

**Zoning Board of Adjustment Public Meeting  
Richmond Veterans Hall**

**May 21, 2014**

**7:00 PM**

**Members Present**

Sandy Perry, Chair  
Alan Schmidt, Vice Chair  
Lloyd Condon  
Mark Beauregard  
Jean Tandy

Public: Richard Drew, Matt Drew

Meeting called to order @ 7:03

Alan Schmidt stepped down as Chairman and Sandy Perry continued as acting Chairman for Map 430 Lot 11.

**2. Public Hearing continued Map 430 Lot 11:**

The application is requesting a variance from Article 4 Section 405.1 of the Richmond Zoning Ordinances.

Chairman Alan Schmidt contacted the New Hampshire Municipal Association and asked for a second opinion on 671:41.

The State Statute 674:41 blocks any subdivision on a class VI road.

Applicant Richard Drew suggested that the subdivision is not requesting a build able lot it was his interpretation that 674:41 address's a subdivision for building purposes. He went on to add that this lot was a cemetery that the family wanted to separate from the main property and insure the wetlands and area continue the peacefulness for the property. Past history has shown that the property has been excavated in the past which compromise's the integrity of the land.

Title XXVI Chapter 289 Section 289:14, 289:14-a and 289:3 assure permanent right a way over private land to enter and maintain burial grounds. RSA 289 protects the grounds for future use by the family.

Applicant and public were asked if they had any further discussion. With no further discussion the Public Hearing was closed @ 7:17 PM.

ZBA addressed **1006 Variances:**

**1006.1 The variance will not be contrary to the public interest:**

Boards conclusion was no.

**1006.2 The Spirit of the Ordinance is observed:**

Board's conclusion was observed.

**1006.3 Substantial justice is done:**

Board conclusion was yes, reasoning that the State Statute was followed by not granting the variance.

THESE MINUTES MAY BE APPROVED AND/OR AMENDED AT THE FOLLOWING MEETING

**1006.4 The values of surrounding properties are not diminished:**

Boards conclusion this did not pertain.

**1006.5 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship:**

Boards conclusion was no. State Statute protects the right a way into the cemetery, future use of the cemetery and property can be maintained creating no hardship for the family

Motion made by Alan Schmidt to deny the application for Map 430 Map 11. Seconded by Jean Tandy. All in favor. None opposed. Motion carries.

Sandy Perry stepped down as acting Chairman and Chairman Alan Schmidt was seated.

**2. Minutes of May 14, 2014:**

Under 1., end of first sentence change Lad to **Land.**

Under 2., Page 2, second paragraph, fourth sentence down change statue to **statute.**

Same area third paragraph down change class IV to **VI.**

Motion made by Lloyd Condon to accept the minutes as amended. Seconded by Jean Tandy. All in favor. None opposed. Motion carries.

**3. Update to Zoning Board applications:**

With the change in Zoning in March of 2013 reference numbers for Article 10: Zoning Board of Adjustments had changed. This was only a house keeping issue to allow an applicant to follow the process while apply to the Zoning Board.

Applications that reflected a change in numbering where:

1. Application for Special Exception: 2. Application for a Use Variance: 3. Application for an Equitable Waiver of Dimensional Requirements: 4. Application fro an area Variance:

Motion made by Sandy Perry to accept the applications as presented. Seconded by Jean Tandy. All in favor. None opposed. Motion carries.

Motion made by Lloyd Condon to adjourn. Seconded by Sandy Perry. All in Favor. None opposed. Motion carries.

Meeting adjourned @ 8:45.

Respectfully Submitted:

Kandace Mattson