

Town of Richmond
Planning Board Public Hearing
July 12, 2022 7:00 PM Veterans Hall

Members Present:

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

Members Absent

Eric Duda
Kathryn McWhirk

Public: Richard Drew and Charles Lawrence.

Meeting called to order at 7:00 PM

1. Public:

Nothing from the public.

Motion made by Chairman Maillet to open the Public Hearing for Map 408 Lots 17-18 at 7:01 PM. Seconded by Vice Condon.

All in favor. None opposed. Motion carries

2. Lot Line Adjustment Map 408. Lots 17 & 18:

Proposed lot line adjustment for Map 408 Lot 17 owned by L. Greenwood and Map 408 Lot 18 owned by T. Benoit. Richard Drew Licensed Land Surveyor, Richmond NH represented the owners and explained the adjustment to the board.

The purpose is to equally adjust the area to allow an existing garage built on Lot 18 and most of the septic system also built on Lot 18 to now be with Lot 17. There is no change in either lot size or road frontage. There is presently an easement for Lot 17 for the use of the property and that will go away with the lot line adjustment.

Butterfield and McWhirk attended a site walk on June 24, 2022, with Drew and confirm that the pins are all in place.

Chairman Maillet went on to present the waivers as one motion.

501.6 Septic approval no new building lots are being requested.

504.1S Wetland Conservation District, there are wetlands, but the exchange does not affect compliance.

504.1Q Features within 50' of the subdivision. The proposal does not affect the equal area swap.

504.2 No construction plans for roads or drainage is being proposed.

504.3 Grading plan as no new construction is proposed.

504.1R Showing boundaries of wetlands and swamps will not be affected by this proposal.

505.1 Soil Overlay, no new building lots needing septic approval are being created by the adjustment.

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

501.7 There are no new Driveways being proposed. Both existing lots presently have driveways.

Motion made by Vice Condon to approve the waiver requests for the proposed lot line adjustment as presented. Seconded by Butterfield.

All in favor. None opposed. Motion carries.

Motion made by Chairman Maillet to close the Public Hearing. Seconded by Smith.

All in favor. None opposed. Motion carries. Public hearing closed at 7:15 PM

With no further discussion from the Board.

Motion made by Vice Condon to approve the Lot Line Adjustment as presented for Map 408 Lots 17 and 18.

Seconded by Butterfield.

All in favor. None opposed. Motion carries.

Drew will have the signed mylar at the Town Hall for Monday July 18, 2022, Chairman Maillet and Secretary Smith will go to the Town Hall on Wednesday July 20, 2022, to sign the mylar for recording at the Registry of Deeds.

3. Lot Line Adjustment Map 414 Lots 36 & 34:

Motion made by Bersaw to open the Public Hearing for Map 414 Lots 36 & 34. Seconded by Vice Condon. All in favor. None opposed. Motion carries.

Public Hearing opened at 7:20 PM.

Proposed hearing is in reference to a Lot Line Adjustment for Map 414 Lots 36 Owned by Eric & Jennifer Duda and Map 414 Lot 36 owned by Eric W. Barnstead. Charles Lawrence who in mentoring with Richard Drew, Surveyor will represent the owners.

Lawrence explained that the purpose of the proposal would add 13.25 acres to Map 414 Lot 34 and decrease Map 414 Lot 36 by 13.25 acres. After the proposed adjustment is approved Lot 36 will have 18.49 acres and Lot 34 will have 12.22 acres. This is all back land and does not create a second lot or increase road frontage.

Butterfield and Smith attended a site walk on June 27, 2022. The perimeter was walked, and all pins are in place. Located In the far southwest corner of the lot there is a pond. There was a reference pin put in place to mark the line going through the body of water.

With no further discussion Chairman Maillet presented the waiver requests. It was decided to do all waivers in one motion.

504.1 Construction and Grading plans there are no new roads or driveways in the proposal.

504.5 Soil Overlay, there are no proposed new lots.

504.6 NHDES Subdivision approval. There are no new lots proposed.

504.7 Driveway permit, there are no new driveways both lots presently have a driveway.

504.11 Construction plans, this has no new roads proposed.

504.13 National, State and Local laws, there are no new roads, or easements being proposed.

14K Town boundaries. This does not affect any of the town boundaries.

