

LEGAL NOTICE

APPLICATIONS

1. **Farida Namazi & Masood V. Sammi, Trustees of the 29 Parson Road Realty Trust for properties owned and located at 27/29 Parsons Road** request variances from section 603.1 for expansion of a non-conforming structure, section 204.3 B for an addition 13.68' from the side setback where 20' is required; from section 204.3 C for an addition 22.25' from the front setback where 26' is required; from section 204.3 F for lot area 15,769 safe where 88,000 is required and frontage of 91.66' where 150' is required; from section 202.5 for septic pipe setback of 18.2' where 20' if required; from section 301.8B(1)(2) & (7) for septic tank from the setback 19.54' where 75' is required; and from sections 500.1 and 500.3 for parking in the front setback. Relief from the Building Code section 7.9.2.5 for a septic pipe 18.20' in the setback where 20' is required; from section 7.9.2.5, section 7.9.22 and section 7.9.4.1 for septic tank 19.54' in the wetland buffer where 75' is required. **Property is in the General Residence and Coastal Overlay District. Case #55a-2018.**
2. **Farida Namazi & Masood V. Sammi, Trustees of the 29 Parson Road Realty Trust for properties owned and located at 27/29 Parsons Road** request a special exception from section 301.7B and 301.8 B6 for placement of a pervious driveway 75' within the 100' buffer. **Property is in the General Residence and Coastal Overlay District. Case #55b-2018.**
3. **Ray's Seafood Restaurant, Inc. for property 1677 Ocean Blvd, Tax Map 13, Lot 12** requests an administrative appeal from the 8-30-2018 Notice of Violation by the building inspector. **Property is in the Commercial and Coastal Overlay District. Case #45-2018.**
4. **Carl Boedecker & Erika Pagels for property owned and located at 333 Washington Road, Tax Map 16, Lot 123** requests variances from Section 603.1 for expansion of non-conforming building on non-conforming lot approximately 5.6' toward the side yard to the east and 4' toward the front to the south; from Section 203.3 B for a new attached barn in the side setback where 20'2" exists, 14'10" is proposed and 20' is required; from 203.3 C for new attached barn in the front setback where 31'3" exists, 27'2" is proposed and 40' is required; from section 500.3 for parking in the within the 40' front yard, within 10' of lot line. **Property is in the Single Residence District. Case #01-2019.**
5. **Lisa Lombard for property owned and located at 1248 Ocean Blvd., Tax 17.3, Lot 148** requests variances from Section 603.1 for expansion of a non-conforming structure; from Section 304.4 for height where 28.85' exists, 33.16' +/- is proposed and 28' is required; from Section 204.3 B for a retaining wall with a 3.72' right setback, for steps with a 5.8' right setback, for a house with a 6.59' right setback and for an addition with a 8.8' left setback where 20' is required; from Section 202.5 for a septic system with a 10.84' side setback where 20' is required and relief from Building Code Section 7.9.2.5 for a septic system with a 10.84' side setback where 20' is required. **Property is in the General Residence, Coastal Overlay District and Special Flood Hazard Zone. Case #03-2019.**
6. **Ronnie Webster Foundation d/b/a Webster at Rye for property owned and located at 795 Washington Road, Tax Map 11, Lots 52 & 6** requests a Special Exception from Sections 203.2 C, 604, and 701.3 for a nursing home where 51 beds exist, 21 new beds are proposed for a total of 72 beds; for assisted living beds where 84 exists, 2 new beds are proposed for a total of 86 beds; and for square footage building expansion where 108,017 safe exists, 18,324 new safe is proposed for a total of 126,341 safe **Property is in the Single Residence District. Case #04-2019.**
7. **Brian & Diane Ferguson for property owned and located at 60 Parkridge Ave, Tax Map 19.4, Lot 17** request variances from Section 603.1 for expansion of a non-conforming structure; and from section 301.8 B

***The Board of Adjustment of the Town of Rye, NH will hold a public hearing at: 7:00 PM on
Wednesday, February 6, 109 at the Rye Town Hall, 10 Central Road***

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(1) & (7) for surface alteration for a garage and driveway within the 75' wetlands buffer. **Property is in the General Residence, Coastal Overlay District. Case #05-2019.**

