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Planning Department
10 Central Road
Rye, NH 03870

Rye, September 4th, 2022

Att: Planning Board, Planning & Zoning Administrator, Kim Reed, Town Attorney Eric Maher:

The Rules and Regulations Committee is scheduled to meet on September 6th at 4:00 PM in a Non-Public Session to discuss revisions to the Rye Zoning Ordinance, which has been described over the prior months by Planning & Zoning Administrator, Kim Reed, as a "complete rewrite." See Planning Board meeting minutes, August 9th, p.9.

Town Departments/Boards/Commissions/Public have not been invited to participate in this "complete rewrite" of the RZO, as there has been no outreach & no public meetings scheduled thus far.

1. I requested from Kim Reed in emails dated August 18th & 23rd that Town Attorney Maher receive a copy of the 2015 Draft Proposed Wetlands Ordinance that was turned down by the Planning Board in December 2015, but which was going to be revisited after minor amendments to the Wetlands Ordinance were made in 2016. Despite a RTK request in May 2022, I was not provided with the draft wetlands ordinance, but with something else, namely the 2016 minor amendments that were approved. The Planning Board meeting minutes (December 2015) include a summary of the 2015 Proposed Wetlands Ordinance.

2. In addition to the Wetlands Ordinance and its lack of significant updating, I am concerned about Accessory Dwelling Units, namely regarding the "approval process" (many issues) in addition to the fact that the "checklist for ADUs" was only one page long and did not make reference to the 3-month minimum rental requirements. (It was

changed on August 10th as a result of an email I wrote in regards to 6 Tower Avenue.)

3. Since the adoption of the pump-out ordinance in the Parsons Creek Watershed, there have been no new regulations to protect the watershed. The Parsons Creek Watershed Based Plan has not been updated since 2011.

<https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/2020-01/parsonscreek-wbp-ada.pdf>

4. Rye's semi-rural character is not protected – see Land Use Chapter in Master Plan, about “cookie cutter” developments and the reference in the Master Plan to Rural by Design: Planning for Town and Country by Randall Arendt.

5. Dark Sky Ordinance.

I understand you are doing a “thorough review” as has been stated, however it is unclear what the scope of your “complete rewrite” of the RZO is as it has not been discussed publicly. The scope should be disclosed.

Also, this update has not been budgeted by the head of the Planning Department. I hope you will take into consideration my concerns and suggestions.

Regards,



Dominique Winebaum
52 Cable Road

CC Town Attorney Eric Maher
CC Rye Planning Board
CC Rye Select Board
CC Rye Conservation Commission
CC Rye Water District
CC Attorney Roger D. Wiegley