

# TOWN OF RAYMOND

## Zoning Board of Adjustment Agenda

August 31, 2022

Raymond High School, Room 109, 45 Harriman Hill Rd.

7:30 pm

### Public Announcement

*If this meeting is canceled or postponed for any reason the information can be found on our website, posted at Town Hall, Facebook Notification, and RCTV. \**

### **PUBLIC MEETING- SITEWALK- 6 PM @ 68 MOUNTAIN ROAD**

#### 1. Call to Order

- Pledge of Allegiance

#### 2. Public Hearing-

**Application 2022-003** Monica Keiser representing Troy Brown of Mountain Road Trading Post: Applicant wishes to construct a 529 s.f. addition without sprinklers to include a 34.4-foot buffer :

1. 2.2.3. EXPANSION LIMITS: Expansion of any use by twenty-five percent (25%) or more is not permitted.
2. 8.3.3 As allowed by RSA 674:52-I pursuant to RSA 674:51 and that all commercial (to include multi-family housing) and industrial uses newly constructed shall be fully sprinkler protected in compliance with NFPA 13 (the standard for the installation of sprinkler systems) design criteria.
3. 15.2.4. Any commercial or industrial structure which is proposed to be located abutting a residential zone, or in C.2 only, an existing residential use, shall require a minimum setback of fifty feet(50')from property lines, which shall include a twenty foot (20')dense vegetative buffer and a fence to shield the residential zone or in C.2 only, an existing residential use, from light and noise generated by the commercial or industrial structure.Iftheentirefifty-foot(50')bufferisdevelopedandmaintained as dense vegetative buffer, a fence is not required. (03/2002)  
Property address is 68 Mountain Road, Raymond, Map46/Lot 9, Zone B.

#### **Continued until September 28:**

**An Application for Appeal of Administrative Decision:** per RSA 676:5 has been submitted to the Raymond Zoning Board of Adjustments by Monica Keiser on behalf of Mountain Road Trading Post for decisions made by the Raymond Planning Board on July 7, 2022 for Application 2021-024 Mountain Road Trading Post ( Map 46 Lot 9) located at 68 Mountain Road.

Note: If you require audio or visual aids, please contact the Selectmen's Office at least 72 hours prior to the meeting. If this meeting is postponed for any reason, it will be held on a date TBD.

**TOWN OF RAYMOND**  
**Zoning Board of Adjustment Agenda**  
**August 31, 2022**  
**Raymond High School, Room 109, 45 Harriman Hill Rd.**  
**7:30 pm**

**3. Approval of Minutes**

- **07/27/2022(previous packet)**
- **08/24/2022**

**4. Other Business**

- Staff Updates –
- Board Member Updates
- Any other business brought before the board-

**5. Adjournment of Public Meeting (NO LATER THAN 10:00 P.M.)**

**2022 PUBLIC HEARING DATES AND APPLICATION DEADLINES**

<b>BOARD OF ADJUSTMENT (Public Hearing- 4<sup>th</sup> Wednesday)</b>	
<b>Public Hearing Date</b>	<b>Application Deadline</b>
August 24, 2022	July 27, 2022
September 28, 2022	August 24, 2022
October 26, 2022	September 28, 2022
November 16, 2022	October 26, 2022
December 28, 2022	November 16, 2022

Note: If you require audio or visual aids, please contact the Selectmen’s Office at least 72 hours prior to the meeting. If this meeting is postponed for any reason, it will be held on a date TBD.

1 Planning Board Minutes  
2 April 21, 2022  
3 7:00 PM

See Highlighted section  
Page 9

4 Media Center Raymond High School  
5

6 **Planning Board Members Present:**

7 Brad Reed  
8 Patricia Bridgeo  
9 Scott Campbell (Selectmen ex officio)  
10 Dee Luszc  
11 Kevin Woods  
12 Jim McLeod (Alternate)(Seated)  
13

14 **Planning Board Members Absent:**  
15  
16

17 **Staff Present:**

18 Glenn Coppelman - Circuit rider  
19 Madeleine Dilonno -Circuit Rider Planner, RPC  
20

21 Pledge of Allegiance  
22

23 The first order of business was the election of officers.  
24

25 Mr. K.Woods nominated Brad Reed as the Chairman.

26 Mr. Campbell nominated Patricia Bridgeo for Chairman.

27 Mr. Reed received 4 votes to be Chairman. Ms. Bridgeo received 1 vote.

28 Mr. Reed was elected to be the Chairman.  
29

30 Mr. McLeod nominated Patricia Bridgeo to be Vice-Chairman.

31 Ms. Bridgeo received 5 votes to be the Vice-Chairman and was elected.  
32

33 Mrs. Luszc nominated Jim McLeod for Secretary who respectfully declined.

34 Mrs. Luszc then nominated Kevin Woods who accepted the nomination.

35 The vote was unanimous with 6 votes for Kevin Woods to be Secretary.  
36  
37  
38

39 Motion:

40 Ms. Bridgeo made a motion to have Jim McLeod be appointed for one year until 2023.

41 until the next election as a seated member. Mr. Campbell seconded the motion. The  
42 motion passed with a vote of 5 in favor, 1 abstention, and 0 opposed.

43

44 The first public hearing is for Eversource. Mr. Reed recused himself because  
45 Eversource is one of his company's biggest customers.

46

47 Mr. Terry Cooper introduced himself and explained that Eversource specifications call  
48 for the removal of brush and limbs which are located within 8 feet to the side 10 feet  
49 below or 15 feet above conductors, trees which present a threat to Eversource lines or  
50 other equipment because of decay, or another defect will be removed on a case-by-  
51 case basis. A list of risk trees identified for removal by Eversource has been included.  
52 All trees are marked with a blue and white checkered ribbon. All work will be performed  
53 in accordance with accepted Arbor Core standards. Eversource has contracted with  
54 Aspen tree experts to perform the actual clearing of trees. Eversource requires that our  
55 clearing contractor contact each landowner where trees are to be trimmed or removed  
56 prior to the commencement of work on that property. Individual concerns will be  
57 addressed at that time. All brush and limbs cut on roadsides. locations will be chipped.  
58 In wooded, undeveloped, locations these chips may be dispersed into the woods, taking  
59 care not to allow chips to accumulate in piles or ditches. We're also very careful with  
60 stone walls. We do not put chips on stone walls, we try to keep them clean. We're very  
61 aware that they're also monuments. Near developed land the chips will be blown into the  
62 truck and dispersed off site. The chips make good mulch and are often given to nearby  
63 property owners for landscaping purposes. If a central dumping location could be  
64 arranged with the town Eversource, would You have to make any unclean chip available  
65 to the town that don't cost, brush and limbs cut on inaccessible lines will be stacked to  
66 the side or the right of way and cut low to the ground. All wood will be left on site unless  
67 otherwise directed by the landowner. And again, that's on a case-by-case basis. In  
68 addition to this project of tree removal, and the project for trimming, we're also putting  
69 new poles up on Long Hill Road. And these two projects overlapped. Luckily, 90% of the  
70 trees that I tagged within those poles take care of that construction problem. So, we're  
71 killing two birds with one stone by simply removing the dead trees. We're also opening  
72 up for the new polls. And we don't have to go back again and re-cut trees. Mr. Cooper  
73 further explained that if there's a refusal if someone comes out saying you cannot cut  
74 my tree, they do not cut the tree.

