

RYE CONSERVATION COMMISSION

**Monday, November 15, 2021
6:30 p.m. – Rye Public Library**

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

I. CALL TO ORDER

Chair McFarland called the meeting to order at 6:35 p.m. and led the Pledge of Allegiance.

II. SEATING OF ALTERNATES

Karen Oliver and Jeff Gardner were seated for the meeting.

III. APPROVAL OF MINUTES – October 14TH

The following corrections were noted:

- Page 2, 1st sentence should read: **To offset the addition, a long walkway, stone stairs, retaining wall and paved driveway were being removed to reduce the pervious area on the site.**
- Page 2, 1st paragraph, 4th sentence should read: **However, the proposal proceeded to the BOA and the project was approved.**
- Page 2, 3rd paragraph, 6th sentence should read: **The retaining wall and grass swale is proposed in order to convey the stormwater around the house and direct it to a level spreader where the runoff will be infiltrated into the ground.**
- Page 4, 2nd to the last paragraph should read: **Ms. Morris stated that it may be something that needs more review; as far as, putting up more signs and having more areas where hunting is not allowed.**
- Page 5, 2nd paragraph under ‘B’, 2nd sentence should read: **Mike Garvan and Susan Shepcaro will work on posting.**
- Page 5, 3rd paragraph under ‘B’ should read: **It was mentioned that Seacoast VeloKids should not have been allowed to use the parcel for their biking program, as cycling is also restricted in the deed.**
- Page 8, under ‘Complaints’, it should be noted: **The Conservation Commission received a request from the Town Administrator in regards to submitting complaints to the building department in writing. The Commission discussed whether it was the role of the Conservation Commission to be policing complaints.**

**Motion by Susan Shepcaro to approve the minutes of October 14, 2021 as amended.
Seconded by Karen Oliver. All in favor.**

IV. WETLANDS

A. 10 Shoals View Drive, Tax Map 20.2, Lot 082

Owners: Lynch Family Revocable Trust, Daniel and Carolyn Lynch
Atty David Brown
Altus Engineering
Tear down and rebuild

Attorney David Brown, representing the applicants, explained that the home at 10 Shoals View Drive is a small home, so the owners are requesting to build an expansion. The house is so small now that they can still meet building and lot coverage with the expansion. They are also proposing a new septic system. He pointed out there's a pond to the back of the lot. It's a modest request and he hopes the Commission can give their support.

Eric Weinrieb, Altus Engineering, presented to the Commission. He noted that Shoals View Drive is a gravel road that meanders through the right-of-way. The existing home is situated towards the side yard setback, close to the roadway. The parking area is partially in the right-of-way. There is a wood deck off the back of the home. A septic tank and leach field are located to the rear of the property, which is a conventional system. There are two wetland systems; the open water pond and the fresh water wetland boundary in the front.

Mr. Weinrieb clarified that this will be a whole new home, not just an expansion. The property is located in the AO3 Zone. The finished floor today is 14.2 for the existing house. To meet code, it has to be at 17.7. There is not a lot of value to lifting the house and putting in a new foundation, so the proposal is to start fresh. He noted that the side yard setbacks are met. The house will be encroaching slightly further into the front yard setback. There will be a full driveway built on the property with permeable surface. The existing septic system will be removed and an AOS system will be installed for a two-bedroom design with a new tank and pump chamber. The existing leach field is about 48' to the wetland. The leach field (receiving area) is being moved about 58' to 60' from the wetlands. The part that is exposed to the environment is being moved further away. The septic tank is moving a bit closer at 51'. In going for the variance, this will be the closest component to the wetland and it's the closed part. He pointed out that the existing deck is about 67' away from the wetland and that will be moved to 72'. The house will be moved to the center of the lot. There is no request for a height variance, even though the house will be raised. He summarized that a new home will be built on the parcel with a new driveway and septic system. It's a modest expansion. There is no request for variances for height, lot coverage or building coverage. No matter what is done on this lot, it will be within the wetland buffer. The buffer for a State compliant septic system is 50'. Everything meets the State design criteria and the town's criteria, with the exception of the setback to the wetlands.

Vice-Chair King asked the condition of the existing septic.

