

# **RYE CONSERVATION COMMISSION**

**Thursday, May 18, 2017  
7:00 p.m. – Rye Town Hall**

***Members Present: Acting Chair Suzanne McFarland, Jaci Grote, Jeff Gardner, Susan Shepcaro, Heather Reed and Alternate Jim Raynes.***

## **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**

- **April 20, 2017**

The following was noted:

- Page 6, under Correspondence it should be noted that **Jaci Grote will follow up with the Whites with regards to the monitoring of their property for Southeast Land Trust.**

**Motion by Jaci Grote to approve the minutes of April 20, 2017 as amended. Seconded by Jeff Gardner. All in favor.**

- **Minutes of Site Walk April 26, 2017**

**Motion by Jeff Gardner to approve the minutes of the site walk of April 26, 2017 as presented. Seconded by Susan Shepcaro. All in favor.**

- **Minutes of Town Forest Site Walk**

The following was noted:

- It should be added: **Mr. Moreno stated that opening up some small spaces would help with the health of the forest. The Conservation Commission should consider this within the next year or two.**
- Page 2, it should be noted: **Mr. Moreno stated repeatedly that he favors bog bridges; unless there is a wetland issue and then he would favor going around the trail. (There was one specific area that had issues with wetlands that Mr. Moreno would favor going around the trail.)**
- It should be noted: **Mr. Moreno thought it was a good idea to restrict bicycles in certain areas, particularly the marsh trail and the yellow trail, due to the sensitivity in those areas.**

**Motion by Susan Shepcaro to approve the minutes of the Town Forest Site Walk as amended.  
Seconded by Jim Raynes. Vote: 4-0-2. Abstained: Jaci Grote and Jeff Gardner**

### **III. WETLANDS:**

- A.** 780 Ocean Blvd  
The Breakers  
Tax Map 23.1, Lot 291-6  
Owner: Foss, Andrew  
Geothermal and solar

**Andrew Foss, applicant**, spoke to the commission. He explained that he is in the process of converting his house to all electric. Electric is efficient with things like geothermal and solar arrays. He continued that he made a mistake two years ago when he first put the pipes in to measure the temperature of the pond. He did not apply for a permit and he is now trying to get this project on track. There is now a set of pipes in the pond to measure the temperature over the winter to see if this would work and it all looks good. The geothermal is four times more efficient than any other type of electric heat. He noted that he has spoken with Eben Lewis, NH DES, about the project and has the permit in place.

Acting Chair McFarland asked if the association has to sign off on the project.

Mr. Foss replied that they already have. He continued that he is also looking to put a trench from the corner of the house down to the pond's edge in order to bury the pipes. The pipes will end up floating at the bottom of the pond. The pond is about 6ft at its deepest point.

Member Gardner asked how the pipes float.

Mr. Foss explained the anti-freeze that goes into the loops, once it is at the right level, makes the pipe neutrally buoyant. Also, the pipe is wrapped with links of chain.

Acting Chair McFarland noted that the commission will need a copy of the signoff from the association.

Mr. Foss will make sure the commission has a copy.

Speaking to Mr. Foss, Member Gardner asked if he owned the pond.

Mr. Foss explained that it is common area owned by the association.

Member Gardner commented that it would almost seem that the association would have to put the permit together.

Mr. Foss stated that all the property there is association. He is financially responsible for limited common area. Everyone is responsible for common area. The association is fine with this being done. They just do not want any liability or responsibility for it. He wrote a letter stating he would take full responsibility and if for any reason the association wants the pipes out he will take them out.

Acting Chair McFarland commented that they should clarify with Eben Lewis who should be applying for the permit.

Member Gardner asked if the work is in the buffer zone.

Mr. Foss explained that the pond is not within the buffer zone but it is within 40ft of the high water mark.

Member Gardner commented it is within the 100ft buffer zone.

Mr. Foss stated that he applied for a permit for that but it is over pavement and does not change the impervious.

**Peter Crawford, 171 Brackett Road**, stated that a couple of years ago there was a pond that the Selectmen were concerned with that was accumulating algae. He believes it was at the Breakers. He asked if this is the same pond.

Mr. Foss confirmed. He continued that there are a lot of lawns around the pond but the association does not fertilize. Most of the runoff that is in the pond is from across the street. Ultimately, the association is working on a plan to try and connect it back to the ocean so it has saltwater circulation. One of the reasons the association was happy with the geosystems is because they are looking for a positive reason for the pond. Otherwise, it grows algae and has a lot of mosquitos. The pond is in close proximity to the houses and might be a good geothermal service. Three of the owners are interested in possibly tying into the system in the future. He noted that the pond would have the capacity to do all 16 units.

Mr. Crawford noted that if the system is being used for air conditioning in the summer, this might increase the temperature in the pond and increase the algae.

