

RYE CONSERVATION COMMISSION

Thursday, November 12, 2020

6:30 p.m. – Via ZOOM

Members Present: Chair Suzanne McFarland, Vice-Chair Sally King, Mike Garvan, Jeff Gardner, Jaci Grote, Heather Reed, Susan Shepcaro and Alternate Karen Oliver

6:30 p.m.

I. Call to Order

Chair McFarland called the meeting to order at 6:30 p.m.

II. Non-Public Session (1) per RSA 91-A:3, II (d) Acquisition

A motion was made, seconded and approved to go into Non-Public Session per RSA 91-A:3, II (d) Acquisition.

The Commission came out of Non-Public Session at 6:55 p.m.

7:00 p.m. Reconvene Public Meeting

III. Call to Order

Chair McFarland reconvened the public meeting at 7:02 p.m.

IV. Compliant Right to Know Statement

Statement by Chair McFarland:

As chair of the Conservation Commission, I find that due the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

*Utilizing Zoom for this electronic meeting. All members of the Commission have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this or by clicking on the following website address: www.zoom.com
Meeting ID: 827-3357-4771 Password: 036985*

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Commission at town.rye.nh.us on the Conservation Commission page and click on agenda for this meeting.

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that all votes that are taken during this meeting shall be done by roll call vote.

Attendance by Roll Call:

- Jeff Gardner
- Heather Reed
- Mike Garvan
- Karen Oliver
- Jaci Grote – husband may be in & out of room
- Sally King
- Susan Shepcaro – husband may be in & out of room
- Suzanne McFarland

(Unless otherwise noted above, members noted that there was no one else present in the room with them for the meeting.)

Alternate Karen Oliver was seated for the meeting.

V. Approval of Minutes - October 8, 2020

Motion by Suzanne McFarland to approve the minutes of October 8th as presented.

Seconded by Susan Shepcaro.

Roll Call: Jeff Gardner – Yes; Heather Reed – Yes; Mike Garvan – Yes; Susan Shepcaro – Yes; Karen Oliver – Yes; Jaci Grote – Yes; Sally King – Yes; Suzanne McFarland – Yes

Motion passed

VI. Wetlands:

A. 3rd and 9th golf holes

60 Wentworth Road, Tax Map 24, Lot 61-26

Owner: Bill Binnie, Club Manager Robert Diodati

TF Moran – Corey Colwell

498' stone wall along a fairway

Corey Colwell, TF Moran, along with Jay Aube, also of TF Moran, presented the proposal for Wentworth by the Sea Country Club, 60 Wentworth Road. Mr. Colwell explained this was before the Commission back in the spring. The purpose of that meeting was to determine if the Town had any mitigation projects that could be associated with this project. Since that time, he

and the Commission visited the site to review the proposed wall location in relation to the 3rd and 9th fairway. With this application is a set of drawings. It is a very lengthy wetland application, in order to comply with the new DES Wetland Bureau Rules. The application has been prepared with the assistance from Adele Fiorillo, Wetland Scientist from Normandeau Associates.

Mr. Colwell noted that Wentworth by the Sea Country Club (WBTSCC) is proposing to construct a 498 linear foot long stone retaining wall along the developed fairway to protect the country club property from anticipated flooding and saltmarsh expansion, as a result of the projected sea-level rise. The wall will allow the fairways of the 3rd and 9th holes to be elevated to reduce the amount of plugging golf balls going into the saltmarsh today. It will also prevent golfers (human traffic) from going into the saltmarsh to retrieve their golf balls. Mr. Colwell continued that the retaining wall is about 2' wide, 3' high and 498' long. It is to be built of similar stones that are in walls that exist on the golf club property today. The total permanent disturbance associated with this project is just over 29,000sf. The temporary disturbance is just over 4,000sf. Due to the proximity of the highest observable tideline with the existing grade near the green of the 9th hole, the proposed wall will have a permanent impact of 582sf. Typically, the State wants a biostabilization method, not a hardscape. In this case, it is felt and the State has agreed, based on preliminary meetings with DES, the biostabilization would invite golfers into the saltmarsh and the stone wall provides protection against that, as well as protecting the saltmarsh from anticipated sea-level rise. A biostabilization method, (a more level slope with plants), would not accomplish either of those goals. While protecting the marsh from human disturbance, this project also protects the resource from upland sediment and nutrient sources. Also, about 1,000sf of temporarily impacted freshwater wetlands will remain below the wall.