Mr. Weinrieb replied that the system is not that old. It's functioning fine. There is nothing that indicates it's near the end of its expected life.

Vice-Chair King asked why they are putting in a new system.

Mr. Weinrieb explained the septic tank is close. The goal is to be as compliant as possible, start fresh and have everything done right.

Vice-Chair McFarland asked the square footage for the existing and proposed homes.

Mr. Weinrieb noted that the existing building coverage is 10.8% and the proposed is 13.6% where 15% is allowed. The existing home is 1135sq.ft. and the proposed home is 1435sq.ft.

Member Gardner pointed out that the Commission likes to see native plantings as part of proposed projects to provide additional buffer.

Mr. Weinrieb commented that they expect to be doing some restoration in that area.

Vice-Chair King stated that every year, this is before the town at the election for paving. She asked if anything will change if that gets voted through.

Mr. Weinrieb replied that if anything was to change, it would be just in the right-of-way area.

Chair McFarland asked if there was any thought of making the driveway part of the septic.

Mr. Weinrieb replied no because of the grading. The driveway would be going uphill. He pointed out that the driveway stays at the original grade and there are steps in front to get up to grade. The house will have some sort of crawl space access area, which will meet FEMA requirements.

No further questions from the Commission at this time.

- **Site Walk scheduled for Wednesday, November 17th, 3:00 p.m.**

B. 41 Appledore Avenue, Tax map 19.4, Lots 48 and 49

Owners: Brittany and Allen Cumings Jr.

Replacement septic system

Altus Engineering, Eric Weinrieb

Eric Weinrieb, Altus Engineering, presented to the Commission. He explained that the existing two-bedroom home is on a very small lot at the end of Appledore. Mr. Cumings also owns a parcel that abuts conservation land. The proposal is not before the Conservation

Commission for a wetlands permit. They are before the Commission because the Shoreland Permit says that any work within 20' of abutting property needs consent. They are looking for the Commission's consent to allow for the septic system to be built. It will be the same type of AOS system. The bed will be raised up and will meet all the required setbacks for seasonal high and wetlands. The existing system is an old stone and pipe system, which needs to be replaced.

Mr. Weinrieb continued that the intent is to consolidate the lots. There was no room, without getting into some hard design and ugly looking grading, to put a septic system on this parcel. The vacant lot will be consolidated with the small lot. A one bedroom will be added to the design, but there will not be any expansion to the house. The lot loading will carry the extra bedroom. If the owner decides to add a bedroom in the future, there will be the ability to do that. He noted that they will be working up close to the conservation property line, but it will not be impacted. There is only one significant tree that will be taken down for the work.

Vice-Chair King commented that it's within 2' to the conservation parcel.

Mr. Weinrieb replied that is the edge of grading. If the system was slid up the hill, it would be getting close to the 25' setback to the water line. It would raise grade, so it might actually go to the same point.

Vice-Chair King asked if the system has failed.

Mr. Weinrieb comment that it has not been identified as failed, but it's near its end. He noted that the proposal has to go before the Planning Board to combine the two lots.

- **Site Walk scheduled for Wednesday, November 17th, 3:30 p.m.**

C. 5 Whitehorse Drive, Tax Map 011, Lot 015-002

Owners: Jenny and Patrick Donnelly
West Environmental, Mark West
Wetlands remediation

Mark West, West Environmental, addressed the Commission. He explained that this is a case where he went out to flag a lot and found there had been disturbance in the wetland. He had flagged the lot years ago, so he had a previous wetland boundary that could be used to determine how much wetland impact had occurred. It's 1522sq.ft. of disturbance. He has verified that the original top soil is underneath the fill, so nothing was dredged out. It's right along the existing tree line. He submitted a report that also included an aerial photo to the Commission that shows the entire back yard already existed. Unfortunately, the owner purchased the lot with 7.16-acres and was not informed about how much wetland was on the lot. The owner was even given a NWI Map that did not show the wetland near the house. Mr. West stated that he met with the contractor on site to go over what had to be done. He also designed a restoration plan for plantings. The intent is to move forward with getting the fill out and seeding the area. He has been in touch with NHDES. With smaller impact cases, they open a compliance file and a

restoration plan is approved. Reports are submitted to NHDES documenting that it was restored. Pictures are taken again the following year to show that the plantings survived. He commented that the owner thought he had a 50' buffer, at most. However, a 100' buffer takes up most of the backyard.

