

MEMORANDUM

TO: Richmond Selectboard

FROM: Ravi Venkataraman, Town Planner

DATE: December 4, 2020

SUBJECT: Planning Commission member appointment

The Town of Richmond Planning Commission currently has an opening for a member. In response, I posted a call for volunteers to fill the open positions on October 12, 2020 and on October 20, 2020, with a closing date for letters of interest on October 28, 2020. I received letters of interest from the following applicants:

- Mark Damico
- Caitlin Littlefield
- David Schnakenberg

All three applicants' respective letters of interest are enclosed for your consideration.

The Planning Commission reviewed the applications during its November 4, 2020 and November 18, 2020 Planning Commission meetings. During its November 18, 2020 meeting, the Planning Commission recommended to the Selectboard the appointment of Caitlin Littlefield to the Planning Commission. The minutes from the November 18, 2020 meeting are enclosed.

To note, the Planning Commission is a nine-member town board. The composition of the board is in line with Planning Commissions in nearby municipalities:

- Jericho – seven-member Planning Commission
- Hinesburg – nine-member Planning Commission
- Williston – seven-member Planning Commission
- Essex – seven-member Planning Commission with one alternate
- South Burlington – seven-member Planning Commission
- Underhill – nine-member Planning Commission

Based on the composition of Planning Commissions in nearby towns and the quorum issues the commission has had in the last six months, I do not recommend expanding the commission. Having alternate members for Planning Commissions is not typical, because the work involved tends to be over long periods of time that generally requires regular attendance and participation.

In addition:

- Mark Damico currently serves on the Transportation Committee
- Caitlin Littlefield currently serves on the Conservation Commissions
- David Schnakenberg currently serves on the Development Review Board as an alternate member

To facilitate action, I have prepared the following draft motion:

Appoint Caitlin Littlefield for the vacant position

I, _____, move to appoint Caitlin Littlefield as a member, term expiring June 2021, to the Town of Richmond Planning Commission.



Ravi Venkataraman <rvenkataraman@richmondvt.gov>

Open Seats on Richmond Town Boards

Mark <markd14@gmail.com>

Mon, Oct 12, 2020 at 6:31 PM

To: rvenkataraman@richmondvt.gov

Hi Ravi,

I'm writing to express my interest in serving on the Planning Commission and / or the transportation committee.

I have a degree in Landscape Architecture and site planning from Cornell University and have been involved in countless master planning projects including streetscape design and implementation.

What are the anticipated time and meeting commitments?

Best regards,
Mark

Mark Damico
[420 Snipe Ireland Rd, Richmond, VT 05477](mailto:markdamico@designingvermont.com)
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Ravi Venkataraman <rvenkataraman@richmondvt.gov>

Richmond Planning Commission and Development Review Board

David Schnakenberg <david.schnakenberg@gmail.com>

Tue, Oct 13, 2020 at 7:28 PM

To: rvenkataraman@richmondvt.gov

Ravi,

My name is David Schnakenberg, and I'm a resident of Richmond interested in joining one of the two above-referenced boards. I am a zoning and land use attorney (I practice in New York City). Before joining my current firm, I was general counsel to the New York City Board of Standards and Appeals, which is New York City's zoning and land use appeals board. In that capacity, I have extensive experience adjudicating land use and zoning applications. I have also been part of working groups within the New York City Department of City Planning, where I've participated in the drafting of zoning text amendments, including the city's recent mandatory inclusionary housing text amendment.

I've love to touch base and hear more about the needs of either board, in the hopes that I might be a good fit.

If needed, I would submit Roger Brown as a local reference.

Regards,
David

(917) 583 - 4772

Dear Ravi,

October 29, 2020

I am excited at the prospect of joining the Richmond Planning Commission. I hope you and others will agree that my professional experience and skills, my service, and my deep commitment to an equitable, sustainable future prepare me well for serving on the Commission.

Professionally, I am a forest ecologist, and I work and teach in the forestry program at UVM in addition to conducting forest carbon project verifications across the country. To date, my research addresses climate adaptation and mitigation challenges facing land managers and conservation planners. My doctoral research, for example, involved mapping landscape connectivity networks for species to track suitable climatic conditions as well as identifying where and when tree restoration may be most effective after climate-driven wildfires. In all cases, it has become abundantly clear to me that our built environment has great potential to both impede and facilitate human and natural communities' ability to adapt to climate change. Moreover, as more people seek refuge in the cooler and cleaner air of places like Vermont—driven both by the pandemic as well as warming temperature and intensifying storms—strategic planning and carefully evaluating trade-offs will be critical to ensure a healthy, vibrant future for us all. That is particularly true in “high demand” community like Richmond—for example, as our town becomes a regional recreation destination, what are the trade-offs between promoting a healthy tourism economy and preserving the area’s rural character and large blocks of contiguous forest?

I have lived in Richmond for just over a year (though I’ve wanted to move here for over a decade!), and I already feel deeply embedded in and committed to this community. I believe that shows through my efforts on both the Richmond Conservation Commission (RCC) and the Andrews Community Forest Committee (ACFC) to date. On the RCC, for example, I led a volunteer inventory of ash trees within the public right-of-way (we covered 20 miles total) given the impending arrival of emerald ash borer (EAB). I am now working with town officials to develop an EAB-response plan and have just submitted a grant proposal to Vermont’s Urban and Community Forestry program for funding to treat healthy ash trees and replace unhealthy ash trees within the village. (If I am appointed to the Planning Commission, I will continue to lead the EAB response task force, but will eventually step down from the RCC to enable another community member to participate.) On the ACFC, I spearheaded a recent effort to hire not just a trail designer, but a collaborative team of a trail designer *and* an ecologist to ensure that ecological considerations will be paramount in trail design.

Now, I am eager to put energy towards longer-term, strategic planning with the Planning Commission. I learned a great deal at the recent meeting I attended, and was glad to be able to connect my understanding of recent legislative developments to proactive actions Richmond may take (e.g., with regards to greenhouse gas reduction targets). I thank you for considering my interest in joining the Richmond Planning Commission and I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Caitlin Littlefield". The signature is written in a cursive, flowing style.

Caitlin Littlefield

Richmond Planning Commission
REGULAR MEETING MINUTES FOR November 18, 2020

Members Present: Chris Cole, Virginia Clarke, Chris Granda, Alison Anand, Brian Tellstone, Jake Kornfeld, Mark Fausel

Members Absent: Joy Reap

Others Present: Ravi Venkataraman (Town Planner/Staff), Larry Lackey, Lisa Cheung, Marshall Paulsen, Gretchen Paulsen, Judy Rosovsky, Nancy Hartmuller

1. Welcome and troubleshooting

Chris Cole called the meeting to order at 7:01 pm. The Planning Commission members introduced themselves to the public.

2. Adjustments to the Agenda

Cole recommended moving the Wetlands discussion to item 7 and move the discussion on FAA regulations to item 5 to accommodate the participants. The commission members agreed

3. Public Comment for non-agenda items

Marshall Paulsen thanked the commission for allowing him to attend meetings, and said that he will participate until 8 pm.

4. Approval of Minutes

Motion by Chris Granda to approve the November 4th Planning Commission meeting minutes, seconded by Alison Anand. Voting: unanimous. Motion carried

5. Discussion on Federal Aviation Administration requirements and Zoning Regulations

Larry Lackey and Lisa Cheung introduced themselves. Lackey reviewed previous discussions on construction and alteration notice requirements from the FAA and overviewed the 7460-1 form and its trigger. Lackey identified the terrains in Richmond, where land development could affect flight approaches to a runway at Burlington International Airport, and said that development in higher elevations would trigger FAA notification requirements. Lackey presented the overlay map, identifying locations that could trigger FAA notification requirements. Lackey overviewed the regulatory language he would like included in the zoning regulations in order to encourage compliance with FAA notification requirements. Lackey said that the form can be filled out and submitted online. Cheung said that for properties within the crosshatched area, notification of any land development to the FAA and the FAA's determination of no hazard would relieve liabilities. Lackey added that without having such regulatory language impacts aviation approaches. Cole said that the language presented is different from what was presented before and asked if the change in language was because of Richmond's topography. Lackey said that the previous language had underlying issues that will need to be revisited in Williston, which had enacted previous language. Cole said that based on the overview, some of the properties in the overlay may not be developable, and that he would like more specifics on which properties cannot be developed. Cole asked if the FAA had a compensatory program for landowners with undevelopable properties. Lackey said that in certain situations there are abrogation easement acquisitions, and is unsure about how that would apply in Richmond. Cheung said that the acquisitions program would only apply to the first 5,000 feet of a runway, that purchases in Richmond would not be through this program,

and that she is unaware of any compensatory purchases outside of the 5,000 feet of a runway. Cheung said that filing the 7460 does not mean that land development cannot be pursued, and that even if the FAA were to determine that land development were to be a hazard, this would not prevent the landowner from pursuing land development. Cheung added that such land development would be detrimental to the airport and would put all liability of possible incidents on the landowner. Anand asked if the crosshatched area encompasses Yance Hill. Cheung affirmed. Anand provided background on recent conversations regarding Yance Hill, and asked if possible takings could occur by the FAA. Cheung said that in response to any land development deemed hazardous, the FAA would raise the minimums associated with flight approaches. Cole asked if there was a history of litigation cases involving liabilities against landowner. Cheung said she was not aware of any such cases. Clarke asked if the term "required" should be used instead of "request" in the suggested regulatory language. Cheung said that the term "required" should be used. Venkataraman asked if whoever submits the form would get a receipt of submission. Lackey said that a receipt, and later findings, would be provided. Lackey said that this form requirement would be triggered if a crane is used within the overlay. Cole asked further clarification on if the form requirement would be triggered for properties east of Kenyon Road. Cheung said the form would be triggered based on the terrain and can follow up with specifics on which properties would be required to file the 7460-1. Cole said he would be comfortable with making the form a requirement as long as the specific properties affected are identified. Paulsen asked for clarification on the limitations this requirement has on property owners. Cole said that the FAA cannot stop development and the negative impacts of development against the FAA's determination would be to the airport. Anand asked why this is being brought to their attention if this regulation has been in place for decades. Lackey said that it is because people do not file the required form and he, along with other airport staff, are tasked with working with localities to encourage filing these required forms. Cole asked if this was driven by commercial or military aviation. Lackey said it was driven by both aspects. Clarke asked about the administrative process. Lackey said that the airport would assist people to fill out the forms. Venkataraman said that he would recommend inserting the language in the "applicability" section, and requiring a receipt of submission with any zoning permit application if the 7460-1 requirement is triggered. Lackey asked if Venkataraman would want a decision from the FAA prior to releasing a zoning permit. Venkataraman said that he cannot deny a permit based on the FAA's decision, similar to how he cannot deny a permit if an applicant hasn't received a state water/wastewater permit. Cole expressed concerns about requiring landowners to fill out the paperwork if no structures are going to be taller than the trees on the properties in the overlay. Cheung said that they can revisit the overlay map and identify specific areas that would trigger the 7460-1 requirement based on topography. Lackey said that the intent of this discussion was for reporting and initial feedback. Fausel asked further clarification about the fine listed at the bottom of the FAA form. Lackey said he will follow up at an upcoming Planning Commission meetings on the questions raised, and make sure a FAA representative attends to address the commission's questions.

6. Discussion on Community Outreach Work Plan

Clarke overviewed the discussions during the last Planning Commission meeting, the draft scope map, and the benefits of commercial islands. Fausel, Cole, and Anand concurred that the draft scope map was well thought out. Gretchen Paulsen was concerned about the increased density affecting the feel of the village, green spaces that offer a buffer between houses, Clarke talked about implementing landscaping and open space standards. Anand discussed regulations for limiting the building envelope. Cole asked about discussion topics and next steps. Clarke discussed the draft purpose statement. Cole discussed general ideas on implementing architectural standards that are consistent with the built environment. Clarke discussed the differences in permitting processes with different uses, and uses worth classifying in a reduced permitting process. Venkataraman said that a discussion on permitting processes deserve a 30-minute block, so that the commission better understands the process from the administration perspective. Anand said when reviewing the uses, the commission may need to consider standards for uses of a particular intensity. Cole said that the commission should rely on Venkataraman

regarding recommendations for administration in the coming months, since he is serving as both the planner and zoning administrator.

7. Discussion on Wetlands

Cole provided a summary of discussions on wetlands regulations during the previous meeting. Venkataraman said he had provided a marked-up version of the state Wetlands Rules for the commission to review, and that he has reached out to Tina Heath from the state wetlands office to overview the state Wetlands Rules and address the commission's questions during an upcoming Planning Commission meeting. Venkataraman asked the commission their intent in this consideration of the wetlands regulations, questions they have that need to be addressed going forward, and about previous conversations about the wetlands regulations. Fausel recalled conversations with community input on wetlands regulations. Cole overviewed his understanding of the Wetlands Rules and the state goals--that the state is looking for zero loss of wetlands, but accepts mitigation payments to offset limited development within wetlands--and asked about how the town's regulations fits with the state's goals. Judy Rosovsky, the Conservation Commission chair, said that the town's regulations may not have kept up with amendments to the state's regulations, therefore leading to a difference in regulations. Rosovsky and Fausel recalled conversations on wetlands during the Town Plan creation process. Rosovsky asked about which projects are spurring this conversation. Cole reviewed the Mobil gas station project presented during the last Planning Commission meeting and the presence of wetlands on this property. Cole asked Rosovsky if it was the intent of the town to have stricter regulations than the state. Fausel said yes. Cole discussed how blunt the blanket prohibition is, compared to a scientific rationale from the state. Fausel asked if information can be provided about wetland regulations in nearby municipalities. Venkataraman said that for the most part, most regulations adhere to the state Wetlands Rules. Granda said he recalled discussions on this subject. Venkataraman said that these regulations were in the 1996 zoning regulations. Clarke requested Venkataraman to provide additional information about the Wetlands Rules before the current iteration. Rosovsky said that the commission will need to consider the stipulations for making exceptions for development within wetlands, in order to make sure the application of the rules are consistent. Cole said that maybe the rules in place in 1996 did not have the foresight to expect mitigation efforts via building or rehabilitating wetlands. Granda recalled conversations about how new and artificial wetlands are not as effective as existing wetlands. Clarke said the commission will need to identify vital wetlands. Clarke asked about other interested parties. Venkataraman said that he has reached out to all possible interested parties and have encouraged them to attend future Planning Commission meetings. Rosovsky suggested reaching to people who appreciate the regulations as-is.

8. Recommendation to Selectboard regarding open Planning Commission seat

Motion by Granda to recommend to the Selectboard the appointment of Caitlin Littlefield to the Planning Commission, seconded by Clarke. Voting: 6-0 (Fausel abstained). Motion carried.

9. Adjournment

Motion by Granda, seconded by Fausel to adjourn the meeting. Voting: unanimous. Motion carried. The meeting adjourned at 9:07 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner