

TOWN OF RICHMOND
NEW HAMPSHIRE
Office of Selectmen



DATE: March 24, 2014 Time: 7:00 PM

Minutes of the PUBLIC HEARING held pursuant to RSA 236:117, regarding the application of William Hillock and Sheri Reynolds for a license to operate a junkyard for property located at 158 Whipple Hill Road, Richmond, NH known as Richmond Auto Sales, M 410 Lots 18 & 19.

PUBLIC HEARING:

Attending: all Selectmen: Sandra Gillis, Carol Jameson, and Kathy McWhirk
Members of the public, including several abutters.

The meeting convened at the Vet's Hall. Gillis called the hearing to order at 7pm. Gillis reviewed the notice that was in the Keene Sentinel March 10, 2014 regarding licensing Richmond Auto Sales as a junkyard, pursuant to RSA 236:117 and noted that individual notices were sent by certified mail to the abutters. Gillis read RSA 236:117, License Requirements. This is a public hearing on William Hillock's application for a license to maintain and operate the Richmond Auto Sales on the property located at 158 Whipple Hill Rd., M 410, Lots 18 & 19.

Gillis reviewed the procedure used for the hearing.

William Hillock and Sheri Reynolds described the plan and indicated on the plan where the various activities were to be located. Proposed to use the garage and back pad that is already in place for stripping vehicles; further behind the garage will be storage for stripped vehicles and those that are being repaired. All fluids will be stored in the garage. The applicants are working towards being a certified green yard. They have been working with DES since 2009. Major remaining issues for DES is the yard is unorganized; which the applicant is currently working on. The property owners described how they may approach screening the property on the Whipple Hill Road frontages, they plan to build a berm inside existing stone walls with shrubbery planted on top. They further plan to plant fast growing shrubbery inside the boundary lines with their abutting neighbors to screen junkyard activity from their view.

Fred Goldberg, 216 Whipple Hill Rd., asked what is happening there now. Gillis stated they have been operating under a ZBA special exception issued in 1996. This special exception was for the operation of a commercial business; nature to be auto sales, auto body and repair. Gillis read the letter issued by the ZBA in 1996, copies to be made available for review. Gillis stated that, to her knowledge, this decision has never been appealed or enforced.

Gillis explained that currently there are no licensed junkyards in Richmond. There are 2 other properties that received a special exception by the ZBA in the late 1990's, for a total of 3. Anything else that may appear to be a junkyard is not a licensed or excepted operation.

The Board reviewed the application in detail and read the types of items/materials that are present on the location and on-site processes that may take place. The facility capacity was reviewed as well.

Roberta Jaffee asked why are there no junkyards allowed in Richmond; zoning ordinance prohibiting junkyards in Richmond. Why is this being allowed now? Sandy Perry stated the Hillock business is an expansion of the special exception. Why allowed on Whipple Hill and allowed to expand? Gillis stated that there was no enforcement of the conditions of approval of the special exception and the time passed a long time ago to do anything about it. The Town has not taken any action since 1996 to enforce or monitor that property. With a license in place, the Town has an opportunity to work with the property owner, and set criteria, monitor and enforce the conditions of approval from this date forward. If the license is denied the property owner could continue unmonitored.

Fred Goldberg noted that in the special exception issued in 1996, it was stated that a fence was required and only 6 unregistered vehicles were allowed, but they currently have approximately 200. Gillis stated that in 18 years nothing has been done by the Town. Gillis stated that licensing is the only way to handle the current growth and to regulate it.

Jean Tandy asked if this was a license for a junkyard. Is that on one property? Gillis stated that the application is to license an established junkyard occupying two lots in one ownership, M410 L18 & 19.

Eric Gott stated his concern is with water because his water supply is nearby. Hillock indicated that DES visits up to 3 times per year and frequently tests the water, adding that they find his property is not contaminated.

Richard Drew stated that all roads in Richmond are scenic roads. He stated that any plan to screen would need to go through the planning board because trees would need to be cut in order to build the berm. Hillock stated that the berm would be outside the right-of-way. Drew agreed that the scenic roads regulation would not apply and planning board approval would not be required.

Kim Mattson asked about the fire lanes and making sure they are accessible year around. She would like to know the size of the areas to be cleared for vehicle storage. Hillock stated that he would be moving and organizing the vehicles on his property to this one location. Kim Mattson asked if the Town's zoning compliance officer would be used for regular inspections. He will be involved in initial and annual inspections, reporting findings to the Selectmen.

Fred Goldberg asked if conditions would have to be fulfilled prior to issuing of a license. Gillis explained that if the license was to be granted it would be issued with conditions, which will give the applicant direction and a timeframe for making necessary changes.

Maureen Blackledge spoke in support because she is impressed that the Hillocks have been working with the DES and are working towards being green yard certified.

Richard Drew stated that at least Hillock is here trying to get licensed and is doing what the Town is asking him to do. There are several unlicensed junkyards in town doing whatever they want without regulation.

Tom Lavoie asked if there really is no enforcement of junkyards in Town. Gillis explained that the Town's regulations forbid/prohibit the existence of junkyards. If they do not exist then they cannot be regulated. This process gives the town an opportunity to regulate established junkyards and to enforce those regulations.

Sandy Holbrook asked if the license is to the land or to the owner. Gillis explained that the license is to the person and is not transferable. A special exception runs with the land.

Roberta Jaffe asked if the conditions of approval are not met can the license be revoked. Gillis explained that a reasonable time must be allowed to fulfill the conditions of approval but if not met, yes the license can be revoked.

Kim Mattson stated that there are some positive points to licensing this junkyard and by working together hopefully the area can be improved.

Lavoie asked if new "junkyards" could come into town. Gillis stated that no, Richmond does not allow junkyards. This process enables the Town to have regulatory authority over established junkyards.

Richard Drew stated that Hillock needs to be aware of the need to get an Alteration of Terrain permit issued through the state, if he plans a disturbance of land over a certain threshold acreage.

Selectman Gillis noted that the Board of Selectmen would deliberate on the license application at its regular meeting which is immediately following the public hearing, at the same place, and invited the public to remain for the deliberations.

Public Hearing closed at 8:33pm