

Barbara Irvine

From: Berta Veale <bveale@metrocast.net>
Sent: Wednesday, October 27, 2021 5:44 PM
To: Barbara Irvine
Subject: RE: Planning, Land Use, and Conservation

External (bveale@metrocast.net)

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[EXTERNAL]

Thank you Barbara.

From: Barbara Irvine <birvine@barrington.nh.gov>
Sent: Wednesday, October 27, 2021 3:37 PM
To: bveale@metrocast.net
Subject: RE: Planning, Land Use, and Conservation

Good afternoon

I am going through the minutes I will forward this to John Huckins code enforcement. jhuckins@barrington.nh.gov
I believe the gentleman you are looking for is Gary Imbrie gary.imbrie@gmail.com 20 Mills Falls Road
If he is the gentleman in the video.

You should join the Zoning Board you know our regulations. Please let me know if you need anything else.

Thanks for the information.

Barbara Irvine
Planning & Land Use Administrative Assistant
Town of Barrington
PO Box 660
333 Calef Highway
Barrington, NH 03825
603.664.0182
NEW EMAIL: birvine@barrington.nh.gov

From: Barrington NH via Barrington NH <cmsmailer@civicplus.com>
Sent: Wednesday, October 27, 2021 1:32 PM
To: Land Use <landuse@barrington.nh.gov>
Subject: Planning, Land Use, and Conservation

[EXTERNAL]

Submitted on Wednesday, October 27, 2021 - 1:32pm
Submitted values are:

Select from the menu options listed here: Planning, Land Use, and Conservation

==Please provide the following information:==

Name: Berta Veale

Email Address: Address: 564 Scruton Pond Rd

City: Barrington

State: New Hampshire

ZIP: 03825

Phone: 6036645362

Organization: Self

Please include any questions or comments:

I apologize for being a pest. But... I was wondering if the Planning Board, or Zoning Board of Adjustment or any Land Use officers, or Code Enforcement Officers realized that the ATF has its own definitions of Manufacturing, and Gunsmithing? The Merriam Webster dictionary does not mention "selling" in the definition of Gunsmith.

So on the surface if someone was a gunsmith working out of one's home, you could expect that they might "sell" a gun they made or take in a gun and repair it and receive money for the "fruits of their labor", but would you expect that they could sell guns made by other manufacturers (machine guns, silencers etc... (buy and sell)? Sounds like a retail operation to me. The ATF actually defines a Gunsmithing Business as (both c & d)<https://www.law.cornell.edu/cfr/text/27/478.11> (c) Dealer in firearms other than a gunsmith or a pawnbroker. A person who devotes time, attention, and labor to dealing in firearms as a regular course of trade or business with the principal objective of livelihood and profit through the repetitive purchase and resale of firearms, but such a term shall not include a person who makes occasional sales, exchanges, or purchases of firearms for the enhancement of a personal collection or for a hobby, or who sells all or part of his personal collection of firearms;

(d) Gunsmith. A person who devotes time, attention, and labor to engaging in such activity as a regular course of trade or business with the principal objective of livelihood and profit, but such a term shall not include a person who makes occasional repairs of firearms or who occasionally fits special barrels, stocks, or trigger mechanisms to firearms;

There are different types of Federal Firearms Licenses. Federal Firearms License 01 is what would include a "Firearms Gunsmithing Business". This is called by the ATF Federal Firearms License 01 Dealer - Gunsmith (or sometimes just Dealer). You can see that from the dealer definition above, a holder of this license is able to sell just about any firearm as long as it is "manufactured" by another person (person has a wide meaning for the ATF also), and not the "gunsmith" that is in this "Firearms Gunsmithing Business".

For a "gunsmith" to be able to sell firearms that he/she has made, they do need a Federal Firearms License 07 - Manufacturing. This is the "gem" of the FFLs from what I read. The holder can now make anything classified as a Firearm (machine gun, silencer) and ammunition, and can still be a Dealer/Gunsmith as defined above.

For me, not having any knowledge on guns but with an idea of what a gunsmith does, I would never have thought that a Firearms Gunsmithing Business would include buying and selling any type of gun.

Maybe none of this is important. We could end up with a Firearms dealer/gunsmith/manufacturer working from home near a school.

Thank you for reading,

Berta Veale

ps: it is my last note.....

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Barbara Irvine

From: Berta Veale <bveale@metrocast.net>
Sent: Wednesday, October 27, 2021 8:10 PM
To: Barbara Irvine
Subject: RE: Planning, Land Use, and Conservation

External (bveale@metrocast.net)

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[EXTERNAL]

Hi Barbara,

I may have found a disconnect in the Federal Firearms Licensing Procedure. The following is the procedure:

Interview and final review <https://www.atf.gov/firearms/apply-license>

The field office supervisor will issue an assignment to an Industry Operations Investigator (IOI) who will conduct an in-person interview with you. The IOI will discuss federal, state and local requirements with you, and go over your application with you to ensure the information is correct and current.

The IOI will then prepare a report of his/her interview, the inspection and make a recommendation to either issue you the license or deny the application. Some reasons for denial may include failure to comply with State or local law (such as zoning ordinances), evidence of previous willful violations of the Gun Control Act, or falsification of the application.

The field office supervisor will also review the report and then submit his/her recommendation to the FFLC.

Assuming that all background checks have been completed and your business address and proposed business operations are in compliance with state and local law, the FFLC will complete the application processing and issue you the license. This process will take approximately 60 days from the receipt of a properly completed application.