75 Ms. Bridgeo asked if they leave the stumps?

76

77 Mr. Cooper responded, "We flush the stumps as low as we can."

78

79 Mrs. Luszc asked if they have bird nests removed?

80

81 Mr. Cooper: "We're very careful of that. We try to be very careful with the nest if it's  
82 something we could relocate. You know if it's a situation where you like you have a  
83 Pileated Woodpecker, or something protected or something like that. We tried to deal  
84 either through the town or through the local government. We do work with the local  
85 towns when we run into that we will make some phone calls. Normally goes first to the  
86 road agent then he usually knows who's in the area to call about things like that."

87

88 Mrs. Luszc requested that the list of names is readily available to the crew. So, they  
89 have an immediate local person that can tend to any wildlife.

90

91 Mr. Cooper said that Bob Berner would need to be emailed and he would filter it down to  
92 him. He will give it to whatever contractors need to be notified.

93

94 Ms. Bridgeo said " We would like Bob Berner to supply a list and to come to the tree? To  
95 have them have a rehab and relocate if any birds are found in and offspring need to be  
96 removed and relocated?"

97

98 Public Comment:

99

100 Ms. Gott, speaking as a member of the public. " I had the same question about the too  
101 close. Have the landowners where these trees are located? Have they been notified,  
102 especially the ones that are not clearly dead? For too close? But also, for any of them,  
103 have landowners been notified?"

104

105 Mr. Cooper: "Not officially. I don't officially notify them until the board gives me the okay."

106

107 Ms. Gott also asked if the old poles would be coming down as part of this process?

108

109 Mr. Cooper responded: " I just deal with the tree removals on that. I don't I don't deal  
110 with the technical end of it."

111 Motion:

112 Mr. Woods made a motion to grant written permission to Eversource Energy under RSA  
113 251:158 paragraph 2 entitled Effective Designation on Scenic Roads - to trim trees and  
114 brush for Eversource specifications as presented by Robert Berner, Eastern Region

115 Arborist for Eversource, on Long Hill Road. Eversource shall coordinate with the  
116 Raymond police department regarding traffic safety. Also, Eversource shall consult with  
117 abutting residents, as necessary. Condition of approval is that Eversource will haul  
118 wood chips away and not leave them on the side of the road and add the condition of  
119 approval that Robert Berner supplies a list to the actual company that will do the tree  
120 cutting and they will have the appropriate rehabbers. If any wildlife is found within the  
121 trees, they are removing they will contact and have them relocated. Mrs. Luszc  
122 seconded the motion. The motion passed with a vote of 5 in favor, 0 opposed and 0  
123 abstentions.

124

125

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126

127 Application # 2021-024: A SITE PLAN application to include waivers is being submitted  
128 by Joseph Coronati of Jones & Beach Engineers, Inc. on behalf of Troy Brown of Loon  
129 Lake LLC. They are proposing to add a 1,408 S.F. addition to the back of the Trading  
130 Post building. The addition will primarily be used as cold storage/ warehouse space (879  
131 S.F.) with 529 S.F. being a heated space. The heated space proposed will consist of  
132 workshop areas, an office, a breakroom for employees, a public restroom, and a utility  
133 room. Property located at 68 Mountain Road and Raymond Tax Map 46 / Lot 9.

134

135 Mr. Reed recused himself from this application because Mr. Brown is a friend of his.

136

137 Mrs. Luszc read a statement: In regard to application number 2021-024, I wish to  
138 disclose that I have used the Legal Services of Patricia Panciocco in the past. But we  
139 are not engaged in any business together at this time. I have no direct personal or  
140 financial interest in the outcome of this application, and therefore can and will remain  
141 impartial.

142

143 Mr. Brown explained that Attorney Panciocco is no longer involved with the application.

144

145

146

147 Motion:

148 Mr. K. Woods made a motion to accept application 2021-024 a site plan application to  
149 include waivers. On behalf of Troy Brown. Mr. McLeod seconded the motion. The  
150 motion passed with 4 in favor, 1 abstention and 0 opposed.

151

152 Motion:

153 Ms. Bridgeo made a motion to have a site walk for this application. Mr. McLeod  
154 seconded the motion. The motion passed with 5 in favor, 0 abstentions and 0 opposed.

155  
156 The Board discussed the date for the site walk and determined that May 5th at 5:00pm  
157 at 68 Mountain Road (the site) would be best.

158  
159 Paige Libbey, with Jones and Beach Engineers, introduced herself, Troy Brown the  
160 owner and Monica Kieser the attorney for the applicant.

161  
162 Paige Libbey explained the application details saying: “the proposal is to construct a  
163 slightly over 1400 square foot addition to the rear of the building. The addition will be  
164 used mostly for cold storage and warehousing, but a section of it will be finished and  
165 used as bathroom space, workshop space and some offices as well as a break room for  
166 employees. The addition is 44 feet by 31 feet dimensionalize. And it's entirely off the  
167 rear of the existing main retail building. It's entirely on top of existing gravel and paved  
168 area that's behind the building now and used for storage of materials and vehicles and  
169 things of that nature. There is quite a grade change across the site from front to back.  
170 So, the addition will have a walkout grade lower than the grade of the existing building.  
171 And we'll have an overhead door used for deliveries of work for materials that trucks will  
172 be able to come to the back of the building and have a loading area at the back there.  
173 So, we did meet with the TRC. On this application. One of the things that came up  
174 during that was a dry hydrant that's on the property used by the fire department. There's  
175 currently no easement for that in place, but it's been there for many years and the fire  
176 department has always known about it. So, one of the things we discussed with the TRC  
177 was that we would provide an easement for that dry hydrant. So, we do have that  
178 drafted and we'll be submitting it to check to the town for legal counsel to review. So  
179 overall, we feel this is an improvement to the site, we're providing bathrooms for the staff  
180 and as well as the public that's coming into the building as well as additional storage.  
181 So, he'll be able to bring some storage outside inside as well as have a larger stock of  
182 inventory on the property. So, this is one of the things that was discussed early on  
183 between Troy and the building department was this is a non-conforming use in the  
184 residential zone. So, because it's a commercial use, we have to comply with Section  
185 2.2.3. I believe your ordinance requires that any expansion of a non-conforming use be  
186 only 25%. So, the existing total footprint of the buildings is a little over 5000 square feet  
187 and this proposal is less than the 25% of that square. pledge, we are requesting three  
188 waivers, as you noted, so the three waivers are for landscaping and screening, lighting,

