

Richmond Development Review Board
REGULAR Meeting
UNAPPROVED MINUTES FOR March 13, 2019 MEETING

Members Present:	David Sunshine (Chair); Matt Dyer (Vice-Chair); Padraic Monks; Roger Pedersen; Gabriel Firman
Members Absent:	Alison Anand (DRB alternate)
Others Present:	Suzanne Mantegna (ZA/Staff); Jessica Draper (Town Planner); Ruth Miller for MMCTV Comcast 15; Josh Arneson (Town Manager); Elysse Parente; A. Eric Wood; Barbara & George Ward; William Preston; Darcy Preston; Joseph Doppman; Wesley Grove; Gary & Jean Bressor; Jim Feinson; Lauck Parke; John P. Linn; Alison Anand; Scott Nickerson; Josi Kytlye; Brenda O'Reily; Colin Moffat

David Sunshine opened the meetings at 7:03 pm and requested participants sign in and provided an overview of what an interested party is and stated the procedures for the meeting. Limiting discussion to 40 minutes per application.

Public Hearings:

Robert & Joy Reap- Application 2019-006 for Final Subdivision Review for a proposed 2-lot Subdivision, creation of one new lot, at Parcel ID # WO0258, located at 258 Wortheim Rd, Richmond, located within the Agricultural/Residential (A/R) Zoning District.

Robert Reap sworn in. Robert explained that they had submitted a new plat, and that some items had to be added and corrected.

Questions from the Board-

Mr. Sunshine asks if there were any changes to layout from previous meeting. Mr. Reap replies no. Mr. Sunshine noticed a typo on the Road Maintenance Agreement- White's name misspelled. Mr. Sunshine ask if all costs are shared equally and that Act250 approval has been received. Mr. Reap replies yes all cost shared equally and Act 250 has been approved. ZA clarified that yes they have Act 250 permit amendment approval. No further questions from the board.

Questions from the public- NA

No further questions from DRB or public. Motion to approve application 2019-006 with condition of recording the driveway agreement by Mr. Dyer, seconded by Mr. Firman. Passed 5-0.

Nest Properties LLC- Application 2019-005 for Final Subdivision Review/Planned Residential Development/Conditional Use at Parcel ID# CO0333, located at 333 Cochran Rd, Richmond, located within the Agricultural/Residential (A/R) Zoning District.

Joseph Doppman and Wesley Grove sworn in.

Questions from the Board-

Mr. Sunshine ask if there have been any changes since preliminary approval. Mr. Grove replies that they abandoned the second access and changed the driveway orientation. Mr. Grove also confirmed with the State that the wastewater permit in 2004 was sufficient for redistribution of bedrooms. State only concerned the number of bedrooms remains the same. No further questions from the board.

Questions from the Public- NA

1
2 No further questions. Motion to approve with no conditions by Mr. Pedersen, seconded by Mr. Firman.
3 Passed 5-0.

4
5 Elysse Parente & Adam Wood- Application 2019-007 for Final Subdivision Review for a single-family
6 dwelling at Parcel ID# EM0822, located at 822 East Main Street, Richmond, located within the
7 Agricultural/Residential (A/R) Zoning District.

8
9 Elysse Parente and Adam Wood sworn in.

10
11 Questions from the Board-

12 Mr. Sunshine asks if there had been any changes since 2013 approval. Mr. Wood states yes, the State
13 water and wastewater permit has been approved, a VTrans curbcut approved, and they had a wetland
14 delineation completed.

15
16 Mr. Sunshine ask if the structure will be within the original building envelope. Mr. Wood states that
17 they are asking to amend the building envelope. Brief discussion that an envelope amendment to the
18 plat could be a condition of the final approval.

19
20 Mr. Firman states that he conducted a site visit to this property and that they are naturally limited by
21 the wetland, what they're proposing seems appropriate in his opinion. Mr. Wood states that the
22 original surveyor chose the easiest building area for the pervious subdivision.

23
24 Mr. Dyer ask if applicant will have to come back to DRB or not. Mr. Wood replies it should be only
25 administrative approvals from here on out. ZA clarified the lots and previous conditions from 2013
26 DRB decision required all land development to return to the DRB for final subdivision approval.

