

**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, MARCH 6, 2024**

Join Zoom Meeting

<https://us06web.zoom.us/j/86372785339?pwd=HP8lxsYGLqy2CNCYNqXAuT9ez5gfDb.1&from=addon>

Meeting ID: 863 7278 5339

Passcode: 123456

Minutes: January 3, 2024, January 17, 2024, and February 7, 2024, if available.

APPLICATIONS:

- **Request for rehearing and reconsideration by Brenda P. Murray, property owner of 59 West Atlantic Ave, Rye NH for property owned and located at 0 Jenness Avenue, Tax Map 8.4, Lot 48 per NHRSA 677:2 and the Rye Zoning Ordinance §190-7.3 of the Board of Adjustment’s January 17, 2024 decision granting requested relief from various requirements of the Rye Zoning Ordinance. **Public hearing closed during Board discussion on the request.****

 - **Request for rehearing and reconsideration by Leigh and Daren D’Andrea by and through their attorneys, Hoefle, Phoenix, Gormley & Roberts, PLLC for property owned and located at 0 Jenness Avenue, Tax Map 8.4, Lot 48 per NHRSA 677:2 and the Rye Zoning Ordinance §190-7.3 of the Board of Adjustment’s August 30, 2023 decision denying requested relief from various requirements of the Rye Zoning Ordinance. **Public hearing closed during Board discussion on the request.****
1. **George (Jordy) & Julie Looser for property owned and located at 750 Long John Road, Tax Map 16, Lot 155 request variances from §190-6.3.A for expansion of nonconforming structure for deck, storage shed and plunge pool; from §190-2.3.C(5) for lot coverage where 22% exists and 29% is proposed and 15% is allowed; from §190-2.3.C(2) for a pool shed 1.5’ from the side boundary where 20’ is required; from §190-2.3.C(2) for a pool 14.7’ from the rear boundary where 30’ is required; from §190-2.3.C(2) for a deck 18’ +/- from side boundary where 20’ is required and §190-2.3.C(1) for deck 23’ +/- from rear boundary where 30’ is required; and from §190-5.7 for a stormwater management plan. **The property is located in the Single Residence District. Case #08-2024.****

 2. **Jonathan Lowell for property owned and located at 114 Harbor Road, Tax Map 9.2, Lot 10 requests variances from §190-2.3.C(2) for mini-split system 6’ from the side property line where 20’ is required; and from §190-6.2.A for expansion nonconforming use. **The property is located in the Single Residence District and Coastal Overlay District. Case #10-2024.****

 3. **Evan Granoff for property owned and located at 973 Ocean Blvd, Tax Map 20.2, Lot 136 requests variances from §190-5.0. C for parking in the front yard boundary. **The property is located in the Single Residence District, Coastal Overlay District. Case #12-2024.****

 4. **Mark C Epply for property owned and located at 267 Brackett Road, Tax Map 19, Lot 93 requests variances from §190-6.3.A for expansion of nonconforming structure; from §190-3.1.H.(1)(a) for deck 56’, and an addition 70’ from the wetland, where 100’ is required; from §190-2.3.C(3) for addition 20’ +/- from the front boundary where 40’ is required. **The property is located in the Single Residence District. Case #11-2024.****

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

5. **Rye General Store & Grille, LLC for property owned and located at 2203 Ocean Blvd, Tax Map 5.3, Lot 028-00A and Tax Map 5.3, Lot 028-00B** requests variances from §190-6.3.B to raze Units A and B and replace with new; from §190-2.2.D(1) for no more than one principal building on one lot; from §190-3.4.D for dwelling coverage 32.2% where 30.4% exists and 15% is required; from §190-5.0.C for parking along the Gray Court boundary where 10' is required; and from §190-2.10.C(3) for structure 10.5' from the rear boundary where 10.5' exists and rear yard depth of ¼ of the depth or 30' from the rear boundary whichever is less; **Property is in the General Residence/Business District, Coastal Overlay and SFHA, Zone AO, Depth 2'. Case #61-2023.**
6. **Michael Anderson for property owned and located at 117 Washington Road, Tax Map 17, Lot 20** requests variances from §190-6.3B to raze and existing shed and replace with new; from §190-3.1.H.(1)(a) to replace an existing shed 53'+/- from the fresh pond where 100' is required. **Property is in the Single Residence District. Case #57-2023.**
7. **Peter & Mary LeSaffre for property owned and located at 30 Straws Point Road, Tax Map 8.4, Lot 93** request variances from §190-2.2.E for a proposed septic tank 19.3' from the side boundary where 20' is required; from §190-2.3.C(2) for a retaining wall 9.1', a generator 9.2' and service court 10.4' from the side boundary where 20' is required; from §190-2.3.C(5) for lot coverage 28.5% where 15% is allowed; from §1903.1.H(2)(a)(f) & (g) for yard drain 45', stormwater chambers 48.8'/46.7' and terraced steps 75' from the wetlands where 100' is required and from §190-3.4.D for height 32.85' where 30' is required. The applicant request waiver relief from the Building Code §190-35-14.C(2) for sepiTech system 3.5' to the ESHWT where 4ft separation is required. **Property is in the Single Residence, Coastal Overlay, Wetland Conservation District and SFHA, Zones AO (3), VE (19). Case #07-2024.**
8. **Peter G. Hamill 2007 Revocable Trust owns property at 152 Harbor Road, Tax Map 9.2, Lot 17** for an Administrative Appeal from the Building Inspectors letter dated December 28, 2023 to issue a Certificate of Occupancy to the Laing Trust for residence located at 140 Harbor Road as well as the Building Inspector's Decembre 28, 2023 response to a complaint filed by the Hamill Trust.. **Properties are in the Single Residence Districts, Coastal Overlay Districts and SFHA, Zone AE. Case # 13-2024.**
9. **Stephen and Kelly Colen, Trustee for property owned and located at 39 Parsons Road, Tax Map 20.2, Lot 45** request a special exception from §190-3.1.G(2): §190-3.1.H.d(f) for a driveway 18.7' from the wetland buffer. **Property is in the General Residence and Coastal Overlay District. Case #14a-2024.**
10. **Stephen and Kelly Colen, Trustee for property owned and located at 39 Parsons Road, Tax Map 20.2, Lot 45** request variances from §190-6.3.A for expansion of a structure on a nonconforming lot; from §190-3.1.F(7); §190-3.1.H(a),(b),(f) & (g) for a house 50.1', a deck 48.5', a driveway 18.7', a leachfield 61.5', a septic tank 39.9', a pump chamber 38.6', a garage 43' and a retaining wall/driveway 15.7 from the wetlands where 75' is allowed; and from §190-2.4.C(2) for a leachfield 38.7' and a retaining wall 5' from the side boundary where 20' is required. **Property is in the General Residence and Coastal Overlay District. Case #14b-2024.**

Clerk,
Chris Piela,