

Richmond Planning Commission  
REGULAR MEETING MINUTES FOR January 19, 2022

Members Present:	Virginia Clarke, Mark Fausel, Lisa Miller, Alison Anand, Dan Mullen, Joy Reap,
Members Absent:	Chris Cole, Chris Granda,
Others Present:	Ravi Venkataraman (Town Planner/Staff), MMCTV, Gary Bressor, Rod West, Kristen Hayden West, Bob Reap, Erin Wagg

**1. Welcome and troubleshooting**

Virginia Clarke called the meeting to order at 7:15 pm.

**2. Public Comment for non-agenda items**

None from the public. Ravi Venkataraman said that the Governor signed S.222 last night, which allows for public bodies to meet virtually without an in-person option until January 2023. Venkataraman suggested that the commission discuss whether it would like to hold public meetings without an in-person option in the near future.

**3. Adjustments to the Agenda**

Clarke suggested that the commission discuss S.222 and how the commission should hold meetings in the future under “Other Business”. Other members agreed.

**4. Approval of Minutes**

Alison Anand thanked Venkataraman for the accuracy and thoroughness of the minutes.

The commission accepted the minutes into the record as written.

**5. Nomination of a Zoning Administrator**

Clarke said that the current Zoning Administrator Keith Osborne is leaving the Town of Richmond on February 1<sup>st</sup>, and that the Town is in need of a person to fill the Zoning Administrator position. Lisa Miller asked for why Osborne is leaving the position and said that his leaving felt sudden. Anand said that after talking to Osborne, he said that he wishes he could stay with the Town and is leaving because of the wages. Miller expressed concern about a similar situation of a qualified professional leaving the Town because of compensation. Anand noted the importance of the Zoning Administrator job.

Clarke overviewed the statutory requirements for nominating and appointing a Zoning Administrator, and the fact that the Town can only have a Zoning Administrator and an Acting Zoning Administrator. Clarke noted that Venkataraman is the Town’s Acting Zoning Administrator. Clarke added that the Town has already employed Kayla Vaccaro to fill in as the Zoning Administrator until a permanent replacement for the Zoning Administrator position has been filled, and that the Town has advertised for

the Zoning Administrator position vacancy. Clarke said that the commission has to nominate Vaccaro to be the Zoning Administrator in order to prevent Venkataraman from doing the Zoning Administrator's responsibilities in addition to his own as the Town Planner. Clarke said that Vaccaro is aware that she will need to apply for the Zoning Administrator position in order to be the permanent, full-time Zoning Administrator. Clarke said that the Selectboard appointed Vaccaro as the Zoning Administrator during its January 18, 2022 meeting, and that per statute, the Planning Commission does not need to nominate the Zoning Administrator before the Selectboard appoints the Zoning Administrator.

Fausel asked if the Town normally hires a Zoning Administrator for a three-year term that becomes renewed. Venkataraman explained that the statutory aspects of the Zoning Administrator position are separate from the employment agreement the Town has with the Zoning Administrator, that the Zoning Administrator's term is renewed every three years per statute, and that the employment contract may not necessarily be connected to the term-based appointment of the Zoning Administrator per statute. Fausel asked if Vaccaro would be completing Osborne's term as the Zoning Administrator or if her term would be limited. Venkataraman said that typically for Zoning Administrators, terms are not continued upon, but instead created anew for every new Zoning Administrator; and that therefore Vaccaro's term as the Zoning Administrator would be a three-year term even though in her employment contract—which is separate from the statutory requirements—she will serve as the Zoning Administrator until mid-April. Fausel noted the oddity of the term requirement for a non-elected position.

Miller said she had concerns about entering into a similar situation with the Zoning Administrator leaving due to the pay scale, considering the upcoming planning items that will require a skilled Zoning Administrator. Venkataraman said that the Town has hired a consultant to conduct a comprehensive wage study across all departments, and that the consultant should have an update on the wage analysis in late February or early March.

Motion by Fausel, seconded by Miller, to nominate Kayla Vaccaro to serve as the Town of Richmond Zoning Administrator for a three-year term. Voting: 5-0 (Joy Reap abstained). Motion carried.

## **6. Discussion on the Gateway District**

Clarke overviewed possible outcomes, the need for a bond vote, the postponement of setting the bond vote, the issues regarding the sizing of the infrastructure to serve potential future connections, and the issue of paying back the bond. Clarke noted the need to amend the Act 250 permit, and the need to amend the zoning to meet Criteria 9(L) of Act 250. Clarke said that the extension of water infrastructure is still up for discussion. Clarke overviewed the outreach schedule in February and March.

