

**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, May 3, 2023**

**Business:**

Minutes April 5, 2023

**APPLICATIONS:**

1. **Mukherjee Living Trust Sumeeta Mukherjee Trustee 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.**
2. **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 3 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.**
3. **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 3 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 3 residential units; and relief from the Building Code §35-14.C(1) and RBC §35-14.D.1(c) to permit an advanced septic system leachfield 2.5' from ledge where 6' is required. **Property is in the Commercial District, Single Residence District, Aquifer & Wellhead Protection District. Case #15b2023.**
4. **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.**
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.**
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.**
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) for a porous patio 50', grill area 50' and wash station 56' from the highest observable tide level where 100' is required; §190-2.4.C(2) for a generator 3', porous patio .5' (6"); grill area 1' and wash station 1.4' from the side yard boundary where 20' is required; from §190-3.4.E for 71.8% impervious surface coverage where 72% exists and 30% 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.**

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

8. **Jeffrey W. Keefe 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 June 7, 2023.**
9. **Anthony & Susan Farmer for property owned and located at 440 Sagamore Road, Tax Map 18, Lot 51** request variance from §190-6.3.A for expansion of nonconforming structure; from §190-3.1.H.1 & H.2(a)(g) for a deck 44' and garage 48.8' from the wetland where 100' is required; from §190-2.3.C(3) for pervious pavers 24', 21' and 18' +/- from the front boundary where 40' is required; and §190-2.3.C(1) for pervious pavers 29' from the rear boundary where 30' is required. **Property is in the Single Residence District. Case #17-2023. Request continuance to the next available meeting.**
10. **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.**
11. **Marlene Veloso & Charles Fast for property owned and located at 850 Washington Road, Tax Map 11, Lot 130** request a variance from §190-2.3.C (6) to take one lot and divide into two lots with one of the lots having frontage of 101'40" where 200' is required. **Property is in the Single Residence District. Case #19-2023. Request continuance to the next available meeting.**
12. **Kathy & Timothy Keane for property owned and located at 5 Cable Road, Tax Map 8.4, Lot 176** request §190-6.3.B for demolition of existing structure, replace with new; from §190-2.3.C(1) for a house 3.85'/4.58', pervious patio 6.84', pervious driveway -3.00' and a drainage area 0' from the rear boundary where 30' or ¼ depth is required; from §190-2.3.C(2) for a driveway -10' from the side boundary where 20' is required; from §190-2.3.C(3) for a house 4.61', a pervious walkway 1.52', steps 1.43' and pervious driveway 0' from the front boundary where 40' is required; from §190-2.4.C(5) & §190-3.4.E for dwelling coverage 27.2% where 15% is required and lot coverage 37.5% where 15% is required; from §190-3.1.h.2(a)(g) for a pervious patio 38.1', steps 46.4' and roof 50' within the 100' NHDES Tidal buffer zone; and from §190-3.4.D for height 29.80' where 28' is allowed. **Property is in the Single Residence, Coastal Overlay, SFHA Zone VE (14). Case #20-2023.**
13. **Robert & Cynthia Scarano property owned and located at 1481 Ocean Blvd, Tax Map 13, Lot 54** request an equitable waiver of dimensional requirements per RSA674:33-a from §190-6.3.B for an approved bunkhouse which became a studio; from §190-2.4.C(1) for patio approved 12' +/- which became 5.31' +/- from the rear boundary where 30' is required; and from §190-2.4.C(2) for addition of a bulkhead 14.39' and the studio is 14.42' and patio approved 9.67' and became 13.35' from the side boundary where 20' is required. **Property is in the General Residence, Coastal Overlay and SFHA Zone AO(3). Case #21a-2023.**
14. **Robert & Cynthia Scarano for property owned and located at 1481 Ocean Blvd, Tax Map 13, Lot 54** request variances from §190-6.3.B for rebuild of a studio; from §190-2.4.C(1) for patio 5.31' +/- and a hot tub 7.02' from the rear boundary where 30' is required; from §190-2.4.C(2) a studio 14.42', a patio 13.35' and a hot tub 6.85' from the left side boundary where 20 is required. **Property is in the General Residence, Coastal Overlay and SFHA Zone AO(3). Case #21a-2023.**
15. **Frank Goguen for property owned and located at 29 Gray Court, Tax Map 5.2, Lot 87** requests variances from §190-6.3.A for expansion of existing non-conforming structure; from §190-2.6.C(5) & 1903.4.E for dwelling coverage 21.30% is proposed and 15% is allowed, and lot coverage 34.18% where 30% is allowed. **Property is in the General Residence, Coastal Overlay District. Case #22-2023.**

Respectfully Submitted, Chris Piela, Clerk