

Richmond Planning Commission

Regular Meeting

January 18, 2012

Approved Minutes

Members Present: Gary Bressor (Chair), Lou Borie (Vice-Chair), Mark Fausel, Joe McHugh, Dan Renaud, Christy Witters

Members Absent: One vacancy

Others Present: Cathleen Gent (Town Planner); John Rankin, Tina Marie Carpenter, Marcy Harding, Don Morin, Jack Linn, Lauke Parke, Tom Coggio, Bob Low, Mary Houle

7:00 PM Call to order by the Chair.

Public Comment – No public comment for topics not on the agenda.

Mail - Gent reviewed the mail.

Meeting Minutes & Town Planner Report

Meeting Minutes: For January 4, 2012

Several edits were made to the meeting minutes. Motion by Borie, seconded by Fausel, to approve the minutes as amended. Voting: in favor: 6; opposed: 0; abstentions: 0.

Meeting Minutes: For January 9, 2012

Several edits were made to the meeting minutes. Motion by Borie, seconded by Fausel, to approve the minutes as amended. Voting: in favor: 5 (Bressor, Borie, Fausel, McHugh, Renaud); opposed: 0; abstentions: 1 (Witters).

Town Planner Report

Gent provided brief updates for the January 13, 2012 town planner report.

Preparation for Town Plan Re-Adoption Public Hearing – January 23, 2012

The Planning Commission and Gent discussed the arrangements for the public hearing for the town plan re-adoption. Parke requested that additional information be available at the hearing regarding how the existing town plan supports the proposed zoning and subdivision bylaws. Bressor agreed that information could be provided. Coggio said that, although things are going well for his business at the current location in the Farr complex, he still wants the option of moving back to his mother's house and having his business there.

In response to a question, Gent explained that there are not any changes to the 2007 Town Plan, except for a revised date. Morin said there are two options for the town plan and zoning regulations. The first is to wait for the new town plan and make the bylaws comply with the new town plan. The second is to adopt the current town plan, which he thinks should be done. Morin asked why we are adopting new bylaws when a new town plan is imminent. Renaud explained that it is an iterative process and that zoning has to be in compliance with the town plan. Fausel added that the original zoning regulations were adopted quite a long time ago. The 2007 town plan represents a vision that people want in terms of a more vibrant town center and rural areas and the current zoning bylaws do not support that. The types of changes for the next town plan will focus on energy, natural resources and agriculture and will not cause fundamental changes that will significantly affect the zoning regulations. Fausel added that the current draft zoning and subdivision bylaws represent a major modification to the zoning regulations and that the new town plan will result in minor changes to the zoning regulations.

2012 Richmond Town Plan Project

Status Update – Gent reported that she has met with Sharon Murray, consultant for the three town plan targeted topic areas and that Murray is reviewing and documenting natural resources studies and recommendations. Gent also reported that the state will not extend the completion date for the Municipal Planning Grant, which means the portion of the town plan update being done with Murray must be completed as scheduled by May.

Schedule meetings with consultant and committees – Gent said that the next step in the process with Murray is to set up a public meeting for each of the three topic areas, starting with a meeting for the

1 natural resources/environmental resources improvements. After getting input from the audience, the
2 Planning Commission decided to invite the public at large, large property owners, Conservation
3 Committee, Richmond Land Trust. Several members of the audience suggested that more outreach be
4 done to get the word out about those meetings. Bressor pointed out that the mailing for the January 4th
5 public hearing was expensive and that other avenues will be used, for instance, Front Porch Forum,
6 signs, etc. Gent will prepare an article for the Times Ink!

7
8 *Special Project with Vermont Natural Resources Council (VNRC)*

9 Gent reported that she has had an additional conversation with VNRC and they are willing to work with
10 Richmond doing technical assistance for the next steps for wildlife planning. Gent has told VNRC that
11 Richmond would like to focus on specific standards for wildlife habitat, corridors, etc. To participate in
12 the project, Richmond must appoint member(s) to a multi-town steering committee for the year. Bressor
13 asked if the Selectboard would want to make that appointment and Gent will talk with Geoff Urbanik
14 about that.