189 as well as stormwater management. The reason for those waivers is mostly because  
190 we're pretty much providing the landscaping and vegetation that's required by your  
191 ordinance. So, we feel that we meet the intent of your ordinance because of the existing  
192 vegetation that's on the site, there's really no need to provide additional vegetation since  
193 it's surrounded on three sides by A wooded buffer. Same thing with lighting, because  
194 we're kind of a unique proposal because we're a commercial use in a residential zone.  
195 He does have some security lighting already on the building, but we don't feel that it  
196 would be respectful to neighbors to be providing extensive lighting on the site because  
197 of its location and the unique nature of the use. Lastly, the stormwater management.  
198 The intent of a stormwater management plan is really to compare the pre and post  
199 stormwater flows and where we're only putting an impervious surface on top of an  
200 existing impervious surface, there's no change to the stormwater management. So,  
201 there would be really no need to provide that type of calculation or any type of  
202 infrastructure to catch additional stormwater.”

203  
204 Mr. McLeod inquired about a letter they received about the sprinkler systems rules. Mr.  
205 McLeod did not agree with the assessment. “I think the fire chief Paul Hammond has  
206 said that the intent is obvious. And it's also obvious to me that new commercial  
207 construction needs to be sprinkled. I understand that there's some discussion about the  
208 use that remains the same, that it's not a different use of the existing building. But you  
209 are. It is a new construction of an addition. And so, I think that as a minimum, the new  
210 addition would need to be sprinkled”

211  
212 Paige Libbey explained with they had met with the TRC, and That Troy then met with  
213 the Fire Chief on site. What they ended up doing was submitting to the town attorney for  
214 an administrative decision on that language, because it was also unclear to them  
215 whether or not it applied. And that it is their understanding the town's attorney did decide  
216 that language does not apply in this case.

217  
218 Mr. McLeod discussed a letter From Laura Spector Morgan, from Mitchell Municipal  
219 Group that says that both interpretations are possible. And that they recommend looking  
220 at NFPA 13. And following its guidance. NFPA 13 is actually about the systems itself,  
221 not whether a building needs to be sprinkled or not so that the guidance that they're  
222 saying isn't there, but they're saying that they're not agreeing with this interpretation.  
223 They're saying that that's a possible interpretation. Yeah. And the Fire Chief has said in  
224 this statement, that the intent is obvious.

225



226 Attorney Monica Keiser of Hoefle,Phoenix,Gormley, and Roberts, explained she had  
227 written the initial letter and looking at attorney specter Morgan's response. It looks like  
228 she says she recommends looking at NFPA and following its guidance, but then she  
229 says I did find this online, which she thought might come from NFPA, which says that  
230 the sprinkler systems must be installed and new commercial buildings with an area  
231 exceeding 5000 square feet after any law I'm so I'm not sure that that would apply there.  
232 But my understanding was after the fire chief saw this information, came out, visited the  
233 site, and spoke with Troy. He agreed that it wasn't necessary.

234  
235 Paige Libby added: "I think Troy met with the fire chief prior to that coming out and they  
236 discussed it. And he was the Fire Chief who was open to whatever the town attorney  
237 was to decide. I do know that NFPA would not require this building to be sprinklered. So,  
238 the town's ordinance is stricter than NFPA. So, if the town attorney is recommending  
239 going by NFPA would not apply. And because NFPA requires sprinklers for certain,  
240 certain types of storage that are flammable. So, this type of storage that he's proposing  
241 is a low risk."

242  
243 Monica Keiser suggested that the appropriate sheet should be copied and submitted.  
244 And then maybe they need to re-address that with the fire department.

245  
246 Ms. Bridgeo read a letter from the previous owner; "*One of the changes when they*  
247 *applied the responses. The zoning ordinance requires your proposed cold storage*  
248 *building to be fully sprinkler protected. We have had several cold storage buildings*  
249 *constructed without sprinklers, but only after they had received a variance from the*  
250 *Zoning Board of adjustments. And after the recommendation from the necessity from*  
251 *the Fire Chief, should you seek to not provide full sprinkler protection in the proposed*  
252 *cold storage building, you should consider approaching at the time it was Fire Chief*  
253 *Pratt, Kevin Pratt, her recommendation in regards to not needing the sprinklers he has*  
254 *supported not having sprinklers in cold storage buildings a number of times in the past, I*  
255 *am sure he could advise you of which buildings and for what reasons he has taken this*  
256 *position. The cold storage building that is heated is almost to have heating and cold*  
257 *storage, I would say would go against cold storage and to be doing manufacturing or*  
258 *repairs or I don't know what actually would be that would negate the word cold storage*  
259 *because you weren't going to be heating that portion of the building. So, I don't think*  
260 *part of the building would be cold storage because it's heated?"*

261  
262 Monica Keiser: "We have not been directed to get a variance. We provided our

263 interpretation. We have gotten a response back that we believe was favorable to us but  
264 at best is unclear. So that's why we haven't gone to get one. That's what I'm saying. So  
265 maybe we revisit that with the Town Council. We provide the NFPA information to get  
266 that resolved.”

267  
268 Troy Brown: “The fire chief in the same email thread that we received He did comment.  
269 He says Christina, unfortunately for me, that I had not visited our town ordinance  
270 verbiage for some years, and I was not aware it had morphed into such a convoluted  
271 description of a simple sprinkler ordinance. The original ordinance simply stated all new  
272 construction of commercial industrial buildings as well as multifamily buildings with three  
273 or more units. So, we've switched to NFPA 13 standards, I'm paraphrasing, but the  
274 intent is obvious. Currently, the verbiage as depicted does not appear to be concise as a  
275 code enforcement would refer to a 14 leverage in this application. So, I read that as he's  
276 acknowledging that language is unfortunately clear.”

