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

Town of Richmond Veterans Hall
December 6, 2016 7:30 PM Planning Board Public Meeting

Members Present:
Lloyd Condon, (Chairman)
Seth Reece (Vice Chairman)
Harry Brake
Loreal Schmidt
Norma Thibodeau
Butch Morin (Alt.)

Members Absent:
Jason MacDonald (Secretary)
Chris Daugherty, Selectman Rep

Public: Tom Webber and Jay Purcell from JL Purcell Architects, Renee Robicheau.

Meting called to order @ 7:30 PM

Butch Morin seated for Jason MacDonald

1. **Public:**

Nobody from the public.

2. **Mail:**

NH Municipal Nov. /Dec. 2016 Town and City publication.

3. **J.L. Purcell Architects, Tom Webber:**
404.3 Accessory Dwelling Units

Tom Webber from JL Purcell Architects came before the Planning Board on October 4, 2016 for a non binding preliminary discussion in reference to Richmond Zoning Article 4 Residential District. The preliminary meeting was in regards to an Accessory Dwelling Unit. The Planning Board met at their November 1, 2016 meeting and after much discussion agreed to contact Mr. Webber by mail regarding the Accessory Dwelling Unit. The letter was drafted and sent November 11, 2016. The letter stated that the Planning Board discussed Richmond Zoning Article 4 Residential District under 404 Permitted Accessory Uses and specifically 404.3 Accessory Dwelling Units. The letter from the Planning Board invited Mr. Webber to return for a non binding preliminary discussion to further explain their reasoning if they found that necessary.

Tom Webber and Jay Purcell from JL Purcell Architects asked to return and listen to the interpretation of what has to be done to get the accessory dwelling designed to meet the Town's requirements. They brought drawings to share with the board but came to listen to what the Board's thoughts were. Mr. Purcell went on to say that he reviewed the ordinances and wanted some clarification on the language. Both gentlemen took the ordinance as being able to add onto the present building to provide an accessory dwelling for a family member. Their plan proposed using the footprint of an existing building to rebuild the same structure (roughly 35'away) the hold up was how to do the link.

Chairman Condon explained that since the last non binding preliminary discussion there have been several

discussions on what constitutes a common wall. Research done by Chairman Condon showed that a common wall has living quarters on either side. In the past one accessory dwelling was allowed with disregard to the legality of the Ordinance and was connected by a long pergola. This was done against zoning but was allowed by a past Selectman. It is understood that the proposed link would be permanent and closed in and more like a breezeway but it would have to be large enough to have some furniture and occupied for living.

Mr. Purcell asked where the common wall is located as when he reads the ordinance it simply says an addition.

The board responded to say that the intent of the ordinance was to have a common wall when original written, all but one home in town has followed the spirit of the original intent of the ordinance. Mr. Purcell mentioned that his clients asked him how they could go about providing housing for a parent. Mr. Purcell said there were two ways mentioned in the Zoning to do this either an accessory dwelling or two family housing. Mr. Purcell continued that in the Zoning his interpretation to do an Accessory Dwelling it has to be an addition to the house. Mr. Purcell said that he has done many additions that were enclosed through other planning processes in other towns and there has never been a challenge to link the addition to create another dwelling unit. The question in Mr. Purcell's mind is that there doesn't have to just be a common wall but also a clear definition of an addition. The clients wanted to do a covered walkway to use as a link.

Mr. Purcell added that additions are classified as screened porches or deck that has a structure that is covered. Mr. Purcell's interpretation of the zoning was that this would be reasonable as long as there is a structure. Purcell researched what a definition of addition is through the International Building Code (IBC) and looked up the statement and it simply says an expansion of floor area or height of the building. He could understand needing some floor area to connect the two buildings together which would fulfill the understanding as this being an addition to the existing house rather then being right next to the present dwelling and having a common wall. His question and his challenge is whether the label common wall is necessary or even implied by the definition of addition. His opinion was that it was not. His clients are willing to enclose this link if the board felt it was necessary, either screens or three season and to add a floor if needed. It is his opinion that our zoning clearly states an addition so they do not want to continue with the pergola effect.

The board also had concerns in reference to setbacks of the wetlands (setback 75') and abutter's property lines for new construction concerning this particular piece of property. Walkway would be new construction and the Zoning Board of Adjustments would have to grant any variances to the ordinance.

The original plan was a paved walkway with a roof the present plans are a wooden deck type walkway covered with a roof. They would enclose this with some screens. The reason for changing was to create wooden floor area which would follow the IBC definition a little closer.

The planning Board would like to see this a ligament as possible and the ultimate goal would be to attempt to get through this.

