

RICHMOND BOARD OF SELECTMEN  
105 Old Homestead Highway  
Richmond, NH 03470

June 29, 2010

Editor  
Keene Sentinel  
60 West Street  
Keene, NH 03431

Dear Sir:

This letter is in response to the article appearing in last Saturday's edition (June 26, 2010) of the Keene Sentinel concerning the Saint Benedict Center and Town of Richmond lawsuit settlement.

Although the Saint Benedict Center's lawsuit alleges religious discrimination by the Town of Richmond Officials, the Board of Selectmen wishes to remind citizens of Richmond that none of the members of the Planning Board, Zoning Board of Adjustment or Board of Selectmen ever discriminated against the Saint Benedict Center, any of its members, or any other citizen or property owner in the Town of Richmond, nor did any Court ever find that such discrimination existed. The Cheshire County Superior Court did find that the Town of Richmond's zoning ordinance was deficient in that it failed to provide for churches in the Town of Richmond as a matter of right as opposed to requiring a special exception or variance from the Zoning Board of Adjustment. The Court also found that the Planning Board, as part of a site plan review process, imposed conditions that were unduly burdensome under the terms of the federal statute called the "Religious Land Use and Institutionalized Persons Act" (RLUIPA).

Although the Board of Selectmen disagrees with the Court's findings, the Town's insurer agreed to settle the case rather than carry on a protracted and expensive legal fight. The Town's

liability policy provides that the Town must agree to the settlement or assume responsibility for all legal costs and additional damages over and above the settlement offer. This was a risk the Board of Selectmen chose not to take and therefore, the Board of Selectmen agreed to the financial settlement negotiated by the Town's carrier. Additionally, by agreeing to settle the case in this manner, there will be no expense to the tax payers of Richmond. In the future, as in the past, our Town Boards will continue to apply the Town's land use rules fairly and equally to all of our citizens.

The Board of Selectmen applauds the efforts of each member of the Planning Board and Zoning Board of Adjustment. These members volunteer their time and they worked countless hours on this extremely complicated matter in an effort to get it right. Their efforts are greatly appreciated by the Board of Selectmen.

It is unfortunate that the Saint Benedict Center case has divided our Town by causing animosity and bitterness among our citizens. We hope that the settlement will end what has now been four years of contentious litigation and allow our Town's citizens to come together and begin the healing process.

Town of Richmond Selectmen

J.C. Boudreau

Sandra Gillis

Wesley Vaughan