

## Rye Conservation Commission

April 11, 2024 Meeting

### RCL Notes

April 11 Agenda [CLICK HERE](#)

April 11 Draft Minutes: [CLICK HERE](#)

April 11 Video Recording: [CLICK HERE](#)

#### Highlights:

The RCC will not recommend latest proposal for 14 Sagamore Road (Brit Bits) redevelopment as current building is 70' away from the wetlands and proposed is 20'.

Concern that ZBA is throwing out RCC recommendations, even "good ones" and that the ZBA may need reeducation as to the RCC's role in protecting resources.

#### **18 Acorn Acres, Tax Map 16, Lot 96 ([Town GIS info and location](#))**

Owner: Abbey Miles

Jones and Beach, Gove Environmental Services, Gray Construction

Variances: 190-2.3.C(3): front yard setback; 190-3.1.H(2)(a)(f)(g): driveway in 75' freshwater buffer; 190-5.0.C: parking in front setback

Special Exception: 190-3.1.G(2): driveway in 75' freshwater buffer

Expansion of existing house and deck (out of buffer), remove existing driveway and replace with a smaller driveway

Sight increase in lot coverage to 13.6% with new driveway of porous pavers reducing impervious surfaces in the buffer itself Site walk was scheduled.

#### **11 Straw's Point Road, Tax Map 91, Lot 9 ([Town GIS info and location](#))**

Owner: Rick Williams

TMS Architects, Ross Engineering, Marc Jacobs Variances: TBD

Proposed wetland crossing

The existing driveway to a neighboring house (an easement on 11 Straw's) crosses and pinches the wetland. As part of the project at 11 Straw's, discussion on how driveway might be relocated and its effects on wetlands mitigated. A site walk was scheduled

#### **1248 Ocean Blvd, Tax Map 173, Lot 48 ([Town GIS info and location](#))**

Owner: Lisa Lombard

TMS Architects, Millenium Engineering, Marc West Variances: TBD

Buffer plantings, retaining wall

Recent storms ripped out the plantings and it is proposed to relocate the retaining wall 5' closer to the ocean with new plantings. The Commission agreed the new plan makes

sense and will send a letter to the Building Department with further work to come on how actual wall will be constructed by the engineers/architect

## **Discussion**

### **14 Sagamore Road- Brit Bits location ([Town GIS info and location](#))**

The latest plan has the proposed commercial building is 20' from the wetlands replacing the existing at 70'. The neighbors in discussions got a 50' buffer to their properties.

Quoting draft minutes:

“Member Garvan noted that RCC’s responsibility by statute is to protect wetlands and natural resources. If someone is encroaching five or ten feet into the buffer, but there are some other enhancements and mitigation with the plan, the Commission is reasonable; however, they’re encroaching significantly on the buffer. It’s not RCC’s fault that there’s a small building envelope and they purchased the property that way. RCC has to do their job as a conservation commission and say it’s too big of an encroachment on the wetlands as it stands, and the Commission is not in favor of the project.

Member McFarland pointed out that over the last several years, the Commission tries to stay completely out of the 50' buffer as a goal.

The Commission agreed that they can’t recommend the project. “

## **ZBA Update**

Discussion with ZBA Chair about what kind of mulch to use in newly planted areas of concern to wetlands and provide a booklet of best management practices to be included with RCC recommendations letters

Concern that ZBA is throwing out RCC recommendations, even “good ones” and that the ZBA may need reeducation as to the RCC’s role in protecting resources.

Quoting minutes:

“Member Garvan continued that there was a concern from one of the ZBA members that RCC submits recommendations with the expectation that they become conditions. He pointed out that at the recent ZBA meeting, they threw out some of the Commission’s recommendations, which is absolutely within their right; however, some that were thrown out were good recommendations. Member Garvan suggested that they remind the ZBA what the role of the Conservation Commission is. The ZBA has the right to ignore RCC, but the Commission are the people who have the site walks with the landowners, architects, and engineers. The Commission probably has a better feel for the land than the ZBA members, as they don’t have the same opportunities as RCC.

After discussion, it was agreed that it may be a good idea to check back in with the ZBA to reeducate them about the Commission's role in protecting the resources.