

Richmond Development Review Board
REGULAR Meeting
APPROVED MINUTES FOR June 13, 2018 MEETING

Members Present: David Sunshine (Chair); Ian Bender (Vice-Chair); Gabriel Firman: Roger Pedersen; Padraic Monks (DRB Alternate)

Members Absent: Alison Anard (DRB alternate); Matt Dyer

Others Present: Suzanne Mantegna (ZA/Staff); Ruth Miller for MMCTV Comcast 15; Gary & Jean Bressor; Roman Livak, Natalia Livak, Noble Livak, Sally Singer, Bruce Singer, Peter Swaine, Cara LaBounty, Matt Parisi, Blair Knowles, Ernest & Louise Spence, William & Linda Donovan, Scott Baker, Jim Feinson,

ZA and David Sunshine met with Roman Livak on June 7, 2018 for a site visit.

ZA and Gabriel Firman met with Blair Knowles & Matt Pairsi on June 8, 2018 for a site visit.

David Sunshine opened the meetings at 7:05 pm and requested participants sign in and provided an overview of what an interested party is and stated the procedures for the meeting.

Public Hearings:

Roman Livak- Application 2018-051 for Preliminary Subdivision approval for a 3-lot Subdivision (2 new lots) at Parcel ID# KR0793, located at 793 Kenyon Rd, Richmond, located within the Agricultural/Residential (A/R) Zoning District.

Roman Livak, Natalia and Noble Livak, sworn in. Mr. Livak inherited 36.8 acre parcel and wishes to subdivide two new 6 acre lots for children Natalia and Noble. The plans show a 60' ROW for the road in case anyone would like to subdivide in the future it is already in compliance with current Rural Road requirements.

Mr. Sunshine testifies that he did the site visit and that the parcel is mostly a flat site with lovely view. Shared with Mr. Livak that DRB would require a shared roadway agreement.

Mr. Bender questions about wording on the survey- Note: Mr. Sunshine says that a Boundary Line Agreement or Quick Claim Deed would probably be needed to clear up. Mr. Noble Livak comments that it is a pretty big cliff in that corner and that is probably why surveyor wrote note. Mr. Sunshine questions if applicant has talked to neighbor. Mr. Livak responds not yet but he will. Mr Pedersen questions why survey line not straight. Mr. Livak says that it is a steep area and survey probably follows the fence line.

Mr. Sunshine enquires about a curb cut permit. Mr. Livak received on in 2017.

Mr. Sunshine asks if the State Wastewater permit has been applied for. Mr. Livak plans to after preliminary approval.

Mr. Livak wonders if the DRB requires a utility line agreement. Mr. Sunshine responds that it is not necessary but could be helpful.

Questions from the audience-

Sally Singer, abutter, wonders if the 6 acre parcels can be further subdivided. Mr. Sunshine responds yes it is 1-acre zoning in A/R district but wastewater is always a potential question. Mr. Livak has no plan to further subdivide.

1 Ms. Singer question about septic system and placement of well – what does the Town do to preserve her well?
2 Mr. Sunshine responds absolutely nothing. State Wastewater Permit would take that into account. Mr. Livak is
3 willing to show her his plan for WW prior to Final application. Mr. Sunshine states that the State will send
4 neighbors a letter for a wastewater permit.

5
6 Ms. Singer asks if there is no recourse if her well is contaminated? Mr. Sunshine urges Ms. Singer to discuss
7 concerns with the Livak’s engineer. Bruce Singer- they have a shallow well and the Livak’s engineer might not
8 know where well is. Mr. Livak will discuss with Singers and his engineer.

9
10 Cara LaBounty- question about road naming and meeting standards of Rural Road as opposed to driveway.

11
12 Mr. Singer enquires what type of houses we could expect. Noble Livak responds small and affordable. Natalia
13 Livak plans on a 3 -4 BR home eventually but may have a trailer for 3-4 years. Ms. Singer asks if there are any
14 Town regulations for design. Mr. Sunshine responds no, but there are setbacks.

15
16 Motion to move into deliberative session by Mr. Bender. Seconded by Mr. Pedersen. Motion passed 5-0.

