



Planning & Zoning Office
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APPLICATION: Ewald and Cochran Subdivision Amendment

APPLICANT: Jim Cochran and Callie Ewald

REQUESTED ACTION: Subdivision Amendment

LOCATION: 809 Milkweed Road

EXISTING ZONING: Agricultural/Residential District

Act 250 STATUS: Not Applicable

PARCEL HISTORY:
Permit 2020-132 for Single Family Dwelling
Access Permit 2015-065
Final Subdivision Application 2019-119(original parcel MK 530)

PROJECT DESCRIPTION: Applicant proposes amendment to conditions of approval for final subdivision application 2019-119. Applicant proposes the removal of condition stating “Prior to issuance of a Certificate of Occupancy for MK0809, the Applicant shall submit a certification from a certified professional, not related to the Applicant, that, for the length of the road, Milkweed Lane does not exceed 12% grade. Exception to the above is the last 200feet to the foundation of any residence the grade shall not exceed 15%”.

LIST OF SUBMISSIONS:

- K-Town of Richmond- Final Subdivision/Amendment Application
- K-Cover Letter/Narrative
- K-Final Site Plan 12/10/2019
- K- Driveway Plan View For Lower Section
- K- Subdivision Plat
- Addressed Envelopes to all Abutters

STAFF COMMENTS

§600.1 Richmond Subdivision Regulations- Construction:

The SUBDIVIDER shall construct all roads to meet the Town of Richmond Public Works Specifications standards and specifications for public infrastructure, including roads. Specifications for driveways must meet the requirements established in the ZONING REGULATIONS.

Subdivision does not meet section 6.2 of Richmond Zoning Regulations as listed below.

§ 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.**

§ 6.2 Driveway Requirements

6.2.1 Standards - The following standards for driveways and their intersections with public Roads or Highways shall apply:

a) Unless specifically approved by the DRB there shall be a maximum of one driveway per lot accessing a public Road or Highway. This provision shall not disallow a shared driveway between two or more lots, or dual driveways where one lane is marked for entering traffic and one lane for exiting traffic.

MK 809 served by one driveway.

b) Driveways shall meet the following standards unless a different size is required by the DRB due to special circumstances: Residential - 12 feet minimum width, 36 feet maximum width; Commercial - 20 feet minimum width, 36 feet maximum width.

Meets requirements.

c) The DRB may require installation of acceleration and/or deceleration lanes on the adjacent public Road or Highway if it deems necessary. Richmond Zoning Regulations 61 Effective October 25, 2021

Not necessarily due to average traffic flow in this area.

d) Driveways shall be located more than 100 feet from signalized Road or Highway intersections (measured between the near edges of the driveway and intersection). Greater distances may be required on Roads or Highways with high traffic volumes.

Meets requirement, driveway is over 100 ft. away from signalized road or highway intersection

e) The intersection of the driveway to the public or private road shall conform to the standards in the Public Works Specifications. The driveway shall meet the Vermont Agency of Transportation's B71 Standards for construction.

Meets requirements

f) For the length of the driveway, the driveway grade shall not exceed twelve (12) percent except that the last 200 feet from the foundation of the primary structure being served shall not exceed fifteen (15) percent. In measuring the compliance of a driveway, the maximum grade may not be exceeded along the driveway center-line.

Bottom of driveway which existed prior to construction is greater than 12% grade and has not been rebuilt according to 2019 plans. Nonconforming driveway is located on shared lot. Applicant has been warned that a formal or informal notice of violation will be issued if road is not in conformance at Certificate of Occupancy Site visit even if the condition is lifted.

Additional Notes:

1. In accordance with the ACT (§4464), all decisions of the DRB shall be issued within 45 days after the date of the hearing adjournment. Failure to issue a decision within this period shall be deemed approval and shall be effective on the 46th day, provided, however, that for a "deemed approval" to be effective, the SUBDIVIDER must seek court affirmation of the applicability of this remedy by direct appeal of the DRB's decision or lack Richmond Subdivision Regulations Effective Date: April 27, 2009 thereof to the Environmental Court.

Draft Motion and Suggested Conditions

I, _____ move to deny Application to Amend Final Subdivision Application 2019-119 by Jim Cochran and Callie Ewald.