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14U Percolation tests there are no new lots being proposed.

There was no discussion.

Motion made by Smith to approve the lot line adjustment waivers as requested for Map 414 Lots 34 & 36. Seconded by Bersaw. All in favor. None opposed. Motion carries.

Motion made by Chairman Maillet to close the Public Hearing. Seconded by Smith. All in favor. None opposed. Motion carries. Public hearing closed at 7:29 PM.

With no further discussion.

Motion made by Smith to approve the Lot Line Adjustment for Map 414 Lots 34 & 36 as presented. Seconded by Vice Condon. All in favor. None opposed. Motion carries.

Mylar was signed, all fees paid.

4. Mail:

SWRPC Highlights Newsletter, June 2022
NHMA Town and City magazine, July/August

5. Minutes June 21, 2022:

Page 2, under 6. Other, 1. Camp Takodah, third line down.: Correct the word Stie to Site. Should read **need for a Site Plan Review.**

Motion made by Vice Condon to accept the minutes as amended. Seconded by Butterfield. Three in favor. Two abstentions. Motion carries.

6. Discussion on definitions:

Definition for the word access. From research the only definition through the State of NH would be a deeded or handwritten access for an easement to access back property. This can be written for a specific amount of time or long term or deeded to the property.

Term was looked up in Merriam Webster Dictionary, but it doesn't relate to land use. It was determined to ask the Selectmen to use the Land Use Attorney for a definition.

The new policy for the Planning Board to use the attorney requires a full board vote to ask the Selectmen. A detailed request and the minutes showing the vote. The information will be submitted to the Selectmen by the Chairman of the Board. The Selectmen will decide at that time if the board should have legal representation.

Bersaw explained that the new land use attorney would allow priority for the land use boards. In an emergency situation. In an emergency their doesn't need to be a full board vote and the Chairman can contact the lawyer directly.

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In the case of a lawsuit between one of the Land Use Boards and the Selectmen the Land Use Board would have priority over the Selectmen to use the Land Use Lawyer.

Board asked if there was someplace where the guidelines were written down. The answer was no that the Selectmen have voted to use the new attorney, but they still must work out particulars around the use.

Also, question on whether the Selectman's representative could vote as a board member to go to the Selectmen and then cast a vote on granting/denial of the request while seated as a Selectman? Not sure how this would work. Bersaw stepped down for the board vote until there can be clarification on what action should be taken.

Motion made by Vice Condon to contact the Land Use Attorney for a definition on access. Seconded by Smith. Four in favor. None opposed. Motion carries.

Chairman Maillet will attend the Selectman's meeting on Monday July 18, 2022, if all paperwork is ready to request the use of the Land Use Attorney.

7. Discussion on Tiny Homes:

Discussion on tiny homes. For the second time the tiny home HB 1068 to regulate tiny houses was killed in the house. Smith wanted to address tiny homes in Richmond and explore making them legal. Smith was told that presently tiny homes are legal on a lot of their own under the town Zoning Ordinances. There is not a building size restriction. But they need a lot of their own, septic, well and driveway.

Smith discussed the matter of tiny houses on wheels and at that point a tiny house becomes a trailer subject to the same criteria as a house trailer or mobile home. Richmond does not allow mobile homes parks.

It was suggested that if Smith wanted to put together an outline of what he wanted the Planning Board could address his outline.

8. Other:

1. Current Use Discussion:

There are several kinds of Current Use that can decrease taxes with different rates depending on how a person would like to use their land. Susan Harrington from the Selectman's office has been going through all current use parcels. Letters are being sent out to current use taxpayers with large acreage to please show what current use criteria they are using.

With no further business before the board.

Motion made by Butterfield to adjourn. Seconded by Bersaw. All in favor. None opposed. Motion carries.

Meeting adjourned at 8:45 PM

Respectfully Submitted,

Kandace Mattson