

**RICHMOND DEVELOPMENT REVIEW BOARD
REGULAR MEETING
APPROVED MINUTES FOR MARCH 13, 2013 MEETING**

Members Present: David Sunshine, Chair; Stephen Ackerman; Fred Fortune
 Members Absent: Brian Werneke, Vice-Chair; One vacancy

Others Present: Cathleen Gent, Town Planner/Staff to the DRB; Ruth Miller, taping for MMCTV Comcast 15; Candice Campbell, Richard Campbell, Doug Hensen, Peter Swaine, Paul Dawson, Don Morin, Martha McSherry. *See attached sign-in sheet.*

Sunshine called the meeting to order at 7:06 p.m.

Sunshine welcomed the public and requested that everyone sign in. He encouraged people to speak during the hearing, if anyone has an interest related to a particular application. He explained that, if someone wishes to have interested person status for purposes of appealing a decision, that person must speak during the hearing about the project.

Sunshine mentioned that the DRB continues to have a vacancy and encouraged members of the public who might be viewing the proceedings on cable television to apply.

PUBLIC HEARINGS

1. Candice & Richard Campbell – Application #13-014 for a preliminary subdivision review for the “Campbell” 2-lot subdivision (one original lot and one new lot) for a 10.1-acre parcel located at 1724 Kenyon Road (KR1724) in the Agricultural Residential zoning district. The applicants are also requesting a waiver to combine the preliminary and final plan approval.

Sunshine swore in Candice Campbell, Richard Campbell, and Doug Henson (Lamoureux and Dickinson). Candice Campbell provided an overview, stating that she and her husband plan to sell the property and that they are doing the subdivision because they want to offer potential buyers flexibility in terms of whether to purchase the whole parcel or one parcel only. Campbell acknowledged that the future buyers might want to undo the subdivision. She stated that they have attempted to comply with the zoning and subdivision standards in laying out the proposed subdivision and they have no stake in the exact location of the house on the new lot.

Gent noted that a new plat and new site plans were handed out during the hearing, which represent a revised building envelope for the new lot. Henson discussed the specifics of the proposed development, noting that the original parcel size is 10.1 acres and that a house and the majority of the existing driveway are located on Lot 1. Lot 2, located in the lower area of the parcel, is 5.3 acres. Soil testing has been done and a sewage design prepared for a potential future residence. Henson noted that the revised building envelope, at about 40,000 square feet, is at the bottom of a hill on Lot 2. The shared driveway is off Kenyon Road and the new driveway for lot 2 is along an old logging road with a grade of less than 5%. Henson added that the new plans were done to remove the steep slope within the building envelope and that each lot contains its own septic and well.

Ackerman, who is the DRB liaison for the project, said there are not a lot of problems, now that the building envelope has been revised. He noted that the wastewater system will be uphill from the house location. Candice Campbell said that a pump would be installed. She discussed the parking area located on Lot 2 for the benefit of Lot 1. There is a reserved area where the owners of Lot 1 may park their cars in the case of inclement weather. Campbell acknowledged that the driveway for Lot 1 is steep.

Henson said that the Campbells are asking for a waiver so that this approval will be for both preliminary and final subdivision review. He said that the Vermont Department of Environmental Conservation has deemed the wastewater system and potable water supply permit to be complete and is doing its final review.

Ackerman noted that the existing house on Lot 1, specifically the garage, is within the rear property setback. He pointed out that, although that makes the house a nonconforming structure, the owners

1 can increase the structure, based on provisions in the Richmond Zoning Regulations. In response to a
2 question, Henson said there are no easements or rights of way on Lot 1 other than a utility right of way.
3 He said there will be an easement across Lot 2 for a driveway and parking area for Lot 1.

4
5 Sunshine opened the hearing to the public. Peter Swaine spoke. He said he is a neighbor and is
6 surprised that the area near a stream on Lot 2 is not considered to be a wetland since the stream
7 spreads over a large area. Henson said it did not show up as a wetland on the state map and that the
8 building envelope is far enough away to meet state rules.

9
10 Motion made by Fortune, seconded by Ackerman, to close the hearing for application #13-014. Voting:
11 3 in favor; 0 opposed; 0 abstentions.