Vice-Chair King asked if they have cut a number of trees in this area.

Mr. West stated that they cut some trees along the edge. He noted that he compared the area to the photo in the report and it pretty much lines up. He pointed out that it was lawn right up to the wetland in this location. The lot backs up to Mountain View Terrace and the conservation parcel. He continued that through the original Whitehorse Subdivision there were discussions about deed restrictions. There was also a conservation easement. Mr. Donnelly said he didn't get any documentation about it. However, he did say that he's willing, if it's not deed restricted, to put protections on the rest of his lot in exchange for what he may come in with later, which is just a pool next to the house.

- **Site walk scheduled for Thursday, November 18th, 10:15 a.m.**

D. 30 LaMer Drive, Tax Map 013, Lot 044

Owners: Lindsay and Chuck Beynon

Fence proposal in 100' wetland buffer

TF Moran – Corey Coldwell

Corey Colwell, TF Moran, presented to the Commission. He explained that they are before the Commission with a request for an amended wetlands permit. The purpose of the amendment is for fence construction in the tidal buffer zone. (He presented the 2017 wetlands permit plan that was approved by the State, which was also seen by the Conservation Commission.) He noted that the hatched area on the plan was previously approved impact under a wetlands permit issued in 2017. With this permit, there was an area of temporary impact. The permit has to be revised because fence posts are considered permanent impact. The total impact area will not change at all. The permit was for 29,477sq.ft. of impact in the buffer zone. That impact number will stay exactly the same. The only difference is that the permanent impact will increase by 157sq.ft. and the temporary impact will decrease by 157sq.ft. The proposal is to install an aluminum rail fence with a couple of gates. The fence would go from the corner of the building out to 1' of the property line. It would follow the property line down to the stone wall and there would be a 5' wide gate. On the other side of the house, there would be a 5' gate and the fence would run off the existing driveway down to the stone wall. The purpose is to enclose the yard with fence. The Benyons have small children and two dogs. They really want to enclose the backyard for the safety of their children and dogs. He reiterated that although there is new permanent impact, the total impact will not change.

Mr. Colwell stated that the building inspector denied the fence because he said that a floodplain permit was needed, which has been applied for. The building inspector also said that a wetland permit and shoreland permit was needed. Mr. Colwell pointed out that this request is for the

amended wetlands permit; however, fences are exempt from the shoreland regulations, so an amended shoreland permit is not required. He continued that in 2017 there was a request for some plantings. The request said it was to maintain an average of at least 15' wide, which has been done. The building inspector questioned whether a fence could be within the planting zone. Mr. Colwell commented that some would argue that there's still the right to put a boundary on that buffer. The fence really is the boundary.

Vice-Chair King asked the height of the fence.

Mr. Colwell replied 5'.

Chair McFarland asked if the side property line (Dallmeyer side) is marked physically on the ground.

Mr. Colwell replied no. There is nothing that physically monuments the line between the Dallmeyers and the Benyons.

Member Gardner commented that his feeling is that he's not going to be opposed to a fence; however, he would like to see a real functioning buffer. He wishes that the original buffer had been a true functioning buffer that's not mowed.

Mr. Colwell suggested that they discuss recommendations for improvement at the site walk.

Chuck Beynon, applicant, noted that the whole reason for the fence being installed is to keep the dogs on their property, so they will not be running onto neighboring properties. An invisible fence was considered; however, their vet does not recommend electric shock for dogs who are timid and anxious. He continued that the fence is going down the side through the buffer to try to keep an open feel.

Chair McFarland asked that the fence location be staked for the site walk.

- **Site walk scheduled for Tuesday, November 30th, 4:00 p.m.**

V. PENDING SITE WALK AND REVIEW

A. 39 Parsons Road - Tree

Vice-Chair King noted that she and Mike Garvan visited the site. The tree was split and the property owners want to trim half. She and Member Garvan are fine with the request. She agreed to follow up with the building inspector.

