

The Board of Adjustment of the Town of Rye, NH
Public Hearing at the Rye Town Hall
10 Central Road, Rye NH
7:00 PM on Wednesday, October 5, 2022

BUSINESS:

*Minutes August 23, 2022 site walk and September 7, 2022

APPLICATIONS

1. **Michael Magri for property owned and located at 354 Wallis Road, Tax Map 18, Lot 80** requests variances from §190-6.3.A for expansion of a nonconforming structure; from §190-2.3.C(5) for building area of 19% where 15% is allowed; from §190-2.3.C(1) for construction at 21.5' from the rear boundary where 30' is required; and from §190-2.3.C(3) for construction 34' from the front boundary where 40' is required. **Property is in the Single Residence District. Case #43-2022.**
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 to construct a single family house on existing lot from §2.3.C(2) for a propane tank 8' from the side boundary where 20' is required; from §190-3.1.H.2(a),(b), (g) for soffits for a house 39.7'/22.4'/16.4' and a house foundations 42.5/25.2'/18.8', a porous drive 44.5', a walkway 52.8', a septic tank 67', septic system 79', an underground propane tank and landscaping from wetland where 100' is required. **Property is in the Single Residence District. Case# 33a-2022.**
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 driveway 44.5' from the wetland where 100' is required. **Property is in the Single Residence District. Case# 33b-2022.**
4. **Peter & Christine Baldwin of 10 Crestview Drive, Exeter NH for property owned and located at 163 Parsons Road, Tax Map 20, Lot 1** request Building Code waivers from §35-14.C(1) to replace an existing cesspool with a septic system with a distance 3.47' to bedrock/impermeable substratum where 6' is required; and from §35-14.C(2)/ §-14.D(1)(b) for septic system distance 2' to estimated seasonal highwater where 4' is required and 2' or less is a prohibited condition. **Property is in the General Residence District, Coastal Overlay. Case #34-2022.**
5. **Christopher & Susan Reaney for property owned and located at 691 Brackett Road, Tax Map 17, Lot 34** request a special exception from §190-3.1.G(2)/3.1.H.2(f) for a driveway 38.4' from the wetland where 75' is required. **The property is in the Single Residence District and Wetland Conservation Overlay District. Case #38a-2022.**
6. **Christopher & Susan Reaney for property owned and located at 691 Brackett Road, Tax Map 17, Lot 34** request variances from §190-3.1.H.(2)(a),(f) &(g) for a barn 31.6', a deck 30.7', a retaining wall 69.2', a garage 57.9', a pervious driveway 38.4' and an impervious walkway 68.4' from the wetland and removal of one tree where 75' is required; and from §190-6.3.A for expansion of a barn. **Property is in the Single Residence District and Wetland Conservation Overlay District. Case #38b-2022.**

7. **Shoals Realty LLC/Splaine of 81 Cable Road, Rye NH for properties owned and located at 28 Pine Street, Tax Map 5.2, Lot 51 and 26 Pine Street, Tax Map 5.1, Lot 50** requests variances from §190-2.4.C(6) for a lot line adjustment between the two properties where 26 Pine Street where 25,600.53 sf exists will be reduced to 22,823.34 sf where 44,000 sf is required; from §190-2.4.C(2) for property 28 Pine Street for a house 10.52' and other fixtures +/- 5' and +/- 8' from the side boundary where 10.28' exists and 20' is required; from §190-2.4.E for building coverage for 28 Pine Street of 17.75% where 9.26% exists and 15% is required; and from §190-6.3.B for destruction of nonconforming structure and making slightly conforming. **Properties are in the General Residence District and Coastal Overlay District. Case #44-2022.**
8. **Charles Potter for property owned and located at 941 Ocean Blvd, Tax Map 20.2, Lot 141** requests variances from §190-2.4.C(1) for a rear deck/patio 5' from the rear boundary where 30' is required; and from §190-2.4.C(3) for front walkway 15' from the front boundary where 40' is required; and from §190-2.4.C(5)/ §190-3.4.F(6) for lot coverage of 24.1% from 27.5% where 30% is allowed. **Property is in the General Residence, Coastal Overlay District. Case #47-2022.**
9. **Harold Kennedy & Mary Lynn Anderson of 1417 Ocean Blvd, Tax Map 17.4, Lot 9** request an Administrative Appeal from the Building Inspector's letter dated August 2, 2022 for certifying an apartment at 1419 Ocean Blvd, Tax Map 17.4, Lot 8 as a legal apartment per Rye Zoning Ordinance §190-2.2.I. **Property is in the General Residence, Coastal Overlay District. Case #48-2022.**
10. **Daniel Maguire for property owned and located at 20 Cable Road, Paul Maguire for property owned and located at 18 Cable Road, Tax Map 8.4, Lot 2** request a variance from §190-2.4.C(2) for a deck 8.2' from Lot 1 and 8.0 from Lot 2 where 20' is required; from §190-2.4.C(1) for a deck 9' from rear boundary where 30' is required; and from §190-2.4.C(5)/ §190-3.4.F(6) for lot coverage 37% where 30% is allowed. **Property is in the General Residence, Coastal Overlay District. Case #49-2022.**
11. **Michael Bergeron for property owned and located at 11 Huntervale Ave, Tax Map 8.1, Lot 109** requests variances from §190-2.4.C(1) for a shed 5 from the rear boundary where 30' is required; and from §190-2.4.C(2) for a shed 2.5' from the side boundary where 20' is required. **Property is in the General Residence District. Case #50-2022.**
12. **Joshua Alder for property owned and located at 16 Robin Road, Tax Map 20.2, Lot 112** requests a variance from §190-2.4.C(2) for a generator 17' from the side boundary where 20' is required. **Property is in the General Residence District. Case #51-2022.**
13. **Patrick McKenna for property owned and located at 139 Wentworth Road, Tax Map 24, Lot 32** requests variances from §190-3.1H(2)(a),(b) for a septic system and construction of a new deck and stairs within the 100' of the wetland buffer. **Property is in the Single Residence District. Case #52-2022.**
Request to be continued to the next scheduled meeting.

Respectfully Submitted, Chris Piela, Clerk