

Town of Richmond
Planning Commission Meeting
AGENDA

Wednesday, November 17th, 2021, 7:00 PM
Richmond Town Offices, Third Floor Meeting Room
203 Bridge St., Richmond, VT 05477

This meeting is also accessible via Zoom:

Join Zoom Meeting: <https://us02web.zoom.us/j/83503119719>

Meeting ID: 835 0311 9719

Join by phone: (929) 205-6099

For additional information and accommodations to improve the accessibility of this meeting, please contact Ravi Venkataraman at 802-434-2430 or at rvenkataraman@richmondvt.gov.

1. Welcome, sign in and troubleshooting
2. Public Comment for non-agenda items
3. Adjustments to the Agenda
4. Approval of Minutes
 - November 3rd, 2021
5. Discussion on Zoning For Affordable Housing project recommendations
6. Discussion on possible planning projects for FY23 UPWP
7. Discussion on outreach for possible Water/Sewer District Expansion
8. Other Business, Correspondence, and Adjournment

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4. Approval of Minutes

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6. Discussion on possible planning projects for FY23 UPWP

- Page 10: Memo on Possible FY23 Unified Planning Work Program (UPWP) Projects
- On a separate, standalone document: The Approved FY22 UPWP

7. Discussion on possible Water/Sewer District Expansion

- Page 12: Letter to the Richmond Selectboard on the Water/Sewer District expansion vote
- Page 13: Map of Water/Sewer District expansion area
- Page 14: Draft Selectboard resolution for the Water/Sewer District Expansion

Richmond Planning Commission
REGULAR MEETING MINUTES FOR November 3, 2021

Members Present:	Virginia Clarke, Lisa Miller, Dan Mullen, Mark Fausel, Jake Kornfeld, Chris Granda, Chris Cole, Alison Anand,
Members Absent:	Joy Reap,
Others Present:	Ravi Venkataraman (Town Planner/Staff), MMCTV, Huseyin Sevincgil, Tom Frawley, Christy Witters

1. Welcome and troubleshooting

Virginia Clarke called the meeting to order at 7:04 pm.

2. Public Comment for non-agenda items

None.

3. Adjustments to the Agenda

Clarke said she would like to clarify item #5 to include “Nonconforming Structures and Uses”.

4. Approval of Minutes

No comments, additions, or corrections. Minutes adopted into the record as written.

Chris Granda asked if any materials for the Zoning for Affordable Housing item was distributed. Clarke said that no additional documents were provided and pointed to the materials included in past packets.

Clarke asked Ravi Venkataraman about the status of the focus groups, noting that Brandy Saxton said during the last Planning Commission meeting that she had trouble finding participants. Venkataraman said he will need to follow up with possible participants. Clarke asked about the slated interviews with developers. Venkataraman said that he does not have any updates on the interviews with developers, but is aware that Saxton has started outreach with developers.

5. Discussion on Draft Regulations for Wetlands, Vehicle Fueling Stations and Nonconforming Structures and Uses

Clarke reviewed the changes to the proposed regulations for wetlands. Dan Mullen asked for clarification on the purpose of the proposed regulations. Clarke said that these proposed regulations signals to developers that Richmond is invested in the protection of wetlands, that Richmond has particular standards for the protection of wetlands, and that certain types of land development would not need a variance.

Huseyin Sevincgil asked about the prohibition of septic systems within wetland buffer and allowances for replacing septic systems. Clarke asked Venkataraman about state regulations for replacing septic systems. Venkataraman said that he thinks the state would allow for one-to-one replacements.

Venkataraman added that restrictions on the placement of septic systems and wells is uncommon in zoning regulations because municipalities have the authority to regulate on-site systems in a separate ordinance and therefore typically permitting for on-site systems occur in a completely separate process. Clarke asked if a state water/wastewater permit would be needed. Venkataraman said that he is unsure if a state water/wastewater permit is needed for one-to-one replacements, but that one would be needed if the system needed to be resized. Alison Anand said that on-site water and wastewater is wholly in the state's purview and that that is why the zoning regulations has not included any regulation on on-site water and wastewater systems. Anand said she had questions and concerns about allowances for crossing across wetlands, and said she will research the topic further. Venkataraman said that he can direct Anand to the State Wetland Rules, and to the presentation a state wetlands ecologist gave to the Planning Commission last December. Cole explained the basis of the proposed changes—that the state was permitting wetlands crossings, landowners were following through with wetlands crossings sometimes without local permits, and the commission aims to align local regulations with state allowances.

