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Rye, March 23, 2023

Board of Selectmen
Town of Rye
10 Central Road
Rye, NH 03870

Dear Members of Select Board, Town Administrator, Matt Scruton, and Town Administrator Assistant, Becky Bergeron:

RE: Budget Committee Meeting Minutes (01-17-23) and Budget item "Zoning – BOA 4191-10, \$15,985, Kim Reed."

Prior to the Budget Committee meeting on January 12th, 2023, I sent a letter to the Budget Committee via Janice Ireland and asking that it be sent to the full board as well as to Matt Scruton and Becky Bergeron.

I was unable to attend the January 12th meeting, however, I remotely attended the January 17th Budget Committee meeting and spoke during the public hearing in regard to the letter I had sent. In response to my letter, Becky Bergeron provided a statement with answers to some of my questions. I am requesting that my letter addressed to the Budget Committee, and dated January 10th, 2023, (see below), be attached to the meeting minutes. Likewise, I am requesting that Becky Bergeron's statement, that she read orally, be attached to the meeting minutes.

In addition, I would like to voice my concerns about budget item "Zoning – BOZ 4191-10, \$ 15,985, Kim Reed," as described in the Budget Committee meeting minutes dated November 16th, 2022. The Chair of the ZBA, Shawn Crapo, is also a member of the Budget Committee (as a representative for the RBVD although he is not a commissioner) and defended this budget item in the amount of \$15,985 for verbatim transcriptions as the ZBA and PB meeting minutes are being transcribed verbatim although verbatim meeting minutes are not required by State Legislature.

I do not object to the spending – and the amount – however, please take note that there have been issues with ZBA meeting minutes (February 1st meeting) with Chair Crapo being inconsistent with the "verbatim" policy of the Town, as was the case when the February 1st minutes were discussed at the March 1st ZBA meeting, as member John Tuttle took the time to listen to the meeting recording to provide corrections to the minutes, which corrections were denied.

I have complained on many occasions about meeting minutes (Planning Board and ZBA) being edited inconsistently by someone. There is a need for more oversight and consistency if there is actually to be, as there is now, a verbatim minute policy, from our Town Administrator for those two boards as meeting minutes are being edited inconsistently with not everyone (abutters and applicants) being treated fairly.

Regards,



Dominique Winebaum

CC Budget Committee
CC Zoning Board of Adjustment

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Rye, January 10th, 2023

Dear members of the Budget Committee,

The Budget Committee will be holding a public hearing on January 12th 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 answer 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

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 6th 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/vyhlif3751/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/vyhlif3751/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?