

TOWN OF RAYMOND

Zoning Board of Adjustment Agenda

November 15, 2023

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

6:30 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. **

1. Pledge of Allegiance

2. Public Hearing-

A. Application 2023-006 Raymond and Francis Scanlon/Falzone/Hoefle, Phoenix, Gormley and Roberts, PLLC

An application for Administrative Appeal has been submitted by Tim Phoenix and Joseph Falzone, representing property owners Raymond and Frances Scanlon, owners of Tax Map 41 Lot 47 on Meindl Road. The *Town of Raymond Zoning Ordinance Section 9.1.1* provides for an applicant's review and decision on an alleged error in administrative finding or decision. The applicant is appealing the decision of the Community Development Director's decision related to *Article 15, Section 15.1 Dimensions, Frontage and Article 13, Definition 13.1.31* of frontage. The property is located within the Residential B Zoning District with associated Zone G lands.

B. Application 2023-007 Raymond and Francis Scanlon/Falzone/Hoefle, Phoenix, Gormley and Roberts, PLLC

An application for Variance for property owned by Raymond and Francis Scanlon, represented by Joseph Falzone and Tim Phoenix, described as Tax Map 41, Lot 47 on Meindl Road. The two requested variances are related to the *Town of Raymond Zoning Ordinance Article 15, Section 15.1* specifying that two hundred (200) feet of frontage is required and *Article 13, Section 13.1.31* to permit three (3) lots on a private road. The property is located within the Residential B Zoning District with associated Zone G lands.

C. Application 2023-008 Dugan – 37 Governors Drive

Application for variance has been submitted by Promised Land Survey, LLC on behalf of Casey A. Dugan, owner of 37 Governors Drive at Map 34 Lot 37. The request is for relief from *Article 15, Section 1* of the *Town of Raymond Zoning Ordinance* which requires setbacks of 30 feet on the side, rear and front and 75 feet (rear); where 5.0 feet (southern side), 26.3 feet (northern side) 19.4 (front) and 50.4 feet (rear) are proposed by the applicant. The property is located within the Residential B Zoning District.

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3. **Approval of Minutes – 8-23-23**
10-25-23

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.)**

2023 PUBLIC HEARING DATES AND APPLICATION DEADLINES

BOARD OF ADJUSTMENT (Public Hearing- 4th Wednesday)	
Public Hearing Date	Application Deadline
November 15, 2023**	October 25, 2023
December 27, 2023	November 15, 2023
January 24, 2024	December 27, 2023

NOTICE MEETING DATE CHANGE DUE TO NIGHT BEFORE HOLIDAY

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.

HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC
ATTORNEYS AT LAW

127 Parrott Avenue | Portsmouth, NH, 03801
Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

October 3, 2023

VIA EMAIL & HAND DELIVERED

Jason Cleghorn, Community Development Director
Town of Raymond
4 Epping Street
Raymond, NH 03077

Re: Frances & Raymond Scanlon, Owners/Joseph Falzone, Applicant
Three Lot Subdivision Application-Meindl Road
Tax Map 41, Lot 47
Zone B-Residential/Agricultural/RA

Dear Mr. Cleghorn:

On behalf of Joseph Falzone, Applicant (“Falzone”), enclosed please find an original, and where required seven (7) copies of the following documents in support of an application for Administrative appeal and in the alternative for zoning relief. We appreciate acceptance of this application without the usual Building Permit denial in light of the Building Inspector vacancy.

1. A. 10/03/23 Application for Administrative Appeal together with Abutter List (x3).
1. B. 10/03/23 Application for Variance together with Abutter List (x3).
2. Owner Authorization.
3. 10/03/23 Memorandum and Exhibits in Support of Relief.

Also enclosed is my firm’s check in the amount of \$620.00 to cover: the application fee for administrative appeal \$150.00 plus \$10.00 for each of sixteen (16) abutters totaling \$160.00; and the application fee for variance Application Fee \$150. 00 plus \$10.00 for each of sixteen (16) abutters totaling \$160.00.

DANIEL C. HOEFLE

R. TIMOTHY PHOENIX

LAWRENCE B. GORMLEY

STEPHEN H. ROBERTS

R. PETER TAYLOR

ALEC L. MCEACHERN

KEVIN M. BAUM

JACOB J.B. MARVELLEY

GREGORY D. ROBBINS

PETER V. DOYLE

MONICA F. KIESER

STEPHANIE J. JOHNSON

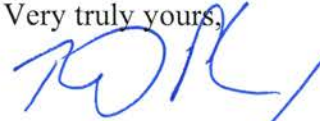
OF COUNSEL:

SAMUEL R. REID

JOHN AHLGREN

We look forward to presenting our application to the Zoning Board of Adjustment at its October 25, 2023 meeting. Please let us know when the sign is ready.

Very truly yours,

A handwritten signature in blue ink, appearing to be 'RTP' followed by a flourish.

R. Timothy Phoenix
Monica F. Kieser

RTP/msw
Encl.

cc: Client
Beals Association (email)



TOWN OF RAYMOND

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

Tel: (603) 895-4735
Fax: (603) 895-0903
<http://www.raymondnh.gov>

Application for Appeal of Administrative Decision

Site Information

Property Address: Meindl Road

Map #: 41 Lot #: 47

Property Owner Information

Name: Frances & Raymond Scanlon Phone: c/o 603-766-9102

Address: 11 John McQuinn Circle, Framingham, MA 01701

Address: _____

Applicant/Agent Information

Name: Joseph Falzone Phone: 603-772-9400

Address: 7B Emery Lane, Stratham, NH 03885

Address: _____

Complete the Following

1. Name and Title of person or board whose decision you are appealing:

Jason Cleghorn, Community Development Director

2. Date of the decision you are appealing:

9/28/23

3. Article & Section of the Zoning Ordinance involved:

Art. 15, Sec. 15.1 Dimensions, Frontage (200'); Art. 13, Definition 13.1.31 "Frontage".

4. Nature of the decision you are appealing:

Since there is no current Building Inspector/CEO Mr. Cleghorn consulted with N.H. Municipal Association with respect to whether Meindl Road is "public", opined it is not, thus variance is required. Applicant disagrees.

5. Reasoning for appeal:

See attached Memorandum and Exhibits.

Signature of Applicant*

*If the applicant is not the property owner, then a notarized letter of permission from the property owner authorizing the applicant to represent their interests shall be provided.

Robert J. Conzel
Applicant's Signature*

10/7/23
Date

FRANCES S. SCANLON
RAYMOND SCANLON
11 JOHN MCQUINN CIRCLE
FRAMINGHAM, MA 01701-3677
TAX MAP 41/LOT 47

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NOTTINGHAM, NH 03290
TAX MAP 41/LOT 41

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EXHIBIT 1B

Application for a Variance

Site Information

Property Address: Meindl Road

Map #: 41 Lot #: 47

Property Owner Information

Name: Frances & Raymond Scanlon Phone: c/o 603-766-9102

Address: 11 John McQuinn Circle, Farmingham, MA 01701

Address: _____

Applicant/Agent Information

Name: Joseph Falzone Phone: c/o 603-772-9400

Address: 7B Emery Lane, Stratham, NH 03885

Address: _____

Complete the Following

Art. 15 15.1 Frontage
Art. 13 13.1.31 Frontage Delination

A variance is being requested from Article _____, Section _____ of the Town of Raymond Zoning Ordinance in order to Permit a three lot subdivision with frontage on a privately owned road.

Facts in Support of Granting the Variance (if more space is needed, attach additional sheets)

1) Granting a variance would not be contrary to the public interest because: _____
See attached Memorandum and Exhibits

2) Granting a variance would be consistent with the spirit of the ordinance because: _____

3) Granting a variance would do substantial justice because:_____

4) Granting a variance would not diminish the values of surrounding properties because:_____

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

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

b. The proposed use is a reasonable one because:

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

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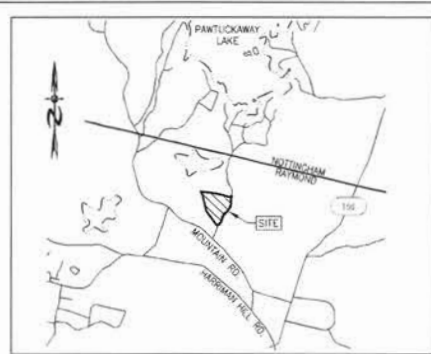
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LOCUS MAP

SOILS WERE IDENTIFIED WITH THE NEW HAMPSHIRE STATE-WIDE NUMERICAL SOILS LEGEND, USDA NRCS, ROCKINGHAM COUNTY WEB SOIL SURVEY

SOIL	MAP	UNIT NAME	HYDROLOGIC GROUP
140C		CHATFIELD-HOLLIS	B
547B		CANTON COMPLEX	D
		WALPOLE	D

ZONING REQUIREMENTS

ZONE: B RES/AG
 MIN. LOT SIZE = 2 AC.
 MIN. FRONTAGE = 200'
 MAX. HEIGHT = 35'

BUILDING SETBACKS:
 FRONT = 30'
 SIDE/ REAR = 30'
 WETLANDS = 75'
 LEACH FIELD SETBACKS
 POORLY DRAINED SOILS
 VERY POORLY DRAINED SOILS

50'
75'

PREPARED FOR:

JOSEPH FALZONE
 7B EMERY LANE
 STRATHAM, N.H. 03885



70 PORTSMOUTH AVE,
 THIRD FLOOR, SUITE 2
 STRATHAM, N.H. 03885
 PHONE: 603-583-4860,
 FAX: 603-583-4863

NOTES

1. UNDERGROUND FACILITIES, UTILITIES AND STRUCTURES HAVE BEEN LOCATED FROM FIELD OBSERVATIONS AND THEIR LOCATIONS MUST BE CONSIDERED APPROXIMATE ONLY. BEALS ASSOCIATES OR ANY OF THEIR EMPLOYEES TAKE NO RESPONSIBILITY FOR THE LOCATION OF ANY UNDERGROUND STRUCTURES OR UTILITIES NOT SHOWN, THAT MAY EXIST. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO HAVE ALL UNDERGROUND UTILITIES OR STRUCTURES LOCATED PRIOR TO EXCAVATION WORK BY CALLING 1-888-DIG-SAFE.
2. THIS PLAN HAS BEEN PREPARED FOR MUNICIPAL AND STATE APPROVALS AND FOR CONSTRUCTION BASED ON DATA OBTAINED FROM ON-SITE FIELD SURVEY AND EXISTING MUNICIPAL RECORDS. THROUGHOUT THE CONSTRUCTION PROCESS, THE CONTRACTOR SHALL INFORM THE ENGINEER IMMEDIATELY OF ANY FIELD DISCREPANCY FROM DATA AS SHOWN ON THE DESIGN PLANS. THIS INCLUDES ANY UNFORESEEN CONDITIONS, SUBSURFACE OR OTHERWISE, FOR EVALUATION AND RECOMMENDATIONS. ANY CONTRADICTION BETWEEN ITEMS OF THIS PLAN/PLAN SET OR BETWEEN THE PLANS AND ON-SITE CONDITIONS MUST BE RESOLVED BEFORE RELATED CONSTRUCTION HAS BEEN INITIATED.
3. ALL BENCHMARKS AND TOPOGRAPHY SHOULD BE FIELD VERIFIED BY THE CONTRACTOR.
4. ALL ROAD AND DRAINAGE WORK TO CONFORM TO TOWN STANDARD SPECIFICATIONS FOR CONSTRUCTION.
5. ALL PROPOSED SIGNS SHALL CONFORM TO THE TOWN ZONING REGULATIONS.
6. PROJECT IS BASED ON USGS DATUM NAVD 1988. GPS OBSERVATIONS.
7. THE LANDOWNER IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL WETLAND REGULATIONS, INCLUDING ANY PERMITTING AND SETBACK REQUIREMENTS REQUIRED UNDER THESE REGULATIONS.



125' DIA. DEVELOPABLE AREA CIRCLE PER ZONING SECT. 15.3.1

PROPOSED WELL AND 75' RADIUS TYP.

LOT 3
 137567 SF
 3.16 Ac.
 NON ZONE-G
 95014 SF
 2.18 Ac.

LOT 2
 144896 SF
 3.33 Ac.
 NON ZONE-G
 127524 SF
 2.93 Ac.

LOT 1
 170938 SF
 3.92 Ac.
 NON ZONE-G
 91903 SF
 2.11 Ac.

PLAN SET LEGEND

- UTILITY POLE
- SINGLE POST SIGN
- TEST PIT
- OVERHEAD ELEC. LINE
- STONE WALL
- TREE LINE
- ABUT. PROPERTY LINES
- EXIST. PROPERTY LINES
- PROP. PROPERTY LINES
- BUILDING SETBACK LINES
- EXIST. CONTOUR
- SOIL LINES
- 4000 SF SEPTIC RESERVE AREA
- PROP. WELL W/ 75' PROTECTIVE RAD.

LOT AREA CALCULATIONS

LOT#	LOT AREA	-WET AREA	-75' SPA	-STEEP SLOPE	NON ZONE G AREA
#1	3.92 AC	1.46 AC	.05 AC	0.35 AC	2.06 AC
#2	3.33 AC	0.34 AC	0.0 AC	0.06 AC	2.93 AC
#3	3.16 AC	0.96 AC	0.0 AC	0.02 AC	2.18 AC



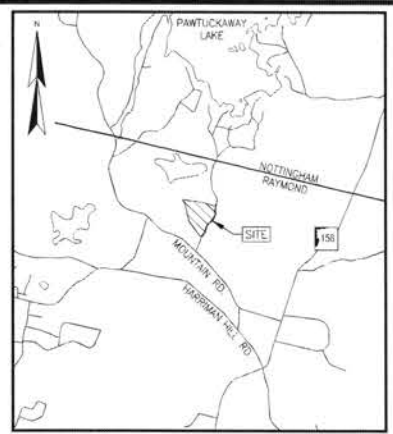
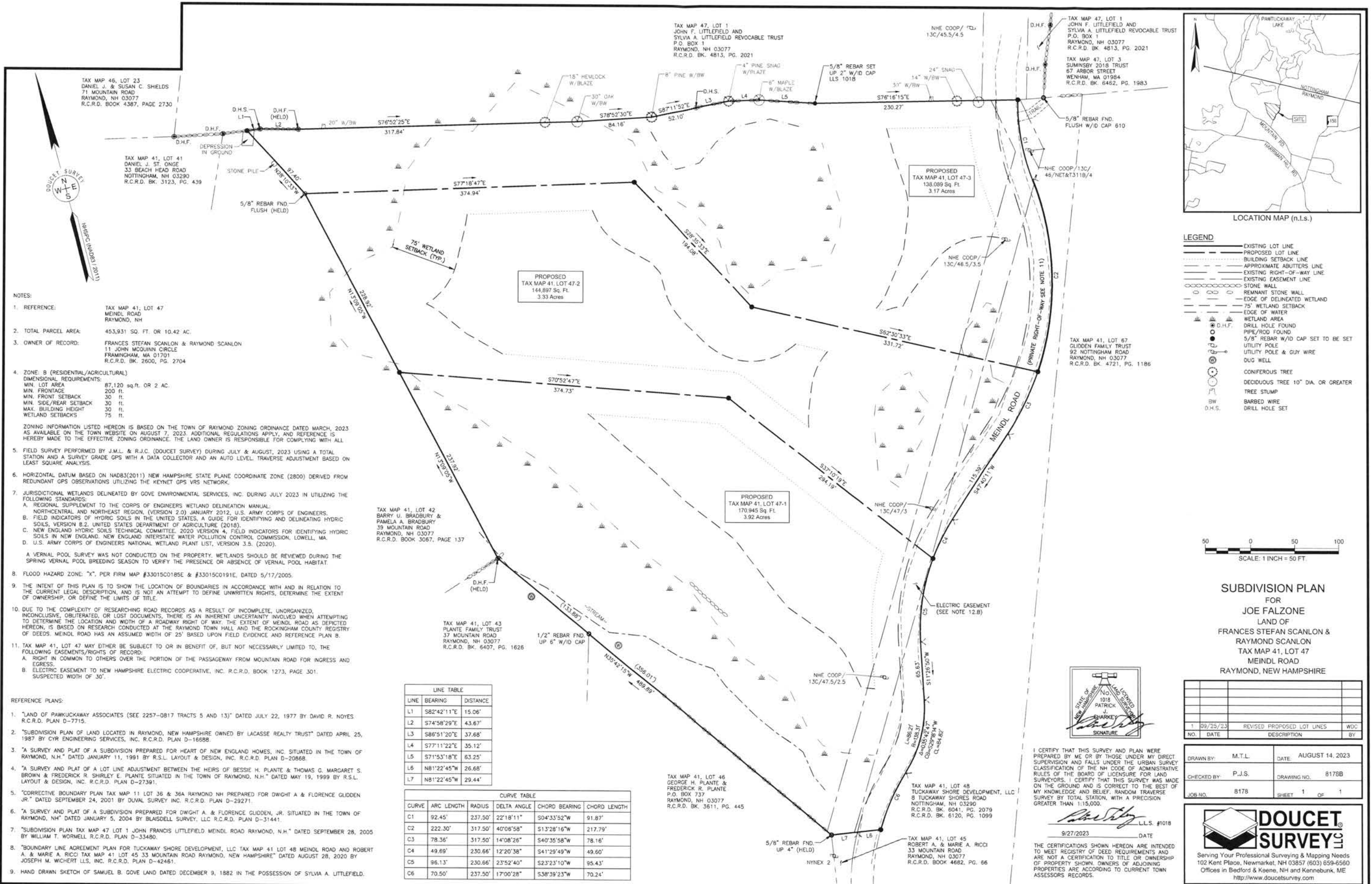
PLANNING BOARD APPROVAL BLOCK

REVISED LOTS	9/18/23
REVISIONS:	DATE:

SUBDIVISION SITE PLAN

PLAN FOR:
 RESIDENTIAL DEVELOPMENT
 MEINDL ROAD
 RAYMOND, NH

DATE:	AUG 2023	SCALE:	1"=50'
PROJ. NO:	NH-1491	SHT. NO.	3



LEGEND

- EXISTING LOT LINE
- - - PROPOSED LOT LINE
- - - BUILDING SETBACK LINE
- - - APPROXIMATE ABUTTERS LINE
- - - EXISTING RIGHT-OF-WAY LINE
- - - EXISTING EASEMENT LINE
- STONE WALL
- REMNANT STONE WALL
- - - EDGE OF DELINEATED WETLAND
- - - 75' WETLAND SETBACK
- - - EDGE OF WATER
- WETLAND AREA
- DRILL HOLE FOUND
- PIPE/ROD FOUND
- 5/8" REBAR W/D CAP SET TO BE SET
- UTILITY POLE
- UTILITY POLE & GUY WIRE
- DUG WELL
- CONFERENTIAL TREE
- DECIDUOUS TREE 10" DIA. OR GREATER
- TREE STUMP
- BARBED WIRE
- DRILL HOLE SET

- NOTES:**
- REFERENCE: TAX MAP 41, LOT 47 MEINDL ROAD RAYMOND, NH
 - TOTAL PARCEL AREA: 453,931 SQ. FT. OR 10.42 AC.
 - OWNER OF RECORD: FRANCES STEFAN SCANLON & RAYMOND SCANLON 11 JOHN MCGURRYN CIRCL FRAMINGHAM, MA 01701 R.C.R.D. BK. 2600, PG. 2704
 - ZONE: B (RESIDENTIAL/AGRICULTURAL) DIMENSIONAL REQUIREMENTS: MIN. LOT AREA 87,120 sq.ft. OR 2 AC. MIN. FRONTAGE 200 ft. MIN. FRONT SETBACK 30 ft. MIN. SIDE/REAR SETBACK 30 ft. MAX. BUILDING HEIGHT 30 ft. WETLAND SETBACKS 75 ft.
 - ZONING INFORMATION LISTED HEREON IS BASED ON THE TOWN OF RAYMOND ZONING ORDINANCE DATED MARCH, 2023 AS AVAILABLE ON THE TOWN WEBSITE ON AUGUST 7, 2023. ADDITIONAL REGULATIONS APPLY, AND REFERENCE IS HEREBY MADE TO THE EFFECTIVE ZONING ORDINANCE. THE LAND OWNER IS RESPONSIBLE FOR COMPLYING WITH ALL.
 - FIELD SURVEY PERFORMED BY J.M.L. & R.J.C. (DOUCET SURVEY) DURING JULY & AUGUST, 2023 USING A TOTAL STATION AND A SURVEY GRADE GPS WITH A DATA COLLECTOR AND AN AUTO LEVEL. TRAVERSE ADJUSTMENT BASED ON LEAST SQUARE ANALYSIS.
 - HORIZONTAL DATUM BASED ON NAD83(2011) NEW HAMPSHIRE STATE PLANE COORDINATE ZONE (2800) DERIVED FROM REDUNDANT GPS OBSERVATIONS UTILIZING THE KEYNET GPS VRS NETWORK.
 - JURISDICTIONAL WETLANDS DELINEATED BY GOVE ENVIRONMENTAL SERVICES, INC. DURING JULY 2023 IN UTILIZING THE FOLLOWING STANDARDS:
 - REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, (VERSION 2.0) JANUARY 2012, U.S. ARMY CORPS OF ENGINEERS.
 - FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, A GUIDE FOR IDENTIFYING AND DELINEATING HYDRIC SOILS, VERSION 8.2, UNITED STATES DEPARTMENT OF AGRICULTURE (2018).
 - NEW ENGLAND HYDRIC SOILS TECHNICAL COMMITTEE, 2020 VERSION 4, FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION, LOWELL, MA.
 - U.S. ARMY CORPS OF ENGINEERS NATIONAL WETLAND PLANT LIST, VERSION 3.5, (2020).
 A VERNAL POOL SURVEY WAS NOT CONDUCTED ON THE PROPERTY. WETLANDS SHOULD BE REVIEWED DURING THE SPRING VERNAL POOL BREEDING SEASON TO VERIFY THE PRESENCE OR ABSENCE OF VERNAL POOL HABITAT.
 - FLOOD HAZARD ZONE: "X", PER FIRM MAP #33015C0185E & #33015C0191E, DATED 5/17/2005.
 - THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH AND IN RELATION TO THE CURRENT LEGAL DESCRIPTION, AND IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE.
 - DUE TO THE COMPLEXITY OF RESEARCHING ROAD RECORDS AS A RESULT OF INCOMPLETE, UNORGANIZED, INCONCLUSIVE, OBLITERATED, OR LOST DOCUMENTS, THERE IS AN INHERENT UNCERTAINTY INVOLVED WHEN ATTEMPTING TO DETERMINE THE LOCATION AND WIDTH OF A ROADWAY RIGHT OF WAY. THE EXTENT OF MEINDL ROAD AS DEPICTED HEREON, IS BASED ON RESEARCH CONDUCTED AT THE RAYMOND TOWN HALL AND THE ROCKINGHAM COUNTY REGISTRY OF DEEDS. MEINDL ROAD HAS AN ASSUMED WIDTH OF 25' BASED UPON FIELD EVIDENCE AND REFERENCE PLAN B.
 - TAX MAP 41, LOT 47 MAY EITHER BE SUBJECT TO OR IN BENEFIT OF, BUT NOT NECESSARILY LIMITED TO, THE FOLLOWING EASEMENTS/RIGHTS OF RECORD:
 - RIGHT IN COMMON TO OTHERS OVER THE PORTION OF THE PASSAGEWAY FROM MOUNTAIN ROAD FOR INGRESS AND EGRESS.
 - ELECTRIC EASEMENT TO NEW HAMPSHIRE ELECTRIC COOPERATIVE, INC. R.C.R.D. BOOK 1273, PAGE 301. SUSPECTED WIDTH OF 30'.

