

Dominique Winebaum  
52 Cable Road  
Rye, NH 03870  
domiwine@comcast.net

Rye, January 10<sup>th</sup>, 2023

Dear members of the Budget Committee,

The Budget Committee will be holding a public hearing on January 12<sup>th</sup> regarding the Town budget. I am providing the following comments and background information ahead of the public hearing to allow members to fully review all items presented below prior to the meeting. I am hoping that members will take the time to discuss and review all items during the public hearing along with providing answers to the several questions highlighted in this letter.

**1. The Rye Code Book.** In 2020, the March Ballot included amendment 10 to the RZO amendments (see text copied below). The Budget Committee did not review (to my knowledge) this amendment as it came from the Planning Board and had no amount budgeted. In short, the Town adopted to codify its "existing ordinances into a single, user friendly, searchable Town code."

a). The Rye Code Book is not "user friendly" nor "searchable" as described in Amendment 10.

b). The Rye Code Book has not been updated since 2020 despite new amendments to the RZO, LDR, and Rye Code, that were adopted by Rye voters in 2021 and 2022.

c). There has been no budget item to codify all the "existing ordinances" in a single "user friendly" and "searchable Town code" book that I am aware of.

My questions are as follow:

**What was the budget for the initial contract in 2020 and what is to be the yearly budget/cost to update the Rye Code Book?**

**Which department is responsible for budgeting the update of the Rye Code Book?**

**Is this a sustainable approach in terms of cost?** It appears that there was some misunderstanding in regard to the scope of the contract, namely that it was not anticipated that yearly updates of the Rye Code Book would incur additional cost.

**What is going to be the cost of updating the Rye Code Book after the vote in March 2023 given the extensive changes made to the RZO and prior to that to the LDR in 2022, along with all the changes made since 2020?**

March Ballot 2020

Are you in favor of the adoption of Amendment 10, as follows: Amendment 10. Re: Adoption of Chapter 190 of Town Code Adopt Chapter 190 Zoning of the Code of the Town of Rye which will replace the present Zoning Ordinance? Explanation The new Town Code (if adopted pursuant to Article 28), organizes all of the Town's existing ordinances into a single, user friendly, searchable Town Code. This amendment places the present zoning ordinance in the new Town Code as Chapter 190. Copies of Amendment 10 and Chapter 190 are available for inspection and copying at the planning department office. The entire new Town Code is on the town website.

Here is a link to the Rye Town Book:

[https://www.town.rye.nh.us/sites/g/files/vyhlf3751/f/pages/town\\_of\\_rye\\_code\\_book.pdf](https://www.town.rye.nh.us/sites/g/files/vyhlf3751/f/pages/town_of_rye_code_book.pdf)

## **2. The update of the Rye Zoning Ordinance (RZO)**

**What was the total cost of the RZO update that will be on the March ballot 2023?**

Attorney Eric Maher was contracted for this extensive update. Not budgeted in 2021 but for some money set aside.

**The legal notice alone for the December 6<sup>th</sup> Public Hearing cost more than \$2,8000. (Obviously, there was a gross error, yet it happened.)**

## **3. Amendments to the Land Development Regulations (LDR)**

Despite a "complete rewrite" of the LDR in 2020, and which had been budgeted, the LDR was once again updated with a total of 23 amendments in 2022.

Attorney Michael Donovan was contracted to amend the newly amended LDR. This was a considerable update, yet it was not budgeted in 2021-2022.

**What was the total cost of the LDR update (23 amendments) that were approved in 2022 by the Planning Board and which will have to be codified after the March 2023 Election?**

#### **4. The update of the Master Plan**

The Budget Committee has approved the budget presented for a Master Plan update.

I would ask the members of the Budget Committee to take the time to review the Power Point Presentation to the Planning Board on 2-9-2022  
[https://www.town.rye.nh.us/sites/g/files/vyhlf3751/f/pages/vision\\_framework\\_pb\\_presentation\\_feb\\_8\\_2022\\_0.pdf](https://www.town.rye.nh.us/sites/g/files/vyhlf3751/f/pages/vision_framework_pb_presentation_feb_8_2022_0.pdf)

The list of "accomplishments" as listed on slide 3 is misleading.

- a). The Municipal and the Community surveys were "developed and implemented," however, no results and analysis have been provided, and this despite multiple requests.
- b). The "SWOT" format for the "2021 Public Visioning Workshop" was done randomly and the "themes" were drafted prior to the Visioning.
- c). Results from the Municipal and Community surveys could not be merged with the results from the Public Visioning Workshop, as stated by the Consultant.
- d). The "solicited additional community input through the Visioning Workshop input form online and through email distribution" may have resulted in 19 responses, however, only one response has been posted.  
[https://www.town.rye.nh.us/sites/g/files/vyhlf3751/f/pages/julie\\_tucker\\_swot\\_1-12-2022.pdf](https://www.town.rye.nh.us/sites/g/files/vyhlf3751/f/pages/julie_tucker_swot_1-12-2022.pdf)

**On what basis the members of the Budget Committee made their decision to approve the several budget items for the update of the Master Plan?**

Regards,  
Dominique Winebaum