

BOARD OF ADJUSTMENT

-Rye, New Hampshire-

NOTICE OF DECISION

Applicant/Owner:

Marc Grondahl Rev Trust of 2006
1 Bayside Road, Suite 106, Greenland, NH

Property:

314 Brackett Road, Tax Map 19, Lot 136
Property is in the Single Residence District and Wetlands Conservation Districts

Application case:

Case #01-2021

Date of decision:

January 6, 2021

Decision:

The Board voted 5-0 to grant a special exception pursuant to §190-3.1 H (2)(f) and §190-3.1.G(2) of the Rye Zoning Ordinance to allow for a driveway partially in the wetlands and in the wetlands buffer.

Board voted 5-0 to grant variances from the following sections of the Rye Zoning Ordinance:

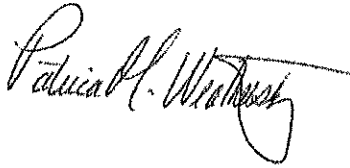
- §190-3.1.F(2) for removal of 43 trees from the wetland buffer and 8 trees from the wetlands to construct a driveway; and
- §190-3.1.H(2)(a) and (e) for surface alteration and cutting of live trees with a diameter more than 4.5” in the wetland buffer.

Each of the above special exception, variances was granted conditioned upon continued compliance with all the following conditions:

1. Rip-rap and plantings shall be installed per plan entitled “Tax Map 19 Lot 136 Brackett Road Rye NH, 03870 Wetland Impact and Restoration Plan” dated August 2020 and property maintained.
2. Any building and septic system constructed on the property shall comply, without relief, with all provisions of the Wetlands Conservation District of the Rye Zoning Ordinance.
3. There shall be no further subdivision of the lot.
4. There shall be only one single family home constructed on the lot.
5. The driveway shall be used to service/access only this lot.

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.

6. A driveway permit is obtained for a driveway substantially as represented on the submitted plans.
7. The Applicant shall convey lands to the Rye Conservation Commission as per the agreement between those two parties.



Patricia Weathersby, Chairman

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