- REFERENCE PLANS:**
- "LAND OF PAWBUCKWAY ASSOCIATES (SEE 2257-0817 TRACTS 5 AND 13)" DATED JULY 22, 1977 BY DAVID R. NOYES R.C.R.D. PLAN D-7715.
 - "SUBDIVISION PLAN OF LAND LOCATED IN RAYMOND, NEW HAMPSHIRE OWNED BY LACASSE REALTY TRUST" DATED APRIL 25, 1987 BY CYR ENGINEERING SERVICES, INC. R.C.R.D. PLAN D-16688.
 - "A SURVEY AND PLAT OF A SUBDIVISION PREPARED FOR HEART OF NEW ENGLAND HOMES, INC. SITUATED IN THE TOWN OF RAYMOND, N.H." DATED JANUARY 11, 1991 BY R.S.L. LAYOUT & DESIGN, INC. R.C.R.D. PLAN D-20668.
 - "A SURVEY AND PLAT OF A LOT LINE ADJUSTMENT BETWEEN THE HEIRS OF BESSIE H. PLANTE & THOMAS G. MARGARET S. BROWN & FREDERICK R. SHIRLEY E. PLANTE SITUATED IN THE TOWN OF RAYMOND, N.H." DATED MAY 19, 1999 BY R.S.L. LAYOUT & DESIGN, INC. R.C.R.D. PLAN D-27391.
 - "CORRECTIVE BOUNDARY PLAN TAX MAP 11 LOT 36 & 36A RAYMOND NH PREPARED FOR DWIGHT A. & FLORENCE GLIDDEN JR." DATED SEPTEMBER 24, 2001 BY DUVAL SURVEY INC. R.C.R.D. PLAN D-29271.
 - "A SURVEY AND PLAT OF A SUBDIVISION PREPARED FOR DWIGHT A. & FLORENCE GLIDDEN, JR. SITUATED IN THE TOWN OF RAYMOND, NH" DATED JANUARY 5, 2004 BY BLAISDELL SURVEY, LLC R.C.R.D. PLAN D-31441.
 - "SUBDIVISION PLAN TAX MAP 47 LOT 1 JOHN FRANCIS LITTLEFIELD MEINDL ROAD RAYMOND, N.H." DATED SEPTEMBER 28, 2005 BY WILLIAM T. WORMELL R.C.R.D. PLAN D-33490.
 - "BOUNDARY LINE AGREEMENT PLAN FOR TUCKAWAY SHORE DEVELOPMENT, LLC TAX MAP 41 LOT 48 MEINDL ROAD AND ROBERT A. & MARIE A. RICCI TAX MAP 41 LOT 45 33 MOUNTAIN ROAD RAYMOND, NEW HAMPSHIRE" DATED AUGUST 28, 2020 BY JOSEPH M. WICHERT LLS, INC. R.C.R.D. PLAN D-42461.
 - HAND DRAWN SKETCH OF SAMUEL B. GOVE LAND DATED DECEMBER 9, 1882 IN THE POSSESSION OF SYLVIA A. LITTLEFIELD.

LINE TABLE

LINE	BEARING	DISTANCE
L1	S82°42'11"E	15.06'
L2	S74°58'29"E	43.67'
L3	S86°51'20"E	37.68'
L4	S77°11'22"E	35.12'
L5	S71°53'18"E	63.25'
L6	N81°22'45"W	26.68'
L7	N81°22'45"W	29.44'

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	92.45'	237.50'	22°18'11"	S04°33'52"W	91.87'
C2	222.30'	317.50'	40°06'58"	S13°28'16"W	217.79'
C3	78.36'	317.50'	14°08'26"	S40°35'58"W	78.16'
C4	49.69'	230.66'	12°20'38"	S41°29'49"W	49.60'
C5	96.13'	230.66'	23°52'40"	S23°23'10"W	95.43'
C6	70.50'	237.50'	17°00'28"	S38°39'23"W	70.24'



SUBDIVISION PLAN FOR JOE FALZONE LAND OF FRANCES STEFAN SCANLON & RAYMOND SCANLON TAX MAP 41, LOT 47 MEINDL ROAD RAYMOND, NEW HAMPSHIRE

NO.	DATE	REVISION	PROPOSED LOT LINES	WOC	BY
1	09/25/23				

DRAWN BY:	M.T.L.	DATE:	AUGUST 14, 2023
CHECKED BY:	P.J.S.	DRAWING NO.:	8178B
JOB NO.:	8178	SHEET:	1 OF 1



I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION AND FALLS UNDER THE URBAN SURVEY CLASSIFICATION OF THE NH CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, RANDOM TRAVERSE SURVEY BY TOTAL STATION, WITH A PRECISION GREATER THAN 1:15,000.

Patrick J. Sharke
L.L.S. #1018
9/27/2023 DATE

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.

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http://www.doucetsurvey.com

Letter of Authorization

We, Raymond and Frances Scanlon, owners of Tax Map 41 Lot 47 on Miendl Road in Raymond, NH, do hereby authorize the following parties to act as agents on my behalf for the above-described property in order to apply for any necessary state and local applications or permits relative to the development of said lot:

Joseph Falzone and their agents to include but not limited to:

The Gove Group Real Estate, LLC, 70 Portsmouth Ave Stratham, NH 03885

Beals Associates, 70 Portsmouth Ave Stratham, NH 03885

Doucet Survey Kent Place Newmarket, NH

Gove Environmental Continental Drive Exeter, NH

GZA Environmental Bedford, NH

as agents to act on my behalf in matters to be discussed with the Town of Raymond, State Departments and other Land Use Boards concerning the property previously mentioned.

I hereby appoint the above referenced parties as my agent to act on my behalf in the review process, to include any required signatures.

[Signature] 6/12/23, 1:00 PM
SELLER DATE/TIME

Raymond Scanlon

11 John McQuinn Circle

MAILING ADDRESS

Framingham MA 01701

CITY STATE ZIP

[Signature] 6/12/23, 1:00 PM
SELLER DATE/TIME

Frances Scanlon by her attorney in fact Raymond Scanlon

MAILING ADDRESS

CITY STATE ZIP

FRANCIS SCANLON

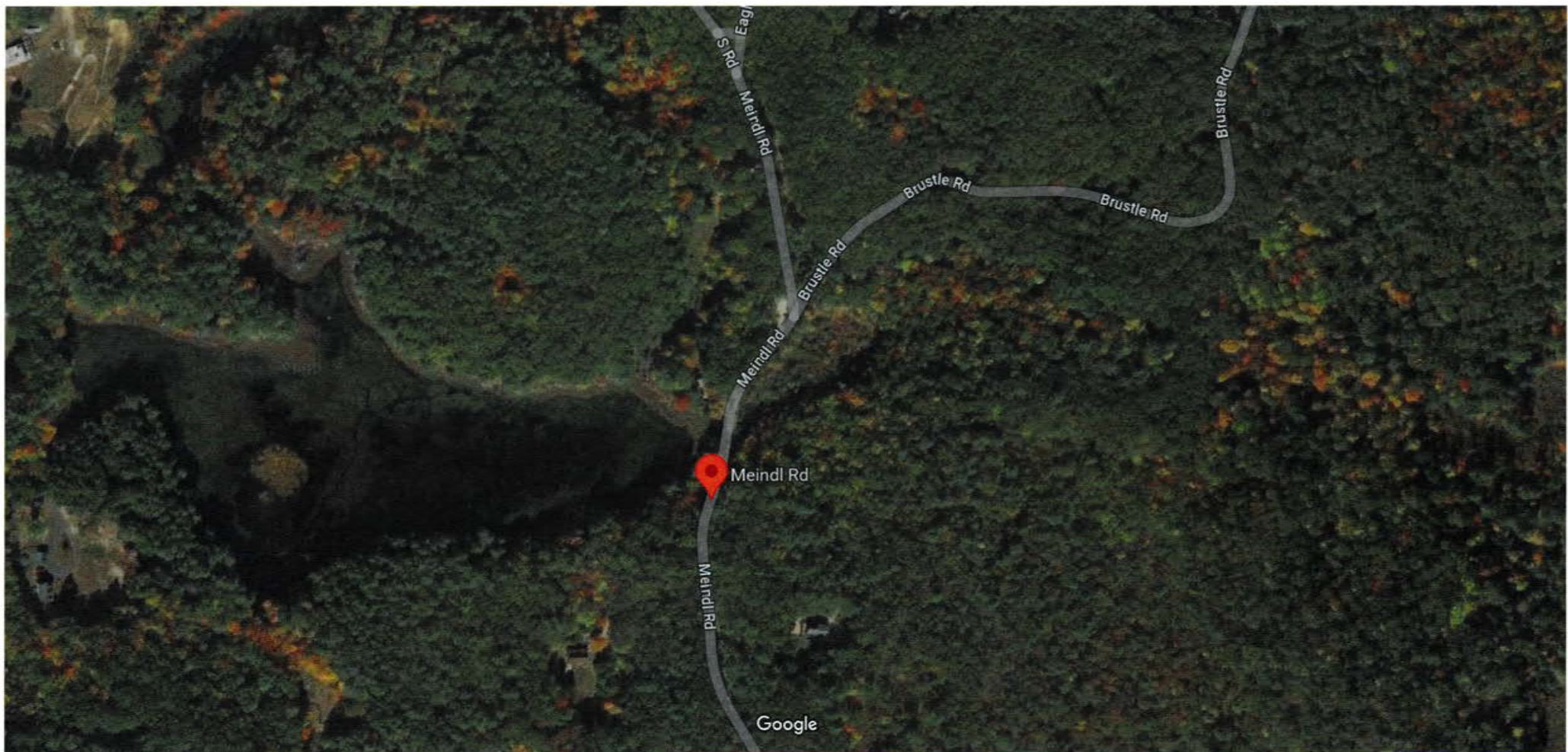
Date: 6/12/2023

[Signature]
Commission Expires: February 24th, 2028

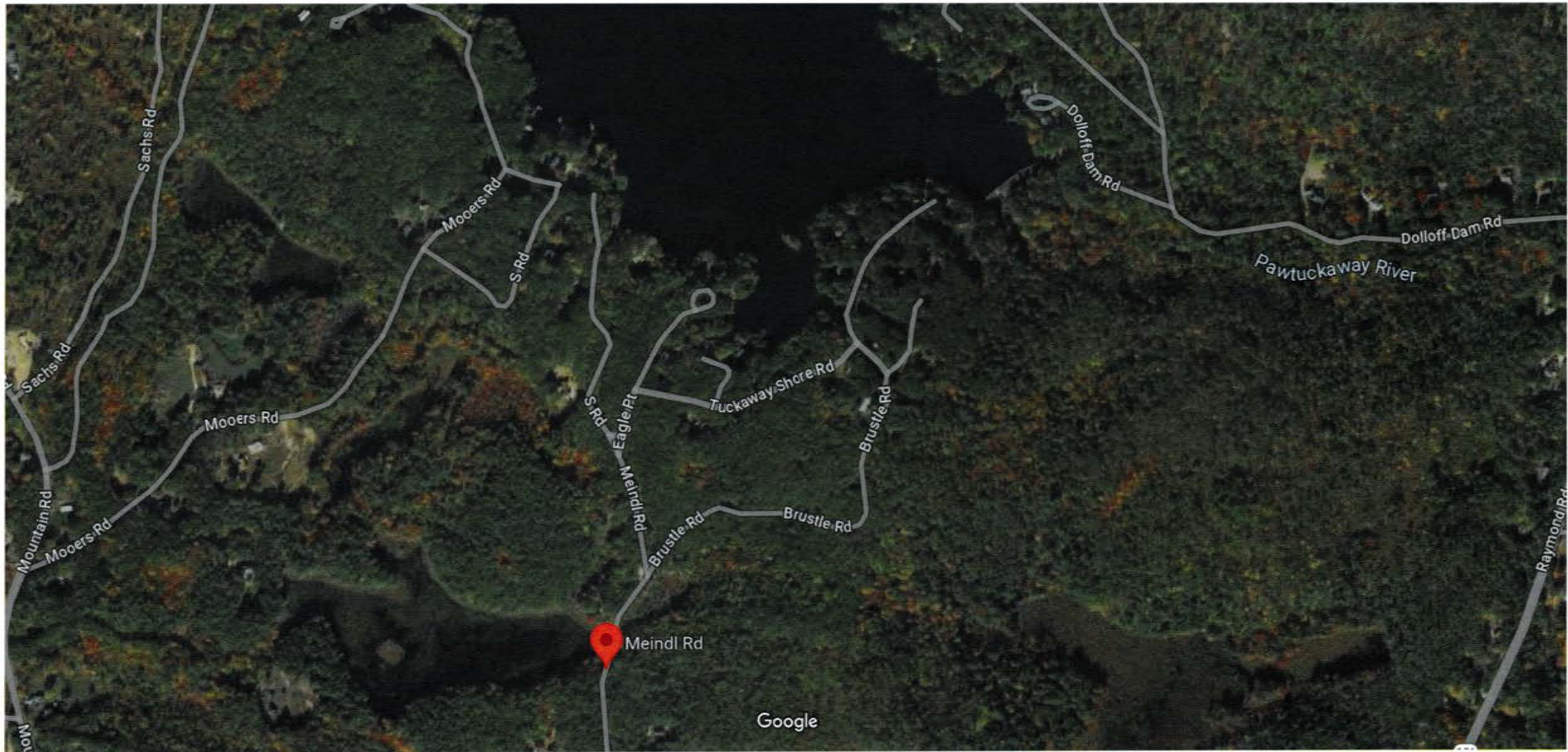




o Excavators Inc







Google

MEMORANDUM

TO: Raymond Zoning Board of Adjustment (“ZBA”)
FROM: R. Timothy Phoenix, Esquire
DATE: October 3, 2023
RE: Frances & Raymond Scanlon (Owners)/Joseph Falzone (Applicant)
 Project Location: Meindl Road, Raymond, NH, Tax Map 41, Lot 47
 Zone B-Residential- Agricultural (RA)

Dear Zoning Board Members:

On behalf of Applicant Joseph Falzone (“Falzone”), please accept an original and seven (7) copies of this Memorandum and the attached exhibits in support of an application for Administrative Appeal and in the alternative zoning relief, to be considered by the Zoning Board of Adjustment (“ZBA”) at its October 25, 2023 meeting, noting that the usual application and denial letter has been waived due to the vacancy in the building inspection/code enforcement office.

I. EXHIBITS

1. Subdivision Plan Set.
 - 9/18/23-Subdivision Site Plan- by Beals Associates PLLC.
 - 9/25/23 Subdivision Plan-by Doucette Survey, LLC.
2. Photographs (4)- Meindl Road Raymond/connection to Nottingham Roads along or near Pawtuckaway Lake.
3. Raymond GIS Map- depicting four (4) lots in Raymond with only frontage on Meindl Road.
4. Raymond Tax Maps 41/47-depicting lots in Raymond with frontage only on Meindl Road.
5. Raymond Tax Cards -lots in Raymond with only access from Meindl Road.
 - Map 41 Lots 46,47
 - Map 47 Lots 1,2,5
6. Recorded Subdivision Plan D-33480 (2006) creating 2 lots fronting on Meindl Road.¹
7. Nottingham GIS map- depicting 50+/-lots in Nottingham with no access except from Meindl Road in Raymond.
8. Nottingham Tax Map 70-depicting 50+/- lots in Nottingham along or near Pawtuckaway Lake whose only access is over Meindl Rd. in Raymond.
9. Nottingham Tax Cards-lots with homes in Nottingham whose only access is over Meindl Road in Raymond and existed since at least 20 years prior to 1968’.

¹ Approved after variance from ZBA for frontage or private road, confirmed by the undersigned’s office via review of the Town records.

- a. Map 70 Lot 100 home built 1935.
- b. Map 70 Lot 88-home built 1937.
- c. Map 70 Lot 32-home built 1940.
- d. Map 70 Lot 61-home built 1945.
- e. Map 70 Lot 93-home built 1947.
- f. Map 70 Lot 59 home built 1950.
- 10. - New Hampshire Department of Transportation highways classification of highways-“Class V rural highways consist of all other traveled highways with the city or town has the duty to maintain regularly”.
- 11. Roads in Nottingham identifying Meindl Road as Class V.²

II. HISTORY/PROJECT

Joseph Falzone is under contract to purchase Meindl Road, Tax Map 41, Lot 47, approximately ten (10) acres. Falzone proposes a three-lot subdivision meeting all subdivision dimensional requirements, primarily a minimum of 2 acres and 200 feet of frontage per lot. (**Exhibit A**). Meindl Road in Raymond has apparently never been formally accepted as a town road via a subdivision or other formal dedication.

Notwithstanding the foregoing:

- i) There are at least four Raymond lots, some with homes, whose only frontage is on Meindl Road (**Exhibits 3,4,5**).
- ii) Upon information and belief, the town of Raymond provides police and fire protection to the Meindl Road Raymond residents.
- iii) The town of Raymond Tax Map 41 Identifies Meindl Road as a Public Right-of-Way (**Exhibit 4**).
- iv) There are approximately 50 house lots in Nottingham on or near Pawtuckaway Lake whose only access is over Meindl Road in Raymond (**Exhibits 7,8,9**).
- v) The Town of Nottingham Maintains Meindl Road in Raymond for the benefit of its Nottingham residents whose only access is over Meindl Road in Raymond, including plowing and maintenance of a culvert. The Town of Nottingham has confirmed that this arrangement is through a handshake agreement. Falzone is advised that it is the intention of the Town of Raymond to formalize that arrangement with the Town of Nottingham through an intermunicipal agreement or other similar written document.

² It is presumed that this refers to Meindl Road in Raymond as it is maintained by Nottingham.

vi) Meindl Road meets the definition of a Class V Road providing access for both Raymond and Nottingham residents (**Exhibit 10**).

vii) The Town of Nottingham identifies Meindl Road as Class V. (**Exhibit 11**).
(see footnote 2)

viii) In 2006 the Town of Raymond approved via variance and from frontage requirements a subdivision on Meindl Road (**Exhibit 6**).

ix) Based upon the Nottingham tax cards at least 6 Nottingham lots with homes can only be accessed over Meindl Road in Raymond that have existed for at least 20 years prior to 1968. There are approximately 40-45 additional lots either undeveloped or with structures /homes, some of which have existed for decades.

Despite the above, the Raymond Community Development Director, via counsel from the New Hampshire Municipal Association attorneys³ has opined that Falzone's proposed Meindl Road lots do not meet the town's definition of "frontage" because Meindl Road is private, has not achieved public status, requiring a variance for the subdivision frontage on a private road.

Falzone respectfully disagrees with the position of the town that Meindl Road is private, requiring a variance for frontage on a private road, so files this Administrative Appeal of that decision and, in the alternative a request for zoning relief permit three lots, each with 200 feet of frontage on a private road accessed publicly.

III. ADMINISTRATIVE APPEAL

1. Standard of Review

In hearing appeals of administrative decisions, a Zoning Board has "all the powers of the administrative official from whom the appeal is taken." RSA§674:33. Thus, the board may undertake a *de novo* review of the administrative decision. 15 Loughlin, New Hampshire Practice, Land Use Planning and Zoning §22.03, at 356-57 (citing Quellette v. Town of Kingston, 157 N.H. 604, 609 (2008)). The Board is not limited to determining the reasonableness of the Administrative Officer's decision. Rather, a *de novo* review requires that the reviewing body "decides the matter anew,

³ The Raymond Planning Board does not presently have appointed town counsel to advise it.

neither restricted by nor deferring to decisions made below.” Town of Hinsdale v. Town of Chesterfield, 153 NH 70, 73 (2005).

2. Analysis

Raymond Zoning Ordinance (“RZO”) §197-13.1 defines “frontage” as “[t]he length of a lot at its front lot line which borders on a public street or a street paved in a subdivision approved by the Planning Board.” (emphasis added). Thus, by definition, a lot can be on either a “public street” or a paved subdivision street. “Street” is defined as “a thoroughfare, road, avenue, freeway, highway and other ways open to public use... [w]hether unimproved or improved, serving more than two (2) dwellings” (emphasis added). There is no requirement that frontage be on a town accepted road or street, only that it be “open to public use”. At least four existing Raymond homes have frontage only on Meindl Road, while 50 Nottingham home/lots have access only over Meindl Road in Raymond, thus establishing “public use”.

Article II of the Raymond Subdivision Regulations (“RSR”) defines “frontage” as “[t]he total length of all property lines of a premise which abuts an existing Class V or better road or a road proposed to be built equal to or better than a Class V road.” RSR, Article II). (emphasis added) Meindl Road is maintained by Nottingham, apparently as a Class V road (per agreement with Raymond, which Raymond intends to formalize in writing) with no evidence to the contrary.