Cole asked Sevincgil if they plan to move the septic field onsite. Tom Frawley said that there was no plan to move the septic field, and that the plan is to either connect to municipal wastewater or establish the system on the other side of the freeway. Clarke asked for clarification about the storage tank. Frawley said that they would need a storage tank onsite in order to set up the leach field offsite. Clarke asked for clarification on the location of the storage tank. Sevincgil said that the storage tank would be located 20 feet from the wetland, compared to the location of the current septic tank 30 feet from the wetland.

Clarke reviewed the proposed changes to wetlands considered within jurisdiction, and the review criteria. Lisa Miller said that the storage tanks could be categorized as a structure. Clarke said that structures would not include sub-surface elements. Venkataraman clarified that structures are assemblages of materials for occupancy or use above ground.

Clarke reviewed the proposed nonconforming structures and uses regulations. Granda asked about the integrity of the buffer for projects that are allowed to encroach into the buffer. Clarke said that for such projects the buffer would be 25 feet, and theoretically, reducing the buffer would reduce the effectiveness of the buffer. Mullen asked for clarification about the buffer and if it only applies to surface water resources. Clarke said that buffers are a water resource aspect. Mullen recommended adding the water resources aspect to the definition of buffer. Cole suggested clarifying the term “buffer” further by adding “wetland”. Frawley asked for explanation about the stipulation allowing for a reduction of the buffer by half. Clarke said that the allowance is based on compromising protection of the wetland and allowing development and that other municipalities have similar allowances. Frawley asked for further flexibility for encroachment for projects that provide an overall benefit to the water quality and wetland integrity. Clarke said that allowing a full reduction of the buffer may not be possible but will warrant further discussion. Fausel suggested offsets for wetland and wetland buffer encroachments. Granda recommended soliciting expert advice on the impacts of allowing a reduction of the wetlands buffer. Fausel asked about the basis of the required buffer, and about methods that could improve the function of the wetlands such as berms without the need of a buffer.

Clarke overviewed the nonconforming uses allowances.

Clarke reviewed the Vehicle Fueling Station uses requirements. Mullen recommended adding “including but not limited to” before the list of possible fuels, and adding “or its replacement standard” after the reference to the SAE standard. Mullen asked about modifications to the definition of structure. Clarke said that the suggestions regarding the definition of structure are outside of scope but worth discussion.

Venkataraman said that the term “assemblage of materials” is standard for a zoning definition of the term “structure”, adding that the verbiage could be interpreted as far-reaching but zoning administrators rely on common sense when regulating structures.

Clarke reviewed the standards for Vehicle Fueling Station uses. Fausel asked about the reference to exterior lighting and whether it is necessary. Venkataraman said that the reference isn’t necessary because applicants are required to be in compliance with the entire zoning regulations, that the zoning regulations have standards for exterior lighting for gas stations in the lighting section, and that it was added because typically gas stations need exterior lighting. Clarke said that the commission should consider removing the reference.

Frawley asked for a reconsideration of the limit to the number of pumping islands, citing the traffic study their engineers prepared supporting the need for additional pumping islands. Clarke asked for clarification about trip ends. Sevincil referred to the ITE Trip Generation Manual to explain the calculations for anticipated traffic into the site. Clarke said that the calculation doesn’t show whether customers are entering the site for gas or for the convenience store. Frawley said that the calculation is for all the activities on site and that typically 15 to 18 percent of trips are not for fueling. Cole said that as a regular customer of the gas station, he has never seen traffic back up at the pumps and that having no more than eight vehicles able to fill up at a time fits into the current and planned context for the town. Clarke asked if the Lucky Spot was taken into consideration into the trip generation calculation. Frawley said no, and that the calculation is based on traffic on the roads. Miller asked about the source of the traffic numbers. Frawley said that Agency of Transportation collects data on average daily traffic.