- 8. Three Rivers Farm Trust, Mark A Kearns, Trustee/Daniel J. Philbrick of 1381 Ocean Blvd, Tax Map 17.4, Lot 13** requests an Administrative Appeal for property located at 0 Big Rock Road, Tax Map 8.1, Lot 45 from the Selectmen's settlement dated November 11, 2018. **Property is in the General Residence, Coastal Overlay District. Case #06-2019.**
- 9. Three Rivers Farm Trust, Mark A Kearns, Trustee/Daniel J. Philbrick of 1381, Ocean Blvd, Tax Map 17.4, Lot 13** requests an Administrative Appeal for property located at 1393 Ocean Blvd from the Building Inspector's denial to construct a 288 sq. ft. shed and the denial to rebuild a non-conforming structure in the letter dated November 20, 2018. **Property is in the Business District and Coastal Overlay District. Case #07-2019.**
- 10. Gregg & Anne Mikolaities for property owned and located at 1 Willow Lane, Tax Map 17.4, Lot 24** request Variances from section 603.1 to expand a non-conforming structure; from section 204.3 C to construct a covered porch in the front setback of Willow Lane where 9' exists, 9' is proposed and 30' is required and 0' from Williams Road where 30' is required; from section 204.3 A for porch in the rear setback where 22' exists, 22' is proposed and 30' is required; and from section 301.8 A, 301.B(1) & (7) for work within the 100' tidal marsh for porch footings. **Property is in the General Residence, Coastal Overlay District. Case #08-2019.**
- 11. Peter J. Dirksmeier for property owned and located at 47 Surf Lane, tax Map 8.4, Lot 46** requests a variance from section 603.1 for an after-the-fact enclosure of a porch which received relief on 12/1/1999 from sections 301.5, 204.3 A & B and 603.1 with the condition the porch not to be enclosed. **Property is in the General Residence District and Coastal Overlay District. Case #09-2019.**
- 12. Zachariah Malpass of 46 Barrington Road, Bronxville, NY for property owned and located at 120 Garland Road, Tax Map 7, Lot 113** requests a variance from section 203.3 B for a wellhouse 19'+/- from the side setback and an implementation shed 4' +/- from the side setback. **Property is in the Single Residence District. Case #10-2019**
- 13. Jesse Durkin of 1564 Vineyard Drive, Los Altos, CA for property owned and located at 395 Washington Road, Tax Map 16, Lot 117** requests a special exception from section 301.7 B for a driveway within 100' of a vernal pool and wetlands setbacks and within 75' of the wetlands buffer. **Property is in the Single Residence District. Case #11a-2019**
- 14. Jesse Durkin of 1564 Vineyard Drive, Los Altos, CA for property owned and located at 395 Washington Road, Tax Map 16, Lot 117** requests variances from section 202.13 for total upland soils of 27,970 SF all of which is contiguous where 44,000 SF of total upland soils and 30,000 SF of contiguous upland soils is required; from section 203.3 C for a house 20.1' from the front yard where 40' is required; from section 203.F for lot area of 52,270 SF where 66,000 SF is required; and for 149' +/- of frontage where 200' is required; from sections 301.8 B(1)(2)(5) & (7) for surface alteration, septic system, tree cutting, and construction of a dwelling 48' +/- from the vernal pool where 100' is required and 23.9' +/- from the wetlands where 75' required; and for tree cutting 15' +/- from the wetland where 75' is required; from section 601 for building on a vacant non-conforming lot; from section 500.3 for one parking space in the front yard setback. Applicant also requests relief from Building Code section 7.9.2.2 for an effluent disposal system 85' +/- to vernal pool and 50' to wetland where 75' is required. **Property is in the Single Residence District. Case #11b-2019.**
- 15. Scott Family Trust for property owned and located at 147 Washington Road, Tax Map 17, Lot 26** request a variance from section 603.1 for expansion of a non-conforming lot and from section 204.3 B for a

THIS AGENDA IS SUBJECT TO CHANGE UP UNTIL THE TIME OF THE MEETING

NOTE: NO APPLICATIONS WILL COMMENCE AFTER 10:00 PM. REMAINING APPLICATIONS SHALL BE CONTINUED

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dormer 12' from the side setback where 20' is required. **Property is in the Single Residence District. Case #12-2019.**

- 16. Megan and Francis Guare for property owned and located at 45 Pollock Drive, Tax Map 23.1, Lot 24** request variances from Section 203.3 B for a generator 12'6" from the side lot line where 20' is required and from section 301.8B (1) & (7) for a generator 76' from the tidal marsh where 100' is required. **Property is in the Single Residence, Coastal Overlay District. Case #13-2019.**
- 17. Lucia Moura for property owned and located at 1681 Ocean Blvd, Tax Map 13, Lot 11** requests variances from section 204.3 B for a deck 12.0 from the left side setback where 20' is required; from section 204.3 C for a wall 4.2' and an eave 2.87' from the front setback where 30' is required; from section 301.8 B (1) (2) (6) and (7) for a deck 8.7' from the wetlands where 100' is required; from section 304.4 for height from the roof 28.6' and tower 30.8' where 28' is required; from section 603.1 for expansion a non-conforming structure; and from section 500.3 for parking within the side setback where 10' is required. Applicant also requests relief from Building Code section 7.9.2.2 for septic setback 50' from the wetlands where 75' is required and for section 7.9.3.2 for the bottom of the effluent disposal 2' from where 4' is required above the seasonal high-water table. **Property is in General Residence, Coastal Overlay and SFHA, Zone AE (9). Case # 14a-2019.**
- 18. Lucia Moura for property owned and located at 1681 Ocean Blvd, Tax Map 13, Lot 11** requests a special exception from section 301.7 B for a driveway within the wetland buffer. **Property is in General Residence, Coastal Overlay and SFHA, Zone AE (9). Case # 14b-2019.**
- 19. Seacoast Property Holdings, LLC of 3710 Buckeye Street, Palm Beach Gardens, FL for property owned located at 55 Harbor Road, Tax Map 9.2, Lot 2** request variances from Section 603.2 for demolition and replacement of a non-conforming structure; from section 202.5 for septic 10.2' from the side setback where 20' is required; from section 203.3 B for house walkway 7' from the side setback and generator 10' from the side setback where 20' is required; from section 301.8 B (1) (2) & (7) for a house 50' from the wetland, a leach field 72' from wetland and septic tank 96' from wetland where 100' is required; from section 304.4 for height of 34.6' where 28' is required and from the Building Code section 7.9.2.2 for septic system 10.2' from the side setback where 20' is required and from 7.9.2.5 for leach field 72' from the wetland where 75' is required. **Property is in the Single Residence District, Coastal Overlay District and SFHA. Case #15-2019.**

Burt Dibble,
Clerk