277  
278 Maddie Dilonno said the ordinance reads *8.3.3 As allowed by RSA 674:52-I pursuant to*  
279 *RSA 674:51 and that all commercial (to include multi-family housing) and industrial uses*  
280 *newly constructed shall be fully sprinkler protected in compliance with NFPA 13 (the*  
281 *standard for the installation of sprinkler systems) design criteria.*

282  
283 Mr. Campbell asked if they were a commercial building and expressed that he did not  
284 see any gray area in here. That it's pretty cut and dry. It's a commercial building for  
285 commercial use.

286  
287 Ms. Bridgeo read a letter from Mr. Richard Mailhot to Mr. Beaumont, September 16  
288 2004. *The purpose of this letter is to answer the questions regarding the issuance of a*  
289 *permit for a 28 by 36, 1008 square foot storage building. Let's start by stating that your*  
290 *business the Mountain Road Trading Post, 68 Mountain Road is located in Zone B and*  
291 *as such is considered a pre-existing non-conforming use and reviewing the Raymond*  
292 *zoning ordinance, Article 4 use non- conforming section 4. 8.3 limits expansion of any*  
293 *non-conforming use to a maximum of 25%. The town tax records for your existing*  
294 *building indicate it is 4800 square feet in size, which would allow a maximum expansion*  
295 *of 1200 square feet. Additionally, I reviewed the site plan regulations, Article four,*  
296 *section 1.1.2.7, in short, and it describes the conditions under which a site plan review is*  
297 *required for your proposal for the construction of a new nonresidential use. occasioned*  
298 *development of the site will require you to apply and receive site plan review. And then it*  
299 *goes on in it he lists more. So, there are in the records from the prior when they also*

300 have been in there are documents listing the size of the building. Now when we pull up  
301 the building the proposed and the first thing, I see is the existing building is 60 by 27.  
302 And its proposed new expansion is 44 by 27.

303  
304 Monica Keiser said "This was vetted by code enforcement back in November before we  
305 applied in December initially. And they told Troy that the expansion was less than 25%.  
306 And a variance would not be needed."

307  
308 Further discussion revealed that there may have been an old condition that there be no  
309 more expansion. Monica Keiser asked that a copy of that old condition be emailed to  
310 her.

311  
312 Ms. Bridgeo: "I personally would like to address the lighting, dark sky as a commercial  
313 building that is located near a state park. I think that the lighting and keeping a dark sky  
314 is critical to that type of neighborhood. The State Park being nearby, and I think that  
315 dark sky criteria, especially having Tuckaway down the street which is where people are  
316 going to be using kayaks, canoes and other would be imperative to have our dark sky  
317 kept dark sky."

318  
319 Paige Libbey explained that they would not be installing any new lighting.

320  
321 Ms. Bridgeo then asked about the sign. Paige Libbey said they would be moving the  
322 sign but not changing the size of the sign.

323  
324 Motion:

325 Ms. Bridgeo made a motion to open to Public Comment. Mr. Mcleod seconded the  
326 motion. The motion passed with 5 in favor, 0 opposed and 0 abstentions.

327  
328 Public Comment:

329  
330 Alex Dostie, 70 Mountain Road, said: "My property line abuts right up directly to all the  
331 structures that are there. And I'm just here to general support of being behind all these  
332 structures. I appreciate those low light variants. In general, there's no real issue I have  
333 on my end of the buildings where they are able to be visible by point of my property."

334  
335 Ms. Gott, speaking as a citizen, reminded everyone that site walks are open to the  
336 Public and asked for the date of the site walk.

337  
338 Ms. Bridgeo said that the date for the site walk is May 5th at 5:00 pm at 68 Mountain  
339 Road.

340

341 Motion:

342 Ms. Bridgeo made a motion to close Public Comment. Mrs. Luszczyk seconded the  
343 motion. The motion passed with a vote of 5 in favor, 0 opposed and 0 abstentions.

344

345 Motion:

346 Mr. McLeod made a motion to continue the application until May 5, 2022 at 7:00pm at  
347 Raymond High School Media Center. Mrs. Luszczyk seconded the motion. The motion  
348 passed with a vote of 5 in favor, 0 opposed and 0 abstentions.

349

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350 Approval of Minutes:

351

352 Motion:

353 Mr. Reed made a motion to table the March 23, 2022 minutes until the next meeting. Mr.  
354 McLeod seconded the motion. The motion passed with a vote of 5 in favor, 0 opposed  
355 and 0 abstentions.

356

357 Motion:

358 Ms. Bridgeo made a motion to accept the April 7, 2022 minutes as amended. Mrs.  
359 Luszczyk seconded the motion. The motion passed with a vote of 4 in favor, 0 opposed  
360 and 2 abstentions.

361

362

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363 Mr. K. Woods volunteered to sit on the Cemetery Advisory Board.

364

365 Kera Clements explained that there are 4-member at large positions in the charter. We  
366 have three members. We have been meeting, we've walked through the couple of the  
367 cemeteries, we've looked at the maps we've kind of been trying to get organized but  
368 really didn't have a well-established and then all kinds of shifting happened. And so,  
369 we've kind of just been sitting alongside waiting for things to kind of get in a good place.  
370 So now we do have an objective we need to make some decisions on. We had been  
371 meeting the last Sunday of every month. So, we'd like to continue to do that this  
372 Sunday. We'll just be meeting at the Long Branch. So, Kevin, if you're available at 9am,  
373 to meet with us. We were established, I think, last summer. But with all of the changes in

374 administration, the charter really wasn't released. I think Kevin actually may have found  
375 it and has put together our website and, you know, called attention to the fact that we  
376 still were pending those members, which we were aware of, we just didn't have a  
377 cemetery Sexton assigned. So, we really had no directive.

378

379 Motion:

380 Ms. Bridgeo made a motion that the Board accept Kevin Woods as the representative to  
381 the Cemetery Advisory Board. Mr. Mcleod seconded the motion. The motion passed  
382 with 6 in favor, 0 opposed and 0 abstentions.

