

ATTACHMENT  
TO PLANNING  
BOARD MINUTES  
OF MAY 9, 2007

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TOWN OF RICHMOND, NH

PLANNING BOARD

NOTICE OF DECISION

On May 9, 2007, the Town of Richmond Planning Board voted five votes in favor and one opposed to APPROVE WITH CONDITIONS, the Saint Benedict Center, Inc., ("Applicant") Site Plan Application dated October 3, 2006, together with Plan Sheets C1.0, C2.0-2.2, C3.0-3.2, C4.0, C5.0, C6.0, C7.0, C8.0, SS1.0, SS2.0, SS3.0, A1-1, A3-1, A3-2, LA-1, LA-2, LA-3 (all incorporated by reference herein as "Site Plan") and accepted by the Planning Board on December 5, 2006. The conditions of such Site Plan approval are as follows:

**Necessity of the Conditions**

If the following conditions are not met in their entirety, the Site Plan is considered scattered and premature and is not approved.

**Zoning**

1. Applicant must obtain from the ZBA a special exception for a house of worship in a residential zone as well as a determination as to whether or not a school is an allowed accessory use to this house of worship. If a school is not an allowed accessory use to an approved house of worship, the applicant must get a variance from the ZBA. (12)

**Fay Martin Road and Bridge**

2. Construction may only be started on the new building after completion of bridge, improvements to Fay Martin Road, and recording of the lot mergers, all as stated herein. (Post ROD) (2 YRS.)

3. The Applicant is responsible for the upgrading of Fay Martin Road to extend from the east end of the bridge over Tully Brook on the entrance to Fay Martin Road to utility pole #13 (PSNH436/9) near the driveway of the former Steve Boscarino property (Map 412 Lot 19).

4. The bridge over Tully Brook must be replaced with a two-lane bridge, minimum 50 ton capacity.

5. Posting of a bond or irrevocable letter of credit for improvements to the bridge on Fay Martin Road, the Fay Martin Road (from the bridge to the former Steve Boscarino property, Map 412 Lot 19), and the "fire pond access road" from Fay Martin Road to the dry hydrant at the approved fire pond must be done prior to recording at the Registry of Deeds, or the roads and bridge improvements are completed before recording. (12)

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6. The bridge on Fay Martin Road must be constructed as well as the specified improvements done to the Fay Martin Road and to the "fire pond access road". Construction of the road and bridge shall comply with the "Fay Martin Road Layout Report" items 7-10 as supplied by the Board of Selectmen. (Post ROD) (2 YRS.) Construction of the road and bridge shall comply with the "Fay Martin Road Layout Report" items 7-10 as supplied by the Board of Selectmen.

7. Because of the safety concerns related to the Fay Martin Road Bridge, the replacement of the bridge must be completed prior to the commencement of any road and site construction. After completion of the bridge and road improvements to the Fay Martin Road including a 2.5 inch binder layer of paving and improvements to the "fire pond access road," all other construction proposed in the submitted plats may be started. (2 YRS.) The 1.5 inch top coat of paving is to be installed within 9 months of completion of heavy construction and prior to issuance of assembly/occupancy permit of the new building. The Applicant is responsible for the repair of any damage to the road related to the construction of the site.

8. The Applicant must upgrade and maintain the fire lane access road year round from Fay Martin Road to the dry hydrant at the fire pond with the specification standards of 50-200 from Appendix 4 of the Subdivision Regulations.

9. The Applicant must bear full financial responsibility for the specified upgrading of the Fay Martin Road, the "fire pond access road," including engineering costs required by the PB, as well as any easement expenses associated with the road improvements and bridge construction. The Applicant will be responsible for 50% of the cost of the proposed new two lane bridge and associated bridge engineering costs.

### Safety

10. The Applicant is responsible for compliance with all local and state fire safety codes as approved by State Fire Marshall and Town of Richmond Fire Chief.

11. Because of septic system pumping needs, emergency requirements, and overall safety, a generator of 100kw or greater with an automatic transfer switch must be sited and installed at the proposed new building and approved by a Planning Board appointed expert and paid for by the Applicant. The permanent generator placement at the building must be noted on the final Site Plan.

12. The Applicant is responsible for modification (if necessary) and final approval of the fire pond and dry hydrant access as required by the Town of Richmond Fire Chief.

