



Rye Planning Board

Rye Town Hall, 10 Central Road, Rye, NH 03870 (603) 964-9800

web: www.town.rye.nh.us

Technical Review Committee

Preliminary Conceptual Consultation by Alex Ross, Ross Engineering, LLC for Elva S. Carpenter Revocable Trust of 199, Elva S. Carpenter Trustee, C/O Jean Whittet for property owned and located at 701 South Rd., Tax Map 3, Lot 2 for a 7 lot subdivision with a proposed cul-de-sac road, incorporating the existing single-family dwelling into the design, for 6 new dwellings. Property is in the Single Residence, Wetlands Conservation District & Aquifer & Wellhead Protection District.

Members Present: Jason Rucker, DPW Director; Maddie DiIunno, RPC; Kevin Wunderly, Deputy Fire Chief; Kara Campbell, Land Use & Environmental Administrator; Amber Harrison, Building Inspector; Steve Harding, Sebago Technics; Kimberly Reed, Planning & Zoning Administrator; Eric Maher, Town Attorney, William MacLeod, Planning Board Representative, Danna Truslow, Truslow Consulting via zoom and Brian Goetz, Rye Water District, via zoom.

Present for the applicant: Alex Ross, Marc Jacobs, Mike Garrepy.

Ms. Reed called the meeting to order, pledge of allegiance and introductions. She explained reason together and thanked everyone for their time. It is a preliminary conceptual, Chair of the Planning Pat Losik thought it best to have TRC to get thoughts together as this application proceeds.

Alex Ross, Engineer for the application, has a subdivision plan, had several meetings with the Conservation Commission they took all their requests and went to ZBA and received variances and now a Preliminary Conceptual Consultation and town advised us to come to TRC. Goes through and any recommendations or concerns because eventually want to submit final review for the Planning Board. Goes through the plan set.

Ms. Reed said she has large set on the plans and smaller sets for each person at the table.

Mr. Ross goes over the plans, areas on the parcel have wetlands. Originally worked with Conservation Commission, first plan had drive on left of the parcel, the RCC wanted to move the road, in doing that created another lot and avoid wetlands. History for this property has had a lot of conceptual designs, Webster for a retirement and large subdivision, what done here is a low intensity subdivision, some of the parcels 10 acres. Done a bunch of test pits and passing test pits each parcel, work with Marc Jacobs to make sure wetland setbacks are met. Working with RCC location of the road, they wanted it more centered, we made sure safe location for site distance and talk to everyone here at TRC for a subdivision like this, is it typical or will you require a full traffic study.

Mr. Rucker replied no, straight flat road, good site lines.

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Mr. Ross said the RCC wanted road further east but that would not be a good idea, loose site distances.

Ms. Reed asks before they move on if everyone concurs. Consensus, Bill, Eric, Steve Okay with no traffic study.

Mr. Ross went over the plans, road layout and test pits and drainage path, because there is a drainage path western corner of this parcel want to thoughtfully contain any stormwater will have a detailed stormwater. Have a question about soils, in the Town's regulation high intensity soils on some other project done overlay online maps, do not know if want to see that for this project. The project small enough do not meet the load requirements for the State of NH.

Ms. Reed said this parcel in the Aquifer and reason Ms. Truslow on the call.

Ms. Truslow requires a Hydro study, first get hydro study completed.

Ms. Reed asks if anyone has answers on Soil question.

Mr. Harding defers to others, whatever doing for septics for town's requirements, building department area, from a storm water standpoint consistent with pre and post.

Mr. Rucker, concurs.

Ms. Reed said that Dennis Plante, town's expert on septics has been on site to witness two test pits per lot with town employee, Madyson Garrity.

Mr. Ross said numerous test pits plus two per lot and will be part of the drainage study. He continues to go over the site plans.

Ms. Reed asks what the width of the road will be.

Mr. Ross said the town regulations say 24' and they will be asking for a waiver for 20' because low intensity and reduce impervious.

Ms. Reed thanked Mr. Ross and said it was a hot topic at the ZBA meeting, she then asked Mr. Rucker and Mr. Harding and Mr. MacLeod what they would be looking for when the waiver comes in.

Mr. MacLeod wants input from DPW, have to look at plowing issues and whether winter adequate width for fire safety vehicles, leave snowbanks on side, agree reduce pavement whenever can but think it is a stretch narrow road why can't fill in some wetlands and replicate them elsewhere. The road will be there 100 or 200 years, a wetland grow back in a year.

