

RYE CONSERVATION COMMISSION

Thursday, August 17, 2017

7:00 p.m. – Rye Town Hall

Members Present: Chair Sally King, Vice-Chair Suzanne McFarland, Mike Garvan, Jeff Gardner, Susan Shepcaro and Heather Reed.

I. Call to Order and Pledge of Allegiance

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

II. Approval of Minutes – July 20, 2017

Vice-Chair McFarland noted corrections and changes that were relayed to the transcriptionist and incorporated into the minutes of July 20, 2017 posted online.

Motion by Mike Garvan to approve the minutes of July 20, 2017 as amended. Seconded by Jeff Gardner. All in favor.

III. Wetlands:

- A. 122 Harbor Road, Tax Map 9.0, Lot 12**
Owner: Donald Blouin

Tom Blouin, representing the applicant, spoke to the Commission in regards to the intent to dredge out the area between the docks at 122 and 126 Harbor Road. He explained that the docks are float systems that are attached to the pilings during the season and are taken out for the winter. Over the years, the area fills in such that the docks have zero utility. (He reviewed the plan for the commission.) The proposed plan is to dredge in between the docks so the area is 6ft deep at low water so boats can be docked at the structures at each tidal system. He explained there will be about 2700 cubic yards of sand that would be taken out. This is intended to be done at the same time that the Army Corps Engineers is planning to dredge the center of the Harbor. He noted that the area between the two float systems has not been dredged since the 1960's.

- **Site Walk scheduled for Wednesday, August 30th, 4:45 p.m.**

- B. 23 F Street, Tax Map 5.3, Lot 55**
Owner: Mary Jane Divino

Proposal to remove 530 sq. ft. of beach sand accumulated against retaining wall and expansion of existing deck.

Steve Riker, Ambit Engineering, noted that the plan will have only 494 square feet of temporary impact and the expansion of the deck is no longer being proposed. He continued that the retaining wall separates the patio and the beach. There is a lot of sand accumulation on this part of the beach. The sand is washing up over the wall and onto the patio. The sand will be removed from the site, as DES does not want it relocated to an area of jurisdiction. The applicant is also proposing to plant some American Beach Grass after the removal of sand, which will be blended in with the neighbor's grass along the property line.

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

C. 5 Libbey Lane, Tax Map 16, Lot 162-3

Owner: Michael C. Appe

Swimming pool and related structures partial completion in wetland buffer

Steve Riker, Ambit Engineering, presented the application for variances for a swimming pool, walkway and deck which were being installed and will be used by Michael Appe in relation to medical therapy. The swimming pool and related improvements are within the wetland buffer and rear yard setback, which was inadvertently overlooked during the first part of construction by the pool company and the building inspector. A building permit was issued by the building inspector based on the plan submitted. The buffer and setback encroachments were identified in June of 2017, which led to a Notice of Violation and stop work order.

Chair King stated that the building inspector said that the plan that was submitted did not say it was within the wetland buffer.

Member Garvan asked if the plan was inaccurate.

Mr. Riker confirmed. He explained there are two types of wetland buffers on the site. There is a forested wetland, which has a 75ft setback, and there is a marsh setback, which has a 100ft setback in Rye. The person who did the plans was only looking at the marsh and not the forested wetland area.

The Commission reviewed the variances being requested before the Zoning Board of Adjustment.

- **Site Walk scheduled for Wednesday, August 30th, 5:00 p.m.**

Tracy Degan, Rockingham County Conservation District, stated that they have done some restoration work at the Brindamour Property, which has a conservation easement held by the Natural Resource Conservation Service. RCCD has been working with the Natural Resource Conservation Service to implement restoration practices on the site. The town also participated in the funding because it is a Wetland Reserve Easement Program. The wetlands are very

important and the restoration is always performed under this program. She noted that the Brindamour property abuts 5 Libbey Lane. The stonewall on the property delineates the property line and this is where the conservation easement starts. This should be considered when looking at this proposal.

IV. Budget Review – Conservation Land Update

- Chair King noted that the work was completed on the Seavey Acres parking lot. The Public Works Department also cut the entry at Varrell Woods for easier access into that property. Tracy Degnan and her crew will be dealing with the Japanese Knotweed on this site. She continued that granite posts will be placed at Seavey Acres. Member Grote will be seeking prices for the posts so this can be completed.

Chair King stated that she met with the Sea Glass Homeowner's Association because they felt that the Commission was not maintaining the parking lot for the conservation land. She noted that her recollection is that the HOA was going to maintain the parking lot. The parking lot is currently gravel. She suggested that they may want to consider another option other than gravel, as it is a maintenance nuisance and is not animal friendly. Posts will be located at the Sea Glass property (Rand property) and off Liberty Commons, which is the back access to the property.

- Vice-Chair McFarland noted that James Verra has been paid for the survey of the four lots north of the Surf Shack. There will be further charges for part 2 of his proposal.
- Member Garvan noted that there is still a charge for signage and posts for the Town Forest.

Member Shepcaro asked if they are going to be able to do anything with trail rerouting on the yellow trail before spring. She also asked if they will be doing more bog bridges before winter.

Member Garvan pointed out that the bog bridges are controversial to some so the Commission needs to do a thorough job.

Member Shepcaro noted that Charlie Moreno will have an idea of when the Forest Management Plan will be completed by the end of August.

The members agreed that this should be on the agenda for September for discussion. Tracy Degnan requested that RCCD be updated on the progress as they hold the easement.

- Chair King noted that there is \$45,000 left over for vernal pool restoration from Abenaki. The Commission was unsure if these funds could be used for other restoration or conservation projects. She will research the intent of the funds to be sure it is used for its original purpose.

- Member Garvan noted that the existing trails at Marden Woods are being cleaned up. He and Member Grote walked the woods and there are two trails that go down to the marsh. These will be flagged so they can be cut.

Chair King stated the trails all need more signage. Something that is subtle and reasonable to make people aware that it is conservation.

- Referring to the conservation land on Huntervale Ave, Member Shepcaro stated that one of the neighbors told her that there is a trail through that land that connects to Pine and Perkins. The neighborhood uses that trail as a walk through to the beach. She continued that nothing has happened on the property adjacent to the conservation piece. She has been checking frequently on the property.

There was some discussion on cleaning up the conservation land on Huntervale.

V. Town Forest Bike Path Discussion

Member Garvan has spoken to Brian Murphy about meeting with the Commission at the September or October meeting. Mr. Murphy will be in contact to confirm the meeting.

VI. Bills

- Eversource - \$35.68

Motion by Suzanne McFarland to pay Eversource in the amount of \$35.68. Seconded by Jeff Gardner. All in favor.

The Commission agreed that moving forward bills that are monthly expenditures or are small in nature will be submitted to the town for payment without waiting for the vote of the Commission at the monthly meetings. No major expenditures will be submitted without the vote of the Commission. All projects/work in excess of \$2,500 will be put out for bid with the intent of receiving bids from three different sources.

VII. Correspondence

VIII. Other Business

IX. Non-Public Session per RSA 91-A:3, II (d) Acquisition

Adjournment

Respectfully Submitted,
Dyana F. Ledger