B. 155 West Road – Tree

Vice-Chair King reported that the property owner is requesting to cut a tree within the wetland buffer. She is looking for a date and time for members of the Commission to visit the site for review.

- **Site walk scheduled for Thursday, November 18th, 10:40 a.m.**

VI. OTHER BUSINESS

A. Library Trustees presentation

Jeff Ross, Library Board of Trustees Chair, along with **Library Director Andrew Richmond**, and Library Trustees **Mike Moody, Christine LeBlond** and **Victor Azzi**, met with the Conservation Commission to give a presentation on the planning that has taken place for the former Parsonage parcel, which is now part of the Library's property. The intent for the space is to develop a multi-generational gathering place, which is something that really resonates with people in the community. Residents have also expressed an interest in having a performance space on the property. The Library would also like to use this property as a way to expand its programming and work with other entities in the Town who may have an interest in holding an event on the parcel; such as, the Historical Society or Recreation Department.

The goal of the planning process is to create an open space that's simple and iconic with it looking like it's been there forever. Future expansion of the Rye Public Library building is being considered throughout the planning. The desire is to compliment and connect with existing buildings; such as, the Town Museum. Also being considered in the planning process is access and parking for visitors and staff.

Mr. Ross gave a brief history of the Parsonage property, which was acquired by the Town in 1995 by a warrant article. Voters passed the warrant article which said that the property was to be used for future expansion of the Library and other town purposes.

Mr. Ross continued the presentation by reviewing a conceptual plan that is the result of the ideas of the Advisory Committee and Library Trustees, along with the work of Victor Azzi and the architect. The proposal moves the Historical Society Museum about 40' towards Washington Road. This will integrate the Historical Society building better with Washington Road and the Library. By doing this, there would be space beside the Library for future expansion, which would allow for double the square footage of the existing library building. This will also leave as much or possibly more parking than exists today. Instead of 0.4-acres for open space, there would be almost 0.8-acres available for gardens and performance space. The conceptual plans show the performance space in the middle of the parcel near Washington Road; however, this is not necessarily what will be done. The intent is to create a campus like environment that connects with the Historical Museum, Public Safety Building and Rye Junior High.

The Library Trustees ask that the Conservation Commission, as informed members of the community, engage with members of the Commission, and others who serve the Town, to come up with thoughts and ideas. The Trustees seek the Commission's support, as it will take a team effort to bring this to fruition. This presentation was also given to the Town Center Committee who voted unanimously to support the concept and planning process. The Historical Society also wrote a letter saying that they are okay with the possible move of the museum. The goal is to complete this project by the end of 2024.

B. Scully – treatment for invasives

Vice-Chair King noted that the Scully property is at the end of Odiorne Drive. Tracy Degnan, Rockingham County Conservation District, has treated invasives on this property before. The request is to treat the marsh from that property and treat some things that are going on at the property. Ms. Degnan has stated that there is an invasive that they've been treating at Odiorne State Park and there's a lot of it. She is going to treat for this invasive on the property also.

C. Rye Recreation wetland buffer delineation – Mike Cuomo

Member Shepcaro reported that Mike Cuomo did the wetland buffer delineation at the recreation field. There are stakes with flagging. She and Sally King are going to put out the town's wetland boundary signs, assuming there are enough. She continued that she has a lot of pictures of that area. There is running water out of the drainage.

It was agreed that Rye Recreation should be encouraged to dispose of grass clippings, not just pile them on recreation land. It was also agreed to invite Rye Recreation out for a visual.

D. Trenching for water line Goss Farm

Member Shepcaro reported on the recent water line trenching which was completed for Goss Farm. The water line runs to the back of the property in between the two community gardens, which is approximately 300'. There were sixteen people who helped with the project, along with a sand delivery from Greg Bauer. The work started around 8:00 a.m. and took most of the day to complete. She and Sally King planted clover over the area after the work was completed.

Chair McFarland noted that one of the requirements of RCCD and NRCS was that the location of the water line be shown on the mapping link.