The term “private road” is defined as “[a] road that is built to Town of Raymond Road specifications and that remains under private use and ownership and is so recorded in deeds for all abutting lots.” (emphasis added) (RSR, Article II.) Meindl Road is not “private”: as defined because it is used not only by the Raymond home/landowners whose only access is Meindl Road but also by the public, such as the fifty (50+/-) lots in Nottingham whose only access is over Meindl Road in Raymond, at least six (6) of which contain homes that were built at least 20 years prior to 1968. It cannot be disputed that Meindl Road has been used by the public for more than 20 years prior to 1968, thus has the prescriptive status of a “public” highway . Moreover,

The legislature ended the operation of the prescription theory in 1968 by amending the definition of a prescriptive road in our state RSA§229:1. To prove the existence of a highway by prescription today, there must be evidence of at least 20 years of public use beginning at the latest on January 1, 1948.

(New Hampshire Municipal Association, A Hard Road To Travel, Chapter 2, p.45 (Ed. 2015); RSA§229:1. Additional clear evidence of Meindl in Raymond as “public” is that the Raymond Tax Map (**Exhibit 4**) identifies Meindl Road as “Public Right of Way”.

RSA 231:3 defines Class V Town Roads as “constructed, reconstructed, and maintained by the city or town in which they are located.” RSA 231:3 (2023). While the Town of Nottingham maintains Meindl Road upon information and belief as a Class V road, via agreement with the Town of Raymond, this arrangement, especially when considering all of the other above-referenced evidence of public use, clearly meets the intent of RSA§231:3 that a town take responsibility for maintaining it as a Class V publicly traveled road.

Based on the foregoing, including the plain language of the RZO and RSR, whereas here the public has access and free use on a Class V road the road is “public”. Neither frontage on an “accepted” road or street nor a variance is required for subdivision approval so long as the road is publicly used and is a Class V road.

In Turco v. Town of Barnstead, 136 N.H. 256 (1992), the New Hampshire Supreme Court found that issuance of a Building Permit implied reasonable access to a single-family home that the plaintiff built, and by issuing the Building Permit, the Town of Barnstead’s actions constituted accepting the access road as public, thus could not require the plaintiff to expend eighty-seven thousand dollars (\$87,000.00) on road upgrades and maintenance. *Id.* at 262. The Turco Court relied on municipal estoppel to find that the plaintiffs could not be forced to bear the burden of maintaining the road they used to access their home. The Court noted that reasonable access was implied by the Town’s granting of the building permit, and further, that the status of the road was unclear at best. Turco, at 264. Similarly, in the instant case, the Town of Raymond has allowed at least four homes to be built, the only access of which is from Meindl Road.

Falzone posits that the actions in so doing were proper, and evidences the town's recognition/acquiescence that Meindl Road, has gained the status of a public road by virtue of these actions as well as public use by many Nottingham residents/lots whose only access is over Meindl Road in Raymond. It would be incongruous for the Town of Raymond to now take the position that the proposed Falzone lots do not gain that same treatment.

At best, the status of the road is unclear, as indicated by the four presently existing Meindl Road house lots, the Town of Nottingham's maintaining the road, Raymond providing municipal safety services and its use by dozens of Nottingham land owners. The plain language of the RZO and RSR do not prohibit subdividing lots situated on private roads that are "publicly" travelled. Because this Subdivision Application meets all necessary requirements, zoning relief is not required for approval.

In Hersh v. Plonski, 156 N.H. 511 (2007), a dissimilar fact pattern to the instant case, the New Hampshire Supreme Court nonetheless provided guidance here applicable. "A public highway may be erected: ... (3) through twenty years of use by the public before 1968..." *Id.* At 514. "Proof of acceptance by the public must be unequivocal, clear and satisfactory, and inconsistent with any other construction." *Id.* at 516. "Such acceptance may be express or implied". *Id.* at 515. "Dedication can also be implied from circumstances or by acts or conduct that clearly indicate an intention to devote land to public use or from which a reasonable inference that inference can be drawn." *Id.* at 516.

The existence of four Raymond homes on Meindl Road, the allowance of the general public, particularly 50 or so lot owners in Nottingham who access their lots only over Meindl Road, maintenance by Nottingham and identifying Meindl Road as a public right of way all demonstrate an intention that even if privately owned, the owners of Meindl Road acquiesced as did the Town of Raymond in considering it as "public" for the purposes of access, emergency and maintenance. Permitting Nottingham, and Nottingham's acceptance of the responsibility for maintaining the road, including plowing and maintenance of a culvert so that its citizens can access their lots, with no other way to do so, further evidences intention of public use by both the Raymond landowners and the Town of Raymond.

See also A Hard Road to Travel, supra, which analyzed Hersh v. Plonski:

Maintenance of a private road may imply acceptance of the road as a highway. Just about every town and city in New Hampshire has houses situated on private roads that are open to the public and thereby dedicated as potential highways. Some private roads predate municipal planning, such as the Lakeside camp developments dating from the first half of the 20th century, many of which now have winterized year-round dwellings. Other private roads are modern roads installed in subdivisions that are still under development. In both cases, residents are apt to request municipal snowplowing and summer maintenance to keep the road passable. Municipal officials may feel an obligation to provide services out of concern for public safety and a sense of fairness toward fellow taxpayers. (Id at p.41).

By their joint actions over the years in Nottingham maintaining Meindl with Raymond consent and Meindl Road private landowners permitting access to approximately fifty (50) parcels in Nottingham, public use has clearly been established. In summary, it is abundantly clear that, even if privately owned, Meindl Road is a *de facto* public road. The town of Raymond has implicitly, if not explicitly treated Meindl Road as a public right-of-way, thus the subdivision and its frontage may be approved without frontage zoning relief.

V.VARIANCES REQUIRED

In the event that the Administrative Appeal is denied or continued, Falzone requests the following variance relief:

RZO Art. 15 Sec15.1- 200 feet of “frontage” required for each of three lots.

RZO ART 13 Sec. 13.1.31-definition of “frontage”-to permit three lots, each with at least 200 feet of frontage as required, but on a private road not a public road.

IV. VARIANCE REQUIREMENTS

- 1. The variances will not be contrary to the public interest.**
- 2. The spirit of the ordinance is observed.**

The first step in the ZBA's analysis is to determine whether granting a variance is not contrary to the public interest and is consistent with the spirit and intent of the ordinance, considered together pursuant to Malachy Glen Associates, Inc. v. Town of Chichester, 155 N.H. 102 (2007). Upon examination, it must be determined whether granting the variance "would unduly and to a marked degree conflict with the ordinance such that it violates the ordinance's basic zoning objectives". Id. "Mere conflict with the zoning ordinance is not enough". Id.

The ZBA is to consider Raymond's Zoning Ordinance, the purpose of which is:

- **To promote the health, safety, economic and social well-being of the community-** Meindl Road is maintained by the Town of Nottingham with agreement of Raymond. Raymond emergency services will respond to Raymond residents. The road serves Raymond residents. It is the only access for dozens of homes in Nottingham. Accordingly, permitting it to proceed for three additional home lots promotes and protects health safety economic and social well-being.
- **To protect the natural resources including the lakes, rivers, streams drinking water and aquifer-**Three additional house lots with sufficient frontage and acreage will not harm natural resources.
- **To lessen congestion in the streets-** Three additional lots on an existing road which provides access to Raymond and Nottingham residents will not unreasonably increase congestion in the streets.
- **To secure safety from fire, panic and other danger-**Confirmation of access by Nottingham for maintenance and Raymond for emergency services via a frontage variance makes clear the respective rights and obligations of the municipalities thus securing safety from fire panic and other dangers.
- **To promote adequate light and air-** Three 2-acre lots with compliant area and frontage length will promote adequate light and air.
- **To prevent the overcrowding of land -**Three 2 acre lots compliant with the zoning requirements dimensionally except on an alleged private road accessed and maintained (by Nottingham) publicly will not overcrowd the land.
- **To avoid undue concentration of population -**Upon approval, each lot will be zoning dimensionally compliant so will not unduly concentrate population.
- **To facilitate adequate provision of transportation, water, sewerage and schools-** Permitting three dimensionally compliant lots with frontage on a private road but used publicly, maintained by Nottingham and serviced for emergency purposes by Raymond adequately provide for this purpose.

The variances are required because the land area in question is, located on the private, but publicly traveled, Meindl Road, by Raymond and Nottingham residents alike,. Under the circumstances, the requested development of these lots is virtually impossible absent relief. That the relief is warranted is further demonstrated by the 2005

subdivision approved by the Planning Board after the ZBA granted similar “frontage” relief.

Clearly, allowing variances for three lots that have the required minimum frontage on a private road which is publicly traveled by a handful of Raymond residents, and several dozen Nottingham residents who have no other access does not “in a marked degree conflict with the ordinance such that it violates the ordinance’s basic zoning objectives”. Malachy Glen, supra, which also held:

One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would alter the essential character of the locality... . Another approach to [determine] whether granting the variances violates basic zoning objectives is to examine whether granting the variances would threaten the public health, safety or welfare. (emphasis added)

Since: there are already a handful of homes in Raymond on Meindl Road; the town has previously granted a variance for a two-lot subdivision on the road; (**Exhibit 6**) together with allowing Nottingham to maintain the road for the benefit of its several dozen residents who have no other access to their homes and lots, allowing a variance for required frontage on a private but publicly used road does not alter the essential character of the locality. Given the history of Meindl Road being used publicly by Raymond residents, Nottingham residents, and Nottingham maintenance of the road, granting the variance is consistent with the historical use thus does not threaten the public health safety or welfare.

3. Granting the variance will not diminish surrounding property values.

The Town of Raymond has established the type of uses permissible on Meindl Road by the existence of homes with frontage only on Meindl, by approving (with a frontage variance) subdivision in 2006 and by establishing maintenance of the road by Nottingham for the benefit of its home/landowners who have no other access other than Meindl in Raymond. Those on or accessing lots via Meindl Road have been on constructive if not actual notice that the remaining undeveloped land would likely be subdivided in the future, thus their property values are determined based upon this

likelihood. Three two-acre lots with 200 feet of frontage, fully compliant with Raymond dimensional requirements albeit on a private but publicly traveled road will not diminish surrounding property values.

4. Denial of the variances results in an unnecessary hardship.

- a. Special conditions exist that distinguish the property/project from others in the area.

For the purposes of this variance request, Meindl Road, is considered private, albeit used by the public for maintenance as well as access to Raymond and Nottingham properties. The subject lots, as well as others on the road have no other access. These factors combine to create special conditions that distinguish the subject land from other properties in the general area where lots front on accepted public roads.

- b. No fair and substantial relationship exists between the general public purposes of the ordinance and its specific application in this instance.

Municipal requirements that lots front on “public” or otherwise approved and accepted roads is to: ensure that roads are built to proper standards; allow for adequate provision of municipal services including emergency and maintenance; and to otherwise reasonably review and approve development in the municipality. All of these purposes are here fully met. The road is, we understand, built to Class V standards. The Town of Nottingham maintains the road and culvert for the benefit of its citizens and thereby the citizens of Raymond whose properties front on the road. Homes have existed in Raymond for up to three or more decades, and in Nottingham for up to eight decades, using Meindl Road for access and with municipal services provided either by Raymond (emergency) or Nottingham (maintenance). Since the purposes of creating a “town road” is here met, as further evidenced by the approval two-lot subdivision in 2006 (**Exhibit 6**) there is clearly no fair and substantial relationship between the requirement that the subject lots front on a “public” road and its application in this instance.

- c. The proposed use is reasonable.

Proposed are residential lots that are dimensionally compliant albeit on a private road according to the town. Single family residential uses permitted in this zone. As such,

the use and the variance is required to institute said use are reasonable. See Vigeant v. Hudson, 151 N.H. 747 (2005).

5. Substantial justice will be done by granting the variances.

If “there is no benefit to the public that would outweigh the hardship to the applicant” this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508 (2011). That is, “any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice”. Malachy Glen, supra at 109.

Falzone is constitutionally entitled to the use of the land as he sees fit; including a subject only to any significant negative effect upon the public of which there is none. “The right to use and enjoy one's property is a fundamental right protected by both the State and Federal Constitutions.” N.H. CONST. pt. I, arts. 2, 12; U.S. CONST. amends. V, XIV; Town of Chesterfield v. Brooks, 126 N.H. 64 (1985) at 68. Part I, Article 12 of the New Hampshire Constitution provides in part that “no part of a man's property shall be taken from him, or applied to public uses, without his own consent, or that of the representative body of the people.” Thus, our State Constitutional protections limit the police power of the State and its municipalities in their regulation of the use of property. L. Grossman & Sons, Inc. v. Town of Gilford, 118 N.H. 480, 482 (1978). “Property” in the constitutional sense has been interpreted to mean not the tangible property itself, *but rather the right to possess, use, enjoy and dispose of it*. Burrows v. City of Keene, 121 N.H. 590, 597 (1981). (emphasis added).

The Supreme Court has held that zoning ordinances must be reasonable, not arbitrary and must rest upon some ground of difference having fair and substantial relation to the object of the regulation. Simplex Technologies, Inc. v. Town of Newington, 145 N.H. 727, 731 (2001); Chesterfield at 69. To “determine whether an ordinance is arbitrary and unreasonable, the injury or loss to the landowner must be balanced against the gain to the public.” Metzger v. Town of Brentwood, 117 N.H. 497, 501 (1977). In other words, [w]hen the restriction as applied to a particular piece of land is unnecessary to accomplish a legitimate public purpose or the gain to the public is slight but the harm to the citizen and his [or her] property is great, the exercise of the police

power becomes arbitrary and unreasonable, and this court will afford relief under the constitution of this state. Id. at 503.

Meindl Road, even if technically private, has been used by the public for decades. Raymond provides emergency services. Raymond taxes the current lot owners at full value. The Planning Board has granted subdivision approval via frontage variance in the past. Raymond has an agreement with Nottingham to maintain the road and culvert. Nottingham apparently treats the road as a Class V road, important to gain access to dozens of Nottingham homes/landowners who otherwise would have no way to reach their properties. In effect, Meindl Road has been publicly traveled and treated for decades.

Clearly, allowing a variance for required minimum frontage on a private road which has been used by the public for many years has no negative effect upon the public. It follows that there is no benefit to the public from denying the variances. Conversely, denial of the variances means that the lots could ostensibly never be developed, causing a loss of value for Falzone and the current property owner and losing the ability of three potential homeowners/families to establish residency in Raymond. Denial of the requested variances will cause great harm to Falzone and the current owner, rendering the land nearly valueless, resulting in an unconstitutional taking. Justice will be served by granting the variances while a great injustice will be served upon Falzone and the current owners via denial. Accordingly, granting the requested relief is unquestionably warranted.

V. CONCLUSION

For all the reasons stated herein, Joseph Falzone respectfully requests that the ZBA grant the requested relief.

We look forward to presenting this project to the zoning board on October 25, 2023.

Respectfully submitted,
Joseph Falzone

By: _____


R. Timothy Phoenix

4 MIENDL ROAD

Location 4 MIENDL ROAD

Mblu 041/000 / 046/ /

Acct# 002224

Owner PLANTE, FREDERICK & SHIRLEY

Assessment \$210,400

Appraisal \$210,400

PID 2071

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$102,800	\$107,600	\$210,400

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$102,800	\$107,600	\$210,400

Owner of Record

Owner PLANTE, FREDERICK & SHIRLEY
Co-Owner
Address P O BOX 737
 RAYMOND, NH 03077

Sale Price \$0
Certificate
Book & Page 3611/0445
Sale Date 07/11/2001

Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
PLANTE, FREDERICK & SHIRLEY	\$0		3611/0445	07/11/2001

Building Information

Building 1 : Section 1

Year Built: 1970
Living Area: 2,086
Replacement Cost: \$267,426
Building Percent Good: 38
Replacement Cost
Less Depreciation: \$101,600

Building Attributes

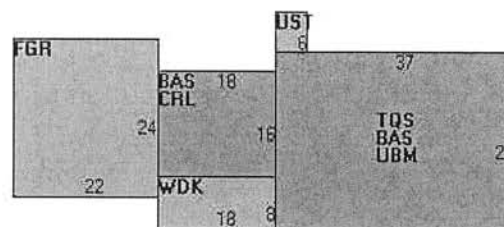
Field	Description
Style:	Cape Cod
Model	Residential
Grade:	Average
Stories:	1 3/4 Stories
Occupancy	1
Exterior Wall 1	Masonite
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Laminate
Interior Flr 2	Hardwood
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	5 Rooms
Bath Style:	Average
Kitchen Style:	Average
Loc Adj	
Cndtn	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Photo



(<https://images.vgsi.com/photos/RaymondNHPhotos/A00\00\87\79.jpg>)

Building Layout



(https://images.vgsi.com/photos/RaymondNHPhotos/Sketches/2071_2071)

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,287	1,287	
TQS	Three Quarter Story	999	799	
CRL	Crawl Space	288	0	
FGR	Garage, Framed	528	0	
UBM	Basement, Unfinished	999	0	
UST	Utility, Storage, Unfinished	30	0	
WDK	Deck, Wood	144	0	
		4,275	2,086	

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #
FPL2	1.5 STORY CHIM	1.00 UNITS	\$1,200	1

Land

Land Use

Use Code 1010
Description SINGLE FAM MDL-01
Zone B
Neighborhood 50
Alt Land Appr Category No

Land Line Valuation

Size (Acres) 1.44
Frontage 0
Depth 0
Assessed Value \$107,600
Appraised Value \$107,600

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$102,800	\$107,600	\$210,400
2021	\$102,800	\$107,600	\$210,400
2020	\$78,900	\$77,100	\$156,000

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$102,800	\$107,600	\$210,400
2021	\$102,800	\$107,600	\$210,400
2020	\$78,900	\$77,100	\$156,000

28 MIENDL ROAD

Location 28 MIENDL ROAD

Mblu 047/000 / 002/ /

Acct# 002226

Owner ORMONDE, EMANUEL P. &
ALEXIS C.

Assessment \$319,500

Appraisal \$319,500

PID 2073

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$199,200	\$120,300	\$319,500

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$199,200	\$120,300	\$319,500

Owner of Record

Owner ORMONDE, EMANUEL P. & ALEXIS C.

Sale Price \$372,500

Co-Owner

Certificate

Address 28 MIENDL ROAD
RAYMOND, NH 03077

Book & Page 6243/1570

Sale Date 02/24/2021

Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
ORMONDE, EMANUEL P. & ALEXIS C.	\$372,500		6243/1570	00	02/24/2021
CAMPBELL, LAUREN	\$233,000		5609/1779	00	04/15/2015
FALK, CHRISTOPHER M.	\$209,000		5456/1935	00	07/01/2013
ANDREWS, JOSEPH J., JR	\$247,000		4320/1422	00	06/28/2004
WILLIS, BARBARA L	\$0		2295/1659		10/17/1977

Building Information

Building 1 : Section 1

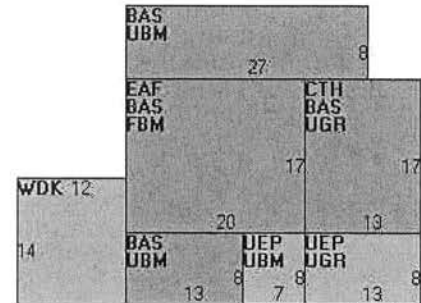
Year Built: 1979
Living Area: 1,051
Replacement Cost: \$228,787
Building Percent Good: 86
Replacement Cost Less Depreciation: \$196,800

Building Photo



(<https://images.vgsi.com/photos/RaymondNHPhotos/A00\00\87\75.jpg>)

Building Layout



(https://images.vgsi.com/photos/RaymondNHPhotos/Sketches/2073_2073)

Building Attributes	
Field	Description
Style:	Cape Cod
Model	Residential
Grade:	Average +10
Stories:	1 Story
Occupancy	1
Exterior Wall 1	Logs
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	K Pine/Wood
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	Laminate
Heat Fuel	Gas
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	2
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	5
Bath Style:	Average
Kitchen Style:	Average
Loc Adj	
Cndtn	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	881	881	
EAF	Attic, Expansion, Finished	340	170	
CTH	Cathedral Ceiling	221	0	
SFB	Basement,Raised Finished	340	0	
UBM	Basement, Unfinished	376	0	
UEP	Porch, Enclosed, Unfinished	160	0	
UGR	Garage, Basement	325	0	
WDK	Deck, Wood	168	0	
		2,811	1,051	

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #

FPL1	FIREPLACE 1 ST	1.00 UNITS	\$2,400	1
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Land

Land Use

Use Code 1010
Description SINGLE FAM MDL-01
Zone B
Neighborhood 50
Alt Land Appr Category No

Land Line Valuation

Size (Acres) 2.5
Frontage 0
Depth 0
Assessed Value \$120,300
Appraised Value \$120,300

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$199,200	\$120,300	\$319,500
2021	\$199,200	\$120,300	\$319,500
2020	\$129,700	\$82,900	\$212,600

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$199,200	\$120,300	\$319,500
2021	\$199,200	\$120,300	\$319,500
2020	\$129,700	\$82,900	\$212,600

25 MIENDL ROAD

Location 25 MIENDL ROAD

Mblu 047/000 / 005 / /

Acct# 006384

Owner FERRIS, ANGELA M.

