

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant/Owner: Mark & Shauna Troy, Trustees of the Mark & Shauna Troy Family Trust

Property: 919 Ocean Blvd, Tax Map 20.2, Lot 92
Property is in the General Residence and Coastal Overlay Districts and SFHA, Zone AO(3)

Application case: Cases #35-2022

Date of decision: 08-03-2022

Decision: The Board voted 5-0 to grant variances from the following sections of the Rye Zoning Ordinance;

- §190-6.3B for reconstruction of a non-conforming structure;
- §190-2.3.C(3) for a structure 17' from the front boundary; and
- §190-3.1.H(2)(a), (b) and (g) for surface alteration, a septic system 61.5'+/-; a leachfield 78' +/- and a house 20.6'+/- from the wetland

The Board voted 5-0 to approve relief from the following section of the Rye Building Code:

- §35-14 to allow the bottom of the septic system to be 5' above the top of bedrock

The Board voted 5-0 to grant a special exception pursuant to the following sections of the Rye Zoning Ordinance:

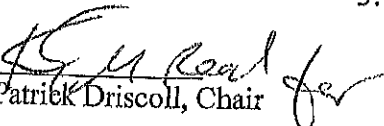
- §190-3.1.G/§190-3.1.H(2)(f) for a driveway 60'+/- from the wetland

Each of the above variances and special exception were granted conditioned upon satisfaction of the following:

1. Pervious pavers to be installed by a certified licensed engineer and remain permeable throughout life of driveway;
2. The conditions per the Rye Conservation Commission letter dated July 5, 2022 be adhered to:
 - a. The edge of the riprap, as described above, to be planted with native plants, bushes, grasses and trees to a depth of not less than 5 ft.
 - b. This planted area will not be mowed or weed whacked. Mulch used within an area being restored shall be natural straw or

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.

- equivalent non-toxic, non-seedbearing organic material, in accordance with Env-Wt 307.12(d).
- c. The Rye Conservation Commission will approve the planting plan prior to installation.
 - d. Approximately one half of the front lawn area will be 'low mow' and left natural. This being the lower portion near Ocean Boulevard.
 - e. The Rye Conservation Commission believes that an 85% or greater survival rate of the planted vegetation adequate.
3. Applicant to remove invasive plants near pond.


Patrick Driscoll, Chair

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