383

384 Mr. Reed asked for two people to sit on the Capitol Improvement Committee.

385

386 Mr. K. Woods: "I have a particular interest in the CIP. This is another subcommittee that  
387 I wish to participate in. Its membership is down; actually, two members with Mr. Di  
388 Tomasso is gone. And one other member is no longer an elected official either. My  
389 concern is, as Brad mentioned, that, ultimately, the town has adopted the capital  
390 improvements committee formula. But the Planning Board still has its fingers in the  
391 capital improvements plan, the CIP plan. Unfortunately, the only thing that that  
392 committee has done in the last three years, is basically take CRF recommendations and  
393 agree with them. If you do some research around the Seacoast, you will find we're the  
394 only town without a written capital improvements plan, a written and posted capital  
395 improvements plan. And that would be high on my list of goals to accomplish. This year  
396 with the CIP it's much more than just rubber stamping. capital reserve fund requests, it  
397 really is the basis for a lot of things, including impact fees. If you really can't charge  
398 impact fees for just things like road maintenance, you actually have to have an  
399 improvement, that those impact fees are going to be addressed to. And I think that's  
400 crucial, because we've talked a lot, or this board has talked, and a lot of people have  
401 talked about impact fees. The school has them. The town dropped them because  
402 exactly that reason. It was not an improvement plan to put those impact fees to I think  
403 that's important to the town."

404

405 Ms. Gott: "I believe there has been a plan maybe with COVID things dropped, there was  
406 an active plan. The reason that the town that the Planning Board dropped impact fees  
407 and I'm speaking just historically, there was not a rational nexus, if you will, for having  
408 impact fees for certain areas, we did have some offsite improvements. And that was for  
409 specific roads. But even that was difficult to carry out. Because you had to prove that  
410 that road, use, deterioration, whatever was specific to that project. That was very, very

411 difficult to prove. So, we were advised by the guru of impact fees, not to do that. My  
412 suggestion would be that it would be a good idea to schedule a session with Bruce  
413 Mayberry to learn about impact fees, rather than just reading it on, Let's have Bruce,  
414 come back, and talk to us about what we can and can't do. Because I know, the  
415 Selectmen are very interested in having impact fees, but there are just lots of little hoops  
416 and jumps and things that you need to do.”

417  
418 Mr. Reed cautioned the Board that before we start asking other additional consultants  
419 and lawyers and that kind of thing to consider the cost because the budget was cut this  
420 year significantly.

421  
422 Ms. Gott said that it is extremely important for CIP committee members, and for  
423 planning board members and any members of the public to do the tours, set up the  
424 tours of the different places.

425  
426 Mr. Coppelman explained that the CIP plan is specifically a 6-year plan per statute.

427  
428 Motion:  
429 Ms. Bridgeo made a motion to accept Kevin Woods for a position on the CIP  
430 Committee. Mr. Reed seconded the motion. The motion passed with 5 in favor, 0  
431 opposed, and 1 abstention.

432  
433  
434  
435 Motion:  
436 Ms. Bridgeo made a motion to accept Dee Luszcz for a position on the CIP Committee.  
437 Mr. Campbell seconded the motion. The motion passed with 5 in favor, 0 opposed, and  
438 1 abstention.

439  
440 Mr. Reed said that the one other item here is a zoning board position.

441  
442 Keith Smith: “In looking at the history of the planning board, appointing recommending it  
443 all started. In the minutes, I went back to 2014 to try and figure out where this started  
444 because I'd never remembered it historically happening. In 2008 Stephen Fehr was a  
445 member of the zoning board; he was elected to the planning board. Whenever a case  
446 came up on the two, he would step down, Stephen resigned and moved to Florida.  
447 When he resigned to move to Florida that put the zba in a bit of a bind. They didn't have

448 a quorum for three months. So, in an emergency appointment was made of Alyssa  
449 Welch by the board of selectmen from the planning board for a one-year appointment.  
450 She served the one year and then after that, it came up again. And Mr. Wentworth had  
451 nominated Brad for the position after one year. The first one was an emergency  
452 situation because they couldn't get a quorum so long. So, it said the Selectmen had said  
453 one year it's all in the minutes, and then it popped up again. So, they nominated, and  
454 Brad was appointed to the zba. Now, these were only supposed to be one-year  
455 appointments, which is usually like a board of selectmen sitting on another board or a  
456 board member sitting on another board. That was in 2020. In 2021, no action was taken.  
457 That just continued on that one year has now become two years there was nothing at  
458 all, when the new board came in and 2021 for an appointment and or nomination to the  
459 zba. So that's what I found from all the minutes. And then I found this a little disturbing  
460 on April 7. Prior to my meeting with you people, the website said Brad Reed planning  
461 board representative on April 9th, and I have a screenshot of it on my computer with the  
462 timestamp on April 9. It changed after I met with you people. And it said the member  
463 planning board representative that had been on there for years after my discussion was  
464 removed. And other things have been changing. So, I don't know where you're going to  
465 go with moving forward with this. But I do know what caused this position in the first  
466 place. I have all the minutes. The much-eradicated minutes, but it specifically says the  
467 resignation of Stephen Fehr, the emergency appointment of Alyssa Welsh and then Mr.  
468 Wentworth's nomination for Brad when her term was done, but the emergency was  
469 over."

470  
471 Kevin Woods: "My opinion is I don't think we need a legal opinion. The RSA is extremely  
472 clear. Zoning Board members, when they are appointed, are appointed by the Board of  
473 Selectmen. They can appoint somebody from the high school, they can appoint whoever  
474 they want. It's in their jurisdiction. If the Board of Selectmen decide they would like to  
475 have a Planning Board Member on the Zoning Board. Land Use Board Regulations  
476 allow that to happen. But it's irrelevant what we want when really, RSA is so clear. They  
477 are appointed by the Board of Selectmen. And they can appoint who they wish."

478  
479 Ms. Bridgeo: " I think that as people who are sitting here trying to serve this community  
480 to the best of our abilities, I think that having those us separate from the Zoning Board is  
481 probably for all of us is in the best interest of the town. And if this we hit an emergency  
482 situation, and we need to be before the Selectmen, for that type of situation. But I think  
483 as far as keeping our Land Use Board separate, and if they are not in an emergency  
484 situation, then I don't think that the Planning Board should be having an I'm going to call

485 it double dipping sitting on the Planning Board and the Zoning Board. I think that it is in  
486 the best interest if they are full, and they don't need members, and it's not an  
487 emergency. I think it's in the best interest that we separate.”

488  
489 Mr. Coppelman: “The statute is also very clear that there's no provision for the planning  
490 board to appoint or recommend appointment of one of their members to the ZBA. If a  
491 planning board member, on their own, wishes to serve on the ZBA, they can approach  
492 the board of selectmen and asked to be appointed, and it's in the Select Board's hands  
493 then to make that appointment.”

