

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant/Owner:** Victor Odryna Living Trust and Regina A. Odryna Living Trust of  
5 Juniper Lane, Hampton

**Property:** 640 Long John Road, Tax Map 16, Lot 144-1  
Property is Single Residence and Coastal Overlay District.

**Application case:** Cases #45-2022

**Date of decision:** 09-7-2022

**Decision:** The Board voted 5-0 to grant variances from the following section of the Rye Zoning Ordinance as written and presented.

- §190-3.1.H(2)(a),(b),(e)(2), (f) & (g) for a retaining wall 5.9' from the wetland and marsh.
- §190-3.1.H(2)(a),(b),(e)(2), (f) & (g) for a home 86.8' from the wetland and marsh.
- §190-3.1.H(2)(a),(b),(e)(2), (f) & (g) for a deck/spiral staircase 62.3' from the wetland and marsh.
- §190-3.1.H(2)(a),(b),(e)(2), (f) & (g) for a porch 28.3' from the wetland and marsh.
- §190-3.1.H(2)(a),(b),(e)(2), (f) & (g) for a garage 53.3' from the wetland and marsh.
- §190-6.3.B for demolition and replacement of existing nonconforming structure.

The Board voted 5-0 to grant relief from the following section of the Building Code as written and presented.

- §35-14.B(2) for a septic 50.0', 88.8' 100'+ from the wetland where 75's is

The variances and building code relief were granted with the following conditions from the Rye Conservation September 7, 2022 letter:

1. An old mulch pile near the barn to be removed. Machinery on the driveway is permissible for this.

2. Sand, plastic, concrete and granite post behind the barn to be removed.

**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.

3. The area from the north end of the pond to two (2) large trees at the edge of the pond shall be left in the current natural condition, or if desired it may be planted with native plantings. This natural area to extend inland thirty (30) feet from the edge of the pond. This is a no mow/low mow area.
4. Retaining wall on the south side of the home will be built on crushed stone and contain 'weepholes' to let water flow through if necessary.
5. Everything beyond the retaining wall to be left natural. Trees that fall to be left. Logs and stumps to remain. Sticks may be picked up.
6. Yard waste currently beyond the wall area to be removed.
7. Silt sock and silt/construction fence to be in place during construction.



Shawn Crapo, Chair

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