An aerial photo showing the property and location was presented on the screen for the Commission's review. Mr. Colwell pointed out the location of Little Harbor, the country club building, Witch Creek and the proposed location for the wall. He also reviewed the existing features, along with the proposed plan, and explained the impacts of the project.

Member Gardner asked if this area is the lowest elevation on the property relative to sea-level.

Mr. Colwell replied this is the lowest elevation abutting the tidal marsh on this side of the course, as it gets higher towards Little Harbor.

Vice-Chair King asked if some of the issues with the golfers going through the tidal marsh could be addressed through club rules.

Mr. Colwell commented it would certainly be an attempt. (He pointed out on the plan the location where the golfers are entering the marsh.) He noted that it would be difficult to post signs and enforce because the property is 108 acres in size. It would not be as good of a solution as a wall to prevent human traffic from going into the saltmarsh.

Chair McFarland noted that there were some good pictures at the end of the application that show an area that could be a planted border (wall like), instead of an actual wall.

Mr. Colwell explained that if a golfer shoots a ball and it goes into the saltmarsh, it is most likely that the golfer will walk between the plants because there is nothing to prevent them from going into the marsh. A wall would stop the ball from going into the marsh and it is more of a deterrent, as someone would have to hop a 3' wall. It is felt that plants would not really deter someone from going into the marsh.

Referring to the saltmarsh, Chair McFarland asked if the area is going to be hurt any further, if it is already a disturbed area.

Mr. Colwell replied that they are trying to prevent that disturbance. He pointed out that the wall also allows the vegetation in that area to revert back to an undisturbed state. It will also increase the area of the tidal saltmarsh.

Chair McFarland asked if the grass is going to be taken up.

Mr. Colwell explained the upland side is going to be filled to protect the slope. The other side of the wall is going to remain natural and will eventually be filled in by the saltmarsh.

Member Reed asked if a living shoreline has been considered.

Mr. Colwell confirmed. He explained that biostabilization was discussed with DES. It was felt that the living shoreline would not prevent sea-level rise. Most of the fairways, greens and sand traps would be lost to sea-level rise. It was also felt that that a living shoreline would not deter golfers from going into the saltmarsh as well as the wall.

Member Garvan commented that it was mentioned at the beginning that other mitigation areas were being sought. He asked where that stands.

Mr. Colwell explained that the project requires a significant amount of mitigation, which is being done in two forms. There have been discussions with the Army Corps of Engineers and DES. By allowing the saltmarsh to grow, that is a form of mitigation. The bigger mitigation would probably be through a payment to the Aquatic Resource Management (ARM) Fund. There would be a significant contribution made to that fund in order to achieve this project.

Vice-Chair King asked if a project reimbursement through the ARM would be something specific to Rye, since this property is in Rye.

Mr. Colwell stated he believes DES has said that the Town could request that; however, there is nothing in the rules to make sure that happens. If there is a big need somewhere else in the State, the fund could go to that. Eben Lewis from DES said it really depends on whether there is a push from the town's people for that to happen.

Vice-Chair King asked if ARM has been contacted.

Mr. Colwell noted there have been discussions with DES, as well as Army Corp, about the ARM Fund. They are aware of this project and have asked for a mitigation proposal.

Vice-Chair King pointed out that in the past, there have been impacts from Abenaki Golf Club where \$40,000 was received for mitigation. These funds went to the vernal pool fund that the Commission directs. She is not saying the ARM is not a justified place for the money to go. She is just saying this is another thought for something in Rye.

Mr. Colwell suggested communication with the State in regards to any money to the ARM Fund being considered for projects in the Town of Rye.

