

RYE CONSERVATION COMMISSION
SITE WALK MINUTES
Tuesday, April 13, 2021

I. CALL TO ORDER

The meeting was called to order by Chair McFarland at 2:28 pm. Alternate Karen Oliver was seated to replace Member Jaci Grote.

RCC members present at all site walks: Chair Suzanne McFarland, Members Susan Shepcaro, Heather Reed, Karen Oliver and Mike Garvan

II. SITE WALKS

• **2:20 pm – 550 Washington Road, Tax Map 012 Lot 045**

Present: Steve Gray; Todd Cronin, 546 Washington Road; Katherine Brown, 541 Washington Road.

The Rye Conservation Commission (RCC) conducted a site walk at 550 Washington Road to investigate an illegal timber trespass in a portion of the Town Forest at the end of the paper street at that location. Member Garvan had previously investigated the illegal activity and reported that Steve Gray, a tenant at Mrs. Barber's house on Lot 45, had entered the town forest on Map 16 Lot 204/001 and had cut down 13 live trees and 5 dead trees. Mr. Gray also limbed over a dozen trees to a height of 7-8 feet. He also cut brush and saplings and piled all the limbs, brush and saplings into 6 large piles. The damage occurred over approximately 0.5 acres.

Todd Cronin, an abutter at 546 Washington Road, noted that Mr. Gray had also cut trees down, limbed others, and left brush piles on his property.

The timber trespass had been reported to the Rye Police Department on March 26. Mr. Gray apologized to the Conservation Commission at their regular public meeting on April 8 for his actions and agreed that he would make reasonable restitution according to the direction of the RCC. At the site walk, the RCC requested that Mr. Gray replant 13 live trees of a 2 inch caliper or greater in locations as near the cut trees as feasible. The RCC also requested that Mr. Gray remove the piles of limbs and brush. The piles should not be chipped and spread on the property because there are invasive trees in the piles which would propagate and create a profusion of invasives. Mr. Gray agreed to the request but suggested that the fence at the end of the paper road be removed so he could get a truck and trailer closer to the piles as he removed them.

• **3:00 pm – 1367 Ocean Blvd, Tax Map 17.4 Lot 016**

Present: Steve Riker, Ambit Engineering, representing the owner; Nicole Callahan, owner. Member Heather Reed left and wasn't present.

The Rye Conservation Commission (RCC) conducted a site walk on April 13, 2021 at 1367 Ocean Boulevard to evaluate a project that will tear down an existing garage and replace it with a new garage with a two story connecting structure to the existing house. The new garage will be 2 square feet smaller. The project work will be within the 100 foot tidal buffer.

Part of a slate patio will be removed to allow for the construction of the connector. The existing impervious slate patio will be replaced by a pervious paver patio if the subsoil will allow for sufficient drainage. There will be a gravel drip edge around the new garage. The impervious area on the lot will increase by 24 s.f. or 0.5%.

The project is in an already severely disturbed buffer. The proposed changes will have a minimal effect on this buffer and the improved drainage from the gravel drip edge and pervious paver patio (if possible) will be an improvement.

The Rye Conservation Commission has no objections to the project as proposed.

• **3:40 pm – Rye Elementary Baseball Field**

Present: Paula Tsetsilas

The Rye Conservation Commission (RCC) conducted a site walk on April 13, 2021 at the Rye Elementary School athletic fields to evaluate a project that proposes to construct a 175 foot long chain link fence with batter's box and dugout. The right field side of the project is in the 75 foot wetland buffer. The fence will be 8 ft. high nearer the home plate area and then 4 ft. high in the outfield. The dugout will be 20' x 8' with a metal roof.

During the site walk the RCC members noticed a drainage pipe running from the home plate area, under the backstop, and exiting behind the backstop near the wetland. The pipe is discharging storm water into the wetland. The commission members also noticed some old grass clippings that had been dumped in the wetland. Lastly, Member Karen Oliver noticed a considerable number of Canadian thistle plants in the outfield fence area.

