

Memo To: Rye Planning Board
From: RPC Development of Regional Impact Committee & RPC Staff
Date: September 2, 2021
Subject: Rye Regional Impact Declaration – 295 Lafayette Road, Site Plan

Rockingham Planning Commission (RPC) was notified on August 11, 2021 that a site plan application and a conditional use permit (CUP) before the Rye Planning Board were declared a development of regional impact under RSA 36:55. The proposal submitted by Jones and Beach Engineering on behalf of BSL Rye Benchmark, LLC is for a 78-bed assisted living facility at 295 Lafayette Road, and is an addition onto the existing Evolve Memory Care Facility. At the direction of the RPC Regional Impact Committee chair, RPC staff was requested to write a memo regarding potential regional impacts for the applicant and the Rye Planning Board. **The Committee motioned at its September 1, 2021 meeting to forward the RPC staff review memo to the Rye Planning Board for its consideration.**

The proposal is located on Route 1 near the Rye/North Hampton/Greenland town boundary, located at 295 Lafayette Road (Lot 10-3) in Rye's Commercial, Multi-family Overlay District. The use is a permitted in the district, however it does require a CUP due to its location within the Aquifer Protection District. The municipalities with potential impacts from the proposal within New Hampshire and the RPC region include North Hampton, Greenland and Portsmouth.

Comments below regard the proposal's potential regional impacts as identified under RSA 36:55 that can reasonably be expected to impact on a neighboring municipality, because of factors such as, but not limited to, the following:

I. Relative size or number of dwelling units as compared with existing stock.

The proposal includes a total of 78 beds for an assisted living facility. Rye currently has a total of 2,939 housing units according to *NH Office of Strategic Initiatives' study Current Estimates and Trends in NH's Housing Supply (2010-2019)*. The population in Rye is 5,543 (US Census Bureau 2020).

Due to the specialized nature of the proposed residential use and the small impact in overall population growth that could result (an additional 78 individuals in Rye would represent a population growth of 1.4%) the anticipated impact on housing stock is minimal.

II. Proximity to the borders of a neighboring community.

The proposal is located fully within Rye but is located immediately north and west of the Rye/North Hampton/Greenland town boundary. As noted above, the proposal is located within Rye's Commercial, Multi-Family Overlay District; the area is surrounded by a mixture of industrial uses and commercial uses, but with nearby residential uses. The area to the south in North Hampton zoned as Industrial- Business/Residential District along Route 1 with residential and uses located away from the Route 1 corridor. In Greenland, the immediate area is zoned as Residential, with the Commercial A District to the north of this project.

III. Transportation networks.

- **Traffic Impact Study:** Overall, the Trip Impact Assessment completed by Stephen G. Pernaw and Company, Inc. utilizes appropriate and practical assumptions, and the

analysis provides a reasonable expectation of the volume of trips generated by the proposed development.

- **Traffic volume:** NHDOT data indicates that Average Annualized Daily Traffic on US 1 (Lafayette Road) in the vicinity of the site driveways was 16,139 (2019) and that traffic growth had been flat prior to the Covid-19 pandemic and has decreased somewhat during the pandemic.
- **Trip Generation:** The Trip Generation Analysis in the Traffic Impact Assessment indicates that the completed facility would generate approximately 238 trips per day (50% entering/50% exiting). Only a small portion of these trips are indicated to occur during the AM (7%) and PM (10%) peak hours on US 1. These are reasonable expectations for the amount and distribution of traffic from the development.
- **Trip Distribution:** The distribution of trips from the existing facility is 52% northbound along US 1 and 48% southbound along US 1 and there is no indication that the expansion would change that significantly.
- **Safety:** The Trip Generation memorandum indicates that with appropriate design, maintenance of sight triangles, and the use of Left Turn Lanes, vehicular access should continue to be relatively safe. Left-turns from the facility onto US 1 northbound will require drivers to wait relatively long times for gaps which may result in additional risk taking but the left-turn lane will provide space for drivers to enter the flow of traffic.
- **Signalized Intersections:** A traffic signal is not warranted at this location.
- **Active Transportation:** No accommodations are included for pedestrians or cyclists.
- **Public Transportation:** No accommodations are included for public transportation.

RECOMMENDATIONS:

- Consider requiring a wider shoulder on the west side of US 1. The shoulder on the west side of US 1 widens to the south of this site and this would be an opportunity to extend that wider shoulder further north past Dow Lane providing additional safety benefits for pedestrians, cyclists, and motor vehicles. While a full right-turn lane is not required, a shoulder would provide space for turning vehicles to exit the flow of traffic with minimal disruption. A wider shoulder could also be utilized to provide space for a future bus stop for service along US 1.

IV. Anticipated emissions such as light, noise, smoke, odors, or particles.

Anticipated emissions are expected to be either nonexistent or very limited, and typical of assisted living housing.

RECOMMENDATION: To minimize potential light impacts, it is recommended that Rye evaluate the potential for any light spillage on to adjacent properties or Route 1 and put measures in place to minimize any spillage that may cause a nuisance or safety issues.

V. Proximity to aquifers or surface waters which transcend municipal boundaries.

The proposal is in the Coastal Drainage (Rye Harbor) Watershed. The site is located above a stratified drift aquifer and is within Rye Aquifer Protection District. The site is not located within the wellhead protection area for any public water supply well, however, the site is adjacent to the Coakley Landfill Superfund Site and within Coakley's Groundwater Management Zone. The proposal is slated to be served from a public water supply and onsite septic systems.

The entire proposal also is located with the regulated, urbanized area in Rye that is subject to the federal MS4 Stormwater Permit. As such, Rye is required to implement regulations that reduce stormwater runoff pollution on developments such as this proposal from entering surface and groundwater sources. Rye's current stormwater regulations conform to the

requirements of the MS4 Permit. Any stormwater generated from the proposal that enters on to municipal property (including roads) or state property (specifically Route 1), could leave the municipality or state responsible for the treatment of that stormwater.

RECOMMENDATION:

- To mitigate any potential surface water or groundwater pollution, it is recommended that any proposal be required to follow stormwater regulations required under Rye's MS4 Permit, and that Rye implement the conditions of their aquifer protection ordinance. Additionally, it is recommended that Planning Board consider recommendations for groundwater protection or monitoring based on the hydrogeologic study submitted by the application and reviewed by Rye's third-party hydrologist.

VI. Shared facilities such as schools and solid waste disposal facilities.

The proposal does not appear to rely on any shared municipal facilities, however, there is potential to require shared municipal emergency services given the location near North Hampton and Greenland. It is recommended that the Planning Board receive input from the Rye emergency services personnel and Select Board regarding the handling of emergency services near the Rye/North Hampton/ Greenland border.

Finally, it should be noted that the above comments and recommendations are considered advisory only. The RPC, nor the impacted municipalities, have any authority under the regional impact statute to interfere with the decision-making power held by the Rye Planning Board.

Cc:

Town of Rye Planning Board
Town of North Hampton
Town of Greenland
Town of Portsmouth