Attorney Maher asks the length of the road.

Mr. Ross said stations on plans and meet regulations of about 800 feet.

Mr. Harding asked if their intention was for the Town to accept the road.

Mr. Ross replied yes.

Mr. Rucker said will go with the 24' then and sure that the fire chief and he will discuss this that enough turning radius, address that with the fire department.

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Mr. Wunderly asked for the confirmation of 800 length.

Mr. Garrepy said the variance dependent on the 20' road width.

Mr. Ross will have to re-review that, asked if possible 20' straight section.

Mr. Rucker no want full width for snow storage.

Mr. Garrepy if private road would that change, know life safety still an issue.

Attorney Maher said that provide waivers and indemnifications to the Town for emergency services in order to get building permits if a private road. That will have to be recorded in the change of title.

Mr. Wunderly said even then, the fire department would be looking for water permitters'.

Mr. Garrepy will look into this.

Mr. Wunderly says in regards to the road, his biggest concern for this area of town has always been lack of municipal water. 3,800 ft stretch West Road to North Hampton town line, where this falls in and there are no pressurized hydrants at all. Their biggest concern and what is the plan for water suppression?

Mr. Ross will look into fire pond area with pipe.

Mr. Wunderly says he is leaning towards a cistern system that would support the development.

Mr. Ross has done that in the past with concrete structure.

Mr. Garrepy said another option sprinklers in homes.

Mr. Wunderly asks how far from West Road is the proposed road is there a possibility to extend the water main to support suppression at the development.

Mr. Ross good distance, not sure get back to you.

Mr. Wunderly said that is the only section of Rye where we have no hydrants.

Mr. Ross asks questions.

Mr. Goetz said there is a water line on West Road and thinks to the subdivision about 1,700ft.

Mr. Wunderly said first choice a water line, ideal if not feasible then consider sprinklers in homes and a cistern for water support.

Mr. Ross asks for clarity.

Mr. Wunderly says there is no water line where your proposed subdivision is, you are 1,700 ft away from hydrant between West and South.

Mr. MacLeod asks if do a cistern what quantity.

Mr. Wunderly said at least 30,000. Based on sq footage of the homes. Research to see what minimums.

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Mr. Garrepy wants a long-range plan and contribution to the Town for water service more than us.

Mr. Goetz not sure done in the past, water paid for by the developers. Right now only development why mention 1,700 ft to get to the subdivision.

Mr. Rucker just reclaimed the road and still in winter binder and plan to top it next year so if can get some direction whether this subdivision goes in prior to that best not to delay the topcoat. Asks Brian if the water main can go in on ROW and huge investment and don't want it dug up after a year and will be strongly opposed to that.

Mr. MacLeod asked Deputy Fire Chief if it would be agreeable to residential sprinklers.

Mr. Wunderly said yes and a cistern. Ideally water main to road however entertain alternative options.

Attorney Maher said state law prohibits conditioning approval on the installation of sprinkler system for one-to-two-bedroom homes.

Mr. Wunderly agrees that they cannot require you to sprinkler the homes, however we can require that there be water for fire suppression.

Mr. Garrepy will look at options.

Ms. Harrison asked if they had room for a pond, in York both pond and sprinkler.

Mr. Harding said the problem with a fire pond is that the winters we are having, it could be problematic.

Mr. Wunderly said they would prefer a cistern over a pond.

Mr. Goetz would not be Rye Water District not preference water line because it could be stagnant not good water quality.

Mr. Ross asks what type and size for water line.

Mr. Goetz said 12 inches watermain and in pretty good shape.

Ms. Reed asks any more questions on water and the road.

Mr. Harding comments on where crossing stream and retaining walls 20' better to push them out.

Mr. Ross asked his team if they have any questions, plan on Planning Board on September 8th to get their questions and incorporate TRC concerns as well.

Ms. Reed wants to go around the room and hear from everyone at the table today and get all the concerns and all feedback to go forward.

Ms. Harrison was out to the site, notes earlier as built down the road, asked about vernal pool edge and buffers and not sure 100'.

Mr. Ross shows the vernal pool on the plans, no disturbance.

Ms. Harrison wants control measures ask keep post construction, noted Marc Jacobs report below 10% in all the buffers.

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Ms. Campbell asks go back to RCC if any changes. NHDES will permitting for culvert. Asks if any blasting.

