

# BOARD OF ADJUSTMENT

-Rye, New Hampshire-  
NOTICE OF DECISION

**Applicants/Owners:** Dolores Lintz  
**Property:** 120 Brackett Road, Tax Map 22, Lot 95A  
**Application case:** Case #09-2026  
**Date of decision:** May 6, 2026

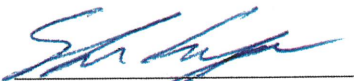
**Decision:** The Zoning Board of Adjustment grants the variance relief from the following provisions of the Zoning Ordinance, as presented and advertised, which shall be subject to all representations, plans, reports, and submittals in support of said relief and all conditions imposed by the Zoning Board of Adjustment.

- 190-2.3.C(3) for a house 28.0' and 10' for rain garden from the front setback where 40' is required;
- 190-3.1.H(2)(a)(b)(d)(2)(f) for grading/tree removal 60.6' from the 100' wetland; and
- 190-5.12.C(2) for advanced treatment septic 2' where 4' is required.

**Conditions:**

1. Maintenance plan of the rain garden as presented and followed
2. The use of organic/low nitrogen fertilizer
3. Planning Board approval for the two lot subdivision

In the event of any conflict between the express conditions imposed by the ZBA and any plans, reports, submittals or representations made in support of the relief sought, the conditions imposed by the ZBA shall control.



Shawn Crapo, Chair

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**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 190-7.3 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.