

## **RYE CONSERVATION COMMISSION**

### **Site Walk Minutes**

Monday, September 13, 2021

Meeting was called to order at 3:04 pm by Vice Chair Sally King who then seated Alternate Karen Oliver to replace the absent Chair McFarland.

RCC members present at the site walks: Vice Chair Sally King; Members Mike Garvan, Danna Truslow, Karen Oliver, Susan Shepcaro and Jaci Grote. Vice Chair Sally King seated Alternate Karen Oliver to replace the absent Chair McFarland.

### **3:00 pm: 152 Harbor Road, Tax Map 92 Lot 18, Owners: Pete and Kelly Hamill**

Present: Owners Pete and Kelly Hamill; Representing the owners: Eric Weinrieb, Altus tain Star Engineering and Justin Cunha, Landscapes by Aurelindo.

The Rye Conservation Commission (RCC) conducted a site walk on September 13, 2021 at 152 Harbor Road to evaluate a project to expand the existing driveway, add a parking spot, repair and reconstruct a walkway, create a patio, construct a deck and add a shed. The RCC had visited the site on March 18, 2021 to review an initial proposal and the applicants have since made changes to the original proposal. The lot is 47% tidal wetland with the other 53% in the tidal buffer. The south side of the property abuts the marsh and the north side abuts a wetland. The property is shaped like a peninsula surrounded by salt marsh and was most likely created by adding fill to the wetland.

The Hamills now wish to expand the driveway by making it wider by 10 inches and deeper by 30 inches. The parking area will be graded so that storm water will not flow toward the wetland. There is *rosa ragosa* and phragmites on the eastern edge of the driveway. The existing pea stone in the driveway will be converted to pervious cobbles. The plan calls for adding 2.5 feet of native plantings near a retaining wall where the parking spot is to be added. Existing mulch will be removed. An existing walkway will be removed and constructed with pervious cobbles.

There are several lawn areas in the project. The ones on the southern edge of the property abutting the salt marsh slope toward the marsh. The RCC believes that the edges of those lawn areas should have a vegetative border of native plants to intercept and infiltrate storm flow before it gets to the marsh. The plan proposes a permeable patio near the marsh with a retaining wall. That edge should also be heavily planted to native plants to protect the marsh.

Where the southwest corner abuts the adjacent property the plan calls for several arborvitae to be planted as a visual screen from the neighbors. The entire western edge of the property slopes toward the abutting lot and has been cleared of shrubs and small and medium size trees. The top of the slope has several large locust trees that would require a variance to cut due to their size and location in the wetland buffer. The owners wish to remove the locust tree nearest the neighbors because the neighbors believe it is a threat to their house. The RCC believes that the tree is too far away to threaten the house. The RCC believes that this whole area should be

replanted to a variety of native shrubs and trees and that a native groundcover be planted as well. The proposal call for an upper patio as well as a deck off the house.

The Hamills also want to construct a 12 foot by 16 foot shed in the northwest corner of the building envelope. The RCC has concerns about adding a 192 square foot structure in the buffer only 15.5 feet from the wetland. The Hamills have agreed to a number of conditions to address the commission's concerns. The shed will be on sonna tubes and the floor will be above ground with crushed stone under the shed to better deal with storm flow. There will be a stone drip edge around the shed to absorb runoff from the roof. After much discussion, the RCC decided to recommend allowing the shed subject to certain additional conditions to protect the nearby wetland.

The commission believes the shed should not be used to store petroleum products, pesticides or other chemicals and a deed restriction should be added with these specifications so that future owners will be aware of the prohibitions. The conservation commission believes that these conditions will minimize the potential for the leaching or flowing of harmful substances into the wetland only 15.5 feet away. The RCC recognizes the challenge in enforcing these restrictions but also believes that they are an important deterrent and serve as a reminder that the wetland is so close and must be protected.

The proposed projects are all in the wetland buffer. This is an extremely sensitive lot that abuts marsh on three sides. The applicants have made significant changes to their original proposal and the current application is better than the original. However, some of the proposed activities are directly adjacent to the wetland and these cause the greatest concern.

#### **4:00 pm: 1 Clark Road, Tax Map 19 Lot 90, Owners: Chris & Melissa Snow**

The purpose of this site walk was to evaluate an application to add steps and a deck to a non-conforming structure. The RCC was told that the project was 65 feet from the wetlands where 75 feet is required in the Parsons Creek watershed. Mr. Snow showed the commission the location of the project and the wetland which is a pond behind the house.

The commission members paced off the distance and the project is some 85-90 feet from the pond so relief from the 75 foot buffer requirement is not necessary.

Since there will be no work done in the wetland or wetland buffer, the Rye Conservation Commission members present had no objection to the project.

#### **4:45 pm: 3 Brackett Road, Tax Map 22 Lot 72 Owners: Estate of Grace Junkins**

Present: Mr. Junkins, one of the heirs of the estate. Member Jaci Grote had to leave the site walk.

The RCC arrived at the site and Steve Riker was not there to represent the owners due to a miscommunication. The purpose of the site walk was to look at several trees that the owners wished to cut for safety reasons. The trees were in the front yard along Brackett Road and in the wooded area along Berry's Brook.

Nine trees were marked with tape or paint indicating which trees the owners wished to remove. Four large white pines were in the buffer and threatened the house; the RCC approves of cutting those trees for safety reasons. There was a large Norway maple in the buffer which is not a threat and which the RCC recommended be left uncut. There was a dead pin cherry near the middle of the buffer which can be removed. There is also a dead snag in the back yard which can be removed. Some of the flagged trees were outside the buffer and the owners can cut those at their discretion. All of the trees which are cut in the buffer must have their roots remain in order to stabilize the soil.

The RCC members present recommended that the owners leave the first 50 feet of the wetland buffer from the lawn uncut.

The meeting was adjourned at 5:05 pm by Vice Chair King.

Respectfully submitted,

Francis P. (Mike) Garvan II, Clerk