

RYE, NH BOARD OF ADJUSTMENT

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The Board of Adjustment of the Town of Rye, NH will hold a public hearing at: 7:00 PM on Wednesday, June 1, 2016 at the Rye Town Hall, 10 Central Road.

LEGAL NOTICE

- 1. Michael F. Thiel & Gail D. Richard for property owned and located at 34 Brackett Road, Tax Map 22, Lot 89 request a Special Exception from Section 301.8B, 6 for construction of a barn within the wetlands buffer. Property is in the Single Residence District. Case #24-2016.**
- 2. Michael F. Thiel & Gail D. Richard for property owned and located at 34 Brackett Road, Tax Map 22, Lot 89 request a Variance from Section 301.8B, 1 for construction of a barn within 30' of the high tide line where 100' is required. Property is in the Single Residence District. Case # 25-2016.**
- 3. Michael & Diane Cavaretta for property owned and located at 30 LaMer Drive, Tax Map 13, Lot 44 request a Special Exception pursuant to Section 506 to allow for an accessory apartment. Property is in the Single Residence District. Case #11-2016.**
- 4. Three Rivers Farm Irrevocable Security Trust, Mark A. Kearns, Trustee of 161 Portland Ave, Dover NH for property owned and located at 1381 Ocean Blvd, Tax Map 17.4, Lot 3 brings an Administrative Appeal pursuant to Section 701.1 from a Notice of Violation per NHRSA 676-17-a issued by the Building Inspector on March 7, 2016. Property is in the Business and Coastal Overlay Districts. Case #32-2016.**
- 5. Jeffrey Katz for property owned by John P. McGee, Trustee, Dorothy M. Katz 1991 Trust and located at 1146 Ocean Blvd, Tax Map 19.4, Lot 89 requests a Variance from Section 603.2 to tear down an existing non-conforming house and rebuild new in the same footprint with slight expansion. Property is in the General Residence, Coastal Overlay Districts and SFHA, Zone Z/AE 9. Case #37-2016.**
- 6. Clinton Trust, II, Gerald & Mercedes Clinton Trustees for property owned and located at 1535 Ocean Blvd., Tax Map 13, Lot 36 requests Variances for existing units conversion from seasonal to year round from Section 202.11A where each dwelling has a lot size of 6,621 sq. ft where 7,000 sq. ft. per dwelling is required and from Section 202.11B for cottages less than the required 600 sq. ft. ground floor area. Property is in the Business, Coastal Overlay Districts and in the SFHA, Zone AE, EL9. Case 38-2016.**
- 7. Three Rivers Farm Irrevocable Security Trust, Mark A. Kearns, Trustee of 161 Portland Ave, Dover NH for property owned and located at 1381 Ocean Blvd, Tax Map 17.4, Lot 13 brings an Administrative Appeal pursuant to Section 701.1 from an Order to Remedy issued March 15, 2016 by the Building Inspector. Property is in the Business and Coastal Overlay Districts. Case #39-2016.**
- 8. Beth Dietz Tuttle & Dwight A. Tuttle, Jr. for property owned and located at 50 Jenness Avenue Tax Map 8.4, Lot 57-1 and 31 Breakers Road, Tax Map 8.4, Lot 58 request Variances from Section 204.3F for transfer of 5,014 sf from Tax Map 8.4, Lot 57-1 to Tax Map 8.4, Lot 58, leaving Lot 57-1 with lot area of 5,053 sf, where 44,000 is required and leaving Lot 58 with 9,973 sf lot area where 44,000 sf is required; from Section 204.3F for a lot depth of 100' where 150' is required for both new lots; from Section 204.3F for new Lot 58 having 100' of frontage where 150' is required; from Section 304.3A which does not allow buildings on lots less than 7,000 sf for the new Lot 57-1; from Section 603.2 to tear down an existing nonconforming dwelling and replace it with a new nonconforming dwelling but not in the same location as the dwelling being replaced; from Section 204.3A for patio of new dwelling to encroach 10' within the required 25 ft. rear setback; from Section 304.5 for dwelling coverage of 19.7% for the proposed dwelling on new Lot 58 where 15% is allowed. Properties are in the General and Coastal Overlay Districts. Case # 40-2016.**

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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9. **David & Karen Pelletier of 40 Trenton Street, Manchester NH for property owned at 22 Odiorne Drive, Tax Map 17.3, Lot 11-3** request Variances from Section 603.2 to tear down and replace a non-conforming building; from Section 204.3C for a building in the front setback where 16.7' exists, 15.8' is proposed where 22.7' is required; from Section 202.4 for a building on a lot containing two or more principal buildings; from Section 500.3 to permit 2 parking spaces within the front yard where 2 in the left front yard exists and 0 are permitted; from Section 301.8B (1)(2) & (7) for a deck and building 50.8' from the wetlands where 75' is required; from Section 301.8A (1) & (2) for a septic system where 32' exists, 41.2' is proposed and 75' is required from the wetlands; and from the Building Code Section 7.9.4.1 for a septic system within 100' of wetlands. **Property is in the General and Coastal Overlay Districts. Case# 41-2016.**
10. **Andrew Martin for property 228 Parson Road, Tax Map 19, Lot 128** requests Variances from Section 602.1 to expand portions of a non-conforming structure and from Section 304.4 to expand the height to 29'10" where 28' is allowed. **Property is in the General & Coastal Overlay Districts. Case # 42-2016.**
11. **Robert Gray Construction for Stonewell Realty Trust, Jonathan Bobbett, Trustee for property at 1142 Ocean Blvd, Tax Map 19.4, Lot 88** requests an Equitable Waiver of Dimensional Requirements from Section 204.3B for the north left front corner of the house 5.5' from the setback when 5.68' was approved; from 204.3B from south rear corner of the house 6.56' from the setback when 6.86' was approved. **Property is in the General and Coastal Overlay Districts. Case #43-2016.**
12. **Robert Gray Construction for Stonewell Realty Trust, Jonathan Bobbett, Trustee for property at 1142 Ocean Blvd, Tax Map 19.4, Lot 88** requests a Variance from Section 204.3B for the north left front corner of the house 5.5' from the setback when 5.68' was approved; from 204.3B from south rear corner of the house 6.56' from the setback when 6.86' was approved. **Property is in the General and Coastal Overlay Districts. Case #44-2016.**

Respectfully Submitted,
Patricia Weathersby, Chair

Posted: 05/25/2016 at the Town Hall, Rye Public Library and Town Website: www.town.rye.nh.us