

**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, July 5, 2023**

**Business:** Minutes of May 17, 2023, and June 7, 2023, meetings

**APPLICATIONS:**

- **Request for rehearing and reconsideration by Kathy & Timothy Keane for property owned and located at 5 Cable Road, Tax Map 8.4, Lot 176 per NHRSA 677:2 and the Rye Zoning Ordinance §190-7.3 of the Board of Adjustment's May 17, 2023 decision denying requested relief from various requirements of the Rye Zoning Ordinance. **Public hearing closed during Board discussion on the request.****

**1. Paul Treseder & Susan Vogelsang for property owned and located at 59 Central Road, Tax Map 12, Lot 35 request variances from §190-6.3.A for expansion of nonconforming structure; from §190-2.3.C(3) for an addition 10+/- and 21.9' from the front Meadow Lane Boundary where 40' is required; from §190-5.0.C for parking in the front yard area. **Property is in the Single Residence District. Case #18-2023.****

**2. 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 23.66', chimney 21.86', deck stairs 15.84', and deck 14.80' 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 +/- 0 ft (Jenness Avenue side) and +/- 1 ft (Surf Lane side) 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, overhang 4.50' house 5.73', steps 12.35', deck stairs 8.16', 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 1 off-street parking space 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 a continuance to August 2, 2023 meeting.****

**3. 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 a continuance to August 2, 2023 meeting.****

**4. Robert & Cynthia Scarano property owned and located at 1481 Ocean Blvd, Tax Map 13, Lot 54 request an equitable waiver of dimensional requirements per RSA 674:33-a from §190-6.3.A/B to convert a previously approved bulkhead to a room; from §190-2.4.C(1) for patio at 5.31' from the rear boundary line where 12+/- was approved and 30' is required; and from §190-2.4.C(2) for a room at 14.42' where a bulkhead at 14.39' was approved; for a patio at 13.35' from the side boundary where 9.67' was approved and 20' is required. **Property is in the General Residence, Coastal Overlay and SFHA Zone AO(3). Case #21a-2023.****

**5. Robert & Cynthia Scarano for property owned and located at 1481 Ocean Blvd, Tax Map 13, Lot 54 request variances from §190-6.3.A/B to convert a previously approved bulkhead to a room; from §190-2.4.C(1) for patio 5.31' +/- , a hot tub 7.02' and a retaining wall 24.86' from the rear boundary where 30' is required; from §190-2.4.C(2) for a studio 14.42' (overhang 13.56'), a patio 13.35'; a hot tub 6.85'; a mini/split 12.64' and a retaining wall 5.25' from side boundary where 20' is required. **Property is in the General Residence, Coastal Overlay and SFHA Zone AO(3). Case #21a-2023.****

Unrestricted \*\*\*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. Grail Real Estate LLC for property owned and located at 6 Airfield Drive, Tax Map 10, Lot 15** requests an appeal of administrative decision **per NHRSA 677:2 and the Rye Zoning Ordinance §190-7.3** of the building inspectors 4-19-2023 letter which determined that the uses for the property are materially different from the uses presented to the Planning Board in 2021. **Property is Commercial District, Multi-Family Overlay District. Aquifer Protection Overlay and Berry's Brook Watershed. Case #23-2023. Request a continuance to August 2, 2023 meeting.**

**7. Michael R. Parsons & Katelyn B. Randall for property owned and located at 34 Perkins Road, Tax Map 5.2, Lot 148** request variances from §190-2.4.C(1) for a pool 23.5' from the rear boundary where 28.9' is required; from §190-2.4.C(2) for a pool 17.1' from the right side boundary where 20' is required; and from §190-2.4.C(5) for impervious coverage of 51.9% where 30% is allowed. **Property is in the General Residence and the Coastal Overlay District. Case #28-2023. Request a continuance to August 2, 2023 meeting.**

**8. Bluestone Properties of Rye, LLC for property owned and located at 33 Sagamore Road, Tax Map 24, Lot 6** requests a one-year extension to the relief for a special granted on 8-26-2020. **Property is in the Business District. Case #30a-2020. Request a continuance to August 2, 2023 meeting.**

**9. Bluestone Properties of Rye, LLC for property owned and from § at 33 Sagamore Road, Tax Map 24, Lot 6** requests a one-year extension to the relief for variances granted on 8-26-202. **Property is in the Business District. Case #30b-2020. Request a continuance to August 2, 2023 meeting.**

**10. Rachel and Jonathan Fox for property owned and located at 73 Washington Road, Tax Map 17, Lot 68** request variances from §190-6.2. B for expansion of a nonconforming lot by installing a 12 x 22 patio and from §190-2.3.C(5) for lot coverage of 16.695% where 15.802% exists and 15% is allowed. **Property is in the Single Residence District. Case #32-2023.**

**11. Three Meters LLC for property owned and located at 22 Pioneer Road, Tax Map 24, Lot 94** requests an appeal of administrative decision **per NHRSA 677:2 and the Rye Zoning Ordinance §190-7.3** of the building inspector's letter of May 18, 2023 in which he determined that the existing property has been used as a single family home with a home based business historically which means the proposed construction would be a change of use. **Property is in the Single Residence District. Case #33-2023.**

**12. Martha & Gerald Eckman for property owned and located at 931 Ocean Blvd, Tax Map 20.2, Lot 142** request a variance from §190-2.4.C(2) to install a generator 2' from the side boundary where 20' is required. **Property is in the General Residence and Coastal Overlay District. Case #34-2023.**

**13. Keith Bridge for property owned and located at 165 Central Road, Tax Map 12, Lot 21** request variances from §190-2-3.C(2) for a house 18'-16" from the side boundary where 20' is required; from §190-20.3.C(3) for a house 36' from the front boundary where 40' is required; from §190-6.3.A to raise the existing 39' ranch 12" to obtain 7'6" height in basement on a nonconforming lot. **Property is in the Single Residence and Wellhead Protection Area. Case #35-2023.**

**14. Davide Repczynski & Kimberly Cassidy for property owned and located at 60 Tehias Rd, Tax Map 16, Lot 34** request variances from §190-2-3.C(1) for a shed 10' from the rear boundary where 30' is required; from §190-2-3.C(2) for a shed 5' from the side boundary where 20' is required and from §190-2-3.C(5) for dwelling coverage where 16.4% currently exists, 17% is requested and 15% allowed. **Property is in the Single Residence District, Aquifer and Berry's Brook Watershed. Case #36-2023.**

Respectfully Submitted,  
Chris Piela, Clerk