

TOWN OF RYE – CONSERVATION COMMISSION

Thursday, February 8, 2018

7:00 p.m. – Rye Town Hall

Present: Acting Chair Suzanne McFarland, Jeff Gardner, Susan Shepcaro and Heather Reed

I. CALL TO ORDER

Acting Chair McFarland called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

II. WETLANDS

- A.** 24 Straw's Point Road
Tax Map 9.1, Lot 014
Owner: 24 Straw's Point Road LLC, Manager Karen Schwartz
Bernier Corp – John Bernier & Peter Landry

Peter Landry, representing the applicant, spoke to the Commission about the Shoreland Permit by Notification application, approved by NH DES on January 10th, for the property located at 24 Straw's Point. The project consists of a 28 x 22.5ft garage in the rear of the existing building on top of existing pavement, which will result in a decrease in impervious coverage after the project is completed. (He reviewed photos showing the existing conditions and the plan for the proposed conditions.) He noted that there will be temporary impact in order to cut out the pavement to put in the foundation. There is an infiltration drip that comes off the dripline. Some of the pavement will be cut back to allow for the crushed stone which absorbs the water back into the ground. There will be a 28sf decrease in overall impervious.

Acting Chair McFarland noted that there is an acting homeowners' association for Straw's Point and approval for the proposal has been received from them.

- **Site Walk scheduled for Tuesday, February 20th, 4:30 p.m.**

B. 120 Brackett Road
Tax Map 22, Lot 95-A
Owner: Lintz, Dolores
Cell tower

- **Continued**

C. 30 LaMer Drive
Tax Map 013, Lot 044
Owner: Beynon, Charles
MSC Engineering

Acting Chair McFarland noted that this is the property that the commission conducted a site walk on in February 2017. A letter of recommendation was written in March 2017 and a second site walk was held in April of 2017. The ZBA heard the application in July and drafted a Notice of Decision on July 5th, which incorporated the Conservation Commission's recommendations. In January of 2018, an application was received for this property and the commission is not sure why.

Andrew Gray, MSC Engineering, explained that the Building Inspector mistakenly issued the building permit without the Shoreland and Wetlands Permit being issued from the State. The house has been torn down and the construction on the new home has begun. Plans have been submitted to the State and a signoff is needed from the Conservation Commission. He stated that the proposal is to replace the two story home that was torn down with another two story home. The impervious area will be reduced to 9.0%, which is well under the threshold of what DES wants.

Acting Chair McFarland stated that this is an after-the-fact application. Being that it is an after-the-fact there is no time limit for DES. There have been no changes since the commission last saw the plans.

It was agreed that a site walk was not needed. Acting Chair McFarland will follow up with the paperwork to NH DES.

D. 0 Brackett Road

Acting Chair McFarland noted that the original proposal for 0 Brackett Road was denied by the ZBA. The proposal is being revised with a smaller plan. The new proposal will be in front of the Conservation Commission at a future meeting.

III. STATUS OF RESTORATIONS

A. 60 Park Ridge, Tax Map 19.4, Lot 17 – January 22nd tree cutting

- **Tabled**

B. 35 Recreation Road, Tax Map 012, Lot 083

A letter will be sent to the property owner requesting a review of the project.

C. 200 Parsons Road, Tax Map 19, Lot 15

The Building Inspector and NH DES will not be moving forward. No action required by the Conservation Commission at this time.

D. 45 Washington Road, Tax Map 017, Lot 073

A letter will be sent to the property owner request a review of the project.

IV. BILLS

- Green Penguin Landscaping – plowing - \$50.00
(Paid)
- James Vera – Pokorny – 60 Park Ridge
(Paid)
- James Verra –Town Forest - \$3,893.25 (encumbered from 2017)

Motion by Jeff Gardner to pay James Verra in the amount of \$3,893.25. Seconded by Susan Shepcaro. All in favor.

Motion by Jeff Gardner to pay all bills presented. Seconded by Susan Shepcaro. All in favor.

- Pet Waste Bags – Town Forest - \$354.60

Motion by Suzanne McFarland to pay \$354.60 for the pet waste bags. Seconded by Susan Shepcaro. All in favor.

V. CORRESPONDENCE

- A copy of a letter that was sent to Mr. Hanscom, dated January 18, 2018, was received from Kevin Kaveny, in regards to a waste water holding tank installation without authorization from NH DES at 870 Ocean Blvd. Tax Map 12, Lot 91.
- Plans have been received from the property owners at 60 Park Ridge Ave.
- Plans have been received from the developer for 421 South Road.
- An update was received from the attorney representing the property owners at 200 Parsons Road.

VI. OTHER BUSINESS

A. Town Forest Update:

Member Shepcaro gave an update:

- Dog waste dispensers have been installed.
- Jerad Hett, Portsmouth High School student, will be working as an intern doing clean up in the Town Forest. He will also be working at the Goss Farm.
- A committee has formed with the Police Chief, Sally King, and other concerned residents to work towards a solution to the dog issue in the Town of Rye. The committee last met on January 3rd and will be meeting again within the next few weeks.
- Charlie Moreno has been asked to work on a trail plan for the Town Forest, as this is the first step in moving forward on other possible projects (bog bridges, new trails).
- Fencing will be installed in the spring along the boundary of Dave Tilton's property. The intern working in the forest may be used for this project.
- There is great concern about dead mice that have been found on the land between the Connell property and Conservation Land (Rand Lumber). There is also a sign on the property that states "live trapping". The property owner is a resident of Webster at Rye and may not be aware of the signs and mice on her land. The concern is that the mice may have been poisoned and are laying in wetlands. Member Shepcaro will follow up with the property owner and report back to the commission.

VII. PENDING SPRING 2018 SITE WALKS

- **245 Pioneer**, Tax map 024, Lot 118
- **335 Washington Road**, Tax Map 016, Lot 122
- **243 Parsons**, Tax Map 19, Lot 103
- **25 Appledore**, Tax Map 19.4, Lot 52
- **5 Libbey Lane**, Tax Map 16, Lot 162-3

Acting Chair McFarland will be sending a letter to the property owners in regards to the commission revisiting the sites for a follow up site walk in the spring.

- The Conservation Commission would like to invite Eben Lewis, NH DES, to speak with them regarding DES's policies and procedures. Acting Chair McFarland will follow up with Mr. Lewis on a possible date.
- **Trail Gate Party - Sunday, February 11th, 2:00 p.m., Marden Woods, 309 Washington Road**
- **The Commission will be holding a Public Hearing for South Road on February 22nd, 5:00 p.m., Rye Town Hall**

**VIII. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (d) Acquisition
(2) per RSA 91-A:3, II (e) Legal**

At 7:45 p.m., Susan Shepcaro made a motion to go into Non-Public Session per RSA 91-A:3, II (d) Acquisition and (e) Legal. Seconded by Jeff Gardner.

Roll Call: McFarland – Yes, Shepcaro – Yes, Gardner – Yes, Reed – Yes

At 8:10 p.m., the Commission came out of Non-Public Session.

Motion by Jeff Gardner to seal the minutes of the Non-Public Session. Seconded by Susan Shepcaro. All in favor.

ADJOURNMENT

Motion by Jeff Gardner to adjourn at 8:15 p.m. Seconded by Suzanne McFarland. All in favor.

Respectfully Submitted,
Dyana F. Ledger