

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

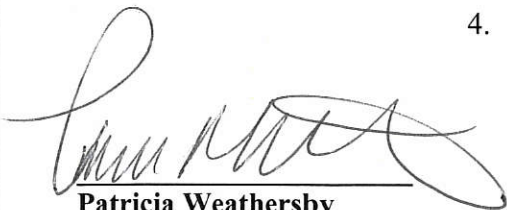
NOTICE OF DECISION

- Applicant/ Owner:** Donald K. Laing Revocable Trust, T. Beaton & Scott Laing, Trustees of 21 Whippoorwill Drive, Newton, NH
- Property:** 140 Harbor Rd, Tax Map 9.2, Lot 17
Property is in the Single Residence, Coastal Overlay and SFHA, Zone AE.
- Application case:** Cases #20a-2019 and 20b-2019
- Date of decision:** May 1, 2019
- Decision:** The Board voted 5-0 to grant variances from the following sections of the Zoning Ordinance:
- Section 603.2 for demolition and replacement of a non-conforming structure;
 - Section 603.1 for expansion of a non-conforming structure on non-conforming lot;
 - Section 301.8 B (1) & (7) to remove the privy, shower and expansion of dwelling 14.8' from the tidal marsh and 19.6' from the wetlands;
 - Section 301.5 A for surface alteration for a pervious patio 35' from the tidal marsh and 23.5' from the wetland.

The Board voted 5-0 to grant a special exception for a gravel driveway and two parking spaces within the wetland buffer.

Each variances and special exception was conditioned upon continued compliance with all of the following conditions:

1. Installation, where necessary, and maintenance of native species vegetation to a depth of 5' along the edge of all fresh and tidal wetlands on the property;
2. A silt sock be in place along the common driveway during the construction phase (in addition to erosion control measures on the plans);
3. The Applicant work with town officials to manage construction vehicles and minimize construction parking on the property; and
4. The patio be installed and maintained such that it remains pervious.



Patricia Weathersby
Chairman