

**The Board of Adjustment of the Town of Rye, NH  
Public Hearing at the Rye Town Hall, 10 Central Road  
7:00 PM on WEDNESDAY, FEBRUARY 7, 2024**

Join Zoom Meeting

<https://us06web.zoom.us/j/83795391075?pwd=M4R9bgIebHfymSb6c0Xn5kqayNHtUd.1&from=addon>

Meeting ID: 837 9539 1075

Passcode: 123456

**Minutes:** December 6, 2023, January 3, 2024, if available January 17, 2024 meeting minutes

**APPLICATIONS:**

- 1. 444 Owls Revocable Trust, Alexia Leddy, Trusty for property owned and located at 154 Washington Road, Tax Map 17, Lot 15** requests variance from §190-2.3.C(5)(2) for lot coverage of 23.8% where 15% is allowed; and waiver relief from the Building Code §35-14.C(1) and (2) for an effluent system 3' to ledge where 6' to ledge is required and for Estimated Seasonal High Water Table 2' where 4' is required. **Property is in the Single Residence District. Case # 62-2023.**
- 2. Michael Anderson for property owned and located at 117 Washington Road, Tax Map 17, Lot 20** requests variances from §190-6.3B to raze and existing shed and replace with new; from §190-3.1.H.(1)(a) to replace an existing shed with new within 100' of a fresh pond. **Property is in the Single Residence District. Case #57-2023. Request for continuance to the next available meeting.**
- 3. Ed Farley for property owned and located at 472 Wallis Road, Tax Map 16, Lot 77** requests variances from §190-2.3C(5) for height of barn and existing house for up to 40' where 35' is allowed, from §190-2.3C(2) for barn extension and new roof 19' +/- from the side boundary where 20' is required; and from §190-2.3.C(2) for addition to existing house to raise the roof 10' to 15' from the side boundary where 20' is required. **Property is in the Single Residence District. Case #40-2023. Request for continuance to May1, 2024 meeting.**
- 4. Elements 9 LLC for property owned and located at 14 Sagamore Road, Tax Map 24, Lot 74** requests variances from §190-6.3.B to raze an existing structure and replace with new, from 190-2.11.A(1) To allow residential use of land where such use is not permitted within the Commercial Zoning District; from §190-2.2.I(2) To allow non-residential use of land abutting the boundary of a residential zoning district without providing a 50' wide buffer between the non-residential use and the residential zone district boundary; from §190-2.11.C(3) for proposed parking area 8.9', for a retaining wall 3.4', for a light pole 4.7' from the Sagamore Road front boundary where 30' is required; from §190-2.11.C(3) for proposed patio and balconies 12.4', for a building 21.4', for HVAC condensers 22.7', for generator 20.1' , for a parking area 11.0', for retaining wall 9.2' and for a transformer pad 14.7' from the Frontier Street front boundary where 30' is required; from §190-2.11.C(3): To allow for proposed parking area 2.2' from the left yard boundary where 20' is required, from §190-5.0.C for parking 8.9' from the front boundary adjacent to Sagamore Road where 10' is required and for parking 2.2' from the left lot boundary where 10' is required; from §190-3.1(H)(1)(f)/3.1.H(2),(a) for proposed building 62.2', a walkway 41.6', a proposed parking on the north side area 3.2', for proposed parking area on the east side 38.1' and for a light pole 39.' from the wetlands where 75' is required. **Property is in the Commercial District. Case #59-2023. Request for continuance to March 5, 2024 meeting.**
- 5. Rye General Store & Grille, LLC for property owned and located at 2203 Ocean Blvd, Tax Map 5.3, Lot 028-00A and Tax Map 5.3, Lot 028-00B** requests variances from §190-6.3.B to raze Units A

