

**Town of Richmond**  
**Planning Board Public Meeting**  
**November 21, 2023, 6:30 PM Taylor Van Brocklin Building**  
**FINAL REVISED**

Members Present:

Doug Smith (Chairman)  
Jed Butterfield (Vice Chairman)  
Lisa Traeger  
Kim DeMasco  
Lloyd Condon (Alternate)  
Doug Bersaw (Selectman's Rep)

Members Absent

Kathryn McWhirk (Secretary)  
Stacie Maillet  
Karen O'Brien (Alternate)  
Joe Norman (Alternate)  
William Daniels (Alt. Selectman's Rep)

Public: Antoinette Cincotta.

Meeting called to order at 6:30 PM.

Condon seated for McWhirk.

**1. Public:**

No one from the public.

**2. Mail:**

Town and City magazine, November-December issue.

State of NH, Department of Energy selected Richmond to take part in a survey. Richmond doesn't have an Energy Committee currently. Vice Butterfield offered to take the information, open the app to determine if he can work on the survey.

**3. New Business:**

DeMasco asked if the Land Use Assistant had worked on standard operation procedure for the different applications and all the duties that the Land Use Assistant is responsible for. Mattson has not at this time but will try to get one done.

**4. Old Business:**

**a. Minutes of October 3, 2023:** final version.

Motion made by Chairman Smith to the accept the final version of the October 3, 2023, minutes as amended. Seconded by DeMasco. Five in favor. None opposed. One abstention. Motion carries.

**Minutes of November 7, 2023:** draft

Draft minutes were reviewed, and changes were made.

**b. Definition of Structure:** Requested by Zoning Compliance Officer

Bersaw worked on and sent a draft for the definition of structure to all Board members, Selectmen, and the Land Use Assistant. He received a few replies. One very provocative reply suggested that instead of trying to define structure to go through the Zoning Ordinances and look where structure is used. This would allow the board to decide if the word structure should be used or the word building.

Below is a brief outline of what they presented to the board.

**Under ONE:** Article 4 Residential District, under 406, more specifically 406.1 and under Article 17 Definitions more specifically 1733. This is deemed illegal according to RSA 674:76.

**Under TWO:** Article 6: Wetland Conservation District, under 601 General to decide to reduce the Wetland Setback from 75 feet to 25 feet.

**Under THREE:** Article 17: Change definition, of building at 1709.

Any structure having a roof supported by columns or walls and intended **or used** for the shelter, housing or enclosure of any individual, animal, process, equipment, goods, or materials of any kind or nature, **including containers larger than 100 square feet used for storage of commodities or other materials, and in-ground swimming pools.**

Bersaw explained that storage containers over 100 sq. feet would require a building permit to be sure they do not impose on the setbacks. Trailers you can register and park. It was suggested to add in ground pools which are meant to last. Exceptions would be the list below.

This would not include above ground pools, solar arrays, fabric/pole garages, etc. or most other things that the definition of structure would include – unless they are attached to a building. It would include roofed patios, gazebos, etc. if over 100 sq. feet.

Solar arrays on a building would require a building permit, they are then a part of the building.

Building permit required only for a building and not for a structure. Cloth shelter (30 X 60) should it require a building permit? Question asked if a greenhouse required a permit? Response was that a greenhouse is made of metal and glass and is more permanent ,this would require a permit. Would this encourage residents to use canvas and hoop instead of a garage? The canvas structures would not have to follow the setbacks to abutters property lines or to wetland setbacks, is this the goal?

**Under FOUR:** replace the word “structure” with the word “building” under the following Articles.

Article 6 Wetland Conservation District.

Article 6, Under 602 Purpose, more specifically 602.1, Article 603 Uses Permitted and Article 604 Special Exceptions under 604.2 Change the word “structure” to “building” in all the above areas.

**Under FIVE:** Other places where the use of the words “building”, or “structure” should be changed.

Article 12: Enforcement & Administration, under 1203 Building Permits Required, all areas that refer to “structure” will be changed to the word “building” and any area that includes “structure” the word “structure” will be removed.

Under 1203.1: B. remove, “or structure(s)”.

Under 1203.2: add the word “and” between “buildings and building components” and remove “and structures”. Continue through and remove references to “structure.”

Under 1204 Occupancy Permit: Add the word “or” between all “dwelling/ building” and remove any reference to the word “structure”

1204.1: Remove the word "structure" from A. and C., and under D. replace the word "structure" with "building".

Article 4: Residential District, under 404 Permitted Accessory Uses.

404.3.4 Change the word "structure" to "dwelling".

Article 17 Definitions

1758 Ruins – Change the word "structure" to "building".

1760 Setback – Remove the word "structure". Other features to add: well, septic and driveways?

Article 3: General Provisions, under 317, more specifically 317.7 change the word "structure" to "building".

Under 317.10, change the word "structure" to "building".

Some confusion on what is permitted in setbacks. "Buildings" would not be allowed but "structures" would be allowed possibly creating an inconsistency. "Structures" would not have to meet road, abutters property line or wetland setbacks. Driveways, septic, and wells would still adhere to the setbacks. Concern for a neighbor's property value or personal property value if it would adversely affect what someone could sell their property for. There should be a balance between the two. Short discussion on restricting the size limitations and location. If it was over a 10 X 10 temporary structure it would be allowed in setback, anything over cannot be in the setbacks. Question on definition of "temporary structures."

The board will take the time to look at the new proposed changes over and be ready to address them at the next meeting. This was a lot to receive, read and digest in one meeting.

Thank you to Bersaw for the work and time he put into the proposed zoning ordinances.

Vice Butterfield asked if Bersaw would be willing to drop Under TWO: Article 6: Wetland Conservation District, under 601 General to reduce the wetland setback from 75 feet to 25 feet if structures were allowed within the Wetland Conservation District.

Question if the Conservation Commission was contacted for their input. Bersaw was going to contact the Chairman of the Conservation Commission and give them the opportunity to come to the next meeting.

c. **Master Plan:** Copies for review by the board.

## **5. Other:**

Motion made by Vice Butterfield to adjourn. Seconded by Condon. Any discussion. All in favor. None opposed. Motion carries.

Meeting adjourned at 8:35 PM

Respectfully Submitted.

Kandace Mattson

**Attachment: proposed Zoning Ordinance changes.**