

TOWN OF RYE – CONSERVATION COMMISSION

Thursday, December 13, 2018

6:15 p.m. – Rye Town Hall

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

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Sally King called the meeting to order at 6:24 p.m. and led the Pledge of Allegiance.

II. PRESENTATION by Lisa Wise and Amanda Stone

I work with UNH Extension and NH Sea Grant, my colleague, Amanda Stone, and I are currently working with towns/conservation commissions around the coast to bring them information and the accompanying maps from the update of the NH Coastal Conservation Plan, originally published in 2006. The update, completed in late 2016 by The Nature Conservancy (Land Conservation Priorities for the Protection of Coastal Water resources: A Supplement to The Land Conservation Plan for New Hampshire's Coastal watersheds), focuses on land protection to conserve key areas for water quality, flood storage (in the context of increasing storms), salt marsh migration, and public water supplies. The water quality analysis also identified riparian buffer areas that have potential for protection (in good condition) or restoration (have had some impacts but could be restored). Even though the analysis was completed in 2016, the outreach to conservation commissions is being done now via grant funding. There is a lot of good information, and the set of three maps focused on these resources are helpful for identifying future conservation priorities.

Lisa Wise and Amanda Stone presented the Commission with three maps. Lisa Wise explained that they will follow-up with electronic copies of the maps, the technical report and executive summary. Ms. Wise and Ms. Stone explained the maps to the Commission.

The Maps Show:

- Map 1: Flood Risk Reduction Opportunity Areas
 - Flood storage opportunity areas
 - Salt Marsh migration opportunity areas
 - Existing Conservation and public lands

- Map 2: Buffers for Water Quality
 - Buffer areas protection priorities
 - Buffer areas restoration priorities

- Map 3: Combination of the previous two maps
 - Single resources and multiple resources that occur in the same area

Chair King stated that this would be good information to share with the zoning and planning boards.

Ms. Stone stated that if the Conservation Commission sets up a presentation with the boards, she and Ms. Wise would be happy to attend and do another presentation.

III. APPROVAL OF MINUTES

November 17, 2018

Corrections and Amendments are as follows:

1. Vice-Chair McFarland clarified a statement on page two; it read: *Vice-Chair McFarland stated that Eben Lewis of the DES, explained that if it is anchored down, it becomes a permanent structure and is not allowed.* She meant to say that it may change the category of what it is and then require more restrictions.
2. Page 6: I. Minutes approval and bills paying. All references to minutes should be correspondence.
3. Page 4: Bills. ~~Wet~~ Road acquisition \$967.78 should read; West Road acquisition \$967.78
4. Page 6: H. Simpson Property – Follow up; All reference to ~~Simpson~~ should read Sampson

Site Walk Minutes – November 14, 2018

Member Garvan noted that the statement: The RRC members commented that a vegetative buffer 2–3 foot wide of native plants should read; The RRC members commended that a vegetative buffer 5 foot wide of native plants

Motion by Mike Garvan to approve the site walk minutes of November 14, 2018 as amended. Second by Suzanne McFarland. 6 in favor; 1 abstain (Member Grote).

IV. WETLAND APPLICATIONS

- Brackett Road, Tax Map 022 Lot 067
 Owner: Roper, Lee
 Ambit Engineering John Chagnon, Paul Dobberstein
 Single lot divided into three lots
 Planning Board request

John Chagnon, Ambit Engineering, presented to the Commission. He explained that the plan is for three house lots, with two frontage lots, north of 85 Brackett Road. At the site-walk, there was a question about whether there was a vernal pool on the site. Steve Riker from Ambit Engineering did the wetland delineation and was at the site in April. Because of all the rain in recent months, it looks like there could be a vernal pool. However, the water was not there during the amphibian season. The plans show two potential homes. The driveway for lot one is as far away from the wetland as possible, hugging the property line. The house is at the rear of the lot. There is a drainage wetland that is not the size that requires a buffer. The plan also shows a raingarden. Lot three shows the proposed house and another raingarden that will contain the runoff. Each plan shows a 4k area outside the septic buffers and potential leach fields. There are no variances needed for this project.

