

RYE CONSERVATION COMMISSION

Thursday, November 14, 2019

7:00 p.m.

Rye Town Hall

Present: Vice-Chair Suzanne McFarland, Jaci Grote, Heather Reed, Susan Shepcaro, and Alternates Dana Truslow and Karen Oliver

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

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

II. APPROVAL OF MINUTES – Forwarded to next meeting

III. WETLANDS

A. 0 Brackett Road, Tax Map 019 Lot 136

Owner: Marc Grondahl

Attorney Jonathan Havey

Wetlands crossing for a driveway on land without a structure

Attorney Havey presented the Commission members with the proposed driveway plans. The general layout is a driveway connecting to the buildable portion of the lot, for a single-family home. The landowner to the south has denied permission to work within 20-feet of his lot line. Therefore, an area that allowed the smallest impact, but maintained the function and values to maintain the wetlands as a whole, was chosen. The total impact is 1,856 square feet. An application for an exception for access through the wetland and the wetland buffer has been submitted to the ZBA. The water flow will be maintained with a 15-inch HTPE culvert, which will allow the water to flow through in both directions.

- **Site walk scheduled for Wednesday, November 20, 2019 at 3:00 p.m.**

B. 16 Richard Road (0 Richard Road), Tax map 5.2 Lot 156

Owner: East Field Holdings, LLC

Jones and Beach Engineers

Building department, buffer restoration plan

Roger Witmer, along with Robert and Lori Wright, spoke to the Commission regarding an encroachment to the buffer and presented a revised planting plan. The plans are basically the same; however, the plantings come up higher on the bank and additional plantings were added on the bottom of the buffer by the culvert.

The ZBA put the Conservation Commission's recommendations in their "Notice of Decision"; the Building Department asked the Conservation Commission to weigh-in on this matter.

The Commission found the revised planting plan acceptable and agreed to sign-off. The Commission will revisit the property in the spring to review the planting area. If everything is in order, the Commission will let the building department know. If not, the building department will issue a "Notice of Violation"

and the property owners will have to address the issues. If the building inspector needs the Commission to inspect the property prior to the issuance of the CO, the Commission will setup that inspection.

A letter of agreement from the Conservation Commission will be sent to the building inspector.

Motion by Member Grote to notify the Building Inspector that the Conservation Commission has accepted the new planting plan as presented. Second by Heather Reed. All in Favor.

- C. 4 Washington Road, Tax map 013 lot 00
Owner: Jay Mason and Jacqueline Doherty
0.23 acre, tear down, rebuild

Jay Mason, property owner, addressed the Commission and presented a revised layout. The wetlands setback runs through the middle of the property. The impervious area would be 1,560 square feet, which is 16.7% of the 92X65 overall lot size.

After further review, it was noted that the home will be in the wetland buffer and outside the dimensional setback. The dimensional setback comes under the ZBA ruling. The Conservation Commission will have to review the wetland buffer issue.

Mr. Mason agreed to stake out the house area. Mr. Mason is working with John Chagnon of Ambit Engineering. Mr. Chagnon will be applying for all required permitting, including the DES wetland application.

The Commission will not give a final acceptance until it has gone through the DES process.

- **Site walk scheduled for Thursday, November 21, 2019 at 3:30 p.m.**

- D. RJH Baseball Field Planning Committee
Lang field near the Rye Elementary School
Fence

Paula Tsatsilas, Rye School Board Secretary, and Joseph Perschino, 88 Alehson Street, presented an overview of the proposed project.

There is no regulation size field available for Little League for the sixth, seven and eighth graders. They are currently playing at Lange Field. It has a backstop, but is not groomed. It has no pitcher's mound and no bases, so they don't get the practice that they need and they cannot host home games. The school board is looking to build community pride by being able to host home games and to give the students the technical aspects of the game.

Lange Field was never really built to accommodate baseball, as it is a soccer field. The proposed idea is to keep that in place and strip in the 90-foot base path. This will give the players more outfield. There is no major work planned. The pitcher's mound would be removable in order to still use the field as a soccer field as well. The reason the field at the Junior High is not being considered is that there is not enough space. The field is long and narrow and there are houses and a parking lot that are too close. Also, there is a lot of competition for the use of that field with the track team.

The reason this is being presented to the Conservation Commission is that the plan is to add a fence and clear out some of the bush in the wetland buffer.

Member Shepcaro reported that the bush is mainly all invasives.

The School Board would like to have a working infield by spring. It will probably be a three-year project because of capital expenses.

- **Site walk scheduled for Wednesday, November 20, 2019 at 3:40 p.m.**

IV. PENDING SITE WALKS

A. 250 Locke Road

Member Shepcaro reported that during construction, the Commission visited the property because it is very close to the wetlands and plantings were required. The CO was issued several months ago. There are no plantings yet.

Acting Chair McFarland recommended first pulling the recommendation letter and the Building Inspector's records, in order to review what was on the Notice of Decision from the ZBA. Then a site-walk could be set up if needed.