Vice-Chair King asked if the estimation is around \$50,000.

Mr. Colwell confirmed.

Referring to the WBTSCC proposal, Chair McFarland asked if they would be willing to help reduce the invasive phragmites.

Mr. Colwell explained they did an effort some years ago with the State. They dug canals in that area to try to introduce saltwater, as phragmites do not like saltwater. It worked for the first year and then essentially failed. Eben Lewis from DES has been out to the site on several occasions. He has given some recommendations to help prevent the growth of the phragmites. Mr. Colwell pointed out that the only real way to prevent them is to dig them up at the roots. That would require so much impact that it is probably not a viable solution. Mr. Lewis recommended cutting and an herbicide that is environmentally friendly to the course.

Chair McFarland stated she would like to see some effort on that score if this project goes through. She would like to see an attempt to try and eradicate some of the phragmites, as has been done in Awcomin' Marsh and other places by RCCD.

Mr. Colwell commented that he is certain WBTSCC would welcome that.

Speaking to the Commission, Chair McFarland asked if the members would like another site walk.

The Commission agreed another site walk was not needed.

Vice-Chair King commented this seems incredibly impactful. Also, it is recreational versus environmental.

Member Garvan stated that he feels the area has already been heavily impacted. If they do not do this, it is not a real plus for the marsh or wetland if it is getting constant traffic.

Member Gardner agreed with Member Garvan. He continued that there was reference to sea-level rise and climate change causing that. He suggested an educational piece on what science has to say about climate change and sea-level rise. Seeing where the golf course is situated, maybe educating some of the clientele on some of the science would be an interesting spin.

Mr. Colwell agreed this is a great idea.

Chair McFarland noted that if this project goes forward, she would like wetland boundary signs like the small squares that are used in Rye. She could see golfers hopping the wall to go get their ball, if nothing is growing at that point.

Referring to Member Gardner's comments, Member Garvan suggested small display boards on the tees that state the reason the retaining wall was put in and an explanation of the project, along with the environmental benefits.

Member Shepcaro asked if they could request that phragmite mitigation be required in this area. RCCD could be used and perhaps there could be a five-year plan.

Chair McFarland confirmed that this could be a recommendation for this project. It could also be a recommendation made to DES for when they are considering this application.

Member Garvan reviewed recommendations from the Commission to be listed in the letter to DES:

- 1. Work to eradicate phragmites. Maybe work to develop a five-year plan.**
- 2. Put in wetland boundary signs on the golf course side of the wall.**
- 3. Informational displays on the 3rd and 9th tees.**
- 4. Mitigation dollars stay onsite as much as possible. (Cost estimate of phragmites mitigation to be tied in.)**

A letter will be drafted and sent to DES.

B. 2 Merrymeeting Lane, Tax Map 15, Lot 18

Owner: Denise and Craig Benson

Robert Baskerville – Bedford Design

Brendan McNamara – Architect

Jim Gove – Gove Environmental Services

Construction of home 15-17 feet from delineated wetlands

- *Not addressed as applicant was not present.*

C. 4 Washington Road, Tax Map 013, Lot 40

Owner: Jay Mason and Jacqueline Doherty

Eric Weinrieb, Altus Engineering

New home plan, demolish and reconstruct

Eric Weinrieb, Altus Engineering, presented the plan for the proposal at 4 Washington Road. He stated that this project has been going on for some time and has gone through a few different consultants. Last time the project was before the Commission, there was some great progress, but the Board of Adjustment felt otherwise so he is back with something new. He explained that the parcel is near the intersection of Ocean Boulevard and Washington. There is a tidal wetland behind the site. There is a freshwater pond and some freshwater wetlands adjacent. (He presented an aerial photo of the property on the screen for review. He also presented the proposed site plan.) He continued that when the project was before the Commission before, it

