



TOWN OF RAYMOND

Planning Board Agenda

November 4, 2021

7:00 p.m. - Raymond High School

Media Center - 45 Harriman Hill

Application #2021-012, 2021-015, & 2021-017

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. **

1. Public Meeting

To be continued to 12/02/21

Application # 2021-012: An amended site plan application is being submitted by Bohler Engineering on behalf of McDonald's USA, LLC. They are proposing upgrades to the drive-thru features and minor site improvements to ensure compliance with ADA regulations. The property is represented as Raymond Tax Map 29-3/ Lot 2 and located at 2 Essex Drive, Raymond.

To be continued to 12/16/2021

Application # 2021-015: A SITE PLAN & CONDITIONAL USE application is being submitted by Joseph Coronati of Jones & Beach Engineers, Inc. on behalf of Rye Harbor Realty, LLC. They are proposing a Domino's Pizza Restaurant with associated parking and utilities. The property is represented as Raymond Tax Map 29-3/ Lot 42-5 and located at 4 Silver Fox Lane.

Application #2021-017: A Subdivision application has been submitted by James Lavelle of James Lavelle Assoc. on behalf of Michael and Lisa Duford for property identified as Raymond Tax Map 8/ Lot 22 located at 10 Kristopher Lane within Zone B. The applicant is proposing to subdivide an existing 7.7+/- acre lot into a 5.62+/- acre lot and 2.09+/- acre lot with a shared driveway. A variance was granted on April 28, 2021 for frontage.

2. Approval of Minutes

- 10/21/2021

3. Public Comment

4. Other Business

- Staff Updates – **No applications for Nov 18- work session?**
- Board Member Updates
- Any other business brought before the board

* Note: If you require personal assistance for audio, visual or other special aid, 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 at a time November 18, 2021.



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5. Adjournment (NO LATER THAN 10:00 P.M.)

Planning Board Meeting Dates 2021	
Submittal Deadline for Completed Application & Materials	Planning Board Meeting Dates (1st & 3rd Thursdays of the Month)
October 07, 2021	November 04, 2021: Khristopher Lane Subdivision
October 21, 2021	November 18, 2021
November 04, 2021	December 02, 2021 McDonald's
November 18, 2021	December 16, 2021 Domino's

* Note: If you require personal assistance for audio, visual or other special aid, 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 at a time November 18, 2021.

RE: Re Submission

William Lucas <wlucas@bohlereng.com>

Tue 10/26/2021 3:20 PM

To: Christina McCarthy <cmccarthy@raymondnh.gov>

Cc: Planning Department <planningdept@raymondnh.gov>

Christina,

In all honesty, both of those dates appear to be more realistic in light of the type of comments we still need to address (and considering some of the comments need to be performed by someone other than me). I will accept these dates.

Thanks,
Bill

From: Christina McCarthy <cmccarthy@raymondnh.gov>

Sent: Tuesday, October 26, 2021 3:07 PM

To: William Lucas <wlucas@bohlereng.com>

Cc: Planning Department <planningdept@raymondnh.gov>

Subject: Re: Re Submission

EXTERNAL: Use caution with attachments and links.

William,

Maddie and I were discussing a timeline to make everything work with no added pressure or costs so at this time we feel that a November 23rd TRC with a December 2nd PB meeting schedule would work well. Please respond to this email either decline or accept these dates. Thank you.

Christina McCarthy

Tax Collector

Town of Raymond

4 Epping Street

Raymond NH 03077

603-895-7016

cmccarthy@raymondnh.gov

To be the BEST, you must be able to handle the WORST

Re: Domino's Application

Joseph Coronati <jcoronati@Jonesandbeach.com>

Tue 10/26/2021 4:07 PM

To: Madeleine Dilonno <mdilonno@therpc.org>

Cc: Christina McCarthy <cmccarthy@raymondnh.gov>; Stefanie Michaud <smichaud@jonesandbeach.com>

Sounds good, I might respond sooner than that in order to get another round of comments completed by D&K.

Thanks,

Stef, see dates.

14163.6

Joseph Coronati

Vice President

Jones&Beach Engineers, Inc.

85 Portsmouth Avenue

PO Box 219

Stratham, NH 03885

(603) 772-4746 (ext. #114)

jcoronati@jonesandbeach.com

<http://www.jonesandbeach.com>

Get [Outlook](#) for iOS

From: Madeleine Dilonno <mdilonno@therpc.org>

Sent: Tuesday, October 26, 2021 3:31:17 PM

To: Joseph Coronati <jcoronati@Jonesandbeach.com>

Cc: Christina McCarthy <cmccarthy@raymondnh.gov>

Subject: Domino's Application

Hi Joe,

Per our discussion at the TRC meeting on 10/19, Domino's has been continued to 11/30. We have tentatively scheduled you for Planning Board on 12/16. Please confirm these dates work and let us know if you have any questions.

Thanks,
Maddie

Madeleine Dilonno, Regional Planner
[Rockingham Planning Commission](#)

Memo To: Town of Raymond Planning Board
From: Madeleine DiIunno, Regional Planner, Rockingham Planning Commission
Date: October 28, 2021
Subject: Review of Application 2021-017: Minor Subdivision Application – 10 Kristopher Lane, Raymond, NH 03077 (Tax Map 8 Lot 22)

Rockingham Planning Commission has received and reviewed a minor Subdivision Application submitted October 4th, 2021, by James M. Lavelle on behalf of Michael D. Duford. The applicant is proposing to subdivide a 7.7-acre lot at 10 Kristopher Lane into two lots, one being 5.62 acres and the other 2.09 acres. The lot is in Zone B (Residential/Agriculture). On September 25th, 2019, the Raymond Zoning Board of Adjustment granted a variance for Article 15 Section 15.2.5 – frontage requirements for wedge-shaped lots. My specific comments are as follows:

1. The application meets completeness requirements for the Board's further consideration. The Board should invoke jurisdiction before taking further action.
1. Setback and buffer dimensions should be indicated on the plan.
2. Driveway and Utility easements should be indicated on the recorded plan.
2. NHDES State Subdivision Approval number should be provided on the plan prior to or as a condition of approval.
3. In granting the Variance for relief from frontage requirements, the ZBA recommended a no-cut buffer be placed on the property line toward Map 8 Lot 21 (see attached minutes from 4/28/2021). The Board should discuss this recommendation with the applicant.



SUBDIVISION APPLICATION

Town of Raymond NH

Map # 8 Lot # 22 Application Date 10/4/21 Application # _____

Project Name: _____

Location: 10 Kristopher Lane

Project Description: _____

Zone: New Industrial / Commercial Square Footage: or Number of Residential Units:

Applicant/Agent Information:

Name: James M. Lavelle Phone: 603-329-6851

Company: James M. Lavelle Assoc. Fax: 603-329-4710

Address: 2 Starwood Dr Hampstead N.H.

Signed*: [Signature] Date: 10/4/21

***Requires notarized letter of permission.**

By signing this application, you are agreeing to all rules and regulations of the Town of Raymond, and are agreeing to allow agents of the Town of Raymond to conduct inspections, during normal business hours to ensure compliance with all Raymond Zoning and Site Review regulations while your application is under consideration and during any construction and operational phases after approval is granted.

Owner Information:

Name: Michael D. Duford Phone: 306-6754

Company: _____ Fax: _____

Address: 10 Kristopher Lane Raymond NH

Signed: [Signature] Date: 10-6-21

Designers of Record:

Engineer: N/A

Surveyor: James M. Lavelle

Soil Scientist: Bruce Gill Day

Landscape Architect: N/A

Fees: See Attached Fee Schedule

FOR OFFICE USE ONLY

Date Application Received: _____ Total Fees Collected with Application: \$ 491⁰⁰ Abutters

List Received: _____ Check List Received: _____ + FSCRO 850⁰⁰

PB Hearing Date: _____ Notice Date: _____

PB Application Acceptance Date: _____



Subdivision Checklist

TOWN OF RAYMOND, NH

PROJECT NAME _____

MAP# 8 LOT # 22 APPLICATION DATE 10/4/21 APPLICATION # _____

This checklist can be used for either a major or minor subdivision. For a minor subdivision, several of the items would likely be waived by the Planning Board due to lack of relevancy (e.g., topographic or soils data) The Board, however, reserves the right to require that all items be met if, in its judgment, the data are necessary to make an informed decision.

A copy of all plans and technical reports must be sent to the Town engineer. Proof of submittal must be provided to the Community Development Department at the time of application. If proof of transmittal is not provided, the application may be delayed until the following month's Planning Board meeting. Address is: Dubois & King, 18 Constitution Dr., Bedford NH 03110, ATTN: Jeff Adler.

SUBMITTED			WAIVED	
YES	NO		YES	NO
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1. Name of subdivision; name and address of subdivider.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	2. Name, license number and seal of surveyor or other persons north arrow, scale and date of plan.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	3. Names and addresses of all abutters and all holders of conservation preservation or agricultural preservation easements (on the plat or on separate sheet.)	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	4. Locus plan, showing zoning designations	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	5. Signature block for Planning Board endorsement.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	6. Names of abutting subdivisions, streets, driveways, easements, building lines, parks/public spaces, notation of use of abutting land, and similar facts regarding abutting properties.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	7. Boundary survey and location of permanent markers.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	8. Location of property lines, lot areas in square feet and acres; lots numbered According to Town tax map system.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	9. Location and amount of frontage on public right-of-way	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	10. Location of building setback lines.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	11. Existing and/or proposed buildings, other structures.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	12. Location of any existing or proposed easements, land to be dedicated to public use.	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	13. Existing and proposed water mains, culverts, drains, sewers; proposed connections or alternative means of providing water supply and sewage disposal.	<input type="checkbox"/>	<input type="checkbox"/>



Subdivision Checklist

TOWN OF RAYMOND, NH

SUBMITTED

YES NO

NA

14. Existing and proposed streets, with names, classification, width of travel surface and rights-of-way.

NA

15. Final road profiles, centerline stationing, cross sections.

16. Location and width of existing and proposed driveways.

17. Location of all surface water, wetlands, rock ledges, stone walls, open space to be preserved, and any other man-made or natural features.

