

**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 5, 2023**

Join Zoom Meeting

<https://us06web.zoom.us/j/89480001489?pwd=cGpvQUI2TIVEZzh2WENES2plaGtMZz09&from=addon>

Meeting ID: 894 8000 1489

Passcode: 123456

Minutes: Approval of the March 1, 2023, minutes

Appoint: 1. Chair, Vice-Chair and Clerk and 2. Jenn Madden, appoint as an Alternate for three (3) years

**APPLICATIONS**

1. **Ted & Pauline Simeonov, Aleph LLC owners of 720 Brackett Road, Tax Map 17, Lot 65** request an Administrative Appeal from the Building Inspector's letter dated November 22, 2022, for address 691 Brackett Rd, Tax Map 17, Lot 34 per §190-5.7B and §202, Attachment 5, Appendix E as it relates to a driveway. **Properties are in the Single Residence District. Case #10-2023.**
2. **Mukherjee Living Trust Sumeeta Mukherjee Trustee of 60 Deer Meadow Road, North Andover, MA for property owned and located at 1701 Ocean Blvd, Tax Map 13, Lot 6** requests variances from §190-2.4.C(3) for second story building addition and deck 10' +/- from the front boundary where 30' is required; from §190-3.1.H(1)(b) for the work within 75; wetland buffer. **Property is in the General Residence, Coastal Overlay and SFHA, Zone VE. Case #07-2023.**
3. **Robert Lang on behalf of Tucker D. Allard & Mary Coppinger for property owned and located at 457 Central Road** request a variance from §190-5.0.C for a driveway 6' where 10' is required and from §190-2.3.C (2) for a shed 12' from the side boundary where 20' is required. **The property is in Single Residence District. Case #55-2022. Request continuance to May 3, 2023 meeting.**
4. **Wentworth by the Sea Country Club for property owned and located at 60 Wentworth Road, Tax Map 24, Lot 61-26** requests variances from §190-2.3.C(2) for 32 parking spaces in or partly in the 20' side setback; from §190-3.1.H(2), a, g for parking 11.' from wetlands where 75' is required; and from §190-5.0.C for 7 off-street parking spaces within or partly within the 10' lot line setback. **Property is in the Single Residence District. Case #03-2023.**
5. **Leigh & Darren D'Andrea for property owned and located at 0 Jenness Avenue, Tax Map 8.4, Lot 48** request variances from §190-2.4.C(1) for an overhang 23.7', chimney 21.9', steps 21', retaining wall 15.3', and patio/deck 9' from the rear boundary where 25' is required; from §190-2.4.C(3) for steps and a paver pad 17.5'; a bioretention pond +/- 2 ft from Jenness Avenue and +/- 6 ft from Surf Lane; from the front yard boundary where 23.5' for Jenness Avenue and 8' for Surf Lane is required; from §190-3.1.F, H(2)(a)(e)(f)(g) for tree removal, house 5.3', steps 13', and driveway 20' from the wetland where 75' is required; from §190-3.4.E for 17% dwelling coverage where 15% is required; from §190-6.1.A and from §190-6.1.B(1)(2), (C) for a 9,998 square foot lot area with 200' of frontage on a nonconforming lot; and from §190-5.0C for off-street parking spaces within the front setback where that is prohibited. **Property is in the General Residence and Coastal Overlay Districts, and SFHA Zone AE(8). Case #06a-2023. Request continuance to the next available meeting.**

6. **Leigh & Darren D'Andrea for property owned and located at 0 Jenness Avenue, Tax Map 8.4, Lot 48** request special exceptions pursuant to §190-3.1.G(2) for a driveway located in the wetland buffer; and §190-3.4.C to develop a vacant coastal lot in accordance with Criteria §190-3.4.C(1)-C(8). **Property is in the General Residence and Coastal Overlay Districts, and SFHA Zone AE(8). Case #06b-2023. Request continuance to the next available meeting.**
7. **Summer at the Beach Trust, Susan Mesiti, Trustee, for property owned and located at 1182 Ocean Boulevard, Unit 2, Tax Map 17.3, Lots 32-2** request variances from §190-3.1.H(1)(a) and §190-3.1.H(2)(a)(g) to convert a patio to a deck 50' from the highest observable tide level where 100' is required; §190-2.4.C(2) for a generator 3' from the side yard boundary where 20' is required; from §190-3.4.E for 72.6% impervious surface coverage where 72% exists and 30% is required; from §190-3.4.D to convert a deck to living space at 35.8' where 28' is required, and from §190-6.3.A for expansion of a nonconforming structure. **Property is in the General Residence and Coastal Overlay Districts. Case #13a-2023. Request continuance to May 3, 2023 meeting.**
8. **Paradise at the Shore Trusts I and II, Susan Mesiti, Trustee, for property owned and located at 1182 Ocean Boulevard, Unit 3, Tax Map 17.3, Lot 32-3** request variances from §190-3.1.H(1)(a) and §190-3.1.H(2)(a)(g) for a structure 50' from the highest observable tide level where 100' is required; from §190-3.4.E for 72.6% impervious surface coverage where 72% exists and 30% is required; from §190-3.4.D to convert a deck to living space at 35.8' where 28' is required, and from §190-6.3.A for expansion of a nonconforming structure. **Property is in the General Residence and Coastal Overlay Districts. Case #13b-2023. Request continuance to May 3, 2023 meeting.**
9. **Joseph Nicols, Nichols Environmental, LLC for Dominick & Keri Graham of 102 Chester Road, Fremont NH for property owned and located at 327 South Road, Tax Map 4, Lot 51** request a variance from §190-2.3.C(5) for installation of 2 a.c. units 19' from the side boundary where 20' is required. **Property is in the Single Residence District. Case #14-2023.**
10. **Michael E. Megna, Member of 665-667 Wallis Road, LLC, for property owned and located at 665-557 Wallis Road, Tax Map 16, Lot 21** requests a special exception from §190-6.4; from §190-7.1.A (3); and §190-5.3 for expansion of existing 2 unit dwelling to a 4 unit dwelling and conversion to condominium form of ownership. **Property is in the Commercial District, Single Residence District, Aquifer & Wellhead Protection District. Case #15a-2023.**
11. **Michael E. Megna, Member of 665-667 Wallis Road, LLC, for property owned and located at 665-557 Wallis Road, Tax Map 16, Lot 21** requests variances from §190-2.2.H for expansion of a 2 unit dwelling to a 4 unit dwelling unit with condominium form of ownership; from §190-2.11.C(2) for expansion of a second floor 12.9' from the side boundary where 20' is required; from §190-6.2.A for expansion of nonconforming residential units; and from §190-6.3.A for expansion on nonconforming structure to a two-story building with 4 residential units. **Property is in the Commercial District, Single Residence District, Aquifer & Wellhead Protection District. Case #15b2023.**
12. **Jeffrey W. Keefe of 380 Ocean Blvd. Unit #11, Portsmouth NH for property owned and located at 3 Brackett Road, Tax map 22, Lot 72** requests variances from §190-3.1.H.2(a),(b),(e), and (g) for a deck/house 57', a septic tank 49', a leach field 75', a garage 96,45' and removal of trees from the wetland where 100' is required; from §190-5.7.C for stormwater management plan 5.43 CFS 2-year (+0.24), 9.75 CFS 10-year (+0.30); and 16.42 CFS 50-year (+0.35) where required; from §190-6.3.A for expansion of nonconforming structure. **Property is in the Single Residence District and SFHA, Zone AE (8). Case #16-2023. Request continuance to the next available meeting.**

Respectfully Submitted,  
Chris Piela, Clerk