The Conservation Commission thanked the following people for their help with the project:

- **David Whitehouse**
- **Betsy Orlando**
- **Eric Allen**
- **Walker Greenwell**
- **Erika Dufton**
- **Shawn Fraim**

- **Melanie Logan**
- **Mark Epply**
- **Ryan McGill**
- **Lee Hodsdon**
- **Mike Garvan**
- **Sally King**
- **Tom King**
- **Susan Shepcaro**
- **Todd Cronin**
- **Jenny Karnacewicz**

E. Purple Martin Project – Goss Farm

Vice-Chair King stated that she, Tom King and Susan Shepcaro spoke to John Cavanagh and his wife, who have been sharing their Purple Martin colony experience with a number of people. Theirs' is one of three on the Seacoast. When they started, they just had a few birds and it's grown to about 50 birds. The Cavanaghs have been doing this for six years. Vice-Chair King continued that she has been talking to Pamela Hunt, who is an avian specialist with Audubon in N.H., about the swallows at the Goss Farm. She said that the one in the Goss Barn is probably one of the biggest colonies in the State. She suggested working with the Cavanaghs to create a trail. Another set of gourds could be put up, a certain distance away, to attract more birds. The Cavanaghs have an overflow and there are birds looking for nests.

Vice-Chair King stated that she spoke with the science teacher at the school in regards to engaging the students in this multi-year project. He was very excited about the possibility. He is going to speak with Pamela Hunt about looking at the site. When Ms. Hunt started looking at information that Audubon has about the Goss Farm, she became concerned because she thinks there are house sparrows on the property. Vice-Chair King commented that she would like Ms. Hunt to take a look at the Goss Farm site. If it doesn't work, it might be able to be located behind the Town Forest and still involve the school, which would be a great project for the students.

F. Natural Resource Inventory (NRI)

Member Shepcaro stated that at the last meeting, it was discussed the everyone would get a copy of the NRI. She has not yet received a copy.

Chair McFarland noted the report is not finished. She continued that the contract included one edit, which the Commission had already gone over. The Commission was \$1875 over contract price. That amount was willingly waived in order to come to the negotiation of the group having one more round of edits, which have been submitted. One of the top writers at FB Environmental will spend a day working on the report. The Commission has agreed to pay somewhere between \$1000 to \$2000 to have the report checked for correctness, not necessarily

edits. This is in lieu of the timing to have the report by the end of the year. She will send the report to everyone once she receives a copy.

G. Building Inspector Complaints

Member Shepcaro asked if she is supposed to fill out a form for something she might see driving down Recreation Road.

Member Gardner stated that the form that was sent by the Town Administrator is meant more for the general public. The Commission is working together with the building department as town entities.

Chair McFarland pointed out that they had that relationship with Peter Rowell, who knew that when the chainsaw is heard, there's not a lot of time. She considers this is still a work in progress. She thinks Chuck Marsden understood at the beginning when he was working with Peter Rowell. However, he then started working by himself, got overwhelmed and started telling people it was six weeks for anything.

Vice-Chair King stated she does not think that Conservation should be filling out the form for a number of reasons. She doesn't think they have to be identified because Conservation shouldn't be behind all the complaints. It could be a town complaint or something generic. The Town Administrator has made a point that it has to be assigned to the Conservation Commission, as the one who has generated it. Vice-Chair King pointed out they are not enforcement. The Commission does an awful lot of going around and looking at trees for the building department. She thinks it should be more symbiotic. She doesn't think it's in Conservation's best interest to be put in that position.

Member Gardner asked if they can call if they see something.

Chair McFarland replied that she still calls. She thinks it's a work in progress. The building department has just gotten a new person in. Once he gets up to speed, she is hoping there will be normalcy and they can come back to an understanding. At one time, it was working.

Vice-Chair King pointed out that they want a person or the Commission to sign a complaint. A lot of people are not going to do it that way. If it can be seen from the road, enforcement should be able to see it from the road.

Member Oliver noted that she has a private issue that she's dealing with. Even though a person makes the building department aware of something that is illegal, they don't do anything unless the person signs a complaint. She pointed out that this is what she had to do, but she didn't want to be personally involved. Member Oliver stated that it would be nice to have some clarification around the role Conservation and the building department plays around violations. Somebody needs to monitor and enforce. It can't be enforced if it's not monitored. For Conservation to be charged with monitoring compliance doesn't make sense.

