

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

August 8, 2018

7:00 PM

Members Present

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

Members Absent

Public: Jessica Patch, Douglas Smith, Nancy Lively and Pam Kingsberry

1. Meeting called to order/roll call:

Roll call was done.

2. Map 407 Lot 069 Special Exception:

Public meeting called to order at 7:05 by Chairman Beauregard.

Public notices sent to all abutter's certified mail with no receipt on 7.26.18.

Legal Notice ran in the Keene Sentinel in the legal section on 7.25.18.

Public notices were posted inside and outside of the Richmond Town Hall and outside of the Richmond Veterans Hall on 7.24.18.

The complete application was located at the Richmond Town Hall in the Selectman's office for public viewing during regular business hours.

Chairman Beauregard discussed the Rules of Procedure for the public hearing to the applicant and attending public.

This was an application requesting a Special Exception from Richmond Zoning Ordinance: Article 4, Section 403 more specifically 403.5 (Commercial and light Industrial uses). The applicant is requesting a proposed Special Exception to add a licensed breeding kennel per state regulation to her existing boarding and grooming business. The request is asking that the full property be zoned commercial strictly for boarding, grooming and breeding of dogs.

Chairman Beauregard gave the floor to the applicant to explain the proposed request. Jessica Patch explained that she needed the proposed special exception to add a licensed breeding kennel per state regulation, subject to inspection through the State of NH. Ms. Patch would like to continue to breed Standard Poodles (AKC) and Labradoodles for sale. At this time Ms. Patch is breeding but has been notified by the State of NH that her numbers of puppies was reaching the threshold of beyond the 50 puppies per year. The State of NH goes by calendar year and it was easier and safer to acquire the license through the state then take a chance and go over the 50 puppies per year.

The property known as Map 407 Lot 069 is easily accessible from Rt. 119 E, with adequate parking and set back off the Old Troy Road for privacy. Map 407 Lot 069 is 5.05 acres with 227' of road frontage on Old Troy Road.

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At present Ms. Patch has a grooming shop with a penned area of 15'X15' attached to her grooming shop measuring 12'X 25'. The Kennel area is 10'X36' which includes the kennel and penned in area. The property is located well off the road and neighbors can not view each others homes with a natural wooded buffer.

Ms. Patch has been in business offering boarding and grooming for 9 years and to date has had no violations or complaints of noise or odors from surrounding property owners. Waste is picked up daily and professionally removed from the property weekly. Traffic is minimal and is controlled by appointments.

Ms. Patch provided an ample amount of positive reviews from former clients in reference to how wonder the puppies were and the care Ms. Patch and Mr. Smith gave the puppies. Donna Harwood DVM, also supplied a letter referencing the health and care given by Ms. Patch.

At this time Ms. Patch was finished with her presentation and Chairman Beauregard asked for positive comments from the public.

Nancy Lively who is an abutter across the Old Troy Road (Map 9 Lot 6 Fitzwilliam) to Jessica Patch simply added that she has no complaints, they are never disturbed by noise or odor. Mrs. Lively added that she is very proud of what Jessica does and the establishment she owns. Pam Kingsberry (Map407 Lot 068) an abutter on two sides of Ms Patch spoke for the proposed Special Exception. Mrs. Kingsberry said that she has been Ms.Patch's neighbor since 2007 and is very impressed with the kennel care; she has always been a good neighbor. That both the Labadoodles and Standard Poodles are in demand and Ms. Patch assures that they puppies are going to a good forever home.

Chairman Beauregard asked if there were any opposing views and there were none. With no other comments from the floor the Public Hearing was closed to comment and the Board began deliberation.

Richmond Zoning Ordinance under Article 11 Board of Adjustment, 1105 Special Exceptions more specifically 1105.1 General Provisions that apply to all Special Exception Uses.

1105.1.1 The proposed site is designated as special exception use: Richmond Zoning Ordinance, Article 4 Residential District, under 403 Uses permitted by Special exception more specifically 403.5 Commercial or light Industrial Uses. It was determined by the Zoning Board of Adjustment that the proposed application is a permitted use by Special Exception.

1105.1.2 The proposed site is an appropriate location as determined by surrounding land uses and road network:

The proposed area is situated at an already existing grooming and boarding kennel for the past 9 years. The location is easily accessible from Rt. 119 and set back off of the Old Troy Road. There is an adequate natural buffer to separate the proposed site from neighboring sites and roadways.

1105.1.3 The proposed use will not adversely affect the use, enjoyment, or value of adjacent property: To date there have been no complaints of excessive noise, traffic, dust, glared or odors. The applicant had two abutters appear before the board and both spoke positively for the change. The location is set back off of the street and has adequate parking in place.

1105.1.4 The ZBA may request the opinion or recommendations from other board or commissions: It was

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discussed that there would be no need for this proposed application to go to any other Boards or Commissions from the Town of Richmond. There are no wetlands or setback issues; there are no new buildings, kennels or roads being requested.

With no other discussion from the Board:

Motion made by Lloyd Condon to approve the Special Exception as presented by the applicant. Seconded by Vice Chairman Lavoie. All in favor. None opposed. Motion carries.

Motion made by Lloyd Condon to adjourn the public hearing. Seconded by Larry Richardson. All in favor. None opposed. Motion carries.

Public hearing adjourned at 7:30 PM.

It was understood that Jessica Patch would drop a \$25.00 check off to the Town of Richmond to cover the notification in the Keene Sentinel legal section before the Notice of Approval would be signed.

3. Minutes July 11, 2018

Page 1, Under 2, 6 lines down, last sentence. Change the word bit to but. Sentence should read: This is an expensive system **but** a very effective system.

Motion made by Lloyd Condon to accept the minutes as amended. Seconded by Tom Lavoie. All in favor. None opposed. Motion carries.

4. Other: No other.

Motion made by Lloyd Condon to adjourn the meeting. Seconded by Vice Tom Lavoie. All in favor. None opposed. Motion carries. Meeting adjourned at 7:45.

Respectfully Submitted

Kandace Mattson