

The Board of Adjustment of the Town of Rye, NH will hold a public hearing at: 7:00 PM on Wednesday, September 5, 2018 at the Rye Town Hall, 10 Central Road

LEGAL NOTICE

- Petition by Russ and Jayne Dockham for a request of a rehearing on the application heard by the BOARD on August 1, 2018 for property located at 0 Perkins Road, Tax 5, Lot 51-001 owned by Tyler McGill from the Building Inspector's letter dated May 23, 2018 that parts of the fence installed appeared to be not in compliance of the 6' as required from Section 510.3 for height. Property is in the General Residence District, Coastal Overlay District. Case #29-2018. **Public hearing closed during Board discussion on the request.**
- 1. **Edward N. Herbert Assoc. Inc, for property owned by Cara C. Zohdi 1998 Trust of 1 Frost Rd, Windham NH and located at 4 Winslow Way, Tax Map 17, Lot 75-1** requests a variance from Section 304.4 for a house height to be 35' +/- where 28' is allowed. **Property is in the single residence and coastal overlay districts. Case #20-2018.**
- 2. **Richard Beauchesne & Patricia Ann Healy of 46 Mountain Rd, Camden, ME for property owned and located at 0 Cable Road, Tax Map 8.4, Lots 76-1 and 76-2** request variances from section 304.4 for a building height of 30' where 28' is required; from section 601 to build a house on two non-conforming lots, which, when merged will remain non-conforming; and from section 304.5 for dwelling coverage of 16.3% where 15% is required. **Property is in the General Residence, Coastal Overlay District. Case # 27-2018.**
- 3. **Ocean View Trust, Timothy E. Sanborn, Trustee for property owned and located at 753 Ocean Blvd, Tax Map 23.1, Lot 16** requests variances from Section 603.1 for expansion of a nonconforming structure; from Section 204.3 B for addition 11.5' from the south side setback where 20' is required; and from 204.3C for an addition 16.2' from the front setback where 30' is required; from Section 204.3 C for the septic in the front setback 8.5' from Ocean Blvd and 7' from Pollock Drive where 30' is required; and Building Code Relief from Section 7.9.7 and 7.9.6 for an Individual Sewage Disposal System Plan that shows a separation of 24" from seasonal highwater table where 48" is required. **Property is in the General Residence, Coastal Overlay Districts. Case # 28-2018.**
- 4. **William & Beverly MacLeod of 77 Sunset Rock Rd., Andover, MA for property owned and located at 1174 Ocean Blvd, Tax Map 19.4, Lot 94** request variances from Section 603.1 for expansion of a non-conforming structure on a non-conforming lot and from Section 204.3B for a deck in the side setback where 19' exists, 13' is proposed and where 20' is required. **Property is in the General Residence, Coastal Overlay District. Case #31-2018.**
- 5. **Chris Stafford for property owned by Elizabeth Hoffman and located at 17 Brackett Road, Tax Map 22, Lot 17** requests a variance from Section 301.8 B (1) for fill within the 100' wetlands setback. **Property is in the Single Residence District. Case #32-2018.**
- 6. **Brian Putnam for property owned and located at 2 Park Ridge Ave, Tax Map 17.3, lot 17** requests an Administrative Appeal to the Building Inspector's June 18, 2018 denial for a septic system per Building Code Section 7.9.6. **Property is in the General Residence, Coastal Overlay District. Case #33-2018.**

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

7. **Ed & Beth Parolisi for property owned and located at 24 Concord Point, Tax Map 17.4, Lot 47** request a variance from Section 204.3 B for a generator 13.5' from the side setback where 20' is required. **Property is in the Single Residence, Coastal Overlay and SHFA, Zone AO. Case #34-2018**
8. **Edward & Donna Theobald for property owned and located at 20 Brackett Road, Tax Map 22, Lot 87** request a variance from section 301.8B (1) & (7) to build a 12' x 12' gazebo 40' within the tidal buffer where 100' is required. **Property is in the Single Residence District. Case #35-2018.**
9. **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 28' exists, 36.0'-36.5' is proposed for each of the replacement buildings and 28' is required; from section 204.4 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 structures within the buffer and for a porous driveway 25' from the marsh where 50+ is required; and from section 301.8B(1). 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 75' is required and replacement of existing septic within the 75' buffer. **Property in the General Residence, Coastal Overlay District. Case #36-2018.**
10. **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 and 301.8B for a driveway inside the 75' and 100' wetlands buffer. **Property in the General Residence, Coastal Overlay District. Case #37-2018.**
11. **Ocean View Trust, Timothy E. Sanborn, Trustee for property owned and located at 753 Ocean Blvd, Tax Map 23.1, Lot 16** requests an administrative appeal from the building inspector's email dated August 7, 2018. **Property is in the General Residence, Coastal Overlay Districts. Case #38-2018.**

Burt Dibble,
Clerk