18. Existing and proposed topographic contours.

19. Soil and wetland delineation. (*see: requirements for soils and wetlands data*).

20. Location of perc tests, test results, outline of 4,000 area, applicable septic square-foot septic setback lines.

21. Location of existing and proposed wells, with required radius on property.

22. Base flood elevations.

OTHER:

NA

23. Plans for stormwater management and erosion control.

24. Copy of state subdivision approval for septic system.

NA

25. Alteration of Terrain Permit.

NA

26. Town or DOT Driveway Permit

27. Copies of any proposed or existing easements, deed restrictions, covenants, and street deeds.

28. Such additional studies as may be required.

29. Six (6) full-size copies of all plans and ten (10) copies of all plans in 11 X 17 format, and digital copy of plans. *

30. Three (3) copies of all studies*

FEES

1. Application Fees

2. Abutters Notice Fees (*to include three (3) labels per abutter*)

3. Engineering and Legal Review Escrow

WAIVED

YES NO

**Town of Raymond
 State Lot Sizing
 Map 8 Lot 22
 10 Kristopher Lane
 Michael & Lisa Duford**

Map 8, Lot 22

SCS/HISS	AREA	REQUIRED AREA	CARRYING CAPACITY	GROUP
45C	223,493	48,000	4.66	4C
657B	3,869	N/A	0.00	6B
POND	17,514	N/A	0.00	6B
			4.66	

Total lot area used = 244,876 Square Feet
 Total useable area = 223,493

Map 8, Lot 22-1

SCS/HISS	AREA	REQUIRED AREA	CARRYING CAPACITY	GROUP
45C	80,127	48,000	1.67	4B
521 BH	10,787	90,000	0.12	5B
			1.79	

Total lot area used = 90,914 Square Feet
 Total useable area = 80,127

James M. Lavelle Associates

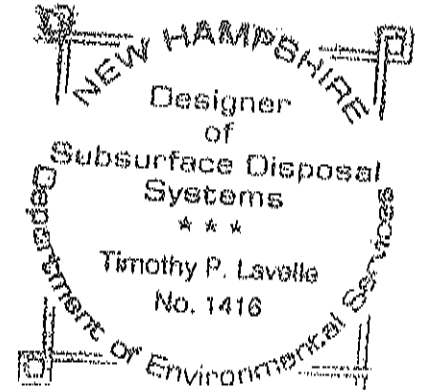
LICENSED LAND SURVEYORS

2 STARWOOD DRIVE

HAMPSTEAD, NH 03841

603-329-6851

TEST PIT DATA
MIKE DUFORD
15 KRISTOPHER LN.
RAYMOND, NH
8/30/21



- #1 NEW LOT
- 0"- 10" LOAM FOREST MAT 10 YEARS 3/3
- 10"- 42" FINE SANDY LOAM 6F 2.5 YR 8.3
- 42"-65" FINE SANDY LOAM GRANULAR FRIABLE 2.5 YR 7/3

4Min/Inch

SHWT: 14" H2O: N/O ROOTS: 30" LEDGE: N/O

- #2
- 0"- 12" TOPSOIL/LOAM 10 YR 3/3
- 12"- 22" FINE SANDY LOAM GRANULAR FRIABLE 2.5 YR 8/4
- 22"- 65" FINE SANDY LOAM GRANULAR FRIABLE 2.5 YR 7/3

8 Min/Inch

SHWT: 16" H2O: N/O ROOTS: 32" LEDGE: N/O

**Town of Raymond
 State Lot Sizing
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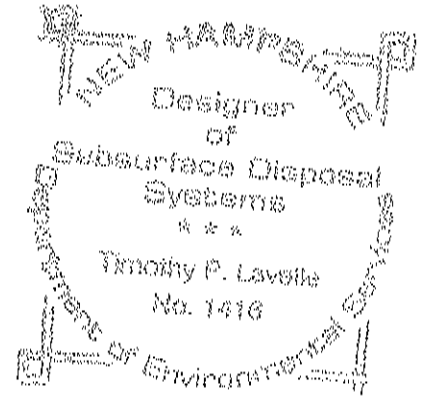
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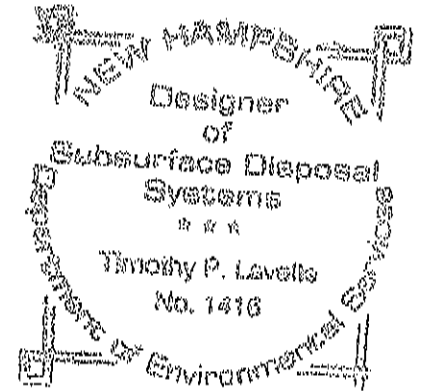
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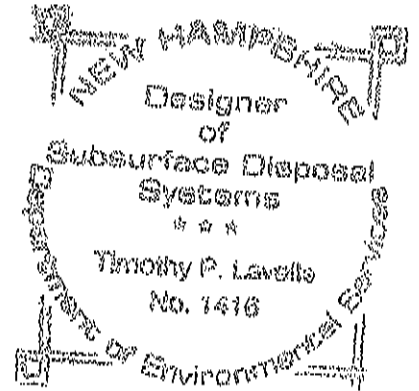
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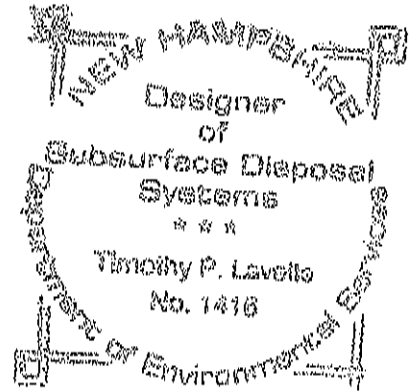
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TOWN OF RAYMOND

Community Development
Department Office of Planning &
Zoning
4 Epping Street
Raymond, NH 03077

Tel: (603) 895-7018
Fax: (603) 895-7064
<http://www.raymondnh.gov>

NOTICE OF DECISION
GRANTED

Raymond Zoning Board of Adjustment

Date of Decision: April 28, 2021.

Application No: 2021-006

You are hereby notified that the Raymond Zoning Board of Adjustment has **GRANTED** a Variance to James Lavelle for property identified as Raymond Tax Map 8 / Lot 22, located at 10 Kristopher Lane, Raymond NH, 03077 within Zone B for relief from **Article 15 Section 2.5** Notes to Area and Dimensional Requirements.

Conditions:

1. n/a
2. n/a
3. n/a

Christina McCarthy
Planning Technician

5/11/21

Date

NOTE: In accordance with the Raymond Zoning Ordinance, Section 9.5.2, this variance shall only be valid for a period of four (4) years from the date of this decision. If this time period is to lapse with substantial completion of any improvements, modifications, alterations or other changes in the property for which this approval was granted not having taken place, then the applicant may seek an extension to this time period per Section 9.5.3.

The Selectmen, any party to the action or any person directly affected has a right to appeal this decision within thirty (30) days of the date of decision. See New Hampshire Revised Statutes Annotated, Chapter 677, available at the Town Clerk's Office during regular business hours. This notice has been placed on file and made available for public inspection in the records of the Zoning Board of Adjustment.

1 **Zoning Board of Adjustment Draft Minutes**

2 **April 28, 2021**

3 **Zoom Meeting - 7:30 p.m.**

- 4
- 5 Joyce Wood - Chairman
- 6 Scott Campbell - Board of Selectmen Representative
- 7 Joe Povilaitis -Vice Chairman
- 8 Paul McCoy - Member
- 9 Brad Reed - Planning Board Representative
- 10 Christina McCarthy - Tax Collector/ Planning Technician
- 11 Stephanie Gardner - Planning Technician
- 12 Greg Arvanitis - Building Inspector

13

14 **Absent Members**

15 None

16

17 Mrs. Wood recused herself from the first and second applications.

18

19 Continued from 3/17/21 Application #2021-002 - An application for Appeal of Administrative
20 Decision has been submitted by Patricia M. Panciocco on behalf of Diana L. and Thomas P.
21 Luszcz, for property identified as Raymond Tax Map 22/ Lot 35, located at 39 Old Manchester
22 Rd., Raymond NH, 03077 within Zone C1.

23

24 **Motion:**

25 Mr. McCoy made a motion to continue the hearing until August 25, 2021, at 7:30 pm. Mr.
26 Povilaitis seconded the motion. A roll call vote was taken. The motion passed with a vote of 4 in
27 favor, 0 opposed and 0 abstentions.

- 28
- 29 Scott Campbell - Aye
- 30 Joe Povilaitis - Aye
- 31 Paul McCoy - Aye
- 32 Brad Reed - Aye

33

34 Application #2021-005 An application for a Variance has been submitted by Sid Madore, for
35 property identified as Raymond Tax Map 40-3/ Lot 41, located at 14 West Shore Dr., Raymond
36 NH, 03077 within Zone B. The applicant is requesting relief from Article 15 Section 1.3 Minimum
37 Setback Requirements. They are proposing to build a 4'x 14' shed on the property line.

