

***The Board of Adjustment of the Town of Rye, NH
will hold a public hearing
at: 7:00 PM on Wednesday, August 4, 2021
Rye PUBLIC LIBRARY, 581 Washington Rd, Rye***

BUSINESS

Elect a Chair, Vice Chair and Clerk
Minutes of the July 7, 2021
Verizon will be withdrawing the application at 120 Brackett Road
Kevin Maley, Alternate

APPLICATIONS

- 1. Steven & Denise Manseau for property owned and located at 117 Wentworth Road, Tax Map 24, Lot 36** request variances from §190-2.3.C(2) for a shed 2.6' from the side boundary where 20' is required, from §190-2.3.C(3) for a shed 20' from the S Corner front boundary and 4.2' from the East Corner Front Boundary where 40' is required; and from §190-2.3.C(5) for dwelling coverage of 19.04% where current is 15.35% and 15% is allowed and for lot coverage to exceed 30%. **Property is in the Single Residence District. Case #21-2021. Request a continuance to the September 1, 2021 meeting.**
- 2. Craig & Denise Benson, Trustees, K&L Realty Trust for property owned and located at 2 Merrymeeting Lane, tax Map 15, Lot 18** request variances from 190-2.2. E for a leach field 14.5' from the side boundary where 20' is required; from 190-2.3.C(2) for a soffit 17' from the side boundary where 20' is required; from 190-2.3.C(3) for a soffit 23' from the front boundary where 40' is required; from §190-3.1.H.2(a),(b), (g) for a generator 19.9', a soffit 28', a foundation 30', a leachfield 86', a septic tank 77', a porous drive 25' from wetland A where 100' is required; from §190-3.1.H.2(a),(b), (g) for a septic tank 83' for soffits 86' and 88' and a porous drive 75' from the wetland across the street where 100' is required; from §190-3.1.E for 79 trees to be cut that are >4" in diameter and relief from Building Code §35-14 B(5) for a septic system 14.5' from the side boundary where 20' is required. **Property is in the Single Residence District. Case# 25a-2021.**
- 3. Craig & Denise Benson, Trustees, K&L Realty Trust for property owned and located at 2 Merrymeeting Lane, tax Map 15, Lot 18** request a special exception from §190-3.1.G & §190-3.1.H.2(f) for a pervious driveway 25' from the wetland A. **Property is in the Single Residence District. Case# 25b-2021.**
- 4. John St. Cyr, Trustee, Saint Realty Trust for property owned and located at 21 Vin Mar Court, Tax Map 8.4, Lot 34** requests variances from §190-2.2A.D(1) for two family homes on one lot; and from §190-2.3A for two family homes on one lot. **Property is in the Single Residence and Coastal Overlay Districts. Case #30-2021.**
- 5. Aloha Properties, LLC, 159 Main Street, Suite 100, Nashua NH for property owned and located at 63 Old Beach Road, Tax Map 8.4, Lot 134** requests variances from §190-2.4.C(1) for a retaining wall 2.1', a generator 9.8', a rinsing station 17.5', a house 19.2' and a pervious patio 8.1' from the rear boundary where 28.3' is required; from §190-2.4.C(2) for east/right steps 7.0', right overhang 6.5', a condenser 7.3'/8.4' and a retaining wall 1.0' from the side boundary where 20' is required; from §190-2.4.C(3) for a retaining wall 4.9' from the front boundary where 21' is required; from §190-2.4.C(5) and §190-3.4.E for dwelling coverage of 21.4% where 15% is allowed; and for lot coverage of 33.4% where 30% is allowed; from §190-3.1.H(2)(a)(f)(g) for a retaining wall 2.8' and other structures in the 100' buffer; and from §190-6.3B for destruction and rebuild of a non-conforming structure. **Property is in the General Residence, Coastal Overlay District and SFHA Zone AE(13). Case #31a-2021.**

