

RYE PLANNING BOARD

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

Notice of Decision

Applicant: Rye Place Realty, LLC

Case: Case #06-2021

Application: Minor Non-Residential Site Development application by Rye Place Realty, LLC for property 150 Lafayette Road, Tax Map 10, Lot 14 to convert gravel unstriped parking area to paved parking area with striping per Section 202-2.1.B(1)(b) and Section 202-2.1.B(2)(c). Property is in the Commercial District, Aquifer Protection District. Case #06-2021.

Date of Decision: Tuesday June 8, 2021

Decision:

_____	Approved
_____	Continued
_ x _	Conditionally Approved.
_____	Denied

The Board voted 7-0-0 to conditionally approve the Minor Non-Residential Site Development Plan

CONDITIONS OF APPROVAL

- 1. The Building Department shall be provided a copy of the final version of the Drainage Analysis report originally dated 19 March 2021.*
- 2. The property owner shall comply with the final version of the "Inspection & Long-Term Maintenance Plan". Copies of the required annual Inspection & Maintenance Report and the Inspection and Maintenance Logs shall be filed with the Building Department, Planning Board and Public Works Director.*
- 3. The property owner shall retain a qualified maintenance contractor to inspect and maintain the drainage facilities in accordance with the final version of the "Inspection & Long-Term Maintenance Plan." Copies of the maintenance contract shall be filed annually with the Building Department and with the Planning Board.*
- 4. 150 Lafayette Road Landscape and Maintenance Plan shall be attached to the conditions and followed.*
- 5. Sufficient funds shall be placed in escrow with the planning board to pay final statements of planning board engineer and town counsel and Truslow Consulting.*
- 6. A letter from the landowner/abutter (Tax Map 10, Lot 15) granting permission for work to be conducted in connection with the following:*

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

- a. *Removing pavement and regrading outside the encroachment, loaming and seeding the entire encroachment area.*
 - b. *Matching grade at abutting property.*
 - c. *Cross sections of two driveway locations shall be prepared and incorporated into the plans.*
7. *Chair may sign when conditions 1-6 are met.*
8. *The applicant shall grant the town an easement relative to maintenance and repair of the bio-retention facility. The easement shall: (1) require the property owner to be responsible for maintenance and repair of the facilities; and (2) provide that, if the owner fails to maintain or repair the facilities, the town, after notice, shall have the right, but not the obligation, to do so. In such case the property owner shall be responsible for reimbursing the town for its expenses. If the town has to commence a legal action to obtain payment, the town shall be entitled to its costs and reasonable attorney's fees. This easement shall be reviewed and approved by town counsel and recorded prior to signing of a Certificate of Site Development Approval.*

June 9, 2021
Date

Kimberly M. Reed, for
Patricia Losik, Chairman
Rye Planning Board