

*The Board of Adjustment of the Town of Rye, NH  
will hold a public hearing  
at: 7:00 PM on Wednesday, November 3, 2021  
Rye Junior High School, Café 501 Washington Road, Rye NH*  
**Masks are mandatory**

**BUINSESS**

Minutes of October 6, 2021  
Appointment of Alternate Member to full membership  
Appoint Kevin Malley as alternate

**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 8' from the side boundary where 20' is required; and from §190-2.4.C(1) for 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. Request a continuance to December.**
- 2. Charles M. and Lyndsay A. Beynon 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.**
- 3. Charles M. and Lyndsay A. Beynon 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 18' from the wetland boundary. **Property is in the Single Residence District. Case #35b-2021.**
- 4. Charles M. and Lyndsay A. Beynon for property owned and located at 30 LaMer Drive, Tax Map 13, Lot 44** request an Administrative Appeal from the Building Inspector's September 14, 2021 letter denying a 5' fence within the 100' wetlands buffer per 190-3.1.H(2)(a)(c). **Property is in the Single Residence District. Case #48-2021.**
- 5. The Sagamore Group, LLC owned by Split Rock Cove Family Trust of 2019 for property owned and located at 15 Sagamore Rd, Tax Map 24, Lot 22** request variances from §190-2.2.D(1) for four residential buildings on a lot where 3 exist and one is permitted; from §190-2.2.J(1),(2) for 40' between commercial use and the residential district line where 50' is required; from §190-2.3.A(1) for four single-family dwellings in a Single Residence District where one is permitted; from §190-2.3.C(5) for overall impervious coverage of 24% where 15% is allowed ; from §190-6.3.B for removal of one commercial structure and three residential structures, two of which are located in the commercial zone, replacing with two commercial buildings entirely in the commercial zone and four residential buildings located within the residential zone; §190-7.1.B for change to boundary line by not more than 50' where the boundary line divides a lot and single ownership. **Property is in the Commercial District. Case #45-2021.**

- 6. BSL Rye Investors, LLC d/b/a Benchmark Senior Living for property owned and located at 295 Lafayette Road, Tax Map 10, Lot 3** requests an administrative appeal from the building inspector's September 7, 2021 decision that a bioretention pond is structure requiring relief from §190-2.11.C(3); and from the building inspector's measurement of grade. **Property is in the Commercial District and the Aquifer Wellhead District. Case #46a-2021.**
  
- 7. BSL Rye Investors, LLC d/b/a Benchmark Senior Living for property owned and located at 295 Lafayette Road, Tax Map 10, Lot 3** requests variances from §190-2.11.C(3) for a biorientation pond <60; from the front boundary; from §190-2.11..C(7) for a building height of <37.03' – 42.03' where 35' is required. **Property is in the Commercial District and the Aquifer Wellhead District. Case #46b-2021.**
  
- 8. Susan Mesiti Family Trust for property owned and located at 1182 Ocean Blvd, Unit 3, Tax Map 17.3, Lot 032-003** requests a variance from §190-2.3.C(2) for a generator 1' from the left side boundary where 20' is required. **Property is in the General Residence, Coastal Overlay District, SFHA, Zone VE(14). Case #47-2021**
  
- 9. Penacho Family Trust for property owned and located at 1182 Ocean Blvd, Unit 1, Tax Map 17.3, Lot 032-001** requests a variance from §190-2.3.C(2) for a generator 1' from the left side boundary where 20' is required. **Property is in the General Residence, Coastal Overlay District, SFHA, Zone VE(14). Case #48-2021**

Respectfully Submitted,  
Chris Piela, Clerk