Clarke noted that most gas stations on Route 2 have two to four pumping islands—some have five pumping islands—and therefore concluded the appropriateness of four pumping islands.

6. Debrief on Discussion on Zoning For Affordable Housing project

Clarke overviewed the discussion topic, stating that she applied Brandy Saxton’s suggestions into the outline for the Residential/Commercial District. Clarke said that in the Chittenden County Housing Needs Assessment, it calls for the addition of 5,000 new housing units over the next five years, therefore about 125 new homes in Richmond if calculated proportionally. Clarke said that the town has permitted 14 new homes this year, which is below targets. Clarke said that the commission will have to determine where to cite future housing, as housing within the water/sewer service area is more attractive and there are natural resources to consider in areas outside the village. Clarke said that the commission will need to consider a density number with the plan for multifamily dwellings.

Christy Witters called attention to the districts Saxton drew in her technical memo, the need to consider the impacts of increasing density on the historic character of the village, planned housing in the village, and the input village residents provided. Anand said that the commission will need to take into consideration the topography of the town and the residents’ concerns. Mullen asked Witters if she is proposing the creation of an architectural review board. Witters said no, that she wants to maintain existing conditions, that she has the ability to convert her house into a four-plex, that her neighbors are involved in the community, and that renters typically are not involved in town boards and committees. Cole asked if Witters had any concerns about the proposed zoning regulations. Witters said she was concerned about Saxton’s recommendations. Cole said that he hasn’t see Saxton’s final recommendations, that the commission has only seen draft recommendations, and that the commission knows that it has to keep the town residents’ input at its forefront when reviewing proposals. Miller said

that the forthcoming process of drafting bylaw proposals will clarify the commission's approach to confronting the issue of housing, and include opportunities to provide input.

7. Discussion on possible Water/Sewer District Expansion

Clarke asked for feedback about the letter regarding the water/sewer district expansion. Fausel supported the letter as drafted. Miller suggested further guidance to the Selectboard. Clarke said that further details will be provided once the commission has decided on those details.

8. Other Business, Correspondence, and Adjournment

Clarke said that CCRPC may attend the Dec. 1 meeting to talk about the economic development strategy. Clarke asked the commission to think about the number of fueling islands. Venkataraman said that the commission should discuss the FY23 UPWP in December, and any planning projects they would like to pursue.

Motion by Granda, seconded by Fausel to adjourn the meeting.

Voting: unanimous. Motion carried. The meeting adjourned at 9:04 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner

Residential/Commercial ZD

Area: – (see map) (*none of the Brandy alternatives were selected*)

North of river:

- **current R/C** (both sides of E. Main St; both sides of Bridge St from Railroad St to Volunteers' Green/river) **plus:**
- 2 parcels next to Greensea on south side of E Main St
- 6 parcels next to MMCTV on south side of W Main St
- 4 parcels on north side of W Main St Ski Express to Millet St
- 4 parcels on Depot St
- 4 parcels on south side of Railroad St
- west side of Jericho Rd from the ski shop to School St
- east side of Jericho Rd from the Harley Brown building to Burnett Ct
- Goodwin-Baker building/ Millet St

South of river:

- O'Brien block ("A" on attached map)
- [\(does not include Farr uplands\)](#)

Proposed Purpose – The purpose of this district is to allow residential and residential-compatible commercial uses to coexist in a traditional village center, with housing of varied types, [including multifamily](#), in moderate density and flexibility of commercial and residential building uses. The district encourages walkability between residents, businesses, and community amenities.

