



Town of Effingham
68 School Street
Effingham, New Hampshire 03882

Rebecca Boyden, Zoning Enforcement Officer
e-mail. zoningofficer@effinghamnh.net

Date: May 13, 2021

Name: Meena, LLC

Address: P.O. Box 2262, North Conway, NH 03860

RE: Town of Effingham Address: 41 NH Route 25 Map 401 Lot 5

**You are hereby ordered to CEASE AND DESIST
the site work activity at 41 NH Route 25**

1. The Special Exception granted on March 30, 2021 explicitly required Site Plan approval from the Planning Board. That approval has not been granted.

ZBA Case No: #95: 1. Site Plan approval shall be received from the Effingham Planning Board.

2. The Effingham Zoning Ordinance requires Site Plan Approval from the Effingham Planning Board for all non-residential uses.

ARTICLE 10 CONDITIONS FOR APPROVAL OF PERMITTED USES [Amended 2009]

Note: The development or change or expansion of use of tracts for nonresidential uses or multifamily dwelling units is also governed under the Town Site Plan Review Regulations.

3. There is therefore no authorization in place for this activity.

Section 103 Land Use Limited to Specific Listed Uses

No structure shall be constructed, erected, placed, or altered and **no land use commenced or continued within the Town of Effingham except as specifically or by necessary implication authorized by this Ordinance** and having first secured a Building Permit from the Enforcement Officer.

Let me be clear, this property is not grandfathered for use as an Automobile Service Station, as the gas pumps were removed in 2015.

Section 703 Abandonment of Non-Conforming Use or Structure

A non-conforming use shall be presumed abandoned if the use has been discontinued for a period of two years or more.

Thank you for your cooperation.
Sincerely,

Rebecca Boyden
Zoning Enforcement Officer
cc: Effingham Board of Selectmen
Effingham Planning Board
Matthew R. Serge, Attorney
Mark E. McConkey, Land Planning Consultant