

TOWN OF RAYMOND

Zoning Board of Adjustment Agenda

August 25, 2021

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

7:30 pm

Ethics Training, 2021-007 & 2021-008

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. Call to Order

- Pledge of Allegiance

2. Public Meeting-

a. Ethics Training

b. Application #2021-007-The following application for a variance has been submitted by Christopher E Ratte, Esq. from Shaheen & Gordon, PA on behalf of Anthony & Wendy DeFranzo for relief from: **Article 14 Section 14.1 Subsection 14.1.1** Allowed uses table, to allow an accessory use as a commercial service establishment on a single-family residential property in Zone B. The property is identified as Raymond Tax Map 31-4/ Lot 3 and located at 119 Langford Rd. and is within Zone B.

c. Application #2021-008- The following application for a variance has been submitted by VFW Post 4479 for relief from Article 15 Section 15.2 Subsection 15.2.1 Excepted from this requirement are all buildings on any pre-existing lot in Zones B, C, D or E or less than two (2) acres, which shall require setbacks of twenty-five feet (25') from all property lines. The applicant is proposing to build an addition within the 25' setback. The property is in Zone C1 and is identified as Raymond Tax Map 28-3 Lot 69 and located at 39 Main Street.

3. Approval of Minutes

- 04/28/2021

➤ Other Business

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

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

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

TOWN OF RAYMOND
Zoning Board of Adjustment Agenda
August 25, 2021
Raymond High School, Room 109, 45 Harriman Hill Rd.
7:30 pm
Ethics Training, 2021-007 & 2021-008

ZBA Meetings 2021	
Submittal Deadline for Completed Application & Materials	Zoning Board Meeting Dates (4th Wednesday of the Month)
July 28, 2021	August 25, 2021
August 25, 2021	September 22, 2021
September 22, 2021	October 27, 2021
October 27, 2021	November 17, 2021
November 24, 2021	December 15, 2021

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.

353 Central Ave, Suite 200
P.O. Box 977 | Dover, NH 03821

Office 603-749-5000
Fax 603-749-1838

Christopher E. Ratté
Attorney at Law

June 16, 2021

Via Electronic UPS Overnight Delivery

Town of Raymond
Office of Planning and Zoning
4 Epping Street
Raymond, NH 03077

Re: 119 Langford Road Application for Variance

To whom it may concern:

Relevant to the above captioned property, enclosed please find Application for Variance and supporting documents submitted on behalf of Anthony and Wendy DeFranzo. Additionally enclosed is our firm's check in the amount of \$200 representing the application fee.

Please do not hesitate to reach out with any questions you may have.

Very truly yours,



Christopher E. Ratté
cratte@shaheengordon.com

cc: Anthony & Wendy DeFranzo

CER/glm



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 a Variance

Site Information

Property Address: 119 Langford Road

Map #: 031 Lot #: 004-003

Property Owner Information

Name: Anthony and Wendy DeFranzo Phone: (603)895-4900

Address: 119 Langford Road

Address: Raymond, NH 03077

Applicant/Agent Information

Name: Christopher E. Ratte, Esq. Phone: (603)749-5000

Address: Shaheen & Gordon, PA

Address: 353 Central Ave., PO Box 977, Dover, NH 03821-0977

Complete the Following

A variance is being requested from Article 197, Section 14.1 of the Town of Raymond Zoning Ordinance in order to allow an accessory use as a commercial service establishment on a single-family residential property in the Zone B - Residential/Agricultural district. Specifically, the property owner proposes to locate their demolition business on the property and to store demolition equipment and vehicles, with supporting office, in and around an existing 70' x 120' barn.

Photos of the property are attached hereto.

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: the proposed use is no more burdensome than commercial agricultural, which is a permitted use. The business would be located in an existing barn in keeping with the agricultural nature of the district. The equipment and vehicles used by the business are similar to those used in commercial agriculture. There would be minimal commercial activity on the property, consisting mostly of storage and supporting office.
- 2) Granting a variance would be consistent with the spirit of the ordinance because: the agricultural nature of the district would be maintained. The business would be housed in an existing barn. There will be minimal commercial activity on the property. The equipment and vehicles to be stored on the

property are similar to those used in commercial agriculture, which is a permitted use. The proposed use will have no adverse effect on surrounding properties.

