

Town of Richmond
Planning Board Public Meeting
December 13, 2022 7:00 PM Veterans Hall

Members Present:

Stacie Maillet (Chairman)
Lloyd Condon (Vice Chairman)
(Secretary)
Jed Butterfield
Kathryn McWhirk
Doug Bersaw (Selectman's Rep)

Members Absent

Eric Duda
Doug Smith

Karen O'Brien (Alternate)

Public: Richard Drew.

Meeting called to order at 7:00 PM

1. Public:

No one from the public.

2. Mail:

Southwest Region Planning Commission, November Newsletter.

3. Minutes November 15, 2022:

Motion made by Vice Condon to accept the minutes as presented. Seconded by Bersaw. Four in favor. One abstention. Motion carries.

4. Proposed Zoning Changes:

The Planning Board and Zoning Board of Adjustment Chairman met with the Conservation Commission to discuss the proposed changes to Article 6 Wetland Conservation District and Article 7 Definitions on Thursday December 8, 2022, at 7:00 PM located at the Richmond Veterans Hall.

The joint discussion produced a few changes but overall, all three boards jointly approved of the changes for clarity. The changes made at the December 8, 2022, meeting were discussed with the Planning Board and all changes were acknowledged as minimal.

Discussion on the ability to add Trailers to the definition of structure. This would assure that a person using a tractor trailer for storage would adhere to the Zoning setbacks to abutter property lines, right of way on roads and other setbacks like a building. Discussion was had as to whether to tax the storage units. People with small sheds, garages or outbuildings are taxed for their storage but large trailers are not. Many of these

trailers are permanent and have been in place for years. It was decided to ask the Town Attorney what the practice has been in other towns.

Final proposed changes to Article 6 were made for clarification:

601 General:

Add to the bottom: Delineation must be conducted by a septic designer, soil or wetland scientist certified by the State of New Hampshire.

Add to 601 General

601.1 Functions of Wetlands:

601.1.1 Wetlands filter pollutants 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:

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. (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:

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 titled “Best Management Practices

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	for Erosion Control on Timber Harvesting Operations in New Hampshire," are observed.
603.2 Agriculture	603.2 Agriculture, provided that no fertilizers, no 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, mailboxes, stonewalls, walks, overhangs, balconies, steps and their landings, handicap ramps, and essential Services and the like.
	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 Streets, roads, access ways, **driveways**, and utility rights-of-way easements,

Article 17 Definitions:

To add:

ACCESS WAY -- 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/POLLUTANTS – 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, towers, sheds and storage bins, storage tanks, portable carports, swimming pools and tennis courts.

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.

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

Separate Zoning Ordinance updates:

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.**

After a brief discussion and looking at the calendar.

Motion made by Bersaw to accept the proposed draft Zoning Ordinance changes for Article 6 Wetland Conservation District, Article 17 Definitions and Article 3 General Provisions under 306 Driveways as presented. Seconded by Chairman Maillet.
All in favor. None opposed. Motion carries.

After a discussion and looking over the calendar.

Motion made by Chairman Maillet to set the first Public Hearing for the proposed Zoniong changes for January 3, 2023, located at the Richmond Veterans Hall at 7:00 PM. Seconded by Bersaw. All in favor. None opposed.
Motion carries.

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5. Other:

No other.

With no further business in front of the board.

Motion made by Vice Condon to adjourn the meeting. Seconded by Chairman Maillet. All in favor. None opposed. Motion carries.

Meeting adjourned at 8:23 PM.

Respectfully Submitted/

Kandace Mattson