



**RYE CONSERVATION COMMISSION  
10 CENTRAL ROAD  
RYE, NH 03870**

February 27, 2020

**RE: 381 Sagamore Road, Tax Map 019, Lot 061**

The Rye Conservation Commission (RCC) conducted a site walk at 381 Sagamore Road on February 19, 2020 to assess a project to repair an existing garage in the wetland buffer and where trees in the wetland buffer had been removed and a Notice of Violation had been issued by the Rye Building Department.

Andy Cole, Ashbrook Properties, purchased the property for the purpose of fixing it up and reselling it. The property abuts a wetland in the Berry's Brook watershed and almost all of the property is in the 100 foot wetland buffer. Mr. Cole was unaware of the wetland ordinances and he cut and removed three large (greater than 4" diameter at 4.5' of height) trees in the wetland buffer along the edge of the driveway in violation of the Rye wetland ordinances. He tore down an 8ft x 10ft shed attached to the back of the garage and also tore down about one half of the garage to repair rotted sills. There is crushed stone in a strip about 3 feet wide along the edge of the drive. A black hose runs from the back of the house across the lawn and deposits water adjacent to and in the wetland. This hose is attached to a sump pump in the basement.

Mark West, West Environmental, has prepared a plan to address the issues of concern. The removed shed will not be replaced which will result in a reduction in impervious surfaces. Mr. West proposes to plant a vegetative buffer of native plants behind the garage and along the driveway. This would include 3 oak trees, 3 red maples and a number of shrubs. The wetland boundary should also have a vegetative buffer planted. The sump pump hose will go into a dry well near the house allowing any outflow to be infiltrated well before the wetland.

There was a discussion about the gravel alongside the garage and along the driveway. A 2 foot trench would be dug along the driveway and filled with crushed stone to intercept and infiltrate runoff from the driveway. The garage vegetated buffer should extend past the garage so that it is even with the edge of the deck. Crushed stone under the drip edge of the garage on the south side would accomplish the same. The rest of the gravel would be removed. The commission members discussed the plans and were satisfied with the proposed remediation. The property is already under contract so there may be a need to escrow the landscape funds.

The Conservation Commission is in favor of the project remediation as designed to include the following recommendations:

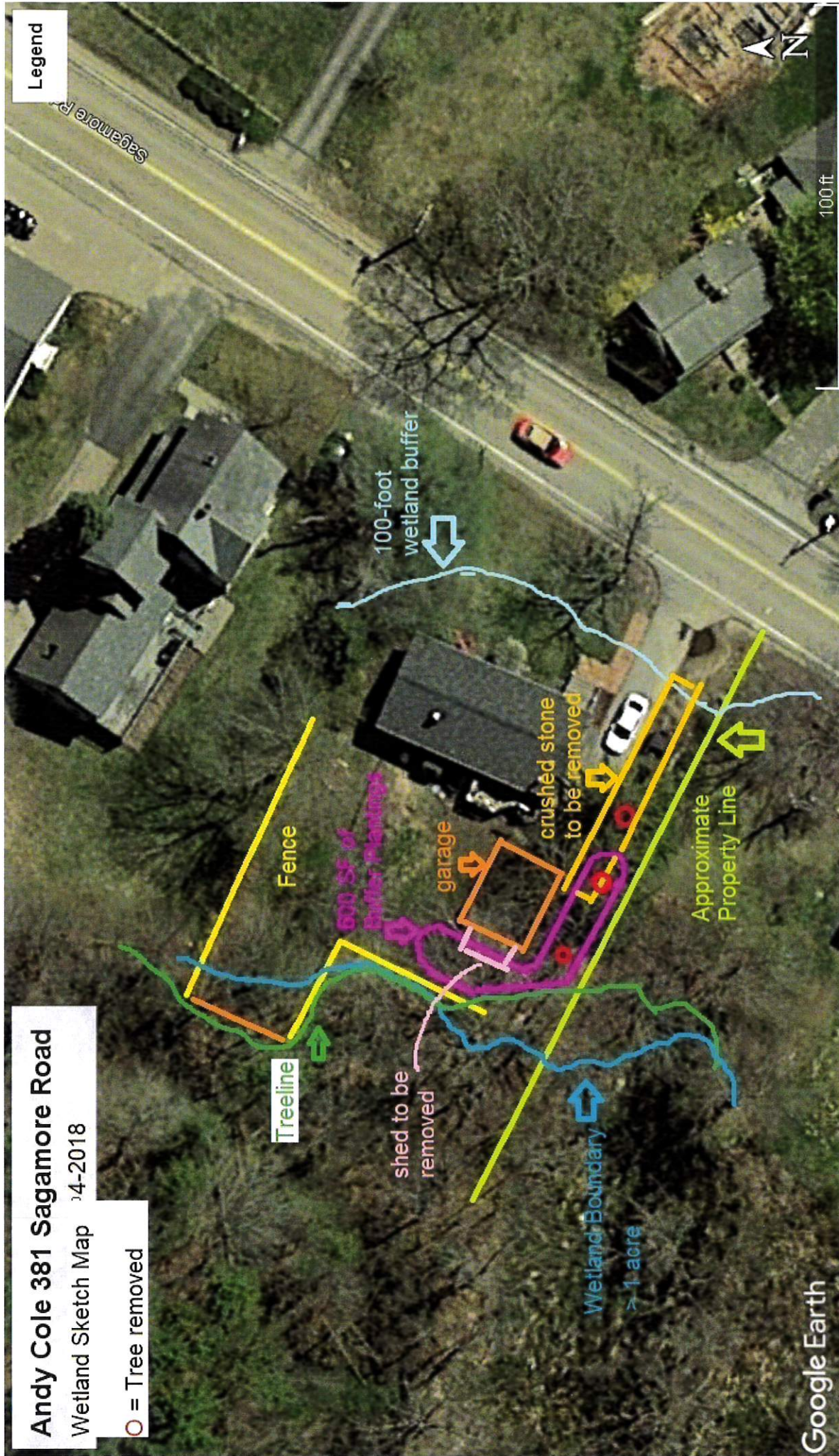
- 1) Dig a dry well within 20-30 ft. of the back of the house and connect the hose from the basement sump pump into the dry well.
- 2) Plant a buffer of native trees and shrubs along the side of the garage even with the edge of the deck, as well as behind the garage along the wetland boundary (which is fenced). The plantings should contain at least 3 oak trees and 3 red maple trees of