Chair McFarland stated that when she first got on the Commission, there were a lot of residents who were frustrated. This is why it was put on the Commission's webpage that people could remain anonymous and Conservation will do their best.

Vice-Chair King commented that Conservation shouldn't be tagged with it either.

Member Oliver pointed out that the message seems to be that if Conservation wants to report something, the complaint needs to be signed because that's what the town code requires.

Vice-Chair King asked if it's been put in the town's requirements. She thinks this is what was told to her. The process used to work better than how it's working now.

Chair McFarland commented that she doesn't have a strong suggestion at this point, other than trying to work with the building department.

Member Oliver suggested that next time, maybe they just say this is what's going on and this is how the Commission would like it to be handled.

Vice-Chair King commented that they now have the Town Administrator weighing-in and saying Conservation has to make the compliant. She disagrees with this entirely.

Chair McFarland commented that they all do. She noted that the Commission is willing to figure something out; however, the members feel strongly about the position they are being put into.

Member Oliver pointed out this is a town wide issue. It's not just an issue for the Commission.

Vice-Chair King pointed out that a neighbor is not necessarily going to sign a formal complaint. It should be anonymous.

H. Brown Lane

Member Shepcaro stated that she went to Brown Lane Farm. The beaver dam used to be on one side and now it's on the other. It's a huge dam. There's also a big concrete piece that is built against it. She pointed out there's a huge amount of water in that area.

Chair McFarland pointed out that they need to determine if the beaver are still there. This is what Susan was doing. The last rain really put a strain on all of Rye. It's trying to be determined, in moving forward on Brown Lane Farm, if the stream could be put back to normal with a bridge. It's not worth spending money on a beaver deceiver if they're not there. This was the discussion that she, Susan and Heather were having in regards to how to move forward. She pointed out that the permitting process is going to take a while. A couple of people from DES are trying to help to determine what to do.

VII. CORRESPONDENCE

I. SBA

J. NH Parks and Recreation letter – unauthorized trails being developed at Odiorne State Park off of Holland Drive, abutters letter from Philip Bryce

- Chair McFarland noted that the Commission has been asked to help get the word out. If anything is seen or heard, NH State Parks should be called.

K. SELT Everlasting Newsletter

L. Letter from Patricia Smith with regards to 17 and 0 Alder Ave

- Chair McFarland noted this is on the ZBA Agenda. There was a fire on this property about four years ago. The owners are now going before the ZBA to do something on the property. The Commission has not been asked to weigh-in on anything. She could not find any wetlands at all.

M. NHDES letter stating permit name change for 314 Brackett Road, Grondahl to Guptill, Alden and Heather

- Chair McFarland stated that she emailed D.D. Cook, who is the builder on this project, to let him know the driveway is of importance to the Commission. She also informed the building department that this was critical and part of a settlement agreement.

N. Notice of Wetlands Council Appeal for Wentworth by the Sea Country Club For the standard dredge and fill wetlands application

O. Notice of Administrative Appeal filed by Chuck and Lyndsay Beynon from the building inspector's letter dated June 28, 2021, which refers to a swing set/play system as an accessory building.

- Chair McFarland noted that the administrative appeal was heard at the ZBA's November meeting, along with the request for variances for the location of the swing set/play system. The administrative appeal was granted; however, the variances were denied by the ZBA. The building inspector will be writing a letter to the Beynons to give them a timeline for the play set to be moved.

**P. Planning Board Notice from the Town of Greenland for a meeting on November 18th regarding the Ciborowski property.
Received November 15th**

- It was agreed that the Conservation Commission should weigh-in on this project, as part of it is in Rye and will have a major effect on the Town. It was also agreed that more time is needed for a response. Chair McFarland will call the Town of Greenland to follow up.

**Q. Rockingham County Conservation District
Estimate for 2022 Invasive Control – Wallis Marsh East and West**

The Commission reviewed the estimate received from Tracy Degnan, RCCD, for invasive control on 5-acres along Wallis Marsh and Brackett Road. Invasives are on private and conservation land. The estimate also includes 5-acres at the access Wallis Road off of Odiorne Point Road. The estimate submitted to the Commission is \$6,375.