was a project that was supported and they received a letter from the Commission stating such. It was for a little bit larger project. The antiquated house will still be razed, along with the antiquated septic system; however, the scope of the project has been reduced. The building has been reduced to the 15% maximum, so a variance is not needed for the building size. A variance is not needed for lot coverage. By reshaping the house, the need for the front and side setback variances were eliminated. Also, by shifting the house further to the west slightly closer to the wetland, it afforded the opportunity for more open space on the eastern side of the building to locate the new septic system. The septic system will now be completely out of the wetland buffer; both the septic tank and the leachfield. The tank is within 10.3' and the leachfield is 11.4', which complies with State design criteria. These do need side relief setback, which was received earlier. One of the challenges of the lot is that the parcel is 71% within the wetland buffer. No matter what is done on the lot, zoning relief is needed. He noted there is an existing house on the lot that is very close to the front property line. It is only about 5' from the nearest abutter's property line. The proposal shifts the house back and rotates it parallel to Washington Road, which provides more open space between this property and the easterly property. (Mr. Weinrieb reviewed the proposed plan on the screen for the Commission.) He noted that the home is 42.1' to the existing wetland and 79' for the tidal wetland. There will be permeable walkways. The only area of impervious pavement is essentially the apron area in the right-of-way, in order to prevent the area from being ripped up by snowplow trucks. (He pointed out the disturbed lawn area on the plan that will become a buffer restoration area with native plantings.) He noted that the restoration area is approximately 2,000sf and is over 20% of the entire lot. The water from the roof will run off, around the site and into a swale area and overflow, in heavier storms, into the restoration area. The peak rate of runoff and volume of runoff are being reduced for every storm analyzed. (Mr. Weinrieb reviewed the existing conditions, along with what was originally proposed versus what is being proposed today.) He noted that the existing home has a basement. There is an antiquated heating system with oil. The Masons are proposing solar with heat pumps and a propane generator for backup. The safety of the house and code compliance is being improved. Everything is being made better. There was no stormwater management before and every aspect of this redevelopment is a betterment.

Member Garvan asked for review of the drainage towards the freshwater pond.

Mr. Weinrieb presented the drainage summary on the screen for review. He pointed out that at the east property line, in all storm events, the rate and volume of runoff is being reduced. Towards the marsh, the rate is being reduced, except for the 100-year storm which is essentially the same as it is now. The volume is being reduced in every scenario. He continued that as it exists, everything sheets off the property and there is no treatment. With the proposed plan, all the runoff from the roof will come off the building, into a shallow swale and run around the back of the property into a depressed area near the restored vegetative area. The water will settle into that area and infiltrate. In a heavy storm event, it might overflow and shed into the wetland, once it is filtered through the vegetative area.

Member Gardner asked the square footage of the existing house versus the proposed home.

Jay Mason, applicant, and also the architect, explained the total conditioned space is 2130sf. There is a footprint of 1382sf, which renders a first-floor conditioned space of 1272sf. There is 168sf. of entry space on the first floor and 690sf on the second floor. The current structure is about 1200sf.

Referring to the architectural plans, Mr. Mason noted that they have a big oil tank that they are getting rid of. There are vegetative buffers that have been designed and incorporated into the plan. There will be a state-of-the-art AOS septic system. The house will be moved away from the nearest property on the south to provide visual and personal separation. The proposal has significantly decreased from the last application, as it has been made 30% smaller than the 1900sf footprint that was before the Commission previously. He noted that the house is raised up in order to provide hidden parking underneath. There were concerns about parking. The intent is to mitigate that and get the parking under the house as much as possible. The house has also been raised up because of sea-level rise. He commented that they care deeply about the natural environment. This home is going to be a sustainable house. There will be solar powered electric heat pumps for heating and cooling. The only reason there would be gas is to operate the generator. He noted that the existing home is a 1930's cottage that is built on three separate foundation materials, which are not stable. The area is subject to flooding and the foundation has been flooded before. They would like to put something in its place that meets the neighborhood and Town of Rye criteria that is sustainable. He feels they have worked industriously to make this an appropriate house for the neighborhood. If the existing home is not changed soon, it is going to fall apart and that does not benefit the neighborhood.

