

Beach Committee Meeting Minutes – July 24, 2019
Town Hall

In attendance: Larry Rocha, Steve Hillman, Lori Carbajal.
Absent; Keper Connell, Brad Fulkerson

Meeting called to order by Larry Rocha at 7:06 PM followed by the Pledge of Allegiance

Dune Grass – Steve Hillman opened the meeting in concern of the dune grass plantings at F Street and G Street on the public beach. He noted as did Larry Rocha that either the dune grass has promulgated further easterly and growth has been substantial since last viewed in May or, the plantings have been added to. Larry Rocha and Lori Carbajal added that the encroachment into the public space is well beyond the property owners lot line given the site walk done there with NH DES Eben Lewis a year prior indicating that according to the property owners own survey, they only owned perhaps 8' beyond the existing seawall/patio the owner had built (referring to F Street owner Divino). Lori Carbajal stated she had research those specific deeds and that the owners of those properties were not supposed to build out and structures within 30' of what was then called "Sea Beach" the easterly boundary. She further stated that she is going to the ZBA for permit for a small brick patio in her rear yard and according to the building inspector, the brick patio is considered a structure and that is how it is presented to abutters. She stated when she asked the building department about "structures" last year referring to the patios being built along the shoreline specifically F Street and the neighbor to the south the building department did not conclude the deeds referencing "structures" at that time when those lots were developed would be only referring to buildings. Ms. Carbajal felt you cannot change what the definition of a structure was meant to be then versus now and that it is up to the Town of Rye to make term fit exactly for all. Mr. Rocha stated this could easily get out of hand with these plantings and the residents of Rye would lose the beaches at high tide. Mr. Hillman stated the town along with the conservation commission needs to have very strict governance over these plantings. Ms. Carbajal felt that the patios that were reconstructed after the last nor'easter March of 2018 were constructed further easterly from the original and further stated these patios and cement barriers are the cause of erosion which is based on findings from the meeting earlier in the year with people from UNH that are watching rising tides, erosion and the grass plantings projects.

Mr. Hillman stated he would write letters to the conservation commission to get the ball rolling. Mr. Rocha stated these dune plantings are causing limited access at high tide because if allowed to promulgate you would not be able to walk along the shoreline north to south at high tide if you were to start at Straws and walk to Sawyers in either direction since the grass is taking over. He stated this is becoming an access issue. Ms. Carbajal wanted to know where Surfrider was regarding this access issue because this keeps more people away from these homes.

The committee members felt the guidelines must require the owner to maintain the line of ownership and not allow encroachment into the public space beyond their property lines. Ms. Carbajal stated she doesn't feel that this area of homeowners seems to be adhering to the standard set back rules regarding fencing or barriers imposed by town zoning regulation. This dune grass can't be walked upon and visitors as well as residents won't walk through it or sit upon it. Although its grass, it is nonetheless a fence.

Parking – Mr. Hillman stated the Perkins Road Parking Committee used the beach committees' recommendations. He stated he did not feel there was an issue in boxing out the driveways at Perkins Road and didn't feel anything was being taken away. Mr. Rocha and Ms. Carbajal agreed further adding, the parking without the box outs were not legal in the same way that is the case with the boxing out of driveways along Route 1a. Ms. Carbajal stated, because parking was allowed up to the driveways prior to the boxouts, did not make those legitimate parking spaces, and all that was done was provide a buffer of safety as should have been there the whole time.

Mr. Rocha stated there are still big issues in the Jenness State Beach Parking lot because there is no attendant and people are still backing up traffic unloading and leaving to find a free spot. He further stated; handicap accessible spots are still being used by able vehicles.

Mr. Hillman stated the root cause of the problems in that area is the lack of management at the state level. That is not enough that they come here to assist when Rye's resources are being used for police, fire and ambulance every weekend at the state parks.

The committee's recommendations for an enforcement personnel at Jenness as well as enforcement people on Perkins and Sawyers Beach was an essential element to making the area less congested, and the boxing out of driveways does not do anything to alleviate that problem.

Ms. Carbajal stated that businesses and people in general still seem to think there needs to be a load and unload spot which she stated is exactly why these problems exist. Ms. Carbajal stated the area is not set up for load/unload and to allow it at as an example Sawyers Beach, these visitors without a permit are taking up a spot for even a few minutes are not going to drive out more than a half mile to find a spot and they are not going to use the lot at the state beach nor the Dunes pay to park and they are left to find a spot where they are ultimately parking illegally.

The committee members agreed, without a parking attendant at Jenness State Beach and a electronic sign to point visitors to Wallis Sands State Park for the next parking availability, these problems every summer will continue to plague Rye and our resources. Ms. Carbajal added the Wallis Sands State Park on all of the busy weekends though close to capacity were not and were not closed to visitors. Mr. Hillman couldn't understand why the state would want to give up those dollars.

Ms. Carbajal stated she could understand why Surfrider was so concerned about the Perkins Rd parking, removing six spots though she did not feel it was warranted, with other neighborhoods asking for parking to be removed from in front of their homes. She stated now a resident from the area of Washington Road at Route 1a wanted no parking there and wrote a letter to the Board of Selectmen whereby the Rye DPW Supervisor and Police Chief will monitor that area. It was felt that it wasn't an issue and that you could find areas away from the beach that have similar once in a while issues. Ms. Carbajal said mowing and landscaping vehicles take the roadside and many times taking up the entire lane, but we don't prohibit them from stopping to do their job.

The committee did not know where the BOS was regarding the RV's warrant article and progress with the State of NH. Ms. Carbajal said the state had an issue prohibiting certain vehicles from parking because they too pay gas tax. She asked why is that an issue when I can't take a moped onto Route 101 when I pay gas tax for that vehicle as well. She felt they pick and choose and this like mopeds on Route 101 is a safety issue.

Larry Rocha stated that parking is a limited resource and it is not unlimited. He concurred the off-loading takes space and creates the gridlock. Mr. Hillman said he would speak to Surfrider NH Chapter and invite them to attend our meetings.

Parking that is of issue – The committee stated the parking in the area of Cable Road east bound at the stop sign entering Route 1a is a continual hazard and the committee stated this was one of the areas they felt should be no parking because of the congestion at the intersection as well as the area with the most traffic accidents. Ms. Carbajal stated the state regulation for vehicles parked cannot be closer than 30' from the stop sign entering a state highway. She further stated that two weeks ago she was riding her bike there going south to the intersection and didn't see that someone was still in the drivers' seat parked. The driver opened his door and she was forced to go to the middle of the road. When she did that, a vehicle heading south on Route 1a making a right turn onto Cable, turned wide because pedestrians were approaching the crosswalk but still on Cable and this car had come over the line into her lane. Fortunately, he was going slow enough and was cautious about the pedestrians though didn't see her.

In summation the committee wants to know what is being done on each of their year end recommendations as well as the warrant articles that passed town vote.

Meeting adjourned 8:14 PM