38

39 Sid Madore: "I would like to build a shed on the property line because it is the most practical and
40 convenient location on my postage stamp sized property. It would work out best for me. I need a place to

41 put things like kindling and lawnmower, rakes, shovels, the typical things that folks put in their sheds. The
42 reason it is only 4 feet deep is because there is so little space behind my house and the property line. My
43 neighbor that abuts that property line has a large shed a couple feet from our shared property boundary
44 which would hide my shed from being seen from the road. It would be movable. You could pick it up.”
45

46 Mr. Povilaitis: “The problem with putting this on the property line is you have no egress to do any work if
47 you had to get behind it to paint it or replace boards or do anything. In previous ones we kind of gave a
48 buffer between the property line and the back of the building, so you can get behind it and still be on your
49 own property without trespassing.”
50

51 Mr. Reed: “There appears to be another small structure near the right of way. Can you describe that for
52 us?”
53

54 Sid Madore: “There was a tiny little makeshift shed there.”
55

56 Mr. McCoy: “On the back side where you have your shed is there a driveway there also?”
57

58 Sid Madore: “No. The only driveway is the hashmark area shown on the plan. It is labeled access
59 easement.”
60

61 Mr. McCoy: “Why can’t you move that shed further away from the line?”
62

63 Sid Madore: “That is where I park my work truck every night. I have a side door that goes into a utility
64 room. The location I have chosen to put the shed in is the most feasible, handiest location for its intended
65 use. I don’t want to put the shed on top of the septic tank. I don’t see how this could impact anybody in a
66 negative way.”
67

68 Mr. McCoy: “The only concern I have is how you are going to maintain it. Your neighbor might be fine
69 now but could change tomorrow. What if you built right up against the side of the house?”
70

71 Sid Madore: “I really don’t like the idea of building right up against the side of the house. More concerned
72 you brought up maintaining, having access to the back wall of the shed and being able to maintain it, I’m
73 more concerned about having access to the back wall of my residence. I am not worried about the
74 maintenance of the back wall of my shed. That is my personal feeling.”
75

76 Mr. Campbell: “I kinda agree with Paul. Maybe putting it up against the house would be a good idea. Less
77 problems in the future.”
78

79 Mrs. McCarthy read an email from Anastasia Papalemieux (See attached).
80
81

82 Motion:

83 Mr. McCoy made a motion to go into deliberative. Mr. Reed seconded the motion. A roll call vote was
84 taken. The motion passed with a vote of 4 in favor, 0 opposed and 0 abstentions.

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Scott Campbell - Aye
Joe Povilaitis - Aye
Paul McCoy - Aye
Brad Reed - Aye

Mr. Reed: "Since I have been involved with you guys, I know it has been our practice and I know he has a very limited area to work with here, but we have not actually allowed anyone to put something on the line where they couldn't maintain it. We actually asked another applicant to move it 5 feet away so that they could do that very thing. I think that it is a wise way to handle this sort of thing. I understand it is a request. I know where he lives and those lots are very small, but I do think we could really be causing a problem in the future. Things are great with his neighbor right now but in the future when his neighbors sell, and you can't even walk around this shed without walking on the neighbor's property."

Mr. McCoy: "I feel the same way. He actually has two lots. I understand what he wants. I just think that being right on the lot line is an issue and I understand that if he has a truck that he doesn't want to put the unit out in the middle of the driveway. I would think that he could put it up against the house. Actually, he would be able to fix the house pretty easily. He probably wouldn't even have to put the four sides up. He owns all the way down to the lake. I don't see the hardship."

Mr. Campbell: "I agree with both Paul and Brad on that."

Mr. Povilaitis: "And me as well. Like I said I don't really like having something on the property line because you will get in trouble. I mean you would be breaking the law by trespassing trying to get on the back side of your shed. I mean that is a fact."

Motion:

Mr. McCoy made a motion to come out of deliberative. Mr. Povilaitis seconded the motion. A roll call vote was taken. The motion passed with a vote of 4 in favor, 0 opposed and 0 abstentions.

Scott Campbell - Aye
Joe Povilaitis - Aye
Paul McCoy - Aye
Brad Reed - Aye

Sid Madore: "Your concern is access to the back wall without trespassing."

Mr. Povilaitis: "That is not just with your application it is with any application that is on the property line. We normally like to say, like Brad or Scott said, 4 or 5 feet away from the property line so you have egress to be able to work on your structure or paint it or replace shingles."

127 Sid Madore: "Your concern is access to the back wall without trespassing, if I have a neighbor that I can't
128 get along with that doesn't want me stepping onto their land to repair, paint, fix do whatever I might need
129 to do, I don't see that as being a big deal. I get along with pretty much all of my neighbors. If that is your
130 sole reason for denying my application for the variance, I don't get it."
131

132 Greg Arvanitis: "So there is an old saying in the building industry that vinyl is final. So, if your vinyl side
133 the thing that might eliminate the need to go back there."
134

135 Sid Madore: "I could live with that compromise."
136

137 Greg Arvanitis: "Or the possibility of moving it 18 inches so you could at least walk back there if you had
138 to."
139

140 Mr. Povilaitis: "Would it be a hardship for it to be at least 3 feet away from the property line? "
141

142 Sid Madore: "If it can't go where it is I won't be able to build the shed. I don't want it in my front yard. This
143 is my only shot at having a shed."
144

145 Mr. Povilaitis: "What kind of surface is located underneath where that shed is located?"
146

147 Sid Madore: "It is gravel. We built this house in 06 and it is all crushed stone back there. Beneath that it is
148 sand."
149

150 Motion:

151 Mr. McCoy made a motion to go back into deliberative. Mr. Campbell seconded the motion. A roll call
152 vote was taken. The motion passed with a vote of 4 in favor, 0 opposed and 0 abstentions.
153

154 Scott Campbell - Aye

155 Joe Povilaitis - Aye

156 Paul McCoy - Aye

157 Brad Reed - Aye
158
159

- 160 1. Granting this variance will not be contrary to the public interest
161
162

163 Mr. Reed: "Mr. Madore gave to us that it is because the construction of the shed would not negatively
164 impact abutters, the Town of Raymond, or the environment. That may be true with his current abutters,
165 but I do have concern about future neighbors. We can't control who buys property around us. I am still
166 concerned about people around him."
167

168 Mr. Campbell: "We are mixing hardship with inconvenience and that's a big deal. I live on a lake. I know
169 what it is like with a 20-foot setback. Believe me it is an inconvenience not a hardship. I would rather put
170 my stuff right against the line but unfortunately, I can't. So, I get it."

171
172 Mr. McCoy: "I agree with Brad and Scott."

173
174 Mr. Povilaitis: "I have already expressed my opinion of heaving it right up against the property line. I think
175 that it is a bad way to go because there should be some sort of egress behind these structures that aren't
176 easily moved."

177
178 2. Granting this variance will be consistent with the spirit of the ordinance:
179

180 Mr. Reed: "I believe the spirit of the ordinance and the setbacks are there so that we can all live in peace
181 with one another. I see this as a potential issue where there is no distance to the other person's
182 property."

183
184 Mr. Campbell: "I agree with Brad on that."

185
186 Mr. McCoy: "I agree."

187
188 Mr. Povilaitis: "I would agree as well."
189

190 3. Granting this variance will do substantial justice:
191

192 Mr. McCoy: "For the applicant it would be substantial justice. I think the use of the property, especially if
193 you have a truck parked there, and then you have this, it is pretty crowded. I don't think it would be justice
194 to crowd the property with everything so close to one another."

195
196 Mr. Campbell: "Again, it basically grants convenience not justice."
197

198 Mr. Reed: "I agree with Scott on that."
199

200 Mr. Povilaitis: "I agree with Scott as well."
201

202 5. Owing to the special conditions of the property that distinguish it from other properties in
203 the area, literal enforcement of the provisions of the ordinance would result in an unnecessary hardship
204 because ...

205 a.) no fair and substantial relationship exists between the general public purposes of the
206 ordinance provision in the specific application of that provision to the property because ...

207 Mr. McCoy: "I don't see that hardship because he has full use of his property, and he is parking trucks
208 right next to the boundary. There is no hardship."
209

210 Mr. Campbell: "I think that the ordinance that we have in hand is sometimes a little bit extreme, but that
211 setback is there for a reason basically if we said that it is 20 feet, and we are willing to give you 10 I think

212 that is fair and balanced. We are working with it but putting it straight on the line is something I would
213 consider more of an inconvenience than a hardship.”

214
215 Mr. McCoy: “I agree.”

216
217 Mr. Reed: “I agree as well.”

218
219 Mr. Povilaitis: “I agree as well because it would be right against the property line, I think would be more of
220 potential future problems then spacing it away from the property line. A little bit of egress for the
221 neighbors as well.”

222
223 Mr. Campbell: “Me and my neighbors all get along great. I would love to put something against one of my
224 lot lines, but it seems like almost it would be easier to put a fence which is acceptable and then if I put
225 something against the fence it is not technically on that line because the fence is set back for me to
226 maintain that back side and I could stack wood. The fence works as a backstop. You know it seems like it
227 would work better in this situation. Where if something like that was done because fences are always
228 acceptable between lot lines. It is pretty consistent. Especially on lakes.”

229
230 5. b) The proposed use is a reasonable one...

231
232 Mr. Reed: “I see his desire and he gave us his reasons for wanting it here but again I don’t think that it is
233 reasonable because there is no way to maintain it and not being able to guarantee his future neighbors. I
234 don’t think it is reasonable, I apologize but that is my personal opinion”

235
236 Mr. Campbell: “No it is not.”

237
238 Mr. McCoy: “I agree with what Brad said.”

239
240 Mr. Povilaitis: “I guess I would have to agree as well.”

241
242 6. If you cannot provide a response establishing the criteria in 5a) and 5 b) above, explain how an
243 unnecessary hardship will be deemed to exist if, and only if owing to special conditions of the property
244 that distinguish it from other properties in the area, the property cannot reasonably be used in strict
245 conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of the
246 property.

247
248
249 Mr. Povilaitis: “I believe he already has a reasonable use of his property.”

250 Mr. Reed: “I feel he is getting good use of it, and he does have land he could use for the purpose he has
251 asked. It would just not be as convenient or as much to his liking from what I heard. That is how I heard
252 it.”

253
254 Mr. Campbell: “I agree with Brad on that.”

256 Mr. McCoy: "I agree with Brad and also the actual house itself is closer to the boundary as the setback.
257 There is an awful lot of use in that particular area. So, he has plenty of use for the property. So, it is not a
258 hardship."

259
260 Mr. Povilaitis: "I would have to agree because there are suitable alternatives to placing that shed in my
261 opinion, that don't egress right against the property line as depicted in the plan provided to us."

262
263 Motion:

264 Mr. Reed made a motion to come out of deliberative. Mr. McCoy seconded the motion. A roll call vote
265 was taken. The motion passed with a vote of 4 in favor, 0 opposed and 0 abstentions.

266
267 Scott Campbell - Aye

268 Joe Povilaitis - Aye

269 Paul McCoy - Aye

270 Brad Reed - Aye

271
272
273 Motion:

274 Mr. McCoy made a motion that the variance be denied placing a shed on the property line as requested.
275 Mr. Campbell seconded the motion. A roll call vote was taken. The motion passed with a vote of 4
276 in favor, 0 opposed and 0 abstentions.

277
278 Scott Campbell - Aye

279 Joe Povilaitis - Aye

280 Paul McCoy - Aye

281 Brad Reed - Aye

282
283

284 Application #2021-006- An application for a Variance has been submitted by James Lavelle, for
285 property identified as Raymond Tax Map 8/ Lot 22, located at 10 Kristopher Lane, Raymond NH,
286 03077 within Zone B. The applicant is requesting relief from Article 15 Section 2.5 Notes to Area
287 and Dimensional Requirements. He is proposing to have less than the required frontage on a
288 wedge-shaped lot.

289
290
291 James Lavelle:" I am representing Michael Duford and Lisa Dufour that live at 10 Kristopher Lane
292 in Raymond. Map 8/lot 22. Kristopher Lane was created by a plan from RLS Designs or Richie
293 Ladd in 1986 and their property is located at the end of Kristopher Lane on a cul de sac created at
294 that time, and they have 7.7 acres. They had a frontage on the cul de sac at that time of 134.34
295 feet. Their proposal is to subdivide the property into two lots. One lot would be 5.62 acres
296 containing the existing house. The second lot for construction of a new home would be 2.09 acres.
297 The intent of this subdivision would be to share the existing driveway through easment so there
298 would be no additional driveway cut off of the end of that cul de sac.

299 Granting this variance will not be contrary to the public interest because it would not require any
300 additional roadway construction and the two homes on the 7.7. acres would be in no way
301 overcrowding the area.

302 Granting this variance will be consistent with the spirit of the ordinance because frontage
303 requirements in general are used to ensure the adequate separation of homes this proposal will
304 accomplish that.

305 Granting this variance will do substantial justice because if granting this variance is of no harm to
306 the abutters or to the public at large there is basically no reason not to grant the variance.

307 Granting this variance will not diminish the values of surrounding properties because this is
308 generally true in most cases that the construction of a new home on two acres in the area of other
309 two acre lots could not diminish values but could possibly enhance them.

310 Owing to the special conditions of the property that distinguish it from other properties in the area,
311 literal enforcement of the provisions of the ordinance would result in an unnecessary hardship
312 because...

313 a. No fair and substantial relationship exists between the general public purposes of the ordinance
314 provision and the specific application of that provision to the property.

315

316 The fact that the 7.7-acre lot exists at the end of the lane at a cul de sac makes it most practical to create
317 the additional two-acre lot without creating additional roadway for the Town to maintain.

318 The proposed use is a reasonable one because it allows the creation of a two-acre lot in a neighborhood
319 of 2 acre lots. “

320 Mr. Povilaitis: “Why are you going with egress and not straight off the cul de sac?”

321 James Lavelle: “The existing driveway does come straight off the cul de sac. The reason we did
322 the easment and so forth and turning into that other lot when you have a cul de sac and there are
323 too many driveways round it there is no place to put the snow.”

324 Mrs. McCarthy: “There is a question asking how close would this be to 8 Kristopher Lane?”

325 James Lavelle:” If they are 10 and 8 is lot 8/21, I would guess that a new home there would be as
326 far from their lot line as their house is. There is plenty of room for them to stay away from the
327 boundary line.”

328 Mrs. Driscoll, 8 Kristopher Lane: “We just moved in next door so we're just aware of this going on
329 now. So, we were curious where it was going. So, I am assuming it is going to the left of their
330 driveway is that correct?”

331 James Lavelle: “I would guess the house would be going 100 feet from your lot line.”

332 Mr. McCoy: “Do you think it would be an issue if we asked for a 25 foot no cut zone?”

333 James Lavelle: “I don’t think so. I just wanted to make the comment that at the Planning Board
334 meeting they may get more specific as to where the new home would be sited on this lot to be
335 created.”

336 Motion:

337 Mr. McCoy made a motion to go into deliberative. Mr. Reed seconded the motion. A roll call vote was
338 taken. The motion passed with a vote of 5 in favor, 0 opposed and 0 abstentions.

339

340 Scott Campbell - Aye
341 Joe Povilaitis - Aye
342 Paul McCoy - Aye
343 Brad Reed - Aye
344 Joyce Wood - Aye
345

346 1. Granting this variance will not be contrary to the public interest:
347

348 Mr. Povilaitis: "I think in this particular case since this is at the end of a cul de sac, I think it
349 is a reasonable contrary to public interest. Especially if they are using the existing driveway.
350 As long as it follows all of the current zoning and other laws."
351

352 Mr. McCoy: "I agree with Joe."
353

354 Mr. Campbell: "I agree with Joe."
355

356 Mr. Reed: "I agree with Joe also."
357

358 Mrs. Wood: "I agree also."
359

360 2. Granting this variance will be consistent with the spirit of the ordinance:

361 Mr. Reed: "I agree with his assessment that frontage requirements are generally used to ensure
362 adequate spacing of homes, and there is going to be adequate spacing when this is completed."
363

364 Mr. McCoy: "I agree with Brad. This particular lot and the size of the lot and the proposal at
365 the end of the cul de sac. I agree with Brad."
366

367 Mr. Campbell: "I agree with both Paul and Brad."
368

369 Mr. Povilaitis: "With this particular lot I think it is well suited to have a single house on it the
370 way it is laid out. There will be plenty of room without overcrowding and with the
371 recommendation for adequate buffering between map 8 lot 21 I think it would be pretty good
372 harmony for that cul de sac."
373

374 Mrs. Wood: "I agree with Joe. We are not talking about an undersized lot. The purpose of
375 the ordinance is to ensure adequate light, space, and air. So, I do think it meets the spirit of
376 the ordinance. Especially if the Planning Board considers the subdivision also considers
377 appropriate buffering."
378

379 3. Granting this variance will do substantial justice:

380 Mr. Povilaitis: "I think it will do substantial justice because by giving him the minimum frontage to be able
381 to create an additional lot, and it is on a cul de sac which typically for the access coming in on a shared
382 driveway it would do substantial justice."

383 Mr. Campbell: "I think it is qualified."

384 Mr. McCoy: "I agree."

385 Mr. Reed: "I believe this will do substantial justice because allowing the smaller amount of frontage allows
386 him to create a full sized two-acre lot in zone B. So, I think it is substantial justice."

387 Mrs. Wood: "I agree."

388 5. Owing to the special conditions of the property that distinguish it from other
389 properties in the area, literal enforcement of the provisions of the ordinance would
390 result in an unnecessary hardship because...

- 391 a. No fair and substantial relationship exists between the general public purposes
392 of the ordinance provision and the specific application of that provision to the
393 property.

394 Mr. McCoy: "I would agree that this particular property of 7.67 acres and the location and the way they
395 are making use of the property that there would be substantial justice."

396 Mr. Povilaitis: "The applicant is proposing to use a shared driveway so there would be no additional cuts
397 anyways on the cul de sac that is currently existing. So, it isn't like it is overcrowding the cul de sac."

398 Mrs. Wood: "I think the zoning ordinance does recognize the difficulty of getting the full requirement
399 frontage on these cul de sacs, and that is why there is some relief there already. I do think it would be a
400 hardship to acquire the necessary frontage. To create two lots out of what is a substantial sized lot. "

401 Mr. Campbell: "Maybe something that might pop up is I believe that gravel driveway is 30 feet, and it's
402 going to take a hard left-hand swing. I can see that they might want to make that a 50 foot where it does
403 the split to the left. Just for safety reasons with firetrucks, ambulance, et cetera."

404 4. Granting this variance will not diminish the values of surrounding properties:

405 Mr. McCoy: "No it will not diminish surrounding properties."

406 Mr. Povilaitis: "It won't diminish the surrounding property value because it is just a standard building lot
407 with a house and from the street it will be just one egress, one driveway going in. I would think there
408 would be no effect at all."

409 Mr. Campbell: "No, I see no negative impact."

410 Mr. Reed: "I agree there is no negative impact. Positive if anything."

411 Mrs. Wood: "I don't see how the variance would diminish values of surrounding properties."

412 Motion:

413 Mr. Povilaitis made a motion to go into deliberative. Mr. Campbell seconded the motion. A roll call vote
414 was taken. The motion passed with a vote of 5 in favor, 0 opposed and 0 abstentions.

415
416 Scott Campbell - Aye
417 Joe Povilaitis - Aye
418 Paul McCoy - Aye
419 Brad Reed - Aye
420 Joyce Wood - Aye

421

422 Motion:

423 Mr. Povilaitis made a motion to grant the variance for relief from the frontage requirement with a
424 recommendation to the Planning Board that they put a no cut buffer on the property line toward map 8/lot
425 21. Mr. Campbell seconded the motion. A roll call vote was taken. The motion passed with a vote of
426 5 in favor, 0 opposed and 0 abstentions.

427
428 Scott Campbell - Aye
429 Joe Povilaitis - Aye
430 Paul McCoy - Aye
431 Brad Reed - Aye
432 Joyce Wood - Aye

433 Motion:

434 Mr. McCoy made a motion to accept the minutes from March 24, 2021, as written. Mr. Reed seconded
435 the motion. A roll call vote was taken. The motion passed with a vote of 5 in favor, 0 opposed and
436 0 abstentions.

