



Planning & Zoning Office
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APPLICATION: Conditional Use Review 2022-03

APPLICANT: All Cycle Waste, Inc.

REQUESTED ACTION: Site Plan Review

LOCATION: 80 Rogers Lane

EXISTING ZONING: IC-Industrial Commercial/FHOD-Flood Hazard Overlay District

Act 250 STATUS: Not Applicable

PROJECT DESCRIPTION: Applicant requests Conditional Use Review for proposed addition of re-use shed, replacement Attendants shed, compost totes and lean to compost shed, cardboard compactor, and redirection traffic flow at the Richmond Waste and Recycling Drop Off Center. Parcel ID# RG0080

PARCEL HISTORY: 2020-011 upgrades to lighting, repositioning structures
Application 2019-132 rearranging existing structures
4c0400-7A Land Use permit
15-006 Add pallets of bagged compost for sale
96-059 adding storage shed
284-93 new construction
215-93 Change in use from waste disposal area to drop off facility
Subdivision Permit 9/10/1982

LIST OF SUBMISSIONS:

- Narrative
- Abutter List
- Facility Management Plan
- Existing Site Plans
- Proposed Site Plans

PROCEDURAL INFORMATION:

- Application pre-submission meeting with staff accomplished on January 6, 2022
- Notice placed on Town website and at three locations in town on January 20, 2022
- Abutters notified on January 27, 2022
- Final Agenda placed on website and at three locations in town on January 27, 2022
- All application documents placed on the towns website on January 27, 2022

- Agenda placed in Seven Days, February 2, 2022 edition.
- The entire CSWD site is within the FHOD. Staff has sent Kyle Medash, State Floodplain Manager the application as per §4424 . Comments received as of February 4, 2022.
- Application presented at February 9, 2022 DRB meeting and continued to March 9, 2022 DRB meeting with the following conditions:
 - A. Directional signage plan with locations to be submitted
 - B. Any lighting plan revisions, to include locations and cut sheets be submitted.
 - C. Flood Plain Coordinator comments to be addressed and approved by same
- Updated application materials submitted March 2, 2022.
- Final Agenda placed on website and at three locations in town March 2, 2022.
- Final Agenda placed in Seven Days March 7, 2022 edition.
- Staff sent application and new site plan to Kyle Medash, State Floodplain Manager on March 3, 2022. Comments received as of March 8, 2022.
- Application opened on March 9, 2022 DRB meeting and continued to April 13, 2022 DRB meeting due to Floodplain Manager comments.
- Agenda placed in Seven Days April 6, 2022
- Agenda placed on website and at three locations in town on April 5, 2022
- Application documents placed on the towns website on April 11, 2022
- Updated application materials submitted to staff and to Kyle Medash, State Floodplain Manager on April 11, 2022. No Floodplain Manager comments received as of April 12, 2022.

STAFF COMMENTS (In Bold):

Section 5.5 Site Plan Review

5.5.3 Conditions of Approval for Site Plan Review

1. The DRB may impose conditions and safeguards upon the approval of a site plan with respect to features authorized by the Act (§4416), as amended. Maps, data, studies, and other information will be requested as needed by the DRB for site plan review. Conditions of approval for site plan review include, but are not limited to, the following:
 - A. Traffic - Conditions and safeguards with respect to adequacy of parking, traffic access, and circulation for pedestrians and vehicles...
 - **New ingress/egress format proposed. DRB to ensure All roads, driveways and parking lot to comply with the 2000 or most recent Public Works Specifications**
 - **New circulation path has users turning left to egress against ingress traffic on Rogers Lane.**
 - **Directional signage plan indicated on new site plan.**
 - **Parking appears adequate for the use.**
 - **Lighting - Provision for lighting adequate to promote traffic and pedestrian safety, while minimizing negative impact on neighboring residences. Richmond Zoning Regulations 42 Effective November 10, 2020 apply; exterior lighting shall meet the requirements of §4.11 of these Zoning Regulations.**
 - B. Landscaping and Screening - Conditions and safeguards with respect to landscaping and screening...
 - **Landscaping and Screening, as per §5.5.3 of SPR applies.**

- **Exterior lighting, as per §4.11 of the RZR applies.**
- C. Renewable Energy Resources - Conditions and safeguards for the protection and the utilization of renewable energy resources.
 - **Meets requirements**
- D. Signs – Size, location, and design.
 - **Directional signage included on site plan.**