494  
495 Mr. Reed said, “I have resigned officially because of the whole tie and everything.””  
496 What I told them was that as soon as the town elections were done, that we were going  
497 to make a new recommendation to the board of selectmen because that's what we had  
498 been doing. And Keith came and very clearly pointed out to us that what we had been  
499 doing wasn't exactly correct. So, this is all in limbo. In my term, as far as I'm concerned,  
500 my term actually expired last year.” ”We have chosen not to send a recommendation of  
501 the Board of Selectmen that the appointments to the ZBA are totally under the purview  
502 of the Board of Selectmen. So, we are not involved with that.”

503

504 Motion:

505 Mr. Reed made a motion that the Planning Board recognizes that people who serve on  
506 the ZBA are not within the purview of the Planning Board, and we will not make  
507 recommendations to the Select Board unless specifically asked for a volunteer from our  
508 group. Ms. Bridgeo seconded the motion. The motion passed with a vote of 6 in favor, 0  
509 opposed and 0 abstentions.

510

511 Ms. Gott asked Mr. Reed if he was going to go to the Board of Selectmen and ask to be  
512 a Planning Board representative. Mr. Reed said he would not unless specifically asked  
513 by the Board of Selectmen.

514

515 May 12, 2022 at 7 pm in the Media Center at the High School is a work session for the  
516 Planning Board. They will discuss procedures and MS4.

517

518

519 Motion:

520 Ms. Bridgeo made a motion to adjourn. Mr. Campbell seconded the motion. The motion  
521 passed with a vote of 6 in favor, 0 opposed and 0 abstentions.



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Meeting adjourned at approximately 9:27pm.

Respectfully submitted,

Jill A. Vadeboncoeur

## Fwd: Mountain rd. Trading Post

Troy Brown <[f5mrtpnh@gmail.com](mailto:f5mrtpnh@gmail.com)>

Wed 3/16/2022 6:36 PM

To: Christina McCarthy <[cmccarthy@raymondnh.gov](mailto:cmccarthy@raymondnh.gov)>

Cc: Paige Libbey <[pilibbey@jonesandbeach.com](mailto:pilibbey@jonesandbeach.com)>; Pat Panciocco <[Pat@panciocolaw.com](mailto:Pat@panciocolaw.com)>

Chrisitna -

see below. this is the only neighbor who might see the existing dumpster. please include in our package in support of our related waiver. the new dumpster location will be less visible, if not invisible, to her even.

Troy

----- Forwarded message -----

From: **Sandy Savage** <[wildbreed469@yahoo.com](mailto:wildbreed469@yahoo.com)>

Date: Sat, Mar 5, 2022 at 4:53 PM

Subject: Mountain rd. Trading Post

To: troy brown <[f5mrtpnh@gmail.com](mailto:f5mrtpnh@gmail.com)>

To whom it may concern:

I understand there could be a possible concern with the existing dumpster at the Mountain rd Trading post.

Seeing that I am the only neighbor that has a view of it, I really do not see any reasoning for it to be fenced in.

Improvements have been made in and around the area since Troy Brown has owned it.

Best Regards:

Sandra Rozen  
62 Mountain rd.  
Raymond N.H.



40 Lynne York, 1 Norrie Drive, expressed concerns over renting the second ADU in a single family  
41 home.

42

43 Mr. Ayer commented that there is an RSA that determines the number of ADUs allowed. Mr.  
44 Smith gave Mr. Ayer a copy of the RSA which he read (see attached).

45

46 Motion:

47 Mrs. Wood made a motion to go into deliberative. Mr. Cahill seconded the motion. The motion  
48 passed with a vote of 5 in favor, 0 opposed and 0 abstentions.

49

50 *Granting this variance will or will not be contrary to the public interest:*

51

52 Mr. Luszcz: "My concern with it again is it's a single family neighborhood. Ordinances are set in  
53 place to not have multi family in the area. I see what he wants to do. It's good that you don't want  
54 to help people. But it's not allowed in that area there. And I think we're going against why we  
55 have our ordinances, if we were to allow something like this, the 2.17 acres that are very private.  
56 I don't see how that is the question as far as would not be contrary to the public."

57

58 Mr. Cahill: "I tend to agree with Tom here. I think that we have some set ordinances for this  
59 specific deal that deal with the specific things and RSA is the deal with this thing. I do think it  
60 would be contrary. "

61

62 Mr. Smith: "I'm gonna say that it would be because of the articles that they listed the ordinances  
63 that were listed by staff that gave you also in our ordinance 2022 and the definitions 13 .1.2 A  
64 building or structure detach from but located on the same lot, which is customarily incidental and  
65 subordinate to the principal building shall not contain bedrooms, along with the other ones that  
66 you've already gotten and the state law that Paul read into the record, that's why I would say it  
67 would be contrary."

68

69 Mrs. Wood: "I agree with you."

70

71 Mrs. Welch: "I don't have anything further to add."

72

73 *Granting this variance will be consistent with the spirit of the ordinance:*

74

75 Mrs. Welch: "Gonna say it's not consistent with the spirit of the ordinance because the ordinance  
76 is based on an RSA. I don't really see how we get around the RSA."

77

78 Mrs. Wood : "I agree with Alyssa, our job is to review applications in light of what our ordinance,  
79 it's to get relief from our ordinance. It's not to get relief from state law."

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Mrs. Smith: "I agree with them, it would not be."

Mr. Cahill: "I agree with all of you guys. I mean, our ordinance is that detached accessory dwelling units are not allowed."

Mr. Luszcz: "I would have to also agree, nothing further."

*Granting this variance would or would not do substantial justice:*

Mr. Luszcz: "It's again, the added two bedrooms helping the taxes. Still, it's just not allowed. So I would say that it would not do substantial justice."

Mr. Cahill: "I agree with Tom."

Mr. Smith: "I agree with Tom it would not."

Mrs. Wood: "I don't see that there's harm to the public here"

Mrs. Welch: "I don't have anything further to add."

*Granting this variance would or would not diminish the values of surrounding properties:*

Mrs. Welch: "I think there's a possibility that would be diminished. You do have an acreage minimum because of the RSA when you're increasing your residency size. So I think they would be diminished slightly."

Mrs. Wood: "I do not believe that it would diminish the values of surrounding properties. I mean, it's going to build the garage, regardless. So the parents won't be any different. It's got two bedrooms up top versus just loft space. I don't see any diminution of property values, by virtue of having the upstairs garage bedrooms."

Mr. Smith: "I would say it would diminish the property values just on the density of your property versus what everybody else is allowed under the state law and town ordinance."

Mr. Cahill: "I agree just it would slightly diminish property values we have, we have the lot size."