Motion by Karen Oliver to approve entering into a contract with Rockingham County Conservation District pursuant to the estimates dated November 15, 2021, Estimate #10053, for the Wallis Marsh East and West, Wallis Marsh and Crabby Shack Phragmites and other invasives. Seconded by Susan Shepcaro. All in favor.

**R. Rockingham County Conservation District
Estimate for 2022 Invasive Control – Town Forest Priority Phase III**

The Commission reviewed the estimate received from Tracy Degnan, RCCD, for the Town Forest Priority Phase III invasive control for the Recreation Road access area. The estimate submitted to the Commission is \$9,775.

Vice-Chair King stated that it's clear that some of this work is clearly the Rye recreation portion. The Commission should work with them. She thinks it's fine to approve this with a stipulation that Rye Rec understands they need to be involved financially for the areas that cover Rye rec. She pointed out that the whole Town Forest needs to be treated. They should pick another section to be done, if Rye rec does not agree to help financially.

Motion by Sally King to commit to Estimate #10052, dated November 15, 2021, from RCCD in the amount of \$9,775 for invasive work in the Town Forest, with the condition that if the work involves recreation land, the Rye Recreation Department will commit to a portion of this payment, which will be divided on the amount of land that's treated. If Rye Recreation does not agree to share in this cost, the same amount of money will be reallocated to a different part of the Town Forest for invasive treatment. Seconded by Susan Shepcaro. All in favor.

S. Town Newsletter

There was some discussion on items to include in the article for the Town's newsletter. Member Oliver will be writing up the article and submitting it to the Town.

VIII. BILLS

Motion by Susan Shepcaro to pay the Conservation Commission bills as follows:

- \$831.25 FB Environmental #4 payment – capital outlay
- \$1,813.75 James Verra surveying, Pokorny conservation land
- \$508.83 James Verra surveying, portion of town forest
- \$5,595.98 Connell Easement, half the cost of the land survey
- \$159.00 reimburse Sally King – FW Webb, piping for Goss Farm – CC Escrow – Goss Farm – GFFF
- \$2,074.07 FW Webb Water Works Division, supplies for the water line – CC escrow – Goss Farm – GFFF
- \$1,065.00 BCM Environmental and Land Law #6440
- \$157.50 BCM Environmental and Land Law #6539
- \$17.34 Eversource – Goss Farm
- \$104.38 reimburse Sally King – Jim Raynes Service at Goss Farm
- \$479.87 reimburse Sally King – CC escrow – Goss Farm – GFFF, trenching and costs
- \$653.20 – Alan Bucklin – Goss Farm mowing and rototilling
- \$57.25 reimburse Mike Garvan – signs no hunting Airfield conservation land
- \$2,122.50 Comprehensive Environmental, Inc.

Seconded by Karen Oliver. All in favor.

Motion by Susan Shepcaro to approve the payment of bills as follows:

- \$950.00 reimburse Jaci Grote – cast bronze plaques for trails
- \$167.58 reimburse Susan Shepcaro – dog waste bags
- \$300.52 Greg Bauer Construction – sand – Goss Farm water line
- \$37.75 reimburse Sally King – Clover cover

Seconded by Karen Oliver. All in favor.

IX. NON-PUBLIC SESSION (1) per RSA 91-A:3, II (d) Acquisition (2) per RSA 91-A:3, II (e) Legal

At 9:24 p.m., Sally King made a motion to go into Non-Public Session per RSA 91-A:3, II (d) Acquisition and RSA 91-A:3, II (e) Legal. Seconded by Karen Oliver.

Roll Call: Heather Reed – Aye; Karen Oliver – Aye; Suzanne McFarland – Aye; Sally King – Aye; Jeff Gardner – Aye; Susan Shepcaro – Aye

At 9:45 p.m., the Commission came out of Non-Public Session.

**Motion by Suzanne McFarland to seal the minutes of the Non-Public Session.
Seconded by Sally King.**

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

ADJOURNMENT

**Motion by Susan Shepcaro to adjourn at 9:46 p.m. Seconded by Karen Oliver.
All in favor.**

Respectfully Submitted,
Dyana F. Ledger