437
438 Scott Campbell - Aye
439 Joe Povilaitis - Aye
440 Paul McCoy - Aye
441 Brad Reed - Aye
442 Joyce Wood - Aye

443 Motion:

444 Mr. Povilaitis made a motion to accept the minutes from March 31, 2021, as amended. Mr. McCoy
445 seconded the motion. A roll call vote was taken. The motion passed with a vote of 5 in favor, 0
446 opposed and 0 abstentions.

447
448 Scott Campbell - Aye
449 Joe Povilaitis - Aye
450 Paul McCoy - Aye
451 Brad Reed - Aye
452 Joyce Wood - Aye
453

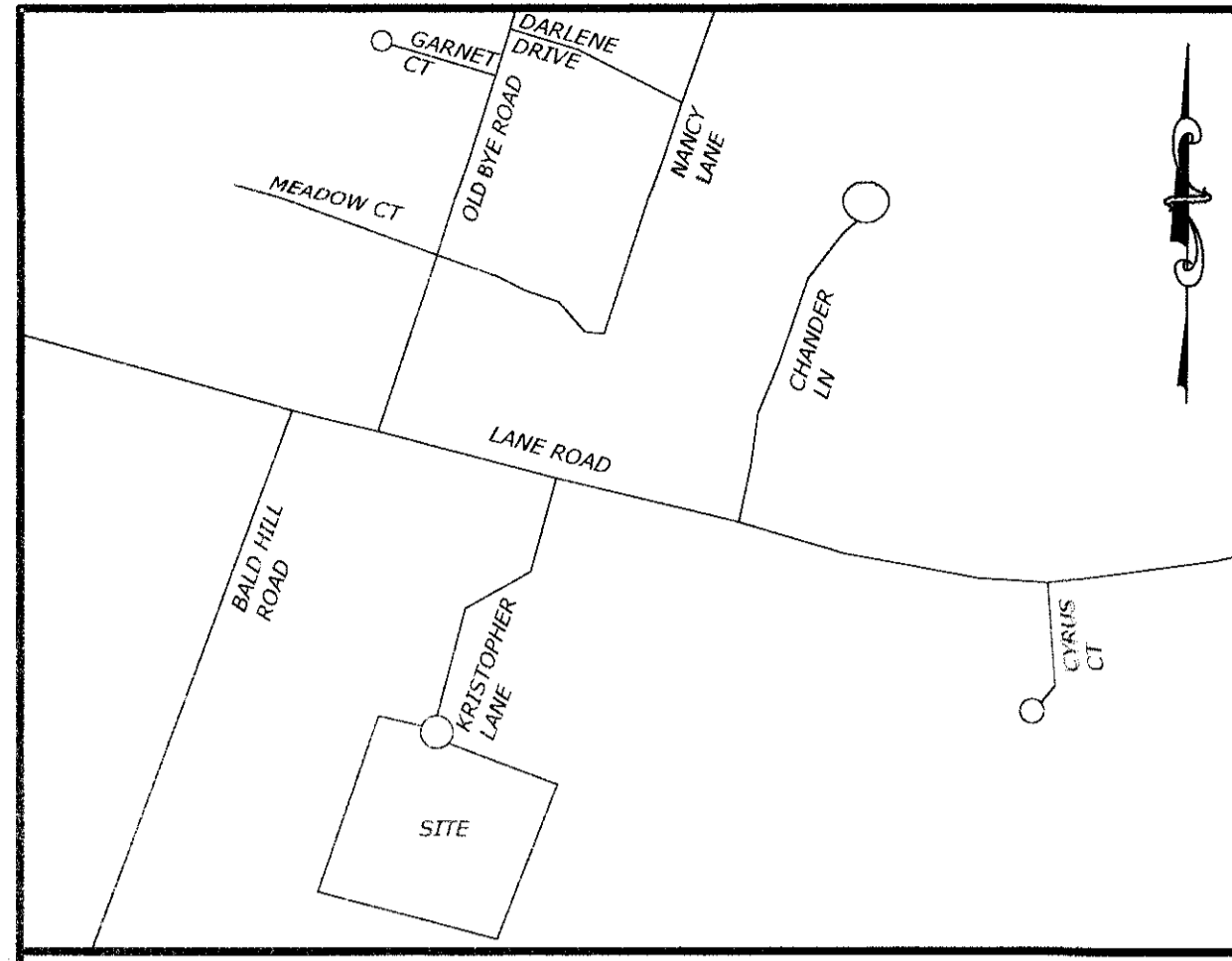
454 Staff update:
455 Mrs. McCarthy asked about training with legal on May 26, 2021, with an in-person meeting. The Board
456 agreed to have their elections June 23, 2021.
457

458 Motion:
459 Mr. McCoy made a motion to adjourn. Mr. Poviliatis seconded the motion. A roll call vote was taken.
460 The motion passed with a vote of 5 in favor, 0 opposed and 0 abstentions.
461

462 Scott Campbell - Aye
463 Joe Povilaitis - Aye
464 Paul McCoy - Aye
465 Brad Reed - Aye
466 Joyce Wood - Aye

467 Respectfully submitted,

468 Jill A. Vadeboncoeur
469



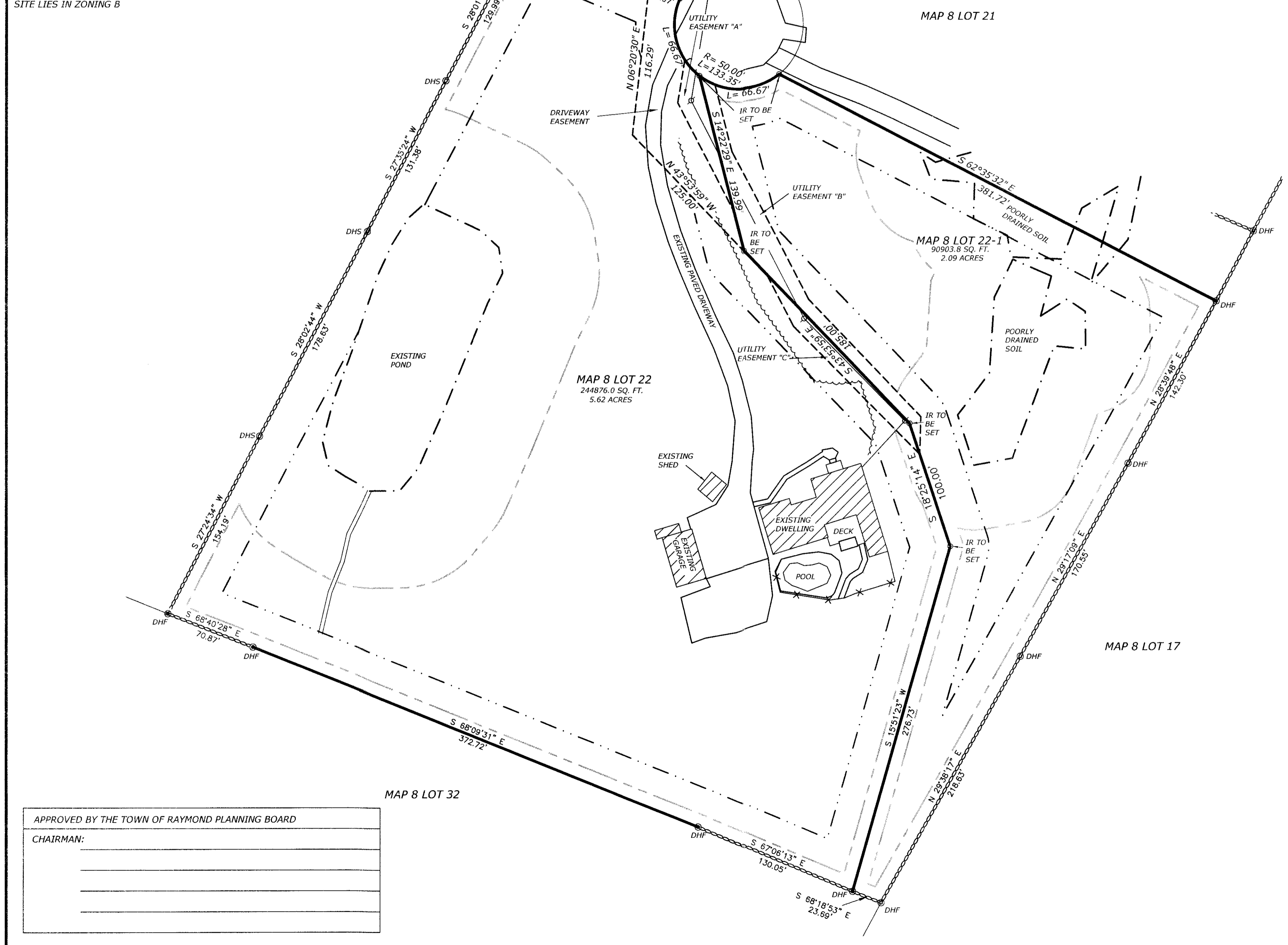
SCALE: NTS
SITE LIES IN ZONING B

PLAN REFERENCE:

- 1.... "A SURVEY AND PLAT OF A SUBDIVISION PREPARED FOR RICHARD A. BLAKE SITUATED IN THE TOWN OF RAYMOND, N.H." PREPARED BY R.S.L LAYOUT & DESIGN INC AND DATED 11-3-1986 AND RECORDED AT THE R.C.R.D AS D-16443
- 2.... DEED REFERENCE BOOK 5480 PAGE 0922 RECORDED AT R.C.R.D.

