

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

**May 14, 2014**

**7:00 PM**

**Members Present**

Sandy Perry, Chair  
Alan Schmidt, Vice Chair  
Lloyd Condon  
Mark Beauregard  
Jean Tandy

Public: Richard Drew

Meeting called to order @ 7:04

**1. Meeting called to order/roll call:**

**Distribute new books and Zoning Ordinances:**

Updated Zoning Ordinances were handed out along with the 2013-2014 New Hampshire Planning and Land Use Regulations.

**2. Public Hearing, Map 403 Lot 11:**

**Public notices mailed April 30, 2014 no return receipt.**

- 1. Map 403-11**
- 2. Applicant Richard Drew**
- 3. Map 403-15**
- 4. Map 405-16**
- 5. Map 405-20**
- 6. Map 405-24**
- 7. Map 403-43 & 403-44**
- 8. Map 403-27**

One notification returned marked undeliverable mailed to H & H Investments LLC (Map 403 Lot 27). Kim Mattson contacted the company and electronically sent information. H & H Investments LLC return a letter which is enclosed in the file for Map 403 Lot 11.

**Classified in the legal section of the Keene Sentinel May 1, 2014**

**Public posting, May 7, 2014, inside and outside of the Town Hall and outside of the Veterans Hall.**

**Letter from the land owner authorizing Richard Drew to represent Map 403 Lot 27.**

Richard Drew spoke to the application for a Use Variance requesting a non build able lot on Map 403 Lot 11 to create a lot with frontage on a class VI road.

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

Discussion began on a subdivision on a class VI road. The State Statute 674:41 blocks any subdivision on a class VI road. This Statute was put in place to help towns prevent local fire and rescue from having to be put at risk.

Richard Drew added that this particular subdivision is not requesting a build able lot it was his interpretation that 674:41 address's a subdivision for building purposes. He went on to add that this lot was a cemetery that the family wanted to separate from the main property for future access.

There is a statue under Title XXVI Chapter 289 Section 289:14 that assure permanent entry over private land to enter and maintain burial grounds.

Richard Drew added that the family wanted to maintain ownership of the pond and marsh surrounding the cemetery as one lot.

Chairman Perry contacted the New Hampshire Municipal Association to address the State Statute due to how confusing the wording appeared. According to the Municipal Association the answer would be no, according to the Statue you can not create a lot on a class IV road and the Zoning Board of Adjustments would not have the power to grant such a Variance. It was suggested that the only board in town that can declare the property unbuildable are the Board of Selectmen.

Vice Chairman Alan Schmidt will contact the New Hampshire Municipal Association and ask for a second opinion on 671:41.

Public Hearing has been continued until Wednesday May 21, 2014 @ 7:00 PM located at the Richmond Veterans Hall.

**3. Minutes of Nov. 6, 2013:**

Page 1, Under 1. Public Hearing Map 405 Lot 51: Fourth section down, fourth line down, second word in change designed to designer. Fifth section down, second sentence, first word change then to the.

Motion made by Jean Tandy to accept the minutes as amended. Seconded by Alan Schmidt. All in favor. None opposed. Motion carries.

**4. Election of officers:**

Jean Tandy nominated Alan Schmidt as Chairman of the Zoning Board of Adjustments for the 2014-2015 year. Seconded by Lloyd Condon. All in favor. None opposed. Motion carries.

Sandy Perry nominated Mark Beauregard as Vice Chairman to the Zoning Board of Adjustments for the 2014-2015 year. Seconded by Jean Tandy. All in favor. None opposed. Motion carries.

**5. 2014 Application update:**

With the updated ballot of 2013 Zoning Ordinance pertaining to Article 10 Board of Adjustments had the reference numbers and order changed. The Zoning Board of Adjustments updated their 4 applications to reflect the changes. The Zoning Board of Adjustments was asked to reference the new numbers and definitions with the 2014 updated Zoning Ordinances for accuracy. This will be addressed at the next Zoning Board meeting.

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**6. Other:**

Discussion to recruit new members to come on board as alternates.

Motion made by Lloyd Condon to adjourn. Seconded by Alan Schmidt. All in favor. None opposed. Motion carries. Meeting adjourned at 7:55.

Respectfully Submitted:

Kandace Mattson