

November 29, 2023

MATTHEW R. JOHNSON
TEL: 603.695.8727
MJOHNSON@DEVINEMILLIMET.COM

Lawrence Edwards, Chair
Effingham Zoning Board of Adjustment
Town Offices
68 School Street
Effingham, N.H. 03882

Re: Appeal of Meena, LLC's Site Plan Approval

Dear Chair Edwards:

I am counsel to the applicant, Meena, LLC ("Meena" or "Applicant"). I write in response to the claims raised by certain abutters in their appeal to this Zoning Board of Adjustment ("ZBA") of the conditional site plan approval obtained by Meena from the Effingham Planning Board (the "Board").

The ZBA should dismiss this appeal because the Board correctly determined that Meena's site plan application met all applicable site plan and zoning requirements and Meena holds all necessary approvals, pending final site plan approval from the Board.

Relevant Factual and Procedural History

Meena's project seeks to continue the operation of Boyle's Market and reopen gas service on property located at 41 NH Route 25, in Effingham (the "Property"). Boyle's Market has been in existence and operating since at least 1992, years before Effingham passed a zoning ordinance in 2000. As a result, the building housing the convenience store and all other aspects of the property then in existence, which have not changed and which Meena is not seeking to expand, are protected as pre-existing non-conforming uses pursuant to RSA 674:19 and Effingham Zoning Ordinance ("ZO") Section 201. This includes the diesel pump and covering and gasoline pumps and canopy, all of which are pre-existing and predate the creation of the ZO. Since its inception, this project has been delayed on numerous occasions due to the actions or inactions of the Effingham Code Enforcement Officer, Rebecca Boyden, and the actions of other opponents to this project.

Ms. Boyden issued a cease and desist letter to Meena on May 13, 2021, preventing Meena from completing its installation of new underground storage tanks so that Meena could reopen the gas station and reopen what was once known as Boyle's Market. Meena had only undertaken to install these tanks after speaking with Ms. Boyden and obtaining assurances that there were no overlay districts that needed to be considered and all that Meena needed to do was to go before the Board

for minor site plan review approval. After Meena notified the town of its intentions to install the tanks, incurring these costs, and moved forward with the installation, Ms. Boyden changed course and issued a cease and desist order based on the Board's realization that there was a Groundwater Protection District. A copy is included as **Exhibit 1**. Twice, Meena has asked the Board of Selectmen to release or modify the cease and desist order so it could cover the tanks so it would be safe to open the store to customers. Without such efforts, the conditions would be hazardous to both vehicular and foot traffic. Both times the Selectmen refused this request. The Selectmen did not rescind the cease and desist letter until September 5, 2023, after the Board granted Meena conditional site plan approval.

Meena obtained a special exception to operate an Automobile Service Station governed by Section 1005 of the ZO on March 29, 2021. RSA 674:33, (IV)(b) states that "... no special exception shall expire within 6 months after the resolution of a planning application filed in reliance upon the special exception." The Board has not issued its final site plan approval and no potential appeals have been exhausted so there has been no resolution of the planning application filed by Meena. Thus, Meena's special exception remains valid and in effect.

Similarly, Meena obtained a variance from the ZBA to operate a gas station within the Groundwater Protection District on August 6, 2021. This variance request was predicated on the use of the existing site and existing configuration. The only item relocated was the location of the underground storage tanks. The plan presented to the ZBA is functionally the same as the final plan reviewed by the Board. The only changes to the plan are the result of feedback from the Board and third party engineer. A copy of the original plan submitted to the ZBA is attached as **Exhibit 2**. RSA 674:33, I-a (a) states that "no such variance shall expire within 6 months after the resolution of a planning application filed in reliance upon the variance." The opponents delayed Meena's ability to proceed with a site plan application because they appealed the grant of the variance to the Superior Court, which affirmed the appeal on June 3, 2022. Only once the thirty day appeal period had expired could Meena even apply for site plan approval. Again, the Board has not issued a final site plan approval for Meena's application, so Meena's variance has not expired.

Throughout this process, Meena has maintained all licenses necessary to be able to reopen the store as soon as it obtained final Board approval and has never provided any indication of abandonment of the store. The store was operated up until the time of the cease and desist letter from Ms. Boyden. It was practically impossible to operate the store once the stay was in place due to safety concerns. There was a large open hole in the ground with partially completed underground storage tanks. The store did operate briefly through the drive-through window for 4 hours on 5/16/23 but only because of the position Ms. Boyden was taking regarding use of the store. While this action was unnecessary, it, at a minimum, reaffirmed that Meena never intended to abandon the store and was using the store within the two year window.

