

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

**June 30, 2016**

**Town of Richmond Veterans Hall**

**7:00 PM**

**Planning Board Hearing**

**Tully Brook Road/Veterans Hall**

**Members Present:**

Lloyd Condon, (Chairman)  
Seth Reece (Vice Chairman)  
Harry Brake  
Norma Thibodeau  
Loreal Schmidt  
Chris Daugherty, Selectman Rep.  
Butch Morin (Alt.)

**Members Absent:**

Jason MacDonald (Secretary)

Public: Nicholas and Jill Bosonetto.

Butch Morin seated for Jason MacDonald.

**1. Scenic Road Site walk Tully Brook Road:**

Planning Board Scenic Road Site Walk per RSA 231:158 Scenic Road. Public Hearing called to order @ 7:00 PM.

Scenic Site walk was requested by the Town of Richmond and Mark Beal Richmond's Road Agent to resurface the existing road before further damage occurs. The land owner was contacted several times by the Selectmen with no response.

1. Starting on the Rt. 119 end of Tully Brook near PSNH Pole 442-1 (roughly 138' from Rt. 119) there is a double Hemlock 36" in diameter.
2. Next near PSNH Pole 442-4 there are 4 trees ranging in diameter of roughly 16, 18 and 24 inches in diameter. Just beyond this cluster there are 2 additional hemlock trees both roughly 20" in diameter.
3. Located on the corner of Tully Brook and Faye Martin near the bridge a 20" oak that leans into the road.
4. Just beyond the corner two roughly 24" beech trees.

The Scenic Walk was adjourned @ 7:15 to continue the hearing at the Veterans Hall.

Public Hearing was resumed @ 7:30 PM. Tree cutting request posted for public viewing at the Town Hall showed 4 trees which are marked and labeled on the map. One tree was not labeled but was marked and meant to be included in the scenic walk public notice which made 5 trees. The Public Notice that ran in the Keene Sentinel submitted by the Land Use Assistant stated 4 trees. She clearly misunderstood the map as there were 5. At the time of the site walk the amount of trees marked were 10. Unfortunately, the board felt comfortable only accepting the 4 trees delineated and described on the map.

Motion made by Seth Reece to accept the 4 trees as delineated and described on the map. Seconded by Harry Brake. All in favor. None opposed. Motion carries.

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Discussion on changing the Planning Board's July 12, 2016 meeting to July 14<sup>th</sup> to accommodate a second site walk. The board agreed that a second walk was necessary and changing their meeting night would work.

A second site walk will be taken on Thursday July, 14, 2016 @ Tully Brook Road @ 7:00 PM and the Planning Board will continue their regular monthly meeting at the Vet's Hall.

**2. Public:**

Nicholas Bosonetto wanted to encourage the Planning Board to remove the large Oak leaning into the corner as it impeded the line of site and was very dangerous.

**3. Mail:**

Southwest Region newsletter.

**4. Heavy Construction Site Plan Regulations:**

Southwest Region Planning Commission was contacted to continue their review of the Heavy Construction Site Plan Regulations suggested by the Pipeline coalition on June 15, 2016.

**5. Minutes of May 14, 2016:**

**Page 1, under 3. Subdivision Map 412 Lot 23. 4<sup>th</sup> paragraph down, first sentence. Change the word acres to acres.**

**Page 3, second line down add: Seth Reece stepped down.**

Motion made by Butch Morin to accept the minutes as amended. Seconded by Harry Brake. All in favor. None opposed. Motion carries.

**6. Subdivision Map 412-001 (Prospect Hill):**

Chairman Condon recognized Nicholas and Jill Bosonetto to discuss their application for proposed 4-lot subdivision for Map 412 Lot 001. Mr. Bosonetto replied that the board received his application on May 25, 2016 and according to the RSA it's suppose to be put in 15 days prior to the next meeting. According to Bosonetto that would have been June 14. According to the RSA at that next meeting the board is suppose to accept the application as complete or not. Then the RSA further says the board had up to 30 days which would have been 6 days ago. At this time Mr. Bosonetto would like to know what the status of his application is.

Chairman Condon stated that the application wasn't presented to the board as a complete application. The board had numerous questions for the applicant and there has been no official action taken on the application. At this time the board is looking for some direction on how to proceed. Chairman Condon shared with Mr. Bosonetto that he is well aware of the problems involved with a subdivision in that location. Mr. Condon explained to Mr. Bosonetto that at one time he had said himself that he purchased the property with his eyes wide open knowing what was involved. With that knowledge you as the applicant are aware this application is far from a straight forward. Continuing forward Chairman Condon explained that if the board wanted more time they would need to request that from the Selectmen unless the applicant agrees to grant additional time.