17
18
19 Blair Knowles- Application 2018-053 for Conditional Use Review to raise a principal structure in the
20 Special Flood Hazard Area at Parcel ID# JM0098, located at 98 Jones Mill Rd, Richmond, located
21 within the Commercial (C) Zoning District.

22
23 Blair Knowles, Matt Parisi, Cara LaBounty sworn in.

24
25 Mr. Parisi explains that Ms. Knowles purchased home in May 2018. The property had received Hazard
26 Mitigation Grant Program approval from State to raise main residence above Base Flood Elevation, but didn’t
27 realize when they purchased that Town DRB approval still needed so coming to get approval.

28
29 Mr. Firman visited site with ZA and talked to the applicant and landowner. Ms. LaBounty helped to prepare the
30 application along with many others.

31
32 Mr. Sunshine questions if the applicant received R. Pfeiffer’s comments. Mr. Parisi- yes, but Ms. LaBounty,
33 who is working with the applicants, would like to see. Mr. Sunshine states that it sounds like Ms. Pfeiffer’s main
34 comment was about number of flood vents in the crawl space.

35
36 Ms. LaBounty clarifies that the application has not gone out to bid yet and adding flood vents might not be
37 needed if design is different and more cost effective. Mr. Sunshine asks if flood vents were added in Bolton
38 project Ms. LaBounty worked on. Ms. LaBounty- yes, but would like the DRB decision to state that FEMA
39 regulations to be met but to not limit to flood vents only.

40
41 Mr. Sunshine questions about propane tanks. Mr. Parisi states that they would be anchored.

42
43 Mr. Sunshine question for ZA about Staff Comments #3- Technical documents required. Ms. LaBounty states
44 that the Grant requires that as well and were included to be reimbursed. Mr. Pedersen question about grant. Ms.
45 LaBounty explains the application process and the structure must be elevated in place and not moved off site.

46
47 Ms. Knowles comments about expiration of grant money in June of 2019. MR. Parisi states that Vermont has
48 short construction season and would like to get started soon. The grant requires 75% of cost paid by State and
49 25% from applicant. Money was held in escrow from their closing.

50
51 Mr. Pedersen- question about flood vents. Ms. LaBounty explains about the BFE and if there is no basement
52 therefore no flood vents would be required.

53
54 Questions from the audience- none.

55
56 Mr. Pedersen motion to move to deliberative session. Mr. Firman seconded. So moved 5-0.

1
2 **Other Business**
3

4 William & Linda Donovan- Application 2018-040 for Sketch Plan Review for a proposed 2-lot
5 Subdivision at Parcel ID# RG0090, located at 90 Rogers Lane, Richmond, located within the
6 Industrial/Commercial (I/C) Zoning District.

7
8 William & Linda Donovan and Scott Baker from Bernard Gervais. Mr. Baker explains the applicants
9 are exploring a 2-lot subdivision on Rogers Lane. Part of lot in Jericho but most is in Richmond. The
10 applicant's single family dwelling was built decades ago when allowed in district, currently not an
11 allowed use therefore it is a pre-existing non-conforming lot. Zoned for 1 acres. New parcel for existing
12 single family dwelling is 3+ acres.

13
14 Mr. Sunshine enquires if there is a building site already planned in back. Mr. Baker replies there are
15 no firm plans. Ms. Donovan states that they are potentially going to put storage units. Lot is
16 topographically challenged- steep slopes. Prefer new lot not to access from their driveway and is
17 looking at getting an access easement from neighbor. MHP residents sometimes use property for 4-
18 wheeling and would like to stop that.

19
20 Potential easement from J. Hutchins would require ACT 250 application to access the new lot.

21
22 Mr. Sunshine question for ZA about Selectboard and Hutchins proposal for an asphalt plant. CSWD
23 circular drive would be a benefit. Ms. Donovan affirms that cars stacked is an issue at CSWD.

24
25 Mr. Sunshine asks if there would be two curb cuts. Mr. Baker talks about reasoning for proposed new
26 access. To use existing driveway would require a lot of grading but other access would not be as
27 destructive. Mr. Pedersen question about road placement and VELCO easement.

28
29 Mr. Bender questions if the proposed building location is visible from road. Ms. Donovan- no. Mr.
30 Donovan it would be screened. Ms. Donovan they would potentially have it gated with card key access.
31 Mr. Donovan does not want the storage units renters to pass by house.