The same abutters now filing this appeal also have filed multiple court appeals challenging this project. Their original appeal caused a stay to be in effect from September 20, 2022 through April 14, 2023. They most recently filed another appeal to the Superior Court on August 13, 2023, which was later dismissed by the appellants on September 11, 2023. Now, with this appeal to the ZBA, they have triggered yet another stay of Board action due to the application of RSA 676:6.

This is the fourth appeal by opponents of Meena's project, and Meena does not yet have final site plan approval. Yet, apparently ignoring the obvious irony, it is the opponents who now claim Meena has waited too long to complete its project. It has been prevented at every turn from doing so. It violates RSA 674:33 and would be grossly unfair to now hold that Meena's variance or special exception have expired or that it abandoned the pre-existing convenience store.

Meena's Special Exception and Variance Remain in Force

As explained above, RSA 674:33 states that a special exception or variance does not expire until after a final resolution of the planning application, which has not occurred in this case. This means that the gas station use has not been discontinued for two years or more because Meena has a valid special exception and has been working with the Board to obtain final site plan approval after obtaining the special exception. As a result, the gas canopy, gas pumps, diesel canopy and diesel pumps all remain pre-existing nonconforming uses and are exempt from the application of the general setback requirements listed in the ZO. Meena is not looking to expand these uses as the plan proposes that they remain in their current location. Only the diesel pumps are proposed to be moved slightly to comply with the distance requirements set forth in Section 1005 of the ZO.

The General Setback Requirements in the ZO do not Apply to this Project

Meena obtained a variance from this ZBA to operate a gas station in the Groundwater Protection District that was affirmed on appeal. The variance imposed two specific conditions: (1) a Stormwater Management Plan, per NH DES guidelines, shall be submitted for Site Plan Review; and (2) a Spill Prevention Control and Countermeasures Plan, per NH DES guidelines, shall be submitted for Site Plan Review. A copy of this ZBA's decision is attached as **Exhibit 3**. These were the only conditions imposed by the ZBA. Per the ZO, this project was required to meet the specific requirements set forth in Section 1005 of the ZO governing gas stations as well as any relevant performance standards set forth in Section 22 of the ZO, the Groundwater Protection District. Section 1005 and the performance standards found at Section 2210 impose specific requirements on Meena that supersede the general setback requirements. To meet the stormwater management requirements mandated by the ZBA, necessitates the installation of below-ground stormwater management devices including sumps, a bioretention basin, and filtration trenching. These stormwater protection plans were the subject of extensive peer review by an engineer selected by the Board to evaluate and provide recommended changes to Meena and the Board to ensure that the performance standards were met. The engineer signed off on the final version of the stormwater management system, which required these devices to be installed on Meena's

property but within the 50 foot setback. This 50 foot setback has been identified on the site plans since at least November 2022, and the Board and reviewing engineer never raised this as a concern. See Exhibit 4 (portion of final site plans). As the ZBA knows from the original variance application, this is an existing site with existing facilities for gas and existing pavement. There are practical limits to where the mandatory stormwater protection devices can be located. These limits were obvious from the plan submitted to the ZBA with the requested variance and the modified plans presented to the Board. See Exhibit 1. As far as undersigned counsel can recall, none of the opponents of the plan ever raised this 50-foot setback issue with the Board during any of the twenty-two hearings held on this plan.

Additionally, the Board was correct in not focusing on the general setback requirements based on the ZBA conditions imposed when it granted Meena the variance. The variance required Meena to submit a Stormwater Management Plan per NHDES guidelines for site plan review. The only way for Meena to meet the ZBA condition and requirements of the NHDES guidelines was to install stormwater protection devices inside the 50-foot setback because this was a pre-existing location and already developed site. Based on the requirement of the variance, Meena would be unable to satisfy the variance conditions and meet the 50-foot setback requirements. Thus, the variance condition superseded the general fifty foot setback requirement.

Even if the general setback requirements found in Section 402 of the ZO are applicable to this project, a review of the language of the ZO as a whole demonstrates that Meena has met this requirement. The ZO defines structure but has no definition of setbacks and no specific provision stating that no structures of any type may be located within the setback. Section 402 speaks only to the minimum setback for a single structure. It does not speak to or refer to multiple structures on a single lot. Rather, a review of other provisions of the ZO makes it clear that the ZO uses the term structure and building as synonyms. Sections 201, 604, 704, 705 and 706 all use these two terms interchangeably. The only actual buildings on this Property are all outside the fifty foot setback requirement. See Ex. 4. Finally, the definition of structure within the ZO refers to “erecting” something, which denotes something that is above ground. All of the stormwater management devices approved by the Board will be installed below grade and thus are not erected or structures within the meaning of the ZO definition of structure.

The Convenience Store Remains a Pre-existing Non-Conforming Use

The convenience store has been the same size and in the same location long before the passage of the ZO in 2000. It is a pre-existing non-conforming use and as explained above, Meena has made all reasonable efforts to continue to operate the store but has been subject to a cease and desist order and land use appeals that have prevented it from doing so. It has made clear repeatedly that it is not abandoning the convenience store. It twice sought relief from the cease and desist order but was denied. It cannot abandon a use when it was prevented from exercising that use. As a result, it is not subject to Section 1031 and the square foot limitation.

Lawrence Edwards, Chair
Effingham Zoning Board of Adjustment
November 29, 2023
Page 5

Conclusion

On behalf of the applicant, Meena, I request that the ZBA dismiss this appeal in its entirety.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Matthew R. Johnson', written over a horizontal line.

Matthew R. Johnson

MRJ/dmp
Enclosures

cc: Suzanne Brunelle, Esq.

EFFINGHAM ZONING BOARD OF ADJUSTMENT

Appeal of Meena, LLC's Site Plan Approval

MEENA, LLC'S LIST OF EXHIBITS

1. Cease and Desist Order
2. Original Plan Submitted to ZBA
3. ZBA Decision dated August 6, 2021
4. Portion of Final Site Plan

EXHIBIT 1



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



Town of Effingham
68 School Street
Effingham, New Hampshire 03882

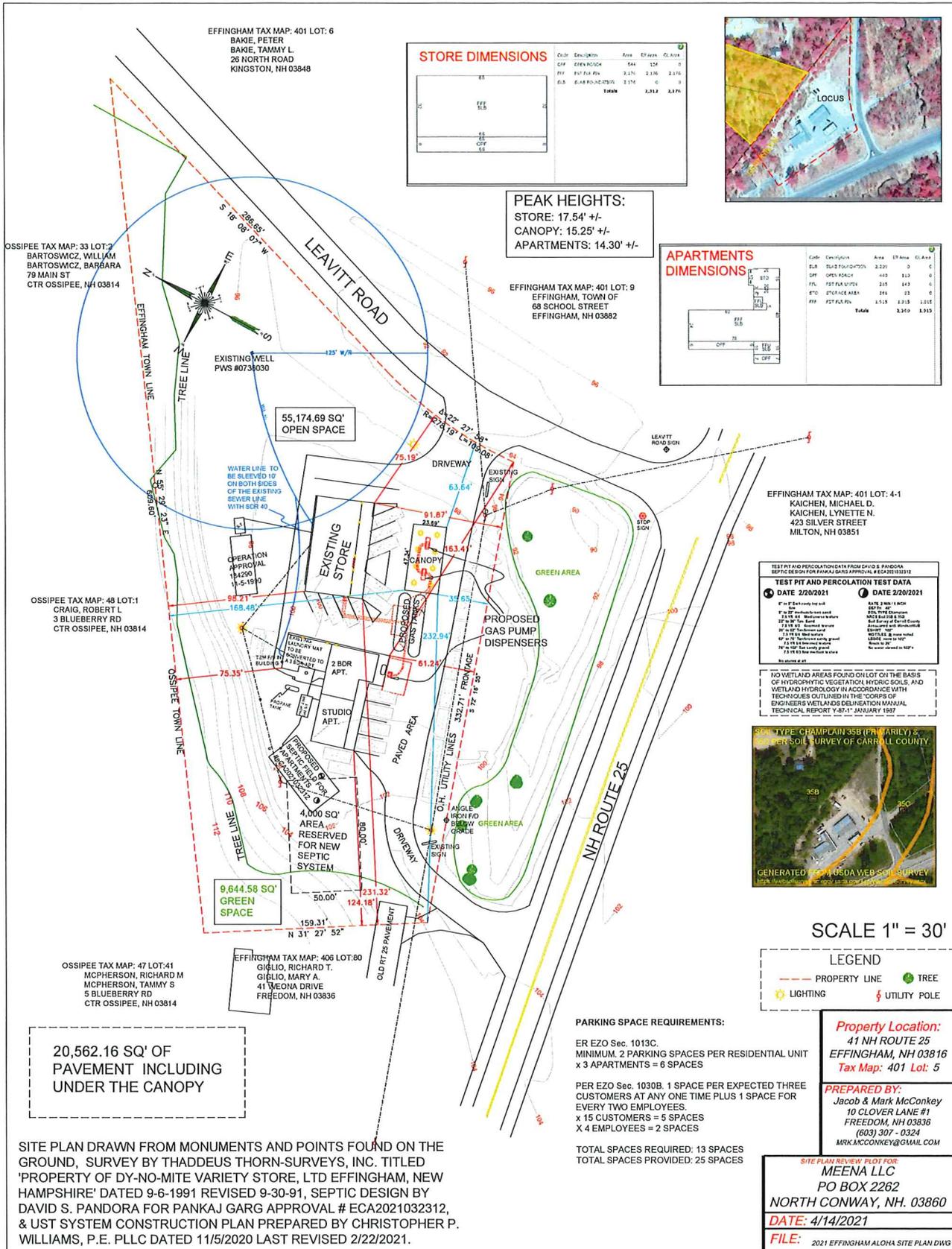
Rebecca Boyden, Zoning Enforcement Officer
email: zoningofficer@effinghamnh.net ~ Tel. 603.539.7147

Date: September 5, 2023
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 informed
That the CEASE AND DESIST
at 41 NH Route 25
has been lifted**

Rebecca Boyden
Zoning Enforcement Officer
cc: Effingham Board of Selectmen
Matthew R. Serge, Attorney

EXHIBIT 2



STORE DIMENSIONS

Code	Description	Area	EP Area	GL Area
EFF	EXISTING STORE	2,176	2,176	0
EFF	EXISTING CANOPY	2,176	0	0
TOTAL		4,352	2,176	0



PEAK HEIGHTS:
 STORE: 17.54' +/-
 CANOPY: 15.25' +/-
 APARTMENTS: 14.30' +/-

APARTMENTS DIMENSIONS

Code	Description	Area	EP Area	GL Area
EFF	EXISTING APARTMENT	2,220	0	0
EFF	EXISTING CANOPY	443	443	0
EFF	EXISTING FLOOR AREA	205	443	0
EFF	EXISTING FLOOR AREA	264	0	0
EFF	EXISTING FLOOR AREA	1,119	1,119	1,119
TOTAL		4,251	1,985	1,119

EFFINGHAM TAX MAP: 401 LOT: 6
 BAKIE, PETER
 BAKIE, TAMMY L
 28 NORTH ROAD
 KINGSTON, NH 03848

OSSIPEE TAX MAP: 33 LOT: 2
 BARTOSWCZ, WILLIAM
 BARTOSWCZ, BARBARA
 79 MAIN ST
 CTR OSSIPEE, NH 03814

EFFINGHAM TAX MAP: 401 LOT: 9
 EFFINGHAM, TOWN OF
 68 SCHOOL STREET
 EFFINGHAM, NH 03882

EFFINGHAM TAX MAP: 401 LOT: 4-1
 KAICHEN, MICHAEL D.
 KAICHEN, LYNETTE N
 423 SILVER STREET
 MILTON, NH 03851

OSSIPEE TAX MAP: 48 LOT: 1
 CRAIG, ROBERT L
 3 BLUEBERRY RD
 CTR OSSIPEE, NH 03814

OSSIPEE TAX MAP: 47 LOT: 41
 MCPHERSON, RICHARD M
 MCPHERSON, TAMMY S
 5 BLUEBERRY RD
 CTR OSSIPEE, NH 03814

EFFINGHAM TAX MAP: 406 LOT: 80
 GIULIO, RICHARD T.
 GIULIO, MARY A.
 41 MEONA DRIVE
 FREEDOM, NH 03836

TEST PIT AND PERCOLATION DATA FROM DAVID S. PANDORA, SEPTIC DESIGN FOR PANKAJ GARG APPROVAL # ECA2021032312

TEST PIT AND PERCOLATION TEST DATA	DATE 2/20/2021	DATE 2/20/2021
4" x 4" Test pit only test	10"	10"
6" x 6" Test pit only test	10"	10"
8" x 8" Test pit only test	10"	10"
10" x 10" Test pit only test	10"	10"
12" x 12" Test pit only test	10"	10"
14" x 14" Test pit only test	10"	10"
16" x 16" Test pit only test	10"	10"
18" x 18" Test pit only test	10"	10"
20" x 20" Test pit only test	10"	10"
22" x 22" Test pit only test	10"	10"
24" x 24" Test pit only test	10"	10"
26" x 26" Test pit only test	10"	10"
28" x 28" Test pit only test	10"	10"
30" x 30" Test pit only test	10"	10"
32" x 32" Test pit only test	10"	10"
34" x 34" Test pit only test	10"	10"
36" x 36" Test pit only test	10"	10"
38" x 38" Test pit only test	10"	10"
40" x 40" Test pit only test	10"	10"
42" x 42" Test pit only test	10"	10"
44" x 44" Test pit only test	10"	10"
46" x 46" Test pit only test	10"	10"
48" x 48" Test pit only test	10"	10"
50" x 50" Test pit only test	10"	10"
52" x 52" Test pit only test	10"	10"
54" x 54" Test pit only test	10"	10"
56" x 56" Test pit only test	10"	10"
58" x 58" Test pit only test	10"	10"
60" x 60" Test pit only test	10"	10"
62" x 62" Test pit only test	10"	10"
64" x 64" Test pit only test	10"	10"
66" x 66" Test pit only test	10"	10"
68" x 68" Test pit only test	10"	10"
70" x 70" Test pit only test	10"	10"
72" x 72" Test pit only test	10"	10"
74" x 74" Test pit only test	10"	10"
76" x 76" Test pit only test	10"	10"
78" x 78" Test pit only test	10"	10"
80" x 80" Test pit only test	10"	10"
82" x 82" Test pit only test	10"	10"
84" x 84" Test pit only test	10"	10"
86" x 86" Test pit only test	10"	10"
88" x 88" Test pit only test	10"	10"
90" x 90" Test pit only test	10"	10"
92" x 92" Test pit only test	10"	10"
94" x 94" Test pit only test	10"	10"
96" x 96" Test pit only test	10"	10"
98" x 98" Test pit only test	10"	10"
100" x 100" Test pit only test	10"	10"

NO WETLAND AREAS FOUND ON LOT ON THE BASIS OF HYDROPHYTIC VEGETATION, HYDRIC SOILS, AND WETLAND HYDROLOGY IN ACCORDANCE WITH TECHNIQUES OUTLINED IN THE "CORPUS OF ENGINEERS WETLANDS DELINEATION MANUAL TECHNICAL REPORT V-87-1" JANUARY 1987



20,562.16 SQ' OF PAVEMENT INCLUDING UNDER THE CANOPY

PARKING SPACE REQUIREMENTS:
 ER EZO Sec. 1013C.
 MINIMUM 2 PARKING SPACES PER RESIDENTIAL UNIT
 x 3 APARTMENTS = 6 SPACES
 PER EZO Sec. 1030B. 1 SPACE PER EXPECTED THREE CUSTOMERS AT ANY ONE TIME PLUS 1 SPACE FOR EVERY TWO EMPLOYEES.
 x 15 CUSTOMERS = 5 SPACES
 x 4 EMPLOYEES = 2 SPACES
 TOTAL SPACES REQUIRED: 13 SPACES
 TOTAL SPACES PROVIDED: 25 SPACES

Property Location:
 41 NH ROUTE 25
 EFFINGHAM, NH 03816
 Tax Map: 401 Lot: 5
PREPARED BY:
 Jacob & Mark McConkey
 10 CLOVER LANE #1
 FREEDOM, NH 03836
 (603) 307-0324
 MRK.MCCKEY@GMAIL.COM

SITE PLAN DRAWN FROM MONUMENTS AND POINTS FOUND ON THE GROUND, SURVEY BY THADDEUS THORN-SURVEYS, INC. TITLED 'PROPERTY OF DY-NO-MITE VARIETY STORE, LTD EFFINGHAM, NEW HAMPSHIRE' DATED 9-6-1991 REVISED 9-30-91, SEPTIC DESIGN BY DAVID S. PANDORA FOR PANKAJ GARG APPROVAL # ECA2021032312, & UST SYSTEM CONSTRUCTION PLAN PREPARED BY CHRISTOPHER P. WILLIAMS, P.E. PLLC DATED 11/5/2020 LAST REVISED 2/22/2021.

SITE PLAN REVIEW, PLOT FOR:
 MEENA LLC
 PO BOX 2262
 NORTH CONWAY, NH. 03860
DATE: 4/14/2021
FILE: 2021 EFFINGHAM ALOHA SITE PLAN DWG

EXHIBIT 3



Town of Effingham Zoning Board of Adjustment

Notice of Decision

Case No: #097
Map # 401, Lot # 5

Applicant Name: Meena, LLC
Address: PO Box 2262, North Conway, NH 03960

You are hereby notified that a **Variance** from the Zoning Ordinance Article 22, Section 2207A(8) has been **Granted** to operate a gas station, by a 4 to 1 vote of the Zoning Board of Adjustment, for the various reasons stated during the Board's Deliberative Session, with the following **Conditions**:

1. A Stormwater Management Plan, per NH DES guidelines, shall be submitted for Site Plan Review.
2. A Spill Prevention Control and Countermeasure Plan, per NH DES guidelines, shall be submitted for Site Plan Review.

We, the Zoning Board of Adjustment, have determined that the 8/4/21 decision granting a variance falls within the Spirit of the Ordinance and Public Interest, that Substantial Justice is served, and Surrounding Property Values will not be diminished. Further, this decision prevents Unnecessary Hardship to the applicant.

A handwritten signature in black ink, appearing to read "Theresa Swanick", is written over a horizontal line.

Theresa Swanick, Chair
Zoning Board of Adjustment
Date: August 6, 2021

Special Exceptions and Variances authorized under RSA 674:33 shall be valid if exercised within 2 years from the date of final approval. Note: The Select Board, any party to the action, or any person directly affected has a right to appeal this decision. See New Hampshire Revised Statutes Annotated (NH RSA), Chapter 677. This notice has been placed on file and made available for public inspection in the records of the ZBA and on the Town of Effingham website at effinghamnh.net. Copies of this notice have been distributed to: The Applicant, Planning Board, Select Board and Zoning Enforcement Officer.

EXHIBIT 4

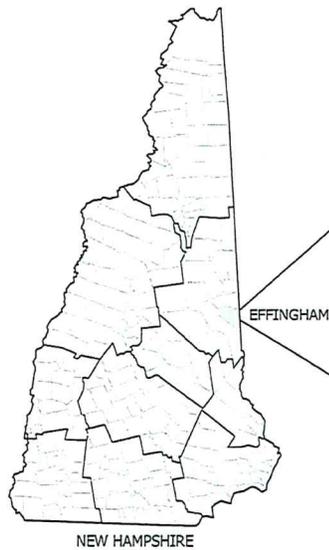
MEENA LLC

41 ROUTE 25

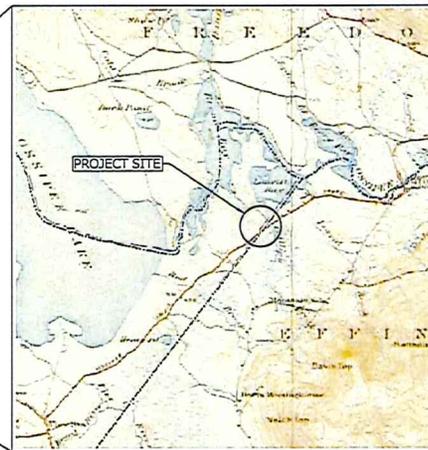
TAX MAP 401 LOT 5

EFFINGHAM, NEW HAMPSHIRE

JULY, 2022
REVISED AUGUST 2023



	COVER
DWG 21-27	BOUNDARY SURVEY PLAN
E1.00	EXISTING CONDITIONS PLAN
C1.01	SITE PLAN
SMP1.01	STORMWATER MANAGEMENT PLAN
SMP1.02	STORMWATER MANAGEMENT DETAILS
SMP1.03	BIORETENTION BASIN DETAILS



OWNER:

MEENA, LLC
41 NH ROUTE 25
EFFINGHAM NH 03882

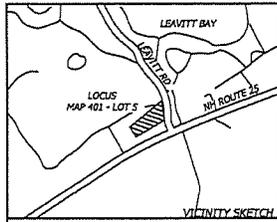
ENGINEER & SURVEYOR:

horizons
Engineering

34 SCHOOL STREET
LITTLETON, NH 03561
(603) 444-4111

DATE OF PRINT
AUGUST 07 2023
HORIZONS ENGINEERING

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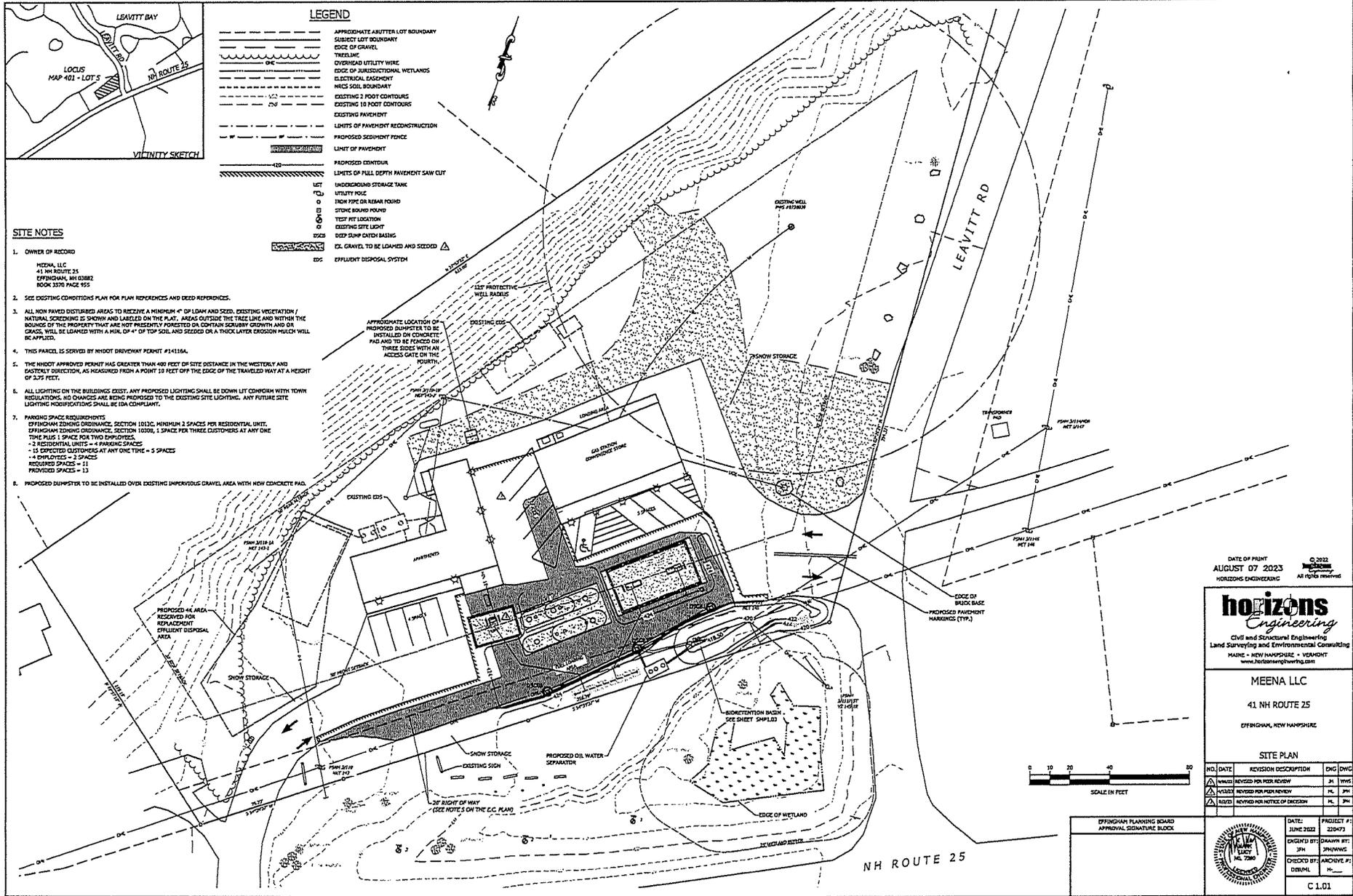


LEGEND

---	APPROXIMATE BUFFER LOT BOUNDARY
---	SUBJECT LOT BOUNDARY
---	EDGE OF GRAVEL
---	TREE LINE
---	OVERHEAD UTILITY WIRE
---	EDGE OF JURISDICTIONAL WETLANDS
---	ELECTRICAL EASEMENT
---	MECS SOIL BOUNDARY
---	EXISTING 2 FOOT CONTOURS
---	EXISTING 10 FOOT CONTOURS
---	EXISTING PAVEMENT
---	LIMITS OF PAVEMENT RECONSTRUCTION
---	PROPOSED SEDIMENT FENCE
---	LIMIT OF PAVEMENT
---	PROPOSED EXISTING
---	LIMITS OF FULL DEPTH PAVEMENT SAW CUT
---	UNDERGROUND STORAGE TANK
---	UTILITY POLE
---	IRON PIPE OR REBAR FOUND
---	STONE BOUND FOUND
---	TEST PIT LOCATION
---	EXISTING SITE LIGHT
---	DEEP SWMP CATCH BASINS
---	EX. GRAVEL TO BE LEANED AND SEEDED
---	EFFLUENT DISPOSAL SYSTEM

