

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

**Legal Notice**

**APPLICATIONS**

1. **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.**
2. **Rannie 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.**
3. **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 (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.**
4. **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.**
5. **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.**
6. **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. To be heard March 20, 2019**
7. **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. To be heard March 20, 2019**

\*\*\*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

8. **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.**
9. **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.**
10. **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.**
11. **Lisa D. & Thomas S. Sherman, Trustees, Lisa D. Sherman Revocable Trust of 2009 for property owned and located at 296 Harbor Road, Tax Map 8, Lot 62** request variances from Section 603.1 for expansion of a non-conforming structure and from Section 203.3 C for expansion of home into the Locke Road front yard setback where 21.6' exists, 17.3' is proposed and 40' is required. **Property is in the Single Residence District. Case # 17-2019.**
12. **Louis J. Orland & Elizabeth F. Orlando for property owned and located at 103 Old Beach Road, Tax Map 8.4, Lot 126** request variances from Section 603.2 for destruction of an existing non-conforming structure and replace with new; Section 304.4 for a height where 17.7' exists, 30' is proposed and 28' is required; from Section 204.3 A for the house in the rear yard setback where 2.9' exists, 16.1' is proposed and 26' is required; from Section 204.3 B for the house in the right yard side setback where 1.5' exists, 2.3' is proposed and 20' is required; from Section 204.3 B for the house in the left side yard setback where 1.0' exists, 11.3' is proposed and 20' is required; from Section 204.3 C for the house in the front yard setback where 23.1' exists, 24.0' is proposed and 30' is required; from Section 304.5 for a building coverage where 22.6% exists and 34.6% is proposed and 15% is allowed and from overall coverage where 39.8% exists, 35.1% is proposed and 30% is allowed. **Property is in the General Residence, Coastal Overlay and SFHA, Zone AO1. Case #18-2019.**

*If your case is not heard on March 6, 2019 there will be a Second Meeting on Wednesday, March 20, 2019.*

Burt Dibble, Clerk