NOTES:

1. THE PURPOSE OF THIS PLAN IS TO SHOW THE PROPOSED SUBDIVISION OF MAP 8 LOT 22
2. OWNER OF RECORD FOR TAX LOT 2-148-1: KASHER CORPORATION P.O. BOX 626 BILLERICA, MA 01821
3. WETLAND & SOIL MAPPING PROVIDED BY: BRUCE A. GILDAY C.W.S. #088
4. ORIGINAL AREA OF MAP 8 LOT 22: 335779.8 SQ. FT. 7.71 ACRES
5. VARIANCE GRANTED FOR ARTICLE 15 SECTION 2.5 ON APRIL 28, 2021
6. UTILITY EASEMENT "A" & "C" TO BENEFIT MAP 8 LOT 22-1 UTILITY EASEMENT "B" TO BENEFIT MAP 8 LOT 22
7. DRIVEWAY EASEMENT TO BENEFIT MAP 8 LOT 22-1
8. THIS SITE DOES NOT LIE IN A FLOOD ZONE: F.I.R.M./ F.E.M.A. COMMUNITY PANEL 3301400190E DATED MAY 17, 2005



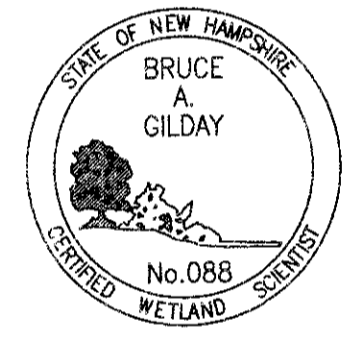
"I HEREBY CERTIFY THAT THE FIELDWORK DONE FOR THE PREPARATION OF THIS PLAN HAD AN ERROR OF CLOSURE NO GREATER THAN 1 PART IN 10,000."

James M. Lavelle

WETLAND CERTIFICATION STATEMENT

WETLANDS WERE IDENTIFIED UTILIZING THE STANDARDS SET FORTH IN THE 1987 ACOE FEDERAL TECHNICAL REPORT (Y-87-1). WETLANDS WERE DELINEATED BY BAG LAND CONSULTANTS, 43 ROCKINGHAM STREET, CONCORD, NH (603-228-5775)

Bruce A. Gilday 3/15/21
BRUCE A. GILDAY, CWS #88 DATE

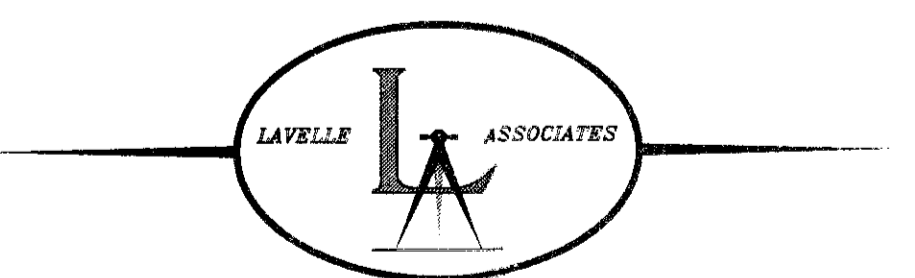


SUBDIVISION PLAN OF LAND IN RAYMOND, NH

**MAP 8 LOT 22
10 KRISTOPHER LANE**

**OWNED BY
MICHAEL & LISA DUFORD**

SCALE: 1"=50' DATE: MARCH 16, 2021



**ABUTTERS LIST
MAP 8, LOT 22
RAYMOND, NH**

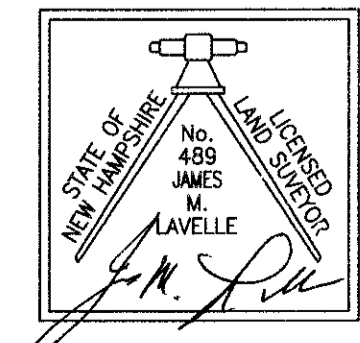
MAP-LOT	OWNER
8-22	Michael D. Duford Lisa A. Duford 10 Kristopher Lane Raymond, NH 03077
8-17 & 8-32	ABUTTERS Spinazzola Revocable Trust Frances G. Spinazzola, Trs. Anthony Spinazzola, Trs. 96 Lane Road Raymond NH 03077
8-21	Cheryl Driscoll Darryl Driscoll 8 Kristopher Lane Raymond NH 03077
8-23	William H. Murray Tammy M. Murray 9 Kristopher Lane Raymond, NH 03077

CONSULTANTS

SURVEYOR	JAMES M. LAVELLE ASS 2 STARWOOD DRIVE HAMPSTEAD, NH 03841
SOIL SCIENTIST	BRUCE GILDAY BAG LAND CONSULTANTS 43 ROCKINGHAM STREET CONCORD, NH 03301

APPROVED BY THE TOWN OF RAYMOND PLANNING BOARD

CHAIRMAN: _____

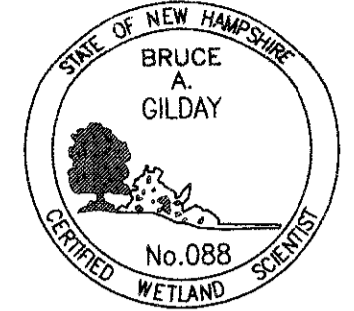


PREPARED BY
JAMES M. LAVELLE ASSOC.
2 STARWOOD DRIVE
HAMPSTEAD, NH 03841
TEL:(603)329-6851

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Bruce A. Gilday 10/5/21
 BRUCE A. GILDAY, CWS #88 DATE

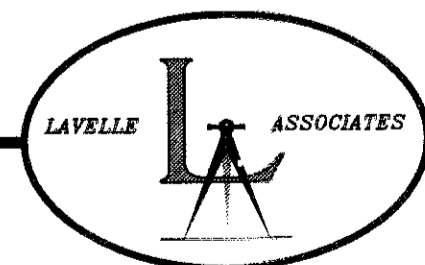


SUBDIVISION PLAN OF LAND IN
RAYMOND, NH

MAP 8 LOT 22
 10 KRISTOPHER LANE

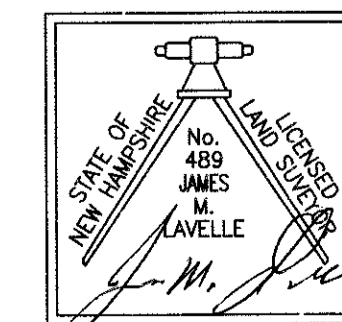
OWNED BY
MICHAEL & LISA DUFORD

SCALE: 1"=50' DATE: MARCH 16, 2021
 0' 50' 100' 150' 200'



"I HEREBY CERTIFY THAT THE FIELDWORK DONE FOR THE PREPARATION OF THIS PLAN HAD AN ERROR OF CLOSURE NO GREATER THAN 1 PART IN 10,000."

James M. Lavelle



PREPARED BY
JAMES M. LAVELLE ASSOC.
 2 STARWOOD DRIVE
 HAMPSTEAD, NH 03841
 TEL: (603) 329-6851

1 Planning Board Minutes
2 October 21, 2021
3 7:00 PM
4 Media Center Raymond High School
5

6 **Planning Board Members Present:**

7 Brad Reed
8 Gretchen Gott
9 Paul Ayer
10 Patricia Bridgeo
11 John Beauvilliers
12 Dee Luszcz (Alternate)(Seated)
13

14 **Planning Board Members Absent:**

15 George Plante (Selectmen ex officio)
16

17 **Staff Present:**

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

21 Pledge of Allegiance

22 Mr. Reed: "I would like to acknowledge that our alternate Dee (Luszcz) is seated tonight."

23 Application # 2021-012: An amended site plan application is being submitted by Bohler
24 Engineering on behalf of McDonald's USA, LLC. They are proposing upgrades to the drive-
25 thru features and minor site improvements to ensure compliance with ADA regulations. The
26 property is represented as Raymond Tax Map 29-3/ Lot 2 and located at 2 Essex Drive,
27 Raymond.

28 Motion:

29 Ms. Gott made a motion to continue Application # 2021-012 until November 4, 2021 at 7pm
30 at Raymond High School Media Center. Ms. Bridgeo seconded the motion. The vote passed
31 unanimously with 6 in favor, 0 opposed and 0 abstentions.

32 Mr. Reed: "We had a site walk today at 5:30 pm at Mega-X and our next application is
33 Application # 2021-011: An amended site plan application is being submitted by Jacob
34 Doerfler of The Dubai Group, Inc. on behalf of Mega-X. They are proposing to add a scale
35 and more truck parking. The property is represented as Raymond Tax Map 22/ Lot 9-1 and
36 located on Old Manchester Road.

37 I know that 3 of our members were not on this board when we passed the original application
38 and I just want to point out that the application this evening is for the expansion of this lot,

39 the trucking area, and the scale area. Now I am fine with minor discussion about the original
40 project, but we should not spend hours on that. It is already approved.”

41 Doug Mcguire with the Dubay Group representing New Sunset Realty introduced himself.

42 Doug Mcguire: “We had presented this about a month ago and it was requested by the
43 Board that we do a site walk, and also it was requested that the traffic be looked at in an
44 additional traffic memorandum. Obviously, we had our site walk this afternoon and we did
45 submit a traffic memorandum that was not from my company, it was from the original traffic
46 engineer that did the original traffic study as part of the original approval. From Tetratech.
47 That memo was specific to the expansion of some additional truck parking spaces, as well
48 as the implementation of the scale. I will summarize some of the main points of their
49 analysis. They went right to the source of the scale company and this scale company has
50 existing facilities in the State of New Hampshire, and they obviously keep track of their uses
51 on a daily basis. What it was determined and averaged to be was approximately 24 truck
52 trips a day. That would be spread out throughout the day. Basically, the traffic engineer
53 concluded that this information on the scale is not going to have any noticeable impact to the
54 traffic numbers, basically adding one truck trip an hour effectively to the project. So that
55 memorandum was submitted. Dubois and King did review that memo. We just received late
56 last week the review memo so there hasn’t been any official response from the traffic
57 engineer. “

58 Ms. Gott: “I would feel much better about this. I would like to see you use your driveway
59 here. Your spare driveway. I would like to see you use that now. I am very concerned about
60 the increased truck traffic on Scribner.”

61 Doug Mcguire: “You are saying for two-way access?”

62 Ms. Gott: “Two-way access. You are doing it anyway. You know you are going to be doing it
63 for the other sites. I think it would make it a much more palatable project if you were to do
64 that now.”

65 Doug Mcguire: “I can understand that request. What I will tell you is the upgrade to that
66 access to a two-way access point is a pretty substantial undertaking. For the fact when you
67 start, when you bring this beyond just right outs and left outs and you have left ins, tractor
68 trailer sized left ins, then you have to obviously upgrade Old Manchester Road and that area
69 as well. That would fall into the jurisdiction of DOT. Which would require a DOT permit for
70 the driveway. Also upgrade into the start of the ramp system. I think at this stage where we
71 had an approved project as shown and I think we have basically proven that although we
72 have expanded some area for the trucking, we are not significantly expanding the truck use.
73 It is really more of a convenience as far as how they can park, how they can circulate, and
74 having an added amenity which is not going to be a massive generator, which we have
75 shown. It is basically the same project that you approved.”

76 Ms. Gott: “The Scribner Road intersection is not a good one to begin with. 11 feet, watching

77 how people use that intersection and the way trucks come across , I see that as a problem. I
78 see it as too narrow and not enough room for people. But I really see it as many more trucks,
79 and it is not fair to say that it is one an hour, divided by 24, that is ingenuous. I think more
80 realistically they will come in packs. They are not going to spread out nicely like you want
81 them to. I see it as a more intense use truck wise. I think we need to be honest about a
82 possible impact on our community.”

83 Doug Mcguire: “I think we have put our best foot forward and this was approved as this. Now
84 we are just adding some additional truck spaces. We actually had a waiver on parking before
85 and actually now we don’t require the waiver. We are not asking for a tremendous amount
86 more than what you would have required for the number of pumps and the number of things
87 we had. It is quite possible that we were under-parked in the original design and maybe I
88 was willing to say we were under-parked because we were limited to that 5-acre parcel. That
89 was the best we could do. I think this is a better design for what amenities are being put
90 forward. I respect your points on that driveway, but I will say that I feel we are going to have
91 an update but the state of where this project is I think we need to continue to move it
92 forward.”

93 Ms. Bridgeo: “Mega-X is a _____?”

94 Doug Mcguire: “Gas Station.”

95 Ms. Bridgeo: “Gas Station, convenience store, small restaurant?”

96 Doug Mcguire: “I would call it a gas station/convenience store. And a Truck Stop, they have
97 the ability to stay overnight there. I believe the interior will have a shower in one of the
98 bathrooms.”

99 Ms. Bridgeo: “As a Mega-X Gas station/convenience store/restaurant that is a permitted use,
100 a truck stop is not.”

101 Doug Mcguire: “Is it a use specifically prohibited, or it is not listed?”

102 Ms. Bridgeo: “It is not listed as a use.”

103 Doug Mcguire: “I would call this an ancillary use to that.”

104

105 Ms. Bridgeo: “If this is a gas station, Dunkin donuts and a convenience store and that is how
106 this is being presented but not as a Truck Stop per se.”

107 Doug Mcguire: “With due respect I think it would be disingenuous to try to say that we
108 weren’t calling it what it was because it was a 24-hour facility. They asked are trucks going to
109 stay overnight there. Yes. There was really no question of what this was.”

110 Ms. Bridgeo: "As far as truck drivers coming in and going to get weighed, what provisions
111 now as a weigh station do you have for truckers that are overweight? And the flip side of that
112 is most truckers when they are leaving a gravel pit get weighed, why at this point is a weigh
113 station being introduced?"

114 Doug McGuire: "As I said it is an amenity to the trucks and to the truckers. It may draw a trip
115 that was going to go by and go to the Candia truck stop instead. What we learned about the
116 scale is that you can't have trucks coming from a destination because if they drive too far
117 from their destination to get weighed; if a truck is overweight there is nothing that legally this
118 facility has to do. It is on them that they then have to return to their warehouse and correct
119 that or risk getting pulled over by DOT."

120 Ms. Bridgeo: "So then we send them back out on the road overweight?"

121 Doug McGuire: "Yes."

122 Ms. Gott: "They go under their own prerogative on the road."

123 Ms. Bridgeo: "So the amenity is to draw trucks in there -."

124 Doug McGuire: "I am a little confused, I guess what I am saying is when this was originally
125 presented it was presented as it is exactly what it is now. We are adding an amenity for the
126 trucks, but we already knew trucks were coming here. We are adding some additional
127 parking because we have the room to do so, and we are adding an amenity for the trucks.
128 The concern about adding that amenity is whether that was going to be a significant draw for
129 trucks, and what this memorandum has stated is it is not. Why is the owner putting it in
130 because it is costing him zero dollars to put it in. The Cat Company will completely supply all
131 of the costs of this item at no expense to the owner. There is enough value for them because
132 they have locations in Portsmouth and the 93 corridors in Bow. We don't have anything on
133 the 101 corridors. So therefore, they are interested."

134 Ms. Bridgeo: "So we have a draw bringing in more customers and we happened to be there
135 the day that the first day we were supposed to site walk and the Fire Department was having
136 a fire, and the amount of congestion and traffic trying to get out of that area. It was 6:00. It
137 was dangerous. To the point of adding another lane, watching those trucks come out of
138 there, watching the ambulance come out, watching the car try to stop on both roads. It was
139 quite a bit of melee. I would hope that you wouldn't have to be the person who had to wait for
140 someone coming out of our fire department."

141 Doug McGuire: "We are not done with all our improvements yet. I think any emergency you
142 are going to have, there are fire stations in the middle of the City of Manchester, in between
143 3 traffic lights. We are not hitting anywhere near the traffic counts of those areas. I guess I
144 don't see what the issue is."

145 Ms. Gott: "Part of the difference between Manchester versus us obviously they have much

146 more traffic, but we are an on-call fire department, so off hours our folks have to get there,
147 drive there, find a place to park, and get in the trucks and then go. I share that concern.
148 When they need to get out of there, they need to get out of there. 6:00 is the peak for a lot of
149 traffic. It is a concern.”

150 Doug McGuire: “I do think that you have a tremendous amount of visibility out there. I guess I
151 am not sure what more you could really do. This makes a lot of sense. As Gretchen
152 mentioned there is going to be a transition in traffic as that becomes more developed. We
153 have an approved project, and we are looking to add this red section you all had in your
154 packets.”

155 Mr. Reed: “We are talking about 22 spots, a scale and the additional traffic generated
156 because those 22 spots are there.”

157 Mr. Ayer: “I believe that having more parking places off Old Manchester Road gets us out of
158 what we see at Walmart every morning, with the trucks lined up on the side of 107.”

159 Ms. Gott: “Yes we have approved it, for me twice as many parking spots for trucks turns it
160 into something different than it was before. It had truck stop written a little bit on it. This
161 turned it into a major truck spot.”

162 Doug McGuire: “I would like to say the original traffic study factored in based on the number
163 of pumps. We are also proposing improvements to Old Manchester Road and Scribner Road
164 as part of this project. We are not acknowledging that there is not going to be an increase in
165 traffic. There is. We are accommodating that based on the improvements that we are
166 making.”

167 Ms. Luszcz: “Is there a study about how many trucks park at a truck stop of this size?”

168 Doug McGuire: “I don’t know if that was in the original study or not. It wasn’t something that
169 we evaluated. It was more about accommodating the pumps. What those pumps would
170 generate based on the facilities. When I say under-parked what I mean is that you might
171 have 16 parking spaces that are full most of the time and then you have another truck come
172 in and is he going to park along the side. What we were trying to do is provide the flexibility, I
173 didn’t like the back in parking at the angle anyway. That was the nature of not having the
174 room that we wanted to build. Now we have 90-degree parking and the ability -- you don’t
175 need to have a truck in every single one of these spots. The intention is to have some room
176 to not have to be squeezing between two different trucks. We want to be able to have that
177 available space. The traffic analysis was pretty clear originally on this to what the queuing
178 was at Scribner Road despite the traffic that was seen during the peak hours. There was a
179 half a car queue. It wasn’t even a full car.”

180 Mr. Reed: “They have agreed to put up signage and they are going to add signage because
181 of the larger area that was discussed last meeting. There is no idling. Overnight parking
182 would be allowed. Raymond has no ordinance against it. If there is a complaint, there is

183 always the Police Station across the street.”

184 Mr. Beauvilliers: “We were discussing the depression along Scribner Road. Right directly
185 across from the Fire Department there is a depression that has water in it. It is going to be
186 pretty close to the road and if they are going to consider putting up a guard rail? The answer
187 was they would consider it. They would think about it.”

188 Doug Mcguire: “It does technically meet the warrants for guard rail. It is 10 feet at 3:1. So it is
189 more of a drop.”

190 Mr. Reed: “It is just a swale.”

191 Doug Mcguire: “It is curbed.”

192 Ms. Gott: “The other side. The guard rail on the other side that I thought John was speaking
193 about as well on the Scribner side. The reason that might be a good idea is because when
194 you are sitting on Scribner and all of a sudden, they come out from the Police Station, they
195 pull out from wherever and you are looking for a place to pull over. Oops I have gone into the
196 little ditch. It would be nice to have a barrier of some sort.”

197 Doug Mcguire: “What I can tell you is the existing condition; it drops over 8 feet because it
198 was wet there. It wasn’t as apparent because there was some scrub brush.”