15
16 **Richmond Zoning & Subdivision Regulations**

17 Bressor asked if anyone from the audience wished to comment on the draft regulations. Don Morin
18 asked when the Planning Commission will discuss the comments offered during the January 9th
19 Planning Commission meeting. Bressor said the Planning Commission needs to discuss the schedule
20 for reviewing all the comments and the commission is first reviewing comments made during the
21 January 4th public hearing and will then discuss comments made by town attorney Mark Sperry. He
22 added that the Planning Commission would not discuss the July 9th comments tonight.

23
24 Jack Linn said that Marilyn Brown asked him to point out that the Cochran land and adjoining land
25 owned by UVM is in the R-10 district. He noted that the Outdoor Recreation Class 1 or Class 2 are not
26 allowed in the R-10 district and asked the Planning Commission to look at that. Coggio said that he
27 thinks people will want the village to be business and residential friendly and focus on buy locally. He
28 suggested a new train station in the village would be a good idea.

29
30 Gent distributed two documents:

31 1) A summary of the Selectboard meeting that she and Bressor attended on January 17th. Bressor said
32 that, based on the meeting with the Selectboard, it looks like there will be a public vote on the zoning
33 and subdivision regulations on November 6th (general election). He added that there are potential
34 options for having a town-wide vote sooner than that. Bressor pointed out that it is taking longer than
35 the Planning Commission thought to work through the comments and certain sections of the bylaws will
36 be re-worked. Renaud and Fausel responded that the November vote may actually work better, based
37 on the Planning Commission review and potential changes.

38 2) The second document, which was handed out to the Selectboard during the January 17th meeting,
39 provided a summary of public comments made during the January 4th public hearing and the January
40 9th Planning Commission meeting.

41
42 The Planning Commission continued its review of comments made during the January 4th public
43 hearing. The first topic was administratively created subdivisions, which was brought up first by David
44 Sunshine. Fausel said he is not opposed to the idea. Borie said there should be a limit to every 7 years
45 for a subdivision. Bressor said he does not like administrative subdivisions because applicants do not
46 have to follow the same standards as the DRB follows in approving a subdivision. Also, neighbors do
47 not receive notices and are not involved in the process. He suggested a public hearing is appropriate.
48 Most importantly, he questioned why everyone else has to go through the DRB subdivision process,
49 except for someone who owns more than 25 acres. Bressor noted that he recently went through a one-
50 lot subdivision and the DRB process was smooth. Jack Linn said that he did an administrative
51 subdivision and saved thousands of dollars, on perc tests. The Planning Commission decided to table
52 the discussion and discuss it again. In the meantime, Gent will find out what the state requires for
53 wastewater and whether the same information is required by the state of applicants, whether it is an
54 administrative subdivision or a regular subdivision. Low said that, if the administrative subdivision
55 provision is going to be added to the bylaws again, it should be fixed and everyone should be treated
56 equally.

57
58 The Commission discussed comments from Fran Thomas (public forum comments and subsequent
59 meeting with Gent) regarding the maximum footprints for accessory structures in certain zoning

1 districts. The Planning Commission decided not to reduce the maximum size of accessory structures,
2 as suggested by Thomas. However, the Planning Commission discussed the idea that, for any
3 accessory structure larger than 1,000 square feet, an additional foot of setback would be required per
4 each 100 square feet in the VRS, VRN, JR, R-3, and R-10 districts. The maximum additional setback
5 would not exceed a 25 foot setback. The Planning Commission tentatively decided not to make this
6 change and to discuss this concept again.
7

8 The Planning Commission discussed the comment from Justin Willis that an accessory dwelling is not
9 counted in the density calculation. The commission decided to add a note in Section 3.8.1, Accessory
10 Dwellings, and in Section 5, Definition for Density, that the number of dwellings does not include
11 accessory dwellings.
12

13 The Commission then discussed Ed Wells' comment about quality of life factors and changes in the
14 VRS zoning district. Borie said that the Planning Commission was trying to strike a balance with
15 potential quality of life changes with the overall goals in the town plan. The Commission agreed that the
16 right balance has been struck.
17

18 The commission then discussed David Sunshine's comment that a survey should be used for boundary
19 adjustments and decided that a survey should be required.

