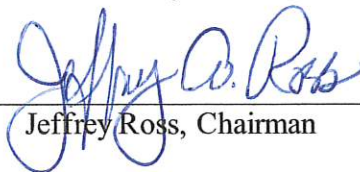


 Phil Winslow, Chairman

8/15/2020

 Date

Board of Library Trustees

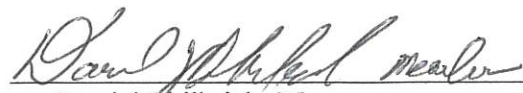


 Jeffrey Ross, Chairman

8/12/20

 Date

500 Washington Road, LLC



 Daniel Philbrick, Manager

8/14/20

 Date