199 Ms. Gott: “There is not the room to pull over now that there was previously.”

200 Doug Mcguire: “In the area where the pond is, it is pretty similar.”

201 Ms. Gott: “I am talking about where the ditch is between the two driveways”

202 Mr. Reed: “Does that change that condition from our previous approval?”

203 Ms. Gott: “No.”

204 Doug Mcguire: “There is vertical granite proposed.”

205 Ms. Gott: “This is an allowed use, and we have the responsibility to mitigate any problem
206 areas and my problem area is Scribner Road for that extra number of trucks, twenty-two
207 extra trucks. I don’t care what any of you say. I really believe this significantly expands this
208 use as a truck stop. It will be on the road and in the airwaves that this is available and free
209 and that is highly desirable. Doug, you say the scale is an amenity that is less of an amenity
210 than a wide-open spot where you can park just off the road. That is the amenity and by
211 expanding the number of parking spaces that changes things. I still truly wish you would find
212 a way to use this other driveway. I understand what you are saying about DOT that for me
213 would help mitigate.”

214 Doug McGuire: "If this is a spot that is going to attract trucks that are going to come here and
215 stay to get their hours in and sleep over night whatever. You are not getting trucks in and
216 out, in and out, they are parked, and they are sleeping there. That is not going to be a huge
217 generator particularly at peak hours where you are concerned."

218 Mr. Reed: "According to the traffic studies I believe they have met the requirements and we
219 basically ruled 98% on that the last time."

220 Doug McGuire: "I think it is a totally reasonable request that we make sure that the traffic
221 engineer and Dubois and King and your peer review engineer is satisfied with this, but I
222 would ask that that be the condition. I don't want to limit my traffic engineer from discussing
223 these remaining 4 comments and addressing concerns whether it is one way or another. I
224 don't want to have those as 4 conditional items because this is an active review that they are
225 going to have a discussion about and if they come to a conclusion that they want the table
226 this way versus that way. I think that as long as we can meet the satisfaction of Dubois and
227 King with regards to the traffic study, I think that would be a fair condition."

228 Ms. Gott: "I am not clear what the difference is."

229 Doug McGuire: "If they are saying we would like to see these broken down into peak hours
230 and our traffic engineer says the way we did it was this and they say, "Oh ok" and that is not
231 a comment. I don't want these items to be specific conditions. We just need to meet the
232 satisfaction of the traffic engineer and address their concerns. That is how I see it as
233 different."

234 Mr. Reed: "For me, my condition I would want imposed is that the traffic engineer modify the
235 study to meet the Dubois and King's requirement and that the design engineer meet Dubois
236 and King's requirements that require any changes to the site for approval."

237 Doug McGuire: "I am fine with a conditional approval, and I will take my chances having to
238 start over. To be honest with you, these comments are not serious comments. I am very
239 confident we can work with Dubois and King to iron this out."

240 Ms. Gott: "My concern about this is that if Dubois and King tells us that their review shows
241 something that we are already expressing concern about, the number of numbers and the
242 traffic, and peak hours versus nonpeak and all that kind of stuff. That changes the
243 application for me, and I am very concerned that we don't have that number before we vote
244 on it. "

245 Mr. Reed: "If I may the way our condition is worded, if they discover that the traffic shows
246 that the design is inadequate, then the design has to be changed. "

247 Ms. Gott: "I think a two-week continuance is much more realistic."

248 Doug McGuire: "I strongly disagree that you would have to start over. If you approve this plan

249 and it has to have a fence along the back of an abutters property and that is the condition of
250 the approval, there is nothing stopping me from making an application through the planning
251 staff to come to the Board and say hey it is not working out we would really like to do a row
252 of arborvitae in lew of this fence and we would like the Board to weigh in on that specific item
253 regarding this approval, there are provisions for this Board to be able to do that.”

254 Mr. Reed: “If it requires a change then they have to come back.”

255 Mr. Ayer: “I don’t think it is fair to tell him to go work it out with them, but we want to be
256 involved and put our two cents in.”

257 Mr. Reed: “The way I would word that condition is that they meet the requirements of Dubois
258 and King and make any changes required, and Dubois and King certifies that they did that.
259 That is my condition. The only way it would come back to us is if there is a substantial design
260 change required in which case, they would have to submit a new plan. “

261 Mr. Coppelman: “If in fact that is what happens here all of this information because it is a
262 specific condition, we are putting the onus on Dubois and King to work things out with the
263 applicant.”

264 Ms. Gott: “I do not like this. To give them, to put the onus on them. This is our job, and we
265 need to look at it. If Dubois and King proposed something that required revision it would be
266 an amended site plan rather than having to go through all the notice and all of the other stuff
267 it would be vastly easier. “

268

269 Ms. Bridgeo: “You keep addressing everything from an engineering point of view. One of the
270 things I am sitting here from a Town point of view. I am sitting here with what the impact of
271 the Town. You are doubling the spaces. We have gone through the whole process; you have
272 gone through the process, and you had already stated we were already under-parked. I am
273 across from Walmart, and I will tell you about the truck parking and the change. They didn’t
274 park there when they first started, and it grew and grew. You haven’t even opened and have
275 already said from the initial out, start of this. Personally, I think the scale is something that
276 wasn’t how this was presented originally as even a town person looking at this. I didn’t
277 perceive it as doubling in size and having a truck stop and amenities for truckers, and I think
278 more realistically is to say what parking spaces did you need to be adequately parked, not
279 under-parked, and is the scale is going to be a change in use. That is another thing that is
280 not being talked about here is how that perception of use. If I were sitting as a citizen, I
281 would say that it is a change of use in doubling the size. “

282 Doug Mcguire: “This was a public hearing in which we listed the implementation of the scale
283 as part of the amended site plan, and we are not trying to hide that. It was noticed that we
284 are adding additional truck parking, we are not trying to hide that. Also, this traffic
285 memorandum that we submitted is saying that there is not going to be any increase due to

286 the parking spaces. I can respect that you say I don't agree with that but that is what we are
287 submitting, and Dubois and King is not refuting that. I am not a traffic engineer, but I can just
288 tell you that this letter says that this is not going to be a problem, and they aren't
289 disagreeing."

290 Ms. Bridgeo: "I am not saying you were hiding it, but you started out, your first words where
291 we had made it under-parked, and now you have more parking, and realistically is that the
292 right number."

293 Doug Mcguire: "The traffic engineers are saying yes. The initial traffic study had a full
294 breakdown of trucks and vehicle trips and then this memorandum was to add to what this
295 additional parking and scale would add to those trips, and they are saying that would not be
296 an issue. That is their position and Dubois and King reviewed that and I don't think they are
297 disagreeing with that. I think you have to have trust in your review engineers to evaluate and
298 recognize if this is going to be an issue."

299 Ms. Gott: "As Doug was speaking, I looked at number 4 again in the Dubois and King memo.
300 1 and 4 are the parts that concern me. I will tell you that I do not want to have this approved
301 until we review the information from Dubois and King. I understand that you folks are anxious
302 to get going. I would like us to follow our usual procedure which is to get all the information
303 and then make a vote. "

304

305

306 Motion:

307 Mr. Beauvilliers made a motion to approve Application # 2021-011 an amended site plan for
308 Mega-X on Old Manchester Road, tax map 22/ lot 9-1 subject to the following conditions
309 (see attached). Mr. Ayer seconded the motion. The motion passed with a vote of 4 in favor, 2
310 opposed , and 0 abstentions.

311 Ms. Gott: "The reason for my opposition to this is the traffic has been a major concern for me
312 and I feel that we should not be making this decision until we get information from Dubois
313 and King."

314

315 Mr. Reed: "I had a request earlier. I had a member willing to be a representative to the
316 Zoning Board of Adjustment. Mr. Ayer said he would be willing to do that."

317 Ms. Gott: "I didn't know that was an option. I have served on the ZBA before, and I would be
318 interested in serving again."

319 Mr. Reed: "Would you like to tell us why you have interest before you vote."

320 Mr. Ayer: "I have been on one before in another town I lived in."

321 Ms. Gott: "I have served on Raymond Zoning Board as an alternate and as a full member. I
322 strongly believe in zoning and variances when it is appropriate. I would like to continue that. I
323 would like to continue our back and forth with the Zoning Board. It hasn't always been that
324 way. I would like to continue that. "

325 Ms. Bridgeo: "Do you go as a non-voting?"

326 Ms. Reed: "No. The Planning Board Representative is a voting member. If the Zoning Board
327 deals with something and it is a variance, even if that comes to the Planning Board if the
328 variance isn't the issue, say they take it is a site plan, let's say the Zoning allows them to put
329 homes on a lot that is not quite big enough and they approve that variance, once it comes
330 here now all we are doing is looking at the site plan, then I can vote on both of those. In the
331 past we did not. Now we are being told it is ok. If something like that comes and questions
332 arise, I always told you guys that I sat on that if you feel it would be better for me to step
333 aside, I am willing to do that. We don't want to vote on things that cause problems."

334 Ms. Luszcz: "How many other Boards do each of these members sit on?"

335 Ms. Gott: "Ethics Committee and Planning Board."

336 Mr. Ayer: "I am just on Planning."

337 Mr. Beauvilliers: "If we vote for both could one of them be an alternate?"

338 Mr. Reed: "No. We looked into that a little while ago and we are not allowed to have a
339 Planning Board alternate."

340 Mr. Beauvilliers: "If Gretchen is voted in as a member could Paul be an alternate?"

341 Mrs. Luszcz: "The Selectmen have a Zoning Board Rep and an alternator Zoning Board
342 Rep. You are saying the Planning doesn't have that same right?"

343 Mr. Coppelman: "They might not. "

344 The Board voted for both members, Paul Ayer, and Gretchen Gott, and had a tie vote. The
345 Board agreed to put the vote off until they have a full Board.

346 Approval of Minutes:

347 Motion:

348 Mr. Beauvilliers made a motion to approve the minutes from October 7, 2021 as amended.
349 Mr. Ayer seconded the motion. The motion passed with a vote of 6 in favor, 0 opposed and 0
350 abstentions.

351 Staff Update:

352 Madeleine Dilonno: "Just a reminder that we have a work session next Thursday at 7pm At
353 the High School to discuss warrant articles."

354 Motion:

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

357 Meeting adjourned at approximately 8:56 pm.

358 Respectfully submitted,

359 Jill A. Vadeboncoeur

360