

Richmond Development Review Board
REGULAR Meeting
APPROVED MINUTES FOR APRIL 10, 2019 MEETING

Members Present:	David Sunshine (Chair); Matt Dyer (Vice-Chair); Roger Pedersen;
Members Absent:	Padraic Monks; Gabriel Firman; Alison Anand (DRB alternate)
Others Present:	Suzanne Mantegna (ZA/Staff); Ruth Miller for MMCTV Comcast 15; James Cochran; Sumner (Chuck) & Harriet (Terry) Farr; Jim Cochran; Brian Carpenter; Lester Nutting; Chris Wasser

David Sunshine opened the meetings at 7:03 pm and requested participants sign in and provided an overview of what an interested party is and stated the procedures for the meeting.

Mr. Sunshine explains that he will recuse himself from voting on matter since he has a relationship with both applicants but will preside over the meeting so there is a quorum.

Public Hearings:

Jim Cochran, Tom & Ali Cochran, and Roger & Jenny Brown- Application 2019-010 for Preliminary Subdivision Review for a proposed 2-lot Subdivision (creation of one new lot) at Parcel ID # MK0530, located at 530 Milkweed Lane, Richmond, located within the Agricultural/Residential (A/R) Zoning District.

Jim Cochran sworn in. Mr. Cochran and his fiancée, Callie Ewald, would like to build a house on property that he owns along with his brother (T. Cochran) and cousin (R. Brown). Mr. Sunshine invites Mr. Cochran to come to the displayed site plan to explain what he would like to do. Mr. Cochran explains where Tom's house is, where the trees were cut on Tom's lot for the house construction and to make a meadow. He explains where new house would be.

Mr. Cochran admits that Milkweed Lane below Brown's driveway is steep and over 12%. Above the Brown's driveway to T. Cochran's house it is 12% or less.

Questions from the Board- Mr. Dyer states that he conducted the site visit (along with ZA on April 3rd). Mr. Dyer asks where power is accessed from. Mr. Cochran explains where it is located and explains how power would access the proposed site. GMP has an easement now and owns the transformer.

Mr. Dyer asks how T. Cochran's lot would change. Mr. J. Cochran explains that his brother's lot was 20 acres but will decrease with some returning to the parent parcel and some to form new lot.

Mr. Cochran explains the history of the parcel, who owned it previously, how they acquired it.

Mr. Petersen ask question of where exactly parcels are located and what is required. ZA explains division and potential need for Boundary Line Adjustment between T. Cochran's lot and the parent lot, then final subdivision of parent lot for applicant parcel.

Mr. Dyer asks about the road grade and where on Milkweed Lane does it not conform and how he plans to deal with it. Mr. Cochran explains that the section would need to make a sweep but there is ledge and blasting. ZA explains that the Rural Road Standards would not come into effect until a permit is issued for the fourth home site, but that new construction is required to meet the driveway standards in the Zoning Regulations. Town neglected to require this with Tom's permit for the house.

1 Mr. Cochran unsure if the road standards changed. Mr. Sunshine states no it is 15% last 200' and no
2 more 12% elsewhere.

3
4 Mr. Pedersen asks question about if more potentially new home sites on parent lot are planned. Mr.
5 Cochran explained that they took enough of the parcel out of current use for the 3 lots at the top of the
6 road. Mr. Cochran explains the original plan was for a total of three home sites at the top of Milkweed
7 Lane plus the existing house where the Brown's live. Mr. Pedersen states so would have to meet grade.
8 So best to do it now.

9
10 Discussion about if there is a Road Maintenance Agreement. Mr. Cochran thinks that there is an
11 agreement but not formalized.

12
13 Mr. Pedersen explains that if the homeowners would like to prohibit development of the parent lot,
14 there are conservation easements that can be done.

15
16 No further questions from the board.

17
18 Questions from the public- Brian Carpenter, neighbor at the bottom of the hill. In general, pleased with
19 how development is done. His concern is about how the clearing has been done to the top of the hill
20 and for the driveway. Thinks that they should have gone through Act 250. He thinks that they are
21 piecing it out to get around Act 250.

22
23 Mr. Sunshine explains that more than 10 houses within a 5 miles radius over 5 year period would trip
24 Act 250.

25
26 Mr. Carpenter continues that the intent of the law was to preserve nature- concern about clearing
27 downhill, creek runs faster and changes to his water and well. Logging concern to create the driveway.
28 Caution the board not to be short sighted and wants the Board to be mindful of change.

29
30 Mr. Cochran explains that Act 250 tripped for the ski area but not for this parcel nor for storm water
31 either. Vision was to have field meadow at the top. If they knew it was so visible and how much people
32 care they might have done differently. Do not plan to have large development up at the top, just a place
33 for families to live. Having gone through the process with the ski area, Act 250 does a good job. Not
34 doing things differently just because this is not under Act 250, trying to be good stewards of the land.

35
36 Mr. Pedersen states that the DRB is pretty much bound by the Zoning Regulations. Would be nice if
37 the DRB could say that "we perceive that the intention of this is trying to get around Act 250", but can
38 only look at what is in front of them. From DRB cannot examine intentions of applicant, can only make
39 applicants conform to rules as they exist. No matter what his deep down intention is. Mr. Sunshine
40 states can only judge applications by regulations.

41
42 No further questions from DRB or public. Motion to move into deliberative session application by Mr.
43 Dyer, seconded by Mr. Pedersen. Passed 3-0.

44
45 Chuck & Terry Farr- Application 2019-012 for Preliminary Subdivision Review for a proposed 2-lot
46 subdivision (creation of 1 new lot) at Parcel ID# CE0445, located at 445 Cemetery Rd, Richmond,
47 located within the Agricultural/Residential (A/R) Zoning District.

48
49
50 Chuck & Terry Farr sworn in. Want to subdivide existing parcel into two. Planning on putting house
51 on market and potentially this lot as well or might build on new lot. Has not submitted access permit

1 to Town yet. They had someone do wetland delineation in the fall, but State has not confirmed. Hoping
2 to have someone come out and measure late April or early May. Where wetlands are may affect curb
3 cut and that is why he hasn't applied for access permit yet. Staff report mentions concern about
4 steepness, where proposed house it is it is not too steep but where septic is it is steeper, but well within
5 regs. Have the stream setback shown on the site plan. Have tried to do what they could to get all
6 questions answered

7
8 Mr. Pedersen conducted the site visit. Only question was about the wetlands and where the house and
9 driveway would be.

10
11 Mr. Dyer asks if the septic is a hopeful location. Mr. Farr, no it has been perced but haven't applied to
12 State yet for permit. Question about where on Cemetery Rd it is.

13
14 Questions from the Board- None

15
16 Questions from the public- No questions- neighbor, Chris Wasser, there but just wanted to see what
17 was going on.

18
19 No further questions. Motion to enter deliberative session by Mr. Pedersen, seconded by Mr. Dyer.
20 Passed 3-0.

21
22 **Other Business**

23 **Minutes to be approved:**

24 March 13, 2019- motion to accept by Mr. Pedersen seconded by Mr. Dyer, passed 3-0.

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26
27 **Adjourn:**

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29 Discussion about when to have meeting, we need to have DRB organizational vote as well. Mr.
30 Pedersen meetings aren't that difficult. Mr. Dyer would be fine meeting earlier. Wait until we see if
31 May meeting is full or not.

32
33 Motion to adjourn the meeting at 7:50 pm by Mr. Pedersen, and seconded by Mr. Dyer. Vote 3-0.

34
35 Respectfully submitted by Suzanne Mantegna, Zoning Administrator/Staff to the DRB