

TOWN OF RYE – CONSERVATION COMMISSION

**Thursday, August 9, 2018
7:00 p.m. – Rye Town Hall**

Present: Chair Sally King, Vice-Chair Suzanne McFarland, Mike Garvan, Jaci Grote, Susan Shepcaro and Heather Reed.

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES – July 12, 2018

Motion by Jaci Grote to approve the minutes of July 12, 2018 as presented. Seconded by Suzanne McFarland. All in favor.

III. WETLANDS

- A. 24 Glendale Road, Tax Map 202.2, Lot 129**
Owner: Brian and Carrie-Ann Carson
Andrew Gray, MSC Engineering/TF Moran

Andrew Gray, MSC Engineering/TF Moran, presented the proposal for a standard Shoreland Permit for the property located close to the section of Glendale Road and Ocean Boulevard. There is an existing gravel driveway and a single-story residential structure with shed. The purpose of the permit is to take down the existing home and construct a new two-story house. There will be an expansion of the driveway; however, it will be converted to pervious pavers. The septic is also to be upgraded to an enviro-septic. There is a pervious patio proposed for the back of the home. (He reviewed the stormwater management features being proposed.)

- **Site Walk scheduled for Thursday, August 16th, 4:30 p.m.**

Note: The following Other Business was taken out of posted agenda order.

- 0 Ferry Landing, Tax Map 024, Lot 082
7 Old Ferry Landing (NH DES approved July 18, 2018)
Owner: Kathleen and David Levasseur
(Cavaretta-NH DES 2013-03416)
Andrew Gray MSC Engineering/TF Moran Engineering

Vice-Chair McFarland noted that there is a whole new plan for this property. Mr. Gray is working on this proposal also. The building department has asked the commission to look at 7 and 8 Old Ferry Landing Road.

Mr. Gray commented that the plans have changed and he has copies to submit to the commission. (He submitted the new plan.) The new proposal is for a single family home that just barely shades the buffer. The septic system will be located in the existing location and will be for a three bedroom home. The total impact is 196sf of impervious area in the buffer.

The commission reviewed the plan.

- B. 77 Parsons Road, Tax Map 20.2, Lot 34**
Owner: Jane Gee
Tim Phoenix
Planting Plan

Attorney Tim Phoenix, representing the applicant, presenting the planting plan for 77 Parsons Road. The work to the right side of the property is intended to be completed by the end of October. The remaining work in the rear will be completed in the spring of 2019.

The commission reviewed the plan.

It was agreed that Chair King or Vice-Chair McFarland will be contacted once the work is completed in October to schedule a follow up site walk.

Motion by Mike Garvan to accept the plans (dated July 26, 2018) as presented. Seconded by Susan Shepcaro. All in favor.

- C. 1090 Old Ocean Blvd, Tax Map 19.4, Lot 76**
Owner: Scott and Peggy Taylor
Steve Riker, Ambit Engineering

Steve Riker, Ambit Engineering, representing the applicants presented the proposal for the repair and replacement of an existing stone revetment, which has deteriorated. The project will involve temporary impact to the beach. The revetment elevation will tie into the existing elevation of the neighbors'.

- **Site Walk scheduled for Thursday, August 16, 2018, 5:00 p.m.**

- D. 0 Ocean Boulevard, Tax Map 8, Lots 58 & 59**
Owner: Joe Goss
Michael Garrepy Tuck Realty Corp

Michael Garrepy, applicant, presented an update for the subdivision project at 0 Ocean Boulevard, Tax Map 8, Lots 58 and 59, for a five lot subdivision. He noted that he went to the

zoning board in July. The board agreed with his interpretation of frontage for one of the lots that had frontage on Ocean Boulevard.

Chair King commented that it was a reluctant agreement by the board. She noted that the lot has frontage that is not accessible frontage so they are counting the frontage on Ocean Boulevard.