Features:

- residential-compatible commercial uses on the main arterials to promote economic vitality,
- increased and varied housing opportunities, including multi-family structures,
- "mixed use" structures that will allow more flexibility in use of property to meet changing needs in commercial real estate and live/work strategies,
- increased walking, biking and public transit options both within and into the village area to meet climate change and livability goals,
- street trees, landscaping and green space to keep the village attractive for residents and visitors,
- plentiful gathering spaces and recreational opportunities to meet community needs

Permitted Uses:

- accessory dwelling
- accessory structure or use, except outdoor storage
- arts/craft studio
- bank
- bed and breakfast
- family-based child care facility

- funeral parlor
- group home (disabled)
- home occupation
- inn
- large family-based child care facility
- museum
- office, medical
- office, professional
- personal services
- single- family dwelling
- two-family dwelling (duplex)
- multifamily dwelling with 3-4 dwelling units
- mixed use building with up to 4 compatible permitted uses

3.3.3 Conditional Uses:

Multiple permitted or conditional uses may be allowed on a lot with conditional use review.

- catering service
- cemetery
- fitness facility
- health care services
- laundromat
- light manufacturing
- pharmacy
- outdoor recreational facility or park
- religious or educational facility
- restaurant
- retail business
- retirement community
- state or community owned facility
- support housing (including but not limited to recovery, rehabilitation, transitional, care, shelter)
- veterinary clinic
- multifamily dwelling with > 4 dwelling units
- mixed-use building with up to 4 compatible permitted or conditional uses
- adaptive use (including the conversion of single family homes to multifamily housing. This would require changes to the adaptive use section of the RZR)
- PUD or PRD

Dimensional requirements:

- Minimum lot size: 1/4A
- Maximum residential density: 8 U/A (or minimum lot size per dwelling unit = 5,500sf)
- Maximum lot coverage: 60%
- Minimum lot frontage: 75'
- Minimum lot shape: same as current
- setbacks for principal structure – front minimum = 10' (no maximum)

side = 10'

rear = 10'

- setbacks for accessory structures including accessory dwelling unit, (but not including fences)
 - front = no closer to front of lot than 10' behind front of principal structure
 - side – 10'
 - rear – 10'
- setbacks for garage doors -- no closer than 5ft behind the front of principal structure

Development standards: (also called “compatibility,” “character of the neighborhood” or “design standards”) These standards are intended to insure compatibility between residential and commercial uses and retain a traditional mixed-use village appearance. *(This section replaces current requirement that commercial uses have the appearance of residences)* These standards shall apply to all new construction and significantly remodeled exteriors of existing structures, with the exception of single family homes or duplexes.

- Principal structures shall have windows and principal entrance facing the road and shall have windows on all sides facing inhabited properties
- Front façade >50' of new principal structure or remodel shall be broken down into a series of smaller facades that incorporate changes in color, texture, materials or structural features
- Sloping roofs shall ensure that falling snow or ice does not endanger pedestrians.
- Front setbacks, and side setbacks that are visible from the road and not covered with impervious surfaces shall be vegetated, and landscaping and/or screening shall be required for outside storage, parking and loading areas, or if needed to protect privacy of residents or neighbors
- curb cuts shall be shared when feasible
- sidewalks and bike lanes shall be installed where feasible
- utilities/mechanicals shall be located to the rear of the building
- garage doors shall be located to the rear or side of the building, or set back from the front as for accessory structures (see above)

Other requirements :

- all lots shall be served by village water and sewer
- parking and loading: as in section 6.1, *consider adding:*
 - ✚ *residential parking shall have 1 space per dwelling unit for multifamily dwellings*
 - ✚ *on-street or shared parking shall be used when available and feasible*
 - ✚ *parking shall be behind or to the side of the principal structure*
 - ✚ *parking areas for >2 cars shall be landscaped or screened from view from the road*
 - ✚ *one EV – ready parking space shall be required for every two dwelling units*
- traffic impact: as current
- signs: as in section 5.7 or rewrite of this *section 5.7.3 will likely need to be rewritten*

TO: Planning Commission

FROM: Ravi Venkataraman, Town Planner

DATE: November 12, 2021

SUBJECT: Possible FY2023 Unified Planning Work Program (UPWP) Projects

The UPWP is a federally-mandated annual work plan Municipal Planning Organizations (MPO)--like CCRPC—must compile for municipal and regional transportation planning projects. Federal funds are distributed to MPO based on the approved UPWP. In addition, MPO staffing resources are allocated for the entire year based on the approved UPWP.

In past years, the town has received funding for sidewalk-installation feasibility studies (also known as scoping studies), corridor studies to improve traffic flow for all users, and town-wide master planning for paths and trails. Engineering and construction projects are not eligible for UPWP funds.

For transportation planning projects, the required match the town must provide is 20 percent of the project cost. The UPWP also includes land use planning projects, such as assistance with zoning bylaw revision and putting together town plans. Land use planning projects do not receive federal funds, and municipalities are required to pay in full the project cost.

The application period for the FY23 UPWP will open in the coming weeks. Applications are expected to be due on January 21, 2022.

For FY23, the Transportation Committee and I are contemplating the following transportation planning projects that will have a direct impact on the Planning Commission's work

- Converting the Walk, Bike, Trails Plan into an Official Map – This project would essentially convert the master plan we have been working on for the last two years into a regulatory map. This regulatory Official Map would force the development of infrastructure as depicted on private properties or within rights-of-way when a property is developed or redeveloped. The project would include public meetings to collect input on location and prioritization, further clarification of the connections, and drafting regulations to specify requirements. Estimated project cost is to be \$20,000, and the required match would be \$4,000.
- Revising the impact fee ordinance to collect fees to construct sidewalks – This project would be a revision to the town's impact fee ordinance to collect a fee for every new primary structure built—such as housing units and commercial buildings—to fund the construction of a sidewalk segment. Specific calculations based on the total project cost and the cost share on applicants are required for impact fee ordinances, and these calculations are complex. Estimated project cost is to be \$15,000, and the required match would be \$3,000.

For the FY2023 budget, I have requested the allocation of funding for land-use planning projects, with planning for the Gateway District in mind. Possible land-use planning projects include:

- Products that will inform the Planning Commission about the potential for the Gateway District, such as build-out analyses, 3D modeling using ArcGIS Urban, and surveys.

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- Community meetings and design charrettes facilitated by CCRPC staff
- Zoning Regulations Revision Requests, like CCRPC's help in putting together affordable housing density bonuses, aesthetic standards, or development review requirements.
- Large-scale projects, like master planning the entire Gateway District or zoning bylaw revision for the Gateway District. These projects may be more than what I have requested for the budget but could be pursued through grants other than the UPWP if the Planning Commission is interested.

As a reference, I have enclosed the FY22 UPWP with the land-use projects highlighted, in order to give a sense of the types of land-use planning projects CCRPC assists.

UPWP applications require a letter from the Selectboard. If the Planning Commission would like to pursue a project with CCRPC's assistance, it should decide to do so by December 15. This would give enough time to put together the application materials, including the letter from the Selectboard.

To the Richmond Selectboard:

The Richmond Planning Commission would like to support the Water & Sewer Commission's proposal to expand the Richmond Water & Sewer District in a westerly and northerly direction from the current district, as described in the resolution presented for approval by the Richmond Selectboard on November 1, 2021. The area proposed for the expansion includes the Gateway Zoning District, the Riverview Commons Mobile Home Park and two of the Town's three Industrial/Commercial areas. There are several reasons why we believe that this expansion makes sense from a long-term planning perspective.

The areas proposed for the expansion has long been contemplated as suitable for mixed uses, with the understanding that these uses would need to be developed in such a way as to maintain an attractive and inviting entrance to Richmond's historic town center from the west and north. In addition, providing municipal water and sewer service is suggested as a possibility in the areas under discussion in the Future Land Use section of the 2018 Town Plan. Should these areas be able to access municipal water and sewer services, additional services and housing could be provided to town residents without consuming valuable farm and forest land.

Furthermore, municipal water and sewer service would improve the feasibility of creating residential units in the proposed expansion area. Residential uses, including multifamily housing, are currently allowed in the Gateway District with a minimum lot size and density of 1 unit per acre if there is no municipal water and sewer provided, and 3 units per acre if the property is connected to municipal water and sewer. Providing water and sewer service would increase density allowances for property owners within the Gateway District, and make multifamily dwelling projects more viable. In return, this would help with alleviating the county-wide housing shortage.

Municipal water and sewer service would also improve the sustainability of uses within the proposed expansion area, including for the Riverview Commons Mobile Home Park. The Park currently has on-site private water and sewer services. These systems have a finite lifespan and will be costly to replace. In addition, there is space in the Park for additional lots to be developed, which could be well served by being able to connect to a municipal system. However, it is important to mention, of course, that we understand that an expansion of the Water and Sewer District does not mean that the lines will necessarily be extended to the Park without extensive further deliberation with the Park's owner and the residents, and a thorough investigation of possible funding sources.

The appetite for municipal water and sewer services in this district is unknown at the moment, but an expansion of the ability to extend the lines, without any obligation to do so, makes sense from the perspective of future planning. Please do not hesitate to contact the Planning Commission for questions.

Thank you for your consideration,

Virginia Clarke

Richmond Planning Commission Chair

Planning Commission – 11/17/21 Meeting Materials

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 L & RENEE
 C & CHRISTINE M
 L & CATHERINE B
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TOWN OF RICHMOND
SELECTBOARD

RESOLUTION FOR EXPANSION OF WATER AND SEWER DISTRICT

WHEREAS, Section 701 of the Town of Richmond (the “Town”) Charter, 24 App. V.S.A. ch. 143, § 701, provides that the Selectboard, by resolution, may designate areas of the Town as special water and sewer system districts; and

WHEREAS, Section 701 of the Town Charter, 24 App. V.S.A. ch. 143, § 701, further provides that the Selectboard may provide that property within said special water and sewer system district be provided with services not so provided to all other areas within the Town; and

WHEREAS, the Selectboard has determined that the public good, necessity and convenience of the inhabitants of the Town warrant expansion of the Town’s Water and Sewer District westerly along West Main Street (U.S. Route 2) to the Winooski River; also northwesterly from West Main Street (U.S. Route 2) along River Road (VT Route 117) to the Town boundary line with Jericho, including the Riverview Commons Mobile Home Park; also from River Road (VT Route 117) northerly and then northwesterly along Rogers Lane; also northeasterly from River Road (VT Route 117) along Governor Peck Highway to the Town boundary line with Jericho; and southerly from West Main Street (U.S. Route 2) along Verburg Lane to its terminus.

NOW THEREFORE, BE IT RESOLVED that on the basis of the foregoing premises and pursuant to the authority granted by § 701 of the Town Charter, 24 App. V.S.A. ch. 143, § 701, and Title 24, chapters 89, 95, 97 and 101, the Town of Richmond

Selectboard hereby approves the expansion of the Town's Water and Sewer District westerly along West Main Street (U.S. Route 2) to the Winooski River; also northwesterly from West Main Street (U.S. Route 2) along River Road (VT Route 117) to the Town boundary line with Jericho, including the Riverview Commons Mobile Home Park; also from River Road (VT Route 117) northerly and then northwesterly along Rogers Lane; also northeasterly from River Road (VT Route 117) along Governor Peck Highway to the Town boundary line with Jericho; and southerly from West Main Street (U.S. Route 2) along Verburg Lane to its terminus; and

BE IT FURTHER RESOLVED that the Selectboard finds the expanded special water and sewer system district is reasonable geographically, taking into account the areas, property and persons actually benefited, the types of service to be provided, and the fact that the efficiency of providing multiple services outweighs the fact that the areas and property benefitting do not exactly coincide; and

BE IT FURTHER RESOLVED that all costs required to support a given special service district shall be paid for by persons receiving the service, by a tax on the grand list for that special service district involved, to be assessed annually by the Selectboard, or by any other charge or fee permitted by law; and

BE IT FURTHER RESOLVED that said expansion of the water and sewer district shall not become effective until approved by a majority of all voters residing within the proposed district present and voting at a special meeting called and held for that purpose; and

BE IT FURTHER RESOLVED that the question of whether the water and sewer district shall be so expanded should be submitted to the voters residing within the proposed district on November ____, 2021; and

BE IT FURTHER RESOLVED that the attached Warning be adopted for use in connection with the above-stated proposition for expansion of the water and sewer district.

DATED at Richmond, Vermont, this ____ day of October, 2021.

RICHMOND SELECTBOARD

Christine Werneke , Chair

Bard Hill

David Sander

June Heston

Jay Furr