Mr. Luszcz: "I'm gonna say it wouldn't diminish the property values as far as the garage goes. But by adding the apartment, in essence, you're making a multifamily in a neighborhood where it's predominantly single family, I believe is a value to that people who want to live in that

120 community with just single family houses without multifamily. It's more desirable to be in that  
121 area. And by making it multifamily it could possibly diminish the values.”

122  
123 *Owing to the special conditions of the property that distinguish it from other properties in the*  
124 *area, literal enforcement of the provisions of the ordinance would result in an unnecessary*  
125 *hardship because...*

126 *a. No fair and substantial relationship exists between the general public purposes of the*  
127 *ordinance provision and the specific application of that provision to the property:*

128  
129 Mr. Cahill: “I actually don't think that there's a hardship on this. On this lot. It's a pretty standard  
130 lot.”

131  
132 Mr. Smith: “I'm gonna say it's not. Zoning regulations and town ordinances are permitted for all.  
133 If it's not permitted for everyone, then no, that's why I'm gonna say it is not.”

134  
135 Mrs. Wood: “I haven't heard anything that distinguishes this property from other properties in the  
136 area. I don't see any special conditions of the property. I guess that would mean that I don't see  
137 any unnecessary hardship here. There is no unnecessary hardship not because there are no  
138 special conditions of the property that distinguish it from other properties in the area.”

139  
140 Mrs. Welch: “ I agree with Joyce, I just think the RSA is a big roadblock for this one.”

141  
142 Mr. Luszcz: “I don't see any unnecessary hardship.”

143  
144 Motion:

145 Mr. Cahill made a motion to come out of deliberation. Mrs. Wood seconded the motion. The  
146 motion passed with a vote of 5 in favor, 0 opposed and 0 abstentions.

147  
148 Motion:

149 Mr. Cahill made a motion to deny the variance for application 2022-002. based on following or  
150 current ordinances and State laws. Mrs. Wood seconded the motion. The motion passed with a  
151 vote of 5 in favor, 0 opposed and 0 abstentions.

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155  
156 Mr. Smith swore in the applicants for application Application 2022-003.

157  
158 Attorney Monica Kaiser from Hopeful, Phoenix, Gormley and Roberts representing the  
159 application on behalf of Troy Brown, the principal of Loon Lake LLC and the owner of Mountain

160 Road Trading Post introduced herself and Paige Libby, engineer from Jones and Beach  
161 Engineers.

162  
163 The Board introduced themselves, staff, and Attorney Chris Dressler representing the ZBA.

164  
165 Application 2022-003 Monica Keiser representing Troy Brown of Mountain Road  
166 Trading Post: Applicant wishes to construct a 529 s.f. addition without sprinklers to  
167 include a 34.4-foot buffer :

- 168 ● 2.2.3. EXPANSION LIMITS: Expansion of any use by twenty-five percent (25%) or more  
169 is not permitted.
- 170 ● 8.3.3 As allowed by RSA 674:52-I pursuant to RSA 674:51 and that all commercial (to  
171 include multi-family housing) and industrial uses newly constructed shall be fully  
172 sprinkler protected in compliance with NFPA 13 (the standard for the installation of  
173 sprinkler systems) design criteria.
- 174 ● 15.2.4. Any commercial or industrial structure which is proposed to be located  
175 abutting a residential zone, or in C.2 only, an existing residential use, shall require a  
176 minimum setback of fifty feet(50')from property lines, which shall include a twenty  
177 foot (20')dense vegetative buffer and a fence to shield the residential zone or in C.2  
178 only, an existing residential use, from light and noise generated by the commercial  
179 or industrial structure.If the entire fifty-foot(50') buffer is developed and maintained as  
180 dense vegetative buffer, a fence is not required. (03/2002)

181 Property address is 68 Mountain Road, Raymond, Map46/Lot 9, Zone B.

182  
183 Mr. Smith said that the applicant could make their presentation now but the Board was going to  
184 make a motion to continue until September 28, 2022 or pending a denial from the Planning  
185 Board on any of these because we have no administrative denial to appeal. Mr. Smith said that  
186 the Planning Board did not make a decision.

187  
188 Attorney Monica Keiser explained: “ My I guess my position is a little bit different. An  
189 administrative decision doesn't need to be a denial, an administrative decision is any decision  
190 made by any official or board that interprets the ordinance? I don't think that needs to be it  
191 doesn't need to be a denial, because quite honestly, if there's a planning board denial, it may  
192 present sort of mixed issues, right? If the planning board denial is based on their site plan  
193 regulations, I have to go to Superior Court. If it's based on the ordinance, I have to come here  
194 once they give me a denial. I'm in a situation where I might have to go to both places within 30  
195 days. So that to me doesn't make sense.”

196  
197 “I'm asking you to, to uphold the administrative decisions that had been made by staff, which we  
198 relied on in preparing and presenting to the planning board only to get to the Planning Board and  
199 come to a screeching halt because they disagreed with the earlier administrative interpretation.”

200

201 Attorney Dressler suggested letting the applicant present and then after they presented if you  
202 wish to stay before any discussions, or any decisions are made until we can get clarification.

203

204 Attorney Keiser said if the Board look at exhibit I (see attached) there was a decision by the  
205 interim building inspector dated April 26 2022, which was rendered after the planning board  
206 heard our case the first time and expressed hesitation about the expansion we posed at that  
207 time, which was nearly three times the expansion that we're asking you for tonight. I'm asking  
208 you to uphold that decision.

209

210

211 Attorney Dressler said: "There are two things going on folks. An admin appeal and a variance.  
212 Yep. If applied for a variance, they're entitled to be heard on the variance. Don't confuse yourself  
213 with admin appeal. So what I would suggest just probably for the sake of keeping the minutes  
214 clean, entertain a motion to table the admin appeals. So their rights are preserved. Okay, so we  
215 can get to the bottom of all this. Okay. And then in the meantime, you can proceed with the  
216 variance as normal."

217

218 Motion:

219 Mr. Cahill made a motion to table the administration application for appeal for Application 2022-  
220 003 to September 28, 2022 at 7:30 pm. Mr. Luszcz seconded the motion. The motion passed  
221 with a vote of 5 in favor, 0 opposed and 0 abstentions.

