

RYE CONSERVATION COMMISSION

Site Walk Minutes

Wednesday, April 26, 2017

Meeting was called to order by Chair King at 4:00 pm

Present at site walks: Sally King, Chair; Members Jeff Gardner, Mike Garvan, Susan Shepcaro, and Jaci Grote.

4:00 pm: 2234 Ocean Boulevard, Tax Map 5.3, Lot 67. Christos Papoutsy, owner. Present: Steve Riker, Ambit Engineering, presented the proposal for the owners.

The Rye Conservation Commission (RCC) conducted a site walk at this property to review a proposal to remove excess sand from the seawall on the property. Winter storms have deposited an abundance of sand against the seawall and the owner wishes to remove it. The area to see the removal of about one foot of sand extends along the property line for about 47 feet. The removal will be about one foot at the wall and tapering to a lesser amount toward the ocean until it is at beach grade. The project will use a skid steer that will remain on the property. Chair King reminded Mr. Riker that the work must be done before Memorial Day or after Labor Day.

4:20 pm: 17 Straw's Point Road Tax Map 9.1 Lot 8. Owner Thomas S. Murphy. Present: Alex Ross and Dan Del Tufo, Ross Construction; Mark Hogan, Piscataqua Landscaping.

The Rye Conservation Commission (RCC) conducted a site walk at this property to review a proposal to fix a drainage pipe and outlet and to develop a planting plan all within the 100 foot tidal buffer. The owner wishes to fix an existing pipe which drains storm water for several dwellings and which discharges into the ocean. The pipe has deteriorated and needs to be replaced. There is a gravel right of way/road serving several homes that is between the seawall and the lawn. The owners are constructing a pool on the property as well. They are ripping up the existing drive and moving it further away from the buffer and constructing a small wall around the entrance of the drive. The owners proposed a planting plan of native plantings along the edge of the lawn with an average depth of 20 feet and a minimum of 15 feet of plantings.

4:50 pm: 30 LaMer Drive, Tax Map 13 Lot 44. Charles and Lindsay Beynon, owners. Present: Corey Colwell, MSC/TFM Engineering and owners Charles, Lindsay (and Brigham) Beynon

The applicants wish to tear down the existing dwelling and construct a larger home on the lot. Most of the proposed home and driveway are within the 100 foot tidal wetland buffer. The new home would have a 700 square foot greater footprint than the current house and garage. The existing driveway is impervious and the new drive will be constructed with pervious pavers. The net effect would be a reduction of 4,000 square feet of impervious surface on the lot. The back of the lot has a 325 feet border along a stone wall directly adjacent to Awcomin Marsh. This is currently maintained as a grass lawn.

Subsequent to an earlier site walk and recommendation, the Beynons agreed to move the new structure further from the marsh and toward LaMer Drive. This move will require the owners to seek side setback variances. The RCC agrees that it would be preferable from an environmental standpoint to relocate the house further from Awcomin Marsh. The lot is smaller than required by town ordinance so the RCC felt it would be reasonable to grant relief on the setbacks in exchange for moving more of the house out of the tidal wetland buffer.

The owners have also agreed with RCC recommendations to site their propane tank on the northeast side of the house which is out of the tidal buffer. It might require setback relief if sited there but this would be an environmentally preferred location.

The RCC members suggested that the 325 foot property boundary adjacent to the marsh and in the tidal buffer be planted with a mix of native plants to an average depth of 15 feet with a minimum of 5 feet to aid in filtering possible contaminants before they enter the marsh. This would allow the depth of the buffer plantings to vary with the distance from the house to the wall. Mr. Beynon indicated he did not want to see that much of his lawn taken up with native vegetation and that he would prefer to see a uniform distance. He suggested a gravel “trench” near the wall for filtration but Mr. Colwell pointed out that gravel is not as effective as soil for filtration so such a design wouldn’t accomplish the purpose. Member Garvan pointed out that the buffer plantings need not be a solid row of shrubs and bushes but could be staggered for a more pleasing visual effect. Mr. Beynon would like to see an example and Mr. Colwell said he would try to find one in town. Mr. Colwell said he would work with the owners to come up with a suitable buffer planting plan. Chair King pointed out that the town of Rye had spent considerable funds to restore Awcomin Marsh so it was particularly important to keep the as marsh free of contaminants as possible.