Hearing no further questions from the Commission, Chair McFarland opened to the public for comments.

Lucy Braun, 1505 Ocean Blvd, stated this is the first time she has seen the new plan. It is certainly an improvement over the last plan. In regards to the current square footage, she believes the Town has it listed at 1003sf. She asked how many square feet the new home is proposed to be.

Mr. Mason replied 2130sf.

Ms. Braun stated that one of the concerns she has for her property is that a number of times the current owners have tried to drain water out of their property, which flowed into her basement and septic. If there is a swale, how will it drain other than back onto her property? She continued there is another alternative and that is to build on the current footprint. Even though this is not something she would personally love, it is a way to impact the wetlands the least. The proposed home will be centered nicely on the lot, but it really is well into those setbacks. She pointed out that there have been problems with parking at this property. People park across the road and along Washington Road. This is a very dangerous intersection. Her concern is there isn't enough parking on this property to absorb the type of use it has been getting. With double the square footage, it might be getting even more use. She appreciates that the home would be

moved off of her driveway; however, she also appreciates the wetlands in the area and would love to see them not impacted.

Chair McFarland noted that parking is really not in the Commission's purview, except for how it relates to pervious and impervious. The Commission cannot comment about parking across the road. She asked Mr. Weinrieb to address the concerns about water issues and how it impacts the neighbors.

Mr. Weinrieb noted that the proposed home will no longer have a basement. It is a slab on grade, so there will not be any pumping from a sump pump. The home is up at elevation 11.5, which is half a foot above the roadway grade and the grade closest to the property line to the east. Less water will be going onto the abutting property than what is currently happening now. He continued that with the balance between the wetlands and the side yard setback, he cannot understand why Ms. Braun would want them to consider staying in the current footprint. The proposal will create a full 20' side yard setback; whereas, the current home is only a couple of feet. The Masons do realize there is a valuable resource. That is why the restoration area is being created and the runoff is being mitigated with plantings. In regards to the parking, Mr. Weinrieb noted there is a large two-car garage and space for two vehicles in the driveway, so there is a lot more parking space. They are also considering grassy pavers, or other material, for parking on the grass when the driveway and garage is full. It would not be a hard surface, but a grass that could be parked on. They would look for the Commission's input on that.

Ainsley Braun, 1505 Ocean Blvd, commented that the reason why they care about where the home is going to be is because they really care about the environmental impacts in this area. The new proposal is much nicer for their property and property value; however, it still impacts the environment and the wetlands. (She presented a map on the screen showing the proposed impacted area, as compared to existing conditions, versus the distance to the wetlands.) She pointed out that there is very little space that can be built on and there is not much that can be done, other than staying on the current footprint. There is a substantial amount of wetland that will be affected, as compared to what is happening now. Although, she and her mother will benefit from having the home away from the property line, the Commission needs to consider the impact on the environment and the wetlands. The rules and regulations are in place for a very specific reason. This is a very sensitive environment and a very beautiful area. She wants to make sure they are not dismissing the environmental impact that building anything new here would make.

Mike Anderson, 10 Washington Road, pointed out that water needs oxygen, so wetlands and setbacks are very important. They're mandated. If the house at 4 Washington Road was not there right now, it would be a non-buildable property. The house is grandfathered, so they can build in the footprint. They should not be allowed to move one inch into the wetlands. When it comes to water and runoff, the pond and any trickle that goes into the ocean is very important. The Conservation Commission might see what is on the surface of the water, but they do not see what is under the water. There are American Eels in that pond. It's a proven fact that something is going to happen when the privacy of these ponds are invaded; when they are encroached upon

and someone violates the setbacks. That is why ordinances are made. He invited the Commission to take a walk with him at his property to see what is going to happen. He commented that rules are made for a good reason. Wetlands are going by the wayside. Water is life. When there is no oxygen in the water it is toxic. There is no reason they should be allowed to encroach on the pond one inch.

