

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

Town of Richmond
Planning Board Public Hearing
November 15, 2022 7:00 PM Veterans Hall

Members Present:
Stacie Maillet (Chairman)
Doug Smith (Secretary)
Chairman)
Jed Butterfield
Kathryn McWhirk

Members Absent
Eric Duda
Lloyd Condon (Vice

Doug Bersaw (Selectman's Rep)
Karen O'Brien (Alternate)

Meeting called to order at 7:03 PM.

1. Public:

No one from the public.

2. Mail:

No Mail.

3. Map 402 Lot 77:

Final Plans and Mylar were signed by Chairman Maillet.

4. Minutes November 1, 2022:

Page 1, Under 3. Map 402 Lot 77, third section down, second line. Change the word on to **one**. Should read: Present all waiver and make **one** vote at the end.

Motion made by Butterfield to accept the minutes as amended. Seconded by McWhirk. Three in favor. None opposed. One abstention. Motion carries.

5. Discussion on Zoning Changes:

Proposed changes under Article 6: Wetland Conservation District. The changes are designed to clarify the ordinance for the legislative body of the town.

601 General:

At end of second section.

Add: Delineation must be conducted by a soil or wetland scientist certified by the State of New Hampshire. A certified soil or wetlands scientist determination is not required for minimum impact projects unless they are part of a subdivision.

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Add under 601 General:

601.1 Functions of Wetlands:

601.1.1 Wetlands remove pollution from waters that flow through them, and recharge underground aquifers. This protects and guarantees the town’s water supply. They store water during the wettest parts of the year and release it at a constant rate to maintain regular stream flows, thus preventing serious flooding.

601.1.2 Wetlands provide critical breeding and nesting habitats for a wide variety of plants and animals, including migratory waterfowl and fish, and provide an array of commercial products, from cranberries and timber to fish and shellfish. They offer wide-spread opportunities for hunting, fishing, boating, nature study and photography, thus enhancing the quality of life.

601.1.3 Wetlands, because of the gasses they emit and absorb, such as oxygen, nitrogen and carbon dioxide, help to maintain the planet’s atmospheric balance.

602 Purpose:

Change 602.1 to read:

602.1 **Control and/or** prevent the development of structures and land uses **in or near** naturally occurring wetlands, which could contribute to pollution of surface and ground water, or cause damage to abutter’s property, **or alter the character of the area.**
(Rev. March 2021)

602.2 To prevent the destruction of natural wetlands which provide flood protection, recharge of ground water supply, augmentation of stream flow during dry periods, and important wildlife areas. **As well as protecting potential water supplies and existing aquifers (water-bearing strata) and aquifer recharge areas.**

Add 602.5:

602.5 Preserve aesthetic quality, protect native flora and fauna and maintain ecological balance.

603 Uses Permitted:

In the Wetland Conservation District, no use is permitted that would result in the erection of any structure or alter the surface configuration through excavation of fill, or that is not otherwise permitted by the Zoning Ordinance except the following permitted uses:

The following activities are exempt from the requirements of the WCD or exempt from the procedural requirements as noted:

Present Ordinance	Proposed Zoning Change
603.1 Forestry and tree farming.	603.1 Forestry and tree farming, provided that the state forestry regulations, as described in the most recent issue of the UNH Cooperative Extension Manual

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	titled "Best Management Practices for Erosion Control on Timber Harvesting Operations in New Hampshire," are observed and that any alterations to
603.2 Agriculture	603.2 Agriculture, provided that no pesticides, fertilizers, non-composted waste from livestock, or any other substances that may enter and pollute the wetlands are used and that the normal drainage patterns are not altered.
603.3 Water Impoundments and well supplies.	603.3 Water impoundments and construction of well water supplies.
603.4 Drainage ways, streams, creeks, or other paths of normal run-off water.	603.4 Maintenance of existing drainage ways - streams, creeks, or other paths of normal runoff water. Maintaining, repairing, or replacing an existing and lawfully located structure or public utility, provided that the work conforms to the general standards adopted in this section.
603.5 Wildlife refuge management.	603.5 Wildlife refuge management.
603.6 Parks and such recreation use as are consistent with the purpose and intentions of Section 602.	603.6 Parks and such recreation use as are consistent with the purpose and intentions of Section 602.
603.7 Conservation areas and nature trails.	603.7 Conservation areas and nature trails. The construction of fences, footbridges, catwalks, footpaths, or nature trails, provided that they are constructed on posts or piles where applicable to permit unobstructed flow of water and preserve the natural contour of the wetland. No use of toxic material.
603.8 Open space as permitted by subdivision regulations and other sections of this ordinance.	603.8 Open space as permitted by subdivision regulations and other sections of this ordinance.
	6003.9 Signs, fences, roads, mailboxes, stonewalls, walks, and essential Services.
	603.10 Other permits. Nothing in this section relieves the applicant of Any responsibilities for meeting any applicable state or federal requirements, permit processes, etc. Proof of any necessary state and/or federal permits and/or approvals may be required as a condition of any approvals pursuant to this section.

604 Special Exceptions: Under 604.1 change and add driveways.

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604.1 Streets, roads, access ways, **driveways**, and utility rights-of-way easements,

ARTICLE 17 DEFINITIONS:

Add:

ACCESS -- Use is primarily used for service or maintenance, such as fuel oil delivery.

DRIVEWAY -- A public or private roadway providing primary access from either a public or private road for vehicles to a dwelling, business, parking area, or other structure or facility that is currently used on a regular basis but does not include an access that is primarily used for service or maintenance (such as fuel oil delivery) or for agricultural purposes.

POLLUTION – Any substance that causes an adverse change in biological, chemical, or physical properties of the environment.

STRUCTURE: Any temporary or permanently constructed, erected, or placed material or combination of materials in or upon the ground, including, but not limited to subsurface waste disposal facilities, buildings, manufactured housing, radio towers, sheds and storage bins, storage tanks, portable carports, swimming pools and tennis courts.

Other additions to definitions?

BOGS – Peat or muck deposits of significant depths, characterized by a distinct group of plants which have adapted to the highly saturated acidic conditions. “Bogs” usually develop in undrained glacial depressions that lack surface water inflows or outflows. Typical vegetation includes sphagnum moss, leatherleaf, sheep laurel, cranberries, pitcher plant. Typical plant species include cotton-sedge, sweet gale, black spruce, and larch.

BOTTOMLAND FORESTS – Lowlands along streams and rivers which are periodically flooded. These are often forested and are sometimes called “floodplain forests.” Typical plant species include cottonwood, silver maple, red maple, sugar maple, black willow, sycamore and wood nettle.

EMERGENCY PROJECT – A project which requires that work must be undertaken and substantially completed within thirty (30) days in order to avert an imminent danger to the public.

HYDRIC SOILS – Soils which are saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions in the upper part. “Hydric soils” are either organic (muck and peat) or mineral soil. “Hydric mineral soils” will have a seasonal high-water table generally within twelve (12) inches of the surface, and a dominant soil color saturation that is considered low chroma (e.g., black, or gray) within eighteen (18) inches of the surface.

HYDROPHYTES – Macrophytic plant life growing in water, soil or on a substrate that is at least periodically deficient in oxygen as a result of excessive water content.

MARSHES – Treeless wetlands dominated by soft-stemmed herbaceous plants. The surface of the “marsh” is covered with water year-round, though seasonal fluctuations in water depth are to be expected. “Marshes” range from the wet meadow variety to deep marshes which can be covered by several feet of water. Typical plants

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include cattail, reed, bulrush, willow, buttonbush, loosestrife, pickerelweed, and smartweed. "Shallow marshes" (i.e., wet meadows) include soft rush, beak-sedge, tussock sedge, blue flag, sweet flag, and joe pye weed.

APPLICANT – Any individual, group of individuals, company, corporation, trust or any other legal entity, and its heirs, agents or assigns.

SWAMPS – Areas where the water table is at or near the ground surface for a significant part (i.e.>2 weeks during the growing season of the year. The vegetational community consists mostly of trees and woody shrubs. Typical shrubs and trees include red maple, viburnum, speckled alder, highbush blueberry, American elm, yellow birch, eastern hemlock, white and green ash, silky dogwood and arrowwood.

Separate Zoning Ordinance updates

Page 6, article 3: General Provisions, more specifically 306 Driveways.

To add: There shall be no more than one primary access to a single parcel of land unless a need for multiple accesses can be demonstrated.

6. Other:

No other.

Motion made by Smith to adjourn. Seconded by McWhirk. All in favor. None opposed.

Meeting adjourned at 8:17 PM

Respectfully Submitted,

Kandace Mattson