5:30 pm: 11 Fairhill Avenue, Tax Map 20.2 Lot 96. Owner: Caspian Properties, LLC. Present: Carmen Place, owner.

The owners wish to replace an existing septic and leachfield which is in the 75 foot wetland buffer. Additionally they wish to move the existing garage which is in the wetland buffer to a location that will place the new structure outside the buffer.

Mr. Place showed the RCC the location of the current system and described the new system which will be an advanced enviroseptic system. The new system is an improvement over the existing system and will be located further from the wetland than the current system. Since both of these outcomes are preferable to the existing situation and because the owners are only asking for 71.4 feet where 75 feet is required, the Rye Conservation Commission has no objection to the request and recommends that the ZBA grant relief for the new septic.

6:00 pm: 243 Parsons Road, Tax Map 19 Lot 103.

The Rye Conservation Commission (RCC) conducted a site walk on April 26, 2017 at 243 Parsons Road. The purpose of the meeting was to develop a restoration plan for activities in the wetland buffer as directed by the Rye Zoning Board of Adjustment. Steve Riker, Ambit Engineering, represented the owner, John E. McCune, Jr.

Mr. McCune had installed a gravel pad and a shed in the buffer and established a lawn in the rest of the buffer. Much of the disturbance occurred on land owned by the State of New Hampshire. The ZBA allowed the shed to stay but directed the owner and the RCC to develop a restoration plan for the gravel area behind the shed and the gravel pad in the southeast corner of the lot. The lawn area between the gravel areas is also to be restored. These areas are shown on the Buffer Planting Plan dated 3/2/2017 created by Ambit Engineering.

The Rye Conservation Commission recommends that all the gravel be removed down to the mineral soil surface and that the area be backfilled with enough suitable loam to establish and maintain the native vegetation that is to be planted in place of the gravel. This should also be done in the gravel area behind

the shed. The lawn in the subject disturbed area should be removed and at least 6 inches of loam be added to the area to ensure the establishment and maintenance of native plantings. The power outlet at the wetland boundary should be removed. Any soil that is exposed on the property by equipment performing the restoration should be reseeded.

The RCC requests that these recommendations be noted on the Buffer Planting Plan. The RCC is in agreement with the Buffer Planting Schedule noted on the 3/2/17 plan.

6:30 pm: 21 Brackett Road, Tax Map 22 Lot 70. Robinson and Kimberly Berry, owners. Present: Rob Berry, owner and Dan Del Tufo, Ross Engineering.

The owners wish to build an 8 foot by 16 foot deck on their existing structure. About 50% of the deck is in the 100 foot tidal buffer from Berry's Brook/Seavey Creek. The deck will be supported by three concrete posts on ledge. The owners have cut some small trees in the buffer but have complied with the requirements of the Shoreland Protection Act by leaving the larger trees in the buffer.

The Rye Conservation Commission recommends that the rest of the tidal buffer be left in its natural state and that no lawn be established in the buffer. If the owners wish to add any plantings to the buffer, they must be included in the NH DES list of native plants. If these recommendations are agreed to, the RCC has no objection to the proposed deck.

7:00 pm: 60 Wentworth Road, Tax Map 24 Lot 61-26. Wentworth by the Sea Country Club. Present Robert Diodati, WBTSCC and Corey Colwell, MSC/TFM Engineering.

The RCC visited this site in response to the court ordered restoration of Sanders Poynt. The RCC had been presented a proposed plan by the WBTSCC at the RCC regular meeting on April 20. Mr. Diodato and Mr. Colwell showed the commission a new proposal at the site walk since the court had rejected the one shown previously. Since it is still a work in progress, the RCC declined to comment except to say that it consistently favors native plantings in tidal and wetland buffers and therefore did not like keeping the juniper trees that line on side of the proposed parking area.

Meeting adjourned at 7:15 pm.

Respectfully submitted,

Francis P. (Mike) Garvan II, Clerk