SITE NOTES

- OWNER OF RECORD
MEENA, LLC
41 NH ROUTE 25
EFFINGHAM, NH 03052
BOOK 2078 PAGE 955
- SEE EXISTING CONDITIONS PLAN FOR PLAN REFERENCES AND DEED REFERENCES.
- ALL NON PAVED DISTURBED AREAS TO RECEIVE A MINIMUM 4" OF LEAN AND SEED. EXISTING VEGETATION / NATURAL SUCCESSION IS SHOWN AND LABELED ON THE PLAN. AREAS OUTSIDE THE TREE LINE AND WITHIN THE BOUNDARY OF THE PROPERTY THAT ARE NOT PRESENTLY FORESTED OR CONTAIN SOLIDARY GROWTH AND OR GRASS, WILL BE LEANED WITH A MIX. OF 4" OF TOP SOIL AND SEEDED OR A THICK LAYER EXPOSURE MULCH WILL BE APPLIED.
- THIS PARCEL IS SERVED BY ROAD DRIVEWAY PERMIT #141156A.
- THE ROAD APPROVED PERMIT HAS GREATER THAN 400 FEET OF SITE DISTANCE IN THE WESTERLY AND EASTERLY DIRECTION, AS MEASURED FROM A POINT 10 FEET OFF THE EDGE OF THE TRAVELED WAY AT A HEIGHT OF 2.5 FEET.
- ALL LIGHTING ON THE BUILDINGS EXIST, ANY PROPOSED LIGHTING SHALL BE DOWN LIT CONFORM WITH TOWN REGULATIONS. NO CHANGES ARE BEING PROPOSED TO THE EXISTING SITE LIGHTING. ANY FUTURE SITE LIGHTING MODIFICATIONS SHALL BE ADA COMPLIANT.
- PARKING SPACE REQUIREMENTS**
SPRINGFIELD ZONING ORDINANCE, SECTION 1013C, MINIMUM 2 SPACES PER RESIDENTIAL UNIT.
EFFINGHAM ZONING ORDINANCE, SECTION 1030B, 1 SPACE PER THREE CUSTOMERS AT ANY ONE TIME PLUS 1 SPACE FOR TWO EMPLOYEES.
- 2 RESIDENTIAL UNITS = 4 PARKING SPACES
- 15 EMPLOYEES CUSTOMERS AT ANY ONE TIME = 5 SPACES
- 4 EMPLOYEES = 2 SPACES
REDUCED SPACES = 11
PROVIDED SPACES = 13
- PROPOSED DUMPSTER TO BE INSTALLED OVER EXISTING IMPERVIOUS GRAVEL AREA WITH NEW CONCRETE PAD.



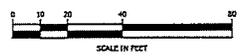
DATE OF PRINT: AUGUST 07 2023
 HORIZONS ENGINEERING
 2023
 ALL RIGHTS RESERVED

horizons Engineering
 Civil and Structural Engineering
 Land Surveying and Environmental Consulting
 MAINE • NEW HAMPSHIRE • VERMONT
 www.horizonsengineering.com

MEENA LLC
 41 NH ROUTE 25
 EFFINGHAM, NEW HAMPSHIRE

SITE PLAN

NO.	DATE	REVISION DESCRIPTION	ENG	DWG
1	06/20/23	REVISED FOR PERM REVIEW	JH	JHW
2	06/20/23	REVISED FOR PERM REVIEW	HL	JH
3	06/20/23	REVISED FOR NOTICE OF EXERCISE	HL	JH



EFFINGHAM PLANNING BOARD
 APPROVAL SIGNATURE BLOCK



DATE:	JUNE 2023	PROJECT #:	220473
DESIGNED BY:	JPH/JHW	DRAWN BY:	JPH/JHW
CHECKED BY:	ARCHIVE #:	SCALE:	AS SHOWN
DATE:			

C.1.01

2023/08/07 11:56 AM - 10/10/2023 11:56 AM - 10/10/2023 11:56 AM - 10/10/2023 11:56 AM - 10/10/2023 11:56 AM
 2023/08/07 11:56 AM - 10/10/2023 11:56 AM - 10/10/2023 11:56 AM - 10/10/2023 11:56 AM - 10/10/2023 11:56 AM