

Rye Conservation Commission May 2018 Meeting and Site Walks

Rye Civic League Notes

Highlights:

1. The commission heard about violations of the wetland buffers (77 Parsons Road) now requiring restoration and new construction (1647 Ocean Blvd) where CC recommendations conditioned in ZBA approvals were not carried out.
2. To get ahead of situations such as the above, the Building Department will be giving notice of upcoming projects to the RCC (May example 4 Winslow Way) as well as notices of denial where wetlands and buffers may be involved. The ZBA will strengthen language in its Notices of Decision that compliance with CC recommendations are conditions of the Notice to assist with enforcement via the issuance or not of the Certificate of Occupancy.
3. Members attended the Brackett Road cell tower site walk and agreed that the tower compound did not have to be in the 100 foot wetland buffer.
4. Discussion of the potential for a dog park and issues to consider: liability, dog waste, fencing, running of deer.

Conservation Commission Meeting 5/10/2018

Agenda [Click Here](#)

Town Hall Streaming [Click Here](#)

Minutes: [Click Here](#)

WETLANDS

1. 77 Parsons Road
Tax Map 20.2 Lot 034 Owner: Jane Arthene
Tree cutting in wetlands

Town GIS Map Location: [Click on Lot Number 34](#)

The owner spoke about diseased trees that were removed in the wetland buffer and that she and her arborist never spoke about the wetland buffer or the need for permissions. A neighbor thought the cleared area was a town easement and was never supposed to be modified. It used to be wooded and afforded privacy between the properties. There was discussion by the owner of a culvert replaced by the town at her expense to reduce flooding. She wants the area to be conducive to the environment and wildlife. A site walk was scheduled

May 20th Site Walk, minutes [Click here](#)

A notice of violation of the wetland buffer was issued by the Building Department in April. A number of trees greater than 4.5 inch in diameter and 4.5 feet in height were cut, stumps removed and grading with heavy equipment observed, all violations of the ordinance. Since the violation, the owner has engaged an engineer and a landscaper to create a restoration plan. The members expressed concern the current plan is vague and does not include enough trees and that the plantings should follow the DES native plantings list.

2. 146 Harbor Road
Tax map 092 Lot 019-001 Owner: Michael Travers and Nancy Braese Deck addition

Town GIS Map Location: [Click on Lot Number 19-1](#)

A 5.4' x 15' deck is proposed across the front of the home which is within the 75 foot salt and fresh water buffer. Currently there is a garden and pervious driveway in the area. A site walk for May 20th was scheduled.

May 20 Site Walk: No objections noted. See minutes [Click here](#)

3. 5 Wentworth Road
Tax Map 026 Lot 015
Owner: Thomas and Laurie Glasrud Tim Phoenix – attorney MSC/TFMoran
Demolish and rebuild

Town GIS Map Location: [Click on Lot Number 15](#)

The lot is challenging with proposed edge of house, steps, and high tech septic system all within 80 to 55 feet respectively of the highest observed tide and as such within the 100 foot tidal buffer. The lot is 16,979 foot square feet with the home also within side and front yard setbacks. Ledge and a difficult access to 1A are also in the mix. The new home will be closer to Sagamore Creek with its square footage practically doubling. A member questioned if the new home could be made more rectangular to move it out of the buffer. Corey Colwell, the engineer replied that this would change the home design completely.

4. 1647 Ocean Blvd
Tax Map 013 Lot 019
Owner Barbara Quirk
Planting plan in wetland buffer

Town GIS Map Location: [Click on Lot Number 19](#)

The owner did not abide by the recommendations of the Conservation Commission conditioned in the ZBA notice of decision to have from the back of the berm towards the ocean a 20' x 60' area of native plantings. According to the minutes the applicant "forgot to do this". The Certificate of Occupancy is being withheld as a result with the owner going to submit a planting plan to the commission.

Trails

Two residents on Sea Glass Lane volunteered to help clean up the land and trails owned by the Conservation Commission at the former Rand parcel and elsewhere. They were invited to the May 13th trailgate party,

4 Winslow Way

The Building Department has asked the Conservation Commission to look at 4 Winslow Way, a tear down and rebuild, as they are concerned the new septic is very close to the wetland buffer. A site walk was scheduled for May 24. Town GIS Map Location: [Click on Lot Number 75-1](#)

Brackett Road Cell Tower Discussion:

Individual members attended the site walk for the proposed Verizon cell phone tower. The members agreed the tower compound did not have to be in the 100' wetland buffer and have concerns about the environmental aspects of the plan.

Notification of the Conservation Commission

The Building Department is now sending notices of upcoming projects to the Conservation Commission, and in denial letters noting that the project may need to go to the Commission.

The ZBA is now sending the Conservation Commission a copy of Notices of Decision and where applicable (for example 300 Pioneer Road) including language that compliance with the recommendations of the RCC are part of the notice of decision thus making compliance more enforceable for the issuance of final Certificates of Occupancy.

Dogs at Large Committee Update

The Committee has asked the Commission to look at some of their deeds to see if a parcel in town may be appropriate for a dog park. Discussion of liability, fencing, running deer, and dog waste.

Minutes of the May 24 and May 31, 2018 site walks not available as of June 3, 2018.