222

223 Attorney Keiser explained that Mountain Road Trading Post has been in existence for some 40  
224 years at the location at 68 Mountain Road. Until about 2021 or so, the property had two  
225 conflicting uses on it. So it had the Trading Post and then it had a residential home on the  
226 property and it was about five acres in size. Troy came along and purchased the property after  
227 verifying the business could continue and subdivided the house off. And that subdivision  
228 required some variances, which you or your predecessors gave in 2021. But it also required site  
229 plan approval. So after having gotten the subdivision, Troy set to work on getting the site plan  
230 approval, and meeting a number of obligations that the Planning Board had imposed on that  
231 subdivision. And that included things like you know, there's no well serving the business, there's  
232 no septic serving the business. There's no real sanitary facilities serving the business. I think  
233 back when the former owners used to utilize the property I don't know whether they lived in the  
234 home or employees lived in the home but they certainly relied on the home somewhat for some  
235 of those things and they also relied on Porta Potti so some of the conditions involving the site  
236 plan approval of that subdivision which has long since been approved, recorded etc. involve  
237 things like get a bathroom, get a septic, get a well. And so Troy has said about doing those  
238 things and there's a number of exhibits in your packet that demonstrate that he's gotten a well  
239 approval for the property, that he's got a septic design. Construction approval hasn't installed it



240 yet but he's got the design approved by the State. So he's undertaken a number of things to get  
241 in compliance. But the nature of the old building and wanting to install a handicap accessible  
242 bathroom and stuff like that was more difficult. And so ultimately, he made the decision that it  
243 seemed like the best way to get that accessible bathroom and a little office space was to put an  
244 addition on. Now, Troy had ideas about a very large edition. Some of you may remember  
245 hearing that before. Obviously, that's not where we are anymore. But in any event, a larger  
246 edition was proposed to you when withdrawn. And then in consultation with Gregor Arvanitis,  
247 which was the first administrative decision that had been made, gave him a permit to put a larger  
248 addition on and then realized, Okay, well, now I gotta revoke the permit, you need site plan  
249 approval. So Troy has been in the process of getting site plan approval since last December,  
250 has taken a very long time to get any decision from the Planning Board, as you can see, so the  
251 application was accepted, you know, some time ago, and here we are. So that's a separate  
252 kettle of fish. But anyway, during that process, and the questions were raised by the Planning  
253 Board, the new inspector, interim inspector Smart, rendered a decision. And, but nonetheless,  
254 you know, it seemed to us that, in addition to maybe preserving the right to the administrative  
255 appeal, we would also just go ahead and seek a variance. And in consultation, our team refined  
256 our plan, and we came up with a much smaller addition proposed, that would literally just be a  
257 bathroom, a small workshop area, a break room, and a little an office area. So that's what's  
258 before you today.

259  
260 Paige Libbey explained “ what we're looking to do is just construct the addition on the back of  
261 the existing building, so it will be not visible from the road. So it'll entirely be behind the existing  
262 structure. And then with parking along the existing gravel, so we're not adding any impervious  
263 surface as a result of the project, we're simply adding the proposed addition to the back of the  
264 building in a spot where there's already pavement, and Troy keeps vehicles and things like that  
265 in the back when he needs to park them there, or whatever it needs to do back there. And then  
266 the other thing we're proposing as a result of the project is just to relocate Troy sign, because  
267 right now, for those of you that have to revive sort of in the middle of the existing gravel  
268 driveway, so what we're looking to do is just shifted over out of the center of the driveway to  
269 make it safer and more out of the way.”

270  
271 Attorney Keiser said: “I'm not asking for any percentage, I'm just asking you to approve a 529  
272 square foot addition, by virtue of asking you for the variance.”

273  
274 Motion:

275 Mr. Luszcz made a motion to have a sitewalk at 68 Mountain Road on August 31, at 6 o'clock,  
276 followed by a meeting at 730 PM at Raymond High School. Mrs. Welch seconded the motion.  
277 The motion passed with a vote of 5 in favor, 0 opposed, and 0 abstentions.

278  
279 Motion:

280 Mr. Cahill made a motion to continue application 2022-033 until August 31, 2022 at 7:30 pm.  
281 Mrs. Wood seconded the motion. The motion passed with a vote of 5 in favor, 0 opposed, and 0  
282 abstentions.  
283

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285  
286 Minutes:

287  
288 Motion:

289 Mr. Smith made a motion to table the minutes from July 27, 2022 until the Board reviews the  
290 rules and procedures, to the September 28, 2022 meeting. Mr. Cahill seconded the motion. The  
291 motion passed with a vote of 5 in favor, 0 opposed, and 0 abstentions.  
292

293 The Board discussed that David Hall be made an alternate due to his experience. Even though  
294 this was his first meeting Mr. Luszczyk recommended that Mr. Hall be appointed after the next  
295 meeting.  
296

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297  
298 Board Member Updates:

299  
300 Mr. Luszczyk reported that Rockingham Planning Commission. We met with the board of  
301 selectmen, we got an approval for them to move forward on some of the issues that we were  
302 having in town, one of them I think, Blueberry Hill, that they're actually taking a look at moving  
303 forward where there's a problem down there and they're seeing the problem so they are moving  
304 forward with the study. So thank you to the Selectmen doing their job and getting them moving  
305 forward. We haven't met the summer at all, they canceled the summer meetings. Yay. So I  
306 believe we'll be meeting up in September again.  
307

308  
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310 Motion:

311 Mr. Cahill made a motion that we move to non public with legal and when we come out of non  
312 public, we will adjourn. Mr. Luszczyk second the motion. The motion passed with a vote of 5 in  
313 favor, 0 opposed, and 0 abstentions.  
314

315 Respectfully submitted,

316  
317 Jill A. Vadeboncoeur  
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## **Section 674:73**

**674:73 Detached Accessory Dwelling Units.** – A municipality is not required to but may permit detached accessory dwelling units. Detached accessory dwelling units shall comply with the requirements of, and any municipal ordinances or regulations adopted pursuant to, RSA 674:72, IV through IX. If a municipality allows detached accessory dwelling units, it may require an increased lot size.



## TOWN OF RAYMOND

Community Development  
Office of Code Enforcement  
4 Epping St Raymond, NH 03077  
Phone: 603.895.7020 • Fax: 603.895.0903  
<http://www.raymondnh.gov>

EXHIBIT I

April 26, 2022

Planning Board.

Review of the application for an expansion of use for the Mountain Road Trading Post.

I find that the non-conforming use at the Trading Post has been in existence since before June 1993. Under the present Zoning Ordinance Article 2: Section 2.2 Non-conforming use. Sub-Section 2.2.3 Expansion Limits: Expansion of any use by twenty five percent (25%) or more is not permitted. Therefore the proposed expansion of 24.5% is less than 25% and is permitted.

Charlie Smart  
Interim Building Inspector