Mr. Garrepy submitted recently revised plans to the commission, which were also submitted to the planning board for their meeting on August 14th. He spoke to the commission in regards to possible deed restrictions for each lot along the tidal marsh and/or a gift of approximately 10+ acres of wetland to the town. He reviewed a proposed planting plan for the wetland buffer and the revised subdivision plan.

Member Grote stated that she would like to discuss what the commission's recommendations are going to be in terms of deed restrictions and what the best avenue is for the town to take. There is sensitive wetland area to the west of the cul-de-sac so there should be a restriction on that piece.

Member Shepcaro stated that she also has concerns about the wildlife in that area. This is a major pathway between woods and marsh. There are lots of birds and animals in this area. The wildlife aspect is very important because this development will clearly change the lot. As much greenery as possible should be left for food sources, corridors and pollinators.

Vice-Chair McFarland stated that this is why some sort of buffer is important.

Member Grote noted that she would like to see plantings between lots 12 and 14.

Mr. Garrepy agreed to follow up on this idea.

There was some discussion on the potential amount of fill and areas that will require it.

Vice-Chair McFarland recommended that as much information regarding the fill be prepared for the planning board meeting to help people understand the proposal.

IV. BILLS

- Rockingham County Conservation District – Tracy Degnan - \$714.00

Motion by Jaci Grote to pay RCCD in the amount of \$714. Seconded by Mike Garvan. All in favor.

- James Verra – consultation w/Attorney Donovan - \$22.50

Motion by Jaci Grote to pay James Verra in the amount of \$22.50. Seconded by Mike Garvan. All in favor.

V. CORRESPONDENCE

- Notice was received from DES regarding a Shoreland Permit Application which was received for 0 Ocean Boulevard, submitted by Jones & Beach Engineering on behalf of Michael Garrepy, Tuck Realty.
- Abutters' letters for conservation properties are being kept in the commission's files in the Selectmen's Office, Rye Town Hall.

VI. OTHER BUSINESS

- A.** 0 Ferry Landing, Tax Map 024, Lot 082
7 Old Ferry Landing (NH DES approved July 18, 2018)
Owner: Kathleen and David Levasseur
(Cavaretta-NH DES 2013-03416)
Andrew Gray MSC Engineering/TF Moran Engineering
(Addressed earlier in meeting)

Vice-Chair McFarland commented that this application is a timing issue. If the commission receives the application earlier and can be acted upon. By the time she found out about the request, DES had approved the application.

- B.** 8 Old Ferry Landing, Tax Map 24, Lot 97
Owner: Bradford Sterl
Site Walk, August 3, 2018

Vice-Chair McFarland noted that the commission held a site walk at this property and photos were taken.

- C.** Town Forest Phase II survey completed

Vice-Chair McFarland noted that the Town Forest Phase II survey is complete and will be reviewed with Mr. Verra in the near future.

- D.** Town Forest Dog Committee

Member Garvan submitted a map to the commission showing the work of the 'Dogs at Large Committee' in conjunction with the Town Forest. He noted that the committee has a proposal to leash dogs in a certain area of the forest to prevent dogs from going onto the abutting properties where there have been issues. The committee has asked the commission to review and act on the proposal. (He reviewed the trails on the map that are part of the proposal.) He continued that he thinks there is an ongoing problem. They have tried a number of things to solve the problem, such as signs, information at the kiosk and in the newsletter. It has not been effective. The abutters have also posted signs on their properties and the issues continue. Other people on the 'Dogs at Large Committee' have suggested a leash law for the entire Green trail. What is

proposed is about half. He thinks it would work but he would do this on a temporary basis, perhaps, September 1st to April 1st. The dog committee is going to present a recommendation to the Selectmen. The Selectmen are going to bring a warrant article to the town for a vote in March. The committee is recommending for dogs to be on a leash, unless the owner acknowledges the town's definition of "under control" and pays a fee for a tag for their dog to run off leash under their control.

Referring to the leash law for the forest and the map, Vice-Chair McFarland stated that it seems complicated to enforce.