13. The Applicant is responsible for showing on the plans and construction of a fireway access around the proposed new building as recommended by the State Fire Marshall and with final approval of the Town of Richmond Fire Chief.

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14. The Applicant must install a fire alarm system approved by Town of Richmond Fire Chief to include automatic communication with Mutual Aid.

15. The Chapel seating is to be fixed to the floor to preclude seating that exceeds fire code capacity, or in the alternative the Applicant must install a sprinkler system as required by the Town of Richmond Fire Chief.

16. The Applicant must show (on the Site Plans) all sidewalks for egress according to the recommendations of the Town of Richmond Fire Chief.

17. The Applicant must maintain at all times the appropriate egress from the proposed new building according to the recommendations of the Town of Richmond Fire Chief.

18. Placement of a code compliant firewall between assembly area and school as per the recommendations of the State Fire Marshall and the Town of Richmond Fire Chief.

**Water and Septic and Soil**

19. The Applicant must apply for and obtain all applicable DES approvals and supply copies to the Planning Board and to the Board of Selectmen.

20. The Applicant must provide proof that 2 sealed wells, one next to St. Joseph's House and the other next to the fire pond (ID# 1985010/Map 412/Lot 20) are correctly done according to DES standards.(12) The New water supply to existing buildings must be delineated on Plan sheet C3.0.

21. The Applicant must obtain and provide to the Planning Board DES groundwater discharge permit and DES approval of public wells on the site. (12)

22. The Applicant must obtain a complete water analysis performed according to DES standards on all three remaining wells (Boscarino property--Map 412/Lot 19 to be merged, and the remaining two wells on the present St. Benedict property--Map 412/Lot 20). The water analysis is to be completed within 2 months of conditional approval and copies of the reports filed with the Board of Selectmen and the Planning Board.

23. The Applicant must be in compliance with the Town of Richmond ZBA special exception approval granted the Applicant for "jacking" under the delineated wetlands on the St. Benedict Center site plan (ZBA Approval of April 11, 2007). (12)

24. The Applicant must obtain federal and state approvals, including DES approval, for disturbing more than one acre prior to construction and provide copies of such approvals to the Planning Board

25. The Applicant must accomplish the discontinuance and appropriate removal of the

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existing leach field presently located on property Map 412 Lot 20 as indicated on Plan sheet SS1.0 on new plan. Discontinuance and removal of this leach field shall take effect when the new system supplying the approved site and installed on the former Boscarino property (Map 412 Lot 19) now part of the St. Benedict Center site plan of merged lots comes on line. (12)

**Lot Size**

26. The Site Plan Application and review was predicated on the lot merger proposed by the Applicant (Map 412-Lot 18/Fall, Map 412-Lot 19/Boscarino, Map 412-Lot 20/St. Benedict Center). The lot merger must be executed and signed by the Applicant before any recording at the Registry of Deeds as part of the Site Plan approval.

**Plats, Plans, and Building Permit**

27. The Applicant shall prepare and submit to the Planning Board for its approval Plats, inclusive of any changes required by the Planning Board, suitable for recording at the Registry of Deeds.

28. The footprint, siting, and landscaping shall remain the same as on the Plats and all construction shall meet applicable state and local codes.

29. Construction drawing for Fay Martin Road will be provided by the Applicant and approved by the Board of Selectmen. Drawings shall conform to item #CX of the "Fay Martin Road Layout Report" (Supplied by the Board of Selectmen) and include items necessary to improve existing road from bridge over Tully Brook up to utility pole # 13 (PSNH436/9) just past the former Steve Boscarino driveway. The road shall meet or exceed specifications for 50-200 cars per day from Appendix 4 of the Subdivision Regulations as amended through March 4, 1998.

30. Conditions must exist at all times during construction on Fay Martin Road and Bridge for the safe traversing by motor vehicles.

**Active and Substantial Development**

Commencement of active and substantial development shall be deemed to have occurred when the foundation for the proposed building is poured, and it is approved by the Town.

May 14, 2007  
Date

  
Planning Board Chairman

NOTE: (A) Any condition containing (12) means it must be completed within 12 months after the conditional approval date and before recording with the registry of deeds. (B) Any condition containing (Post ROD) means the condition may be implemented after recording with the Registry of Deeds. (C) Any condition containing (2YRS.) means that condition must be

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completed within 2 years.