3) Granting a variance would do substantial justice because: the property owner is currently paying to store the equipment and vehicles off-site. This off-site location is temporary and will need to be relocated soon. The existing barn on the property would provide an excellent location for the storage of the equipment and vehicles. The property owners already operate their business from their home office, which is a permitted use, and this would allow them to consolidate the business to one location.

4) Granting a variance would not diminish the values of surrounding properties because: the proposed use will have no effect on neighboring properties or their values. The proposed use is in keeping with the agricultural nature of the district. There will be minimal commercial activity on the property. The commercial use would consist mostly of storage of equipment and vehicles with supporting office. The proposed use would not increase traffic or interfere with the use of neighboring properties.

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:

The proposed use is no more burdensome than commercial agriculture, which is a permitted use. The equipment and vehicles to be stored on the property are similar to those used in commercial agriculture. The proposed use would be located in an existing barn, and would not change the character of the property or the neighborhood. The location is mostly screened from the road by trees and other existing natural vegetation.

- b. The proposed use is a reasonable one because:

The business will be located in an existing barn to maintain the agricultural nature of the district. The commercial activity on the property will be minimal, consisting mostly of storage of equipment and vehicles with supporting office. The proposed use will have no adverse effect on surrounding properties and will not increase traffic or use of local utilities. The proposed use will have no effect on public services. The proposed use will be mostly screened from the road by natural vegetation.

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.

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.



Applicant's Signature*

5/3/21

Date

119 Langford Rd




Imagery ©2021 Maxar Technologies, USDA Farm Service Agency, Map data ©2021 100 ft





Image capture: Sep 2018 © 2021 Google

Raymond, New Hampshire

 Google

Street View


stone House  

119 Langford Rd



Image capture: Sep 2018 © 2021 Google

Raymond, New Hampshire

 Google

Street View



VFW POST 4479



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 a Variance

Site Information

Property Address: 39 Main Street Raymond NH 03077

Map #: 28-3 Lot #: 69

Property Owner Information

Name: VFW Post 4479 _Phone: 603-895-3661

Address: 39 Main Street Raymond, NH 03077

Address: PO BOX 751 Raymond, NH 03077

Applicant/Agent Information

Name: VFW Post 4479 _Phone: 603-895-3661

Address: 39 Main Street Raymond, NH 03077

Address: PO BOX 751 Raymond, NH 03077

Complete the Following

A variance is being requested from Article 15, Section 197-15.1 of the Town of Raymond Zoning Ordinance in order to have an addition placed within 7.4 feet from the side property line

The requirement is 15 feet.

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: The addition will provide more space for the public to share in the work of the VFW, Charity, Veteran's and community services. The Addition will benefit the abutter's as the parking of vehicle's will not be on this side of the building and a Fence will be erected along the property line and building.

15.2.1. Excepted from this requirement

are all buildings on any pre-existing lot in

Zones B, C, D or E or

less than two (2) acres, which shall

require setbacks of twenty-five feet (25')

from all property

lines.

2) Granting a variance would be consistent with the spirit of the ordinance because: **Many properties in the area are close to their Neighbors boundary lines and this would not affect any surrounding properties. All three abutter's that about this area have their living Quarters on Old Manchester Road. One Property has a garage and parking for their three unit off Main Street the VFW Property is at the back of their property and Down Hill from Them.**

3) Granting a variance would do substantial justice because: **This is the only place we can build this addition; the front is just within the setback, the other side creates issues with waterlines and the right of away for properties behind the VFW building, the back of the building is where the Septic System is located. This is the only place to have this addition without major reconstruction and expense.**

4) Granting a variance would not diminish the values of surrounding properties because: **Giving this relief will not affect any property and will not diminish property values.**

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:
: **This site is unique and built before 1945 This is the only place we can build this addition; the front is just within the setback, the other side creates issues with water lines and the right of away for properties behind the VFW building, the back of the building is where the Septic System is located. This is the only place to have this addition without major reconstruction and expense.**

b. The proposed use is a reasonable one because:

This site is unique and the addition is needed: this is the only area that will allow us to build and it will not affect any abutters. We will be conforming as many properties in the area are closer in the setback area.

