

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant/Owner:

Peter G. Hamill 2007 Revocable Trust
owns property at 152 Harbor Road, Tax Map 9.2, Lot 17

Property:

140 Harbor Road
Properties are in the Single Residence Districts, Coastal Overlay Districts
and SFHA, Zone AE.

Application case:

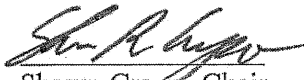
Case #13-2024

Date of decision:

June 5, 2024

Decision:

The Board unanimously moved that they deny the request for rehearing. To the extent it was not made clear in our original decision, this board lacks jurisdiction over the appeal because the decision being appealed is the Building Inspector's December 28, 2023 letter in which he declined to initiate an enforcement action. That discretionary decision is not subject to review by the Zoning Board. Moreover, the Building Inspector's decision was not based on any provision of the zoning ordinance, or the construction, interpretation or application of the ordinance.


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.