The Rye Conservation Commission has no objection to the project as long as the following recommendations are followed:

- 1) The drainage pipe should discharge storm water into a dry well in the buffer so that no water is discharged directly into the wetland.
- 2) No grass clippings are dumped in the wetland
- 3) Canadian thistle plants are dug up before the plants bloom and go to seed.

• **4:15 pm – 0 Brackett Road, Tax Map 019 Lot 096**

Present: RCC Members Heather Reed and Danna Truslow joined the meeting.

Chris Griffin, buyer; Paige Libbey P.E., Jones & Beach; Brendan Walden CWS, Gove Environmental, all representing the buyer; Terry Golter, Remax, representing the seller. Corey Colwell, LLS, TF Moran, representing the neighborhood; Neighbors Dave Chapin, Vikki Howard, Mark Epply, Ann Fisher, Annelise Fisher, John Borden, Karen Rolecek, John Rolecek, and Russ Dubec.

Mr. Griffin has proposed to build a new dwelling and septic on a non-conforming lot of record on Brackett Road. He presented his plan at the site walk. The location of the house and leach field were staked out as was the 75 foot freshwater wetland buffer. The building is not within the 75 foot freshwater buffer as measured from the pond. DES does not require a wetland permit. The driveway will be crushed stone with ecotile so that it will be pervious. The house will have a crushed stone drip edge on one side. The 100 ft. tidal wetland buffer includes the leach field. There is a catch basin on Brackett Road that is 36 ft. from the leach field.

There were questions and concerns from the RCC and later the members of the public in attendance, including the two abutters. The RCC members inquired about the freshwater buffer. Mr. Walden, Gove Environmental, said that the pond at the edge of the property is not a vernal pool and it is surrounded by upland soils; is not over an acre in size, and is not part of the greater wetland that is shown on resource maps. RCC also questioned the location of the edge of the 100 ft. tidal buffer from Parsons Creek. Abutter Vikki Howard, 261 Brackett Rd., expressed her concern that the project would result in light pollution that would affect wildlife and that there would be other wildlife impacts. She also expressed concern that there would be adverse impacts on Parsons Creek from the project, particularly the leach field and a risk of greater flooding. Mr. Griffin said that the leach field would be a raised type and that the project would be surveyed as it is built so that the setbacks would all be accurate and compliant.

Corey Colwell, TFMoran, had questions about the delineation of the Parsons Creek wetland and the resulting mapping of the 100 ft. tidal buffer. Chris Albert did the delineation and the setbacks. Mr. Colwell suggested that the wetland delineation be reflagged and delineated and then peer reviewed. The wetland edge appears to undulate and vary so that the buffer would also vary and not be the straight line as shown on the plan. Ms. Howard questioned whether the catch basin, which is an open catch basin, would require more than 35 ft. from the leach field.

The attendees then went to the back of the lot to look at the pond from all sides. This included the portions of the pond on land at 261 Brackett Road and 233 Brackett Road. Mr. Walden, Gove Environmental, answered questions about the pond and its soils. Mr. Colwell pointed out that there had been a great deal of fill added to the land on 261 Brackett Road between the pond and the vernal pool on the property. This fill contains a culvert which drains the pond and connects the pond to the vernal pool. Mr. Colwell wondered if that meant that the pond was part of the greater wetland beyond the property.

There was another question about the septic system which addressed the open drainage catch basin and whether nitrogen would leach into Parsons Creek from the leach field. It was agreed that the Parsons Creek wetland would be delineated again by Chris Albert and peer reviewed by Corey Colwell. In response to a question from the RCC, Mr. Griffin said there would be no large trees cut in the 75-foot freshwater buffer. Some of the abutters expressed their concern that the lot was too small to build on.

III. OTHER BUSINESS

None.

IV. ADJOURNMENT

The site walk meeting was adjourned by Chair McFarland at 5:22 pm.

Respectfully submitted,

Francis P. (Mike) Garvan II, Clerk