

Richmond Development Review Board
REGULAR Meeting
APPROVED MINUTES FOR March 14, 2018 MEETING

Members Present: David Sunshine (Chair); Matt Dyer; Ian Bender (Vice-Chair); Gabriel Firman
Members Absent: Alison Anand (DRB alternate); Roger Pedersen
Others Present: Suzanne Mantegna (ZA/Staff); Ruth Miller for MMCTV Comcast 15;
Geoffrey Urbanik (Town Manager); Isaac Cowan, Cara and Bruce LaBounty;
Clint & Lori Wheeler; Kim Robtoy, Kathleen Sikora, Greg Smith, June Root;
Matt Parker; Joyce Whitcomb; Pierre Pion; Christy Witters; Diane Leighton-
Jock; Gary Martin; Gary & Barb Willette; Lorna Fortune; Andrew Powers;
Scott Nickerson; Trish Healy

David Sunshine opened the meetings at 7:04 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:

Cowan Realty, LLC- Application 18-010 for Preliminary and Final Subdivision Review for a 2-lot subdivision (creation of 1 new lot) at Parcel ID# SR0455, located at 455 Stage Road, Richmond, located within the Agricultural/ Residential (A/R) Zoning District.

Mr. Cowan was approached by previous owner to finish project the owner had started in the 1980's. Applicant had parcel surveyed and a septic system designed. Septic would be for two lots. New lot is 1.7 acres. Has already received new access permit and State Wastewater permit. Mr. Cowan is asking for preliminary and final approval. Mr. Cowan has provided septic easement language. The septic on site and septic design plans. Driveway will be approximately 200' long and less than 5' elevation change. Open to questions or comments of the Board.

Mr. Sunshine questions that driveway location isn't shown on survey. Mr. Cowan would be happy to include it on the survey plat. Mr. Sunshine would like to see official septic easement. Mr. Cowan would record with the deed. Mr. Sunshine would like to see it. Mr. Cowan would be happy to provide as condition of approval. Mr. Sunshine questions the VELCO easement. Mr. Cowan has the easement and will provide a copy to staff. Agreement for septic field under powerlines in exchange for access.

Mr. Sunshine represents Estate of Stephen Wadon, former owner, but never worked for him directly

Mr. Sunshine questioned if Fire Chief asked if can service new lot. Mr. Cowan designed to meet A-76 and B-71 standards, but did not formally ask.

Questions from audience- Lorna Fortune, neighbor, concerned about road cut and well shield location. Mr. Sunshine says she should ask how it affects her property from counsel.

Motion to continue by Ian to deliberative session. Passed 4-0. Will deliberate and make decision within 45 days.

Andrew Powers- Application 18-011 for Conditional Use Review for a proposed multi-unit building at Parcel ID # TL0051, located at 51 Tilden Lane, Richmond, located within the High Density Residential Zoning District.

1 Mr. Sunshine recused himself. Mr. Powers asked to explain project for the public. Proposed project to remove
2 single family dwelling and install multi-family dwelling (three-unit). Mr. Powers and ZA have disagreement
3 about the interpretation of Section 4.6.1- Existing Small Lots of the RZR's. Mr. Powers believes that "permitted
4 use" includes the administrative review by ZA and Conditional Use, ZA only permitted by administrative review
5 by ZA. Mr. Powers questions if a project is approved if meets all requirements? Mr. Bender replies not
6 necessarily. Mr. Powers trying to understand what is at issue. Mr. Bender replies whether underlying RZR's for
7 zoning district override Conditional Use.

8
9 Mr. Dyer questions if garage was staying. Mr. Powers replies yes to be converted to storage for tenants.

10
11 Mr. Bender ask what would applicant do if it is not approved. Mr. Powers says he would build a duplex, but
12 might have as many bedrooms.

13
14 Questions from the audience-

15 Kathy Skiora- neighbor. Explains that Mr. Powers had neighborhood meeting. Said the reason for a multiplex,
16 was to make more money. Proposed unit placement would block all sunlight into her yard. Worried that
17 neighborhood would never be the same if approved.

18
19 Christy Witters, neighbor on Tilden. Question about how zoning regulations are interpreted.

20
21 Cara LaBounty, question about New England atmosphere. Mr. Powers thinks that it will look similar to other
22 building in the neighborhood. Ms. LaBounty questions would it meet the dimensional setbacks, lot coverage,
23 parking. Mr. Powers responds yes to questions.

24
25 Ms. Sikora would like the DRB to come to stand on her deck to see how the proposed structure would impact
26 her.

27
28 Mr. Firman, wonders if the duplex would be the same design. Mr. Powers responds that it would be virtually
29 the same. Ms. Sikora concerned about the size of the building as a duplex. Worried about parking and how
30 people would park on the yard since parking is an issue in the neighborhood.

31
32 Ms. Withers, speaks about the character of the neighborhood. Mix of single, duplex, and one larger that Mr.
33 Powers owns, the beehive. Worried about the number of rental properties in the neighborhood, changing the
34 character of the neighborhood. Talks about the Town Plan and potential for changes.

35
36 Ms. Labounty questions about the State Statues for existing small lots. Recommends that the boards reviews in
37 deliberative.

38
39 Trish Healy, wife of David Healy, would like to read letter sent to ZA today. Has lived in neighborhood for
40 many years. Mix of ages in neighborhood. Would love 51 Tilden to stay a SFD, next best option would be an
41 owner-occupied duplex. The proposed number of bedrooms and units out of scale with the neighborhood.
42 Would like adequate screening. Increased density mentioned in the Town Plan still in flux, since no official
43 Town Plan. Goodwin-Baker building largest in neighborhood. She does commend Mr. Powers for engagement
44 with neighbors.

