

BOARD OF ADJUSTMENT

-Rye, New Hampshire- NOTICE OF DECISION

- Applicant/Owner:** Bradley & Bettyann LeMire of 26 Renee Lane, Enfield, CT
- Property:** 1595 Ocean Blvd, Tax Map 13, Lot 30
Property is in the General Residence, Coastal Overlay District and SFHA, Zone (AE-8)
- Application case:** Cases #04-2022
- Date of decision:** February 2, 2022
- Decision:** The Board voted 5-0 to grant variances from the following sections of the Rye Zoning Ordinance:
- §190-6.3.B destruction of a nonconforming structure;
 - §190-2.4.C(2) for a dwelling 10.1' from the right side boundary;
 - §190-2.4C(3) for a dwelling front steps 2.1', walkway 0.0' and dwelling 9.4' from the front boundary;
 - §190-2.4.C(7) and §190-3.4.D for a for a dwelling height of 30.78'; and
 - §190-3.1.H.2(a)(b)(f) and (g) for the dwelling, septic and driveway in the wetland buffer.

The Board voted 5-0 to grant a special exception pursuant to the Rye Zoning Ordinance to allow for a driveway partially in the wetlands and in the wetlands buffer.

- §§190-3.1.H.(f) and 190-3.1 G(2) for a driveway in the wetland buffer.

Each of the above special exception, variances were granted conditioned upon continued compliance with all the following conditions from the Rye Conservation Commission letter dated January 26, 2022:

1. The satellite dish and all debris are removed from the area near the marsh.
2. A planting plan is developed that replaces the three pine trees with at least three native trees of 3" caliper or greater. The plan should also include native plants installed to a depth of 10' along the edge of the lawn and the back edge of where the garage existed.
3. The Conservation Commission shall approve the planting plan.
4. There is an 85% plan survival rate after one year.


Shawn Crapo, Acting Chair

ote: 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.