Clarke summarized the desired elements in zoning under Criteria 9(L). Clarke said that the name of the district will need to be discussed, because the name of the district will affect how the public perceives the district. Clarke said that the Town has applied for a grant with the Vermont Natural Resources Council to fund the development of visualizations for the proposed Gateway District. Clarke said that CCRPC is unable to provide assistance at this time. She added that the schedule is with respect to the overall plan of submitting an Act 250 application for the expansion of the system by the end of the summer.

Reap said that having consulted Venkataraman she will be participating in this discussion item as a member of the public, that in the past the commission required the commission member leave the meeting room and reenter the meeting room to recognize them as a member of the public, and that with

Zoom she will instead change her title to indicate that she is speaking as a member of the public.

Anand said that based on observation the amount of land for development in the Gateway is limited, that Reap's property has the best potential that she has concerns about the distance between possible developments and the interstate, that she would like more information about the cost of extending water and sewer infrastructure with the potential opportunity for future development in the area, that over time water and sewer service should be provided to the mobile home park. Clarke said that the water and sewer commission has kept water and sewer service to the mobile home park in the back of their minds for consideration. Clarke added that the Reaps have the option of extending the sewer line to their properties on their own, and that the commission has kept in mind the possibility for planned development in the area in past year.

Clarke overviewed the three possible scenarios for meeting Criteria 9(L). Miller asked about areas south of Route 2. Clarke said that areas south of Route 2 hasn't been contemplated because for the most part, these areas are in the floodplain. Anand asked if the lot lines shown in the map are current.

Venkataraman said that except for the Reaps' properties, the lot lines are current. Anand asked about how a road in Scenario #2 would be developed. Venkataraman said that the road would be developed over time whenever a property is redeveloped if an Official Map is in place, that the location of the road need not be exact, and that a conversation could occur with the Town and the developer on the placement of the road if the Official Map aspect is triggered. Dan Mullen asked about what "redevelopment" entails. Venkataraman said that the Town has control over when and how the Official Map is triggered, and would have control over the type of redevelopment that would trigger the Official Map requirements. Mullen asked if the development of infrastructure would be considered a taking. Venkataraman said that it wouldn't be considered a taking, that a conversation would occur between the Town and the developer, and that just compensation would have to be provided. Miller said that bisecting the lots with a road could make the area more developable from an aesthetic sense. Clarke said that the visualizations will help provide a sense of possible aesthetics. Clarke said that in her mind, the target for potential buildout should be 50 residential units, with the overall goal of establishing a walkable neighborhood connected to the village.

Rod West said that Scenario #2 with 50 residential units is impractical and poorly thought out, and that the area is not suitable for a neighborhood and that the area is too noisy. West noted that his property and his neighbor's property has wetlands. West noted that the cost burdens of the zoning requirements for infrastructure is placed on the future owner or renter of the residential unit, not on the developer.

Clarke noted that Kristen Hayden West wrote in the chat that the scenario maps do not show wetlands, and that the commission has maps of wetlands in the meeting packet and are considering natural resource constraints.

Reap said that she doesn't see how the creation of a road would help with internal circulation, that the roadway would be expensive considering the wetlands restrictions, and that the existing curb cuts would still be used.

Miller noted the current lack of demand for commercial spaces and the state's goal of encouraging the development of affordable housing wherever feasible.

Gary Bressor said that he liked Scenario #2 the best, that the area could transition towards orientation

toward a secondary road, and that the feasibility would depend on the allowable density for the area. Bressor said that the commission should consider planning for a sidewalk parallel to Route 2. Fausel said that in terms of practicality, users would more likely use a path parallel to Route 2 between the Village and the Park and Ride. Fausel also expressed hesitation about requiring the construction of a secondary road, and that he would want to encourage methods to share access points. Fausel said that the commission should consider implementing form-based zoning to maintain aesthetics along Route 2 and along I-89. Fausel said that the density allowance should be increased but not to the point in which the town creates an enclave of lower-cost housing units next to the highways. Mullen asked for clarification on the difference between Scenarios #1 and #2. Clarke said that with Scenario #1, the focus is on the possible establishment of different districts, that the focus on Scenario #2 was on the internal road, and that with Scenario #2 different districts may not necessarily be established. Clarke said that the residential component would involve increasing housing density, allowing smaller lots, allowing multifamily dwelling uses, and requiring landscaping and screening requirements from Route 2 and I-89.