Assessment \$356,722

Appraisal \$356,722

PID 102859

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$261,000	\$95,722	\$356,722

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$261,000	\$95,722	\$356,722

Owner of Record

Owner FERRIS, ANGELA M.
Co-Owner RONALD P. SALB
Address 25 MIENDL ROAD
 RAYMOND, NH 03077

Sale Price \$0
Certificate
Book & Page 6224/1632
Sale Date 01/15/2021
Instrument 1A

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
FERRIS, ANGELA M.	\$0		6224/1632	1A	01/15/2021
SALB, DANA A.	\$260,000		5182/1627	00	12/30/2010
LITTLEFIELD, JOHN WILLIAM & BILLIE JO	\$0		4610/1312	1A	01/24/2006
LITTLEFIELD, JOHN F & SYLVIA	\$0		1577/0463		

Building Information

Building 1 : Section 1

Year Built: 2006
Living Area: 1,512
Replacement Cost: \$286,761

Building Percent Good: 90
 Replacement Cost
 Less Depreciation: \$258,100

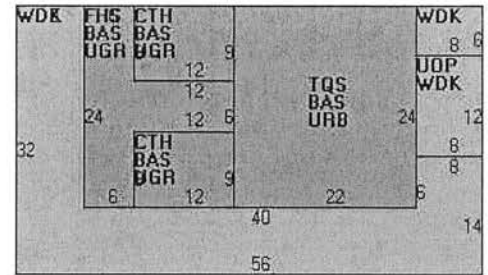
Building Photo



(<https://images.vgsi.com/photos/RaymondNHPhotos/0000187177.jpg>)

Building Attributes	
Field	Description
Style:	Cape Cod
Model	Residential
Grade:	Average +20
Stories:	1.75
Occupancy	1
Exterior Wall 1	Logs
Exterior Wall 2	Wood Shingle
Roof Structure:	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	K Pine/Wood
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	Carpet
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	2
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	5
Bath Style:	Average
Kitchen Style:	Average
Loc Adj	
Cndtn	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Layout



(https://images.vgsi.com/photos/RaymondNHPhotos/Sketches/102859_10)

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	960	960	
TQS	Three Quarter Story	528	422	
FHS	Half Story, Finished	216	130	
CTH	Cathedral Ceiling	216	0	
UGR	Garage, Basement	432	0	
UOP	Porch, Open, Unfinished	96	0	
URB	Basement, Raised Unfinished	528	0	
WDK	Deck, Wood	832	0	
		3,808	1,512	

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #

WHL	WHIRLPOOL TUB	1.00 UNITS	\$1,800	1
HRTH	HEARTH	1.00 UNITS	\$1,100	1

Land

Land Use

Use Code 1010
Description SINGLE FAM MDL-01
Zone B
Neighborhood 50
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 2
Frontage 0
Depth 0
Assessed Value \$95,722
Appraised Value \$95,722

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$261,000	\$95,722	\$356,722
2021	\$261,000	\$95,722	\$356,722
2020	\$194,000	\$69,700	\$263,700

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$261,000	\$95,722	\$356,722
2021	\$261,000	\$95,722	\$356,722
2020	\$194,000	\$69,700	\$263,700

24 MIENDL ROAD

Location 24 MIENDL ROAD

Mblu 047/000 / 001 / /

Acct# 002225

Owner LITTLEFIELD REVOCABLE TRUST

Assessment \$256,296

Appraisal \$388,600

PID 2072

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2019	\$147,500	\$241,100	\$388,600

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$147,500	\$108,796	\$256,296

Owner of Record

Owner LITTLEFIELD REVOCABLE TRUST
Co-Owner JOHN F. OR SYLVIA A. / TRUSTEES
Address P.O. BOX 1
RAYMOND, NH 03077

Sale Price \$0
Certificate
Book & Page 4813/2022
Sale Date 06/21/2007
Instrument 1A

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
LITTLEFIELD REVOCABLE TRUST	\$0		4813/2022	1A	06/21/2007
LITTLEFIELD, JOHN F & SYLVIA	\$0		4618/1455	1A	02/07/2006
LITTLEFIELD, JOHN F & SYLVIA	\$0		1577/0463		

Building Information

Building 1 : Section 1

Year Built: 1987
Living Area: 960
Replacement Cost: \$179,065

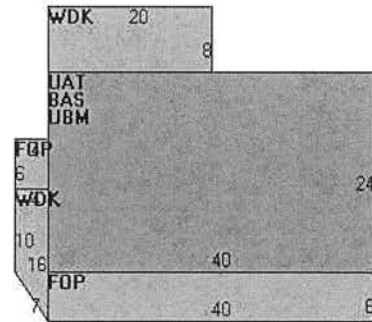
Building Percent Good: 82
 Replacement Cost
 Less Depreciation: \$146,800

Building Photo



(<https://images.vgsi.com/photos/RaymondNHPhotos/\00\00\87\78.jpg>)

Building Layout



(https://images.vgsi.com/photos/RaymondNHPhotos//Sketches/2072_2072)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	960	960
FOP	Porch, Open	264	0
UAT	Attic, Unfinished	960	0
UBM	Basement, Unfinished	960	0
WDK	Deck, Wood	212	0
		3,356	960

Building Attributes	
Field	Description
Style:	Cape Cod
Model	Residential
Grade:	Average
Stories:	1 Story
Occupancy	1
Exterior Wall 1	Logs
Exterior Wall 2	Board & Batten
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	K Pine/Wood
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	4 Rooms
Bath Style:	Average
Kitchen Style:	Average
Loc Adj	
Cndtn	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1010
Description SINGLE FAM MDL-01
Zone B
Neighborhood 50
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 27.4
Frontage 0
Depth 0
Assessed Value \$108,796
Appraised Value \$241,100

Outbuildings

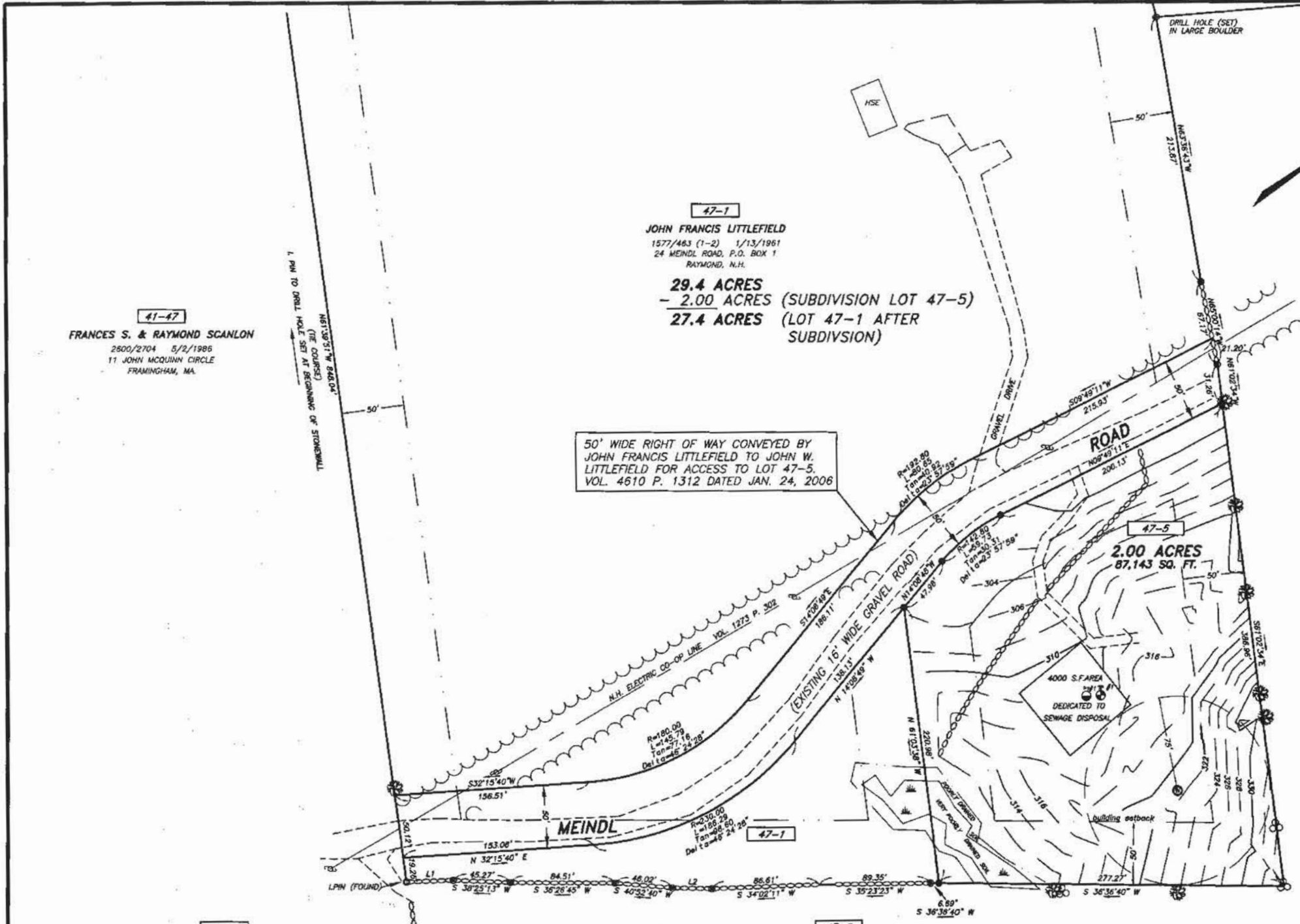
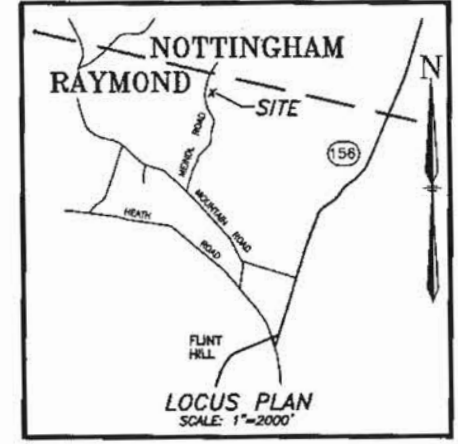
Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED AVG			128.00 S.F.	\$700	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$147,500	\$241,100	\$388,600
2021	\$147,500	\$241,100	\$388,600
2020	\$109,800	\$210,600	\$320,400

Assessment			
Valuation Year	Improvements	Land	Total
2022	\$147,500	\$108,796	\$256,296
2021	\$147,500	\$108,796	\$256,296
2020	\$109,800	\$78,066	\$187,866

007970



41-47
FRANCES S. & RAYMOND SCANLON
2500/2704 5/2/1986
11 JOHN MCQUINN CIRCLE
FRAMINGHAM, MA

47-1
JOHN FRANCIS LITTLEFIELD
1577/463 (1-2) 1/13/1961
24 MEINDL ROAD, P.O. BOX 1
RAYMOND, N.H.

29.4 ACRES
- 2.00 ACRES (SUBDIVISION LOT 47-5)
27.4 ACRES (LOT 47-1 AFTER
SUBDIVISION)

50' WIDE RIGHT OF WAY CONVEYED BY
JOHN FRANCIS LITTLEFIELD TO JOHN W.
LITTLEFIELD FOR ACCESS TO LOT 47-5.
VOL. 4610 P. 1312 DATED JAN. 24, 2006

47-2
JOSEPH J. ANDREWS JR.
4320/1422 8/28/2004
28 MEINDL ROAD
RAYMOND, N.H.

ABUTTERS (CONTINUED):

- 41-42 BARRY U. & PAMELA A. BRADBURY 39 MOUNTAIN ROAD RAYMOND, N.H.
- 45-23 DANIEL J. & SUSAN C. SHIELDS 71 MOUNTAIN ROAD RAYMOND, N.H.
- 46-19 STEPHEN E. & JUDITH A. SLOAN 7 MOOERS ROAD RAYMOND, N.H.
- NOTTINGHAM :
- 72-13A DERIC S. & DIANE I. NUGENT 11 MOOERS ROAD NOTTINGHAM, N.H.
- 70-100 JOAN M. MARSH 15 MEINDL ROAD NOTTINGHAM, N.H.
- 70-88 PETER W. & JANICE T. LYLE 11 MEINDL ROAD PO BOX 322 RAYMOND, N.H.
- 70-88A CAROLYN PETTIT 6 SANBORN ROAD HAMPTON FALLS, N.H.
- 70-27 WILLIAM W. & DAVID C. WHITNEY 43 CHURCH ST. HIGHBRIDGE, N.J.

NOTES:

1. OWNER OF RECORD OF PARCEL 47-1 IS JOHN FRANCIS LITTLEFIELD. 24 MEINDL ROAD, RAYMOND, N.H. DEED REFERENCE TO PARCEL IS VOL. 1577 P.463 (1&2) DATED JAN.13,1961 IN THE R.C.R.D.
2. TOTAL AREA OF PARCEL 47-1 BEFORE SUBDIVISION IS 29.4 ACRES.
3. **47-1** DENOTES TAX MAP PAGE AND PARCEL NUMBER.
4. **47-1** IS IN ZONE B RESIDENTIAL/AGRICULTURAL.
5. **47-1** IS IN ZONE X ON FIRM 3301400185E, EFFECTIVE DATE MAY 17, 2005.
6. SOILS ON THE SITE ARE MAPPED BY THE SOIL SURVEY OF ROCKINGHAM COUNTY NEW HAMPSHIRE DATED OCTOBER 1994 AS CHATFIELD-HOLLIS-CANTON COMPLEX B-15% SLOPES VERY STONY.
7. THIS SURVEY AND PLAN MEET THE TECHNICAL STANDARDS OF THE NHLSA CATEGORY 1, CONDITION 2, STANDARD PROPERTY SURVEY.
8. VERY POORLY DRAINED SOIL AREA IS 1780 S.F., POORLY DRAINED SOIL AREA IS 1000 S.F. ON LOT 47-5.
9. WETLANDS DELINEATED TO THE STANDARD OF THE NH WETLANDS BUREAU.
10. PARCEL 47-1 IS SUBJECT TO CURRENT USE ASSESSMENT VOL. 2256 P. 1751 DATED MAY 14, 1976 IN THE R.C.R.D.
11. SEE "AGREEMENT AND RELEASE" TOWN OF RAYMOND VOL. 4481 P. 2178 DATED MAY 6, 2005 IN THE R.C.R.D.

ZONE B REQUIREMENTS:

LOT AREA : 2.00 ACRES
FRONTAGE : 200'
SETBACKS F/S/R : 50'

REFERENCE PLANS:

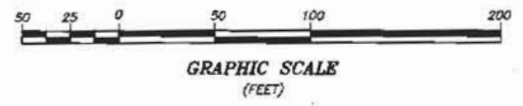
1. "LAND OF PAWTUCKAWAY ASSOCIATES" DATED JULY 22, 1977 SCALE 1"=200' BY DAVID R. NOYES (R.C.R.D. PLAN # D-18688).
2. "BOUNDARY PLAN & LOT LINE ADJUSTMENT PLAN TAX MAP 11 LOT 36 & 36A RAYMOND, N.H. PREPARED FOR DWIGHT A. & FLORENCE GLIDDEN JR." DATED JANUARY 5, 2001 SCALE 1"=100' BY DUVAL SURVEY INC. (R.C.R.D. PLAN # D-28874).
3. HAND DRAWN SKETCH OF SAMUEL B. GOVE LAND DATED DECEMBER 9, 1882 IN THE POSSESSION OF JOHN F. LITTLEFIELD.

- LEGEND:**
- IRON PIN SET
 - DRILL HOLE SET
 - STONE PILE FOUND
 - STONEMALL
 - UTILITY POLE
 - DECIDUOUS TREE

LINE	LENGTH	BEARING
L1	37.72	S34°03'47"W
L2	31.56	S37°17'33"W

41-67
DWIGHT A. JR. & FLORENCE GLIDDEN
2164/31 8/18/1974
92 NOTTINGHAM ROAD
RAYMOND, N.H.

47-3
JEFFREY H. ALLISON
3155/1861 5/2/1996
14 EATON COURT
WELLESLEY, MA



SUBDIVISION PLAN
TAX MAP 47 LOT 1
JOHN FRANCIS LITTLEFIELD
MEINDL ROAD
RAYMOND, N.H.
SCALE: 1"=50' SEPTEMBER 28, 2005

D-33480

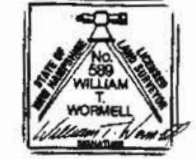
CERTIFICATIONS:

"I HEREBY CERTIFY THAT THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS A MAXIMUM ERROR OF CLOSURE OF ONE PART IN TEN THOUSAND."

William T. Wormell 1/28/06

APPROVED BY THE TOWN OF RAYMOND PLANNING BOARD

ON: 1/27/06
CHAIRMAN: *John P. Bogue* DATE: _____



PREPARED BY:
WILLIAM T. WORMELL
GREEN STREET NORTHWOOD, NEW HAMPSHIRE
TEL. (603) 942-8536

NO.	REVISION	DATE	DRWN	CHKD	APPR
2	ADD R.O.W. VOL/PG	1/24/06			WTF
1	ADD 50' ROW, REMOVE S/D & ZONING CERT.	12/28/05			WTF



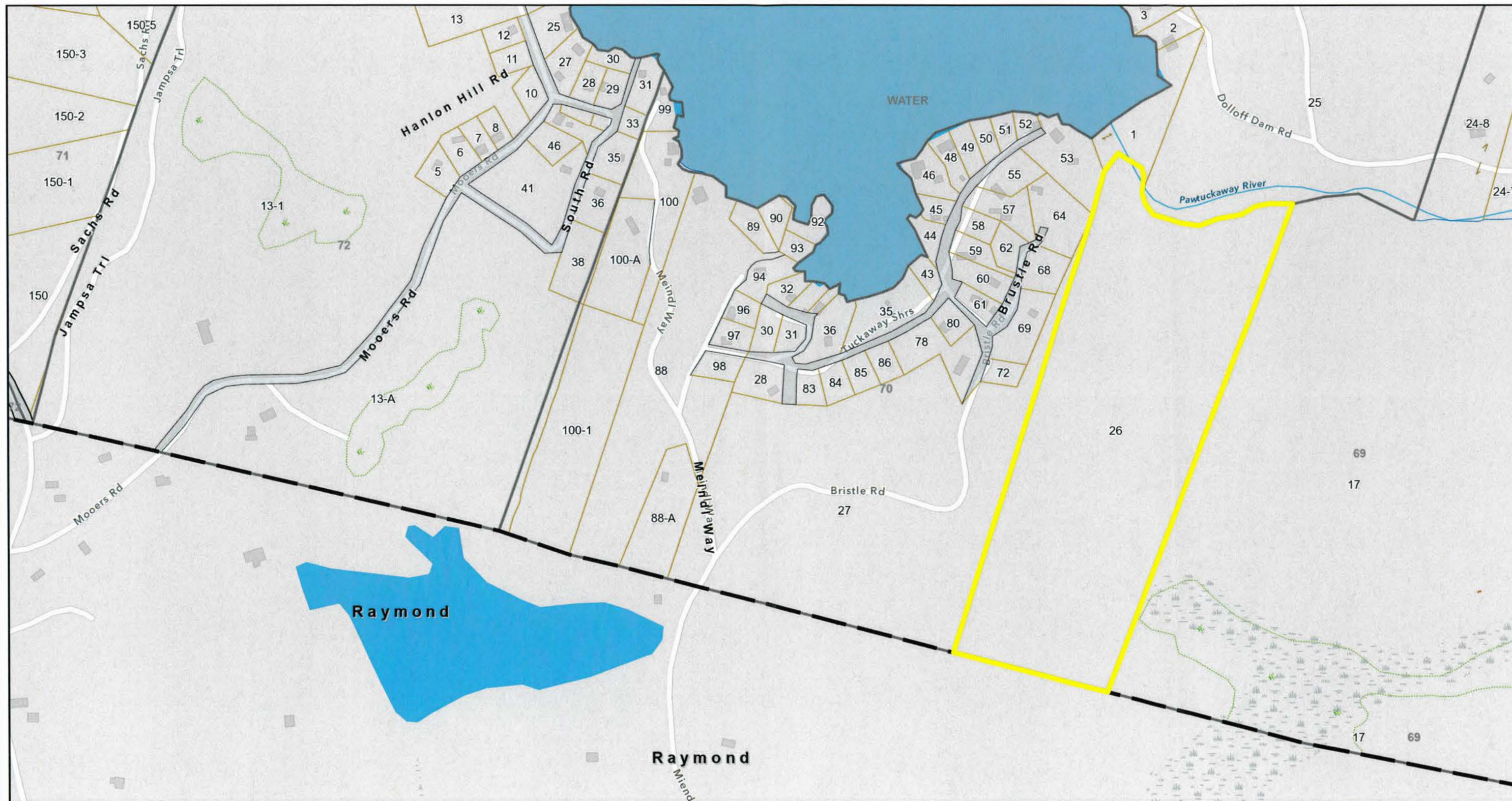
Nottingham, NH

October 2, 2023

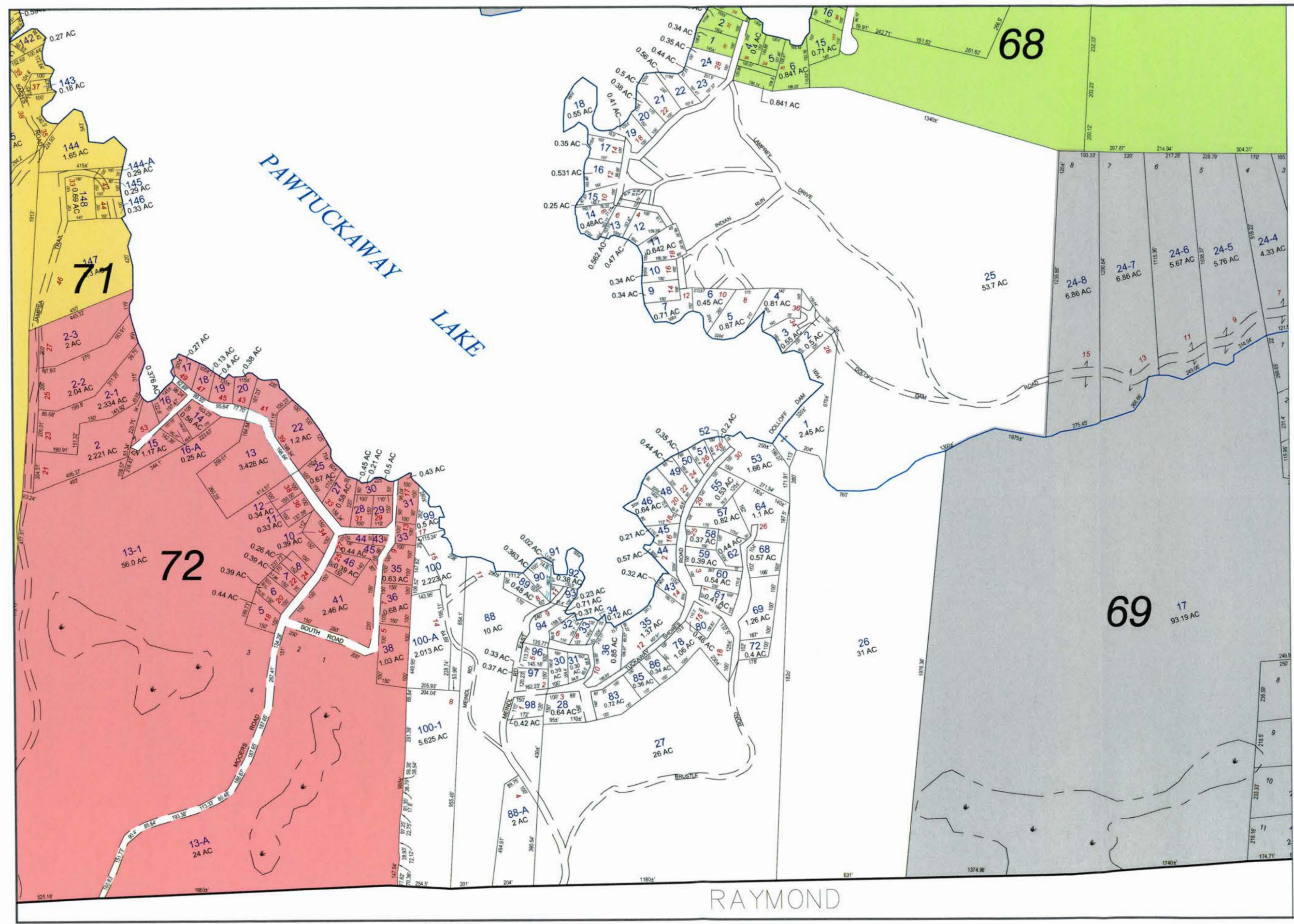
1 inch = 376 Feet

EXHIBIT 7

www.cai-tech.com



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



PROPERTY MAP
NOTTINGHAM
 NEW HAMPSHIRE



LEGEND

ADDITIONAL MAP NO. R11	LOT DIMENSION
PARCEL NUMBER 74	PROPERTY BOUNDARIES
SUBDIVISION LOT NO. 4	RIGHT OF WAY
STREET ADDRESS NO. 74	EASEMENT