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

6. **Aloha Properties, LLC, 159 Main Street, Suite 100, Nashua NH for property owned and located at 63 Old Beach Road, Tax Map 8.4, Lot 134** requests a special exception from §190-3.1.G(2), §190-3.1.H(2)(f) and §190-7.1.(A)(3) for a driveway in the wetland buffer. **Property is in the General Residence, Coastal Overlay District and SFHA Zone AE(13). Case #31b-2021.**
7. **Danna B. Truslow Rev. Trust and Edward William Truslow Rev. Trust for property owned and located at 1065 Washington Road, Tax Map 10, Lot 49r** request variances from §190-2.3.C(2) for the creation of a lot for subdivision which would have a left side boundary of +/- 17' where 20' is required; and from §190-2.3.C(6) for the creation of a lot for subdivision which would take an existing lot with 141' of frontage and split the frontage to +/- 116' lot 1 and +/- 25' lot 2 frontage where 200' is required for each lot. **Property is in the Single Residence District and Rye Wellhead Protection District. Case #32-2021.**
8. **Domenic Martignetti & Phyllis Martignetti 68 Manchester ST. Nashua NH for property owned and located at 4 Breakers Road, Tax Map 8.4, Lot 68** requests a variance from §190-2.4.C(2) for an addition of a platform deck 8' from the side boundary, where 20' is required; and from §190-2.4.C(1) for an addition of a platform deck 8' from the rear boundary where 30' is required. **Property is in the General Residence, Coastal Overlay District and the SFHA, Zone AE (8). Case #33-2021.**
9. **Arthur G. Pierce Rev. Trust & Sharon Pierce Rev. Trust, Arthur & Sharon Pierce, Trustees of 24 Colony Cove Road, Durham NH for property owned and located at 261-279 Pioneer Road, Tax Map 24, Lot 117** request variances from §190-5.3.C(2) for a condominium conversion of 4 units having 580sq.ft, 580 sq.ft, 530 sq.ft, and 530 sq.ft where each is required to have a minimum of 600 sq ft. of floor area and from §190-5.3.C(7) the amount of land designated as common area is less than 90% of the area of the parcel not designated for buildings and individual unit owner's vehicles does not meet the minimum lot area and frontage. **Property is in the Single Residence District. Case #34a-2021. Request a continuance to the September 1, 2021 meeting.**
10. **Arthur G. Pierce Rev. Trust & Sharon Pierce Rev. Trust, Arthur & Sharon Pierce, Trustees of 24 Colony Cove Road, Durham NH for property owned and located at 261-279 Pioneer Road, Tax Map 24, Lot 117** request a special exception per the Rye Zoning Ordinance §190-5.3.A for 8 apartments in existing 4 buildings. **Property is in the Single Residence District. Case #34a-2021. Request a continuance to the September 1, 2021 meeting.**
11. **Charles M. and Lyndsay A. Benyon for property owned and located at 30 LaMer Drive, Tax Map 13, Lot 44** request an Administrative Appeal from the Building Inspector's June 28, 2021 letter which refers to a swingset/play system as an accessory building pursuant to §190-3.1.G(3) and §190-3.1.H. **Property is in the Single Residence District. Case #35a-2021. Request a continuance to the September 1, 2021 meeting.**
12. **Charles M. and Lyndsay A. Benyon for property owned and located at 30 LaMer Drive, Tax Map 13, Lot 44** request variances from §190-2.3.C(1) for a swingset/play system 10+/- from the rear property boundary where 30' is required and from §190-3.1.H(2)(g) for a swingset/play system in the 100' wetlands buffer. **Property is in the Single Residence District. Case #35b-2021. Request a continuance to the September 1, 2021 meeting.**
13. **Matthew & Susan O'Connor Family Trust, Matthew & Susan Trustees of 15025 Alfata Drive, Pacific Palisa CA for property owned and located at 92 Old Beach Road, Tax Map 8.4, Lot 119** request a variance from §190-2.3.C(2) for a patio, grill and kitchen 9'+/- from the right side property boundary where 20' is required. **Property is in the Single Residence District and Coastal Overlay District and SFHA, Zone VE(14). Case #36-2021. Request a continuance to the September 1, 2021 meeting.**

Patty Weathersby,
Acting Chair

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