

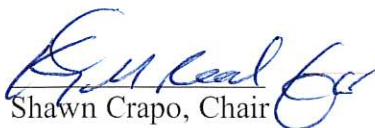
BOARD OF ADJUSTMENT

-Rye, New Hampshire- NOTICE OF DECISION

- Applicant/Owner:** Leigh & Darren D'Andrea
- Property:** 0 Jenness Avenue, Tax Map 8.4, Lot 48
Property is in the General Residence and Coastal Overlay Districts, and SFHA Zone AE(8).
- Application case:** Cases #06a-2024 and 06b-2024
- Date of decision:** January 17, 2024
- Decision:** The Board voted unanimously to grant the following special exceptions of the Rye Zoning Ordinance as advertised and presented:
- §190-3.1.G(2) for a pervious driveway 29.35' in the wetland buffer and from
 - §190-3.4.C for a 1,331 s.f. home on a vacant lot in the coast overlay district with criteria per §190-3.4.C(1)-C(8).

The above special exceptions were granted with the following conditions based upon the Rye Conservation Commission's January 14, 2024 letter and the DPW Directors requests as mentioned in the August 30, 2024 minutes:

1. The planting plan currently proposed to be implemented.
2. Where the planting plan calls for no mow fescue, the area should not be mowed, except once per year to control the invasives.
3. A survival rate of at least 85% after one year is considered adequate.
4. Pervious pavers to be maintained as required by the manufacturer as pervious.
5. No fertilizer after plantings have been established and fertilizer to be uses shall be slow release.
6. Applicant shall provide an easement to the Town of Rye for the storm drain inlet inspection and maintenance.
7. The applicant will review the storm drain inlet and work with the DPW Director to determine what steps to be taken.


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.

BOARD OF ADJUSTMENT

-Rye, New Hampshire- NOTICE OF DECISION

Applicant/Owner: Leigh & Darren D'Andrea

Property: 0 Jenness Avenue, Tax Map 8.4, Lot 48
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Application case: Cases #06a-2024 and 06b-2024

Date of decision: January 17, 2024

Decision: The Board voted unanimously to grant the following variances of the Rye Zoning Ordinance as advertised and presented:

- §190-2.4.C(1) for rear deck/egress 21.82' from the rear boundary.
- §190-2.4.C(3) for a bioretention basin 0' ft (Jenness Avenue side, 9 +/- to road) and bioretention basin 0' ft (Surf lane > 10ft to road).
- §190-3.1.F, H(2)(a)(e)(f)(g) for tree removal, House 11.24'/26.99', Overhang 9.87'26.05', rear deck +/- 16.69' and pervious driveway 29.35' from the wetland.
- §190-6.1.A and from §190-6.1.B(1)(2), (C) for a 9,998 square foot lot area with 200' of frontage on a nonconforming lot.
- §190-5.0C for 1 off-street parking space within the front setback

The above variances were granted with the following conditions based upon the Rye Conservation Commission's January 14, 2024 letter and the DPW Directors requests as mentioned in the August 30, 2024 minutes:

1. The planting plan currently proposed to be implemented.
2. Where the planting plan calls for no mow fescue, the area should not be mowed, except once per year to control the invasives.
3. A survival rate of at least 85% after one year is considered adequate.
4. Pervious pavers to be maintained as required by the manufacturer as pervious.
5. No fertilizer after plantings have been established and fertilizer to be used shall be slow release.
6. Applicant shall provide an easement to the Town of Rye for the storm drain inlet inspection and maintenance.
7. The applicant will review the storm drain inlet and work with the DPW Director to determine what steps to be taken.


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.

BOARD OF ADJUSTMENT

-Rye, New Hampshire- NOTICE OF DECISION

Applicant/Owner: Leigh & Darren D'Andrea

Property: 0 Jenness Avenue, Tax Map 8.4, Lot 48
Property is in the General Residence and Coastal Overlay Districts, and SFHA Zone AE(8).

Application case: Cases #: request from rehearing

Date of decision: January 17, 2024

Decision: The Board voted unanimously to continue the Request for rehearing and reconsideration by Leigh and Daren D'Andrea by and through their attorneys, Hoefle, Phoenix, Gormley & Roberts, PLLC for property owned and located at 0 Jenness Avenue, Tax Map 8.4, Lot 48 per NHRSA 677:2 and the Rye Zoning Ordinance §190-7.3 of the Board of Adjustment's August 30, 2023 decision denying requested relief from various requirements of the Rye Zoning Ordinance to the March 6, 2024 meeting.


Shawn Crapo, Chair

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