

## Raymond Planning Board Minutes

March 04, 2010

Approved 03/18/2010

**Place:** Raymond High School; Media Center

**Call to Order:** 7:00 p.m.

**Members Present:** Jonathan Wood, Chairman; Carolyn Matthews, Vice Chairman; Jim Kent, Secretary; Bill Hoitt, Selectmen's Ex-Officio; Gretchen Gott; Doug Vogel.

**Staff Present:** Ernest Cartier Creveling; Community Development Director; Walter Mitchell, Legal Counsel; Robert Price, Planning Technician.

### Pledge of Allegiance

### Approval of Minutes

Members Sitting for Approval of Minutes: Jonathan Wood; Carolyn Matthews; Jim Kent; Bill Hoitt; Gretchen Gott; Doug Vogel.

**MOTION:** Mr. Kent made a motion, seconded by Ms. Gott, to approve the minutes of February 25, 2010 as drafted. The motion carried with a vote of 4-0-2, with Mr. Vogel and Ms. Matthews abstaining.

The Planning Board next went into a brief Non-Meeting with Legal Counsel. Ms. Matthews did not participate in this Non-Meeting.

### Old Business – Thibeault Request for Rehearing

Continued from 02/25/2010 - Consideration of a Request for Rehearing submitted by Thibeault Sand & Gravel, LLC regarding the Planning Board's February 11, 2010 denial of Application #2007-002, for an excavation permit for a quarrying operation.

*Ms. Matthews announced she must recuse herself from this discussion.*

Members Sitting for this Discussion: Jonathan Wood; Jim Kent; Bill Hoitt; Gretchen Gott; Doug Vogel.

Mr. Wood read a statement which was prepared by the Board's Legal Counsel into the record. The statement is a draft explanation of the Board's decision regarding the Upper Lamprey Neighbors Group and the Thibeault Sand & Gravel requests for reconsideration of the Board's February 11, 2010 denial of Application #2007-002. A copy of this statement is attached to the original set of minutes on file at the Town Clerk's Office.

**MOTION:** Mr. Vogel made a motion, seconded by Mr. Kent, to adopt the statement drafted by Legal Counsel, and amended by the Planning Board, regarding the Board's decisions on the requests for reconsideration. The motion carried with a vote of 4-1-0, with Mr. Hoitt opposed.

*Ms. Matthews returned to her seat for the remainder of the meeting.*

### Old Business – Raymond Sand & Gravel Revocation Letter

Mr. Cartier Creveling stated he was out of the office for a period of a week and a half. During this time, Mr. Cole was to have made a second bond payment on February 15. He noted he was in communication with Mr. Price during his time out of the office regarding the situation. He

## Raymond Planning Board Minutes

March 04, 2010

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explained that he instructed Mr. Price to send a letter of revocation to Mr. Cole, not realizing that Mr. Cole had made his payment the same morning. He added that Mr. Cole has also made his required March payment. As a result of this, he requested that the Planning Board remove this discussion from the agenda.

Mr. Vogel asked what the due date was for the March payment, and when it was actually received. Mr. Price explained the payment was to be made on March 1, and Mr. Cole made the payment on March 2. Mr. Vogel expressed concern with removing this discussion from the agenda. He stated there have been three due dates thus far, and even though the Town has received three payments, each has been past due.

The Board briefly discussed the situation. While many members shared Mr. Vogel's concern that payments have not been on time, they acknowledged that Mr. Cole was making an effort to make the payments. The general feeling was that the Board did not want to remove the topic from the agenda completely.

MOTION: Ms. Matthews made a motion, seconded by Bill Hoitt, to table this agenda item until March 18, 2010. The motion carried with a vote of 4-2-0, with Mr. Vogel and Ms. Gott opposed.

### **Old Business – REI Development Decision of February 04, 2010**

Mr. Cartier Creveling explained that Allan Clark of REI Development Company, LLC submitted a letter to staff seeking clarification of the Planning Board's February 04, 2010 decision. A copy of this letter is attached to the original set of minutes on file at the Town Clerk's Office.

Mr. Wood polled the Planning Board to see if members did or did not believe that the two variances received by REI Development on January 9, 2008 were still valid.

### POLL RESULTS

Jim Kent – Yes

Gretchen Gott – Yes

Bill Hoitt – No

Doug Vogel – Yes

Carolyn Matthews – Yes

Jonathan Wood – Yes

### **Work Session – Excavation Regulations**

The Planning Board carried on with its work on revisions to the Excavation Regulations.

*Mr. Vogel left the meeting at this time.*

### **Other Business**

Mr. Cartier Creveling noted that the Town has received a Protest Petition, per NH RSA 675:5 regarding the Fluvial Erosion Hazards Zoning Amendment. He added that the Town is in talks with Legal Counsel regarding the petition.

Ms. Matthews noted that the Office of Energy & Planning's Annual Spring Conference is being held on May 8, 2010.

**Raymond Planning Board Minutes**  
**March 04, 2010**

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Various members of the Board urged people to vote on March 9.

**Adjournment**

MOTION: Mr. Wood made a motion, seconded by Mr. Hoitt, to adjourn. The motion carried with a unanimous vote of 5-0-0. The meeting adjourned at 10:00 p.m.

Respectfully submitted,

Robert Price  
Planning Technician