

legal

- 1. John Samonas, Trustee, Samonas Realty Trust for property owned and located at 1215 Ocean Blvd, Tax Map 17.3, Lot 6** requests the following variances to allow for the tear down of the main building and tourist cabins and replace them with four (4) new buildings: section 304.4 for height where less than 28' exists, 36.0'-36.5' is proposed for each of the replacement buildings and 28' is required; from section 204.3 C for dwellings in the Ocean Blvd front setback where 8.5' exists, 9' is proposed and 9.5' is required; from section 301.5A for removal of existing trees within the buffer and for a porous driveway 24' from the marsh where 50+ is required; and from section 301.8B(1) for fill, Section 301.8B(2) & 301.8B(7) for removal of existing structures within the buffer and for building (#1) within 64' of the buffer, building (#2) within 80' of the buffer, building (#3) within 82' of the buffer and building (#4) within 84' of the buffer where 100' is required and replacement of existing septic within the 100' buffer. **Property is in the General Residence, Coastal Overlay District. Case #36-2018.**
- 2. John Samonas, Trustee, Samonas Realty Trust for property owned and located at 1215 Ocean Blvd, Tax Map 17.3, Lot 6** requests a special exception from section 301.7.B, 301.8B(1) and 301.8B(7) for a driveway inside the 75' wetlands buffers. **Property is in the General Residence, Coastal Overlay District. Case #37-2018.**
- 3. John & Carole Murtagh for property owned and located at 33 Pollock Drive, Tax Map 23.1, Lot 2** request variances from section 203.3 B for a generator 12'5" from the side property line where 20' is required and from section 301.8B (1) & (7) for a generator 58' from the marsh. **Property is in the General & Single Residence and Coastal Overlay District. Case # 39-2018.**
- 4. Richard & Theresa Carey, Trustees, Richard & Theresa Carey Revocable Trust of 11 Robandy Street, Andover, MA for property owned and located at 11 Surf Lane, Tax Map 8.4, Lot 7.1** request an equitable waiver of dimensional requirements from section 304.5 for the building coverage where 19.1% was permitted, 15% is allowed and 24.5% was built. **Property is in the General Residence and Coastal Overlay District. Case # 40-2018.**
- 5. Richard & Theresa Carey, Trustees, Richard & Theresa Carey Revocable Trust of 11 Robandy Street, Andover, MA for property owned and located at 11 Surf Lane, Tax Map 8.4, Lot 7.1** request variances from section 304.5 for building coverage of 24.5% where 19.1% was permitted by variance on 8-21-18 and 15% is permitted; from section 204.3 B for a structure +/- 2.6' from the right side property line where 8.6' was granted and 20' is required; and from section 204.3C for a structure on the Breakers road setback of 7.2' where 11' was previously approved +/- 5' exits and 22.2' is required. **Property is in the General Residence and Coastal Overlay District. Case # 41-2018.**
- 6. Grace Sheehan (Wieczorek) of 7 Piccadilly Court, Manchester NH for property owned and located at 2165 Ocean Blvd, Tax Map 8.4, Lot 77** requests variances from section 603.1 for expansion of a non-conforming structure on a non-conforming lot and from section 304.5 for dwelling coverage where 11.7% exists, 15.6% is proposed and 15%. **Property is in the General Residence, Coastal Overlay District and SFHA, Zone AO (1). Case #42-2018.**
- 7. James & Penelope Shepperd of 6 Bay Road #33 Newmarket NH for property owned and located at 1021 Ocean Blvd, Tax Map 20.2, Lot 131** request an administrative appeal from the 8-9-18 denial letter

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

***The Board of Adjustment of the Town of Rye, NH will hold a public hearing at: 7:00 PM on
Wednesday, October 3, 2018 at the Rye Town Hall, 10 Central Road***

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by the building inspector to obtain variances from sections 500.2 and 500.2. **Property is in the General Residence, Coastal Overlay District. Case #43a-2018.**

- 8. James & Penelope Shepperd of 6 Bay Road #33 Newmarket NH for property owned and located at 1021 Ocean Blvd, Tax Map 20.2, Lot 131** request variances from section 603.1 for expansion of a non-conforming structure; from section 204.3 B for addition on the right side setback where 7.7' exists, 5.0'/9.7' is proposed and 20' is required and on the left side setback where 7.4' exists, 7.9'/9.0' is proposed and 20' is required; from section 204.3 C for an addition in the front yard setback where 15.4' exists, 9.7' is proposed for pavers and 13.4' for stairs and 30' is required; from section 304.5 for dwelling coverage where 23.7% exists, 24.4% is proposed and 15% is allowed; from section 304.5 for lot coverage where 36.4% exists, 39.6% is proposed and 30% is allowed; and from sections 500.2 and 500.3 for parking in the front yard setback within 10' of the lot line. **Property is in the General Residence, Coastal Overlay District. Case #43b-2018.**
- 9. Donald K. Laing Revocable Trust, T. Beaton & Scott Laing, Trustees of 21 Whippoorwill Drive, Newton, NH for property owned and located at 140 Harbor Rd, Tax Map 9.2, Lot 17** request variances from section 603.1 and 603.2 for expansion of a non-conforming structure on a non-conforming lot; from section 203.3 F for lot area where 50,516 s.f. exists, 50,516 s.f is proposed and 66,000 s.f is required and lot frontage where 0' exists, 0' is proposed and 150' is required; from section 301.8 B (1) (2) & (7) for construction in the wetlands buffer where 14.8' exists from tidal water to cottage, 22.9' is proposed and 100' is the required tidal buffer, where 19.6' exists from freshwater to cottage, 22.4' is proposed and 75' is the required freshwater buffer, where a privy is located in the tidal wetland resource, a septic tank is proposed 50' from tidal water where 100' is required, a leachfield is proposed 60.6' from tidal water where 100' is required and leachfield is proposed 44.6' from fresh water where 75' is required; from section 301.5 A for disturbance in the 50' buffer; and relief from the building code sections 7.9.2.2, 7.9.4.1 and 7.9.4.2 for septic tank 50' tidal, leachfield 60.6' tidal and 44.6' freshwater where 75' is required. . **Property is in the Single Residence District, Coastal Overlay and SFHA, Zone AE. Case #44-2018.**

Burt Dibble,
Clerk