

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

(REVISED 5/6/2021 TO ADD MISSING CONDITION)

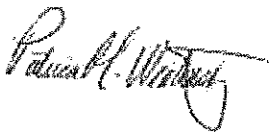
- Applicant/Owner:** 16 Wentworth Road SPE, LLC of 126 Daniel Street, STE 200,
Portsmouth NH
- Property:** 16 Wentworth Road, Tax Map 26, Lot 18
Property is in the Single Residence District, SFHA, Zone VE
- Application case:** Cases #10a-2021 and 10b-2021
- Date of decision:** April 7, 2021
- Decision:** The Board voted 5-0 to grant variances from the following sections of the Rye Zoning Ordinance:
- §190-2.3.C(1) for a structure 18.5' from the rear boundary;
 - §190-2.3C(3) for a garage 18.1' and a retaining wall 10.1' from the front boundary;
 - §190-6.3.A/B for expansion/destruction of a nonconforming structure;
 - §190-3.1.H.2(e) for removal of 14 trees >4.5" in diameter within the wetlands buffer; and
 - §190-3.1.H.2(a)(g) for a house 15.0' and 20.5', a pervious patio 19.1' and a pervious driveway/walkway 6.9' from the wetlands buffer.

The Board voted 5-0 to grant a special exception pursuant to the Rye Zoning Ordinance to allow for a driveway partially in the wetlands and in the wetlands buffer.

- §190-3.1.G and §190-3.1.H.2(f) for an asphalt driveway within the wetlands buffer.

Each of the above special exception, variances were granted conditioned upon continued compliance with all the following conditions:

1. The Stormwater plan to be implemented as presented to the Board of Adjustment on 4-7-2021
2. The plantings be installed as per the plan presented to the Board of Adjustment on 4-7-2021 except for the salt marsh core grass which remain.
3. Ledge removal shall be done with best management practices to minimize noise and destruction to the area.
4. The pavers be installed and maintained so as to remain pervious.



Patricia Weathersby, 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.