

# RYE PLANNING BOARD

*10 Central Road Rye, NH 03870 (603) 964-9800*

## Notice of Decision

**Applicant/Owner:** The Parsonage, The Town of Rye

**Property:** 575 Washington Road and 8 Olde Parish road, Tax Map 12, Lot 43 and Tax Map 12, Lot 43  
Property is in the Commercial, Business, Aquifer/Wellhead and Historic District

**Case:** Cases #09-2020

**Application:** Minor subdivision by the Town of Rye for property owned and located at 575 Washington Road, Tax Map 12, Lot 43 to subdivide the 1.96-acre parcel into two lots of 0.407 acres and 1.56 acres in size, respectively. The proposal is shown on a plan titled "Minor Subdivision, Tax Map 12 Lota 43 and 12, 575 Washington Rd, Rye, NH, Plan C" date of October 2, 2020 by James Verra and Associates, Inc. Property is in the Business District, Historic District and Aquifer/Wellhead District. Case #09-2020.

**Date of Decision:** Tuesday November 10, 2020

**Decision:** **The Board voted unanimously to grant the following waiver:**

1. A waiver from Section 202-6.2 B(7)(d) for a driveway on Olde Parish Road within 100 feet of an intersecting road. Strict conformity would pose an unnecessary hardship and waiver would not be contrary to the spirit and intent of the regulations because for the reason the access would be on the lesser traveled street, it is a corner lot close to a main road, since the town is the applicant it is an unnecessary burden.

**Decision:** **The Planning Board voted unanimously to approve the Minor subdivision by the Town of Rye for property owned and located at 575 Washington Road, Tax Map 12, Lot 43 to subdivide the 1.96-acre parcel into two lots of 0.407 acres and 1.56 acres in size, respectively. The proposal is shown on a plan titled "Minor Subdivision, Tax Map 12 Lota 43 and 12, 575 Washington Rd, Rye, NH, Plan C" date of October 2, 2020 by James Verra and Associates, Inc. Property is in the Business District, Historic District and Aquifer/Wellhead District. Case #09-2020with conditions.**

## CONDITIONS OF APPROVAL

1. Add Aquifer and Wellhead Protection District to Plan C p 1 of 3.
2. Reflect the 3' Sidewalk Maintenance and Lighting Easement area on Sheet 1 of 2 of the Plot Plan to be recorded. (See # 5 below).
3. The healthy deciduous trees planted along Lot 1's western boundary will be retained and maintained. Along Olde Parish Road there will be a total of 4 trees, 2 on each side of driveway.
4. Language of Sidewalk Maintenance and Lighting Easement to be reserved in deed shall be approved by town counsel and be substantially the same as the following:

Grantor reserves a Sidewalk Maintenance and Lighting Easement over that area: (1) within 3 feet of the easterly edge of the sidewalk which is the westerly boundary of the parcel herein conveyed; and (2) within 3 feet of the sidewalk to Washington Road which is the southerly boundary of the parcel herein conveyed.

Within said easement grantor shall have the following rights:

- a. To enter the land for purpose of maintaining and repairing the sidewalk.
- b. To place snow removed from the sidewalk provided green snow removal substances are used on the sidewalk.
- c. To operate, maintain and repair the lighting existing as of the date of this conveyance.

Grantee shall have the right, but not the obligation, to replace the existing sidewalk lighting and to install additional sidewalk lighting. If grantee exercises this right, grantee shall thereafter own, operate, maintain and repair said new lighting and pay the utility costs thereof. Grantee shall operate the lights during such time as grantor, acting through the Board of Library Trustees, may require.

5. Applicant shall prepare a plan sheet for recording purposes which meets the recording standards of the Rockingham County Registry of Deeds to be signed by planning board chair and then recorded.
6. Deed restriction on the preservation of the 75' open space on the southeasterly side of Lot 1 to be reviewed and approved by Town counsel.

11/12/20  
Date

  
Patricia Losik, Chairman  
Rye Planning Board

❖ *Planning Board Approvals do not include building permits; please check with the Building Inspector's office before any and all construction.*