

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

- Applicant/Owner:** Georgia Nagle, applicant, Samonas Realty Trust
- Property:** 1215 Ocean Blvd, Tax Map 17.3, Lot 6
Property is in the General Residence, Business District and Coastal Overlay District and SFHA-Zone AO, Case #31a-2023.
- Application case:** Case #31a-2023 and Case #31b-2023.
- Date of decision:** June 21, 2023
- Decision:** The Board voted 5-0-0 that there was an error in the Building Inspector's denial letter (not dated).
- The Board voted to remedy the letter by removing items #1 and #2 in the denial letter.
- The Board voted 5-0-0 that there was an error in the Building Inspector's certificate of occupancy dated 4/25/2023.
- The Board voted to remedy the Certificate of Occupancy by the following:
1. Under Description strike *this is a seasonal business and also strike October 15, 2023.
 2. Under Certificate restrictions strike * See menu list dated 04-25-2-2023 for details. Gelato is not prepared on site, only served. Also strike * This is a seasonal business.
 3. Add to the certificate restrictions in the last sentence the following:
*Outdoor seating to be limited to 6 4-seat tables May – November 1st.
- The applicant withdrew the request for variances for parking.**

Shawn Crapo, ps

Shawn Crapo, Chair

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.