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Mr. Bosonetto said that the statement was correct on deliberations on the application but the RSA says that you have to accept the application as complete or not complete in order to deliberate on it. Mr. Bosonetto said that the board had 30 days which ended 6 days ago Mr. Bosonetto continued that we could discuss the application as a subdivision but the first step is to accept the application.

Chairman Condon continued that what the board saw at their last meeting is that application is far from complete. Mr. Bosonetto asked what items are missing? Chairman Condon said that there actually is no list as to exactly what items are missing. Land Use Assistant Kandace Mattson may have started one. One of the items immediately pointed out was having two 3 acre lots and the right a way/ driveway is included in the acreage which is illegal. The lots need to be increased the road running through the lot. A complete 3 acres that fronts the road.

Mattson who had done a preliminary review continued that there is a question about the road itself as it's not an accepted subdivision road and it's not a town road. The application doesn't have engineering plans included for upgrading of the road. The entrance into the subdivision is located in the Town of Fitzwilliam. Mr. Bosonetto acknowledged that the entrance is located in another town. Mattson contacted the Town of Fitzwilliam and received requested information on Monday June 27, 2016 from the Fitzwilliam Planning Board stating that they have not received any request for a road acceptance coming off of Rt. 119.

Multiple dwellings are presently shown on the plat on several of the proposed subdivision lots which is not allowed according to Richmond Zoning Ordinances.

The board has talked to Southwest Region Planning Commission to request a review of the application, the cost \$200-\$300.00 and would be the applicant's responsibility to pay Southwest. Mr. Bosonetto had no problem with asking Southwest to review his application and paying if the board chose to go that route.

Reece asked if accepting the application was a step the board wanted to take since the first step should be taken by Fitzwilliam. Richmond's searching for an answer from Fitzwilliam and until then this would render any requirement for the board to respond?

Mr. Bosonetto again explained that he gave the board the application, the plans so once it's accepted then the board can start deliberating and talk about all these issues.

The board explained to Mr. Bosonetto that the board doesn't accept it as a completed application until the actual public hearing at the filing the board doesn't accept it as a completed application. The board reviews the application for completeness to give the board an idea as to whether they can move forward. This application wasn't really filed it was brought before the board but the board felt the application was no where near completed.

Mr. Bosonetto said that the board is suppose to give him a written decision if it's complete or not and then what items are missing. The board agreed that is the fair way once it's accepted as a completed application.

Moving forward: the board has asked to talk to the town attorney and have some idea of his opinion of the entire application. It's a very confusing application as the entrance starts out in another town so where do we go for now.

Mr. Bosonetto said that at this time there are 4 houses on the lot. Which the board acknowledged. The board is aware of the history of the whole situation. Mr. Bosonetto was asked if he would give the board until July 14<sup>th</sup>

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to further review the application and at that meeting discuss what needs to be done to produce a completed application.

Mr. Bosonetto responded that he can't give the board that.

Motion made by Seth Reece to deny the application for Map 412 Lot 001 as incomplete. Seconded by Norma Thibodeau. Six in favor. None opposed. One abstention. Motion carries.

The Planning Board suggested that Mr. Bosonetto start with Fitzwilliam in reference to his right of way and what it would take to upgrade his right of way as a private subdivision road.

The Board discussed some items that needed to be addressed in the denial and the consensus was to ask the Town Attorney to review the plans and help to put together a list as a starting point.

**7. Other:**

**1. Changing monthly meeting days:**

Loreal Schmidt addressed the board stating that she applied and received new employment, With her work schedule it would be difficult making the second and fourth Tuesday of the month. Loreal felt she could make some but not all of them.

After a brief discussion with Schmidt it was determined that if the Planning Board went back to their original meetings on the first and third Tuesday Schmidt would be available to join us.

Motion made by Seth Reece to change the Planning Boards regular scheduled meetings back to the first and third Tuesday of the month starting with the month of August. Seconded by Harry Brake.

All in favor. None opposed. Motion carries.

With no other business in front of the board motion made by Butch to adjourn. Seconded by Seth Reece. All in favor. None opposed. Motion carries.

Meeting adjourned @ 8:40 PM

Respectfully Submitted,

Kandace Mattson

**Attachment:**

- 1. Letter of denial Map 412 Lot 001.  
Letter to Mr. and Mrs. Bosnetto.**