

## Town of Richmond – Motor Vehicle Race Tracks Incl. Racing, Motocross, and Road Racing

Compiled by: Dan Madnick 1/24/2024

### Current Regulations:

- Zoning Ordinance
  - Section 18.16 “Use Regulations”
    - Table 18.16.010 - Use Code 465, “Motocross Facility” is permitted only in Flextech zones
    - Section 18.16.020 Use code descriptions – 465 *Motocross facility*. A site for motorcycle racing on enclosed off-road circuits.

### Example Processes and Regulations:

- Epping, NH – MX101/New England Dragway (280 Exeter Road)
  - Contacted Jake Roger (Town Admin) and Amanda Nolan (Town Planner, 603-679-1448)
  - Towns are provided the power to make bylaws governing Motor Vehicle Racetracks per State Revised Statutes Annotated (RSA) Title III 31:41-a
  - Epping has a Motor Vehicle Racetrack checklist specifically for New England Dragway, “pre-permit requirements for racing season \_\_\_\_\_”
  - Epping has a very comprehensive by-law regarding regulation and licensing of motor vehicle racetracks
- Lempster, NH – NHMX (93 Jolly Roger Road)
  - Contacted Bob Porter (Building/Health Inspector 603-863-971)
  - NHMX operates directly through the state
    - Safety rules are regulated through the state
    - Inspected by the state frequently
      - Food, waste, trailers/RV’s
  - The Town of Lempster does not have any zoning ordinances
  - The town has repeatedly rejected enacting ordinances through referendum
  - Recently, a drift racetrack has been proposed and has opponents, but without ordinances there is no method to regulate
- Lyman, ME – MX207 (53 Bartletts Bridge Road)
  - Contacted Beka Thompson (Code Enforcement Office 207-247-0647)
  - MX207 applied to the planning board for site plan review
    - Site walks were performed
    - A Notice of Decision (NOD) was issued
  - Lyman uses “contract zoning” (since removed by town)
    - Motocross was not in the ordinances and not permitted automatically

- The developer of the motocross track had to prove that it would not negatively affect the town
  - The motocross track is licensed through the state as an “event campground”
    - Inspected by state of ME and issued an inspection report
      - Potable water, bathrooms, etc.
    - Since the motocross is not a campground, most of the licensing is not applicable
  - The Code Enforcement Officer (COE) reviews any changes to the site plan as an amendment
  - Most records are available on paper, not electronically
  - COE provided the Notice of Decision that includes all meetings
    - Any agenda, minutes, or additional records can be pulled by the COE and sent to Richmond electronically
- Southwick, MA – The Wick 338 (56 Powder Mill Road)
  - Owned by American Legion
  - Contacted Samantha (Planning Board Secretary) and awaiting a return call from Jon Goddard (Town Planner, 413-569-6056)
- Middleborough, MA – Capeway Rovers
- Minot, Maine – Hemonds MX

### **Recommendations:**

1. Revise Chapter 5.44 Article I outdoor public entertainments to include “Motor Vehicle Racetracks Incl. Racing, Motocross, and Road Racing”
  - a. Should this be expanded to be broader?
  - b. Beyond an update to the entire ordinance, should motor vehicle racetracks be a separate section due to the unique safety and fire requirements?
  - c. Should this apply to any type of motor vehicle racing, including events at Washington County Fairgrounds? In fairness, yes.
  - d. Limit noise/decibels – point to noise ordinance?
    - i. Allow for noise level readings at owner/operators expense
  - e. Set open/close season?
  - f. License must be submitted XX amount of days before open of season
    - i. Set license fee
    - ii. Public hearing for the license
  - g. Set fines for violation of license and/or ordinance
    - i. Penalties and revocation of license clause
  - h. Regulate alcohol consumption or prohibit completely?
    - i. The owner and operator must pay for EMS service at their own expense
  - j. The owner and operator must pay for fire/police at their own expense as deemed necessary by fire marshal (NFPA 610?) and police chief
  - k. The owner and operator must provide sanitary facilities and trash disposal
  - l. Allow for inspections without notice from town personnel
    - i. Who enforces (will need enforcement section)? Building inspector?

- m. No overnight camping allowed
  - n. Cash bond to protect town?
  - o. Kept secure from unauthorized use
  - p. Sufficient off-street parking must be provided (i.e. no parking on public roadway)
  - q. Any food service providers need licensing as well (town and state?)
  - r. Do we include a waiver provision determined by TC? This could be problematic
  - s. Reimbursement for any municipal services?
  - t. Fuel pad to prevent ground contamination
2. Create checklist similar to Epping, NH New England Dragway checklist (also see Lee USA Speedway Checklist and Licensing)
    - a. Includes insurance carrier and policy # - Does town require an amount?
    - b. Includes schedule and tentative rain dates for normal events and special events
    - c. Food services have proper licensing
    - d. No alcohol signs posted
    - e. Gate/Method to secure confirmed
    - f. Police and Fire marshal affirmation
    - g. Enforcement office has confirmed sanitary facilities, parking, and trash disposal
  3. Adopt similar regulations as motor vehicle racing by-laws as NH towns (see Epping, Hudson, Lee, Tamworth documentation)
  4. Consider adoption of NFPA 610 Guide for Emergency and Safety Operations at Motorsports Venues
  5. Request consultant/attorney that specializes in motor vehicle racing to review regulations to determine legality and if any items were missed

**Notes/Questions:**

- Chapter 5.44 ENTERTAINMENTS - ARTICLE I OUTDOOR PUBLIC ENTERTAINMENTS
- Does a motocross track fall under the Chapter 5.58 “SEASONAL RECREATIONAL FACILITIES AND OTHER SEASONAL TOURIST ACCOMMODATIONS”?



**TOWN OF RICHMOND, RHODE ISLAND  
RICHMOND TOWN COUNCIL  
RESOLUTION # 2025-XX  
Motorized Vehicle Racing and Racetracks**

**CHAPTER 45  
Towns and Cities**

**45-2-70. Town of Richmond – Regulation of Motorized Vehicle Racing and Racetracks**

**SECTION I**

**WHEREAS:** For the purposes of this section, a motorized vehicle shall be defined as any self-propelled vehicle, including tractors, activated by an internal combustion engine or battery and not operated exclusively on stationary tracks. A racetrack is defined as a use of land for the purpose of operating a motorized vehicle over a constructed track or course or where the continuous use of the land creates a track or course and is licensed to host races.

**WHEREAS:** The state of Rhode Island does not have any general law governing the regulation of motorized vehicle racing or racetracks. The only active location for motorized vehicle racing is situated in Richmond, in which a motocross track is permitted through local Zoning Ordinance and supported by Richmond's Comprehensive Community Plan.

**NOW THEREFORE BE IT RESOLVED:** That the Richmond Town Council respectfully requests that the Rhode Island House of Representatives and the Rhode Island Senate enact enabling legislation authorizing the Richmond Town Council to adopt an ordinance to regulate, license, and collect fee on any motorized vehicle racing or racetrack as defined in Section I of this resolution.

**BE IT FURTHER RESOLVED** that the following motion was made on March XX, 2025:

**A motion was made by Councilor XX, seconded by Councilor XX approving the Resolution regarding Motor Vehicle Racing and Racetracks.**

**Vote: President Wilcox, XX; Vice President Reynolds, XX; Councilor Dinsmore, XX; Councilor Madnick, XX; Councilor Palmisciano, XX**

**GIVEN UNDER THE SEAL OF THE TOWN COUNCIL OF THE TOWN OF RICHMOND  
THIS XX<sup>th</sup> Day of March 2025.**

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**Samantha Wilcox,  
Richmond Town Council President**

**ATTEST:** \_\_\_\_\_  
**ERIN F. LIESE, C.M.C.  
Richmond Town Clerk**

**TITLE III**  
**TOWNS, CITIES, VILLAGE DISTRICTS, AND UNINCORPORATED PLACES**

**CHAPTER 31**  
**POWERS AND DUTIES OF TOWNS**

**Power to Make Bylaws**

**Section 31:41-a**

**31:41-a Motor Vehicle Race Tracks.** – Towns shall have the power to make bylaws relating to the regulation and licensing of motor vehicle race tracks within the limits of the town, and may fix fees not to exceed \$100 annually for the operation of such race tracks, and failure to observe such bylaws shall constitute a violation and any fines collected hereunder shall inure to such uses as said towns may direct. For the purposes of this section, a motor vehicle shall be defined as any self-propelled vehicle, except tractors, activated by an internal combustion engine and not operated exclusively on stationary tracks.

**Source.** 1967, 149:1. 1973, 531:6, eff. Oct. 31, 1973 at 11:59 p.m.

# 2025 LICENSE to OPERATE a MOTOR VEHICLE RACETRACK IN THE TOWN OF LEE

A license to conduct motor vehicle racing at the **Lee USA Speedway** during the period of April 19, 2025 – November 1, 2025 is hereby granted SUBJECT TO all provisions of the Town of Lee *Racetrack Ordinance* adopted on March 10, 1977 by the Annual Town Meeting, and SUBJECT TO any revisions or amendments to the Ordinance as hereinafter enacted. The Select Board grants approval with the understanding that failure to comply with the provisions of the Ordinance shall be grounds for suspension or revocation of this license.