27
28 Questions from the Public- none.

29
30 No further questions. Motion to approve application with the condition that they update the building
31 envelope on the final plat by Mr. Dyer, seconded by Mr. Firman, Passed 5-0.

32
33 Peaceable Kingdom- Gary & Jean Bressor, James & Lyn Feinson- Application 2019-008 for an
34 amendment to a Final Subdivision/PUD-Residential/Conditional Use at Parcel ID# TR0069, located
35 at 55 Thompson Rd and CO0004, located at 4 Cochran Rd, Richmond, located within the
36 Agricultural/Residential (A/R) Zoning District

37
38 Gary Bressor and James Feinson sworn in.

39
40 Mr. Bressor explains that they have done some marketing and found that parties were not interested in
41 the distance from garage to homes, new layout has garages adjacent or attached. Units are mostly in the
42 same spots. Barn is being shrunk to one unit. No additional parking in the barn anymore. Impervious
43 surface has decreased. Unit 3 was originally a single family unit but has been altered. Similar
44 development styles have been approved in the past by the DRB.

45
46 Mr. Firman question about unit orientation and parking. Discussion ensued about barn removal and
47 previously approved barn replacement. Mr. Bressor explained that Units 1 and 2 are 2-bedroom units
48 and only one parking space below Unit 3 provided. All other units will be three-bedrooms.

49
50 Mr. Sunshine question about access to units from Staff Report and removal of sidewalks. Mr. Bressor
51 explains that driveways go to each unit

1 Mr. Sunshine ask it he intends to maintain the tree line. Mr. Bressor explains the cedars are on the
2 Wells' property and he intends to increase the tree line.

3 Mr. Sunshine asks about changes in condominium covenants. Mr. Bressor explains the changes were
4 mostly about parking.

5
6 Mr. Monks question about solar language in condo agreements. Mr. Bressor confirmed location after
7 it was found Mr. Monks mistakenly had an earlier draft.

8 No more questions from the Board.

9
10 **Questions from the Public-**

11
12 William Preston asked a question about snow removal plan, concerned about drainage onto neighboring
13 property. Mr. Bressor said he would be happy to put a swale in to collect in corner.

14
15 Mr. Preston asked about the barn. That it was one of the oldest in Town. Concerned that we are losing
16 nice old barns. Mr. Preston thought there was an agreement when they replaced the roof that the barn
17 must remain. Mr. Bressor explained that the barn is located at second driveway, looked into it when
18 he bought it, barn grant money required that it be maintained for 5 years. Restriction has run out. He
19 had hoped to save it too. Met with people about event space possibility, but was told it was too narrow.
20 Zoning didn't allow for event space. Neighbors weren't interested in the possibility of event space
21 because of noise and traffic. He hates to see it go, but it just doesn't work. He has spent time doing
22 restoration work and he usually just save the walls because of condition of materials.

23
24 Mr. Preston would like cedars to buffer noise and lights. Concerned the headlights for driveway (for
25 Units 6-8) are going to shine up on his son, Darcy's, house. Discussion ensued about driveway
26 orientation and lights concern. Mr. Bressor said he could add cedar hedging to mitigate that concern.

27
28 Mr. Preston states the parcel was owned by his family and his grandfather had found arrowheads, during
29 WWII the land was use by military. Thinks there should be a review of property. Mr. Sunshine states
30 that there is no current regulation would require an archaeological review if it isn't under Act 250.

31
32 Alison Anand states Mr. Preston may want to speak with Peter Thomas about archaeology of site.

33
34 Mr. Bressor states that where Units 4-7 are there were other barns there historically. He has found
35 layers of various soils. Fill from Town Garage construction went to the front of the barn. There was a
36 big building behind the barn, might not find anything under various layers except items from Town
37 Garage.

38
39 Mr. Pedersen asks about dumpster building that was on previous plan. Mr. Bressor explains that with
40 each unit having garage access, the unit owners are now responsible for own trash, was not in final
41 approval from last time either it was in preliminary application.

42
43 Ms. Anand states that previous owner, Betty Preston, had a significant amount of Preston land
44 preserved. Is this adjacent to that land? Mr. Preston states yes, legacy program, conserved behind this
45 parcel. Ms. Anand ask if this application affects that preserved land. Consensus: not affecting.

46
47 No further questions. Motion to enter deliberative session by Mr. Monks, seconded by Mr. Firman,
48 Passed 5-0.

49
50 **Other Business was moved up in the agenda to 7:45pm**

51 **Minutes to be approved:**

1 February 13, 2019- motion to accept by Roger seconded by Matt, 4-0-1 (abstention: Mr. Firman).

2
3 Buttermilk LLC- Application 2019-003 for an Amendment to a PUD/Conditional Use Approval,
4 increase the number of dwelling units from 10 to 14 within existing two floors of a mixed use building
5 at BR0125, located at 125 Bridge St, Richmond, located within the Residential/Commercial (R/C)
6 Zoning District.

7
8 Brendan O'Reilly, Josi Kytle and Colin sworn in.

9 Mr. O'Reilly explains they are reallocating the number of units to the first building. We chose 10 units
10 for the purposes of a original approval, and now we are proposing 4 more apartments, but number of
11 bedrooms is the same.

12
13 Mr. Sunshine states that our ordinance does not address bedrooms, but maybe planning commission
14 should consider.

15
16 Lauck Parke, Planning Commission member, states that Town Planner is working on that proposed
17 change with the commission.

18
19 Mr. Sunshine asks if all other conditions are remain the same. Mr. O'Reilly replies yes.

20
21 Mr. Pedersen asks if this is a better way to fill the space. Mr. O'Reilly states that in the last two years
22 the market has changed. Ms. Kytle states they have requests for smaller units, and new Town Plan
23 discusses that as well.

24
25 Mr. Pedersen asks if the commercial/residential ratio would still be the same. Ms. Kytle and Mr.
26 O'Reilly both reply yes, the top two floors are still residential.

27
28 Mr. Sunshine states that he conducted a site visit with ZA. Mr. Firman asks if floors are the same
29 layout. Ms. Kytle replies yes, they didn't even have floorplans for December 2016 approval. We were
30 going for the cleanup grant and needed approvals for that. They've had a range of requests, some
31 seniors, some small families, but the interest in residential is far higher than the number of units
32 available. Mr. Firman states that people that he knows that have rental space, rent the space quickly.
33 Ms. Kytle agrees that there is no rental supply and available units don't stay listed long.

34
35 Mr. Monks questions how many buildings are approved. Clarification discussion ensued about
36 approvals versus permits. They have 2 buildings approved, and one building permitted.

37
38 Colin Moffat, Buttermilk supervisor, opens discussion about dwelling unit versus bedrooms, other
39 town's regulations distinguish between number of bedrooms and how studios are sometimes calculated
40 for density, parking... He states he was part of a discussion with the Planning Commission about
41 changing that definition. Mr. Pedersen states that the DRB has a lot of issues that arise with number of
42 units. Mr. Moffat states that some Towns base units on family versus occupancy or size. Single family
43 language that is very difficult to define.

44
45 Questions from the Public-

46 Lauck Parke states that the several Planning Commission members are here in support of the applicants.

47
48 No further questions. Motion to move to deliberative session by Mr. Monks, seconded by Mr. Firman,
49 Passed 5-0.

50

1 Ms. Kytel asked how staff reports are structured or have authority. ZA clarified that they are notes for
2 the purposes of conveying information to the DRB members, but the decisions and minutes may contain
3 components of the staff reports.

4
5 Adjourn:

6
7 Roger Pedersen offered a motion to enter deliberative session the meeting at 8:02 pm and was
8 seconded by Matt Dyer and the motion carried 5-0.

9
10 Motion to approve Application 2019-008 with conditions. Vote- 4-0-1 abstention (Mr. Dyer).

11
12 Motion to approve Application 2019-003 with conditions. Vote- 4-0-1 abstention (Mr. Monks).

13
14 Motion to adjourn the meeting at 9:10 pm. Vote 5-0.

15
16 Respectfully submitted by Suzanne Mantegna, Zoning Administrator/Staff to the DRB