

**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, APRIL 3, 2024**

Join Zoom Meeting

<https://us06web.zoom.us/j/83635544745?pwd=ojMXrxevbO5NuCDbAZIOaq4WRULGNk.1&from=addon>

Meeting ID: 836 3554 4745

Passcode: 394080

Minutes: January 14, 2024, February 7, 2024, and March 6, 2024

New Business: Appointment of Chair, Vice-Chair and Clerk.

APPLICATIONS:

Request for rehearing and reconsideration by Leigh and Daren D'Andrea by and through their attorneys, Hoefle, Phoenix, Gormley & Roberts, PLLC for property owned and located at 0 Jenness Avenue, Tax Map 8.4, Lot 48 per NHRSA 677:2 and the Rye Zoning Ordinance §190-7.3 of the Board of Adjustment's August 30, 2023 decision denying requested relief from various requirements of the Rye Zoning Ordinance. **Public hearing closed during Board discussion on the request. Request to move to May 1, 2024**

- 1. 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.**
- 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 53'+/- from the fresh pond where 100' is required. **Property is in the Single Residence District. Case #57-2023.**
- 3. 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. Request to move to May 1, 2024**
- 4. George (Jordy) & 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. **The property is located in the Single Residence District. Case #08-2024.**

5. **Peter G. Hamill 2007 Revocable Trust owns property at 152 Harbor Road, Tax Map 9.2, Lot 17** for an Administrative Appeal from the Building Inspectors letter dated December 28, 2023 to issue a Certificate of Occupancy to the Laing Trust for residence located at 140 Harbor Road as well as the Building Inspector's December 28, 2023 response to a complaint filed by the Hamill Trust.. **Properties are in the Single Residence Districts, Coastal Overlay Districts and SFHA, Zone AE. Case # 13-2024.**
6. **Jean & Andrew Varney for property 2242 Ocean Blvd, Tax Map 5.3, Lot 69** request variances from §190-2.3.C(1) for a patio 24.4' from the rear boundary where 30' is required; from §190-2.3.C(3) for a house 22.1' from the front boundary where 40' is required; from §190-2.3.C(5) and §190-3.4.E for dwelling coverage 23.6% where 15% is required; from §190-3.1.H(2)(a),(f), (g) for a patio 51.1' and a house 67.5' from the wetland where 100' is required; and from §190-6.3.B to raze and existing structure and replace with new. **Property is in the Single Residence, Coastal Overlay Districts, SFHA, Zone AO(2) and VE(16). Case #15-2024.**
7. **Tritower LP/Thomas Burkhardt for property owned and located at 2231 Ocean Blvd, Tax Map 5.2, Lot 11** requests variances from Section §190-3.1.H(1)(f) and §190-3.1.H(2)(a),(g) for a an addition 57.1' and a deck 57.4' from the wetland where 75' is required. **Property is in the General Residence, Coastal Overlay Districts and SFHA, Zone AO (2). Case 16-2024.**
8. **Daniel & Jennifer Mayo for property owned and located at 1085 Old Ocean Blvd, Tax Map 19.4, Lot 60** request a variance from §190-2.2.E for construction of a septic system 7.9' for the tank on 10.1' for the field on the left property line where 20' is required; from §190-3.1.H(1)(a) and §190-3.1.H(2)(a),(b),(f) and (g) for septic system 27.5' from the wetland where 100' is allowed; the applicant requests relief from the Building Code Section §35-14.B(2) for a septic system 27.5' from the wetland where 75' is required and §35-14.B(5) for a septic tank 7.9 ft. and a leach field 10.1 ft. from the side lot line where 20 ft. is required and §35-14.C(2) to permit an AOS System 2 ft. from seasonal high water where 4ft. is required. **Property is in the General Residence, Coastal Overlay and Wetland Conservation Districts. Case #17-2024.**
9. **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 building 26.3' (+/-), a dumpster pad 3.6' (+/-), a generator pad 25.1' (+/-), travel aisle 3.5' (+/-), and light poles 2.2' (+/-) from the right front Sagamore Road boundary where 30' is required; from §190-2.11.C(2) for a dumpster pad 7.0' (+/-), a generator pad 9.8' (+/-), and a proposed travel aisle 7.0' (+/-) from the left side boundary where 20' is required; from §190-3.1(H)(2),(a), (b), (c), (e) for proposed building 21.3' (+/-) from a dumpster pad 36.5' (+/-), for a generator pad 27.1' (+/-), from a travel aisle 34.7' (+/-) from the wetland where 75' is required and for the cutting of trees greater than 4.5" in diameter from the wetlands where 75' is required. **Property is in the Commercial District. Case # 18-2024.**

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**Acting Clerk,
Chris Piela,**