## TEST & TUNE

Saturday, April 19, 2025 8hrs 12pm-5pm  
Friday, October 3, 2025 4hrs 5pm-9pm

## RAIN DATES

Sunday, May 18, 2025

## 17 RACES

## CATEGORY

- |                             |   |
|-----------------------------|---|
| 1) Sunday, April 27, 2025   | Opening Day - NASCAR Racing 8hrs 12pm-8pm                         |
| 2) Thursday, May 15, 2025   | Nationals Media Day (NO MOTORS, NO RACING)                        |
| 3) Friday, May 16, 2025     | Nationals Kickoff Night 8hrs 4pm-Midnight                         |
| 4) Saturday, May 17, 2025   | Pro Stock Nationals 10hrs 12pm-10pm                               |
| 5) Friday, May 30, 2025     | Racing – Small Block Supers 8hrs 4pm-Midnight                     |
| 6) Friday, June 6, 2025     | NASCAR Racing – Pro Stocks 8hrs 4pm-Midnight                      |
| 7) Friday June 20, 2025     | NASCAR Racing – Pro Stocks 8hrs 4pm-Midnight                      |
| 8) Friday, June 27, 2025    | NASCAR Racing & Fireworks – Pro Stocks 8hrs 4pm-Midnight          |
| 9) Friday, July 11, 2025    | NASCAR Racing – Modifies 8hrs 4pm-Midnight                        |
| 10) Friday, July 25, 2025   | NASCAR Racing – Pro Stocks 8hrs 4pm-Midnight                      |
| 11) Friday, August 8, 2025  | NASCAR Racing – 8hrs 4pm-Midnight                                 |
| 12) Friday, August 15, 2025 | NASCAR Racing – Big Block Supers 8hrs 4pm-Midnight                |
| 13) Friday, August 29, 2025 | NASCAR Racing – Pro Stocks 8hrs 4pm-Midnight                      |
| 14) Friday, Sept. 5, 2025   | NASCAR Racing – Championship Racing, Pro Stocks 8hrs 4pm-Midnight |
| 15) Friday, Sept. 19, 2025  | NASCAR Racing – Cup Weekend, Pro Stocks 8hrs 4pm-Midnight         |
| 16) Sat, October 4, 2025    | Oktoberfest – RACE 10hrs 12pm-10pm                                |
| 17) Sunday, October 5, 2025 | Oktoberfest – RACE 10hrs 12pm-10pm                                |
| 18) Sat, November 1, 2025   | Racers Flea Market 8am-5pm  |

Dates & Times of operation were approved by the Select Board on December 23, 2024.

\_\_\_\_\_  
Scott Bugbee, Vice-Chair

\_\_\_\_\_  
Rebecca Hawthorne, Chair

\_\_\_\_\_  
David Benson, Selectperson

\_\_\_\_\_  
Building Inspector

\_\_\_\_\_  
Police Chief

\_\_\_\_\_  
Fire Chief

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

\_\_\_\_\_  
Town Administrator

\_\_\_\_\_  
Date

**TOWN of LEE**

**Application for License to Operate a Racetrack**

**For the Racing Season 2025**

Name of Applicant Lee USA Speedway

Business Address 380 Calef Hwy

Business Telephone 603-404-4784

Contact Person John Esburnett


Insurance Carrier/Policy Number UST008234240  
Attach Certificate of Insurance

We request a license to operate the Lee USA Speedway for the **2025** racing season. Attached is a schedule of the racing season that includes the dates, times and types of events.

Also included are tentative rain dates requested in the event a race is cancelled due to inclement weather.

We have received a copy of the Town of Lee's Revised Racetrack Ordinance and understand the requirements contained within.

Date 12/3/24

Signed   
Lee USA Speedway Representative

**FEE \$100**

## **RACETRACK ORDINANCE**

In accordance with the provisions of the New Hampshire Revised Statutes Annotated, Chapter 31, Section 41-a, as originally adopted at the Town Meeting assembled on March 10, 1977 and, as amended at the Town Meeting assembled on March 15, 1989, as amended at the Town Meeting assembled on March 11, 1992, as amended at the Town Meeting assembled on March 11, 1998 and as amended at the Town Meeting assembled on March 15, 2006, and as amended by Warrant Article 7 of the March 13, 2012 Election, as amended by Warrant Article 6 of the March 14, 2017 Election, the following regulations are adopted with respect to regulation of motor vehicle racetracks within the Town of Lee.

### **Section 1: Definitions:**

Division: Any of the standard divisions that race at a racetrack on a regular basis during a Race Season, which may include Supermodified, Late Model Sportsman, Hobby Stock, Ironman and Pure Stock, or such other divisions as may be added for a particular Race Season.

Event: A series of racing contests and/or related vehicle activities that are held on the same calendar day which may include, but not be limited to: Practice Runs; Heats; Feature Races; and Special Activities; except that Test & Tune and activities that are allowed under Section 17 of this Ordinance shall not be counted towards determining the maximum allowable number of Events under Section 4 of this Ordinance.

Feature Race: A racing contest involving Vehicles in a Division to establish final Divisional results for an Event.

Heat: A preliminary racing contest involving Vehicles in a Division to establish starting order for a subsequent contest to be held during the same Event.

Meter: Shall have the meaning provided in Schedule A, Sound Monitoring Procedures.

Motor Vehicle: For the purpose of these regulations, a motor vehicle shall be defined as any self-propelled vehicle, except tractors, activated by an internal combustion engine and not operated exclusively on stationary tracks.

Practice Run: Any use of a racetrack by a Vehicle for performance testing, driver practice and training, or similar activity during an Event that includes Races.

Race: A racing contest involving multiple Vehicles in a Division, which may be either a Heat or a Feature Race.

Race Season: Shall have the meaning provided in Section 2 below.

Rain Date: An event shall be considered complete, when five (5) heat races or feature races have been completed, whichever comes first.



Sound Measurement: A discrete sound reading captured by the Meter when operated in accordance with the Sound Monitoring Procedures provided in Schedule A.

Special Activity: A racing contest, demonstration or other Vehicle activity that does not constitute a Race as defined herein, including but not limited to Test and Tune activities. For the avoidance of doubt, a Special Activity may be a standalone Event that does not include Races or may be part of an Event that also includes Races.

**Section 2:** Motor vehicle racetracks may be open and may operate from April 1 through October 31 each year (each such time period, a “Race Season”) for automobile, go-cart and motorcycle racing only. Vehicular racing shall be limited in total operating hours per race date, including warm-up, to eight (8) hours inclusive. At no time shall said operating and warm-up time begin before 12:00 PM. No racing may be started after 11:30 PM and all racing is to stop by 12:00 midnight.

**Section 3:** Not later than sixty (60) days prior to opening of the racetrack each year, said racetrack owners and/or operators shall submit to the Selectmen, in writing, an application for a license on a form prescribed by the Selectmen, together with a proposed operation schedule for the ensuing year. Said schedule shall list the form of the vehicular racing to be scheduled on each date listed. The Selectmen may, consistent with the provisions of these regulations and the interest of public safety, health and welfare, alter the racing schedule in connection with the issuance of any license.

**Section 4:** Upon receipt of the license application, the Selectmen shall schedule a Public Hearing on the request for a license. In so doing, the Selectmen shall give notice to abutters and to the public, at the applicant’s expense, in the same manner as provided for a hearing conducted by the Zoning Board of Adjustment. At said hearing, which shall be conducted where practicable no more than thirty (30) days after receipt of the license application, the applicant shall have the burden of establishing that operation of the racetrack for the ensuing year will be in conformance with all provisions of any other Federal, State or local statute, ordinance or regulations applicable to the racetrack. Abutters and other interested parties shall be afforded an opportunity to address the Selectmen during this hearing on the subject of license issuance. A license shall be issued to the applicant if he or she satisfies, by a preponderance of the evidence, the burden of proof as specified in this section. Said license shall be valid for not more than one (1) year and shall set forth the scheduled events, not to exceed twenty three (23), plus twenty three (23) rain dates per license period, stating the date, time and a brief description of each event. A notation on the license shall indicate that such rain dates are subject to change upon written approval of the Selectmen for good cause shown.

**Section 5:** A license fee in the amount of one hundred dollars (\$100.00) per annum shall be assessed for each racetrack operation in the Town. This fee is to be paid upon application for license.

**Section 6:** No vehicular racetrack shall be operated within the Town of Lee unless the owner and/or operators shall have, upon written application to the Board of Selectmen, obtained a license to operate such vehicular racetrack contingent upon proof that said owners and/or operators can and will comply with the provisions of the Town of Lee Racetrack Ordinance.

**Section 7:** Only malt beverages, and no other alcoholic beverages, may be sold and consumed in restricted areas on racetrack property while the racetrack is open to the public for the purpose of viewing vehicular racing. No other alcoholic beverages shall be sold, consumed or allowed during such period of public viewing of vehicular racing. No malt beverages shall be sold to anyone under the age of twenty-one years, and proper age identification shall be required prior to sale. The racetrack owner and/or operator, whoever is in direct charge of the race, shall post signs advising the public of this section at visible locations within the seating areas and at each entrance gate; said signs shall also state the penalty for violation of this section. Failure of the racetrack owner and/or operator to comply with this section shall be grounds for the revocation of the license. Any person in possession of alcoholic beverages outside the restricted area in violation of this section shall be guilty of a violation. The alcoholic beverage shall be seized and disposed of in compliance with State statutes, local law or regulations. Prior to each racing season, the Board of Selectmen or their designee shall inspect to insure signs are properly posted.