Another issue was the septic and it's capability to handle the additional load. Mr. Purcell had a plan which was created by Tom Forrest showing a decent good septic system for 3 bedrooms which also showed some boundary lines and they didn't feel they were encroaching on boundary lines. Chairman Condon asked if it's a 3 bedroom system how many bedrooms the house was listed as. Two bedrooms upstairs which actual exist in the house and their two girls share a room they have a guest room present they are willing to upgrade the system.

It's believed that the property card through the Town Hall has that piece listed as a 3 bedroom home. But, that could be checked further, as it seems there are some restrictions no extra use like garbage disposals. They are located on top of the Aquifer. The Accessory Dwelling would add an extra bathroom, kitchen and the additional sink on the second floor for the studio. The addition would be for an accessory dwelling and the second floor would have a separate use which is beyond the original accessory dwelling proposal.

Board members stated some suggestions in favor of the spirit of the conservation of the use of the present footprint. But feels we're pushing the line on what we can legally prove but there are certain factors that might turn out to be beneficial in this issue. Some items to check into are the wetland and boundary line setbacks. The septic capacity and whether or not there is sufficient water supply. It is an idea that is good but it would be nice to be sure this is a good idea all around and follows the Zoning Ordinance. The suggestion to get a wetland scientist to check out the wetlands. The original design was to have a covered area for their car which is no longer a part of the plan.

There was no motion as this is a preliminary non binding discussion. This is a Selectman's decision and has nothing to do with the Planning Board other then the board was asked to help with the interpretation of the ordinance.

4. **<u>Camp Wiyaka: Installation of two compost toilets.</u>**
   Jeanette Robichaud, Dexter Carlson

Land Use Assistant was asked to contact the State in reference to the Compost toilets that Camp Wiyaka would like to install. After much calling she was referred to the Land Use Resource Bureau located in Concord NH. Rick Day from the Bureau also did research and could find no restrictions on a self contained compost toilet. As long as there is no regular running water or water line into the building and it doesn't require a septic hook up there are no permits required through the State governing this kind of system. This system seems to be self contained and allows ounces of water to come in from a self contained tank. When the waste holding tank reaches a certain point the liquid is pumped into a second holding tank. The second holding tank is then pumped out and the result is viable usable liquid fertilizer. It is pumped out into a pumping truck and is a usable fertilizer it is not septic waste. At no time does it touch the ground or come in contact with the ground.

The board had asked for a survey and site plan and from talking with the State it sounds as if the only requirements would be a building permit to hold the system in and the cement slab, the system is set down into a contained tube. All local setbacks would have to be adhered to and some kind of design with accurate distances must be presented. A ligament set of plans drawn up on what exactly is going to be constructed, the board definitely needs some clarification on what is actual going to take place.

The board agreed that if there is any water line involved entering the system it would have to be designed by a NH licensed designer and installed by one. The question is where does the water come from? Does it have a water line? It does state a pressured water system so where does the water come from is it preloaded by hand/hose or a line? What water supply is there for sinks? It's important to have information in black and white. Find out what the requirements are and who would pump it out when needed.

The purpose of the compost toilets are for the increased diversity of the camp addressing campers with special needs and night time usage. Presently, the camp has flush toilets and showers located on the hill above the pond but it is a very steep walk up the hill and poses challenges for some campers. Where the sleeping tents are and

the bathrooms there is quite a hike.

The Board would like to be sure that the system is not regulated by the State of NH and would like to be very mindful that the camp is located on a local pond. The Land Use Assistant will contact the Land Use Bureau and asked for clarification and something written for the Planning Board.

5. Zoning Ordinance, Accessory Dwelling Unit:

The Zoning Ordinance was discussed to change the size from 600 feet to 750 feet. And the addition of the common wall between the two living spaces. The copy presented was deemed adequate for the Zoning changes. The question of a definition for a common wall: **Otherwise known as a party wall or parting wall also known as a common wall is a dividing partition between two adjoining buildings or units that is shared by the tenants of each residence or business.**

6. Minutes of November 15, 2016:

Motion made by Butch Morin to accept the minutes of November 15, 2016 as written. Seconded by Seth Reece. Four in favor. None opposed. Two abstentions. Motion carries.

7. Heavy Construction Site Plan Regulations:

This will be an ongoing document to address in the future.

8. Site Plan Review Regulations and application:

Other then typographical errors there are no real changes that need to be made.

9. Other:

1. Notice of Hearing:

The Cheshire County Superior Court Hearing in regards to Nicholas Bosonetto, et al v Town Richmond has been rescheduled for Friday December 9, 2016 @ 1:30 PM.

Motion made by Butch Morin to adjourn. Seconded by Seth Reece. All in favor. None opposed. Motion carries.

Meeting adjourned @ 8:45 PM.

Respectfully Submitted,

Kandace Mattson.