

Beach Committee Meeting Minutes November 1, 2018  
Called to order 8:04 PM

Attendees: Larry Rocha, Steve Hillman, Lori Carbajal  
Absent Committee Members: Keper Connell, Brad Fulkerson

Also in attendance; Selectman Keri-Anne Roman

Beach Grass Plantings – G Street and F Street Locations on Public Beach – Steve Hillman though no new updates that the committee should be speaking with the conservation commission regarding the encroachment onto the public beach. Lori Carbajal and Larry Rocha concurred that at their site walk it was determined by NH DES that although permission was granted for the owner at 23 F Street it is believe this grass was planted well beyond the property owners eastern boundary. Lori Carbajal stated, NH DES states they govern below the mean high tide marker and the remaining beach is governed by the town, in this case the Town of Rye to the property owners boundary.

It seems the town still feels the state is still responsible.

NO ACTION TAKEN REGARDING HOMEOWNERS AT G STREET, 2186 Ocean Blvd. and no permit had been requested nor granted to the homeowner.

Committee Member Lori Carbajal stated we have concern since over decades, streets have been removed known as the alphabet streets in the original Kirkgaard plan known as A, B, C and D streets. That at some point, selectmen allowed the closure since it served no purpose and was taken back by homeowners residing on those streets. The committee members felt this is why we have other open access areas with unintended consequences such as the Dune Grass Plantings and issues with more tourists in the areas starting at E Street and moving northerly to Old Beach Road versus the southern end formerly A-D streets.

PORT-A-POT ISSUES - SAWYERS BEACH – It had been brought to the committees attention by a town resident (Rye Beach Committee FORUM Facebook) that the proposal of a Port-a-pot be placed at Sawyers Beach at a recent Board of Selectmen meeting. Committee members very concerned stating the same individual had gone to the Board two years prior or sent a letter requesting, and the idea was not accepted. All 5 Beach Committee members are unanimously opposed to a port-a-pot placed at Sawyer's Beach due to the likelihood of the environmental hazard it poses. A construction bathroom is esthetically not in balance with the pristine beach and a conservation zoned area as well as within close proximity to wetlands (Eel Pond). With bathrooms a short .25 mile walk to the Jenness State Bathrooms, parents with small children can easily access by the shore during the less than one hour at high tide (pipe flow Eel Pond). If exceptional high tides were in play at Sawyers which is a one hour period per day, then parents should do diligence and have some commonsense and take children to alternate town beaches such as Jenness State Beach, Cable Road Extension, Wallis Sands Extension or Wallis Sands State Park all of which have bathroom facilities and easy access with Resident Permit Parking. Additionally, many parents with small children travel with a camper potty for their small children which they take home with them.

Lori Carbajal stated the issues had with the building of homes on the Shore when FEMA investigated homes built or renovated in 2009, the town approved as well as NHDES while not obtaining proper permitting from other federal agencies including but not limited to: FEMA, Shoreline Permit not obtained, US Fisheries and Wildlife, Federal EPA and the Army Corp of Engineers. The FEMA summary in the Portsmouth Herald, found no additional agencies beyond NHDES and the Town of

Rye had been contacted. Additionally, the article referenced the Army Corp of Engineers each time a build project is requested if it borders or encroaches, tidal area or wetlands or shorefront.

#### PORT-A-POT ISSUES CONTINUED:

Additionally, members felt with years of unresolved fecal issues especially at Parsons Creek, the town of Rye does not need to add to another potential hazard at Sawyers Beach. The town has had two beach closures in 2018 one at Cable Road extension and the other at Concord Point access way in early June with no appreciable rainfall.

Steve Hillman spoke with NH DES Ebin Lewis and he stated his department would not be in favor of a bathroom/port-a-pot at the Sawyers location and echoed the same alternatives the committee members stated regarding parents inconvenienced at high tide.

Additional consequences would be the traffic hazard of people stopping on both sides of busy Route 1A to use the toilet. It would not be possible to curb this problem and it would add to the grid-lock parking issues we now have at Sawyers Beach. The town cannot have a bathroom on a public way and tell a tourist they cannot use it and doing so would most likely be a violation of a federal law. Overall consensus of committee members – We are jumping through hoops and taking on risk where people can simply use some commonsense during these limited high tide times that do not occur during each beach day. Parents should work around the tides and chose accordingly. Tide charts are available at all the surf shops to guide them. They would also be teaching their children how to manage issues that arise in everyday life.

**PARKING ISSUES** – The committee is in unison on the increase of fines as follows:

ALL RESIDENT ONLY PERMIT AREAS \$250.00 FINE AND TOW ZONE signs posted during Season.

ALL NO PARKING AREAS parking increased to \$100.00 FINE. (May 15<sup>th</sup> – September 15<sup>th</sup>)

NO LITTERING SIGNS up to \$1000.00 – Should be posted throughout the beach areas especially areas of parking to include trouble litter areas such as Love Lane, Perkins Road as an example.

Remote parking alternatives were discussed such as the Rye Middle School though the parking fine increase should be tried before adding additional phases to see if it is working affectively.

Selectman Roman floated the idea to committee members of non-resident parking permits daily or annually for designated areas stating this is done in Kennebunkport, ME. Lori Carbajal stated, Kennebunkport has very limited parking and most that go to this community park if they can find a spot or are staying locally. Kennebunkport has many shops, restaurants, inns, marina's, gallery's and is not a "beach destination" as is Rye. Day pass only may be an option but felt that people obtaining an annual pass may be people that can afford to, leaving out less fortunate people to lose out to "season ticket" holders. Certain areas such as Cable Road could be day pass as could Perkins an example.

Many residents from the Perkins Road neighborhood attended the meeting and voiced their concerns over the safety of their street during the summer season. Residents stated people are looking for parking and pulling quickly into driveways and their children are at risk.

They stated bushes and fences have been damaged and tire tracks all over their lawns.

Many wanted no parking on Perkins Road though many felt the increase in fines as the committee suggests is a great first step.

The committee in response suggested as follows – Steve Hillman stated the same driveway boxes as was done on Route 1A giving each driveway a 5 foot buffer, would in and of itself reduce the number of cars being parked at this location. He further stated that the pay- to- park if done remotely as

suggested by Selectman Roman would be a great place to have pay-to-park. All other areas beyond the legal parking boxed areas as tow zone and fine would be appropriate.

Meeting adjourned 10:26 PM