Clarke asked about access to properties on interior lots while the road is being developed. Venkataraman said that the existing curb cut would be used, and that the property would be developed with spacing for the future road. Venkataraman added that in general for the road to be developed per an Official Map, there are a number of contingencies that the Town and developer would need to address.

Mullen said that if people are going to live in the area under consideration, Vtrans would need to install some form of sound barrier, and asked about Vtrans's standards for sound barriers. Clarke said that she has not looked into sound barriers yet and that she has considered landscaping requirements.

Fausel said that he had concerns about requirements to develop town infrastructure, that the commission should regard West's comments in the chat about the constraints on his and his neighbors' properties and about possibly scheduling a site visit, and that the commission should consider the impacts of a sound barrier on the viewscape. Bressor noted the location of houses between Jericho Road and the interstate, and the impact of good landscaping. Hayden West noted that impact of the interstate being above their property and how that affects the liveability of the properties in the Gateway, and said that a sound barrier wall in this location wouldn't be a practical solution because the location would still have noise impacts. Bob Reap said that the noise of the interstate from his shop is terrible and that he wouldn't want to live in that location.

Clarke said that the commission and the public will have to agree upon alternatives that will not lead to commercial strip development. West said that one could live in Gateway if they were to only be inside a house, that one wouldn't be able to be outdoors without being infringed upon, and that he and his family moved from his house on the Gateway to a house on Dugway Road in order to be able to spend time outside their house. West said that the eastern and western borders of his property are wetlands, and that one wouldn't be able to build a road through the property because of the wetlands. West also said that the proposed location of the path connecting the Gateway area to the schools is extremely steep. Miller asked West if his property could accommodate development with eight units per acre. West said he was not sure how one could get that kind of density, noting the pinch points and wetlands on his property.

## **7. Other Business, Correspondence, and Adjournment**

Clarke overviewed the Town of Williston hearing notice.

Clarke asked the commission if it would like to hold meetings solely virtually or hybrid with the passage of S. 222. Miller suggested that meetings should be held in hybrid format if public hearings are on the agenda. Clarke asked if the commission had to decide if it wanted to hold all their meetings in a particular format, or if it could decide on the format a meeting-by-meeting basis. Venkataraman said that the commission can decide on a meeting-by-meeting basis. Fausel asked if the Zoom meetings use a local number for phoning in. Venkataraman said the phone-in number would be a long-distance number. Fausel suggested holding hybrid meetings for the public outreach sessions on the Gateway, and holding virtual meetings for regular business meetings.

Clarke asked about the feasibility of recordings. Venkataraman said that per the bill a recording has to be made available for the public under the virtual meeting option, that he is collecting a recording of the meeting at the moment that he will send to MMCTV the next morning, and that the current conditions would be how the virtual meeting would look because no one is in the meeting room except him. Erin Wagg of MMCTV said that the current system would be used to collect the recording for the virtual meeting.

Anand suggested holding hybrid meetings to keep options open.

Fausel asked about the items on the February 2<sup>nd</sup> meeting agenda. Clarke said that the public hearing on the zoning amendments to wetlands, nonconforming uses and structures, and vehicle fueling station uses will be on the agenda. Clarke said that Brandy Saxton may attend an upcoming meeting to discuss the housing study. Clarke said that for the second meeting in February, Gateway District residents and property owners will be invited to provide comments.

Clarke said that the upcoming meetings will be in hybrid format. Wagg noted the dangers of the coronavirus, and suggested holding virtual meetings to protect town staff. Venkataraman noted that the Selectboard meeting yesterday was slated to be held virtually pending the signing of S. 222, that town staff only heard about the passage of S. 222 a couple hours ago, and that other boards and committees like the Selectboard are considering meeting solely remotely. Clarke said that based on these comments, she is in favor of holding virtual meetings. Others agreed. Fausel suggested asking the Gateway stakeholders if they are able to participate via Zoom, and choosing a format depending on the responses.

Miller asked Venkataraman where one could find Zoom meeting information for upcoming meetings. Venkataraman pointed to the "Calendars" tab on the Town website, and suggested that people sign up for weekly updates on the Town website.

Fausel asked about the format for the next meeting. Venkataraman said that the next meeting will have to be hybrid because of the hearing notice, and that he encourages people to participate virtually for the sake of public safety.

Motion by Fausel, seconded by Anand to adjourn the meeting. Voting: unanimous. Motion carried. The meeting adjourned at 9:13 pm.

Respectfully submitted by Ravi Venkataraman, Town Planner