

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant/Owner:** Lone Star LLC/Matthew & Martha Masiello

**Property:** 125 Wentworth Road, Tax Map 24, Lot 34  
Property is in the Single Residence District, Wetlands Conservation District and SFHA Zone AE (8)

**Application case:** Case #58-2023

**Date of decision:** February 7, 2024

**Decision:** The Board voted to grant the following variances requested from the Rye Zoning Ordinance as presented:

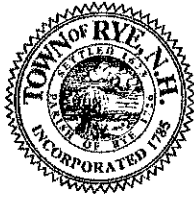
- §190-6.3.A/B to raze an existing house and replace it with new.
- §190-3.1.H(a), (2),(a), (e) [2], g for a home 51.7', stone steps 10', patio 52' +/-, cutting of 23 trees greater than 4.5", a spa 53' and a rinsing station 65' from the river where 100' is required.

The recommendations made by the Rye Conservation Commission in their 11/29/23 letter as follows:

- 1) As called for on the plan, silt socks be installed as erosion controls.
- 2) Best Management Practices used for the removal of invasive plants currently on the property.
- 3) The RCC believes that a survival rate of 85% or better after one (1) year is adequate for the plantings.

  
Shawn Crapo, Chair

**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.



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

November 29, 2023

**RE: 125 Wentworth Road, Tax Map 24, Lot 34, Owner: Lone Star, LLC**

The Rye Conservation Commission (RCC) conducted a site walk on October 16, 2023, at 125 Wentworth Road to evaluate a project which proposes to remove the existing home and construct a new home and a new detached garage. The plan also calls for rerouting and replacing the existing driveway. This property has about 100-feet of frontage on Sagamore Creek. The RCC has previously reviewed plans for the dock that is proposed for the property. This is a 3.5-acre lot.

The existing home is 32.4-feet from the resource and, as such, is entirely located in the 100-foot tidal buffer. The proposed home will be pulled approximately 20-feet further from the creek and will be 51.1-feet from Sagamore Creek. About two-thirds of the proposed home will be in the 100-foot tidal buffer.

The new home has a footprint of 4,183 square feet, which includes a two-car garage and a deck at the back of the house. The living space, including the basement, first floor and second floor, is about 6000 square feet. The total square footage is 9,072, which includes the basement, storage area, deck, and garage. The proposed home will occupy 3.5% of the building lot coverage, where 15% is allowed. The first floor will be at elevation 23.25-feet. The existing home is at elevation 21.3-feet.

A 1,250 square foot detached garage with a covered car port is also proposed. This structure will be located off the new driveway, east of the home and out of the 250-foot state shoreland protection zone. Three trees are proposed to be removed for the garage. A rain garden is proposed behind the garage with PVC drains.

The project also includes a covered patio and a walkout deck with a foundation, allowing for storage underneath. A stone walkway will connect the driveway to the back patio. A second stone walkway runs from the driveway to the backyard and the deck. The plan calls for a mulch path that connects the backyard and the front of the house to the detached garage.

The existing impervious coverage on the lot is 12.7%. The proposed lot coverage is 14%, where 15% is allowed. The impervious area within the 50-foot buffer is being reduced by 362 square feet. Impervious coverage on the lot will increase by 1.3%. The existing septic system, which is located to the west of the home out of the 100-foot buffer, dates to the construction of the existing home around 1968. The plan proposes the installation of a new advanced treatment system in the same location as the existing septic system. The home will be heated by propane

and serviced by town water. The home will also have a generator for backup power. The generator, A/C units and the propane tank will be out of the 100-foot buffer. The propane tank will be buried off the driveway approximately 150-feet from the resource.

Most of the new home will be on previously disturbed land.

Twenty-three trees are being removed. Twenty-two of the trees proposed to be removed are out of the 50-foot buffer. One cedar tree, located in the 50-foot buffer, is proposed to be removed.

There is an existing foundation drain that discharges close to the water. This will be pulled back ten feet inland. The stormwater management plan for the project calls for gutters and drip edge to manage runoff water. Roof runoff will be captured in a stone drip edge and directed to an outlet structure. A rip rap apron outlet with an 8-inch PVC drainage pipe is proposed at the northeast corner of the property in front of the existing riprap.

Granite pavers, totaling 1,370 square feet, are proposed at the outer edges of the circular drive at the front of the home. A stone walkway, approximately 1,585 square feet, leads to the back of the home where a rinsing station and spa (53 square feet) are proposed outside the home on the northeast side. Stone steps with 7-inch risers are also proposed on the northwest side.

The lawn on the Sagamore Creek side is being decreased by 75%. Extensive native plantings are proposed throughout the property (see Proposed Planting Plan dated 10/12/23). RCC appreciates the design and the volume of the proposed plantings. i

Utilities will be updated and relocated from overhead to underground.

The existing driveway is a combination of paved and gravel. The paved driveway is 10,075 square feet. The gravel driveway is 5,660 square feet. The new driveway will be all paved, at 11,363 square feet.

The existing impervious coverage is 19,672 square feet (12.7%). Impervious lot coverage will be increasing to 21,677 square feet (14%). The maximum allowable coverage for this property is 15%. The existing impervious coverage within the 50-foot buffer will be decreasing from 872 square feet to 510 square feet.

The Rye Conservation Commission appreciates the improvement that the installation of a new advanced treatment septic system and comprehensive stormwater management plan will have on the property. The robust planting plan created for the property will also be a significant improvement.

The Rye Conservation Commission supports the project, subject to the following recommendations:

- 1) As called for on the plan, silt socks be installed as erosion controls.

- 2) All invasive plants currently on the property, including but not limited to phragmites, Japanese Knotweed, honeysuckle and bittersweet to be removed and properly disposed of.
- 3) Mulch used shall be straw or equivalent non-toxic organic material, in accordance with EVN-Wt 307.12(d)
- 4) The RCC believes that a survival rate of 85% or better after one (1) year is adequate for the plantings.

Respectfully submitted



Susan Shepcaro, Clerk

NH DES Native Plants:

<https://www.des.nh.gov/organization/divisions/water/wetlands/cspa/documents/native-shoreland-plants.pdf>

Planting Guide for Tidal Shoreline Erosion Management in New Hampshire:

[https://www.town.rye.nh.us/sites/g/files/vyhlf3751/f/uploads/nhdes\\_tidal\\_shoreline\\_erosion\\_management\\_including\\_planting\\_guide.pdf](https://www.town.rye.nh.us/sites/g/files/vyhlf3751/f/uploads/nhdes_tidal_shoreline_erosion_management_including_planting_guide.pdf)

StormSmart Coasts - Coastal Landscaping in Massachusetts:

<http://www.mass.gov/service-details/stormsmart-coasts-coastal-landscaping-in-massachusetts>

MA salt tolerant plant lists:

<https://www.mass.gov/service-details/coastal-landscaping-in-massachusetts-plant-highlights-and-images>

<https://www.mass.gov/info-details/coastal-landscaping-in-massachusetts-shrubs-and-groundcovers#beach-heather->

<https://www.mass.gov/info-details/coastal-landscaping-in-massachusetts-grasses-and-perennials>