

Rye Civic League Notes  
Rye Conservation Commission July 2019

Official Agenda [CLICK HERE](#)  
Official Draft Minutes July 11, 2019 Meeting [CLICK HERE](#)  
Official Draft Minutes July 11, 2019 Site Walk [CLICK HERE](#)  
Official Draft Minutes July 17, 2019 Site Walk [CLICK HERE](#)  
RCL Notes July 11 and July 17 [CLICK HERE](#)  
Video Streaming: [CLICK HERE](#)

Highlights:

**1090 Washington Road** Driftwood Equestrian (formerly Independence Farm). Multiple encroachments into the conservation easement have recently occurred without CC review (well, shed, manure, debris). The July 11 meeting and site walk reviewed and discussed, tentatively approving some with conditions and changes to easement documents. The proposed 240' x 120' riding arena was tabled for further discussion.

**July 11, 2019 Meeting Notes**

DISCUSSION OF CONSERVATION EASEMENT – 1090 Washington Road

Subsequent to the Site Walk at the property, the CC discussed the issues related to non-compliance with the 1998 conservation easement and expansion of potentially not permitted structures etc into the easement.

From the draft minutes: “Attorney Donovan pointed out the easement speaks very strongly about maintaining fields and its current condition as a farm (condition of 1998). It says, “Assuring that the premise remains farm and woodlands by prohibiting significant alterations to the agricultural use thereof”.

The CC is concerned that the wood debris constitute an expansion of the fields into the woodlands which is not permitted by the easement conditions and that after chipping or burning they be disposed of on riding trails or as mulch.

The manure piles need to be better managed. A manure management plan was requested by December 2020 with progress in the mean time agreed to.

The easement will be amended to deal with the shed and well.

The proposed riding arena was discussed and it was felt and while the CC (and town) wants the farm to thrive there are limits. Members expressed concern that expansions into the field may cause losing balance with the purpose of the easement.

A RV camper is being used as a seasonal dwelling by farm workers. This is a use not allowed in Rye but is in North Hampton where part of the conservation easement is located but placing it in North Hampton would then be a “clear violation” of the easement according to one member. It was also noted by Attorney Donovan that per

the easement only one residential unit or structure (changed to allow for two) is permitted outside the easement in the “building envelope” so the camper would not be allowed. A member said this is a Planning Board issue with the Chair stating that allowing the camper to remain its current location would be a bad precedent and the CC probably would write the PB in opposition.

### **Other Business**

Chair King and Attorney Donovan met with Sea Glass Lane developers who have agreed to convey the easement to the Homeowners Association, several years after it should have been done. The saw dust piles will be removed.

According to Member Grote the former Outdoor Pride property on Central Road is now the office for a construction company and large tractors are being stored on the property. The Building Inspector will be writing a letter.

Two doors closer to town where a bank is being built there was concern about trees being cut as the property sits in the adjacent wetland’s buffer. There will be follow up with Building Department to see if the cutting was allowed by variances.

Member Shepcaro has reviewed the Town Forest Management Plan and none of the CC concerns about wildlife are addressed and no wetland biologist is present in the plan.

### **July 11, 2019 Site Walk Notes**

#### **1090 Washington Road, Driftwood Equestrian, Tax Map 6 Lot 28**

RCC members present at site walk: Chair Sally King. Members: Heather Reed, Susan Shepcaro, Jaci Grote and Mike Garvan.

Present: Michael Donovan, Rye town attorney; Philip Lake attorney for Driftwood Equestrian; Alysson Siopes, David Tromp; Peter Powell, Rye Building Department; Lucy Braun and John Tredenick.

The purpose of the site walk was to discuss compliance with the conservation easement on the property. A number of changes to the property outside of the “building envelope” had been observed carried out without notifying the Conservation Commission (CC) as required by the easement. They include:

- A shed was moved into the easement. As moving it back might impede an emergency exit of horses. CC decided it can remain and electricity can be installed as long as permits are obtained.
- A well was installed outside the building envelope. The CC decided it was useful and could remain as long as proper permits for electricity are obtained.

- A large manure pile was previously observed outside envelope. The situation has improved. The CC asked the owners for a manure management plan.
- A large pile of debris was pushed into the woods. The CC wants it chipped or burned.
- A garlic garden was approved.
- A 240 foot x 120 foot riding arena is being proposed for events where up to 50 horses may be present. The CC does not want to see parking of trucks and trailers in the conservation easement. Parking should only be in the building envelope.
- A 150 foot by 50 foot garlic garden is being created in the conservation easement and it was decided it was a permitted agricultural use.
- There were no objections to a temporary tent farm stand tent close to the edge of the easement.

### July 17, 2019 Site Walk Notes

#### **3:30 pm: 24 Robin Road, Tax Map 202 Lot 117, Owner: Allison Pellegrino**

A large tree in the wetland buffer fell and was cut into sections and removed with mechanical equipment. Debris remain. It can be removed with mechanical equipment if ground is dry as the area is already disturbed otherwise, if wet, it must be removed by hand. The area to be reseeded with conservation seed mix.

#### **4:00 pm: 23 Harborview Drive, Tax Map 026 Lot 004, Owner: Matthew & Kate Siler**

The existing home will be torn down and rebuilt with slightly improved impervious coverage, further back from the creek, storm water management, and a new septic system. There will be some disturbance of the wetland buffer. The current lawn in the buffer extends to a stone wall near the water edge. Erosion was observed. The CC is requesting that the owners plant native plantings to a depth of an average 7 feet along the wall in a three year plan.

#### **4:45 pm: 112 Perkins Road, Tax Map 052 Lot 177, Owners Melissa & Kevin Janvrin**

Evaluation of a tear down and rebuild of a 50 foot x 30 foot home which is entirely in the wetland buffer. The driveway will be pervious and the roof storm water will be captured in a stone drip edge and a shed and concrete pad will be removed. Planting of blueberry bushes at the lawn edged was proposed and agreed to by CC.