# Andy Cole 381 Sagamore Road

Wetland Sketch Map 1/4-2018

○ = Tree removed

Legend





381 Sagamore Road Rye, NH



1. This is a view of the site with the trees and garage on the left side of the photo.



2. Looking west at the crushed stone place south of the driveway.



381 Sagamore Road Rye, NH



3. View of the south side of the garage with cut trees and crushed stone to be removed.



4. This area south of the garage will be planted with native trees and shrubs.



381 Sagamore Road Rye, NH



5. Looking north at the back of the garage where the shed was removed.



6. Looking northwest at the wetland behind the fence and the proposed buffer planting area.

# BOARD OF ADJUSTMENT

Rye, New Hampshire

## NOTICE OF DECISION

- Applicant/Owner:** Ashbrook Properties, LLC of 277 Middle Rd, Portsmouth NH
- Property:** 381 Sagamore Road, Tax Map 19, Lot 61  
Property is in the Single Residence District
- Application case:** Case # 10-2020
- Date of decision:** March 4, 2020
- Decision:** The Board voted 4-0 to grant the variances from the following sections of the Rye Zoning Ordinance:
- Section 603.2 to expand a non-conforming structure; and
  - Section 301.8 B (1), 301.8 B (5)(b)(2) for fill in buffer; and
  - Section 301.8 B for garage and cutting trees in buffer.

Each variance was granted upon the following conditions based on the February 27, 2020 Rye Conservation Commission letter recommendations # 1-4 and an additional condition by the Board:

1. Dig a dry well within 20-30 ft. of the back of the house and connect the hose from the basement sump pump into the dry well.
2. Plant a buffer of native trees and shrubs along the side of the garage even with the edge of the deck, as well as, behind the garage along the wetland boundary (which is fenced). The plantings should contain at least 3 oak trees and 3 red maple trees of large size as replacement for the trees already cut and removed. The rest of the buffer should consist of various native shrubs and plants.
3. The only gravel or crushed stone along the garage should be a drip edge to infiltrate storm runoff.
4. The south edge of the driveway should be a 2ft. trench of crushed stone and the rest of the stone in the area should be removed. The debris in the wetland buffer in that area should be removed.
5. The placement of the drywell directly to the west of the Building as far as practical.
6. The placement of the planting per the February 14, 2020 West Environmental letter.

  
Shawn Crapo, Acting-Chairman

**Note:** This decision is subject to motions for rehearing which may be filed within 30 days of the above date of decision by any person directly affected by it including any party to the action, abutters and the Rye Board of Selectmen; see Article VII, Section 703 of the Town of Rye Zoning Ordinance. Any work commenced prior to the expiration of the 30 day rehearing / appeal period is done so at the risk of the applicant. If a rehearing is requested, a cease and desist order may be issued until the Board of Adjustment has had an opportunity to act on the rehearing request.