- 12
13
14 2. Chittenden County Fish & Game Club (hearing continued) - Application #12-025 motion to appeal and
15 motion for stay regarding the February 21, 2012 Notice of Zoning Violation by the Zoning Administrative
16 Officer related to the increased use of the shooting range at an outdoor recreation facility located at
17 1397 Wes White Hill Road (WW1397) in the Agricultural Residential zoning district.

18
19 Sunshine said that the DRB has received a request for a stipulated motion to continue. This request
20 has come from the three parties involved in the matter. He noted that the parties continue to work hard
21 with a mediator to settle the matter. The DRB agreed that continuing the hearing to facilitate a
22 successful agreement is the best approach. Motion made by Ackerman, seconded by Fortune, to
23 continue the hearing for application #12-025 until May 8, 2013. Voting: 3 in favor; 0 opposed; 0
24 abstentions.

25
26
27 OTHER BUSINESS:

- 28 3. Paul and Emily Dawson: Request for extension to submit final subdivision application for 1027 Snipe
29 Ireland Road (Parcel SI1027) – Based on a letter sent to the DRB on February 20, 2013, Paul Dawson
30 requested a six-month extension to submit a final subdivision application. On October 22, 2012, the
31 DRB approved application #12-134 for preliminary subdivision. The subdivision bylaws require that the
32 Dawsons request in writing an extension within six months of the original approval. Dawson explained
33 the primary reason for the request relates to the difficulty of planning the subdivision during the winter
34 months. Motion made by Ackerman, seconded by Fortune, to allow a six month extension (to October
35 22, 2013) for Paul and Emily Dawson to submit the final subdivision application. Voting: 3 in favor; 0
36 opposed; 0 abstentions.

- 37
38
39 4. Don Morin: Informal discussion about 112 East Main Street (parcel EM0112)
40 Morin explained that he has made an offer on the parcel and that he owns an adjoining parcel at 94
41 East Main Street. Gent distributed an orthophoto and Morin handed out photos, a conceptual site plan,
42 and a tax map of the area. Morin explained that Martha McSherry owns 102 East Main Street and
43 provides a right of way through her parcel to access 94 East Main Street. Morin added that there is a
44 condition on the purchase of the property, namely that he can build a four-unit house. His plan would be
45 to demolish the existing single family house and build the quadplex further back on the property. There
46 would be two curb cuts, one for 94 East Main and one for 112 East Main Street, with separate
47 driveways. McSherry and Morin discussed potential plans for using one shared driveway only. They
48 noted that the shared driveway would have to meet the zoning bylaws for width and the number of
49 driveways that are allowed without becoming a road. Morin said that the primary issue is that the
50 quadplex idea does not meet the zoning regulations, specifically that 1/3 of an acre is needed for each
51 dwelling unit (for multi-family housing with 3 or more units). Since 112 East Main is .47 acres, a
52 quadplex would not be possible. He added that he has talked with neighbors who are in favor of his
53 ideas. Morin said he believes his project is in keeping with the town plan for increased density in the
54 village. He added that he doesn't want to spend money on architectural services if it's not going to work
55 out and that building a duplex doesn't work at the price he is paying. Sunshine said that he supports
56 the idea but that the acreage requirement per dwelling unit cannot unilaterally be changed by the DRB.
57 Ackerman and Fortune agreed. As a way to move the discussion forward in terms of potentially

1 changing the zoning bylaws, Sunshine agreed to attend the next Planning Commission meeting, with
2 Morin and hopefully Heidi Bormann, who brought a similar issue to the DRB a couple months ago.

3
4 5. MEETING MINUTES: FEBRUARY 13, 2013.

5 The review of the meeting minutes was postponed, due to the fact that there was not a quorum of
6 members present during that meeting.

7
8
9 6. DELIBERATIVE SESSION

10 At 8:02 PM, motion by Ackerman, seconded by Fortune, to go into deliberative session. So voted.

11
12 At 8:40 PM, motion by Ackerman, seconded by Werneke, to come out of deliberative session. So voted.

13
14
15 7. DRB ACTIONS

16 Motion by Ackerman, seconded by Fortune, to approve application #13-014 (Campbell). Voting: 3 in
17 favor; 0 opposed; 0 abstentions.

18
19
20 8. ADJOURNMENT

21 At 8:40 PM, Fortune made a motion, seconded by Ackerman, to adjourn the meeting. So voted.

22
23
24 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB
25