5.6 Conditional Use Review

5.6.2 Specific Standards - Conditional uses shall comply with the following specific standards:

- a) Obnoxious or excessive noise, smoke, vibration, dust, glare, odors, electrical interference or heat that is detectable at the boundaries of the lot shall not be generated. **Meets requirements**
- b) There shall be no outside displays except those that are brought indoors at the end of the business hours and are the actual product of the business **Meets requirements, no display.**
- c) Outside storage of goods, parts, supplies, vehicles machinery and other personal property shall be appropriate to the neighborhood and shall not impair safety. **Meets requirement, appropriate for neighborhood.**
- d) A State Wastewater and Potable Water Supply Permit shall be obtained before the use commences. **Meets requirements**
- e) The development is proposed over a reasonable time period in order that the general and specific standards for conditional uses may be met. **Meets requirements. Project to start upon approval and issuance of zoning permit.**
- f) In determining the appropriateness of the use in the Zoning District, the DRB shall consider the scale of the proposal in relation to the scale of existing uses and structures. **Meets requirement. Minor improvements appropriate to the scale of existing use.**
- g) No fire, explosive, or safety hazard shall be permitted that, in the judgment of the DRB, after consideration of the advice of Richmond firefighting officials, significantly endangers other property owners or emergency personnel. **Meets requirement, no addition of hazardous materials.**
- h) The development shall not result in an Undue Adverse Effect on state- or community-owned and operated institutions and facilities. **Meets requirements. Proposed site changes not to have adverse effects.**
- i) Existing water supplies and the quality of ground and surface water resources shall not be adversely affected. **Meets requirements. Minor improvements not to affect quality of ground and surface water.**
- j) The proposed Land Development shall not have an undue adverse effect on a Historic Site or rare or irreplaceable natural areas. Proposed structures should take advantage of existing slopes and vegetation to provide screening for the project. **Meets requirements. Appropriate use for parcel not to effect historic sites or natural areas.**
- k) Any other standards, such as natural landscape and “character of the neighborhood” standards, as indicated for specific districts shall also be applied. **Meets requirements.**

4.1 Compliance with Public Works Specifications

All vehicular accesses shall comply with the 2000 Public Works Specifications, or the most recent version of Public Works Specifications at the time of application. **Meets Requirements.**

6.8 Flood Hazard Overlay District

6.8.7 Substantial Improvement Determinations: When a proposal for development within the Special Flood Hazard Area is reviewed, the Administrative Officer shall make a Substantial

Improvement determination. Such determinations, shall be used to Richmond Zoning Regulations 70 Effective October 25, 2021 determine the appropriate development standards for additions, improvements, rehabilitation, repair and rebuilding of an existing structure.

Improvement, non-substantial as defined in §6.8.4

6.8.16 Development Standards

a) All Development shall be reasonably safe from Flooding;

1. Designed, operated, maintained, modified, and adequately anchored to prevent flotation, collapse, release, or lateral movement of the Structure during the occurrence of the Base Flood; **Meets Requirements**

- **Proposed cardboard compactor to be anchored to concrete pad.**
- **Proposed Attendant shed and re-use shed to install flood vents no higher than 1' above bottom of finished floor.**
- **Proposed compost totes to be secured by a ¼" vinyl coated steel rope to be kept on site, secondary containment is existing chain link fence.**
- **Proposed lean to compost shed to be open on one side allowing for water flow. To be constructed on concrete block foundation.**

2. Constructed with materials resistant to Flood damage; **Meets requirement, Attendant shed and Swap Shop to have flood vents installed at bottom of finished floor elevation no higher than 1' from bottom of floor to vent.**

3. Constructed by methods and practices that minimizes Flood damage; **Meets requirements as listed above.**

4. Constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of Flooding; **Proposed Attendants Shed and Re-use Shed both to be serviced by electricity. Service connection/meter to be installed at a minimum elevation of 304.8. All outlets to be GFCI protected.**

5. Adequately drained to reduce exposure to Flood hazards; **Meets requirements as listed above.**

6. Located so as to minimize conflict with changes in Channel location over time and the need to intervene with such changes; **Meets requirements**

6.8.17 Administration

c)) Referral to Agency of Natural Resources

No comments received from Floodplain Manager on Site Plan Submitted 4/11

Additional Notes:

1. A Zoning Permit for the site modifications shall be applied for within 60 days or this approval shall be null and void.
2. The project shall be developed in conformance with the above referenced survey plat, plans, and submittal documents.
3. Any other applicable zoning regulations not expressly waived in this decision must be complied with.
4. This decision shall not relieve the applicant from any obligation to obtain all other applicable required federal, state and local permits, including wastewater permits.

Draft Decision

I, _____ move to approve CUR 2022-03 by All Cycles Waste Company with the following conditions

1. Required Zoning Permit to be accompanied by elevations for minor accessory structures showing vent heights and electrical connections as described in construction notes.

I _____ move to continue CUR 2022-03 by All Cycles Waste Company to the May 11th DRB Agenda.