

RYE CONSERVATION COMMISSION

Site Walk Minutes

Thursday January 20, 2022

Meeting was called to order at 3:30 pm by Chair Suzanne McFarland.

RCC members present at the site walks: Chair Suzanne McFarland; Vice Chair Sally King, Members Mike Garvan, Danna Truslow and Susan Shepcaro.

3:30 pm: 1595 Ocean Boulevard, Map 13, Lot 30, Bradley & Bettyann Lemire, owners.

Present: Owner Bettyann Lemire; Steve Riker, Ambit Engineering.

The Rye Conservation Commission (RCC) conducted a site walk at 1595 Ocean Boulevard to look at a proposed project to demolish an existing residence and garage and build a new house. Steve Riker, Ambit Engineering, presented the project. Most of the lot is in the 100 foot tidal buffer zone from Awcomin Marsh. A small portion in front of the house is in the 100 foot tidal buffer zone from the Atlantic Ocean. The property has a large impervious gravel driveway that will be replaced by a smaller driveway with pervious pavers. The existing on site impervious area of 8,172 square feet will be reduced to 5,180 square feet.

The existing septic will be replaced with an AOS system with both the tank and leach field out of both wetland buffers. The retaining wall along the north side of the driveway will be replaced with a new one that is 1 foot lower. The existing garage will be removed as will an old satellite dish and debris behind the garage and along the marsh. The border of *Rosa rugosa* along the marsh edge will remain. Three large pine trees (greater than 4.5" diameter at 4.5' height) on the northern edge of the property will be removed for safety and as part of the construction phase. A new, small patio that is shown as impervious on the plan will be changes to pervious according to Bettyann Lemire who attended the site walk. The RCC recommended that a landscape plan be prepared showing at least 3 native trees to replace the three pines, as well as native plants along the edge of the lawn near the marsh. The new residence will have a stone drip edge.

The Conservation Commission member present believed that this is a thoughtful project that will have less impact on the wetland and tidal buffer than the existing home and garage. The RCC has no objections to the project as long as the following recommendations are adopted:

- 1) The satellite dish and all debris are removed from the area near the marsh.
- 2) A planting plan is developed that replaces the three pine trees with at least three native trees of 3" caliper or greater. The plan should also include native plants installed to a depth of 10 feet along the edge of the lawn and the back edge of where the garage existed. See the NH Native Plants list below.
- 3) The Conservation Commission or ZBA approves the planting plan.
- 4) There is an 85% plant survival rate after one year.

4:00 pm: 61 Red Mill Lane, Map 05, Lots 36 & 37, Nancy and Tom Byrne, owners

Present: Eric Weinrieb and Marissa Sewell, Altus Engineering, representing the owners.
Alternate Member Karen Oliver attended and was seated for Member Jaci Grote.

The Rye Conservation Commission (RCC) conducted a site walk to assess a project to tear down and replace an existing residence and to tear down an existing garage and replace it with a carriage house. The proposed new residence would also have a large deck and swimming pool attached. Approximately 25% of the proposed residence is within the 100-foot freshwater marsh buffer. All of the pool, deck and carriage house are in the 100-foot freshwater marsh buffer. The lot consists of two newly merged lots and is 24,680 square feet (s.f.) in area. The lot is in the Rye Beach district.

The house is being moved farther from both Red Mill Lane and Central Road. This relocation, along with the increase in size of the new residence, results in the new home being sited 25 feet within the wetland buffer whereas the existing house is completely outside of the buffer. The deck and pool are supported by an 8-foot retaining wall which is 40 feet from the wetland where 100 feet is required.

Near the existing house, the lot slopes steeply from Red Mill Lane in the first 10 to 20 feet before it becomes a fairly level lawn. From the existing garage, the lot slopes very steeply for about 40 feet before it levels in the poorly drained soils area adjacent to the wetland. These elevation changes mean that the area where the eastern end of the residence and the deck and pool are proposed must be filled with soil and an 8-foot retaining wall be constructed to hold the fill. As noted, all of this fill will be added within the 100-foot wetland buffer. This is a massive amount of fill that would be added to the wetland buffer.

The existing footprint of 3,440 s.f. for the house and garage will increase to 6,099 s.f. for the new house, carriage house, and deck. This is an increase of 77% on the lot. Much of this increase is in the wetland buffer

The wetland buffer ordinance was created to protect Rye's sensitive wetlands from development. The attached water resource map for the lot shows how close it is to the wetlands and SLAMM (Sea Level Affecting Marshes Model). SLAMM simulates the potential impacts of long-term sea level rise on wetlands and shorelines. This indicates that the wetland could likely move even closer to this project as sea levels rise. The wetland at Red Mill Lane is part of the Bailey Brook watershed that drains into Eel Pond. This area is one of Rye's most important wetland resources. It deserves protection.

The RCC members present also noted dumping of debris in the buffer behind the existing garage. Eric Weinrieb noted that three (3) large (greater than 4.5" in diameter at 4.5' of height) ash trees in the buffer would be removed to construct the retaining wall.

The project has features that will be an improvement over the existing house. There will be a stone drip edge around the new home and carriage house. The house is being raised for better drainage. The home will have roof drains for better storm water management. However, these improvements could also be made if the project were scaled down to include just a somewhat larger residence and carriage house. The construction of the deck and pool with the requirement to fill a large portion of the buffer is detrimental to the resource and is not in keeping with the intent of Rye's wetland ordinances.

The RCC members present were not in favor of the project as proposed.

Chair King presented a bill for \$500 from Epping Well for work at the Goss Farm. Susan Shepcaro made a motion to pay, seconded by Sally King; all in favor.

The meeting was adjourned at 2:45 pm by Chair McFarland.

Respectfully submitted,

Francis P. (Mike) Garvan II, Clerk