Speaking to Mr. Anderson, Chair McFarland stated that they hear his comments loud and clear. To reiterate, the Conservation Commission's site walks are always public. The Commission has held three site walks for this property over the last year and a half. In regards to his requested site walk, she noted it is for the Commission to decide whether they would like to have another site walk.

Mr. Weinrieb stated he understands the abutters' concerns. He keeps hearing that wetlands are being impacted; however, in no way shape or form are wetlands being impacted. They are working within a wetland buffer that is 100% disturbed by building and lawn. It is not a natural area. This is creating a betterment. He noted they will be creating 2,000sf of restored wetland buffer with natural plantings that will no longer be mowed. The runoff and contaminants to the wetlands are being reduced. The contaminants to the abutting property are being reduced. The contaminants to Washington Road are being reduced. If the Masons are denied, they can go on in perpetuity with a stone and pipe system with no advanced treatment, which is in the buffer. If everyone was concerned about the environmental health of this property, they would support this. It is a three-bedroom home now and will stay a three-bedroom home. There will be an advanced septic treatment system. He assures that what is built here will be better for the environment than what is there today.

Hearing no further public comments, Chair McFarland turned the discussion back to the Commission for their thoughts.

Vice-Chair King stated she would have been happy at any time if the abutters met with the Commission on site to give information and guidance. The Commission was at the site three times and none of the abutters ever showed up. In regards to Mr. Anderson inviting the Commission to a site walk on his property, the Commission can only go onto someone's property with a formal invitation and it being scheduled. She would be happy to do that. The Commission is concerned about the environment. The Commission doesn't always get it right and don't like being scolded; however, they always invite participation. She would like to look at the Anderson property. She thinks there is something to be gained by seeing that property. It probably would have been more effective a lot earlier in the process. She appreciates what has been said.

Speaking to Mr. Weinrieb, Chair McFarland asked if there is an actual planting plan for the area next to the Andersons.

Mr. Weinrieb replied they had one earlier; however, it did not get into the packet with the revised footprint. The planting plan is the same plan that was presented to the BOA because that 2,000sf

area is not changing with the new plan. He commented that they are fine with having another site walk.

The Commission agreed to schedule a site walk for both 4 and 10 Washington Road.

Member Garvan requested that the new boundary and footprint be staked out.

Mr. Weinrieb agreed.

- **Site walk scheduled for Monday, November 16th, 3:30 p.m., starting at 4 Washington Road and moving on to 10 Washington, which will also be a public site walk.**

**D. 2420 Ocean Boulevard, Tax Map 002, Lot 021
Owner: David Kanner, Sawyer's Beach Cottage LLC
Shannon Alther, TMS Architects
New fence new driveway**

Shannon Alther, TMA Architects, presented the project for 2420 Ocean Boulevard. He explained that the existing house is really close to the road with about 12' to 13' between the edge of pavement and property line. He noted that they have talked to NH DOT District 6 about putting some pervious pavers between the edge of pavement and the house edge. Right now, it is gravel and a lot of water gets stuck in this area, which has caused some potholes and deterioration on the edge of the pavement. There are a lot of people who park along the roadway edge, who shouldn't be, so the owner wanted to come up with a way to delineate the parking on his property. The other aspect of the project is to add some fencing to the north of the property, as well as to the southern boundary. The fences would be on the property and would help to delineate the space. The owner is also proposing to adjust some of the existing stone, add some lawn and extra rosa rugosa on the north side of the lot. The intent of this work is to address the issue of people parking along the roadway, who walk over this property to go to the beach. The last request is to add a 10x16 shed at the southern edge of the property. There is a right-of-way that runs along the property boundary, near the proposed location of the shed. The shed would not block the right-of-way and will be used for storage. He pointed out that the shed and fencing is within the 50' tideline. (He reviewed the plan on the screen for the Commission.)

Member Grote asked if the proposal has been discussed with the Rye Police.

Mr. Alther confirmed. The owner met with Police Chief Walsh and Frank Drake from the Rye Beach Zoning Board. The intent is to have this go before the zoning board at their next meeting. The Police Chief understood the issues, as he tickets quite a few cars in this location. Chief Walsh thought the idea of trying to delineate the driveway area would be important and did not see the proposal as being a problem.