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. : **This is the only place we can build this addition; the front is just within the setback, the other side creates issues with water lines and the right of away for properties behind the VFW building, the back of the building is where the Septic System is located. This is the only place to have this addition without major reconstruction and expense. This site is unique and the addition is needed: this is the only area that will allow us to build and it will not affect any abutters. We will be conforming as many properties in the area are closer in the setback area.**

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.



Applicant's Signature*

7/23/21

Date



Old Manchester Rd

Floral Ave Ext Row

Main St

Set Backs
No Abutter
with out
encroaching

66
30 AC

63
30 AC

62
30 AC

60
42 AC

61
19 AC

54
60 AC

55
32 AC

56
23 AC

70
32 AC

58
34 AC

39

69

71
86 AC

52
0.09 AC

7
39 AC

2
76 AC



Water Line
AREA

Gas out to Main St

Water Line Into 39 Main St



Side of Building
Where Addition will
go.

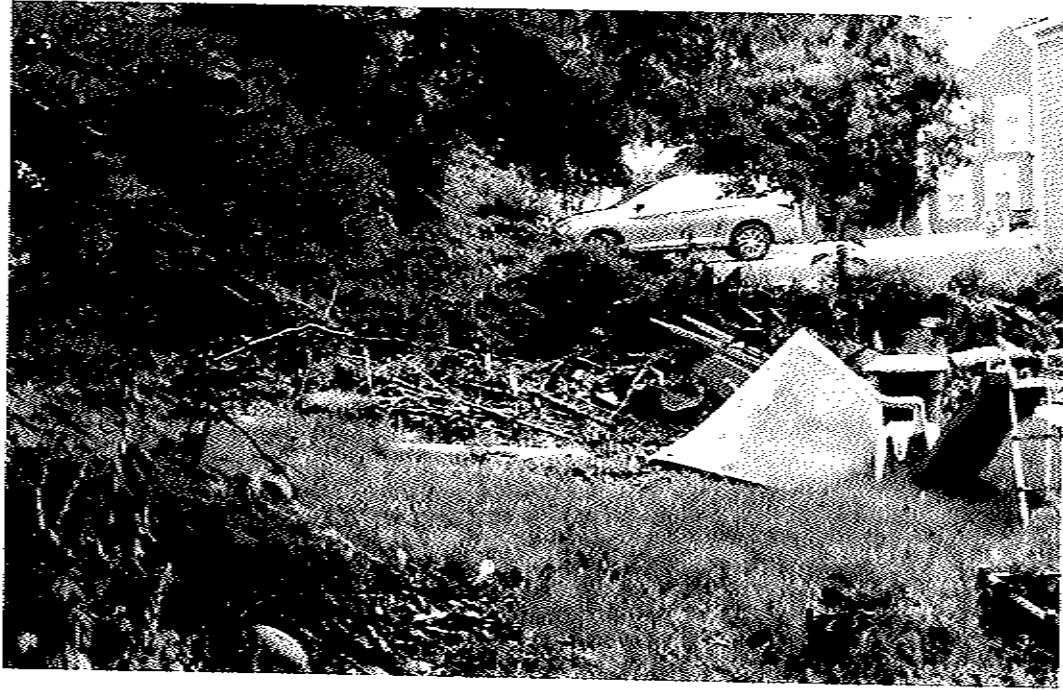


Back Yard of
7010 Manchester Rd

Buildings are
Facing Old Manchester
Road

9 Old Manchester Rd Back yard -

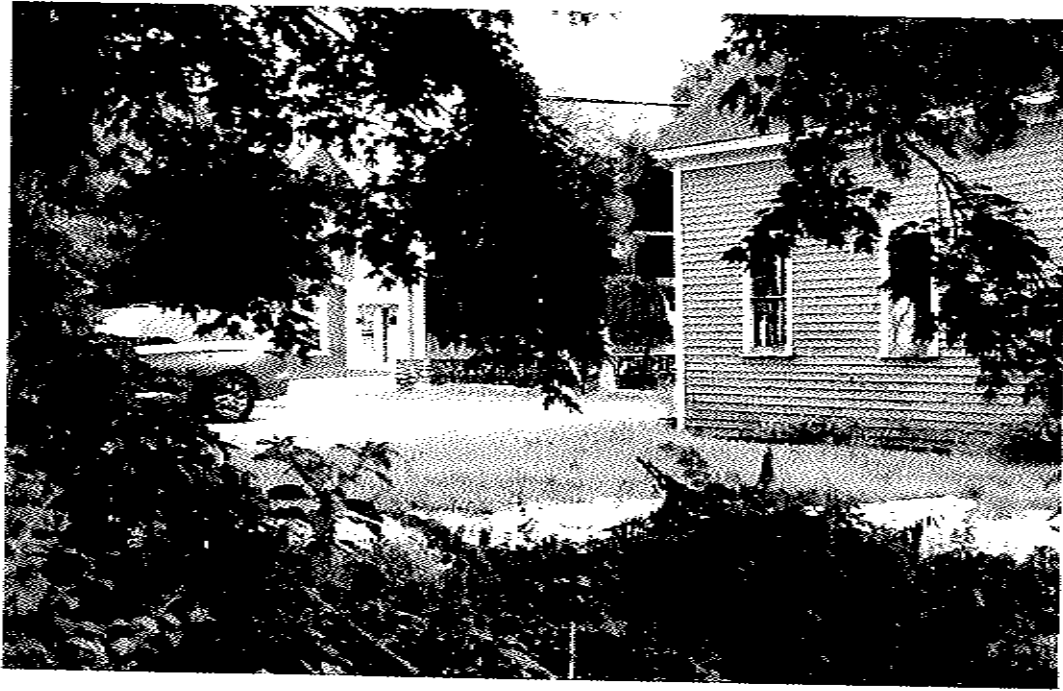




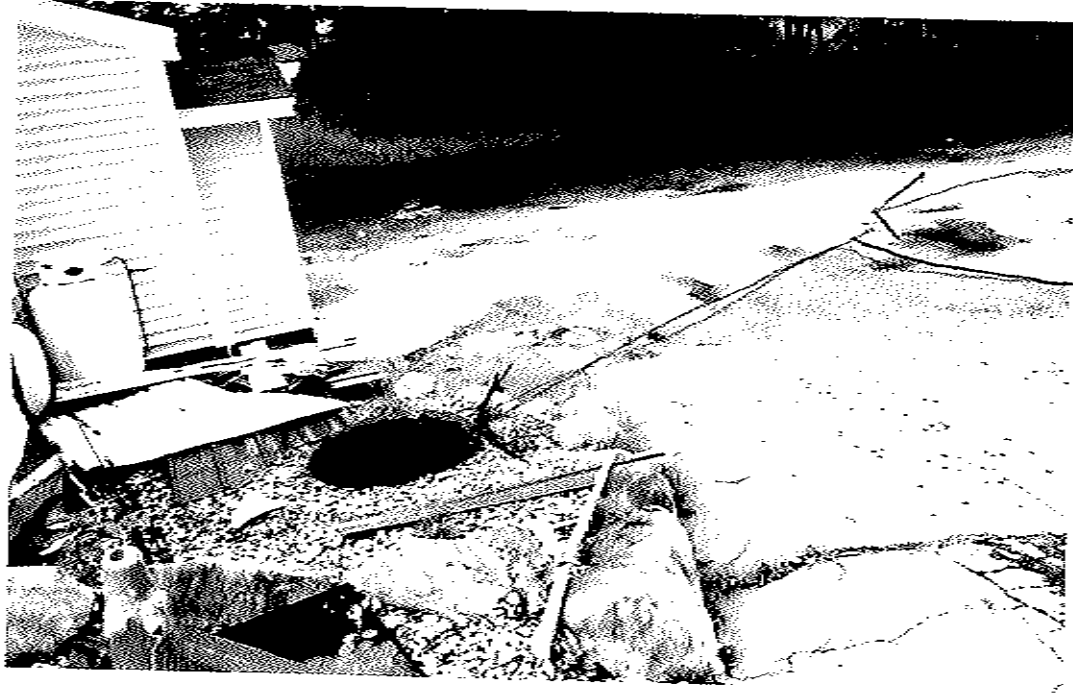
Back Yard of
Properties on
5 Old Manchester Rd.
That Absett.