32
33 Mr. Sunshine informs the applicant that they would need to make a decision about site plan review for
34 storage units and 2-lot subdivision applications can be combined or separately. Mr. Baker wasn't sure
35 if it would make sense if unsure of use to combine.

36
37 Questions from Board-

38
39 Mr. Monks questions about the need for septic. The applicant would have to show application is doable.
40 Have done test pits for the potential replacement system. For State approval would have to provide
41 what the use is to new parcel for wastewater capacity.

42
43 Questions from the public-

44 Ernest Spence doesn't have a problem with storage units but would have had a problem with residences.
45 Ms. Donovan not allowed in District and has friend that has storage units and thinks a good fit. Has
46 heard that best place to put storage units is next to a dump or a trailer park.

47
48 Mr. Spence thinks it's a great idea.

49
50 Mr. Baker discussion with owners about potentially combined Subdivision and Site Plan review.
51 Should they get access permit first. Mr. Sunshine replies it would be at least a condition of approval.
52

1 Ms. Donovan states committing to a proposed use can be expensive. Mr. Sunshine encourages them to
2 give real thought to what is brought to DRB next. Mr. Donovan has question about timing. And does
3 approval expire? ZA responds that subdivision once mylar is filed does not expire, but CU does after
4 two years if no zoning permit issued.

5
6 Gary Bressor- in support of project, especially if it is hidden from view.

7
8 Mr. Bender questions if they would have to get approval from Jericho as well? Unclear. ZA says
9 potentially.

10
11 Mr. Monks question if hidden storage units would be a positive or negative and how potential users
12 would find. Ms. Donovan people google search and would also have a sign. Thinks it could be an
13 asset to the Town.

14
15 Mr. Baker question building envelope, access permit. Anything else? Mr. Sunshine states that the road
16 would have to meet Richmond Road standards.

17
18 Gary Bressor- Application 2018-034 for Sketch Plan Review for proposed Subdivision and PUD-
19 Residential at Parcel ID# TR0055, located at 55 Thompson Rd, Richmond, located within the
20 Agricultural/Residential (A/R) Zoning District.

21
22 Gary & Jean Bressor along with Jim Feinson come to discuss. Jim Feinson 4 Cochran Rd owner
23 neighboring parcel. Would like to make CO0004 part of project. Unsure how it would be considered
24 one project. David potentially make it an LLC. Roger joint venture agreement potentially. Nothing in
25 ordinance that really applies. All the land owners would have to be applicants of any potential PUD.
26 Need to talk to a land use lawyer.

27
28 Second question- If gets approval for subdivision potentially get increased taxes. Question can he get
29 Master Plan and not get subdivision approval. What does it give you? David- talking points- may
30 Master Plans are a sketch plan and can change radically. Gary can he get approval for half of units?
31 David yes but potential risk to change in zoning. Gary say doesn't sound like Town Plan will be done
32 zoning regulations in a timely fashion. Master plan doesn't sound like the way to go. Regs don't talk
33 about it much. David Southview and Greystone came before the DRB with large Master Plans and
34 Town freaked. Does DRB care if there is a master plan or not. Would like to see what you propose.

35
36 Question about duplex and 333 Cochran Rd. and how it applies to 4 Cochran because it is smaller than
37 an acre. David if part of PUD must meet dimensional standards. Jim cannot sell one unit. David-
38 correct. Padraic existing lots need to conform with dimensional standards. Discussion on allowable
39 number of lots. How many would he have -11 units. Have to submit drawings? Not necessary.

40
41 Discussion about printing of documents.

42
43 DRB closes discussion.

44
45 Minutes to be approved:

46
47 Motion to approve by with changes. Motion passes 5-0.

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49 Mr. Pedersen offers motion to go into deliberative session at 8:50 pm, Mr. Firman seconds. Passes 5-0.

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51 Motion to exit deliberative session at 9:20 pm.
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Motion to approve with conditions application 2018-051. Passed 5-0.

Motion to approve with conditions application 2018-053. Passed 5-0.

Adjourn:

Mr. Sunshine offered a motion to adjourn the meeting at 9:25 pm and was seconded by Mr. Pedersen and the motion carried 4-0.

Respectfully submitted by Suzanne Mantegna, Zoning Administrator/Staff to the DRB