

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

**November 14, 2018**

**7:00 PM**

**Members Present**

Mark Beauregard, Chairman  
Tom Lavoie Vice Chair  
Alan Schmidt,  
Lloyd Condon  
Larry Richardson  
Jean Tandy, Alt.

**Members Absent**

Public: Annette Tukunaga and Richard Drew.

**1. Meeting called to order/roll call:**

Meeting called to order @ 7:05 PM.

**2. Map 202 Lot 045 Public Hearing:**

Public Hearing called to order @ 7:06 PM for Map 202 Lot 045.

Chairman Beauregard explained to the public how the hearing would be run.

Richard Drew (Surveyor) and applicant's representative explained the only change to the new site introduced to the ZBA was the measurements from the wetlands in feet from the present building, requested by the Conservation Commission.

Mr. Drew went on to explain that the present garage had a building permit issued in 2006 and measure's 32' X 60' with a floor of concrete. The attached carport was issued in 2012 and measures 14' X 60' and has a partial surface of concrete. It would be a future plan for the rest of the carport floor to be concrete.

The Conservation Commission meeting on October 11, 2018 requested water samples from both wells and a composite of six soil samples from around the building be tested for contaminants. Mr. Drew gave the results to the ZBA to review.

**Soil Sample:** Sample was done on October 19, 2018 by Randall Rhoades, PE from M&W Soils Engineering, Inc located in Charlestown NH. Six Soil samples were taken in six locations from the service to 4" down and mixed to create a composite test. The actual testing was done by Lorraine Olashaw, Eastern Analytical Inc. Concord NH. In summary, trace amounts of petroleum constituents were identified in the shallow soil samples taken around the garage. All of the results were well below the limits permitted by the New Hampshire Department of Environmental Services. A total petroleum hydrocarbon concentration of 30 ppm was reported, this should be compared to the acceptable NH Soil Standard limit of 10,000 ppm.

**Water Sample:** Water samples were taken from two wells located on Map 202 Lot 045. Collection and testing was done by EAI Analytical labs located in Swanzey NH. The samples were collected on 10.18.18,

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

received and analyzed on 10.19.18.

**Drilled well (Sample ID 65569)** in use for the property and is located within 19' of the existing carport. This well was reported in accordance with the EPA's primary drinking water standards, based solely on the microbiological results listed in the test. The water is within the recommended guidelines for drinking water.

**Dug Well (Sample ID 65570)** is unsafe for drinking containing many elements above the acceptable amount according to the EPA's primary drinking water standards. This is a well that is not in use at this time.

Wetlands have been filled in to create the area the garage was built on along with either side of the garage and behind the garage. The total amount filled in is hard to determine and the area around the garage is fairly stabilized at this time. The West side of the garage from the carport to the wetland is 19'. The East side of the garage is 37' from the wetlands. The distance in the rear of the building averages about 85' from wetlands. It was determined that the best way to handle this would be to take a percentage of the 85' behind the garage and achieve as close to the 75' wetland setback as possible leaving the applicant enough room to move vehicles around and help to protect the wetland. This would also help to relieve some of the proposed 22,000 sq. ft. for parking bringing the total number of sq. ft. closer to the 10,000 allowed by Town Zoning.

The original application figured 24 cars "could" be parked on the property in its present state (22,000 sq. ft.). The amount of vehicles on the property would have to be decided during site plan review. A suggestion was to consider a secondary piece of property that would be more appropriate where the cars could be displayed and stored.

Discussion within the ZBA members in references to this being no one's fault, it was determined that overriding philosophy and to look at what is best for the town. The town residents are in need of a repair garage for their vehicles, Richmond uses the present garage to service and repair the emergency equipment for the Fire Department and Rescue. There are violations in our zoning that are difficult to amend and potential spills put the wetlands in jeopardy.

It was suggested to have a letter sent to all the abutters and the applicant to appear at a Zoning Board of Adjustment meeting and come to an agreement. It seems that all parties would be willing to give and take a little to make this work. The meeting would be detailed and finalized with an equitable agreement between all parties and help dissolve the issue. At that time the applicant can apply to the Planning Board for a Site Plan Review and work out details like hours of operation, proper disposal of toxic based products, regular inspections and so on.

The goal would be to have all interested parties received an invitation to come to the next Zoning Board of Adjustment meeting on December 12, 2018 @ 7:00 and begin the process. The Land Use Assistant will draft a letter and send to all abutters.

Motion was made by Tom Lavoie to continue the Public Hearing to November 17, 2018 to have a joint site walk with the Richmond Conservation Commission for Map 202 Lot 045. Seconded by Lloyd Condon. All in favor. None opposed. Motion Carries. Public Hearing continued at 8:10 PM.

**3. Minutes October 10, 2018**

**Under Public:** 4<sup>th</sup> line down change Jonathom to Jonathon, 5<sup>th</sup> line down Scott Laurie change to Scott Lawrie, 8<sup>th</sup> line down add Robert Weekes and Jan Weekes.

**Page 4,** 6<sup>th</sup> paragraph down add the letter l to Holman.

**Through out document,** Spelling Weeks to Weekes and Laurie to Lawrie.

Motion made by Larry Richardson to accept the minutes as amended. Seconded by Vice Lavoie. All in favor. None opposed. Motion carries.

**5. Other:**

**1. Planning Board Site Plan Review:**

Discussion to forward the application for Map 202 Lot 045 to the Planning Board for Site Plan Review. It was the consensus of the Zoning Board that the application needs to go before the Planning Board.

**3. Town Legal Representation:**

The Town Selectman has given permission for the ZBA to contact or contract the Town Attorney in reference to the proposed application for Map 202 Lot 045. It was the consensus of the ZBA that at this time it would be fiscally responsible to hold off until the meeting with the applicant and abutters.

Motion made by Lloyd Condon to adjourn the meeting. Seconded by Vice Lavoie. All in favor. None opposed. Motion Carries. Meeting adjourned @ 8:20 PM.

Respectfully Submitted,

Kandace Mattson