1 ~~010~~ Manchester
Abutting on Main St
Garage + Parking

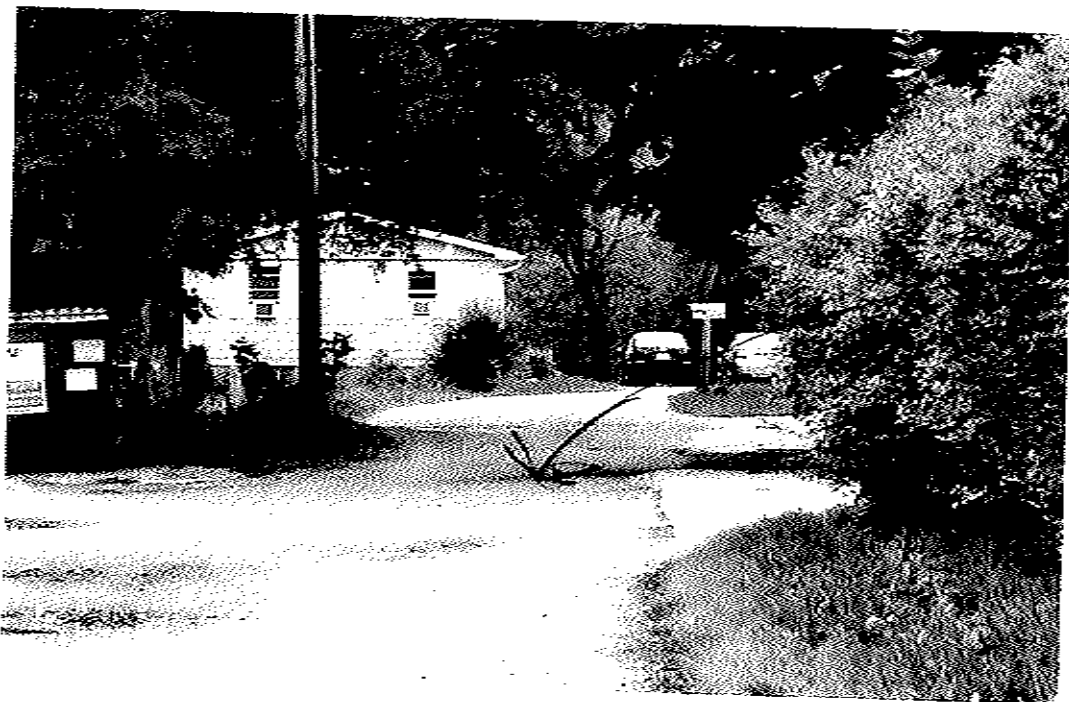


AREA Near
Property line
used for parking
101D Manchester Rd



Septic System

Tan K



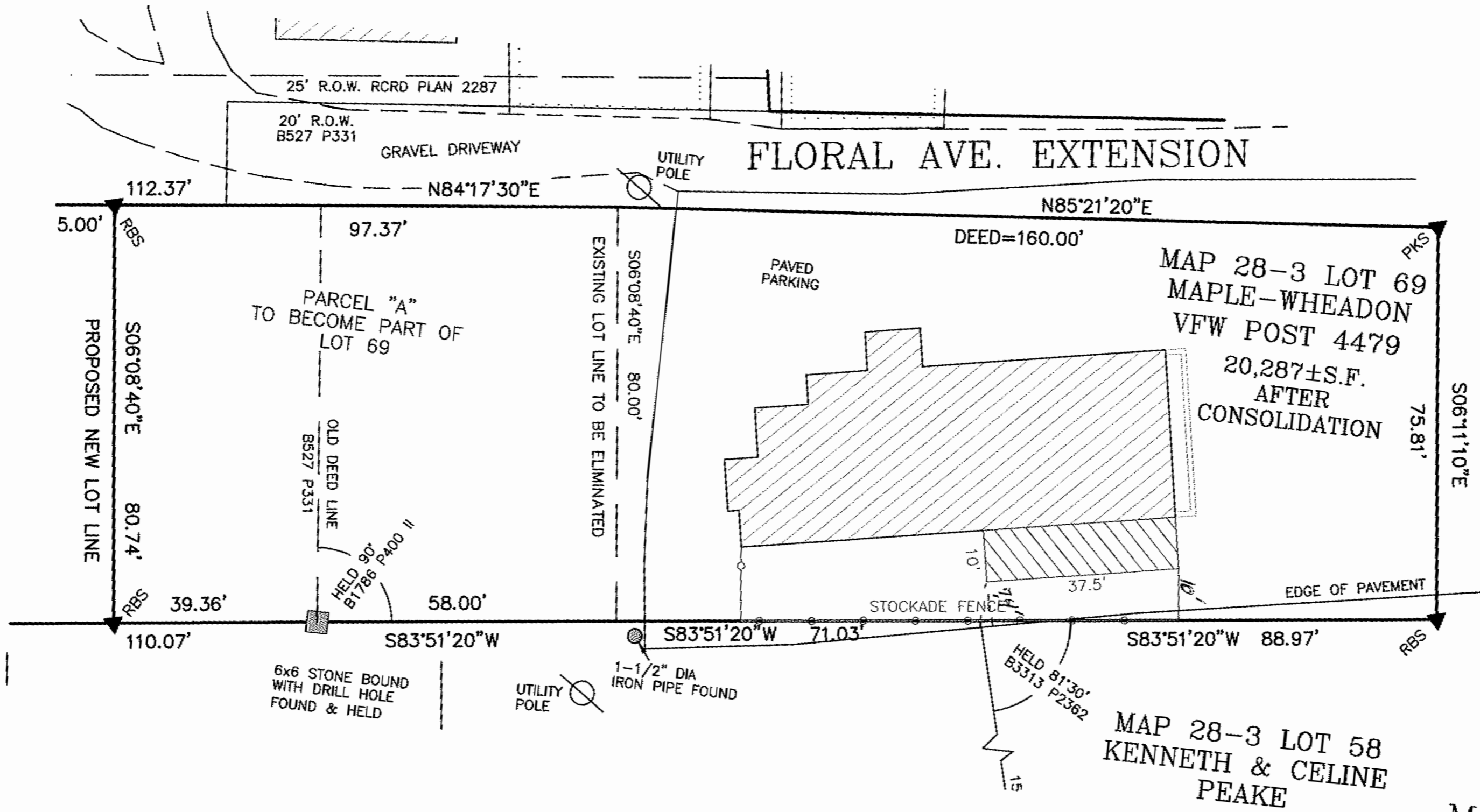
ROW To Back
Property

FLORAL AVE. EXTENSION

STREET

LI
AS

MAP



Minutes

1 **Zoning Board of Adjustment Draft Minutes**

2 **April 28, 2021**

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

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

13

14 **Absent Members**

15 None

16

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

18

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

23

24 **Motion:**

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

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

33

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

38

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

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

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

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

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

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

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

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

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

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

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

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

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

82 Motion:

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

85
86 Scott Campbell - Aye
87 Joe Povilaitis - Aye
88 Paul McCoy - Aye
89 Brad Reed - Aye
90

91 Mr. Reed: "Since I have been involved with you guys, I know it has been our practice and I know he has