Revised & Reprinted by
 CAI Technologies
 Littleton, NH 03561
 Original Mapping
 Prepared by
 John E. O'Donnell & Associates

70

Map: 000070

Lot: 000100

Sub: 000000


Card: 1 of 1

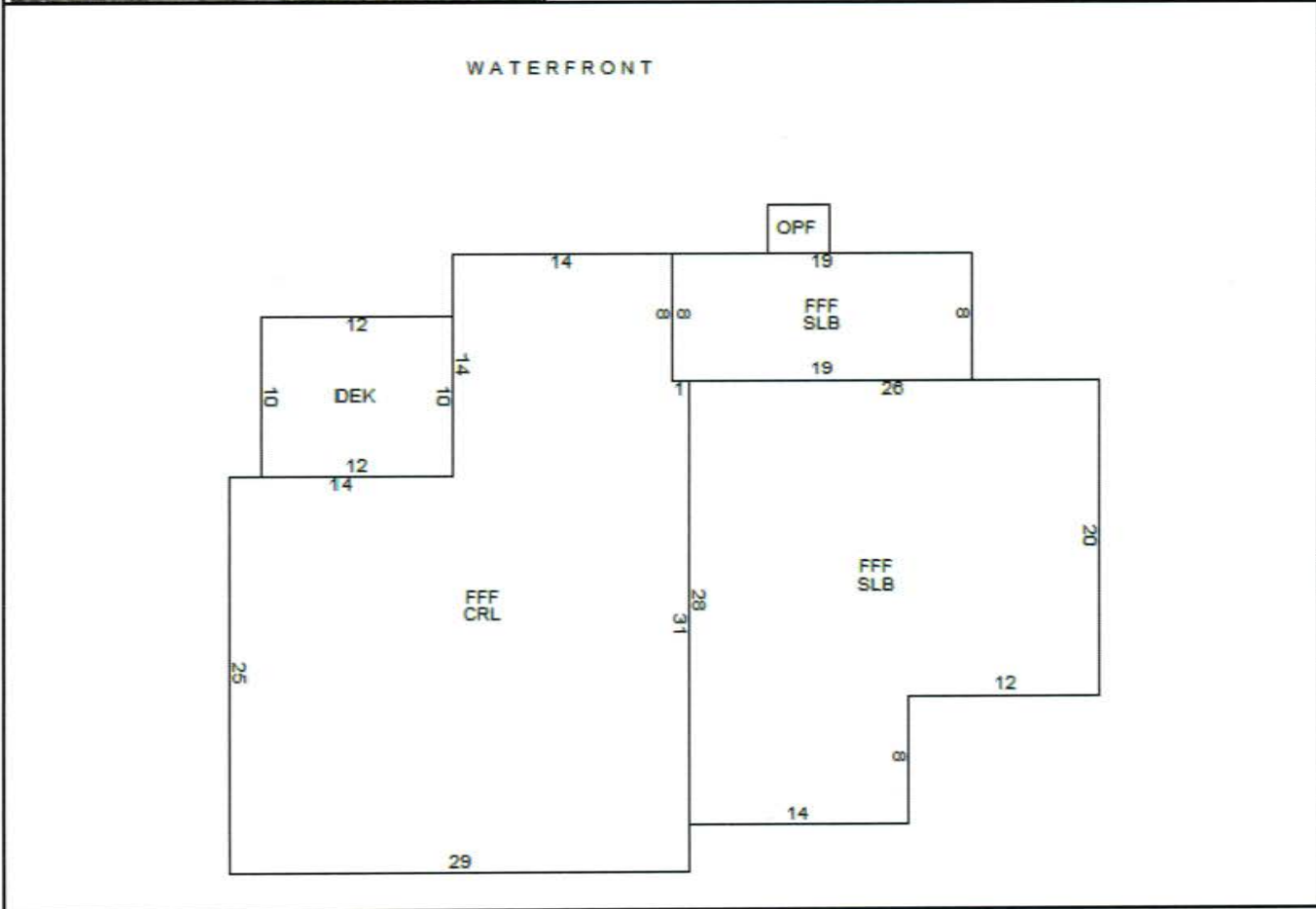
15 MEINDL ROAD

NOTTINGHAM

Printed: 08/11/2023

OWNER INFORMATION		SALES HISTORY					PICTURE																																																																															
MARSH, JOANNE M TRUSTEE 15 MEINDL ROAD NOTTINGHAM, NH 03290		Date 06/09/2006 05/14/2001 06/08/1992 07/24/1987	Book 4666 3580 2930 2694	Page 0280 2242 567 0068	Type U I 38 Q I U I 99 U I 99	Price 260,000	Grantor MARSH, JOANNE M. GROOMS, MARILYN HARRY GROOMS I HARRY GROOMS																																																																															
LISTING HISTORY		NOTES																																																																																				
06/04/19 RWVM 02/05/19 INSP MARKED FOR INSPECTION 01/05/17 JRSR 08/08/14 JBVM 06/21/06 DSVL 04/01/02 THPR 05/26/98 AAM 04/15/87 DMO	TAN;YR RND;235 FT WF;4/02 NEW SEPTIC; 6/06-GAR HAS APT, SOME GAS/FA NO DUCTS HT; 6/06- TRUSTEE OF THE JOANNE M. JOHNSTON 1998 REV TRUST; 8/14 NOH. SUMP PUMP, CB FNDTN. DNPU WIDE SIDEWALK AS PATIO. WALL AT WF W/TIERED BEACH. WELL MAINT. DNPU 2FT OH. NHDES SUBDIV APPLICATION WORK#201603533; 1/17 PER RECORDED SUB PLAN #39732 NEW LOT AREA = 2.223 AC & CREATE NEW LOT 70-100-1 = 5.625 AC; EFF 4/17 ADJ WF COND UPDATED MODEL; 6/19; NOH; EXT STILL GD; EST NEW ROOF H20 SIDE SHINGLES;					MUNICIPAL SOFTWARE BY AVITAR 																																																																																
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PICTURE	OWNER	TAXABLE DISTRICTS	BUILDING DETAILS									
	<p>MARSH, JOANNE M TRUSTEE 15 MEINDL ROAD NOTTINGHAM, NH 03290</p>	<table border="1"> <thead> <tr> <th>District</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	District	Percentage			<p>Model: 1.00 STORY CAMP Roof: GABLE OR HIP/ASPHALT Ext: ABOVE AVG Int: WALL BOARD/DRYWALL Floor: LINOLEUM OR SIM/CARPET Heat: ELECTRIC/RAD ELECT</p> <p>Bedrooms: 3 Baths: 2.0 Fixtures: 6 Extra Kitchens: Fireplaces: Generators: 1</p> <p>A/C: No Quality: B2 AVG-20</p> <p>Com. Wall: Size Adj: 1.0740 Base Rate: RSA 93.00 Bldg. Rate: 0.8248 Sq. Foot Cost: \$ 76.71</p>					
District	Percentage											
PERMITS												
<table border="1"> <thead> <tr> <th>Date</th> <th>Project Type</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td>11/09/15</td> <td>ELECTRICAL</td> <td>INSTALL 14 KW GENERATOR</td> </tr> <tr> <td>10/18/01</td> <td>REPAIR</td> <td>SEPTIC CA2001037138</td> </tr> </tbody> </table>				Date	Project Type	Notes	11/09/15	ELECTRICAL	INSTALL 14 KW GENERATOR	10/18/01	REPAIR	SEPTIC CA2001037138
Date	Project Type	Notes										
11/09/15	ELECTRICAL	INSTALL 14 KW GENERATOR										
10/18/01	REPAIR	SEPTIC CA2001037138										



BUILDING SUB AREA DETAILS				
ID	Description	Area	Adj.	Effect.
OPF	OPEN PORCH	12	0.25	3
SLB	SLB	784	0.00	0
CRL	CRAWL SPACE	927	0.05	46
DEK	DECK/ENTRANCE	120	0.10	12
FFF	FST FLR FIN	1711	1.00	1711
GLA:	1,711	3,554		1,772

2020 BASE YEAR BUILDING VALUATION	
Market Cost New:	\$ 135,930
Year Built:	1935
Condition For Age:	GOOD 23 %
Physical:	
Functional:	
Economic:	
Temporary:	
Total Depreciation:	23 %
Building Value:	\$ 104,700

OWNER INFORMATION		SALES HISTORY						PICTURE																															
LYLE, PETER W + JANICE T, TRUSTEES LYLE FAMILY REVOCABLE TRUST OF 1995 P.O. BOX 322 RAYMOND, NH 03077-0322		<u>Date</u>	<u>Book</u>	<u>Page</u>	<u>Type</u>	<u>Price</u>	<u>Grantor</u>																																
		09/24/2018	5948	2822	U144		1 LYLE, PETER W																																
LISTING HISTORY		NOTES						MUNICIPAL SOFTWARE BY AVITAR 																															
03/06/20	RWPR	TAN; GCFA; 3/96-DEK ADDED; CUSTOM WD WRK/KIT STONE																																					
03/13/19	RWVM	WRK/FLRS/STRS; 290 FT WF; 03 - DOCK; 8/14 NOH. PU EXISTING SHED. FIX																																					
02/05/19	INSP	DEK SHAPE. DNPU STEPS/WALKWAY AS DEK. MOSTLY NAT WF, SOME																																					
08/08/14	JBVM	GRASSY W/ WALL AT WF; 1/17 ADD ADJ TO LL2 FOR ROW EASEMENT TO																																					
10/27/10	PBUL	70-100-1; BK5769 PG2532;EFF 4/17 ADJ WF COND UPDATED MODEL; 3/19; HO																																					
10/12/07	LMHC	BUSY, DNVI; NO NEW SHED, OWNER STATES NO PERMIT; NC TO INT; 3/20;																																					
09/23/03	VMVL	PU STBY GEN;																																					
05/26/98	AAL																																						
EXTRA FEATURES VALUATION		MUNICIPAL SOFTWARE BY AVITAR																																					
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FIREPLACE 1-CUST	1		100	5,000.00	100	5,000		<table border="1"> <thead> <tr> <th>Year</th> <th>Building</th> <th>Features</th> <th>Land</th> </tr> </thead> <tbody> <tr> <td>2021</td> <td>\$ 239,300</td> <td>\$ 7,200</td> <td>\$ 452,800</td> </tr> <tr> <td colspan="4">Parcel Total: \$ 699,300</td> </tr> <tr> <td>2022</td> <td>\$ 239,300</td> <td>\$ 7,200</td> <td>\$ 452,800</td> </tr> <tr> <td colspan="4">Parcel Total: \$ 699,300</td> </tr> <tr> <td>2023</td> <td>\$ 239,300</td> <td>\$ 7,200</td> <td>\$ 452,800</td> </tr> <tr> <td colspan="4">Parcel Total: \$ 699,300</td> </tr> </tbody> </table>				Year	Building	Features	Land	2021	\$ 239,300	\$ 7,200	\$ 452,800	Parcel Total: \$ 699,300				2022	\$ 239,300	\$ 7,200	\$ 452,800	Parcel Total: \$ 699,300				2023	\$ 239,300	\$ 7,200	\$ 452,800	Parcel Total: \$ 699,300			
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SHED-WOOD	192	12 x 16	143	10.00	80	2,196																																	
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LAND VALUATION		LAST REVALUATION: 2020																																					
Zone: R-AG RES/AGR DIST		Minimum Acreage: 2.00		Minimum Frontage: 200		Site: AVERAGE Driveway: PART PAVED Road: DIRT/GRAVEL																																	
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PAWTUCKAWAY	290.000 wf	BEACH/LANDSCAPED, MAIN BODY								100	328,200	0		328,200	290'/LDSC/AVG/AV/N																								
10.000 ac											452,800			452,800																									



OWNER
LYLE, PETER W + JANICE T, TRUSTEE
 LYLE FAMILY REVOCABLE TRUST OF 1995
 P.O. BOX 322
 RAYMOND, NH 03077-0322

TAXABLE DISTRICTS

District	Percentage

BUILDING DETAILS

Model: 1.75 STORY CONVENTNL
 Roof: GABLE OR HIP/ASPHALT
 Ext: ABOVE AVG
 Int: DRYWALL/WOOD/LOG
 Floor: CARPET/HARD TILE
 Heat: OIL/HOT WATER

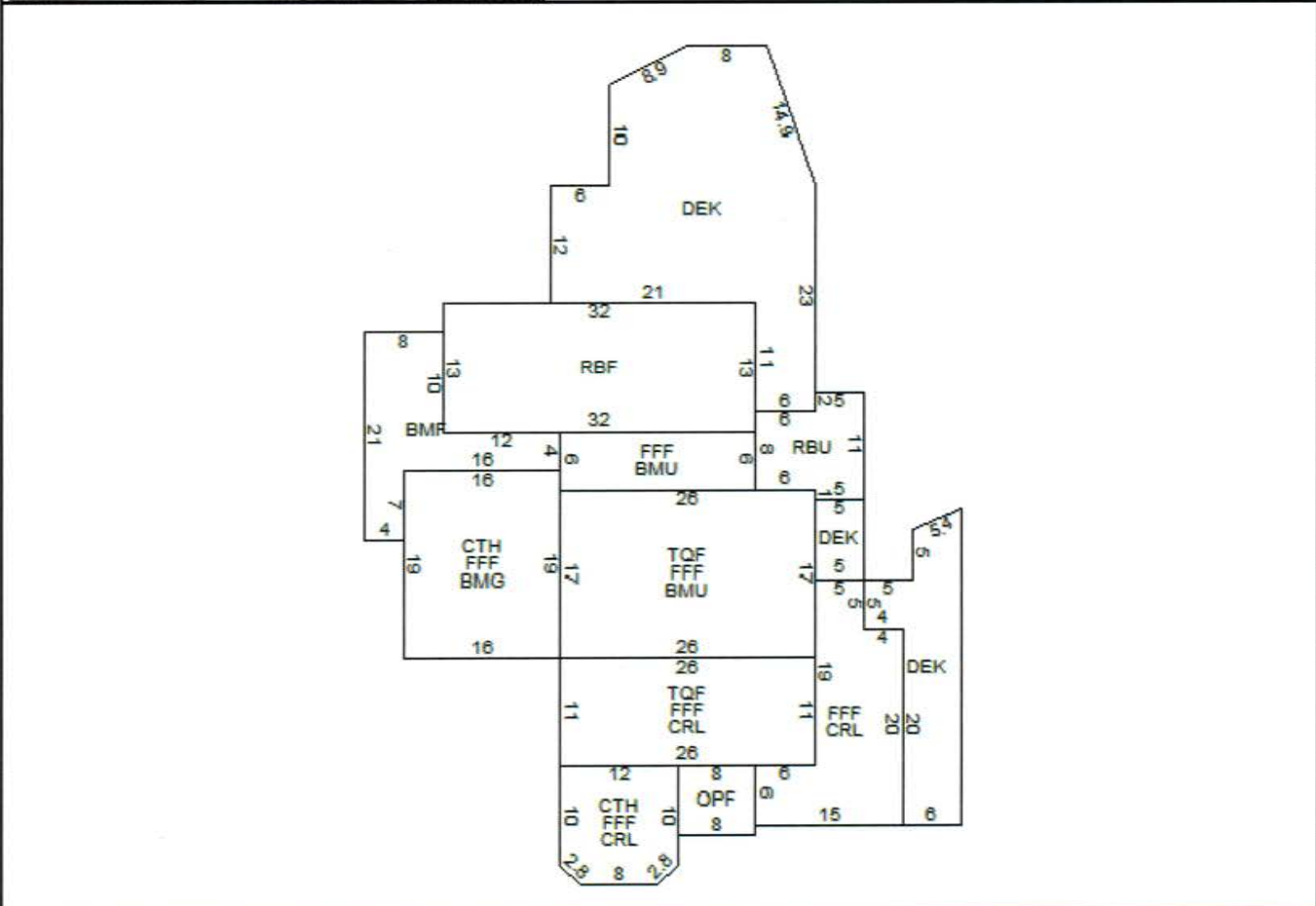
Bedrooms: 3 Baths: 2.0 Fixtures: 7
 Extra Kitchens: Fireplaces:
 A/C: No Generators: 1

Quality: A2 AVG+20

Com. Wall:
 Size Adj: 0.9004 Base Rate: RSA 93.00
 Bldg. Rate: 1.1224
 Sq. Foot Cost: \$ 104.38

PERMITS

Date	Project Type	Notes
07/17/19	ELECTRICAL	
09/11/18	SHED	11 X 20




BUILDING SUB AREA DETAILS

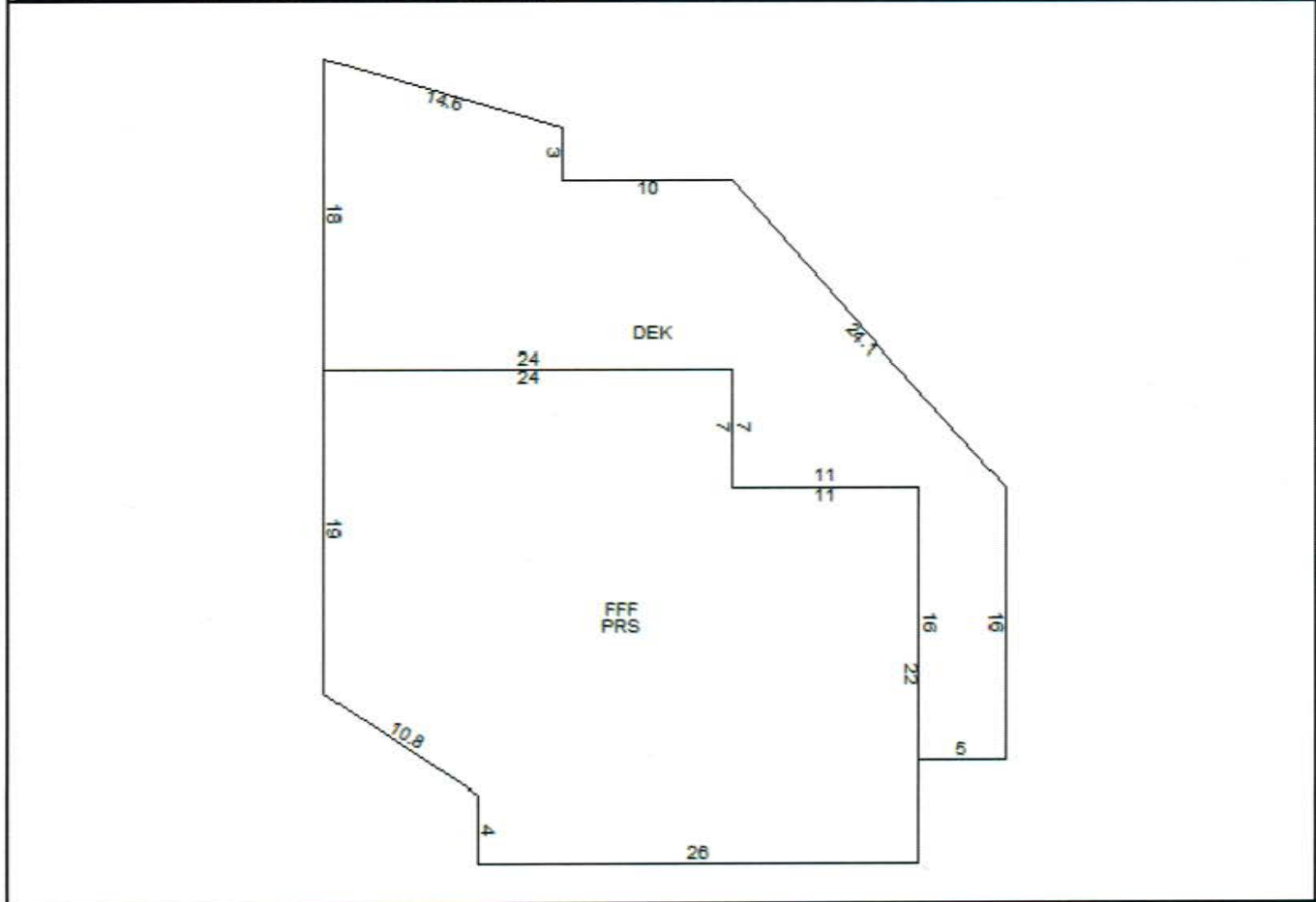
ID	Description	Area	Adj.	Effect.
TQF	3/4 STRY FIN	728	0.75	546
FFF	FST FLR FIN	1533	1.00	1533
BMU	BSMNT	562	0.15	84
CTH	CATHEDRAL	444	0.10	44
CRL	CRAWL SPACE	667	0.05	33
OPF	OPEN PORCH	56	0.25	14
RBU	RAISED BSMNT	103	0.25	26
RBF	RAISED BSMNT	416	0.75	312
BMG	BASEMENT	304	0.20	61
BMF	BSMNT FINISHED	188	0.30	56
DEK	DECK/ENTRANCE	873	0.10	87
GLA:	2,079	5,874		2,796