The Conservation Commission agreed that the proposal is acceptable and they will notify the Planning Board.

- 1248 Ocean Blvd, Ta Map 17.3 Lot 048
Owner: Lombard, Lisa
Millennium Engineering – Henry Boyd
New Home and septic – Building project entirely within the 100' tidal buffer

Henry Boyd, Millennium Engineering, presented the Commission with a copy of the application. He is requesting an expedited wetlands application. The impacts to the wetland are minor. He explained that the entire lot is within the 250 foot shoreland jurisdiction, as it is beach front property. The existing house was built in 1901. The lot currently has an old drywell style septic that will be replaced with an enviro-septic system.

One of the variances being requested is to allow the septic system to be within 20 feet of the property line. The enviro-septic area meets the 20 foot setback; however, the proposed septic tank is outside the tidal zone, which is 100 feet from the highest observable tideline. Mr. Boyd talked about runoff on these small lots in the beach areas. He pointed out that the original lot is 39.9% sealed surface. In the shoreland zone, anything over 30% requires a stormwater design. With this proposal there is a reduction of 11% (830 square foot) of the sealed surface. The roof is designed to create no extra runoff and there will be stone trenches around the perimeters. The driveway is off of a private way. Currently, there is no paved surface. It is hard packed gravel. Hard packed gravel is considered a sealed surface. In order to improve this condition, the proposal calls for an area in front of the garage that will be asphalt. The rest of the driveway will be pervious pavers. He added that there is no dune habitat on this site. He summarized by saying that this is an expedited application because of the environmental protection improvements that are being made.

Chair King stated that even though it is an expedited application, the Commission will still have to do a site walk prior to signing the application.

Member Gardner asked if there will be any native plantings.

Mr. Boyd stated that should not be a problem. Ms. Lombard agreed.

Ralf Amsden of Living Spaces presented the Commission with the plans of the house design and elevations. He explained that the plan is to elevate the house four feet and move it back seven feet. The current square footage of the house is 746 and the proposed is 1055.

- **A site walk was scheduled for Monday, December 17, 2018 at 3:30 p.m.**

V. OTHER BUSINESS

A. Goss Farmers- Taylor Weiss and Julia Jones – update for the year 2018

Vice Chair McFarland stated that she received an email from Taylor Weiss saying that Julia was unable to attend this evening and asked to be rescheduled for the January meeting.

B. Water Department – Art Ditto – update on possible water well sites

Arthur Ditto, Rye Water District Commissioner, reminded the Commission that in September he and Greg Smith of Wright-Pierce Engineering met with the Conservation Commission regarding water resources in Rye. At that time, the Conservation Commission agreed to allow the Water District access to the Wallis Road/Rand Lumber property and Cedar Run/DD Cook property. Commissioner Ditto had committed to return with an update on the project.

Commissioner Ditto reported that in addition to the Conservation sites, letters went out to seven private land owners. Of the seven, there were only two responses; one was an emphatic “no” and the other, at 701 South Road (Carpenter Trust), was in agreement. At the beginning of December, Wright-Pierce went out to the properties to do the electronic measuring. Commissioner Ditto reported that there was one transect done at the back of the Wallis Road/Rand property. Two transects were done on the 701 South Road and Cedar Run/DD Cook property. Wright-Pierce will be presenting their findings at the Water District’s meeting on Wednesday the 19th. The results of the survey work will lead to the possibility of doing test wells. Commissioner Ditto stated that he will come back to the Conservation Commission as soon as he has more information.

C. Other Discussion

Member Shepcaro followed up on the cleanup of the parcel at Huntervale. She was in contact with Alan Bucklin and he agreed that weather permitting he would clean up the area as soon as possible. Tracy Dugan will have to remove the invasives on the property.

Vice-Chair McFarland reported that she followed up with a response to Bobby Wylde.

Member Shepcaro stated that Jack Hunter talked to her regarding drainage issues behind Tilton’s back yard, from Parson’s Field access road to the Town Forrest. He asked that something be done regarding the pooling in the area. She reported that he may want to come to the January meeting to talk more about this issue.