92 a very limited area to work with here, but we have not actually allowed anyone to put something on the
93 line where they couldn't maintain it. We actually asked another applicant to move it 5 feet away so that
94 they could do that very thing. I think that it is a wise way to handle this sort of thing. I understand it is a
95 request. I know where he lives and those lots are very small, but I do think we could really be causing a
96 problem in the future. Things are great with his neighbor right now but in the future when his neighbors
97 sell, and you can't even walk around this shed without walking on the neighbor's property."
98

99 Mr. McCoy: "I feel the same way. He actually has two lots. I understand what he wants. I just think that
100 being right on the lot line is an issue and I understand that if he has a truck that he doesn't want to put the
101 unit out in the middle of the driveway. I would think that he could put it up against the house. Actually, he
102 would be able to fix the house pretty easily. He probably wouldn't even have to put the four sides up. He
103 owns all the way down to the lake. I don't see the hardship."
104

105 Mr. Campbell: "I agree with both Paul and Brad on that."
106

107 Mr. Povilaitis: "And me as well. Like I said I don't really like having something on the property line
108 because you will get in trouble. I mean you would be breaking the law by trespassing trying to get on the
109 back side of your shed. I mean that is a fact."
110

111 Motion:

112 Mr. McCoy made a motion to come out of deliberative. Mr. Povilaitis seconded the motion. A roll call
113 vote was taken. The motion passed with a vote of 4 in favor, 0 opposed and 0 abstentions.
114