Member Garvan noted that the Town Forest Easement says that when the Forest Management Plan is updated changes can be made at that point. The plan is in the process of being updated.

Chair King stated that Attorney Donovan's opinion is that because the Town Forest was not purchased with conservation funds the Selectmen actually control that land, as it is titled to the town and not the Rye Conservation Commission. She noted that some of the land was purchased with Town Forest funds and some was purchased with conservation funds. The restrictions are not the same and each section could be handled differently.

Member Garvan commented that the Selectmen have said that they will cede the authority to the commission.

Chair King stated that the areas where there are problems is a safety concern for these animals. She thinks a temporary leash law in those areas is a good idea. She thinks that there is no reason to have a leash law in Varrell Woods, as there has not been any issue with dogs there at all. (She reviewed the area on the map that she thinks should have a temporary leash law.)

The commission reviewed the trails on the map and discussed revisions to the proposal from the dog committee. The members agreed that this would be a temporary measure and is not necessarily the best solution for long-term. It is a temporary solution in cooperation with the 'Dogs at Large' Committee. Signs in the forest should tell people what trails to avoid if they do not want to leash their dogs.

Motion by Mike Garvan to allow a leashed zone, from A to A (as shown on map) and B (as revised) to start a little further to the west, at big bump, and running to the edge of the Connell Easement at the stonewall with the little spur of land (labelled B on the map) to be eliminated. This is to be temporary starting on September 1, 2018 to April 1, 2019. Seconded by Jaci Grote. All in favor.

E. CIP

The commission discussed the CIP and any updates to the information for the Conservation Commission. It was agreed to leave their information as a placeholder.

F. Set Up Property Monitoring Schedule

Member Grote agreed to set up a spreadsheet to help manage the property monitoring schedule.

VII. PENDING SUMMER 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
- 5 Libbey Lane, Tax Map 16, Lot 162-3
- 45 Washington Road, Tax Map 017, Lot 073
- 60 Park Ridge, Tax Map 19.4, Lot 17
- 35 Recreation Road, Tax Map 012, Lot 083
- 0 Locke Road, Jason Kindstedt from Green Penguin Landscaping: Dealing with Japanese knotweed in wetland buffer.
- 5 Wildwood Lane, Tree cutting proposed: Requested by Chuck Marsden to review

- Final Photos taken, completed file, 21 Brackett Road, Tax Map 022, Lot 070, Berry Robinson
- 200 Parsons Road, Bacon - work is ongoing.
- 1647 Ocean Blvd., Quirk - landscape plan needed.

The commission reviewed the pending site walks list.

- The Town Newsletter Article is due August 20th.
- National Honey Bee Day Event to be held at Goss Farm, August 18th, 4:00 to 7:00 p.m.

VIII. NON-PUBLIC SESSION (1) RSA 91-A:3, II (d) Acquisition

At 9:24 p.m., Jaci Grote made a motion to go into Non-Public Session per RSA 91-A:3, II (d) Acquisition. Seconded by Susan Shepcaro.

Roll Call: Mike Garvan – Yes, Jaci Grote – Yes, Suzanne McFarland – Yes, Sally King – Yes, Susan Shepcaro – Yes, Heather Reed – Yes

At 9:42 p.m. the commission came out of Non-Public Session.

Motion by Jaci Grote to seal the minutes of the Non-Public Session. Seconded by Suzanne McFarland. All in favor.

Vice-Chair McFarland noted that she received an email from the owner of 31 Parsons in regards to the commission's recommendation letter from their site walk. The owner stated that she is fine with the slope part of the native plantings but she is not sure what the commission had recommended could be done with the septic design.

Member Grote reviewed the email with the septic design information.

The commission agreed to a native planting buffer. Members Grote and Garvan will visit the site and speak with the property owner.

ADJOURNMENT

Motion by Heather Reed to adjourn at 9:46 p.m. Seconded by Mike Garvan. All in favor.

Respectfully Submitted,
Dyana F. Ledger