- **Site walk scheduled for Tuesday, November 17th, 1:00 p.m.**

E. 2425 Ocean Boulevard, Tax Map 002, Lot 020
Owner: Melissa Raffoni
Shannon Alther, TMS Architects
New addition to home

Shannon Alther, TMS Architects, presented the project for 2425 Ocean Boulevard for an addition to the existing home. (Mr. Alther presented the plan on the screen for review.) He pointed out the location of Eel Pond and the 50' setback line, which is through a good portion of the property. He noted that the 100' setback line is actually onto the road. He also noted that a portion of the property sits within the 150' setback from the ocean. The proposal is to remove the existing shed and add an addition to the house in that location. There is currently a one-car garage in that area that would be incorporated into the addition for a first-floor bedroom. A pole garage that meets the requirements of FEMA would be constructed to allow for two bay parking at the front of the house. Anything that is done on the property is within the front setback line. For the rear addition, the goal is to take the shed away and get a little further away from Eel Pond. He commented that the property is kind of a berm in between Eel Pond and the Atlantic Ocean, which makes the site quite challenging.

Chair McFarland asked for clarification of a pole structure.

Mr. Alther explained a pole structure is similar to a pier. It would go into the ground to a depth of 6'. Instead of digging a foundation in this area, there would be poles dug into the ground so there would be a lower impact of excavation for the garage. The poles can be made of steel. In this case, he would probably suggest a material much like a telephone pole or beam. They would want to be sure the material works with the soil conditions and not rot, so the right material has to be chosen.

Chair McFarland questioned the depth of 6'.

Mr. Alther explained that with this project, the weight and size of the building are fairly minimal so they do not need to go deeper. The wood pilings would be a much better alternative in terms of the project and impact.

Member Grote asked the increase in the percentage of land usage with the addition.

Mr. Alther noted the lot is about 27,000sf. The existing coverage is about 16%. The challenge is that there is a portion of this particular lot that is dry and a portion that is wet. Looking at the percentages of the dry land outside of the 50' buffer, it is 47% of the total lot area. Basically, half the lot is wet and half is dry. The proposed coverage on the entire lot, using the full 27,000sf, is 19%. Taking out the wet land, the existing coverage is 33.7% and the proposed is 40.3%, so it increases just over 6%.

Member Gardner commented this property is too small to build all this stuff on, in his mind. To say it is completely in the buffer zone and to continue to increase the square footage on the lot, does not make sense to him.

Member Grote noted that she has the same concerns.

Mr. Alther agreed to stake the property for the site walk.

- **Site Walk scheduled for Tuesday, November 17th, 1:30 p.m.**

VII. Pending Site Walks and Reviews

- **Update:** 264-270 Brackett Road, 29 Frontier Road, 2250 Ocean Blvd, 40 Signature

Chair McFarland noted that the above properties were visited in the last month by the Commission. There has been a request from the owner and the Building Department for the Commission to revisit 300 Pioneer Road to review the property.

It was agreed that Member Grote, Member Shepcaro and Vice-Chair King would coordinate a time for the three of them to visit the property.

VIII. Other Business

- **Update Goodwin Conservation walk**

Vice-Chair King reported that the site walk has been completed. She is waiting on information from Danna Truslow in order to write the report, which should be finished soon.

- **Natural Resource Inventory (NRI)**

The NRI Committee has prepared a matrix with pros and cons of each proposal that was received for the preparation of the NRI. One of the firms was chosen by the Committee, which must now be presented to the Select Board with a recommendation. She is asking the Commission to vote to allow the Committee to present the chosen proposal to the Selectmen.

Motion by Suzanne McFarland to authorize the Committee to present the chosen NRI proposal to the Select Board. Seconded by Susan Shepcaro.