20 - In Section 4.2.3, Boundary Adjustments, change the word "plan" to "plat."

21 - Gent will check with town attorney Mark Sperry to be sure that this is consistent with Chapter 117.
22

23 The Planning Commission then discussed comments made by David Raphael regarding the creamery
24 parcel.

25 - With respect to flexibility in terms of when the non-residential development would need to occur, the
26 Planning Commission agreed there could be phasing, but did not reach a conclusion about how the
27 timeframe under which the phasing would have to be completed. This needs to be discussed again.

28 - With respect to changing the developable land and density calculations to allow floodplain to be
29 included as "developable", the Planning Commission decided not to make any changes since the same
30 natural resource constraints should apply both inside and outside the village.

31 - The Planning Commission asked Gent to invite Raphael to a future meeting to discuss specific plans.
32

33 Marcy Harding from Stage Road said that she continues to be concerned that Stage Road is completely
34 within the R-10 zoning district and suggested that it makes sense for Stage Road to become a R-3
35 district, at least along the road. Harding pointed out that the land along Stage Road may not have a lot
36 of land development potential. The Planning Commission discussed the possibility of a R-5 district on
37 Stage Road and the other three roads currently designated as R-10. Gent reviewed the zoning districts
38 along the Richmond borders. The Commission agreed that the lot size requirements are generally
39 consistent with those of surrounding towns. Harding and the Planning Commission discussed different
40 options for getting input from other property owners along Stage Road, but no approach was decided
41 upon.
42

43 Bob Low said he will talk with neighbors along Wes White Hill Road and Durand Road which are
44 included in the R-10 district to see if they are comfortable with being in that district.
45

46 John Rankin from Church Street noted that he has submitted written comments and reiterated that he is
47 disappointed that municipal streetlights are exempt from the outdoor lighting provisions in the proposed
48 bylaws. He also discussed Section 3.2.3.g) regarding period fixtures. He pointed out that the DRB can
49 simply approve those lights and is concerned that, if those lights do not have to meet the cut-off
50 standards, they will contribute to light pollution and inefficiency. He added that a 15-foot tall fixture can
51 cause unwanted light in a bedroom. He would like to see more guidance for the DRB within section g).
52 Rankin noted that this section defeats the very good draft regulations and acknowledged that he is not a
53 fan of the period lights at the town center.
54

55 Harding said she has submitted the following comment to Gent and wanted to comment directly to the
56 Planning Commission that, although the current and proposed bylaws both prevent new residences to
57 be built in the floodplain, it is not clear if accessory dwellings must be allowed to be built in the flood
58 zone. She thinks the town should think long and hard about whether it is good public policy for
59 accessory dwellings to be allowed in the FEMA Special Flood Hazard Area. Gent will talk with town

1 attorney Mark Sperry about this, since state statute allows for accessory dwellings for any single family
2 residence.

3
4 The Planning Commission made the following changes to Section 3.2.3 – Outdoor Lighting:
5 - Subsection e) – change “The Town of Richmond Public Works Specifications” to “these Regulations”
6 - Subsection g) – Delete text and replace with, “Period Lighting Fixtures – Must have a maximum height
7 of 15 feet”

8
9 Every week or two, Gent will assemble and package together for the Planning Commission all new
10 comments received regarding the proposed zoning and subdivision regulations.

11
12
13 **Adjournment**

14 Borie made a motion to adjourn, seconded by Fausel. So voted. The meeting adjourned at 10:10 PM.

15
16
17 Respectfully submitted by Cathleen Gent, Town Planner/Staff to the DRB