

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

**Town of Richmond
Planning Board Public Hearing**

December 22, 2015

7:00 PM

Planning Board Public Hearing

Members Present:

Lloyd Condon, (Vice Chairman)
Harry Brake
Norma Thibodeau
Jason MacDonald
Chris Daugherty, Selectman Rep.
Butch Morin, Alternate

Members Absent:

Seth Reece (Secretary)

Public: Lolita Shaw, Herbert (Buzz) Shaw, Richard Drew, Matthew Drew, Terri ORourke, Susan Wyatt, Wesley Martin, Gary Godard, Sandra Gillis, Jan Weeks.

Meeting called to order @7:05.

Butch Morin seated for Deb Duffy's open seat.

1. Public:

No one from public.

2. Mail:

No mail.

3. Richmond Development Community Association:

The Richmond Development Community Association submitted a request for the Planning Board to consider a Zoning Ordinance addressing Map 201 Lot 56 known as the Four Corners Store property. The Planning Board accepted and supported the proposed ordinance at their December 8, 2015 meeting.

“To see if the Town will vote to create a commercial district consisting solely of Map 201, Lot 56, a .86 acre lot known as the Four Corners Store property, for the purpose of developing this property for commercial use as a new general store and gas station, according to design guidelines that retain and support the town's rural character.”

The hearing was open to the public in reference to the proposed ordinance.

Wesley Martin from Rhododendron Road spoke in favor of the ordinance stating that the lot at 4-corners has been used for commercial purposes. The advantage of gas pumps in town is a convenience that the town misses very much. To find an existing store to support a gas pump the town may have to have a Mr. Mikes kind of store to help fill the need of the town. Mr. Martin wanted to go on record as being for the ordinance.

Richard Drew noted that it was his understanding that the Planning Board would have control of the building of

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the store and would like the Planning Board to work hard to support the character of the town. Anything that isn't residential will have to go through site plan review and it will be up to the Planning Board to review the site plan and keep the rural character of the Town in mind.

Herbert (Buzz) Shaw added that the Fire Department and the Rescue would love to see a gas pump and store back in town. The lack of the gas pumps have forced the Departments to travel to Rindge or Swanzey for purchase of less tax fuel from the State of NH. Having a store in town would be an asset and is missed.

Question from public if the warrant article has been vetted by the town attorney, often zoning for one single reason or a single lot can be problematic.

Vice Chairman Condon read correspondence dated October 14, 2015 addressed to the Town Administrator Heidi Wood from Legal Services Counsel Stephen C. Buckley, Esquire who is employed by New Hampshire Municipal Association. The only concern that he had in reference to the ordinance might be whether this would be considered illegal spot zoning.

But, due to the prior use of the parcel for the Four Corners Store, and the desire to protect the use given it's historic landmark characteristics, such a zoning proposal would likely be deemed a legitimate and recognized exercise of the towns police powers for the purpose of promoting that town's general welfare. (Full correspondence and supporting documents are attached to December 8, 2015 Planning Board minutes)

With no further comments or questions from the public the public hearing was closed and the Planning Board opened their deliberations. The Planning Board had a very brief discussion and a motion was made. Motion made by Butch Morin to accept as submitted and move forward for placement on the ballot as a zoning ordinance change. Seconded by Harry Brake. All in favor. None opposed. Motion carries.

4. Subdivision Map 407 Lot 007:

Chris Daugherty stepped down and away from the table.

Motion to accept the application for Map 407 Lot 007 as complete made by Butch Morin. Seconded by Jason MacDonald. All in favor. None opposed. Motion carries.

Richard Drew presented the subdivision for Map 407 Lot 007 consisting of 20.80 acres owned by Bryce and Karen Daugherty located at 110 Old County Road. This subdivision will be 3 acres for a proposed future home lot. Shape of the lot is odd but must be done to allow Lot 007 access to remainder of their acreage after the proposed subdivision is complete. The proposed new lot Map 407 Lot 007-1 will be 3 acres, due to minimal road frontage of 250' the new lot will be subject to a driveway easement. This will be for the benefit of Map 407 Lot 007 which will become 17.80 acres. Both driveways will be located on the paved section of the road. Driveway permit for proposed new lot has been approved by Richmond Road Agent Mark Beal and signed by Selectmen.

Public hearing was open to the public for comments and questions. Nothing from the public. The board continued with waiver requests:

501.4 - Construction plans conforming to 504.2 and grading plans conforming to 504.3 there are no road or drain structure proposed as part of the subdivision.

Motion made by Butch Morin to accept the waiver as requested. Seconded by Harry Brake. All in favor.

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None opposed. Motion carries.

501.6 - Approval from New Hampshire Water Supply and Pollution control (septic). Application has been completed and sent to the State of New Hampshire the applicants are awaiting DES review and comments. Waiver was set aside as final approval from State of NH must be presented before final proposed subdivision approval.

501.10 - Waiver request from Subdivision regulation 501.10 requesting a Mylar which will be presented to the board at the final approval to go to the Cheshire County Registry of Deeds. Motion made by Butch Morin to accept the waiver as requested. Seconded by Norma Thibodeau. All in favor. None opposed. Motion carries.

504.1 K - Waiver request from Subdivision regulation 504.1 K showing all Town boundaries on the plat. There are no town boundaries and no town lines cross or adjoin the proposed subdivision. Motion made by Butch Morin to accept the waiver as requested. Seconded by Harry Brake. All in favor. None opposed. Motion carries.

504.1 R - Waiver request from Subdivision regulation 501.1 R, in reference to the location of zoning Boundaries within the subdivision. There are no wetlands on the new proposed lot and no wetlands were delineated or located during the survey there is nothing to show as Wetland Conservation district. Motion made by Butch Morin to accept the waiver as requested. Seconded by Norma Thibodeau. All in favor. None opposed. Motion carries.

Site walk to locate all boundary line pins will be Monday December 28, 2015 @ 2:00 PM. Jason MacDonald and Butch Morin will meet with the applicant for the walk and report back to the Planning Board at their regular scheduled meeting of January 12, 2016 @ 7:30.

Motion made by Butch Morin to continue the public hearing to the next regular scheduled Planning Board meeting. Seconded by Jason MacDonald. All in favor. None opposed. Motion carries.

5. Minutes of December 8, 2015:

Page 1, Under 3. Boundary line adjustment Map 409 Lot 89 & 92, 4th paragraph, third sentence period after Paquin. And then capitalize the word The.

Page 2 under 14G, first line, second sentence change the word lies to lines.

Page 3 under 4. Richmond Development Community Association, second line down pull the words “to weight in with”. Under 5. Subdivision Map 407 Lot 007, second paragraph, second line pull accepted as completed and change filing to filed. Sentence should read The application has been filed with the Planning Board.

6. Blasting Ordinance:

To date nothing from the Fire Department, the Land Use Assistant will give them another call.

7. Other:

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No Other.

Motion made by Butch Morin to adjourn the meeting. Seconded by Jason MacDonald. All in favor. None opposed. Motion carries.

Meeting adjourned @ 7:47.

Respectfully Submitted:

Kandace Mattson