

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant:** Trustees of the Rye Public Library

**Owner:** Town of Rye

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

**Case:** Case #03-2021

**Application:** Appeal of Administrative Decision made by the Rye Select Board in a November 6, 2020 Amendment to Contract for Property Exchange/Swap for the property owned by the Town of Rye, located at 575 Washington Road, Tax Map 12, Lot 43 that a redevelopment of said property proposed to be undertaken by 500 Washington Road, LLC (1) does not require site plan review, (2) is grandfathered as to set backs, and (3) does not require variances as to any parking requirements.

**Date of Decision:** Wednesday, January 6, 2021

**Decision:** Both the Applicant and the Town of Rye Select Board agree, and the Zoning Board of Adjustment voted unanimously to, dismiss without prejudice the Application for Administrative Appeal submitted by the Applicant. The Zoning Board of Adjustment determined that statements reflected in November 6, 2020 Amendment to Contract for Property Exchange/Swap do not constitute a decision of an administrative official as that term is defined by RSA 676:5 and, therefore, the Zoning Board of Adjustment does not have jurisdiction for the Applicant's Administrative Appeal. It is hereby acknowledged that the Zoning Board of Adjustment would have jurisdiction over any appeal that is timely-filed following the issuance of a building permit or other written decision by the building inspector or other duly authorized administrative official of the Town, to the extent that said issuance or decision pertained to the construction, interpretation, or application of the Rye Zoning Ordinance.



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Patricia Weathersby, Chairman