

***The Board of Adjustment of the Town of Rye, NH***  
***Public Hearing at: 7:00 PM on Wednesday, January 5, 2022***  
**Rye Public Library**

**BUINSESS**

Minutes of December 1, 2022

**APPLICATIONS**

1. **Domenic Martingnetti & 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 platform deck .6' from the side boundary where 20' is required; from §190-2.4.C(1) for a platform deck 4.2' from the rear boundary where 30' is required; from §190-6.2 and §190-6.3 for expansion of existing structure; and §190-3.4. E and §190-2.4.C(5) for lot coverage of 75% where 30% is allowed. **Property is in the General Residence, Coastal Overlay District and the SFHA, Zone AE (8). Case #33-2021.**
2. **Lynch Family Revocable Trust, Carolyn J. & Daniel E. Lynch Trustees of 104 Pleasant Street, Apt 2. Concord, NH for property owned and located at 10 Shoals View Drive, Tax Map 20.2, Lot 82** request a special exception pursuant to §190-3.1.G(2) for a driveway with approximately 175+/- sq. ft. in the wetlands buffer and 7'+/- from the property boundary where 100' is required. **Property is in the General Residence, Coastal Overlay District and the SHFA, Zone (AO3). Case 01a-2022.**
3. **Lynch Family Revocable Trust, Carolyn J. & Daniel E. Lynch Trustees of 104 Pleasant Street, Apt 2. Concord, NH for property owned and located at 10 Shoals View Drive, Tax Map 20.2, Lot 82** request variances from §190-6.3.A and §190-6.3.B for tear down and rebuild of a non-conforming structure on a non-conforming lot; from §190-2.4C(2) for mechanicals 18'+/- from the right side boundary, where 20' is required; from §190-2.4C(3) for a building 7.6'+/- from the front boundary, where 9.8' is the average of adjoining abutters is required; from §190-5.0.C for parking 7'+/- from the side boundary where 10' is required, 6'+/- from the front boundary where 10' is required and two spaces stacked; from §190-3.1.H(2)(a)(b)(f) and (g) for a leachfield 57'+/- and a septic tank 51'+/- from the wetland, for leachfield 64'+/- and septic tank 62'+/- from the pond, for house deck 71'+/- from wetland and 80'+/- from the pond, for a driveway 90'+/- from the pond and 85'+/- from the wetland where 100' from the wetland and 100' from the pond are required; and relief from Building Code §35-14.B(2)(a) for a septic tank 51'+/- and 64'+/- for receiving area from the wetland; from §35-14.D(1)(a) and §35-14.F for proposed "Clean Solutions" septic system 51'+/- and 64' +/-for receiving area from the wetland where 100' is required. **Property is in the General Residence, Coastal Overlay District and the SHFA, Zone (AO3). Case 01b-2022.**
4. **Meaghan & Chris Barretto for property owned and located at 1 Rand Lane, Tax Map 19, Lot 7** requests a variance from §190-3.1.H(2)(a) and (g) for a permeable patio that ranges from 22' to 50' and for a walkway partially within the 75' wetland buffer where 75' is required. **Property is in the Single Residence District. Case #02-2022.**
5. **Victory A.M. Bastable for property owned and located at 50 Brackett Road, Tax Map 22, Lot 91** requests a variance from §190-3.1.H(2)(a) and (g) for a generator 40' from the wetland where 75' is required. Property is in the Single Residence District. Case #3-2022.
6. **16 Wentworth Road, SPC, LLC of 126 Daniel Street, Suite 200, Portsmouth NH for property owned and located at 16 Wentworth Road, Tax Map 26, Lot 18** requests variances from §190-2.3C(3) for a garage 11.5' and a retaining wall 5.1' from the front boundary where 40' is required; from §190-6.3.B for demolition of a 2-story dwelling and garage and replace with new dwelling and incorporated garage; from §190-3.1.H.2(a)(e) and (g) for a house overhang 18.3'/20', wall 20.2'/21.6', a pervious patio 20.1', a retaining wall 7' and removal of 18 trees >4.5" from the wetland boundary where 100' is required. Property is in the Single Residence District and SFHA, Zone VE(17). Case #5-2022.

Chris Piela, Clerk