2020 BASE YEAR BUILDING VALUATION

Market Cost New:	\$ 291,846
Year Built:	1937
Condition For Age:	VERY GOOD 18 %
Physical:	
Functional:	
Economic:	
Temporary:	
Total Depreciation:	18 %
Building Value:	\$ 239,300

OWNER INFORMATION		SALES HISTORY					PICTURE																																																							
BONARDI, AA LIVING TRUST BONARDI, NICHOLAS & AGNES CO-TRUSTEES 80 S. COMMERCIAL STREET MANCHESTER, NH 03101		<table border="1"> <thead> <tr> <th>Date</th> <th>Book</th> <th>Page</th> <th>Type</th> <th>Price</th> <th>Grantor</th> </tr> </thead> <tbody> <tr> <td>01/10/2003</td> <td>3928</td> <td>1333</td> <td>Q1</td> <td></td> <td>1 BONARDI, NICHOLAS AND</td> </tr> <tr> <td>05/25/1979</td> <td>2339</td> <td>255</td> <td>Q1</td> <td></td> <td>1 RICHARDSON, EARL A.</td> </tr> </tbody> </table>	Date	Book	Page	Type	Price	Grantor	01/10/2003	3928	1333	Q1		1 BONARDI, NICHOLAS AND	05/25/1979	2339	255	Q1		1 RICHARDSON, EARL A.																																										
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10/10/19 RWCL 06/04/19 RWVE 02/05/19 INSP MARKED FOR INSPECTION 10/30/17 BTLA 08/05/15 CRHC 08/08/14 JBVM 10/27/10 PBUR 2010 UPDATE RVW 07/06/09 MNAL	TAN; NICE WD WALLS; SM INT; WINTERIZED; ELEC HT STILL AVAILABLE; PAT=STN; DOCKS LIGHTED; 280 FT WF; 07 ABATEMENT TO BTLA; 10 RVW-ADJ WF-SHAPE/TOPO/COVE; 8/14 NOH. FIX PAT MEAS, DNPU TEMP DOCK. PU SHED, PAVED DW TO BOAT RAMP. APPEARS V. WELL MAINT. SANDY BEACH.8/15; QUOTE TO FIX WALL IS \$60,000 206 WF COND - 30 FOR COST TO CURE; EFF 4/17 ADJ WF COND UPDATED MODEL; 6/19; NOH; POSTED "NT" @ SLIDING DOOR ON DEK; EST ONLY; 10/19; POSTED; AVITAR OK TO VISIT; INT COND=GD; CORR HEAT TYPE;					MUNICIPAL SOFTWARE BY AVITAR TOWN OF NOTTINGHAM NEW HAMPSHIRE PARCEL TOTAL TAXABLE VALUE																																																								
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Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes																																																
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PICTURE	OWNER	TAXABLE DISTRICTS	BUILDING DETAILS						
	<p>BONARDI, AA LIVING TRUST BONARDI, NICHOLAS & AGNES CO-TRUS 80 S. COMMERCIAL STREET MANCHESTER, NH 03101</p>	<table border="1"> <thead> <tr> <th>District</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	District	Percentage			<p>Model: 1.00 STORY CAMP Roof: GABLE OR HIP/ASPHALT Ext: CEDAR/REDWD Int: WOOD/LOG Floor: CARPET Heat: ELECTRIC/RAD ELECT</p> <p>Bedrooms: 1 Baths: 1.0 Fixtures: 3 Extra Kitchens: Fireplaces: A/C: Yes 100.00 % Generators:</p> <p>Quality: B3 AVG-30</p> <p>Com. Wall: Size Adj: 1.5470 Base Rate: RSA 93.00 Bldg. Rate: 1.0721 Sq. Foot Cost: \$ 99.70</p>		
District	Percentage								
PERMITS									
<table border="1"> <thead> <tr> <th>Date</th> <th>Project Type</th> <th>Notes</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>				Date	Project Type	Notes			
Date	Project Type	Notes							



BUILDING SUB AREA DETAILS				
ID	Description	Area	Adj.	Effect.
DEK	DECK/ENTRANCE	558	0.10	56
FFF	FST FLR FIN	875	1.00	875
PRS	PIERS	875	-0.05	-44
GLA:	875	2,308		887

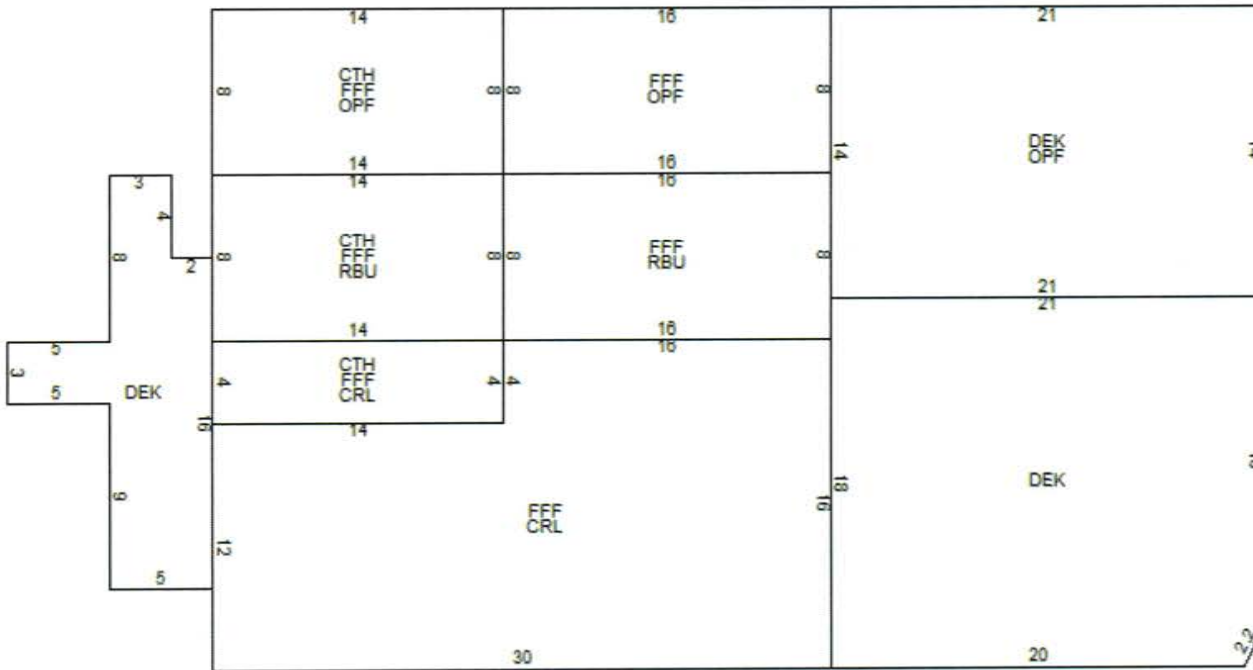
2020 BASE YEAR BUILDING VALUATION		
Market Cost New:		\$ 88,434
Year Built:		1938
Condition For Age:	GOOD	23 %
Physical:		
Functional:		
Economic:		
Temporary:		
Total Depreciation:		23 %
Building Value:		\$ 68,100



OWNER INFORMATION		SALES HISTORY						PICTURE						
DUFFY, THOMAS PO BOX 61 RAYMOND, NH 03077		Date	Book	Page	Type	Price	Grantor							
		09/12/2014	5560	0181	Q1	335,000	COLE FAMILY REALTY							
		03/03/1993	2971	0497	U199		COLE, DONALD							
		08/10/1991	2887	1961	Q1	100,000								
		04/15/1987	2598	1036	Q1	89,900								
LISTING HISTORY		NOTES						MUNICIPAL SOFTWARE BY AVITAR						
09/01/20	JBHN	TAN; 100 FT WF. 8/14 NOH. DNPU STAIR LANDING=SIZE. FIX DEK SHAPE. STAIRS TO WF. DNPU TEMP DOCKS; 5/19; OPT OUT; EST NC;												
05/14/19	RWVX													
02/05/19	INSP											MARKED FOR INSPECTION		
05/01/15	JRVR													
08/07/14	JBVM													
10/06/06	DSCE													
06/21/06	DSVM													
07/30/99	JRHL													
VISIT BY APPOINTMENT ONLY		EXTRA FEATURES VALUATION						PARCEL TOTAL TAXABLE VALUE						
Feature Type	Units	Lngh x Width	Size Adj	Rate	Cond	Market Value	Notes	Year	Building	Features	Land			
FIREPLACE 1-STAND	1		100	3,000.00	100	3,000		2021	\$ 113,000	\$ 3,000	\$ 272,200			
						3,000					Parcel Total: \$ 388,200			
								2022	\$ 113,000	\$ 3,000	\$ 272,200			
											Parcel Total: \$ 388,200			
								2023	\$ 113,000	\$ 3,000	\$ 272,200			
											Parcel Total: \$ 388,200			
LAND VALUATION						LAST REVALUATION: 2020								
Zone: R-AG RES/AGR DIST		Minimum Acreage: 2.00		Minimum Frontage: 200		Site: AVERAGE Driveway: DIRT/GRAVEL Road: DIRT/GRAVEL								
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
IF RES WTRFRNT	0.200 ac	93,333	D	90	100	95	95	90 -- ROLLING	100	68,200	0	N	68,200	
PAWTUCKAWAY	100.000 wf	AVERAGE, MAIN BODY						85 -- MODERATE	100	204,000	0		204,000	100%/AVG/AVG/AV/N
	0.200 ac									272,200			272,200	

PICTURE	OWNER	TAXABLE DISTRICTS	BUILDING DETAILS						
	<p>DUFFY, THOMAS PO BOX 61 RAYMOND, NH 03077</p>	<table border="1"> <thead> <tr> <th>District</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	District	Percentage			<p>Model: 1.00 STORY CAMP Roof: GABLE OR HIP/ASPHALT Ext: VINYL SIDING Int: DRYWALL Floor: CARPET/LAMINATE/VINYL Heat: ELECTRIC/HEAT PUMP</p> <p>Bedrooms: 2 Baths: 1.0 Fixtures: 3 Extra Kitchens: Fireplaces: A/C: Yes 75.00 % Generators:</p> <p>Quality: A0 AVG Com. Wall: Size Adj: 1.2542 Base Rate: RSA 93.00 Bldg. Rate: 1.2291 Sq. Foot Cost: \$ 114.31</p>		
District	Percentage								
PERMITS									
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Date	Project Type	Notes							

BUILDING SUB AREA DETAILS				
ID	Description	Area	Adj.	Effect.
FFF	FST FLR FIN	960	1.00	960
OPF	OPEN PORCH	534	0.25	134
DEK	DECK/ENTRANCE	778	0.10	78
CRL	CRAWL SPACE	480	0.05	24
CTH	CATHEDRAL	280	0.10	28
RBU	RAISED BSMNT	240	0.25	60
GLA:	960	3,272		1,284

2020 BASE YEAR BUILDING VALUATION		
Market Cost New:		\$ 146,774
Year Built:		1940
Condition For Age:	GOOD	23 %
Physical:		
Functional:		
Economic:		
Temporary:		
Total Depreciation:		23 %
Building Value:		\$ 113,000



OWNER INFORMATION		SALES HISTORY						PICTURE							
COFFEY, THOMAS J. JR. COFFEY, CINDY A. PO BOX 92 NOTTINGHAM, NH 03290		Date	Book	Page	Type	Price	Grantor								
		09/18/2020	6166	1432	U I 38	1	COFFEY, CINDY A								
		09/18/2020	6166	1428	U I 38	1	GILPATRIC, CINDY A								
		10/03/2016	5758	2369	Q I	245,000	STUMB, GARRETT C								
		08/20/2010	5136	1226	Q I	198,000	DAVIS, GUY A & DORIS L								
		11/29/1988	2770	2191	Q I	110,000	COOMBS								
LISTING HISTORY		NOTES						MUNICIPAL SOFTWARE BY AVITAR							
05/12/23 RWPR 03/15/22 RWPM 06/17/19 RWVM 02/05/19 INSP MARKED FOR INSPECTION 08/08/14 JBVM 04/25/08 CGRX 04/01/03 JDVL 04/12/01 THPR		BLUE; YR ROUND; BEACH RIGHTS 70-44; 4/03 CRL VERY LOW HDRM, SOME AREAS LESS THAN 1'; BC+25; 4/08-ADDED PATIO, OWNER REFUSED INT INSP, HO STATES NEW SEPTIC & ROOF IN 06; 8/14 NOH. NC TO EXT, OBSTR VU OF COMMON BEACH; 6/19; NOH, DNVI; PU STBY GEN; PU AC; CORR DEK SHAPE; EXT COND=GD; APPRS WELL MAINT; 3/22; PU GAR EST SHAPE; COND=UC; 5/23 GAR COMP; COND NOW 100;													
EXTRA FEATURES VALUATION															
Feature Type	Units	Length x Width	Size Adj	Rate	Cond	Market Value	Notes								
GARAGE-1 STY	624	24 x 26	86	30.00	80	12,879									
PATIO	120	12 x 10	193	7.00	30	486	EST SHAPE								
GARAGE-1 STY	332	332 x 1	108	30.00	100	10,757	ATT 24X26								
						24,100									
LAND VALUATION															
Zone: R-AG RES/AGR DIST Minimum Acreage: 2.00 Minimum Frontage: 200										LAST REVALUATION: 2020					
Site: AVERAGE Driveway: PAVED Road: DIRT/GRAVEL															
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes	
IF RES WTR ACS VIEW	0.410 ac	116,000	D	90	100	95	100	95 -- MILD	100	94,200	0	N	94,200		
PAWTUCKAWAY	10.000 wf	LAKES/PONDS, TUNNEL, TOP 25, CLOSE/NEAR WATER ACCESS, MAIN BODY						100 -- LEVEL	100	45,000	0		45,000	WA	
		0.410 ac									139,200			139,200	
PARCEL TOTAL TAXABLE VALUE															
Year	Building	Features	Land												
2021	\$ 143,900	\$ 13,400	\$ 139,200	Parcel Total: \$ 296,500											
2022	\$ 143,900	\$ 19,800	\$ 139,200	Parcel Total: \$ 302,900											
2023	\$ 143,900	\$ 24,100	\$ 139,200	Parcel Total: \$ 307,200											

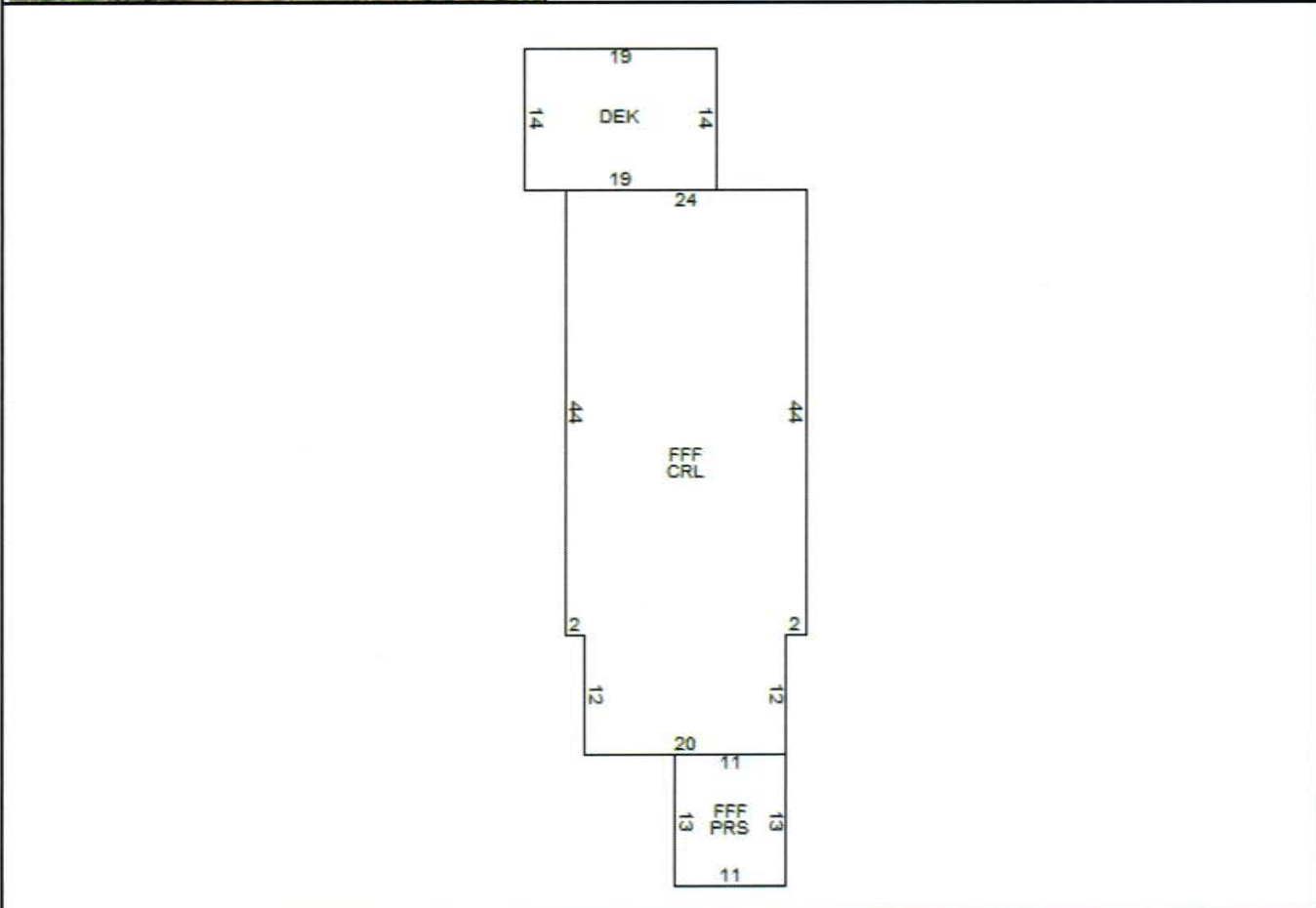


OWNER
COFFEY, THOMAS J. JR.
 COFFEY, CINDY A.
 PO BOX 92
 NOTTINGHAM, NH 03290

TAXABLE DISTRICTS	
District	Percentage



BUILDING DETAILS
 Model: 1.00 STORY CONVENTION
 Roof: GABLE OR HIP/PREFAB METALS
 Ext: AVERAGE
 Int: WOOD/LOG/DRYWALL
 Floor: CARPET/HARDWOOD
 Heat: OIL/HOT WATER
 Bedrooms: 2 Baths: 1.0 Fixtures: 3
 Extra Kitchens: Fireplaces:
 A/C: Yes 100.00 % Generators: 1
 Quality: A0 AVG
 Com. Wall:
 Size Adj: 1.1512 Base Rate: RSA 93.00
 Bldg. Rate: 1.2088
 Sq. Foot Cost: \$ 112.41


PERMITS		
Date	Project Type	Notes
08/31/21	GARAGE	24.6 X 14 ADDITION TO EXSISTIN
08/26/02	CERT OF OCCUPANCY	2 BEDROOM YEAR ROUND RESIDENCE

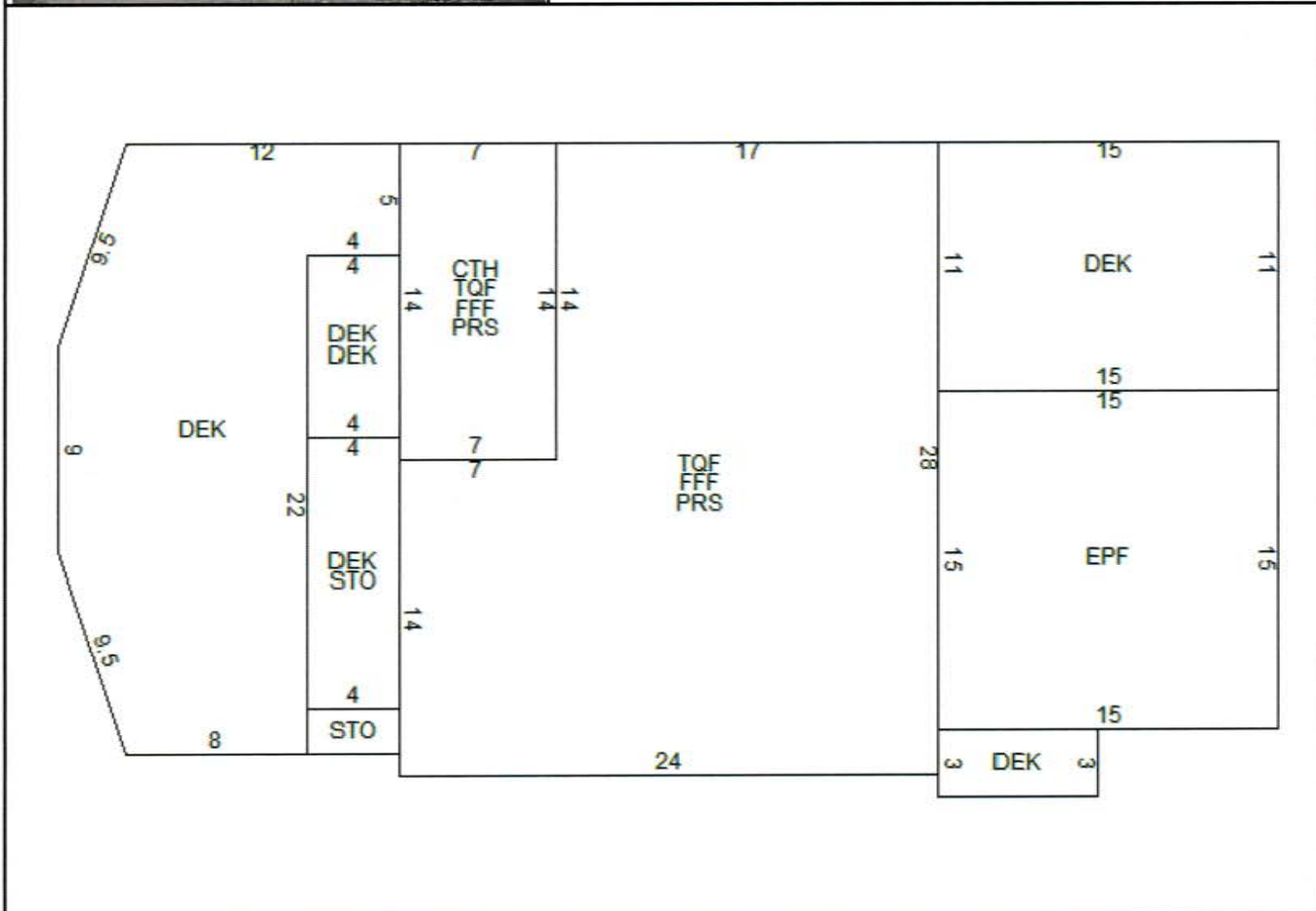


BUILDING SUB AREA DETAILS				
ID	Description	Area	Adj.	Effect.
PRS	PIERS	143	-0.05	-7
FFF	FST FLR FIN	1439	1.00	1439
CRL	CRAWL SPACE	1296	0.05	65
DEK	DECK/ENTRANCE	266	0.10	27
GLA:	1,439	3,144		1,524