**Section 8:** Authorized agents or representatives of the Town may enter, with or without notice or consent, the premises of any racetrack which holds or has applied for a license at any reasonable time and inspect and report on the conditions found as to compliance with the provisions of the regulations. It shall be the duty of the owner and/or operator of the racetrack to cooperate with such agents or representatives and permit access to any portions of said premises at their request. Failure to comply with these provisions shall be grounds for revocation or suspension of the license.

**Section 9:** The racetrack owners and/or operators shall provide, at their own expense, such Police and Fire protection as is deemed necessary by the Police Chief and Fire Chief of the Town of Lee, New Hampshire pursuant to written standards promulgated by the said Police Chief and Fire Chief to insure public safety. Said written standards shall be made available upon request and satisfactory compliance with all safety standards referred to hereinafter shall be made in writing to the respective Police Chief and Fire Chief prior to any and all scheduled racing events. A copy of these standards shall be attached to the operating license when issued.

**Section 10:** Racetrack owners and/or operators shall provide, at their expense, suitable and sufficient sanitary facilities including toilets with adequate lavatories. Restroom facilities shall be available for use by patrons at all times the racetrack is open to the public. All sanitary and washing facilities shall at all times be maintained in good working order and be in compliance with New Hampshire Health, Water Supply and Pollution Control laws and regulations and with all applicable State laws, local ordinances, regulations and/or by-laws.

**Section 11:** Racetrack owners and/or operators shall provide, during all times they are open to the public and/or operating, at their own expense, an adequate ambulance service properly licensed under the laws of the State of New Hampshire sufficient to provide for whatever

emergency their activities might cause. At no time shall the racetrack be open to the public without one (1) properly manned ambulance at the racetrack.

**Section 12:** All litter shall be cleaned up within thirty six (36) hours from the end of each racing event. This section shall be monitored by the local Health Officer during the racing season.

**Section 13:** Overnight camping shall be permitted on site in accordance with the following standards:

- A. Overnight camping shall be permitted in recreational vehicles with self-contained sanitary facilities.
- B. Such vehicles shall reside at the site only twenty four (24) hours prior to a scheduled event and no longer than twenty four (24) hours following completion of that event.
- C. A specific section of the back parking area shall be designated for this use and shall be posted on site accordingly.
- D. Camping vehicles shall not be permitted within the Shoreline Conservation District.
- E. "Gray Water" may only be discharged into approved septic facilities.

**Section 14:** Owners and/or operators of racetracks shall be responsible for any and all violations of these regulations and their license to operate such vehicular racetrack shall be contingent upon full compliance with these regulations with total cooperation and good faith. The violation of any section of these regulations shall be grounds for revocation or suspension of said license at the discretion of the Board of Selectmen.

**Section 15:** Prior to the opening of any racing season, the owners and/or operators shall post a cash bond with sufficient sureties in the amount specified by the Board of Selectmen of the Town of Lee; said bond shall be applied in the event expenses are incurred by the Town of Lee as a result of any authorized event under these regulations.

**Section 16:** No license shall be issued, and any license issued, shall be revoked or suspended at the determination of the Selectmen, unless the license shall take out and maintain in effect at the expense of the licensee a policy or policies of liability insurance in a company or companies approved by the Selectmen with limits not less than two million dollars (2,000,000.00) protecting and insuring the licensee and Town and all agents, servants and representatives of each as named insured from liability for personal injuries and property damage resulting from the ownership, use or operation of the racetrack and/or track premises. The licensee, by application for and/or acceptance of any license, shall be conclusively deemed to have agreed to indemnify the Town and its agents, servants and representatives from all liability including personal injuries and property damage coming out of the existence, use, ownership or operation of the racetrack

and/or track premises and such indemnity agreement shall be expressly covered in said policy or policies.

**Section 17:**

A. No use other than vehicular racing, race car education/safety testing and automotive-related flea markets shall be scheduled or sponsored at any vehicular racetrack within the Town of Lee without written approval of the Board of Selectmen of the Town of Lee, New Hampshire.

B. The racetrack shall be kept secure from unauthorized entry when not in use.

C. Automotive related flea markets may be scheduled on the third Sunday of May, June, July and August in addition to the traditional year-end Flea Market scheduled for the first weekend in November. It is understood that no race engines will be permitted to start during these Flea Markets; all activities will take place within the confines of the track/pit areas and only automotive-related vendors will be allowed to participate.

**Section 18:** No motorcycle event of any nature or kind will be permitted on any vehicular racetrack within the Town of Lee when said date conflicts or falls upon the same weekend as a National or regional motorcycle race of any nature or kind.

**Section 19:** The invalidity of any other section of these regulations does not affect the validity of any other section of these regulations.

**Section 20:** The Selectmen may waive or alter the provisions of these regulations for due cause shown.

**Section 21:**

A. No racetrack shall be operated in a manner that constitutes a Violation, as defined in Subsection 21. C. below. In furtherance of this objective, all Events shall be monitored in accordance with the procedures provide in Schedule A, "Sound Monitoring Procedures".

B. Any person operating a motor vehicle racetrack shall allow Town officials, or their designated representatives, to conduct from time to time, at said person's expense, such noise level test or readings that may be deemed appropriate and necessary by the Town of Lee Board of Selectmen or their authorized agents.

C. A Violation shall be deemed to have occurred as follows:

- a. Feature Races: A Violation shall be deemed to have occurred if three separate Sound Measurements exceeding 97 db are recorded (as measured in accordance with this ordinance) during a Feature Race. For the avoidance of doubt, Sound Measurements taken during the Heats and Practice Runs that relate to and precede Feature Races during an Event will not be used to determine whether a Violation occurred during that Event.


- b. Special Activities: A Violation shall be deemed to have occurred if three separate Sound Measurements exceeding 97 db are recorded (as measured in accordance with this ordinance) within any consecutive ten-minute period during a Special Activity.


D. Penalties.

- a. Feature Races: During each Race Season and with respect to each Division, the first three (3) Violations resulting from Feature Races will result in warnings only, and no financial penalties will apply. A financial penalty of \$100 will be imposed on the racetrack with respect to the fourth (4<sup>th</sup>) Feature Race Violation and such penalty shall increase by an additional \$100 for each subsequent Violation (e.g., the fifth violation shall result in a \$200 penalty, the sixth violation shall result in a \$300 penalty, etc.).
- b. Special Activities: With respect to any Event involving Special Activities, the first two (2) Violations resulting from Special Activities will result in warnings only, and no financial penalties will apply. A financial penalty of \$100 will be imposed on the racetrack with respect to the third (3rd) Special Activity Violation and such penalty shall increase by an additional \$100 for each subsequent Violation (e.g., the fourth violation shall result in a \$200 penalty, the fifth violation shall result in a \$300 penalty, etc.).
- c. Annual Accumulation of Violations: For the avoidance of doubt, Violations from previous Race Seasons will not carry over into subsequent Race Seasons. Accordingly, at the beginning of each Race Season, the Speedway will be deemed to have no Violations.

**Section 22:** In addition to any penalties set forth explicitly herein, any violation of this ordinance shall be punishable as set forth in New Hampshire Revised Statutes Annotated 651 and as amended. Upon the Selectmen of the Town of Lee, or their designated representative, shall rest the responsibilities of enforcement of the regulations.

Dated: 3/18/2017

  
John R. LaCourse, Chairman

  
Scott Bugbee

  
Cary Brown

**Town of Lee  
Board of Selectmen**



**TOWN OF LEE**  
249 Calef Highway  
Lee, New Hampshire 03861  
(603) 659-5414 x301  
Fax (603) 659-7202

December 4, 2024

## NOTICE OF PUBLIC HEARING

### LEE USA SPEEDWAY

Pursuant to the Town of Lee's Racetrack Ordinance, you are being notified as an abutter that the Select Board will hold a Public Hearing to review the License Application to Operate a Speedway, submitted by Lee USA Speedway for their 2025 racing season.

The Public Hearing will take place on **Monday, December 23, 2024, 6:00 pm** at the Lee Public Safety Complex, 20 George Bennett Road, Lee, NH.

You or your counsel are invited to appear in person to offer input regarding this matter. Written correspondence may be submitted to the Select Board's Office or emailed to [dduval@leenh.org](mailto:dduval@leenh.org) before 4:00pm on Wednesday, December 18, 2024.

Sincerely,

Denise Duval

Assistant Town Administrator





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
12/3/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Sports Insurance Specialists, LLC 14033 Illinois Rd., Suite A Fort Wayne IN 46814	<b>CONTACT NAME:</b>	
	<b>PHONE (A/C, No, Ext):</b> 260-969-0305	<b>FAX (A/C, No):</b> 260-459-1630
	<b>E-MAIL ADDRESS:</b> Shawna@kicksomerisk.com	
	<b>INSURER(S) AFFORDING COVERAGE</b>	<b>NAIC #</b>
	<b>INSURER A:</b> Firemans Fund Insurance Company	
<b>INSURED</b> PM Promotions, LLC dba Lee USA Speedway 40 Temple Street Nashua NH 03060	<b>INSURER B:</b> US Fire Insurance Company	
	<b>INSURER C:</b>	
	<b>INSURER D:</b>	
	<b>INSURER E:</b>	
	<b>INSURER F:</b>	

<b>COVERAGES</b>	<b>CERTIFICATE NUMBER:</b>	<b>REVISION NUMBER:</b>
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.		

