

**TOWN OF RYE – PLANNING BOARD  
SITE WALK**

**Thursday, October 6 2022  
1:00 p.m. – 271-279 Pioneer Road**

***Members Present:*** Chair Patricia Losik, Steve Carter, Jim Finn, Rob Wright Bill MacLeod and Selectmen's Rep Bill Epperson

***Also Present on behalf of the Town:*** Planning/Zoning Administrator Ms. Reed and Kara Campbell, Land Use Assistant

***Present on behalf of the Applicant:*** Attorney Chris Mulligan and Alex Ross, PE

**The Planning Board held a site walk on Thursday, October 6<sup>th</sup> to view the site proposal currently before the Board:**

Major Subdivision for a Condominium Conversion for property owned by Arthur & Sharon Pierce Rev. Trust, Arthur & Susan Pierce, Trustees for property owned and located at 251-279 Pioneer Road, Tax Map 24, Lot 117 to convert 8 dwelling units in 4 duplex structures into 8 condominium units. Property is in the Single Residence District. **Case #13-2021.**

Chair Losik called the site walk to order at 1:02 p.m. and started with introductions then regarding the open items for Tuesday, October 11<sup>th</sup>: Colored Plans, Use Intensity and revised septic waiver.

Attorney Mulligan talked about the certification language and Attorney Donovan will explain to the Board in more detail. Will get all the items stated above via PDF on Friday if that is okay and then submit paper copies.

Chair Losik said she does not need hard copies, just email to Kim and she will forward them. There are some changes to the Condo Docs agreed by Attorney Donovan and Attorney Mulligan, and we all have hard copies from last month's meeting.

Member Finn asked if any major changes.

Attorney Mulligan changes what we discussed last month at the meeting, an inspection regime and how handled. Nothing Major.

Member Finn does not like last-minute things on the day of the meeting.

(Select Board Rep, Bill Epperson arrives)

Chair Losik points to the colored plan and asks Alex Ross to point out the attributes, septic manholes and a dumpster to be relocated if it has not been already and a couple of sheds. Take us through your concerns and board members can get a visual.

Start walking away.

Chair Losik calls Alex and the Board back to look at the path that was to go back to natural state.

Alex Ross said it was supposed to be a street but never built and he wants over to behind units #1 and #2 and points out the septic tank on the land as well as on the colored plans. He explains about the new design, higher in elevation and farther from resource. Make proposed contours work with the lot.

Member Finn stated no time frame.

Alex Ross said new septic systems would only be installed if they fail. These septic systems were inspected, and they are fine.

Chair Losik reminded everyone that in September they agreed upon inspections to be submitted every other year to the building department and planning department.

Alex Ross walks over to the other septic placement between the units.

Member Wright asks about the new system and where on this footprint the tanks will be located.

Alex Ross explains and shows the Board where on the colored plan they would be located. With the shoreland and wetland permits need to designate different areas for the woodland buffer and added area want to expand natural buffer planting. The state has a point system.

Ms. Reed mentioned she saw lawn clippings and leaves and asked if it should be removed.

Alex Ross said it should be removed.

Ms. Reed said condition of approval.

Member MacLeod asks if revegetation occurs only if the new systems go in?

Alex Ross said state shoreland permit, must go in regardless.

Member Epperson asks about Sea-Level Rise lines.

Alex Ross said Mark Jacobs delineated the high-water mark then added those from the Town as well. Town has different elevations for SLR.

Chair Losik reads the Board of Adjustment conditions:

- 1. The first fifty feet of the 100-foot buffer should be left to grow without mowing or cutting to provide a vegetative strip to protect the marsh and estuary.***
- 2. The wetland buffer should be marked at the edge of the 50-foot vegetative strip with the “Wetland Buffer-No Not Disturb” signs available at the Rye Building Department. These signs will inform the residents of the buffer boundary thereby decreasing the likelihood of future violations. The Conservation Commission will mark the town conservation land with their boundary signs.***
- 3. There should be no dumping of material or debris in the wetland and existing material should be removed.***
- 4. The dumpster should be relocated outside the buffer.***
- 5. The path on conservation property should be left to grow back to its natural state.***
- 6. The invasive bittersweet in the buffer should be removed***

Alex Ross said the septic for this area (he points to the location) too close to the wetlands and too low, so they moved it and pushed it up and it would have pre-treatment.

Discussion on the location of the new proposed septic and the leachfields.

Chair Losik asks about the property line.

Alex Ross says it goes at an angle.

Walk back and retrace other locations for the proposed septic near the road.

Chair Losik stated the Conservation Commission mentioned the moving of the sheds.

Ms. Reed stated that what the Conservation Commission agreed to are the conditions in the BOA, NOD.

Alex Ross explains about raising it up.

Chair Losik asks about drainage issues.

Member Wright said why you are asking lower.

Alex said state allows but Town does not, so we applied a waiver and Chuck approved it.

Member Wright asks when this system goes in will it be 30” above this grade now?

Alex Ross says no it will be 30” above seasonal high-water mark.

Member Wright what is the finished grade.

Alex Ross says just over 11ft and he demonstrates it to the Board. State requires if lift it up cannot have sharp drop off must have a gradual 3-to-1 slope.

Select Rep Epperson asks about occupancy. Family homes? Air BnB's? Will you limit occupancy?

Attorney Mulligan said single family homes and said you cannot limit the occupancy.

Chair Losik reads to the board the number of bedrooms for each unit and stated that Attorney Donovan has put into the Condo Doc's time frame not less than 30 days if rented.

Respectfully Submitted,  
Kimberly M. Reed, CFM