

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant/Owner: LL & MR Tierney Revocable Trust, Leonard & Mary Tierney,
Trustees of National Engineering 72 Mirona Road, Suite 4,
Portsmouth NH

Property: 1 Cable Road, Tax Map 5.2, Lot 43
3 Cable Road, Tax Map 5.3, Lot 44
Properties are in the Single Residence, Coastal Overlay and
SFHA, Zone AO +1

Application case: Case #37-2019

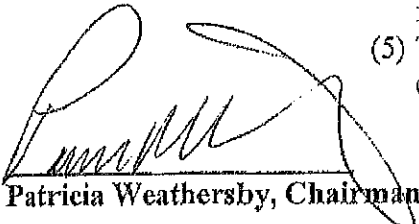
Date of decision: November 6, 2019

Decision: The Board voted 3-2 to grant variances from the following sections of the
Rye Zoning Ordinance:

- Section 304.5 for building height of 31.09';
- Section 203.3 C for a porch addition 22.6' from the front boundary;
- Section 203.3A for building 3.6' from the rear (left) boundary;
- Section 304.5 for a dwelling coverage of 21.1% and a lot coverage of 48.1%;
- Section 603.1 for renovations to the non-conforming main house; and
- Section 603.2 to tear down the non-conforming cottage and rebuild with an attached garage with living space above

Each variance was granted upon the following conditions:

- (1) the applicant merge the two lots prior to construction;
- (2) The pervious pavers be installed and maintained such that they remain pervious;
- (3) Native plantings are to be added to the existing landscape border along the ocean side of both lots 43 and 44. The northeast corner of Lot 44 is to be planted with native, salt resistant plantings to a depth of three (3) feet to tie in with the existing grasses.
- (4) Existing lawn to be fertilized only with low nitrogen fertilizer if fertilization is necessary.
- (5) The Rye Conservation Commission may revisit the site to verify compliance with conditions.



Patricia Weathersby, Chairman

Note: This decision is subject to motions for rehearing which may be filed within 30 days of the above date of decision by any person directly affected by it including any party to the action, abutters and the Rye Board of Selectmen; see Article VII, Section 703 of the Town of Rye Zoning Ordinance. Any work commenced prior to the expiration of the 30 day rehearing / appeal period is done so at the risk of the applicant. If a rehearing is requested, a cease and desist order may be issued until the Board of Adjustment has had an opportunity to act on the rehearing request.