Mr. Foss explained that the surface water change is not even measurable. If there were 16 units all with air conditioning it would probably change.

- **Site Walk scheduled for Monday, April 22<sup>nd</sup>, 4:00 p.m.**

#### **IV. BILLS**

- **None**

#### **V. CORRESPONDENCE**

- The CIP Committee has reached out the Commission regarding updates for conservation to the Capital Improvements Plan. Member Grote will follow up.
- A letter was sent on behalf of the Commission to Hazel Hughes, 100 Locke Road, telling her that she could take her tree down. She was told that the pine tree could come down and with the replanting of a tree off the NH DES native plantings list.
- A notice was received for the site walk at 421 South Road, Thursday, May 25<sup>th</sup>, 4:00 p.m., which was scheduled by the Planning Board. Members of the Conservation Commission are encouraged to attend.

## **VI. OTHER BUSINESS:**

### **A. Town Forest – Mike Garvan and Susan Shepcaro**

Member Shepcaro stated that she met with Andy Richmond from the Library. He is doing the GPS project for the Town Forest trails. He is going to hold off on finishing the project until the Commission determines what trails will and will not be there. She commented that Charlie Moreno recommended that the middle marsh trail be closed. Part of that is not owned by Conservation anyways. Mr. Moreno's plan is to have reserve for wildlife, which is in the easement. Also, the yellow trail may be rerouted. There is actually a reroute along the marsh edge trail and that will probably stay. She noted that Dr. Richmond is very excited about doing community communication work to get the residents involved in what is going on in the woods. This will give the residents a chance to hear why the Conservation thinks things are necessary, in regards to the management of the Forest, and give them a chance to weigh in before decisions are finalized.

Member Shepcaro continued that she is going to follow up with a letter about the walk with Charlie Moreno. Mr. Moreno did make some suggestions about the bog bridges and about limiting certain areas from bikes.

Acting Chair McFarland asked her to get Mr. Moreno to put this in an email to the Commission.

Member Raynes asked how they are going to enforce the bike issue.

Member Shepcaro stated that she and Member Garvan discussed putting up signs that say "foot traffic only". Meetings would be important so people can understand why. She continued that Matt Barton, who is a landscaper in Rye, will clean out some of the debris in the woods that is in the path of pedestrians and bicyclists. He will do this for \$250.00, which will include clearing a space for people to walk through the yellow trail.

Acting Chair McFarland commented that this money could be taken from the maintenance fund.

### **B. 2 sets pre-drilled Granite posts – Greg Bauer – 3 locations Seavey Acres, South Road and Liberty Common.**

Acting Chair McFarland stated that they still do not have the posts that have been purchased and need to go up in three locations. She asked if someone would like to take on the project.

Member Grote agreed to take on the project and follow up with Greg Bauer after June 1<sup>st</sup>.

- **Annie's Angels Run**

Acting Chair McFarland noted that Member Garvan is dealing with Annie's Angels Run at the Airfield woods regarding paint versus chalk to mark the trail for their upcoming run.

**Motion by Jeff Gardner to only use chalk for Annie's Angels Run at the Rye Airfield Woods and absolutely no paint. Seconded by Susan Shepcaro. All in favor.**

- Off Shore Wind Presentation – Being held at the Energy Committee’s Meeting – June 6<sup>th</sup>, 6:30 p.m., Town Library

It is recommended that members of the Commission attend.

- Goss Farm – Blueberries with the First Graders on June 2<sup>nd</sup>, from 9:00 to 11:30.

Member Reed will be attending.

- Matt Williams

Acting Chair McFarland stated that Matt Williams has been corresponding with Chair King and Member Garvan about 20 Hunterville Ave., Tax Map 081, Lot 095. The Commission visited the site on January 28, 2016. The project does not need any permits from DES. The project has gone to the ZBA. The ZBA has asked if the drip edge of the roof can be 3ft from the property line with conservation and there are other stipulations. There are trees that needs to be looked at for removal and there is a cement issue. She would like to pick a date for a site walk with Mr. Williams.

- **Site Walk scheduled for Monday, May 22<sup>nd</sup>, 4:30/4:40 p.m.**

- Follow up on approved projects:
  - 243 Parsons Road
  - 7 Elizabeth Lane
  - 245 Pioneer Road
  - 335 Washington Road

The Building Inspector is going to follow up on the dates for the completion of the projects so the Commission can follow up on the work.

Member Grote suggested that they add a section on the agenda for application follow up. A process for follow up should be decided upon in the near future. She will contact the Building Inspector to speak with him about the best way to handle the follow up process.

## **ADJOURNMENT**

**Motion by Jaci Grote to adjourn at 8:01 p.m. Seconded by Jim Raynes. All in favor.**

Respectfully Submitted,  
Dyana F. Ledger