2020 BASE YEAR BUILDING VALUATION	
Market Cost New:	\$ 171,313
Year Built:	1945
Condition For Age:	VERY GOOD 16 %
Physical:	
Functional:	
Economic:	
Temporary:	
Total Depreciation:	16 %
Building Value:	\$ 143,900

OWNER INFORMATION		SALES HISTORY						PICTURE						
GIVEN, KAREN M GIVEN, ROBERT A 27 EAGLE POINT NOTTINGHAM, NH 03290		Date 09/14/2017 05/08/2007 01/06/2004 01/30/2002 10/25/2001	Book 5853 4796 4217 3717 3666	Page 2105 2542 1826 1977 1705	Type Q I Q I Q I Q I U I 27	Price 509,000 525,000 324,000 202,000 90,000	Grantor IVES, LAURA B CUCURULLO, JANET A BRAIT, STEPHEN P. FRANCE, HUGH & LORRAIN PETTEE,JAMES&STACY							
LISTING HISTORY		NOTES												
06/19/23 RWVM 01/01/23 INSP MARKED FOR INSPECTION 03/06/20 RWPE 03/13/19 RWVL 02/05/19 INSP MARKED FOR INSPECTION 04/26/18 JBPR 12/08/17 JBVM SALE 08/08/14 JBVL		FORMERLY 11 MEINDL ROAD E; MTAN; CUST SPIRAL STAIRCASE; IN COVE;8/14 DNPU LOFT RM=PDS.FIX CTH AREA. WF HAS WALL, MOSTLY NAT. DNPU 2 TEMP DOCKS. PU FPL; 12/17; EPF HAS A/C UNIT; FIX INT INFO+COND PER MLS; WF SHORT WALL W/STAIRS+ DOCKS, SANDY BOTTOM; ADJ WF FOR LANDSCAPE ADJ; INT>EXT= GRADE; 4/18 CEDAR=CEDAR SHINGLE; NC TO EXT. 11/18; HO SAYS TERMITES, LEAKING RF POST SALE; ADJ COND, REV FOR 04/19;3/19; PU SHED,TERMITE REPAIR ONGOING; 3/20 NOH; EST REPS COMPL; 6/23; NC EXT; EXC COND;												
EXTRA FEATURES VALUATION								MUNICIPAL SOFTWARE BY AVITAR						
Feature Type	Units	Lngh x Width	Size Adj	Rate	Cond	Market Value	Notes							
PATIO	384	24 x 16	102	7.00	50	1,371	EST SHAPE							
FIREPLACE 1-STAND	1		100	3,000.00	100	3,000	GAS							
SHED-WOOD	240	20 x 12	127	10.00	100	3,048								
						7,400								
								PARCEL TOTAL TAXABLE VALUE						
								Year	Building	Features	Land			
								2021	\$ 162,400	\$ 7,400	\$ 357,000			
								Parcel Total: \$ 526,800						
								2022	\$ 162,400	\$ 7,400	\$ 357,000			
								Parcel Total: \$ 526,800						
								2023	\$ 162,500	\$ 7,400	\$ 357,000			
								Parcel Total: \$ 526,900						
LAND VALUATION								LAST REVALUATION: 2020						
Zone: R-AG RES/AGR DIST Minimum Acreage: 2.00 Minimum Frontage: 200								Site: AVERAGE Driveway: DIRT/GRAVEL Road: DIRT/GRAVEL						
Land Type	Units	Base Rate	NC	Adj	Site	Road	DWay	Topography	Cond	Ad Valorem	SPI	R	Tax Value	Notes
IF RES WTRFRNT	0.230 ac	97,333	D	90	100	95	95	95 -- MILD	95	71,400	0	N	71,400	ROW
PAWTUCKAWAY	100.000 wf	BEACH/LANDSCAPED, MAIN BODY						95 -- MILD	100	285,600	0		285,600	100%AVG/LDS/AVG/N
0.230 ac										357,000			357,000	

PICTURE	OWNER	TAXABLE DISTRICTS	BUILDING DETAILS				
	GIVEN, KAREN M GIVEN, ROBERT A 27 EAGLE POINT NOTTINGHAM, NH 03290	<table border="1"> <thead> <tr> <th>District</th> <th>Percentage</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	District	Percentage			Model: 1.75 STORY CAPE Roof: GABLE OR HIP/ASPHALT Ext: CEDAR/REDWD Int: DRYWALL Floor: CARPET/HARDWOOD Heat: GAS/FA DUCTED Bedrooms: 3 Baths: 2.0 Fixtures: 6 Extra Kitchens: Fireplaces: A/C: No Generators: Quality: A2 AVG+20 Com. Wall: Size Adj: 1.2078 Base Rate: RSA 93.00 Bldg. Rate: 1.4204 Sq. Foot Cost: \$ 132.09
		District	Percentage				
PERMITS							
Date	Project Type	Notes					
09/12/18	NEW BUILDING	12 X 20 SHED					
09/15/17	MECHANICAL						
05/05/05	FEATURES & OBS	15 X 15 DECK					
07/23/04	FEATURES & OBS	15 X 15 SUNROOM					
05/24/04	FEATURES & OBS	SHED & DECK					
01/08/04	CERT OF OCCUPANCY	3 BEDROOM YEAR ROUND RESIDENCE					
12/29/03	FEATURES & OBS	COMPLETION OF DECK					



BUILDING SUB AREA DETAILS				
ID	Description	Area	Adj.	Effect.
EPF	ENCLOSED	225	0.70	158
DEK	DECK/ENTRANCE	588	0.10	59
CTH	CATHEDRAL	98	0.10	10
TQF	3/4 STRY FIN	672	0.75	504
FFF	FST FLR FIN	672	1.00	672
PRS	PIERS	672	-0.05	-34
STO	STORAGE AREA	56	0.25	14
GLA:	1,176	2,983		1,383

2020 BASE YEAR BUILDING VALUATION		
Market Cost New:		\$ 182,548
Year Built:		1947
Condition For Age:	EXCELLENT	11 %
Physical:		
Functional:		
Economic:		
Temporary:		
Total Depreciation:		11 %
Building Value:		\$ 162,500

ROADS IN NOTTINGHAM

	Legislative Class					Private	Total	Local Designation	Notes
	I	II	III	V	VI				
Anna Lisa Way				0.35			0.35		
Autumn Ln				0.15			0.15		
Barderry Ln				1.06			1.06		
Barrington Rd	0.11						0.11		
Beach Head Rd				0.29			0.29		
Berry Rd				1.31			1.31		
Birch Tree Ln						0.24	0.24		
Brustle Rd				0.43			0.43		
Cahill Ln				0.19			0.19		
Camelot Ct				0.38			0.38		
Canton Ct				0.17			0.17		
Cardinal Ln				0.23			0.23		
Case Rd				1.47			1.47	Scenic	1974 Designated Scenic from Mitchell to pavement on Case
Cedar Waters Village						0.05	0.05	Emergency Lane	
Church St				0.11			0.11		
Cilley Rd					0.20		0.20		
Cooper Hill Rd				1.17			1.17		
County Line Rd				0.09			0.09		
Cove Rd				0.25		0.07	0.32		
Deerfield Rd				3.55			3.55		
Devonshire Dr				0.18			0.18		
Dolloff Dam Rd				0.67			0.67		
Dwight Rd				0.60			0.60		
East Ln				0.13			0.13		
Flutter St				1.19			1.19		
Fort Hill Rd				0.39			0.39		
Fox Run Rd				0.30			0.30		
Francesca Way				1.32			1.32	No Thru Trucking	Ordinance #16-001
Freeman Hall Rd				1.90			1.90		
Friar Tuck Ln				0.27			0.27		
Fundy Launch Rd			1.05				1.05		
Garland Rd				1.86			1.86	No Thru Trucking	Ordinance #16-001
Gebig Rd				1.73			1.73		
Gerrior Dr				0.32			0.32		
Gerrish Dr				0.83			0.83		

Gile Rd	3.39		3.39	Scenic	Scenic from McCrillis to 152 TM 1974 #4. Dirt portion FKA Batchelder. Not paved portion South of McCrillis
Gladys Way	0.04		0.04		
Gravel Pit Rd		0.44	0.44		
Haines Rd	0.19	0.12	0.31		
Halls Way	0.34		0.34	No Thru Trucking	Ordinance #16-001
Hemlock Trail					
Highland Ave	0.18		0.35		
Indian Run	0.16		0.16		
Jamps Trl	0.76		0.76		
Kelsey Rd	0.77		0.77	No Thru Trucking	Ordinance #16-001
Kennard Rd	3.14		3.14	Scenic	Designated Scenic 1974?
King Fisher Rd			0.12		
Lakeview Dr	1.16		1.16		
Lamprey Dr	0.44		0.44		
Langley Ln	0.09		0.09		
Lavoie Dr	0.78		0.78		
Ledge Farm Rd	2.04		2.04		
Lincoln Dr	0.68		0.68	Scenic	Designated Scenic 1973
Little John Ln	0.09		0.09	No Thru Trucking	Ordinance #16-001
Little River Rd	0.52		0.52		
Lookout Point			0.03		
Lookout Point Ln	0.14		0.14		
Loon Landing	0.19		0.19		
Lottie Ln			0.08		
Lucas Pond Rd	0.47		0.47	No Thru Trucking	Ordinance #16-001
Maple Ridge Rd			0.45		
Martha's Way	0.03		0.03		
McCrillis Rd	1.98		1.98	No Thru Trucking	Ordinance #16-001
McDaniel Rd	0.21		0.21		
Meindl Rd	0.38		0.38		
Meindl Rd E	0.16		0.16		
Mendums Landing Rd			0.37		
Merry Hill Rd	0.35		0.35		
Michela Way	0.42		0.42	No Thru Trucking	Ordinance #16-001
Mill Pond Rd	0.93		0.93		

Minuteman Ln		0.09		0.09		
Mitchell Rd		1.99		1.99	Scenic	Designated Scenic from Smoke St to Mitchell Homestead 1974 (Map 8 lot 10 sub 5)
Mooers Rd		0.55		0.55		
Mountain Rd	0.63	0.49		1.11		
Nicholas Way		0.17		0.17		
Nielson Rd		0.35		0.35		
No Name		0.22	0.42	5.24		
North River Lake Rd		0.49		0.49		
Nottingham Ln		0.05		0.05		
Nottingham Recycling Cen				0.49		
Oak Ridge Rd		0.57		0.57		
Obrien Way		0.18		0.18		
Old Gile Rd			0.08	0.08		
Old Mountain Rd			1.36	1.36		
Old Turnpike Rd	5.08			5.08		
Patriots Ln		0.48		0.48		
Pawtuckaway Rd	2.49			2.49		
Pawtuckaway State Park Rd		0.25		0.25		
Pine St				0.17		
Poor Farm Rd		1.24		1.24	Scenic	Designated Scenic from Ledge Farm to Epping Rd 1973-4?
Priest Rd		2.01		2.01	Scenic	TM1978 #18, Freeman Hall to 152 Scenic.
Raymond Rd	4.31			4.31		
Reservation Rd			0.14	0.14		
Revolutionary Ln		0.98		0.98		
Robin Hood Dr		0.32		0.15		Stub to South of Nottingham Lane intersection is private
Rockland Ln						
Rocky Hill		0.33		0.33		
Rogier Pl		0.09		0.05		Private from Map 1 Lot 124 to end
Round Pond Rd	2.19	0.39		2.58		
Sachs Rd		0.87		0.87		
Seamans Point Rd		0.57		0.57		
Shadow Ln		0.20		0.20		
Shannon Dr		0.30		0.30		
Sherwood Ln		0.07		0.07		

Shore Dr				1.04			1.04		
Smoke St				2.57			2.57		
Snow Ln				0.08			0.08		
Sofia Way				1.46			1.46		
South Rd				0.26			0.26		
South Summer St				1.06			1.06		
Stage Rd		8.35					8.35		
Stepping Stones Rd				0.31			0.31		
Stevens Hill Rd				3.86			3.86	Scenic	Designated Scenic 1974
Strawberry Ln				0.37			0.37		
Sunrise Ln						0.11	0.11		
Sutton St				0.31			0.31		
Swan Dr				0.24		0.29	0.52		Private gravel portion from Ft. Hill Rd. to corner is EL; private stub toward Map 24 Lot 43
Tayla Way				0.21			0.21		
Tower Rd		1.17			0.41		1.58		
Tremblay Dr				0.19			0.19		
Tuckaway Shores Rd				0.35			0.35		
Washington Ln				0.28			0.28		
Water St				0.14		0.07	0.21		Private beyond Map 1 Lot 107
West Ln				0.13			0.13		
Whites Grove Rd				0.65			0.65		
Woodland Ave				0.14			0.14		
Grand Total	5.18	12.65	7.78	69.49	3.18	8.15	106.43		

Effective 9/27/22 for general reference only. Mileage data source NH-DOT.



October 25, 2023

Town of Raymond, NH
Zoning Board of Adjustment (ZBA)
4 Epping Street
Raymond, New Hampshire 03077

Re: ZBA Variance request ~ Map 34 Lot 37 (37 Governors Drive) ~ Letter of Explanation

Dear ZBA,

On behalf of the landowner of record, Casey A. Dugan, we are respectfully requesting of the Zoning Board of Adjustment (ZBA), a Variance from Article 15 Section 1 as it relates to building setbacks. The project proposes the demolition of an existing structure and the construction of a new dwelling, along with its associated well, driveway, and septic system.

Our proposal, as depicted on the submitted plot plan and packet herewith, is to construct a new residential dwelling in replacement of an aging structure at the subject property. The new construction dwelling will be placed at similar distances to the property lines that other dwellings in the immediate area are placed. The septic system (yet to be designed) will conform to State regulations and will require local and State approvals. This project also requires NHDES Shoreland Permit, which will be applied for, subsequent to this application.

We are requesting relief of the following for the proposed dwelling:

- Front setback – The proposed dwelling at 19.4'+/- from the right-of-way where 30' is required.
- Side setback – The proposed dwelling at 5' from the southerly property line and approximately 26' from the northerly property line where 30' is required.
- Water/Lake setback – The proposed dwelling at 50.4'+/- from Governors Lake where 75' is required

Our proposal meets the NHDES Shoreland Primary Structure setback. Further, due to the intrinsic size of this pre-existing, non-conforming lot of record, the construction of a dwelling would not be allowed without seeking a variance of this nature.

For these reasons stated, we kindly ask for consideration in this matter.

Respectfully,

Timothy A. Peloquin, LLS
Promised Land Survey, LLC
cc: Casey A. Dugan
PLS File #3735

BK2917 P0203

QUITCLAIM DEED

Doreen H. Dugan and Raymond J. Dugan, wife and husband, of 32 Prospect Street, Everett, Massachusetts, grant to Doreen H. Dugan, individually, with quitclaim covenants,

A certain lot of land with buildings thereon, situated in Raymond, County of Rockingham and State of New Hampshire, on the Westerly side of the Harriman Rd., on the easterly shore of Governors's Lake, and known as Lot Number 4 on a Plan of Shore Property of Patrick T. & Rose Mary Leonard, and bounded and described as follows: Beginning at the Northwest corner of said lot; thence South 67 degrees East 100 feet to an iron pipe at the Westerly edge of camp excess highway to iron pipe; thence South 83 degrees East 77 feet by Westerly side of said highway to iron pipe; thence North 64 degrees West 115 feet by Lot Number 5 of said plan to the shore of said Lake; thence by the shore 50 feet to an iron pipe.

Meaning and intending to convey to grantee the same premises conveyed to grantors by deed date July 31, 1987 and recorded in Rockingham County Registry of Deeds, Book 2697, Page 709.

The above described premises is not subject to rights of homestead.

Witness our hands and seals this 29th day of January 1991.

WITNESS:

[Handwritten witness signatures]

[Signature]
DOREEN H. DUGAN
[Signature]
RAYMOND J. DUGAN

STATE OF MASSACHUSETTS

JANUARY 29, 1991

MIDDLESEX COUNTY

On this day appeared the above named Doreen H. Dugan and Raymond J. Dugan and declared the foregoing to be their free act and deed, before me.

[Signature]
Richard J. O'Neil, Jr.
Notary Public
My Commission Expires
03-06-98



STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE ADMINISTRATION
REAL ESTATE TRANSFER TAX

MO	DAY	YR		\$ 42.00
03	30	92		

XX THOUSAND XX HUNDRED AND 42 DOLLARS

CONTROL NUMBER 45940 | VOID IF ALTERED

0013435

Mar 30 2 58 PM '92

ROCKINGHAM COUNTY
REGISTRY OF DEEDS

NOTES

- 1) THE PURPOSE OF THIS PLAN IS TO DEPICT THE EXISTING PLOT PLAN CONDITIONS OF MAP 34 LOT 37, LOCATED AT 37 GOVERNORS DRIVE IN RAYMOND, NEW HAMPSHIRE IN SUPPORT OF A VARIANCE.
- 2) THE VARIANCE BEING SOUGHT IS FOR RELIEF OF SETBACKS.
- 3) THIS PLAN IS BASED ON FIELD EVIDENCE LAST OBSERVED IN AUGUST OF 2023.
- 4) A PORTION OF THIS PARCEL OF LAND (MAP 34 LOT 37) MAY LIE WITHIN THE SPECIAL FLOOD HAZARD AREA DESIGNATED AS "ZONE A" AS INTERPOLATED FROM THE FLOOD INSURANCE RATE MAP (FIRM) FOR ROCKINGHAM COUNTY, NEW HAMPSHIRE (ALL JURISDICTIONS) #33015C0191E, HAVING AN EFFECTIVE DATE OF MAY 17, 2005.
- 5) THE SUBJECT LOT IS SERVICED BY A PRIVATE, ONSITE SEPTIC AND WELL.
- 6) THE BEARING SYSTEM OF THIS PLAN IS BASED ON THE NEW HAMPSHIRE NAD83-2011 STATE PLANE GRID.
- 7) THIS PLAN IS INTENDED TO BE AT THE DEPICTED SCALE WHEN PLOTTED ON 11x17 (ANSI B) SIZE PAPER.
- 8) ALL DISTANCES, UNLESS OTHERWISE INDICATED, ARE US SURVEY FEET HORIZONTAL DISTANCES.
- 9) ALL ZONING INFORMATION SHALL BE VERIFIED PRIOR TO ANY BUILDING OR CONSTRUCTION ACTIVITY THAT DOES NOT FALL UNDER CURRENT PERMITTING.
- 10) IN ADDITION TO THE REFERENCE LINE OF GOVERNOR LAKE, NO ONSITE WETLANDS WERE OBSERVED OR DELINEATED WHILE CONDUCTING THIS SURVEY.

PLANS OF REFERENCE

- 1) "A SURVEY AND PLAT OF A LOT LINE ADJUSTMENT BETWEEN STEVEN E. & MARGUERITE A. FALLON AND THE TOWN OF RAYMOND, N.H."; PREPARED BY: R.S.L. LAYOUT & DESIGN, INC.; DATED: 03-04-99; SCALE: 1"=20'. SEE RCRD PLAN No. D-27096.
- 2) "BOUNDARY PLAN OF LAND, TAX MAP 34, LOTS 37 & 38, 35 & 37 GOVERNORS DRIVE, RAYMOND, N.H."; PREPARED FOR: GARY R. AND LYNNE T. ROMBOLI & DOREEN H. DUGAN; PREPARED BY: JPS & ASSOCIATES; DATED: OCT. 12, 2005; SCALE: 1"=20'. PLAN NOT FOUND RECORDED.