115 Scott Campbell - Aye
116 Joe Povilaitis - Aye
117 Paul McCoy - Aye
118 Brad Reed - Aye
119

120 Sid Madore: "Your concern is access to the back wall without trespassing."
121

122 Mr. Povilaitis: "That is not just with your application it is with any application that is on the property line.
123 We normally like to say, like Brad or Scott said, 4 or 5 feet away from the property line so you have
124 egress to be able to work on your structure or paint it or replace shingles."
125
126

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

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

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

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

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

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

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

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

150 Motion:

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

154 Scott Campbell - Aye

155 Joe Povilaitis - Aye

156 Paul McCoy - Aye

157 Brad Reed - Aye
158
159

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

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

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

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

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

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

179
180 Mr. Reed: "I believe the spirit of the ordinance and the setbacks are there so that we can all live in peace
181 with one another. I see this as a potential issue where there is no distance to the other person's
182 property."

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

185
186 Mr. McCoy: "I agree."

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

189
190 3. Granting this variance will do substantial justice:

191
192 Mr. McCoy: "For the applicant it would be substantial justice. I think the use of the property, especially if
193 you have a truck parked there, and then you have this, it is pretty crowded. I don't think it would be justice
194 to crowd the property with everything so close to one another."

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

197
198 Mr. Reed: "I agree with Scott on that."

199
200 Mr. Povilaitis: "I agree with Scott as well."

201
202 5. Owing to the special conditions of the property that distinguish it from other properties in
203 the area, literal enforcement of the provisions of the ordinance would result in an unnecessary hardship
204 because ...

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

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

209
210 Mr. Campbell: "I think that the ordinance that we have in hand is sometimes a little bit extreme, but that
211 setback is there for a reason basically if we said that it is 20 feet, and we are willing to give you 10 I think

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

214
215 Mr. McCoy: “I agree.”

216
217 Mr. Reed: “I agree as well.”

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

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

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

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

235
236 Mr. Campbell: “No it is not.”

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

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

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

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

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

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

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

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

262
263 Motion:

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

266
267 Scott Campbell - Aye

268 Joe Povilaitis - Aye

269 Paul McCoy - Aye

270 Brad Reed - Aye

271
272
273 Motion:

274 Mr. McCoy made a motion that the variance be denied placing a shed on the property line as requested.

275 Mr. Campbell seconded the motion. A roll call vote was taken. The motion passed with a vote of 4
276 in favor, 0 opposed and 0 abstentions.

277
278 Scott Campbell - Aye

279 Joe Povilaitis - Aye

280 Paul McCoy - Aye

281 Brad Reed - Aye

282
283

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

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

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

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

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

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

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

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

315

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

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

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

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

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

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

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

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

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

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

336 Motion:

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

339

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

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

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

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

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

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

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

360 2. Granting this variance will be consistent with the spirit of the ordinance:
361

362 Mr. Reed: "I agree with his assessment that frontage requirements are generally used to ensure
363 adequate spacing of homes, and there is going to be adequate spacing when this is completed. "
364

365 Mr. McCoy: "I agree with Brad. This particular lot and the size of the lot and the proposal at
366 the end of the cul de sac. I agree with Brad."
367

368 Mr. Campbell: "I agree with both Paul and Brad."
369

370 Mr. Povilaitis: "With this particular lot I think it is well suited to have a single house on it the
371 way it is laid out. There will be plenty of room without overcrowding and with the
372 recommendation for adequate buffering between map 8 lot 21 I think it would be pretty good
373 harmony for that cul de sac."
374

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

379 3. Granting this variance will do substantial justice:

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

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

384 Mr. McCoy: "I agree."

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

387 Mrs. Wood: "I agree."

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

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

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

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

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

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

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

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

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

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

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

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

412 Motion:

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

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

421

422 Motion:

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

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

433 Motion:

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

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

443 Motion:

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

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

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

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

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

467 Respectfully submitted,

468 Jill A. Vadeboncoeur
469

Alternate Applications



Town of Raymond, NH
Appointment Application

Tim Cahill
COVER

1. What Appointment are you seeking? ZONING BOARD ALTERNATE
2. Have you attended the required (3) meetings? Y N N/A
VIRTUALLY
3. The Raymond Board of Selectmen have outlined the following expectations for members to be appointed to a Board:

Please check all boxes below

- a) Show our residents respect, compassion and willing to fully hear their concerns without regard to who the individual is, past conflicts, close associations, affiliations.
- b) Work to foster credibility, impartiality, fairness and avoid level liabilities to the Town.
- c) Avoid at all times, any question of a perceived or actual conflict of interest involving you on an issue before the Board.
- d) Work to address any question of a perceived or actual conflict of interest involving another member on an issue before the Board.
- e) At all times, put the best interests of the Town and its residents above personal interests of yourself or others you know.
- f) Ensure you have enough flexibility with your personal and professional schedule to make the required meetings.
- g) Ensure you conduct the needed individual research and review of the subjects and documentation and come to these meetings fully prepared to discuss the scheduled agenda items.
- h) Handle conflict in a professional manner and avoid personal attacks on others or disruption of official Town business (to include social media outlets)
- i) Attend recommended training to enhance your knowledge in your area.
- j) Show respect and work through your respective Chairperson to address issues.
- k) Work through the Town Manager when seeking assistance from the Town Staff.

- l) Follow all Town policies regarding conduct, stewardship of funds, communications and ethics.
- m) Help foster in a culture of civil and respectful public discourse, to help achieve the needs of the community and allow all voices to be heard.

Thank you for your willingness to serve this community.

Applicant Name: Timothy P Cahill

Applicant Signature: 

Applicant Contact Information

Address: 31 Old Manchester Av
Raymond NH
Cell: 603
777
7819

Email: SINGLEFINSURFER@HOTMAIL.COM



Volunteer Application

Name: _____

Address: _____

Home #: _____ Cell #: _____

Email: _____

I would like to make a contribution to the growth and welfare to the Town of Raymond and I am willing to VOLUNTEER TO SERVE on the following Board or Committee.

Please indicate your preference by 1, 2, 3 etc...

___ Zoning Board of Adjustment

___ Planning Board

___ Friends of Raymond Recreation

___ Cable Committee*

___ Conservation Commission*

___ Ethics Committee

___ Historic District Commission*

___ Budget Committee

___ Capital Improvement Committee*

___ Lamprey River Advisory

___ 4th of July Committee

___ Town Fair Committee

**Board of Selectmen approve appointments to these committees.*

Once form is complete, please give to Selectmen's office or mail to:

Town of Raymond
Attn: Selectmen's Office
4 Epping Street, Raymond, NH 03077
or <mailto:dintonti@raymondnh.gov>



Town of Raymond, NH Appointment Application

1. What Appointment are you seeking?
2. Have you attended the required (3) meetings? Y N N/A
3. The Raymond Board of Selectmen have outlined the following expectations for members to be appointed to a Board:

Please check all boxes below

- a) Show our residents respect, compassion and willing to fully hear their concerns without regard to who the individual is, past conflicts, close associations, affiliations.
- b) Work to foster credibility, impartiality, fairness and avoid level liabilities to the Town.
- c) Avoid at all times, any question of a perceived or actual conflict of interest involving you on an issue before the Board.
- d) Work to address any question of a perceived or actual conflict of interest involving another member on an issue before the Board.
- e) At all times, put the best interests of the Town and its residents above personal interests of yourself or others you know.
- f) Ensure you have enough flexibility with your personal and professional schedule to make the required meetings.
- g) Ensure you conduct the needed individual research and review of the subjects and documentation and come to these meetings fully prepared to discuss the scheduled agenda items.
- h) Handle conflict in a professional manner and avoid personal attacks on others or disruption of official Town business (to include social media outlets)
- i) Attend recommended training to enhance your knowledge in your area.
- j) Show respect and work through your respective Chairperson to address issues.
- k) Work through the Town Manager when seeking assistance from the Town Staff.

- l) Follow all Town policies regarding conduct, stewardship of funds, communications and ethics.

- m) Help foster in a culture of civil and respectful public discourse, to help achieve the needs of the community and allow all voices to be heard.

Thank you for your willingness to serve this community.

Applicant Name:

Applicant Signature:

Applicant Contact Information

Address:

Cell:

Email: