

Richmond Planning Commission

Regular Meeting

Wednesday, July 17, 2013

Approved Minutes

Members Present: Mark Fausel (Chair), Bruce LaBounty (Vice-Chair), Ann Cousins, Sean Foley, Marc Hughes, Lauck Parke, Brian Tellstone

Members Absent: None

Others Present: Cathleen Gent (Town Planner/Staff to the DRB), Ellen Ward, Jackie Washburn

7:02 PM Call to order by the Vice-Chair, since the Chair was not yet present due to car issues. LaBounty decided to start with the administrative items on the agenda to allow time for Fausel to arrive.

Meeting Minutes

Meeting Minutes & Town Planner Report

Meeting Minutes: For July 11, 2013 – One amendment was offered. Motion by Cousins, seconded by Parke, to approve the minutes as amended. Voting: 4 in favor (LaBounty, Cousins, Parke, Tellstone); 0 opposed; 2 abstentions (Foley and Hughes). Fausel was not present.

Staff Report for July 12, 2013 – There were no updates to the Staff Report.

Mail – Gent reviewed the mail.

Town Code of Ethics Policy

The Planning Commission reviewed the Code of Ethics Policy and signature page. Foley said that he works at the Vermont Public Service Department, which regulates utilities. He said he would recuse himself if a situation arises where an application comes before both the Planning Commission and the Public Service Department to which he is assigned.

Introductions – Since this was the first meeting with the full seven-member board, the Planning Commission members and Gent provided brief self-introductions.

Public Comment – Ellen Ward said she attends Planning Commission meetings when possible and Jackie Washburn said she is getting more involved in town planning matters.

Annual Work Plan Session – Gent reviewed the documents that were distributed in advance of and at the start of the meeting. The documents encompassed state statutes, local regulations and planning documents, and updates regarding legislative actions during the past session and FEMA programs.

At 7:35 PM, Fausel arrived and began chairing the meeting. The Planning Commission discussed the purpose of the Town Code of Ethics. Fausel noted that the town had ethics training sessions four years ago and that the signature form includes an acknowledgement that the individual has read the Code of Ethics. The Planning Commission members discussed whether to revise the Planning Commission Rules of Procedure to add a reference to the Code of Ethics. Parke suggested that the Code of Ethics is a symbol of public trust and sends a message that the board is thinking about ethics. Hughes asked if he has a conflict of interest with respect to the floodplain regulations since he lives in the floodplain. The Commission agreed that every member might have strong opinions and that all are affected by the bylaws in some way, but that does not make it a conflict. Cousins pointed out that, if someone has a conflict, they may join the public on any matter and comment as a member of the public. A motion was made by LaBounty, seconded by Cousins, to adopt the Code of Ethics into Rule 1 of the Planning Commission Rules of Procedure. Voting: 7 in favor; 0 opposed; 0 abstentions. Gent and Fausel will draft the language change for Rule 1 for Planning Commission review. Fausel pointed out that this addition to the Rules of Procedure is not a reflection on the previous Planning Commission.

Fausel provided an overview regarding Planning Commission goals for the proposed zoning and subdivision bylaws that were defeated in November. He said that there was a three-year effort with a lot of public dialog and the proposed bylaws – either in its entirety or portions of it -- might warrant getting on the Planning Commission's annual work plan. He said that the bylaws were intended to resolve a number of inconsistencies identified by the DRB over the years, to create a unified bylaw that is consistent and easier to administer, and to make the bylaws consistent with the town plan. The Commission agreed they would like to hear from the DRB in terms of the conflicts within the document and the confusing language. Fausel said that he believes the DRB liked the cohesiveness of the

1 document although they might not have liked the exact uses in a particular zoning district. Parke
2 suggested that there wasn't such urgency to changing all the zoning districts and that the Planning
3 Commission should look at making sequential changes, perhaps one zone at a time. Fausel said that,
4 in accordance with the town plan, the village center area is supposed to be more dense and the rural
5 areas less dense with development. He explained that the Planning Commission went with a 10-acre
6 zone in the rural areas in recognition of the value of wildlife and because surrounding towns have
7 similar higher-acreage zones along our town boundaries, designed to significantly curtail development.
8 Fausel added that people didn't really understand the density concept where, with 100 acres for
9 example, an owner can create 10 lots. Fausel said the Planning Commission made efforts to ensure
10 that the existing uses would be allowed to continue within the new bylaws. He added that much was
11 made about Dr. Parker's practice and Mann and Machine. He thinks Dr. Parker's practice would be
12 allowed with the new bylaws and that Mann and Machine is not an allowed use now. Jackie Washburn
13 said that their existing use, light industrial, would have been nonconforming, although other changes
14 were made to allow for indoor storage. Washburn said the Farr complex and housing don't always mix
15 well. In the 1980s, Bill Koch got a variance to allow development from commercial to residential and
16 that she thinks that was a huge mistake because now the complex is in the middle of a residential area.
17 Fausel said the Planning Commission talked with a lot of people, including the owner of the creamery
18 parcel and that people want the creamery parcel to be developed to eliminate an eyesore. In terms of
19 Mann and Machine, Fausel said the parcel is non-conforming due to site constraints, although it is
20 grandfathered in, and that the Planning Commission didn't want buildings located as close as 20 feet
21 from Route 2. LaBounty said people don't want the comprehensive approach and that the top four
22 areas in the most need of changing should be identified and revised. Fausel said that a lot of people
23 didn't want 10 acre zoning and 3 acre zoning and that the bylaws need to reflect what the town wants.
24 LaBounty said that he doesn't think that land in the FEMA Special Flood Hazard Area should be
25 excluded from the residential density calculations. Fausel said the Planning Commission should review
26 the Town Plan to be sure any proposed bylaw changes are consistent with the town plan. He added
27 that much of Jonesville kept one acre minimum lot sizes because there are existing neighborhoods and
28 it is a more dense area, especially on the north side of the river. LaBounty said he doesn't think houses
29 should have to be built with front porch, as they are in certain zoning districts. Fausel pointed out that
30 the requirement for a front porch applied only to PUDs and that front porches make for a more
31 neighborly feel. Cousins said that an affordable home design should not just be a box without
32 embellishment.

33
34 Fausel said that he would like to work on consensus building on the Planning Commission in terms of
35 coming to agreement about the changes. The Planning Commission then discussed preliminary ideas
36 for the next steps for the annual work plan. LaBounty said he thinks the most important projects are to
37 revise the floodplain section, the gateway, and the village, and to deal with traffic in the village in the
38 long term. Parke said that he thinks a rewrite of the comprehensive bylaws is off the table, however,
39 that doesn't preclude the merging of the subdivision regulations (unified bylaw) and making changes on
40 zone-by-zone basis. He added that the commercial issue is most important, namely the creamery
41 parcel, the village density issue, and the gateway. Parke said he thinks the changes can be made for
42 the most part under the current town plan.

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44 The Planning Commission agreed to take on a homework assignment before the next meeting, namely
45 to sit down and read the current town plan and the Richmond Tomorrow (PlaceSense Consulting)
46 report. They agreed to come ready to the next meeting to discuss: 1) whether the comprehensive
47 bylaws should be revised; 2) what are the 3-4 changes that should be made to the bylaws, assuming
48 there is not a comprehensive revision. Cousins suggested that there are a number of sections in the
49 town plan that pertain to a certain area (village center, for instance) so the entire town plan should be
50 read.

51
52 Fausel brought up the question of how the Planning Commission should be brought into town
53 discussions, for instance parking on Depot Street, the parking ordinance, the School Street paving,
54 village sewer and water. To some extent, the town plan is a place where those can be dealt with.

55
56 **Adjournment**

57 Cousins made a motion to adjourn, seconded by Parke. So voted. The meeting adjourned at 9:20 PM.

58
59 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB