

**RICHMOND PLANNING COMMISSION  
JOINT MEETING WITH DRB  
October 16<sup>th</sup>, 2019, 7:00 pm Town Center Meeting Room  
(unapproved minutes)**

Members Present: Chris Cole; Virginia Clarke; Alison Anand; Mark Fausel; Scott Nickerson; Brian Tellestone; Chris Granda; Lauck Parke

Absent: Joy Reap

DRB Members Pres: David Sunshine; Roger Petersen; Matt Dyer; Padraic Moules; Suzanne Mantegna (ZA/Staff)

Others Present: Ruth Mille, videographer from MMCTV Channel 15

Chris Cole (Chair, a.k.a photogenic, international arms dealer) called the meeting to Order at 7:04 pm.

**1. Welcome and Public Comment** (No public in attendance)

**2. Joint Session with Development Review Board re: Zoning Changes**

Cole opened the joint session by explaining the Planning Commission's desire to closely coordinate with the DRB as the Commission embarks on its efforts to revise and update the zoning regulations throughout the various districts of the town. Clarke noted that once the revised regulations for the Jolina Court and the Village Downtown special districts have been adopted by the Selectboard, we plan to systematically update the zoning document for all other zoning districts.

Sunshine (DRB Chair) not only expressed his appreciation for the invitation to this evening's joint meeting, but also indicated that the opportunity to review and comment on draft versions as the Planning Commission sought to revise the town's zoning ordinances would be extremely helpful to the DRB. He went on to state that the DRB often finds it challenging to attempt to interpret various aspects of the existing zoning document when wording and meanings are confusing or unclear. Hence any efforts to clarify the specific intentions of the Planning Commission relative to the revised ordinances, especially relative to historically problematic areas that the DRB has often wrestled, would be most welcome.

Cole and Clarke both appreciated the DRB's willingness to be more closely involved in the initial revision stages and encouraged DRB members immediately turn their attention to reading and commenting on the current draft documents for both the Jolina Court and the Village Downtown districts prior to the Selectboard considering them for final adoption.

Sunshine continued by indicating that the DRB does not deal with districts per se, but rather finds its major frustrations in often needing to interpret the regulations where the

48 Planning Commission or Selectboard remained silent, or overlooked relevant issues in  
49 the specific wording of the ordinances. Specifically, he noted that in the case of the  
50 interim zoning for Jolina Court the DRB felt it had to make judgmental decisions that  
51 they were not entirely comfortable making, especially as the developer was actively  
52 building as the decisions were being made in the review process. Both Anand and Cole  
53 indicated that all of us have been uncomfortable with the unusual nature of this special  
54 interim zoning situation. Sunshine expressed his appreciation that our efforts to deliver  
55 a clearly written zoning ordinance for Jolina Court would go a very long way in assisting  
56 the DRB in discharging its responsibilities.

57  
58 Cole: clearly in the future the Planning Commission would like to get our proposed  
59 revisions to the DRB well before we entered the formal adoption phase so that the  
60 Selectboard would have a clear understanding as to the preferred desires of both the  
61 PC and the DRB.

62  
63 Cole requested whether or not members of the DRB had any other specific examples of  
64 where the PC could improve things for the DRB? Sunshine's immediate response was  
65 to indicate that the DRB would like to streamline the approval hearing process in the  
66 sub division regulations, moving from three hearings to two. Thus he envisions the  
67 process as demanding the petitioner to participate in a "preliminary hearing" and then a  
68 "final hearing." Not only would this simplify the process for petitioners, it would also  
69 serve to put the applicants on notice that they MUST follow standard procedures. In  
70 addition, it would serve to save the applicant time, fees, and frustration—and this is  
71 currently a major source of frustration and complains from petitioners. Cole inquired if it  
72 was section 5.4 of the current subdivision regulations that Sunshine was noting?  
73 Sunshine: "yes."

74  
75 In reference to this, Mantegna stated that Hinesburg currently has three meetings in its  
76 zoning regulations: (1) Sketch; (2) Preliminary; and (3) Final. Petersen interjected that  
77 the key is to have clarity in the regulations as to what the DRB requires in an application  
78 so that petitioners know exactly what is required of them at the very start of the process.  
79 Cole said that we clearly should examine and compare Hinesburg's regulations as we  
80 seek to update ours. Clarke noted that section 5.4 needs to be refined and updated as  
81 one of our first steps after Jolina Court draft is finished.

82  
83 Sunshine then indicated that sooner than later a number of problematic issues and  
84 areas need to be addressed, and that perhaps we could schedule another joint session  
85 so we can think about and discuss the most pressing problem areas in the current  
86 regulations. He also noted that most of the DRB problems arise in the most densely  
87 populated areas of the town.