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY			UST008234240	3/14/2024	3/14/2025	EACH OCCURRENCE	\$ 1,000,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000	
							MED EXP (Any one person)	\$ Excluded	
							PERSONAL & ADV INJURY	\$ 1,000,000	
							GENERAL AGGREGATE	\$ 5,000,000	
							PRODUCTS - COM/OP AGG	\$ 5,000,000	
							Participant Legal Li	\$ 1,000,000	
							COMBINED SINGLE LIMIT (Ea accident)	\$	
							BODILY INJURY (Per person)	\$	
							BODILY INJURY (Per accident)	\$	
A	<input type="checkbox"/> AUTOMOBILE LIABILITY			UST004917241	3/14/2024	3/14/2025	PROPERTY DAMAGE (Per accident)	\$	
	<input type="checkbox"/> ANY AUTO						EACH OCCURRENCE	\$ 1,000,000	
	<input type="checkbox"/> OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS					AGGREGATE	\$ 1,000,000	
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY						\$	
	<input type="checkbox"/> RETENTION \$							\$	
	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> EXCESS LIAB	<input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						\$	
	<input type="checkbox"/> DED							\$	
	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	<input type="checkbox"/> Y/N							\$
	<input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> N/A							\$
	<input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below								\$
B	Participant Accident			US2144499	3/14/2024	3/14/2025	\$10,000 AD&D \$10,000 Excess Medical		

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Liquor Liability provided under policy number UST008234240 ; \$1,000,000 limit; Effective 3/14/2024 - 3/14/2025

Re: 380 Calef Highway, Lee, NH 03861

Certificate Holder is included as Additional Insured, but only as respect to claims arising out of the negligence of the Named Insured.

<b>CERTIFICATE HOLDER</b>	<b>CANCELLATION</b>
Town of Lee, New Hampshire 249 Calef Highway Lee, NH 03861	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

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## Tamworth Race Track Ordinance

In accordance with the provisions of New Hampshire RSA 31:41-a and RSA 31:42 this ordinance is adopted on an interim basis by the Board of Selectmen of the Town of Tamworth to regulate motor vehicle race tracks within the Town of Tamworth.

**Purpose:** The purpose of this ordinance is to protect the public health, safety and welfare of the citizens of Tamworth, to prevent the degradation of the environment, the diminution of property values and generally to protect the quality of life in the Town of Tamworth by insuring that provisions are made for safety, control of dust, noise and glare, to insure that adequate and appropriate facilities are provided on the property to service the particular operational features of each race track licensed under this ordinance, and to insure that the operation of the race track will not be injurious, noxious or offensive to the community.

### Section 1: Definitions

Board: Board of Selectmen

Licensee: An operator who has been issued a license under this ordinance to construct, operate or maintain a Motorsport Park.

Motorsport Park: Any facility containing a "Race track" as defined below.

Motor Vehicle: Any self-propelled vehicle, except tractors, activated by an internal combustion engine and not operated exclusively on stationary tracks.

Race track: A roadway within a Motorsport Park upon which Motor Vehicles can be raced, tested and otherwise operated at high speeds.

Operator: One or more individuals or entities who own, manage or otherwise control a Motorsport Park subject to this ordinance.

Spectator Facility: A Motorsport Park at which amateur or professional Motor Vehicle races are conducted for the entertainment of the general public and where spectators are charged an admission fee.

Non-Spectator Facility: Any Motorsport Park other than a Spectator Facility.

Town: The Town of Tamworth, New Hampshire.



## Tamworth Race Track Ordinance

### Section 2: License Required; Criteria

- A. No Motorsport Park shall be constructed, operated or maintained within the Town of Tamworth unless the operator shall have first obtained a license under this ordinance for such a facility from the Board of Selectmen following at least one public hearing noticed and held pursuant to paragraph E of this section. The term of every such license shall be one year. The license is personal to the operator/applicant and is not assignable or transferable without the written approval of the Board following a public hearing. Annual application for a license shall be made on form(s) approved by the Board. Licenses shall be renewed annually upon the payment of the annual license fee without a hearing, unless the Board in the exercise of its sole discretion determines that there have been significant changes to the facility or its operations since the last license issuance, or otherwise determines to hold a hearing.
- B. An applicant for a license under this ordinance has the burden to show:
  - 1. That the proposed facility will be operated in accordance with the terms of this ordinance;
  - 2. That all terms and conditions of this ordinance will be satisfied;
  - 3. That the proposed facility will not pose an undue risk of harm to the public health, safety or welfare of the citizens of Tamworth;
  - 4. That adequate provisions will be made to control dust, noise and glare;
  - 5. That adequate and appropriate facilities are provided on the property to service the particular operational features of each race track and the reasonable needs of the people who will be present;
  - 6. That the proposed facility will not pose an undue risk to life and property;
  - 7. That the proposed facility will not be injurious, noxious or offensive to the community;
  - 8. That the proposed facility will not cause undue diminution of the surrounding property values.
- C. The Board may require that the applicant supply such additional data, information or studies that it deems necessary to assure that the facility shall be constructed and operated in compliance with this ordinance. Such additional information and studies include, but are not limited to, traffic counts, impact studies, noise monitoring and noise abatement studies.
- D. The Board shall issue a final written decision which either approves or disapproves an application under this ordinance. If the application is not approved, the Board shall provide the applicant with written reasons for the disapproval.

## Tamworth Race Track Ordinance

- E. Public notice of hearings under this ordinance shall be given by certified mail sent to all abutters and by posting the notice at the town offices and in such other public locations in the town as are calculated to be widely seen. Such notice shall include the date, time and location of the public hearing and shall be posted and mailed no later than ten (10) days prior to the date of the public hearing.

### Section 3: Uses Prohibited

- A. Only Non-Spectator Facilities as defined in this ordinance shall be eligible to be licensed by the Board; Spectator Facilities and all other race tracks are hereby prohibited.
- B. Any Non-Spectator Facility licensed under this ordinance shall be limited to racing by motor vehicles other than:
1. tractors, trailers and semi-trailers;
  2. "off highway recreational vehicles" as defined by RSA 215-A:1, VI excluding, however, from this prohibition "snow traveling vehicles" as defined by RSA 215-A:1, XIII;
  3. race cars used for professional, for-profit racing.

### Section 4: Fees

- A. A non-refundable annual license fee in the amount of one hundred dollars (\$100.00) shall be payable to the Town of Tamworth at the time of application.
- B. In addition to the annual license fee, the Board may impose reasonable fees upon an applicant to cover the costs of notice of public hearings, reasonable administrative expenses, legal assistance and review of documents and the expense of consultant services and special investigative studies.

### Section 5: Administration and Enforcement

- A. The Board or its designee shall be responsible for the administration and enforcement of this ordinance.

## Tamworth Race Track Ordinance

- B. The Board may charge an individual of their choosing with the authority to conduct inspections or perform other tasks to assist the Board to administer and enforce this ordinance.
- C. In any case involving a risk of immediate harm to the public or for other good cause shown, the Board may seek an order from a court of appropriate jurisdiction restraining the continued operation of any Motorsport Park.
- D. At the written request of an applicant or licensee and for good cause shown after public hearing, the Board may, in writing, waive any provision of this ordinance where, in the opinion of the Board, strict conformity would pose an unnecessary hardship to the applicant and the waiver would not be contrary to the spirit and intent of the ordinance. The bases on which the Board has found hardship and consistency with the spirit and intent of the ordinance shall be stated in any written grant of a waiver.
- E. The Board, upon notice to the operator and after an opportunity for a hearing before the Board, may suspend or revoke a license if the Board finds that the operator has violated any provision of this ordinance or any condition of approval attached to the issuance of the license. In the event an operator whose license has been suspended or revoked seeks reinstatement of the license, the Board shall hold a public hearing thereon and shall impose such conditions upon any reinstatement of the license as the Board deems necessary or convenient to insure the applicant's compliance with the provisions of this ordinance.

### Section 6: Inspections

Any licensee shall be deemed to have consented to administrative inspections of the facility by authorized agents or representatives of the Board at reasonable times to ensure the licensee is in compliance with the provisions of this ordinance and any conditions of approval that have been attached to the license. It shall be the duty of the licensee to cooperate with such agents or representatives and permit access to all or any portion of said facility at their request. Failure or refusal to allow such reasonable administrative inspections shall be grounds for revocation or suspension of the license.

# Tamworth Race Track Ordinance

## Section 7: Hours of Operation

A race track shall operate only between the hours of 8:00 AM to 6:00 PM Monday through Saturday and between 12:00 PM to 6:00 PM on Sundays.

## Section 8: Abandonment; Security

Before a license shall become effective, the operator shall post a performance bond, irrevocable letter of credit or other type or types of security to secure to the town such work as in the Board's opinion may be necessary to render the race track safe and unusable in the event the race track is abandoned, to prevent the race track from constituting a risk to health or safety. The Board shall have the discretion to prescribe the type and amount of the bond or other security, and to require satisfactory evidence of the financial ability of any surety or financial institution to pay such bond or other type of security. The town shall have the power to enforce such bond or other security by all appropriate legal and equitable remedies.

## Section 9: Noise

- A. Sound generated by the race track of a Motorsport Park shall not exceed a maximum value of 69 dBA at any point on the property line of the Motorsport Park. A maximum value is an instantaneous maximum as measured with sound level meter slow response.
- B. During operation of the race track of a Motorsport Park the operator shall monitor the sound level to insure compliance with this ordinance. Sound monitoring shall be performed in a manner consistent with then current professional measurement standards, methods and procedures. All data from such monitoring shall be made available to the town promptly upon request of the Board.
- C. The town, acting through its Board of Selectmen or designee, shall have the right to monitor sound levels generated by the race track at any point on the property line of the race track. Sound monitoring shall be performed in a manner consistent with then current professional measurement standards, methods and procedures.

## Section 10: Lighting

- A. Lighting in a Motorsport Park:
  - 1. shall be adequate for safety purposes;

## Tamworth Race Track Ordinance

2. shall not leave the site and create glare on adjacent properties;
  3. shall be directed to the ground and be equipped with shields and reflectors so that it does not spread excessively; and
  4. shall consist of white non-sodium lighting.
- B. The race track contained within a Motorsport Park shall have lighting for safety and security purposes only and shall not be lighted for the purpose of allowing use between sundown and sunrise.

### Section 11: Junk, Trash and Garbage

The operator shall not permit the accumulation of junk on the property, including, but not limited to tires, motor vehicle parts, barrels, drums or used equipment, and shall collect, contain and promptly and properly dispose of all trash, garbage and junk originating on the site.

### Section 12: Emergency Services

- A. At all times when a race track is in use, the licensee shall have a fully equipped and manned ambulance on the site. The operators of such ambulance shall be appropriately licensed under the laws of the State of New Hampshire.
- B. The Board may adopt and publish standards for other on-site fire, emergency rescue and traffic control facilities and services to be maintained at a Motorsport Park. These standards shall differentiate between times when the race track is in use and times when the race track is not in use. Any such duly adopted and published standards shall immediately apply to all licensed Motorsport Parks and operators and shall be enforceable conditions of each license issued under this ordinance.

### Section 13: Security

- A. Whenever a race track contained within a Motorsport Park is not in use, it shall be secured in such a manner as to prevent its unauthorized use.
- B. Any race track contained within a Motorsport Park shall be enclosed by a fence of a height and construction sufficient to preclude wildlife and unauthorized persons from gaining access to the race track.

### Section 14: Insurance

The operator shall at all times maintain general accident and public liability insurance coverage against all claims for bodily injury, death or property damage occurring

## Tamworth Race Track Ordinance

upon, in or about its facilities in an amount not less than \$5,000,000. All such insurance shall be evidenced by valid and enforceable policies issued by insurers of recognized responsibility authorized to do business in the State of New Hampshire. Certificates evidencing such policies shall be submitted to the Board prior to the issuance of any license or annual renewal thereof.

### Section 15: Compliance with All Laws

- A. The operator of a Motorsport Park licensed hereunder shall operate such facility in compliance with all applicable laws, ordinances and rules including, but not limited to, Best Management Practices regarding the storage and handling of petroleum products, the directions of government authorities having jurisdiction over its facility and operations and the requirements of all policies of insurance providing coverage of its operations and of the National or Local Boards of Fire Underwriters.
- B. The operator of a Motorsport Park licensed hereunder shall also procure and maintain all permits, licenses and other authorizations needed for the operation of its facility, and no license or annual renewal issued under this ordinance shall be deemed effective until the operator has also received all other federal, state and local permits and licenses required by law.

### Section 16: Savings Clause

The invalidity of any section of this ordinance shall not affect the validity of any other section of this ordinance.

### Section 17: Conflict of Laws

- A. In the event a provision of this ordinance conflicts with any other applicable law or regulation, the provision which imposes the greater restriction or higher standard shall be controlling.

### Section 18: Violations

- A. Each violation of this ordinance shall be punishable by a civil penalty of \$1,000. Each day or fraction thereof of any violation of a provision of this ordinance shall constitute a separate offense.

## Tamworth Race Track Ordinance

IN WITNESS WHEREOF, the Board of Selectmen of the Town of Tamworth have hereunder set their hands this first day of October, 2003 which shall be the effective date of this ordinance.

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Lanette Goodson, Chairperson

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Matthew Weegar

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Mariette Ross

Town of Hudson, NH  
Sunday, December 29, 2024

## Chapter 264. Racetracks, Motor Vehicle

[HISTORY: Adopted by the Town of Hudson as indicated in article histories. Amendments noted where applicable.]

### GENERAL REFERENCES

Alcoholic beverages — See Ch. **158**.

Noise — See Ch. **249**.

Outdoor gatherings and activities — See Ch. **253**.

Vehicles and traffic — See Ch. **317**.

Zoning — See Ch. **334**.

## Article I. Licensing; Rules and Regulations

[Adopted 3-26-1983 ATM, Art. 36; BOS 4-8-1983 by Ord. No. 115]

### § 264-1. Authority.

This article is enacted pursuant to the provisions of RSA 31:41-a.

### § 264-2. Definitions.

For purposes of this article, the terms below are defined as follows:

#### MOTOR VEHICLE

Any self-propelled vehicle, except tractors, activated by an internal-combustion engine and not operated exclusively on stationary tracks.

#### PERSON

Any individual, partnership, corporation or other entity proposing to or operating a motor vehicle racetrack.

### § 264-3. License to be obtained; fee.

[Amended 7-26-1988 by Ord. No. O88-3]

Annually, before April 1, any person proposing to operate a motor vehicle racetrack within the Town of Hudson shall obtain a license from the Board of Selectmen.

[1] *Editor's Note: Pursuant to Res. No. R92-71, adopted 6-8-1992, effective 7-1-1992, this section has been revised to replace "Executive Administrator" with "Board of Selectmen." The specific*



*fees set forth in this section were removed at the request of the town. For current fees, see Ch. 205, Fees.*

## § 264-4. Regulations.

[Amended 7-26-1988 by Ord. No. O88-3; 4-8-2014 by Ord. No. 14-02; 9-15-2020]

At any motor vehicle racetrack operated within the Town of Hudson, the following regulations shall apply:

A. <sup>[1]</sup>The dates and hours of operation shall be:

(1) Dates. Racing shall be conducted on Sundays and holidays only.

(2) The hours. The afternoon races shall be from 12:00 noon to 5:45 p.m., and evening races shall be from 4:00 p.m. to 10:00 p.m.

[1] *Editor's Note: See also Art. II, Hours of Operation in June, of this chapter.*

B. Night and evening races are only permitted during the summer season; specifically, after the Hudson public schools (elementary) have closed in June and prior to the date on which they open in September

C. Every motor vehicle participating in any races sponsored by a motor vehicle racetrack in Hudson will be equipped with mufflers or noise-reduction devices, which shall be approved by the Board of Selectmen.<sup>[2]</sup>

[2] *Editor's Note: Pursuant to Res. No. R92-71, adopted 6-8-1992, effective 7-1-1992, this subsection has been revised to replace "Executive Administrator" with "Board of Selectmen."*

D. Any person operating a motor vehicle racetrack shall permit Town officials, or their designated representatives, to conduct from time to time, at said person's expense, such noise level tests or readings as may be deemed appropriate and necessary by the Hudson Board of Selectmen.<sup>[3]</sup>

[3] *Editor's Note: Pursuant to Res. No. R92-71, adopted 6-8-1992, effective 7-1-1992, this subsection has been revised to replace "Executive Administrator" with "Board of Selectmen."*

## § 264-5. Restrictions in license.

Any license issued by the Hudson Board of Selectmen pursuant to § 264-3 shall contain the following:

A. The proposed schedule of racing dates and hours of operation for which the license is requested.

B. A requirement that the person operating the motor vehicle racetrack shall make public announcements, during and at the conclusion of a day's racing activities, requesting that spectators and participants observe local speed limits,<sup>[2]</sup> refrain from littering and excessive noise and refrain from using streets when prohibited by local ordinance.<sup>[3]</sup>

[2] *Editor's Note: For speed limit provisions, see Ch. 317, Vehicles and Traffic.*

[3] *Editor's Note: For street use restrictions, see Ch. 317, Vehicles and Traffic.*

C. A requirement that the person operating the motor vehicle racetrack provide adequate trash receptacles on the premises, that said receptacles be emptied on a regular basis and that the premises constituting the racetrack be maintained in a neat and orderly fashion, including the parking areas, and that all cleanup activities be completed within 24 hours of the conclusion of any day's racing activities.

D. A requirement that the racetrack be kept secure from unauthorized entry when not being used.

[1] *Editor's Note: Pursuant to Res. No. R92-71, adopted 6-8-1992, effective 7-1-1992, this section has been revised to replace "Executive Administrator" with "Board of Selectmen."*

## § 264-6. Inspections.

[Amended 7-26-1988 by Ord. No. O88-3]

The Hudson Board of Selectmen, Building Inspector and Health Officer are authorized to make announced or unannounced inspections of the property to ensure compliance with the requirements of this Article and any license issued hereunder.

[1] *Editor's Note: Pursuant to Res. No. R92-71, adopted 6-8-1992, effective 7-1-1992, this section has been revised to replace "Executive Administrator" with "Board of Selectmen."*

## § 264-7. Insurance.

[Amended 7-26-1988 by Ord. No. O88-3]

Any person operating a motor vehicle racetrack shall be required to provide such insurance as may be deemed necessary and appropriate by the Hudson Board of Selectmen. Certificates of said insurance shall be filed with the Board of Selectmen prior to the commencement of any racing season or meet.

[1] *Editor's Note: Pursuant to Res. No. R92-71, adopted 6-8-1992, effective 7-1-1992, this section has been revised to replace "Executive Administrator" with "Board of Selectmen."*

## § 264-8. Violations and penalties.

[Amended 7-26-1988 by Ord. No. O88-3]

A. Any violation of the provisions of this Article or of a license issued by the Board of Selectmen hereunder shall be punishable by a fine not to exceed \$100 for each day that said violation exists. Any fines collected hereunder shall be paid into the general fund of the Town of Hudson.

B. In addition to or instead of monetary fines, the Board of Selectmen is hereby authorized to revoke any permit issued hereunder where a violation of this Article or of a license issued hereunder exists and the same has not been corrected within five days of sending notice of the violation to the person operating the motor vehicle racetrack.

[1] *Editor's Note: Pursuant to Res. No. R92-71, adopted 6-8-1992, effective 7-1-1992, this section has been revised to replace "Executive Administrator" with "Board of Selectmen."*

## § 264-9. Variances.

[Amended 7-26-1988 by Ord. No. O88-3]

The Board of Selectmen is hereby authorized to vary the requirements set forth in § **264-4B** and **C** and the restrictions in § **264-5** if, in the opinion of the Selectmen, a significant hardship exists for the person operating the motor vehicle racetrack and no significant harm will result to the public health, safety and welfare.

[1] *Editor's Note: Pursuant to Res. No. R92-71, adopted 6-8-1992, effective 7-1-1992, this section has been revised to replace "Executive Administrator" with "Board of Selectmen."*

## Article II. Hours of Operation in June

[Article 24, voted in the affirmative 3-15-1985 by the Annual Town Meeting, reads as follows: "To see if the Town will vote that, because of seasonal hot weather in the month of June that presents an unnecessary and unhealthy hardship, due to an ordinance which requires daytime racing only from noon to 5:45 p.m. until grammar school closing, the Hudson Speedway be allowed to operate on the first three Sundays of June between 3:00 p.m. and 8:30 p.m. in the daylight hours."]

[1] *Editor's Note: See also § **264-4B** and **C**.*

## **BY-LAWS RELATING TO THE REGULATION AND LICENSING OF MOTOR VEHICLE RACE TRACKS**

Pursuant to Chapter 31, Sections 41-a and 42 of the New Hampshire Revised Statutes Annotated, as amended, the Town of Epping does hereby adopt the following By-Laws governing motor vehicle race tracks operating within the Town during the said hours premises is used as a motor vehicle race track.

For purposes of these By-Laws, as defined by RSA S31:41-a, a motor vehicle shall mean "any self-propelled vehicle, except tractors, activated by an internal combustion engine and not operated exclusively on stationary tracks."

ARTICLE I: The operational season for motor vehicle race tracks shall begin on April 1 and end on October 31 of each year. When there are less than five (5) Sundays in April in a year, race tracks may begin on the last Sunday in March. During such season, race tracks may operate on the following days during the following hours:

Wednesday	1:00 PM	5:00 PM *
	6:00 PM	10:30 PM
Friday	6:00 PM	11:00 PM
Saturday	9:00 AM	11:00 PM
Sunday	9:00 AM	9:00 PM

\* Single Car Practice Only

The police officer in charge at the race track or any member of the Board of Selectmen may allow the owner and/or operator of the race track to operate beyond those hours specified above when emergency conditions arise which prevent the completion of the advertised racing schedule within the said specified hours of operation. An emergency condition shall include but not be limited to, any substantial mechanical breakdown or failure of a motor vehicle, major accidents, or unexpected severe weather conditions.

Any emergency condition not expressly covered by this Article I shall be addressed to the police officer in charge for his determination as to whether an emergency condition exists. No race shall begin after the hours of operation as specified above without prior approval from the Board of Selectmen. Under no circumstances shall racing continue after twelve midnight. Additional days and hours of operation may be approved by the Board of Selectmen upon timely written application from the race track owner and/or operator.

ARTICLE II: Only malt beverages, and no other alcoholic beverages, may be sold and consumed in restricted areas on race track property while the race track is open to the public for the purpose of viewing vehicular racing and other events as approved by the Board of Selectmen. No other alcoholic beverages shall be sold, consumed, or allowed during such period of public viewing of vehicular racing or other approved events. No

malt beverages shall be should to anyone under the age of twenty-one years, and proper age identification shall be required prior to sale.

The race track owner and/or operator, whoever is in direct charge of the race track property, shall post signs advising the public of this section at visible locations within the seating areas and at each entrance gate; said signs shall also state the penalty of violation of this section. Failure of the race track owner and/or operator to comply with this section shall be grounds for the revocation of the license. Any person in possession of alcoholic beverages outside of the restricted area in violation of this section may be summoned and subject to court prosecution as prescribed by law. The alcoholic beverages shall be seized and disposed of in compliance with State statutes, local law or regulations. The "restricted area" for the consumption of malt beverages shall comply with the Statutes and all applicable laws and/or regulations of the State of New Hampshire."

ARTICLE III: Sufficient police protection and traffic control personnel as may be required by the Chief of Police and as specified by RSA S105:9 shall be provided on the race track premises at the expense of the race track owner and/or operator.

ARTICLE IV: Sufficient fire protection equipment, personnel, planning and facilities as may be required by the Fire Chief shall be provided on the race track premises whenever the facility is open to the public and includes scheduled and nonscheduled events, track rentals, practice sessions and private sessions at the expense of the race track owner and/or operator.

Protection, equipment, personnel, planning and facilities shall adhere to all provisions of National Fire Protection Association 610 (NFPA 610) "Guide for Emergency and Safety Operations at Motorsports Venues."

ARTICLE V: The owner and/or operator of a motor vehicle race track shall reimburse the Town for such police and fire protection and traffic control personnel as may be furnished by the Town in accordance with Article III and Article IV. Payment shall be made to the Town no later than ten (10) business days after the receipt of the bill for services rendered by the owner and/or operator.

Should payment not be made in accordance with this Article V, an interest charge of eighteen (18%) percent per annum or Twenty-five dollars (\$25.00) per day, whichever is greater, shall be assessed against the unpaid balance. The Board of Selectmen, in its discretion, may revoke the operational license of the race track until such payment is made.

ARTICLE VI: Adequate ambulance service shall be provided on the race track premises at all times during which the race track is open to the public and includes scheduled and nonscheduled events, track rentals, practice sessions and private sessions at the expense of the race track owner and/or operator. In determining what is adequate, consideration shall be given to the nature of the activities being conducted,

the number of persons present on the race track premises, and the requirements of the Fire Chief.

A Memorandum of Understanding shall be executed annually by the Fire Chief and the race track owner and/or operator detailing requirements for emergency medical services to include transport and standby responsibilities for the ensuing year prior to Fire Chief approval.

ARTICLE VII: During the operating season, sufficient sanitary facilities shall be provided on the race track premises. Such facilities shall include men's and women's rest rooms containing suitable toilet and lavatory facilities, which shall be maintained in good working order and in full compliance with all applicable laws, ordinances and regulations. The Health Officer is charged with the enforcement of this Article VII, and shall make such inspections at such times as may be deemed necessary in order to ensure compliance herewith.

ARTICLE VIII: Sufficient off-street parking shall be provided to accommodate all patrons of the race track.

ARTICLE IX: No later than the last day in November of each year for the next year's schedule, the owner and/or operator of a race track shall submit to the Board of Selectmen a written operating schedule for the ensuing year. The Board may, consistent with these By-Laws and other applicable laws, ordinances, and regulations, make such changes in the operating schedule as it deems proper.

ARTICLE X: No motor vehicle race track shall be operated within the Town unless the owner and/or operator has, upon written application to the Board of Selectmen, obtained a license to operator such race track in accordance with these By-Laws. The license fee paid to the Town shall be One Hundred Dollars (\$100.00) annually. All such operational licenses shall expire one year from the date of issue.

ARTICLE XI: Certificates of insurance shall be required from all motor vehicle race track owners and/or operators prior to the commencement of any race. Failure to comply with this Article XI may result in the suspension of the operational license.

ARTICLE XII: At least one ambulance and sufficient police protection and traffic control personnel shall remain on the race track premises until the majority of the general public has departed following the close of operational hours, as determined by the police officer in charge.

ARTICLE XIII: Temporary overnight lodging shall be permitted on the race track premises for race car driver, owners and crew in accordance with the following standards:

- a. Overnight lodging shall be permitted only in recreational vehicles with self-contained toilet and lavatory facilities.

- b. Such recreational vehicles shall be permitted on the race track premises no more than 48 hours prior to a scheduled event and no longer than 12 hours following completion of such event.
- c. A portion of the race track premises shall be designated as the approved sleeping area and shall be posted accordingly.
- d. Only "Grey Water" may be discharged into approved septic facilities on the race track premises. "Grey Water" is defined as wash and laundry water.
- e. Sanitary facilities shall be provided on the race track premises as deemed necessary by the Health Officer and in accordance with all applicable laws, ordinances and regulations.
- f. Adequate security shall be provided at the expense of the owner and/or operator whenever temporary lodging is permitted on the race track premises.

ARTICLE XIV: In accordance with RSA S143-A:4, all food service establishments located on or adjacent to the race track premises shall be required to obtain a food service license from the State of New Hampshire, Department of Health and Human Services, Division of Public Health Services, prior to the issuance of a Town permit to operate such establishment.

ARTICLE XV: Prior to the issuance of a motor vehicle race track license, the owner and/or operator shall schedule with the Code Enforcement Officer an appointment to inspect the race track premises for compliance with all applicable laws, ordinances, regulations and these By-Laws.

The Code Enforcement Officer shall be charged with the enforcement thereof and shall conduct a minimum of two on-site inspections during the operational season, one of which may be unannounced. The Code Enforcement Officer shall notify the owner and/or operator in writing of any violation(s) within seventy-two (72) hours of his discovery of same. The owner and/or operator shall correct such violation(s) within five (5) days of receipt of notification. Failure to correct such violation(s) may result in the suspension or revocation of the motor vehicle race track operational license. After public hearing, the Board of Selectmen may suspend or revoke such operational license indefinitely for any and all violations not corrected in accordance with this Article XV.

ARTICLE XVI: The Board of Selectmen may, upon written application, waive the provisions of these By-Laws for good cause shown after a public hearing, of which all abutters have been duly notified in writing.

ARTICLE XVII: If the owner and/or operator of a race track knowingly violates these By-Laws, a one hundred dollar (\$100.00) fine may be imposed for the first offense and a fine not to exceed five hundred dollars (\$500.00) may be imposed for each subsequent offense during the calendar year. Willful disregard of any such violation may be

punished by a fine not to exceed five hundred dollars (\$500.00). The Board of Selectmen and the Chief of Police are authorized to enforce and/or prosecute any violation(s) of these By-Laws.

ARTICLE XVIII: The invalidity of any provision or provisions of these By-Laws shall not affect the validity of any other provision hereof.

Adopted by Article 20, March 1971 Town Meeting  
Amended by Article 36, March 1976 Town Meeting  
Amended by Article 14, March 1977 Town Meeting  
Amended by Article 15, March 1986 Town Meeting  
Amended by Article 18, March 1990 Town Meeting  
Amended by Article 32, March 1994 Town Meeting  
Amended by Article 26, March 2018 Town Meeting  
Amended by Article 18, March 2021 Town Meeting





# **MOTOR VEHICLE RACE TRACK**

Pre Permit Requirements

## **NEW ENGLAND DRAGWAY**

For Racing Season \_\_\_\_\_

- ☐ 1. Race Track operating schedule and current track rules must be received by the Board of Selectmen prior to issuance of permit.
- ☐ 2. Current Alcoholic Beverage License from the State of New Hampshire (if applicable).
- ☐ 3. "No alcohol beverages allowed except for designated area" signs posted conspicuously on Race Track property and entrances.
- ☐ 4. Affirmation of police protection and traffic control as specified by the Town of Epping. \_\_\_\_\_ Police Chief.
- ☐ 5. Affirmation of fire and ambulance protection as specified by the Town of Epping. \_\_\_\_\_ Fire Chief.
- ☐ 6. Certificate of Insurance must be received prior to the issuance of permit.
- ☐ 7. All food service establishments located on or adjacent to the property of the Motor Vehicle Race track must have obtained a food service license from the State of New Hampshire Department of Public Health prior to issuance of permit.
- ☐ 8. Code Enforcement Officer and Health Officer shall inspect the property and facilities for compliance with all Town of Epping ordinances and/or regulations. \_\_\_\_\_ Code Enforcement Officer.
- ☐ 8. Annual license fee paid. \_\_\_\_\_ Town Administrator.

**TOWN OF LYMAN, MAINE  
PLANNING BOARD  
SITE PLAN REVIEW  
NOTICE OF DECISION**

**Permit No. SPP-23-009**

**Map 9 Lot 3-1**

**TO: George Stuart  
P.O. Box 207  
East Waterboro, ME 04030**

This is to inform you that the Planning Board has acted on your application to continue to operate your business operations at MX 207.

The Planning Board voted on this Notice of Decision on December 20, 2023, after considering additional information and documentation submitted by the applicants.

**Findings of Fact:**

1. An application was submitted on April 5, 2023
2. The application fee of \$300 was received.
3. The deed was provided, as recorded in York County Registry of Deeds Book 13176, Page 256
4. This property is located at 53 Bartlett's Bridge Road
5. This property is further denoted as Tax Map 9 Lot 3-1
6. The property is located in the Commercial/Residential district and consists of approximately 79.57 acres.
7. The applicants submitted a survey dated July 28, 2004, performed by Owen and Haskell, Inc.
8. The applicants marked up the site plan to show the locations of existing buildings, current and parking areas, outdoor lighting, and existing utilities.
9. The Board held meetings on April 5, 2023, April 19, 2023, May 3, 2023, May 17, 2023, June 7, 2023, June 21, 2023, and November 15, 2023, on this application. The sixteen standards were addressed at the November 15, 2023, meeting. A special meeting with the Southern Maine Planning and Development Commission on this application was held on July 12, 2023. Site walks at the property were conducted on May 10, 2023, and June 10, 2023.
10. The application was deemed complete on April 5, 2023
11. A **Public Hearing** was held on December 20, 2023. Applicant George Stuart explained the project and answered questions.
12. A temporary permit to continue operations until October 31, 2023, was approved on April 5, 2023
13. Section 8.3.6 of the Lyman Zoning Ordinance was used to review this application.

**Findings and Conclusions:**

The applicants propose to continue their operation of a motorcycle motocross venue.

**Standard 1: Will meet the definitions of the use, the Zoning District requirements and any other requirements set forth in the ordinance.**

Findings: The property is in the Commercial zoning district, and the proposed business is an allowed use in that district.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 2: Will not have a significant detrimental effect on the use and peaceful enjoyment of abutting properties as a result of noise, vibrations, fumes, odor, dust, light, glare, traffic, or other cause.**

Findings: We have heard no complaints about the operation of this facility.

Conclusion: Based on the above information and the information in the record the Boards finds the applicant meets this standard by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 3: Will not have a significant adverse effect on the adjacent or nearby property values.**

Findings: They have been there for a long time and are operating without issues.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 4: Will not create a hazard to pedestrian or vehicular traffic or significant traffic congestion.**

Findings: It seems like the traffic flow in and out of the facility has been no issue.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 5: Will not result in fire danger.**

Findings: The applicant has been in constant conversation with the Goodwins Mills Fire Department.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 6: Will not result in flood hazards or flood damage, drainage problems, ground or surface water contamination or soil erosion.**

Findings: The operation of this business through the years has had no concern.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                      No 0                      Abstain 0

**Standard 7: Will not create a safety hazard because of inadequate access to the site, or buildings for emergency vehicles:**

Findings: The Board has addressed this at some length, along with the fire department's involvement.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                      No 0                      Abstain 0

**Standard 8: Has proposed exterior lighting which will not create hazards to motorists traveling on adjacent public streets, is adequate for the safety of occupants and users of the site and will not damage the value or diminish the usability of adjacent properties.**

Findings: No new lighting has been suggested here and the lighting that is in place now has been adequate.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                      No 0                      Abstain 0

**Standard 9: Makes provisions for buffers and on-site landscaping which provide adequate protection to neighboring properties from detrimental features of the development. The applicant shall provide a plan prepared by a Registered Landscape Architect, or other qualified professional approved by the Planning Board.**

Findings: The applicant has mentioned that surrounding the property there is a wooded area which serves as a buffer, and Gorham Sand and Gravel on one side, which shouldn't be a problem. The applicant has on file with their original application a plan prepared by a professional, and they aren't changing anything.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                      No 0                      Abstain 0

**Standard 10: Makes provisions for vehicular parking, loading, unloading, as well as vehicular and pedestrian circulation on the site, and onto adjacent public streets which would neither create a hazard to safety nor impose significant burdens on public facilities.**

Findings: The applicant has provided a parking plan diagram.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                      No 0                      Abstain 0

**Standard 11: Makes adequate provisions for the disposal of wastewater and solid waste for the prevention of ground or surface water contaminations.**

Findings: There is no septic system, the applicant provides porta potties onsite for the use of people in attendance. The Board requested a cement pad for refueling equipment be installed, the applicant has not completed this as the refueling area is being moved. There currently is a 24x24 foot cement pad that is being temporarily used.

Conclusion: Based on the above information and the information in the record the Board finds the applicant will meet this standard with the condition that once the approved fueling pad is installed, in the meantime they are able to use the interim pad by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 12: Makes provisions to control erosion and sedimentation.**

Findings: The applicant meets the requirements.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 13: Makes adequate provisions to handle storm water run-off and other drainage on the site.**

Findings: The operations have been such over the years that I don't think this has been an issue. The applicant also has installed underground plumbing that plumbs all the rainwater drainage back to the pump pond which we use for irrigation.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 14: Provides for a water supply which meets the demands of the proposed use and meets the needs for fire protection purposes.**

Findings: The applicant has a pump pond onsite, and the Goodwins Mills Fire Department has been supportive of the new device installed so they can use the hydrant there for fire suppression if necessary.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5                  No 0                  Abstain 0

**Standard 15: Makes adequate provisions for the transportation, storage and disposal of hazardous substances and materials as defined by State and Federal Law; The storage of chemicals,**

**explosives, or hazardous items as defined by the National Fire Protection Association Code 704, Class 3 or 4 materials are not permitted.**

Findings: Adequate storage will be provided for fuel used by onsite equipment; racers supply their own fuel.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5              No 0              Abstain 0

**Standard 16: Will not have an adverse impact on significant scenic vistas or on significant wildlife habitat which could be avoided by reasonable modification of the plan.**

Findings: The applicant meets the requirements.