Chair King stated that the Public Works Department could put it on the list of things that the Commission needs help with. The work will probably be done in the spring. She said she would call Dennis McCarthy.

Vice-Chair McFarland asked about the email to 121 Lang Road.

Member Garvan stated that the home owner wanted to get started. She asked if the Commission expected her to plant now. Mr. Garvan told her to wait until spring. However, she still needs to apply for a variance and a building permit.

Vice-Chair McFarland reported that the Commission has a contract from Jim Verra for the Marden Woods survey, to be encumbered. She also stated that she asked the Finance Director, Becky Bergeron, what bills can just be paid every month without being voted on. Ms. Bergeron has not gotten back to her yet.

There were two items on the last agenda that the Commission agreed to wait on until Chair King was in attendance.

1. 377 Brackett Road – 22 areas Goodwin
2. Williams on Blake Property

Member Grote had no additional information on invasives, however she will contact Tracy Dugan prior to the January meeting. The signs for Trailgate were put up for December 1st. She recommended having the event in January.

The Commission agreed on Sunday, January 13, 2019 at 12 noon. To meet at Sea Glass Lane.

Member Grote recommended putting the information for the Marden and Seavey properties on the Conservation website. The Trailgate announcement will inform people that the information on these parcels is on the website. This way people will become more familiar with the parcels.

Chair King reported that the building department has requested that the Commission take a look at a couple of properties. One is the expansion at Webster at Rye, 795 Washington Road. The second is Willow Ave. Chair King stated that she will do the follow up.

Member Grote will be doing the Southeast Land Trust Walk on Monday, December 17th.

Chair King told the Commission that Mike Magnant has contacted Attorney Donovan regarding the warrant article that is needed to purchase outside of Rye. Per: RSA 36-A:4-a. This pertains to 81 West Road. She read Attorney Donovan's response:

Shall the Town vote to adopt RSA 36-A:4a to authorize the Conservation Commission to expend funds to purchase interest in land outside the boundaries of our municipality, subject to the approval of the local governing broad.

Attorney Donovan stated that the wording is dictated by statute.

Chair King stated that she feels the wording should not be general as written but should be specific to that parcel. She explained that if it was going to pass, it should be for the one property.

The Commission agreed.

Motion by Jaci Grote that the warrant article that will be placed on the March ballot, for the authorization to purchase land outside of the municipality, be restricted to 81 West Road. Second by Mike Garvan. All in favor.

Member Garvan reported that he has finished the inventory on the Seavey Parcel and will have it written up next week.

Vice Chair McFarland reported that the building inspector followed up on the complaint of the restaurant disposing of food waste improperly.

VI. PENDING SUMMER SITE WALKS

- **245 Pioneer, Tax Map 024 Lot 118**
- **5 Libbey Lane, Tax map 16 Lot 162-3**
- **45 Washington Road, Tax Map 017**
- **35 Recreation Road, Tax Map 012 Lot 083**

The Commission is satisfied with 35 Recreation Road.

The site walk for 45 Washington Road has not been done. Member Grote will contact the property owner.

VII. CORRESPONDENCE – None

VIII. BILLS

1. Charlie Mareno has not yet submitted the bill for the Town Forest Management Plan - (Half) \$5,700.00

Motion by Mike Garvan to pay Charlie Mareno half of the contracted amount of the Forest Management Plan and to encumber the balance. Second by Suzanne McFarland. All in favor.

2. **James Verra and Associates**
Principal Survey Technician Administration - \$ 260.00

3. James Verra and Associates

Marden Woods - \$1,550.00

4. Rockingham Conservation Commission

- Conservation specialist field work - \$204.00
- Contracted Services - \$238.00
- Salt Marsh - \$301.00
- Rye Grant Matching Funds - \$503.50
(West Road)

Motion by Suzanne McFarland to pay bills as presented. Seconded by Susan Shepcaro. All in favor.

ADJOURNMENT

Motion by Jeff Gardner to adjourn at 8:27 p.m. Seconded by Jaci Grote. All in favor.

Respectfully Submitted,
Dyana F. Ledger