

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-

## NOTICE OF DECISION

**Applicant/Owner:**

Mark C. Epply

**Property:**

267 Brackett Road, Tax Map 19, Lot 93  
Property is in the Single Residence District,

**Application case:**

Case #11-2024

**Date of decision:**

March 6, 2024

**Decision:**

The Board voted to grant the following variances requested from the Rye Zoning Ordinance as presented:

- §190-6.3.A for expansion of nonconforming structure.
- §190-3.1.H.(1)(a) for deck 56', and an addition 70' from the wetland, where 100' is required;
- §1902.3.C(3) for addition 20' +/- from the front boundary

The recommendations made by the Rye Conservation Commission in their 12-20-2023 letter as follows:

- 1) Any existing plantings that are removed or damaged during construction to be replanted or replaced with native plantings after construction is completed.
- 2) Any invasive plants currently in the construction area to be removed and properly disposed of.
- 4) The RCC believes that an 85% or greater survival rate of the planted vegetation after one year is adequate.

  
Shawn Crapo, Chair

**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.