My interpretation of the above is that the IOI doesn't speak with anyone in any of the Town Government to see if they understand what the license is for. The applicant is the one to assure the IOI that the local laws are being satisfied. There is a section in the application that requires that the applicant provided the CLEO (Chief Law Enforcement Officer)(Barrington Chief of Police) with a copy of the Federal Firearms License Application. So the Chief of Police would know that the Federal Firearms License 01 is actually a License to be a Firearms Dealer. Neither the applicant nor the CLEO are obligated to pass information from the Application License to any other town code enforcement officer/planning board/zoning board/zoning administrator/building inspector. So the disconnect is that the Building Inspector may not know that Federal Gunsmithing is a Firearms Dealer but the Chief of Police does. Maybe the Town code enforcement Officers/planning board/building inspector etc.. should also get a copy of the FFL Application before issuing Certificates of Occupancy.

- Please see Excerpts from the FFL Application below. The FFL Application form can be found : [Application for Federal Firearms License \(FFL\)- ATF Form 7/7CR](#)

Thank you,

Berta

Business/Activity Phone _____ Tax Number _____
 Cell Phone _____ Business Email _____

9. Describe the specific activity applicant is engaged in or intends to engage in, which requires a Federal Firearms License (*sale alone does not require a Federal Firearms License*).

10. Application is made for a license under 18 U.S.C. Chapter 44 as a: (*Place an "X" in the appropriate box(es). Multiple license types may be selected. Submit the fee noted next to the box(es) with the application. Licenses are issued for a 3-year period. See instruction #5 for payment instructions.*)

Type	Description of License Type
01	Dealer in Firearms Other than Destructive Devices (<i>Includes: rifles, shotguns, pistols, revolvers, gunsmith activities, and National Firearms Act (NFA) weapons</i>) (<i>see instruction #10</i>)
02	Pawnbroker in Firearms Other than Destructive Devices (<i>Includes: rifles, shotguns, pistols, revolvers, gunsmith activities, and National Firearms Act (NFA) weapons</i>) (<i>see instruction #10</i>)
03	Collector of Curios and Relics (<i>NOTE: This is not a license to conduct business, see instruction #8</i>)
06	Manufacturer of Ammunition for Firearms Other Than Ammunition for Destructive Devices or Armor Piercing Ammunition (<i>see instruction #11</i>)
07	Manufacturer of Firearms Other than Destructive Devices (<i>see instruction #11</i>)
08	Importer of Firearms Other than Destructive Devices or Ammunition for Firearms Other than Destructive Devices, or Ammunition Other than Armor Piercing Ammunition (<i>NOTE: Importer of handguns and rifles, see instruction #9</i>)
09	Dealer in Destructive Devices (<i>see instruction #10</i>)
10	Manufacturer of Destructive Devices, Ammunition for Destructive Devices, or Armor Piercing Ammunition (<i>see instruction #11</i>)
11	Importer of Destructive Devices, Ammunition for Destructive Devices, or Armor Piercing Ammunition (<i>see instruction #11</i>)

11. Method of Payment (*Check one*)

Check (*Enclosed*) Cashier's Check or Money Order (*Enclosed*) Visa Mastercard American Express Discover

Credit/Debit Card Number (*No dashes*) _____ Name as Printed on Your Credit/Debit Card _____ Expiration _____

Address: _____



Telephone Number (with area code)

16. Do you intend to sell firearms at Gun Shows and/or conduct Internet sales? Yes No

17. Do you intend to use your license ONLY to acquire firearms to enhance your personal collection?

18. Name of Chief Law Enforcement Officer (CLEO) (Please print the name of the CLEO to whom a copy of this application was provided. See instruction #4 and definition #1.)	19. Address of CLEO (Include Code)
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ATTENTION Chief Law Enforcement Officer (CLEO): This form provides notification of a person's intent to conduct a business/activity. No action on your part. However, should you have information that may disqualify the person from obtaining a Federal Firearms License, please contact the Firearms Licensing Center toll free at 1-866-662-2750. Issuance of an FFL in no way guarantees the business/

20. Applicant Certification (Please read AND INITIAL each box)

- a. The business/activity to be conducted under the Federal Firearms License is not prohibited by any law, ordinance, or regulation in item 6. This includes compliance with zoning ordinances. (Please contact your local zoning board for more information.)
- b. Within 30 days after the application is approved, the business/activity will comply with all applicable laws, ordinances, and regulations to the conduct of the business/activity.
- c. Business/activity will not be conducted under the license until the requirements of State law have been met.
- d. A completed copy of this application has been sent (mailed or delivered) to the Chief Law Enforcement Officer of the jurisdiction in which the premises listed in item 6 is located (see instruction #4 and definition #1).
- e. As required by 18 U.S.C. 923 (d)(1)(G), I certify that secure gun storage or safety devices are sold under this Federal Firearms License to persons who are not licensees. (See definition of Curios and Relics License ONLY write "N/A" instead of initialing this certification box)
- f. Part B of this application has been completed and will be submitted for EACH responsive jurisdiction.

21. Certification: Under the penalties imposed by 18 U.S.C. 924, I declare that I have examined the information submitted in support thereof and to the best of my knowledge and belief, they are true, correct, and complete. I believe the gentleman you are looking for is Gary Imbrie gary.imbrie@gmail.com 20 Mills Falls Road Barrington, NH 03825. If he is the gentleman in the video, please contact him at imbrie@barrington.nh.gov or [603-866-2750](tel:603-866-2750).

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Town of Barrington
PO Box 660
333 Calef Highway
Barrington, NH 03825
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NEW EMAIL: birvine@barrington.nh.gov

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