



Planning & Zoning Office
Town of Richmond P.O. Box 285
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APPLICATION: Conditional Use Review

APPLICANT: Tamara Smith and Derek Miodownik

REQUESTED ACTION: Conditional Use Review

LOCATION: 112 Esplanade

EXISTING ZONING: High Density Residential
Flood Hazard Overlay District-FHOD

Act 250 STATUS: Not applicable

PROJECT DESCRIPTION: Applicant proposes to remove and replace a Single Family Dwelling within the Flood Hazard Overlay District. Improvements, Substantial with the FHOD requires DRB Conditional Use Review as per §6.8.9 of the TOR zoning regulations. Proposal located in the High Density Residential (HDR) Zoning District and Flood Hazard Overlay District (FHOD) at 112 Esplanade, Parcel ID# ES-0112.

PARCEL HISTORY: Permit 2020-019 Small kitchen and deck addition
Permit 12-163 installation of natural gas line
Permit 07-184 CO application winterizing and renovation
Permit 04-078 CO application, shed relocation
Permit 00-70 conversion of duplex into single family home+deck
Permit M-140 addition/ alteration

LIST OF SUBMISSIONS:

- Conditional Use Review Application
- List of Abutters
- Narrative
- Site Plan, Floor Plans, and Elevations

PROCEDURAL INFORMATION:

- As per the Flood Hazard Overlay requirements, a copy of the application was sent to the Agency of Natural Resources by the applicants agent.
- Application pre-submission meeting with staff accomplished on December 20, 2022
- ZAO has determined that the project is considered a Substantial Improvement with the posting of the agenda.
- Notice placed on Town website and at three locations in town on January 20, 2022
- Abutters notified on September 27, 2021
- Agenda placed in Seven Days, February 2, 2022 edition.

- Final Agenda placed on website and at three locations in town on January 27, 2022
- All application documents placed on the towns website on January 27, 2022

STAFF COMMENTS (In Bold):

Conditional Use Review required as per sections 5.6 and 6.8 of the Town of Richmond Zoning Regulations. Substantial Improvement is defined in the Richmond Zoning Regulations (RZR), Section 6.8.4 as any reconstruction, rehabilitation, addition, or other improvement to a Structure the cost of which, cumulatively exceeds 50 percent of the market value of the Structure before the Start of Construction of the improvement.

The DRB may impose conditions and safeguards upon the approval of a site plan with respect to features authorized by the Act (§4416), as amended. Maps, data, studies, and other information will be requested as needed by the DRB for site plan review. Conditional Use Approval shall comply with the following specific standards:

- a) Obnoxious or excessive noise, smoke, vibration, dust, glare, odors, electrical interference or heat that is detectable at the boundaries of the lot shall not be generated. **No immediate concerns.**
- b) There shall be no outside displays except those that are brought indoors at the end of the business hours and are the actual product of the business. **Not applicable.**
- c) Outside storage of goods, parts, supplies, vehicles machinery and other personal property shall be appropriate to the neighborhood and shall not impair safety. **Not applicable.**
- d) A State Wastewater and Potable Water Supply Permit shall be obtained before the use commences. **Project is on TOR water and wastewater.**
- e) The development is proposed over a reasonable time period in order that the general and specific standards for conditional uses may be met. **No immediate concerns.**
- f) In determining the appropriateness of the use in the Zoning District, the DRB shall consider the scale of the proposal in relation to the scale of existing uses and structures. **Not applicable as the use is residential.**
- g) No fire, explosive, or safety hazard shall be permitted that, in the judgment of the DRB, after consideration of the advice of Richmond firefighting officials, significantly endangers other property owners or emergency personnel. **No immediate concerns.**
- h) The development shall not result in an Undue Adverse Effect on state- or community-owned and operated institutions and facilities. **No immediate concerns.**
- i) Existing water supplies and the quality of ground and surface water resources shall not be adversely affected. **Project is on TOR water and wastewater.**
- j) The proposed Land Development shall not have an undue adverse effect on an Historic Site or rare or irreplaceable natural areas. Proposed structures should take advantage of existing slopes and vegetation to provide screening for the project. **No immediate concerns.**
- k) Any other standards, such as natural landscape and “character of the neighborhood” standards, as indicated for specific districts shall also be applied. **No immediate concerns.**

NOTE:

- **FHOD Development Standards per § 6.8.16 to be reviewed and followed by the DRB. Please refer to TOR zoning regulations for specifics.**
- **Site Plan Review Standards, as per § 5.6.3 to be reviewed and followed by the DRB. Please refer to TOR zoning regulations for specifics.**

Additional Notes:

- 1. The Applicant shall apply for a Zoning Permit for the work approved.**
- 2. Any approvals shall expire 24 months from the date of the final approval unless a valid Zoning Permit has been obtained and is determined to remain in effect.**
- 3. The Applicant is required to submit all receipts in connection with this project to the ZA prior to receiving a Certificate of Occupancy.**
- 4. The Applicant shall submit, prior to the issuance of a Certificate of Occupancy, an As-Built Building Elevations and Elevation Certificate. The Elevation Certificate shall confirm that the flood vents have been installed properly and the basement has been converted to a walk-out level for flood hazard regulation purposes.**
- 5. All exterior lighting shall meet Section 4.11 of the Richmond Zoning Regulations.**