



Town of Effingham
68 School Street
Effingham, New Hampshire 03882

Rebecca Boyden, Zoning Enforcement Officer
email: zoningofficer@effinghamnh.net ~ Tel. 603.539.7147

Date: April 20, 2023
Name: Meena, LLC
Address: P.O. Box 2262, North Conway, NH 03860
Agent: Mark E. McConkey; via email
RE: Town of Effingham Address: 41 NH Route 25 Map 401 Lot 5

Dear Mr. McConkey:

This letter is to officially advise you that since the convenience store building [the Store], formerly Boyles Market, at 41 NH Route 25, has now been closed for more than two years, it is therefore required to meet all current regulations and zoning requirements to be reopened. For zoning purposes, I must now consider it as an empty building looking for a new use.

First, please make sure going forward that the Store and all its proposed activity are included in your Site Plan approval process. It may already be included (I have not read all the submissions) but with the focus on the gas pumps, something important may have been ignored about the Store and its uses. Also, the Site Plan process may address some of, but not necessarily all of, the requirements of the Effingham Zoning Ordinance.

Restaurants and Retail businesses are a Permitted Use in the RA District (Table 1 - Uses by District or Zone), but there are certain zoning requirements that must be met.

Section 1030 Restaurants

- A. All signs, if illuminated, are to be externally illuminated; and exterior lighting shall be shielded so as not be a distraction to abutters.
- B. Adequate on-site parking is to be provided at one space per expected three customers at any one time plus one space for every two employees.

Section 1031 Retail Business

- A. Retail stores are to have a maximum floor space of 2000 square feet per floor.
- B. One externally illuminated sign is permitted at a size no larger than 12 square feet.
- C. Operating hours are to be permitted between 8:00 AM and 9:00 PM seven days a week.
- D. Adequate on-site parking is to be provided at one space for every three expected customers at any one time.
- E. If parking is provided on the street side of the lot, a minimum of a two-foot-wide vegetative buffer is required.

Also, since the Store is in the Groundwater Protection District, it will need to meet any applicable requirements of Article 22. Fortunately for the owners, Restaurants and Retail are not Prohibited Uses (Section 2207) but although there are Exemptions (Section 2204) there are still some requirements that may apply to the proposed use.

Finally, if any food service is planned, I expect you to submit proof of a NHDES Food Service License, as well as verification of the sufficiency of the Septic System, when you submit your Permit Application.

Thank you for your cooperation.
Sincerely,

Rebecca Boyden
Zoning Enforcement Officer
cc: Effingham Board of Selectmen
Effingham Planning Board