Roll Call: Jeff Gardner – Yes; Heather Reed – Yes; Susan Shepcaro – Yes;

Karen Oliver – Yes; Jaci Grote – Yes; Sally King – Yes; Suzanne McFarland – Yes

Motion passed (*Note: Mike Garvan not present for vote.*)

- **40 Signature Drive**

Chair McFarland noted that she has been in touch with Tessa at Piscataqua Landscaping. They found a nursery that had the trees for 40 Signature. Tessa will be taking the proposal to the owners of 40 Signature. Piscataqua Landscaping has agreed to do the planting in the spring, so the plan is moving ahead.

Vice-Chair King pointed out that there was concern about the size of the trees. This was one reason that Piscataqua Landscaping was unsure if they would plant them. If they have agreed, the trees may be smaller than they would like.

Chair McFarland stated if it goes the way it should, the Commission has to actually approve the plan before it happens.

- **December Newsletter**

There was some discussion on ideas for the December Town Newsletter, which is due on Monday, November 16th. Member Oliver agreed to write an article of what the Commission has accomplished in 2020.

- **ZBA Update**

Member Reed reported that she attended the last ZBA meeting. They asked for recommendations from the Conservation Commission and put a lot of weight on those recommendations.

Chair McFarland commented that she heard that Member Reed did an awesome job at the meeting. The Commission even received a thank you and an apology from an attorney the next day for 1 and 3 Cable Road. The property owners submitted a new plan just days before the ZBA meeting without it first being presented to the Conservation Commission. Member Reed handled the situation really well, without having seen the proposal. She also heard from a ZBA Member that they like having the Commission at the meetings and the letters have been helpful. The process is working well.

Vice-Chair King stated that for years, she was one of the only members who went to the Planning Board and ZBA meetings. At that time, the recommendation letters were not as strong. The respect for the Conservation Commission has increased in the past five years and it has really made a difference. When the recommendation letters are appreciated and often adhered to, it makes the work of the Commission a lot more productive and valuable. She thinks everyone has done an amazing job.

- **Town Forest**

Member Shepcaro noted they are thinking of getting started on marking, if others on the Commission are interested in helping.

- **Peter Kasnet**

Chair McFarland noted that Resident Peter Kasnet let the people who were doing the work on the windows and clapboards for the Goss Barn, use a lift at no cost to the Commission, which could've cost some good money. She has thanked Mr. Kasnet and let him know that they appreciate his generosity.

IX. Correspondence

- SBA Communications
- Letter received from N.H. DES addressing drinking water

X. Bills

- 1) **\$1,555.89** – Rick Arling Construction, Goss Barn
- 2) **\$729.00** – Doucet Survey, 81 West Road acquisition
- 3) **\$154.00** – Alan Bucklin, Goss Farm
- 4) **\$787.50** – BCM, 120 Garland Road
- 5) **\$5,125.00** – RCCD, Town Forest
- 6) **\$1,200.00** – Peter Happny, Deposit for railings at Goss Barn (1/3rd)

Motion by Jaci Grote to approve the bills as listed and reviewed by the Commission. Seconded by Karen Oliver.

Roll Call: Jeff Gardner – Yes; Heather Reed – Yes; Susan Shepcaro – Yes;

Karen Oliver – Yes; Jaci Grote – Yes; Sally King – Yes; Suzanne McFarland – Yes

Motion passed (*Note: Mike Garvan not present for vote.*)

XI. Other Business

- **81 West**

Vice-Chair King reported that the acquisition of 81 West Road is continuing to move forward and should be happening very soon. It has been an extremely slow process. The owner of the property, Patricia Brown, has been kind and amazing. Mrs. Brown is someone who can make someone feel good about working on the Conservation Commission. She has been incredibly patient.

Adjournment

**Roll Call: Jeff Gardner – Yes; Heather Reed – Yes; Susan Shepcaro – Yes;
Karen Oliver – Yes; Jaci Grote – Yes; Sally King – Yes; Suzanne McFarland – Yes**

Motion passed (*Note: Mike Garvan not present for vote.*)

Motion by Jaci Grote to adjourn at 9:25 p.m. Seconded by Heather Reed.

Respectfully Submitted,
Dyana F. Ledger