Conclusion: Based on the above information and the information in the record the Board finds the applicant meets this standard by a vote of:

Yes 5              No 0              Abstain 0

Based on the above findings and conclusions, on November 15, 2023, the Planning Board voted to approve your application to open and operate a motocross raceway, under the allowed permitted use of Recreational Facility category in the Commercial District of the Lyman Zoning Ordinance. With the following conditions:

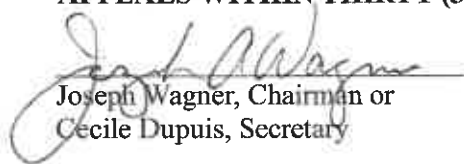
1. Approval is dependent upon, and limited to, the proposals and plans contained in this application; supporting documents, oral representations submitted and affirmed by the applicant, and any variation from the plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board.
2. It is the applicant's responsibility to obtain all other state required permits associated with this use.
3. Approval is dependent upon the applicant meeting the following conditions:
  - a. any future sales of food by the applicant will be subject to the review and approval of the State Department of Health and Human Services
  - b. on-site review of the facility may be conducted biannually by the Code Enforcement Officer, the Goodwins Mills Fire Department and the Lyman Electrical Inspector
  - c. the applicant will notify the Planning Board of any proposed change in the use of the facility.
  - d. the Code Enforcement Officer and the Planning Board will be notified of the location of a fueling pad before the reopening of operations at the facility.
  - e. continue to work with the Goodwins Mills Fire Department to ensure safety at the venue!

Upon presentation of this permit signed by the Planning Board, the Lyman Code Enforcement Officer is authorized to grant the applicants the necessary permit(s). **It is your responsibility to apply for these permits.**

**This Notice of Decision must be recorded at York County Registry of Deeds within ninety (90) days of the approval date.**

**NOTE: PLEASE BE ADVISED THAT THIS DECISION CAN BE RECONSIDERED BY THE PLANNING BOARD WITHIN THIRTY (30) DAYS.**

**ANY PERSON AGGRIEVED BY THIS DECISION CAN APPEAL TO THE ZONING BOARD OF APPEALS WITHIN THIRTY (30) DAYS.**

  
Joseph Wagner, Chairman or  
Cecile Dupuis, Secretary

Date 2/24/2024

**State of Maine**  
**York, ss.**

Date: 2/21/2024

Then personally appeared the above-named Joseph Wagner, Chairman/Secretary of the Lyman Planning Board, acknowledged the above instrument to be his/her free act and deed in his/her said capacity.

Before me,   
Notary Public  
My Commission expires: 1/31/2031

**REBEKAH S. THOMPSON**  
Notary Public  
My Commission Expires  
Jan. 31, 2031

Cc: Assessor  
Code Enforcement Officer  
Select Board  
Town Manager  
Town Clerk



MAP # \_\_\_\_\_ LOT # \_\_\_\_\_ DATE \_\_\_\_\_ PERMIT# SR \_\_\_\_\_ - \_\_\_\_\_ PMT RECEIVED \_\_\_\_\_ NOD \_\_\_\_\_  
-----above to be filled in by office-----

TOWN OF LYMAN PLANNING  
SITE PLAN REVIEW APPLICATION  
For General and Commercial Uses  
11 South Waterboro Road, Lyman Maine 04002  
Telephone: (207) 247-0647 Email: ceo@lyman-me.gov

☒ Primary Contact

**Owner Information** Property Owner: George W Stuart  
287 Chandler St. Duxbury, MA 02332 Mailing Address:  
53 Bartlett's Bridge Rd. Project Address:  
Lyman, ME 04002  
Email: dstuartmx207@gmail.com

**Point of Contact if Other than the Property Owner**

Note: the person(s) acting as an agent for the property owner must have written authorization from the owner giving permission to act on their behalf

Name: Danny Stuart — secondary contact  
Telephone #: C-339 793 1393  
Email: dstuartmx207@gmail.com

☐

NOTE: THIS APPLICATION MUST BE FILLED OUT IN ITS ENTIRETY, INCLUDING ALL SUBMITTALS OR IT WILL NOT  
BE ACCEPTED AND WILL BE RETURNED TO THE APPLICANT.

1. Zoning District: ☐ General Purpose ☐ Residential ☐ Shoreland ☒  
Commercial ☐ Mobile Home
2. Purpose for Application:  
☒ Proposal or plans that require Site Plan Review per the Lyman  
Zoning Ordinance  
☐ Proposal or plans that require Planning Board Approval for  
Subdivision
3. Is the property part of an approved subdivision? ☐ yes ☒ no
4. Is the property classified in any of the following (check all that  
apply)? ☐ Tree Growth ☐ Open Space ☐ Farm & Open Space  
☐ Resource Protection
5. Existing use of the property (describe in detail):  
motor sports racing, motocross and  
go kart racing, off road motorcycle racing,  
ATV Racing
6. Proposed Use of the property (Describe and be specific about the  
plans i.e. type of business, etc.):

7. Lot dimensions (include a sketch): Width \_\_\_\_\_  
Depth \_\_\_\_\_  
Road Frontage \_\_\_\_\_ Total area 85 ACRES
8. Type of sewerage disposal (include HHE-200 Forms if possible):  
Existing NONE Proposed NONE
9. Lot Coverage: Existing % \_\_\_\_\_ Proposed % \_\_\_\_\_  
\_\_\_\_\_ ☐

Existing Structures: (dimensions – length and width)

Main structure: 12 by 40 # of stories 1

Garage/shed: 10 by 10 # of stories 1

Other: (2) 8 by 40 # of stories 1 – *Shipping Container*

#### 10. SUBMITTALS

- a. **FEES:** Please make check payable to the **TOWN OF LYMAN**

**SUBDIVISIONS: \$1,000 application fee plus \$250 per**

**proposed lot**

**ALL OTHERS: \$ 250.00**

- b. A copy of the plumbing permit, if applicable. (This includes *n/a*  
already installed systems regardless of age)
- c. A current copy of the signed property deed(s).
- d. A copy of official decisions (or actions pending) of other, state, *n/a*  
federal or local officials (site location permit, minimum lot size  
waiver, Subdivision approval, Conditional Use Permits AND/OR  
Site Review Approvals, etc.)
- e. Site Plan: ILLUSTRATE the following information about the lot  
and the proposed use of the lot on a SCALE DRAWING ON  
GRAPH PAPER or a SITE PLAN PREPARED BY A SURVEYOR,  
ARCHITECT OR ENGINEER.
- Lot dimensions.
  - Names of abutting property owners. (This includes any  
property within 500 feet of the boundary lines including  
across the street.) Include the name, map and lot number,  
and mailing address of each abutter, which may be listed  
separately shall be supplied with the application.
  - Location of abutting rights of way, public or private. – *n/a*
  - Location of any abutting water bodies, including streams.
  - Exact location of existing and proposed buildings, including  
dimensions and distance of each from nearest lot line(s).
  - Location of sewage disposal system and water supply. *n/a*
  - Areas to be cleared, if applicable. *n/a*

- \* • Areas of fill, grading, cut or other earth-moving activity.
- Test pit locations, if applicable. *n/a*

11. **ONSITE:** An onsite inspection (site walk) will be conducted by the Board for each application. If you add to a structure or are building new, **you MUST have the property and proposed structure(s) staked out.** This includes boundary lines to abutting properties. ☐

PLEASE SUBMIT A TOTAL OF EIGHT (8) COPIES OF THIS APPLICATION INCLUDING THE ATTACHEMENTS LISTED ABOVE and SIX (6) STANDARD 1" X 2 5/8" MAILING LABELS for the APPLICANT and SIX (6) for the APPLICANT (S) AGENT/CONTRACTOR. ALSO PLEASE SUBMIT TWO (2) SETS OF LABELS WITH ABBUTTERS' NAMES AND ADDRESSES

**NOTE: ALL APPLICANTS WILL BE NOTIFIED IN WRITING AS TO THE TIME AND PLACE THE PLANNING BOARD WILL MEET TO REVIEW YOUR APPLICATION.**

To the best of my (our) knowledge, all information submitted on this application is true and correct. All proposed uses will be in conformance with the application and the Zoning Ordinance(s) of the Town of Lyman.

Signature: *George W Stuart* Date: *04-02-23*

(applicant/owner of property and/or Power of Attorney)

☐

**SITE PLAN CHECKLIST**

8 copies of the following information must be submitted with a complete Site Plan Application

SECTION SUBMITTED APPROVED	DESCRIPTION OF REQUIRED SUBMITTAL
8.3.4	Fee as established by the Board of Selectmen
8.3.5.C	Provide two (2) sets of mailing labels for abutters within 500' of the property. (Include mailing address and map and lot #)
8.3.8	1. A site plan drawn to scale not smaller than one-inch equals forty feet. (1" = 40') 2. Name and address of the applicant plus the name of the proposed development. 3. Total floor area, ground coverage and location of each proposed building, structure, or addition





53 Bartlett's  
Bridge Rd

202 4 5