

Richmond Planning Commission

Regular Meeting

June 6, 2012

Approved Minutes

Members Present: Gary Bressor (Chair), Lou Borie (Vice-Chair), Mark Fausel, Joe McHugh, Christy Witters

Members Absent: Dan Renaud, one vacancy

Others Present: Cathleen Gent (Town Planner/Staff to the DRB); Craig Caswell (Casing Development, LLC); David Raphael; Julie Potter (Chittenden County Regional Planning Commission); Amy Lord; Lauke Parke

7:05 PM Call to order by the Chair.

Public Comment – No public comment.

Richmond Zoning & Subdivision Regulations

Creamery Parcel

Because the owner and consultants for the creamery parcel were present, Bressor changed the order of the agenda to begin with that item. Caswell began by discussing the ongoing issues with developing the creamery parcel in terms of the brownfields contamination and creating a project within the current and proposed zoning and subdivision regulations. He added that work has been completed to address the pollution and that they very much want to get some development on the parcel. He noted that parking for Sonoma Station is provided on the creamery parcel on an informal basis.

Raphael then spoke, noting that they first met with the Planning Commission in December 2009 and that there has been a lot of planning and remediation work done for the brownfields issue, thanks to work done by the Chittenden County Regional Planning Commission in large part. He said he thinks the site is best served in a development scenario, by accomplishing pollution remediation and site clean up in concert with the development of the site. The challenges are the market conditions and the limitations and constraints in the current and proposed zoning. Raphael said that they have done a number of scenarios in order to understand the development capacity. The new FEMA map will have a substantial impact on the development potential because the density calculations will be affected since land in the floodplain cannot be included in the lot density calculations.

Raphael then handed out a one-page document to the Planning Commission, which provided a summary of the issues for the creamery parcel with regards to zoning constraints and the proposed FEMA floodline. He highlighted the primary issues as: 1) the rationale for removing non-developable land (floodplain, wetlands) from the density calculation in a village or urban setting; 2) the density bonus for PUDs should be more like 50% or 100%, which gives the builder the ability to develop the project; 3) building height limits are too low, noting that the senior center would be a good first floor use with two upper floors for elderly or senior housing; 4) the non-residential minimum 1000 square feet requirement is a major constraint. Raphael then mentioned the town plan, noting that residential development is encouraged in the village center. He then discussed the four issues and other items in more detail. He mentioned the advantages of project phasing, since it would allow the developer to find a viable tenant or buyer for the commercial uses. He advocated building the infrastructure, but not the actual space until there is a tenant or buyer. If the building height were raised 10 feet, that would allow for another story to be built. Raphael said he believes that Richmond has mutual aid with the Williston fire department to deal with fires in taller buildings, which could complement a sprinkler system and any imposed conditions to maintain compatibility of the development in the neighborhood.

The central issue, Raphael argued, is how Caswell can demonstrate to the Planning Commission that there is room to accommodate the higher density. He reviewed five different scenarios, based on the current and proposed zoning and the current and proposed FEMA Special Flood Hazard Area maps. With the current zoning and current FEMA map, Caswell could build 26 units (Option B), taking 17 years to break even. With the proposed new zoning and the proposed FEMA map, Caswell could build 11 units, not including any density bonus (Option C), which is the worst case scenario from a development perspective, in part because the developable land is reduced to 2.9 acres, and it would take 20 years to break even in terms of investment. Raphael said that this break even analysis was done on the basis of potential costs (remediation costs, traffic signal, construction costs, architecture costs, land costs, 10% contingency), although the final costs are not in place yet. He added that, if there were full occupancy of

1 the residential units and no commercial development, it could take 27 to 30 years to lease the space.
2 The bottom line is that, the more density in terms of residential units, the more viable the project will be.
3 Raphael said that they are still trying to make the property work in terms of selling units and commercial
4 space.

5
6 Raphael then discussed the possibility of a state revolving loan fund grant program with the Town of
7 Richmond. The grant would be used to handle abatement and remediation costs. The grant program is
8 available to nonprofits or municipalities. In response to a question from the Planning Commission,
9 Raphael said that the senior center group does not want to be involved with development. The town
10 could create community gardens in the floodplain or some other use there.

11
12 The Planning Commission then offered comments and questions. In response to a question by
13 McHugh, Raphael said Caswell could perhaps get 30 to 32 units for a reasonable return on investment
14 with the use of the wetlands for a community park and that the easiest path to getting there is to allow
15 the entire parcel to be used in the density calculations. Raphael said that the schedule of development
16 is to build the housing first, then the commercial space (senior center, office, retail, etc.). In response to
17 a question from Borie, Raphael said that, if they could get closer to 26 to 32 units, they would be better
18 able to work with the commercial, especially if phasing is permitted. He added that there has not been
19 any strong interest in the parcel, acknowledging that the brownfields situation might be a factor.

20
21 In terms of addressing the brownfields situation, there has been a corrective action feasibility
22 investigation, which is the step before a corrective action plan. A lot of clean up has been done to get
23 rid of liquid materials and to cover the soil. In response to a question from Borie, Potter said that it is not
24 likely that any structures will be used, although the Department of Historic Preservation does not want
25 to give up on keeping the original brick portion of the building. They are looking at the financial and
26 engineering aspects of preserving that building. Raphael said one issue is that the building is in the
27 middle of the property, which makes it hard to use the parcel effectively.

