

RYE CONSERVATION COMMISSION

Thursday, February 16, 2017

7:00 p.m.

Rye Town Hall

Members Present: Chair Sally King, Jaci Grote, Mike Garvan, Jeff Gardner, Susan Shepcaro and Alternate 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.

Alternate Reed was seated for Suzanne McFarland.

II. NON-PUBLIC SESSION per RSA 91-A:3 (d) Acquisition

At 7:01 p.m., Jaci Grote made a motion to go into Non-Public Session per RSA 91-A:3 (d) Acquisition. Seconded by Mike Garvan.

Roll Call: Mike Garvan – Yes, Jeff Gardner – Yes, Jaci Grote – Yes, Susan Shepcaro – Yes, Heather Reed – Yes, Sally King - Yes

At 7:54 p.m., Jaci Grote made a motion to come out of Non-Public Session. Seconded by Mike Garvan.

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

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

III. APPROVAL OF MINUTES

- **January 19, 2017**

Motion by Susan Shepcaro to approve the minutes of January 19, 2017 as presented. Seconded by Mike Garvan. All in favor.

IV. WETLANDS

A. John Thoret: 2316 Ocean Blvd., Map 5/Lot 54-1
Steve Riker, Ambit Engineering

- *Representation for the applicant did not show for the meeting. Chair King will follow up with Steve Riker to reset a meeting date.*

B. DES Minimum Impact Expedited Sea Wall

- *Part of John Thoret application. (Please see above)*

V. UPDATES

A. Manuel Barba Jr.: 740 Washington Road, Map 001/Lot 103

- **Continued until March**

B. Salvatore & Kathleen Petralia: Map 19.4/Lot 52

Chair King noted that there were a number of issues with this project. The house was not built as proposed.

Member Garvan explained that the property almost borders the marsh but there is a piece of land that is adjacent that they had turned into a lawn that does go to the marsh. Members of the Conservation Commission had visited about a year ago and made suggestions that it be returned to its natural state. The property owners have not complied and were issued a Notice of Violation from DES. The commission conducted a second visit to the site and made the same recommendations. Mr. Petralia did not recall the first site walk with the commission, although, a soils engineer was present on his behalf. Also, a letter was sent after that site walk. He noted that he needs to draft a letter to Mr. Petralia for the recent site walk.

Member Grote stated that Mr. Petralia has requested a copy of the first letter from the commission.

Chair King stated that the Petralias have responded saying that they are not going to replant a piece of property that they do not own; however, they will stop mowing the parcel and let it grow.

Member Grote noted that they have planted lawn in the buffer. The Petralias are saying that they are just going to let it grow. She pointed out this will not be an effective buffer. The lawn has to be removed and buffer plants have to be planted.

Member Garvan agreed to draft a letter from the commission to the homeowners regarding the recommendation to remedy the violation in the buffer. He will send a copy of the letter the NH DES and the Building Inspector.

C. 92 Old Beach Road, Map 84/Lot 119 – Sea Wall - Mark West request for site walk

Chair King noted that Mark West, West Environmental, has requested a site walk for 92 Old Beach Road by the commission.

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

D. Petitioned Warrant Article on Trail Feasibility Study

Member Garvan stated the wording of the warrant article was revised so the Conservation Commission can decide whether or not to form a committee. The person who proposed the article was fine with the wording. He commented that the group could meet without a formal committee and bring their concerns to the commission. This would give them flexibility in not having to hold formal meetings with minutes being posted.

The commission agreed to wait until the outcome of Town Vote before making any decisions.

VI. BILLS

- **None**

VII. CORRESPONDENCE

A. John Chiaramito regarding hunting at Goss Farm

Chair King stated that there is language in the easement that is favorable to recreational uses, such as hiking, hunting, cross country skiing, etc. Her concern is that there are several structures on the property.

Member Garvan noted that there can be no hunting within 300ft of a permanently occupied dwelling. A firearm may not be discharged within the compact part of the town or city, any non-residential commercial building, including, but not limited to, industrial, educational and agricultural. He pointed out that Goss Farm is also educational. The property contains the hoop house, barn, community plots and the beekeeper.

Chair King commented that Mr. Chiaramito would like to hunt turkeys in the spring and other wildlife. She continued that she is concerned that the hunting would take place during times that are not compatible with other activities at the farm. There is quite a bit of activities that take place on the site.

Member Garvan noted that the RSA's state that "any park, playground or other outdoor public entity designated by the legislative body of the town". This could be designated as an area of multiple use by multiple citizenry and not appropriate for hunting.

B. Sandy Point Discovery Center, March 9, 2017, 3-5:30, Understanding of Basic Permits

- *Commission members are encouraged to attend.*

VIII. OTHER BUSINESS

Member Garvan noted that he and Member Shepcaro have been working on drafting information about the Town Forest to add to the Conservation Commission's page on the town website. (He reviewed information for the commission.)

There was discussion on signage for the forest.

ADJOURNMENT

Motion by Jaci Grote to adjourn at 8:06 p.m. Seconded by Susan Shepcaro. All in favor.

Respectfully Submitted,
Dyana F. Ledger