



**Raymond Zoning Board of Appeals**  
 423 Webbs Mills Road  
 Raymond Broadcast Studio  
**Minutes**  
**Special Meeting**  
**Monday, November 1, 2022**  
**VIA ZOOM**  
**8:00 pm**

**Call to order:** David Murch called the meeting to order at 8:00 pm

Roll was called and a quorum was declared

**Present:** David Murch, Chair; Greg Dean, Vice Chair; Tom Hennessey, Fred Miller and Pete Lockwood

**Staff:** Alex Sirois, CEO and Sandy Fredricks, Administrative Assistant PB & ZBA

**Attorneys Present:** Stephen Wagner for ZBA; Eric Wycoff for CEO; Leah Rachin for Management Controls LLC & Q-Team; Gregory Braun for Durant Excavating LLC and Big Lake Marine LLC

Murch read the Opening Statement into the Record as well as the Agenda.

Wagner and the Board discussed the Findings of Fact for the Big Lake Marine, LLC/Robert Durant, Member & Manager regarding 28 Whitetail property. The Board moved on ratify the Findings of Facts and Decision.

Dean moved to remove the matter from the table.

Hennessey seconded.

All in favor? 5 yes - 0 no - 0 abstain

Dean moved to deny in part and approve in part the Administrative Appeal of Big Lake Marine.

Hennessey seconded.

All in favor? 5 yes – 0 no – 0 abstain

The Board next address the Request for Reconsideration of Findings of Facts on Management Controls LLC relative to 28 Whitetail previously decided on October 25, 2022.

Murch moved to move forward with the New Business.

Dean seconded.

All in favor? 5 yes – 0 no – 0 abstain

Murch read the Request for Reconsideration into the record (see attached).

Wagner explained to the Board how the Reconsideration should be addressed.

The Board discussed how the process worked and discussed both the request made by the Town and letter from Rachin requesting great detailed reasoning to grant the Reconsideration.

FOR DETAILS, PLEASE SEE VIDEO, THE OFFICIAL RECORD OF THE MEETING

Murch stated all the timelines were met.

Murch moved to consider the Reconsideration

Dean seconded.

All in favor? 5 yes – 0 no – 0 abstain

Wycoff stated he had nothing additional to say as he said it all in the letter requesting reconsideration. The Board should reconsider and utilize the same reasoning as in the Big Lake Marine Decision.

Rachin stated, simply put, neither she nor Eric are waiving anything they have presented before. Additionally, she believed that the MCL Decision and the BLM Decision are inconsistent; and, in the event a Court must review she wanted to be sure it is clear why the change of heart. She further stated if they reconsidered, that the original Decision would be a part of the record as well. Wagner stated the second Decision would be the official Decision, however, the first one would be part of the record.

Wagner reviewed the Reconsidered Decision with the Board. Dean asked if the Board is only addressing what is requested by Wycoff or can they readdress everything. Wagner explained it was only relating to Violations 6, 7 & 12. Murch agreed they should be consistent.

The Board discussed and reviewed Violation 7 as not being duplicative of Violation 6 for the same reasons as the BLM Decision.

Murch moved to consolidate Violations 6 & 7.

Dean seconded.

All in favor? 1 yes (Dean) – 4 no (Murch, Hennessey, Miller & Lockwood) – 0 abstain

Murch moved upon reconsideration to uphold Violation 6 based on evidence presented.

Miller seconded.

All in favor? 5 yes – 0 no - 0 abstain

Dean moved to reconsider and uphold Violation 7.

Miller seconded.

All in favor? 5 yes – 0 no – 0 abstain

The Board discussed Violations 10, 11 & 12 together as opposed to BLM where they were discussed separately. The Board determined that Violation 12 is exactly the same as Violation 7 and is duplicative.

Dean moved to vacate Violation 12 as duplicative of Violation 7.

Murch seconded.

All in favor? 4 yes (Murch/Dean/Hennessey/Lockwood) – 1 no (Miller) – 0 abstain

Dean moved to approve the Decision as drafted on Reconsideration which denies the appeal in part and grants the appeal in part.

Murch seconded.

All in favor? 5 yes – 0 no – 0 abstain

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Dean moved to adjourn.  
Miller seconded.  
All in favor? 5 yes – 0 no – 0 abstain

Adjourned at 8:45