45
46 Dyer motion to enter deliberative session. Passed 3-0.

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48
49 Falcon Property Management Partners- Application 18-012 for Conditional Use Review for the
50 elevation of eighteen (18) mobile home sites with fill in the Mobile Home Park Zoning District (MHP)
51 and within the Special Flood Hazard Area (SFHA).

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53
54 Ms. LaBounty, representative for Falcon Property Management for the project. Discusses the application for the
55 Hazard Mitigation Grant (HMG) Program. The HMG was approved in December. Now coming to DRB for
56 Conditional Use approval. HMG includes funds to relocate homeowner temporarily. Purpose of the grant is to

1 mitigate the loss of life, and property. Funds were left over from Irene funding. MHP owner is behind
2 application so no cost to MH owners.
3

4 Mr. Sunshine questions how much water the park received during TS Irene. Water was under mobile homes on
5 Lower Circle but did not breach. Mr. Sunshine question applicant on the comments received by R. Pfeiffer,
6 State Floodplain Manager. Mr. Sunshine question on the age of the homes and how can they be moved. Ms.
7 LaBounty responds they would determine on a structure by structure basis. If a structure can't be moved and
8 there is no other option it might not be elevated. Mr. Sunshine question on fuel tanks and would they be elevated
9 and anchored as well. Ms. LaBounty responds that everything that can be anchored would be anchored. Ms. La
10 Bounty requests to read R. Pfeiffer's letter. Mr. Bender asks her to speak about where in RZR is the item about
11 no compensatory fill. Ms. LaBounty says that there will be No Adverse Impact with adding fill.
12

13 ZA speaks that ANR would like details on anchoring.
14

15 Ms. Witters found part of the regulations that appears to speak regarding No Adverse Impact -Section 6.8.16. s-
16 no net fill. Ms. LaBounty contends that the fill has already been removed by TS Irene. Ms. LaBounty believe
17 that it is money poorly spent to require certification and that shouldn't be done. Mr. Dyer says although for
18 project it shouldn't impact people downstream. Ms. LaBounty will do whatever needs to be done. Mr. LaBounty
19 speaks to the Planning Commission decision on the changes to the RZRs in the SFHA.
20

21 Mr. Urbanik, Town Manager, speaks to the intent of the RZRs as it applies to a single-family dwelling not a
22 mobile home park. Town is in favor as elevating structures, once completed, would allow the mobile home
23 owners to get lower Flood Insurance.
24

25 Scott Frank, lived at 129 Lower Circle, explains that when it rains it would go in one side and out the other. Now
26 lives at 145 Lower Circle. Talks about their issues.
27

28 Kim Robtoy, 67 Lower Circle owner, question about bringing fill in. She added some after TS Irene but it is
29 sinking. Won't more fill just sink? Ms. LaBounty explains there will be better quality of material. She is
30 wondering about accessory structures are they part of this grant? Ms. LaBounty responds no, the purpose is to
31 mitigate the loss of life. Barbara Willette, 65 Summers St, has shed behind.
32

33 Mr. Sunshine questions if a homeowner doesn't want to do participate, do they have to? Ms. LaBounty would
34 move shed if homeowner would pay some portion. It is not the intention to force people to participate. Mr.
35 Willette, has a doublewide, would it be replaced in same place? Question about the existing ditch and would it
36 be cleaned out. 64 Lower Circle owner, Gary Martin, wondering about raising structures 3-6'.
37

38 Mr. Sunshine asks if there has been a community meeting? No, responds Ms.LaBounty.
39

40 Ms. LaBounty states that they would not force homeowners to lift mobile home.
41

42 44 Lower Circle owner, Matt Parker, question about would the fill would be from elsewhere.
43

44 Mr. Dyer states that he doesn't like how DRB is being portrayed. The DRB is for all homeowners to be safe.
45 Ms. LaBounty did not want to come to homeowners first without having approval from DRB. Temporary
46 housing is part of grant.
47

48 Pierre Pion, 13 Lower Circle, question that it appears only 16 sites, but application for 18? Vacant site not part
49 of the HMG, but part of the application and there are a total of 18 sites Ms. LaBounty confirms.
50

51 Joyce Whitcomb, 35 Lower Circle, would raising home place it out of the floodzone? Ms. LaBounty responds
52 that no, house is still in floodzone but above the BFE and insurance rates would drop.
53 Question about time frame. Ms. LaBounty explains that DRB 45 days after closing hearing to issue decision and
54 then they would have to get a zoning permit. Would like to do this summer of 2018.
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56 Dyer motion to enter deliberative session. Passes 4-0.

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Other Business

Minutes to be approved:

Minutes from February 14, 2018. Motion to approve by Dyer with no changes. Motion passes 4-0.

Mr. Sunshine would like to have a liaison for each project to visit site with Staff. Staff will put together spreadsheet to for visits.

Enter into deliberative session

Mr. Sunshine offered a motion to enter into deliberative session at 8:50 pm and was seconded by Mr. Dyer and the motion carried 4-0.

Out of deliberative session at 9:30.

Dyer to approve Application 18-010 with conditions. Passed 4-0.

Bender motion to deny Application 18-011. Passed 3-0.

Dyer motion to approve Application 18-012 with conditions. Passed 4-0.

Adjourn at 9:40.

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