

The Board of Adjustment of the Town of Rye, NH will hold a public hearing at: 7:00 PM on Wednesday, July 5, 2017 at the Rye Junior High School, 501 Washington Road.

LEGAL NOTICE

- 1. Harbor Street Limited Partnership of 7B Emery Lane, Stratham, NH for property owned at 421 South Road, Tax Map 4, Lot 31** requests a Special Exception for property located at Tax Map 4, Lot 25 form Section 301.7(B) to construct a driveway with the following: (1) a 17' x 16' wetlands crossing 51ft from a vernal pool where a 100 ft setback is required. (2) 2,900 s.f. within the vernal pool buffer where a 100 ft buffer is required; (3) 3,510 s.f. within the wetlands buffer where a 75ft buffer is required. **Property is in the Single Residence District. Case #13-2017.**
Continued for the Notice of Decision.
- 2. Harbor Street Limited Partnership of 7B Emery Lane, Stratham, NH for property owned at 421 South Road, Tax Map 4, Lot 31** requests a Variance from Section 301 for property located at Tax Map 4, Lot 25 to permit a driveway within the following: 1) a 17' x 16' wetlands crossing 51ft from a vernal pool where a 100 ft setback is required; (2) 2,900 s.f. within the vernal pool buffer where a 100 ft buffer is required; (3) 3,510 s.f. within the wetlands buffer where a 75ft buffer is required. **Property is in the Single Residence District. Case #14-2017.**
Continued for the Notice of Decision.
- 3. Carmen & Katherine Place for property owned and located at 11 Fairhill Ave., Tax Map 20.2, Lot 96** request Variances from 603.1 for expansion of part of the existing non-conforming structure; from Section 204.3 C for an addition 22' from the front boundary of Fairhill Ave and a garage 21.6' from the front boundary of Eagle Rock Road where 30' is required; from Section 204.3 B for an addition 16.6' from the side property line where 20' is required; and from Section 304.5 for dwelling coverage where 11.7% exists, 17.1% is proposed and 15% is allowed; from Section 301.8B (2) for a septic tank 65' and a leachfield 62.3' from wetlands where 75' is required; and from Section 202.5 for a leachfield setback of 14.4' of rear property line where 20' is required. Applicant requests relief from the Building Code Section 7.9.2.2 for a septic tank that is 65' and a leachfield that is 71.4' from wetlands where 75' is required. **Property is in the General Residence, Coastal Overlay District. Case #17-2017.**
- 4. Charles & Lindsay Beynon of 362 Main Street, Unit 2, Charleston MA for property owned and located at 30 LaMer Drive, Tax Map 13, Lot 44** request Variances from Section 603.2 to tear down an existing building and replace with new; and from Section 301.8B (1) and 301.8B (7) for a driveway 56' from tidal marsh where 100' is required; and for a building 63.8' from the tidal marsh where 100' is required; from Section 203.3B for a building 15.2' from the side property line where 20' is required; and from Section 203.3C for a building 35.2' from the front property line where 40' is required. **Property is in the single Residence District. Case #18-2017.**
- 5. Stephen & Adela Carter for property owned and located at 620 Wallis Road, Tax Map 16, Lot 104** request Variances from Section 203.3A for a shed 10' from the rear property line where 30' is required and from Section 203.3B for shed 10' from the side property line where 20' is required. **Property is in the Single Residence District. Case #19-2017.**
- 6. Glenn Walker & Elizabeth Fairchild for property owned and located at 531 Brackett Road, Tax Map 17, lot 47** request a variance from Section 510.3 to allow for an 8ft fence where 6ft is allowed. **Property is in the Single Residence District. Case #20-2017**
- 7. Richard F. Carey on behalf Theresa Carey & Richard Carey Revocable Trust, Theresa Carey & Richard Carey Trustees of 11 Robandy Road, Andover, MA for property owned and located at 11 Surf Lane, Tax Map 8.4, Lot 71** request Variances from Section 603.1 for expansion of a non-conforming building; Section 204.3C for addition of second floor 11' +/- within the front boundary where 13' exists and 22.2' is required; from Section 204.3 C for an outdoor shower within the 22.2' Breakers Road front boundary; from Section 204.3B for addition within the side boundary 8.6' where 8.6' exists and 20' is required; from Section 304.5 for building coverage of 19.1% where 16.8% exists and 15% is allowed; from Section 500.2 for two (2) parking spaces where none exist and from Section

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

500.3 for the location of the parking spaces located within the front yard. **Property is in the General and Coastal Overlay Districts. Case #21-2017.**

- 8.. **Andrew Foss for property owned and located at 780 Ocean Blvd, Tax Map 23.1, Lot 29-16** requests a Variance from Section 210.3 A to construct a solar array 1' from the rear property line where 30' is required. **Property is in the Business, Coastal Overlay Districts and SFHZ, AO Elv. 1". Case 22-2017.**
 9. **James Freiburger of 24 String Bridge S-8, Exeter, NH for property owned and located at 784 Ocean Blvd, Tax Map 23.1, Lot 29-11** requests a Variance from Section 210.3A for a deck replacement with the addition of a 16" x 10" bench 25' from rear property line where 30' is required. **Property is in the Business, Coastal Overlay Districts and SFHZ, AO Elv. 1". Case 23-2017.**
 10. **Dan & Diane Conway for property owned and located at 2 West Road, Tax Map 7, Lot 37** request a Variance from Section 203.3 C for a porch within the front property boundary where 28' exists, 30' is proposed and 40' is required. **Property is in the Single Residence District. Case #25-2017.**
- Petition by Hoefle, Phoenix, Gormley & Roberts, PA on behalf of Manuel Barba for a Rehearing and Reconsideration of the Rye Board of Adjustment's May 3, 2017 denial of Mr. Barba's Variance requests for the property located at 740 Washington Road, Tax Map 11, Lot 103, Case #06-2017. **Public hearing closed during Board discussion on the request.**

Respectfully Submitted,
Burt Dibble, Clerk