

August ZBA
Rye Civic League Notes

August 4 Meeting Draft Minutes [CLICK HERE](#)
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Highlights

1. Shawn Crapo elected Vice Chair
2. Patricia Weathers elected Chair
3. Chris Piela elected clerk
4. Kevin Maley added to Board as alternate
5. Verizon application for Brackett Road cell tower withdrawn
6. 13 applications scheduled
 - a. 6 continued at the start of the meeting.
 - b. 2 Merrymeeting Lane (2 applications) withdrawn.
 - c. 3 approved 5 to 0 with conditions
 - d. 1 application denied 5 to 0
 - e. 1 continued for the applicant to gather more information
7. All applications presented by attorneys (4 by Phoenix).
8. Demolitions this week 1. Demolitions this year 6
9. Coming up next: 261-279 Pioneer Road, for a condominium conversion. 8 apartments in existing 4 buildings.

May - August 2021

Section	Description	Count
190-2.2.D.2(a)(2)	Lots with 2 or more dwellings. Enlarge dwelling	1
190-2.2.D.2(a)(3)	Lots with 2 or more dwellings. Adding decks	1
190-2.2.A.D(1)	Two family homes on one lot	1
190-2.3.C(1)	Single Residence: Rear yard having a minimum depth of 1/4 of the depth of the lot or 30 feet	3
190-2.3.C(2)	Single Residence: Side of every building a side yard having a minimum width of 20 feet	1
190-2.3.C(3)	Single Residence: Front of every building a front yard having a minimum depth of 40 feet,	1
190-2.3.C(5)	Single Residence: No dwelling shall occupy more than 15% of its lot	1
190-2.3A	Two family homes on one lot	1
190-2.4.C(1)	General Residence: rear yard having a minimum depth of 1/4 of the depth of the lot or 30 feet,	6
190-2.4.C(2)	General Residence: side of every building a side yard having a minimum width of 20 feet	8
190-2.4.C(3)	General Residence: Front of every building a front yard having a minimum depth of 30 feet,	6
190-2.4.C(5)	General Residence: No dwelling shall occupy more than 30% of its lot	4

190-3.1(2)	Non-forestry: cutting of trees for non-forestry purposes	1
190-3.1.G(2)	Wetlands: Special Exception. Driveway	1
190-3.1.H.2(a)	Buffer restriction: Surface alteration by the addition of fill, excavation or dredging is prohibited	8
190-3.1.H.2(b)	Buffer restriction: Septic systems are prohibited	3
190-3.1.H.2(c)	Buffer restriction: Use for permitted uses as long as there is no surface alteration	1
190-3.1.H.2(f)	Buffer restriction: Special exception	4
190-3.1.H.2(g)	Buffer restriction: Uses not listed are prohibited	7
190-3.4.D	Within the Coastal Area District, no building or structure shall exceed 28 feet in height as measured from existing grade	1
190-3.4.E	Within the Coastal Area District, no dwelling shall occupy more than 15% of its lot	3
190-5.3.C.3	Condominium conversions: The off-street parking requirements of the Town of Rye existing as of the date of the request for condominium conversion must be met	2
190-6.3.A	Nonconforming buildings and structures: expansion	7
190-6.3.B	Nonconforming buildings and structures: destruction	3
190-7.1.(A)(3)	Special exception: Driveway	1

APPLICATIONS

1. 117 Wentworth Road, Shed. **Continued**.
2. 2 Merrymeeting Lane, New home with septic within the wetland boundary. **Withdrawn**.
3. 2 Merrymeeting Lane, driveway in the wetland boundary. **Withdrawn**.
4. 21 Vin Mar Court, §190-2.2A.D(1) for two family homes on one lot; and from §190- 2.3A for two family homes on one lot. **Granted** 5-0 with two conditions, 1) Both homes and entire property must be owned by the same entity, 2) 2nd home connected to public sewer
5. 63 Old Beach Road, Demolition of one home and building of a new home (16 requests for relief) **Granted** 5-1 with 3 conditions 1) Smaller pervious patio, 2) Tree planted in front of house, 3) Plants with 85% survival rate. Concern over fill being used to bring the house out of the flood zone. No mechanism to do anything with this concern. What does it mean for this neighborhood in the future?
6. 63 Old Beach Road, driveway in the wetland buffer. **Granted** 5-0.
7. 1065 Washington Road, for the creation of a lot for subdivision: left side boundary of +/- 17' where 20' is required; Split 141' of frontage into +/- 116' lot 1 and +/- 25' lot 2 frontage where 200' is required for each lot. **Denied**. 5-0 12 reasons for denying the variances. Will this one come back again?
8. 4 Breakers Road, for an addition of a platform deck. **Continued**

9. 261-279 Pioneer Road, for a condominium conversion. **Continued**

10. 261-279 Pioneer Road, 8 apartments in existing 4 buildings. **Continued.**

11. 30 LaMer Drive, an Administrative Appeal from the Building Inspector's June 28, 2021 letter which refers to a swingset/play system as an accessory building. **Continued.**

12. 30 LaMer Drive, for a swingset/play system 10+/- from the rear property boundary where 30' is required and in the 100' wetlands buffer. **Continued**

13. 92 Old Beach Road, for a patio, grill and kitchen 9'+/- from the right side property boundary where 20' is required. **Continued**