B. 1611 Ocean Blvd

There is a planting plan in place and the landscaper was told that the plantings have to be done by June 30th. This needs to be memorialized in a letter. The plan needs to be approved by the Commission. Member Shepcaro will scan the plan to the other members and bring it on the site-walk next week.

Natasha Goyette, 750 Brackett Road, presented a plan of a proposed wetland buffer garden on the north side of her property. She is planning to use Red Dogwoods from her front yard, which are currently between five to six feet tall. She estimated the depth of the garden to be from five to ten feet. She would like to start the project in the spring.

Member Grote asked Ms. Goyette to place stakes where the trees will be going in and the Commission will take a look at it.

- **Site walk scheduled for Thursday, November 21, 2019 at 4:00 p.m.**

V. OTHER BUSINESS

A. Town Forest

Member Shepcaro asked if everyone had an opportunity to read the new forest management plan. She stated that the plan was initiated in March of 2017, so it has been a big process. The plan has been reviewed page by page by the Commission. It has also been read by Mr. Mareno with the Commission's comments and corrects. It is a good plan that provides for planning of further work that needs to be done. The Selectmen asked that a wildlife aspect be added to the plan. So, the Commission has hired and spent time with a wildlife biologist. The wildlife biologist's report has been included in the plan. Ms. Shepcaro summed up by stating that the forest management plan is well constructed and very adequately addresses the Commission's needs at this time and for the next ten years.

Member Oliver noted that the previous forest management plan had five recommendations/goals. She asked if the Commission has a way to measure and quantify work for those goals that are set in the plan.

Member Grote explained that each member of the Commission has taken on the responsibility of monitoring certain parcels of conservation land. Susan Shepcaro and Mike Garvan took on the Town Forest. The Commission started with rewriting the forest management plan. So now that is in place, the Commission needs to commit to doing the recommendations over the next few years. Moving forward, there will be a mechanism in place to document these efforts. The Commission has not had that in the past.

Member Shepcaro stated that part of the last forest management plan was to remove some of the trees (Silver Culture). The Commission has been extremely reluctant to do that. There was a blow-down in 2008 and the resident went crazy when the machines came in to clear. The Town had to withdraw the machines because there was so much protest. However, the forest needs to be managed and there are management goals. In the new plan, the first goals are mainly protecting soils and spaces with bog bridging, rerouting trails and making sure that the borders are secure and that there are no problems with the abutters. There is a huge amount of work, which may be a 1 ½ to a 2-year process. The goal of the Conservation Commission is for the Town Forest to at least be in as good of shape as it is now, or better, 10 years from today.

Acting Chair McFarland pointed out that with the new management plan, the goals are more measurable and the Commission has more awareness as to what needs to happen.

Member Truslow suggested that the schedule of work could be posted in public places for outreach and awareness with the residents.

Member Shepcaro stated that there is a plan to build kiosks in the area. That would be a perfect place to post the schedule.

Member Oliver pointed out the eighth graders and sophomore students are required to do three hours of volunteer work.

Member Shepcaro noted that the Commission has also used interns from the Service-Learning class.

Motion by Susan Shepcaro to accept the Forest Management Plan as presented by Charles Mareno and Associates. Seconded by Jaci Grote. All in Favor.

B. Varrell Woods tree cutting and trimming

Member Grote reported that there is a tree of concern at the entrance of Varrell Woods. She called Knowles Tree Service. They sent out their arborist and he recommended that the tree be taken down, because there are a lot of limbs that are rotted in the middle. It is a multi-limbed tree and he did not feel that any part of it is stable. Knowles Tree Service will be sending a quote.

C. 1313 -1315 Ocean Blvd.

Acting Chair McFarland reported that there are recommendations from the Conservation Commission that were put in the "Notice of Decision". Upon inspection by the Building Inspector, the recommendations have not been done. The builder and landscaper understand no chemicals and no ornamentals. However, they asked if there could be one mow line beyond the bed in order to prevent the marsh grass from overtaking the delineation bed planting. Acting Chair McFarland asked how the members of the Commission feels about this, because they had asked for native plantings to go right to the marsh.

The Commission agreed that the recommendation of native plantings going right to the marsh should stand. Acting Chair McFarland will get a copy of the Notice of Decision and send it out to the members. The Commission will ask the landscaper and builder to come to the December meeting with their planting plan.

D. James Verra Surveying – Jim Raynes Conservation Land

Acting Chair McFarland explained that the Jim Raynes Conservation Land behind Signature and Autumn Lane, that abuts the Nature Conservancy Land, has not been surveyed. The survey can only be done in the winter because of the wetlands. Acting Chair McFarland referred to the proposal. She pointed out that there are three parts to the proposal. The Commission needs to vote if they want to do the survey and then she will review what can be encumbered from the 2019 Budget and what needs to be allocated for the 2020 budget. The total of the proposal is about \$31,400.