Ms. DiIunno, nothing at this stage but whether hydro study but now realize it is required and Planning Board will be looking for that.

Mr. Harding widening road still talk buffer impacts.

Mr. Ross said re-tool slopes if widen that road, far enough away from all the wetlands, just buffer area.

Mr. Harding 3 sided culvert get flushed out in the NHDES permit, avoid Army Corp, see where guard rail.

Mr. Ross come up with box culvert set in place so no disturbance, work with NHDES.

Mr. Ross said existing culvert is upstream from where want to put box culvert, in past they put in this culvert then field stone, hopping not much equipment remove the stones.

Mr. Harding need trickle channel, all over that. For Stormwater saw a chamber system usually catch basins, concern in let pipe concerned about size, talk how to protect that system so do not have to clean it out every 6 months.

Mr. Rucker asked about sheet flow off the road into detention pond, not seeing any infrastructure, looks like have a few on the other side of the road did not see any infrastructure.

Mr. Ross replied mostly sheet flow, showing subsurface chambers fed of detention chamber, will polish this up and there will be a structure easy to maintain.

Mr. Rucker asked how far off road.

Mr. Ross submit plans and segmenting area.

Mr. Rucker said a long way to travel.

Mr. Harding asked why not go with chamber system.

Mr. Ross said balancing act.

Mr. Harding to Jason's point and flow will you have ditches and fill.

Mr. Ross look at that.

Mr. Harding said to design for it.

Ms. Truslow offers her services with whomever they hire for consultation for the hydro study asks what the water source will be for the cistern.

Mr. Wunderly says different types of systems, Polly is the best. Concrete do develop leaks, and usually fill it once and unless used for fire purposes don't have to refill it.

Mr. Harding asks Mr. Wunderly if he has a design.

Mr. Wunderly does not, look at NFP1, meets that then okay with that.

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Attorney Maher asks the Town Policy for inspection and maintenance of cistern does that fall on the applicant or fire department.

Mr. Wunderly says once installed the fire department would make sure functioning property and full as for repairs, not answer, if develops a leak not sure who is responsible.

Mr. Harding asks for the first time do they fill up the tank or you.

Mr. Wunderly said yes.

Ms. Reed asks if HOA.

Mr. Garrepy says one for certain aspects.

Ms. Reed said this could go into the HOA.

Attorney Maher if obligation remain with the HOA then it should be placed in the HOA documents as to the obligation with the town ability to enforce that restriction, similar to past and if working with Attorney Tim Phoenix, he knows what like to see. IT would be clear language obligation to maintain if private road, maintain road, maintain drainage infrastructure and any fire safety infrastructure as well and wherever fire cistern located on the plan, convey to the town an access easement to be able to access that fire cistern for inspection services.

Mr. Garrepy said if they do a cistern will look for the Town to take ownership and responsibility for it.

Attorney Maher said town policy whether the cistern remain with the HOA or the town.

Ms. Reed said this is the first and will have to work out this policy.

Mr. Garrepy a bit of a surprise.

Mr. Goetz all set.

Mr. MacLeod asked there was a plan that had a road on the west side.

Mr. Ross said where fire woods road and the RCC wanted the road more center of the policy to avoid wetland distance and they are happy with that layout.

Mr. MacLeod said he would like to see that other plan.

Mr. Garrepy likes this plan better.

Mr. Harding asked impact wetlands on the other plan.

Mr. Ross replied about 3,000 sq. ft, because woods road does not manage flow.

Mr. Harding asked if based on 20' wide road.

Mr. MacLeod said you are happy with this location and asks if they can go to 24' wide road, then okay.

Attorney Maher, all set.

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Mr. Wunderly said they heard our concerns around water for fire suppression.

Ms. Reed asked if still planning on attending September 8th?

Mr. Ross said yes.

Ms. Reed thanked everyone for their time.

Mr. Rucker would like to clarify ownership of the stone water chambers and detention ponds and if go with private road, falls under HOA. To Attorney Maher, if town take ownership please explain.

Attorney Maher said the Planning Board will require that maintenance of stormwater and drainage infrastructure remain with the HOA , that is the general approach in Rye.

Mr. Jucker like to see that.

Mr. Harding also agrees.

Ms. Reed said that we have worked with Ms. Truslow on subdivision within the Aquifer. These conditions will run with the land and we work with other subdivisions and some once the developer left and some homes passed hands, the conditions get forgotten and to the new homeowner's the conditions do not matter. We are now putting practices in place to make sure these conditions will be enforced and maintained by the HOA in perpetuity.