Unrestricted \*\*\*THIS AGENDA IS SUBJECT TO CHANGE UP UNTIL THE TIME OF THE MEETING\*\*\*

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and B and replace with new; from §190-2.2.D(1) for no more than one principal building on one lot; from §190-3.4.D for dwelling coverage 32.2% where 30.4% exists and 15% is required; from §190-5.0.C for parking along the Gray Court boundary where 10' is required; and from §190-2.10.C(3) for structure 10.5' from the rear boundary where 10.5' exists and rear yard depth of ¼ of the depth or 30' from the rear boundary whichever is less; **Property is in the General Residence/Business District, Coastal Overlay and SFHA, Zone AO, Depth 2'. Case #61-2023.**

6. **Lone Star LLC/Matthew & Martha Masiello for property owned and located at 125 Wentworth Road, tax Map 24, Lot 34** request variances from §190-6.3.A/B to raze an existing house and replace with new, from §190-3.1.H(a), (2),(a), (e) [2], g for a home 51.7', stone steps 10', patio 52' +/-, cutting of 23 trees greater than 4.5", a spa 53' and a rinsing station 65' from the river where 100' is required. **Property is in the Single Residence District, Wetlands Conservation and SFHA, Zone AE(8). Case #58-2023.**
7. **Peter & Mary LeSaffre for property owned and located at 30 Straws Point Road, Tax Map 8.4, Lot 93** request variances from §190-2.2.E for a proposed septic tank 19.3' from the side boundary where 20' is required; from §190-2.3.C(2) for a retaining wall 9.1', a generator 9.2' and service court 10.4' from the side boundary where 20' is required; from §190-2.3.C(5) for lot coverage 28.5% where 15% is allowed; from §1903.1.H(2)(a)(f) & (g) for yard drain 45', stormwater chambers 48.8'/46.7' and terraced steps 75' from the wetlands where 100' is required and from §190-3.4.D for height 32.85' where 30' is required. The applicant request waiver relief from the Building Code §190-35-14.C(2) for sepiTech system 3.5' to the ESHWT where 4ft separation is required. **Property is in the Single Residence, Coastal Overlay, Wetland Conservation District and SFHA, Zones AO (3), VE (19). Case #07-2024.**
8. **George & Julie Looser for property owned and located at 750 Long John Road, Tax Map 16, Lot 155** request variances from §190-6.3.A for expansion of nonconforming structure for deck, storage shed and plunge pool; from §190-2.3.C(5) for lot coverage where 22% exists and 29% is proposed and 15% is allowed; from §190-2.3.C.(2) for a pool shed 1.5' from the side boundary where 20' is required; from §190-2.3.C(2) for a pool 14.7' from the rear boundary where 30' is required; from §190-2.3.C(2) for a deck 18'+/- from side boundary where 20' is required and §190-2.3.C(1) for deck 23' +/- from rear boundary where 30' is required; and from §190-5.7 for a stormwater management plan. **The property is located in the Single Residence District. Case #08-2024.**
9. **Jonathan Lowell for property owned and located at 114 Harbor Road, Tax Map 9.2, Lot10** requests variances from §190-2.3.C(2) for mini-split system 6' form the side property line where 20' is required; and from §190-6.2.A for expansion nonconforming use. **The property is located in the Single Residence District and Coastal Overlay District. Case #10-2024.**
10. **Mark C Epply for property owned and located at 267 Brackett Road, Tax Map 19, Lot 93** requests variances from §190-6.3.A for expansion of nonconforming structure; from §190-3.1.H.(1)(a) for deck 56', and an addition 70' from the wetland, where 100' is required; from §1902.3.C(3) for addition 20' +/- from the front boundary where 40' is required. **The property is located in the Single Residence District. Case #11-2024. Request for continuance to the next available meeting.**
11. **Evan Granoff for property owned and located at 973 Ocean Blvd, Tax Map 20.2, Lot 136** requests variances from §190-5.0. C for parking in the front yard boundary. **The property is located in the Single Residence District, Coastal Overlay District. Case #12-2024.**

Clerk, Chris Piela,

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