

**TOWN OF RICHMOND
NEW HAMPSHIRE
Zoning Board of Adjustment**

**FINAL MINUTES OF BOARD MEETING
Taylor Van Brocklin Building**

March 14, 2024

7:00 PM

Members Present

Dr. Thomas Tague, Chairman
Antoinette Cincotta, Vice Chairman
Lloyd Condon
David Bryan
Markus Beauregard
Robert Gow, Alternate

Members Absent

None

Members of the Public who appeared before the board: Lisa Traeger

1. Meeting called to order/roll call:

The meeting called to order at 7:00 p.m. and roll call was taken.

Robert Gow, alternate, was seated for Markus Beauregard, who was not present at the start of the meeting.

Condon objected to the notice of meeting. He stated that he videotaped all three bulletin boards today at 10:00 a.m. at Town Hall and the Veteran's Hall and the meeting was not posted at those locations. Vice Chair Cincotta noted that the meeting was posted on the Town of Richmond Website. The chair asked Condon if he had received the voicemail message that the chair had left on his answering machine. Condon said he did receive that notice, but it was hard for him to hear. The chair stated that he had directed staff at Town Hall to post notice of the meeting and he will check into what happened. The chair also offered to accommodate Condon's unwillingness to conduct any town business electronically by mailing copies of ZBA documents to Condon.

7:05 p.m. Beauregard arrived. Robert Gow unseated.

The chair thanked Beauregard for his 6 years of public service to the ZBA.

2. Review of Minutes

Minutes of January 4, 2024:

Per the board's new minutes policy, the proposed final revised minutes were finalized and circulated after the last board meeting to the board under RSA 91-A2(I)(B) for review. Motion by Brian to approve the final minutes of January 4, 2024; seconded by Beauregard. Tague, Cincotta, Bryan, and Beauregard – in favor. Condon – abstained. Motion passes.

Minutes of January 25, 2024:

The board discussed proposed changes by Cincotta to the draft minutes. There was board discussion about whether the minutes should identify members of the public who merely attended the meeting/hearing but did not appear before the board. Some members found doing so unnecessarily intrusive; others noted that the ZBA minutes had historically identified such persons to be polite. The chair asked Lisa Traeger, who is a member of the Planning Board and present at the meeting, whether the Planning Board identified such persons in their minutes. She said that pursuant to the Planning Board's Rules of Procedure which follows RSA 91-A:2(II), only persons who testify before the Planning Board are identified in the minutes.

Motion by Tague that the ZBA adopt a policy to follow RSA 91-A:2(II) and identify in the minutes only those members of the public who participate actively in the meeting or hearing by addressing the board. Seconded by Bryan. Vote: unanimous. No abstentions.

Motion by Condon that the ZBA record in the minutes "essentially everything" said during a hearing. Seconded by Tague. Vote: for – Tague, Bryan, Beauregard, Condon; against – Cincotta.

Motion by Cincotta to accept the changes to the January 25, 2024 minutes. Seconded by Bryan. Vote: for – Tague, Cincotta and Bryan. Against – none. Abstentions – Condon and Beauregard.

3. **Unfinished Business:**

(a) Lanen Application for a Variance

The chair reported that he called the Lanens last week to see if they wanted to proceed with or withdraw their pending Application for a Variance on to the carport. He learned at that time that the Lanens had notified the land use assistant immediately after the last day of hearing that they wanted to withdraw their Application for a Variance. Having withdrawn the Application for Variance, the matter was now resolved.

(b) Review/Approve board forms

There was board discussion on reviewing, revising and finalizing the Rules of Procedure and the following board forms to facilitate the public's access to the board:

Instructions to Applicants

Applicant's Checklist

Application for Variance

Application for Special Exception

Application for Special Exception – Commercial or Light Industrial Uses

Application for Equitable Waiver of Dimensional Requirements

Appeal from an Administrative Decision

The board reviewed and discussed changes to the Rules of Procedure to bring them into compliance with the revisions previously approved by the board. The board also discussed proposed changes to the Rules of Procedure to bring them into compliance with the most current State of New Hampshire Zoning Handbook, dated 2023, recommended rules of procedure, as well as incorporating additional changes, such as expanding the duties and responsibilities of the chair to include those generally held by a board clerk rather than creating a new officer position.

The board also reviewed and discussed changes to the forms to bring them into compliance with the current Richmond Zoning Ordinances, the current RSAs, and the current State of New Hampshire Zoning Handbook, dated 2023, recommended forms, as well as incorporating additional changes such as: including a revision date at the bottom of each form so it is easier for future boards to track the status of the forms; including directions to the applicant to “print” their name on the form; and maintaining all documents in Word format with consistent formatting in headers, footers and fonts. The board review and discussed a new form “Appeal from an Administrative Decision,” which follows the recommended formatting of the State of New Hampshire Zoning Handbook, dated 2023.

The board also discussed incorporating the recommended forms provided by the State of New Hampshire Zoning Handbook dated 2023, for the Newspaper Notice and Personal Notice (Abutter Notice). It was also recommended that the formatting for these forms should follow those used by the ZBA forms; i.e. using Word with consistent formatting in headers, footers and fonts.

The board also discussed revisions to the Applicant’s Plot Plan form. There are formatting errors in the original form which will require substantial revisions to make it legible. It was agreed to continue discussions of that form to the board’s next meeting. In the interim, the chair has agreed to begin the process of revising that form to remove the formatting errors.

Motion made by Cincotta to accept and adopt the Rules of Procedure, Instructions to Applicant form, Applicant’s Checklist form, Application for Variance form; Application for Equitable Waiver of Dimensional Requirements form; Appeal from an Administrative Decision form, Newspaper Notice form and Personal Notice form as revised. Seconded by Bryan. Vote: For - Tague, Cincotta, Bryan, Condon, and Bearegard. Against – none. Abstentions - none.

The board then discussed the proposed changes to the Application for Special Exception form and Application for Special Exception – Commercial or Light Industrial Uses forms to bring them into compliance with the State of New Hampshire Zoning Handbook, dated 2023, recommended forms, the current Richmond Zoning Ordinances and RSAs.

Motion made by Cincotta to accept and adopt the Application for Special Exception form and Application for Special Exception – Commercial or Light Industrial Uses form as revised. Seconded by Bryan. Vote: For - Tague, Cincotta, Bryan, Condon, and Bearegard. Against – none. Abstentions – none.

4. Closed Session re land use assistant

Motion made by Cincotta to close the meeting to discuss the land use assistant. Seconded by Bryan. Vote: For - Tague, Cincotta, Bryan, Condon, and Bearegard. Against – none. Abstentions – none.

[Discussion by board.]

5. Adjournment

Motion made by Bearegard to adjourn to the meeting. Seconded by Tague. Vote: For - Tague, Cincotta, Bryan, Condon, and Bearegard. Against – none. Abstentions – none.

Meeting ended 8:53 p.m.