ZONING

B (RESIDENTIAL/AGRICULTURAL ZONING DISTRICT) MINIMUM:
TOWN:

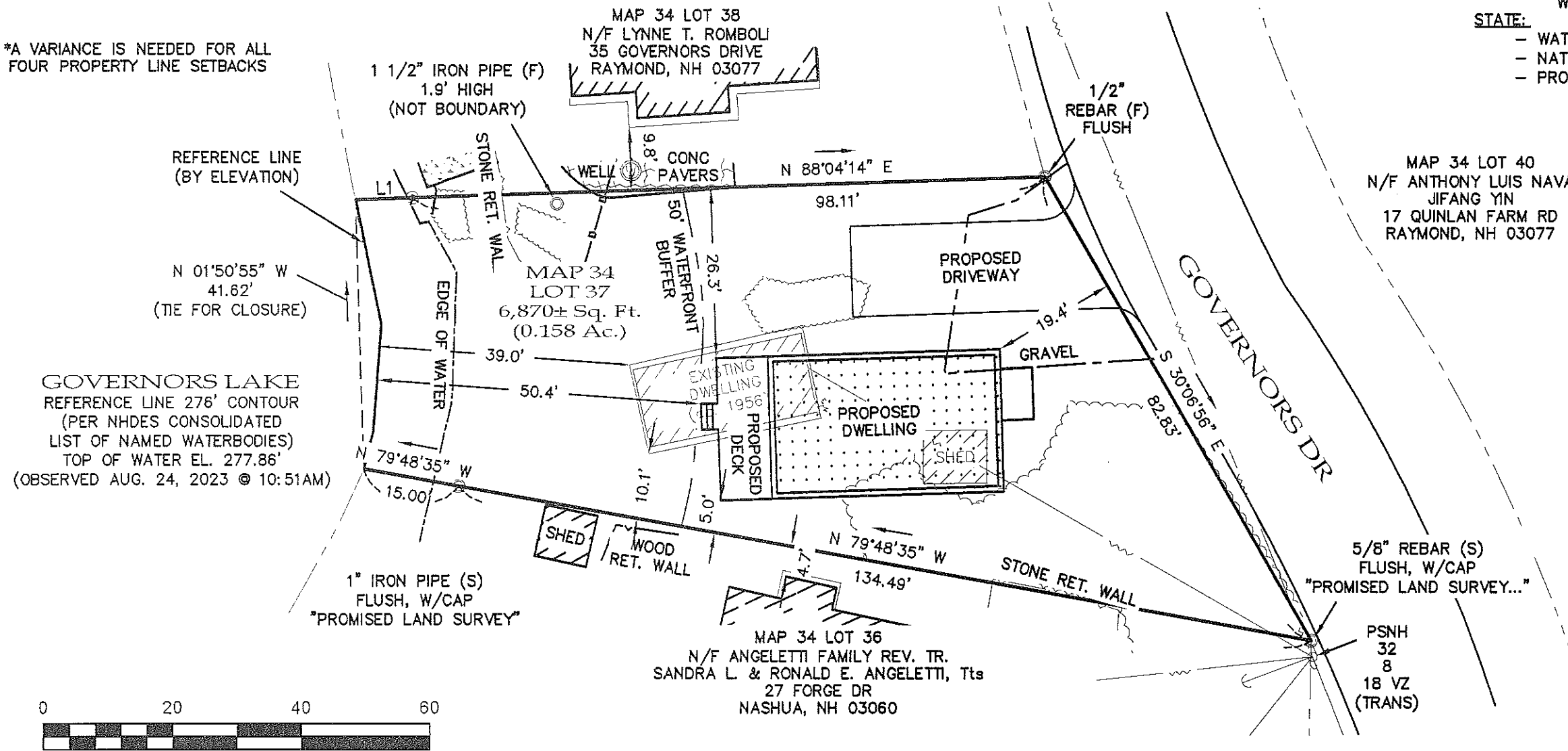
- AREA: 87,120 Sq. Ft. (2 Ac.)
- FRONTAGE: 200'
- SETBACKS:
 - FRONT - 30' (PREEXISTING, NON-CONFORMING)
 - SIDE - 30' (PREEXISTING, NON-CONFORMING)
 - REAR - 30' (PREEXISTING, NON-CONFORMING)
 - WETLANDS - 75'

STATE:

- WATERFRONT BUFFER/PRIMARY STRUCTURE SETBACK = 50'
- NATURAL WOODLAND BUFFER = 150'
- PROTECTED SHORELAND = 250'

*THE ENTIRETY OF PARCEL LIES WITHIN THE 50' WATERFRONT BUFFER AND THE 150' NATURAL WOODLAND BUFFER AS DEFINED BY THE NHDES SHORELAND PROGRAM (150' NATURAL WOODLAND BUFFER AND 250' SHORELAND JURSDICTION LINES NOT SHOWN HEREON)

*A VARIANCE IS NEEDED FOR ALL FOUR PROPERTY LINE SETBACKS



NO.	DATE	REVISION DESCRIPTION	BY
1	11/2/23	PER TOWN STAFF COMMENTS	BW
DATE: OCT. 25, 2023		SCALE: 1"=20'	
PLS JOB #: 3735		VARIANCE EXHIBIT	

LAND OWNER OF RECORD:
DOREEN DUGAN ROMBOLI
CASEY A. DUGAN
32 PROSPECT STREET
EVERETT, MA 02149
RCRD BOOK 5849 PAGE 1361

VARIANCE EXHIBIT
MAP 34 LOT 37
DOREEN DUGAN ROMBOLI & CASEY DUGAN
37 GOVERNORS DRIVE
RAYMOND, NEW HAMPSHIRE

Promised Land Survey, LLC

PO Box 447
Derry, New Hampshire 03038
• Tel: (603) 432-2112
www.PromisedLandSurvey.com
Land Surveying • Mapping • Planning • Permitting • Layout

STATE OF NEW HAMPSHIRE
LAND LICENSED SURVEYOR
No. 827
TIMOTHY A. PELOQUIN
A.
SIGNATURE

1 Zoning Board Draft Minutes
2 August 23, 2023 @ 6:30 PM
3 Room 109 Raymond High School
4 45 Harriman Hill Road, Raymond, NH 03077
5

6 Zoning Board Members Present:

7 Keith Smith – Chairman

8 Tim Cahill - Vice Chair

9 Tom Luszcz – Member

10 David Hall - Member

11 Paul McCoy - Member

12 Joyce Wood- Alternate
13

14 Member Absent:

15 None
16

17 Staff Present:

18 None
19
20

21 **Overview of the Source Water Protection Plan- What is it?**

22 - presented by Madeleine Dilonno, Regional Planner, RPC - appointment of one member to be
23 on the Steering Committee for the Source Water Protection Plan Program.
24

25 Ms. Dilonno explained that having an updated source water protection plan will bolster
26 the Town's resources in protecting our drinking water. The point of source water
27 protection is mitigating the point of contamination. We want to prevent contamination from
28 happening in the first place as opposed to treating water down the road that has been
29 contaminated. We are dealing with the potential sources of contamination. The Plan is
30 supposed to guide the Town in the decision-making processes for protecting drinking
31 water. There will be several major components to the Plan. It will involve identifying
32 several contamination threats. The biggest part of the Plan will be developing an action
33 plan to identify some strategies that the community can take to mitigate the potential for
34 future contaminants getting into the water. The Source Water Protection Plan is meant to
35 be a living, breathing document similar to a Master Plan that is revised periodically. It is
36 meant to be a tool used for decision making. This is not a legal document. It is meant to
37 be a guide. This plan is also not evaluating your existing water infrastructure. This is not
38 an evaluation of infrastructure This is strictly dealing with mitigating potential threats from
39 land uses at the start. So, it won't be looking at your existing water distribution system or
40 your water towers, things of that nature. Similarly, this isn't a corrective action plan so to
41 speak, this is not a plan to address any existing contamination if it if it exists. We all want
42 clean, safe drinking water. Also, the more that you can mitigate the contamination threats
43 at the start, like preventing them from even getting into the groundwater, that saves the
44 town money, time and energy that it takes to treat contaminated source water which as
45 you know, not always 100% effective. So, the more that the community can do to even
46 prevent those contamination sources from getting into the source water the better. And
47 then of course, as you know, clean safe you know, source water is critical for wildlife. It's

48 critical for recreational use and all those natural resource benefits that are provided to the
49 community from having safe, clean water. And then of course, you know, protecting
50 drinking water is it's vital for current residents, but also for future residents and future
51 generations. So, working with the Conservation Commission and landowners to preserve
52 large tracts of land, especially near water sources is a way of mitigating future water
53 contamination. Best Management Practices for agriculture and forestry if it's applicable in
54 the community, so limiting the use of pesticides and herbicides not letting livestock
55 trample through waterways, you know, reducing mowing and cutting in those riparian
56 areas, etc.

57 Best Management Practices for stormwater management, the Planning Board actually
58 recently updated stormwater management standards for new development. So, the town
59 is already taking active steps in adopting land use ordinances that protect water quality,
60 but still, you know, looking are requiring developers to incorporate some sort of green
61 infrastructure in their development plans, that would be an example of maintaining
62 stormwater management. And then of course, you can adopt or enforce local ordinances
63 that prohibit certain types of land uses in your Source Water Protection Areas. I printed
64 off this big map just to show you which you don't have to look out right now. But the town
65 of Raymond does have a Groundwater Protection District as you know, and there are
66 certain land uses in the zoning that are not allowed within that district. The town can
67 always revisit that ordinance, we can add other land uses to that that might be prohibited
68 within those water protection areas. We can adopt more stringent setbacks or buffer
69 requirements, things of that nature. One of the bigger strategies is really conducting
70 outreach and engagement to residents on ways they can minimize their impact on source
71 water contamination. So, things like educating residents and businesses and landowners,
72 etc. To pick up after your dog's when you're walking your dogs. You know, minimize the
73 amount of pesticides or fertilizer you use in your gardens. You know, look at types of
74 ecofriendly products when you're washing your car. You know, encouraging residents to
75 really participate in household hazardous waste collection day. These all seem like very
76 small miniscule strategies. But collectively, they make they have a really big impact on
77 water quality in the community. Because the biggest source of water pollution in New
78 Hampshire is from stormwater runoff. It started in June; we are awarded funding. But the
79 project ends in June 2024. So, I'd like to form a Project Steering Committee this fall, I
80 don't anticipate more than three meetings together to work on the plan. But that will be I
81 anticipate through December. Steering Committee meetings will be public meetings will
82 be open to the public, I'd love for residents to who are interested to come participate and
83 provide input on the plan.

84
85 Ms. Dilonno said she would be happy to do additional outreach including making a
86 presentation to the Board of Selectmen. So, the types of strategies in the
87 recommendations that that we come up with for this plan will be completely guided by the
88 steering committee.

89
90 Mr. Luszcz said he would volunteer for the steering committee. Mr. Hall said he was
91 interested and Mr. McCoy said he was interested in attending.

92

93 **Mr. Cahill nominated Paul McCoy to represent the Zoning Board on the steering**
94 **Committee.**

95 **Mr. Smith seconded the nomination.**

96
97 **A vote was taken.**

98 **Mr. Cahill – Aye**

99 **Mr. Smith – Aye**

100 **Mr. Hall – Aye**

101 **Mr. Luszcz – No vote.**

102 **Mr. McCoy – Abstained**

103
104 **Mr. McCoy was voted to represent the Zoning Board on the Steering Committee**
105 **with a vote of 3 in favor, 0 opposed, and 1 abstention.**

106
107 Ms. Dilonno said she would include the other interested members in on the email and
108 they can decide.

109
110 **Approval of Minutes:**

111 6/28/23

112
113 Mr. Smith had one change on page 5, line 213 it should read **Mr. Swift** instead of Mr.
114 Smith.

115
116 **Motion:**

117 **Mr. Cahill made a motion to accept the minutes from June 28, 2023 as**
118 **amended.**

119 **Mr. Hall seconded the motion.**

120
121 **A vote was taken.**

122 **Mr. Cahill – Aye**

123 **Mr. Smith – Aye**

124 **Mr. Hall – Aye**

125 **Mr. Luszcz – Aye**

126 **Mr. McCoy – Aye**

127
128 **The motion passed with a vote of unanimous.**

129
130 **Staff Update:**

131 None.

132
133 **Board Updates:**

134
135 Mr. McCoy said the Board needs alternates.

136
137
138 **Discussion of the rules of procedure:**

139
140 Mr. Cahill asked if the Board had agreed to modify the start time?

141
142 Mr. Smith said they did take a vote.

143
144 Mr. Smith said we are looking at Article 2.100 Make Up of Board. *In accordance with local*
145 *legislative bodies. ZBA members shall be appointed by the Board of Selectmen, the ZBA*
146 *shall consist of a maximum of five members, one of which is to be Selectman, serving as*
147 *an ex officio member, and up to five alternate members, members and alternates are*
148 *required to be residents of the Town of Raymond.*

149
150 The first paragraph of the RSA says they're its members, it's five members of the public
151 basically, they can appoint whoever they want to appoint but there is no ex officio. Mr.
152 Smith is looking to do a very simple change and suggested striking *one of which is to be*
153 *the Selectmen serving as ex officio member.*

154
155 Mr. Luszcz said your change is not saying that a Selectman can't put a Selectmen on the
156 ZBA it can't be called an ex officio. When they call it an ex officio when they bought the
157 alternate in that time, that was illegal. They could not have done that they take it's not an
158 ex officio so that's the only part you're looking to remove. That's it.

159
160 Ms. Wood asked if Mr. Smith was going to add a reference to the RSA.

161
162 **Motion:**
163 **Ms. Wood made a motion to accept the modification proposed by Mr. Smith.**
164 **Mr. Luszcz seconded the motion.**

165
166 **A vote was taken.**
167 **Mr. Cahill – Aye**
168 **Mr. Smith – Aye**
169 **Mr. Hall – Aye**
170 **Mr. Luszcz – Aye**
171 **Mr. McCoy – Aye**

172
173 **The motion passed with a voter of 5 in favor, 0 opposed and 0 abstentions.**

174
175 The Board had a discussion about the swearing in of members and whether the Board of
176 Selectmen of the Town Clerk should be swearing in members. It was decided to table the
177 discussion of Article 2.300 until the next scheduled meeting. The Board also said they
178 would confirm the time change of the meetings.

179
180
181 **Motion:**
182 **Mr. Cahill made a motion to adjourn until the next meeting.**
183 **Mr. Hall seconded the motion.**

184

185 **A vote was taken.**
186 **Mr. Cahill – Aye**
187 **Mr. Smith – Aye**
188 **Mr. Luszcz –Aye**
189 **Mr. McCoy – Aye**
190 **Mr. Hall - Aye**

191
192 **The motion passed with a vote of 5 in favor, 0 opposed and 0 abstentions.**

193
194 **The meeting adjourned at approximately 7:12 pm.**

195
196
197
198 Respectfully submitted,

199
200 Jill A. Vadeboncoeur

201
202
203

DRAFT



Zoning Board Draft Minutes
October 25, 2023 @ 6:30 PM
Room 109 Raymond High School
45 Harriman Hill Road, Raymond, NH 03077

7

8 Zoning Board Members Present:
9 Keith Smith – Chairman
10 Tom Luszcz – Member
11 David Hall - Member
12 Paul McCoy - Member
13 Joyce Wood- Alternate * arrived at approximately 6:40 pm.

14
15 Member Absent:
16 Tim Cahill - Vice Chair

17
18 Staff Present:
19 Jason Cleghorn – Community Development Director

20
21 **Pledge of Allegiance:**

22
23 **Roll Call:** Tom Luszcz, Member, Paul McCoy, Member, Keith Smith, Chair, David Hall,
24 Member, Jason Cleghorn, Planning and Community Development Director

25
26 **Public Hearing:**

27 Mr. Smith noted that there was not a full Board tonight.

28
29 Application 2023-006 & 007 represented by Tim Phoenix of Hoefle, Phoenix, Gormley,
30 and Roberts, on behalf of the applicant Joseph Falzone. Tim Phoenix explained that they
31 have asked for a continuance to the next regular meeting because there was not a full
32 Board. Tim Phoenix requested November 15, 2023, for the next public hearing.

33
34 **Motion:**

35 **Mr. Smith made a motion to continue application 2023-006 and application**
36 **2023-007 until November 15, 2023, at 6:30pm in room 109 at Raymond High**
37 **School; Mr. Hall seconded the motion.**

38
39 **A vote was taken by show of hands and the motion passed unanimously.**

40
41 **Alternate Member:**

42
43 Mr. Smith noted that Chris Long is in attendance for his first meeting as an alternate
44 member of the Board.

45
46

47 **Public Hearing:**
48 Application 2023-005 Van Geyte – 149 Lane Road Application for variance has been
49 submitted by Gary Van Geyte, owner of 149 Lane Road at Map 14 Lot 3. The request is
50 for relief from Article 15, Section 15.1 of the Town of Raymond Zoning Ordinance which
51 requires 200 feet of frontage where 175 feet of frontage is requested to be provided. The
52 property is located within the Residential B Zoning District.

53
54 Kevin Hatch, a licensed land surveyor of Cornerstone Surveyors Associates, presented
55 written authorization to represent Mr. Van Geyte. Mr. Hatch explained that the property is
56 a one-acre lot. In those last few months Mr. Van Geyte cleaned up the site removing the
57 old trailer that was located there and would like to build a new single-family house.
58 Mr. Hatch does not even think that they need the variance for which they have applied.
59 Mr. Hatch noted warrant article 2.1.2 – Pre-existing and Non-conforming lots. This lot was
60 approved by the Planning Board in 1976 and it did meet Zoning at the time. This lot does
61 meet all the required setbacks and should be eligible for a building permit even without a
62 variance. A residential house in residential zone is allowed use.

63
64 Mr. Smith said he did not know if the term grandfathered would apply.

65
66 Mr. Cleghorn said that staff is not immune from making mistakes. Mr. Cleghorn said that
67 if the Board feels that section 2.1.2 applies that they should make a motion to that effect
68 and that would be the end of it. But there is an abutter present who object, and this is
69 uncharted waters.

70
71 Mr. Smith allowed the abutter to speak against the project.

72
73 Kyle Baudette of 151 Lane Road said there was never a trailer on the property, it was a
74 house that had been condemned a long time ago. Mr. Baudette said that it is not fair to
75 allow them to build on .9 acres when he is required to build on 1.5 acres.

76
77 Mr. McCoy said that 95% of the lots in the subdivision would not qualify because at the
78 time it was approved the zoning was different.

79
80 **Motion:**
81 **Mr. Hall made a motion after consideration from the applicant, the**
82 **Community Development Director, and the abutter, that this is an**
83 **established lot of record and been established as a residential use for a**
84 **single-family home and it does not need a variance; Mr. McCoy seconded the**
85 **motion.**

86
87 **A unanimous vote was taken by all saying ‘aye’ and a show of hands.**
88 **Motion passed.**

89
90 **Continued discussion of rules of procedure:**

91
92 Mr. Smith seated Joyce Wood for this discussion.

93 Mr. Smith commented that they needed to remotion and revote a previous motion
94 because Joyce had made a motion but was not seated at the time and Tom had seconded
95 the motion. The Board had voted unanimously of the vote, but it needs to be re-motined.
96

97 **Motion:**

98 **Mrs. Wood made a motion to accept the modification proposed by Mr. Smith**
99 **Article 2.100 MAKEUP OF BOARD attached; Seconded by Mr. Hall.**

100
101 **A unanimous vote was taken by all saying 'aye' and a show of hands.**
102 **Motion passed.**
103

104 Mr. Smith said there was a question about swearing in and he had looked it up under
105 RSA 42:2 it is before the moderator, town clerk, one of the Selectmen or a justice of the
106 peace is authorized to administer the oath required by this chapter to swear in anyone
107 into office. Mr. Smith is adding in RSA 42:2, the new wording would be each newly
108 appointed member and alternate member must sign appointed papers and be sworn in
109 as authorized to administer the oath required by chapter RSA 42:2 prior to being eligible
110 to serving on a board.

111
112 **Motion:**

113 **Mr. Hall made a motion to accept the change to our new board of adjustment**
114 **rules and procedures 2.30 as proposed (See attached); Mrs. Wood seconded**
115 **the motion.**
116

117 **A unanimous vote was taken by all saying 'aye' and a show of hands.**
118 **Motion passed.**
119

120 **Email procedure:**

121
122 Mr. Luszcz proposed changing the use of personal email addressed for ZBA use to ZBA
123 exclusive Gmail accounts to use in case of 91A requests.

124
125 Mr. Smith requested that Mr. Luszcz write up his proposal for the next meeting.
126

127 **RCTV Policy:**

128
129 Mr. Smith noted that going forward RCTV will retain the videos of the meetings for 5 years.
130

131 **Letter of Resignation:**

132
133 **Motion:**

134 **Mr. Luszcz made a motion to accept Tim Cahill's letter of resignation; Mr.**
135 **Hall seconded the motion.**
136

137 **A unanimous vote was taken by all saying 'aye' and a show of hands.**
138 **Motion passed.**

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Membership:

Mr. Smith asked Ms. Wood if she would consider being a full member again and she said she would like to be a full member again. Mr. Smith said he would send a letter of recommendation to the Board of Selectmen.

Chris Long introduced himself to the Board. Mr. Long stated that he was formerly a Selectman for 3 years and has been an alternate on the Planning Board formerly.

Motion:

Mr. Smith made a motion to waive the requirement of 3 meeting in light of Mr. Cahill’s resignation. Mr. Smith would like to recommend that the Board of Selectmen make him an alternate to the Zoning Board.

Mr. Hall said he would like to recommend that to Chris Long become a permanent member of the ZBA as an alternate because of his experience with the municipality Planning Board in lifelong residency and Raymond in knowledge of the municipality that qualifies him not to see two more meetings.

Mr. McCoy seconded the motion.

A vote was taken by all saying ‘aye’ and a show of hands. The motion passed with a vote of 4 in favor, 1 opposed and 0 abstentions.

Motion:

Mr. Smith made a motion to nominate David Hall as vice chair considering Mr. Cahill’s resignation; Mr. McCoy seconded the motion.

**A unanimous vote was taken by all saying ‘aye’ and a show of hands.
Motion passed.**

Mr. Smith and Mr. Luszcz discussed whether Mrs. Wood could serve a full 3-year term of just fill Mr. Cahill’s remaining term.

Mrs. Wood said she would prefer to fill out Mr. Cahill’s term.

Adjournment:

Motion:

Mrs. Wood made a motion to adjourn; Mr. Hall seconded the motion.

**A unanimous vote was taken by all saying ‘aye’ and a show of hands.
Motion passed.**

185 **The meeting adjourned at approximately 7:08 pm.**

186

187 Respectfully submitted,

188

189 Jill A. Vadeboncoeur

190

191 **Attachment:**

192

193 **ZBA Rules of Procedure Updates 10-25-2023**

194

195 **1) 10-25-23 Accepted Change**

196 **2.100 MAKEUP OF BOARD**

197 In accordance with the local legislative body, ZBA members shall be appointed by the
198 Board of Selectmen as outlined in RSA 673:3. The ZBA shall consist of a maximum of five
199 (5) Members, and up to five (5) Alternate Members. Members and Alternates are required
200 to be residents of the Town of Raymond, NH

201

202 **2) 10-25-23 Accepted Change**

203 **2.300 SWEARING-IN** Each newly appointed Member and Alternate Member must sign
204 appointment papers and be Sworn-in as authorized to administer the Oath required by
205 chapter RSA 42:2 prior to being eligible to serve on the Board.

206

DRAFT