

1 Richmond Planning Commission
2 Regular Meeting
3 Wednesday, April 16, 2014
4 Approved Minutes

5 **Members Present:** Mark Fausel (Chair), Bruce LaBounty (Vice-Chair), Ann Cousins, Sean Foley, Marc
6 Hughes, Lauck Parke, Brian Tellstone

7
8 **Others Present:** Clare Rock (Town Planner/Staff to the DRB), Wendall Dwire, Liz DeLorge, Elysse
9 Parente, Alison Anand, Jack Linn, Terry Bambrick.

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11 **7:05 PM Fausel called the meeting to order.**

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13 Ann Cousins, made motion to open the public hearing, LA Bounty seconded, all in favor.

14
15 The purpose of the Public Hearing is to hear public comment regarding proposed changes to the Richmond
16 Zoning Regulations, approved March 1969 and last amended on October 7, 2013. The purpose of the
17 changes is to make specific modifications regarding Section 6.8, the Flood Hazard Overlay District. These
18 are minimal changes to two sections to ensure compliance with FEMA requirements for participation in the
19 National Flood Insurance Program.

20
21 Fausel provided an overview of the public hearing process and the reasoning for the technical changes to the
22 flood hazard regulations. New FEMA DFIRM / floodplain maps will become effective in August 2014, and
23 the town is still learning about repercussions from TS Irene. Because of the new maps Richmond Regulations
24 need to be in compliance with FEMA requirements. The State DEC has reviewed Richmond Regs and
25 identified two non-compliance issues. The changes presented at this Hearing will correct the 2 non-
26 compliance issues. Fausel provided an overview of the change to Item 18: regarding the need to “Assure that
27 all other State and Federal Permits are attained” and Item 33: “Require that for floodproofed non-residential
28 structures, ...etc.”

29
30 The following handout was made available to the public: “Revisions to Flood Hazard Overlay District”

31
32 No comments or questions from the public.

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34 Cousins made motion to close the hearing, LaBounty seconded. So voted.

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36 La Bounty made a motion to forward the changes as written to the Select Board for adoption, Parke
37 seconded. So voted.

38
39 **7:15 PM Discussion on broader changes (Prong II) to the Flood Hazard Overlay District**

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41 Fausel provided a background on the concept the Planning Commission is considering: to ease the permitting
42 burden for properties in the floodplain. In 2009 a re-write of the flood hazard regulations stated that any
43 development requires DRB approval.

44
45 Since TS Irene the PC has been working to deregulate and make permitting easier. Fausel outlined the
46 guiding principles behind the changes and referenced the handout titled “Advantages to the Proposed
47 Zoning” and “Proposed Use Table.” Discussion followed with members of the public about flood insurance
48 and the new maps and the substantial improvement requirement.

49
50 Jack Linn supports the concept of exempting repairs and maintenance and suggests at-grade parking be a “P”
51 not a “CU”. Questions followed about the map appeal process and a request or recommendation that there be
52 some notification to property owners about the upcoming changes to flood insurance.

53
54 The PC discussed the timeline for the approval process of re-writing the regulations. It was suggested to have
55 a draft ready at the end of May, maybe. The draft would still need to under go a FEMA review and accept the
56 concept of the work notification. The Planning Commission would like the Select Board to adopt the
57 proposed re-write and not put the approval to a town wide vote.

1
2 Parke suggested the Planning Commission consider a mailing/postcard to properties in the floodplain. Also
3 consider a public outreach.

4
5 Rock distributed “Proposed Changes to the draft “Prong II” Flood Hazard Regulations” which included some
6 proposed new definitions for the re-write. The PC discussed the definitions and agreed to incorporate the
7 following new definitions to the working draft of the flood hazard regulations: *Contents, insignificant*
8 *activities, insignificant repairs, maintenance* (strike word *routine* from in front of the word maintenance,
9 keep *routine* as part of definition), *temporary structures*, reconcile definitions and reference to buildings vs
10 structures (use definition of structure from RZR), do not include definition of minor accessory structure and
11 delete last sentence of Critical Facilities definition.

12
13 Next steps - Rock will accept minor track changes from Prong II, dated January 15, 2014, with Gents
14 comments from Feb 13, 2014. Rock will add the above changes and continue review of document.

15
16 Fausel suggested that next steps also include grouping the uses as contained within the table titled “Proposed
17 Uses Table” and need to include a “work notification” paragraph in the draft.

18
19 **8:40 PM Old Business**

20
21 Creamery parcel update – Cousins visited some towns with Form Based Code Zoning Regulations and liked
22 some aspects, such as the lack of parking requirements. The SB will be holding the hearing on the Interim
23 Zoning on May 5, 2014

24
25 Cell tower – LaBounty provided an update, the Select Board will seek intervener status on Cochran Road
26 location.

27
28 **8:50 PM Administrative Items - Meeting Minutes March 19, 2014 & April 2, 2014**

29
30 Cousins made a motion to approve the April 2 minutes, Parke seconded. So voted.
31 LaBounty made a motion to approve the March 19 minutes, Cousins second. So voted.

32
33 Tellstone recommended a recent article from the New York Times about managing water and floodplain.
34 Rock will email a link to article to PC members.

35
36 **Adjournment**

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38 Foley made a motion to adjourn, seconded by Hughes. So voted. The meeting adjourned at 9:00PM.

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40
41 Respectfully submitted by Clare Rock, Town Planner/Staff to the DRB