Ms. Reed said that Attorney Tim Phoenix will be the applicant's attorney and may reach out to Attorney Maher on the Condominium HOA documents and once a hydrologist is selected, they may reach out to Danna Truslow.

Mr. Jacobs said they have over 50 test pits. Curious if soil survey is needed.

Ms. Reed said could always ask for a waiver. She asked if they will be doing a site impact analysis and put in there all the test pits and put in there the reason you may not need a soil survey.

Meeting Adjourned.

Respectfully submitted,

Kimberly Reed, CFM
Planning & Zoning Administrator

Memo To: Town of Rye Planning Board

From: Madeleine Dilonno, Senior Planner, Rockingham Planning Commission

Date: September 8, 2026

Subject: Review of Conceptual Consultation Application for 701 South Road (Tax Map 3 Lot 2)

Rockingham Planning Commission has reviewed an application for conceptual consultation with the Planning Board for property located at 701 South Road (Tax Map 3 Lot 2). At this stage, the proposal is to subdivide an existing 41.5-acre parcel into seven parcels. The property is located in The Single Residence District, the Aquifer and Wellhead Protection District and the Wetlands Conservation District.

It is understood that the proposal is preliminary and subject to change. At this stage, RPC offers the following comments for the Planning Board's discussion with the applicant regarding potential zoning and LDR requirements:

1. Because the proposal is in the Aquifer and Wellhead Protection District, the following is required:
 - a. A Conditional Use Permit pursuant to 190-3.6. E (2), which is required for the following:
 - i. Any use with septage loading of 2,500 gallons per day or greater.
 - ii. Any use requiring a hydrogeologic study per § 190-3.6F (1).
 - b. A Hydrogeologic Study pursuant to 190-3.6. F (1), which is required for:
 - i. Uses whose septic system (or septic systems) is designed for a septage loading of 2,500 gallons per day or greater.
 - ii. Any use altering more than 50,000 square feet of natural terrain.

At the August 26 Technical Review Committee (TRC) meeting, Dana Truslow confirmed that a hydrogeologic study will be required for the subdivision.

2. It is understood that the Zoning Board of Adjustment (ZBA) granted a special exception for impacts to the wetlands buffer associated with the proposed roadway and transmission lines.
3. It is understood that the ZBA granted three variances related to driveway location in the front boundary as well as structural, grading, and clearing impacts in the wetlands buffer.
4. It is understood that the applicants have met with the Conservation Commission on several occasions to discuss wetlands impacts and the proposed subdivision design. Continued coordination with the Conservation Commission is encouraged as the application is refined.

Notes from TRC:

The applicants met with Town department heads at a Technical Review Committee meeting on August 23rd in accordance with LDR Section 202-4.1. The following are some of the notable

comments raised at that meeting. Please refer to the complete TRC meeting minutes for the full discussion.

1. The proposed roadway as shown is 20 feet wide. The Director of Public Works indicated that if the intent is for the roadway to be dedicated to the Town as a public road, it will need to be constructed in accordance with Town specifications and have a 24-foot width.
2. The applicant indicated that the proposed roadway will be approximately 800 feet long.
3. Fire Suppression and Water Supply – There was discussion at the TRC meeting on the proposed water supply for fire suppression. The Fire Chief indicated that a fire suppression pond or cistern will be needed, unless the applicant intends to extend the water main from West Road to serve the subdivision. The Rye Water District indicated that the existing water main is approximately 1,700 feet from the proposed subdivision, based on information provided at the meeting. The Fire Department indicated that extension of the public water main would be its preferred option. A sprinklered-home system supported by a cistern was identified as a secondary option.

The TRC also discussed long-term ownership and maintenance responsibilities for a cistern as well as the drainage infrastructure. The applicants indicated that they would prefer for the Town to assume ownership and maintenance responsibilities. If the roadway remains private, maintenance responsibilities for the cistern and drainage infrastructure would need to be addressed through the homeowners' association documents. The applicants indicated that they will continue to evaluate the available options for providing adequate water supply for fire suppression.

I have no further comments at this time. As the proposal advances beyond the conceptual consultation phase and a formal application is submitted, RPC can provide additional review and guidance as appropriate. The application will be subject to full requirements of the Rye Land Development Regulations and all other relevant local ordinances and regulations.

If any member of the board has questions, please feel free to contact me: mdionno@therpc.org.