28
29 Potter, Raphael, Caswell, and Lord left at 7:40 PM.

30
31 The Planning Commission then returned to the agenda as posted.

32
33 **Mail** - Gent reviewed the mail. Among the mail, the Planning Commission discussed an email from Ian
34 Stokes, Recreation Path Committee, to Cathleen Gent. Stokes is looking for a letter of
35 endorsement/support from the Planning Commission to VTrans in terms of demonstrating to VTrans
36 there is a strong level of public support for a bike/pedestrian path on Route 2 when it is re-paved in the
37 coming years. The Planning Commission asked Gent to write a letter on behalf of the Planning
38 Commission, based on the commission’s previous position in support of such a path.

39
40 **Meeting Minutes & Town Planner Report**

41 *Meeting Minutes: For May 16, 2012*

42 One amendment was offered. Motion by Borie, seconded by Witters, to approve the minutes as
43 amended. Voting: in favor: 4; opposed: 0; abstentions: 1 (McHugh).

44
45 The review of the meeting minutes for May 23, 2012 and May 30, 2012 was postponed due to a lack of
46 a quorum of those present at the meetings.

47
48 *Town Planner Report*

49 Gent did not have any updates to the June 1, 2012 report. The Planning Commission briefly discussed
50 the status of the hiring process for the zoning administrative officer position.

51
52 **Richmond Zoning & Subdivision Regulations**

53 The Planning Commission briefly continued a discussion regarding the creamery parcel. McHugh said
54 he thinks the regulations seem restrictive in terms of the length of time needed to develop the parcel
55 and the total number of units that can be developed. Fausel agreed, adding that the goal is to have
56 development in the village, however, there are sound reasons for excluding certain areas from
57 development (like the floodplain and wetlands). He said that it’s important to understand clearly what
58 the impact would be in terms of density if the floodplain lands were allowed to be included in the density

1 calculation, for instance, the density might be too large for the area or there may be other impacts for
2 either the creamery parcel or other parcels in Jonesville or Railroad Street, for instance.

3
4 Witters noted that one of the stormwater remediation projects in Richmond village is on the creamery
5 parcel. It may be worthwhile to incorporate stormwater retrofit since water discharges on that site. She
6 added that the time to deal with the stormwater retrofit is now, before the site gets developed. The
7 Planning Commission went on to discuss performance standards for stormwater, in terms of creating
8 new stormwater issues on either the parcel being developed or on neighbors' properties. Within a
9 proposed PUD process, stormwater retrofits are informally addressed, but it would be good to prepare
10 standards within the bylaws. Witters agreed to prepare a draft paragraph for stormwater performance
11 standards (similar to noise, vibration, etc.).

12
13 ***Zoning District Map***

14 The Planning Commission then discussed the zoning district map. Witters presented maps showing the
15 Huntington proposed zoning and the Bolton zoning. She pointed out that Richmond's proposed zoning
16 map with a zoning district along the roads is unique. Witters described the types of zoning districts in
17 Huntington and Bolton that are along side Richmond's boundary, noting that some of the land in those
18 communities is conserved.

19
20 The Planning Commission discussed the R-3 zoning district. The Commission first discussed the Stage
21 Road area. After discussion, McHugh made a motion, seconded by Borie, and the Planning
22 Commission voted unanimously to change the map from the R10 to an R3 zoning district for the length
23 of Stage Road (to the Bolton boundary), excluding the Prelco land furthest to the north. The
24 Commission next discussed Snipe Ireland Road and decided to leave the entire length of that road in
25 the R10 zoning district. The Commission then discussed Wes White Hill Road and Durand Road. The
26 Planning Commission decided to extend the R3 zoning district from 1595 Wes White Hill Road (east
27 side) and 1768 (west side) to Durand Road. Gent will work with Pam Brangan from CCRPC about
28 updating the map, although it may have to wait until July since the annual work plan budget has been
29 spent.

30
31 The Planning Commission also discussed whether to make conserved land along the Winooski River
32 into the R10 district and decided not to do that. They agreed that it is good to show conserved lands,
33 but decided that it is too much information to present in the zoning and subdivision bylaws. The
34 Commission then discussed the Richmond village area, specifically the Goodwin-Baker and Farr
35 complex area. The discussion centered on whether those areas might fit within the General Business
36 district or the Village Mixed. The Commission decided that those areas would not be a good fit for the
37 General Business district. Jackie Washburn, Kathy Sikora, and Mark Sikora were clear that they don't
38 want an expansion of residential uses in the Farr complex or the Goodwin Baker building. The
39 Commission asked Gent to prepare a draft zoning district for those two areas, based on the
40 Commercial zoning district in the current zoning bylaws.

41
42
43 **Other Business**

44 *Executive Session: Annual staff evaluation*

45 At 9:15 PM, Fausel made a motion to go into executive session, seconded by McHugh.

46 Bressor and Gent left the meeting at this time.

47 At 9:30 PM, Fausel made a motion to come out of executive session, seconded by Witters.

48
49
50 **Adjournment**

51 Fausel made a motion to adjourn, seconded by McHugh. So voted. The meeting adjourned at 9:31 PM.

52
53
54 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB