



TOWN OF RAYMOND

Planning and Development Department

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Raymond, NH 03077

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Procedure for Filing an Application for Appeal of Administrative Decision

1) The following items must be provided when filing an application for appeal of administrative decision with the Zoning Board of Adjustment:

- a. **COMPLETED & SIGNED APPLICATION:** If the applicant is NOT the property owner, a notarized letter of permission from the property owner is required to be submitted with this application.
- b. **APPLICATION FEE:** The application fee to the Zoning Board of Adjustment is as follows:
 - \$150.00 base application fee; plus
 - \$10.00 per abutter (to include everyone noted on the List of Abutters as outlined in Item 1(c) below).

Please make checks payable to the Town of Raymond.

Note: A \$175.00 fee for Published Legal Notice, in accordance with RSA 676:7, I (c), will be invoiced if applicable.

- c. **LIST OF ABUTTERS:** The Town of Raymond is required to mail notice to abutters (and other parties as identified below) of a public hearing held by the Zoning Board of Adjustment. It is the responsibility of the applicant to provide the Town of Raymond with a complete and accurate list of abutters. The list of abutters shall contain the following information:
 - Name, Address, Tax Map & Lot Number of the applicant(s);
 - Name, Address, Tax Map & Lot Number of abutting property owner(s);
 - Name and Address of all agents representing the applicant;
 - Name and Address of any holders of conservation, preservation, or agricultural preservation restrictions (if applicable); and
 - Name and Address of every engineer, architect, land surveyor or soil scientist whose professional seal appears on the plan (if applicable).

For more information, please refer to NH Revised Statutes Annotated 672:3 for a definition of the term "abutter," and RSA 676:7 for legal notice requirements.

- d. **OTHER ITEMS (OPTIONAL):** Please submit any additional documentation, plans, photographs, etc. which support your appeal of administrative decision.

2) **THINGS TO CONSIDER:**

- a. Appeals of Administrative Decision must be filed within 45 days of the date of the decision, as required in the Town of Raymond Zoning Board of Adjustment Rules of Procedure, Article VI, Section 6.100.
- b. As per RSA 676:5 (III): If, in the exercise of subdivision or site plan review, the planning board makes any decision or determination which is based upon the terms of the zoning ordinance, or upon any construction, interpretation, or application of the zoning

ordinance, which would be appealable to the board of adjustment if it had been made by the administrative officer, then such decision may be appealed to the board of adjustment under this section; provided, however, that if the zoning ordinance contains an innovative land use control adopted pursuant to RSA 674:21 which delegates administration, including the granting of conditional or special use permits, to the planning board, then the planning board's decision made pursuant to that delegation cannot be appealed to the board of adjustment, but may be appealed to the superior court as provided by RSA 677:15.

- c. The Board encourages that you submit any and all relevant supplemental information with your application and not during the public hearing itself. Doing so allows the Board an opportunity to review all the facts in advance of the hearing. In addition, the Board may decline consideration of any supplemental information submitted during a public hearing. Submission of supplemental information during a public hearing may also result in the Board continuing the public hearing to a later date to allow it time to review all submitted materials.
- d. This application is not acceptable unless all required items noted above have been provided. Any missing information may result in an application being denied by the Board as incomplete.
- e. Governing Statutes: RSA 674:33 (l) (a) and 676:5.