

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

- Applicant/Owner:** Rye Place Realty, LLC
- Property:** 150 Lafayette Road, Tax Map 10, Lot 14  
Property is in the Commercial District and the Aquifer Overlay District  
And the Multi-family overlay district.
- Application case:** Case #19-2021
- Date of decision:** June 2, 2021
- Decision:** The Board voted 3-1-0 to grant variances from the following sections of the Rye Zoning Ordinance:
- §190-3.1.H(2)(a) and (b) for construction of replacement septic and proposed parking within the 100' wetlands buffer;
  - §190-3.1.H(2)(a) for surface alteration within the wetlands buffer; and
  - §190-3.1.(2) for 49 trees to be cut that are >4" in diameter.
- The Board voted 4-0-0 to grant a special exception pursuant to the following sections of the Rye Zoning Ordinance:
- §190-3.1.H(2)(f) & §190-3.1.G (2) for a proposed driveway within the 100' wetlands.
- Each of the above variances and special exception were granted conditioned upon satisfaction of the following:
1. The Applicant installs all plantings as set forth in the Plan entitled "Proposed 5-27-21 Inn at Rye Place Planting"; and
  2. The plantings have a survival rate of 85% or better after one year.



**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.