Motion by Jaci Grote to have the property, known as the Jim Raynes property, Tax Map 004-25 and 004-32, a 56-acre parcel, surveyed by James Verra and Associates and to encumber funds from the 2019 Conservation Budget to do so. Seconded by Susan Shepcaro. All in Favor.

E. 824 Ocean Blvd. Breakers Condos

Acting Chair McFarland reported that she received two packets from the attorney after the deadline for this to be presented at tonight's meeting. The reason she is bringing it up is that the attorney stated that they don't feel anything has changed, but will meet with the Commission if needed. Acting Chair McFarland e-mailed the architect, Shannon Alther of CMS, asking for his opinion. He responded that there are no significant changes. There is a slight reduction in the deck area and adjusted front street sidewalk to get the existing footprint of the setback. They were attempting to continue the same application that was submitted previously, but were given wrong variance wording and numbers so it was pulled and resubmitted. From Mr. Alther's perspective, he felt it was the same building that the Commission saw.

Acting Chair McFarland asked the members to review the plan to make sure they have no issues with it. If they do not, then there will be no reason to have another meeting.

F. Workshop – Public Education and Outreach Program: Rye Junior High Monday, November 18th, 4:30 p.m.

Acting Chair McFarland announced that she has gotten permission for the Commission to meet at the Junior High on Monday at 4:15. Amanda Stone and Lisa Wise will be there and requested the Commission to be there at 4:30. They would like to go over what is happening for about 15 minutes, so that the Commission feels comfortable. There are 34 people including the Commission that will be attending. So far, the Planning Board, Zoning Board, Select Board and Beach Commission are attending, as well as, some residents and three high school students.

G. Trail Gate Party

Member Grote reported that it was a success. There were about 10 people in attendance. She asked the members when the next event should be.

Member Shepcaro stated as soon as the painting is done, she definitely wants to do a trail gate at the Town Forest. That would be in the spring.

Acting Chair McFarland recommended mentioning the trail gates parties in the next Town newsletter.

She also recommended having one at West Road soon.

There was a recommendation to do a snowshoe event at the Rye Airfield property.

Member Shepcaro reported that she and a friend were walking in the Airfield area recently, and came across some kids riding their ATVs there. She told the kids that there were no motorized vehicles allowed on the property. She recommended that the Commission find where they are entering the property and chain it off.

After a short discussion, the Commission decided that because there are several access points on the property, it would be better to put up signage.

There was discussion about placing plaques at Seavey Woods and the Jim Raynes conservation property. Member Grote will follow-up on this.

Acting Chair McFarland announced that the West and Williams Road public hearings will be on December 2nd from 5:00 to 6:00 pm

VI. CORRESPONDENCE

- A. NHDES File#2019-01780 Emergency permit granted to repair existing seawall due to damage by a recent storm, 1284 Ocean Blvd, Tax Map 17.3 Lot 063, owner Jane M. Gilbert
- B. NHDES File#2019-02370 Valley Family Trust- Reviewed and approved the application to impact a total of eleven hundred, fifty-two (1152) square feet of tidal resources, to include nine hundred, eighty-four (984) of tidal waters. Pier at Rye Harbor – 6X90 foot, 4X36 foot ramp, 10X30 foot float, on 167 feet of frontage along Rye Harbor.
- C. NHDES Eco Link news, electronically

Correspondence was reviewed and noted.

VII. BILLS

- Alan Bucklin \$136.30, mowing at the Goss Farm = Land Maintenance
- Edward Ireland \$125.00, rototilled garden plots at the Goss Farm = Land Maintenance
- James Verra and Associates, \$210.00, Pokorny conservation land and Parkridge land consultation with Attorney Donovan = Consulting Fees
- James Verra and Associates, \$1,884.45 – Pokorny – Appledore conservation land, field reconnaissance. Recover monuments, Grade stakes, updates survey from 1989 = Land Management
- Two bills \$5.96 at Home Depot and \$24.00 at Dodge's Farm and Garden - Reimbursement
- Suzanne McFarland \$25.00, laminating two maps-NHDES Source Water Protection Mapping = Land Management
- Susan Shepcaro \$126.60 dog poop bags = Land Maintenance
- Eversource \$20.49

Motion by Jaci Grote to pay the bills as listed. Seconded by Susan Shepcaro. All in Favor.

Member Grote reported that she attended a Rockingham Planning Commission Meeting. She explained that the purpose for the meeting was that Rockingham County has produced maps for every town. She presented the maps for the Commission's review. The maps show the Town's water bodies, water and sewer lines and conservation parcels. They also show the Wellhead Protection area and the location of the wells.

The Commission reviewed the maps.

No other business was brought before the Commission.

ADJOURNMENT

Motion by Jaci Grote to adjourn at 9:25 p.m. Seconded by Susan Shepcaro. All in favor.

Respectfully Submitted:
Dyana F. Ledger