88  
89 Cole, Clarke, and Petersen, all stated that definitions are very often one of the most  
90 problematic aspects of the regulations. Fausel noted that we should turn more  
91 frequently to the "Red Book" in order to streamline and standardize the definitions we  
92 include in our revised regulations. As an examples Sunshine raised the definition of  
93 "professional offices," asking if this is meant to mean only offices staffed by those  
94 professional with official certification, or does it simply mean "all" offices? As another

95 definitional example, Moules raised the question of PUDs as another example in section  
96 5.12 where applicants have flexibility, yet in section 5.2.12 there arises a confusing  
97 conflict.

98

99 At this point, Parke suggested that the formation of a joint subcommittee might be very  
100 useful in identifying and screening the most important and pressing topics or issues.  
101 Cole immediately initiated such a subcommittee, with Parke, Fausel, and Anand  
102 volunteering from the Planning Commission, member(s) from the DRB to be determined  
103 at a later date.

104

105 Cole asked if there were any additional problematic areas:

106

107 -Moules: tall structures in section 6.0.6, What is the definition of “steeply pitched  
108 roof?”

109 -Dyer: accessory dwellings in section 5.9.1d, there is much confusion in what the  
110 regulations actually say and how we should interpret this section, i.e. for  
111 example what should be the maximum percentage in relation to the state  
112 regulations on this matter?

113 -Petersen and Dyer: Air b-n-b is also an issue (Cole noted that the PC plans to  
114 engage the broader community in a discussion of this issue in the near  
115 future).

116

117 Cole closed out the joint session by indicating that a detailed review of the current Jolina  
118 Court draft and the compilation of a “red-hot” list of the DRB’s most pressing issues and  
119 concerns would be a great place for the newly formed joint subcommittee to start its  
120 efforts. Sunshine thanked the Planning Commission for organizing this session and  
121 noted that Mantegna would distribute the most current draft of the Jolina Court proposal  
122 to the DRB members

123

### 124 **3. Administrative Items:**

125

126 Cole asked for motions to approve the minutes from 5/1/19; 5/9/19; 5/15/19; 5/22/19;  
127 6/5/19; and 10/16/19. Clarke suggested that we approve all in one motion, so moved,  
128 Parke seconded, unanimous approval.

129

130 Cole indicated that he and town manager Josh Aronson were in the process of  
131 negotiating a contract with Jessica Draper for part time support of the Planning  
132 Commission until her replacement was hired. Interviews of candidates for the position  
133 should begin shortly, Cole stated he would keep us updated as the process progressed.

134

135 Fausel encouraged members to re-read the 2012 proposed zoning changes as there  
136 were many sound suggestion in that document that might be included in our current  
137 efforts.

138

139 Parke raised the issue of our need to simultaneously engage in discussions about some  
140 long-range planning issues such as future traffic flows and possible congestion from the  
141 Jolina Court development necessitating a second exit from the site; the possibility of

142 creating a transportation hub at the town center complex with additional parking on  
143 Jolina property; the possibility of securing purchase options on property abutting the  
144 town center; and a review of new town plan in order to establish priorities for our  
145 planning efforts.

146  
147 Cole meetings of the newly formed transportation committee are open to the public-he  
148 encouraged interested members to attend.

149  
150 Cole—issues for the remaining 15 minutes?

151  
152 **4. Jolina Court Zoning Amendment Update from Selectboard**

153  
154 Clarke, we need to get this section done! Following is what the Selectboard seems  
155 ready to adopt:

156  
157 -Uses: three categories—allowable; allowable with site plan; conditional use  
158 the selectboard seems ready to accept the revisions we recently made in each  
159 of these categories.

160  
161 -Residential density: 15 units/acre, above OR below the main floor (i.e. can be in  
162 the basement provided relevant fire codes are met). Main floor reserved for  
163 commercial use (i.e. NO residential dwellings).

164  
165 -Lot coverage: maximum 80% of the entire 6 acre parcel.

166  
167 -Building height: maximum 35 feet; 32 feet to window sill for fire code.

168  
169 -Compatibility of all buildings on the site: (Cole noted we should highlight this to  
170 the DRB).

171  
172 -New definitions: main floor; residential use+ dwelling units and residential  
173 services.

174  
175 Cole-members should read the Selectboard's most recent draft of the Jolina Court  
176 Zoning Regulations before our next meeting. In addition, hopefully we will fill the  
177 planner position with a full time candidate soon.

178  
179 Cole call for a motion to adjourn? Tellestone, so moved, Granda, second, unanimously  
180 approved at 9:08 pm.

181  
182 Respectfully submitted: Parke

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184  
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