

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

BUSINESS:

*Minutes July 6, 2022, July 21, 2022 and August 3, 2022 and August 23, 2022

APPLICATIONS

1. **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. Request continued to October 5, 2022.**
2. **Matthew & Natasha Goyette for property owned and located at 750 Brackett Road, Tax Map 17, Lot 66** request a variances from §190-6.3A/B for expansion of a structure on a non-conforming lot; and from §190-3.1.H(2),(g) for an addition on an existing footprint 55' from the wetlands. **Property is in the Single Residence District. Case #36-2022.**
3. **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. **Property is in the Single Residence District and Wetland Conservation Overlay District. Case #38a-2022.**
4. **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.**
5. **Ben Stout of Bayberry & Company for Marvin Family Revocable Trust for property owned and located at 80 Locke Road, Tax Map 8, Lot 34** request variances from §190-3.1.H.2 (a) & (g) for dredge and fill for a soak pool and patio within the wetland buffer. **Property is in the Single Residence District and Coastal Overlay District. Case #40-2022.**
6. **Greg Sandell for property owned and located at 6 Tower Ave, Tax Map 8.1, lot 64** requests variances from §190-5.0. for parking 6' from the boundary line where 10' is required and for four parking spaces within the front boundary; and from §190-5.6.C (3) for two additional parking spaces for an ADU; and from §190-6.3A for an addition of a structure on a non-conforming lot. **Property is in the Single Residence District and Coastal Overlay District. Case #41-2022.**
7. **Michelle Bingham & Wayne Maciejewski for property owned and located at 1 Central Road, Tax Map 11, Lot 73** request a variance from §190-2.4.C(3) for a hot tub 30' from the front property boundary where 40' is required. **Property is in the Single Residence & Aquifer and Wellhead Overlay District. Case #42-2022.**

8. **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.**

9. **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.**

10. **Victor Odryna Living Trust and Regina A. Odryna Living Trust of 5 Juniper Lane, Hampton NH for property owned and located at 640 Long John Road** request variances from §190-3.1.H(2)(a),(b),(e)(2), (f) & (g) for a retaining wall 5.9', a home 86.8', a deck/spiral staircase 62.3', a porch 28.3' and garage 53.3' from the wetland where 75' required and 100' required for the marsh; from §35-14.B(2) for a septic 50.0', 88.8' 100'+ from the wetland where 75's is required; and from §190-6.3.B for demolition of existing nonconforming structure and replace with new. **Property in the Single Residence District and Wetland Overlay District. Case #45-2022.**

Respectfully Submitted, Chris Piela, Clerk