

RYE CONSERVATION COMMISSION

Site Walk Minutes

Sunday, March 11, 2018

Meeting was called to order by Chair King at 4:30 pm

4:30 pm: 0 Brackett Road, Tax Map 17 Lot 34-2, Owners, Gary A. Ceely, George B. Ceely and the Estate of Glen F. Ceely of 216 Caney Court Prince Frederick, MD, Joel and Lauren Feid, 7 Skyview Drive, Greenland, NH.

RCC members present: Chair King, Vice Chair Suzanne McFarland, Members Jeff Gardner, Jaci Grote, Heather Reed and Mike Garvan. Present: Joel Feid, applicant; Richard Snierson, abutter.

The Rye Conservation Commission (RCC) conducted a site walk at 0 Brackett Road to assess a new plan for building a house on the lot. The new plan was presented at the March 8, 2018 meeting of the commission. The RCC has visited this site on three previous occasions and the applicant's plan has changed after each visit.

The current plan calls for the home, garage, patio, septic and leach field to be located just outside of the 75 ft. wetland buffer. The driveway is also sited outside the 75 ft. buffer. Some disturbance and grading will occur in the area between the 50 ft. buffer and the 75 ft. wetland buffer. The septic has been moved from the front of the house to the back. It is a Clean Solutions pretreatment septic system with a GEOMAT leaching system. The applicant is asking relief from the 4 ft. separation from the water table requirement to a 2 ft. separation.

There are 18 trees greater than 4.5 inches in diameter in the proposed work area between the 50 ft. and the 75 ft. buffer. Of the 18 trees, four were 5 inches in diameter and the rest ranged from 8 inches to 28 inches in diameter. Mr. Feid proposed to remove 14 of these trees and keep 4 trees. Nine of these trees were on or within a couple of feet of the 75 foot buffer and would greatly impede the work on the house and septic. Additionally, Mr. Feid felt that some of the 14 trees were leaning or in poor shape and posed a threat to his house. Mr. Feid planned to leave the largest of the 14 trees, a 28 inch maple on the western edge of the work area. The RCC members present felt it was reasonable to remove 7 of the 8 trees along the 75 ft. buffer. A vigorous discussion followed about keeping a 26 inch maple near the septic as well as a tree by tree consideration of the other trees in the area between the 75ft and 50 ft. buffer. Two of the trees were clearly a hazard.

Member Garvan commented that although the 75 ft. buffer ordinance requires that trees greater than 4.5 inches in diameter be kept to protect the wetland, the Shoreland Protection Act has a scoring grid based on tree diameter which in a zone comparable to the Feid work zone requires at least 25% of the natural cover to remain. Based on such a scoring system, the western half of the work zone would meet criteria if the two 26" maples were left. The eastern half would barely meet SPA criteria and it would be better to leave either the 14" or 20" maple rather than cut them. It must be stated that SPA criteria is being referenced only as a guide to what might be a reasonable way to address a compromise between protecting the resource and allowing some flexibility for the project. Mr. Feid and the commission agreed to leave a 5 inch maple that he had proposed cutting in exchange for cutting a larger tree next to it thereby leaving a younger, healthier tree in that area. It was then agreed to leave the 26 inch maple on the western end. There was further discussion among the members about what would constitute a reasonable number of trees to be removed.

Member Garvan added that in the first 50 ft. of buffer from the seasonal stream, the tree cover is thick with many large trees. That area will remain undisturbed so it should continue to perform its filtering and water uptake functions. This is the more critical area for stream and groundwater protection.

In the previous recommendation from the RCC, the commission requested a planting of native vegetation along the edge of the lawn area to absorb and filter storm water runoff and to uptake water where existing vegetation had been removed. Mr. Feid had a planting plan created but the RCC had not seen it at the time of the site walk. Mr. Feid said he would send us a copy that evening. He commented that it seemed to be both extensive and expensive and the members commented that the plan may be more than we would require. The commission will comment further upon receipt of the plan.

Mr. Snierston spoke in opposition to the project, as he had at previous site walks and RCC meetings. He spoke specifically to septic regulations and was skeptical about the efficacy of the proposed septic system.

The RCC was generally in favor of the project since all the buildings and septic had been relocated outside the 75 ft. wetland buffer. It recognized this improvement to previous plans but still had some concerns about the disturbance and number of trees to be removed in the 50 ft. to 75 ft. buffer area. The commission also had some reservations about an extensive lawn in the work zone but allowed that a sound planting plan might mitigate that. The RCC will issue its recommendation letter after seeing the planting plan.

Motion to adjourn made by Member Gardner and seconded by Member Grote. Motion passed.

Meeting adjourned 5:35 pm.

Respectfully submitted,

Francis P. (Mike) Garvan II, Clerk